

Philipstown Planning Board
VFW Hall, Kemble Avenue, Cold Spring, New York
February 16, 2012
Agenda

Public Hearing

- Dominic and Debra Santucci (cont'd)
- Nancy Olnick Spanu
- Garrison Properties, LLC
- Viewsave, LLC

Pledge of Allegiance

Roll Call

Approval of Minutes (December, 2011)

1. **Dominic and Debra Santucci** – Mountain Trace Subdivision – Canopus Hollow/Sprout Brook Road: Discussion
2. **Nancy Olnick Spanu** - 245 Avery Road, Garrison: Discussion/planting plan
 - a. Approval of subdivision plat showing lot line adjustments
 - b. Approval of site plan
3. **Garrison Properties, LLC** (Garrison Station Plaza) – Site Plan – 7 Garrison Landing, Garrison: Discussion
4. **Viewsave, LLC/Hudson Valley 2009 Trust/Gerald E. Morris**– Subdivision plat showing merger and lot line adjustment – Beverly Warren Road, Garrison: Discussion
5. **Mary Ellen Finger** – 3 Horsemen’s Trail, Cold Spring: Landscape plan
 - a. Approval of three-lot subdivision
 - b. Approval of site plan (Entergy)
6. **E. Polhemus Enterprises, LLC** – Site plan (soil processing) – Horsemen’s Trail, Cold Spring: Resolution
7. **Jung Wang & Ming H. Wang** – Approval of two-lot subdivision – Jaycox Road, Cold Spring: Request for second 90-day extension

Adjourn

Anthony Merante, Chairman

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

DRAFT

Philipstown Planning Board
Meeting Minutes

~~December 8, 2011~~

The Philipstown Planning Board held its regularly monthly meeting on Thursday, December 8, 2011 at the VFW Hall on Kemble Avenue in Cold Spring, New York. The meeting was opened at 7:30 p.m. by the Chairman, Anthony Merante.

- Present: Anthony Merante
Michael Leonard
Kerry Meehan
Pat Sexton
Neal Zuckerman
Steve Gaba, Counsel
Ron Gainer, Planner
- Absent: Kim Conner
Mary Ellen Finger

Constance Bakall – Approval of three-lot subdivision – 1212 East Mountain Road, Cold Spring: Request for return of escrow

Mr. Merante asked Mr. Gainer if he had any comment.

Mr. Gainer said no, as there been no further involvement.

Mr. Merante asked if the Board had any comment.

There was no comment.

Ms. Sexton made a motion that the Planning Board forward a letter to the Town Board asking that the escrow be returned. Mr. Leonard seconded the motion. The vote was as follows:

- | | | |
|-------------------|---|----------|
| Anthony Merante | - | In favor |
| Kim Conner | - | Absent |
| Mary Ellen Finger | - | Absent |
| Michael Leonard | - | In favor |
| Kerry Meehan | - | In favor |
| Pat Sexton | - | In favor |
| Neal Zuckerman | - | In favor |

The Berner Family – Approval of two-lot subdivision – Jaycox Road, Cold Spring: Request for return of escrow

Mr. Merante asked Mr. Gainer if he had any comment.

Mr. Gainer said no, as there had been no involvement in a while.

Ms. Sexton made a motion to return the escrow. The motion was seconded by Mr. Zuckerman. The vote was as follows:

- | | | |
|-------------------|---|----------|
| Anthony Merante | - | In favor |
| Kim Conner | - | Absent |
| Mary Ellen Finger | - | Absent |
| Michael Leonard | - | In favor |
| Kerry Meehan | - | In favor |
| Pat Sexton | - | In favor |
| Neal Zuckerman | - | In favor |

~~Yanyang and Ming Wang – Two-lot subdivisions – Jaycox Road, Cold Spring – Request for 90-day extension~~

Mr. Merante asked Mr. Gainer if he had any comment.

Mr. Gainer said that he had no objection.

