

MEETING AGENDA
TOWN OF PHILIPSTOWN PLANNING BOARD
Butterfield Library, Cold Spring, New York 10516
November 17, 2016
7:30 PM

Pledge of Allegiance
Roll Call
Approval of Minutes – September 20, 2016

Public hearing:

--None--

Old Business:

- a. **Jared and Carolina Della Valle, 20 Jay Street, Suite 1003 Brooklyn, NY TM# 39.-2-21.2**
for proposed single story residential structure with garage, pool and pool area located at
117 Round Hill Road Garrison,

- b. **Griffin's Landscaping Corporation, 3032 Route 9, Cold Spring, TM# 27.20-1-14**
(return to Planning Board after seeking Zoning Board of Appeals approval (Appeal # 895) 0from
Section 175-65(D)(5)(b) of the Zoning code which limits the percentage of lot area for outside storage
from 20% to 36%.

- c. **OLSPAN, LLC, 235 East 87th Street Apt. 1L, New York, NY property address is 2700 Route 9,
Cold Spring TM#38.-3-24.2**
(Amended Site Plan – Modification of parking area, new highway entry and new driveway culvert and
demolition and re-construction of a caretakers residence.)

- d. **Hudson Highland Reserve, Route 9 and Horton Road**
an update on the conservation findings

New Business:

- a. **Paul & Ellen Johnson, 4 Highland Ridge, Cold Spring TM#27.-1-10.13**
(Residential Site Plan for construction of a new single family residence, driveway, septic system and
Well)

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

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11/17/16

**PHILIPSTOWN PLANNING BOARD
MEETING MINUTES
October 20, 2016**

The Philipstown Planning Board held its regularly monthly meeting on Thursday, October 20, 2016 at the Butterfield Library, 10 Morris Avenue, Cold Spring, New York.

Present: Kim Conner (acting Chair)
 David Hardy
 Peter Lewis
 Neal Tomann
 Stephen Gaba, Counsel
 Ron Gainer, Town Engineer

Absent: Anthony Merante (Chairman)
 Mary Ellen Finger
 Neal Zuckerman

Ms. Conner opened the meeting at 7:33 P. M. with the Pledge of Allegiance.

Roll call was taken by Ms. Valentino

1. Approval of Minutes:

The minutes of September 14, 2016 were reviewed. Mr. Lewis moved to adopt the minutes as presented and Mr. Tomann seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

The minutes of September 15, 2016 were reviewed. Mr. Tomann moved to adopt the minutes as presented and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

2 Public Hearing:

Jared and Carolina Della Valle, 20 Jay Street Brooklyn NY TM#39.-2-21.2. The property is located at 117 Round Hill Road, Garrison.

The public hearing was opened at about 7:35 P. M. Planning Board Secretary, Ms. Valentino, read the legal notice. Mr. Glenn Watson from Badey and Watson represented the applicant. A site visit was done by the Board members on October 16th. The Applicants are proposing a new structure with a pool on a 6.9 acre parcel. This property is an approved lot under the old Town Code. The previous owner of the lot prepared the lot for sale. There is very little lot work that has to be done. Most of the trees that needed to be removed have been. The lot is preexisting non-conforming. The proposed house will be one story with a foundation that will be used for living space. There are restrictions on the property. Since the proposed house is in the Ridgeline and Hillside Protection District and therefore the height will be below 35 feet Mr. Della Valle noted he and his wife are excited about joining the community. The proposed house will be a site sensitive house.

Board member comments:

- Mr. Lewis commented on the proposed structure as being a very sensitively thought out structure. Mr. Lewis noted that if you look out through what appeared to be a funnel of trees only one structure could be seen.

Public comments:

- Steven Plot, 1178 Old Albany Post Road – Mr. Plot noted that he is the Estate Manager at 1178 Old Albany Post Road and he noted he believed that 1178 Old Albany Post Road is just below the property at 117 Round Hill Road. Mr. Plot asked if the house Mr. Lewis saw in what he referred to as a funnel was the house at 1178 Old Albany Post Road? Mr. Watson replied that there is a whole ridge that separates the development from this property. Mr. Plot asked if environmentally there was any impact? Mr. Watson noted there was no impact.

Mr. Hardy moved to close the public hearing and Mr. Tomann seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion passed unanimously and the public hearing closed at 7:51 P. M.

Mr. Watson asked if the Board could have Mr. Gainer prepare a resolution that could be voted on at the November meeting.

Mr. Lewis moved to direct Mr. Gainer to prepare the appropriate documents and Mr. Tomann seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye

Neal Zuckerman Absent

The motion passed unanimously.

3. Old Business:

a. Philipstown Square (Lausca, LLC) 3166 Route 9 Cold Spring (TM#27.12-1-10)

Jamie McNiff from Larry Paggi Engineering represented the Applicant. Ms. McNiff noted that the applicant is proposing to add an event space to the second floor of the existing restaurant. Ms. McNiff noted that the required parking has already been in place. One change was made to the drawing submitted last month which was an egress from the second floor. The egress will be the same as the one on the other side of the building which is 20 feet in and 20 feet in length within the five foot landscaped area. This egress would be used as an emergency exit. The engineering calculations were presented on the drawings. Mr. Gainer requested that a note be added to identify the number of approved seating by the Putnam County Health Department on the drawings.

Mr. Gainer noted that previously the Board waived a public hearing. The Board previously voted to have Mr. Gainer prepare a negative declaration for the SEQRA review process, which was distributed to the Board in advance of tonight's meeting for your review and consideration.

Ms. Conner commented on the fact that the second floor was not ADA compliant and Ms. Conner noted it had been discussed in the past. Mr. Tomann moved to adopt a Negative SEQRA Declaration and Mr. Hardy seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

Mr. Hardy moved to approve the Resolution for the Amended Site Plan as presented and Mr. Tomann seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

b. Griffin's Landscaping Corporation, 3032 Route 9, Cold Spring (TM# 27.20-1-14)

Mr. Watson represented the applicant. The applicant received his variance from the Zoning Board of Appeals for lot coverage. Mr. Watson noted the Applicant was originally before the Planning Board in April 2016. Mr. Watson noted they did not get the area variance for setbacks. Mr. Watson noted he adjusted the plans which was to move the kiln area back behind the required setback area and hidden from the road. By moving the kiln it would make it conforming. The main building pre-exists Zoning,

which makes it pre-existing, non-conforming. There will be storage in the front, screening will be in front of the storage. Storage in the back will be fenced in. The fence will be capable of holding the items, which are within the flood plain area. Mr. Watson noted he is in agreement with the suggestions made by Mr. Gainer in a memo dated October 18, 2016. The Town has a height restriction for the material being stored on the lot. Mr. Watson will look into what the height restriction is.

Mr. Gainer noted the applicant first came before the Board in 2015 after the CEO had issued a notice of violation, and the application is still not complete. The use is permitted by a Special Permit, and is considered to be "Light Industrial". Mr. Gainer suggested a site visit, if the Board thinks that it is appropriate, so they can evaluate any potential environmental issues. The applicant still needs to file a long EAF and a statement from the Zoning Administrator Officer noting that there are no violations on the property to make the application "complete".

Mr. Hardy expressed concern over the stacks of firewood and asked if the stacks could possibly create a hazard in terms of a fire. Mr. Gainer noted he previously made a referral to the local (North Highlands) Fire Department. Mr. Tomann asked if the applicant can demonstrate the process of drying the wood during the Planning Board site visit, and expressed concern over the trucks turning around within the site.

Mr. Lewis moved to declare this proposal a major project and Mr. Tomann seconded the motion.

The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

Mr. Gaba noted that the Board needs to take action in the SEQRA process. The Board will need to decide if they want to do a "Coordinated" Review or an "Uncoordinated" Review. In an Uncoordinated Review every agency involved will have to do their own SEQRA Review. Mr. Gaba noted the ZBA has already treated this application as an Uncoordinated Action, and the Planning Board should also if they so desire. A notice will not have to be distributed to involved agencies. The Planning Board can just declare themselves lead agency.

Mr. Hardy moved to have the Planning Board declare themselves Lead Agency for the SEQRA Review Process which is listed as an unlisted action for an "uncoordinated" Review. Mr. Tomann seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

Mr. Tomann moved to send the proposal to the Putnam County Department of Planning for a 239m referral, contingent upon receiving the completed long form EAF, and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

Mr. Tomann moved to send the proposal as a referral to the Conservation Board which would be contingent on receiving the long for EAF and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

Mr. Tomann moved to send the proposal as a referral to the local (North Highlands) Fire Company and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

The Board scheduled a site visit for Griffin's Landscaping Corporation, 3032 Route 9, Cold Spring on Sunday, November 6, 2016 at 9:30 A. M.

c. Hudson Highlands Reserve.

Mr. Gainer reviewed the process for the next step in the Board's review of this application, which involved formal adoption of the draft Conservation Findings which was recently issued to the Board by its consultants. The Board should be prepared to formally adopt the draft Conservation Findings either as it is currently written, or with any changes desired at the November meeting. After the Conservation Findings have been adopted, the Applicants will be permitted develop a sketch plan that will develop their development concept, which should comply with all the conclusions and recommendations

contained in the Conservation Findings. There is no time frame listed in the Ordinance, for adopting the findings or for any other parts of the process, but given the time it has taken to reach this point, it was his hope that the Board would be prepared to adopt the Findings at your November meeting.

Mr. Gaba noted that all concerns regarding the draft Conservation Findings any of the Board may have can be circulated as either a letter or memo to the Planning Board members and all the Planning Board Consultants.

Mr. Lewis moved to have Mr. Gainer prepare a resolution for the November meeting to formally adopt the Conservation Findings and Mr. Hardy seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

4. New Business:

OLSPAN, LLC, property address is 2700 Route 9, Cold Spring TM# 38.-3-24.2

Ms. Conner expressed concern over a press release that was sent by Mr. Spano regarding the use of the Magazzino Building which noted the space will be used as a display area for occasional viewing.

Mr. Watson noted that the building would be used for storage and an occasional fund raiser get-together. There never was an idea that the building would be used as an Assembly Space. A discussion ensued over the use of the building. The Board discussed public assembly, possible limited viewing and the use of the library area for research.

Mr. Gaba clarified the use of the building. Mr. Gaba noted that the Board must review the items in front of them and not speculate on what the building will be used for in the future. After reviewing the modified site plan and if it is determined through the process that people will be using the building, the Planning Board can look into items such as parking and outside lighting. Mr. Gaba reviewed the Town Code regarding Institutional Use and whether the use will be a warehouse or a museum. The Board can request a note on the plans that notes the building will be a warehouse but with the understanding that it will be used as a museum.

Mr. Gaba suggested that the applicant submit something in writing describing their intentions for the use of the building. Mr. Watson agreed and will submit more information regarding the use of the structure.

Mr. Lithgow Osborne asked if the building has fire suppression capabilities and he noted he has been to the site and noted there are many opportunities to exit the building. Mr. Osborne noted the art items are a very important collection. This is a very important project. Mr. Osborne noted the Board is working with Mr. Spano to make sure everything is perfect.

Mr. Miguel Quismondo, Architect for the applicant, noted that the Building Inspector who is also the Town's Fire Marshall has been to the site several times.

Mr. Gainer reviewed the requirements and consideration of the application.

Ms. Conner noted that, based upon the zoning table on the drawings, the footprint seems to almost have doubled. Mr. Watson noted the drawings have been changed during the construction. The Planning Board previously approved the second building in an earlier Site Plan approval, and he neglected to update this figure from that approval. The figure for the square footage have been not changed on the plans from that originally approved.

