



**TOWN OF PHILIPSTOWN CONSERVATION BOARD**  
**238 MAIN STREET, COLD SPRING, NY 10516**  
**December 13, 2016**

**MINUTES**

The Conservation Board held its regular meeting at Philipstown Town Hall on Tuesday, December 13, 2016.

Present: Mark Galezo, (Chairman)  
Max Garfinkle (Natural Resources Review Officer)  
Andrew Galler  
Lew Kingsley  
M. J. Martin

Absent: Eric Lind  
Robert Repetto

**\*\* PLEASE NOTE that these minutes were abstracted in summary from the meeting and a taped recording.**

Chairman, Galezo opened the meeting at 7:32 P. M.

**1. New Business:**

***Ribeiros Construction, 65 Steuben Road, Garrison TM#91.5-1-26 WL#16-280***

Mr. T.J. Ribeiros represented the owner. The applicant proposed to build a new single family residence. The septic system will be encroaching 15 feet of the 100 foot wetlands buffer. Mr. Ribeiros noted that in 2009 a wetlands permit was issued and it had since expired. A new wetlands permit had been issued. The Board recommended that the applicant should contact the Putnam County Board of Health regarding the previously approved septic system. Septic system requirements have changed since the approval was done several years ago and to discuss with them the encroachment into the wetland buffer to see if there is an alternative. The applicant should return to the Conservation Board after he receives the approval from the Putnam County Health Department. The Applicant noted they have current approval with the Board of Health permit. The Board asked the applicant to provide a copy of the current Board of Health approval.

**Public comments:**

***Alexis and Kristopher Thornton, 67 Steuben Road*** - Expressed concern over a lake that has been shut down multiple times due to high phosphorus levels coming from the stream. Mr. Thornton submitted a geology report to the Board which shows that the lot located at 65 Steuben Road has high bedrock levels which makes the soil level shallow and that will make it difficult to get high levels of filtration through the amount of soil that is there. Mr. Thornton showed pictures to the Board which show the 50 -100 year flood range. Mr. Thornton noted that during a storm the storm waters push the water another 40 – 50 feet into the lot beyond the wetland buffer. Mr. and Mrs. Thornton noted they had not had any issues with their septic due to flooding issues. Mrs. Thornton added that the area has problems with sink holes.

**Edward Pollick, 63 Steuben Road** - Noted a variance was required for the septic system. Mr. Pollick noted he did not have a problem with the proposed house being built. Mr. Pollick noted he just wants the house to be built safely and he did not want it to be an eyesore. Mr. Pollick asked what the size of the retaining wall would be between his house and the proposed house. Mr. Pollick also noted that the community uses the lake and expressed concern over the amount of development that had taken place over time. Mr. Pollick noted that at the time of the first proposal there was a petition signed by over 100 people who were concerned over the proposed project.

Chairman Galezo responded that the applicants have to go through the Health Department process. The applicants can proceed with the application to the Conservation Board once they get health department approval.

## **2. Planning Board Referrals:**

### **a. Paul and Ellen Johnson, 4 Highland Ridge, Cold Spring TM# 27.-1-10.13**

The Planning Board asked for comments from the Conservation Board for this application which is before them for construction of a new single family residence, driveway, septic system and well. Mr. Glenn Watson from Badey and Watson reviewed the application. Mr. Watson noted the proposed house will be constructed in the Ridgeline Protection District. The ridgeline is off to the south east. The Ridgeline Protection District requires a house to be no more than 30 feet high. The Board members that visited the site noticed trees marked in yellow and asked Mr. Watson if he knew what the markings were. The Board reviewed and discussed the proposal. The Board will draft the following comments to the Planning Board:

- Reflective services.
- Non glare glass windows.
- Drawings that show the size of the septic for the seven bedroom house being proposed. The septic shown on the plans reflect a previously approved septic for a four bedroom house.
- Requested knowing which trees are coming down that could effect the possible view at Scofield Ridge.
- Look into the storm water which may be suggested by Ron Gainer.

