

CONSERVATION BOARD
238 Main St., Cold Spring, NY 10516
January 8, 2019 7:30 PM

MEETING AGENDA

1) Approval of Minutes:

- October 9, 2018
- November 13, 2018

2) Return of Escrow:

Galotti, 589 Route 9d

TM# 81.-1-32

3) Old Business (all old business pending):

Robert Ashley, 3 Ethan Drive

TM# 91.6-1-50

(The applicant is proposing a new single-family residence to replace the demolished residence. A wetland determination has not yet been made by the Wetland Inspector.)

4) New Business:

Kristan Connolly, Route 403

TM# 82.7-1-2

(The applicant is seeking the construction of a new single-family residence with the construction of a paved driveway and associated grass swale, construction of a portion of the house and associated roof leader and footing drain discharges, construction of the septic system and associated fill.)

Subject: Closing permit

From: Albert Galotti <bgalotti53@yahoo.com>

Date: 11/29/2018 7:33 AM

To: tpercacciolo@philipstown.com

Dear Tara,

Please advise the Town Conservation Board, that the requirements of our wetland permit has been deemed complete and we would appreciate the refund of the remaining escrow.

Max told me he would also confirm this with the board.

The permit was for:

589 Route 9D

Garrison, N.Y.

10524

If this email is not adequate to get the refund made, please email or call me at 914-450-2095.

Thank you for your help in accomplishing this.

Sincerely,

Albert Galotti and Laura Varian

**TOWN OF PHILIPSTOWN CONSERVATION BOARD
238 MAIN STREET, COLD SPRING, NY 10516
NOVEMBER 13, 2018
DRAFT MINUTES**

The Conservation Board held its regular meeting at Philipstown Town Hall on Tuesday, November 13, 2018.

Present: Mark Galezo (Chairman)
Max Garfinkle (Natural Resources Review Officer)
M.J. Martin
Andrew Galler
Jan Baker

Absent: Lew Kingsley
Robert Repetto

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

Chairman Galezo opened the meeting at 7:30 pm.

Return of Escrow:

Joseph Estvanik, 125 Old Albany Post Road

TM# 83.5-1-1

Mr. Baker moved to approve the return of escrow for Mr. Estvanik and Mr. Galler seconded the motion. The vote was as follows:

Mark Galezo	-	Aye
Andrew Galler	-	Aye
M.J. Martin	-	Aye
Robert Repetto	-	Absent
Jan Baker	-	Aye
Lew Kingsley	-	Absent

Old Business:

Robert Ashley, 3 Ethan Drive

TM# 91.6-1-50

Mr. Robert Ashley was in attendance with his architect Joel Greenberg. Mr. Greenberg stated he was in receipt of the letter from Mr. Garfinkle listing the missing items which need to be submitted to the board. He provided the board with a copy of the project's Board of Health approval, a copy of the demo permit for the house that was previously located on the property, and a letter from the Town of Cortlandt. Chairman Galezo stated that at the last meeting, the board had requested a more adequate site plan showing watercourse boundaries and setbacks and questioned if the property has been staked. Mr. Ashley reported it is not.

Mr. Greenberg stated there are not wetlands on the property. Mr. Garfinkle stated there are watercourses on the property. Mr. Greenberg stated the water seen on the property is drainage coming off the road. Mr. Garfinkle explained that there is a stream along the property boundary.

Chairman Galezo explained, what the board typically expects an engineer or someone to go out and stake out the wetland and flag the wetland boundary. Then those outlines are usually provided on the site plan for the board to review.

Mr. Greenberg explained that they are simply trying to put a structure back in the same footprint where the previous house was located. Mr. Garfinkle explained the issue is that the current lot does not convey a freshly demolished site; looking at the property, there is no evidence that there was ever a structure there. He stated the board is trying to establish the procedures that will be put into place to protect water quality in that area.

Chairman Galezo read the letter from the Town of Cortlandt and Mr. Garfinkle questioned what exactly had been conveyed to the Town of Cortlandt regarding the scope of the project. Mr. Garfinkle stated what the board is looking for is correspondence from Cortlandt regarding how they would like to treat that stream; whether they would like the Conservation Board of Philipstown to observe their wetlands regulations and apply them to this property or not. Mr. Garfinkle explained that the stream itself is in Cortlandt but the 100-foot wetland buffer for this property encompasses it.