The revised items currently before the Board are to realign the parking, realign the entrance and the removal of the caretakers residence and rebuilding it. All areas of the disturbance have been identified in the original site plan.

Mr. Quismondo noted that the proposed Caretakers Residence will be approximately 1800 Square feet and U shaped, and will have three bedrooms. It will share the existing septic system with the Magazzino Building. There was a brief discussion over the number of parking spaces.

Mr. Gainer noted that the size of the footprint listed on the plans has not been changed and the number of parking spaces is determined by the square footage of the building.

Mr. Hardy moved to declare this proposal a major project and Mr. Lewis seconded the motion.

The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion carried unanimously.

Mr. Tomann moved to direct the applicant to file a long EAF form and make referrals to the DOT, Conservation Board, DEC and Putnam County Planning for a 239m referral and Mr. Lewis seconded the motion.

The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion passed unanimously.

Mr. Gaba reviewed the SEQRA Review Process and whether the Board prefers a Coordinated Review or an Uncoordinated Review. Mr. Gainer suggested that since the Board performed a Coordinated Review for the original Site Plan application, the Board may again wish to perform a Coordinated Review for this latest application.

Mr. Hardy moved to declare their intent to become Lead Agency, and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion passed unanimously

A site visit was scheduled for Sunday, November 6, 2016 at 10:15 A. M.

Mr. Tomann moved to adjourn the meeting and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	Absent
Kim Conner	Aye
Mary Ellen Finger	Absent
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Absent

The motion passed unanimously and the meeting adjourned at 9:03 P. M.

Date approved _____

Respectfully submitted by
Linda Valentino

**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 Amended Site Plan & Special Use Permit prepared for Griffin's Landscaping		
Project Location (describe, and attach a general location map): 3032 Route 9 Cold Spring, NY 10516		
Brief Description of Proposed Action (include purpose or need): Approval of Site Plan and Special Use Permit for converting approved use from nursery to commercial processing and outdoor storage of firewood.		
Name of Applicant/Sponsor: Glenn J. Griffin	Telephone: 914-788-9622	E-Mail: glenn@griffinslandscaping.com
Address: 1234 Lincoln Terrace		
City/PO: Peekskill	State: NY	Zip Code: 10566
Project Contact (if not same as sponsor; give name and title/role): Glennon J. Watson Badey & Watson Surveying & Eng. P.C.	Telephone: 845-265-9217	E-Mail: gwatson@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 applicant	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

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BY: *[Signature]*

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planing Board Site Plan & Special Use Per <input checked="" type="checkbox"/>	04/02/2015
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ZBA-Area Variance for Lot Coverage <input checked="" type="checkbox"/>	05/23/2016
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>Wetland Permit</i> Philipstown Conservation Board	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Planning 239 Referral	TBD
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC (Stream Disturbance)	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? Yes No

- 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? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes 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?) Yes No

If Yes, identify the plan(s):

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? Yes No

If Yes, identify the plan(s):

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?

HC-Highway Commercial

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 District

b. What police or other public protection forces serve the project site?
Putnam County Sheriff Dept., NY State Police

c. Which fire protection and emergency medical services serve the project site?
North Highland Fire District, Philipstown Volunteer Ambulance Corp.

d. What parks serve the project site?
Fahenstock State Park, Philipstown 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)?

Light Industrial

b. a. Total acreage of the site of the proposed action? 0.920 acres

b. Total acreage to be physically disturbed? 0.920 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.920 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)

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

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

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

If Yes,

- i. Total number of structures _____
- ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
- iii. Approximate extent of building space to be heated or cooled: _____ 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: _____
- ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

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

- iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
- v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

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

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): Wetland adjacent to Clove Creek (removal of encroaching material)

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:
Removal will allow adjacent area to be returned to its natural condition.

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: _____ 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: _____

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

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: 150 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

- Do existing sewer lines serve the project site? Yes No
 - Will line extension within an existing district be necessary to serve the project? Yes No
- If Yes:
- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- 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):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

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? Yes 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. _____

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)?

• If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes 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? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Construction equipment and delivery vehicles

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Construction equipment

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

Wood fire klin

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? Yes 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) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ 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 1/2 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 _____ 4:00 pm _____
- Saturday: 8:00 am _____ 12:00 pm _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 8:00 am _____ 4:00 pm _____
- Saturday: 8:00 am _____ 12:00 pm _____
- Sunday: _____
- Holidays: _____

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:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: Security Lighting, residential in nature.

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:

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	0.084	0.076	-0.008
• Forested	0.000	0.000	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.093	0.170	+0.077
• Agricultural (includes active orchards, field, greenhouse etc.)	0.000	0.000	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.037	0.037	0
• Wetlands (freshwater or tidal)	0.000	0.000	0
• Non-vegetated (bare rock, earth or fill)	0.424	0.282	-0.142
• Other Describe: <u>Wood Piles</u>	0.282	0.355	+0.073

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: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ 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? >5 feet

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

c. Predominant soil type(s) present on project site:	Fluvaquents	77	%
	Charlton Chatfield Complex	23	%
			%

d. What is the average depth to the water table on the project site? Average: 0 >5 feet

e. Drainage status of project site soils:	Well Drained:	0	% of site
	Moderately Well Drained:	23	% of site
	Poorly Drained:	77	% of site

f. Approximate proportion of proposed action site with slopes:	0-10%:	100	% of site
	10-15%:		% of site
	15% or greater:		% 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 Clove Creek Classification C(ts)
- Lakes or Ponds: Name Pond (manmade) Classification -
- Wetlands: Name _____ Approximate Size -
- 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: _____

m. Identify the predominant wildlife species that occupy or use the project site: Deer

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): Site is already fully developed
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

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? Yes No

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? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

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? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site 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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes 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? Yes No

If Yes:

i. Identify resource: NYS Route 9D

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: 3 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes 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? Yes No

F. Additional Information

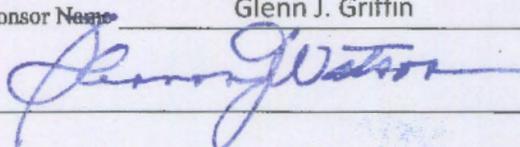
Attach any additional information which may be needed to clarify your project.

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 Glenn J. Griffin Date 10/27/2016

Signature  Title Surveyor for Client

Statement in Support
of
APPLICATION
of
GRIFFIN LANDSCAPING, INC
for a
SPECIAL USE PERMIT
and
SITE PLAN APPROVAL

Griffin Landscaping, Inc. has applied to the Planning Board of the Town of Philipstown for a Special Use Permit and Site Plan Approval to continue to operate its business at 3032 Route 9 in the North Highlands Section of the Town of Philipstown.

The site, which contains 0.92 acres, is located on the easterly side of Route 9, roughly opposite its intersection with Jaycox Road. The site carries the following Tax Map designation: 27.20-1-14. The property lies within a Highway Commercial (HC) zone on the Philipstown Zoning Map.

REASON FOR APPLICATION - The site was originally approved for the operation of a Nursery ca. 1988 under the previous zoning law following the application of Victor Torchia. Mr. Torchia built the building that is located on the site. In 1996, Philip Bisesto purchased the property and began to process firewood. Shortly thereafter, Mr. Bisesto leased the property to Griffin Landscaping, Inc. Griffin Landscaping purchased the property in 2011. Griffin Landscaping continued to process firewood from the beginning of its tenancy until the present. During this time, the operation was conducted on the strength of the original site plan approval. During most of this time the Code Enforcement Officer knew about the firewood operation. He must have considered that it did not constitute a Change in Use that required a new Site Plan Approval. This is evidenced by the issuance of at least one Building Permit, a Certificate of Occupancy and one Violation to Mr. Bisesto, the owner of the property. The 2005 Violation was for stacking the firewood too high and in an unsafe manner.

On January 15, 2015, former Code Enforcement Officer Donohue issued a Violation alleging that the Firewood processing operation constituted a Light Industrial Use and a Change in Use that required a new Site Plan Approval and A Special Use Permit. It is Mr. Donohue's Violation Notice that precipitated the application.

THE OPERATION - As operated by Griffin Landscaping, the process is fairly simple. Logs from land clearing operations are brought to the site. They are then cut and split into fireplace logs. Some of the logs are stacked and allowed to cure in the open air. Others are fed into a kiln that dries the logs and kills the Emerald Ash Borer and the Asian Longhorned Beetle, allowing some of its product to be shipped out of the area. Still others are fed into the kiln as its fuel.

Air cured firewood is delivered locally. Kiln dried firewood is delivered both locally and to locations out of the area. Some of the kiln dried product is packaged on-site into small bundles and delivered to Convenience Stores for retail sales.

The stay of any piece of wood varies widely over the course of the year. For instance, raw logs brought onto the site in the late spring or early summer may not be taken off-site until the late fall, when the demand for firewood is high. During the winter, a piece of wood may be on-site only long enough to process it, about 48 hours.

SPECIAL USE PERMIT - The operation has been classified as a Light Industrial Use. The Philipstown Zoning Law permits Light Industrial Uses, provided that a Special Use Permit has been issued for it by the Philipstown Planning Board.

Section 175-63 of the Philipstown Code states "In granting or denying special permits, the Planning Board shall take into consideration the scale of the proposed project and its potential impact on the functioning of nearby farm operations. The Planning Board shall also take account of any proposed conservation easements, architectural restrictions, or other measures that would tend to mitigate potential adverse impacts and preserve or enhance the scenic and historic character of the Town. No special permit shall be granted for any property on which there exists a violation of this chapter, including a violation of any condition of a previous municipal approval, unless the Planning Board finds that the applicant has no legal right or ability to remedy the violation or that the grant of a special permit is necessary to remedy a condition that poses a risk to public health or safety."

The section goes on to list several criteria that must be considered by the Planning Board in developing its "Findings." Each of these criteria are listed below and followed by a statement intended to support the site plan under consideration as it relates to the individual criterion.

B. - Major project criteria. Before granting or denying a major project special permit, the Planning Board shall make specific written findings establishing whether or not the proposed major project:

- (1) Will comply with all land use district, overlay district, and other specific requirements of this and other chapters and regulations, and will be consistent with the purposes of this chapter and of the land use district in which it is located.

The site plan lists all of the zoning district requirements as such and clearly shows that most have been met or will be met. The lone exception is the Maximum Outside Storage requirement of 20% for which a variance to 36% was issued by the Zoning Board of Appeals, Appeal No. 895.

- (2) Will not result in excessive off-premises noise, dust, odors, solid waste, or glare, or create any public or private nuisances.

The operation has been in place for many years and has not resulted in any complaints regarding noise, dust, odors, glare or nuisances. This is perhaps the best evidence that these impacts will not occur. Moreover, the extent of the use is being reduced.

- (3) Will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing, and condition, as well as any improvements proposed to be made to them by the applicant.

Again, the operation will not change, traffic will not increase and the entire operation will be contained within the bounds of the applicant's land. Pedestrians will not be affected and customers are not allowed on premises. Additionally, the site is and will be enclosed by a fence to prevent unwelcome guests from entering the property.

The property is located on Route 9, which has sufficient width and surfacing to accommodate the use.

- (4) Will be accessible to fire, police, and other emergency vehicles.

The site has direct access to Route 9 through a 24-foot-wide curbed entry. The Planning Board will require that a key to the gate be provided to the local emergency services.