### **b. Griffin Landscaping, 3032 Route 9, Cold Spring TM#27.20-1-14**

The Planning Board asked for comments from the Conservation Board for this application which is before them. Several Conservation Board members went to the site. Mr. Glenn Watson reviewed the application by noting the following:

- A building will be moved that currently is partly encroaching on a neighboring property.
- The wetlands will be protected from wood going into the stream by a chain link fence.
- A variance for lot coverage has been received.
- The piles of wood will be lowered.
- There will be a screening along Route 9.

The Board reviewed and discussed the proposal. The Board will draft the following comments to the Planning Board:

- Suggested restoring the area by planting native plants in the area affected by the stockpiling and the existing building after the relocation of the building. The Board noted that it would be difficult to accomplish since it is not Mr. Griffin's property.
- Planting of native species in the flood zone area.
- Making sure there is a permanent fence that contains the items bordering Clove Creek.
- A setback of the entire site for added protection of the creek was suggested.
- The drain system should be upgraded to make it more effective.
- Work with Mr. Griffin to determine the tree species that should be used for screening the Route 9 side of the property.
- Whether or not there is a bathroom on the property.
- Increase the height of the fence to better protect Clove Creek during flooding events.
- Stabilize the surface and grade the dirt away from the stream to better protect it from sediment.

**c. Douglas Banker, 15 Kings Dock Road, Garrison TM#81.-1-28 WL# 16-281**

Mr. James Hartford from River Architects and Mr. Steven Marino from Tim Miller Associates represented the Applicant. Mr. Marino noted the proposal is for construction of the house at the north end of the property. Mr. Marino discussed the removal of the knotweed as part of the mitigation plan. The approval from the DEC has been received for the construction of the proposed house. Mr. Marino noted that all the submissions sent to the DEC for the demolition of the existing building were included in the submissions that went to the Conservation Board. Mr. Marino noted the DEC had concern over protecting the stream channel during the construction process.

Mr. Marino proposed the following items during the demolition of the building:

- Proposed to cover the stream with plywood.
- Excavator will start in driveway and will move into the foundation when ready.

Rebuilding the house will include the following:

- Cover stream with plywood and tarps.
- Snow fence will be used to protect the site.
- Final Site Plan for the proposed building is needed which should include the proposed house being 5 or 6 feet further away from the stream channel than the existing building.

Mr. Hartford reviewed the following:

- The proposed house will be two times the size of the existing house.
- The same driveway and septic will be used.
- The proposed plan has been accepted by the Putnam County Health Department.
- Shortening the existing culvert will be done by cutting the edges of the culvert under the driveway. Stone will be placed around the edges of the culvert for the purpose of day-lighting. Shortening the culvert will add an additional 14 feet of the stream along the driveway.

After the Board reviewed the proposed work. The following items were discussed:

- Wetland buffer line should be shown on the building plans.
- A plan for the improvements of the culvert including the construction sequence were requested.
- A full plan should be submitted.
- Correspondence from the Putnam County Department of Health regarding the approval of the use of the existing septic for the proposed larger house.
- Sequence of work being done for the knotweed removal including the amount of excavation was requested.

- Details of the use of plywood that would be used over the stream to protect it from debris during the demolition of the building are needed.
  - Work must be done when the stream is dry.
  - A tarp should be used to catch small debris.
  - Natural Resource Officer, Max Garfinkle, must be notified five days before work begins.

The Board members discussed whether or not the new building would be grandfathered since the existing building is being torn down. Mr. Garfinkle and Mr. Galezo will discuss the matter with the Building Inspector.

### **3. Correspondence:**

#### ***Olspar LLC, Route 9, Cold Spring TM#38.-3-24.2***

Mr. Garfinkle noted he drafted a letter to the Planning Board which was submitted to the Planning Board as a draft regarding the issues discussed at the site visit. Mr. Watson noted that the DOT noted the guide rail in that area cannot be changed due to the area being steep. The applicants are willing to do an open culvert which will be extended onto the south since the guide rail cannot be changed.

