

**Philipstown Planning Board Meeting
Butterfield Library
10 Morris Avenue
Cold Spring, New York
October 16, 2014 @ 7:30 p.m.**

(Revised 10/16/14)

Agenda

Pledge of Allegiance
Roll Call
Approval of Minutes – July 22, 2014

Old Business/New Business

RDR Equities, LLC – Site plan application – 1510 Route 9, Garrison: Letter dated August 8, 2014 regarding withdrawal of application and return of escrow

Hudson Highlands Reserve - Conservation subdivision –East Mountain Road North and Horton Road, Cold Spring: Letter re: withdrawal of application and request for return of escrow funds

Gex – Realignment of property line – 24 Hummingbird Lane, Garrison: Request for extension

Public Hearing

ESP – Subdivision/site plan application - 3330 Route 9, Cold Spring: Discussion

Regular Meeting

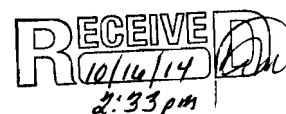
Horton Road, LLC (Hudson Highlands Reserve) - Conservation subdivision - East Mountain Road North, Horton Road and Route 9, Cold Spring: New application

201 Old Stone Road – Site plan application – 201 Old Stone Road, Garrison: Submission of revised EAF Part 2

Adjourn

Anthony Merante, Chairman

Note: All items may not be called. Items may not always be called in order.



**Philipstown Planning Board Meeting
Butterfield Library
10 Morris Avenue
Cold Spring, New York
October 16, 2014**

Agenda

Public Hearing

- **ESP (Bruce and Donna Kehr)**

Pledge of Allegiance

Roll Call

Approval of Minutes – July 22, 2014 and September 18, 2014

1. **ESP** – Subdivision/site plan application - 3330 Route 9, Cold Spring: Discussion
2. **RDR Equities, LLC** – Site plan application – 1510 Route 9, Garrison: Letter dated August 8, 2014 regarding withdrawal of application and return of escrow
3. **Hudson Highlands Reserve** - Conservation subdivision –East Mountain Road North and Horton Road, Cold Spring: Letter re: withdrawal of application and request for return of escrow funds
4. **Horton Road, LLC (Hudson Highlands Reserve)** - Conservation subdivision - East Mountain Road North, Horton Road and Route 9, Cold Spring: New application
5. **201 Old Stone Road** – Site plan application – 201 Old Stone Road, Garrison: Submission of revised EAF Part 2

Adjourn

Anthony Merante, Chairman

Note: All items may not be called. Items may not always be called in order.

Philipstown Planning Board
Public Hearing – October 16, 2014

The Philipstown Planning Board for the Town of Philipstown, New York will hold a public hearing on Thursday, October 16, 2014 at 7:30 p.m. at the Butterfield Library, 10 Morris Avenue in Cold Spring, New York to consider the following application:

ESP - Application dated June 5, 2014 for approval of site plan to continue the use of the Kehr property as a building supply yard and sales establishment. The intention is to eliminate non-conformities that have accumulated since the site was originally approved. Also, application dated July 3, 2014 for approval of a merger of three lots and a two-lot subdivision. Total acreage is 11.239 acres. The front two parcels lie within the HC zoning district and the rear (7.6 acre) parcel is currently vacant and lies within the RR zoning district. The subdivision would create two lots: lot one (on which the commercial activity would continue) would comprise of 7.217 acres after the lots are merged; lot two would comprise of 4.022 acres and would obtain access from Stephanie Lane (a private road). Property location is 3330 Route 9 in the Town of Philipstown (t.m.# 16.20-18, 20 & 21).

At said hearing(s) all persons will have the right to be heard. Copies of the application, plat map, and related material may be seen in the Office of the Planning Board at the Town Hall.

Dated at Philipstown, New York this 30th day of September 2014.

Anthony Merante, Chairman

August 4, 2014

Mr. Anthony Merante, Chairman, and Board Members
Town of Philipstown Planning Board
Town Hall
238 Main Street
Cold Spring, NY 10516

Re: Minor Site Plan for RDR Equities
1510 Route 9, Garrison
Town of Philipstown

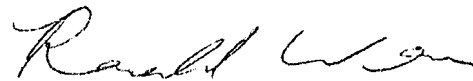
Dear Mr. Merante and Members of the Board:

This letter is written to formally request the withdrawal of the Minor Site Plan application for RDR Equities LLC at 1510 Route 9 in Garrison, tax map section 82.7, block 1, lot 14. The applicant has decided that he no longer wishes to pursue the application and would like to withdraw the application for the minor site plan effective immediately.

Please remove the project from the Planning Board agenda, in particular for the public hearing scheduled for September. Also, please return and unspent monies remaining in any escrow accounts for the project.

If you have any questions or require additional information, please contact me at the above number.

Respectfully submitted,



Ronald Wegner
Project Engineer

Cc: Rich Kilmer via e-mail



Fractal Group LLC

315 East 91st, Unit 2S New York, NY 10128
T 212 228 5617 - F 212 228 5618

Project Name Hudson Highlands Reserve
Owner Horton Road LLC
Designer Fractal Group LLC
Project Address US Route 9 / Horton Road / East Mountain Road North
Cold Spring, NY 10516

10/1/2014

Town of Philipstown
238 Main Street
PO Box 155
Cold Spring, New York 10516

Dear Anthony Merante and Town of Philipstown Planning Board:

As of today, we would like to officially withdraw the application for conservation subdivision submitted to the Planning Board on January 16, 2014. Furthermore, we would like the remainder of the escrow account in the amount of \$4,836.25 returned to:

Horton Road, LLC
315 East 91st St, 2S
New York, NY 10128

Best,

Christina Isaly-Liceaga

Subject: Request to withdraw application
From: asunga@fractal-construction.com (asunga@fractal-construction.com)
To: amgal720@yahoo.com;
Cc: uliceaga@fractal-construction.com; jpaksai@fractal-management.com;
Date: Wednesday, October 1, 2014 10:10 PM

Hello Ann,

Please find the attached PDF as our official withdrawal for the conservation subdivision application for Hudson Highlands Reserve submitted on January 2014.

We will be submitting a new application for the project with Badey & Watson tomorrow.

Please contact me if you have any questions.

Best,

Anthony Sunga

Sent from my iPhone

T O W N O F P H I L I P S T O W N

P U T N A M C O U N T Y , N E W Y O R K

APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

The undersigned hereby make application to the Planning Board of the Town of Philipstown under Part-One Subdivision Regulations for one of the following (check one):

| | | |
|-------------------------------------|---|------------------------|
| | | For Office Use Only |
| <input checked="" type="checkbox"/> | for approval of a Preliminary Plat; | 1. Application # _____ |
| <input type="checkbox"/> | for approval of a Final Plat; | 2. Fee _____ |
| <input type="checkbox"/> | for approval of a Minor Subdivision as a Final Plat; or | 3. Rec'd by _____ |
| <input type="checkbox"/> | for revision of a previously Filed Plat. | 4. Date _____ |

I. Identification of Applicant and Owner:

a. Applicant (name) Horton Road LLC Tel. 212-722-0170

address 516 E. 89th Street
New York, NY 10128

b. Owner of property if not same as Applicant:

(name) Same as applicant Tel. _____

address _____

II. Attachments: Each of the following, when applicable, shall be attached to and are made a part of this Application (check the items attached):

☐ A- 1 Affidavit of Ownership, executed by the individual, or by the general partner of a partnership, that is the owner of property if not same as the Applicant; OR

☒ A-2 Affidavit of Ownership, executed by a corporation that is the owner of property if not same as the applicant.

☒ Appendix B- 1 certification executed by the Applicant if the Applicant is a partnership, corporation, association or business trust.

- ☐ Appendix B-2 certification executed by the owner of property if the owner is a partnership, corporation, association or business trust
- ☒ Appendix C Disclosure Statement under Sec. 809 of the General Municipal law.
- ☒ Appendix D Identification of Property and Proposal.
- ☒ Appendix E Identification of Plans and Documents.
- ☒ EAF - Environmental Assessment Form
- ☒ Application Checklist
- ☐ Request for a Waiver of Subdivision Regulations

III. Authorization: The Applicant and Owner hereby grant to the Planning Board, the Town Board and Superintendent of Highways, and their authorized agents, permission to enter upon the property that is the subject of this Application for the purpose of inspection and enforcement of the Subdivision Regulations, including the taking of tests and materials samples:

IV. Endorsements:

a. Applicant/Owner

Date Oct 2, 2014

Signed by,

Horton Road LLC


Christina Isaly Liceaga


b. Owner of Property if not same as Applicant

Date

Signed

State of New York)
 ss.
 County of Putnam)

Christina Isaly Liceaga, being duly sworn, deposes and says
 that She resides at 516 E. 89th Street New York NY 10128 in the County of
New York State of New York that she is
 the Manager of Horton Road LLC
 (Title) (Name of Corporation)
 which is the owner in fee of all that certain lot, piece or parcel
 of land situated, lying and being in the Town of Philipstown, New York, aforesaid
 and known and designated on the Tax Map of the Town of Philipstown as Lot Number
77.2 Block 1 on Tax Map 17 and that said cor-
 poration acquired title to the said premises by deed from Rodney Weber
 dated September 13, 2013 and recorded in the Office of the
 Clerk of the County of Putnam on September 20, 2013 in Liber 1932
 of Conveyances at Page 371 and that consant is hereby given to
Christina Isaly Liceaga to make the annexed application for ap-
 proval of the map (or project) entitled Hudson Highlands Reserve
 and that statements of fact contained in said appli-
 cation, including the statements contained in all of the exhibits transmitted
 herewith, are true to the best of deponant's knowledge and belief.

(signed) 

Sworn to before me this

29 day of September 20 14
Alessandra Delmonte
 Notary Public

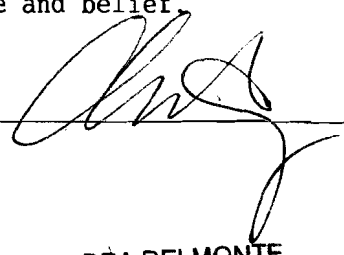
ALESSANDRA DELMONTE
 Notary Public - State of New York
 No. 01DE6280083
 Qualified in New York County
 My Commission Expires April 15, 2017

State of New York)

ss.

County of Putnam)

Christina Isaly Liceaga, being duly sworn, deposes and says
that She resides at 516 E. 89th Street 4S New York NY 10128 in the County of
New York State of New York that She is
the Manager of Horton Road LLC
(Title) (Name of Corporation)
which is the owner in fee of all that certain lot, piece or parcel
of land situated, lying and being in the Town of Philipstown, New York, aforesaid
and known and designated on the Tax Map of the Town of Philipstown as Lot Number
76.112 Block 1 on Tax Map 17 and that said cor-
poration acquired title to the said premises by deed from Lyons Realty Company
dated May 14, 2013 and recorded in the Office of the
Clerk of the County of Putnam on June 6, 2013 in Liber 1923
of Conveyances at Page 198 and that consant is hereby given to
Christina Isaly Liceaga to make the annexed application for ap-
proval of the map (or project) entitled Hudson Highlands Reserve
and that statements of fact contained in said appli-
cation, including the statements contained in all of the exhibits transmitted
herewith, are true to the best of deponant's knowledge and belief.

(signed) 

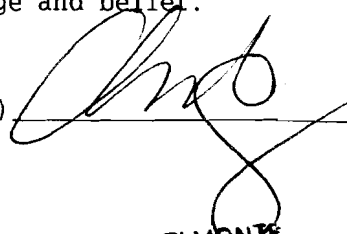
Sworn to before me this

29 day of September 20 14
Alessandra Delmonte
Notary Public

ALESSANDRA DELMONTE
Notary Public - State of New York
No. 01DE8280083
Qualified in New York County
My Commission Expires April 15, 2017

State of New York)
 ss.
 County of Putnam)

Christina Isaly Liceaga, being duly sworn, deposes and says
 that she resides at 516 E. 89th Stree New York NY 10128 in the County of
New York State of New York that she is
 the Manager of Horton Road LLC
 (Title) (Name of Corporation)
 which is the owner in fee of all that certain lot, piece or parcel
 of land situated, lying and being in the Town of Philipstown, New York, aforesaid
 and known and designated on the Tax Map of the Town of Philipstown as Lot Number
39 Block 1 on Tax Map 17 and that said cor-
 poration acquired title to the said premises by deed from Joseph & Diane Frisenda
 dated December 3, 2013 and recorded in the Office of the
 Clerk of the County of Putnam on December 2, 2013 in Liber 1939
 of Conveyances at Page 101 and that consant is hereby given to
Christina Isaly Liceaga to make the annexed application for ap-
 proval of the map (or project) entitled Hudson Highlands Reserve
 and that statements of fact contained in said appli-
 cation, including the statements contained in all of the exhibits transmitted
 herewith, are true to the best of deponant's knowledge and belief.

(signed) 

Sworn to before me this

29 day of September 20 14
Alessandra Delmonte
 Notary Public

ALESSANDRA DELMONTE
 Notary Public - State of New York
 No. 01DE6280083
 Qualified in New York County
 My Commission Expires April 15, 2017

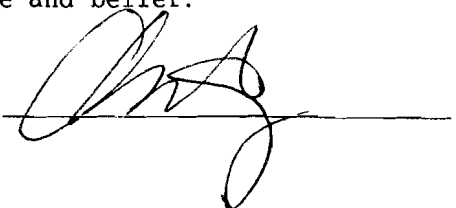
State of New York)

ss.

County of Putnam)

Christina Isaly Liceaga, being duly sworn, deposes and says that she resides at 315 East 91st. Street, 2S New York NY 10128 in the County of New York State of New York that she is the Manager of Horton Road LLC (Title) (Name of Corporation) which is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Philipstown, New York, aforesaid and known and designated on the Tax Map of the Town of Philipstown as Lot Number 76.21 Block 1 on Tax Map 17 and that said corporation acquired title to the said premises by deed from Joan Ellison dated July 11, 2014 and recorded in the Office of the Clerk of the County of Putnam on July 17, 2014 in Liber 1955 of Conveyances at Page 42 and that consent is hereby given to Christina Isaly Liceaga to make the annexed application for approval of the map (or project) entitled Hudson Highlands Reserve and that statements of fact contained in said application, including the statements contained in all of the exhibits transmitted herewith, are true to the best of deponent's knowledge and belief.

(signed)



Sworn to before me this

29 day of September 20 14
Alessandra Delmonte
 Notary Public

ALESSANDRA DELMONTE
 Notary Public - State of New York
 No. 01DE6280083
 Qualified in New York County
 My Commission Expires April 15, 2017

APPENDIX B-1 CERTIFICATE CONCERNING OWNERSHIP OF APPLICANT

1. If owner or applicant is a general or limited partnership, attach this notarized certification listing names and addresses of all partners and participants. If a partner is a partnership, corporation, association or business trust, provide the information required by this section for such partner.
2. If owner or applicant is a corporation, association or business trust attach notarized this certification listing position, name and address of all officers, directors and all shareholders owning (whether beneficially or equitable) five (5%) percent or more of any class of such party's stock.

Certificate of Horton Road LLC

| Position | Name | Address | % Ownership | |
|----------|-------------------------|---------------------------------|-------------|---|
| Owner | David Isaly 2008 Trust | 601 Lexington Ave, NY, NY 10022 | 100 | % |
| Manager | Christina Isaly Liceaga | 315 E 91st St, NY, NY 10128 | 0 | % |
| | | | | % |
| | | | | % |
| | | | | % |
| | | | | % |
| | | | | % |
| | | | | % |
| | | | | % |
| | | | | % |

The undersigned (corporate officer) hereby certifies that the information herein-above set forth is true and correct.

Sworn to before me this

29 day of September, 2014

Alessandra Delmont
Notary Public

Alessandra Delmont
Signature and Title

ALESSANDRA DELMONTE
Notary Public - State of New York
No. 01DE8280083
Qualified in New York County
My Commission Expires April 15, 2017

D-3. Proposal:

- a. Number of Proposed Lots: **28 residential** , number already occupied by dwellings, if any: 2 Other: (1 Community Center & Equestrian Facility)
- b. Length of Proposed streets or private ways in Plat: **10,280** feet.
- c. Does Applicant propose to dedicate to public use all of the streets shown on the proposed plat? **No** , if not, describe **All streets shown on proposed plat will remain in private ownership. Public use of the streets will be restricted.**
- d. Approximate acreage of land proposed as open space for parks and playground: **78 +/-** acres.
- e. Does applicant propose to dedicate to public use all of the open space shown on the proposed plat? **Yes** , if not, describe
- f. How is water supply to be provided? **Private Individual Well** Has any application been made to the County of Putnam or State of New York for approval of proposed water supply? **No** , if yes, give date and describe
- g. How is sewage disposal to be provided? **Private Community Sewage Disposal System** Has any application been made to the County of Putnam or State of New York for sewage discharge or approval of a sewage disposal system? **No** , if yes, give date and describe
- h. Does proposed plat include any wetlands and/or water courses as defined by the State of New York or an applicable Local Law? **Yes** , if yes, describe **Clove Creek, New York State Wetland WP17 and locally Town of Philipstown Regulated Wetlands**

D-4. Procedures:

- a. Does applicant (in the case of preliminary plats) propose to submit a final subdivision plat to cover entire preliminary plat or to file same in sections?
- ☒ entire;
- ☐ in sections.
- b. Does applicant intend to request any special authorization for the plat under any of the following? **Yes** If yes, specify,
- ☐ Sec 281 of Town Law (cluster)
- ☐ Waiver of Subdivision Regulation (Sec. 5)
- ☒ Alternate road standards

D-1. Property

a. Total acres 155.394

b. Does application cover all contiguous land of the owner? Yes
If no, explain any excluded area n/a

| | | | | | | |
|----|-----------------|------------------|-------|-------------|-----------|---------------|
| c. | Tax Map: Sheet | <u>17.</u> | Block | <u>1</u> | Parcel(s) | <u>76.112</u> |
| | Tax Map: Sheet | <u>17.</u> | Block | <u>1</u> | Parcel(s) | <u>77.2</u> |
| | Tax Map: Sheet | <u>17.</u> | Block | <u>1</u> | Parcel(s) | <u>76.21</u> |
| | Tax Map: Sheet | <u>17.</u> | Block | <u>1</u> | Parcel(s) | <u>39</u> |
| d. | Last deed: Date | <u>5/14/2013</u> | Liber | <u>1923</u> | Page | <u>198</u> |
| | Last deed: Date | <u>9/13/2013</u> | Liber | <u>1932</u> | Page | <u>371</u> |
| | Last deed: Date | <u>7/17/2014</u> | Liber | <u>1955</u> | Page | <u>42</u> |
| | Last deed: Date | <u>12/3/2013</u> | Liber | <u>1939</u> | Page | <u>101</u> |

D-2. Location:

a. Zoning District(s) 17.-1-76.112-RR (Rural Residential), M (Industrial/Manufacturing), SMO (Soil Mining Overlay), OSO (Open Space Conservation), CCA (Clove Creek Aquifer Overlay), 17.-1-77.2 RR (Rural Residential), OSO (Open Space Overlay), 17.-1-39 RR (Rural Residential), SPO (Scenic Protection Overlay), Regional Aquifer 17.-1-76.21 RR (Rural Residential) SPO (Scenic Protection Overlay), Regional Aquifer

b. Property abuts (street or roads) US Route 9, Horton Road, East Mt. Road North

c. Municipal Districts encompassing all or part of property:

School: Haldane Central School

Fire Protection: North Highlands Fire Co.

Other: -

d. Does plat propose a new street or private way connecting directly into any State Highway or County Road? Yes If yes, give name and route #

US Route 9

e. Does plat involve drainage lines connecting directly into any channel lines established by the County of Putnam? n/a

f. Does plat include any land within 500 feet of any abutting municipality, the boundary of any existing or proposed County or State park or recreation area, the right-of-way of any existing or proposed County or State highway, the existing or proposed right-of-way or stream channel owned by the County and for which channel lines have been established, or the boundary of County or State land on which a public building or institution is established? Yes

If yes, specify US Route 9

g. Give name and address of all property owners within 500 feet of the perimeter boundary of the proposed plat (as indicated in the current Town Tax Assessor's records): SEE ATTACHED LIST

D-3. Proposal:

- a. Number of Proposed Lots: 28 residential , number already occupied by dwellings, if any: 2 Other: (1 Community Center & Equestrian Facility)
- b. Length of Proposed streets or private ways in Plat: 10,280 feet.
- c. Does Applicant propose to dedicate to public use all of the streets shown on the proposed plat? No , if not, describe All streets shown on proposed plat will remain in private ownership. Public use of the streets will be restricted.
- d. Approximate acreage of land proposed as open space for parks and playground: 78 +/- acres.
- e. Does applicant propose to dedicate to public use all of the open space shown on the proposed plat? Yes , if not, describe _____
- f. How is water supply to be provided? Private Individual Well Has any application been made to the County of Putnam or State of New York for approval of proposed water supply? No , if yes, give date and describe _____
- g. How is sewage disposal to be provided? Private Community Sewage Disposal System Has any application been made to the County of Putnam or State of New York for sewage discharge or approval of a sewage disposal system? No , if yes, give date and describe _____
- h. Does proposed plat include any wetlands and/or water courses as defined by the State of New York or an applicable Local Law? Yes , if yes, describe Clove Creek, New York State Wetland WP17 and locally Town of Philipstown Regulated Wetlands

D-4. Procedures:

- a. Does applicant (in the case of preliminary plats) propose to submit a final subdivision plat to cover entire preliminary plat or to file same in sections?
- ☒ entire;
- ☐ in sections.
- b. Does applicant intend to request any special authorization for the plat under any of the following? Yes If yes, specify,
- ☐ Sec 281 of Town Law (cluster)
- ☐ Waiver of Subdivision Regulation (Sec. 5)
- ☒ Alternate road standards

D-5. Encumbrances: If property is subject to any of the following encumbrances, describe or attach copies:

- a. easements **Tax ID # 17.-1-76.112-Easement rights contained in Liber 1088 cp48 and shown on Filed Map No. 3147. Tax ID # 17.-1-77.2 (2) Easement rights contained in Liber 1804 cp 333 and shown on Filed Map No. 3147. Tax ID # 17.-1-77.2 (1) Area to be restricted from development, see Liber 1798 cp 394. (2) Grading easement contained in Liber 1798 cp 453. (3) Cross over easement Liber 1804 cp 333. Tax ID # 17.-1-39 (1) Easement rights contained in Liber 369 cp 446. (2) Easement rights contained in Liber 732 cp 866. Tax ID# 17.-1-76.21 Easement rights Liber 1077 cp 112**
-
-
-

- b. deed restrictions on use and development **None**
-
- c. mortgages **None**
-
- d. liens **None**
-
- e. leases **None**
-
- f. other **None**
-

D-6. Minor Plat: If request is made for acceptance of an application for final, approval of minor subdivision plat, complete the following:

- a. Does plat incorporate all of the tract from which lots are proposed to be divided? **Yes**
- b. Does the plat map show all natural water courses, ponds, swamps, flood plains or other land subject to potential flooding within the plat and any other land subject to potential flooding within the plat and any drainage onto the plat from any existing State Highway, County Road or Town Street? **Yes**