Mr. Galler questioned what the size of the house was that previously existed on the property. Mr. Ashley stated he was unsure and there is no indication on the demo permit or CO. Mrs. Martin questioned if there was anything in the file. Ms. Percacciolo stated she would have to look.

Chairman Galezo stated the board was given a copy of the Board of Health approval by the architect earlier that evening. Mr. Garfinkle explained that the BOH approval states "The department has received and reviewed the plans for the proposed addition to the above-mentioned residence" and asked what they are referring to as "the addition". Mr. Greenberg stated that is obviously an error. Chairman Galezo stated the letter is from 2017 and the building has been gone since 2011, so it just needs to be clarified. He stated the board needs to see something from the Health Department which is clearly allowing a new building to be built in this spot. Mr. Greenberg provided the proposed plans for the new home, stamped by the Health Department.

Chairman Galezo explained what it looks like is, the Health Department is considering this an existing lot, with existing septic that the new home will tie back into and they've determined the bedroom count, based on the plans, is 2, and it was 2 before, so they are viewing it as an "addition" of a new building to the property.

Mr. Garfinkle stated that there is no septic located on the provided survey and questioned how the Health Department knows there is even existing septic. Mr. Galler stated he is bothered by the fact that there is no evidence of a septic system anywhere. Chairman Galezo stated that also needs to be shown on the plan.

Mr. Greenberg stated the past can't be changed and if the board provides a list of what is needed, he will be happy to provide the items. Chairman Galezo suggested he consult the letter that was previously provided.

Mr. Greenberg stated he would get everything in order and submit for the next monthly meeting of the Conservation Board.

Herron, 563-569 Route 9D

TM# 81.-1-25 & 26

Bryan Quinn of OneNature was present on behalf of Dr. Herron, along with Dr. Herron's daughter, Rachel, who is a co-owner on the property. Mr. Quinn stated this project was before the board in January of 2017 and had a restoration plan approved for Dr. Herron's property. He explained there had been some accidental clearing of the landscape, they came up with a plan, and that plan has been executed since then. Mr. Quinn stated there have been 2 growing seasons since the plan was implemented and they have had great success. Mr. Quinn stated he does not see a good reason to continue the monitoring and upkeep of the erosion controls for another full growing season. He put together an early annual report and provided copies to the board members and explained that he would finalize the report at the end of the year.

Mr. Quinn explained, the primary criteria for success was a 50% survival rate for the plantings for each year. After 2 years, or through the second growing season, they have exceeded the success criteria and are currently at approximately 90% survival of the installed plants. More importantly, in year 2 there has been no required supplemental planting, which was part of the plan. This means that those plants that are out there today are very established plants and will continue to thrive. Mr. Quinn explained, the only major failing of the project was some vandalism that may have been done by the neighbor whose construction team has appeared to clear land on Dr. Herron's property, not in the wetland area that this plan is for but just below that. It also appears the neighbor's construction crew moved some boulders OneNature had placed there for habitat purposes and incorporated them into a new stone wall.

Mr. Quinn continued, after 2 years they have 90% survival of the installed plants. He stated a second area of criteria for this project was slope stabilization in the upland steep slope area and they have not observed any significant erosion and it seems very stable.

Because 90% or more of the original plantings have survived 2 growing seasons and are established, and because the monitoring that his firm does at this point is monthly and next year would be less frequently, and because of the investment in the upkeep of the erosion control measures, they feel that continued monitoring is no longer warranted. They also think that, for both landowners out there, that it would be aesthetically pleasing to have a lot of the erosion control stuff removed and have it turned back to the way it was before. Therefore, Mr. Quinn formally requested that the permit period be ended early and declare victory for this project.

Mr. Garfinkle stated the main issue, and the reason the board was initially out there, was to ensure that everything was stable and reverting back to something that is more beneficial than maybe what was there. Looking at the report, and from Mr. Quinn's presentation, he feels that has been achieved on that steeper section. He stated everything else seems to be above and beyond what was required. Mr. Galler asked if Mr. Garfinkle has visited the site regularly. Mr. Garfinkle reported that he has visited quarterly. Chairman Galezo questioned how recently he had been to the property, given all the rain. Mr. Garfinkle stated he has not been there in the last 2 weeks.

