

Town of Philipstown Planning Board

Meeting Agenda

VFW Hall, Kemble Avenue, Cold Spring, New York 10516

January 17, 2013

7:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes

Public Hearing:

Lyons Realty Co. - Two-lot subdivision – East Mountain Road So.: Discussion

Applications:

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

Wang - Approval of three-lot subdivision – Jaycox Road, Cold Spring: Request for return of escrow

Tom Yu - (Unjoo/Dong) – Site Plan Approval - 544 Route 9D, Garrison: Request for return of escrow

Neill - Site Plan Application – 621 Route 9D, Garrison: New submission

Adjourn

Michael Leonard, Chairman

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

T O W N O F P H I L I P S T O W N
P U T N A M C O U N T Y , N E W Y O R K

APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

Tax Map No. 17.-1-76.11

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

- for approval of a Preliminary Plat;
- for approval of a Final Plat;
- for approval of a Minor Subdivision as a Final Plat; or
- for revision of a previously Filed Plat.

For Office Use Only

1. Application #	<u>P104</u>
2. Fee	_____
3. Rec'd by	_____
4. Date	_____

I. Identification of Applicant and Owner:

a. Applicant (name) Lyons Realty Company Tel. 845-265-2189
address 3175 Route 9
Cold Spring, New York 10516

b. Owner of property if not same as Applicant:

(name) Same as Applicant Tel. _____
address _____

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

- A- 1 Affidavit of Ownership, executed by the individual, or by the general partner of a partnership, that is the owner of property if not same as the Applicant; OR
- A-2 Affidavit of Ownership, executed by a corporation that is the owner of property if not same as the applicant.
- Appendix B- 1 certification executed by the Applicant if the Applicant is a partnership, corporation, association or business trust.

II Attachments: (cont.)

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

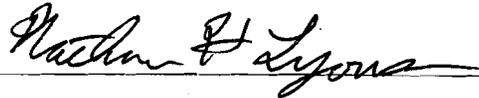
III. Authorization: The Applicant and Owner hereby grant to the Planning Board, the Town Board and Superintendent of Highways, and their authorized agents, permission to enter upon the property that is the subject of this Application for the purpose of inspection and enforcement of the Subdivision Regulations,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

IV. Endorsements:

a. Applicant

Date 11-1-12

Signed



by Nathan Lyons

(authorized agent)

b. Owner of Property if not same as Applicant

Date _____

Signed _____

by _____

(authorized agent)

APPENDIX A-1: AFFIDAVIT OF OWNERSHIP (Individual or Partnership)

State of New York)

ss. :

County of Dutchess)

Nathan Lyons, being duly sworn, deposes and says that He resides at 20 Lyons Road, Cold Spring, New York 10516 in the County of Putnam, State of New York and that He (a general partner or) is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Philipstown, New York, aforesaid and known and designated on the Tax Map of the Town of Philipstown as Lot Number 17. Block 1 on Map 76.11 and that deponent (said partnership) acquired title to the said premises by deed from Ellison dated August 8, 1991 and recorded in the Office of the Clerk of the County of Putnam on August 9, 1991 in Liber 1132 of Conveyance at Page 215 and that (said partnership) hereby consents to the annexed application of Approval of Subdivision Plat for approval of the map (or project) entitled Lyons Realty Company Subdivision Plat and that statements of fact contained in said application, including the statements contained in all of the exhibits transmitted herewith, are true to the best of deponent's knowledge and belief.

(signed) Nathan B Lyons

Sworn to before me this

1ST day of NOVEMBER 2012

Jamie M. Di Mattia
Notary Public

JAMIE M. DIMATTIA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DI6119136
Qualified in Dutchess County
My Commission Expires November 22, 2012

APPENDIX B-1: CERTIFICATE CONCERNING OWNERSHIP OF APPLICANT

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

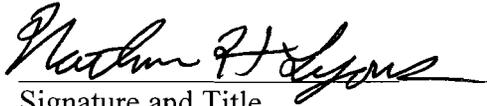
Certificate of _____

<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>% Ownership</u>
OWNER	NATHAN LYONS	20 LYONS ROAD COLD SPRING, NY 10516	50%
OWNER	ERNEST LYONS	40 LYONS ROAD COLD SPRING, NY 10516	50%
			%
			%
			%
			%

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

Sworn to before me this

1ST Day of NOVEMBER 2012


Signature and Title

Jamie M. Dimattia
Notary Public

JAMIE M. DIMATTIA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DI6119136
Qualified in Dutchess County
My Commission Expires November 22, 2012

APPENDIX C

TOWN OF PHILIPSTOWN, NEW YORK
DISCLOSURE STATEMENT ACCOMPANYING APPLICATION OR PETITION

A. Identification of Application or Petition:

1. To: Philipstown Town Board
 Philipstown Planning Board
 Zoning Board of Appeals
 Zoning Administration Officer/Building Inspector
2. NAME OF APPLICANT: Lyons Realty Company
3. RESIDENCE: 3175 Route 9, Cold Spring, New York 10516
4. DATE: 11-1-12
5. NATURE OF APPLICATION OR PETITION: Application for Approval of a 2 Lot Subdivision

B. Nature and Extent of Interest of any State Officer or Municipal Officer or Employee in this Application (Set forth in detail).

N/A

C. Statement that no State Officer or Municipal Officer or Employee has an interest in this Application.

The undersigned Applicant or Petitioner certifies by signature on this Disclosure Statement that, with the exception of the information contained in Paragraph B, above in accordance with the provisions of Sec. 809 of the General Municipal Law, no State officer or any officer or employee of the Town of Philipstown or of any municipality of which the Town is a part has any interest in the person, partnership or association making the above application, petition or request.

