

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

May 10, 2016 7:30 PM

MEETING AGENDA

1) Approval of Minutes:

- April 12, 2015

**2) Garrison Station Plaza
7 Station Road**

TM#60.17-1-7

WL- 16-264

(Mixed use including 2 multiple dwelling units, restaurant/wine bar includes: installation of sewage treatment system {package plant} to service building that heretofore discharged waste water directly into the Hudson River; installation of seasonal patio and general landscaping to restore outdoor area surrounding building).

**3) Riverview Property LLC,
625 Route 9D**

TM#81.-1-39

WL- 16-263

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

4) Storm water discussion

* Items may be not be taken as listen.

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

April 12, 2016

MINUTES

The Conservation Board held its regular meeting at the Town Hall on Tuesday, April 12, 2016

Present: Mark Galezo, (Chairman)
David Klotzle (Wetlands Inspector)
Andrew Galler
Max Garfinkle
Lew Kingsley
Eric Lind

Absent: Robert Repetto
M. J. Martin

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

1) Riverview property, LLC, 625 Route 9D TM# 81.-1-39 WL#16-263

Mr. Glennon Watson from Badey and Watson represented the applicant. Mr. Watson noted that the applicant is asking for a previously granted wetlands permit to be reinstated. The property is currently for sale the applicant would like to sell it as a fully approved lot. The previous permit was granted by the Planning Board through a motion made at their meeting during a sub-division application. At the time the permit was issued the Conservation Board was called the Conservation Advisory Council (CAC) and were not authorized to grant permits.

A Wetlands permit is needed to allow for the septic system to go under an intermittent stream flowing through the property, There are several deed restrictions on the property which limit the area where a septic system can be put in. The septic system will be designed to go under the stream. A double pipe (one on top of the other) will be placed in the drainage channel. Mr. Lind asked to see copies of the old documentation from the Planning Board including CAC comments, if any, on the project.

The Board reviewed the drawings. There was a brief discussion over an "*" that was noted at the end of a note on the plan which was read as follows: 50 ft minimum separation distance from intermittent drainage to STS* Mr. Klotzle noted he believed the * indicates a health department minimum requirement.

The Septic system will be designed to be a pump system and will pump up hill about 4 ft. If the pump stops working there is an extra tank in the system and an alarm will sound off. This should allow for 24 hours to have the problem corrected.

Mr. Lind asked to see the Putnam County Health Department's approval for the location of the fields for the septic system and its relationship to the surface water.

Mr. Galler moved to approve the reinstatement of the wetland permit as presented with the following condition: verification from the Putnam County Health Department indicating the 50ft. setback from the edge of the septic to the stream crossing, and Mr. Garfinkle seconded the motion. The motion passed unanimously

2) Hudson Highlands Reserve Horton Road LLC

Mr. Watson discussed the project as being a proposal for a Conservation Subdivision which means that the develop-able parts of the property are clustered and the less develop-able parts of the property that need more protection are protected and left alone. Between 60-80% of the property must be permanently protected for a Conservation Subdivision.

Mr. Watson reviewed a conservation map of the property which showed. Different colors on the map showed the different areas of the property such as the following areas: protected, forest, steep slopes, wetlands and the land that can be built on.

Mr. Gross from Hudson Highlands Environmental Consulting reviewed the Environmental Analysis by reviewing the different sections of the map and he explained how the different sections were determined. Mr. Gross explained the different sections of the property as containing either Ecological Resources (aquatic life and forest) or a constraint (steep slopes) to the development. Part of the wetlands area shown on the map is a State wetland boundary. The rest of the wetlands jurisdiction will be Federal/Local. Mr. Gross reviewed potential Cultural Resources shown on the map such as the historic a one lane road with a rock wall along the side, a barn and a house.

The American Chestnut that was previously thought to be found had been tested and was found to be Asian Chestnut not American Chestnut.

Mr. Watson noted that Archeological and the Historical Architectural Survey have been submitted to the Office of Parks and Recreation and Historic Places but documentation has not yet been received from them.

