

McGOEY, HAUSER and EDSALL CONSULTING ENGINEERS D.P.C.

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TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT:LANDS OF WESTPORT MANAGEMENTPROJECT NO.:2015-12PROJECT LOCATION:SECTION 47, BLOCK 1, LOT 70REVIEW DATE:12 JUNE 2015MEETING DATE:18 JUNE 2015PROJECT REPRESENTATIVE:MERCURIO-NORTON-TAROLLI-MARSHALL

- 1. Proposed lot 1 does not meet current setbacks for the existing single family residence located on the site. Zoning Board of Appeals approval will be required for this pre-existing condition.
- 2. Lot 2 contains an existing barn in the front yard setback which will also require Zoning Board approval.
- 3. Future submissions should address drainage from the driveways to the Town roadway. Long driveways with excavated cuts will channelize water to the access point.
- 4. Common driveway access and maintenance agreements are required.
- 5. Mike Donnelly's comments regarding proposed lot 1 containing lands on both sides of Gardnertown Road should be received.
- 6. Highway Superintendent's comments on driveway locations should be received. Driveway location for proposed lot 1 should be clearly identified on the plans. It appears that all driveways are located in very close proximity.

Respectfully submitted,

McGoey, Hauser and Edsall Consulting Engineers, D.P.C.

Patrick J. Hines Principal

Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •





45 Main Street • P.O. Box 166 Pine Bush, New York 12566 Tel: (845) 744-3620 Fax: (845) 744-3805 Email: mnt-pc@mnt-pc.com

Alphonse Mercurio, L.S. William G. Norton, L.S. (NY & PA) Lawrence J. Marshall, P.E. John Tarolli, P.E., L.S.

Zachary A. Peters, P.E. Kenneth W. Vriesema, L.S.

June 5, 2015

Planning Board Town of Newburgh 308 Gardnertown Road Newburgh, NY 12550

Job No. 3882 Re: Lands of Westport Management, LLC Tax Map Parcel: 47-1-70 Town of Newburgh, Gardnertown Road 4-Lot Residential Subdivision Town of Newburgh Project #2015-12

Dear Board Members:

Enclosed please find the following items in reference to the above-captioned project:

- 1. Twelve (12) copies of the Subdivision Sketch Plan
- 2. Twelve (12) copies of the Short Environmental Assessment Form (EAF)
- 3. Twelve (12) copies of the Project Narrative
- 4. Twelve (12) copies of the Application Package
- 5. Twelve (12) copies of the Application Checklist
- 6. Application Fee: \$1,350
- 7. Public Hearing Fee: \$150
- 8. Escrow/EAF Fee: \$3,000

The proposed subdivision will require a waiver from the Town of Newburgh Town Board in accordance with §161-38.C for the sight distance for the two proposed driveways.

Please place this project on the next available meeting agenda for discussion.

If you have any questions or concerns, please feel free to contact me at (845) 744-3620 or by email at zpeters@mnt-pc.com.

Sincerely, Zachary A. Peters, P.E. 2015 JUN

ZP/zp Enc.

Westport Management, LLC cc: Pat Hines (w/ all enc.) Michael Donnelly, Esq. (w/ all enc.)

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Mercurio-Norton-Tarolli-Marshall

Alphonse Mercurio, L.S. William G. Norton, L.S. (NY & PA) Lawrence J. Marshall, P.E. John Tarolli, P.E., L.S. 45 Main Street • P.O. Box 166 Pine Bush, New York 12566 Tel: (845) 744-3620 Fax: (845) 744-3805 Email: mnt-pc@mnt-pc.com

Zachary A. Peters, P.E. Kenneth W. Vriesema, L.S.

Project Narrative

For

Westport Management Subdivision

Gardnertown Road Town of Newburgh Orange County, New York Town of Newburgh Project #2015-12

Prepared for: Westport Management, LLC 33 S. Plank Road Newburgh, NY 12550

Prepared by: Mercurio-Norton-Tarolli-Marshall, P.C. P. O. Box 166 45 Main Street. Pin TyphNEM 9566 Street 50044 2000 Street 5000 Street 50000 Street 5000 St

> *Prepared:* May 28, 2014 *Last Revised:* June 4, 2014

Project Narrative for Westport Management Subdivision

A. Description of Project Site

The Westport Management Subdivision is a proposed four (4) lot residential subdivision. The project involves the creation of three (3) single-family dwelling lots and one (1) existing single-family dwelling. The project is located on the northeasterly side of Gardnertown road in the town of Newburgh, County of Orange, State of New York. The site is designated as tax map parcel: Section 47, Block 1 Lot 70. The project site contains a total of 10.324 Acres located in the R-1 zoning district.