Date: 11/1/12

Signed: 

(Note: See reverse for the provisions of Sec. 809)

APPENDIX D: IDENTIFICATION OF PROPERTY AND PROPOSAL

D-1. Property

- a. Total acres 136.909
- b. Does application cover all contiguous land of the owner? Yes
If no, explain an excluded area _____

- c. Tax Map: Sheet 17. Block 1 Parcel (s) 76.11
- d. Last deed: Date August 8, 1991 Liber 1132 Page 215

D-2 Location:

- a. Zoning District(s) (M) Industrial/Manufacturing, (RR) Rural Residential & (SMO) Soil Mining Overlay District
- b. Property abuts (streets or roads) East Mountain Road South & Route 9
- c. Municipal Districts encompassing all or part of property:
School: Haldane Central School District
Fire Protection: North Highlands Fire Department
Other: _____
- d. Does plat propose a new street or private way connecting directly into any State Highway or County Road? No If yes, give name and route #

- e. Does plat involve drainage lines connecting directly into any channel lines established by the County of Putnam? No
- f.
- g. Does plat include any land within 500 feet of any abutting municipality, the boundary of any existing or proposed County or State park or recreation area, the right-of-way of any existing or proposed County or State highway, the existing or proposed right-of-way or stream channel owned by the County and for which channel lines have been established, or the boundary of County or State land on which a public building or institution is established? Yes
If yes, specify Property abuts Route 9

- h. Give name and address of all property owners within 500 feet of the perimeter boundary of the proposed plat (as indicated in the current Town Tax Assessor's records): See Attached List

D-3. Proposal:

- a. Number of Proposed Lots: 2, number already occupied by dwellings, if any: N/A
- b. Length of Proposed streets or private ways in Plat: N/A feet.
- c. Does Applicant proposed to dedicate to public use all of the streets shown on the proposed plat? N/A, if not, describe Single Family Residence with Private Driveway Proposed
- d. Approximate acreage of land proposed as open space for parks and playground: 0 acres.
- e. Does applicant propose to dedicate to public use all of the open space shown on the Proposed plat? No, if not, describe Private Single Family Residence with Private Driveway is Proposed
- f. How is water supply to be provided? Private Well Has any application been made to the County of Putnam or State of New York for approval of proposed water supply? Yes, if yes, give date and describe Preliminary Application Submitted
- g. How is sewage disposal to be provided? Private Sewage Disposal System Has any application been made to the County of Putnam or State of New York for sewage discharge or approval of a sewage disposal system? Yes, if yes, give date and describe Preliminary Application Submitted and Soil Testing Witnessed by Putnam County Health Department Representative on 10-18-12
- i. Does proposed plat include any wetlands and/or water courses as defined by the State of New York or an applicable Local Law? YES if yes, describe Clove Creek and New York State Wetland WP17

D-4 Procedures:

- a. Does applicant (in the case of preliminary plats) propose to submit a final subdivision Plat to cover entire preliminary plat or to file same in sections?
[X] entire
[] in sections.
- b. Does applicant intend to request any special authorization for the plat under any of the following? No If yes, specify,
[] Sec 281 of Town Law (cluster)
[] Waiver of Subdivision Regulation (Sec. 5)
[] Alternate road standards

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

Describe or attach copies:

- a. easements Yes. Please See Attached

- b. deed restrictions on use and development None

- c. mortgages None

- d. liens None

- e. leases None

- f. other None

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

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

APPENDIX E : IDENTIFICATION OF PLANS AND DOCUMENTS

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

- a. Surveyor (name) Badey and Watson Surveying and Engineering P.C.
Address 3063 Route 9
Cold Spring, New York 10516 Tel. 845-265-9217
N.Y. License No. 48167
- b. Engineer (name) Lawrence J. Paggi, P.E., P.C.
Address 43 Broad Street
Fishkill, New York 12524 Tel. 845-897-2375
N.Y. License No. 065155
- c. Other (name) _____
Address _____

N.Y. License, if any _____

E-2. Maps and Plans:

- a. Title and Date of Proposed Plat Map: Lyons Realty Company
Subdivision Plat dated November 1, 2012 as prepared by Lawrence J. Paggi, PE, PC
No. of Sheets: 1
- b. Title and Date of Proposed Profiles and Construction Plans: N/A

No. of Sheets: _____
- c. Title, Date and Preparer of other maps and plans: Sewage Disposal System Plan
dated November 1, 2012 as prepared by Lawrence J. Paggi, PE, PC

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

E-4. Attorney (if any):

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

ance



Mapping Search

Show All Selections

Selection Options	Clear
Zoom to selected map feature	
Selected Parcels Feature	
SBL	3726890170000010760110000
Municipality	Philipstown
Tax Map #	17.-1-76.11
Owner 1	Lyons Realty Company
Owner 2	
Address	EAST MOUNTAIN ROADS
Acres	137.30999755
Frontage	2470
Depth	
Class	Rural vac>10
Deed Book	1132
Deed Page	215

