

MEETING AGENDA
TOWN OF PHILIPSTOWN PLANNING BOARD
Butterfield Library, Cold Spring, New York 10516
February 16, 2017
7:30 PM

Pledge of Allegiance
Roll Call
Approval of Minutes – January 12, 2017

Continued Public Hearing:

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

Old Business:

- 2. Paul and Ellen Johnson, 4 Highland Ridge, Cold Spring TM#27.-1-10.13**
• New Site Plan application major Site Plan Approval.
- 3. Kristin Sorenson, 1000 Old Albany Post Road, Garrison TM# 16.20-1-18**
(return to Planning Board after seeking Zoning Board of Appeals approval (Appeal # 897) for a lot line adjustment applicant returning after receiving the two variances (front yard setback and lot coverage) needed to proceed.
- 4. Manitou Property Co., LLC., 1656 Route 9D, Cold Spring TM# 49.6-2-1**
(Amended Site Plan approval for an addition of a new 6,310 square foot building)
- 5. Stone Crop Gardens, 61-115 Stonecrop, Cold Spring TM#39.-2-10**
1. (Amended Site Plan approval for the replacement of a building destroyed by a fire and expansion of facilities)

New Business:

- 6. Westchester Modular Homes, (David and Johanna Brenner) TM# 17.-2-52**
property location - 530 East Mountain Road South, Cold Spring
(Single Family Residence with a breezeway and garage which is more that 3000 Square feet)

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

**PHILIPSTOWN PLANNING BOARD
MEETING MINUTES
January 12, 2017**

The Philipstown Planning Board held its regularly monthly meeting on Thursday, January 12, 2017 at the Butterfield Library, 10 Morris Avenue, Cold Spring, New York.

Present: Anthony Merante (Chairman)
Kim Conner
Mary Ellen Finger
David Hardy
Neal Tomann
Neal Zuckerman
Stephen Gaba, Counsel
Ronald Gainer, Town Engineer

Absent: Peter Lewis

Chairman Merante opened the meeting at 7:31 P. M. with the Pledge of Allegiance.

Roll call was taken by Ms. Valentino.

1. Minutes:

The minutes of November 17, 2016 were reviewed. A couple of clarifications were requested and one spelling error was corrected. Ms. Conner commented on the format of the minutes and offered her opinion that they should include verbatim statements that are made during public hearings. Ms. Conner asked if the minutes could reflect a statement or something that someone may want to see more detail about. A discussion ensued.

Mr. Gaba responded by informing the board that verbatim minutes are not required, not even for a public hearing. Someone can always request to have more detail contained in the minutes regarding a discussion they feel is important to them. That is the purpose of reviewing draft minutes prior their formal adoption.

Mr. Hardy moved to adopt the minutes as amended and Mr. Zuckerman seconded the motion. The vote was as follows:

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

2. Public Hearings:

a. Griffin's Landscaping Corporation, (TM# 27.20-1-14)

The public hearing opened at 7:39 P. M. with Ms. Valentino reading the following legal notice "Griffin's Landscaping, Inc, 3032 NYS Route 9, Cold Spring. The application concerns an existing developed 0.92 acre site, which contains a one-story frame building and includes a kiln, storage container adjacent to Clove Creek, and numerous outdoor wood pile/storage areas. These activities represent a change in use from the original Site Plan approval in 1989 that concerned a commercial landscaping enterprise. The applicant is requesting a Special Permit from the Town of Philipstown Planning Board to cover the site's present use".

Chairman Merante opened the meeting for Board Member comments.

Ms. Conner remarked on the great job that was done by Mr. Garfinkle, Natural Resource Officer, on the response memo dated 12/19/16 that was written to the Planning Board on behalf of the Conservation Board.

Ms. Finger expressed concern over whether or not there was ever any authorization or any rent being paid for the neighboring property that the kiln is encroaching on.

Mr. Gainer noted that the Conservation Board memo dated 12/19/16 was very detailed, including required restoration of the adjacent property, and he had passed the Conservation Board memo dated 12/19/16 on to the Applicant's consultants.

Mr. Gaba noted some of the issues that were noted in the Conservation Board memo dated 12/19/16 will need plan modifications by the applicant.