ADJOINER'S LIST FOR
HUDSON HIGHLANDS RESERVE
17.-1-77.2, 17.-1-76.21,
17.-1-76.112 & 17.-1-39

17.-2-2
GRAY, CAROL
6 Babbling Brook Ln
Cold Spring, NY 10516

17.-2-4
HAIGHT, VINCENT
25 East Mountain Road N
Cold Spring, NY 10516

17.-2-10
SZYPULA, RICHARD M
2 Hobart St
Bronxville, NY 10708

17.-2-3.2
MILLER, RAYMOND
14 Babbling Brook Ln
Cold Spring, NY 10516

16.12-1-31
TUROFF, ALEXANDER
67 Horton Rd
Cold Spring, NY 10516

16.12-1-14
CAMPBELL, PAUL
19 Mill Rd
Cold Spring, NY 10516

7.-1-15
MILLER, RAYMOND
14 Babbling Brook Ln
Cold Spring, NY 10516

17.-1-44
DOWNEY, LAWRENCE M
108 HUDSON POINTE DR
Poughkeepsie, NY 12601

17.-2-6
MERANDY, DAVID E
39 East Mountain Road N
Cold Spring, NY 10516

17.-1-41
FRISENDA, CARL
22 East Mountain Road No
Cold Spring, NY 10516

17.-1-40
HOLDAM, JAMES V
26 East Mt Road No
Cold Spring, NY 10516

17.-2-23
SZYPULA, RICHARD M
2 Hobart St
Bronxville, NY 10708

17.-1-55
HUSTIS, DONALD A
47 Pine St
Nelsonville, NY 10516

17.-2-3.1
MILLER, RAYMOND
14 Babbling Brook Ln
Cold Spring, NY 10516

17.-1-54
COUNTY OF PUTNAM
40 Gleneida Ave
Carmel, NY 10512

17.-1-42
FRISENDA, ANTOINETTE
18 East Mountain Road No
Cold Spring, NY 10516

17.-1-38
SWENSON, CAROL
50 East Mountain Road No
Cold Spring, NY 10516

17.-2-5
HORTON ROAD LLC
516 E 89th St
New York, NY 10516

17.-2-11
CITY OF BEACON
Beacon, NY 12508

17.-1-45
IEBBA, NICOLA
23 Ryan's Run
Pleasant Valley, NY 12569

17.-1-47
ERNEST LYONS LLC
3175 Rt 9
Cold Spring, NY 10516

16.12-1-33
ERNSTING, NORMAN
69 Horton Rd
Cold Spring, NY 10516

16.12-1-32
TUROFF, ALEXANDER
67 Horton Rd
Cold Spring, NY 10516

17.-1-72.1 & 72.2
THOMSON, NANCY
6307 Cindy Ln
Houston, TX 77008

17.-1-43
CHAUVIN, WAYNE
14 Appleblossom Ln
Hopewell Junction, NY 12533

17.-2-7
SWENSON, CAROL
50 East Mt Road No
Cold Spring, NY 10516

17.-2-9
MOGAN, PATRICK
167 Esselborne Rd
Cold Spring, NY 10516

E-1. Surveyor and Designer(s) Responsible for Plans:

- a. Surveyor (name) BADEY & WATSON, Surveying & Engineering, P.C.
 Address 3063 Route 9
Cold Spring, NY 10516 Tel. (845) 265-9217 x14
 N. Y. License No. 48167 (Glennon J. Watson, L.S.)
- b. Engineer (name) BADEY & WATSON, Surveying & Engineering, P.C.
 Address 3063 Route 9
Cold Spring, NY 10516 Tel. (845) 265-9217 x12
 N. Y. License No. 62505 (John P. Delano, P.E.)
- c. Other (name) Fractal Group, LLC
 Address 315 East 91st. Street, 2S New York NY 10128
 Tel. 212-228-5617
 N. Y. License, if any _____

E-2. Maps and Plans:

- a. Title and Date of Proposed Plat Map: See Attached Drawing List

 No. of Sheets: _____
- b. Title and Date of Proposed Profiles and Construction Plans: _____

 No. of Sheets: _____
- c. Title, Date and Preparer of other maps and plans: _____

E-3. Other: Give titles, dates and preparer of reports and documents accompanying application: (such as results of soils test and reports on drainage, sewage disposal and water supply):

E-4. Attorney (if any):

- a. (name) _____
 Address _____
 Tel. _____

ADJOINER'S LIST FOR
HUDSON HIGHLANDS RESERVE
17.-1-77.2, 17.-1-76.21,
17.-1-76.112 & 17.-1-39

17.-2-2
GRAY, CAROL
6 Babbling Brook Ln
Cold Spring, NY 10516

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Preliminary Subdivision Plat Application

I. General Submission Requirements

1. Application on proper forms ☒
2. Properly signed ☒
3. Application fee ☒
4. Preliminary Plat (5 blue or black-line prints) ☒
 - a. Scale not less than 1" = 100' ☐
5. Preliminary profiles (5 blue or black-line prints) ☐
 - a. Horizontal scale-- 1" = 40' or 50' ☐
 - b. Vertical scale-- 1" = 4' or 5' ☐
6. Five (5) copies of a report providing the following information:
 - a. Proposed method of water supply ☒
 - b. Proposed method of sewage disposal ☒
 - c. Results of seepage, deep-test and borings test ☐
 - d. Offsite easements needed for storm drainage ☐
 - e. Completed environmental assessment form (EAF) ☒

II. Title and Location Information

1. Scale of not less than 1" = 100 feet ☒
2. Existing conditions shown ☒
3. Proposed layouts of lots, streets and improvements ☒
4. Subdividable contiguous land under control of applicant shown ☒
5. Title of the plat ☐
 - a. Duplicate in Putnam County ☐
6. Date, Town, etc.
 - a. Date ☒ d. County ☒
 - b. Town ☒ e. North point ☒
 - c. Scale ☒ f. State ☒
7. Location map at scale of 1" = 1000 or 2000 feet ☒
8. Vicinity map showing:
 - a. property lines/streets within 500' ☐
 - b. scale of 1" = 400' or 800' ☐
 - c. adjacent owner identification ☐

III. Site Conditions and Land Evaluation

1. Existing contours not exceeding 5-foot intervals ☒
 - a. Meeting DOT standard for maps of 1" = 100' ☒
2. Existing permanent buildings and structures ☒
3. Any ledge outcrops ☐
4. Location of existing stone walls and fences ☒
5. Existing watercourses, water bodies and streams ☒
6. Location and limits of wetlands ☒
7. Location and limits of potential flood hazard areas ☐
8. Soil types (based on SCS surveys) ☒
9. Principal wooded areas or large isolated trees ☐
10. Location of seepage test holes, pits and borings ☐
11. Location of wells within 200 feet of the tract ☐
12. Location of drainage discharge points from any street or property ☐

IV. Property Ownership Information

1. Name and address of owner ☒
2. Name and address ad applicant if different from owner ☐
3. Perimeter boundary of tract and est. area to be platted with dimensions ☐
4. Approx. location of prop. lines 200 feet from tract ☒
5. Both street r-o-w lines of any street abutting tract ☒
6. Names of owners of property abutting tract ☒
7. Proposed lots and lot numbers including dimensions and lot areas ☒
8. Proposed street and/or r-o-w including widths ☒
9. Location & dimensions of existing & proposed easements ☒
10. Existing monuments ☐
11. Tract zoning district and zoning within 200' of tract ☒
12. Any municipal or taxation district boundary ☐
13. Any channel and building lines ☐
14. Parks and playgrounds and their area ☐
15. Reserved areas for watercourse/wetland protection or conservation ☒

V. Development Proposal Information

1. Location and width of a street pavement ☒
2. Centerline stations at 100' intervals ☒
3. Stations coordinated with preliminary profiles ☐
4. Storm drains, Headwalls, etc.
 - a. Storm drains ☐ d. Detention Basins ☐
 - b. Headwalls ☐ e. Manholes ☐
 - c. Catch basins ☐ f. Tentative invert elevations ☐
5. Any relocation or improvement to channels or watercourses ☐
6. Any sanitary sewers, treatment facilities ☒
7. Central water supply site, water mains or appurtenances ☐
8. For each lot:
 - a. water well site locations ☐
 - b. leaching field size and location ☐
 - c. reserve areas for future field extension ☐
 - d. tentative location of building, driveway ☐
 - e. near watercourse, wetland or flood hazard areas ☐
 - f. If so, floor elevation of lowest floor ☐
9. Limits of areas proposed for regrading of filing ☒
10. Limits of areas proposed to be protected from excavation or filling ☐

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FORMISANO, MADELINE
3556 Route 9
Cold Spring, NY 10516

17.-1-37
ROESSLEIN, FRED
PO Box 33
Cold Spring, NY 10516

7.-1-14.-1
BROOKSIDE CITIZENS COOP
COMMUNITY INC
28 E 28TH St Fl 9
New York, NY 10016

17.-1-27
BRUCATO, LINDA
56 Stone Hill Rd
Cold Spring, NY 10516

17.-2-1
PITCHER, COLLEEN M
21 East Mountain Rd N
Cold Spring, NY 10516

17.-1-57
CLARK, JOHN
91 Horton Rd
Cold Spring, NY 10516

16.12-1-13.1
MCMASTERS, BRICE T
33 Mill Rd
Cold Spring, NY 10516

17.-1-65
CULBERT, TIMOTHY
62 Horton Rd
Cold Spring, NY 10516

17.-1-49
ULUTAS, FAHRIYE ISIL
192 Agor Ln
Mahopac, NY 10541

17.-1-48
KEHR, BRUCE
54 Innsbruck Blvd
Hopewell Jct, NY 12533

17.-1-70
VAN ROSS ROUTE 9 LLC
34 Cedar Lake Dr
Putnam Valley, NY 10579

17.-1-77.1
TONER, MARTIN
388 East Mountain Rd S
Cold Spring, NY 10516

7.-1-14.-2
HIONIS, STEVE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

16.12-1-15
COLD SPRING FUEL CORP
PO Box 249
Cold Spring, NY 10516

17.-1-69
HUSTIS, DONALD A
47 Pine St
Nelsonville, NY 10516

17.-1-68
HIRD, DIANA
53 Horton Rd
Cold Spring, NY 10516

16.12-1-12
HALEBIAN, JOHN
2 East End Ave Apt 2A
New York, NY 10021

17.-1-76.111
LYONS REALITY COMPANY
3175 Route 9
Cold Spring, NY 10516

17.-1-46
JAYMARK JEWELERS III LLC
3612 Rt 9
Cold Spring, NY 10516

17.-1-71
PATEL, DAHYABHAI
3577 Route 9
Cold Spring, NY 10516

17.-1-52
GORMAN, MICHAEL
215 Ketchum Ave
Buchanan, NY 10511

17.-1-73
FJC REALTY LLC
233 Croton Ave
Mt Kisco, NY 10549

7.-1-14.-3
KOVACH, CATHERINE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-4
WHEELER, ESTELLE
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MARQUES, MARIA F
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ENGELSBORN, MARIE T
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KIRBY, GEORGIA
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RAWLEIGH, JAMES
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FALCO, MARIANA
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MASON, ARTHUR
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RITCHIE, GARY M SR
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BRANDT, SAM L
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SIMON, RONALD
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MARSH, JOSEPH
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OSTRANDER, DIANA
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FUREY, DONALD
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LUPINETTI, STANLEY E
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7.-1-14.-17
PELTON, CLARA
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LEVANDOWSKI, JOHN
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RINALDI, ROSE
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SCHULTZ, LARRY
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REPICKY, MARIE
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SIMON, RONALD
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LEONARD, GERALDINE
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BALDES-WALSH, GLICERIA
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COPIT, FRANK
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SLAWSON, ROSEMARIE
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LAIRD, JOAN E
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GREENLAY, ELIZABETH
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CAMERON, MARGARET
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MAZZUCA, ANTHONY
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TOMCZAK, ADELE
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7.-1-14.-59
JONES, PAMELA A
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BROOKSIDE SENIOR CITIZEN PARK
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MEAD, DON SR
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SCALPI, MARYANN
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PITCHER, COLLEEN M
21 East Mountain Rd N
Cold Spring, NY 10516

17.-1-57
CLARK, JOHN
91 Horton Rd
Cold Spring, NY 10516

16.12-1-13.1
MCMASTERS, BRICE T
33 Mill Rd
Cold Spring, NY 10516

17.-1-65
CULBERT, TIMOTHY
62 Horton Rd
Cold Spring, NY 10516

17.-1-49
ULUTAS, FAHRIYE ISIL
192 Agor Ln
Mahopac, NY 10541

17.-1-48
KEHR, BRUCE
54 Innsbruck Blvd
Hopewell Jct, NY 12533

17.-1-70
VAN ROSS ROUTE 9 LLC
34 Cedar Lake Dr
Putnam Valley, NY 10579

17.-1-77.1
TONER, MARTIN
388 East Mountain Rd S
Cold Spring, NY 10516

7.-1-14.-2
HIONIS, STEVE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

16.12-1-15
COLD SPRING FUEL CORP
PO Box 249
Cold Spring, NY 10516

17.-1-69
HUSTIS, DONALD A
47 Pine St
Nelsonville, NY 10516

17.-1-68
HIRD, DIANA
53 Horton Rd
Cold Spring, NY 10516

16.12-1-12
HALEBIAN, JOHN
2 East End Ave Apt 2A
New York, NY 10021

17.-1-76.111
LYONS REALITY COMPANY
3175 Route 9
Cold Spring, NY 10516

17.-1-46
JAYMARK JEWELERS III LLC
3612 Rt 9
Cold Spring, NY 10516

17.-1-71
PATEL, DAHYABHAI
3577 Route 9
Cold Spring, NY 10516

17.-1-52
GORMAN, MICHAEL
215 Ketchum Ave
Buchanan, NY 10511

17.-1-73
FJC REALTY LLC
233 Croton Ave
Mt Kisco, NY 10549

7.-1-14.-3
KOVACH, CATHERINE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-4
WHEELER, ESTELLE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-7
MARQUES, MARIA F
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-10
ENGELSBORN, MARIE T
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-13
KIRBY, GEORGIA
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-16
RAWLEIGH, JAMES
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-19
FALCO, MARIANA
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-22
MASON, ARTHUR
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-25
RITCHIE, GARY M SR
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-28
BRANDT, SAM L
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-31
SIMON, RONALD
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-5
MARSH, JOSEPH
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-8
OSTRANDER, DIANA
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-11
FUREY, DONALD
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-14
LUPINETTI, STANLEY E
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-17
PELTON, CLARA
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-20
LEVANDOWSKI, JOHN
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-23
RINALDI, ROSE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-26
SCHULTZ, LARRY
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-29
REPICKY, MARIE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-32
SIMON, RONALD
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-6
LEONARD, GERALDINE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-9
BALDES-WALSH, GLICERIA
ATTN: ELITE COMMUNITY MGT
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Hyde Park, NY 12538

7.-1-14.-12
SIMON, RONALD
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-15
DONOVAN, JAMES A
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-18
RUDOLPH, WAYNE J
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-21
COPIT, FRANK
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-24
MCCARTHY, RUTH
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-27
REYNOLDS, JUDITH
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-30
PATTERSON, JAMES
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-33
SIMON, RONALD
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-34
MASLOSKY, ROBERT
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-37
SLAWSON, ROSEMARIE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-40
LAIRD, JOAN E
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-43
GREENLAY, ELIZABETH
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-46
CAMERON, MARGARET
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-49
MAZZUCA, ANTHONY
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-53
TOMCZAK, ADELE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-59
JONES, PAMELA A
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-65, 66, 67, 68, 69, 70, & 71
BROOKSIDE SENIOR CITIZEN PARK
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-35
MEAD, DON SR
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-38
SCALPI, MARYANN
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-41
MARTIN, LEONARD
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-44
JOHNSON, DIANE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-47
SARCONI, BENJAMIN
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-50
MOORE, BARBARA
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-54
HECKEMEYER, MARIE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-63
PIGNATELLO, GRACE
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-72
REQUA, JAMES
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-36
CONNOLLY, MARY
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-39
ANDERSON, AUDREY
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-42, 52, 55, 56, 58, 60, 61, & 62
BROOKSIDE SENIOR CITIZEN PARK
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-45
TROIA, ANTHONY
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-48
LUCHETTA, JOSEPH
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-51
CASE, PAT
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-57
KRANZ , DOROTHY & RICHA
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-64
SCANGA, ADA
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

7.-1-14.-73
VON BERGEN, ROBERT
ATTN: ELITE COMMUNITY MGT
4302 Albany Post Rd , PO Box 2010
Hyde Park, NY 12538

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

| | | |
|---|--------------------------------------|--------------------|
| Name of Action or Project: Approval of Conservation Subdivision prepared for Hudson Highlands Reserve | | |
| Project Location (describe, and attach a general location map): Route 9 East Mountain Road North & Horton Road, Town of Philipstown, | | |
| Brief Description of Proposed Action (include purpose or need): Conservation Subdivision proposing 28 residential building lots and equestrian center. | | |
| Name of Applicant/Sponsor: Horton Road, LLC | Telephone: 212-722-0170 | |
| | E-Mail: | |
| Address: 516 East 89th Street | | |
| City/PO: New York | State: NY | Zip Code: 10128 |
| Project Contact (if not same as sponsor; give name and title/role): Badey & Watson Surveying & Engineering, P.C. | Telephone: 845-265-9217 | |
| | E-Mail: g.watson@badey-watson.com | |
| Address: 3063 Route 9 | | |
| City/PO: Cold Spring | State: NY | Zip Code: 10516 |
| Property Owner (if not same as sponsor): Same as above | Telephone: | |
| | E-Mail: | |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals**B. Government Approvals Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|--|--|---|
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | Town Board-Alternate Road Standards | TBD |
| b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission | Subdivision and AQO Special Permit | 10/02/14 |
| c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals | Zoning Board of Appeals - area variance | TBD |
| d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Conservation Board - Wetland Permit | TBD |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | PCDH - Water & Sewer, County 239 Referral | TBD |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | NYSDEC and SPEDES Permits | TBD |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, | | |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

C. Planning and Zoning

| | |
|---|---|
| C.1. Planning and zoning actions. | |
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| <hr/> <hr/> <hr/> | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| <u>Zoning- Open Space Overlay, Scenic Protection Overlay</u> <hr/> <hr/> <hr/> | |

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

RR- Rural Residential, M- Industrial/Manufacturing, SMO- Soil Mining Overlay, OSO- Open Space Conservation,
CCA- Clove Creek Aquifer Overlay, Regional Aquifer.

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Haldane Central School

b. What police or other public protection forces serve the project site?

Putnam County Sheriff, New York State Police

c. Which fire protection and emergency medical services serve the project site?

North Highlands Fire District

d. What parks serve the project site?

Hudson Highlands & Fahnestock State Parks

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

Residential, Recreational

b. a. Total acreage of the site of the proposed action? 155.394 acres

b. Total acreage to be physically disturbed? 59.95 acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? 155.394 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

Residential

ii. Is a cluster/conservation layout proposed? ☒ Yes ☐ No

iii. Number of lots proposed? 28

iv. Minimum and maximum proposed lot sizes? Minimum 1.2 Maximum 1.5

e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ■ Yes □ No
 If Yes, show numbers of units proposed.

| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
|---------------|-------------------|-------------------|---------------------|---------------------------------------|
| Initial Phase | <u>28</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| At completion | <u>28</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| of all phases | <u>28</u> | <u>0</u> | <u>0</u> | <u>0</u> |

g. Does the proposed action include new non-residential construction (including expansions)? ■ Yes □ No
 If Yes,

i. Total number of structures 2

ii. Dimensions (in feet) of largest proposed structure: 30 height; 136 width; and 500 length

iii. Approximate extent of building space to be heated or cooled: Entire square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ■ Yes □ No
 If Yes,

i. Purpose of the impoundment: Stormwater Management

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: Stormwater Runoff

iii. If other than water, identify the type of impounded/contained liquids and their source.
N/A

iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD acres

v. Dimensions of the proposed dam or impounding structure: TBD height; TBD length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Earth fill

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ■ No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ■ Yes □ No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Town of Philipstown Wetlands

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
Road drainage structures

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☒ No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☒ No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
 If Yes:

i. Total anticipated water usage/demand per day: 18000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☒ No
 If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: Private individual drilled wells

vi. If water supply will be from wells (public or private), maximum pumping capacity: 5 gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
 If Yes:

i. Total anticipated liquid waste generation per day: 18000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
 If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

| | |
|---|--|
| <ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No |
| iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ | |
| If Yes: | |
| <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ | |
| v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): Subsurface disposal _____ | |
| vi. Describe any plans or designs to capture, recycle or reuse liquid waste: <u>N/A</u> | |
| | |
| e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: | |
| i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) | |
| ii. Describe types of new point sources. <u>Roads and rooftops</u> | |
| iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? <u>Storm water management, groundwater, and off-site waters.</u> | |
| <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: <u>Clove Creek, State Wetlands WP17</u> | |
| <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? _____ | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____ | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes, identify: | |
| i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ | |
| ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ | |
| iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ | |
| | |
| g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: | |
| i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ii. In addition to emissions as calculated in the application, the project will generate: | |
| <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) | |

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☒ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 8:00 am to 5:00 pm
- Saturday: _____ to _____
- Sunday: _____ to _____
- Holidays: _____ to _____

ii. During Operations:

- Monday - Friday: 8:00 am to 5:00 pm
- Saturday: _____ to _____
- Sunday: _____ to _____
- Holidays: _____ to _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:
Construction activity as permitted by local ordinance _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No
Describe: _____

n.. Will the proposed action have outdoor lighting? ☒ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Residential Security- not to exceed 30 ft., dark sky compliant. _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or any amount in underground storage)? ☐ Yes ☒ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☒ No

r. Will the proposed action (commercial/or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)
- ☒ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|--------------------|-------------------------------------|-----------------------|
| • Roads, buildings, and other paved or impervious surfaces | 0.164 | 16.79 | +16.62 |
| • Forested | 133.95 | 80.70 | -53.25 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 7.80 | 43.16 | +35.36 |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0 | 0 | 0 |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 6.01 | 6.01 | 0 |
| • Wetlands (freshwater or tidal) | 36.42 | 6.270 | -0.14 |
| • Non-vegetated (bare rock, earth or fill) | 1.044 | 2.47 | +1.43 |
| • Other Describe: _____ | | | |

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☐ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ 10 _____ feet
• Dam length: _____ 300 _____ feet
• Surface area: _____ 5.5 _____ acres
• Volume impounded: _____ 14 _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? < 6 ft. feet

b. Are there bedrock outcroppings on the project site? ☒ Yes ☐ No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? >1 %

c. Predominant soil type(s) present on project site:

| | | |
|-----------|----|---|
| Charlton | 60 | % |
| Chatfield | 22 | % |
| Riverhead | 18 | % |

d. What is the average depth to the water table on the project site? Average: > 6 feet

e. Drainage status of project site soils: ☒ Well Drained: 88.6 % of site
☒ Moderately Well Drained: 7.6 % of site
☒ Poorly Drained: 3.8 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 25.2 % of site
☒ 10-15%: 13.2 % of site
☒ 15% or greater: 61.6 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

| | | |
|-------------------------------------|---|------------------------------------|
| • Streams: | Name <u>Clove Creek</u> | Classification <u>C(T)</u> |
| • Lakes or Ponds: | Name <u>Un-named pond</u> | Classification <u>-</u> |
| • Wetlands: | Name <u>Town Regulated & State Wetlands</u> | Approximate Size <u>6.42 acres</u> |
| • Wetland No. (if regulated by DEC) | _____ | |

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☒ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☒ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☒ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No
 If Yes:
 i. Name of aquifer: _____

| | |
|---|---|
| <p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> | <p>Visual, more to follow</p> <p>_____</p> <p>_____</p> |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p> | |

| | |
|---|---|
| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes: | |
| i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District | |
| ii. Name: _____ | |
| iii. Brief description of attributes on which listing is based: _____ | |
| | |
| f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes: | |
| i. Describe possible resource(s): _____ | |
| ii. Basis for identification: _____ | |
| | |
| h. Is the project site within 5 miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: | |
| i. Identify resource: <u>Fahnestock Memorial State Park and Hudson Highlands State Park</u> | |
| ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ | |
| iii. Distance between project and resource: _____ miles. | |
| | |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes: | |
| i. Identify the name of the river and its designation: _____ | |
| ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |

F. Additional Information

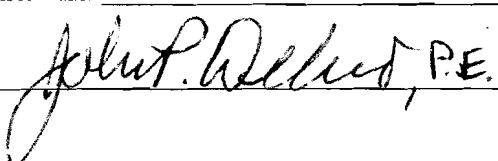
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

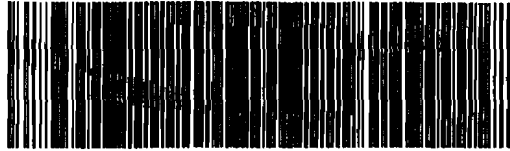
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Horton Road, LLC Date 10/02/2014

Signature  Title Engineer for Applicant



Dennis J Sant, County Clerk
Putnam County Office Building
40 Glenesda Avenue, Room 100
Carmel, New York 10512



ACS-000000000312955-000000000662545-004

Endorsement Page

Document # 1501097 Drawer # 02 Recorded Date 06/06/2013
Document Type DEED COM OR VACANT Book 1923 Page 198 Recorded Time 2 16 38 PM
Document Page Count 4 Receipt # 10464

PRESENTER:

RG AGENCY
1000 NORTH DIVISION STREET
P O BOX 431
PEEKSKILL, NY 10566

RETURN TO:

STEPHEN G TOMANN, ESQ
PO BOX 313, 1705 ROUTE 9D
COLD SPRING, NY 10516

PARTIES

GRANTOR

LYONS REALTY COMPANY

GRANTEE

HORTON ROAD, LLC

FEE DETAILS

| | | |
|--------------------------|----------------|----------|
| Consideration | \$1,700,000 00 | |
| 1501097 | | |
| DEED COM OR VACANT | 4 | 40 00 |
| TP-584 | 1 | 5 00 |
| CULTURAL EDUCATION | | 15 00 |
| RP-5217 COMMERCIAL | | 250 00 |
| RECORD MANAGEMENT | | 5 00 |
| TRANSFER TAX | | 6,800 00 |
| PROCESSING FEE | 1 | 1 00 |
| AMOUNT FOR THIS DOCUMENT | | 7,116 00 |
| RETT # | 000001589 | |

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
REAL PROPERTY LAW

EXEMPTIONS

①

RESERVED FOR CLERKS NOTES

DENNIS J. SANT
PUTNAM COUNTY CLERK

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written

In presence of.