B. <u>Description of the Project</u>

Lot 1, containing the existing single-family dwelling and barn, has an area of 40,835 square feet on the northerly side of Gardenertown road, greater than the 40,000 square foot minimum required lot size. The single-family dwelling is served by an individual well and sewage disposal system which will remain. In addition to the 40,835 square foot area, it is proposed that the 3.383 acres on the southerly side of Gardenertown Road be hooked to Lot 1. This area is unbuildable under current Town of Newburgh and New York State Department of Health regulations. Lots 2, 3, and 4 are proposed single-family residential lots with areas of 126,849 square feet, 52,852 square feet, and 49,902 square feet, respectively. All three lots are larger than the 40,000 square foot minimum lot size required for single-family residential lots. All three lots will meet the required zoning setbacks.

The sizes of the buildable area within the setback are: Lot 1 - 11,553 square feet, Lot 2 - 15,394 square feet, Lot 3 - 20,392 square feet, Lot 4 - 35,853 square feet. The buildable areas for all lots exceed the minimum area required for single-family dwellings.

C. Description of Proposed Improvements

The site is currently accessed by two gravel driveways serving the existing house and barn. The easterly driveway will continue to serve the existing single-family dwelling on Lot 1. The remaining lots will be served by proposed driveways located between the existing easterly and westerly driveways. Lots 3 & 4 will be served by a shared driveway. The driveway will serve two (2) dwelling units, meeting the maximum permitted number of serviceable dwelling units on a common driveway as prescribed in §161-4 of the Town Code. Lot 2 will access Gardnertown Road through the proposed driveway adjacent to the proposed shared drive. The existing gravel drive serving the barn on Lot 2 will be abandoned.

D. Stormwater Management

The total proposed area of disturbance is approximately 2.3 acres. Erosion and sediment control measures will be installed during construction to prevent the transportation of sediment off-site. Silt fencing will be installed below disturbed areas and stabilized construction entrances will be installed at each of the proposed driveway entrances. Erosion and sediment control measures will be maintained at all times during construction.

Project Narrative for Westport Management Subdivision

E. Access

The existing house and barn on the project parcel are currently served by two (2) driveways accessing Gardnertown Road. The two (2) existing driveways do not meet the minimum required sight distance of 300 feet specified in §161-38.C of the Town Code in the easterly direction. Sight distance in the westerly direction for both driveways exceeds the required 300 feet.

Two (2) additional driveways serving the proposed parcels will be installed between the two (2) existing driveways. The existing driveway on the north edge of the property is proposed to be removed. The proposed driveways have been proposed in portion of the site that optimizes the sight distance and minimizes the amount of grading necessary for the installation of the driveways and grading along Gardnertown Road.

The project site contains approximately 300 feet of frontage along Gardnertown Road to the east of the existing dwelling; however, this area is not accessible due to the steep bank along the edge of the road. A proposed entrance is not feasible at this location without extensive grading both along the roadway and into the project site.

While the easterly site distances for the proposed driveways do not meet the 300' minimum, they are an improvement over the existing conditions. In accordance with §161-38.C of the Town Code, a waiver is being requested from the Town of Newburgh Town Board to allow the driveways under the very low traffic volume conditions on Gardnertown Road.

F. Zoning

Lot 1 has a front yard setback of approximately two (2) feet to the existing single-family dwelling. The minimum required front setback in the R-1 Zone is 50 feet. The existing parcel contains land on the north and south side of Gardnertown Road and includes ownership of the roadbed. Gardnertown Road is a user road through this parcel. As part of this subdivision, a dedication of Gardnertown Road to the Town of Newburgh is being proposed. The dedication of the roadway results in the insufficient front yard setback for the existing home on Lot 1.