Mr. Merante made a motion to approve the 90-day extension. The motion was seconded by Ms. Santucci.
The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	Absent
Mary Ellen Finger	-	Absent
Michael Leonard	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	In favor
Neal Zuckerman	-	In favor

Public Hearing

Dominic and Debra Santucci (cont'd) – Mountain Trace Subdivision – Canopus Hollow/Sprout Brook Road: Discussion

Mr. Merante said that in going through the file, he had to eliminate anything that was prior to this - it involved five or four lot subdivision. The latest request was for a three-lot subdivision on this application. He said that the last EAF he had deals with a four-lot plan. Mr. Merante said so until the Board gets an updated one, they're not going to be able to go any further with this on the evaluation in doing the Part 3.

Mr. Gainer said that he contacted the applicant just today to remind him that this was actually a public hearing and the applicants are aware and will make a presentation. He said that the environmental documents should be updated to reflect the three-lot proposal they're currently bringing to the Board for action.

Ms. Santucci said that wanted to apologize because when she and Mr. Santucci left the meeting in October... maybe there was a misunderstanding – it could have been on their part, but they were not aware that there would be a public hearing tonight. She said that they thought that the Chairman of the Wetlands Committee was going to come and explain the letter and that's all they thought was happening, so they didn't prepare this evening with their engineer. Ms. Santucci said that Mr. Gainer had contacted their engineer and it was a total communication, which they'll take the blame for if that's what happened. Again, she apologized to the Board. Ms. Santucci said that they did come tonight with whatever they could get their hands on. Their engineer couldn't make it. She said that hopefully, they could answer... at least this evening might not be totally wasted and they could answer some questions and try to not lose this evening totally and give the Board whatever information it needs to proceed.

Mr. Merante said that this is a continuing public hearing. He said that they could take public comment. Mr. Merante said that he was not sure if he read a letter from Mr. Koch regarding this sort of application that goes on seems like indefinitely. He read the letter aloud (copy on file at Town Hall). Mr. Merante said that the policy Mr. Koch talks about is now in effect, however, this application predates that by a long time. He said that he was not sure this went on for any period of time that would have triggered that anyway, but he wanted to address the question he had. Mr. Merante asked Mr. Gainer if he had any comment before they started.

Mr. Gainer said no.

Mr. Santucci said that they just found out this afternoon that this was a public hearing when Mr. Gainer had called them. He said that he would do the best he could and will answer any questions he could. Mr. Santucci said that he had all the charts from nine years ago, when they came in with the five-lot subdivision. He presented a plan and stated that they determined that this (pointed out) was the only way to come up there – through the front. Mr. Santucci said that there is no other access to get onto the property. He said that they don't have too many choices, so they went from a five-lot, which clearly shows all of the disturbance. Mr. Santucci said that this was just to show the different site plans that they did – showing the



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John P. Delano, P.E.
Peter Meisler, L.S.
Stephen R. Miller, L.S.
Jennifer W. Reap, L.S.

George A. Badey, L.S., Senior Consultant
Mary Rice, R.L.A., Consultant
Robert S. Miglin, Jr., L.S.

February 2, 2012

Philipstown Planning Board
238 Main Street
Cold Spring, NY 10516

RE: Application of Nancy Olnick Spanu – Submission of Additional Plans

Honorable Board Members:

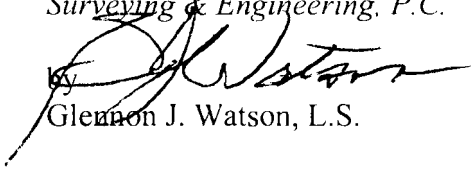
Enclosed are 14 copies of our drawing entitled “Planting Plan for Nancy Olnick Spanu” last dated February 2, 2012. This drawing is numbered 6 of 6 and is an addition to the 5-sheet set previously submitted.

While there are other minor technical revisions to the other sheets, all of the substantive changes appear on this sheet. Accordingly, in an effort to avoid producing an excessive number of copies, we have elected to submit only this sheet, with the understanding that we will submit full set of the final plans after all of the technical issues have been worked out with Mr. Gainer.

We look forward to presenting this project at the Public Hearing scheduled for February 16, 2012.

Thank you for your continued attention to this project.

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



Glennon J. Watson, L.S.