LYONS REALTY COMPANY, a New York
Partnership,
By

Nathan Lyons
Nathan Lyons

Ernest Lyons
Ernest Lyons

Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK)
) ss
COUNTY OF DUTCHESS)

On the 14 day of MAY, 2013, before me, the undersigned, personally appeared Nathan Lyons and Ernest Lyons, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument

P. F. Moore
NOTARY PUBLIC

RECORD & RETURN TO

Stephen G Tomann Esq
~~Lawrence & Tomann~~
PO Box 313, 1705 Route 9D
Cold Spring, NY 10516

PATRICK F MOORE
NOTARY PUBLIC, State of New York
Qualified in Dutchess County
Commission Expires 11/30/2013

RhP 20004

P/b 17.-1-76.11

PLEASE TYPE OR PRESS FIRMLY WHEN WRITING ON FORM
INSTRUCTIONS (RP-5217-INS) www.orps.state.ny.us

FOR COUNTY USE ONLY

C1 SWIS Code

372689

C2 Date Deed Recorded

6/6/13

C3 Book

1923

C4 Page

198



New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP- 5217

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1 Property Location

East Mountain Road South

Philipstown

10516

2 Buyer Name

Horton Road, LLC

3 Tax Billing Address

Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

4 Indicate the number of Assessment Roll parcels transferred on the deed

of Parcels

OR

Part of a Parcel

(Only if Part of a Parcel) Check as they apply

4A Planning Board with Subdivision Authority Exists

4B Subdivision Approval was Required for Transfer

4C Parcel Approved for Subdivision with Map Provided

5 Deed Property Size

FRONT FEET

DEPTH

OR

ACRES

86.88

6 Seller Name

Lyons Realty Company, a New York Partnership

7 Check the box below which most accurately describes the use of the property at the time of sale

A One Family Residential

E Agricultural

I Community Service

Check the boxes below as they apply

8 Ownership Type is Condominium

9 New Construction on Vacant Land

B 2 or 3 Family Residential

F Commercial

J Industrial

18A Property Located within an Agricultural District

C Residential Vacant Land

G Apartment

K Public Service

18B Buyer received a disclosure notice indicating that the property is in an Agricultural District

D Non-Residential Vacant Land

H Entertainment / Amusement

L Forest

SALE INFORMATION

11 Sale Contract Date

11 / 30 / 12

12 Date of Sale / Transfer

5 / 15 / 13

13 Full Sale Price

1 7 0 0 0 0 0 0

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount

14 Indicate the value of personal property included in the sale

0 0 0

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16 Year of Assessment Roll from which information taken

1 2

17 Total Assessed Value (of all parcels in transfer)

P10 415 245

18 Property Class

3.2.2

19 School District Name

Haldane Central

20 Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

P10 17.1-76.11

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

Stephen G. Tomann

DATE

5/14/13

BUYER SIGNATURE

Stephen G. Tomann

DATE

5/21/13

BUYER'S ATTORNEY

Tomann

Stephen G.

LAST NAME

FIRST NAME

845

265-9231

AREA CODE

TELEPHONE NUMBER

NEW YORK STATE COPY

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

HORTON ROAD, LLC

LAST NAME

FIRST NAME

AREA CODE

TELEPHONE NUMBER

STREET NUMBER

STREET NAME

CITY OR TOWN

STATE

ZIP CODE



Dennis J Sant, County Clerk
Putnam County Office Building
40 Glenside Avenue, Room 100
Carmel, New York 10512



ACS-000000000320718-000000000674302-004

Endorsement Page

Document # 1502008 Drawer # 01 Recorded Date: 09/20/2013
Document Type: DEED COM OR VACANT Book 1932 Page 371 Recorded Time: 12:15:12 PM
Document Page Count: 4 Receipt # 17555

PRESENTER:

RG AGENCY
1000 NORTH DIVISION STREET
P.O. BOX 431
PEEKSKILL, NY 10566

RETURN TO:

STEPHEN TOMANN, ESQ.
1705 ROUTE 9D
PO BOX 313
COLD SPRING, NY 10516

PARTIES

GRANTOR
RODNEY WEBER

GRANTEE
HORTON ROAD, LLC

FEE DETAILS

Consideration: \$465,000.00
1502008
DEED COM OR VACANT 4 40.00
TP-584 1 5.00
CULTURAL EDUCATION 15.00
RP-5217 COMMERCIAL 250.00
RECORD MANAGEMENT 5.00
TRANSFER TAX 1,860.00
PROCESSING FEE 1 1.00

AMOUNT FOR THIS DOCUMENT: 2,176.00
RETT # 000000323

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THIS DOCUMENT WAS EXAMINED PURSUANT TO §315
REAL PROPERTY LAW

EXEMPTIONS

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RESERVED FOR CLERKS NOTES

DENNIS J. SANT
PUTNAM COUNTY CLERK

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 13th day of September, 2013

BETWEEN RODNEY WEBER, residing at 2 South Street, Beacon, New York 12508

party of the first part, and HORTON ROAD, LLC, 516 East 89th Street, New York, New York 10128

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Four Hundred Sixty Five Thousand (\$465,000.00) dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See Schedule "A" annexed hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF.


RODNEY WEBER

Title No. RGP 20277

Schedule A
(description)

All that certain piece, plot or parcel of land situate lying and being in the **TOWN OF PHILIPSTOWN, COUNTY OF PUTNAM**, State of New York, known and designated as Lot No. 2 on a certain map entitled, "Subdivision Plat Prepared for Rodney Weber" dated September 4, 2008 and filed in the Putnam County Clerk's Office, Division of Land Records, on June 25, 2009 as Map No. 3094.

TOGETHER with the easement rights contained in Liber 1804 cp 333.

TOGETHER with the grading easement contained in Liber 1798 cp 453.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of **WESTCHESTER**, ss:

On the **13** day of **September**, in the year **2013**,
before me, the undersigned, personally appeared

RODNEY WEBER

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Margaret T. Furfaro
Notary Public

MARGARET T. FURFARO
Notary Public, State of New York
Offd. Westchester County # **4707187**
Term Expires **March 30, 2013**

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____,
before me, the undersigned, a Notary Public in and for said State,
personally appeared _____,
the subscribing witness to the foregoing instrument, with whom I am
personally acquainted, who, being by me duly sworn, did depose and say
that he/she/they reside(s) in _____

(If the place of residence is in a city, include the street and street number if any, thereof),
that he/she/they know(s)

to be the individual described in and who executed the foregoing
instrument; that said subscribing witness was present and saw said

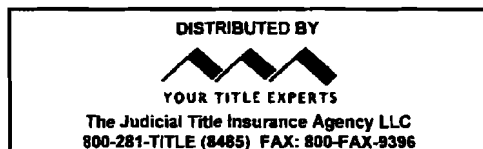
execute the same; and that said witness at the same time subscribed
his/her/their name(s) as a witness thereto

**Bargain and Sale Deed
With Covenants**

Title No. **RGP-20277**

RODNEY WEBER

TO
HORTON ROAD, LLC



ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____,
before me, the undersigned, personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

*State of _____, County of _____, ss:

*(Or assert District of Columbia, Territory, Possession or Foreign Country)

On the _____ day of _____ in the year _____,
before me, the undersigned personally appeared _____

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the _____

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

RECORDED AT REQUEST
OF RG AGENCY
PO BOX 431
PEEKSKILL, NY 10566
814-739-2700
RETURN BY MAIL TO

SECTION. **17.-1-77.2**

BLOCK

LOT

COUNTY OR TOWN **Horton Road
Cold Spring, New York**

RETURN BY MAIL TO:

Stephen G. Tomann, Esq.
1705 Route 9D
Post Office Box 313
Cold Spring, New York 10516

FOR COUNTY USE ONLY

C1. SWIS Code 37, 2689
C2. Date Deed Recorded 9 / 20 / 13
C3. Book 19, 32 C4. Page 371



**New York State Department of
Taxation and Finance**
Office of Real Property Tax Services
RP- 5217-PDF
Real Property Transfer Report (5/10)

PROPERTY INFORMATION

1. Property Location 0 East Mountain Road South

STREET NAME *STREET NAME

Philips town 16516

CITY OR TOWN *ZIP CODE

2. Buyer Name Borton Road LLC

LAST NAME/COMPANY *FIRM NAME

LAST NAME/COMPANY *FIRM NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

LAST NAME/COMPANY *FIRM NAME

LAST NAME/COMPANY *FIRM NAME

STREET NAME *LAND NAME

CITY OR TOWN *STATE

*ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 of Parcels OR ☐ Part of a Parcel (Only if Part of a Parcel) Check as they apply:

4A. Planning Board with Subdivision Authority Exists ☐

4B. Subdivision Approval was Required for Transfer ☐

4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size X OR 27.71

ACRE FEET *DECFIN* *ACRES

6. Seller Name Rader Rodney

LAST NAME/COMPANY *FIRM NAME

LAST NAME/COMPANY *FIRM NAME

7. Select the description which most accurately describes the use of the property at the time of sale

C Residential Vacant Land

Check the boxes below as they apply:

8. Ownership Type is Condominium ☐

9. New Construction on a Vacant Land ☐

SALE INFORMATION

11. Sale Contract Date 08/15/2013
 * 12. Date of Sale/Transfer 09/17/2013
 * 13. Full Sale Price 465,000.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Check one or more of these conditions as applicable to transfer:

- ☐ A. Sale Between Relatives or Former Partners
- ☐ B. Sale Between Related Companies or Partners in Business
- ☐ C. One of the Buyers is also a Seller
- ☐ D. Buyer or Seller is Government Agency or Lending Institution
- ☐ E. Dead Type and Warranty or Bargain and Sale (Specify Below)
- ☐ F. Sale of Fractional or Less than Full Interest (Specify Below)
- ☐ G. Split/Carve Charge in Property Between Taxpayers and State or Other
- ☐ H. Sale of Stockpile in Affecting Sale Price
- ☐ I. Other Unusual Factors Influencing Sale Price (Specify Below)
- ☒ J. None

Comments on Condition:

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

| | | |
|--|---|---|
| 16. Year of Assessment Roll from which information taken(?) <u>17</u> | | 17. Total Assessed Value <u>127,800</u> |
| 18. Property Class <u>322</u> | 19. School District Name <u>Halifax</u> | |
| 20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s)) | | |

17.-1-77.2

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the jurisdiction of the court law relative to the making and filing of false instruments.

SELLER SIGNATURE

BUYER CONTACT INFORMATION

(Enter information for the buyer. Enter if buyer is U.S. society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 26

POWER SIGNATURE

*** LAST NAME**

FRANK M. LARSEN

WIZA CODE

TELEPHONE NUMBER (if applicable)

* STREET NUMBER

• STREET MAP

DATE OF BIRTH

STAGE

2000

Tomann
LAST

Stephen G.

LAST NAME

PRINT NAME

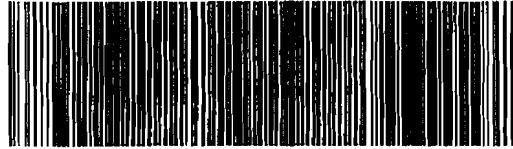
(B45)

265-9231

TELEPHONE 462-2000 • FAX 462-2001



Dennis J Sant, County Clerk
Putnam County Office Building
40 Glenside Avenue, Room 100
Carmel, New York 10512



ACS-000000000340187-000000000701420-005

Endorsement Page

Document # 1501412 Drawer # 04 Recorded Date: 07/17/2014
Document Type: DEED Book 1955 Page 42 Recorded Time: 2:16:22 PM
Document Page Count: 5 Receipt # 11314

PRESENTER:

RG AGENCY
1000 NORTH DIVISION STREET
P.O. BOX 431
PEEKSKILL, NY 10566

RETURN TO:

STEPHEN TOMANN, ESQ.
PO BOX 313
COLD SPRING, NY 10516

PARTIES

GRANTOR

JOAN ELLISON, DEVISEE

GRANTEE

HORTON ROAD LLC

FEE DETAILS

| | | |
|---------------------|---|----------------|
| Consideration: | | \$1,200,000.00 |
| 1501412 | | |
| DEED | 5 | 45.00 |
| TP-584 | 1 | 5.00 |
| CULTURAL EDUCATION | | 15.00 |
| RECORD MANAGEMENT | | 5.00 |
| RP-5217 RESID/AGRIC | | 125.00 |
| TRANSFER TAX | | 16,800.00 |
| PROCESSING FEE | 1 | 1.00 |

AMOUNT FOR THIS DOCUMENT: 16,996.00
RETT # 000001925

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERKS NOTES

DENNIS J. SANT
PUTNAM COUNTY CLERK

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on the 11TH day of July, 2014.

BETWEEN JOAN ELLISON, residing at 355 Auburn Avenue, Sierra Madre, California 91024, as devisee under the Last Will and Testament of Catherine Isabel Ulmar.

party of the first part, and

HORTON ROAD, LLC, a New York Limited Liability Company with offices at 315 East 91st Street, 4th Floor, New York, New York 10128

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

ONE MILLION TWO HUNDRED THOUSAND DOLLARS and 00/100 (\$1,200,000.00) dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the TOWN OF PHILIPSTOWN, COUNTY OF PUTNAM, State of New York, and designated as Parcel B on a certain map entitled, "Survey of Property prepared for The Estate of Catherine I. Ulmar" made by Badey & Watson, Surveying & Engineering, P.C., dated March 16, 1987 and filed in the Putnam County Clerk's Office, Division of Land Records, on August 9, 1991 as Map No. 2513, more particularly bounded and described as follows:

BEGINNING at the point which is the southeasterly end of the northeasterly terminus of Horton Road, which point occupies coordinate position

North 539199.18 (y)

East 617591.57 (x)

of the New York State Coordinate System, East Zone;

THENCE from the said point of beginning, along the said northeasterly terminus of Horton Road, North 19° 11' 47" West 33.00 feet to the northwesterly end thereof;

THENCE westerly along the northerly line of Horton Road, the following courses and distances:

South 70° 48' 13" West 78.18 feet;

South 50° 26' 38" West 194.06 feet;

South 87° 26' 20" West 43.65 feet;

North 74° 13' 00" West 324.35 feet; and

South 72° 45' 12" West 170.69 feet to a point at the line of lands now or formerly of Pielmeier;

THENCE along said Pielmeier lands and along lands conveyed by Joan Ellison to Pielmeier and O'Brien by deed dated November 29, 1989 and recorded in the Putnam County Clerk's Office, Division of Land Records in Liber 1078 cp 217, the following courses:

North 17° 14' 48" West 45.70 feet;

North 56° 35' 18" West 209.50 feet; and

North 54° 35' 13" West 266.12 feet to a point in the line of lands formerly of Knapp and now or formerly of Hustis;

THENCE along the said Hustis lands the following courses:

North 17° 45' 06" East 264.00 feet; and

North 01° 44' 54" West 200.00 feet to a point;

THENCE through the lands so devised to Ellison, first, the following courses:

South 69° 00' 00" East 604.75 feet;

North 59° 00' 00" East 282.50 feet;

North 67° 30' 00" East 280.00 feet;

North 83° 00' 00" East 382.09 feet; and

South 07° 00' 00" East 104.79 feet;

THENCE on a tangent curve to the right, the central angle of which is $48^{\circ} 13' 55''$, the radius of which is 725.00 feet, for 610.31 feet;

THENCE on a compound curve to the right, the central angle of which is $24^{\circ} 45' 14''$, the radius of which is 525.00 feet, for 226.82 feet;

THENCE North $24^{\circ} 00' 50''$ West 43.13 feet to the point which is the southeasterly end of the northeasterly terminus of Horton Road and the point or place of BEGINNING.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

THE STATE OF TEXAS, COUNTY OF DALLAS, BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


JOAN ELLISON

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 300-a)

State of New York, County of

ss.:

On before me, the undersigned,
personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 300-b)

State of California County of LOS ANGELES ss.:

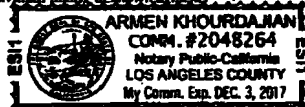
On July 11, 2014 before me, the undersigned,
personally appeared

Joan Ellison

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)



Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. _____

TO

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of
County of

ss.:

On before me, the undersigned,
personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(☐ if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

SECTION

BLOCK

LOT

COUNTY OR TOWN

RETURN BY MAIL TO:

Stephen G. Tomann, Esq.
P.O. Box 313
Cold Spring, New York 10516

Zip No.

Reserve this space for use of Recording Office.



Dennis J Sant, County Clerk
Putnam County Office Building
40 Glenaids Avenue, Room 100
Carmel, New York 10512



ACS-000000000325749-000000000681268-008

Endorsement Page

Document # 1502638 Drawer # 02 Recorded Date: 12/06/2013
Document Type: DEED Book 1939 Page 101 Recorded Time: 9:09:50 AM
Document Page Count: 8 Receipt # 22035

PRESENTER:

RG AGENCY
1000 NORTH DIVISION STREET
P.O. BOX 431
PEEKSKILL, NY 10566

RETURN TO:

STEVEN TOMANN, ESQ.
PO BOX 313
1705 ROUTE 9D
COLD SPRING, NY 10516

PARTIES

GRANTOR

DIANE FRISENDA

GRANTEE

HORTON ROAD, LLC

FEE DETAILS

Consideration: \$543,000.00
1502638
DEED 8 60.00
TP-584 1 5.00
CULTURAL EDUCATION 15.00
RECORD MANAGEMENT 5.00
RP-5217 RESID/AGRIC 125.00
TRANSFER TAX 2,172.00
PROCESSING FEE 1 1.00
AMOUNT FOR THIS DOCUMENT: 2,383.00
RETT # 000000796

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
REAL PROPERTY LAW

EXEMPTIONS

①

RESERVED FOR CLERKS NOTES

DENNIS J. SANT
PUTNAM COUNTY CLERK

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 3RD day of December, in the year 2013
BETWEEN

DIANE FRISENDA, surviving tenant by the entirety (with **JOSEPH FRISENDA**, Deceased), residing at 36 East Mountain Road North, Cold Spring, New York 10516,

party of the first part, and

HORTON ROAD, LLC, a New York limited liability company, with offices at 516 East 89th Street, New York, New York 10128

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) dollars, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam and State of New York, as more particularly described in the annexed SCHEDULE A.

BEING the same premises conveyed to the grantor herein and her late husband, **JOSEPH FRISENDA**, by deed dated December 27, 2002 and recorded in the Putnam County Clerk's Office on January 13, 2003, in Liber 1610 cp 146.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


DIANE FRISENDA

Title No. RGP 20323

Schedule A
(description)

ALL those certain parcels of land situate in the Town of Philipstown, County of Putnam and State of New York that are portions of those lands that were heretofore conveyed by Richard L. McElrath to Paul Bengis and Leonora V. Bengis by that certain deed dated April 14, 1956 and recorded in the Putnam County Clerk's Liber 473 of deeds at page 334, that, by more recent survey are bounded and described as follows:

PARCEL 1

BEGINNING at the point on the assumed southerly line of East Mountain Road North where it is met by the line dividing the lands herein described, on the northwest, from lands formerly of Napoli and now or formerly of Swenson, on the southeast, which point is distant

S 44°29'41" W 44.68 feet and
S 45°46'11" W 20.54 feet

as measured southwesterly along said division line from the cross cut on a rock in the center of Cargill Creek that marks the northwesterly corner of the said Swenson lands and the northeasterly corner of Parcel 4, hereinafter described.

THENCE from the said point of beginning along the said Swenson lands

S 45°46'11" W 164.20 feet to a cross cut on a rock and
S 38°53'59" E 144.33 feet

to a point at the line of lands now or formerly of Roesslein, which point is in the centerline of the 25 foot right-of-way conveyed by said Paul Bengis and Leonora

Title No. RGP 20323

Schedule A Cont'd
(description)

V. Bengis to Fred J. Roesslein by that certain deed dated December 31, 1975, and recorded in the Putnam County Clerk's Liber 732 of deeds at page 866. Thence along the said Roesslein lands and the centerline of the said right-of-way

S 57°48'31" W 50.00 feet

to a point. Thence still along the said Roesslein lands, but no longer along the centerline of the said right-of-way

S 35°51'48" W 1,213.93 feet

to a point at the line of lands formerly of Ulmar, now or formerly of Lyons Realty Co. and now shown as Parcel A on that certain map entitled "Survey of ... Estate of Catherine I. Ulmar ...," which was filed in the Putnam County Clerk's office on August 9, 1991 as Map No. 2513. Thence along the said lands shown on Filed Map No. 2513 and in part along the center of a stone wall, the following courses:

N 43°33'52" W 292.07 feet to a stone pile

N 28°18'11" W 380.23 feet

N 48°02'48" W 104.40 feet

N 55°19'51" W 148.56 feet and

N 57°31'46" W 86.27 feet

to a point at the line of lands formerly of Forman and now or formerly of Matero. Thence along the said Matero lands and the center of a stone wall, the following courses:

N 54°31'22" W 49.87 feet

N 61°18'51" W 50.41 feet

N 59°09'07" W 41.52 feet and

N 55°48'21" W 69.50 feet

to a point at the line of lands formerly of Empire Swift Homes, Inc., now or formerly of Downey and now shown as Parcel 2 on that certain "Subdivision Plat prepared for Empire Swift Homes, Inc. ...," which was filed in the Putnam County Clerk's office on October 5, 1989 as Map No. 2441. Thence along the said lands shown on Filed Map No. 2441 and along the center of a stone wall

N 29°17'23" E 199.74 feet

Title No. RGP 20323

Schedule A Cont'd
(description)

to a point at the line of lands formerly of O'Conner and now or formerly of Frisenda. Thence along the said Frisenda lands

S 61°57'22" E 256.55 feet and
N 40°52'57" E 270.31 feet

to a point at the line of lands formerly of Empire Swift Homes, Inc. and now or formerly of Holdam. Thence along the said Holdam lands

S 43°22'43" E 160.00 feet and
N 40°35'40" E 282.76 feet

to another point on the assumed southerly line of East Mountain Road North, which point is now designated "Point X," and which point is the reference point used to describe the point of beginning of Parcel 2, hereinafter described. Thence easterly and northeasterly along the said assumed southerly line of East Mountain Road North the following, first on a non-tangent curve to the left, the center of which bears N51°10'33"E, the central angle of which is 1°08'33", the radius of which is 790.00 feet for 15.75 feet, then

S 39°58'00" E 116.50 feet

then on a tangent curve to the left, the central angle of which is 49°16'00", the radius of which is 190.00 feet for 163.37 feet, then

S 89°14'00" E 12.50 feet

then on a tangent curve to the left, the central angle of which is 17°06'00", the radius of which is 355.00 feet for 105.95 feet, and then on a curve reversing to the right, the center of which bears S16°20'00"E, the central angle of which is 15°02'00", the radius of which is 295.00 feet for 77.40 feet to yet another point on the assumed southerly line of East Mountain Road North, which point is now designated "Point Y," and which point is the reference point used to describe the point of beginning of Parcel 3, hereinafter described. Thence continuing easterly and northeasterly along the said assumed southerly line of East Mountain Road North the following, first

N 88°42'00" E 49.50 feet

Title No. RGP 20323

Schedule A Cont'd
(description)

then on a tangent curve to the left, the central angle of which is $37^{\circ}24'00''$, the radius of which is 225.00 feet for 146.87 feet, then

N $51^{\circ}18'00''$ E 111.50 feet

then on a tangent curve to the right, the central angle of which is $21^{\circ}48'00''$, the radius of which is 285.00 feet for 108.44 feet, and then on a curve compounding to the right, the center of which bears $S16^{\circ}54'00''$ E, the central angle of which is $59^{\circ}28'25''$, the radius of which is 30.00 feet for 31.14 feet to the point or place of beginning.