TOWN OF NEWBURGH APPLICATION FOR SUBDIVISION/SITE PLAN REVIEW

RETURN TO: Town of Newburgh Planning Board 308 Gardnertown Road Newburgh, New York 12550

DATE RECEIVED:	_ TOWN FILE NO:
(Application fee returnable	e with this application)

1. Title of Subdivision/Site Plan (Project name): WESTPORT MANAGEMENT SUBDIVISION

2. Owner of Lands to be reviewed:

Name	WESTPORT MANAGEMENT, LLC	
Address	33 SOUTH PLANK ROAD	
	NEWBURGH, NY 12550	
Phone	845-569-0377	

3. Applicant Information (If different than owner): Name SAME AS OWNER

name	
Address	

Representative Phone	LAWRENCE MARSHALL, P.E. 845-744-3620	-
Fax _		
Email	MNT-PCCMNT-PC.COM	_

4. Subdivision/Site Plan prepared by:

Name Address	MERCURIO-NORTON-TAROLLI-MARSHALL PO BOX 166
	PINE BUSH, NY 12566
Phone/Fax	845-744-3620 (PHONE)

5. Location of lands to be reviewed: GARDVERTOWN ROAD

6.	Zone			Fire Scho	District ol District	ORANI NEV	<u>GE LAKE</u> NBURGH	
7.	Tax Map: S	Section	47	Block	1	Lot	70	

8.	Project Description and Purpo	se of Re	view:	.1
	Number of existing lots	1	Number of proposed lots _	4
	Lot line change			
	Site plan review			
	Clearing and grading			·
	Other		······································	

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

- 9. Easements or other restrictions on property: (Describe generally) <u>CARDNERTOWN</u> ROAD R.O.W.
- 10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Title_Member Signature 6/4/15 Date:

<u>NOTE:</u> If property abuts and has its access to a County or State Highway or road, the following information must be placed on the subdivision map or site plan: entrance location, entrance profile, sizing of pipe (minimum length of pipe to be 24 feet).

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

FEE ACKNOWLEDGEMENT

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

WESTBORT MANAGEMENT, LLC HARRY LIPSTEIN (MEMBER **APPLICANT'S NAME** (printed)

APPLICANTS SIGNATURE

6/4/15 DATE

Note: if the property abuts and has access to a County or State Highway or road, the following information must be place on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

PROXY

WESTFORT MANAGEMENT, ILC
WESTFORT MANAGEMENT, ILC (OWNER) <u>HARRY LIPSTEIN (MEMBER)</u> , DEPOSES AND SAYS THAT HE/SHE
RESIDES AT <u>33 SOUTH PLANK ROAD, NEWBURGH, NY 12550</u>
IN THE COUNTY OF
AND STATE OF NEW YORK
AND THAT HE/SHE IS THE OWNER IN FEE OF OF New BURGH
TAX PARCEL 47-1-70 (GARDNERTAIN ROAD)
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND MERCIRIO-NORTON - TAROUH MARSHALL IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: <u>6/4/15</u>

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I

LAWRENCE MARSHALL, P.E. ZACHARY A. PETERS, P.E.

NAMES OF ADDITIONAL REPRESENTATIVES

OWNERS-SIGNATURE

Harry Lipstein Member OWNERS NAME (printed)

WITNESS' SIGNATURE

GERYL T. V. Pagliand WITNESS' NAME (printed)

PLANNING BOARD DISCLAIMER STATEMENT TO APPLICANTS

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

6/4/15

ny Lipstein, Member **T'S NAME** (printed)

APPLICANT'S-SIGNATURE -

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION AND REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

X NONE

NAME, ADDRESS, RELATIONSHIP OR INTEREST (financial or otherwise)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

 ✓
 TOWN BOARD

 ✓
 PLANNING BOARD

 ZONING BOARD OF APPEALS

 ZONING ENFORCEMENT OFFICER

 BUILDING INSPECTOR

 OTHER

INDIVIDUAL APPLICANT

WESTPORT MANAGEMENT, LLC CORPORATE OR PARTNERSHIP APPLICANT

BY (Pres.) (Partner) (Vice-Pres.)

(Sec.) (Treas.) MEMBER

TOWN OF NEWBURGH PLANNING BOARD

WESTPORT MANAGEMENT, LLC PROJECT NAME

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. X Environmental Assessment Form As Required

2. X Proxy Statement

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3. \times Application Fees

4. X Completed Checklist (Automatic rejection of application without checklist)

II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.