- (5) Will not overload any public water, drainage, sewer system, or any other municipal facility.

The project does not and will not use any of the listed public facilities and therefore will not overload them.

- (6) Will not materially degrade any watercourse or other natural resource or ecosystem and will not endanger the water quality of an aquifer.

As previously stated, the firewood processing that will be authorized by the Special Use Permit has been ongoing. More importantly, the proposed improvements will remove materials that have crept toward Clove Creek over the years, thus improving the current conditions.

- (7) Will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, hydrology, and, if appropriate, its ability to be buffered or screened from neighboring properties and public roads.

The existing operation has been operating successfully for almost 20 years. While it might be desirable to have a larger site, the site plan calls for scaling back the physical area being utilized. This will govern the size of the operation and thus assure that the site is adequate for the operation. The site plan also provides for screening the site from those areas where it is more likely to be viewed.

- (8) Will be subject to such conditions on operation, design and layout of structures, and provision of buffer areas as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the Town.

The Special Use Permit will be subject to creating the conditions shown on the site plan. These conditions include: relocating the kiln to an area within the setback lines; removing stockpiles from the setback areas and beyond the property lines; installation of a fence to contain the "floatables" that will be stored near Clove Creek; and the installation of vegetative screening to hide the stockpiles from public view. Essentially, the site will be neater, cleaner and less visible to the public.

- (9) Will be consistent with the goal of concentrating retail uses in hamlets, avoiding strip commercial development, and buffering nonresidential uses that are incompatible with residential use.

The site is already located in a relatively concentrated area that has been designated for commercial use.

- (10) Will not adversely affect the availability of affordable housing in the Town.

The property is located in a Highway Commercial Zone that is, for Philipstown, highly developed with commercial uses. The area is not likely to be developed for residential purposes and therefore will not adversely affect the availability of affordable housing in the Town.

- (11) Will comply with applicable site plan criteria in § 175-65D.

The Planning Board has reviewed the site plan and found that it meets the criteria in Section 175-65D of the Town Code.

- (12) If the property is in a residential district, will have no greater overall off-site impact than would full development of the property with uses permitted by right, considering relevant environmental, social, and economic impacts.

The property is not located in a residential district.

The stay of any piece of wood varies widely over the course of the year. For instance, raw logs brought onto the site in the late spring or early summer may not be taken off-site until the late fall when the demand for firewood is high. During the winter, a piece of wood may be on-site only long enough to process it, about 48 hours.

Considering the existing conditions, the improvements offered by the site plan, the comparisons provided above and the conditions that might be imposed by the Planning Board, it is reasonable to conclude that positive "Findings" may be adopted by the Planning Board as required by Section 175-63 of the Town Code.

Respectfully Submitted,
BADEY & WATSON,
Surveying & Engineering, PC

by
Glennon J. Watson, L.S.

cc: Glenn Griffin, Griffin Landscaping, Inc.

**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 Amended Site Plan prepared for OLSPAN, LLC		
Project Location (describe, and attach a general location map): 2700 Route 9 Cold Spring, NY 10516		
Brief Description of Proposed Action (include purpose or need): Enlargement of existing commercial building for use as a warehouse (previously approved). Amended plan also provides for the realignment of the parking and driveway and the reconstruction of the curb cut on Route 9. It will add storage & utility structure (115x15) subsurface propane tanks (4x1000) gal. and subsurface water storage for fire suppression system. Finally the amended plan provides for the replacement of the existing residential structure in a location northeast of the present location.		
Name of Applicant/Sponsor: OLSPAN, LLC	Telephone: 212-348-6800	E-Mail: girogio@olnickspanu.com
Address: 235 East 87th Street Apt. 1L		
City/PO: New York	State: NY	Zip Code: 10128
Project Contact (if not same as sponsor, give name and title/role): Glennon J. Watson Badey & Watson Surveying & Eng. P.C.	Telephone: 845-265-9217	E-Mail: gwatson@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 Applicant	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

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- (9) Will be consistent with the goal of concentrating retail uses in hamlets, avoiding strip commercial development, and buffering nonresidential uses that are incompatible with residential use.

The site is already located in a relatively concentrated area that has been designated for commercial use.

- (10) Will not adversely affect the availability of affordable housing in the Town.

The property is located in a Highway Commercial Zone that is, for Philipstown, highly developed with commercial uses. The area is not likely to be developed for residential purposes and therefore will not adversely affect the availability of affordable housing in the Town.

- (11) Will comply with applicable site plan criteria in § 175-65D.

The Planning Board has reviewed the site plan and found that it meets the criteria in Section 175-65D of the Town Code.

- (12) If the property is in a residential district, will have no greater overall off-site impact than would full development of the property with uses permitted by right, considering relevant environmental, social, and economic impacts.

The property is not located in a residential district.

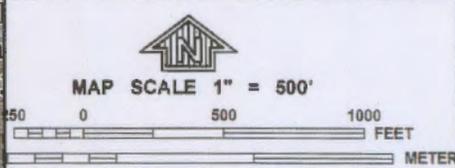
The stay of any piece of wood varies widely over the course of the year. For instance, raw logs brought onto the site in the late spring or early summer may not be taken off-site until the late fall when the demand for firewood is high. During the winter, a piece of wood may be on-site only long enough to process it, about 48 hours.

Considering the existing conditions, the improvements offered by the site plan, the comparisons provided above and the conditions that might be imposed by the Planning Board, it is reasonable to conclude that positive "Findings" may be adopted by the Planning Board as required by Section 175-63 of the Town Code.

Respectfully Submitted,
BADEY & WATSON,
Surveying & Engineering, PC

by
Glenn J. Watson, L.S.

cc: Glenn Griffin, Griffin Landscaping, Inc.



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0083E

FIRM
FLOOD INSURANCE RATE MAP
PUTNAM COUNTY,
NEW YORK
 (ALL JURISDICTIONS)

PANEL 83 OF 256
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
PHILPSTOWN, TOWN OF	361020	0083	E

Notes to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
36079C0083E
EFFECTIVE DATE
MARCH 4, 2013

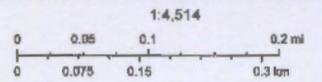
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Griffin Landscaping



October 27, 2016



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

NY& Department of Environmental Conservation
Not a legal document

**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 Amended Site Plan prepared for OLSPAN, LLC		
Project Location (describe, and attach a general location map): 2700 Route 9 Cold Spring, NY 10516		
Brief Description of Proposed Action (include purpose or need): Enlargement of existing commercial building for use as a warehouse (previously approved). Amended plan also provides for the realignment of the parking and driveway and the reconstruction of the curb cut on Route 9. It will add storage & utility structure (115x15) subsurface propane tanks (4x1000) gal. and subsurface water storage for fire suppression system. Finally the amended plan provides for the replacement of the existing residential structure in a location northeast of the present location.		
Name of Applicant/Sponsor: OLSPAN, LLC	Telephone: 212-348-6800	E-Mail: girogio@olnickspanu.com
Address: 235 East 87th Street Apt. 1L		
City/PO: New York	State: NY	Zip Code: 10128
Project Contact (if not same as sponsor; give name and title/role): Glennon J. Watson Badey & Watson Surveying & Eng. P.C.	Telephone: 845-265-9217	E-Mail: gwatson@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 Applicant	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

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BY: *A*

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Amended Site Plan	10/06/2016
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conservation Board Wetlands Per	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Planning 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- Wetland Permit	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? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part I

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? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes 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?) Yes No

If Yes, identify the plan(s):

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? Yes No

If Yes, identify the plan(s):

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?
HC-Highway Commercial

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 District

b. What police or other public protection forces serve the project site?
Putnam County Sheriff, NY State Police

c. Which fire protection and emergency medical services serve the project site?
Cold Spring Fire District

d. What parks serve the project site?
Fahnestock State Park, Philipstown 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)?
Private warehouse with residential unit for employee (caretaker)

b. a. Total acreage of the site of the proposed action? 6.000 acres

b. Total acreage to be physically disturbed? 0.980 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.000 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)

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

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

i. If No, anticipated period of construction: 12 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	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ 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: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

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): State Wetland WP-9 _____

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:
Proposed action would allow the repair/replacement of existing culvert under existing driveway and realignment and construction of driveway.

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: _____ 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: _____

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

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

i. Total anticipated liquid waste generation per day: _____ 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): _____

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

- Do existing sewer lines serve the project site? Yes No
- Will line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- 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):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

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? Yes 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. _____

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)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes 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? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Occasional delivery vehicle

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)

Emergency generator

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? Yes 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) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ 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)

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 Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.000	1.365	0
• Forested	0.299	0.299	0.00
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.000	4.334	0.00
• Agricultural (includes active orchards, field, greenhouse etc.)	0.000	0.000	0.00
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.000	0.000	0.00
• Wetlands (freshwater or tidal)	0.490	0.490	0.00
• Non-vegetated (bare rock, earth or fill)	0.000	0.000	0.00
• Other Describe: _____	0.000	0.000	0.00

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 feet

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

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

Charleton-Chatfield CrC	54	%
Leicester LcB, Raynham Ra	7	%
Sutton SuB, Paxton Pnb	19	%

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: 59 % of site
 Moderately Well Drained: 17 % of site
 Poorly Drained: 24 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 8 % of site
 10-15%: 8 % of site
 15% or greater: 16 % 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 _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Un-named _____ Approximate Size _____
- Wetland No. (if regulated by DEC) WP-9

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: _____

m. Identify the predominant wildlife species that occupy or use the project site: Turkey _____ Skunk _____ Raccoon _____ Eastern Cotton Tail _____	White Tail Deer _____ Blue Jays _____ American Crow _____
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation): _____ _____	
ii. Source(s) of description or evaluation: _____	
iii. Extent of community/habitat:	
<ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
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. 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	
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 If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
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 If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site: _____ ii. Source(s) of soil rating(s): _____	
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 If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
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 If Yes:	
i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

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?	
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify resource: <u>NYS Route 9d</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Scenic Highway</u>	
iii. Distance between project and resource: <u>3</u> 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

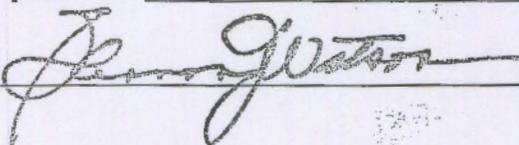
Attach any additional information which may be needed to clarify your project.

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 OLSPAN, LLC Date 10/21/2016

Signature  Title Surveyor for Applicant

Statement of Use & in Support
of
Application
of
OLSPAN, LLC
for approval of its
AMENDED SITE PLAN & A SPECIAL USE PERMIT
for its property, at
2700 Route 9
Cold Spring, New York

THE ISSUE BEING ADDRESSED

In 2014, the Philipstown Planning Board, by its Resolution No. 3, granted site plan approval to Olspan, LLC to reconstruct and add to its building located at 2700 Route 9, Cold Spring. An amended site plan approval was granted by Resolution No. 5 in 2015. This approval permitted the construction of a utility/storage shed. An application for a second amended site plan approval dated October 6, 2016, is now pending. The current application seeks approval to: realign and reconstruct the parking and entry from Route 9: remove and replace the existing residential building and incorporate minor changes into the site plan that have developed during actual construction.

The property is in a Highway Commercial (HC) district. The proposed use stated on the plans and application is as a warehouse for storage of personal property and caretaker's residence. According to the Philipstown Zoning Law, single-family residential structures with a footprint that is less than 3,000 square feet are permitted as of right in the HC district. Warehouses are permitted in the HC district subject to obtaining a Special Use permit from the Planning Board.