Mr. Galler requested that the applicant submit an executive summary which would contain concise conclusions as to why the building area they chose is the ideal development. Mr. Galler noted that this is a living document and that it is important to the town. Mr. Galler also asked if an overlay map could be a part of the final submission in the form of a PDF.

Mr. Watson will supply the Board members with a full set of maps.

Mr. Gross asked for guidance from the Board regarding the executive summary.

Mr. Galler will be the lead author to write up simple memo and send it to the Board members by email.

Mr. Watson updated the Board on the Planning Board process by noting that AKRF is still doing reports and site visits. The applicants are hoping to have reports done so they can be put on the May Planning Board agenda.

Minutes:

- ◆ The minutes of August 11, 2015 were reviewed and Mr. Lind moved to approve the minutes as submitted and Mr. Garfinkle seconded the motion. The minutes were approved 3-0. Mr. Galler and Mr. Galezo abstained since they were not present at that meeting.
- ◆ The minutes of October 13, 2015 were reviewed Mr. Lind moved to approve the minutes as presented and Mr. Kingsley seconded the motion. The minutes were unanimously accepted.
- ◆ The minutes of December 8, 2015 were reviewed and Mr. Lind requested adding the following bullet to the end of the minutes: "Discussion about sensitivity to stream crossings"
Mr. Kingsley moved to approve the minutes as revised and Mr. Garfinkle seconded the motion. The minutes were unanimously approved.

Board business:

- ◆ Mr. Klotzle noted he had a copy of the Planning Board Resolution for granting the permit for the Riverview Property LLC from several years ago.
- ◆ Mr. Klotzle noted that the following properties are coming back to the Board:
 - Garrison Landing which was previously Garrison Station Plaza.
 - Garrison Cafe' - regarding a loading and unloading pad that is within the 100ft. Buffer which will need a permit. Mr. Klotzle noted he will grant a permit if the Garrison Cafe' puts up a silt fence.
- ◆ Garrison Union Free School – the Garrison School is removing small trees and vines from the south west end of the property which is located at the end of the ball field. They do not have a permit. Mr. Klotzle noted he can give them a letter of permission.
- ◆ The Board discussed scheduling a site visit to take place in a couple of weeks at the Hudson Highlands Reserve Horton Road LLC. Site.
- ◆ Mr. Lind discussed a forum which he attended along with Councilman Michael Leonard at the Garrison School which was sponsored by the Garden Club and River Keeper titled "oil train".
- ◆ A discussion ensued over whether or not the salt content of the river affects aquatic life.

Mr. Galler moved to adjourn the meeting and Mr. Kingsley seconded the motion. The meeting adjourned at 9:05 PM by a unanimous decision.

**** 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

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: _____ ZBA
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: _____ Garrison Station Plaza

Address: _____ P.O. Box 205 Garrison, NY 10524

Telephone: _____ 845-424-4286 (Delmar Karlen)

2. Agent Name: _____ Badey & Watson Surveying & 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

If Corporation, give names of officers:

_____ Delmar Karlen, President/Treasurer, Peter Hoffman, Vice-President

_____ Margaret O'Sullivan, Secretary

Mailing Address _____ P.O. Box 205 Garrison, NY 10524

Telephone: _____ 845-424-4286

3. Location of Proposed Activity: _____
_____ 7 Garrison Landing

Tax Map No.: _____ 60.17-1-7

Acreage of Controlled Area Affected: _____ 0.190

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

Mixed use including 2 multiple dwelling units, restaurant/wine bar includes: installation of sewage treatment system (package plant) to service building that heretofore discharged waste water directly into the Hudson River; installation of seasonal patio and general landscaping to restore outdoor area surrounding building.

received
4-19-16 EW
2

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.

