

MEETING AGENDA
TOWN OF PHILIPSTOWN PLANNING BOARD
Claudio Marzollo Community Center
107 Glencliff Dr., Garrison, New York 10524
December 19, 2019
7:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes: November 21, 2019 – Regular Monthly Meeting

Correspondence:

Return of Escrow:

Old Business:

Daniel Schaublin & Mimi Fortunato, 359 East Mountain Road S TM# 17.-3-28

(The applicant is seeking site plan approval to construct a new single-family residence and detached garage to be served by an individual private septic system and well. The approximate 1.58-acre property is located in an "RR" (Rural Residential) zoning district and is currently vacant. Resolutions have been prepared for a vote this evening.)

Jolie Hunt & William Potter Site Plan, 201 Mong Road TM# 49.-3-47

(The applicants are seeking site plan approval for the construction of a pool, the enlargement and reconstruction of a deck and to develop the surrounding landscape adjacent to the existing residential structure. The property is approximately 11.86 acres located in a "RC" (Rural Conservation) zoning district. Resolutions have been prepared for a vote this evening.)

New Business:

Marzollo, Lane Gate Road TM# 49.-3-17.4

(The applicant is seeking minor site plan approval for the construction of a new 1800 square foot, 4-bedroom single family residence to be served by private septic and well. The property is approximately 5 acres located in a "RC" (Rural Conservation) zoning district. Lane Gate Road lies along a "scenic corridor" showing on the Town's scenic overlay mapping.)

Riverview Industries, Route 9 TM# 27.20-1-7

(The applicant is seeking major site plan approval for a parking area for commercial truck parking and storage. The applicant owns and operates a commercial truck repair and auto body business on two parcels located across Route 9 and this is an extension of that use. The property is approximately 4.5 acres located in a "HC" (Highway Commercial) zoning district.)

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

*****BEGINNING OCTOBER 1, 2019 ALL SCHEDULED PLANNING BOARD
MEETINGS WILL BE HELD AT THE CLAUDIO MARZOLLO COMMUNITY
CENTER, 107 GLENCLIFFE DRIVE, GARRISON, NY 10524*****

**PHILIPSTOWN PLANNING BOARD
MEETING MINUTES
November 21, 2019**

The Philipstown Planning Board held its regular monthly meeting on Thursday, November 21, 2019 at the Claudio Marzollo Community Center, 107 Glenclyffe Dr., Garrison New York.

Present: Kim Conner, Acting Chair
Neal Tomann
David Hardy
Dennis Gagnon
Ronald J. Gainer, PE, Town Engineer
Stephen Gaba, Counsel

Absent: Neal Zuckerman
Peter Lewis
VACANCY

Acting Chair Conner opened the meeting at 7:30 p.m. with the Pledge of Allegiance. She announced that Anthony Merante has resigned from the board and thanked him for his years of service to the Town.

Roll call was taken by Ms. Percacciolo.

A. Minutes

The minutes of the October 17, 2019 Regular Monthly Meeting were reviewed.

Mr. Gagnon moved to adopt the minutes of October 17, 2019 and Mr. Tomann seconded the motion. The vote was as follows:

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

The minutes of the October 27, 2019 Special meeting were reviewed.

Mr. Hardy moved to adopt the minutes of October 27, 2019 and Mr. Gagnon seconded the motion. The vote was as follows:

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye

Neal Zuckerman	-	Absent
David Hardy	-	Aye

B. Public Hearing

Jolie Hunt & William Potter Site Plan, 201 Moog Road

TM# 49.-3-47

Ms. Percacciolo read the legal notice.

Glenn Watson of Badey & Watson was in attendance representing the applicant along with Allan Broadbent of Granoff Architects and property owner William Potter. Mr. Watson explained the property is at the very top of Moog Road and falls down away from the road towards the river. He stated the plan is to construct a pool to the southwest of the existing house and, as seen from the slope analysis, there's very little area that can be used. He stated there is one flat area but there is exposed ledge and it would be very difficult, costly and environmentally unsound to start blasting away the rock there to put in a pool. There is no other area except for where the tennis court is and that is already built. To be perfectly frank, Mr. Watson reported that Mr. Potter and his wife want to be able to access the pool from the house without any great amount of distance. He noted the relatively flat area where they are proposing the installation of the pool and explained that by building a retaining wall and building it into the slope a little bit they would be able to largely avoid blasting and build a pool on the side of the house in close proximity to the other outdoor facilities that the house has in terms of its deck and barbecue and that sort of thing. Mr. Watson stated one issue that had been discussed was visibility from the river and requested that Mr. Broadbent go into further detail about that.

Mr. Broadbent, landscape architect on the project, explained the proposal is to construct a swimming pool on the slope. He stated the reason they are in front of the board is because of the nature of the slopes on the property. He explained they have chosen the place of least resistance in terms of digging or excavation out of the property to minimize environmental impact. He stated they have also carefully navigated the existing trees on the property and tried to minimize the extent of tree removal that would be required to construct the pool. Mr. Broadbent explained they are proposing the installation of new trees as well. He stated the whole construct of this is to be a very naturalized swimming pool area to be integrated into the hillside in a sensitive way visually, aesthetically and environmentally.

Mr. Broadbent explained the design of the swimming pool area is to have an upper area that then terraces down into a lower area. He stated they are trying their best to work with the slope; as opposed to imposing a large flat area they're terracing in several plinths or levels down the hillside to minimize the amount of regrading and retaining walls that would be necessary to build the project. They are using materials that are within the character of the site and the context of what this site would have; the retaining wall that's proposed at the base would be in the character of the project. The stonework around the swimming pool and the planting style would be very much in character with the hillside and would suit this property very well. Mr. Broadbent stated that while on the site visit to the property they had talked about how visible or not this would be from down below and it was noted that it would be no more visible than the house is already because of the natural tree cover that exists below the home. He stated there are many pieces of information that they have in terms of lighting and planting, terracing, and other things. He explained they have given great thought to the grading of the project and the way to mitigate any potential environmental impacts.

Acting Chair Conner asked Mr. Watson if he found out why the property turned up on SHIPPO. Mr. Watson stated he did not.

Mr. Gainer stated the board is in receipt of a technical memorandum from his office from last month's meeting, and a record of the comments made at the October 27th site visit has also been generated. He stated the project was referred to Putnam County Planning and they have responded that it is approved as submitted. A referral was also made to the Town Conservation Board and their review of the project is ongoing; their expectation is to visit the site and provide comments back to the board. Mr. Gainer stated his expectation is that the board will have comments shortly from the Conservation Board. Mr. Gainer reported there are some various technical comments that must be addressed as the plans evolve for the board's consideration.

Acting Chair Conner opened the floor to public comment. No public comments were made.

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

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Mr. Gagnon moved to direct Mr. Gainer to prepare draft resolution's to be voted on at next month's meeting and Mr. Tomann seconded the motion. The vote was as follows:

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

C. Old Business

1122 Route 9D Realty, LLC

TM# 60.18-1-46

Acting Chair Conner requested Mr. Gaba to comment on a request that the board received earlier this evening. Mr. Gaba stated there was a question as to whether or not the Planning Board can grant Site Plan Approval in the event there are outstanding violations on the property, and the answer to that is yes. He explained it is very often the case that someone does something on their property that requires Site Plan approval, they get cited by the Building Inspector, sometimes even taken to court, and then they come to the Planning Board to seek Site Plan approval to do what they want to do and the only way to get it is if the Planning Board grants Site Plan approval, notwithstanding the outstanding violation. Mr. Gaba added, any outstanding violations are a matter for Code Enforcement; that's the Building Department's province, not the Planning Board's.

Mr. Gaba stated the board was given a letter from the Garrison Hamlet Association before the meeting started. He explained that the Planning Board certainly has discretion to consider comments after the public hearing but added that it has never been the practice of this board to accept eleventh hour submissions or memos from the applicant or anyone else. He stated this particular letter is asking the board to impose additional conditions on the approval, however that decision is up to the board.

Mr. Gainer stated that, in reading the document that was presented tonight, a question was raised over hours of operation and operational lighting at the facility and asked the applicant's representative to speak to that issue.

Mr. Bart Lansky stated the lighting is going to be improved; when you put a canopy in place it has new LED downlights with a much narrower foot-candle spray. Mr. Lansky also reported that this is not a 24-hour gas station and the canopy lighting gets shut down when the business closes. He stated that the hours, as he can recall, are 5am to 10pm and that he does not believe there is any plans to change that.

Mr. Gaba questioned if the applicant would be willing to stipulate that the 5am – 10pm hours of operation be included on the Site Plan and that the canopy lighting will be turned off during non-operational hours. Mr. Lansky reported that the applicant's wife just had a baby that day so he has not been in touch with him today, but stated he is sure he can agree to that on behalf of his client.