PARCEL 2

Beginning at the point on the assumed northerly line of East Mountain Road South where it is met by the line dividing the parcel now being described, on the east, from lands formerly of Probst and now or formerly of Sefcik, on the west, which point is distant

S $57^{\circ}53'23''$ E 188.65 feet

measured easterly across East Mountain Road South from Point X as said Point X is described in the description of Parcel 1 hereinabove.

THENCE from the said point of beginning along the said Sefcik lands

N $26^{\circ}17'00''$ E 33.24 feet

N $27^{\circ}06'39''$ E 8.07 feet

to a point in the centerline of Cargill Creek and on the line of lands formerly of Knapp and now or formerly of Maria. Thence easterly up and along the centerline of Cargill Creek and along the said Maria lands, the following courses:

S $51^{\circ}31'49''$ E 31.07 feet

S $67^{\circ}35'07''$ E 21.55 feet

S $80^{\circ}39'14''$ E 18.27 feet

S $81^{\circ}38'09''$ E 33.74 feet

S $76^{\circ}18'07''$ E 40.93 feet and

S $89^{\circ}31'34''$ E 13.01 feet

Title No. RGP 20323

Schedule A Cont'd
(description)

to another point on the assumed northerly line of East Mountain Road North. Thence westerly along the said northerly line of East Mountain Road North, the following, first on a non-tangent curve to the right, the center of which bears N15°29'40"W, the central angle of which is 16°15'40", the radius of which is 305.00 feet for 86.56 feet, then

N 89°14'00" W 12.50 feet

and then on a tangent curve to the right, the central angle of which is 29°32'44", the radius of which is 140.00 feet for 72.19 feet to the point or place of beginning,

TOGETHER WITH any right title and interest, in and to the right-of-way or easement reserved in that certain deed from Richard L. McElrath to Nicholas Napoli and Marian Napoli September 17, 1949, dated and recorded in the Putnam County Clerk's Liber 369 of deeds at page 446.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Putnam, ss:

On the 3RD day of December in the year 2013, before me, the undersigned, personally appeared **DIANE FRISENDA**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ALFRED DELLA CIOPPA
Notary Public, State of New York
No. 4764642
Qualified in Putnam County
Commission Expires September 30, 2014

**Bargain and Sale Deed with
covenant against Grantors Acts**

SECTION 17 17

BLOCK 1 2

LOT 39 5

COUNTY OR TOWN - PUTNAM/PHILIPSTOWN

36 East Mountain Road North, Cold Spring,
New York 10516

Title No. RHP 20323

DIANE FRISENDA

TO

HORTON ROAD, LLC

RETURN BY MAIL TO:

DISTRIBUTED BY

Steven G. Tomann, Esq.
1705 Route 9D
P.O. Box 313
Cold Spring, New York 10516

RECORDED AT REQUEST
OF REG AGENCY
PO BOX 431
PEEKSKILL, NY 10566
914-739-2700
RETURN BY MAIL TO

FOR COUNTY USE ONLY

C1. SWIS Code

372689

C2. Date Deed Recorded

12/6/13

C3. Book

1939

C4. Page

101

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP-5217-PDF

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property
Location

36 + 37

East Mountain Road North

Philipstown

10516

2. Buyer
Name

Horton Road LLC

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

3. Tax
Billing
AddressIndicate where future Tax Bills are to be sent
if other than buyer address(at bottom of form)

Horton Road LLC

LAST NAME/COMPANY

FIRST NAME

516 East 89th Street

New York

NY

10128

STREET NUMBER AND NAME

CITY OR TOWN

STATE

ZIP CODE

4. Indicate the number of Assessment
Roll parcels transferred on the deed

2

of Parcels

OR

☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

5. Deed
Property
Size

475

X

25

±

19.99

4A. Planning Board with Subdivision Authority Exists

☐

4B. Subdivision Approval was Required for Transfer

☐

4C. Parcel Approved for Subdivision with Map Provided

☐6. Seller
Name

Frisenda

Diane

LAST NAME/COMPANY

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

7. Select the description which most accurately describes the
use of the property at the time of sale:

A. One Family Residential

Check the boxes below as they apply:

8. Ownership Type is Condominium

☐

9. New Construction on a Vacant Land

☐

10A. Property Located within an Agricultural District

☐10B. Buyer received a disclosure notice indicating that the property is in an
Agricultural District☐

SALE INFORMATION

11. Sale Contract Date

10/15/2013

12. Date of Sale/Transfer

12/3/13

13. Full Sale Price

543,000.00

(Full Sale Price is the total amount paid for the property including personal property
This payment may be in the form of cash, other property or goods, or the assumption of
mortgages or other obligations.) Please round to the nearest whole dollar amount

15. Check one or more of these conditions as applicable to transfer:

- ☐ A. Sale Between Relatives or Former Relatives
☐ B. Sale between Related Companies or Partners in Business
☐ C. One of the Buyers is also a Seller
☐ D. Buyer or Seller is Government Agency or Lending Institution
☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
☐ G. Significant Change in Property Between Taxable Status and Sale Dates
☐ H. Sale of Business is Included in Sale Price
☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
☒ J. None

Comment(s) on Condition:

14. Indicate the value of personal
property included in the sale

.00

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YR)

13

17. Total Assessed Value

267,600

269,100 -

18. Property Class

240

19. School District Name

Haldane

20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

17.-1-39

17.-2-5

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful
false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

Diane Frisenda 12/3/13

BUYER SIGNATURE

Horton Road LLC 12/3/13

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or
entity that is not an individual agent or fiduciary, then a name and contact information of an individual responsible
party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Horton Road LLC

David Isaly

LAST NAME

FIRST NAME

AREA CODE

TELEPHONE NUMBER (Ex. 999999)

516

East 89th Street

STREET NUMBER

STREET NAME

New York

NY

10128

CITY OR TOWN

STATE

ZIP CODE

BUYER'S ATTORNEY

Tomann

Stephen

LAST NAME

FIRST NAME

(845)

265-9231

AREA CODE

TELEPHONE NUMBER (Ex. 999999)



LIBER 1798 PAGE 394

**PUTNAM COUNTY
RECORDING PAGE**
PAGE 1 OF RECORDED DOCUMENT

DOCUMENT # 1500579

RECORDING-DEED

RETT: 1458 \$.00
CONSIDERATION: \$.0003/11/2008 09:22:30 A.M.
RECEIPT: 3880 FEE: \$106.00
DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1798 PAGE: 394

RESERVE FOR RECORDING INFORMATION

RECORD & RETURN TO:

TYPE OR PRINT

Dagones & Cross, P.C.
355 Main St. P.O. Box 550
Beacon, NY 12508

GRANTOR/MORTGAGOR

Joan Ellison
to
Glenn D. Lawry and
Susan Lawry

DO NOT WRITE BELOW THIS LINE

DEED ☐ MTG ☐ SAT ☐ ASMT ☐ CEM ☐ POA ☐ ESE ☐
OTHER Agreement & Declaration RCD**RECORDING FEES # OF**

PAGES

EDP FEE 10.00

RCD FEE 66.00

STAT CHG 5.00

REC MGMT 20.00

CROSS REF

TOTAL 101.00✓ TP-584
() MTA FILED \$5.00

() EAR \$75.00 () EAC \$165.00

RESERVE FOR CERTIFICATION

MORTGAGE/DEED TAX DISTRICTS:TOWN OF CARMEL
TOWN OF KENT
TOWN OF PATTERSON
TOWN OF PHILIPSTOWN
TOWN OF PUTNAM VALLEY
TOWN OF SOUTHEAST
APPORTIONMENT MORTGAGE**MORTGAGE TYPES:**A COMMERCIAL/VACANT LAND
B 1-2 FAMILY
C UNDER \$10,000.00
J CREDIT UNION/ PERSONAL MTG
E 3-6 UNITS
N EXEMPTTHIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAWDENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

CWO 7203222 ⑤

LIBER 1798 PAGE 395

AGREEMENT AND DECLARATION regarding Lot Size, Covenants and Restrictions on Use and Development made this 5th day of February, 2008 between **JOAN ELLISON**, residing at 155 Horton Road, Cold Spring, NY 10516, (hereinafter referred to as the "ELLISON") and **GLEN D. LOWRY** and **SUSAN LOWRY**, residing at 15 West 53rd Street, Apt. 38A, New York, NY 10019 (hereinafter referred to as "LOWRY").

WITNESSETH:

WHEREAS, ELLISON owns property on Horton Road and Route 9 in the Town of Philipstown, Putnam County, New York, which is described in the SCHEDULE "A" attached hereto and made a part hereof, title to which was acquired under the Will of Catherine Ulmar dated April 27, 1967, which was admitted to Ancillary Probate in Putnam County Surrogate's Court under File No. 1987-165 by Decree dated September 3, 1987; and

WHEREAS, ELLISON is conveying part of said premises to LOWRY, but reserving a Grading Easement therein, which premises are and easement described in the attached SCHEDULE "B"; and

WHEREAS, ELLISON is receiving from LOWRY a portion of their premises described in SCHEDULE "C", together with a Grading Easement affecting a portion of the premises to be retained by them; and

WHEREAS, ELLISON wishes to impose certain Covenants and Restrictions on the balance of the premises described in SCHEDULE "A" which she intends to ultimately convey to

Rodney Weber, the description of which property is set forth in SCHEDULE "D"; and

WHEREAS, LOWRY, as part of the consideration for the exchange of properties on their part, wish to be in a position to enforce the Covenants & Restrictions on Use and Development against ELLISON/WEBER and all subsequent owners of the affected parcels.

NOW THEREFORE, in consideration of the premises and agreements contained herein, and the exchange of properties between ELLISON and LOWRY, ELLISON does hereby agree and declare that the property described on SCHEDULE "A", which is attached hereto and made a part hereof, shall be held, sold, conveyed, occupied and used subject to the following two Covenants and Restrictions which shall run with the land for the benefit of LOWRY, their heirs, successors, and assigns, and bind every owner having any right, title or interest in the property or any part thereof, and shall be binding upon their heirs, distributees, personal representatives, successors and assigns:

1. Any subdivision of the property described in SCHEDULE "A" will be subject to the restrictions that any lot created pursuant to said subdivision shall have a minimum area of five (5) acres (217,800 square feet) per lot; and

2. There shall be no development on that portion of the property which consists of 69,270 square feet and is bounded and described as follows:

BEGINNING at the point within the bounds of Parcel C on said Filed Map No. 2513 that was hereinabove designated "Point B", which point occupies coordinate position

N 538,999.07 (y)
E 617,823.67 (x)

the said York State Coordinate System East Zone (NAD 1927), which point is a corner of the premises hereinabove described, and which point is distant

S 24 degrees 00' 50" E 93.13 feet and
Due South 79.05 feet

measured mostly along the line dividing Parcel A on Filed Map No. 2513, on the west, from said Parcel C, on the east, and

S 79 degrees 30' 00" E 197.51 feet

measured through said Parcel and along the southerly line of the premises hereinabove described from Point H, the southeasterly terminus of Horton Road as it appears on said Filed Map No. 2513, said reference point, Point H occupying coordinate position

N 539,199.18 (y)
E 617,591.57 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from the said "Point B", the point of beginning, through Parcel C on Filed Map No. 2513 and through the lands hereinabove described, first

S 79 degrees 30' 00" E 203.41 feet and
Due South 261.82 feet

and then on a tangent curve to the right, the central angel of which is 51 degrees 25' 07", the radius of which is 200.00 feet for 179.49 feet to a point on the line of lands formerly of Pope and now or formerly of Lowry. Thence along the said Lowry lands

N 09 degrees 32' 09" W 97.81 feet and
N 61 degrees 06' 28" W 123.95 feet

to a point. Thence once again through said Parcel C and once again along the line of the lands hereinabove described


Due North 298.88 feet

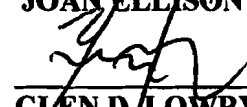
to "Point B," the point or place of beginning of this restricted area.

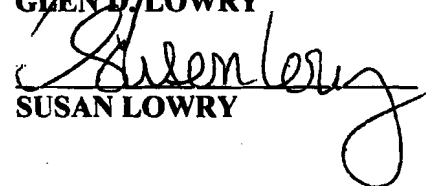
3. Lowry has reserved an easement and irrevocable license for access to Horton Road over the triangular parcel conveyed to Ellison. In the event a new access way is created traversing the triangular parcel to Horton Road, Ellison agrees that the connection of this access way to the Lowry parcel will be re-graded or/or relocated, at her expense, to create a safe driveway connection with a curve of approximately 85 foot radius connecting from the Lowry driveway to the newly created access way.

4. At the request of Lowry, Ellison will, at her expense, remove that portion of the stone wall which is located on the triangular parcel and relocate same to a location to be designated by Lowry.

IN WITNESS WHEREOF, this Agreement has been executed by the parties on the 5th day of February, 2008, and on the 15th day of February, 2008, respectively.



 JOAN ELLISON


 GLEND D. LOWRY


 SUSAN LOWRY

STATE OF _____)
 COUNTY OF _____) ss.:

On this _____ day of _____, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared **JOAN ELLISON**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

 Notary Public

STATE OF NEW YORK)
COUNTY OF) ss.:

On this 5th day of Febru, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared **GLEN D. LOWRY** and **SUSAN LOWRY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.

Marie W. Lyall
Notary Public Regs No. 02 WH 5626516
Valid from Antism Court
My Commission Expires 4/18/2010

STATE OF NEW YORK)
COUNTY OF DUTCHESS) ss.:

On this 16th day of February, 2008, before me the undersigned, a Notary Public in and for said State, personally appeared **FRANCOIS R. CROSS**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Jill Gado
Notary Public

JILL GADO
NOTARY PUBLIC, State of New York
Qualified in Dutchess County
Commission Expires 11/30/2010

RHR
Francois R. Cross PC
355 Main Street, P.O. Box 550
Bacon, NY 12508

SCHEDULE "A"

PARCEL I:

ALL that certain piece or parcel of land situate, lying and being in the Town of Philipstown, County of Putnam and State of New York known and designated as Parcel "C" on a certain map entitled "Survey of Property prepared for the Estate of Catherine I. Ulmar...", which was filed in the Putnam County Clerk's office on August 9, 1991 as Map No. 2513, being more particularly bounded and described as follows:

BEGINNING at the point within the bounds of the lands so devised to Ellison, which point is a northwesterly corner of this parcel, which point occupies coordinate position

North 539114.11 (y)
East 617629.47 (x)

of the New York State Coordinate System, East Zone, and which point is distant South 24 degrees 00 minutes 50 seconds East 93.13 feet as measured through the lands so devised to Ellison from the point which is the southeasterly end of the northeasterly terminus of Horton Road and occupies coordinate position.

North 539199.18 (y)
East 617591.57 (x)

of the New York State Coordinate System, East Zone.

THENCE from the said point of beginning thorough the lands so devised to Ellison, first on a non-tangent curve to the left, the center of which bears North 24 degrees 00 minutes 50 seconds West, the central angle of which is 24 degrees 45 minutes 14 seconds, the radius of which is 575.00 feet for 240.42 feet;

THENCE on a curve compounding to the left, the central angle of which is 48 degrees 13 minutes 55 seconds, the following courses:

North 07 degrees 00 minutes 00 seconds West 104.79 feet
North 83 degrees 00 minutes 00 seconds East 714.11 feet and
Duo South 2212.62 feet to a point on the westerly line of East Mountain Road South;

THENCE southerly along the said westerly line of East Mountain Road South the following, first on a non-tangent curve to the right, the tangent to which bears South 34 degrees 00 minutes 00 seconds West, the central angle of which is 22 degrees 40 minutes 00 seconds, the radius of which is 225.00 feet, for 89.01 feet; and

THENCE South 56 degrees 40 minutes 00 seconds West 66.06 feet and thence on a tangent curve to the left, the central angle of which is 16 degrees 40 minutes 00 seconds, the radius of which is 295.00 feet, for 85.81 feet and thence South 40 degrees 00 minutes 00 seconds West 179.27 feet and

THENCE on a tangent curve to the right, the central angle of which is 29 degrees 40 minutes 00 seconds, the radius of which is 125.00 feet, for 64.72 feet; and

THENCE South 69 degrees 40 minutes 00 seconds West 127.01 feet and;

THENCE on a tangent curve to the left, the central angle of which is 23 degrees 00 minutes 00 seconds, the radius of which is 195.00 feet, for 78.28 feet and;

THENCE South 46 degrees 40 minutes 00 seconds West 136.70 feet to a point;

THENCE leaving the line of East Mountain Road South and running through the lands of devised to Ellison North 68 degrees 00 minutes 00 seconds West 449.73 feet to a point in the center of a stone wall marking the easterly line of lands now or formerly of Pope;

THENCE northerly, along the said Pope lands and mostly along the center of the said stone wall, the following courses:

North 22 degrees 22 minutes 40 seconds East 52.97 feet
North 21 degrees 40 minutes 13 seconds East 275.38 feet and
North 25 degrees 53 minutes 55 seconds East 18.17 feet to a point in the center of an old road;

THENCE still along lands now or formerly of Pope and mostly along the said old road centerline, the following courses:

North 08 degrees 54 minutes 15 seconds West 35.51 feet
North 09 degrees 20 minutes 49 seconds West 30.61 feet
North 10 degrees 26 minutes 13 seconds East 52.47 feet
North 13 degrees 05 minutes 26 seconds East 94.61 feet
North 32 degrees 31 minutes 41 seconds East 57.58 feet
North 47 degrees 12 minutes 51 seconds East 113.28 feet
North 36 degrees 26 minutes 10 seconds East 56.94 feet
North 18 degrees 42 minutes 22 seconds East 101.33 feet
North 09 degrees 32 minutes 09 seconds West 343.72 feet
North 61 degrees 06 minutes 28 seconds West 123.95 feet
North 51 degrees 32 minutes 16 seconds West 199.34 feet and
North 49 degrees 37 minutes 22 seconds West 50.03 feet to another point;

THENCE leaving the line of the said Pope lands and running through the lands so devised to Ellison

DUE North 257.53 feet to the point or place of BEGINNING.

EXCEPTING AND EXCLUDING therefrom the following described parcel:

BEGINNING at a point on the dividing line between Parcel "A" and Parcel "C" on the aforesaid map no. 2513 where the same is intersected by lands designated "Now or formerly Pope" on said map, said point also being 257.53 feet due south as measured along said dividing line between Parcel "A" and Parcel "C" from the southerly line of the "B/C Crossover Easement" as shown on said map;

THENCE RUNNING along the said dividing line between Parcel "A" and Parcel "C" on said map DUE North 178.48 feet to a point;

THENCE RUNNING through Parcel "C" on said map South 79 degrees 30 minutes 00 seconds East 197.51 feet and DUE South 298.88 feet to the aforesaid dividing line between Parcel "C" and lands "now or formerly Pope" on said map; and

E 617,591.57 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from the said point of beginning through Parcel C on Filed Map No. 2513

S 79°30'00" E 197.51 feet

to a point now designated "Point B," which point occupies coordinate position

N 538,999.07 (y)

E 617,823.67 (x)

of the said New York State Coordinate System, East Zone (NAD 1927) , and which point is the point of beginning of the area subject to Covenants and Restrictions hereinafter described. Thence continuing through Parcel C on said Filed Map No. 2513

Due South 298.88 feet

to a point on the line of lands formerly of Pope and now or formerly of Lowry. Thence along the said Lowry lands

N 51°32'16" W 199.34 feet and

N 49°37'22" W 50.03 feet

to the point that is the southerly end of the first mentioned line dividing said Parcel C on Filed Map No. 2513 from Parcel A on the same map. Thence along the last mentioned division line

Due North 178.48 feet

to the point or place of beginning, containing 1.068 acres, more or less.

TOGETHER with the benefit of the Agreement and Declaration of Joan Ellison, Glenn D. Lowry and Susan Lowry bearing a date even herewith and

File No: 86-228
Work Order No. 17490
File Name: JE26SP6D_R02.doc
Date Created: September 29, 2006
Date Revised: February 14, 2008
Date Printed: February 14, 2008
Figure No. 1320, 1302, 3320
Author: GJW

SCHEDULE "B"

**Description of Property
prepared for
JOAN ELLISON
Ellison to Lowry**

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam, and State of New York that is a portion of the land known and designated as Parcel C on that certain map entitled "Survey of Property prepared for Catherine I. Ulmar...", which was filed in the Putnam County Clerk's office on August 9, 1991, as Map No. 2513, that is bounded and described as follows:

BEGINNING at the point on the line dividing said Parcel C, on the east, from Parcel A on said Filed Map No. 2513, on the west, that occupies coordinate position

N 539,035.06 (y)
E 617,629.47 (x)

of the said New York State Coordinate System, East Zone (NAD 1927) and is distant

S 24°00'50" E 93.13 feet and
Due South 79.05 feet

measured mostly along the said division line from Point H, the southeasterly terminus of Horton Road as it appears on said Filed Map No. 2513, which reference point, Point H occupies coordinate position

N 539,199.18 (y)

E 617,591.57 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from the said point of beginning through Parcel C on Filed Map No. 2513

S 79°30'00" E 197.51 feet

to a point now designated "Point B," which point occupies coordinate position

N 538,999.07 (y)

E 617,823.67 (x)

of the said New York State Coordinate System, East Zone (NAD 1927) , and which point is the point of beginning of the area subject to Covenants and Restrictions hereinafter described. Thence continuing through Parcel C on said Filed Map No. 2513

Due South 298.88 feet

to a point on the line of lands formerly of Pope and now or formerly of Lowry. Thence along the said Lowry lands

N 51°32'16" W 199.34 feet and

N 49°37'22" W 50.03 feet

to the point that is the southerly end of the first mentioned line dividing said Parcel C on Filed Map No. 2513 from Parcel A on the same map. Thence along the last mentioned division line

Due North 178.48 feet

to the point or place of beginning, containing 1.068 acres, more or less.

TOGETHER with the benefit of the Agreement and Declaration of Joan Ellison, Glenn D. Lowry and Susan Lowry bearing a date even herewith and

intended to be recorded in the Putnam County Clerk's office simultaneously herewith concerning other property of Joan Ellison.

RESERVING an easement for grading over that portion of the lands hereinabove described that is bounded and described as follows:

BEGINNING at the point on the line dividing said Parcel C, on the east, from Parcel A on said Filed Map No. 2513, on the west, that occupies coordinate position

N 539,035.06 (y)
E 617,629.47 (x)

of the said New York State Coordinate System, East Zone (NAD 1927) and is distant

S 24°00'50" E 93.13 feet and
Due South 79.05 feet

measured mostly along the said division line from Point H, the southeasterly terminus of Horton Road as it appears on said Filed Map No. 2513, which reference point, Point H occupies coordinate position

N 539,199.18(y)
E 617,591.57 (x)

of the said New York State Coordinate System, East Zone (NAD 1927), and which point of beginning is also the point of beginning of the lands hereinabove described.

