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

MEETING AGENDA
July 14, 2015 at 7:30 pm

1.) Anne and Edward Morrison TM# 61.-4-5 WL-15-256
862 Old Albany Post Rd
(Construction Of pole barn and gravel entry from road)

2.) Nick Rockwell TM 38.-3-25
Discussion and advice on possible requirements for a upcoming application before the Planning Board

3.) Storm Water Discussion

*** Items May Not be Taken as Listed**

June 29, 2015

Dear Conservation Board,

Enclosed are 10 copies of our Wetland Permit application, each containing one of the following:

1. Application Form
2. Environmental Assessment Form (short form)
3. Survey/Site Plan (full-sized)
4. Copies of correspondence from all other agencies – *Not Applicable*
5. A written outline of the proposed activity, along with a construction scenario that should include specific items such as the estimated quantities of material excavated or the amount of fill required and the total square footage of soil to be disturbed.
6. 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
7. 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 as well as the names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice.

PLEASE NOTE:

The site plan shows the wetlands delineation boundaries and100' buffer zones from wetlands and watercourses, as flagged by Stephen Coleman and surveyed by Badey&Watson. We, the owners, have included a copy of the original septic plan for the house from the Dept. of Health as well. The owners have translated this septic material to the survey. Please note that this site plan is therefore not an official document—per Badey & Watson the owners cannot make annotations on the official survey that they produce. We have also included ONE clean copy of the original Badey &Watson survey with this application (i.e., where no annotations have been added by owners).

Please contact us with any follow-up questions/if additional materials are needed prior to the July 14 meeting.

Sincerely,

Anna and Ed Morrison

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

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

APPLICATION FOR WETLANDS PERMIT

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

(Office Use Only)

Application # _____ Permitting Authority

Received by: _____

Date _____ ____ Conservation Board

Fee _____ ____ Wetlands Inspector

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

1. **Owner:** Name: Anne + Edward Morrison

Address: 862 Old Albany Post Rd Garrison, NY 10524

Telephone: 917 734 2551

If Corporation, give names of officers:

_____ NA

_____

Mailing Address: Same

2. **Name of Agent**

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

N/A

Mailing Address:

Telephone: N/A

3. **Location of Proposed Activity:**

Tax Map #: 61-4-5

Acreage of Controlled Area Affected: 0 Acrege w/n Wetland; Approx .03 Acres w/n Wetland Buffer.

Square footage of soil disturbed by the entire project: [redacted] less than 2,000 Sq ft. (22x36 Barn = 792 sq ft plus access area)

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

Construction of Pole Barn and gravel entry from road.

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

Building Dept/Building Permit (subsequent to this permit)

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

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

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

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

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

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

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

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

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

Date: June 28, 2015

Signature of Applicant: [signature]

52 Mom

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:
Pole Barn with new access from Old Albany Post Rd.

Project Location (describe, and attach a location map):
Southern end of property [redacted] / Property located north of intersection of S. Highland and Old Albany Post Roads

Brief Description of Proposed Action:
Proposed pole barn would be 22x36. Entry point from Old Albany Post Road would occur where there is a transition in the stone wall. There would be no concrete foundation, just concrete footings, and access road would be gravel/not paved.

Name of Applicant or Sponsor:	Telephone: 917 734 2551
Anne + Ed Morrison	E-Mail: akmemorrison@gmail.com
Address: 862 Old Albany Post Rd	
City/PO: Garrison	State: [redacted] NY / Zip Code: 10524

	NO	YES
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.	☒	☐
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:	☒	☐

3.a. Total acreage of the site of the proposed action? .04 acres
b. Total acreage to be physically disturbed? .03 acres } slightly higher if Rain Garden done.
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.56 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)
☒ Forest ☒ Agriculture ☒ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

Not sure?