Mr. Gagnon moved to adopt a Negative Declaration under SEQRA and Mr. Hardy seconded the motion. The vote was as follows:

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Mr. Hardy moved to approve the Site Plan resolution subject to the addition of the footnote indicating the hours of operation and the lighting and Mr. Gagnon seconded the motion. The vote was as follows:

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Chundu-Moth Minor Site Plan, 120 Skyline Drive

TM# 16-1-23.13

Glenn Watson was in attendance representing the applicants. He reported that a site visit was made and they have made adjustments to the plan to avoid the steep slopes. They also have a septic permit.

Mr. Gainer reported that all necessary referrals have been accomplished and comments had been received from the Conservation Board. The application is now ready for the board's consideration for approval.

There is no SEQRA resolution because the project is considered a type 2 action and this project has already been declared such by the board.

Mr. Hardy moved to approve the Site Plan resolution and Mr. Gagnon seconded the motion. The vote was as follows:

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Daniel Schaublin & Mimi Fortunato, 359 East Mountain Road S

TM# 17.-3-28

Acting Chair Conner recused herself from the matter, therefore there was not a quorum to hold a vote. Mr. Gagnon questioned what the distance is regarding being a neighbor and having to recuse oneself. Mr. Gaba explained that it is not demarcated in distance, rather in the impact it would have on your property rights. If you are an adjoinder or adjacent property owner or something like that, your property interest theoretically would be the impact. That being said, Mr. Watson argued that Acting Chair Conner is roughly a half mile away from this property. Acting Chair Conner explained that her property is large and noted that she has been recusing herself from this application from the beginning of this application. The matter was held over until next month's meeting.

D. New Business

Acting Chair Conner reported that Nat Prentice was to be in attendance this evening to give an update on the Comprehensive Plan but that Mr. Prentice couldn't make it and Mr. Richard Butensky was present in his place.

Mr. Butensky reported that the committee has hired Nelson Pope to be their consultant and will be getting started with them the beginning of the year. He stated they have gone through some changes of membership on the board and have held numerous public meetings. He stated they have also spent some time out at the farmers market and some other public places in order to promote participation in their online survey. Mr. Butensky requested some feedback from the Planning Board in terms of anything it would like to see in the Comprehensive Plan such as something to help the board gain clarity with the steep-slope laws. Acting Chair stated he was correct and it was actually talked about at the October meeting. She offered to forward Mr. Butensky the minutes from that meeting.

Mr. Hardy mentioned an application that had previously come before the board requesting more than one driveway going to essentially the same place. He stated the code doesn't put any limitations on driveways and suggested some clarification on that. Mr. Gainer responded that the code does not have any specific reference to access in terms of limitations on access, but that is controlled through the Highway Department, specifically the Highway Superintendent; he's got to grant a highway access permit for any proposed site access onto a Town road. Mr. Gainer stated he is reasonably certain that the Highway Superintendent would limit such access to one. Acting Chair Conner suggested that is an impervious surface question about what degree of impervious surfaces should be permitted in a small residential lot.

Mr. Butensky stated they do have some things in the proposal for the Comprehensive Plan that involve impervious surfaces and environmental impact and limiting those things as much as possible.

Mr. Tomann questioned what the schedule is for the committee is at this point. He stated he has been able to attend a few meetings over the last year. Mr. Butensky stated they try to meet twice a month and were on a Thursday schedule but that's been in a little bit of flux because of changes in meeting places and such. He stated that may be switching to Monday's. Acting Chair Conner noted that the Planning Board meets every third Thursday of the month and if they would like any members to attend their meetings suggested it not be held the same day. Mr. Tomann reported that Town Board meetings are also held on the first Thursday of the month. Mr. Butensky stated he would let the board know when they settle on a day.

Margaret McManus of Badey & Watson questioned if the board would be meeting in December. Acting Chair Conner stated they would due to the inability to vote on the Schaublin/Fortunato application this evening.

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

Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Absent
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

The motion passed unanimously and the meeting adjourned at 8:08 pm.

Date approved _____

Respectfully submitted by,

Tara K. Percacciolo

*These minutes were prepared for the Philipstown Planning Board and are subject to review, comment, emendation and approval there upon.

Town of Philipstown
238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MINOR PROJECT

Project Name: _____ Marzollo - Minor Site Plan

Date: _____ December 5, 2019



Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: 12/05/19

TM# 49. - 3 - 17.4

Project Name: Marzollo Minor Site Plan

Street Address: Lane Gate Road, Cold Spring

Fee Amount: \$300 Received: _____

Bond Amount: \$5,000 Received: _____

Applicant:

Name David & Melia Marzollo

Address 189 Lane Gate Road

Cold Spring, NY 10516

Telephone (914) 330-7027

Tenant:

Name --

Address --

Telephone --

Design Professional:

Badey & Watson, P.C.

Address 3063 Route 9

Cold Spring, NY 10516

Telephone (845) 265-9217

Property Owner

Name Claudio Marzollo

Address 256 Lane Gate Road

Cold Spring, NY 10516

Telephone (845) 265-3937

TM# 49 - 3 - 17.4

Project Name: Marzollo - Minor Site Plan

Project Description: New construction of a single-family residence to be served by a private septic system and drilled well.

ZONING INFORMATION

175-7 Zoning District: RC

175-10 Proposed Use: Single-family dwelling.

Proposed Accessory Use(s): None.

175-7 Overlay Districts on the property: Yes or No

175-13 Floodplain Overlay District – NFIP Map ----- (FPO) No

175-18.1 Mobile Home Overlay District ----- (MHO) No

175-14 Cold Spring Reservoir Water Shed Overlay ----- (WSO) No

175-15 Scenic Protection Overlay ----- (SPO) Yes

175-16 Aquifer Overlay District ----- (AQO) No

175-18 Open Space Conservation Overlay District ----- (OSO) No

175-35 Within 100 foot buffer of Wetlands or Watercourse ----- No

175-36 Steep Terrain ----- No

175-36 Ridge Line Protection ----- No

175-37 Protection Agricultural ----- No

TM# 49.-3-17.4

Project Name: Marzollo - Minor Site Plan

175-11 Density and Dimensional Regulations

Zoning District <u>RC</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	60'	--	224.0'	Yes	No
Measured from the travel way County/State	n/a	--	--	--	--
Minimum side yard setback	30'	--	31.0'	Yes	No
Minimum side yard setback (2)	30'	--	276.4'	Yes	No
Minimum side yard setback (3)	n/a	--	--	--	--
Minimum rear yard setback	50'	--	315.6'	Yes	No
Maximum impervious surface coverage	10%	--	2.92%	Yes	No
Maximum height	40'	--	25.5'	Yes	No
Maximum footprint non-residential structures	n/a	--	--	--	--

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: \$300 Received: _____
9. Escrow: \$5,000 Received: _____

Town of Philipstown Town Code Chapter 175

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.

175-62 A. PRE-APPLICATION MEETINGS.

Before filing an application, a preliminary conference with the Zoning Administrative Officer and/or the Town Planner 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 meeting 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.

175-67 PROCEDURE FOR MINOR PROJECT SITE PLAN APPROVAL

The procedure for Minor Project Site Plan approval by the Planning Board shall be the same as prescribed in §175-66 for Major Projects, except for the following:

A. A short-form Environmental Assessment Form (EAF) will normally be required. If the application is classified as a "Type I" action under the State Environmental Quality Review Act, a long-form EAF shall be required. The Planning Board, at its discretion, may require the long-form Environmental Assessment Form for any application categorized as "unlisted" under SEQRA.

B. A Minor Project application fee established by the Town Board shall be paid, and an escrow deposit may be required to cover review costs at the discretion of the Planning Board.

C. A Minor Project Site Plan application shall contain the following information. For non-agricultural structures, the Planning Board may request additional information listed in §175-65B if the Board deems it essential to conduct an informed review. Minor Project Site Plan application materials may be prepared by a licensed professional engineer, surveyor, architect, or landscape architect, but the Planning Board shall not require this unless the services of such professionals are necessary to provide accurate information or are otherwise required by law.

SITE PLAN CHECK LIST

1. A sketch of the parcel on a location map (e.g. a tax map) showing boundaries and dimensions of the parcel and identifying contiguous properties that are within 200 feet of the proposed structure and any known easements or rights-of-way and roadways.

2. Existing features of the site lying within 200 feet of the proposed structure, including land and water areas, water or sewer systems, and the approximate location of all structures within 200 feet of the proposed structures.

3. The proposed location and arrangements of structures and uses on the site, including means of ingress and egress, parking, and circulation of traffic.

4. A sketch of any proposed structures (including signs), showing exterior dimensions and elevations of front, side, and rear views; copies of available blueprints, plans, or drawings.