Mr. Watson reviewed the modified Site Plan which showed suggestions from the Conservation Board memo dated 12/19/16 as follows:

- A berm was added between a stockpile of wood and the creek.
- The fence was left alone.
- The existing yard drain was changed to a trapping mechanism around it so when the water flowed to it, it would go to the trapping mechanism, go down the catch basin which would send it to another catch basin. The trapping mechanism will be installed by splicing it into an existing pipe. The first part of a rain storm will be collected in a seepage pit that will eventually fill up and at that point the water will continue to take the course it takes today.
- The fence along the northern boundary line was extended.
- The Conservation Board called for the neighboring property to be cleaned up but must first receive permission from the owner of that lot.
- A fence was extended between the properties to make a clear distinction of the boundary between both properties.
- Mr. Watson noted he and the applicant are willing to take suggestions of appropriate plants for the appropriate screening from the Conservation Board. As of this date the proposed plant screening has not been changed.
- A suggested 6-10 foot fence to protect the floatables has been rejected since it is not required. The required four foot fence should be sufficient.

- Corridors for access around the wood stockpiles were requested. Mr. Watson noted that the stockpiles were pulled in and put the corridor around the outside to protect the fence.

Chairman Merante asked Mr. Watson if he agreed with the comments from the Conservation Board memo dated 12/19/16 regarding the drop inlet? Mr. Watson replied that the point he believed the Conservation Board was making, after speaking to them, was that essentially all the drainage from the entire operation is getting to the catch basin and flowing untreated into the creek. That was the purpose behind designing the trapping mechanism. The first water that goes through the system is the dirtiest. The process will bring the cleaner water to the creek.

Ms. Conner asked if the “hardening” of the area with Rip Rap was considered hardening? Mr. Watson responded that he was not sure.

Mr. Tomann asked if the catch basins will be cleaned out periodically? Mr. Watson responded yes.

Chairman Merante asked if there was a problem maintaining a 15 foot setback on the inside of the chain link fence? Mr. Watson responded 15 feet is to much.

Ms. Finger asked if there was a consent, authorization or legal agreement with the neighbor for the remediation work that is going to be done on his property? Mr. Watson responded that he didn't have an answer but noted that Mr. Griffin has been in contact with the owner of the adjoining property to hopefully purchase it. Mr. Watson noted that before any work can be done to the neighboring property, consent is needed from the property owner allowing the work to be done.

Ms. Finger asked if any long-term ramifications and all liability will be waived? Mr. Watson responded that was a legal matter. The applicant is making the commitment that the work will be done and the proper permits will be acquired. The work that will be done will be a private matter between the adjoining property owner and Mr. Griffin.

Mr. Tomann asked what the hashed area represented on the drawing? Mr. Watson responded that the hashed area represented the kiln.

The meeting was opened to the public for comments.

Mr. William Desimone noted he lived on Jaycox Road and he thought Mr. Griffin's business was just going to be a landscaping business. He did not know that 15-20 foot high piles of wood would be stockpiled and covered with big blue tarps. Mr. Desimone noted that instead of seeing the mountains beyond, that he looks out his window and now sees the blue tarps covering the wood piles. Mr. Desimone also noted that because of the noise in the summertime from the chainsaws, he has to keep his windows closed.

Mr. Gainer noted the public has now completed presenting their comments on the project. The public comment issues raised, and the Conservation Board issues presented in writing by memo, can now be submitted to the applicant for response. There have been no new plans submitted to the Planning Board tonight, but the applicant's representative has indicated that some revisions to the drawings have been made, and so these should be provided to the Planning Board. Mr. Gainer noted it was up to the Planning Board whether or not they wanted to leave the public hearing open or not.

Chairman Merante asked Board members if they were in favor or not in favor of leaving the public hearing opened. Ms. Conner responded that she would like to see the public hearing remain open, so that the public has an ability to review any changes made to the plans to address the comments received. Ms. Conner moved to adjourn the public hearing and Mr. Tomann seconded the motion. The public hearing will continue February 16, 2017.

Chairman Merante noted to Mr. Desimone that any other comments can be made at the continued public hearing on February 16, 2017, or he can submit them in writing to the Planning Board Secretary.

b. Olspan, LLC, 2700 NYS Route 9, Cold Spring (TM# 38.-3-24.2)

The public hearing opened at 7:56 P. M. with Ms. Valentino reading the following legal notice: "Olspan LLC warehouse, This latest application concerns proposed modifications to the current highway entrance to the site, a new driveway, culvert, provision of a security gate at the entrance to the parking area, modifications to the parking area and the demolition and re-construction of the caretakers residence at a location farther back on the property."