- 1. X Name and address of applicant
- 2. ★ Name and address of owner (if different from applicant)
- 3. × Subdivision or Site Plan and Location
- 4. X Tax Map Data (Section-Block-Lot)
- 5. × Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
- 6. \times Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot
- 7.____ Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
- 8. \times Date of plan preparation and/or plan revisions
- 9. \times Scale the plan is drawn to (Max 1" = 100')
- 10. X North Arrow pointing generally up

- 11. X Surveyor, s Certification
- 12. X Surveyor's seal and signature
- 13. × Name of adjoining owners
- 14. _____Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
- 15. X Flood plain boundaries
- 16.____ Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
- 17.____ Metes and bounds of all lots
- 18. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street
- 19.____ Show existing or proposed easements (note restrictions)
- 20. X Right-of-way width and Rights of Access and Utility Placement
- 21.____ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
- 22. X Lot area (in sq. ft. for each lot less than 2 acres)
- 23. X Number of lots including residual lot
- 24. \times Show any existing waterways
- 25.____ A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
- 26. X Applicable note pertaining to owners review and concurrence with plat together with owner's signature
- 27.____ Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
- 28. X Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
- 29. \times Show topographical data with 2 or 5 ft. contours on initial submission

- 30. <u>NA</u> Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
- 31.____ If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed
- 32. X Number of acres to be cleared or timber harvested
- 33.____ Estimated or known cubic yards of material to be excavated and removed from the site
- 34.____ Estimated or known cubic yards of fill required
- 35.____ The amount of grading expected or known to be required to bring the site to readiness
- 36. <u>//A</u> Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.
- 37. <u>//A</u> Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.
- 38. List of property owners within 500 feet of all parcels to be developed (see attached statement).

The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

Licensed Professional

6/4/15 Date: _

This list is designed to be a guide ONLY. The Town of Newburgh Planning Board may require additional notes or revisions prior to granting approval.

Prepared (insert 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:				·	
Westport Management Subdivision					
Project Location (describe, and attach a location map):		······································			
Gardnertown Road, Town of Newburgh, Orange County					
Brief Description of Proposed Action:					····
Proposed 4-lot single-family residential subdivision, containing one existing dwelling					
-					
Name of Applicant or Sponsor:	Telep	hone: 845-569-0377			
Westport Management, LLC		il: lipstein1@gmail.com			
Address:	J				
33 South Plank Road					
City/PO:		State:	Zip	Code:	
Newburgh		NY	1255	50	
1. Does the proposed action only involve the legislative adoption of a plan, l	ocal lav	v, ordinance,		NO	YES
administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and	the env	ironmental resources t	that		
may be affected in the municipality and proceed to Part 2. If no, continue to			linat	\checkmark	
2. Does the proposed action require a permit, approval or funding from any	other g	overnmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Driveway waiver, Town of Newburgh Town Board					
				لــــا	[]
3.a. Total acreage of the site of the proposed action?	10.3	24 acres	i	·	
b. Total acreage to be physically disturbed?	2	.3 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	10.3	24 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			f		
		Residential (subur	ban)		
☑Forest □Agriculture □Aquatic □Other (□Parkland	specify	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			ĺ