As a result of articles in the *New York Times* and *The Putnam County News and Recorder (PCNR)* and a press release, the intended use of the building was questioned by the Planning Board at its October 2016 meeting. Members questioned whether the intended use was actually a museum, which is not expressly permitted in an HC district. Members were concerned that if the building were to house a museum and attract large numbers of people, the site plan presented might not provide sufficient parking. They were also concerned that the building, as designed, might not provide adequate emergency egress.

This document is intended to resolve any misconceptions that the articles and release may have provoked, while providing a clear and unambiguous statement of proposed uses that are among those that are allowable in an HC district.

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BY: *N*

BACKGROUND

Nancy Olnick and Giorgio Spanu have been seeking to find a home for their extensive Art collections. They wanted the facility to be near their residence in Garrison so they could personally visit, enjoy their collections and share them with the local community, friends and other guests. As the PCNR reported, they originally wanted to build a home for their collections on their property on Avery Road in Garrison, but abandoned that project in deference to their neighbors who felt the building was too large for a residential neighborhood.

When they purchased the building at 2700 Route 9, they did so with the intention of housing their collection in the building. They chose the site because it is located in Philipstown. Personal visits to the site dictated that individual items would be stored in a manner that allowed them to be appreciated. It did not mean that they intended to open their doors to the public or call it a museum. Since a warehouse is allowed in the HC district and since the collections were to be permanently stored in the building, it seemed logical to identify the use as a warehouse. After all, owners often visit their warehouses and they often bring guests to the warehouse to inspect and evaluate the items that are stored there.

As the idea matured and developed, Ms. Olnick and Mr. Spanu saw the opportunity to give back to the community at their warehouse. They thought that they might invite a limited number of art students, researchers and scholars to their warehouse to view, study and research the artworks in their collection. So, they have set aside a portion of the building to house their extensive book library on the subject. The number of visitors and scholars will be limited, and will be admitted by invitation only.

To fulfill their desire to “give back” to the community they envisioned that the students to be invited to “Magazzino” (Italian for Warehouse) would also include local students. The activities of a limited number of students and/or scholars might not be considered an activity associated with a warehouse, but it is clearly an educational activity, which is allowed in the HC district.

ISSUES

At its October 2016 meeting Planning Board Members expressed concern that the parking provided on the plan was not adequate for the population that might visit the site. They also expressed whether the building had been designed with sufficient emergency egress for the number of visitors that might occupy the building.

Parking

The number of visitors to the site will be limited by the owners. As stated by Ms. Olnick and Mr. Spanu's October 2016 email to the Planning Board, the building "*is absolutely not (going to be) open to the public but rather will be made accessible by appointment only in order to limit the number of visitors.*"

By limiting the number of visitors, the need for a large number of parking spaces is also limited. Philipstown's Zoning law does not provide a formula for computing the required number of parking spaces. Rather, it provides that the number of parking spaces be adequate for the anticipated demand. Thirty-three (33) spaces have been provided on the plan, which includes two (2) spaces for the residential building. Because access to the property is by invitation only, the number of parking spaces required for the day-to-day function of the building can and will be controlled by the owner.

Visitors, researchers and students will also be limited in number and admitted by invitation only. They will be scheduled so as not to conflict with other invitees or overburden the parking facility. For this reason, the parking has been judged to be adequate for the intended use.

Emergency Egress

We have interviewed Project Architect Miguel Quismondo, AIA, and have been assured that the building will provide sufficient emergency egress for the intended uses in accordance with the 2016 NYS Building Code.

ZONING

Section 175, Attachment I of the Philipstown Zoning Law is its USE TABLE. The table clearly shows that a Warehouse is permissible in the HC zone, subject to site plan approval from the Planning Board. The table also shows that Educational uses are permitted in an HC zone. Educational uses are also subject to obtaining site plan approval.

As the facility will be used by Olspan, LLC, it will be a warehouse because it will house their Italian art collection. It will also be used as an educational and research facility. Specifically, there will be a library available to invited students, researchers and scholars and there will be the opportunity to learn and research.

CONCLUSION

Olspan, LLC, through its members Nancy Olnick and Giorgio Spanu has directly represented that Magazzino will be used for warehousing, research and educational purposes. It has also represented that it will limit access to invited guests only. Finally, Olspan, LLC has clearly stated that the facility will not be open to the public and admission will not be charged.

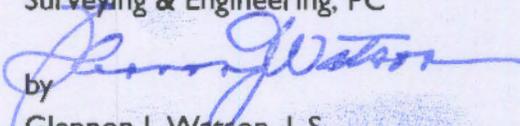
Ms. Olnick and Mr. Spanu recognize that along with their approval and special use permit comes the responsibility of administering the site in accordance with both. They are committed to accepting and fulfilling that responsibility.

The foregoing discussion focuses on the uses, how they are allowable in and will conform with the requirements of the HC Zone. Questions of the adequacy of the parking and emergency egress from the building have been addressed. Parking will be controlled by self-imposed limitations and restrictions to the facility. The project architect has provided assurances that emergency egress for the building is adequate for the intended use.

Based on the foregoing, we submit that it is reasonable for the Planning Board to conclude that the uses proposed by Olspan, LLC for Magazzino will conform with the Philipstown Zoning Law and that it may issue Site Plan Approval and a Special Use permit for them.

Respectfully Submitted
BADEY & WATSON,
Surveying & Engineering, PC

by


Glennon J. Watson, L.S.

November 3, 2016

Town of Philipstown

238 Main Street
Cold Spring New York 10516

PLANNING BOARD

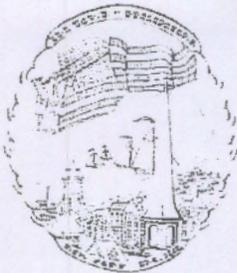
SITE PLAN APPLICATION PACKAGE

MAJOR PROJECT

Project Name: Site Plan prepared for Paul & Ellen Johnson

Date: 11/3/16

RECEIVED
NOV 03 2016
BY



Town of Philipstown

Planning Board
238 Main Street, PO Box 155
Cold Spring, NY 10516

Office (845) 265- Fax (845) 265-2687

Application for Planning Board Special Use & Site Plan Approval

Date: 11/3/16 TM# 27.-1-10.13

Project Name: Site Plan prepared for Paul & Ellen Johnson

Street Address: 4 Highland Ridge Cold Spring, NY 10516

Fee Amount: _____ Received: _____

Bond Amount: _____ Received: _____

Applicant:

Name Paul & Ellen Johnson

Address c/o Steven Marchetti (Architect)

One Union Square W #511 New York, NY 10003

Telephone 917-751-1285

Tenant:

Name -

Address -

-

Telephone -

Design Professional:

Name Steven Marchetti (Architect)

Address One Union Square W #511

New York, NY 10003

Telephone 917-751-1285

Surveyor:

Name Badey & Watson Surveying & Engineering, P.C.

Address 3063 Route 9

Cold Spring, NY 10516

Telephone 845-265-9217

Property Owner (if more than two, supply separate page):

Name Same as Applicant

Address _____

Telephone _____

Name _____

Address _____

Telephone _____

TM# 27.-1-10.13

Project Name: Site Plan prepared for Paul & Ellen Johnson

Project Description: Residential Site Plan for construction of a new single family residence, driveway, septic system and well.

ZONING INFORMATION

175-7 Zoning District: RR

175-10 Proposed Use: New single family residence.

Proposed Accessory Use(s): _____

175-7 Overlay Districts on the property:

Yes or No

175-13 Floodplain Overlay District – NFIP Map ----- (FPO)	<u>No</u>
175-18.1 Mobile Home Overlay District ----- (MHO)	<u>No</u>
175-14 Cold Spring Reservoir Water Shed Overlay ----- (WSO)	<u>Yes</u>
175-15 Scenic Protection Overlay ----- (SPO)	<u>No</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>No</u>
175-18 Open Space Conservation Overlay District ----- (OSO)	<u>No</u>
175-35 Within 100 foot buffer of Wetlands or Watercourse -----	<u>No</u>
175-36 Steep Terrain -----	<u>Yes</u>
175-36 Ridge Line Protection -----	<u>Yes</u>
175-37 Protection Agricultural -----	<u>No</u>

Project Name: Site Plan prepared for Paul & Ellen Johnson

175-11 Density and Dimensional Regulations

Zoning District <u>RR</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	60'	-	171.7		
Measured from the travel way County/State	60'	-	NA		
Minimum side yard setback	30'	-	142.0		
Minimum side yard setback (2)	30'	-	207.7		
Minimum side yard setback (3)	30'	-	NA		
Minimum rear yard setback	50'	-	172.6		
Maximum impervious surface coverage	10%	-	< 10%		
Maximum height	30'	-	< 30		
Maximum footprint non-residential structures	4000	-	NA		

SUBMISSION:

13 copies with one electronic file in .pdf format of the following;

1. Pre-Application meeting decision and comments
2. Application
3. Proof of Ownership
4. Site Plan
5. A long-form Environmental Assessment Form or Draft Environmental Impact Statement.
6. An agricultural data statement as defined in §175-74, if required by §175-37C.
7. The Site Plan application fee, as established by the Town Board and any required escrow deposit for review costs, as required by the Planning Board.
8. FEE: _____ Received: _____
9. Escrow: _____ Received: _____

ARTICLE IX SPECIAL PERMITS AND SITE PLAN REVIEW

§175-60 PURPOSE AND APPLICABILITY

A. It is the policy of the Town of Philipstown to allow a variety of uses of land, provided that such uses do not adversely affect neighboring properties, the natural environment, or the rural and historic character of the Town. Many uses are therefore permitted only upon issuance of a Special Permit by the Planning Board, in order to ensure that these uses are appropriate to their surroundings and consistent with the purposes of this Chapter. Some uses are allowed by right, subject only to Site Plan approval (see Use Table in §175-10). Communication towers, soil mines, and certain solar and wind energy facilities (see §175-30E(2)) require a Special Permit issued by the Zoning Board of Appeals. Adult entertainment uses and uses not listed on the Use Table (if not prohibited by §175-10C) require a Special Permit issued by the Town Board. In reviewing Special Permit applications, the Town Board and Zoning Board of Appeals shall follow the procedures and standards established for the Planning Board in this Article IX.

B. Accessory uses or structures used in connection with a Special Permit or Site Plan use shall be subject to the same approval requirements as the principal structure or use. Accessory structures used in connection with an institutional use in the IC district are governed by the provisions in §175-10J.

C. Minor and Major Projects

In order to tailor the scope of a project review to the scale of a project, applications are divided into two categories, major and minor. In recognition of their lesser impact, minor projects involve simpler application materials, a more streamlined review process, and less detailed findings requirements, while major projects undergo a more detailed and rigorous review procedure because of their greater impact. The classification of major and minor only applies to projects that require site plan or special permit review. This classification system does not apply to development allowed by right without review by the Planning Board, Zoning Board of Appeals, or Town Board.

1. A Minor Project is a Special Permit or Site Plan application for a project that does not exceed any of the following thresholds (over a five-year period):

- a. Construction of four multi-family dwelling units or a lodging facility with six bedrooms.
- b. Construction of facilities or structures for a non-residential use covering 3,000 square feet of building footprint.
- c. Alteration of existing structures or expansion of such structures by 1,000 square feet.
- d. Conversion of existing structures totaling 5,000 square feet to another use.
- e. Alteration and active use of 10,000 square feet of land, with or without structures.
- f. Construction of a structure that is 50 feet in height above average grade level (provided that it otherwise complies with this Chapter or is the subject of an area variance).

