

**TOWN OF PHILIPSTOWN
CONSERVATION BOARD
238 Main St., Cold Spring, NY 10516**

APRIL 12, 2016 7:30 PM

MEETING AGENDA

1) Approval of Minutes:

- August 11, 2015
- October 13, 2015
- December 8, 2015

2) Riverview Property LLC,

TM#81.-1-39

WL- 16-263

625 Route 9D

(Construction of a single-family residence, well, and portions of the driveway and septic system within a wetland controlled area).

3) Hudson Highlands Reserve Horton Road LLC. - Discussion with Glennon Watson.

4) Storm water discussion

* Items may be not be taken as listen.

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

August 11, 2015

MINUTES

The Conservation Board held its regular meeting at the Town Hall on Tuesday, August 11, 2015

Present: Eric Lind (Acting Chairman)
David Klotzle (Wetlands Inspector)
Robert Repetto
M. J. Martin
Lew Kingsley
Max Garfinkle

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

1. Anne and Edward Morrison TM#61.-4-5 WL-15-256
862 Old Albany Post Road
(Construction of pole barn and gravel entry from road. New required Information for Permit and vote).

Mrs. Morrison, the applicant, noted that after the July meeting members of the Conservation Board did a site visit of her property. The application is for a pole barn to be constructed for storage. Mrs. Morrison stated that the Board members made it clear that no chemicals are to be stored or used in the area of the pole barn. Mrs. Morrison reviewed the following items previously requested by the Board.

Mitigation tactics: removal of bamboo and establish a rain garden
More Detail: Construction scenario – Location of silt fencing, size and location of the rain garden.

1. Silt Fencing: the silt fencing will be located in two places. 1) the southern boundary of the structure and 2) on the Southeast side of the property where the soil transitions and the wet lands begin.
2. Tree guards were placed around trees that are going to be saved.

3. Storage of other materials – Number 10 of the erosion and sediment control plan suggests to avoid any stock piling of material; the building will arrive by the company and at that time they will come and do an initial set up. Places of storage suggested by Mrs. Morrison were a spot to the west of the gravel driveway where the plans note “native plantings” because there is very little slip in that area. Another area of storage will be the gravel driveway.
4. Rain garden – The rain garden will be the size suggested by the erosion and sediment control standards (labeled 1-13 on the plans) from Badey and Watson. The size of the rain garden is determined by the impermeable surface, porosity of the soil and the slope in that area. Mrs. Morrison noted that the proposed rain garden location has been moved to outside of the wetlands within the proximity of the pole barn and will be somewhat visible to the road. A natural slope exists between the proposed pole barn and the proposed rain garden so grading will not be needed. Gutters on the proposed pole barn will need to be directed toward the proposed rain garden. A list of 8 or 9 plants to be used in the rain garden was provided in the original application. Mr. Klotzle noted the proposed plants were appropriate.
5. The wood shed is gone. Only a brick foundation in the grass exists.
6. Bamboo removal update – A weed-whacker was used to cut down most of the bamboo a few pieces remain in the wetlands and Mrs. Morrison asked if those pieces can be removed by cutting them by hand. 6 mil. plastic has been purchased but it will not be placed by the boundary. Mr. Lind noted he thinks the bamboo can be cut down by hand. Mr. Klotzle added that it would be considered maintenance on the property. Mrs. Morrison noted the cutting has just been done and will be a while before it is known if it worked or if the bamboo will return.

A motion was made by _____ to approve the permit and Mr. Repetto seconded the motion. The motion passed by a vote of 4-0.

Mr. Klotzle will need to inspect the silt fence when it is in place and he asked that stakes be placed at the corners of where the rain garden and the pole barn will be.

2. Mr. Glenn Watson from Badey and Watson discussed New Information on the Horton Road Conservation Subdivision.

Mr. Watson noted this is a second version of the plan. Mr. Watson reviewed the changes and noted that 50 acres has been added to the site.

Many studies have been done. Most of the reports from the studies are close to being done or are currently done. A group of consultants has been hired.

American Chestnuts have been found just north of the barn. There are about five or six of them the largest one is about 12 to 14 inches high. The project is being changed to work around the American Chestnuts that have been found.

Mr. Kingsley arrived at about 8:12 pm.

An existing house on the property has been identified as having a significant historic presence. The applicants are in the process of working with the Planning Board regarding the preservation of this house. A smaller house on the property does not have the same significance and it was suggested that it be photo documented before it is torn down.

_____ moved to adjourn the meeting and Mrs. Martin seconded the motion. Meeting adjourned at about 8:40 pm.

** NOTE: These minutes were prepared for the Conservation Board and are subject to review, comment, emendation and approval thereupon.