THENCE from the said point of beginning through Parcel C on Filed Map No. 2513 and along the northerly and easterly lines of the lands hereinabove described

S 79°30'00" E 197.51 feet and
Due South 15.26 feet

June 7, 2007 1:50 PM

Joan Ellison
Lowry to Ellison

Page 2 of 4

measured partly along the said division line from Point H, the southeasterly terminus of Horton Road as it appears on said Filed Map No. 2513, said reference point, Point H occupying coordinate position

N 539,199.18 (y)

E 617,591.57 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from the said point of beginning, along the said division line

Due South 79.05 feet

to a point. Thence through said Parcel A and the land so conveyed to Lowry

N 54°30'00" W 87.04 feet

to a point on the southerly line of Horton Road, as so widened, which point is now designated "Point A," which point occupies coordinate position

N 539,085.60 (y)

E 617,558.61 (x)

of the said New York State Coordinate System, East Zone (NAD 1927), and which point is the point of beginning of the Grading Easement hereinafter described. Thence northeasterly along the said southerly line of Horton Road, as so widened, first

N 68°30'00" E 51.15 feet

and then on a tangent curve to the left, the central angle of which is 2°30'50", the radius of which is 575.00 feet for 25.23 feet to the point or place of beginning, containing 2,784 square feet, more or less.

TOGETHER with an easement for grading another portion of the land so conveyed to Lowry and said Parcel A on Filed Map No. 2513 that is bounded and described as follows:

LIBER 1798 PAGE 407

File No. 86-228
Work Order No. 17490
File Name: JE25SP6D.doc
Date Created: September 29, 2006
Date Revised: June 7, 2007
Date Printed: June 7, 2007
Figure No. 2120, 3310
Author: GJW

SCHEDULE "C"

**Description of Property
prepared for
JOAN ELLISON
(Lowry to Ellison)**

All that certain parcel of land situate in the Town of Philipstown, County of Putnam, and State of New York that is both a portion of those lands that were heretofore conveyed by Albert A. Pope to Glenn D. Lowry and Susan Lowry by that certain deed dated September 11, 1997, and recorded in the Putnam County Clerk's Liber 1400 of deeds at Page 195, and a portion of those lands known and designated as Parcel A shown on that certain map entitled ""Survey of Property prepared for The Estate of Catherine I. Ulmar...," which was filed in the Putnam County Clerk's office on August 9, 1991, as Map No. 2513, that is bounded and described as follows:

BEGINNING at the point on the line dividing said Parcel A, on the north and west, from Parcel C on said Filed Map No. 2513, on the south and east, which point: is an angle in the said division line; is the southeasterly end of the northeasterly terminus of Horton Road, as the said road was widened by a deed from Lyons Realty Company to the Town of Philipstown dated January 6, 2006, and recorded in the Putnam County Clerk's Liber 1738 of deeds at page 301; occupies coordinate position

N 539,114.11 (y)
E 617,629.47 (x)

of the said New York State Coordinate System, East Zone (NAD 1927); and is distant

S 24°00'50"E 93.13 feet

June 7, 2007 1:50 PM

Joan Ellison
Lowry to Ellison

Page 2 of 4

measured partly along the said division line from Point H, the southeasterly terminus of Horton Road as it appears on said Filed Map No. 2513, said reference point, Point H occupying coordinate position

N 539,199.18 (y)

E 617,591.57 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from the said point of beginning, along the said division line

Due South 79.05 feet

to a point. Thence through said Parcel A and the land so conveyed to Lowry

N 54°30'00" W 87.04 feet

to a point on the southerly line of Horton Road, as so widened, which point is now designated "Point A," which point occupies coordinate position

N 539,085.60 (y)

E 617,558.61 (x)

of the said New York State Coordinate System, East Zone (NAD 1927), and which point is the point of beginning of the Grading Easement hereinafter described. Thence northeasterly along the said southerly line of Horton Road, as so widened, first

N 68°30'00" E 51.15 feet

and then on a tangent curve to the left, the central angle of which is 2°30'50", the radius of which is 575.00 feet for 25.23 feet to the point or place of beginning, containing 2,784 square feet, more or less.

TOGETHER with an easement for grading another portion of the land so conveyed to Lowry and said Parcel A on Filed Map No. 2513 that is bounded and described as follows:

June 7, 2007 1:50 PM

Joan Ellison
Lowry to Ellison

Page 3 of 4

BEGINNING at the point on the southerly line of Horton Road, as so widened, that was hereinabove designated "Point A," which point occupies coordinate position

N 539,085.60 (y)

E 617,558.61 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from said "Point A" along the southwesterly line of the parcel hereinabove described

S 54°30'00" E 87.04 feet

to a point on the line dividing said Parcel A on Filed Map No. 2513, on the west, from Parcel C on said Filed Map No. 2513, on the east. Thence along the said division line

Due South 15.26 feet

to a point. Thence through said land so conveyed to Lowry and Parcel A on Filed Map No. 2513

N 79°30'00" W 6.10 feet and

N 54°30'00" W 100.10 feet

to another point on the southerly line of Horton Road, as widened. Thence easterly along the said southerly line of Horton Road, as widened

N 68°30'00" E 17.89 feet

to "Point A," the point or place of beginning of this easement area.

N.B. The conveyance anticipated by the scrivener when preparing this description is a "... conveyance or exchange of land between adjoining owners ..." and, as such, not a subdivision as defined in Section 112-1 of the Philipstown Town Code.

LIBER 1798 PAGE 416

Joan Ellison
Ellison to Weber

February 7, 2008 7:10 AM

Page 6 of 6

line dividing said Parcel C, on the east, from said Parcel A on Filed Map No. 2513, on the west.

N.B. The meridian (North Point) and coordinate values used in the foregoing description refer to the New York Coordinate System, East Zone, (NAD 1927.

The substance of this note should remain with this description in any instrument to which it may become a part.

Prepared by
BADEY & WATSON
Surveying & Engineering, P.C.
3063 Route 9
Cold Spring, New York 10516
(845) 265-9217 (voice)
(845) 265-4428 (fax)
(877) 3.141593
www.Badey-Watson.com

Indenture,

Made the 17th day of July, 1946, nineteen hundred and forty-nine, DEED 369 PAGE 446

Between RICHARD L. McLERATH, residing at the North Highlands, in the Town of Philipstown, County of Putnam, State of New York,

part V of the first part,
and NICHOLAS NAPOLI and MARIAN NAPOLI, husband and wife, residing at 34-30 71st Street, Jackson Heights, New York,

part 100 of the second part,
Witnesseth, that the part V of the first part, in consideration of

One Hundred Dollars, lawful money of the United States,
and other good and valuable consideration

paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs and assigns forever,

All that certain piece or parcel of land situate, lying and being in the Town of Philipstown, County of Putnam, State of New York, bounded and described as follows:

BEGINNING at a point marked by a large stone lying in the center of the brook which runs approximately east and west and marks the north and south boundary of the lands of Alice Knapp and the party of the first part, said stone being marked with white paint, and being the northeast-erly corner of the property herein conveyed; thence in a straight line passing through a large pine tree marked, in a generally southerly direc-tion across the East Mountain Road North 230 feet more or less, to a pile of stones on the top of a large rock; thence in a generally westerly direction and at right angles with the aforesaid line and along other lands of the party of the first part, 230 feet more or less, to the foot of a rock ledge; thence in a generally northerly direction along the foot of said rock ledge and other lands of the party of the first part to the edge of said ledge, on the south side of said East Mountain Road North, said point being marked; thence continuing in a straight line across said road and in a generally northerly direction to a large stone lying in the middle of the aforesaid brook, said stone being marked with white paint; thence in a generally easterly direction along the center of said brook as it winds and turns to the point and place of beginning, containing one acre of land, be the same several dimensions more or less.

RESERVING to the party of the first part a right of way over the road leading south from East Mountain Road North to the house on the above premises to the other lands of the party of the first part for the purpose of ingress, regress and egress to the other lands of the party of the first part, said right of way to be twenty-five feet in width.

BEING a part of the same premises conveyed by deed dated July 19th, 1946, by Isaac B. Knapp et al to the party of the first part and recorded in the office of the Clerk of Putnam County on July 21st, 1946 in Liber 314 of Deeds at page 541

SUBJECT to the rights of other parties in and to East Mountain Road North.

Subject to mining and mineral rights, if any, of record.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the premises herein granted unto the parties of the second part,
their heirs and assigns forever.

And the said part Y of the first part covenants as follows:

First—That the part Y of the first part is seised of the said premises in fee simple and has good right to convey the same.

Second—That the part Y of the second part shall quietly enjoy the said premises.

Third—That the said premises are free from incumbrances.

Fourth—That the part Y of the first part will execute or procure any further necessary assurance of the title to said premises.

Fifth—That the part Y of the first part will forever warrant the title to said premises.

Sixth—That the grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the part Y of the first part has hereunto set his hand and seal the day and year first above written.

In presence of:

Richard L. McElrath, L.S.
_____, L.S.
_____, L.S.
_____, L.S.

State of New York
County of Putnam

On the 17 day of September, nineteen hundred and forty-nine, before me came RICHARD L. McELRATH

to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

Marion Collins

MARION COLLINS
Notary Public in the State of New York
Residing in Putnam County
Putnam County, New York
Commenced Office March 20, 1947

On the
before me came

day of

nineteen hundred and

to me known and known to me to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he executed the same.

State of

County of

as:

On the
before me came

day of

nineteen hundred and

the subscribing witness to the foregoing instrument, with whom I was personally acquainted, who, being by me duly sworn, did depose and say that he resides in

that he knows

to be the individual described in, and who executed the foregoing instrument; that he, said subscribing witness, was present, and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

RICHARD L. MORGAN

Pro-

NICHOLAS NAPOLI and

MARLAN NAPOLI

Deed

WARRANTY

Dated September 17th 1943

The land affected by the within instrument lies in the Town of Phillips Town, County of Rutherford and State of New York.

Record and return to

THOMAS ARTHUR COLLINS
COUNSELLOR AT LAW
COLUMBIA UNIVERSITY
NEW YORK

Reserve this space for use of Recording Office

Recorded in the Clerk's Office of
the County of Rutherford on the
5 day of October 1943
at 11 hours and 16 minutes of the
day. Book No. 388 of 144
in Page 216 and returned
to me by Mr. J. M. Collins



PUTNAM COUNTY
RECORDING PAGE
PAGE 1 OF RECORDED DOCUMENT

DOCUMENT # 1501170

EASEMENT

RETT: 1907 \$0.00
CONSIDERATION: \$0.00

06/09/2008 11:49:51 A.M.
RECEIPT: 8896 FEE: \$58.00
DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1804 PAGE: 333

RESERVE FOR RECORDING INFORMATION

TYPE OR PRINT

RECORD & RETURN TO:

Edward Doyle, Esq.
PO Box 150
Peekskill, NY 10566

GRANTOR/MORTGAGOR

Lyon Realty Company
to
Rodney Weber.

DO NOT WRITE BELOW THIS LINE

DEED ☐ MTG ☐ SAT ☐ ASMT ☐ CEM ☐ POA ☐ ESE ☒
OTHER _____

RECORDING FEES # OF
PAGES

EDP FEE 10.00

RCD FEE 18.00

STAT CHG 5.00

REC MGMT 20.00

CROSS REF _____

TOTAL 53.00

✓ TP 584
() MTA FILED \$5.00

() EAR \$75.00 () EAC \$165.00

RESERVE FOR CERTIFICATION

1+ 6 = 7
C/R

MORTGAGE/DEED TAX DISTRICTS:

TOWN OF CARMEL
TOWN OF KENT
TOWN OF PATTERSON
TOWN OF PHILIPSTOWN
TOWN OF PUTNAM VALLEY
TOWN OF SOUTHEAST
APPORTIONMENT MORTGAGE

MORTGAGE TYPES:

A COMMERCIAL/VACANT LAND
B 1-2 FAMILY
C UNDER \$10,000.00
J CREDIT UNION/ PERSONAL MTG
E 3-6 UNITS
N EXEMPT

THIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAW

Dennis J. Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

Agreement made this 17 day of May, 2008 between

LYONS REALTY COMPANY, a New York Partnership having its office at
c/o Harold Lyons & Sons, Inc., 3175 Route 9, Cold Spring, New York 10516,
herein designated as : "LYONS"; and

RODNEY WEBER, residing at 65 Nassau Street #7A, New York, New
York 10038, herein designated as "WEBER";

WITNESSETH:

WHEREAS, LYONS acquired property in the Town of Philipstown by Deed
from Ellison dated August 8, 1991 and recorded in Putnam County Clerk's Liber
1132 at page 215 on August 9, 1991; and

WHEREAS, WEBER acquired property in the Town of Philipstown
adjoining the LYONS property by Deed dated October 15, 2007 and recorded in
Putnam County Clerk's Liber 1798 at page 453 on March 11, 2008, which
WEBER premises is the major portion of parcel C and a small portion of Parcel A
shown on Putnam County Clerk's Filed Map No. 2513; and

WHEREAS, the property acquired by LYONS in said Deed recorded in
Liber 1132 at page 215 originally included all of Parcel A shown on Putnam
County Clerk's Filed Map No. 2513, which Parcel A had frontage on Horton
Road, and as a result of a sale LYONS retained the major portion of Parcel A
shown on Filed Map No. 2513; and

WHEREAS, Parcels B and C shown on said Map No. 2513 were owned
by Ellison; and

WHEREAS, at the time of the acquisition of Parcel A by Lyons, Parcel C

did not have frontage on Horton Road; and

WHEREAS, a portion of said Parcel A divided Parcel B from Parcel C as shown on said Map 2513, and to allow Parcel B and Parcel C to have access to each other over said portion of Parcel A, the Deed from Ellison to LYONS in Liber 1132 at page 215 reserved an Easement to Ellison described on "Schedule B/C Crossover Easement" in said Deed, which Easement was "for ingress and egress in common with others between the premises described on Schedule Parcel B and Schedule Parcel C over the premises described on Schedule B/C Crossover Easement...", which Easement was never intended to be used as access to Horton Road, but only for access between Parcel B and Parcel C; and

WHEREAS, the Northeasterly terminus of Horton Road has since been re-located and is described in a Deed from Lyons Realty Company to the Town of Philipstown dated January 6, 2006 and recorded in Putnam County Clerk's Liber 1738 at page 301 on March 24, 2006; and

WHEREAS, the area described as "Schedule B/C Crossover Easement" now has frontage on the re-located Northeasterly terminus of Horton Road; and

WHEREAS, WEBER has requested permission from LYONS to use said Easement area for access to and from one (1) lot on his premises described in Liber 1798 at page 453 to Horton Road, and LYONS has agreed to this limited use;

NOW, THEREFORE, in consideration of One (\$1.00) Dollar paid by each of the Parties to the other, receipt of which is hereby acknowledged, and the

promises and agreements contained herein, the Parties hereby agree as follows:

1. LYONS hereby grants to WEBER an Easement for ingress, egress, and for above and underground utilities, to and from his premises described in Liber 1798 at page 453 and Horton Road, over the area described on "Schedule B/C Crossover Easement", said Easement, however, to be limited to ordinary vehicle and pedestrian access and utilities for one (1) lot only on said premises now owned by WEBER.

2. WEBER agrees that said Easement to and from Horton Road over the area described on "Schedule B/C Crossover Easement" is limited to serving only one (1) lot on his premises described in Liber 1798 at page 453.

3. Any required approval of such access to said WEBER premises from the Town of Philipstown or otherwise is the sole responsibility of WEBER.

4. Anything in this Agreement to the contrary notwithstanding, LYONS may seek approval of access to its said remaining premises from the Town of Philipstown or otherwise, and in doing so LYONS may seek or reserve approval for WEBER'S access.

5. Neither LYONS nor WEBER shall seek any approval or do any other act inconsistent with WEBER being entitled to access for one (1), but only one (1), lot on his said premises. The Parties agree to cooperate with each other to fulfill the provisions of this Agreement.

6. The Parties agree that the premises of LYONS shall continue to have the following rights as originally described in Deed from ELLISON to LYONS in Liber 1132 at page 215, and the rights granted to WEBER herein are subject to

same:

(B) ...GRANTING to the owner of Schedule Parcel A the right to grant, create and convey other rights of way and easements for the same, similar or other purposes over the premises described on Schedule B/C Crossover Easement, and Granting to the owner of Schedule Parcel A the right to convey, offer and/or dedicate all or part of said Schedule B/C Crossover Easement as a public road to a Municipality or any governmental entity, authority, agency or body, including but not limited to the Town of Philipstown, the County of Putnam, and/or the State of New York, and upon acceptance of same as a public road this easement for ingress and egress shall cease and terminate over that portion of the Schedule B/C Crossover Easement so dedicated and accepted.

7. The Parties agree this Agreement shall run with the land, and shall bind the Parties hereto, their heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF the undersigned have signed this Agreement as of the date first above written.

LYONS REALTY COMPANY

by: Harold Lyons
HAROLD LYONS

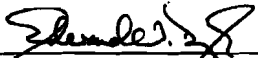
by: Nathan H. Lyons
NATHAN H. LYONS

by: Ernest W. Lyons
ERNEST W. LYONS

Rodney Weber
RODNEY WEBER

State of New York }
 County of Putnam } ss.:

On the 21 day of May in the year 2008 before me, the undersigned, personally appeared HAROLD LYONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


 (Signature and office of individual taking acknowledgment)

EDWARD W. DOYLE
 Notary Public in the State of New York
 Appointed in Putnam County
 Commission Expires October 31, 20 10

State of New York }
 County of Putnam } ss.:

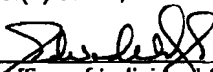
On the 21 day of May in the year 2008 before me, the undersigned, personally appeared NATHAN H. LYONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


 (Signature and office of individual taking acknowledgment)

EDWARD W. DOYLE
 Notary Public in the State of New York
 Appointed in Putnam County
 Commission Expires October 31, 20 10

State of New York }
 County of Putnam } ss.:

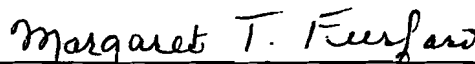
On the 21 day of May in the year 2008 before me, the undersigned, personally appeared ERNEST W. LYONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


 (Signature and office of individual taking acknowledgment)

EDWARD W. DOYLE
 Notary Public in the State of New York
 Appointed in Putnam County
 Commission Expires October 31, 20 10

State of New York }
 County of Westchester } ss.:

On the 17 day of May in the year 2008 before me, the undersigned, personally appeared RODNEY WEBER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


 (Signature and office of individual taking acknowledgment)

MARGARET T. FURFARO
 Notary Public, State of New York
 Qlfd. Westchester County # 4707187
 Term Expires March 30, 20 11

AGREEMENT

LYONS REALTY COMPANY

WITH

RODNEY WEBER

The premises affected by the within instrument
are situate in the Town of Philipstown, County of
Putnam and State of New York, being designated
on the Tax Rolls of said Town as follows:

Lyons Realty Company: TM# 17-1-76.11

Rodney Weber: P/O TM# 17-1-76.22

Acc.

RECORDED AT REQUEST
OF RG AGENCY
PO BOX 431
PEEKSKILL, NY 10566
914-739-2700
RETURN BY MAIL TO

R&R
Edward Doyle, Esq.
PO Box 150
Peekskill, NY 10566

1077 PG 113

PUTNAM COUNTY CLERK'S OFFICE
RECORDED ON THE 1 DAY OF DEC 1983
AT 9 11 12 M A.M. RECORDED IN
BOOK No. 1077 OF 1000
AT PAGE 112 AND EXAMINED

[Handwritten signature]
CLERK

PUTNAM COUNTY
CLERK'S OFFICE
DEC 1 9 12 AM '83

RECEIVED
\$ 1.000000
REAL ESTATE
DEC 1 1983
TRANSFER TAX
PUTNAM
COUNTY
1022

11.00
500
TAX
EXEMPT

LIBER 732 PAGE 868

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

We have and to hold the premises herein granted unto the party of the second part, his heirs and assigns forever.

And the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

And That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the parties of the first part have hereunto set their hands and seal the day and year first above written.

In Presence of

PUTNAM COUNTY
76 JAN 13 PM 1 29
CLERK'S OFFICE

PAUL BENGIS

LEONORA V. BENGIS

State of New York

County of DUTCHESS

before me, the subscriber, personally appeared

On this 31st day of December
Nineteen Hundred and seventy five

PAUL BENGIS and LEONORA V. BENGIS

to me personally known and known to me to be the same person described in and who executed the within instrument, and they acknowledged to me that they executed the same.

5.50
40
54 7.77

Robert A. Feldman

Notary Public

ROBERT A. FELDMAN
Notary Public, State of New York
Qualified in Dutchess County
Commission Expires March 30, 1977

Recorded in the Clerk's Office of
the County of Putnam on the

13 day of Jan 1976

at 1 hours and 2 minutes A.M.

in Book No. 32 of Deeds

on page 86 and compared.

Joseph T. 12607

Clerk

R. F.
David H. Hays, Esq.
Underwater & Underwater
54 Market St.
Poughkeepsie, N.Y. 12602
P.O. Box 112

LIBER 732 PAGE 868

SUBJECT to the reservation of mineral and mining rights, if any, in the heirs of Philipse as set forth in the petition deed of February 7, 1754.

SUBJECT to the rights of public service corporations to maintain poles, wires, guy-wires and appurtenances in, and over and along the premises.

SUBJECT to adjoining owners to have the brooks, drains or ditches maintained, opened and unimpeded.

BEING a portion of the same premises conveyed to Paul Bengis and Leonora V. Bengis by Richard L. McElrath and Elinor McElrath by deed dated April 14, 1856, and recorded in the Putnam County Clerk's Office in Liber 473 at page 334.

In the event that the parties of the first part desire to convey all or any portion of the remainder of parcel 11, as described in deed from Richard L. McElrath and Elinor McElrath, to the parties of the first part, dated April 14, 1856, and recorded in the Putnam County Clerk's Office in Liber 473 at page 334, they shall, prior to the making of any offer of sale or the acceptance of any offer to purchase, give written notice to the party of the second part, stating the name and address of the party by whom or to whom the offer was made, the price named in the offer, and the terms and conditions of the said offer, and the party of the second part, may, at any time within thirty (30) days after receipt of such notice elect to purchase the property upon the terms stated in such notice and the parties of the first part agree to convey the property by bargain and sale with grantor's covenant deed upon the terms and conditions of the said offer. Should the party of the second part elect to purchase the said property the party of the second part shall notify the parties of the first part in writing of said election. Additionally, the party of the second part shall agree to enter into a signed contract within ten (10) days thereafter.

PUTNAM COUNTY
024802
REAL ESTATE
TRANSFER TAX
Dept. of
Taxation
& Finance
JMI/STG
NY 10553
STATE OF
NEW YORK
59.40

LIBER 732 PAGE 868

~~Together~~ with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

On this and to both the premises herein granted unto the party of the second part, his heirs and assigns forever.

And the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

And That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the parties of the first part have hereunto set their hands and seal the day and year first above written.

In Presence of

PUTNAM COUNTY
76 JAN 13 PM 1 29
CLERK'S OFFICE

Paul Bengis
PAUL BENGIS
Leonora V. Bengis
LEONORA V. BENGIS

State of New York On this 31st day of December
County of DUTCHESS ss. Nineteen Hundred and seventy five
before me, the subscriber, personally appeared

PAUL BENGIS and LEONORA V. BENGIS

to me personally known and known to me to be the same person described in and who executed the within Instrument, and they acknowledged to me that they executed the same.

5.50
40
59.7.00

Robert A. Feldman
Notary Public
ROBERT A. FELDMAN
Notary Public, State of New York
Qualified in Dutchess County
Commission Expires March 30, 1977

Recorded in the Clerk's Office of the County of Putnam on the 13 day of Jan 1976 at 1 hours and 25 minutes AM In Book No. 32 of Deeds on page 868 and compared.