Town	Tax Map #	Property Address	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	City	ST	Zip	Acres	Class	Owner
1	Philipstown 17.-1-40	26 EAST MOUNTAIN ROAD N	Holdam, James V		26 East Mountain Rd N		Cold Spring	NY	10516	1.15999996	1 Family Res	HOLDAM, JAMES V
2	Philipstown 17.-1-45	3620 RT 9	Iebba, Nicola	Iebba, Angela	23 Ryan's Run		Pleasant Valley	NY	12569	1.00000000	Restaurant	IEBBA, NICOLA
3	Philipstown 17.-1-47	3602 RT 9	Moore, Barbara A	Moore, Raymond B	3602 Rt 9		Cold Spring	NY	10516	2.39000010	1 use sm bld	MOORE, BARBARA A
4	Philipstown 17.-1-19	33 ESSELBORNE RD	Lockie, Martin P		55 Esselborne Rd		Cold Spring	NY	10516	7.38000011	Vacant rural	LOCKIE, MARTIN P
5	Philipstown 17.-1-55	50 MILL RD	Mansur, Janice	Hustis, Donald A	47 Pine St		Nelsonville	NY	10516	7.94000005	1 Family Res	MANSUR, JANICE
6	Philipstown 16.12-1-14	19 MILL RD	Campbell, Paul	Campbell, Madelyn	19 Mill Rd		Cold Spring	NY	10516	1.44000005	1 Family Res	CAMPBELL, PAUL
7	Philipstown 17.-1-17.1	1 ESSELBORNE RD	Carlson, Prudence E		17 White St	Apt 6B	New York	NY	10013	5.03999996	1 Family Res	CARLSON, PRUDENCE E
8	Philipstown 16.12-1-13.1	33 MILL RD	McMasters, Brice T	McMasters, Janice	33 Mill Rd		Cold Spring	NY	10516	2.05999994	1 Family Res	MCMASTERS, BRICE T
9	Philipstown 16.12-1-12	47 MILL RD	Halebian, John	Halebian, Lisa P	2 East End Ave	Apt 2A	New York	NY	10021	2.57999992	1 Family Res	HALEBIAN, JOHN
10	Philipstown 17.-1-54	MILL RD	County Of Putnam		40 Gleneida Ave		Carmel	NY	10512	1.25999999	Rural vac<10	COUNTY OF PUTNAM
11	Philipstown 17.-3-22	443 EAST MOUNTAIN ROAD S	Pi-Sunyer, Xavier	Pi-Sunyer, Penelope W	800 West End Ave		New York	NY	10025	5.61999988	1 Family Res	PI-SUNYER, XAVIER
12	Philipstown 17.-3-23	439 EAST MOUNTAIN ROAD S	Walsh, Kevin P	Walsh, Linda S	439 East Mountain Road So		Cold Spring	NY	10516	3.00000000	1 Family Res	WALSH, KEVIN P
13	Philipstown 17.-1-72.1	60 OLD ALBANY POST ROAD N	Thomson, Carl L	Thomson, Dona L	19 E 75th St		New York	NY	10021	8.72000026	1 Family Res	THOMSON, CARL L
14	Philipstown 17.-1-72.2	RT 9	Thomson, Carl L	Thomson, Dona L	19 E 75th St		New York	NY	10021	4.71000003	Rural vac<10	THOMSON, CARL L
15	Philipstown 17.-1-42	18 EAST MOUNTAIN ROAD N	Frisenda, Antoinette		18 East Mountain Rd N		Cold Spring	NY	10516	3.30999994	1 Family Res	FRISENDA, ANTOINETTE
16	Philipstown 17.-1-44	3622 RT 9	3622 Route 9 LLC		108 Hudson Pointe Dr		Poughkeepsie	NY	12601	4.01999998	Converted Res	3622 ROUTE 9 LLC
17	Philipstown 17.-1-27	56 STONE HILL RD	Brucato, Linda		56 Stone Hill Rd		Cold Spring	NY	10516	25.52000045	Rural res	BRUCATO, LINDA
18	Philipstown 16.12-1-15	3524 RT 9	Cold Spring Fuel Corp		PO Box 249		Cold Spring	NY	10516	1.49000000	Fuel Store&Dist	COLD SPRING FUEL CORP
19	Philipstown 17.-1-53	18 MILL RD	Duffy, Lynn	Duffy, James	18 Mill Rd		Cold Spring	NY	10516	1.34000003	1 Family Res	DUFFY, LYNN
20	Philipstown 17.-1-26	25 STONE HILL RD	Baisley, Edith		371 Spring Hill Lake Rd		Red Hook	NY	12571	5.19000005	1 Family Res	BAISLEY, EDITH
21	Philipstown 17.-1-76.21	145-155 HORTON RD	Ulmur, Catherine Isabel		155 Horton Rd		Cold Spring	NY	10516	20.81999969	Res Multiple	ULMAR, CATHERINE ISABEL
22	Philipstown 17.-1-22	49 ESSELBORNE RD	Mitchell, Geraldine T		154 Elmood Ave		Hawthorne	NY	10532	1.30999994	1 Family Res	MITCHELL, GERALDINE T
23	Philipstown 17.-1-18	21 ESSELBORNE RD	Strauss, Michael J		PO Box 9225		Scarborough	NY	10510	4.11000013	Rural vac<10	STRAUSS, MICHAEL J
24	Philipstown 17.-1-20	35 ESSELBORNE RD	Mathers, Christopher	Hommes, Vreni Aukjen	35 Esselborne Rd		Cold Spring	NY	10516	1.80999994	1 Family Res	MATHERS, CHRISTOPHER
25	Philipstown 17.-1-16	464 EAST MOUNTAIN ROAD S	Rogoff, Lynn		10 Leonard Steet #35W		New York	NY	10013	5.82999992	Seasonal res	ROGOFF, LYNN
26	Philipstown 17.-1-56	HORTON RD	Clark, John	Clark, Valeria	91 Horton Rd		Cold Spring	NY	10516	2.19000005	Rural vac<10	CLARK, JOHN
27	Philipstown 17.-3-19	473 EAST MOUNTAIN ROAD S	Derry, James R	Derry, Doreen B	473 East Mountain Road So		Cold Spring	NY	10516	1.99000000	1 Family Res	DERRY, JAMES R
28												
29	Philipstown 17.-3-20	461 EAST MOUNTAIN ROAD S	Teff, Donald R	Pacheco, Joseph	461 East Mountain Rd S		Cold Spring	NY	10516	1.08000004	1 Family Res	TEFF, DONALD R
30	Philipstown 17.-3-21	451 EAST MOUNTAIN ROAD S	Sizemore, James G	Sizemore, Nicole S	451 East Mountain Rd S		Cold Spring	NY	10516	1.25000000	1 Family Res	SIZEMORE, JAMES G
31	Philipstown 17.-3-18	481 EAST MOUNTAIN ROAD S	Boyd, David L		481 East Mountain Rd S		Cold Spring	NY	10516	6.65000009	1 Family Res	BOYD, DAVID L
32	Philipstown 17.-3-24	425 EAST MOUNTAIN ROAD S	Miriam Dinerman Living Trust		850 Tanglewood Dr		Lafayette	CA	94549	5.71000003	1 Family Res	MIRIAM DINERMAN LIVING TRUST
33	Philipstown 17.-3-25	407 EAST MOUNTAIN ROAD S	Butensky, Richard	Cohen, Judith Faye	45 Grove St	Apt 4A	New York	NY	10014	5.15000009	1 Family Res	BUTENSKY, RICHARD
34	Philipstown 17.-3-26	393 EAST MOUNTAIN ROAD S	Savage, Paul	Savage, Fay	175 Merriweather Rd		Grosse Pointe MI	48236	5.17999982	Seasonal res	SAVAGE, PAUL	
35	Philipstown 17.-3-27	363 EAST MOUNTAIN ROAD S	Bilberry Farms Inc		45 Grove St	Apt 4A	New York	NY	10014	43.09999847	Rural vacant	BILBERRY FARMS INC
36	Philipstown 17.-1-49	3564 RT 9	Ulutas, Fahriye Isil		192 Agor Ln		Mahopac	NY	10541	1.30999994	Vacant comm	ULUTAS, FAHRIYE ISIL
37	Philipstown 17.-1-46	3612 RT 9	Jaymark Jewelers III LLC		3612 Rt 9		Cold Spring	NY	10516	3.09999990	Misc service	JAYMARK JEWELERS III LLC
38	Philipstown 17.-1-48	3590 RT 9	Kehr, Bruce	Kehr, Donna	54 Innsbruck Blvd		Hopewell Jct	NY	12533	4.51999998	Office bldg.	KEHR, BRUCE
39	Philipstown 17.-1-71	3577-3585 RT 9	Patel, Dahyabhai	Patel, Chandrika	3577 Route 9		Cold Spring	NY	10516	3.33999991	Motel	PATEL, DAHYABHAI
40	Philipstown 17.-1-51	3556 RT 9	Formisano, Madeline		3556 Route 9		Cold Spring	NY	10516	3.07999992	Motel	FORMISANO, MADELINE
41	Philipstown 17.-1-70	3565 RT 9	Van Ross Route 9 Llc		34 Cedar Lake Dr		Putnam Valley	NY	10579	.00000000	Gas station	VAN ROSS ROUTE 9 LLC
42	Philipstown 17.-1-52	3541 RT 9	Gorman, Michael	Feely, Eileen	215 Ketchum Ave 18 East Mountain Road		Buchanan	NY	10511	5.48999977	Vacant comm	GORMAN, MICHAEL