DATE APPROVED: _____

Respectfully submitted,

Linda Valentino
Secretary

Conservation Board Meeting 10-13-15

In attendance

Mark Galezo Chairperson
David Klotzle Natural Resource Officer
Andy Galler
Max Garfinkle
Lew Kingsley
Eric Lind

- Howard Auth application
 - Revised map contains construction detail
 - Check dams removed from earlier plan, now replaced with rip rap
 - Motion to approve Eric Lind, second by Max Garfinkle—unanimous approval
- Educational materials for freshwater meadows
 - Concern brought up by Richard Benjamin on Avery Road
 - David Klotzle discussed that the meadows could be maintained in a better fashion than total mowing—just cut down woody perennials and leave the grasses
 - David thinks it would be nice to have a manual or best practices for the Town to use
 - Eric Lind is more familiar with grasslands—you wait as long as possible to mow to allow birds to nest and fledgling to survive and take off. Mowing can be done in a box spiral starting from the inside to give animals time and space to exit and leave an unmoved fringe. Mowing bars should be 6 inches or higher. Waiting until August 1 is very helpful. There is emerging information that a cut can be done May 15 and then wait 65 days for fledglings to emerge
 - Max Garfinkle suggested thinking about cutting when the ground is frozen or at least wait until October
 - Lew Kingsley mentioned that mowing destroys small animals and invertebrates as well as insects
 - Dave Klotzle thinks that a one page handout would be helpful
 - Eric Lind believes that we need to distinguish between wet meadows and old fields in the guide
 - CB could offer a service of delineating the wet areas of fields and help landowners not mow those areas
- Meeting adjourned at 8:05

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

December 8, 2015 AT 7:30 PM

MINUTES

The Conservation Board held its regular meeting at the Town Hall on Tuesday, December 8, 2015

1) Presentation by NYCDEP of the Catskill Aqueduct in Philipstown

Catskill Aqueduct Repair and Rehab

- DEP meeting with various municipalities

A. Purpose of Project:

- Repairing leaks in Delaware Aqueduct and replacing with new areas by 2022
“Water for the future”
- Catskill aqueduct Repair and Rehab.

B. Work to be done in Philipstown.

- 11 primary work locations in Philipstown
 - Summarizes Handout on work to be done
- No major leaks in Philipstown over the past 20 years of inspection
- Inspections will be done before chlorination occurs
- Increased volume through the removal of biofilm will not effect aqueduct stream crossings
- Work will be limited to small isolated areas/access points
 - Biofilm removal will be done using a “wet” or dry method
 - Looking into composting or mixing into soil
 - “Wet” biofilm will be treated & discharged

C. Town will be notified of all work when needed

- open line of communication will be maintained
- comments can be read after draft EIS is produced

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEWYORK

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 submitte 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: Riverview Property LLC, c/o Jonathan Rose & Co

Address: 33 Katonah Avenue Katonah, NY 10536

Telephone: (914) 232-1396

2. Agent Name: Badey & Watson, Surveying and Engineering, P.C.

(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.)

Name of Agent Glennon J. Watson, L.S.

If Corporation, give names of officers:

Mailing Address 3063 Route 9 Cold Spring, NY 10516

Telephone: (845) 265-9217

3. Location of Proposed Activity:

625 Route 9D, Garrison

Tax Map No.: 81.-1-39

Acreage of Controlled Area Affected: 0.627 (27,300 sf)

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

Construction of single-family residence, well, and portions of the driveway and septic system within the controlled area (100' buffer zone).

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.

Putnam County Department of Health - Septic & Well, NYSDOT - Highway Work Permit, Building Department - 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.

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 address 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 03/29/16


Signature of Applicant

Statement in Support
of the
Application
of
Riverview Property LLC
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

Riverview Property LLC is the owner of this 3.255-acre parcel in the Town of Philipstown. The property is designated on the Putnam County Tax Map for the Town as Sheet 81., Block 1, Lot 39. It is located on the west side of NYS Route 9D, approximately 500 feet south of the north Old Manitou Road/Route 9D intersection, on the east. The lot was part of a Planning Board approval in 2010, where the lot line was adjusted with the property to the south. This lot line adjustment gave land to the subject parcel that requires wetlands/watercourse permitting under Chapter 93 of the Town Code in order to develop.

Regulated Activities Involved (§ 93-5)

The permit sought will allow the construction/reconstruction of an existing gravel travel-way, where the culverts/watercourse crossings are existing. The permit will also allow the new construction of a single-family residence, well, septic system and related infrastructure. As previously indicated, the previous approval, which allowed the development as currently arranged, involved an "informal" wetlands permit approval by the Planning Board. Based on that, the Putnam County Department of Health has approved the septic and well permit in the locations shown on the current Wetlands Permit Plan.