### **4. Board Business:**

Mr. Banker expressed concern over a large number of lights at Mr. Herron's property which are very bright. Mr. Banker asked if the Board members could do a site visit during the night hours. The Board discussed whether or not the property was in the Town view shed area or if there was a town ordinance for lighting issues.

Mr. Garfinkle noted that Mr. Herron was supposed to come to the Conservation Board meeting this evening to discuss the erosion control.

Town Councilman Michael Leonard reminded the Board of the yearly report that is coming up.

### **5. Storm Water Discussion:**

17 Ox-Yoke Road – Mr. Garfinkle noted the owner clear cut the property but the cutting is under the one acre limit. The owner of the property is filling in the intermittent stream with the tree stumps and wood chips from the cut down trees.

15 Ox -Yoke Road – The Board noted the lot is smaller than first thought and expressed concern over construction on that lot. The owner of this property is currently digging holes for a septic system. Mr. Garfinkle noted that at one time the owner was working with David Klotzle regarding piping and diverting the stream. The Board discussed the issue and agreed to review the file for proper permits and approvals.

Storm Water – Mr. Garfinkle noted he has received CSPESC certification through the DEC which will allow him to do storm water inspections.

Glassbury Court – Mr. Garfinkle discussed a previous complaint about sediment from storm water washing out to Clove Creek. The Storm Water Pollution Prevention Plan (SWPPP) calls for a 10 – 20 year maintenance plan for the storm water, catch basins and other items.

Mr. Kingsley noted that after 1½ inches of rain the water overflows which is causing turtles and fish to die. A siphon that is gauged should be used in an existing wetland area should be utilized for the overflow. The retention pond is not big enough.

Mr. Garfinkle suggested the following:

- The amount of sediment should be checked to see if it's too deep. If the sediment is it should be dredged.
- Rip rap channel needs to be cleaned out.
- Area around Clove Creek is overgrown and should be cleaned and the stone reset so it works normally.
- Suggested having AKRF review the site.

The Board discussed the situation and who would be responsible for the work being done.

SWPPP – Currently there is no process between the property owners and the Town regarding the SWPPP process.

Town Council Mr. Leonard noted that there should be a town wide storm water plan. Hot spots should be noted.

#### **6. Minutes:**

A couple of revisions were requested. Page three had an extra “the” and “since” should read “because”. Page four where it reads “Town Board” it should read “Conservation Board”.

Mrs. Martin asked if the Open Space Inventory can be put on the January agenda.

Mrs. Martin moved to approve the minutes as amended and Mr. Galler seconded the motion. The minutes were approved unanimously.

#### **7. Other discussion:**

- Lake Valhalla properties – A discussion ensued over the possible sale of Lake Valhalla properties to Scenic Hudson.
- Progress review of the Horton Road subdivision – The Conservation analysis has been approved by the Planning Board.

Mr. Kingsley moved to adjourn the meeting and Mrs. Martin seconded the motion.

The motion passed unanimously and the meeting adjourned at 9:17 P. M.

Date approved \_\_\_\_\_

Respectfully submitted by  
Linda Valentino

**Norman R. Olsen**

75 Steuben Road, Garrison, NY 10524-7413  
845 739-1391

20 March 2008

Supervisor and Town Board  
Town of Philipstown  
238 Main Street  
Cold Spring, NY 10516

**RE: TM 91.05-01-26**  
**65 Steuben Road, Garrison**  
**(Continental Village)**

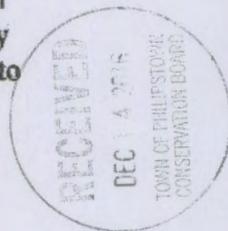
Ladies and Gentlemen:

It has come to my attention that the owner of the referenced lot has applied for variance on regulations applicable to the lot. There are strong reasons not to approve such variances, which I outline below.