5. A concise description of the project describing the intended use of proposed structures (including signs) and any changes in the existing topography and natural features.

6. The name and address of the applicant and any professional advisors, and the authorization of the owner if the applicant is not the owner.

7. If the parcel contains a stream, wetland, or floodplain, a copy of the floodplain map and wetland map that corresponds with the boundaries of the property.

D. No public hearing is required for a Minor Project Site Plan. The Planning Board may, in its sole discretion, hold a public hearing following the procedures in §175-66 F. If no public hearing is held, the Planning Board shall give notice to the Putnam County Department of Planning and Development and to farm operators as required in §175-62 E and F and render a decision within 45 days of its receipt of a complete Site Plan application.

A minor project site plan shall be referred to the Conservation Board if it is located within the OSO, WSO, SPO, or FPO Districts, or within a Visible Ridgeline No-Build Area or a Hillside Protection Area. The Conservation Board shall have 20 days to report its recommendations to the Planning Board after which time the Planning Board may act without receiving a recommendation. The Planning Board shall take the Conservation Board's recommendations into consideration and if it does not follow such recommendations, it shall provide a written explanation of its reasons for not doing so.

In order to approve a minor project site plan, the Planning Board must find that the proposal is generally consistent with the criteria in §175-65 D and will not adversely affect neighboring properties.

175-65 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 reteation 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 hedges and landscape planting with trees and large shrubs.

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

Short Environmental Assessment Form

Part I - Project Information

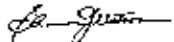
Instructions for Completing

Part I – Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part I – Project and Sponsor Information		
Name of Action or Project: Marzollo - Minor Site Plan		
Project Location (describe, and attach a location map): Lane Gate Road, Cold Spring (see map provided.)		
Brief Description of Proposed Action: New construction of a single-family residence to be served by a private septic system and drilled well.		
Name of Applicant or Sponsor: David Marzollo		Telephone: (914) 330-7027 E-Mail: drmarzollo@gmail.com
Address: 180 Lane Gate Road		
City/PO: Cold Spring		State: New York Zip Code: 10516
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: PCDH - Septic & Well Permits (approved), Town of Philipstown - Driveway & Building Permits		
<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
3. a. Total acreage of the site of the proposed action? 5.000 acres b. Total acreage to be physically disturbed? 0.009 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 5.000 acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:		
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify:	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____			
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Private drilled well. _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Private individual subsurface sewage treatment system. _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:	
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	
Northern Long-eared Bat	
16. Is the project site located in the 100-year flood plan?	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	
If Yes,	
a. Will storm water discharges flow to adjacent properties?	
<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	
<input type="checkbox"/>	
If Yes, briefly describe:	
<hr/> <hr/> <hr/>	
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	
If Yes, explain the purpose and size of the impoundment:	
<hr/> <hr/>	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	
If Yes, describe:	
<hr/> <hr/>	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	
If Yes, describe:	
<hr/> <hr/>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Glennon J. Watson, L.S.</u>	
Signature: <u></u>	
Date: <u>12/05/19</u>	
Title: <u>Surveyor for Applicant</u>	



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: November 1, 2019
FROM: Ronald J. Gainer, PE SUBJ: Marzollo Residential Site; Lane Gate Road

As provided in Section 175-66B of the Town Code a pre-application meeting was held today concerning a residential property along Lane Gate Road, to determine applicable code requirements. In attendance were the following:

David Marzollo	-	Applicant
Glenn Watson,		
Jason Snyder	-	Applicant's Consultant
Ande Merante	-	PB Chairman
Greg Wunner	-	Code Enforcement Officer
Tara Percacciolo	-	ZBA Secretary
Ron Gainer	-	Town Engineer

The following was discussed:

Purpose of Application:

The property is currently vacant; the tract involved is tax map parcel 49.-3-17.4. The Applicant proposes to construct an 1,800±sf, 4-bedroom residence. A copy of the proposed site plan illustrating the property proposed development of the property, driveway, well and SSTS was reviewed. Synder advised that they have already obtained Putnam County Department of Health approval for the intended SSTS on the property.

Lane Gate Road lies along a "scenic corridor" showing on the Town's scenic overlay mapping. The consultant advised that the limits of this overlay district (extending 250 feet into the tract) does include a major portion of the intended house location.

A wetlands/watercourse traverses the tract, to the rear of the proposed house location. Steve Marino has previously flagged the wetlands limits on the property, which Max Garfinkle (Town NRRO) has reviewed. The applicant was advised that a letter should be obtained from the NRRO to confirm that the wetlands limits flagged are acceptable to his office. The site plan reviewed does denote the wetlands boundaries, as well as the 100-foot control zone.

Zoning District:

The property is located in the Residential Conservation District (RC).

Applicable Zoning Code provisions:

The proposed structure will meet all bulk requirements in the Zoning Code's "Dimensional Table".

Site Plan Review Required:

While the size of the residential dwelling falls below the 3,000-sf footprint threshold which normally triggers "Site Plan" review for residential projects, any proposed project impacted by the "Scenic Overlay" regulations (see discussion under "Overlays" below) requires "Site Plan" review by the Planning Board.

Town of Philipstown

November 1, 2019

Page 2

RE: Marzollo Residential Site; Lane Gate Road

Major/Minor:

Pursuant to the * note under the Town's "Use Table" that is applicable to single family residences in the SR district, residential projects for which Site Plan review is required shall be treated as a "Minor" project by the Planning Board. Therefore, the procedures specified in §175-67 should be followed.

Waivers: None were discussed during the pre-application conference.

Overlays: As noted above, the site lies along Lane Gate Road, which is a delineated "scenic corridor" showing on the Town's Scenic Protection overlay mapping. Therefore, any proposed disturbance or improvements within 250 feet of the NYS right-of-way must comply with all applicable requirements of §175-15 ("Scenic Protection Overlay District"), and more specifically the general and specific conditions specified in paragraphs F, G, H & I of this Code section. Therefore, the applicant should identify the boundary of this corridor on the Site Plan drawings to be prepared, and include all necessary mitigation to comply with this Code section.

Parcels identified on the Town's "Open Space Conservation Overlay" mapping lie adjacent to the project site; however, the tract, itself, does not.

The property does not appear to fall within any other Town overlay districts.

Stormwater/Wetlands: A regulated stream/wetlands lies within the tract.

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. The Town Conservation Board will be involved in any permitting required for disturbances within 100 feet of the on-site watercourse/wetlands. A copy of the PC DOH approval of the SSTS should be submitted with the Site plan application.

Fees: Based upon the Town permits required, it would appear that the following Planning Board fees would apply:

Site Plan, "minor project"	-	\$300 + escrow
Escrow	-	\$5,000 (un-used monies returned to applicant)

It should be noted that the application fees and escrow deposit should be posted with separate checks. The necessary application forms can be obtained from the Town's web site, or from Tara Percacciolo, secretary to the Boards. Her office is in the Town Building Department.

Expected Referrals:

It does not appear that referrals to any other Town Boards or outside agencies will be required.

- c: Anthony Merante, Planning Board Chair
Tara Percacciolo, PB/ZBA Secretary
Max Garfinkle, NRRO
Greg Wunner, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant





December 5, 2019

Philipstown Planning Board
Town Hall, 238 Main Street
Cold Spring, New York 10516

Re: Riverview Industries Major Site Plan Application
Tax Map 27.20-1-7

Dear Board Members:

On behalf of Riverview Industries, enclosed please find thirteen copies of an application for Major Site Plan approval along with the required Plans, EAF Long Form Part I and supporting documentation.

The site plan is sought to remediate an open zoning violation on site.

Please place this project on the next available Planning Board Agenda where we look forward to discussing the merits of the project. If you have any questions or require additional information, please contact me at 845-265-9217 ext. 14.