Chairman Galezo suggested it would be a good idea to have Mr. Garfinkle perform one last site visit for one last review. Mr. Garfinkle stated he would visit the property in the coming weeks.

Mrs. Martin moved to allow the permit to be closed out, pending a final inspection by Mr. Garfinkle, and Mr. Baker seconded the motion. The vote was as follows:

Mark Galezo	-	Aye
Andrew Galler	-	Aye
M.J. Martin	-	Aye

Robert Repetto	-	Absent
Jan Baker	-	Aye
Lew Kingsley	-	Absent

New Business:

Lowrey Residence, 80 Eyrie Road

TM# 49.-3-81

Mr. Watson was in attendance representing the applicant and stated he would receive any comments or concerns the board members may have following the site visit performed that morning. Mr. Galler asked to see the plan showing the current structure with the overlay of the proposed structure, which was part of the submission. Mr. Watson explained it's in the same area but they have gone up a story with a slightly smaller footprint. He explained, the other point, with regard to the house, is that there are sections of the house which show that the architect, who is also Mr. Lowrey's spouse, has cantilevered the second floor over the deck and pushed the glass well under the building so there will be a significant shadow over the glass to prevent glare.

Mr. Watson explained it is essentially the same footprint, same driveway. They are going to do some work on one of the garages. Mr. Galler questioned what work they plan to do to the garage. Mr. Watson stated they are considering putting guest quarters in there but have not fully committed to the idea yet; regardless, the work would be interior.

As this was a referral from the Planning Board, Chairman Galezo suggested Mr. Garfinkle write a letter to them stating the Conservation Board has no major concerns regarding this project and are in agreement with the erosion control plan submitted.

Kristan Connolly, Route 403

TM# 82.7-1-2

James & Kristan Connolly were in attendance along with their representative, Glenn Watson. Mr. Watson stated it was his understanding that Mr. Garfinkle was going to check to see if a small portion of the property was part of a wetland. Mr. Garfinkle stated he looked into it and that the culverts do lead back into the larger wetland and therefore will require that a wetland permit be obtained.

Mr. Watson stated that there is not much area on the property for the septic, except in the area in which it is shown on the proposed plan and their official wetland permit application will include that.

Mr. Garfinkle stated he wanted to discuss the area of disturbance and questioned if it will be under an acre. Mr. Watson stated he knows they measured it but will have to check it as he could not remember the exact number. Mr. Garfinkle suggested taking a hard look at that number and ensure that those disturbance lines are not exceeded. Mr. Watson stated if it is required they stake out the limits of disturbance before beginning construction, they have no problem doing so.

Mr. Galler stated the other thing discussed was whether it made sense to put the septic more where the reserve is and vice versa; that just moves it away from that wet area. The question then becomes weighing costs. He stated, if you are going to be forced by the County to raise up the reserve area with bank run, then it would make sense. He continued, if on the other hand the county is going to require less material there, then it would be understandable to leave it where it is. After consulting the plans, Mr. Galler stated it doesn't look like it would make a difference.

Mr. Garfinkle stated they had suggested a clay barrier potentially be added to the side of the system that would be facing the wetland near the bottom of the field. Mr. Watson stated he would have to look into the amount of fill required.

Mr. Garfinkle stated the final thing regarding the Scenic Overlay is just coming up with a planting plan. Mr. Galler stated that Jason from Badey & Watson had discussed a line of evergreens. Mr. Galler suggested they'd be better off just interspersing native evergreens and hardwoods and shrubs, more so to hide the cut of the driveway.

Mr. Garfinkle stated the board will make sure to get these comments down on paper in the form of a letter and sent to the Planning Board before their upcoming meeting. Ms. Percacciolo requested the letter be done the following day as the Planning Board meeting is taking place on Thursday, 2 days from now.

Stormwater:

Mr. Garfinkle stated he was unable to attend the meeting in person but phoned in while Councilman Leonard and Carl Frisenda met. Councilman Leonard stated that Mr. Frisenda updated them on training and stated that the Highway Department workers need to be trained quarterly on stormwater upgrades and such. He stated it is important to get some of this stormwater information online.