More specifically, this construction involves:

- Grading/re-grading of an existing driveway, including installation of retaining walls (to limit grading), guide posts, open drainage swales, catch basins and storm drain pipes, and underground electric service;
- Construction of house/foundation, including roof leader and footing drain discharges;
- Drilling of a potable water well, including installation of water and electric service;
- Installation of house sewer, septic tank, pump tank and electric service, gravity effluent sewer, effluent force main, watercourse crossing/storm drain pipe installation.

The following Regulated Activities are necessary for this development:

- Excavation and grading of earth material (§93-5.A)
- Deposition of fill material (§93-5B)
- Construction of a building and driveway (§93-5C)
- Installation of pipes and conduit (§93-5C)
- Installation of a sewage disposal system (§93-5C)
- Drilling of a well (§93-5C)
- Installation of service lines/utilities (§93-5I)
- Installation of septic system absorption fields in a controlled area (§93-5J)

- Installation of a stormwater outfall (§93-5J)
- Installation of drainage pipes (§93-5K)
- Installation of water supply pipes and well (§93-5K)
- Installation of open swales (§93-5L)

Total anticipated disturbance within the controlled area is not expected to exceed 27,300 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 design is consistent with development around similar intermittent watercourses in the area.

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

The proposed drainage structure matches that of those directly upstream.

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

The proposed septic system meets the required setbacks from an intermittent stream, as regulated by the local health department.

The activity will not increase the potential for flooding.

The proposed activity is along an intermittent watercourse, at the bottom of a very larger watershed (Hudson River estuary), with no downstream development. There is no potential for flooding.

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

The plan outlines standard controls for erosion and sedimentation, both before and after construction.

No practicable alternative location is available on the subject parcel.

All developable portions of the lot, that are not being used for proposed subsurface sewage treatment, and meeting the required zoning setbacks, are within the controlled area.

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

The development has been proposed so that the smallest practicable area will be disturbed, utilizing the existing development.

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

The proposed activity does not remove a hazard to public health or safety.

Respectfully submitted on behalf of Indian Brook Property, LLC,
BADEY & WATSON,
Surveying & Engineering, PC

by
Glennon J. Watson, L.S.

ADJOINERS LIST
RIVERVIEW PROPERTY, LLC
81.-1-39

81.-1-3
MIDTOWN TRACKAGE
VENTURES
551 5TH Ave Fl 34
New York, NY 10176

81.-1-40
DEL MONTE, MICHAEL
627 Rt 9D
Garrison, NY 10524

81.-1-36
PERCACCIOLO, MARY
1 The Blvd
Cold Spring, NY 10516

81.-1-41.12
HINE, ERIC
645 Rt 9D
Garrison, NY 10524

81.-1-38
NEILL, RICHARD
16 Clearland Road
Syosset, NY 11791

82.-1-32
GARY, JAMIL
589 Rt 9D
Garrison, NY 10524

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: Riverview Property LLC - New Construction of a Single-Family Residence			
Project Location (describe, and attach a location map): 625 Route 9D, Garrison (see map provided)			
Brief Description of Proposed Action: New Construction of a single-family residence and well within the controlled area. Portions of the proposed gravel driveway and proposed septic system within the controlled area, including a septic system force main crossing a watercourse.			
Name of Applicant or Sponsor: Riverview Property LLC		Telephone: (914) 232-1396 E-Mail:	
Address: c/o Jonathan Rose & Co 33 Katonah Avenue			
City/PO: Katonah		State: New York	Zip Code: 10536
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: Putnam County Department of Health - Septic and Well, NYSDOT - Highway Work Permit, Town of Philipstown Building Department - Building Permit		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		3.255 acres	
b. Total acreage to be physically disturbed?		0.961 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.255 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<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?	<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:	<input checked="" type="checkbox"/>		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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:	<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: _____ <u>Private drilled well.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ <u>Subsurface sewage treatment system.</u>	<input type="checkbox"/>	<input checked="" 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?	<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? 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: <u>Town regulated watercourse crossing. Property within 100 feet of Hudson River (Class B, and Town Regulated Watercourse), does not encroach upon buffer.</u>	<input 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 checked="" 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	

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)?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
If Yes, explain purpose and size:	<hr/> <hr/>	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
If Yes, describe:	<hr/> <hr/>	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
If Yes, describe:	<hr/> <hr/>	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Glennon J. Watson, L.S. (Surveyor for Applicant)	Date: 03/29/16	
Signature: 		