43:	Philipstown 17.-1-39	36 EAST MOUNTAIN ROAD N	Frisenda, Joseph	Frisenda, Diane	36 East Mountain Road No	Cold Spring	NY 10516 19.98999977	Rural res	FRISENDA, JOSEPH	
44:	Philipstown 17.-1-37	167 ESSELBORNE RD	Roesslein, Fred		PO Box 33	Cold Spring	NY 10516 37.70000076	Rural res	ROESSLEIN, FRED	
45:	Philipstown 17.-1-50	3562 RT 9	Dallow, Barbara		2548 Hollers Ave	Bronx	NY 10475 .00000000	1 Family Res	DALLOW, BARBARA	
46:	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Reality Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
47:	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Reality Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
48:	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Reality Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
49:	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Reality Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
50:	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Reality Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
51:										
52:										
53:										
54:										
55:										
56:										
57:										
58:	Philipstown 17.-1-77.2	EAST MOUNTAIN RD S	Weber, Rodney		388 East Mountain Rd S	Cold Spring	NY 10516 27.70999908	Rural vac>10	WEBER, RODNEY	
59:	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Reality Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
60:	Philipstown 17.-1-77.1	388 EAST MOUNTAIN RD S	Weber, Rodney		388 East Mountain Rd S	Cold Spring	NY 10516 20.47999954	Rural res	WEBER, RODNEY	
61:	Philipstown 17.-1-59.22	130-140 HORTON RD	Lowry, Glenn D	Lowry, Susan	15 W 53rd St	Apt 38A	New York	NY 10019 11.03999996	Rural res	LOWRY, GLENN D
62:	Philipstown 17.-1-59.21	HORTON RD	Lowry, Glenn D	Lowry, Susan	15 W 53rd St	Apt 38A	New York	NY 10019 35.86999893	Rural vac>10	LOWRY, GLENN D



PUTNAM COUNTY
RECORDING PAGE
PAGE 1 OF RECORDED DOCUMENT



DOCUMENT # 1501170
EASEMENT

RETT: 1907 \$.00
CONSIDERATION: \$.00

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

RESERVE FOR RECORDING INFORMATION

TYPE OR PRINT

RECORD & RETURN TO:

LIBER 1804 PAGE 333

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

GRANTOR/MORTGAGOR
Lyons Realty Company
to
Rodney Weber.