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 AM29NV18BP_Submits_Adv_Copy_DEIS.docx
Kevin Reichard

Town of Philipstown

238 Main Street
Cold Spring New York 10516

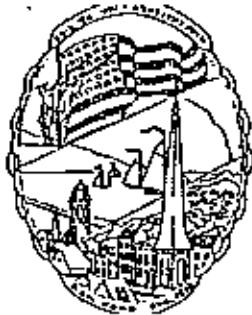
PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MAJOR PROJECT

Project Name: Riverview Industries Major Site Plan

Date: 12/4/2019



**Town of Philipstown
Planning Board
238 Main Street, PO Box 155
Cold Spring, NY 10516**

Office (845) 265-5202 Fax (845) 265-2687

**Application for Planning Board
Special Use & Site Plan Approval**

Date: 12/05/2019

TM # _____

Project Name: Riverview Industries Major Site Plan

Street Address: Route 9, Cold Spring, NY (across from 3012 and 3008 Route 9)

Fee Amount: \$1,620 Received: _____

Bond Amount: \$5,000 Received: _____

Applicant:

Name Kevin Reichard
Address 3012 Route 9
Cold Spring, NY 10516

Telephone 845-265-5284

Design Professional:

Name Badey & Watson Surveying & Engineering, P.C.
Address 3012 Route 9
Cold Spring, NY 10516

Telephone 845-265-9217

Tenant:

Name _____
Address _____

Telephone _____

Surveyor:

Name Badey & Watson Surveying & Engineering, P.C.
Address 3012 Route 9
Cold Spring, NY 10516

Telephone 845-265-9217

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

Name Riverview Industries
Address 3012 Route 9
Cold Spring, NY 10516

Telephone 845-265-9217

Name _____
Address _____
Telephone _____

TM# 27.20-1-7

Project Name: Riverview Industries Major Site Plan

Project Description: Applicant is seeking major site plan approval for a parking area for commercial truck parking and storage. The Applicant owns and operates a commercial truck repair and auto body business on two parcels located across Route 9 and this is an extension of that use. A wetland permit will be required for disturbance in the 100 foot local wetland buffer. A Floodplain Development Permit will be required for disturbance in the 100 year floodplain.

ZONING INFORMATION

175-7 Zoning District: HC

175-10 Proposed Use: parking area for extension of existing use located at 3012 and 3008 Route 9

Proposed Accessory Use(s): _____

175-7 Overlay Districts on the property:	Yes or No
175-13) Floodplain Overlay District - NFIP Map	<u> </u> (FPO) <u>Yes</u>
175-18.1 Mobile Home Overlay District	<u> </u> (MHO) <u>No</u>
175-14 Cold Spring Reservoir Water Shed Overlay	<u> </u> (WSO) <u>No</u>
175-15 Scenic Protection Overlay	<u> </u> (SPO) <u>No</u>
175-16 Aquifer Overlay District	<u> </u> (AQO) <u>Yes</u>
175-18 Open Space Conservation Overlay District	<u> </u> (OSO) <u>No</u>
175-35 Within 100 foot buffer of Wetlands or Watercourse	<u> </u> <u>Yes</u>
175-36 Steep Terrain	<u> </u> <u>No</u>
175-36 Ridge Line Protection	<u> </u> <u>No</u>
175-337 Protection Agricultural	<u> </u> <u>No</u>

TM# 27.20-1-7

Project Name: Riverview Industries Major Site plan

I75-11 Density and Dimensional Regulations

Zoning District HC	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	25	--	--	n/a	no
Measured from the travel way County/state	35	--	--	n/a	no
Minimum side yard setback	15	--	--	n/a	no
Minimum side yard setback (2)	15	--	--	n/a	no
Minimum side yard setback (3)	15	--	--	n/a	no
Minimum rear yard setback	35	--	--	n/a	no
Maximum impervious surface coverage	60%	23%	20%	yes	no
Maximum height	40	--	--	n/a	no
Maximum footprint non-residential structures	40,000	--	--	n/a	no

SUBMISSION:

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

1. Pre-Application meeting decision and comments (will be submitted when received from Town)
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: \$1,620 Received: _____
9. Escrow: \$5,000 Received: _____

Town of Philipstown Town Code Chapter 175

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^{1,000} square feet.
- d. Conversion of existing structures totaling 5,000 square feet to another
- 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, 11 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 75-74, 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 §175-62 E 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 XI) are described in §175-66 and §175-66. 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 1-12 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

X 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.

X 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.

X 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.

X 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.

X 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.

N/A 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,

N/A 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.

N/A 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.

X 10. Erosion and sedimentation control plan required by §175-32 to prevent the pollution of surface or ground water, 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,

X 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 flood plain, 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.

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

X 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.

X 14. Traffic flow patterns within the site, entrances and exits, and loading and unloading 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.

N/A 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.

N/A 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.

N/A 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.

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

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

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) The parking area is existing but haphazard. the site plan will be removed stockpiled debris and define the parking area. Additionally, the parking area will be screened from Route 9 by newly proposed evergreen trees.
- b) Attached is an affidavit from Mr. Paul Kinkel, a long time Town of Philipstown Resident, attesting to the fact that the site has been uses for parking and staging of trucks and equipment for many years..

0) _____

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) _____

- 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 applying 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

X 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.

X 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.

X 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.

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

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

N/A 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.

N/A g. Impacts on historic and cultural resources shall be minimized.

N/A h. Newly installed utility service systems and service modifications necessitated by exterior alterations shall be installed underground. When feasible, existing above ground utility service systems shall be placed underground.

N/A i. Buildings shall have a finished exterior on all sides.

N/A 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

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

X 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.

N/A 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.

N/A 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.

X 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.

X 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 site 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.

X f. All landscaping materials shall be of a type and/or species suitable for the location of the lot III 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.

X 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.

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

X 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.

X 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.

X 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.

X 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

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

N/A 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, set-back roads, alleys, footpaths, bike paths, and new public streets to connect adjoining properties shall be required where appropriate.

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

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

N/A e. All buildings shall be accessible by emergency vehicles.

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

N/A 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.

N/A 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.

N/A 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.

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

N/A c. In the M District, outside storage areas shall not extend into the area required for a building setback from 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

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

X 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.

N/A 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.

N/A 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.

N/A 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.

N/A 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.

Full Environmental Assessment Form
Part I - Project and Setting

Instructions for Completing Part I

Part I 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 I 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 applicant or project sponsor to verify that the information contained in Part I is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:

Riverview Industries Major Site Plan

Project Location (describe, and attach a general location map):

Route 9

Brief Description of Proposed Action (include purpose or need):

Applicant is seeking major site plan approval for a parking area for commercial truck parking and storage. The Applicant owns and operates a commercial truck repair and auto body business on two parcels located across Route 9 and this is an extension of that use. A wetland permit will be required for disturbance in the 100 foot local wetland buffer. A Floodplain Development Permit will be required for disturbance in the 100 year floodplain.

Name of Applicant/Sponsor:

Kevin Reckard

Telephone: 845-265-5284

E-Mail: RiverviewInd@Hotmail.Com

Address: 3012 Route 9

City/PO: Cold Spring

State: New York

Zip Code: 10516

Project Contact (if not same as sponsor; give name and title/role):

Badey & Watson Surveying & Engineering, P.C.

Telephone: 845-265-9217

E-Mail: gwatson@badey-watson.com

Address:

3003 Route 9

City/PO:

Cold Spring

State: New York

Zip Code: 10516

Property Owner (if not same as sponsor):

Riverview Industries

Telephone: 845-265-5284

E-Mail: riverviewind@hotmail.com

Address:

3012 Route 9

City/PO: Cold Spring

State: New York

Zip Code: 10516

<p>B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)</p> <p>If Yes: Identify Agency and Approval(s) Required Application Date (Actual or projected)</p>		
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	b. Village Board of Trustees <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	c. City, Town or Village <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
d. Other local agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	e. County Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	f. Regional Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
g. State Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	h. NSDEC Highway Work Permit <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	i. NSDEC GP-0-15-002 <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
j. Federal Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No		TBD
<p>C. Planning and Zoning.</p> <p>With administrative or legislative adoption, or amendment of a plan, local, ordinary, rule or regulation be the <input checked="" type="checkbox"/> Yes/<input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If No, proceed to question C.2 and complete all remaining sections and questions in Part I. • If Yes, complete sections C, F and G. <p>only approvals(s) which must be granted to enable the proposed action to proceed?</p> <p>Will administrative or legislative adoption, or amendment of a plan, local, ordinary, rule or regulation be the <input checked="" type="checkbox"/> Yes/<input type="checkbox"/> No</p>		
<p>C.2. Adopted Land Use Plans.</p> <p>a. Do any municipality - 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</p> <p>If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes/<input type="checkbox"/> No</p> <p>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 sites, watershed management plan, or other)? <input checked="" type="checkbox"/> Yes/<input type="checkbox"/> No</p> <p>If Yes, identify the plan(s): _____</p> <p>c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farm and protection plan? <input checked="" type="checkbox"/> Yes/<input type="checkbox"/> No</p> <p>If Yes, identify the plan(s): _____</p> <p>(e) Yes, identify the plan(s): _____</p>		

Government Entity	If Yes: Identify Agency and Approval(s)	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	b. Village Board of Trustees <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	c. City, Town or Village <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
d. Other local agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	e. County Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	f. Regional Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
g. State Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	h. NSDEC Highway Work Permit <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No	i. NSDEC GP-0-15-002 <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
j. Federal Agencies <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No		TBD

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
HC Highway Comerical	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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 and New York State Police
c. Which fire protection and emergency medical services serve the project site?	North Highland Engine Co.1 and Philipstown Volunteer Ambulance Corp.
d. What parks serve the project site?	Local and State Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial	
b. a. Total acreage of the site of the proposed action?	4.529 acres
b. Total acreage to be physically disturbed?	0.81 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	7.96 acres
c. Is the proposed action an expansion of an existing project or use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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)? % 24 Units: _____ acres	
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	
ii. Is a cluster/conservation layout proposed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Number of lots proposed?	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If No, anticipated period of construction:	4 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? If Yes, show numbers of units proposed.					<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<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)? If Yes,					<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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?					<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,					
i. Purpose of the impoundment:					
ii. If a water impoundment, the principal source of the water:					<input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
If Yes:					
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>There are local wetlands lands located on the site. Grading in the Wetland buffer is anticipated to remove existing stockpiled debris, grading for the parking area, installation of landscape screening trees and restoration of disturbed areas.</u>					

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:
The disturbance is temporary and will better define the limits of the existing parking area, remove stockpiled debris and restore areas of impervious surface to non-impervious landscaped area.