**Geology.** The lot has substantial areas of exposed bedrock, and elsewhere the soil above the bedrock is very shallow. The bedrock is soluble carbonate rock, as indicated on the Putnam County and New York State geological maps, and as may be discerned by field inspection. Across the street from the lot there are three active sinkholes, to which the owner of the adjacent house adds fill from time to time to keep them from getting too deep. These sinkholes are an indication of karst terrain, in which at least some of the runoff is carried by cave passages. The most likely route for such flow is downslope across the street to Canopus Creek. Fissures in the bedrock of the subject lot must be assumed to communicate with this karst flow, within which no filtration of septic effluent will take place. No amount of added fill will provide adequate filtration, because once the effluent enters the bedrock, it is free-draining to the creek, with no credit for the intervening distance, even if a full 100 foot setback from the high water line is provided.

A conventional treatment system, such as that shown on a plan of this lot by Cronin Engineering prepared 2-27-06, will not suffice in this geological setting. Additionally, the topographic contours shown on that plan are misleading, as they don't even clearly show the location of the old railroad embankment, which is close to and parallel with the east bank of the East Branch of Canopus Creek. (The Creek is erroneously identified on the plan as Sprout Brook, a designation which is only correct downstream of Cortlandt Lake.)

**Flood levels:** The enclosed photo, taken in the Spring of 2006, shows a moderate flood stage that is reached at least once every several years. It is by no means the highest stage I have seen since 1963. Not shown in the photo is a broad area of standing water in the depression behind the old embankment, which freely communicates with the water level in the East Branch shown in the photo. This depression should be regarded as wetland by any standard, and since it floods at least every several years, it should be regarded as being entirely within the 25-year flood zone, and of course within the 100-year flood zone. The FEMA Flood Map for Canopus Creek is based on interpolation from the Peekskill USGS Quadrangle, which has a 20-foot contour interval and does not even show the East Branch of the creek. In areas with flat (or depressed) cross slopes such as this lot, the area actually subject to flooding can greatly exceed that shown on the FEMA map. The entire area up to the 70.0 foot contour on the plan should be regarded as subject to frequent flooding. In places, that contour is only 37 feet from the line labelled "100 ft setback from edge of brook". The actual 100-year flood line would of course be even higher.



An alternative septic system plan that might be considered for such locations is a totally evaporative system, underlain by an impermeable membrane which is carried high enough on all sides to assure that effluent can't overflow and enter bedrock fissures. There are several drawbacks to such a system: 1. A pure evaporative system requires still more area than a conventional system. 2. There are no monitoring protocols in place to assure that in future the effluent would not overflow the membrane. 3. There are no standards in place for checking monitoring wells to assure that there are no leaks in the underlying membrane, and no assurances that such leaks would reach the monitoring wells rather than going directly to bedrock fissures. For these reasons, a pure evaporative system is not appropriate for this location.

A satellite photo from Google is enclosed, annotated to show the locations of the sinkholes, the branches of Canopus Creek, the old railroad embankment, and the point from which the photo was taken.

The regulations from which variance is sought were in place when the present owner acquired the lot, and the field conditions could have been discerned then by a diligent observer. Therefore, there is no basis for "hardship" sympathy or "grandfathering" exemption. There isn't even the presumption that withholding variance deprives the owner of reasonable use of his lot, since the homeowners on either side of the lot have expressed interest in buying and splitting the lot. Of course, they are not likely to offer a price that might have been expected during the recent real estate market bubble.

The swimming beach on Cortlandt Lake operated by Continental Village Park District has been closed by the Putnam County Health Department several times in recent years due to excessive bacteria in the water. The lake is listed as an emergency alternate drinking water source for Continental Village Water District. It is incumbent upon all concerned to assure that potential sources of contamination upstream of the lake do not increase.