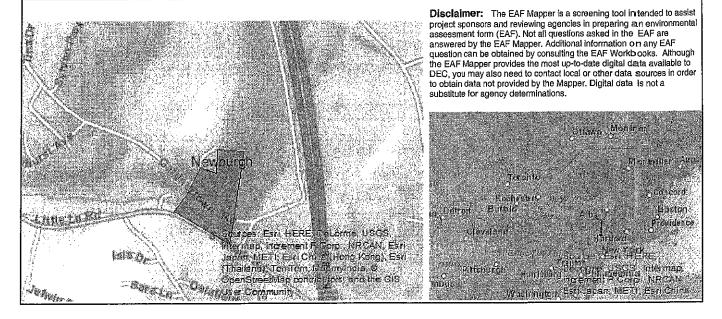
a. A permitted use under the zoning regulations? Image: Consistent with the adopted comprehensive plan? b. Consistent with the adopted comprehensive plan? Image: Consistent with the predominant character of the existing built or natural landscape? NO YES 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? NO YES if Yes, identify: Image: Consistent with the predominant character of the existing built or natural landscape? NO YES 8. a. Will the proposed action result in a substantial increase in traffic above present levels? NO YES b. Are public transportation service(s) available at or near the site of the proposed action? Image: Consistent will exceed requirements, describe design features and technologies: Image: Consistent will exceed requirements, describe design features and technologies: Image: Consistent will exceed requirements, describe design features and technologies: Image: Consistent will exceed requirements, describe design features and technologies: Image: Consistent will be proposed action connect to an existing public/private water supply? NO YES If No, describe method for providing wastewater utilities? NO YES Image: Consistent will be proposed action connect to existing wastewater utilities? NO YES If No, describe method for providing wastewater utilities? NO YES Image: Consistent will e			····	
b. Consistent with the adopted comprehensive plan? Image: Comprehensive plan? 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? No YES 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? NO YES 17 'Yes, identify: Image: Comprehensive plan? NO YES 8. a. Will the proposed action result in a substantial increase in traffic above present levels? NO YES b. Are public transportation service(s) available at or near the site of the proposed action? Image: Comprehensive plan? Image: Comprehensive plan? 9. Does the proposed action met or exceed the state energy code requirements? NO YES Image: Comprehensive plan? Image: Comprehensive plan? 10. Will the proposed action connect to an existing public/private water supply? NO YES Image: Comprehensive plan? Image: Compr		NO	YES	N/A
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If Yes, identify:				
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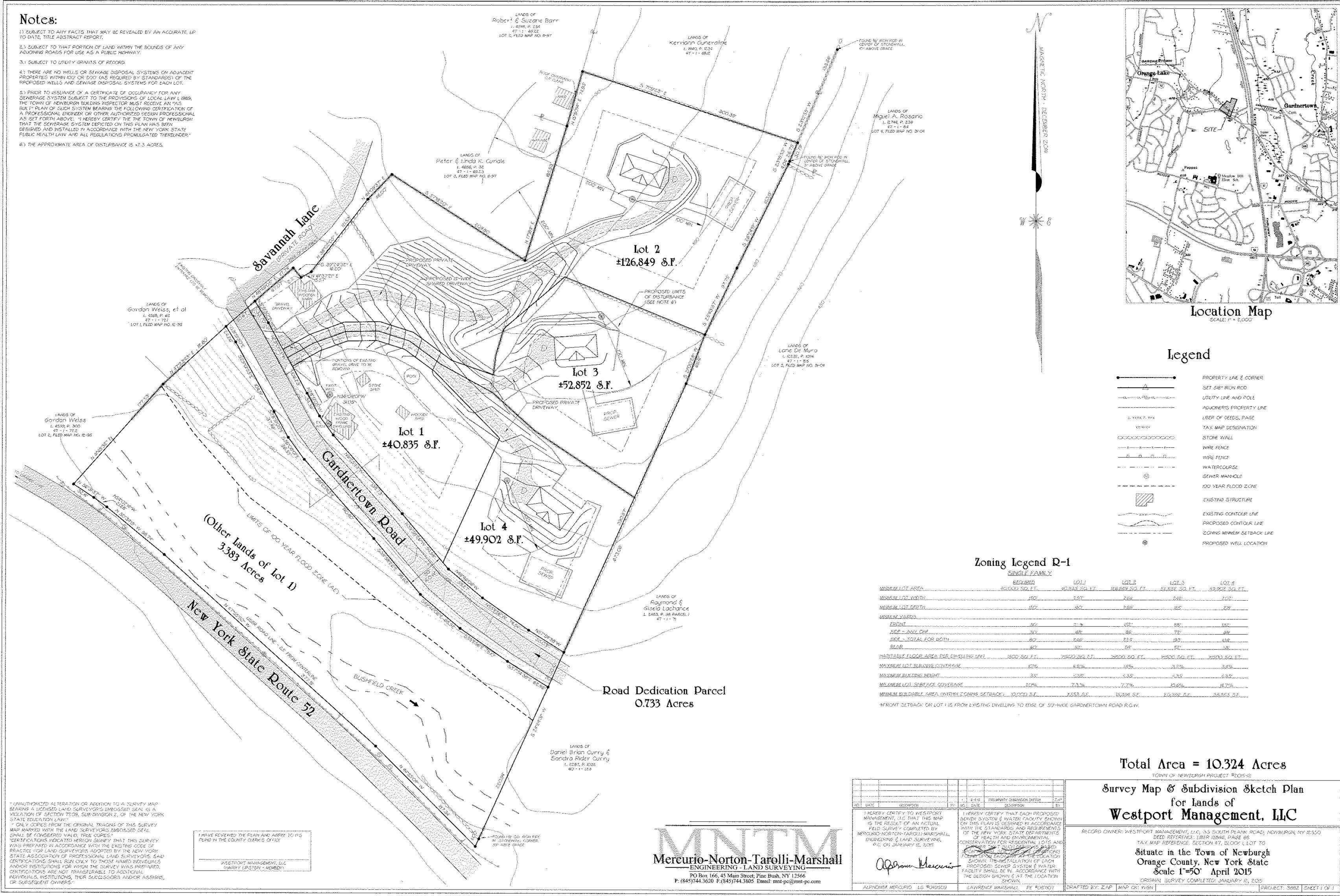
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain purpose and size:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
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:		
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST O	FMY
Applicant/sponsor name: Westport Management, LLC Date: June 4, 2015 Signature: Zachary A. Peters (Project Engineer) Date: June 4, 2015		