Chairman Merante noted that the Planning Board went to a scheduled site visit at the Olspan property.

Mr. Watson noted that several changes were done to the Site Plan following the Planning Board members site visit. Mr. Watson reviewed the changes as follows:

- The walkway in front of the utility shed building was widened.
- A parking space was removed to allow access for the Siamese connections for the Fire Suppression System.
- Realigned the parking to provide for two bus parking spaces.
- Added an employee resident and non-resident employee parking lot behind the building, which gives more room and gives access to residents, the caretakers house and regular employee parking.
- Reconfigured drainage, at the entrance. They would replace the culvert. The Conservation Board suggested a bottomless culvert. The applicant has a drainage easement which is shown on the original Site Plan. Mr. Watson noted he has an application ready to go to New York State DEC regarding re-aligning the entrance.
- The Conservation Board, during their site visit, requested to have more wetlands located on the property. More wetland areas have been flagged and located. A larger buffer area within the property became necessary as a result of some of the activities that went on. A wetlands permit will be required from the Town and from New York State DEC.
- There is a separate planting plan that will include the removal of invasive species and replant the area with wetland-type plants.
- Conservation Board is concerned with the orchard that was planted in the wetlands buffer, which was not previously approved. They proposed that grasses that do not need to be mowed should be planted in that area. A wetland permit will have to be applied for so this work can be done in the wetlands buffer.
- A wetlands permit is also needed for the construction of the new driveway and the drainage area.
- Alignment of highway - The plans were shown to a local Permit Engineer, who said that the driveway should be further from property line. A NYS DOT permit will be applied for.

- The Utility Shed previously approved and now constructed was actually built close to the property line. A variance is now needed, and will be applied for in the next few days.
- A “Statement of Use” was previously requested. It has been submitted to the Planning Board members.

Mr. Gainer noted that the Planning Board has identified several areas of concern. Mr. Gainer addressed the issues that were listed in his memorandum dated 1/10/17 that was distributed to the applicants as well as the Planning Board members. Mr. Gainer asked if the Applicant’s wanted to respond to the following issues that were raised at the Planning Board’s site inspection:

- The appearance of the headwalls at the frontage of NYS Route 9.
- Visibility – concerned with additional plans or buffering.
- Exterior lighting.
- Exterior Building Architecture.

Mr. Watson responded with the following:

- Further screening to the buildings – Can’t respond much to that.
- Headwalls will be replaced. They will be new and keeping with the architecture.

Mr. Zuckerman reviewed the memo written by Glenn Watson. Mr. Zuckerman thanked the applicant for the detail provided regarding the “*Statement of Use & in Support*” Mr. Zuckerman stated “I would like to talk about the number of employees, etcetera, and talk about how that becomes a part of how this operation is run. Because my second observation is that I have now heard two comments you made here about perceived inadvertent errors in the development of the site that were already accomplished.”

Mr. Zuckerman asked if the owners knew the orchard was in a wetlands before it was planted? Mr. Watson responded he did not know.

Mr. Zuckerman continued “and the discovery that a variance is now needed for construction performed at the site, which is tied to another inadvertent error regarding the building of the shed to close to the property line should have been noticed since there are several professionals working on the project”. Mr. Zuckerman noted that he is continually surprised by these revelations, and quoted the following section of a memo titled “*Statement of Use & in Support*” which was received December 22, 2016 - “This document addresses the misconceptions” Mr. Zuckerman noted he would like to find a way to stop what seems to be either a mix-up of things proposed that don’t seem to actually happen, or things that are required that need clearing up. Multiple changes have been approved by the Planning Board for this property. Mr. Zuckerman noted that he gets nervous when the Planning Board hears that the applicants noted they didn’t know the trees were planted in a wetland buffer. He would like to find a way to stop what appears to be change after change for different reasons occurring after approvals are granted.

Mr. Hardy asked if the orchard would be staying?

Mr. Watson replied yes. The Conservation Board has requested extra mitigation due to the planting of the orchard in the wetlands buffer. Mr. Watson noted his client most likely didn’t know he needed permission to plant trees.

Chairman Merante asked about the purpose of the trees? Mr. Watson responded they are fruit trees and he believed they were planted due to a "lifestyle" issue. He also note that the orchard is in the buffer area, not the wetlands, themselves.