Sincerely,

Norman R. Olsen

Cc: E. & I. Pollick  
Putnam County Department of Environmental Health

**PART OF CONTINENTAL VILLAGE SATELLITE PHOTO FROM GOOGLE**



**EAST BRANCH OF CANOPUS CREEK AT LOT TM 91.05-01-26 NORMAN OLSEN PHOTO**

TOWN OF PHILIPSTOWN  
PUTNAM COUNTY, NEW YORK

238 Main Street  
Cold Spring, NY, 10516  
(845) 265-5202

**APPLICATION FOR WETLANDS PERMIT**

**Note to Applicant:**

Submit the completed application to the appropriate permitting authority. The application for Wetlands Permit should be submitted simultaneously with any related application (e.g., subdivision approval, site plan approval, Special Use Permit, etc.), being made to the permitting authority.

(Office Use Only)

Application # \_\_\_\_\_ Permitting Authority \_\_\_\_\_  
Received by: \_\_\_\_\_  
Date \_\_\_\_\_ Conservation Board \_\_\_\_\_  
Fee \_\_\_\_\_ Wetlands Inspector \_\_\_\_\_

Pursuant to Chapter 93 of the Code of the Town of Philipstown, entitled "Freshwater Wetlands and Watercourse Law of the Town of Philipstown" (Wetlands Law), the undersigned hereby applies for a Wetlands Permit to conduct a regulated activity in a controlled area.

1. Owner: Name: Jeremy Timmons

Address: 90 Ft. 301, Cold Spring, NY 10516

Telephone: 646-354-1255

If Corporation, give names of officers:

Mailing Address: \_\_\_\_\_

2. Name of Agent

(Applicant must be owner of the land. The Application may be managed an authorized agent of such person.)

Mailing Address: \_\_\_\_\_



## 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: Garage addition to existing house.			
Project Location (describe, and attach a location map): 90 Rt. 301, Cold Spring, NY 10516, 301 side of existing dwelling.			
Brief Description of Proposed Action: Excavation required for construction of a new garage addition to existing dwelling. Re-grading as required to match driveway grade and slope water away from new addition.			
Name of Applicant or Sponsor: Jeremy Timmons		Telephone: 646-354-1255 E-Mail: jeremytimmons@aol.com	
Address: 90 Rt. 301			
City/PO: Cold Spring		State: NY	Zip Code: 10516
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Inspector, Building Permit			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.599 acres	
b. Total acreage to be physically disturbed?		0.0909 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.599 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

Telephone: \_\_\_\_\_

3. Location of Proposed Activity:  
90 Rt. 301, Cold Spring, Ny 10516

Tax Map #: Section 38, Block 2, Lot 13.11

Acreage of Controlled Area Affected: 0.0837

Square footage of soil disturbed by the entire project: 3,958 sqft

4. Type of Activity: (See list of regulated activities)

Addition of garage structure to existing house.

5. Other permit(s) required and agency or agencies responsible for granting such permits such as but not limited to P.C.B.O.H, N.Y.D.E.C, Army Core of Engineers, EPA, DOT, Building Dept. Planning Board, and Z.B.A.

Building Permit

6. Each copy of this application shall be accompanied by:

a. A detailed description of the proposed activity and a comparison of the activity to the criteria for approval specified in §93-8 of the Wetlands Law. (See below)

b. A completed short form environmental assessment form (included in the application folder)

c. A map prepared by a licensed surveyor, landscape architect or engineer showing:

1. The controlled area(s) wetland buffer zone 100 feet from the edge of any wetlands, lakes, ponds or streams on the site;

2. Any wetland or watercourse therein and the location thereof;

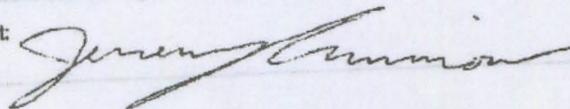
3. The location, extent, and nature of the proposed activity.

D. The names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice and the names and addresses of all owners of record of properties abutting and directly across from the proposed activity as shown on the latest tax record.

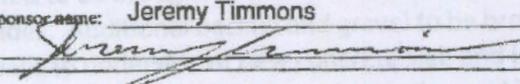
(Note: Any map, plat or plan showing the above information that is required to be submitted for any other permit or approval in connection with the regulated activity, and that is acceptable to the Permitting Authority, may be used.)