Mr. Garfinkle reported that the tire dumping issue has continued as more tires were found dumped in Indian Brook. Mr. Garfinkle stated there had been tires previously dumped off Manitoga as well. He stated he has been in discussion with Mr. Frisenda regarding the issue and notifying DEC and the Sheriff's Department of the issue. Chairman Galezo asked what the plan is to prevent this from continuing and suggested setting up cameras on both ends of that road.

Other Discussion:

Ellis Timber Harvest – Fishkill

Mr. Garfinkle reported that the forester that has applied for the Timber-Harvesting permit in the Town of Fishkill, on the border of Philipstown, went in front of the Town Board at their last meeting. The forester went over the basic details of the project and discussed setting up a bond for the road. Mr. Garfinkle reported that the forester went back to the Town of Fishkill board meeting on November 7th where they closed the public hearing. He stated the Fishkill Town Board did not seem opposed and will likely make a decision at their next meeting.

Mr. Garfinkle stated he's written a memo to the forestry company regarding setting up a road bond amount, making sure that we can get onto their liability insurance, and to make sure the Philipstown and Fishkill border line is clearly delineated because their management plan discusses managing timber in a stand that spans both the Fishkill parcel and the Philipstown parcel. Mrs. Martin clarified that Philipstown is not issuing a permit. Mr. Garfinkle stated they are claiming that all the harvesting will be done on the Fishkill parcel. If they were to pursue cutting on the Philipstown parcel then that would require a permit from the town. Mr. Garfinkle stated that memo would be sent out this week.

Mr. Garfinkle stated their intent is to begin the harvest this winter. He stated they will be removing 500+ trees which will amount to roughly 24 truckloads, over a 2-month period. Mrs. Martin questioned how often they would be doing this while in the program. Mr. Garfinkle stated if they set forth what they've agreed upon with the DEC this year then they won't have to reassess for another 5 years, 2023/2024; that would be the next round of them reevaluating their 480-a status with DEC.

Mr. Garfinkle stated he would be meeting with Mr. Frisenda & Councilman Leonard to discuss the bond amount and come up with a number.

Mrs. Martin questioned what the zoning is in that area. Mr. Garfinkle stated it is residential. Mr. Galler suggested that the Highway Superintendent look into the weight limit of the road and the culverts located there. From Mr. Galler's understanding of New York State law, this falls under agricultural, so you can move reasonably through a residential neighborhood with agricultural products. The question is, what is the road that is there able to support. If the road cannot support it, more than one truck can be used; one that is pulling out a few logs, staging it, and filling a larger truck to haul it away.

Mr. Galler suggested the town look into indemnifying the town on the liability with whoever is hauling the timber out, the transportation company as there are a lot of entities involved. Mr. Garfinkle stated his understanding is that it is going to be hand felling and then skidding with skidders, but Mr. Galler makes a good point that makes sense. He stated they are pulling everything to a staging area in Fishkill that is on the property and then moving everything out in a timber or log carrying truck, according to the forester.

Mr. Garfinkle explained this is a very unique situation because the actual harvest is occurring in Fishkill but access to the property is only available through Philipstown.

Chairman Galezo stated the first step is to ensure that the harvesting occurs only on the Fishkill parcel and step 2 is to make sure that Philipstown is additionally insured by whoever is trucking the material out.

Mrs. Martin stated she has never been on that road and questioned if the truck(s) would be able to maneuver the road easily or there if is a possibility that they could get stuck. Councilman Leonard stated the road is narrow enough that another car would likely not be able to get by the truck on that road.

Mr. Garfinkle stated the most important thing at the moment is to draft the memo and get it out to the forester so these things can be addressed.

Galotti, 589 Route 9d

TM# 81.-1-32

Mr. Garfinkle reported that he performed a final inspection on this project and has determined that the requirements of the permit have been fulfilled and it can be closed out.

Ms. Percacciolo stated she would reach out to the applicant and request something in writing from the applicant seeking their return of escrow to vote on at the next meeting.

December Meeting

Mr. Garfinkle reported that he will be away for the first 2 weeks of December. The board decided to not have a meeting in the month of December.