Philipstown Planning Board (Site Plan) NYSDEC SPDES (issued and valid), NYSDEC (Stream Disturbance), Putnam County Dept. of Health, (Sewage Treatment Plant)

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

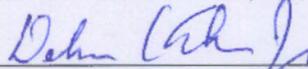
D. The names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice and the names and address of all owners of record of properties abutting and directly across from the proposed activity as shown on the latest tax record.

(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 April 18, 2016

Signature of Applicant:

Garrison Station Plaza, Inc.

by: 

Delmar Karlen, President

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: <p style="text-align: center;">Approval of Wetland Permit for Garrison Station Plaza, Inc.</p>							
Project Location (describe, and attach a location map): <p style="text-align: center;">7 Garrison Landing, Garrison NY 10524</p>							
Brief Description of Proposed Action: <p style="text-align: center;">Mixed use including 2 multiple dwelling units, restaurant/wine bar. This permit is among those needed to install a new Waste Water Treatment System</p>							
Name of Applicant or Sponsor: Garrison Station Plaza, Inc. Delmar Karlen, President		Telephone: 845-424-4286 E-Mail: DKarlen@optonline.net					
Address: <p style="text-align: center;">P.O. Box 205</p>							
City/PO: <p style="text-align: center;">Garrison</p>		State: <p style="text-align: center;">New York</p>	Zip Code: <p style="text-align: center;">10524</p>				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: <p style="text-align: center;">Philipstown Planning Board, NYSDEC, PCDH</p>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		6.673 acres					
b. Total acreage to be physically disturbed?		0 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.673 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 checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Metro North/Platform</u>							
<input type="checkbox"/> Parkland							

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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Garrison Station Plaza, Inc.</u>		Date: <u>April 19, 2016</u>
Signature: <u><i>Henry J. Watson</i></u>		Surveyor for Applicant

**Adjoiners List
For
Garrison Station Plaza, Inc.**

60.17-1-2, 9, 10 & 60.-1-1
Garrison Station Plaza Inc,
PO Box 205
Garrison, NY 10524

60.17-1-5
Sherman, Constance A
21 Lower Station Road
Garrison, NY 10524

71.5-1-6
Neff, Deborah J
40 Ettl Lane
Greenwich, CT 06831

60.17-1-23.1
51 Upper Station Rd Corp,
51 Upper Station Road
Garrison, NY 10524

60.17-1-24
Guillaro, Paul F.
75 Random Farms Dr
Chappaqua, NY 10514

60.17-1-6, 8
Garrison Landing Assn Inc
PO Box 205
Garrison, NY 10524

60.17-1-4
Dow, Rodney W
23 Lower Station Road
Garrison, NY 10524

60.17-1-3
Brady, James T.
92 King St
Charleston, SC 29401

71.-1-12
Midtown Trackage Ventures
551 5th Ave Fl 34
New York, NY 10176

60.17-1-1
Garrison Station Plaza Inc.
Attn.; Lease to MTA
PO Box 205
Garrison, NY 10524

60.17-1-27
Regele, Joseph
1039 Rt 9D
Garrison, NY 10524

Statement in Support
of the
Application
of
GARRISON STATION PLAZA, INC.
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

Garrison Station Plaza, Inc. is the owner of the premises at 7 Garrison Landing, which is the subject of the application. The property is located at the very end of Garrison Landing, approximately 900 feet south of its intersection with Upper Station Road. It is shown on the Putnam County Tax Map for the Town of Philipstown as Sheet 60.17, Block 1, Lot 7 (60.17.-1-7). The area of the parcel is 290,676 square feet. The property is located in a Hamlet Mixed-Use (HM) zoning district.

Regulated Activities Involved (§ 93.5)

The permit sought will allow the following Regulated Activities to be conducted by the applicant:

- The exterior renovations to existing structure;
- The increase of impervious surfaces in the form of hardscape;
- The installation (subsurface) of a wastewater treatment plant;
- Excavation and filling within the Hudson River;
- Surface discharge of treated wastewater effluent into the Hudson River.