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe:

iv. Will the 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:
All areas that are disturbed will be restored with topsoil, seed and mulch or tree planting.

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), what is the 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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Will a line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project:
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____
<p>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): _____ _____</p>
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____</p>
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>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)? _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) <u>H</u> Large trucks are delivered to the site and moved from the site to the business across Route 9.</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

<p>H. Will the proposed action generate or emit methane (methane, but not limited to, sewage treatment plants, landfills, composting facilities)?</p> <p>If Yes: _____</p>	
<p>I. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or sandpit operations?</p> <p>If Yes: _____</p>	
<p>II. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring):</p>	
<p>III. Estimate methane generation in tons/year (metric):</p>	
<p>IV. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring):</p>	
<p>V. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?</p> <p>If Yes: _____</p>	
<p>VI. Does the proposed action include any shared use parking?</p> <p>If Yes: _____</p>	
<p>VII. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:</p> <p>a. _____</p> <p>b. _____</p>	
<p>VIII. Are public/private transportation services(s) or facilities available within ½ mile of the proposed site?</p> <p>If Yes: _____</p>	
<p>IX. Will the proposed action include bicycle routes?</p> <p>If Yes: _____</p>	
<p>X. Will the proposed action include bicycle parking?</p> <p>If Yes: _____</p>	
<p>XI. Will the proposed action include bicycle accommodations for commercializations to existing or other facilities?</p> <p>If Yes: _____</p>	
<p>XII. Will the proposed action include bicycle plans for pedestrain or bicycle accommodations for commercializations to existing or other facilities?</p> <p>If Yes: _____</p>	
<p>XIII. Will the proposed action demand additional cycling operation of the proposed action:</p> <p>If Yes: _____</p>	
<p>XIV. Will the proposed action require a new, or an upgrade, to an existing substation?</p> <p>If Yes: _____</p>	
<p>XV. Hours of operation. Answer all items which apply.</p> <p>1. Hours of operation. Answer all items which apply.</p> <p>a. During Operations: _____</p> <p>• Monday - Friday: _____ 9am to 5 pm</p> <p>• Tuesday - Friday: _____ 9am to 5 pm</p> <p>• Saturday: _____ 9am to 5 pm</p> <p>• Sunday: _____ 9am to 5 pm</p> <p>• Holidays: _____ na</p>	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes:	
i. Provide details including sources, time of day and duration:	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Describe:	<input type="checkbox"/> Yes <input type="checkbox"/> No
n. Will the proposed action have outdoor lighting?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? Describe:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
o. Does the proposed action have the potential to produce odors for more than one hour per day? If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Product(s) to be stored _____	
ii. Volume(s) _____ per unit time _____ (e.g., month, year)	
iii. Generally, describe the proposed storage facilities:	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe proposed treatment(s):	
ii. Will the proposed action use Integrated Pest Management Practices?	<input type="checkbox"/> Yes <input type="checkbox"/> No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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 the 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:

The project site fronts Route 9 and there are generally existing commercial uses north and south on both sides of Route 9. There are along existing residential uses on Route 9 to the south and just off Route 9 to the east and west. To the east of the site there are forested areas.

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	1.06	0.91	-0.15
• Forested	1.949	1.949	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.85	1.0	+0.15
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0.67	0.67	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,	
i. Identify Facilities:	
e. Does the project site contain an existing dam?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Has the facility been formally closed?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:	
ii. 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Is any portion of the site listed on the NY SDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	<input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> 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? If yes, provide DEC ID number(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No						
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? If Yes, what proportion of the site is comprised of bedrock outcroppings? _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No % _____						
c. Predominant soil type(s) present on project site:	<table border="0"> <tr> <td>Charlton Loam</td> <td>49 %</td> </tr> <tr> <td>Leicester Loam</td> <td>17 %</td> </tr> <tr> <td>Udorlhents</td> <td>34 %</td> </tr> </table>	Charlton Loam	49 %	Leicester Loam	17 %	Udorlhents	34 %
Charlton Loam	49 %						
Leicester Loam	17 %						
Udorlhents	34 %						
d. What is the average depth to the water table on the project site? Average: _____	4 feet						
e. Drainage status of project site soils:	<table border="0"> <tr> <td><input checked="" type="checkbox"/> Well Drained:</td> <td>49 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td>34 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td>17 % of site</td> </tr> </table>	<input checked="" type="checkbox"/> Well Drained:	49 % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	34 % of site	<input checked="" type="checkbox"/> Poorly Drained	17 % of site
<input checked="" type="checkbox"/> Well Drained:	49 % of site						
<input checked="" type="checkbox"/> Moderately Well Drained:	34 % of site						
<input checked="" type="checkbox"/> Poorly Drained	17 % of site						
f. Approximate proportion of proposed action site with slopes:	<table border="0"> <tr> <td><input checked="" type="checkbox"/> 0-10%:</td> <td>56 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td>% of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 15% or greater:</td> <td>44 % of site</td> </tr> </table>	<input checked="" type="checkbox"/> 0-10%:	56 % of site	<input type="checkbox"/> 10-15%:	% of site	<input checked="" type="checkbox"/> 15% or greater:	44 % of site
<input checked="" type="checkbox"/> 0-10%:	56 % of site						
<input type="checkbox"/> 10-15%:	% of site						
<input checked="" type="checkbox"/> 15% or greater:	44 % of site						
g. Are there any unique geologic features on the project site? If Yes, describe: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
h. Surface water features.							
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
ii. Do any wetlands or other waterbodies adjoin the project site? If Yes to either i or ii, continue. If No, skip to E.2.i.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:							
<ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ local wetland _____ Approximate Size _____ acres • 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
If Yes, name of impaired water body/bodies and basis for listing as impaired: _____							
j. Is the project site in a designated Floodway?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
k. Is the project site in the 100-year Floodplain?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
l. Is the project site in the 500-year Floodplain?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
m. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? If Yes:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
<ul style="list-style-type: none"> • Name of aquifer: Principal Aquifer _____ 							

m. Identify the predominant wildlife species that occupy or use the project site:	birds bats	small woodland animals rabbits	deer
n. Does the project site contain a designated significant natural community?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes:	i. Describe the habitat/community (composition, function, and basis for designation): Appalachian Oak-Hickory Forest, Oak-Tulip Tree Forest, Chestnut Oak Forest		
ii. Source(s) of description or evaluation:	NYSDEC Environmental Resource Mapper		
iii. Extent of community/habitat:	<ul style="list-style-type: none"> • Currently: _____ 0.0 acres • Following completion of project as proposed: _____ 0.0 acres • Gain or loss (indicate + or -): _____ 0.0 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes:	i. Species and listing (endangered or threatened): Northern Long-eared Bat		
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes:	i. Species and listing: New England Cottontail		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? If yes, give a brief description of how the proposed action may affect that use:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State 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:	_____
E. 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 five 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>Route 80</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>NYS Designated Scenic Road</u>	
iii. Distance between project and resource: <u>2.8 miles.</u>	
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.