DO NOT WRITE BELOW THIS LINE

DEED MTG SAT ASMT CEM POA ESE
OTHER _____

RECORDING FEES	# OF PAGES
EDP FEE	10.00
RCD FEE	18.00
STAT CHG	5.00
REC MGMT	20.00
CROSS REF	
TOTAL	53.00
✓ TP 584	
() MTA FILED \$5.00	
() EAR \$75.00 () EAC \$165.00	

1+ 6 = 7
C/R

MORTGAGE/DEED TAX DISTRICTS:

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

MORTGAGE TYPES:

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

RESERVE FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAW

Dennis J. Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

LIBER 1804 PAGE 334

Agreement made this 17 day of May, 2008 between

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

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

WITNESSETH:

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

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

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

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

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

LIBER 1804 PAGE 335

did not have frontage on Horton Road; and

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

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

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

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

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

LIBER 1804 PAGE 336

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

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

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

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

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

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

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

LIBER 1804 PAGE 337

same:

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

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

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

LYONS REALTY COMPANY

by: Harold Lyons
HAROLD LYONS

by: Nathan H. Lyons
NATHAN H. LYONS

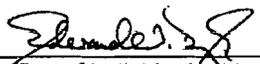
by: Ernest W. Lyons
ERNEST W. LYONS

Rodney Weber
RODNEY WEBER

LIBER 1804 PAGE 338

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

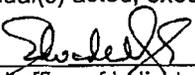
On the 21 day of May in the year 2008 before me, the undersigned, personally appeared HAROLD LYONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed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



(Signature and office of individual taking acknowledgment)
EDWARD W. DOYLE
Notary Public in the State of New York
Appointed in Putnam County
Commission Expires October 31, 2010

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

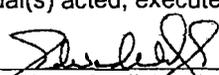
On the 21 day of May in the year 2008 before me, the undersigned, personally appeared NATHAN H. LYONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they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



(Signature and office of individual taking acknowledgment)
EDWARD W. DOYLE
Notary Public in the State of New York
Appointed in Putnam County
Commission Expires October 31, 2010

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

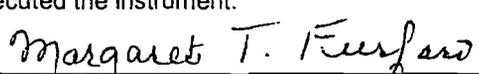
On the 21 day of May in the year 2008 before me, the undersigned, personally appeared ERNEST W. LYONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they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



(Signature and office of individual taking acknowledgment)
EDWARD W. DOYLE
Notary Public in the State of New York
Appointed in Putnam County
Commission Expires October 31, 2010

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

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



(Signature and office of individual taking acknowledgment)
MARGARET T. FURFARO
Notary Public, State of New York
Qld. Westchester County # 4707187
Term Expires March 30, 2011

LIBER 1804 PAGE 339

AGREEMENT
LYONS REALTY COMPANY
WITH
RODNEY WEBER

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

Lyons Realty Company: TM# 17-1-76.11
Rodney Weber: P/O TM# 17-1-76.22
Acc.

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

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

Record 11

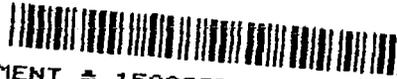
Instrument #	Year	Date	- Time	Document Type	Consideration	Image Pages
1501170	2008	06/09/2008	- 11:49:00	EASEMENT	\$0.00	7
Liber				Page		
01804				0333		
Party	Sequence	Name		Correction		
GRANTOR	0001	LYONS REALTY COMPANY		N		
GRANTEE	0002	WEBER RODNEY		N		
Record & Return						
EDWARD DOYLE ESQ PO BOX 150 PEEKSKILL , NY 10566						

Public Search for Putnam County

LIBER, 1738 PAGE 301



PUTNAM COUNTY
RECORDING PAGE
PAGE 1 OF RECORDED DOCUMENT



DOCUMENT # 1500283

DEED - COMMERCIAL

RETT: 2148 \$0.00
CONSIDERATION: \$0.00

03/24/2006 09:45:04 A.M.
RECEIPT: 5135 FEE: \$226.00
DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1738 PAGE: 301

RESERVE FOR RECORDING INFORMATION

RECORD & RETURN TO:

TYPE OR PRINT

Edward W. Doyle, Esq.
1010 Park Street
P.O. Box 150
Peekskill NY 10566

GRANTOR/MORTGAGOR
Lyons Realty Company
TO
Town of Philipstown

DO NOT WRITE BELOW THIS LINE

DEED MTG SAT ASMT CEM POA ESE
OTHER _____

RECORDING FEES	# OF PAGES
EDP FEE	10.00
RCD FEE	21.00
STAT CHG	5.00
REC MGMT	20.00
CROSS REF	
TOTAL	56.00

1+ 7 = 8
C/R

MORTGAGE/DEED TAX DISTRICTS:

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

MORTGAGE TYPES:

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

() MTA FILED \$5.00
() EAR \$75.00 (/) EAC \$165.00

RESERVE FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAW

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

8/2/01

PF-30 (1/06) - Bargain and Sale Deed, with Covenant against Grantor's Acts - Individual or Corporation

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

THIS INDENTURE, made the 6th day of January two thousand and six

BETWEEN

LYONS REALTY COMPANY, a New York Partnership composed of
HAROLD LYONS, residing at 3179 Route 9, Cold Spring, New York 10516,
NATHAN H. LYONS, residing at 15 Lyons Road, Cold Spring, New York 10516, and
ERNEST W. LYONS, residing at 40 Lyons Road, Cold Spring, New York 10516

party of the first part, and

TOWN OF PHILIPSTOWN, a municipal corporation, having its office at Town Hall,
238 Main Street, P.O. Box 155, Cold Spring, New York 10516.

party of the second part,

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

TEN (\$10.00) dollars,

lawful money of the United States, and other good and valuable consideration paid

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam and State of New York being more particularly bounded and described on SCHEDULE A attached hereto and made a part hereof.