The proposed activity will involve:

- Excavation and backfilling of soil (§93-5A)
- Deposition of light stone fill (§93-5B)
- Installation of a sewage disposal system and sewer outfall (§93-5C)
- Introduction of a form of pollution, by way of a sewer outfall, into a controlled area (§93-5J)

Total anticipated disturbance within the controlled area is not expected to exceed 8,300 square feet.

Project Description

Garrison Station Plaza, Inc. is also the applicant for the subject application. There is a single existing structure on the parcel, locally known as Guinan's Store. The "store" was essentially a five-bedroom house with a storefront at the main level and a small pub-style bar at the rear of the store. The applicant plans to renovate the existing 3-story structure into a restaurant/bar, with two (2) apartments above the main floor. There will also be a café on the main level where coffee, newspapers and other small items will be sold.

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 Advisory 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.

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 shall not substantially alter the characteristics and use of the site. The general surface characteristics of the property will not change, except for the installation of a small patio.

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

The proposed activity will not alter the size or cross-sectional area of the watercourse (Hudson River).

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

The proposed plan outlines monitoring and limitations of surface discharge. The plan includes the installation of a wastewater treatment plant to handle wastewater that historically has been discharged untreated into the Hudson River. This will result in an improvement in the quality of the waters of the River.

The activity will not increase the potential for flooding.

The proposed activity does not substantially increase impervious surfaces or restrict any flow of water.

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

The proposed plan outlines temporary and permanent erosion and sediment control measures.

No practicable alternative location is available on the subject parcel.

The proposed activity involves existing site improvements that are to be renovated. The exterior activity is designed to reduce the pollutants that are discharged into the river.

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

All improvements have been proposed so that the smallest practicable area will be disturbed.

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

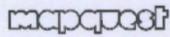
The proposed activity includes the treatment, disinfection and safe discharge of a currently substandard subsurface discharge.

Respectfully submitted by,
BADEY & WATSON,
Surveying and Engineering, P.C.

Glennon J. Watson, L.S.
Surveyor for Applicant

GJW/jrs

YOUR TRIP TO:



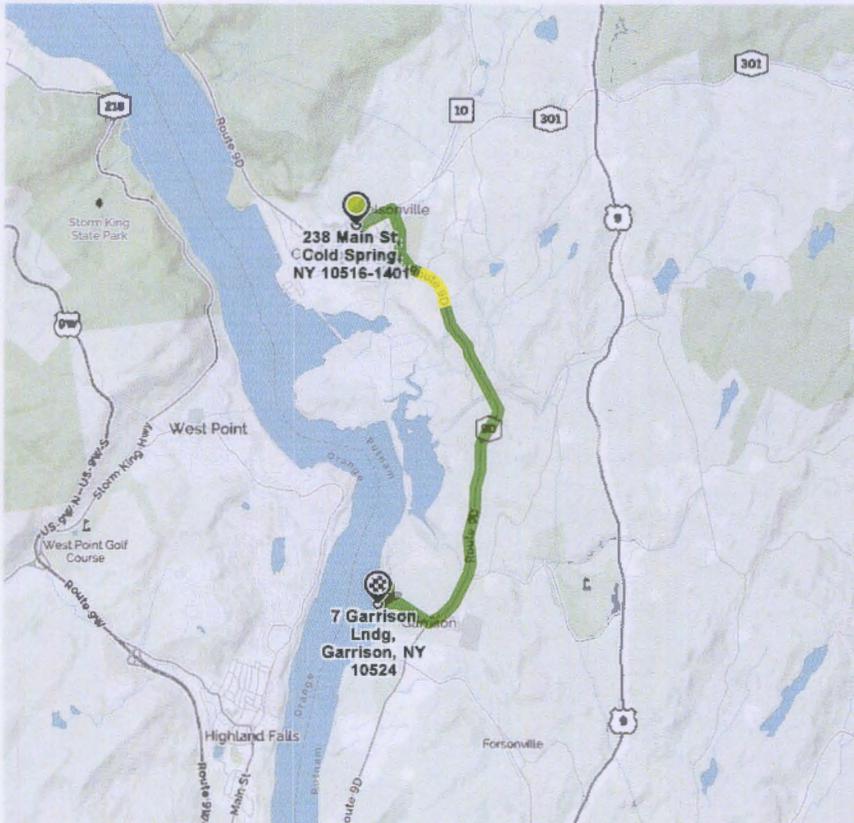
7 Garrison Lndg, Garrison, NY 10524

9 MIN | 4.4 MI

Trip time based on traffic conditions as of 11:08 AM on April 18, 2016. Current Traffic: Light