Joseph J. 12602

Clerk

P. F. David Haggstrom, Esq.
Orlando, Fla. & Charlotte, N.C.
54 Market St.
Poughkeepsie, N.Y. 12602

LIBER 732 PAGE 868



**PUTNAM COUNTY
RECORDING PAGE**
PAGE 1 OF RECORDED DOCUMENT

DOCUMENT # 1500582

DEED - COMM/VACANT

RETT: 1459 \$2,300.00
CONSIDERATION: \$575,000.00

03/11/2008 09:32:08 A.M.
RECEIPT: 3881 FEE: \$229.00

DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1798 PAGE: 453

RESERVE FOR RECORDING INFORMATION

TYPE OR PRINT

RECORD & RETURN TO:

LIBER 1798 PAGE 453

John Husk, Esq.
1019 Park Street
Peekskill, N.Y. 10526

GRANTOR/MORTGAGOR

JOAN ELLISON

DO NOT WRITE BELOW THIS LINE

DEED ☒ MTG ☐ SAT ☐ ASMT ☐ CEM ☐ POA ☐ ESE ☐
OTHER _____

RECORDING FEES # OF
PAGES

EDP FEE 10.00

RCD FEE 24.00

STAT CHG 5.00

REC MGMT 20.00

CROSS REF

TOTAL 59.00

() MTA FILED \$5.00

() EAR \$75.00 () EAC \$165.00

RESERVE FOR CERTIFICATION

1+ 8 = 9
C/R

MORTGAGE/DEED TAX DISTRICTS:

TOWN OF CARMEL
TOWN OF KENT
TOWN OF PATTERSON
TOWN OF PHILIPSTOWN
TOWN OF PUTNAM VALLEY
TOWN OF SOUTHEAST
APPORTIONMENT MORTGAGE

MORTGAGE TYPES:

A COMMERCIAL/VACANT LAND
B 1-2 FAMILY
C UNDER \$10,000.00
J CREDIT UNION/ PERSONAL MTG
E 3-6 UNITS
N EXEMPT

THIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAW

Dennis J. Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

EW06202633 6

**BARGAIN AND SALE DEED WITH COVENANT AGAINST
GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)
FORM 8007**

II
5300.00

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING

THIS INDENTURE, made the 15th day of Oct 2007, between JOAN ELLISON, residing at 155 Horton Road, Cold Spring, NY 10516, as the residuary legatee under the Last Will and Testament of CATHERINE ISABEL ULMAR, a/k/a ISABEL ULMAR, deceased,

RE
88 party of the first part, and
65 Nassau Street #7A, New York, N.Y. 10038
RODNEY WEBER, residing at 16 Spruce Mountain Road, Putnam Valley, NY 10579,

party of the second part

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, situate in the Town of Philipstown, County of Putnam, and State of New York that is the major portion of Parcel C and a small portion of Parcel A shown on that certain map entitled "Survey of Property prepared for The Estate of Catherine I. Ulmar...", which was filed in the Putnam County Clerk's Office on August 9, 1991, as Map No. 2513, and is more particularly bounded and described on the attached Schedule "A".

BEING part of the same premises conveyed to Joan Ellison and Herbert Ellison, as Executors of the Last Will and Testament of Catherine Isabel Ulmar, a/k/a Isabel Ulmar. Catherine Isabel Ulmar died a resident of Putnam County, New York on April 21, 1986.

SUBJECT TO a Declaration of Covenants & Restrictions to be recorded simultaneously with the exchange of properties between the grantor herein, Joan Ellison, and Glenn D. Lowry and Susan Lowry, a copy of which is attached hereto as Schedule B.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

SCHEDULE "A"

File No. 86-228
Work Order No. 17490
File Name: February 7, 2008
Date Created: September 29, 2006
Date Revised: February 7, 2008
Date Printed: February 7, 2008
Figure No. 3100, 3300, 1302
Author: GJW

**Revised
Description of Property
prepared for
Joan Ellison
(Ellison to Weber)**

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam, and State of New York that is the major portion of Parcel C and a small portion of Parcel A shown on that certain map entitled "Survey of Property prepared for The Estate of Catherine I. Ulmar...", which was filed in the Putnam County Clerk's office on August 9, 1991, as Map No. 2513 that is bounded and described as follows:

BEGINNING at the point on the line dividing said Parcel A, on the north and west, from Parcel C on said Filed Map No. 2513, on the south and east, which point: is an angle in the said division line; is the southeasterly end of the northeasterly terminus of Horton Road, as the said road was widened by a deed from Lyons Realty Company to the Town of Philipstown dated January 6, 2006, and recorded in the Putnam County Clerk's Liber 1738 of deeds at page 301; occupies coordinate position

N 539,114.11 (y)

E 617,629.47 (x)

of the said New York State Coordinate System, East Zone (NAD 1927); and is distant

S 24°00'50"E 93.13 feet

February 7, 2008 7:10 AM

Joan Ellison
Ellison to Weber

Page 2 of 6

measured partly along the said division line from Point H, the southeasterly terminus of Horton Road as it appears on said Filed Map No. 2513, said reference point, Point H occupying coordinate position

N 539,199.18 (y)
E 617,591.57 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from the said point of beginning, northeasterly, easterly and southerly along the said line dividing Parcel C from Parcel A shown on said Filed Map No. 2513, the following, first northeasterly on a curve to the left, the center of which bears N24°00'50"W, the central angle of which is 24°45'15", the radius of which is 575.00 feet for 248.42 feet, then on a curve compounding to the left, the center of which bears N48°46'05"W, the central angle of which is 48°13'55", the radius of which is 775.00 feet for 652.40 feet, and then the following courses:

N 07°00'00" W 104.79 feet
N 83°00'00" E 714.11 feet and
Due South 2,212.62 feet

to a point on the northwesterly line of East Mountain Road South. Thence southwesterly along the said northwesterly line of East Mountain Road South, the following, first on a non-tangent curve to the right, the center of which bears N56°00'00"W, the central angle of which is 22°40'00", the radius of which is 225.00 feet for 89.01 feet, then

S 56°40'00" W 66.06 feet

then on a tangent curve to the left, the central angle of which is 16°40'00", the radius of which is 295.00 feet for 85.81 feet, then

S 40°00'00" W 179.27 feet

then on a tangent curve to the right, the central angle of which is 29°40'00", the radius of which is 125.00 feet for 64.72 feet, then

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Joan Ellison
Ellison to Weber

Page 3 of 6

S 69°40'00" W 127.81 feet

then on a tangent curve to the left, the central angle of which is 23°00'00",
the radius of which is 195.00 feet for 78.28 feet, and then

S 46°40'00" W 136.70 feet

to a point at the line dividing said Parcel C, on the northeast, from Parcel D,
on the southwest. Thence along the last mentioned division line

N 68°00'00" W 449.73 feet

to a point in the line of lands, formerly of Pope and now or formerly of
Lowry. Thence along the said Lowry lands the following courses:

N 22°22'40" E 52.97 feet
N 21°40'13" E 275.38 feet
N 25°53'55" E 18.17 feet
N 08°54'15" W 35.51 feet
N 09°20'49" W 30.61 feet
N 10°26'13" E 52.47 feet
N 13°05'26" E 94.61 feet
N 32°31'41" E 57.58 feet
N 47°12'51" E 113.28 feet
N 36°26'10" E 56.94 feet
N 18°42'22" E 101.33 feet
N 09°32'09" W 343.72 feet and
N 61°06'27" W 123.95 feet

to a point. Thence through the said Parcel C on Filed Map No. 2513

Due North 298.88 feet

to a point now designated "Point B," which point occupies coordinate
position

N 538,999.07 (y)
E 617,823.67 (x)

February 7, 2008 7:10 AM

Joan Ellison
Ellison to Weber

Page 4 of 6

of the said New York State Coordinate System, East Zone (NAD 1927), and which point is the point of beginning on the "Restricted Area" hereinafter described. Thence, still through said Parcel C and continuing through Parcel A on said Filed Map No. 2513

N 79°30'00" W 197.51 feet and
N 54°30'00" W 87.04 feet

to a point on the southerly line of Horton Road, which point is now designated "Point A," which point occupies coordinate position

N 539,085.60 (y)
E 617,558.61 (x)

of the said New York State Coordinate System, East Zone (NAD 1927), and which point is the point of beginning on the beneficial Grading Easement hereinafter described. Thence easterly along the said northerly line of Horton Road, as widened, first

N 68°30'00" E 51.15 feet

and then on a tangent curve to the left, the central angle of which is 2°30'50", the radius of which is 575.00 feet for 25.23 feet to the point or place of beginning, containing 48.189 acres, more or less.

TOGETHER WITH an easement for grading over those portions of Parcel A and Parcel C on said Filed Map Number 2513, which when taken together, are bounded and described as follows:

BEGINNING at the point on the southerly line of Horton Road, as widened, that was hereinabove designated "Point A," which point occupies coordinate position

N 539085.60 (y)
E 617558.61 (x)

of the said New York State Coordinate System, East Zone (NAD 1927).

THENCE from said "Point A" along the southwesterly line of the parcel hereinabove described and through Parcel A and Parcel C on said Filed Map No. 2513

S 54°30'00" E 87.04 feet
S 79°30'00" E 197.51 feet

to a corner of the hereinabove described parcel. Thence still through said Parcel C on Filed Map No. 2513 and along the westerly line of the hereinabove described parcel

Due South 15.26 feet

to a point. Thence through said Parcel C and continuing through Parcel A on Filed Map No. 2513

N 79°30'00" W 203.61 feet and
N 54°30'00" W 100.10 feet

to another point on the southerly line of Horton Road, as widened. Thence easterly along the said southerly line of Horton Road, as widened

N 68°30'00" E 17.89 feet

to "Point A," the point or place of beginning of this easement area.

SUBJECT TO the burdens of the Agreement and Declaration between Joan Ellison and Glenn D. Lowry and Susan Lowry bearing a date even herewith and intended to be recorded in the Putnam County Clerk's office simultaneously herewith concerning the hereinabove described premises.

SUBJECT TO the 25 foot wide grading easement heretofore conveyed to Lyons Realty Company and shown on said Filed Map No. 2513, said grading easement being immediately adjacent to the westerly portion of the

February 7, 2008 7:10 AM

Joan Ellison
Ellison to Weber

Page 6 of 6

line dividing said Parcel C, on the east, from said Parcel A on Filed Map No. 2513, on the west.

N.B. The meridian (North Point) and coordinate values used in the foregoing description refer to the New York Coordinate System, East Zone, (NAD 1927.

The substance of this note should remain with this description in any instrument to which it may become a part.

Prepared by
BADEY & WATSON
Surveying & Engineering, P.C.
3063 Route 9
Cold Spring, New York 10516
(845) 265-9217 (voice)
(845) 265-4428 (fax)
(877) 3.141593
www.Badey-Watson.com


TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

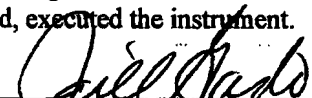


 JOAN ELLISON

Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK)
) ss.:
 COUNTY OF DUTCHESS)

On the 15th day of **October, 2007**, before me, the undersigned, personally appeared **JOAN ELLISON**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



 (signature and office of individual taking acknowledgment)

JILL GADO
 NOTARY PUBLIC, State of New York
 Qualified in Dutchess County
 Commission Expires 11/30/10

✓ **RECORD & RETURN:**

John Hersh, Esq.
 1019 Park Street
 Peekskill, 10566

✓ *Henry Putnam*
 Town: *Phillipsburg*
 Sect: *1*, Block: *1*
 Lot: *76-22*
P/O

T/Phillipsburg

1088 W 048

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 29th day of December, nineteen hundred and eighty-nine,
BETWEEN FREDERICK A. ZENZ, INC., a domestic business corporation
having its principal place of business at P.O. Box 241, Garrison,
New York 10524

party of the first part, and JOAN ELLISON, residing at 111A Horton Road, Cold
Spring, New York 10516

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

*** TEN (\$10.00) *** dollars,

lawful money of the United States, and other good and valuable consideration paid
by the party of the second part, does hereby grant and release unto the party of the first part, the heirs or
successors and assigns of the party of the second part forever,

~~ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the~~

ALL that certain plot, piece or parcel of land, with the
buildings and improvements thereon erected, situate, lying and
being in the Town of Philipstown, County of Putnam and State of
New York, bounded and described as follows:

BEGINNING at a point on the southeasterly line of U.S. Route 9
where it is intersected by the line dividing the lands formerly of
the Estate of Catherine I. Ulmar and now or formerly of Ellison on
the south from lands now or formerly of Frederick A. Zenz, Inc.,
as they are described in that certain deed recorded in the Putnam
County Clerk's Office Liber 783 of deeds at Page 1071 on the
north; THENCE from the said point of BEGINNING northeasterly
along the southeasterly line of U.S. Route 9, North 45 degrees
25 minutes 01 seconds East 58.91 feet; and THENCE north 43
degrees 31 minutes 59 seconds East 49.66 feet to a point which
is the northeasterly corner of the premises herein described
and hereinafter referred to as "Point A"; THENCE turning about
and running through the said lands of Frederick A. Zenz, Inc.,
first on a curve to the left, the tangent of which bears South
43 degrees 31 minutes 59 seconds West, the central angle of
which is 89 degrees 11 minutes 59 seconds, the radius of which
is 25.00 feet for 38.92 feet; THENCE south 45 degrees 40
minutes East 39.62 feet to a point on the aforementioned line
dividing the lands of Frederick A. Zenz, Inc. on the north from
lands now or formerly of Ellison on the south; THENCE along the
said Ellison lands South 79 degrees 47 minutes 07 seconds West
88.80 feet; and THENCE north 86 degrees 11 minutes 19 seconds
West 17.80 feet to the southeasterly line of U.S. Route 9 at
the point or place of BEGINNING.

Containing 0.069 acres more or less.

02678

RESERVING UNTO the grantor herein, a drainage easement 25.00 feet wide over the following portion of the hereinabove described premises.

BEGINNING at a point on the southeasterly line of U.S. Route 9 where it is intersected by the line dividing the lands formerly of the Estate of Catherine I. Ulmar and now or formerly of Ellison on the south from lands now or formerly of Frederick A. Zenz, Inc., on the north, which point is the point of BEGINNING of the hereinabove described premises; THENCE from the said point of BEGINNING Northeasterly along the said southeasterly line of U.S. Route 9 north 45 degrees 25 minutes 01 seconds East 58.91 feet; THENCE 43 degrees 31 minutes 59 seconds East 49.66 feet to a point; THENCE turning about and running through the said lands of Frederick A. Zenz, Inc. first on a curve to the left, the tangent of which bears south 43 degrees 31 minutes 59 seconds West the central angle of which is 89 degrees 11 minutes 59 seconds, the radius of which is 25.00 feet for 38.92 feet; THENCE through the lands hereinabove described south 44 degrees 20 minutes 00 seconds West 55.64 feet to a point on the aforementioned line dividing the lands of Frederick A. Zenz, Inc., on the north from lands now or formerly of Ellison on the south; THENCE along the said Ellison lands south 79 degrees 47 minutes 07 seconds West 20.49 feet; THENCE north 86 degrees 11 minutes 19 seconds West 17.80 feet to the southeasterly line of U.S. Route 9 at the point or place of BEGINNING.

TOGETHER with an easement for grading and landscaping that portion of the other lands of Frederick A. Zenz, Inc., immediately adjacent to and northeasterly of the hereinabove described premises which easement is bounded and described as follows:

BEGINNING at a point on the southeasterly line of U.S. Route 9 which point is the northeasterly most corner or "Point A" of the hereinabove described premises; THENCE from the said point of BEGINNING continuing along the southeasterly line of U.S. Route 9 north 43 degrees 31 minutes 59 seconds East 5.35 feet to a point; THENCE southeasterly through other lands of Frederick A. Zenz, Inc. south 45 degrees 40 minutes 00 seconds East 86.05 feet to a point on the line dividing lands now or formerly of Joan Ellison on the south from lands of Frederick A. Zenz, Inc. on the north; THENCE along the said division line south 79 degrees 47 minutes 07 seconds West 36.83 feet to a point on the northeasterly line of the hereinabove described premises; THENCE along the said northeasterly line of the hereinabove described premises north 45 degrees 40 minutes 00 seconds West 39.62 feet and on a tangent curve to the right, the central angle of which is 89 degrees 11 minutes 59 seconds the radius of which is 25.00 feet for 38.92 feet to the southeasterly line of U.S. Route 9 and the point or place of BEGINNING of this easement.

1088 vs 050

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

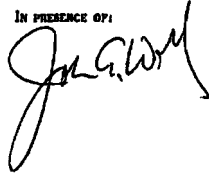
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this instrument so requires.
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



FREDERICK A. ZENZ, INC.

By:


FREDERICK A. ZENZ, President

1088 vs 050

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF DUTCHESS

On the 7th day of December, 1989, before me personally came FREDERICK A. ZENZ, to me known, who, being by me duly sworn, did depose and say that he resides at Box 2411 Garrison, New York 10524 that he is the President

FREDERICK A. ZENZ, INC., the corporation described in and which executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed in name as witness thereto, that it was so executed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Notary Public

JOHN A. WOLF

Notary Public, State of New York
Qualified to Perform Duties
Expiring August 31, 1990

Bargain and Sale Deed

With Covenant Against Grantor's Acts

Title No. AC 8900507

FREDERICK A. ZENZ, INC.

TO

JOAN ELLISON

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed in name as witness thereto.

HANLEY & SONS, INC.

26 COURT STREET

ROCKY HILL, NEW YORK 11742

SECTION 21

BLOCK 1

LOT 70.2

COUNTY OR TOWN Putnam

RETURN BY MAIL TO:

Walter A. Miller, Esq.
32 Court Street
Brooklyn, N.Y. 11201

Reserve this space for use of Recording Office.

PUTNAM COUNTY CLERK'S OFFICE
RECEIVED ON THE 24 DAY OF March 1990
AT 11:53 AM. RECORDED IN
BOOK No. 1088 OF Deeds
AT PAGE 048 AND EXAMINED

Joseph J. Helton

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COUNTY

PUTNAM COUNTY
CLERK'S OFFICE
Mar 28 / 63 PM '90



Michele Wilcox <mwilcox@badey-watson.com>

"info request"

1 message

Michele Wilcox <mwilcox@badey-watson.com>

Tue, Sep 30, 2014 at 9:43 AM

To: nathert@gw.dec.state.ny.us

Cc: John Delano <JDelano@badey-watson.com>

To whom it may concern,

We have been engaged to design and process a proposed 28 lot residential subdivision including an equestrian center and community building on 155.394 acres in the Town of Philipstown, County of Putnam.

The property is in multiple zoning districts, Rural Residential, Scenic Protection Overlay, Open Space Overlay, Clove Creek Aquifer Overlay, Soil Mining Overlay, Regional Aquifer, and Industrial/Manufacturing.

The property abuts US Route 9, Horton Road and East Mountain Road North.

We also need this information to complete an Environmental Assessment Form for the Town of Philipstown Planning Board.

We are writing for your assistance, if you could check to see if there are any recorded indications of threatened or endangered species in the vicinity of the property.

Please see attached location & vicinity map to show the property site.

Should you have any questions or if you need additional information, please do not hesitate to contact us.

Your earliest possible response would be appreciated, Thank you in advance for your efforts.

Yours truly,
Michele E. Wilcox

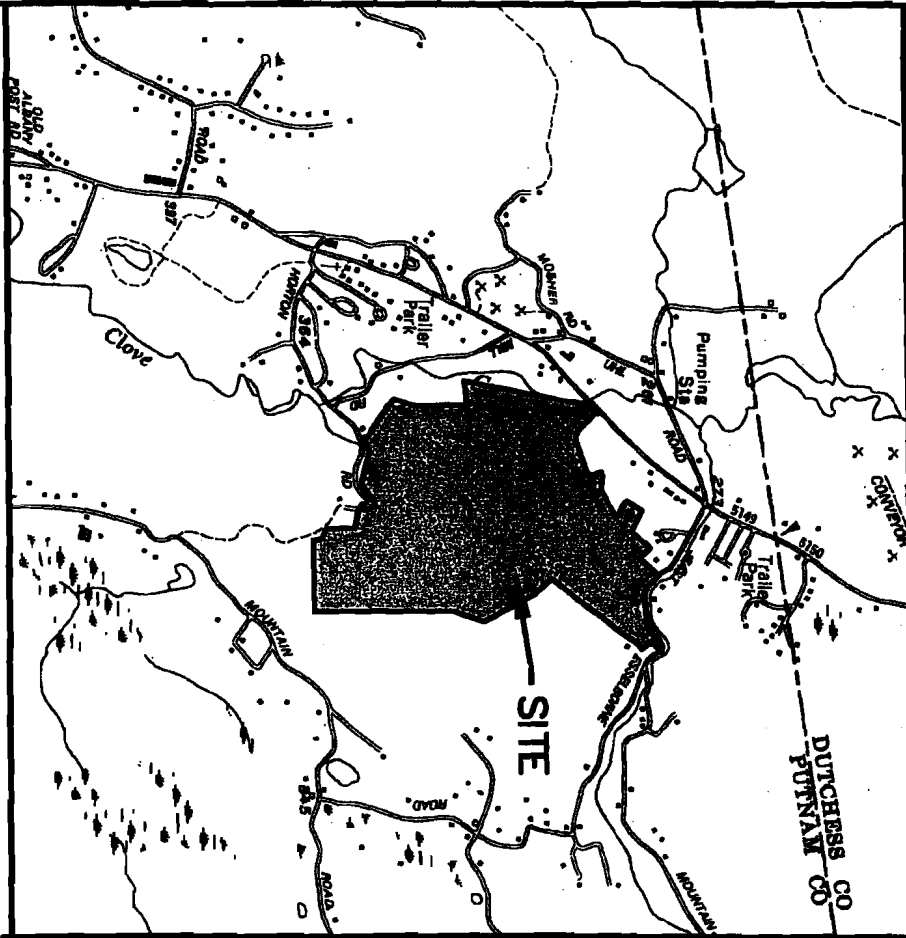
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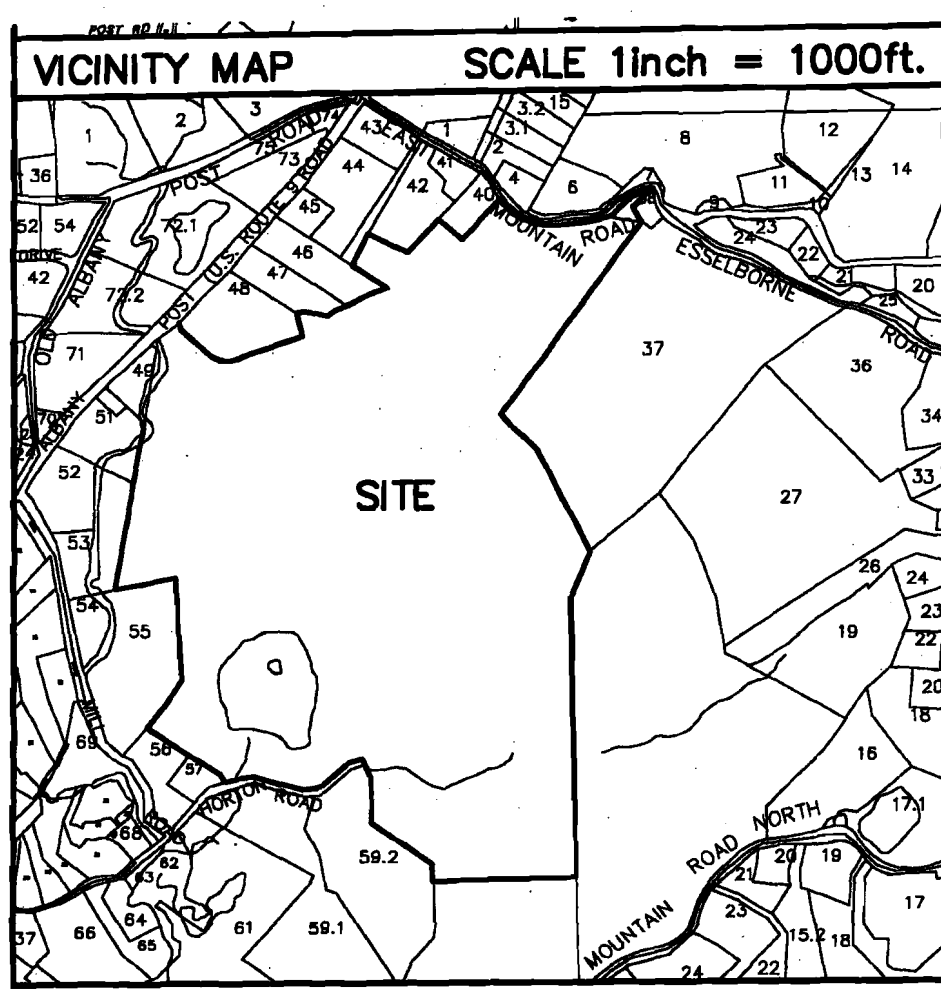
Michele E. Wilcox
BADEY & WATSON
Surveying & Engineering, P.C.
3063 Route 9
Cold Spring, New York 10516
845-265-9217 x 18 (v)
845-265-4428 (f)

Please visit our website. It contains links to math games for kids. More importantly, you can learn about our laser scanner. You can view a short movie explaining its capabilities and use a simulator created from an actual project.
Click here —> <http://www.Badey-Watson.com>

2 attachments **Vicinity Map.pdf**
32K **Location Map.pdf**
51K

LOCATION MAP SCALE 1inch = 2000ft.