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐
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:	☑	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☑	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☑	☐
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?	☑	☐
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: The actual barn and access would be outside the wetland – but would be inside the wetland Buffer.		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☒ Forest ☒ Agricultural/grasslands ☐ Early mid-successional
☒ Wetland ☐ Urban ☑ Suburban / Rural

	NO	YES
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?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
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? ☑ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☑	☐
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: _____	☑	☐
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: _____	☑	☐

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

Applicant/sponsor name: Anne + Ed Morrison Date: June 29, 2015

Signature: _____

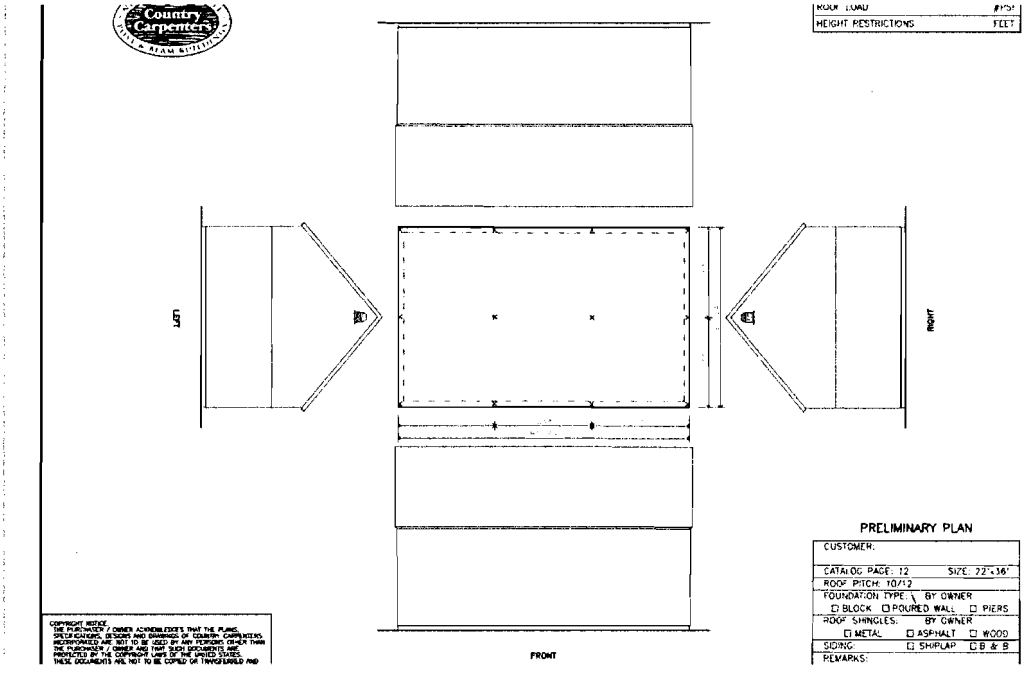
PRINT FORM

A written outline of the proposed activity, along with a construction scenario that should include specific items such as the estimated quantities of material excavated or the amount of fill required and the total square footage of soil to be disturbed.

The proposed project is to build a pole barn accessible from the road. The barn will be used for storage. We want the option of vehicular access for a horse trailer or occasional car use during inclement weather. The access road will be the minimal width necessary for access (approx.12 feet), and made of gravel, not paved.

Barn Structure Details:
Square Footage: 22x36 rectangular pole barn with access from Old Albany Post Road. The walls of the barn will be wood vertical siding (shiplap or board&batten pine). The wood will be stained to preserve it and in a color that blends with the setting (perhaps a grey, like the house). No additional jut-outs or enhancements (like a cupola) are currently considered. Our intent is a functional storage barn that blends naturally with the surroundings. The roof will be shingled in cedar or fiberglass in a similar nature-blending color.

We will either purchase a pole barn "kit" from a reputable company that we have identified (Country Carpenters) or have a local contractor by the name of Pete Housekeeper put together the materials for the barn. Pete has done several pole barns in the Garrison area, including one at Boscobel. In the case of Country Carpenters, the basic footprint and look of a 22x36 barn is as follows:



Pete's version of the pole barn uses TJI joists for a clear span floor system.