Date: 12/15/2016

Signature of Applicant:



Construction activity description

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)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Jeremy Timmons</u> Date: <u>12/15/2016</u></p> <p>Signature: <u></u></p>		

**PRINT FORM**

List of owners adjacent to proposed activity:

- To the Northeast: Sugarloaf Land Company, Section 38, Block 2, Lot 13.13
- To the North: Tiffany Timmons, Section 38, Block 2, Lot 13.12
- To the South and Southwest: State of New York, Section 38, Block 2, Lot 13.2
- To the Southeast by NYS Route 301

## Construction activity description

## Proposed Garage addition to existing dwelling

Jeremy Timmons  
90 Route 301  
Cold Spring, NY 10516  
Section 38, Block 2, Lot 13.11

Project to include addition of new garage structure attached to existing dwelling. Roof water runoff to be collected by existing dwelling downspouts to existing drywells per attached site plan. Soil disturbance to be kept to a minimum of only what is required to excavate for new footings and re-grade as per attached site plan (disturbance acreage quantities on permit application). No new backfill material is scheduled to be brought to site for backfill around foundation, existing to be re-used to match existing grades. Additional backfill and gravel to be brought to site only as required to fill inside new foundation walls to underside of new concrete slab and level driveway at garage doors. Silt fence to be installed as shown on site plan during construction and left in place until new grass is established and had first cut. No direct disturbance to existing intermittent drainage watercourse required.

As it pertains to 93-8 Criteria for approval:

1. The construction will have no effect on the natural function and benefit of the watercourse as it will have no direct impact on it.
2. The construction will not change the natural channel of the watercourse or substantially inhibit its dynamics as it will have no direct impact on it.
3. The construction will not add any new runoff to the watercourse due to the difference in topography elevations and grading to match existing grades upon completion.
4. The increase in roof rain water runoff will be contained by existing drywell and not increase potential for flooding.
5. Silt fence per site plan locations will control pollution, erosion, siltation and sedimentation during the project. After the project completion, the area of disturbance will be brought back to its original state of grass vegetation.
6. There is no practicable alternate location available on the parcel due to county septic field requirements and property boundary line setbacks. This location was set aside during dwelling construction as a future site for garage addition.
7. No additional technical improvements or safeguards can reasonably be added to the plan which would minimize the impact.

List of owners adjacent to proposed activity:

- To the Northeast: Sugarloaf Land Company, Section 38, Block 2, Lot 13.13
- To the North: Tiffany Timmons, Section 38, Block 2, Lot 13.12
- To the South and Southwest: State of New York, Section 38, Block 2, Lot 13.2
- To the Southeast by NYS Route 301

TOWN OF PHILIPSTOWN  
PUTNAM COUNTY, NEW YORK

238 Main Street  
Cold Spring, NY, 10516  
(845) 265-5202

APPLICATION FOR WETLANDS PERMIT

**Note to Applicant:**

Submit the completed application to the appropriate permitting authority. The application for Wetlands Permit should be submitted simultaneously with any related application (e.g., subdivision approval, site plan approval, Special Use Permit, etc.), being made to the permitting authority.

(Office Use Only)

Application # \_\_\_\_\_ Permitting Authority \_\_\_\_\_  
Received by: \_\_\_\_\_  
Date \_\_\_\_\_ Conservation Board \_\_\_\_\_  
Fee \_\_\_\_\_ Wetlands Inspector \_\_\_\_\_

Pursuant to Chapter 93 of the Code of the Town of Philipstown, entitled "Freshwater Wetlands and Watercourse Law of the Town of Philipstown" (Wetlands Law), the undersigned hereby applies for a Wetlands Permit to conduct a regulated activity in a controlled area.

1. Owner: Name: BILL HERRON

Address: 563 RT 9D, GARRISON, NY

Telephone: \_\_\_\_\_

If Corporation, give names of officers:

\_\_\_\_\_  
\_\_\_\_\_

Mailing Address: \_\_\_\_\_

2. Name of Agent

(Applicant must be owner of the land. The Application may be managed an authorized agent of such person.)