1. Start out going **northeast** on Main St/NY-301 toward Parsonage St.
Then 0.29 miles 0.29 total miles
2. Turn **right** onto Peekskill Rd/County Hwy-16.
Peekskill Rd is just past Spring St.
If you reach Nichol Ln you've gone a little too far.
Then 0.47 miles 0.76 total miles
3. Turn **left** onto Route 9D/NY-9D.
Then 3.05 miles 3.81 total miles
4. Turn **right** onto Upper Station Rd/County Hwy-14. Continue to follow Upper Station Rd.
Upper Station Rd is just past Beckwith Ln.
If you reach Lisburne Ln you've gone about 0.1 miles too far.
Then 0.45 miles 4.26 total miles
5. Turn **left** to stay on Upper Station Rd.
Then 0.03 miles 4.28 total miles
6. Take the 1st **left** onto Garrison Lndg.
If you reach the end of Philipse Lndg you've gone about 0.1 miles too far.
Then 0.16 miles 4.44 total miles
7. 7 GARRISON LNDG is on the **right**.
Your destination is just past Dock St.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.



PHILIPSTOWN PLANNING BOARD

TOWN OF PHILIPSTOWN, NEW YORK

RESOLUTION # _____ Garrison Station Plaza, Inc.. 6.674 Acres of Land located on Station Road.
Tax Map # 60.17-1-7.

WHEREAS, Garrison Station Plaza, Inc. is the owner of a parcel located on Station Road in the "B-1" Zoning District; and

WHEREAS, an application was made to the Planning Board of the Town of Philipstown by Garrison Station Plaza, Inc. for Site Plan approval of a change in use of the property from apartment/commercial (store) use into office/apartment uses, including building renovations and associated site improvements involving construction of a formal sewage treatment plant for the premises; and

WHEREAS, the Planning Board has completed SEQRA review for this project; and

WHEREAS, a duly advertised public hearing on the application has been held; and

WHEREAS, referral of the application to the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) was performed pursuant to the Board's environmental review of the project, with the applicant revising the building renovation plans so as to eliminate the removal of the exterior siding and bay window that was originally proposed so as to comply with NYSOPRHP's recommendations; and

WHEREAS, referral of the application pursuant to GML §239-m has been duly made to the Putnam County Planning Department, which has responded with approval of the project; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials; and

WHEREAS, the applicant has submitted the following materials for consideration:

Author	Title	Last Revision Date
Badey & Watson, PC	Site Plan	
Badey & Watson, PC	Sewage Treatment Plant	
Jeff Wilkinson, RA	A1 - Proposed Ground Floor Plan	September 27, 2010
Jeff Wilkinson, RA	A2 - Proposed First Floor Plan	September 27, 2010
Jeff Wilkinson, RA	A3 - Proposed Second Floor Plan	September 27, 2010
Jeff Wilkinson, RA	A4 - North & West Elevations	September 27, 2010
Jeff Wilkinson, RA	A5 - South & East Elevations	September 27, 2010

WHEREAS, the Site Plan drawings have been revised to address prior concerns of the Board and Town Engineer's office; and

WHEREAS, the Town Planning Board has been duly authorized to grant Site Plan approval for property located within the Town; and

WHEREAS, appropriate application fees have been received by the Town;

NOW, THEREFORE, BE IT RESOLVED, that:

Site Plan Approval:

- 1) The Planning Board finds that the applicant has met the requirements of Town of Philipstown Chapter 175 for granting of site plan approval; and
- 2) The Planning Board hereby grants Site Plan approval of the improvements depicted on the plans listed above subject to the following conditions:
 - A. Receipt of the approval of the Putnam County Department of Health for the Sewage Treatment Plant proposed to serve the premises.
 - B. Provision of an erosion/sediment control plan conforming to applicable NYS and Town Stormwater Pollution Prevention Plan (SWPPP) requirements, and including all necessary construction details required therein, acceptable to the Town Engineer.
 - C. Receipt of all required regulatory permits for the intended Sewage Treatment Plant discharge to the Hudson River.
 - D. Payment of all outstanding fees for review and approval of this application.
- 3) The Chairman is authorized as officer of the Planning Board to endorse the site plans when Conditions A through C has been met.
- 4) This conditional Site Plan approval shall expire in one year from the date of this resolution, unless such improvements shall have been certified as completed.

Adopted at a meeting of the Philipstown Planning Board on October 21, 2010.

PHILIPSTOWN PLANNING BOARD

Anthony Merante, Chairman

cc: Richard Shea, Town Supervisor
David Klotzle, Wetlands Inspector
Bob Emerick, Building Inspector

To: Philipstown Planning Board

From: Conservation Board (CB)

Date: 2-16-12

RE: Garrison Station Plaza, Inc. 7 Garrison Landing, Garrison, NY TM #60.17-1-7

The Philipstown Conservation Board was referred the application for renovation and improvement of the commercial property at 7 Garrison Landing (locally known as Guinan's) owned by Garrison Station Plaza. The building is immediately proximate to the Hudson River and for any future use requires a complete overhaul of the waste treatment system located within the 100 ft. regulated buffer area. This property was approved for renovation of interior, exterior and waste treatment in 2010(?) when the building was going to be reconfigured as office and apartment space. Now the plan calls for appropriate and necessary renovation of the site and reconfiguration of the waste treatment system to appropriately accommodate a bar/restaurant and apartment units on the upper floor.

During the CB's February 14th meeting, the application was discussed. Discussion focused on the manner and method of the new dual waste system and the level of water treatment achieved through the new technology to be installed, since outflow will be directly into the river. Additionally, the CB questioned the owner representative (Glenn Watson of Badey & Watson) on the planned maintenance of the septic tank. We were assured that the system would be pumped out and inspected on a regular schedule and reports would be forwarded to the appropriate agencies for oversight. Some concern was expressed regarding a significant rain event like Hurricane Irene, which would potentially raise the water level of the river over the outflow pipe and cause backwashing into the system. We were assured that the outflow pipe had a check valve that would prevent this from happening.

The CB further recommends that these plans be referred to our Flood Plain Administrator who is essentially Kevin Donohue as some of this property is in the FP of the Hudson Estuary.

A motion to recommend the granting of a wetland permit for this project was unanimously passed by the board. Thank you for allowing us the opportunity to comment on this proposal.

**TOWN OF PHILIPSTOWN
WETLANDS PERMIT # WL 11-194**

NOT TRANSFERABLE

See condition # 12

**Application for renewal must be made at least 30 days
before the expiration date of this permit**

**CHAPTER 93: Freshwater Wetlands and Watercourses of the Code of the Town
of Philipstown , New York**

The Permitting Authority and or the Town Wetlands Inspector have determined that the proposed action is an Unlisted Action under SEQRA and will not have a significant environmental impact. Therefore, a Wetlands Permit is granted subject to the conditions noted below.

Owner/Applicant: Riverview Property LLC
33 Katonah Ave Katonah, NY 10536

Location of Proposed Activity: 3063 Route 9 D, Garrison, NY

Tax Map #: 81.-1-40

Date Permit Issued: April 20,2011

Date Permit Expires: April 20 ,2012

Description of Project : Demolition of Pump House within 100 foot wetland
buffer

Materials Reviewed:

1. Wetland Permit Application Materials dated: 3/9/2011
2. Survey of Property by : Badey & Watson dated 10/10/2010
3. Personal inspection of site by wetland inspector and the CAC

Conditions of Permit:

1. All work to be performed according to the above referenced plans.
- 2.
3. A) Wetlands Inspector is to be personally contacted five days prior to construction to conduct onsite inspection of sediment and erosion controls and review construction sequence. No work may start until such inspections have been made.