There will be no solid concrete foundation underneath the barn. The pole barn supports sit on concrete footings. The barn floor will be gravel. We would then prefer to have a floating concrete slab over part of the barn interior.

Gutters will be added to collect and divert water to a rain garden or French drain.

Site Preparation—Leveling/Grading/Excavating/Use of Fill:
Because of the gradual slope of the proposed project location, after consulting with the contractors, we decided that it is best to cut & fill and not engage in any major excavating. We think that this is environmentally sound. At the proposed barn location, we will need approximately 20 cubic yards of gravel and at the most another 20 cubic yards of fill. This depends somewhat on the means of retaining the base of the barn. Natural stone will be used to retain around the perimeter of the barn on the high and low sides.

Special care will be exercised to avoid interfering with the existing run-off ditch that currently carries water underneath this area to a point further south on the property. Refer to official septic plan survey from the time the house was constructed. Details were confirmed with Polhemus Construction - who originally did that run-off pipe. This same company will be employed to prepare the proposed project area.

For the area directly underneath the barn, some digging may be required to eliminate bamboo roots. As described elsewhere in this application, the bamboo will

mainly be removed through cutting it back to the soil line, using a wetland approved herbicide, and covering with black plastic.

Square Footage of Soil Disturbed:
No soil within the wetland boundary will be disturbed (unless for purposes of rain garden), however all of the project falls within the 100 foot wetland buffer boundary. We estimate a total square footage of 2200 sq. ft. will be disturbed for the barn and access point. This assumes a 4 foot buffer around the pole barn itself [so (22+4) x (36+4) = 1,040sqft] plus a similarly sized area for the access road.

Option of a Rain Garden:
Some basic excavation and build-up of a berm will be needed to create a rain garden. This rain garden would straddle the edge of the wetland border (see proposed site on unofficial survey). This location was chosen based on an initial understanding of the soil porosity, slope and water table in that area, as well as the size of the barn roof and water collected.

Owner Response to Criteria for approval. [Amended 11-1-2001 by L.L. No. 4-2001]

(1) The activity will not have a substantial adverse effect upon the natural function and benefits of a wetland or watercourse as set forth in § 93-2B;

We propose to construct a simple pole barn and access road to this barn. We will preserve as many trees around the barn as possible, while removing the current invasive bamboo. With respect to existing trees, special care will be taken to preserve the beautiful Shagbark Hickory near the road, as well as several White Oak trees. This will preserve the natural look from the road and continue to provide a habitat for birds around the barn. In terms of the bamboo, when left unchecked, it seems to spread 3 feet in all directions each year! We propose to improve this area bordering the wetland by cutting down the bamboo and covering the area with thick black plastic to kill off the roots. In the area under the barn itself, we will do the minimum amount of excavation required to remove the existing bamboo at the root.

To remediate the impermeable surface (roof of the pole barn), we propose to either install a drywell or a rain garden. A rain garden would require some minimal excavation of an area within the wetland itself. The area is currently overrun with invasive, non-native plants including: Rosa Multiflora/Japanese Rose, Japanese Barberry, Japanese honeysuckle and Oriental Bittersweet. Within a rain garden area, we could introduce healthy, native plants, most likely: Aronia Arbutifolia (Chokeberry, with its red berries and red fall color) and Clethra Alnifolia (with its fragrant white flowers late summer and its yellow fall color),possibly Cornus Alba 'Siberica' with its red twigs and Ilex Verticillata (Winterberry, inviting to birds). In the background, we might add a group of Tsuga Candensis (Hemlocks) and groundcovers of Royal Fern and Swamp Milkweed.

(2) The activity will not substantially change the natural channel of a watercourse or substantially inhibit the dynamics of a watercourse system;

This pole barn will not be built upon a solid concrete foundation. The support poles will sit on simple concrete footings. We will use #4 gravel underneath the base of the pole barn and access road. The access road will not be paved.