ETHAN TIMM, THE FIGURE GROUND STUDIO

Mailing Address: 99 MAIN ST, COLD SPRING, NY



Telephone: 845-287-4889

3. Location of Proposed Activity:

Tax Map #: 81-1-25

Acreage of Controlled Area Affected: 0.16 ACRES STEEP SLOPE, 0.2 ACRES WETLAND BUFFER

Square footage of soil disturbed by the entire project: APPROX 15,500 (APPROX.)

4. Type of Activity: (See list of regulated activities)

EROSION CONTROL, REVEGETATION OF STEEP SLOPE AND WETLAND BUFFER

5. Other permit(s) required and agency or agencies responsible for granting such permits such as but not limited to P.C.B.O.H, N.Y.D.E.C, Army Core of Engineers, EPA, DOT, Building Dept. Planning Board, and Z.B.A.

6. Each copy of this application shall be accompanied by:

a. A detailed description of the proposed activity and a comparison of the activity to the criteria for approval specified in §93-8 of the Wetlands Law. (See below)

b. A completed short form environmental assessment form (included in the application folder)

c. A map prepared by a licensed surveyor, landscape architect or engineer showing:

1. The controlled area(s) wetland buffer zone 100 feet from the edge of any wetlands, lakes, ponds or streams on the site;

2. Any wetland or watercourse therein and the location thereof;

3. The location, extent, and nature of the proposed activity.

D. The names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice and the names and addresses of all owners of record of properties abutting and directly across from the proposed activity as shown on the latest tax record.

(Note: Any map, plat or plan showing the above information that is required to be submitted for any other permit or approval in connection with the regulated activity, and that is acceptable to the Permitting Authority, may be used.)

Date: 12/26/16

Signature of Applicant: 

## 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: <u>563 RT 9D</u>			
Project Location (describe, and attach a location map): <u>563 RT 9D, GARRISON, NY</u>			
Brief Description of Proposed Action: <u>EROSION CONTROL ON DISTURBED STEEP SLOPE AREA AND REVEGETATION OF DISTURBED STEEP SLOPE AND WET LAND BUFFER</u>			
Name of Applicant or Sponsor: <u>ETHAN TIMM</u>		Telephone: <u>845-287-4884</u>	
		E-Mail: <u>ETHAN@</u>	
Address: <u>44 MAIN ST THE FIGUREGROUND STUDIO, COM</u>			
City/PO: <u>COLD SPRING</u>		State: <u>NY</u>	Zip Code: <u>10516</u>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>0.36</u> acres	
b. Total acreage to be physically disturbed?		<u>0.36</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>2.14</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>N/A</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

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)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: ETHAN TIMM Date: 12/26

Signature: *[Handwritten Signature]*

**PRINT FORM**

81.-1-28  
BANKER DOUGLAS H  
15 KINGS DOCK RD.  
PO BOX190

82.-1-33  
MANITOGA INC  
PO BOX 249  
GARRISON, NY 10524

81.-1-27.2  
SARAH G BANKER REVOC.TRUST  
PO BOX 190  
GARRISON, NY 10524

81.-1-22  
BARTNIK CHARLES  
547 RT 9D  
GARRISON, NY 10524

81.-1-23  
DUNN MARIAN  
553 RT 9D  
GARRISON, NY 10524

82.-1-36  
LAURA A KLANCER  
FUENTES,LILLIAN J  
554 ROUTE 9D

81.-1-24  
KIMBALL HARRIS  
GASKILL RICHARD  
559 ROUTE 9D

81.-1-25  
William Herron  
5 Pascack Road  
Woodcliff Lake, NJ 07677

82.-1-34  
WHITE RUSSELL  
WHITE JUDITH  
PO BOX 85

81.-1-26  
HERRON WILLIAM G  
569 ROUTE 9D  
GARRISON, NY 10524

81.-1-27.1  
LESLIE KILGOUR  
KILGOUR, PETER  
9 KINGS DOCK ROAD