Conservation Board Member Vacancy

Chairman Galezo asked if any of the board members had anyone in mind to fill the vacancy left by Eric Lind. Mrs. Martin stated she had a few people in mind that she will reach out to and encourage to apply for the position.

Mrs. Martin moved to adjourn the meeting and Mr. Galler seconded the motion. All were in favor and the meeting adjourned at 8:44 pm.

Date Approved _____

Respectfully submitted by,

Tara K. Percacciolo

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: _____	_____ Z.B.A.
Date _____	_____ Planning 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: Robert Ashley

Address: 716 Route 6, Mahopac, NY 10541

Telephone: 914-282-1096

2. **Agent:** Name: Joel Greenberg

(Applicant must be owner of the land. The Application may be managed by an authorized agent of such person possessing a notarized letter of consent from the owner.)

3/ Name of Agent

If Corporation, give names of officers:

Joel Greenberg

Mailing Address: 2 Muscoot Road North, Mahopac, NY 10541

Telephone: 845-628-6613

3. Location of Proposed Activity:

3 Ethan Drive, PHillipstown, NY 10524

Tax Map No.: 91.06-1-50

Acreage of Controlled Area Affected: .55 acres

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

New house to replace demolished 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.

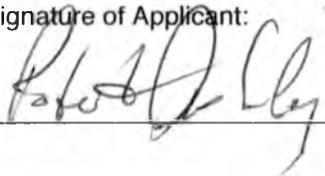
Approved by Planning Board. Required building permits.

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.
 - 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: 9/27/18

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: Robert Ashley			
Project Location (describe, and attach a location map): 3 Ethan Drive, Phillipstown, NY 10524			
Brief Description of Proposed Action: New house to replace demolished house.			
Name of Applicant or Sponsor: Robert Ashley		Telephone: 914-282-1096	
		E-Mail:	
Address: 716 Route 6			
City/PO: Mahopac		State: NY	Zip Code: 10541
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 Department			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.3 acres	
b. Total acreage to be physically disturbed?		.055 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.3 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?	NO	YES	N/A
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<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: _____	NO	YES	
	<input type="checkbox"/>	<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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Town of Phillipstown			
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SSTS			
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	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: _____	NO	YES	
	<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 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	YES	
	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Robert Ashley</u> Date: <u>9/27/18</u></p> <p>Signature: <u>Project Architect</u> <i>Joel Greenberg</i></p>		

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

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

APPLICATION FOR WETLANDS PERMIT

Note to Applicant:

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(Office Use Only)

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Received by: _____
Date _____ Conservation Board _____
Fee _____ Wetlands Inspector _____

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1. **Owner:** Name: Kristan Connolly

Address: 475 Sprout Brook Road Garrison, NY 10524

Telephone: (845) 803-7148

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: _____

Statement in Support
of the
Application
of
Kristan Connolly
for a
FRESHWATER WETLANDS PERMIT
to conduct
REGULATED ACTIVITIES
within a
REGULATED AREA
as required under
CHAPTER 93
of the
CODE of the TOWN OF PHILIPSTOWN

Prepared and respectfully submitted by:

BADEY & WATSON,

Surveying and Engineering, P.C.

3063 U.S. Route 9

Cold Spring, NY 10516

(845) 265-9217 (voice)

(845) 265-4428 (fax)

(877) 3.141593 (toll-free)

www.Badey-Watson.com

Project Location

The applicant, Kristan Connolly, is the owner of a roughly 1½ -acre parcel in the Town of Philipstown. The property is designated on the Putnam County Tax Map for the Town as Sheet 82.7, Block 1, Lot 2. It is located on the west side of NYS Route 403, approximately ¼-mile north of the U.S. Route 9 intersection.

Regulated Activities Involved (§ 93-5)

The permit sought will allow construction of the driveway entrance and associated vegetated swale, the house and associated roof leader and footing drains, and the septic system and clay barrier.