SCHEDULE A

File No. 86-228
W.O. No. 12393
Doc. No. LR19JL1D.lwp
Created: July 19, 2001
Revised: July 19, 2001
Printed: July 20, 2001
Figure No(s.) 100, 1203
Author: GJW

**DESCRIPTION OF PROPERTY
prepared for
LYONS REALTY COMPANY
(Horton Road widening strip)**

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam and State of New York that:

- is a portion of ^{Schedule} Parcel A of those lands that were heretofore conveyed by Joan Ellison to Lyons Realty Company by that certain deed dated August 8, 1991 and recorded in the Putnam County Clerk's Liber 1132 of deeds at page 215;
- is a portion of Parcel A shown on that certain "Survey of Property prepared for The Estate of Catherine I. Ulmar ...," which was filed in the Putnam County Clerk's office on August 9, 1991 as Map No. 2513;
- contains the entirety of those lands for which Lyons Realty Company reserved the right to "convey, offer and/or dedicate ... to the Town of Philipstown ..." in that certain deed to Albert A. Pope dated September 11, 1997 and recorded in the Putnam County Clerk's Liber 1400 of deeds at page 185; and
- is bounded and described as follows:

BEGINNING at the point on the southeasterly line of Horton Road where it is met by the line dividing Parcel A as shown on said Filed Map No. 2513 on the northeast, from lands formerly of Koczko, formerly of Pielmeier and now or formerly of the Hudson Highlands Land Trust, Inc., on the southwest, which point is designated "Point G" on Filed Map No. 2513, and which point occupies coordinate position

N 538933.54 (y)
E 616668.87 (x)

of the New York Coordinate System, East Zone.

THENCE from the said point of beginning northeasterly along the southeasterly and southerly lines of Horton Road as shown on Filed Map No. 2513, the following courses:

N 39°04'45" E 165.29 feet
N 72°45'12" E 239.69 feet
S 74°13'00" E 319.89 feet
N 87°26'20" E 60.02 feet
N 50°26'38" E 199.17 feet and
N 70°48'13" E 72.26 feet

to a point that is the southeasterly end of the present northeasterly terminus of Horton Road and at the line of Parcel B on Filed Map No. 2513, which point is designated on said Filed Map No. 2513 as "Point H" and which point occupies coordinate position

N 539199.18 (y)
E 617591.57 (x)

of the New York State Coordinate System, East Zone.

Thence along the line of said Parcel B and continuing through said Parcel A

S 24°00'50" E 93.13 feet

to a point at the northerly line of the lands so conveyed to Pope and subsequently conveyed by Pope to Glenn D. Lowry and Susan Lowry by that certain deed dated September 11, 1997 and recorded in the Putnam County Clerk's Liber 1400 of deeds at page 195. Thence along the said Lowry lands and continuing through them and continuing further through lands so conveyed to Pope and subsequently conveyed by Pope to Glenn D. Lowry and Susan Lowry by that certain deed dated October 1, 1999, and recorded in the Putnam County Clerk's Liber 1491 of deeds at page 155, the following, first westerly on a non-tangent curve to the right, the center of which bears N24°00'50"W, the central angle of which is 2°30'50", the radius of which is 575.00 feet for 25.23 feet, then

S 68°30'00" W 178.10 feet

then on a tangent curve to the right, the central angle of which is 37°17'00", the radius of which is 225.00 feet for 146.41 feet, then

N 74°13'00" W 254.29 feet

then on a tangent curve to the left, the central angle of which is 33°01'47", the radius of which is 175.00 feet for 100.88 feet, then

S 72°45'12" W 122.89 feet

then on a tangent curve to the left, the central angle of which is 33°40'27", the radius of which is 175.00 feet for 102.85 feet and then

S 39°04'45" W 105.67 feet

to a point at the line of lands formerly of Koczko, formerly of Pielmeier and now or formerly of the Hudson Highlands Land Trust, Inc. Thence along the said Hudson Highlands Land Trust lands

N 60°20'34" W 18.23 feet

to the point or place of beginning, containing 33,600 square feet, more or less.

SCHEDULE A (continued)

Said premises is conveyed to the Town of Philipstown for highway purposes; street purposes, and all related public municipal uses, including but not limited to utilities, telephone, telegraph, cable television, electricity, gas, water, wires, conduits, poles and accessories, grading, sight purposes and/or drainage purposes, either above or underground, together with the right to maintain, repair, alter or replace same.

TOGETHER WITH a STORMWATER DRAINAGE EASEMENT in common with the Grantor, its heirs, successors and assigns, over a portion of Parcel B on said Filed Map No. 2513, so conveyed to it by Joan Ellison by the said deed in Putnam County Clerk's Liber 1132 of deeds at page 215 that is described below, for the purposes of carrying surface water to the lake or pond shown on the aforesaid Filed Map No. 2513 and discharging same therein. Together with the right to install within the area of said STORMWATER DRAINAGE EASEMENT catch basins, detention facilities, dry wells, drainage lines, pipes and other appurtenances for the purposes of carrying said surface water drainage. Together with the right of access over the area of said STORMWATER DRAINAGE EASEMENT for the purposes of making reasonable and routine inspections, to install, maintain, clean, operate, use, repair, remove, replace and reconstruct the aforesaid catch basins, detention facilities, dry wells, drainage lines, pipes and other appurtenances within said easement area. The STORMWATER DRAINAGE EASEMENT is granted subject to the limitations set forth in the said deed from Ellison to Lyons Realty Company recorded in the Putnam County Clerk's Liber 1132 of deeds at page 215. Said limitations provide this EASEMENT is for "the purposes of carrying surface water collected on the premises described in SCHEDULE PARCEL A" therein. As states above, the premises described above is a part of the premises described in said SCHEDULE PARCEL A. The area of said STORMWATER DRAINAGE EASEMENT is bounded and described as follows:

BEGINNING at the point on the northwesterly line of Horton Road that occupies coordinate position

N 539,179.16 (y)
E 617,476.04 (x)

of the New York State Coordinate System, East Zone, which point is designated "Point I, on Filed Map No. 2513 and which point is distant

N 19°11'47" W 33.00 feet

LIBER 1738 PAGE 306
SCHEDULE A (continued)

measured along the northeasterly terminus of Horton Road, and

S 70°48'13" W 78.18 feet and
S 50°26'38" W 40.00 feet

measured along the northerly line of Horton Road from the point herein above designated "Point H," the southeasterly end of the northeasterly terminus of Horton Road as it is shown on Filed Map No. 2513.