Mr. Hardy questioned the safety issues that would be generated for having a capacity for potentially 155 people that could utilize the site. Mr. Watson responded that the 155 person estimate was generated from the number of parking spaces, and they do not anticipate that many people in the building.

Chairman Merante asked if the building would have sprinklers, and are sprinklers required in the building in case of a fire? Mr. Qusimondo, Architect, replied "yes, the entire building will have sprinklers".

Mr. Tomann asked if there were any sight line issues regarding the driveway? Mr. Watson replied there were not.

Mr. Gaba questioned the "Statement of Use" and asked if the site plan approval included the building being open 11 am – 4 pm Thursday – Sunday, with a maximum of 155 people in the building at one time, noting that 90 people could arrive by automobile and another 60 people could arrive by bus, and asked if that was what they were anticipating? Mr. Watson responded that they do not anticipate that being the issue at all. The figures represent the worst-case situation. Mr. Watson replied it would be less than 50 people per day.

Mr. Gaba requested a note to that effect being put on the plans. Mr. Watson agreed.

Chairman Merante opened the meeting for public comment. There were no comments from the public.

Chairman Merante noted that the project is listed as an unlisted action. An EAF part one has been prepared, and the Coordinated SEQRA Review has been done. The variance which is required for the storage shed is still needed.

Mr. Gaba noted that it is common practice to obtain variances before getting Site Plan approval. The Planning Board will have to refer the applicant to the Zoning Board of Appeals before voting on the Site Plan approval.

The applicant will supply the Planning Board with a letter that will waive the requirement for a decision with 62 days.

Mr. Zuckerman moved to close the public hearing and Mr. Tomann seconded the motion.

The vote was as follows:

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

The public hearing was closed at 8:16 P. M.

c. Paul and Ellen Johnson, 4 Highland Ridge, Cold Spring TM# 27.-1-10.13

The public hearing opened at 8:18 P. M. Ms. Valentino read the following legal notice into the record. "Paul and Ellen Johnson, 4 Highland Ridge, Cold Spring, New York. The Applicants are proposing a 7 bedroom one family single story residential structure with a garage, pool and pool area. The proposal involves an 8.402 acre lot which is currently vacant."

Mr. Gainer noted that a SEQRA Declaration remains to be made on the project, and any action that would be related to Site Plan approval will need to be accomplished.

Mr. Watson Noted that due to concern of the Conservation Board that the marked trees observed during the site inspection were merely marked to keep track of the ones that were placed on the map; they did not represent which trees would require removal.

Mr. Watson noted that the following changes had been done:

- The drainage in the back of the building had been changed so it will be less intrusive.
- The driveway was regraded a little bit.
- The septic system area has been re-sized. There is an expansion area to the north, and this caused little new disturbance to the area.
- Drainage under the driveway and around the house has been shown.

Mr. Marchetti, architect, reviewed the proposed building materials as follows:

- The foundation of the house will be a clad Fieldstone.
- Cedar siding will be used above the Fieldstone.
- Roof shingles will be some sort of man made material such as Asphalt.
- Double glazed windows.
- Light fixtures will be lanterns and be "dark sky" fixtures.
- Motion sensor lights have not yet been discussed with the owners, but will most likely be used.
- There will be no landscaping done.
- Only trees that need to be removed will be.
- Driveway lights will be bollards.

Mr. Gainer requested to have the discussed items listed above be incorporated onto the Site Plan drawings.

Ms. Conner asked if the house was two story or a one story? Mr. Marchetti replied that it is two story in the center. To the left and right of the center of the house, it will drop to one story.

Chairman Merante asked about the height of the roof. Mr. Marchetti responded that the peak of the roof will be 32 feet at the highest point. The "average height", which the height calculation specified by the Zoning Ordinance, is 27.5 feet.

Chairman Merante asked about the view shed. Mr. Watson noted that Mr. Gainer's memo dated January 10, 2017 notes that it is far enough away from the ridgeline, and so should not be an impact.

Ms. Conner questioned the septic system sizing regarding the difference between the previously approved 4-bedroom and the proposed 7-bedroom, and asked if the applicants have to go back to Putnam County Department of Health? Mr. Watson responded that they will have to get approval for the 7-bedroom septic system. The 4-bedroom septic that was shown on the plans was shown larger, which is almost equivalent to what is currently shown on the plans. If the system ever fails, trees will have to be cut down to put in a reserve system, but that is a back up.