Enclosure (1)
GJW/bms
cc: File 88-110\PB02FB12BP_SubmitsLandscapePlan.doc
Nancy Olnick Spanu

Owners of the records and files of

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

In the matter of the application of

Spanu – 3 lot Subdivision
Avery Road, Garrison, NY

RESPONSE TO REQUEST THAT TOWN OF PHILIPSTOWN
PLANNING BOARD SERVE AS LEAD AGENCY

On behalf of the Putnam County Department of Health, I acknowledge receipt of the Lead Agency notice in this matter, which was mailed on

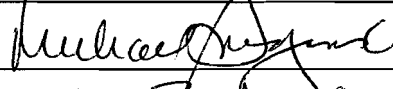
January 16, 2012

The above-named involved agency hereby

(Please check one)

- CONSENTS that the Town of Philipstown Planning Board serve as Lead Agency in this application and requests that the undersigned continue to be notified on filings and hearings in this matter.
- DOES NOT CONSENT to the Town of Philipstown Planning Board serving as Lead Agency in this application and wishes that the Putnam County Department of Health serve as Lead Agency. To contest Lead Agency designation, the undersigned intends to follow the procedures outlined in 6 NYCRR 617.6 (b)(5).

DATED: 1-31-12

SIGNATURE: 
MICHAEL BLAZEWSKI, AE

GARRISON VOLUNTEER FIRE COMPANY INC.

1616 Route 9
PO Box 252
Garrison NY 10524

House Phone (845) 424-4406

Chief's Office (845) 424-3709

January 23, 2012

Philipstown Planning Board
238 Main St
Cold Spring, NY 10516

RE: Nancy Olnick Spanu

Our review of the planned sub-division and the Request for Waiver has shown some concerns:

The waiver request is inadequately descriptive and the plans are similarly lacking in information needed to deal with the request. Please submit an adequate waiver request and improved plans and specifications meeting the NYS Fire Code.

By way of example of the inadequacy, we refer to section 511.1 of the 2010 NYS Fire Code - The driveway shall be a minimum of 12 feet wide and 13.5 feet in height with unobstructed path for emergency vehicles. We see no evidence that this requirement is met.

There is no cul-de-sac shown in the proposal adequate to meet Section 511.2.2 of NYS Code for new construction, based on the length of the driveway and standard fire vehicles - much less to indicate exactly to what the waiver request might be referring. One current loop shown on the drawings has rock walls and is built on a slope, making turn-around not feasible or acceptable. Intersections of driveways shown do not provide dimensions that would allow for adequate review (see Appendix D of the Code), and it is questionable whether both driveways will be maintained year-round. In addition, the designs submitted are not in conformance with 511.2.5 in that they fail to indicate radius and grade.

We also remind you that any security gates must meet the Code and be approved by the fire chief, while meeting any other standards mentioned in Section 503.6 and Appendix D, and that new 911 numbers should be issued prior to construction.

Thank You,



Rodney Tudor, Chief

Garrison Volunteer Fire Company

In the matter of the application of

Garrison Properties LLC – Site Plan
Station Road, Garrison, NY

RESPONSE TO REQUEST THAT TOWN OF PHILIPSTOWN
PLANNING BOARD SERVE AS LEAD AGENCY

On behalf of the Putnam County Department of Health, I acknowledge receipt of the Lead Agency notice in this matter, which was mailed on

January 20, 2012

The above-named involved agency hereby

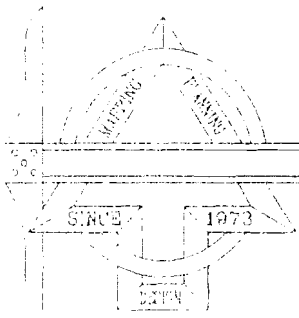
(Please check one)

- CONSENTS that the Town of Philipstown Planning Board serve as Lead Agency in this application and requests that the undersigned continue to be notified on filings and hearings in this matter.
- DOES NOT CONSENT to the Town of Philipstown Planning Board serving as Lead Agency in this application and wishes that the Putnam County Department of Health serve as Lead Agency. To contest Lead Agency designation, the undersigned intends to follow the procedures outlined in 6 NYCRR 617.6 (b)(5).