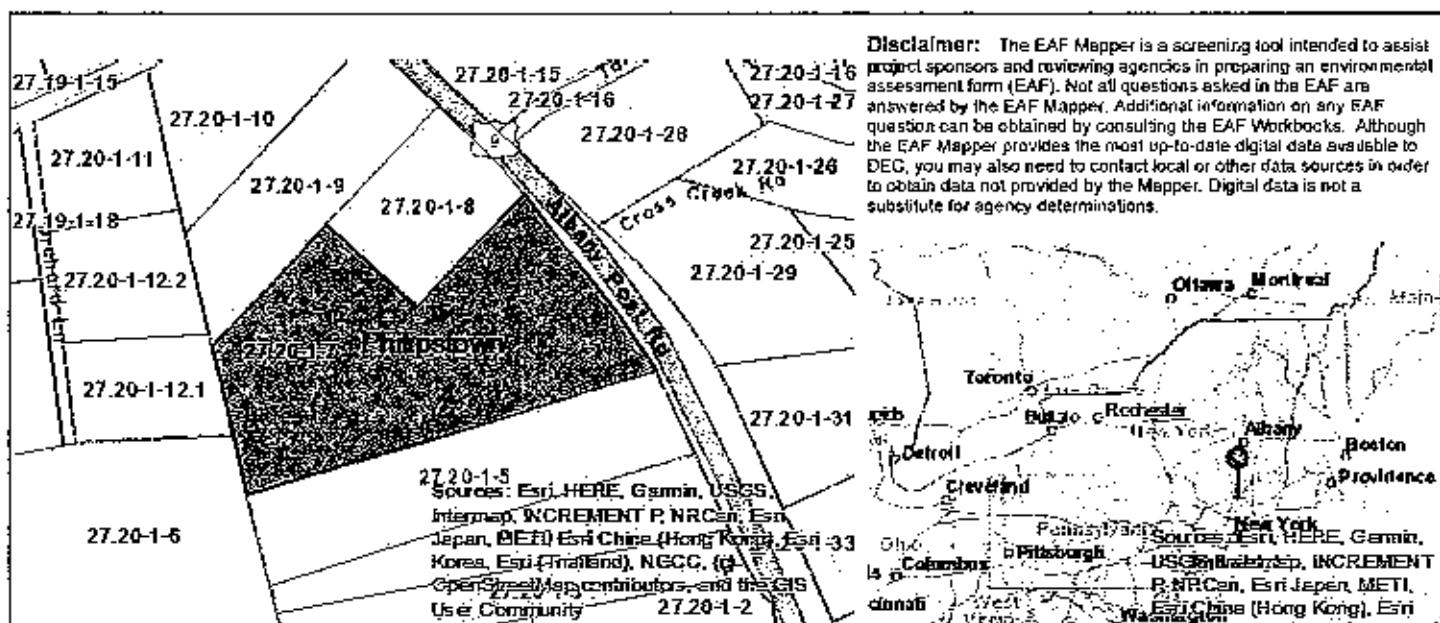
Applicant/Sponsor Name Margaret McManus for Baday & Watson Date 12/05/2019

Signature Margaret McManus

Title Sr. Project Manager

EAF Mapper Summary Report

Tuesday, December 03, 2019 1:01 PM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Appalachian Oak-Hickory Forest, Oak-Tulip Tree Forest, Chestnut Oak Forest

E.2.n.i [Natural Communities - Acres]	0.0
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	New England Cottontail
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

AFFIDAVIT

STATE OF NEW YORK :
ISSUED :
COUNTY OF PUTNAM :

Paul H. Kinkel being duly sworn, deposes and says:

1. I am a resident of the Town of Philipstown, residing at 155 Moog Road, Garrison, NY, and have lived in this Town for most of my 75 years.
2. As such, I am very familiar with many properties throughout this town, including the property at 3021 Route 9, Cold Spring, NY, currently owned by Kevin Reichard and/or his Riverview Industries Inc.
3. The property has been used for the parking and staging of trucks and equipment for as long as I can remember, which is least from 1965 to today.
4. I make these statements knowing full well that Town of Philipstown, will rely on the truth of the statements made in this affidavit.

Paul H. Kinkel

Paul H. Kinkel

Sworn to before me this 8th

day of November, 2019

Rebecca W Linda
Notary Public

REBECCA W LINDA
NOTARY PUBLIC, State of New York
No. 5004353
Qualified in Dutchess County
Commission Expires November 16, 2022



PUTNAM COUNTY
RECORDING PAGE
PAGE 1 OF RECORDED DOCUMENT

KPP-15680

LIBER 1766 PAGE 485

RECEIVED 02/13/2007 02:15:02 P.M.
RECEIPT# 2968 FEE: \$214.00

DOCUMENT # 1500389

DEED - COMM/VACANT

RETT# 1369 \$1,320.00
CONSIDERATION: \$380,000.00

02/13/2007 02:15:02 P.M.
RECEIPT# 2968 FEE: \$214.00
DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1766 PAGE: 485

RESERVE FOR RECORDING INFORMATION

RECORD & RETURN TO:

TYPE OR PRINT

KENNETH PREGNO AGENCY LTD.
2 So. Division Street
Peekskill, New York 10566
(914) 739-8293

GRANTOR/MORTGAGOR

AUGUSTE KARAGOZIAN, as surviving
tenant by the entirety,

TO

RIVERVIEW INDUSTRIES.

DO NOT WRITE BELOW THIS LINE

DEED MTG SAT ASMT CEM POA ESE
OTHER _____

RECORDING FEES	# OF PAGES	
EDP FEE	10.00	1+ 3 = 4
RCD FEE	9.00	C/R
STAT CHG	5.00	
REC MGMT	20.00	
CROSS REF		
TOTAL	44.00	
() MTA FILED \$5.00		
() YEAR \$75.00 () EAC \$165.00		

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
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

T 691 Standard N.Y.D.T.U. Form 8002; Bargain & Sale Deed,
with covenant against grantor's acts - Indorse Corp: single sheet

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY
THIS INDENTURE, made the 7th day of February, in the year Two Thousand Seven

BETWEEN *Edward Karagozian*

AUGUSTE KARAGOZIAN, as surviving tenant by the entirety, residing at 2255 Maple Avenue,
Cortlandt Manor, New York 10567

party of the first part,

RIVERVIEW INDUSTRIES, having an office at Route 9, Cold Spring, New York 10516

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 PLAINSTOWN, County of Putnam and State of New York,
which is more particularly bounded and described on Schedule "A" which is attached hereto and made a
part hereof.

BEING the same premises conveyed by Wilton D. Villetto and Edward Karagozian to Edward
Karagozian and Auguste Karagozian by deed dated June 30, 1981, and recorded on July 17, 1981 in the
Putnam County Clerk's Office in Liber 778 of Deeds at Page 155.

The said Edward Karagozian died on the 7th day of December, 2005, a resident of the Town of Cortlandt,
County of Westchester and State of New York, and at the time of his death, he was married to Auguste
Karagozian.

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:

Auguste Karagozian
AUGUSTE KARAGOZIAN

KENNETH PREGNO AGENCY, LTD.

Title No. KPP-15660

S C H E D U L E A

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

BEGINNING at a point on the westerly line of U.S. Route 9 (State Highway 5149) where the said line is intersected by the southerly line of lands formerly of Doherty and now or formerly of Rossi, the said point being distant approximately 564 feet southerly as measured along the westerly side of said U.S. Route 9 from the point formed by the intersection of the said westerly side of Route 9 and the southerly side of Jaycox Road;

THENCE from said point of beginning southerly along the said westerly side of Route 9 first, South 38 degrees 43'16" East 318.44 feet;

THENCE South 31 degrees 53'24" East 51.15 feet to a point at the line of lands formerly of Weiss and now or formerly of Vinciguerra;

THENCE westerly along said lands and lands now or formerly of Kunz, South 73 degrees 05'34" West 716.18 feet to a point in the center of a stone wall and lands now or formerly of Resi;

THENCE northerly along the center of said wall and along the said lands now or formerly of Resi and lands now or formerly of Grova, the following courses and distances:

North 15 degrees 16'27" West 41.09 feet;

North 12 degrees 03'30" West 63.73 feet;

North 14 degrees 01'33" West 103.85 feet; and

North 14 degrees 40'25" West 43.18 feet to a point;

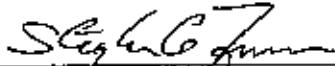
THENCE along other lands now or formerly of Villeito and Karagozian, North 43 degrees 34'19" East 279.73 feet to a point which is the westerly most corner of lands formerly of Doherty and now or formerly of Rossi, aforesaid;

THENCE along the last mentioned lands, first, South 46 degrees 25'50" East 200.00 feet;

THENCE North 43 degrees 34'10" East 263.40 feet to the westerly line of the said U.S. Route 9 and the point or place of BEGINNING.

STATE OF NEW YORK, COUNTY OF PUTNAM, ss:

On the 7th day of February, in the year 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared AUGUSTE KARAGOZIAN personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



Notary Public
Stephanie G. TORRELL
Notary Public, State of New York
No. 0119242470
Qualified in Putnam County
Commission Expires April 30, 2010

STATE OF NEW YORK, COUNTY OF PUTNAM, ss:

On the _____ day of _____, in the year 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF _____, COUNTY OF _____, ss:

On the _____ day of _____, in the year 2007, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument, and that such individuals made such appearance before the undersigned in the

(Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken.)