Ms. Conner asked if more trees would have to be cut down if the system were to fail? Mr. Watson responded if the system were to fail the first solution is usually to simply dig new trenches in between the existing trenches; then you go into the expansion area.

Ms. Conner asked if the trees which exist in the expansion area had to be cut the same time as the primary septic system? Mr. Watson responded that when a septic requires fill, which occurs when there is not enough natural material in place, at that point you would have to bring the fill in so if the system fails at any time you don't have to wait for the fill to "mature" (or settle). If you have enough dirt naturally in place you only have to clear the area you need for the primary system.

Ms. Conner asked how many bathrooms there were in the proposed house? Mr. Marchetti responded 5-1/2. Mr. Marchetti noted that the bedrooms are going to be small. The square footage is 4,400 square feet. One bedroom will be used as an office. The house will not be used for an Airbnb.

Mr. Gainer noted that the 239m referral to Putnam County Planning, as well as the referral to the North Highlands Fire Department, remains to be accomplished.

Mr. Zuckerman moved to adopt a Negative SEQRA Declaration and Mr. Tomann seconded the motion. The vote was as follows:

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

The motion carried unanimously.

Ms. Conner moved to close the public hearing and Mr. Hardy seconded the motion. The public hearing closed at 8:38 P. M.

Mr. Zuckerman moved to have Mr. Gainer prepare a draft resolution to be voted on at the next meeting and Ms. Conner seconded the motion. The vote was as follows:

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

Neal Tomann Aye
Neal Zuckerman Aye

The motion carried unanimously.

3. Old Business:

Hudson Highland Reserve, Route 9 and Horton Road.

Mr. Watson noted the following:

- They have done a first draft of the full Environmental Assessment Form.
- He went through what he considered to be serious issues and identified those issues.
- Mr. Watson noted they are at the meeting to discuss the master plan that was submitted.
- The applicant's had meetings with the Hudson Highlands Land Trust, have walked the site and responded to comments that were received from Hudson Highlands Land Trust.
- There is a single access road that comes in off of NYS Route 9. The entrance is around the Clove Creek Bridge.
- The Applicants are proposing to move the roadway entrance slightly to the north. Moving the road is being proposed for two reasons - one is to keep away from an existing guide rail along NYS Route 9; the second one is to use an existing ditch in place for storm water retention. The entrance from Clove Creek should be approximately 150 feet from the creek.
- Two state permits are needed. One is a DOT permit and the other one is possibly a DEC permit.

The following are changes that have been done since the last site plan.

- The proposed road will come in from NYS Route 9 at a perpendicular angle. It comes up through the property, bends to the left and goes up a hill in a fairly deep cut, and then makes a big loop through the develop-able property and turns down to the road. The original plan called for using the existing old road, but the Conservation Analysis concluded that road was a cultural artifact that was worth preserving.
- The equestrian facility had been moved further from NYS Route 9 and adjoining properties. It will now be closer to the existing buildings that are being preserved on the site.
- The setbacks for lots around the lake will be increased from 100 feet to 140 feet.
- A loop road was changed, enlarged, to make more room in the middle which would allow for housing on one side of the road in most areas. The road that was created by the previous owner, Mr. Lyons, is still in existence, and will be used to get to the equestrian center, and will also be used as an emergency road.

Mr. Stephen Gross, Environmental Consultant, reviewed the wildlife corridor proposed through the site. The wildlife corridor that exists will be along the stream that comes down from the steep topography on the east side of the property, which is the most valuable wildlife corridor. This corridor is used by many reptiles, amphibians and mammals. The pond outlet wraps around a wetland and eventually goes into the Clove Creek stream. Hudson Highlands Land Trust discussed the possibility of a corridor between the stream and wetland and the on-site pond, along the NYS Route 9 side of the property; however that is a very steep area almost like a wall or cliff which will not make it a preferred wildlife corridor.

Mr. Hardy questioned a map that was a part of the Full Environmental Assessment binder that is dated December 27, 2016 which shows a state regulated "check zone" just south of the pond. Mr. Gross

responded that the area is a confirmed state wetland. The area has been delineated and checked by the DEC.