2. A Major Project is a Special Permit or Site Plan application exceeding any of the Minor Project thresholds.

D. In reviewing any project subject to special permit or site plan approval, the reviewing board should consider —Putnam County Pathways: A Greenway Planning Program Linking Putnam's Open Space, Historic, Cultural and Economic Resources,|| as amended from time to time, as a statement of land use policies, principles and guides.

§175-66 **PROCEDURE** FOR MAJOR PROJECT SITE PLAN APPROVAL

A. Applicability

This §175-66 applies to Major Project Site Plan approval applications where no Special Permit is required. See §175-67 for Minor Project Site Plan applications.

B. Pre-application Meetings

Before filing an application, a preliminary conference with the Zoning Administrative Officer and one Planning Board member designated by the Planning Board Chair is required to discuss the nature of the proposed use and to classify it as a Major or Minor Project. If the Zoning Administrative Officer classifies the project as a Major Project, a preliminary conference with the Planning Board is required to discuss the nature of the proposed use and to determine the information that will need to be submitted in the Site Plan.

C. Submission

All Major Project Site Plans shall be submitted, with multiple **13 copies** with **one electronic file in .pdf format** as required by the Planning Board, to the Zoning Administrative Officer, who shall distribute them to the Planning Board and such other municipal boards, officials, and consultants as the Planning Board deems appropriate. The Planning Board's consultant or a designated Town employee shall make the initial determination as to whether or not the application is complete for the purpose of accepting it for review. In addition to the Site Plan drawings, the applicant shall submit:

1. A long-form Environmental Assessment Form or Draft Environmental Impact Statement.
2. An agricultural data statement as defined in §175-74, if required by §175-37C.
3. The Site Plan application fee, as established by the Town Board, and any required escrow deposit for review costs, as required by the Planning Board.

D. Application for Area Variance

Where a proposed Site Plan contains one or more features which do not comply with the dimensional regulations of this Chapter, application may be made to the Zoning Board of Appeals for an area variance pursuant to §175-59F without a decision or determination by the Zoning Administrative Officer.

E. SEQRA Compliance

Upon receipt of application materials it deems complete, the Planning Board shall initiate the New York State Environmental Quality Review process by either circulating the application and Environmental Assessment Form to all involved agencies (if coordinated review is undertaken) or by issuing its determination of significance within 20 days. Where the proposed action may have a significant effect on the environment, the Planning Board shall issue a positive declaration and require the submission of a Draft Environmental Impact Statement (DEIS). No time periods for decision making in this Chapter shall begin to run until either acceptance of a DEIS as satisfactory pursuant to New York State Department of Environmental Conservation Regulations or the issuance of a negative declaration.

F. Public Hearing and Decision

1. The Planning Board shall hold a public hearing on the Site Plan and shall follow the provisions on notice, agricultural data statements, county review, Conservation Board review, and time limits for Special Permits in §§175-62E through G.
2. Criteria for decisions on Site Plans shall be limited to those listed in §175-65D. In granting Site Plan approval, the Planning Board may impose any conditions which it considers necessary to fulfill the purposes of this Chapter. These conditions may include increasing dimensional or area requirements, requiring the set-aside of perpetual open space land pursuant to §175-20, specifying location, character, and number of vehicle access points, requiring landscaping and/or screening, requiring clustering of

structures and uses in order to preserve environmental resources and minimize the burden on public services and facilities, and/or requiring performance guarantees to insure the completion of the project in accordance with the conditions imposed.

3. A copy of the decision shall be immediately filed in the Town Clerk's office and mailed to the applicant. resolution of either approval or approval with modifications and/or conditions shall include authorization to the Planning Board Chairman to stamp and sign the Site Plan upon the applicant's compliance with applicable conditions and the submission requirements stated herein.

4. If the Planning Board's resolution includes a requirement that modifications be incorporated in the Site Plan, conformance with these modifications shall be considered a condition of approval. If the Site Plan is disapproved, the Planning Board may recommend further study of the Site Plan and resubmission to the Planning Board after it has been revised or redesigned.

§175-65 SITE PLAN REVIEW AND APPROVAL

A. Applicability

1. Site Plan approval by the Planning Board shall be required for all permitted uses listed on the Use Table as requiring Site Plan approval only. Site Plan review shall be included as an integral part of the Special Permit approval process and no separate Site Plan approval shall be required for uses requiring a Special Permit.

2. The procedures for review of Site Plans for Major and Minor Projects (as defined in Article XII) are described in §§175-66 and 175-67. Agricultural structures with a footprint of over 15,000 square feet shall require Minor Project site plan approval. Agricultural structures with a footprint of 10,000 square feet or less are exempt from site plan approval requirements.

3. Site Plan approval shall also be required for any development which is the functional equivalent of a land subdivision but which is structured for ownership purposes as a condominium project. In such cases, the Planning Board shall apply all relevant review criteria contained in the Land Development Law (Chapter 112 of the Town Code) as well as the provisions of this Chapter.

B. Required Information for Site Plan

An application for Site Plan approval shall be accompanied by plans and descriptive information sufficient to clearly portray the intentions of the applicant. Minor Project Site Plans shall contain the information required by §175-67C and other information listed below if the Planning Board deems such information necessary to conduct an informed review. Major Project Site Plans shall be prepared by a licensed professional engineer, architect, surveyor, or landscape architect, and shall include the following (unless waived):

SITE PLAN CHECK LIST

1. A location map drawn at the scale of 2,000 feet to the inch or larger (or other convenient scale acceptable to the Planning Board) that shows the relationship of the proposal to existing community facilities which affect or serve it, such as roads, shopping areas, schools, etc. A vicinity map shall also be submitted that shows all properties, subdivisions, streets, and easements within 500 feet of the property. Such maps may be superimposed on a United States Geological Survey or New York State Department of Transportation map of the area.

2. An existing conditions map, showing existing buildings, roads, utilities, and other man-made features, as well as topography and all existing natural land features that may influence the design of the proposed use such as rock outcrops, single trees eight or more inches in diameter located within any area where clearing will occur, forest cover, soils (including prime and statewide important agricultural soils), and ponds, lakes, wetlands and watercourses, aquifers, floodplains, and drainage retention areas.

3. A Site Plan, drawn at a scale and on a sheet size appropriate to the project. The information listed below shall be shown on the Site Plan and continuation sheets.

4. Name of the project, boundaries, date, north arrow, and scale of the plan. Name and address of the owner of record, developer, and seal of the engineer, architect, surveyor, and/or landscape architect. If the applicant is not the record owner, a letter of authorization shall be required from the owner.

5. The location and use of all existing and proposed structures within the property, including all dimensions of height and floor area, all exterior entrances, and all anticipated future additions and alterations.

6. The location of all present and proposed public and private ways, off-street parking areas, driveways, outdoor storage areas, sidewalks, ramps, curbs, paths, landscaping, walls, and fences. Location, type, and screening details for all waste disposal containers shall also be shown.

7. The location, height, intensity, and bulb type (sodium, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.

8. The location, height, size, materials, and design of all proposed signs in compliance with §175-39. In lieu of specific sign proposals in connection with the site plan submission, the applicant may submit and the Planning Board may approve a general sign plan and program for the premises, specifying intended locations, sizes, areas, message, design, and illumination.

9. The location of all present and proposed utility systems including:

- a. Sewage or septic system;
- b. Water supply system;
- c. Telephone, cable, and electrical systems; and
- d. Storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.

10. Erosion and sedimentation control plan required by §175-32 to prevent the pollution of surface or groundwater, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.

11. Existing and proposed topography at two-foot contour intervals, or such other contour interval as the Board shall specify. All elevations shall refer to the nearest United States Coastal and Geodetic Bench Mark. If any portion of the parcel is within the 100-year floodplain, the area will be shown, and base flood elevations given. Areas shall be indicated within the proposed site and within 50 feet of the proposed site where soil removal or filling is required, showing the approximate volume in cubic yards.

12. A landscape, planting, and grading plan showing proposed changes to existing features.

13. Land Use District boundaries within 200 feet of the site's perimeter shall be drawn and identified on the Site Plan, as well as any Overlay Districts that apply to the property.

14. Traffic flow patterns within the site, entrances and exits, and loading and unloading areas, as well as curb cuts on the site and within 100 feet of the site. The Planning Board may, at its discretion, require a detailed traffic study for large developments or for those in heavy traffic areas to satisfy the requirements of §175-40N.

15. For new construction or alterations to any structure, a table containing the following information shall be included:

- a. Estimated area of structure currently used and intended to be used for particular uses such as retail operation, office, storage, etc.;
- b. Estimated maximum number of current and future employees;
- c. Maximum seating capacity, where applicable; and
- d. Number of parking spaces existing and required for the intended use.

16. Elevations at a scale of one-quarter inch equals one foot for all exterior facades of the proposed structure(s) and/or alterations to or expansions of existing facades, showing design features and indicating the type and color of materials to be used.

17. Where appropriate, the Planning Board may request soil logs, percolation test results, and storm run-off calculations.

_____ 18. Plans for disposal of construction and demolition waste, either on-site or at an approved disposal facility.

 x 19. Part One of a long-form Environmental Assessment Form or Draft Environmental Impact Statement.

 x 20. Where appropriate, a cultural resource survey of resources with historic or archaeological significance.

 x 21. A letter from the Zoning Administrative Officer stating either that there are no outstanding zoning violations on the property or that the requested site plan approval is needed in order to correct a violation.

_____ 22. Other information that may be deemed necessary by the Planning Board.

- a) _____

- b) _____

- c) _____

c. Waivers

The Planning Board may waive or allow deferred submission of any of the information required in Subsection B above, as it deems appropriate to the application. Such waivers shall be discussed in the course of pre-application conferences. The Planning Board shall issue a written statement of waivers for all major projects. This statement shall be filed in the permanent record of the property.

- a) **None** _____

- b) _____

- c) _____

- d) _____

- e) _____

D. Criteria

In reviewing Site Plans, the Planning Board shall ensure that the application complies with all applicable provisions of this Chapter, including the environmental performance standards in §175-40. The Planning Board shall also consider apply the criteria set forth below. The Planning Board may also refer for non-binding guidance to the three-volume set of illustrated design guidelines published by the New York Planning Federation in 1994, entitled *Hamlet Design Guidelines, Building Form Guidelines, and Rural Design Guidelines*. The Planning Board may also refer to the —Design Handbook|| adopted by the Philipstown Planning Board as advisory guidelines for the Route 9 Corridor as well as any other design guidelines that it adopts from time to time as non-binding advisory material. In applying the criteria contained in this subsection and the reference documents above, the Planning Board shall take into consideration the location, character, and context of proposed development and adapt these criteria to the setting (e.g. rural, hamlet, institutional, suburban, industrial) as appropriate.