Signature and office of individual taking acknowledgment

Bargain & Sale Deed
With Covenant Against Grantor's Acts
Title No. KPP-15660
AUGUSTE KARAGOZIAN, as surviving
tenant by the entirety.

RIVERVIEW INDUSTRIES.

SECTION _____
BLOCK _____
LOT Tax Map No. 27.20-1-7
COUNTY OR TOWN: TOWN OF PHILIPSTOWN
COUNTY OF PUTNAM

RETURN BY MAIL TO:

KENNETH PREGNO AGENCY LTD.
2 So. Division Street
Peekskill, New York 10566
(914) 739-8293

KENNETH PREGNO AGENCY LTD.
2 So. Division Street
Peekskill, New York 10566
(914) 739-8293

500' ADJOINERS LIST

27.20-1-7

Riverview Industries

27.20-1-25 Vuksta, Peter J II 11 Cross Creek Rd Apt 1 Cold Spring, NY 10516	27.19-1-17 HFO Property 103 LLC 211 E 70 th Apt 16B New York, NY 10021	27.20-1-12.1 Panthen, Donald C 5026 Waple Ln Alexandria, VA 22304
27.20-1-6 Resi, Joseph 21 Orchard Ln Cold Spring, NY 10516	27.20-1-27 Singh, Bachitar 21 Torchia Rd Cold Spring, NY 10516	27.20-1-1 Ostrow, Eugene 2971 Route 9 Cold Spring, NY 10516
27.19-1-22 Milner, John A 230 Jaycox Rd Cold Spring, NY 10516	27.19-1-21 O'Hara, Michael 234 Jaycox Rd Cold Spring, NY 10516	27.19-1-20 Chiera, Frank L Jr 238 Jaycox Rd Cold Spring, NY 10516
27.19-1-19 Mole, Anthony 244 Jaycox Rd Cold Spring, NY 10516	27.19-1-18 Locitzer, David 252 Jaycox Rd Cold Spring, NY 10516	27.19-1-15 & 16 Rommel, Richard M 253 Jaycox Rd Cold Spring, NY 10516
38.-2-43 State of New York 40 Gleneida Ave Carmel, NY 10512	27.16-1-32.1 & 32.5 Fava Terra Corp 518-A North State Rd Briarcliff Manor, NY 10510	27.20-1-13 Pidala, Stephen 54 Grey Rock Rd Cold Spring, NY 10516
27.20-1-2 Nafa, Hamed 2975 Route 9 Cold Spring, NY 10516	27.20-1-31 Singh, Bachiter 2980 Rt 9 Cold Spring, NY 10516	27.20-1-3 Carchi, Maribel R 2981 Rt 9 Cold Spring, NY 10516
27.20-1-33 Barrios, Kenny 2982 Rt 9 Cold Spring, NY 10516	27.20-1-4 Carchi, Luis 2985 Route 9 Cold Spring, NY 10516	27.20-1-5 Mastrantone, Matthew PO Box 506 Cold Spring, NY 10516
27.20-1-11 Desimone, William F 3 Orchard Ln Cold Spring, NY 10516	27.20-1-29 Reichard, Kevin 3008 Rt 9 Cold Spring, NY 10516	27.20-1-8 Rossi, Jerome 401 Commons Way Unit D Fishkill, NY 12524
27.20-1-28 Reichard, Kevin 3012 Route 9 Cold Spring, NY 10516	27.20-1-16 Carlson Construction 2 Third St Cold Spring, NY 10516	27.20-1-9 Line Drive Properties LLC 3021 Rt 9 Cold Spring, NY 10516

27.20-1-15 Mambee Jambee Ltd 3255 Crompond Rd Yorktown Heights, NY 10598	27.20-1-10 ES LLC 3027 Route 9 Cold Spring, NY 10516	27.20-1-14 Griffin's Landscaping Corp 1234 Lincoln Ter Peekskill, NY 10566
27.20-1-26 Salvi, Giuliana 77 Innsbruck Blvd Hopewell Junction, NY 12533	27.20-1-12.2 HFO Property 102 LLC 211 E 70 th St Apt 16B New York, NY 10021	27.20-1-7 Riverview Industries 3012 Rt 9 Cold Spring, NY 10516

**Town of Philipstown Putnam County, New York
238 Main Street Cold Spring, NY, 10516**



Wetland and Watercourse Determination

To: David Marzollo
189 Lane Gate Road
Cold Spring, NY 10516

From: Max Garfinkle
Wetland Inspector and Natural Resource Review Officer
Town of Philipstown

Date: 9/7/2019

To Whom it May Concern,

I have inspected a lot belonging to David Marzollo adjacent to 256 Lane Gate Road Cold Spring, NY at tax map number 49-3-17 and have found that the property contains a small wetland and watercourse on the southern portion of the property, which is regulated under Chapter 93 of the Town of Philipstown Code. Activities within 100ft of this area that are not exempt from regulation under Chapter 93 will require a permit from the Philipstown NRRO and/ or Philipstown Conservation Board.

If I can be of further assistance please feel free to contact me at your convenience.

Thank you,


Max Garfinkle
Wetland Inspector/ NRRO
Town of Philipstown
mgarfinkle@philipstown.com
(845) 265-3929

Cc:
Philipstown Building Department



PUTNAM COUNTY RECORDING PAGE
PAGE 1 OF RECORDED DOCUMENT

RECORD & RETURN TO:

Claudio and Jean Marzollo
256 Lane Gate Road
Cold Spring, New York 10516

TYPE OR PRINT

GRANTOR/MORTGAGOR

Benjamin F Crane and Sarah A Crane
P.O. Box 12
Cold Spring, New York 10516

DO NOT WRITE BELOW THIS LINE

DEED MTG SAT ASMT CSM POA ESMT OTHER

RECORDING FEES

OF
PAGES

RESERVE FOR TIME STAMP

RCD FEE 15.00

5

2002 AUG 28 AM 9:13

PUTNAM COUNTY
CLERK

STAT CHG 5.00

REC MGMT 20.00

CROSS REF _____

CERT COPY _____

TOTAL 40.00

DEED TRANSFER TAX

CONSIDERATION \$ 180,000.

RECEIVED	\$ 720.
REAL ESTATE	0230
TT#	
TRANSFER TAX	PUTNAM CTY

PUTNAM COUNTY CLERK'S OFFICE

RECORDED ON Aug 28, 2002

LIBER 1598 PAGE 108 AND EXAMINED
PURSUANT TO S315 REAL PROPERTY LAW

Dennis J. Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

MORTGAGE TAX

MTG AMOUNT _____

TOTAL TAX _____

SERIAL NUMBER _____

AFFIDAVIT FILED ()

RESERVED FOR CERTIFICATION

MORTGAGE/DEED TAX DISTRICTS:

TOWN OF CARMEL
TOWN OF KENT
TOWN OF PATTERSON
TOWN OF PHILIPSTOWN
TOWN OF PUTNAM VALLEY
TOWN OF SOUTHEAST
UNAPPORTIONED

MORTGAGE TYPES:

COMMERCIAL/VACANT LAND
1-2 FAMILY
CREDIT UNION/ PERSONAL MTG
3-6 UNITS
EXEMPT

18378

INST# _____

1598 pg 109
**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS**

THIS INDENTURE, made the 14th day of June, two thousand two,

BETWEEN BENJAMIN F. CRANE and SARAH A. CRANE, husband and wife, P. O. Box 12, Cold Spring, New York, 10516, party of the first part, and

CLAUDIO MARZOLLO and JEAN MARZOLLO, husband and wife, 256 Lane Gate Road, Cold Spring, New York 10516, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars (\$10.00), lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam, and State of New York, more particularly described in Schedule A attached hereto.

BEING the same premises conveyed by Eden Park Country Club, Inc. to Benjamin F. Crane and Sarah A. Crane, by deed dated January 31, 1986, and recorded in the Putnam County Clerk's Office on February 27, 1986, in Liber 885 of Deeds at Page 109.

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.

1598 & 110

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:

Melvin Hurwitz

Benjamin F. Crane

Benjamin F. Crane

Sarah A. Crane

Sarah A. Crane

STATE OF NEW YORK)
KING'S)
COUNTY OF ROME)

On the 14th day of June, 2002, before me, the undersigned, a notary public in and for said state, personally appeared BENJAMIN F. CRANE and SARAH A. CRANE, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.