DATED: 1-31-12

SIGNATURE: 

MICHAEL BUSZINSKI, AE



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Surveying & Engineering P.C.

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George A. Badey, L.S., Senior Consultant
Mary Rice, R.L.A., Consultant
Robert S. Miglin, Jr., L.S.

February 2, 2012

Philipstown Planning Board
238 Main Street
Cold Spring, NY 10516

RE: Application of Entergy – Submission of Additional Plans

Honorable Board Members:

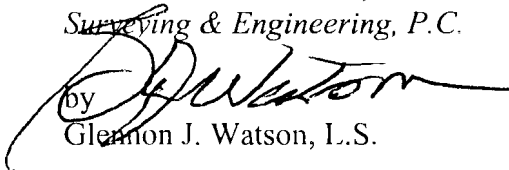
Enclosed are 13 copies of Robert E. Lamb's drawing C-7 for Entergy entitled "Landscape Plan" last dated January 27, 2012.

While there are other minor technical revisions to some of the other sheets, all of the substantive changes appear on this sheet. Accordingly, in an effort to avoid producing an excessive number of copies, we have elected to submit only this sheet, with the understanding that we will submit full set of the final plans after all of the technical issues have been worked out with Mr. Gainer.

We look forward to your continued review of this project at the Planning Board meeting scheduled for February 16, 2012.

Thank you for your continued attention to this project.

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

by 
Glennon J. Watson, L.S.

Enclosure (1)
GJW/bms
cc: File 91-104B\PB02FB12BP_SubmitsLandscapePlan.doc
Craig MacLatchie, w/o enclosure, by email only
William Josiger, w/o enclosure, by email only

Owners of the records and files of

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

PLANNING BOARD
TOWN OF PHILIPSTOWN

PUTNAM COUNTY

In the matter of the application of

Entergy Emergency Operations Center & Finger Amended 3-lot Subdivision
Horsemen's Trail, Philipstown, NY

RESPONSE TO REQUEST THAT TOWN OF PHILIPSTOWN
PLANNING BOARD SERVE AS LEAD AGENCY

On behalf of the Putnam County Department of Health, I acknowledge receipt of the Lead Agency notice in this matter, which was mailed on

January 16, 2012

The above-named involved agency hereby

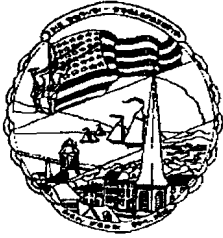
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- CONSENTS that the Town of Philipstown Planning Board serve as Lead Agency in this application and requests that the undersigned continue to be notified on filings and hearings in this matter.
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DATED: 1-31-12

SIGNATURE: 

MICHAEL BUSZINSKI, PE



Town of Philipstown

HIGHWAY DEPARTMENT
50 Fishkill Road
Cold Spring, New York 10516
(845) 265-3530
Fax (845) 265-7886

Roger M. Chirico
Highway Superintendent

January 17, 2012

Anthony Merante, Chairman, and Planning Board
TOWN OF PHILIPSTOWN PLANNING BOARD
PO Box 55
Cold Spring, NY 10516

RE: Entergy Emergency Operations Center – Site Plan
Horsemen’s Trail

Dear Chairman and Board members:

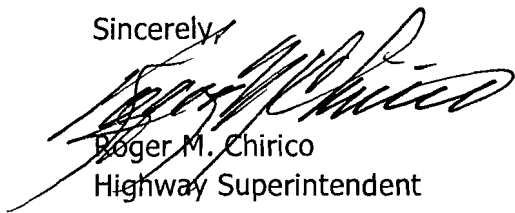
The Town Engineer and I recently inspected the above project site to evaluate the applicant’s proposal for a soil processing facility at the above noted site. My observations and comments are offered below.