1. Layout and Design

a. To the maximum extent practicable, development shall be located to preserve the natural features of the site and to avoid wetland areas, steep slopes, significant wildlife habitats, and other areas of environmental sensitivity. The placement and design of buildings and parking facilities shall take advantage of the site's topography, existing vegetation, and other pertinent natural features. The Planning Board may require that an applicant prepare a conservation analysis as described in §175-20A of this Chapter.

b. All structures in the plan shall be integrated with each other and with adjacent structures and shall have convenient access between adjacent uses. Structures shall, where practical, be laid out in the pattern of a traditional hamlet.

c. Except for retail and service businesses that require visibility, the visual impact of structures from public roads shall be minimized through the use of vegetative screening, topography, and colors that blend with the natural surroundings. Structures that are visible from public roads shall be compatible with each other and with traditional structures in the surrounding area in architecture, design, massing, materials, proportion, texture, color, and placement. Building components such as windows, roof lines and pitch, doors, eaves, and parapets shall be compatible with historic structures in the Town. Vertical, double-hung windows and steeply pitched roofs are encouraged but will not be required. Rooftop and ground level mechanical equipment shall be screened from public view using materials harmonious with the building, or shall be located where they are not visible from any public ways or other adjacent properties.

d. Where appropriate, setbacks shall maintain and continue the existing setback pattern of surrounding properties.

e. The Planning Board shall encourage the creation of landscaped parks or squares easily accessible by pedestrians.

f. Trademarked architecture which identifies a specific company by building design features shall be prohibited, unless the applicant can demonstrate that the design is compatible with the historic architecture of the Town or the Building Form Guidelines.

g. Impacts on historic and cultural resources shall be minimized.

h. Newly installed utility service systems and service modifications necessitated by exterior alterations shall be installed underground. When feasible, existing aboveground utility service systems shall be placed underground.

i. Buildings shall have a finished exterior on all sides.

_____ j. Metal buildings that are principal buildings (larger than a small storage building in an unobtrusive location) shall be of color consistent with earth tones; shall have sufficient fenestration and trim to break continuums of metal wall areas; and shall have brick, stone, wood trim or composite materials providing a similar appearance, and features combined with the basic metal enclosure. A complete package of elevations shall accompany any proposal for a metal building.

2. Landscaping and screening. Landscaping shall be provided and permanently maintained as follows:

_____ a. All areas of the lot not covered by buildings and other structures, outside storage and approved paving shall be suitably landscaped with trees and/or shrubs, lawns or other suitable landscaping or shall be left as natural terrain, if not disturbed by filling, grading or excavation.

_____ b. In the HC and OC districts, a strip of land not less than 20 feet in width and located in the area required for a building setback from a residence district boundary line, or all of such setback area on the lot if less than 20 feet in width, shall be left and maintained in its natural state if already wooded or shall be landscaped with evergreen trees planted to grow into a dense evergreen buffer strip within five years.

_____ c. In the M district, a strip of land not less than 30 feet in width and located in the area required for a building setback from a residence district boundary line, or all of such setback area on the lot if less than 30 feet in width, shall be left and maintained in its natural state if already wooded or shall be landscaped with evergreen trees planted to grow into a dense evergreen buffer strip within five years.

_____ d. Off-street parking and loading areas shall be provided with landscaped planting islands within or border landscaping adjacent to such area in such a manner as to enhance the appearance of the area. Any parking area accommodating 20 or more cars shall be provided with not less than one tree for each 20 cars or fraction thereof, which trees shall be not less than three inches diameter at breast height and 10 feet in height.

_____ e. Landscaping, including grading, provided in the area required for a building setback from the street line or center line of U.S. Route 9 shall be of a type, size and height as to avoid obstruction of minimum sight lines along the highway as well as from access driveways onto the highway, whether located on the lot or any other lot, as specified by the State Department of Transportation.

_____ f. All landscaping materials shall be of a type and/or species suitable for the location of the lot in the Town and suitable for the soil conditions on the lot and shall be planted and maintained in accordance with good landscaping practice. Landscaping shall be designed to facilitate conservation of the environment and preservation of community aesthetic character. This shall be accomplished through the use of native plant material and the retention of existing natural vegetation, thereby reducing or eliminating the need for irrigation, pesticides, herbicides, and fertilizers.

_____ g. All landscaping, including growing materials, that are specified on an approved landscape plan for a site shall be well maintained to carry out the intent of the landscape plan. Failure to maintain healthy landscaping associated with a site plan approval will be a violation of said approval.

_____ h. Trees, shrubs and other plant materials which die or are otherwise not in a condition to fulfill the approved landscape plan shall be replaced in the next planting season by similar plant material.

_____ i. Fences and walls used for landscaping and screening shall be made of natural materials such as wood, stone or brick or otherwise effectively landscaped.

_____ j. Landscaping shall be an integral part of the entire project area and shall buffer the site from and/or integrate the site with the surrounding area, as appropriate.

_____ k. Existing native tree stock eight or more inches in diameter at breast height shall be protected and preserved to the extent possible to retain valuable community natural resources and promote energy conservation by maximizing the cooling and shading effects of trees. The preservation of mature plant species, hedge rows, wetlands, and woodlots shall be encouraged and included as a design element in the development of the site.

_____ l. If deemed appropriate for the site by the Planning Board, shade trees at least six feet tall and two-inch caliper shall be planted and maintained at 20- to 40-foot intervals along roads at a setback distance acceptable to the Highway Superintendent.

3. Parking, Circulation, and Loading

a. Roads, driveways, sidewalks, off-street parking, and loading space shall be safe, and shall encourage pedestrian movement.

_____ b. Vehicular and pedestrian connections between adjacent sites shall be provided to encourage pedestrian use and to minimize traffic entering existing roads. The construction of connected parking lots, service roads, alleys, footpaths, bike paths, and new public streets to connect adjoining properties shall be required where appropriate.

_____ c. Off-street parking and loading standards in §175-38 shall be satisfied.

_____ d. Access from and egress to public highways shall be approved by the appropriate highway department, including Town, County, and State.

e. All buildings shall be accessible by emergency vehicles.

_____ f. Parking spaces shall have wheel stops or curbs to prevent injury to trees and shrubs planted in landscaped islands.

_____ g. Bicycle parking spaces and racks shall be provided in an area that does not conflict with vehicular traffic. Designated van/car pool parking, and other facilities for alternatives to single occupancy vehicle use shall be provided wherever possible.

_____ h. In developments where links to schools, churches, shopping areas, trails, greenbelts, and other public facilities are feasible, or where a trail connection is recommended in the Comprehensive Plan or in a Town Open Space Plan, a trail corridor shall be reserved on the approved Site Plan for this purpose.

4. Reservation of Parkland

For any Site Plan containing residential units, the Planning Board may require the reservation of parkland or payment of a recreation fee pursuant to Town Law, §274-a(6).

5. Outside Storage

Any areas for outside storage (including temporary storage of waste materials; storage and display of merchandise, supplies, machinery and other materials; and outside manufacture, processing or assembling of goods; but excluding areas for parking of registered motor vehicles in daily use) shall be shown on the site plan and located and screened as follows:

_____ a. In the HC and OC districts, outside storage areas shall not extend into the area required for a building setback from a street line or from the center line of U.S. Route 9, as determined under § 175-30(J), or from a residential district boundary line. Outside storage shall be enclosed (except for necessary access drives) by buildings and/or fences, walls, embankments or evergreen shrubs or trees so as to screen the storage area from view from any other adjacent lot or any street. In no case shall the height of outside

storage exceed the height of the approved screening. Screening shall be of a density as to be at least 75% effective in screening such view, at the time of occupancy, except that when evergreens are used, such height and density shall be achieved within five years after establishment of the outside storage area.

_____ b. Outside storage on properties in the HC or OC districts shall not exceed 20% of the lot area located in such district.

_____ c. In the M District, outside storage areas shall not extend into the area required for a building setback from a property line, or a residence district boundary line, and shall not exceed 15% of the lot area located in the industrial M District.

6. Miscellaneous Standards

_____ a. Buildings and other facilities shall be designed, located, and operated to avoid causing excessive noise on a frequent or continuous basis.

b. Drainage of the site shall recharge ground water to the extent practicable. The peak rate of surface water flowing off-site shall not increase above pre-development conditions and shall not adversely affect drainage on adjacent properties or public roads.

c. Applicable requirements for proper disposal of construction and demolition waste shall be satisfied, and any necessary permits or agreements for off-site disposal shall be obtained.

d. No materials shall be placed below the finished grade of a site other than utilities, sand, gravel, rocks, and soil that are uncontaminated by any solid waste or hazardous materials. Materials that were previously contaminated and have been reconditioned shall not be permitted under this Subsection (e), except that decontaminated material may be used as a base for road or parking lot construction, provided that such decontaminated material does not pollute groundwater or surface water.

e. Structures shall be located, constructed, and insulated to prevent on-site noise from interfering with the use of adjacent properties. Similarly, buildings shall be situated to prevent off-site noise from intruding on new development. Methods for blocking noise shall be used where appropriate, and shall include fencing, walls, and natural buffers, such as berms and landscape planting with trees and large shrubs.

f. Lighting shall comply with the standards in §175-40L.

§175-68 IMPLEMENTATION, REVISION, AND ENFORCEMENT OF APPROVED SITE PLANS

A. Within 6 months after receiving approval of a Site Plan, with or without modifications, the applicant shall submit multiple copies of the Site Plan, as determined by the Planning Board, for stamping and signing. The Site Plan submitted for stamping shall conform strictly to the Site Plan approved by the Planning Board, except that it shall further incorporate any required revisions or other modifications and shall be accompanied by the following additional information:

1. Record of application for and approval status of all necessary permits from Federal, State, and County officials.
2. Detailed sizing and final material specification of all required improvements.
3. An estimated project construction schedule. If a performance guarantee pursuant to Subsection B is to be provided by the applicant for all or some portion of the work, a detailed site improvements cost estimate shall be included.
4. Proof of payment of the Planning Board's reasonable review costs.

5. Upon stamping and signing the Site Plan, the Planning Board shall forward copies of the approved Site Plan to the Zoning Administrative Officer and the applicant. The Zoning Administrative Officer may then issue a Building Permit. A Certificate of Occupancy may only be issued if the project conforms to all applicable requirements of the Site Plan Approval.

B. Performance Guarantee

No Certificate of Occupancy shall be issued until all improvements shown on the Site Plan are installed, or a sufficient performance guarantee has been posted for improvements not yet completed. The performance guarantee shall be posted in accordance with the procedures specified in §277 of the Town Law relating to subdivisions. The amount and sufficiency of such performance guarantee shall be determined by the Town Board after consultation with the Planning Board, Town Attorney, Zoning Administrative Officer, other local officials, and its consultants.

C. As-Built Plans and Inspection of Improvements

No Certificate of Occupancy shall be granted until the applicant has filed a set of as-built plans with the Zoning Administrative Officer, indicating any deviations from the approved Site Plan. The Zoning Administrative Officer shall be responsible for ensuring compliance with the site plan approval and for the inspection of site improvements, including coordination with the Town's consultants and other local officials and agencies, as may be appropriate, and shall grant a Certificate of Occupancy upon a finding that the project as built complies in all material respects with the Site Plan. The Zoning Administrative Officer shall also have the authority to inspect soil mines for compliance with conditions authorized by §175-17.2D throughout the life of the mine. Costs of any required inspections may be charged to the applicant as provided in section §71-3 of the Town Code.

Paul Johnson
215 West 98th Street 9B
New York, NY 10025

November 2, 2016

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

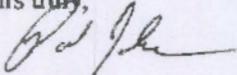
Re: Site Plan Application for Paul & Ellen Johnson

Mr. Merante and Honorable Board Members:

Please accept this letter as my authorization for Steven Marchetti, AIA and Glennon J. Watson, L.S. to act on our behalf regarding approval of a Site Plan for our property on 4 Highland Ridge, Tax Map # 27.-1-10.13.