The construction involves the following work within the wetland buffer:

- Construction of approximately 70 feet of the driveway entrance, where the first 20 feet is asphalt pavement, and the balance is gravel.
- Construction of a grass swale on the cut-side of the driveway, with wetland mitigation plantings near the delineated wetlands; providing both erosion control, and wetland wildlife habitat and food value.
- Construction of a portion of the house and the front covered porch, totaling approximately 1,225 sq. ft.
- Construction of the subsurface sewage treatment system.
- Installation of a clay barrier downhill of the SSTS to prevent migration of effluent into the wetlands.

More specifically, the following Regulated Activities are involved:

- Excavation of soil (§93-5A.)
- Deposition of fill (§93-5B.)
- Construction of a building and driveway; installation of pipes and a sewage disposal system (§93-5C.)
- Cutting of vegetation (§93-5G.)
- Installation of service lines and utilities (§93-5I.)
- Installation of a septic system (§93-5J.)
- Installation of drainage pipes (§93-5K.)
- Installation of open swales (§93-5L.)

The limit of disturbance within the controlled area was approximately 16,945 square feet.

Comparison of the proposed activity to the Criteria for Approval § 93.8

Section 93-8. *Criteria for approval* sets forth eight (8) criteria that the Conservation Board and Permitting Authority must consider before a permit may be recommended or issued. The following is a list of them with a discussion of how the project compares to each criterion.

The activity will not have a substantial adverse effect upon the natural function and benefits of a wetland or watercourses as set forth in §93-2B.

The activity proposes measures to enhance the natural function of the wetland.

The activity will not substantially change the natural channel of a watercourse or substantially inhibit the dynamics of a watercourse system.

The activity does not propose to restrict or inhibit the flow of water to or from the wetland.

The activity will not result in the degrading or pollution of waters.

The activity proposes measures to prevent degradation and pollution of the wetland.

The activity will not increase the potential for flooding.

The proposed activity does not reduce the storage volume of the wetland.

Sufficient provision has been made for control of pollution, erosion, siltation and sedimentation during and after conduct of the activity.

The activity proposes measures to control erosion and sedimentation during and after construction.

No practicable alternative location is available on the subject parcel.

The site improvements are proposed in areas best suited for their development; including the septic system (grades 15% or less), the driveway entrance (with regard to sight distance), and the house (with regard to steep slopes and zoning).

No additional technical improvements or safeguards can reasonably be added to the plan or activity, which would minimize the impact on a controlled area.

Additional improvement will only lead to additional disturbance in the controlled area, and on slopes in excess of 20%.

The activity will alleviate or remove a hazard to the public health or safety.

The activity will not alleviate or remove a hazard to the public health or safety.

Respectfully submitted on behalf of Mrs. Connolly,

BADEY & WATSON,
Surveying and Engineering, P.C.

Short Environmental Assessment Form

Part 1 - Project Information

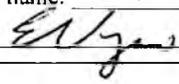
Instructions for Completing

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: Connolly - Minor Site Plan Application			
Project Location (describe, and attach a location map): NYS Route 403 (see map provided)			
Brief Description of Proposed Action: New construction of a single-family residence to be served by a private septic and well.			
Name of Applicant or Sponsor: Kristan Connolly		Telephone: (845)-803-7148 E-Mail: connollykristan@gmail.com	
Address: 475 Sprout Brook Road			
City/PO: Garrison		State: New York	Zip Code: 10524
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 type="checkbox"/> YES <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: PCDH - Septic & Well, NYSDOT - Highway Work Permit, Planning Board - Site Plan, Conservation Board - Freshwater Wetlands Permit, Building Dept - Building Permit			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.565 acres	
b. Total acreage to be physically disturbed?		0.978 0.986 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.565 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input checked="" 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 checked="" type="checkbox"/>	<input 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: _____	NO	YES	
	<input type="checkbox"/>	<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: _____ Proposed private drilled well	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Proposed subsurface sewage treatment system	NO	YES	
	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	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: _____ Approximately 0.389 acres of a town-regulated freshwater wetland controlled area.	<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Timber Rattlesnake, Northern Long-eared bat	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 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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Edward F. Vergano, P.E. (Engineer for Applicant)</u> Date: <u>September 26, 2018</u></p> <p>Signature: <u></u></p>		

Revised: December 6, 2018
 (2., 3.b., 13.b., and 14.)

Revised: December 11, 2018
 (2., 3.b., and 13.b.)