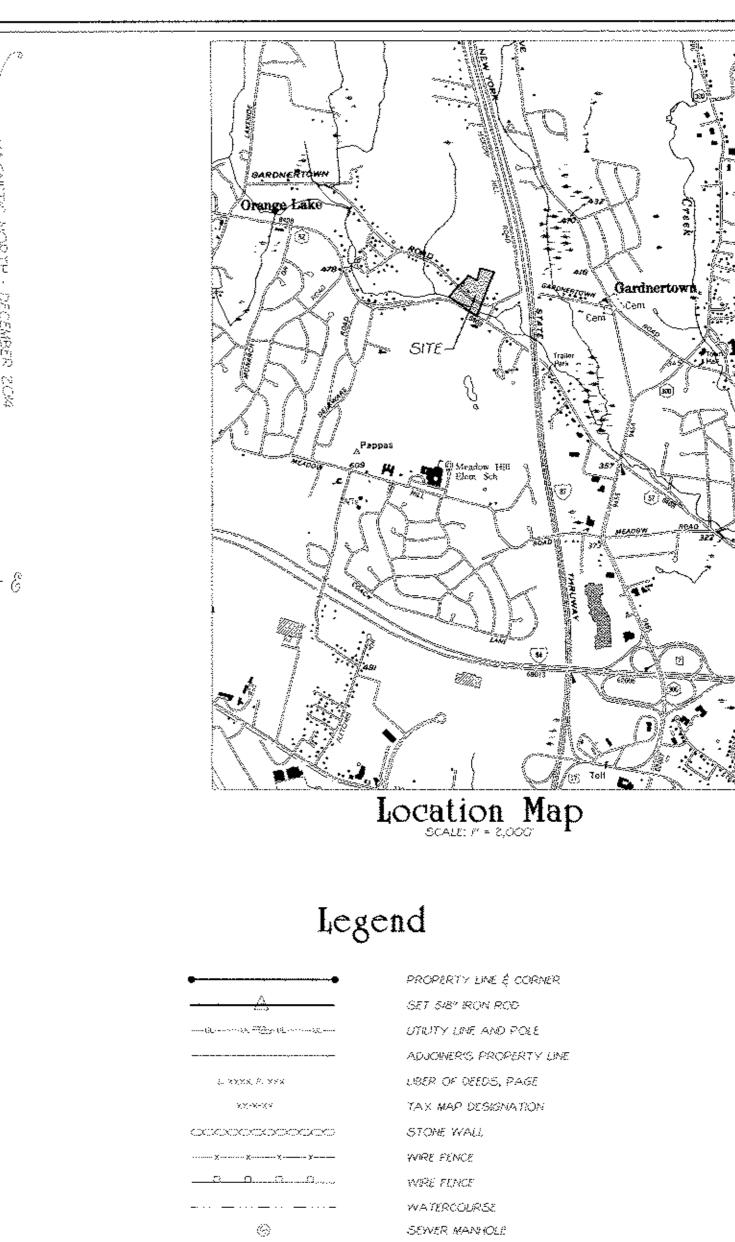
PRINT FORM

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Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	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]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No





	<u>SINGLE FAMILY</u>				
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