Thank you in advance for your consideration in this matter.

Yours truly,



Paul Johnson



RONALD J. GAINER, P.E., PLLC
31 Baldwin Road, Patterson, NY 12563
Mailing Address: PO BOX 417, Pawling, NY 12564

office 845-878-6507 cell 845-527-1432

TO: Town of Philipstown Planning Board DATE: October 28, 2016
FROM: Ronald J. Gainer, PE SUBJ: Johnson Site Plan; 4 Highland Ridge

As provided in Section 175-66B of the Town Code a pre-application meeting was held on October 28, 2016 concerning site improvements planned on residential property located at 4 Highland Ridge (off Lake Surprise Road).

In attendance were the following:

Steve Marchetti, AIA	-	Applicant's Architect
Glenn Watson	-	Applicant's Consultant
Anthony Merante	-	Planning Board Chairman
Greg Wunner	-	Code Enforcement Officer
Ron Gainer	-	Town Engineer

The following matters were discussed:

Purpose of Application:

The property is located along the east side of Hillside Ridge, a private road off Lake Surprise Road. The Applicant is proposing to construct a new single family residence on the property. The property comprises 8.4 acres; tax map no. 27.-1-10.13. The total square footage of the residence will be approximately 4,200 sf (approx. 3,000 sf footprint). Additionally, there will be a garage (500 sf), patios (400 sf) and finished basement. The lot was created as part of an ODA subdivision approved in July, 2004; filed map 1952B.

The property is sloped, and so it was requested that the site plans prepared include a slope analysis highlighting all town-regulated steep slopes (>20%) which may exist. Overall site disturbance will exceed 10,000 sf. PC Department of Health approval was previously obtained for an SSTS; however, the applicant advised that the dwelling will contain 7 bedrooms, and so a new approval will be required.

Zoning District Information:

The property is located in the Rural Conservation Residential (^{RR}"RC") Zoning District.

Site Plan Review Required:

Per the Town of Philipstown "Use Table" contained in the Zoning Ordinance, Site Plan approval from the Planning Board will be required as the project entails the construction of a residence in excess of 3,000 sf.

"Major/Minor" Classification:

Per the provisions of Section 175-60C(1) of the Town Code, projects entailing land disturbances in excess of 10,000 sf to be "Major" projects. Therefore, this application should be processed by the Planning Board in accordance with the Zoning Code provisions for a "Major" project.

RE: Johnson Site Plan; 4 Highland Ridge

Waivers:

No waivers were identified by the applicant during the pre-application meeting.

Overlay Districts:

This property falls within:

- Ridgeline Protection district
- Possible Town-designated steep slopes (>20%); to be confirmed
- Regional Aquifer Overlay District
- Scenic Protection Overlay is adjacent to site

Site Development issues:

The Site Plan drawings should specify the amount of impervious coverage, as well as overall site disturbance planned, to confirm what SWPPP requirements will apply. It is apparent that more than 1 acre of disturbance will occur.

There are stone walls on the property. The site development should therefore preserve such walls, wherever practical.

Site Plan Fees: Based upon review of the Town's fee schedule, the following fees should be posted by the applicant:

"Site Plan, major"	-	\$1,000
Full Environmental Assessment Form	-	\$300
Public Hearing fee	-	\$250
"No Violation" letter from Zoning Administrator	-	\$175
"Final" Approval	-	\$250
Escrow	-	\$5,000 (un-used monies returned to applicant)

Therefore, fees of **\$1,975, and a \$5,000 escrow** should be posted by the applicant as part of the Amended Site Plan application filing. The application fees and escrow deposit should be posted with separate checks.

Expected Referrals:

- Town Conservation Board (steep slope disturbances)
- a courtesy referral to the North Highland Fire Department was felt appropriate, given the lot's location on a private, gravel roadway.

As the conclusion of these discussions, the pre-application meeting concluded.

c: Greg Wunner, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant (c/o Badey & Watson, PC)



**ADJOINER'S LIST
FOR
PAUL & ELLEN JOHNSON**

27.-1-10.2
STATE OF NEW YORK
40 Gleneida Ave
Carmel, NY 10512

27.-1-10.12
ESSEX GREEN INC
31 W 9th St
New York, NY 10011

27.-1-10.11
ROWE, MALCOLM
245 W 99th St Apt 21A
New York, NY 10025

27.-1-10.14
CANFIELD, DOUGLAS MARC
37 Highland Ridge
Cold Spring, NY 10516

27.-1-9
KREUZ, KEVIN E
421 Settlement Lane
Carbondale, CO 80623

27.-1-11
MILLER, WILLIAM P
119 Lake Surprise Rd
Cold Spring, NY 10516

27.-1-14
PROCARIO, JAMES
31 Deer Hollow Rd
Cold Spring, NY 10216

**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: Site Plan prepared for Paul & Ellen Johnson		
Project Location (describe, and attach a general location map): 4 Highland Ridge Cold Spring, NY 10516		
Brief Description of Proposed Action (include purpose or need): Approval of site plan for construction of a new single family residence, driveway, pool, attached garage, septic system and well.		
Name of Applicant/Sponsor: Paul & Ellen Johnson		Telephone: 917-751-1285 E-Mail: pjohnson@livingstoninvestments.com
Address: c/o Steven Marchetti (Architect) One Union Square W #511		
City/PO: New York	State: NY	Zip Code: 10003
Project Contact (if not same as sponsor; give name and title/role): Glennon J. Watson		Telephone: 845-265-9217 E-Mail: gwatson@badey-watson.com
Address: 3063 Route 9		
City/PO: Cold Spring	State: NY	Zip Code: 10516
Property Owner (if not same as sponsor): Paul & Ellen Johnson		Telephone: 917-751-1285 E-Mail: pjohnson@livingstoninvestments.com
Address: c/o Steven Marchetti (Architect) One Union Square W #511		
City/PO: New York	State: NY	Zip Code: 10003

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Philipstown Planning Board - Site Plan	11/03/2016
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conservation Board Referral	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County 239 Referral & PCDH	TBD
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input 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):	

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):	
Philipstown Natural Resource and Open Space Protection Plan	

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, Cold Spring Reservoir Watershed Overlay

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 District

b. What police or other public protection forces serve the project site?
NY State Police, Putnam County Sheriff

c. Which fire protection and emergency medical services serve the project site?
North Highland Fire District

d. What parks serve the project site?
Philipstown Parks, Fahenstock State Park

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)?

Rural Residential

b. a. Total acreage of the site of the proposed action? 8.402 acres

b. Total acreage to be physically disturbed? 1.400 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 8.402 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) _____

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

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

i. If No, anticipated period of construction: 12 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	1	_____	_____	_____
At completion of all phases	1	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ 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: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

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): _____

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:

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: _____ 1050 _____ 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: _____

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

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

i. Total anticipated liquid waste generation per day: _____ 1050 _____ 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

- Do existing sewer lines serve the project site? Yes No
- Will line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- 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):
A new subsurface sewage treatment system approved by the PCDH will be installed

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: Plan is standard absorption Field System

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? Yes 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) 0.264

_____ Square feet or _____ acres (parcel size) 8.402

ii. Describe types of new point sources. Roof Leaders

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)?
Infiltrators/Dry wells

• If to surface waters, identify receiving water bodies or wetlands: Overflow will run across property 135 to road then
Road.

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes 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? Yes 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? Yes 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) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ 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 1/2 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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: 8:00 am 4:00 pm • Saturday: 8:00 am 12:00 pm • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>N/A</u> • Saturday: _____ • Sunday: _____ • Holidays: _____
---	--

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:

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 downward directed lighting

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

Describe: Trees will be removed, but are not believed to be providing a screen.

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	0.220	0.484	+0.264
• Forested	7.391	5.967	-1.424
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.293	1.453	+1.160
• Agricultural (includes active orchards, field, greenhouse etc.)	0.000	0.000	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.074	0.074	0
• Wetlands (freshwater or tidal)	0.424	0.424	0
• Non-vegetated (bare rock, earth or fill)	0.000	0.000	0
• 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:
Camp Eden (Summer Camp)

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ 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? 0-7 feet

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

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

CIB,CIC,&CID,Charlton Loam	85	%
LEB Leicester	15	%
_____	_____	%

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

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	85	% of site
<input type="checkbox"/> Moderately Well Drained:	0	% of site
<input checked="" type="checkbox"/> Poorly Drained	15	% of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	44	% of site
<input checked="" type="checkbox"/> 10-15%:	17	% of site
<input checked="" type="checkbox"/> 15% or greater:	38	% 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 un named stream & associated Classification A
- Lakes or Ponds: Name wetland tributary to Foundry Brook Classification _____
- Wetlands: Name _____ Approximate Size _____
- 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: _____

m. Identify the predominant wildlife species that occupy or use the project site:	Deer <hr/> <hr/>
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation): <u>To follow, inquiry made</u>	
ii. Source(s) of description or evaluation: _____	
iii. Extent of community/habitat:	
<ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
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 type="checkbox"/> No More to follow	
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 type="checkbox"/> No More to follow	
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 If yes, give a brief description of how the proposed action may affect that use: _____	
E.3. Designated Public Resources On or Near Project Site	
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 If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
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 If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____	
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 If Yes:	
i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

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>NYS Route 9D</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Scenic Highway</u>	
iii. Distance between project and resource: <u>2+</u> 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 type="checkbox"/> No	

F. Additional Information

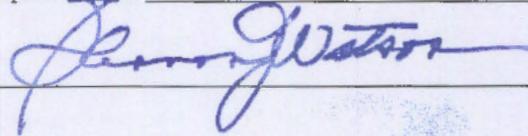
Attach any additional information which may be needed to clarify your project.

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 Paul & Ellen Johnson Date 11/03/2016

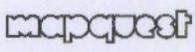
Signature  Title Surveyor for Applicant

YOUR TRIP TO:

4 Highland Rd

8 MIN | **4.2 MI** 

Trip time based on traffic conditions as of 3:54 PM on November 2, 2016. Current Traffic: Light



- 

1. Start out going **northeast** on Main St/NY-301 toward Parsonage St.
Then 0.67 miles 0.67 total miles
- 

2. Turn **slight left** onto Fishkill Rd/County Hwy-10.
Fishkill Rd is 0.1 miles past Wood Ave.
If you are on NY-301 and reach Healy Rd you've gone a little too far.
Then 2.59 miles 3.26 total miles
- 