TIMBER RATTLESNAKE HABITAT ASSESSMENT REPORT 2014 UPDATE

Project Name: Hudson Highlands Reserve

Town of Philipstown

Submitted to:

Stephen W. Coleman Environmental Consulting, LLC
3 Aspen Court
Ossining, NY 10562

Submitted by:

Brandon M. Ruhe
Oley, PA 19547

August 25, 2014
Revised September 11, 2014

Project Information

Study Type: Timber Rattlesnake Habitat Assessment
Project Name: Hudson Highlands Reserve
Project Description: Residential Development, Conservation Subdivision
Project Location: Philipstown, Putnam County, NY
Project Size: 155 acres
Assessment Surveyor: Brandon M. Ruhe, 1237 Oysterdale Road, Oley, PA 19547

Project Results Summary

- The proposed project is located within the current geographic range of the Timber Rattlesnake (*Crotalus horridus*) in New York.
- Critical habitat (gestation, birthing, or den areas) for the Timber Rattlesnake was not encountered during the investigation, though potentially suitable foraging habitat was found throughout the project area.

Habitat Breakdown: 0% of survey area determined to contain critical habitat.
Basking/Gestating/Denning Habitat = 0%
Transient Basking Habitat = 0%
Foraging Habitat = 0%

- No rattlesnakes or evidence of Timber Rattlesnakes were encountered during the field investigation.
- The following figures illustrate the habitat composition of the sampling points within the project area: Figure 3-5 (p. 9).

Purpose of Assessment

Historically, the Timber Rattlesnake (*Crotalus horridus*) was distributed widely throughout the eastern half of the United States. Since early Colonial times, persistent persecution combined with extensive habitat alteration has resulted in the extirpation of the Timber Rattlesnake from large portions of its former range. The current distribution and occurrence of this species is highly fragmented and often localized. Consequently the Timber Rattlesnake is now considered an endangered or threatened species throughout much of the Northeast where it has suffered the greatest declines. In New York it is officially listed as a "Threatened" species by the New York State Department of Environmental Conservation (DEC). In an effort to protect and manage existing rattlesnake populations, the DEC has instituted a program designed to identify and assess the presence or absence of Timber Rattlesnake habitat prior to the initiation of land development of projects within the known range of occurrence of this species in the state. This type of project is termed a Timber Rattlesnake Habitat Assessment. The purpose of such an assessment is to determine the availability, extent, and quality of Timber Rattlesnake habitat within the boundaries of a proposed project.

Methods

Project Study Area

The project study area consisted of a large, mostly forested parcel to the east of U.S. Route 9 (Albany Post Road), in the Town of Philipstown, Putnam County, NY. The site is surrounded by Route 9 and dwellings/businesses to the west, East Mountain Road North to the north and Horton Road to the south. Refer to Figure 1 for the general location of the project area on a USGS Topographic Map, and Figure 2 for an aerial photograph of the general project area. The property was previously proposed for a soil mine, but has now been acquired for residential development. Timber Rattlesnake assessments were conducted in 2010 and 2011, and presence/absence survey was conducted for the species in the spring of 2011 at the request of the DEC. No Timber Rattlesnakes were found during the study. The 2014 project includes a total of 155 acres with an additional 40+ acres that were not previously part of the soil mine project. This additional acreage is attached to the south and north of the previous project area.

Survey Methods

The Timber Rattlesnake Habitat Assessment was conducted on June 28, 2014 and July 12, 2014 by Brandon M. Ruhe and Stephen W. Coleman. The site was reassessed and the new lands specifically investigated for Timber Rattlesnake habitat. The subject site was traversed and habitat structure was quantified at sampling points that characterized the site. At each sampling point in the new habitat area, data were collected and digital images of the habitat were taken. The presence of all amphibian and reptile species was noted. The approximate proportion of the total area considered to be potentially suitable habitat for Timber Rattlesnakes was determined and categorized based upon the following definitions:

Transient Basking Habitat – Open habitat (0%-50% canopy closure) in close proximity to foraging habitat that is used by snakes for basking prior to molting (pre-molt) or following feeding (post-ingestion). Such openings may be small (20m - 50m diameter) and may or may not be rocky.

Basking/Gestating Habitat – Extensive (≥ 0.15 acre), open canopy habitat (0%-20% canopy closure) typically having a southerly exposure. This habitat usually has extensive surface rock cover with large rocks or rock ledges having retreat crevices.

Foraging Habitat – Forested habitat (50%-100% canopy closure) or open canopy (0%-50% canopy closure) habitat with extensive understory or shrub cover (50-100% cover). The forest floor is typically dominated by leaf litter, but some small surface rocks may be present. Fallen logs are usually in high frequency in forested areas. Woody surface vegetation (typically blueberry, huckleberry, raspberry) is typically present in open canopy foraging habitat.

Denning Habitat – Denning habitat is highly variable in structure, and the precise location of actual denning sites or hibernacula can only be accurately determined through radio-telemetry of rattlesnakes during hibernation ingress (October to December). However, in most areas of the northeast, hibernacula are often located on forested, slopes (70%-100% canopy closure) with southeast, south, or southwest exposure. There is frequently some exposed surface rock having retreat crevices that allow snakes access to deep underground locations. Vegetation cover is highly variable. The assessment of potential

denning habitat is based upon extensive field experience of locating dens with radiotelemetry in New Jersey and Pennsylvania.

Results

Survey Site Descriptions

New Project Area

The new portion of the subject site (not included in the prior surveys, represents approximately 40+ acres) is located within a low-elevation (<600 ft) portion of the subject site. This represents the new portion located in the southeastern corner of the property (approximately 27+ acres) and also the northern section (approximately 19+ acres) The area showed evidence of major disturbance in the past several decades, with apparent areas logging and even older ditches. Exposed rock was generally absent from this area and those areas that did contain rock were under a closed-canopy. Lower elevations (>450 ft.) were disturbed with a large log landing on a flat plain. These lower elevation areas contained a disturbed vegetation, including: staghorn sumac (*Rhus typhina*) and Oriental bittersweet (*Celastrus orbiculatus*). A shrub layer was generally absent in this area, but small patches of common witchhazel (*Hamamelis virginiana*) were present. The herbaceous layer was mostly open, with garlic mustard (*Alliaria petiolata*) and low shrubs of Japanese barberry (*Berberis thunbergii*) dominating vegetated areas. Small rock walls were found in this area.

Above 500 ft. elevation, a small topographic bench contains various rocks and wetlands headwaters under a closed-canopy. Between 500-600 ft. elevation, two small boulder patches (<100 ft² each) were located in the southeastern corner of the subject site, as picked up by topographic surveys and shown on site plans. One of these patches had sun exposure due to a blowdown that took several trees out in recent years. These boulders were rounded and firmly embedded in the soil. Cracks and voids were not observed. All areas were contained beneath a canopy of mature oaks (*Q. alba*, *Q. rubra*; with *Q. prinus* becoming dominant near summit of hill), hickories (*Carya* spp.), tulip poplar, and American beech (*Fagus grandifolia*). Small eastern redcedars (*Juniperus virginiana*) and striped maples (*Acer pensylvanicum*) dotted the sub-canopy along the narrow, rocky spine. The shrub layer contained saplings of the above-mentioned species. Herbaceous species were limited, but included small Japanese barberry clumps, garlic mustard, and grasses. The duff layer was generally sparse, with accumulations of leaves trapped in areas along exposed rocks. No critical Timber Rattlesnake habitat was encountered in this area. Aerial photographs suggest that private properties to the east and south of the new project area do not contain rocky openings, ledges, and instead contain closed-canopy conditions east to East Mountain Road South and Esselborne Road.

Slopes within 2010/2011 Study Area (Descriptions generally come from 2010/11 Assessments)

Conditions found at the former soil mine property were virtually identical to those encountered in 2010/2011. At portions of the site under 500 ft. elevation, the subject site is quite disturbed, with evidence of both earth and vegetation disturbances from the past. The investigated buffer area was located between 450 and 800 feet in elevation. East from the 400-500 ft. elevation range, the site rises in height to a maximum elevation of approximately 800 feet. Relatively less historical disturbance was observed in this area, though some logging apparently occurred along the lower elevation western slope in the recent past (0-10 years). Small, closed-canopy rock outcrops (small, 1 ft³ rocks to large boulders) were observed along the slope starting at approximately 500 feet in elevation and continued intermittently to 800 feet (closest point the

proposed mine area was ~500 feet east of the limit of disturbance). A narrow (1-5 feet in width), rocky spine was observed at the eastern edge of the investigation area near or at the 800-foot summit (800-1,000 feet east of the limit of disturbance). All areas were contained beneath a canopy of mature oaks (*Q. alba*, *Q. rubra*; with *Q. prinus* becoming dominant near summit of hill), hickories (*Carya* spp.), tulip poplar, and American beech (*Fagus grandifolia*). Small eastern redcedars (*Juniperus virginiana*) and striped maples (*Acer pensylvanicum*) dotted the sub-canopy along the narrow, rocky spine. The shrub layer contained saplings of the above-mentioned species. Herbaceous species were limited, but included small Japanese barberry clumps, garlic mustard, and grasses. The duff layer was generally sparse, with accumulations of leaves trapped in areas along exposed rocks. The higher elevation areas of the buffer area (600-800 feet elevation) offered potentially suitable habitat for foraging and dispersal if more suitable critical terrestrial habitat is present in areas to the north (and off-site) of the investigation area. No timber Rattlesnakes were encountered during the investigation.

Observed Amphibians and Reptiles

The following species of amphibians and reptiles were observed during the assessment:

- Green Frog (*Lithobates clamitans melanota*)
- Pickerel Frog (*Lithobates palustris*)
- Northern Two-lined Salamander (*Eurycea bislineata*)
- Eastern Redbacked Salamander (*Plethodon cinereus*)
- Eastern Garter Snake (*Thamnophis s. sirtalis*)

Discussion/Opinions

No Timber Rattlesnakes or evidence of Timber Rattlesnakes were observed during the survey. No potentially suitable critical (basking/gestating/denning) Timber Rattlesnake habitat was observed within the new project area. The former Ulmar Soil Mine site and adjacent properties were surveyed in 2011 for Timber Rattlesnake habitat (2010 and 2011) and presence/inferred absence (negative surveys throughout spring 2011). No impacts to the Timber Rattlesnake are expected from this project.

FIGURES

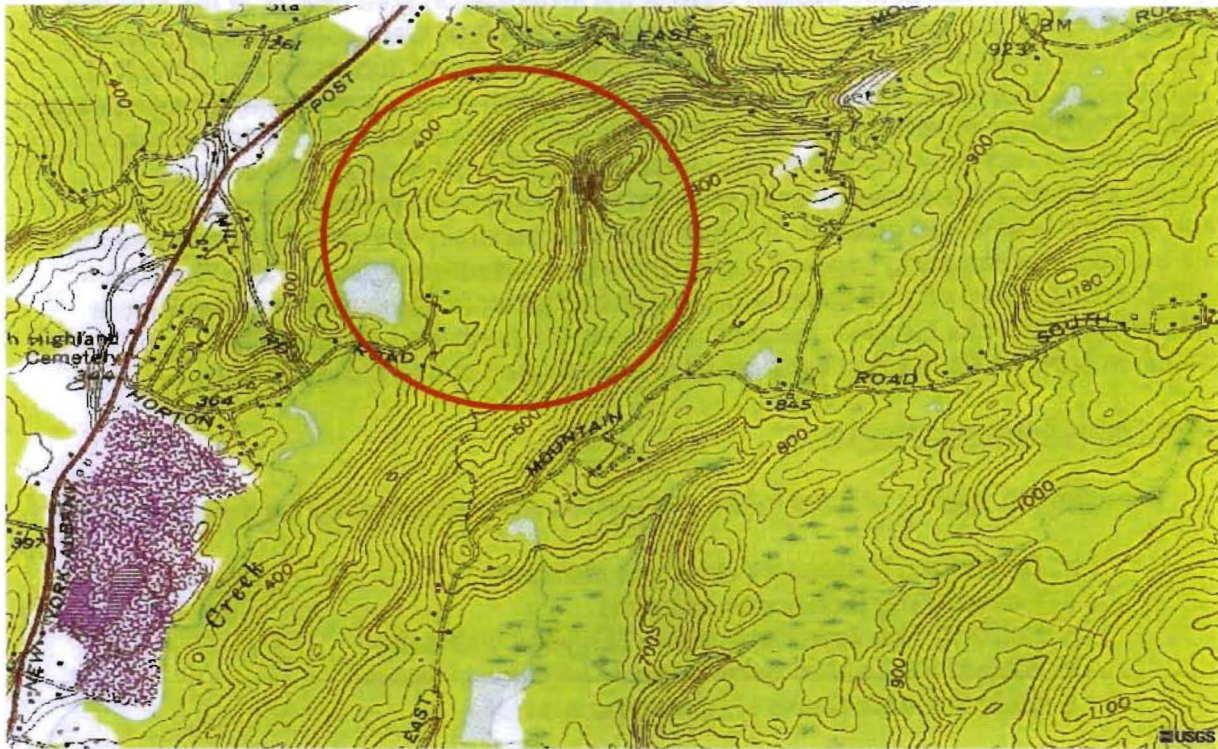


Figure 1: Topographic map of general project area (West point Quadrangle)

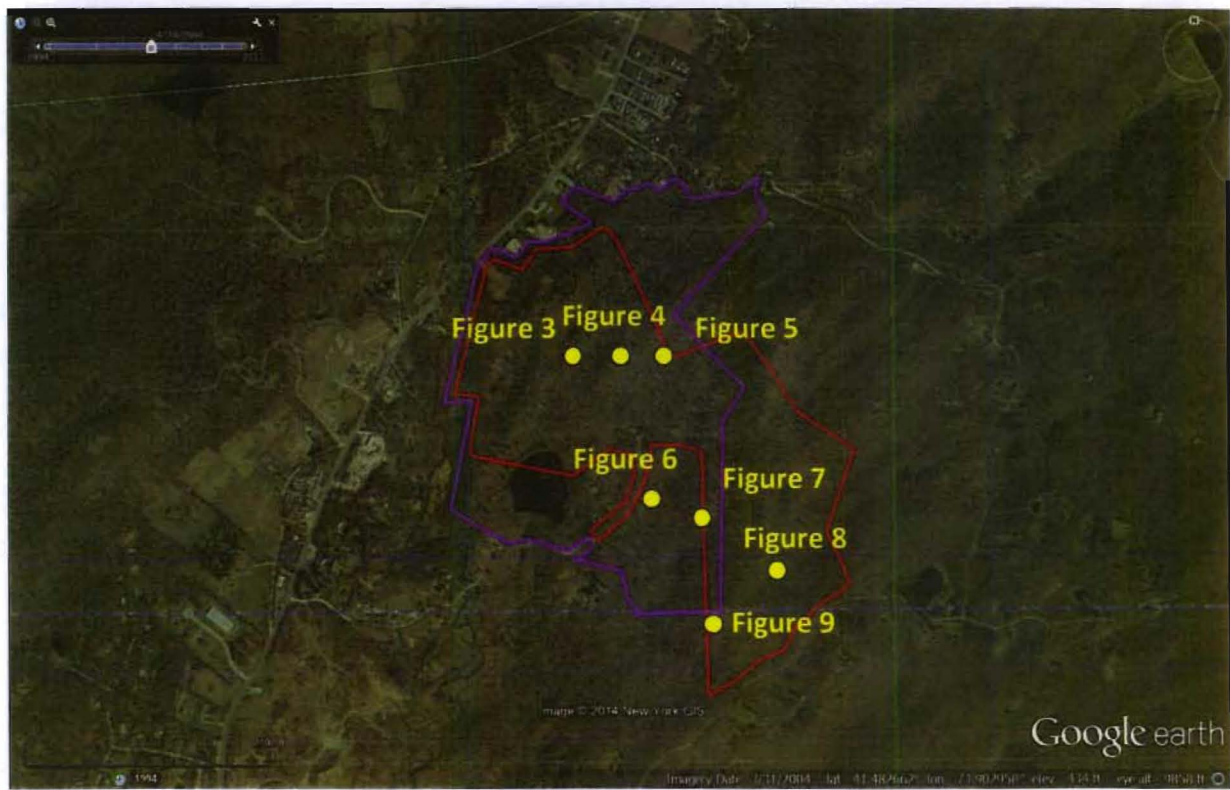


Figure 2: Aerial photograph of the "old" project area (in red). "New" project area shown in purple.





Figure 3: Representative image of area <500 ft. elevation (view southeast).

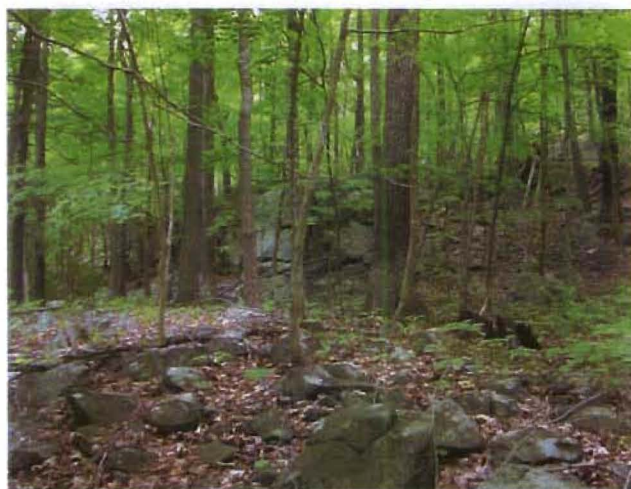


Figure 4: Representative image of area >500 ft. elevation (view southeast).



Figure 5: Representative image of area >700 ft. elevation (view southeast).





Figure 6: Woods <500 ft. elevation in new area.



Figure 7: Boulders in woods near new area.



Figure 8: Boulder patch in canopy opening.
Note the embedded and rounded boulders.



Figure 9: Boulder patch under closed canopy.

HUDSON HIGHLANDS RESERVE CONSERVATION SUBDIVISION

Alternate Road Standards

Isaly Road, Mane Road and Stirrup Road are all “Interior Roads” as defined in the Code of the Town of Philipstown, §175-74.B, as they are to be roads constructed off existing public streets to provides access to the interior of the parcel.

All project roads, with the exception of Isaly Road, will be classified as Local Residential Streets as identified in the Code of the Town of Philipstown, §112-34.A.(1)(a), as they are streets that will primarily provide access to abutting lots to be used for residential purposes.

Isaly Road will be classified as a Commercial Street as identified in the Code of the Town of Philipstown, §112-34.A.(1)(c), as it will serve to provide the principal access to a riding academy, which use is more commercial in nature.

Bridle Road and Saddle Road could be classified as Private Ways as identified in the Code of the Town of Philipstown, §112-34.A.(1)(d), as they will be private and provide access to not more than four abutting lots, each to be used for a single family dwelling. Nonetheless, these roads have been designed to the proposed Alternate Road Standards for Local Residential Streets.

Farrier Road, which will provide access to five homes as a Local Residential Street, has also been designed to the proposed Alternate Road Standards for Local Residential Streets.

All the project roads are to be private.

In an effort to further minimize environmental impact from land disturbance due to grading, and erosion and sediment transport from unpaved traveled ways, the applicant has elected to design all the project streets to “Alternate Standards”. These standards are presented for comparison with the current Town of Philipstown standards in the attached spreadsheet. Supporting documentation from the American Association of State Highway and Transportation Officials (AASHTO) is also attached.

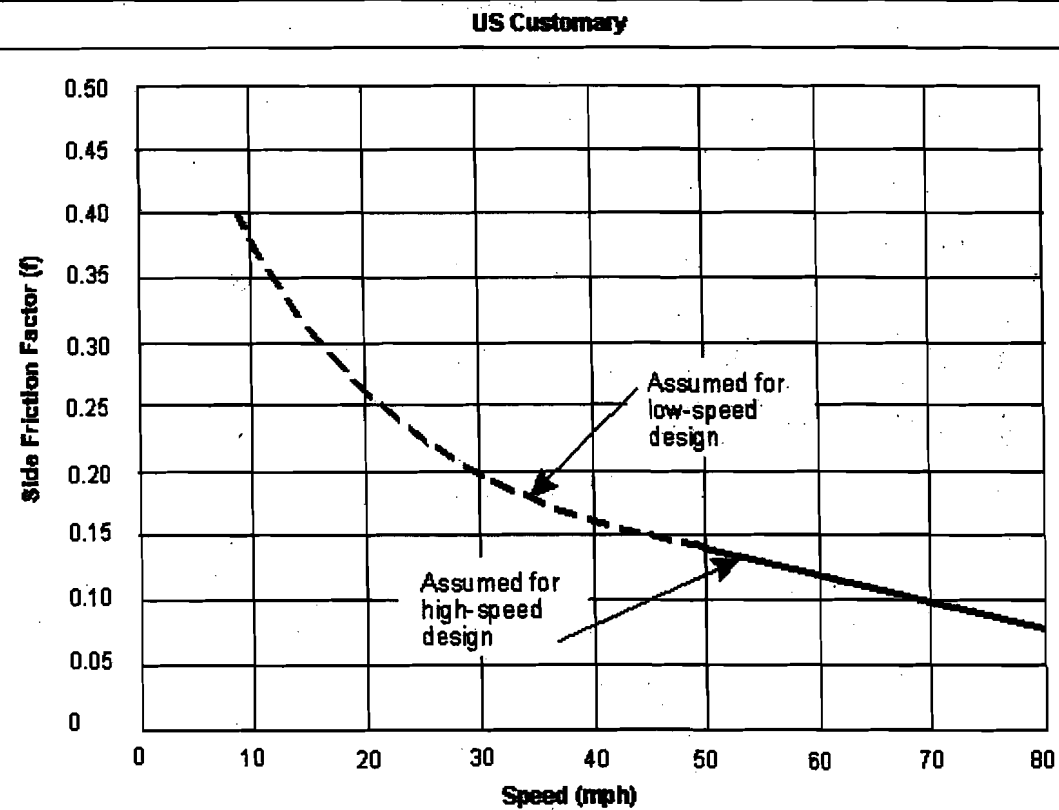
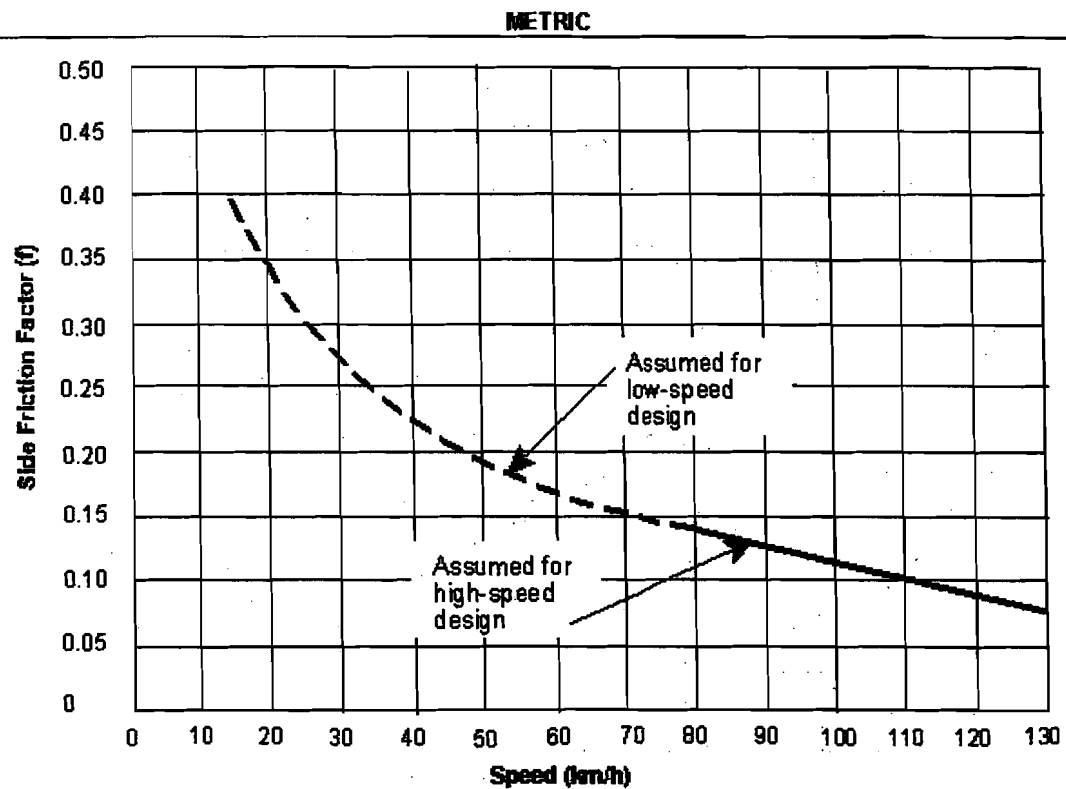


Exhibit 3-12. Side Friction Factors Assumed for Design

Minimum Radius

The minimum radius is a limiting value of curvature for a given design speed and is determined from the maximum rate of superelevation and the maximum side friction factor selected for design (limiting value of f). Use of sharper curvature for that design speed would call for superelevation beyond the limit considered practical or for operation with tire friction and lateral acceleration beyond what is considered comfortable by many drivers, or both. Although based on a threshold of driver comfort, rather than safety, the minimum radius of curvature is a significant value in alignment design. The minimum radius of curvature is also an important control value for determination of superelevation rates for flatter curves.