Please note, on the survey from the Department of Health (included with this application) that an open run-off ditch already exists in this area, which allows water to flow beneath the area of the proposed barn/access road from the north of our property in order to divert water from our septic field. We have confirmed the construction of this underground run-off ditch with Polhemus Construction --

who did the work in the 1980s. This ditch is shown on the original septic plan for the house (included in this application).

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

No, it will not cause pollution or degrading of waters. The barn will be used for storage (i.e., kayaks, horse trailer and tack, lawn equipment, bikes, etc.). Since the property does not have a garage, we need the option of accessing the barn from the road and enough space to store at least one car in the barn. Our intent is not to use this as a regular garage—it is too far from the main house for this purpose—but we do need the option of putting a car here occasionally, like when there is ice or snow predicted, for example. With minimal precautions this will not have any environmental impact.

No plumbing will be added. Minimal lighting/electric will be included.

(4) The activity will not increase the potential for flooding.

The pole barn foundation is water permeable. Further, we will not alter the existing drainage pattern of water from the road. The area also has a topography that causes water to naturally find its way to a point further south and east of the proposed pole barn site.

(5) Sufficient provision has been made for control of pollution, erosion, siltation and sedimentation during and after conduct of the activity;

We have identified local contractors with excellent reputations to carry out this work. This was a priority for us to ensure that the work be done as we expect—with the minimum necessary disturbance to the land, the surrounding habitat and our neighbors.

Due to the slope of the proposed barn location, there is a need to retain the base on the eastern side of the barn. Our plan is to use a combination of gradual leveling (cut/fill) of the slope and natural stone/boulders for that purpose.

(6) No practicable alternative location is available on the subject parcel.

The area in the front of the house is needed as a driveway and parking space for cars. The property has no other place for parking.

The area to the north of the house is narrow, with a 23.9 foot clearance between the northern edge of the house and our property line. There is not enough space there to place any structure and meet local zoning. The situation is further complicated by the location of our well–head which sits towards the middle of this northern side-line area (please see property survey).

The area in the back of the house is not feasible because of the same limited access due to the well-head. There is also a significant slope to the back of the house. There are also two buried pipes to accommodate run-off from the well and keep surface water from the house. As built, these cannot be driven over.

The area to the east and south east of the house is not feasible due to the location of our septic tank, fields and drainage area.

The proposed barn location uses an existing transition in our stone wall towards the south of the property where it changes from a visible wall to an underground retaining wall. The proposed barn location minimizes the amount of access road required. We would strongly prefer to keep the barn far from the septic field, minimize the amount of disturbance with a short access road, and maintain the look and feel of the current open grassy meadow on the property—while still staying outside of the wetland itself with some buffer, albeit small.

(7) No additional technical improvements or safeguards can reasonably be added to the plan or activity which would minimize the impact on a controlled area;

Gutters would be added to capture roof water and direct it towards a drywell or rain garden.

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

The project will improve upon the natural setting in three ways. First, there are several invasive plants, in particular bamboo, that we propose removing from the habitat and introducing native ones. Second, there is a large tree leaning towards the road in the proposed building area. In summer 2014 a similar tree in that area, with a 20 inch plus diameter, fell on the road after a storm. Working with Garrison Tree, we would take down leaning trees, ensure healthy growth conditions for other trees bordering the proposed barn area, and otherwise be careful to do the minimal amount of clearing to accommodate the project. Third, we currently need to leave a lot of equipment outside, including mechanical equipment like our lawn tractor. This is both ugly to look at and increases the likelihood of things like oil spills when equipment is exposed to the elements.

Neighboring Property Owners:

Tom and Robin Whyatt, 848 Old Albany Post Road

Alexander (Sandy) and Shelley Saunders, 853 Old Albany Post Road

Abbie Carey, 880 Old Albany Post Road

Dan and Jill Sussman , 244 S. Highland Road