Mr. Hardy asked if the areas between where the houses are shown on the map, adjacent to the on-site pond were found to not be a problem? Mr. Gross responded that the "check zone" is put on the map as a linear distance set back from the edge of a state wetland. All wetlands on a DEC map are estimated. However, for all the detailed on-site mapping developed, the area has actually been staked out.

Mr. Hardy asked if a permit is needed for the gray areas shown on the map? Mr. Watson responded that the wetlands have been flagged and rechecked by the DEC, who confirmed the state wetlands limits before the wetlands flagging were surveyed and then drawn on the Site Plan. The 100 foot buffer shown was based on that confirmation.

Mr. Hardy asked if a State permit was needed to build the houses around that area? Mr. Watson responded they did not. The houses were built out of the regulated area, including the buffer.

Mr. Zuckerman asked to see in writing how the density calculations were calculated and to see the steps involved as to how the calculation was done following the detailed criteria in the Zoning Ordinance, and added he would like to see mapped what is the "constrained" and "unconstrained" areas on the map to see how the applicant's 25 dwelling unit density count came to be? Mr. Richard O'Rourke (applicant's attorney), of Keane & Beane, PC, responded that the calculation has been done and will be submitted to the Planning Board members.

Mr. Zuckerman noted that the applicants are asking for a 15% density bonus, and asked to hear their argument for the applicability of receiving such bonuses according to the following language (quoted from section 175-20 (4)(b) of the Town Code:

"If the applicant allows public access to the protected open space on the property and the Planning Board finds that such public access provides a significant recreational benefit to the Town (such as a trail connector or access to an important natural area), we (the Planning Board) may grant an increase in the permitted number of dwelling units of up to 15%".

Mr. O'Rourke responded that the equestrian center will be open to the public, and as the design indicates 80.64% of the land is open space. The public will have full access to the equestrian center, for a fee. However, the equestrian center is located on private property. The trails will be available for public hiking, as well as horseback riding, for free. Mr. O'Rourke responded that, in his opinion, public access to the 80%+ acres of open space and the equestrian center is significant.

Ms. Conner asked if the trail-making is subject to protection relating to the protected lands, and asked where trails were going to be and what kind of trails they will be? Mr. Watson responded that the trails will be horse trails.

Ms. Conner asked if there are any constraints regarding the kinds of trails in the conservation areas? Mr. Watson responded he will check into it.

Ms. Conner asked how big the equestrian buildings would be? Mr. Ulises Liceaga responded that the buildings for the horses will be approximately 200 foot long and 100 feet wide. The pond is also a

natural resource, and very suitable for angling. People from the Town will be able to use the pond. The proposed houses are being proposed to be between 3,000 & 4,000 square foot. The lot size for the houses will be no smaller than one acre.

Ms. Conner asked what will happen to the horse manure? Mr. Watson responded that it will be hauled off site.

Ms. Conner questioned the location of the wetlands? Mr. Watson pointed to the wetland areas on a map. The riding equestrian center will be far enough away from the wetland areas.

Ms. Conner questioned the slope of the entrance road? Mr. Watson responded that the grade is 12%. That will require the road standards to be approved by the Town.

Mr. Hardy asked if there will be a catch basin for rain? Mr. Watson noted there will possibly be several catch basins or will possibly use the ditch mentioned earlier. The water runoff will then be treated. The treatment system has been approved by the Putnam County Department of Health. Mr. Hardy noted he was concerned about the salt and debris going into the pond. Mr. Watson noted that the idea is to capture the grit and things before they reach the pond.

Chairman Merante asked if the pond would be used for fighting fires, if needed? Mr. Watson responded it had not been discussed but it was a good idea.

Chairman Merante asked if rain gardens were considered to catch water from the roofs? Mr. Watson responded that it will be a part of the plan.

Ms. Finger asked about the location of the public access to the pond? Mr. Watson responded by pointing near the dam on a map.

Ms. Finger noted that the allowed "Hamlet-Mixed Use" Zoning is to encourage cluster housing, and asked if there was any way to incorporate cluster housing into the plan? Mr. Watson responded that it would not be attractive for this kind of a project. And, based upon the Town's own zoning, the only way to get something smaller than a 40,000 square foot lot is to put in a public water supply.

Ms. Finger noted that the new proposal is very similar to the original proposal, with a different layout. The houses are being developed around the pond area. Mr. Watson responded by noting they have 205 acres, and are concentrating the development into a little over 30 acres.