B) All silt fence shall be wire backed and buried 6-8 inches in the ground and installed prior to any construction or site disturbance . Hay bales may not be used. Straw bales, wattles or Coir logs may be substituted on approval of the wetland inspector.

C) All erosion control measures shall be maintained properly throughout the construction process, and remain in place until final site inspections by wetland inspector for compliance with conditions of permit. Any silt collected by the silt fence shall be removed and placed at least 100 feet from any wetland or watercourse
4. The agreed upon wetland boundary and buffer zone must be kept flagged or defined by orange construction fence during construction unless the wetland inspector determines in the field that this is not necessary or feasible.
5. The Wetland Inspector and members the Permitting Authority are authorized to make such onsite inspections during the conduct of the permitted activity as are necessary to determine whether the activity is being carried on in conformity with the provisions of the permit.
6. The Wetlands Inspector may, on written notice to the Applicant, suspend or revoke a permit where it finds that the Applicant has not complied with any or all conditions of the permit, has exceeded the authority granted in the permit, or has failed to undertake the project in the manner set forth in the application (Philipstown Code Sections 93-16 A & B).
7. Payment of final application fee of \$ to the Town of Philipstown.
8. Issuance of this Permit by the Town does not imply any obligation, liability or responsibility for any damages, direct or indirect of whatsoever nature, as a result or consequence of any action or activity undertaken as a result of this Permit.
9. This permit shall not be construed as conveying to the applicant any right to interfere with the riparian rights of others in performing the permitted work.

10. The permit shall expire on the date indicated on the face of this Permit. If the applicant on the has not completed the permitted action or actions herein granted, he/she may apply to the Permitting Authority for renewal of this permit for periods not to exceed one year. Application for renewal must be made at least 30 days before the expiration date of this permit. All final application fees must be paid as a condition of the issuance of this permit.
11. This permit must be maintained and prominently displayed at the project site during the time permitted activities are carried on.
12. If title to all or part of the property described in this permit is transferred to a new owner other than the holder of this permit then the new owner must contact the wetland inspector, pay a fee of n/a to the town and sign a copy of the permit in the name of the new owner before said permit is valid. Permits that are out of date must be renewed before they are valid.

Noncompliance with any of the conditions above will invalidate this WETLANDS PERMIT and may result in a NOTICE OF VIOLATION and/or STOP WORK ORDER.

This permit must be signed by the owner and returned to the wetland inspector at the address below before you may begin work. Any questions regarding this Permit should be directed to the Town Wetlands Inspector at the below address.

3
David J Klotzle

Wetlands Inspector

I am the owner of the above referenced property and have read, understand and agree to the conditions outlined in the above permit

Signed _____ Date _____

cc: Applicant
Building Dept.
Conservation Advisory Council

PHILIPSTOWN CONSERVATION ADVISORY COUNCIL
MEMORANDUM

To: Philipstown Planning Board
From: Philipstown Conservation Advisory Council (CAC) and
David Klotzle, Wetlands Inspector (WI)
Date: 11-19-10
RE: Garrison Land Holding Co. LLC Planning Board Referral

Members of the CAC visited this site and have the following comments on the proposed residential development as shown on the site plan by Badey & Watson dates 10/26/2010.

- 1) The presence of a small pond and intermittent stream will require a wetland permit from the PB.
- 2) In a effort to save as much of the adjacent forested area to the south of the septic area we believe the intermittent stream should be piped in this area to decrease the septic distance setback to 50 feet.
- 3) We recommend swapping the primary septic with the reserved septic area to preserve the forested area to the extent possible.
- 4) The 100 foot watercourse buffer line from the Hudson Estuary should be indicated on the site plan.