THENCE from the said point of beginning of this easement, southwesterly along the northwesterly line of Horton Road

S 50°26'38" W 30.83 feet

to a point. Thence through lands now or formerly of Ellison and designated Parcel B on Filed Map No. 2513, the following courses

N 26°15'00" W 213.79 feet
N 74°00'00" W 71.67 feet
N 16°00'00" E 30.00 feet
S 74°00'00" E 84.95 feet and
S 26°15'00" E 219.98 feet

to the northwesterly line of Horton Road and "Point I," the point or place of beginning of this **STORMWATER DRAINAGE EASEMENT**.

LIBER 1738 PAGE 307

TOGETHER with all rights, 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 of successors and assigns of the party of the second part forever.

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

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

The word "party" shall be construed as if it read "parties" whenever the sense of this 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:

LYONS REALTY COMPANY

by *Harold Lyons*
HAROLD LYONS

by *Nathan H. Lyons*
NATHAN H. LYONS

by *Ernest W. Lyons*
ERNEST W. LYONS

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

On the 6th day of January in the year 2006 before me, the undersigned, personally appeared HAROLD LYONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Glennon J. Watson
(Signature and office of individual taking acknowledgment)

GLENNON J. WATSON
Notary Public, State of New York
No. 4755184
Qualified in Putnam County
Commission Expires March 30, 2007

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

On the 6th day of January in the year 2006 before me, the undersigned, personally appeared NATHAN H. LYONS personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Glennon J. Watson
(Signature and office of individual taking acknowledgment)

GLENNON J. WATSON
Notary Public, State of New York
No. 4755184
Qualified in Putnam County
Commission Expires March 30, 2007

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

On the 6th day of January in the year 2006 before me, the undersigned, personally appeared ERNEST W. LYONS personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Glennon J. Watson
(Signature and office of individual taking acknowledgment)

GLENNON J. WATSON
Notary Public, State of New York
No. 4755184
Qualified in Putnam County
Commission Expires March 30, 2007

Margain and Sale Deed

Covenant Against Grantor's Acts With

Title No. RGP14196

SECTION
BLOCK
LOT
COUNTY OR TOWN TOWN OF PHILLIPSTOWN

TO

Distributed by
Natlons Title Insurance of New York Inc.

RECORDED AT REQUEST
OF RG AGENCY
Box 431
Peekskill, NY 10568
(914) 739-2700
RETURN BY MAIL TO

RETURN BY MAIL TO

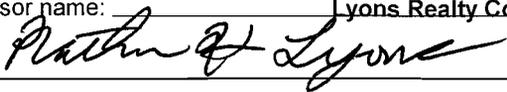
Edward W. Doyle, Esq.
1010 Park Street, P.O. Box 150
Peekskill, NY 10566
Zip No.

RESERVE THIS SPACE FOR
USE OF RECORDING OFFICE

PROJECT I.D. NUMBER

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR: Lyons Realty Company	2. PROJECT NAME: Lyons Realty Company Subdivision Plat
3. PROJECT LOCATION: Municipality TOWN OF PHILIPSTOWN County PUTNAM	
4. PRECISE LOCATION: (Street address and road intersections, prominent landmarks, etc., or provide map) East Mountain Road South (Refer to Attached Map for Precise Location)	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Proposed 2 Lot Subdivision of Land to Accommodate Proposed Single Family Residence on Proposed Lot Number	
7. AMOUNT OF LAND AFFECTED: Initially <u>136.909</u> acres Ultimately <u>Lot 1: 50.033</u> acres and <u>Lot 2: 86.876</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agricultural <input checked="" type="checkbox"/> Park/Forest/Open space <input checked="" type="checkbox"/> Other Soil Mining Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) name and permit/approvals Subdivision Approval from Town Planning Board Putnam County Health Department Approval for Well and Sewage Disposal System	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/Sponsor name: <u>Lyons Realty Company</u> Date: <u>11-1-12</u>	
Signature: <u></u>	

If the action is in a Coastal Area, and you are a state agency, complete a Coastal Assessment Form before proceeding with this assessment



Land Surveying
Civil Engineering
Laser Scanning
GPS Surveys
Site Planning
Subdivisions
Landscape Design

3063 Route 9, Cold Spring, New York 10516
(845)265-9217 (877)3.141593 (NY Toll Free) (845)265-4428 (Fax)
email: info@badey-watson.com website: www.badey-watson.com

Glennon J. Watson, L.S.
John P. Delano, P.E.
Peter Meisler, L.S.
Stephen R. Miller, L.S.
Jennifer W. Reap, L.S.
Robert S. Miglin, Jr., L.S.
Mary Rice, R.L.A., Consultant
George A. Badey, L.S., (1973-2011)

December 4, 2012

Honorable Richard Shea, Town Supervisor
Philipstown Town Board
238 Main Street,
Town Hall
Cold Spring, New York 10516

RE: Yung Wang & Ming-Hsien Wang - Request For Return of Escrow Balance

Dear Mr. Shea & Honorable Board Members:

Our client's application has been fully approved and the Subdivision Plat was filed on September 24, 2012 as Filed Map No. 3143. We therefore respectfully request, on behalf of our client, to return any of the unused balance of their escrow account and send directly to our client at the following address:

Yung Wang & Ming-Hsien Wang
1 Jaycox Road
Cold Spring, New York 10516

We have taken the liberty of forwarding a copy of this letter to the Planning Board to facilitate its advice to you concerning this request.