Melvin Hurwitz
Notary Public

RECORD AND RETURN TO:
Claudio and Jean Marzolla
258 Lane Gate Road
Cold Spring, New York 10516

MELVIN M. HURWITZ
Notary Public, State of New York
No. 01HU7018500
Qualified in Kings County
Commission Expires Sept. 30, 2002

~~1598~~ 1598 n. 111

DESCRIPTION OF PROPERTY
prepared for
BENJAMIN F. & SARAH A. CRANE
(Crane to Marzollo)

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 those lands that were heretofore conveyed by Eden Park Country Club, Inc. to Benjamin F. Crane and Sarah A. Crane by that certain deed dated January 31, 1986 and recorded in the Putnam County Clerk's Liber 885 of deeds at page 108 that is bounded and described as follows:

BEGINNING at the point on the assumed southeasterly line of Lane Gate Road that is distant

N 50°16'06" W 6.27 feet

measured along the line dividing the land so conveyed to Crane, on the northeast from lands formerly of Pincus, formerly of Noe and now or formerly of the Castilian Drive Trust, on the southwest, and

N 34°56'00" E 30.11 feet

measured northeasterly along the said assumed southwesterly line of Lane Gate Road from a cross cut on the said division line between Crane and Castilian Drive Trust.

THENCE from the said point of beginning northeasterly along the said assumed southeasterly line of Lane Gate Road, partly along the road face of a stone wall and partly along the line of a rail fence, the following courses:

N 34°56'00" E 42.89 feet

N 37°00'00" E 26.00 feet

N 42°20'00" E 65.00 feet
N 42°50'00" E 22.00 feet
N 52°10'00" E 16.00 feet
N 57°40'00" E 47.00 feet
N 58°00'00" E 45.00 feet
N 58°50'00" E 33.00 feet
N 60°10'00" E 28.00 feet
N 53°50'00" E 26.00 feet
N 62°40'00" E 33.00 feet
N 59°00'00" E 19.00 feet
N 63°45'00" E 42.00 feet
N 84°20'00" E 9.40 feet
N 59°30'00" E 45.70 feet and
N 58°30'00" E 13.43 feet

to a point. Thence through the lands so conveyed to Benjamin F. Crane and Sarah A. Crane

S 11°30'00" E 608.77 feet and
S 51°00'00" W 454.15 feet

to a point at the line of said lands formerly of Pincus, formerly of Noe and now or formerly of the aforementioned Castilian Drive Trust. Thence along the said Castilian Drive Trust Lands and continuing along other lands so conveyed to Benjamin F. and Sarah A. Crane

N 16°21'20" E 366.22 feet and
N 50°16'06" W 361.45 feet

to the assumed southeasterly line of Lane Gate Road and the point or place of beginning, containing 5.000 acres, more or less.

200' ADJOINERS LIST

49.-3-17.4

Marzollo

49.-3-17.11 & 12
Crane, Benjamin
166 Montague St Apt 7A
Brooklyn, NY 11201

49.-3-20
Greenfield, Barry L
200 Park Avenue S Fl 8
New York, NY 10003

49.-3-21
Maglio, Kelly
8 Quail Run
Cold Spring, NY 10516

49.-2-15
Crane, Michael T
166 Montague St Apt 7A
Brooklyn, NY 11201

49.-2-14
Coleman, Matthew
244 Lane Gate Rd
Cold Spring, NY 10516

49.-2-11
Marrinan Jennifer M
300 Lane Gate Rd
Cold Spring, NY 10516

49.-2-12
Sakoutis, Zoe
276 Lane Gate Rd
Cold Spring, NY 10516

10/18/19

PUTNAM COUNTY DEPARTMENT OF HEALTH DIVISION OF ENVIRONMENTAL HEALTH SERVICES

CONSTRUCTION PERMIT FOR SEWAGE TREATMENT SYSTEM

PERMIT # PIT - 09 - 17

Located at LANE CRANE ROAD, COLD SPRINGS Town or Village PHILIPSTOWN

Subdivision name - Subd. Lot # - Tax Map 49, Block 3 Lot 17-4

Date Subdivision Approved - Renewal Revision

Owner/Applicant Name DAVID MARZOLO Date of Previous Approval 02/20/18

Mailing Address 189 LANE CRANE ROAD, COLD SPRINGS Zip 10546

Amount of Fee Enclosed \$500.00

Building Type RESIDENTIAL Lot Area 5 Acre No. of Bedrooms 4 Design Flow GPD 6000

Fill Section Only Depth Volume

PCHD NOTIFICATION IS REQUIRED WHEN FILL IS COMPLETED

Separate Sewerage System to consist of 1,250 gallon septic tank and 429 LF

OF 24" WIDE ABSORPTION TRENCHES SPACED 6' ON-CENTER

Other Requirements:

To be constructed by POLYHEMUS CONSTRUCTION Address GARRISON, NY

Water Supply: Public Supply From _____ Address _____

or: Private Supply Drilled by NORMAN ANDERSON Address POTTER VALLEY, NY

I represent that I am wholly and completely responsible for the design and location of the proposed system(s) and that the separate sewage treatment system described above will be constructed as shown on the approved amendment thereto and in accordance with the standards, rules and regulations of the Putnam County Department of Health, and that on completion thereof a "Certificate of Construction Compliance" satisfactory to the Public Health Director will be submitted to the Department, and a written guarantee will be furnished the owner, his successors, heirs or assigns by the builder, that said builder will place in good operating condition any part of said sewage treatment system during the period of two (2) years immediately following the date of the issuance of the approval of the Certificate of Construction Compliance of the original system or any repairs thereto.

Signed: Edw P.E. R.A. Date 10/18/19

Address BANEY LAWSON, PC COLD SPRINGS, NY License # 072965

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the sewage treatment system has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Public Health Director. Any revision or alteration of the approved plan requires a new permit. Approved for discharge of domestic sanitary sewage only.

By: K. J. Title: APPE Date: 10/29/19

**PUTNAM COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES**

APPLICATION TO CONSTRUCT A WATER WELL

Please print or type

PCHD Permit # PH-09-17

Well Location	Street Address:	Town/Village:	Tax Map #	
	LAW GATE RD, COLD SPRINGS	PHILIPSTOWN	Map 49.	Block 3 Lot(s) 17-4
Well Owner:	Name: <u>DAVID MARZOLLO</u>	Address: <u>189 LAW GATE RD COLD SPRINGS</u>	Phone #	<u>(914) 330-7027</u>
Use of Well 1- Primary 2-Secondary	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Business <input type="checkbox"/> Industrial	<input type="checkbox"/> Public Supply <input type="checkbox"/> Farm <input type="checkbox"/> Institutional	Irrigation Test/Monitoring	
Amount of Use	Yield Sought <u>5</u> gpm	# People Served <u>6</u>	Est. of Daily Usage <u>600</u> gal.	
Reason for Drilling	Replace Existing Supply <input checked="" type="checkbox"/> New Supply (new dwelling)		Test/Observation Deepen Existing Well	Additional Supply
Detailed Reason for Drilling	<u>TO PROVIDE A PORTABLE WATER SUPPLY TO A NEW RESIDENCE.</u>			
Well Type	<input checked="" type="checkbox"/> Drilled	<input type="checkbox"/> Driven	<input type="checkbox"/> Gravel	<input type="checkbox"/> Other
Is well site subject to flooding?				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is well located in a ready subdivision?				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name of subdivision	<u>-</u>			
Water Well Contractor: <u>NORMAN ANDERSON</u>	Address: <u>PUTNAM VALLEY, NY</u>			
Is Public Water Supply available on site?				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name of Public Water Supply: <u>NA</u>	Town/Village <u>NA</u>			
Distance to property from nearest water main: <u>> 1 mile</u>				
Proposed well location & sources of contamination to be provided on separate sheet/plan.				
Date: <u>10/18/19</u>	Applicant Signature: <u>E. J. S.</u>			

PERMIT TO CONSTRUCT A WATER WELL

This permit to construct one water well as set forth above, is granted under provisions of Article 10 of the Putnam County Sanitary Code and Subpart 5-2 of Part 5 of the New York State Sanitary Code and provided that within thirty (30) days of the completion of water well construction, the applicant or their designated representative shall: 1) Pump the well until the water is clear. 2) Disinfect the well in accordance with the requirements of the Putnam County Health Department. 3) Submit a Well Completion Report on a form provided by the Putnam County Health Department. 4) The well driller shall abide by all conditions of the permit. 5) During all well drilling operations the well driller shall take appropriate action to assure that any and all water and waste products from such well drilling operations be contained on this property and in such a manner as not to degrade or otherwise contaminate surface or groundwater.

Additional Permit Requirements:

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the well has been completed and inspected by the PCDOH and is revocable for cause or may be amended or modified when considered necessary by the Commissioner of Health. Any revision or alteration of the approved plan requires a new permit. Well to be constructed by a water well driller licensed by Putnam County.

Date of Issue: 10/29/19

Date of Expiration: 10/29/21

Permit is Non-Transferable

Permit Issuing Official: J. S.

Title: ADHE

White copy - HD file; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Well Driller