The minimum radius of curvature, R_{\min} , can be calculated directly from the simplified curve formula introduced above in the section on the "Side Friction Factor." This formula can be recast to determine R_{\min} as follows:

| Metric | US Customary |
|---|---|
| $R_{\min} = \frac{V^2}{127(0.01e_{\max} + f_{\max})}$ | $R_{\min} = \frac{V^2}{15(0.01e_{\max} + f_{\max})} \quad (3-10)$ |

For curve layout purposes, the radius is measured to the horizontal control line, which is often along the centerline of the alignment. However, the horizontal curve formulas use a curve radius measured to a vehicle's center of gravity, which is approximately the center of the innermost travel lane. The formulas do not consider the width of the roadway or the location of the horizontal control line. For consistency with the radius defined for turning roadways and to consider the motorist operating within the innermost travel lane, the radius used to design horizontal curves should be measured to the inside edge of the inner most travel lane, particularly for wide roadways with sharp horizontal curvature.

For two-lane roadways, the difference between the roadway centerline and the center of gravity used in the horizontal curve equations is minor. Therefore, the curve radius for a two-lane roadway may be measured to the centerline of the roadway.

| Metric | | | | US Customary | | | |
|---------------------|-----------------------------|-----------------------------------|--------|--------------------|------------------------------|-----------------------------------|--------|
| Design speed (km/h) | Stopping sight distance (m) | Rate of vertical curvature, K^a | | Design speed (mph) | Stopping sight distance (ft) | Rate of vertical curvature, K^a | |
| | | Calculated | Design | | | Calculated | Design |
| 20 | 20 | 0.6 | 1 | 15 | 80 | 3.0 | 3 |
| 30 | 35 | 1.9 | 2 | 20 | 115 | 6.1 | 7 |
| 40 | 50 | 3.8 | 4 | 25 | 155 | 11.1 | 12 |
| 50 | 65 | 6.4 | 7 | 30 | 200 | 18.5 | 19 |
| 60 | 85 | 11.0 | 11 | 35 | 250 | 29.0 | 29 |
| 70 | 105 | 16.8 | 17 | 40 | 305 | 43.1 | 44 |
| 80 | 130 | 25.7 | 26 | 45 | 360 | 60.1 | 61 |
| 90 | 160 | 38.9 | 39 | 50 | 425 | 83.7 | 84 |
| 100 | 185 | 52.0 | 52 | 55 | 495 | 113.5 | 114 |
| 110 | 220 | 73.6 | 74 | 60 | 570 | 150.6 | 151 |
| 120 | 250 | 95.0 | 95 | 65 | 645 | 192.8 | 193 |
| 130 | 285 | 123.4 | 124 | 70 | 730 | 246.9 | 247 |
| | | | | 75 | 820 | 311.6 | 312 |
| | | | | 80 | 910 | 383.7 | 384 |

^a Rate of vertical curvature, K , is the length of curve per percent algebraic difference in intersecting grades (A). $K = L/A$

Exhibit 3-72. Design Controls for Stopping Sight Distance and for Crest Vertical Curves

| Metric | | | US Customary | | |
|---------------------|----------------------------|--|--------------------|-----------------------------|--|
| Design speed (km/h) | Passing sight distance (m) | Rate of vertical curvature, K^* design | Design speed (mph) | Passing sight distance (ft) | Rate of vertical curvature, K^* design |
| | | | | | |
| 30 | 200 | 46 | 20 | 710 | 180 |
| 40 | 270 | 84 | 25 | 900 | 289 |
| 50 | 345 | 138 | 30 | 1090 | 424 |
| 60 | 410 | 195 | 35 | 1280 | 585 |
| 70 | 485 | 272 | 40 | 1470 | 772 |
| 80 | 540 | 338 | 45 | 1625 | 943 |
| 90 | 615 | 438 | 50 | 1835 | 1203 |
| 100 | 670 | 520 | 55 | 1985 | 1407 |
| 110 | 730 | 617 | 60 | 2135 | 1628 |
| 120 | 775 | 695 | 65 | 2285 | 1865 |
| 130 | 815 | 769 | 70 | 2480 | 2197 |
| | | | 75 | 2580 | 2377 |
| | | | 80 | 2680 | 2565 |

Note: ^{*}Rate of vertical curvature, K , is the length of curve per percent algebraic difference in intersecting grades (A). $K = L/A$

Exhibit 3-73. Design Controls for Crest Vertical Curves Based on Passing Sight Distance

Generally, it is impractical to design crest vertical curves to provide for passing sight distance because of high cost where crest cuts are involved and the difficulty of fitting the resulting long vertical curves to the terrain, particularly for high-speed roads. Passing sight

| Metric | | | | US Customary | | | |
|------------------------|--------------------------------|-----------------------------------|--------|-----------------------|---------------------------------|-----------------------------------|--------|
| Design speed (km/h) | Stopping sight distance (m) | Rate of vertical curvature, K^a | | Design speed (mph) | Stopping sight distance (ft) | Rate of vertical curvature, K^a | |
| | | Calculated | Design | | | Calculated | Design |
| 20 | 20 | 2.1 | 3 | 15 | 80 | 9.4 | 10 |
| 30 | 35 | 5.1 | 6 | 20 | 115 | 16.5 | 17 |
| 40 | 50 | 8.5 | 9 | 25 | 155 | 25.5 | 26 |
| 50 | 65 | 12.2 | 13 | 30 | 200 | 36.4 | 37 |
| 60 | 85 | 17.3 | 18 | 35 | 250 | 49.0 | 49 |
| 70 | 105 | 22.6 | 23 | 40 | 305 | 63.4 | 64 |
| 80 | 130 | 29.4 | 30 | 45 | 360 | 78.1 | 79 |
| 90 | 160 | 37.6 | 38 | 50 | 425 | 95.7 | 96 |
| 100 | 185 | 44.6 | 45 | 55 | 495 | 114.9 | 115 |
| 110 | 220 | 54.4 | 55 | 60 | 570 | 135.7 | 136 |
| 120 | 250 | 62.8 | 63 | 65 | 645 | 156.5 | 157 |
| 130 | 285 | 72.7 | 73 | 70 | 730 | 180.3 | 181 |
| | | | | 75 | 820 | 205.6 | 206 |
| | | | | 80 | 910 | 231.0 | 231 |

^a Rate of vertical curvature, K , is the length of curve (m) per percent algebraic difference intersecting grades (A). $K = L/A$

Exhibit 3-75. Design Controls for Sag Vertical Curves

Sight Distance at Undercrossings

Sight distance on the highway through a grade separation should be at least as long as the minimum stopping sight distance and preferably longer. Design of the vertical alignment is the same as at any other point on the highway except in some cases of sag vertical curves underpassing a structure as illustrated in Exhibit 3-76. While not a frequent problem, the structure fascia may cut the line of sight and limit the sight distance to less than otherwise is attainable. It is generally practical to provide the minimum length of sag vertical curve discussed above at grade separation structures, and even where the recommended grades are exceeded, the sight distance should not need to be reduced below the minimum recommended values for stopping sight distance.

For some conditions, the designer may wish to check the available sight distance at an undercrossing, such as at a two-lane undercrossing without ramps where it would be desirable to provide passing sight distance. Such checks are best made graphically on the profile, but may be performed through computations.

| Metric | | | US Customary | | |
|---------------------|-----------------------------------|---|--------------------|------------------------------------|--|
| Design speed (km/h) | Design passing sight distance (m) | Rate of vertical curvature, K^a (m/%) | Design speed (mph) | Design passing sight distance (ft) | Rate of vertical curvature, K^a (ft/%) |
| 30 | 200 | 46 | 20 | 710 | 180 |
| 40 | 270 | 84 | 25 | 900 | 289 |
| 50 | 345 | 138 | 30 | 1090 | 424 |
| 60 | 410 | 195 | 35 | 1280 | 585 |
| 70 | 485 | 272 | 40 | 1470 | 772 |
| 80 | 540 | 338 | 45 | 1625 | 943 |
| 90 | 615 | 438 | 50 | 1835 | 1203 |
| 100 | 670 | 520 | 55 | 1985 | 1407 |
| | | | 60 | 2135 | 1628 |

^a Rate of vertical curvature, K , is the length of curve per percent algebraic difference in the intersecting grades (i.e., $K = L/A$). (See Chapter 3 for details.)

Exhibit 5-3. Design Controls for Crest Vertical Curves Based on Passing Sight Distance

Grades

Suggested maximum grades for local rural roads are shown in Exhibit 5-4.

| Type of terrain | Metric | | | | | | | | | | US Customary | | | | | | | | | |
|-----------------|---|----|----|----|----|----|----|----|-----|--|--|----|----|----|----|----|----|----|----|--|
| | Maximum grade (%) for specified design speed (km/h) | | | | | | | | | | Maximum grade (%) for specified design speed (mph) | | | | | | | | | |
| | 20 | 30 | 40 | 50 | 60 | 70 | 80 | 90 | 100 | | 15 | 20 | 25 | 30 | 40 | 45 | 50 | 55 | 60 | |
| Level | 9 | 8 | 7 | 7 | 7 | 7 | 6 | 6 | 5 | | 9 | 8 | 7 | 7 | 7 | 7 | 6 | 6 | 5 | |
| Rolling | 12 | 11 | 11 | 10 | 10 | 9 | 8 | 7 | 6 | | 12 | 11 | 11 | 10 | 10 | 9 | 8 | 7 | 6 | |
| Mountainous | 17 | 16 | 15 | 14 | 13 | 12 | 10 | 10 | — | | 17 | 16 | 15 | 14 | 13 | 12 | 10 | 10 | — | |

Exhibit 5-4. Maximum Grades for Local Rural Roads

Alignment

Alignment between control points should be designed to be as favorable as possible consistent with the environmental impact, topography, terrain, design traffic volume, and the amount of reasonably obtainable right-of-way. Sudden changes between curves of widely different radii or between long tangents and sharp curves should be avoided. Where practical, the design should include passing opportunities. Where crest vertical curves and horizontal curves occur together, there should be greater than minimum sight distance to ensure that the horizontal curves are visible to approaching drivers.

| Metric | | | | | US Customary | | | | |
|---|--------------|--------------------|--------------------|------------------|--|--------------|------------------|--------------------|-----------------|
| Minimum width of traveled way (m) for specified design volume (veh/day) | | | | | Minimum width of traveled way (ft) for specified design volume (veh/day) | | | | |
| Design speed (km/h) | under 400 | 400 to 1500 | 1500 to 2000 | over 2000 | Design speed (mph) | under 400 | 400 to 1500 | 1500 to 2000 | over 2000 |
| 20 | 5.4 | 6.0 ^a | 6.0 | 6.6 | 15 | 18 | 20 ^a | 20 | 22 |
| 30 | 5.4 | 6.0 ^a | 6.6 | 7.2 ^c | 20 | 18 | 20 ^a | 22 | 24 ^c |
| 40 | 5.4 | 6.0 ^a | 6.6 | 7.2 ^c | 25 | 18 | 20 ^a | 22 | 24 ^c |
| 50 | 5.4 | 6.0 ^a | 6.6 | 7.2 ^c | 30 | 18 | 20 ^a | 22 | 24 ^c |
| 60 | 5.4 | 6.0 ^a | 6.6 | 7.2 ^c | 40 | 18 | 20 ^a | 22 | 24 ^c |
| 70 | 6.0 | 6.6 | 6.6 | 7.2 ^c | 45 | 20 | 22 | 22 | 24 ^c |
| 80 | 6.0 | 6.6 | 6.6 | 7.2 ^c | 50 | 20 | 22 | 22 | 24 ^c |
| 90 | 6.6 | 6.6 | 7.2 ^c | 7.2 ^c | 55 | 22 | 22 | 24 ^c | 24 ^c |
| 100 | 6.6 | 6.6 | 7.2 ^c | 7.2 ^c | 60 | 22 | 22 | 24 ^c | 24 ^c |
| Width of graded shoulder on each side of the road (m) | | | | | Width of graded shoulder on each side of the road (ft) | | | | |
| All speeds | 0.6 | 1.5 ^{a,b} | 1.8 | 2.4 | All speeds | 2 | 5 ^{a,b} | 6 | 8 |

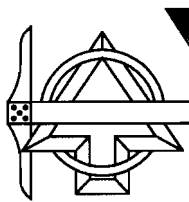
^a For roads in mountainous terrain with design volume of 400 to 600 veh/day, use 5.4-m [18-ft] traveled way width and 0.6-m [2-ft] shoulder width.

^b May be adjusted to achieve a minimum roadway width of 9 m [30 ft] for design speeds greater than 60 km/h [40 mph].

^c Where the width of the traveled way is shown as 7.2 m [24 ft], the width may remain at 6.6 m [22 ft] on reconstructed highways where alignment and safety records are satisfactory.

See text for roadside barrier and offtracking considerations.

Exhibit 5-5. Minimum Width of Traveled Way and Shoulders



BADEY & WATSON

Surveying & Engineering, P.C.

Land Surveying
Civil Engineering
Laser Scanning
GPS Surveys
Site Planning
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October 1, 2014

Anthony Merante, Chairman
Town of Philipstown Planning Board
238 Main Street
Town Hall
Cold Spring, NY 10516

RE: 201 Old Stone Road-Submission of Revised EAF Part 2

Dear Mr. Merante and Honorable Board Members:

Attached are 13 copies of our suggested Part 2 of the EAF for the captioned project. The revisions have been made following review of Mr. Gainer's initial and site visit memoranda on the project.

We respectfully request that the matter be added to the Planning Board agenda for its October meeting at which we hope to address the following three (3) items.

1. Clarification of whether a Special Use Permit or a Variance or both are required for the project;
2. Review of responses from agencies to whom the Planning Board referred the application; and
3. Adoption of Part 2 with direction that Part 3 of the EAF be prepared for the Boards consideration.

Thank you for your consideration of this request.

Yours truly,
BADEY & WATSON,
Surveying & Engineering, P.C.



by
Glennon J. Watson, L.S.

GJW/bms

cc: Tim Mohr

Christopher Buck

Owners of the records of:

- ◆ Joseph S. Agnoli ◆ Barger & Hustis ◆ Burgess & Behr ◆ Roy Burgess ◆ Vincent Burruano ◆ Hudson Valley Engineering Company ◆ G. Radcliff Hustis ◆
◆ Peter R. Hustis ◆ J. Wilbur Irish ◆ James W. Irish, Jr. ◆ Douglas A. Merritt ◆ E.B. Moebus ◆ Reynolds & Chase ◆ General Jacob Schofield ◆
◆ Sidney Schofield ◆ Steven J. Shaver ◆ Allan Smith ◆ Taconic Surveying and Engineering ◆ D. Walcutt ◆

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

| 1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> | | | |
|---|-----------------------------------|--|---|
| <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES | | | |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may involve construction on land where depth to water table is less than 3 feet. | E2d | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may involve construction on slopes of 15% or greater. | E2f | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. | E2a | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material. | D2a | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. The proposed action may involve construction that continues for more than one year or in multiple phases. | D1e | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides). | D2e, D2q | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. The proposed action is, or may be, located within a Coastal Erosion hazard area. | B1i | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

2. Impact on Geological Features
The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ■ NO ☐ YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. Identify the specific land form(s) attached: _____ | E2g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____ | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

3. Impacts on Surface Water
The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ■ NO ☐ YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may create a new water body. | D2b, D1h | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water. | D2b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body. | D2a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body. | E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments. | D2a, D2h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water. | D2c | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s). | D2d | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. | D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action. | E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may involve the application of pesticides or herbicides in or around any water body. | D2q, E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities. | D1a, D2d | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|----------------------------------|--|--------------------------|--------------------------|
| 1. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

☐ NO ☒ YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|------------------------------------|
| a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells. | D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____ | D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may allow or result in residential uses in areas without water and sewer services. | D1a, D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may include or require wastewater discharged to groundwater. | D2d, E2l | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated. | D2c, E1f, E1g, E1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer. | D2p, E2l | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources. | E2h, D2q, E2l, D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.

☒ NO ☐ YES

(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in development in a designated floodway. | E2i | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in development within a 100 year floodplain. | E2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in development within a 500 year floodplain. | E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in, or require, modification of existing drainage patterns. | D2b, D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may change flood water flows that contribute to flooding. | D2b, E2i, E2j, E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| f. If there is a dam located on the site of the proposed action, is the dam in need of repair or upgrade? | E1e | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|-------------------------|--|--------------------------|--------------------------|
| g. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
|-------------------------|--|--------------------------|--------------------------|

6. Impacts on Air

The proposed action may include a state regulated air emission source.

☒ NO

☐ YES

(See Part 1. D.2.f., D.2.h, D.2.g)

If "Yes", answer questions a - f. If "No", move on to Section 7.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|--|--|--|
| a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane | D2g D2g D2g D2g D2g D2h | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour. | D2f, D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour. | D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

☒ NO

☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2o | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government. | E2o | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2p | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government. | E2p | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|-----|--------------------------|--------------------------|
| e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect. | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____ | E2n | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site. | E2m | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ | E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides. | D2q | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System. | E2c, E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc). | E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land. | E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District. | E1b, E3a | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may disrupt or prevent installation of an agricultural land management system. | E1 a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland. | C2c, C3, D2c, D2d | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan. | C2c | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☐ NO

☒ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| | | | |

| | | | |
|--|-----------------------|--|--|
| a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource. | E3h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views. | E3h, C2b | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round | E3h | <input type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> |
| d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities | E3h E2q, E1c | <input type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> |
| e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource. | E3h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/4 -3 mile 3-5 mile 5+ mile | D1a, E1a, D1f, D1g | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part I. E.3.e, f. and g.)

☐ NO

☒ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|--------------------------------------|--|--|
| a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places. | E3e | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. | E3f | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____ | E3g | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Other impacts: _____ _____ | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3: i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property's setting or | E3e, E3g, E3f E3e, E3f, E3g, E1a, | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |

| | | | |
|--|---|-------------------------------------|--------------------------|
| integrity. | E1b E3e, E3f, E3g, E3h, C2, C3 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting. | | | |

| 11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12. | | | |
|--|---|--|------------------------------------|
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat. | D2e, E1b E2h, E2m, E2o, E2n, E2p | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the loss of a current or future recreational resource. | C2a, E1c, C2c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may eliminate open space or recreational resource in an area with few such resources. | C2a, C2c E1c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in loss of an area now used informally by the community as an open space resource. | C2c, E1c | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13. | | | |
|--|-----------------------------|--|------------------------------------|
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 13. Impact on Transportation The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) If "Yes", answer questions a - g. If "No", go to Section 14. | | | |
|--|-----------------------------|-------------------------------------|---|
| | | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. Projected traffic increase may exceed capacity of existing road network. | D2j | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|-----|-------------------------------------|-------------------------------------|
| b. The proposed action may result in the construction of paved parking area for 500 or more vehicles. | D2j | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action will degrade existing transit access. | D2j | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action will degrade existing pedestrian or bicycle accommodations. | D2j | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may alter the present pattern of movement of people or goods. | D2j | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: <u>Identify "Adequacy of access road during construction"</u> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

☒ NO

☐ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action will require a new, or an upgrade to an existing, substation. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use. | D1f, D1q, D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may utilize more than 2,500 MWhrs per year of electricity. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. | D1g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other Impacts: _____ | | | |

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m, n., and o.)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may produce sound above noise levels established by local regulation. | D2m | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home. | D2m, E1d | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in routine odors for more than one hour per day. | D2o | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in light shining onto adjoining properties. | D2n | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions. | D2n, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

16. Impact on Human Health

The proposed action may have an impact on human health from exposure

☒ NO

☐ YES

to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

If "Yes", answer questions a - m. If "No", go to Section 17.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community. | E1d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The site of the proposed action is currently undergoing remediation. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction). | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health. | D2t | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action involves construction or modification of a solid waste management facility. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may result in the unearthing of solid or hazardous waste. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste. | D2r, D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste. | E1f, E1g E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures. | E1f, E1g | <input type="checkbox"/> | <input type="checkbox"/> |
| l. The proposed action may result in the release of contaminated leachate from the project site. | D2s, E1f, D2r | <input type="checkbox"/> | <input type="checkbox"/> |
| m. Other impacts: _____ | | | |

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.

☒ NO

☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s). | C2, C3, D1a E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%. | C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action is inconsistent with local land use plans or zoning regulations. | C2, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action is inconsistent with any County plans, or other regional land use plans. | C2, C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may cause a change in the density of development that is not | C3, D1c, | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|-----------------------|--------------------------|--------------------------|
| supported by existing infrastructure or is distant from existing infrastructure. | D1d, D1f, D1d, E1b | | |
| f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure. | C4, D2c, D2d D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action) | C2a | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.

☒ NO

☐ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------------|--|---|
| a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. | E3e, E3f, E3g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may create a demand for additional community services (e.g. schools, police and fire) | C4 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing. | C2, C3, D1f D1g, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources. | C2, E3 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action is inconsistent with the predominant architectural scale and character. | C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Proposed action is inconsistent with the character of the existing natural landscape. | C2, C3 E1a, E1b E2g, E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

September 22, 2014

Mr. Anthony Merante
Chairman, Philipstown Planning Board
238 Main St.
PO Box 155
Cold Spring, NY 10516

Re: Valhalla Highlands Historic District
Cold Spring, NY 10516
Putnam County

Dear Mr. Merante:

Following a detailed review, the State Review Board has recommended to the Commissioner of Parks, Recreation and Historic Preservation, who is the New York State Historic Preservation Officer (SHPO), that the property identified above be listed on the New York State Register of Historic Places and nominated to the National Register of Historic Places.

After reviewing the nomination, the SHPO has agreed with the recommendation of the State Review Board and has listed the property on the State Register of Historic Places. We shall now forward the nomination to the Keeper of the National Register in Washington, D. C.

If the Keeper of the National Register approves the nomination, the property will be listed on the National Register. You will be notified when this decision is made.

Information about the results of State and National Register listing were included in our earlier notification letter. If you have any further questions, please contact your field representative Jennifer Betsworth, at the **Division for Historic Preservation**, (518) 237-8643 ext. 3296.

Sincerely,

Ruth L. Pierpont
Deputy Commissioner for Historic
Preservation