COMMENTS AND RECOMMENDATIONS:

Thank you for the opportunity to submit these comments and recommendations. The CAC and WI are at the Planning Board's disposal should further review or questions arise.

Philipstown Conservation Advisory Council
David Klotzle, Wetlands Inspector

**TOWN OF PHILIPSTOWN
WETLANDS PERMIT # WL 11-194
NOT TRANSFERABLE
See condition # 12**

**Application for renewal must be made at least 30 days
before the expiration date of this permit**

**CHAPTER 93: Freshwater Wetlands and Watercourses of the Code of the Town
of Philipstown , New York**

The Permitting Authority and or the Town Wetlands Inspector have determined that the proposed action is an Unlisted Action under SEQRA and will not have a significant environmental impact. Therefore, a Wetlands Permit is granted subject to the conditions noted below.

Owner/Applicant: Riverview Property LLC
33 Katonah Ave Katonah, NY 10536

Location of Proposed Activity: 3063 Route 9 D, Garrison, NY

Tax Map #: 81.-1-40

Date Permit Issued: April 20,2011

Date Permit Expires: April 20 ,2012

Description of Project : Demolition of Pump House within 100 foot wetland
buffer

Materials Reviewed:

1. Wetland Permit Application Materials dated: 3/9/2011
2. Survey of Property by : Badey & Watson dated 10/10/2010
3. Personal inspection of site by wetland inspector and the CAC

Conditions of Permit:

TOWN OF PHILIPSTOWN, 238 MAIN STREET, TOWN HALL, COLD SPRING, NEW YORK 10516
914-736-7132

1. All work to be performed according to the above referenced plans.
- 2.
3. A) Wetlands Inspector is to be personally contacted five days prior to construction to conduct onsite inspection of sediment and erosion controls and review construction sequence. No work may start until such inspections have been made.

B) All silt fence shall be wire backed and buried 6-8 inches in the ground and installed prior to any construction or site disturbance . Hay bales may not be used. Straw bales, wattles or Coir logs may be substituted on approval of the wetland inspector.

C) All erosion control measures shall be maintained properly throughout the construction process, and remain in place until final site inspections by wetland inspector for compliance with conditions of permit. Any silt collected by the silt fence shall be removed and placed at least 100 feet from any wetland or watercourse
4. The agreed upon wetland boundary and buffer zone must be kept flagged or defined by orange construction fence during construction unless the wetland inspector determines in the field that this is not necessary or feasible.
5. The Wetland Inspector and members the Permitting Authority are authorized to make such onsite inspections during the conduct of the permitted activity as are necessary to determine whether the activity is being carried on in conformity with the provisions of the permit.
6. The Wetlands Inspector may, on written notice to the Applicant, suspend or revoke a permit where it finds that the Applicant has not complied with any or all conditions of the permit, has exceeded the authority granted in the permit, or has failed to undertake the project in the manner set forth in the application (Philipstown Code Sections 93-16 A & B).
7. Payment of final application fee of \$ to the Town of Philipstown.
8. Issuance of this Permit by the Town does not imply any obligation, liability or responsibility for any damages, direct or indirect of whatsoever nature, as a result or consequence of any action or activity undertaken as a result of this Permit.
9. This permit shall not be construed as conveying to the applicant any right to interfere with the riparian rights of others in performing the permitted work.

10. The permit shall expire on the date indicated on the face of this Permit. If the applicant on the has not completed the permitted action or actions herein granted, he/she may apply to the Permitting Authority for renewal of this permit for periods not to exceed one year. Application for renewal must be made at least 30 days before the expiration date of this permit. All final application fees must be paid as a condition of the issuance of this permit.
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3

David J Klotzle

Wetlands Inspector

I am the owner of the above referenced property and have read, understand and agree to the conditions outlined in the above permit

Signed _____ Date _____

cc: Applicant
Building Dept.
Conservation Advisory Council