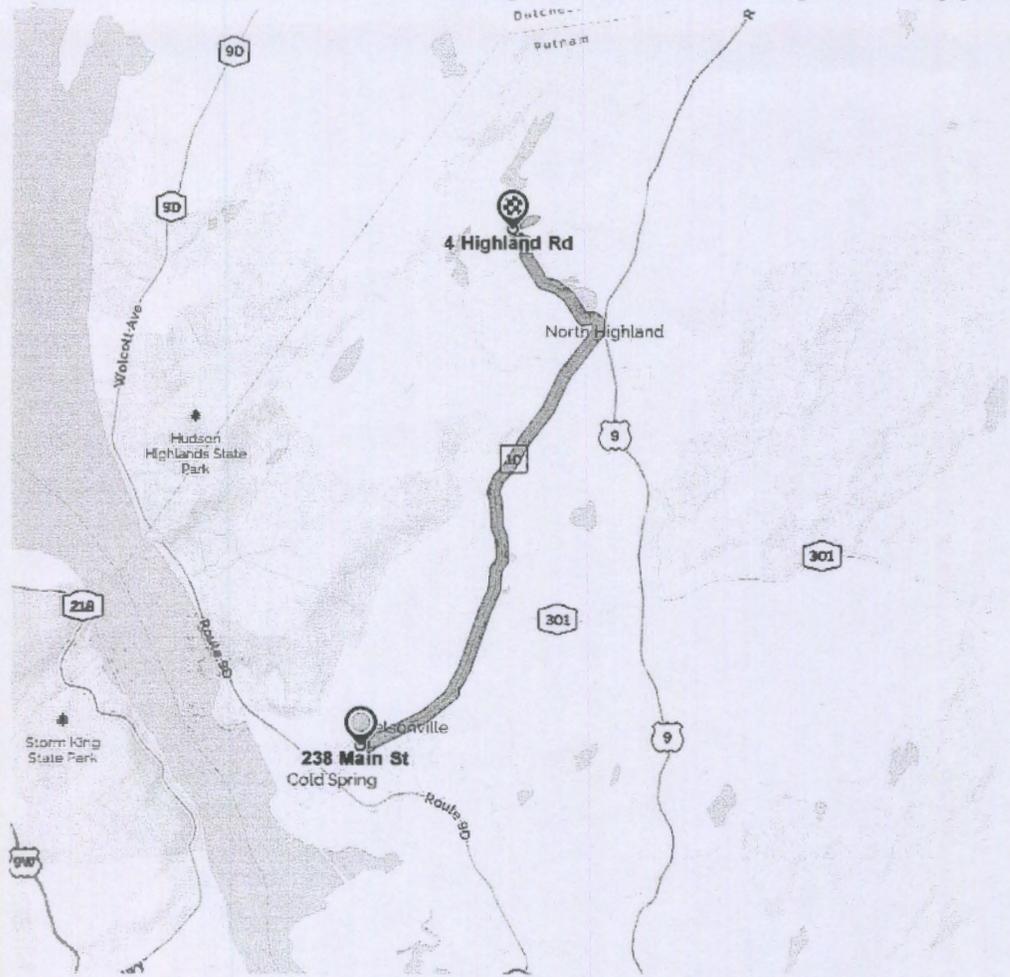
3. Turn **left** onto Fishkill Rd N.
Fishkill Rd N is just past Fox Rd.
If you are on County Hwy-10 and reach Route 9 you've gone a little too far.
Then 0.06 miles 3.32 total miles
- 

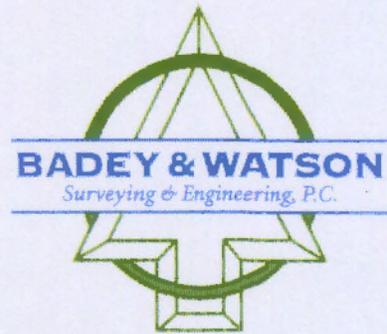
4. Take the 1st left onto Barrett Pond Rd.
If you reach the end of Fishkill Rd N you've gone a little too far.
Then 0.75 miles 4.07 total miles
- 

5. Turn **left** onto Highland Rd.
Then 0.10 miles 4.17 total miles
- 

6. 4 Highland Rd, Cold Spring, NY 10516-4125, 4 HIGHLAND RD is on the **right**.
If you reach the end of Valkyria you've gone about 0.3 miles too far.

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





November 2, 2016

Andrea Chaloux
NYS Department of Environmental Conservation-Information Services
625 Broadway-5th Floor
Albany, NY 12233
Email: Natural Heritage@dec.ny.gov

RE: Endangered Species Inquiry - 4 Highland Ridge, Town of Philipstown, Tax Map # 27.-1-10.13

Dear Ms. Chaloux:

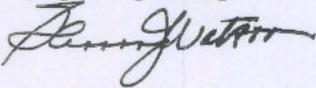
We have been engaged to design and process a Site Plan of the captioned property. The project is located in the Town of Philipstown, Putnam County. The applicant is proposing to construct a new single family residence on 8.4 acres of property. The property is sloped and wooded. We also need this information to complete an Environmental Assessment Form for the Town of Philipstown.

We are writing to ask for your assistance. Could you check your Resource Index to see if there are any recorded indications of threatened or endangered species in the vicinity of the property?

Should you have any questions or if you need additional information, please do not hesitate to call us.

Your earliest possible response would be appreciated. Thank you for your efforts.

Yours truly,
BADEY & WATSON,
Surveying & Engineering, P.C.



by
Glennon J. Watson, L.S.
845.265.9217 x14
gwatson@badey-watson.com

GJW/bms
cc: File U:/AC02NVI6QP_2016.dotx



Michael C Bartolotti, County Clerk
Putnam County Office Building
40 Gleneida Avenue Room 100
Carmel, New York 10512



ACS-000000000386435-000000000767405-004

Endorsement Page

Document # 1501733 Drawer # 02 Recorded Date: 07/12/2016
Document Type: DEED COM OR VACANT Book 2016 Page 178 Recorded Time: 2:04:32 PM
Document Page Count: 4 Receipt # 11398

PRESENTER:

REAL PROPERTY ABSTRACT & TITLE SERVICES LLC
85 CIVIC CENTER PLAZA
SUITE 201A
POUGHKEEPSIE, NY 12601

RETURN TO:

JAY S CANTOR PC
62 EAST MAIN STREET
WAPPINGERS FALLS, NY 12590

PARTIES

GRANTOR
THOMAS DRUMME

GRANTEE
PAUL JOHNSON

FEE DETAILS

Consideration:		\$275,000.00
1501733		
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		1,100.00
PROCESSING FEE	1	1.00
AMOUNT FOR THIS DOCUMENT:		1,416.00
RETT # 00002255		

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERKS NOTES

Michael C. Bartolotti
Putnam County Clerk

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

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

THIS INDENTURE, made the 24 day of JULY, in the year 2016.

BETWEEN

THOMAS DRUMME
695 LONG POND ROAD
MAHOPAC, NEW YORK 10541

party of the first part, and

PAUL JOHNSON & ELLEN JOHNSON, his wife
215 WEST 98TH STREET, 9B
NEW YORK, NEW YORK 10025

party of the second part,

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

TEN (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

SEE SCHEDULE "A" ATTACHED

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:

Thomas Drumme

THOMAS DRUMME.

Schedule A Description

Title Number **RPATS-2634**

Page 1

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 that is known and designated as Parcel A on that certain "Subdivision Plat of the 'Future Section' of Deer Hollow..." which was filed in the Putnam County Clerk's Office on May 15, 2002 as Map No. 1952A.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of DUTCHESS, ss:

On the 31st day of July in the year 2016, before me, the undersigned, personally appeared THOMAS DRUMME

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.

Edward T. McCormack



ACKNOWLEDGEMENT BY SUBSCRIBER 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 covenant against Grantors Acts

Title No. _____

THOMAS DRUMME TO PAUL JOHNSON & ELLEN JOHNSON

DISTRIBUTED BY

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 of , County of , ss:

*(Or insert District of Columbia, Territory, Possession or Foreign County)

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).

SECTION BLOCK LOT COUNTY OR TOWN COLD SPRING, TOWN OF PHILIPSTOWN

RETURN BY MAIL TO:

JAY S. CANTOR, P.C. 62 EAST MAIN ST. WAPPINGERS FALLS NY 12590

#16869

FOR COUNTY USE ONLY

C1. SWIS Code 372689

C2. Date Deed Recorded 7/12/16

C3. Book 2016 C4. Page 178



New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP-5217-PDF

Real Property Transfer Report (R/10)

PROPERTY INFORMATION

1. Property Location

*STREET NUMBER PHILIPSTOWN *STREET NAME

*CITY OR TOWN PHILIPSTOWN *VILLAGE PAUL *ZIP CODE

2. Buyer Name

*LAST NAME/COMPANY JOHNSON *FIRST NAME ELLEN

*LAST NAME/COMPANY JOHNSON *FIRST NAME

3. Tax Billing Address

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

*STREET NUMBER AND 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

*FRONT FEET X *DEPTH 0.00 *ACRES

6. Seller Name

*LAST NAME/COMPANY DRUMME *FIRST NAME THOMAS

*LAST NAME/COMPANY *FIRST NAME

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

8. 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 6/10/16

12. Date of Sale/Transfer 7/8/16

13. Full Sale Price 275,000.00

(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. Indicate the value of personal property included in the sale - 0 - .00

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 Date

H. Sale of Business is Included in Sale Price

I. Other Unusual Factors Affecting Sale Price (Specify Below)

J. None

Comments(s) on Condition:

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

16. Year of Assessment Roll from which information taken(YT) 15 *17. Total Assessed Value 78,900-

*18. Property Class 314 *19. School District Name Haldane

*20. Tax Map Identifier(s)/Roll Identifier(s) (if more than four, attach sheet with additional identifier(s)) 27-1-10.13

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 Thomas Drumme DATE 7/8/16

BUYER SIGNATURE [Signature] DATE 7/8/16

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, entity, association, corporation, joint stock company, estate or entity that is not an individual, partnership, 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.)

*LAST NAME JOHNSON *FIRST NAME PAUL + ELLEN

*AREA CODE 917 *TELEPHONE NUMBER (EX: 8881234) 318-8135

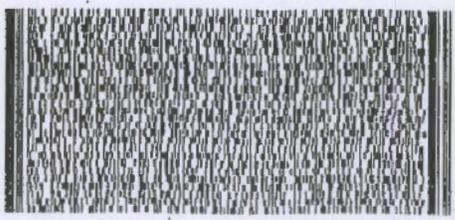
*STREET NUMBER 215 *STREET NAME W. 98th ST. # 9B

*CITY OR TOWN New York *STATE NY *ZIP CODE 10025

BUYER'S ATTORNEY

*LAST NAME CANTOR *FIRST NAME JAY S.

*AREA CODE 845 *TELEPHONE NUMBER (EX: 8889999) 297-7777





FOR COUNTY USE ONLY

C1. SWIS Code

372689

C2. Date Deed Recorded

7/12/16

C3. Book

2016

C4. Page

178

PROPERTY INFORMATION

1. Property Location: NO NUMBER, HIGHLAND RIDGE, PHILIPSTOWN, 10516, JOHNSON, PAUL, JOHNSON, ELLEN

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

4. Indicate the number of Assessment Roll parcels transferred on the deed: 1 # of Parcel OR Part of a Parcel

5. Deed Property Size: X FRONT FEET OR 2.50 ACRES

6. Seller Name: DRUMME, THOMAS

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

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: 06/10/2016

12. Date of Sale/Transfer: 07/08/2016

13. Full Sale Price: 275,000.00

(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. Indicate the value of personal property included in the sale: .00

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 Date
- H. Sale of Business is Included in Sale Price
- I. Other Unusual Factors Affecting Sale Price (Specify Below)
- J. None

Comment(s) on Condition:

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

16. Year of Assessment Roll from which information taken(YT) 15 *17. Total Assessed Value 78,900

18. Property Class 314 *19. School District Name HALDAN

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

27.-1-10.13

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

SELLER SIGNATURE DATE

BUYER SIGNATURE

BUYER SIGNATURE DATE

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.)

*LAST NAME FIRST NAME

*AREA CODE *TELEPHONE NUMBER (Ex: 888888)

*STREET NUMBER *STREET NAME

*CITY OR TOWN *STATE *ZIP CODE

BUYER'S ATTORNEY

LAST NAME FIRST NAME

AREA CODE TELEPHONE NUMBER (Ex: 888888)