From my observations, I offer the following comments for your consideration in your deliberations on the matter:

1. No drainage exists on Horsemen’s Trail. Therefore, no drainage should be directed to the Town R..O.W.
 2. It seems appropriate to have swales constructed along the frontage, to allow flow along the west side of the roadway to direct run-off towards the south.
 3. The project’s stormwater design is predicated upon infiltration of the site run-off into the site’s underlying soils. Therefore, To insure that the project doesn’t have any off-site impacts, the Board should require that infiltration testing of the on-site soils be performed.
-

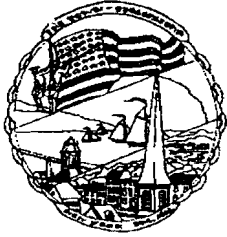
I trust that these comments are adequate for your needs, and thank you for referring this project to my office, to allow me to review and inspect the site's activities and potential impacts to Town facilities. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger M. Chirico". The signature is fluid and cursive, with a long horizontal stroke at the end.

Roger M. Chirico
Highway Superintendent

cc: Ronald J. Gainer, PE, PLLC



Town of Philipstown
HIGHWAY DEPARTMENT
50 Fishkill Road
Cold Spring, New York 10516
(845) 265-3530
Fax (845) 265-7886

Roger M. Chirico
Highway Superintendent

January 17, 2012

Anthony Merante, Chairman, and Planning Board
TOWN OF PHILIPSTOWN PLANNING BOARD
PO Box 55
Cold Spring, NY 10516

RE: Polhemus Soil Processing – Site Plan
Horsemen's Trail

Dear Chairman and Board members:

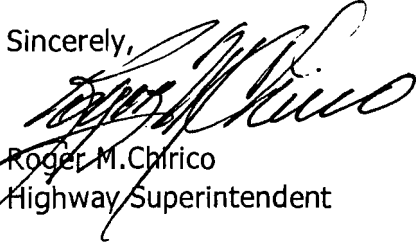
The Town Engineer and I recently inspected the above project site to evaluate the applicant's proposal for a soil processing facility at the above noted site. My observations and comments are offered below.

From my observations, I offer the following comments for your consideration in your deliberations on the matter:

1. No site run-off should be directed towards Horsemen's Trail, as no town drainage facilities exist along the R.O.W.
2. It is understood that the on-site treatment pond will outlet to a swale along the edge of Skyline Drive, which is acceptable. However, it must be understood that this eventually drains into NYS DOT drainage facilities along NYS Route 9. As these facilities drain through town-owned piping under Mill Road, the Board should condition any action on the application upon the upgrade of this drainage pipe should the Highway Superintendent find that this culvert is over-taxed by such drainage.

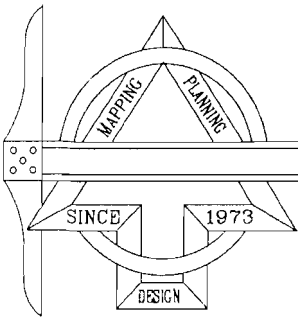
I trust that these comments are adequate for your needs, and thank you for referring this project to my office, to allow me to review and inspect the site's activities and potential impacts to Town facilities. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger M. Chirico". The signature is written in a cursive style with a large, sweeping initial "R".

Roger M. Chirico
Highway Superintendent

cc: Ronald J. Gainer, PE, PLLC



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Jennifer W. Reap, L.S.

George A. Badey, L.S., Senior Consultant

Mary Rice, R.L.A., Consultant

Robert S. Miglin, Jr., L.S.

February 1, 2012

Honorable Board Members
Town of Philiptown Planning Board
238 Main Street
Town Hall
Cold Spring, NY 10516

Re: 2nd 90 Day Extension

Dear Honorable Board Members:

Our client's Yung Wang and Ming HsienWang received conditional final approval to subdivide their property on Jaycox Road on June 16, 2011.

The 180 day period during which the approval is valid, expired on December 13, 2011.

The first 90 day extension was granted on December 8, 2011 as mentioned in the December Planning Board minutes, (see attached) and will expire on March 12, 2012.

This letter is to formally request, on behalf of our client that the approval granted by Planning Board Resolution P.P.B.# 6 be extended for a period of 2nd 90 days as permitted under Section 112-47.D(5)f of the Town Code.

Yours truly,

BADEY & WATSON

Surveying & Engineering, P.C.

by 
Glennon J. Watson, L.S.
GJW/mew

cc: File U:\77-121B/HB01FB12BP
Ming HsienWang

Owners of the records and files of

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