Thank you for your consideration of and attention to this request.

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

by
Glennon J. Watson, L.S.

GJW/bms
cc: File
Philipstown Planning Board
Yung & Ming-Hsien Wang

Owners of the records of:

◆ Joseph S. Agnoli ◆ Barger & Hustis ◆ Burgess & Behr ◆ Roy Burgess ◆ Vincent Burruano ◆ Hudson Valley Engineering Company ◆ G. Radcliff Hustis ◆
◆ Peter R. Hustis ◆ J. Wilbur Irish ◆ James W. Irish, Jr. ◆ Douglas A. Merritt ◆ E.B. Moebus ◆ Reynolds & Chase ◆ General Jacob Schofield ◆
◆ Sidney Schofield ◆ Allan Smith ◆ Taconic Surveying and Engineering ◆ D. Walcutt ◆

Ann: Post PB
Agenda
Please
at

To Town of Phillipstown planning Board.

From Dong Yu 40 Calico Lane
Highland Mills, NY 10930

Re Replenish Escrow Account
544 Rt 9D Garrison, N.Y.

I don't want to stop processing plan

I want my escrow back. \$1021.45

please send to

Dong Yu

40 Calico Lane

Highland Mills N.Y 10930

Dec 19, 2012.

Dong Yu

Tel: 845.570.0900

Town of Philipstown

238 Main Street

Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MINOR PROJECT

Project Name: NEILL RESIDENCE

Date: _____



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: _____ TM# _____

Project Name: NEILL RESIDENCE

Street Address: 621 ROUTE 9D GARRISON NY 10524

Fee Amount: _____ Received: _____

Bond Amount: _____ Received: _____

Applicant:

Name MICHAEL PICCIRILLO AIA

Address 962 EAST MAIN ST
SHRUB OAK NY 10588

Telephone 914 368 9838

Tenant:

Name _____

Address _____

Telephone _____

Design Professional:

MICHAEL PICCIRILLO AIA

Address 962 EAST MAIN ST
SHRUB OAK NY 10588

Telephone 914 368 9838

Property Owner

Name PEGGY W RICHARD NEILL

Address 621 ROUTE 9D
GARRISON NY

Telephone 845 831 3680

TM# _____

Project Name: NEILL RESIDENCE

Project Description: 4 BEDROOM NEW SINGLE RESIDENCE HOUSE.

ZONING INFORMATION

175-7 Zoning District: RR

175-10 Proposed Use: 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>NO</u>
175-15 Scenic Protection Overlay ----- (SPO)	<u>YES</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>YES</u>
175-18 Open Space Conservation Overlay District ----- (OSO)	<u>NO</u>
175-35 Within 100 foot buffer of Wetlands or Watercourse -----	<u>YES</u>
175-36 Steep Terrain -----	<u>YES</u>
175-36 Ridge Line Protection -----	<u>NO</u>
175-37 Protection Agricultural-----	<u>NO</u>

TM# _____

Project Name: NEILL RESIDENCE

175-11 Density and Dimensional Regulations

Zoning District	Required	Existing	Proposed	Complies	Variance
<u>RR</u>					
Minimum front yard setback					
Measured from the travel way Town Road	60'		250'-10"	YES	
Measured from the travel way County State					
Minimum side yard setback	30'				
Minimum side yard setback (2)	30'		71'-11"	YES	
Minimum side yard setback (3)	30'		37'-8"	YES	
Minimum rear yard setback	50'			YES	
Maximum impervious surface coverage	10% 8546.25F		9.8% 8393.55F	YES	
Maximum height	40' (3 stories)		32'-8"	YES	
Maximum footprint non-residential structures					

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: _____

BARGAIN AND SALE DEED

THIS INDENTURE, made the ^{ascb} 17th day of Jun , 2011
BETWEEN

GARRISON LAND HOLDING COMPANY LLC, a Delaware limited liability company having an address 33 Katonah Avenue, Katonah, New York 10536

party of the first part, and

RICHARD NEILL, residing 16 Clearland Road, Syosset, New York 11791

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam and State of New York, as more particularly described in Schedule "A" attached hereto and made a part hereof.

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

TO BE USED ONLY WHEN THE ACKNOWLEDGEMENT IS MADE IN NEW YORK STATE

STATE OF NEW YORK, COUNTY OF Westchester ss:

STATE OF NEW YORK, COUNTY OF _____ ss:

On the 24 day of June, 2011 before me, the undersigned, personally appeared Jonathan F.P. Rose personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

On the ____ day of _____, 2008 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.

Vivian Wehler Orfer
Notary Public, State of New York
(signature and office of individual taking acknowledgment)
No. 01WE503490
Qualified in Westchester County
Commission Expires October 17, 2014

(signature and office of individual taking acknowledgment)

TO BE USED ONLY WHEN THE ACKNOWLEDGEMENT IS MADE OUTSIDE NEW YORK STATE

STATE (or District of Columbia, Territory, or Foreign Country) OF _____

ss.:

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

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

_____ in _____
(insert city or political subdivision) (and insert the state or county or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S
ACTS**

Title No.: CSA 11 - 05 239 - P

GARRISON LAND HOLDING COMPANY LLC

DISTRICT _____
SECTION **81**
BLOCK **1**
LOT **38**
COUNTY OR TOWN: **PHILIPSTOWN**
STREET ADDRESS **621 ROUTE 9D
GARRISON, NEW YORK**

**TO
RICHARD NEILL**

RETURN BY MAIL TO:

ANDREW L. SOKOL, ESQ.
2 GREY ROCK TERRACE
P.O. BOX 50
IRVINGTON, NY 10533