Chairman Merante asked if the applicants gave any consideration to making the buildings into condos and having two units under one roof? Mr. Liceaga responded that they are open to every suggestion, but there is no intent on having two houses under one roof. The use of a Clustered Hamlet System with many houses together is not attractive. The idea is to have single family houses that would be used as a weekend community.

Ms. Michele Smith, Hudson Highlands Land Trust, thanked the whole team and noted there had been a lot of dialog. Ms. Smith responded to a question asked by Ms. Finger by noting that the loop road in the area having the least conservation value, which is the idea of a conservation subdivision.

Ms. Smith noted the Hudson Highlands Land Trust has concern for the work going on around the pond. Any development around the steep slopes will impact Clove Creek. The aquatic biodiversity in the pond and creek have been impacted by work that has gone on prior to this proposal. Ms. Smith expressed concern about animals being deterred from using the pond due to the work previously done in that area.

Mr. Gross added the proposed houses where the steep slope is will have no backyards. The slopes there are so steep, the slope is like a wall. The area around the pond is preserved and is the most valuable habitable area. There is also a strong elevation difference between where the houses will be built and the pond. The houses on the ridge will almost not be seen from the pond.

Ms. Conner noted that it is hard to visualize the project. Mr. Gross responded that the ridge is very flat.

Mr. Watson added that there is going to be a homeowners association (HOA) that will maintain the facility, including the septic systems and the roads. The septic system will be maintained by a private service company that will be hired to maintain the entire system. The property will be subject to HOA limits and restrictions will be placed on the size of the lawns for the houses.

A discussion ensued over who will own the riding academy and how the fees for the riding academy will be determined. Mr. O'Rourke responded that this has not been worked out yet.

Mr. O'Rourke noted that it will not be a gated community. There will be 40 spaces for boarding horses, not the 200 that was originally discussed when the project was first conceptually discussed with the Board.

Mr. Gainer noted that the applicant has now submitted a subdivision plan for the areas that have been determined to be developable. Further, they have provided a detailed EAF and provided a master plan. The next step is for the Planning Board to declare their intent to become lead agency so as to formally initiate the SEQRA process.

Ms. Conner moved to declare the Planning Board's intent to become lead agency in the SEQRA process and Mr. Tomann seconded the motion. The vote was as follows:

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

Ms. Finger moved to send referrals to the following agencies: NYS DOT, NYS DEC, Town of Philipstown Town Board, Town of Philipstown Conservation Board, Putnam County Department of Health, Putnam County Planning and the North Highlands Fire Company. Ms. Conner seconded the motion. The vote was as follows:

Anthony Merante	Aye
Kim Conner	Aye
Mary Ellen Finger	Aye

David Hardy	Aye
Peter Lewis	Absent
Neal Tomann	Aye
Neal Zuckerman	Aye

Mr. Watson noted that CD's in a PDF format will be issued to the above agencies, rather than the binders containing all the information that the Planning Board members received.

Ms. Conner moved to perform a site visit and Mr. Tomann seconded the motion. A site visit was scheduled for February 5, 2017 at 9:30 A. M. The Board members will meet at the cul-de-sac at the end of Horton Road. Mr. Watson will set up a telephone chain in case of inclement weather.

Mr. Gaba suggested bringing AKRF back into the project.

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

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

The motion passed unanimously and the meeting adjourned at 9:47 P. M.

Date approved _____

Respectfully submitted by
Linda Valentino

February 2, 2016

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



RE: Griffin Landscaping, Inc.
3032 Route 9
Cold Spring, NY 10516

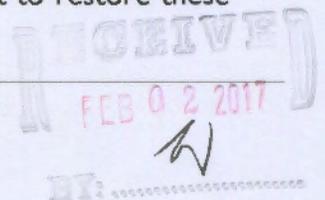
Dear Mr. Merante and Honorable Board Members:

The applicant is in receipt of a comment letter from the Town of Philipstown Conservation Board (CB) dated December 19, 2016. Below are our responses to those comments, for ease of review the CB comments are included followed by our responses.

- In regards to the installation of the chain link fence surrounding the portions of the property not directly in contact with Route 9, the CB feels that making the fence between 6 to 8 feet in height, instead of the originally proposed 4-foot measurement, would provide better protection from pieces of firewood making their way from the stockpiling areas into Clove Creek accidentally or during large weather events.

Response: The applicant is proposing a 4-foot high chain link fence along the property line. We feel this fence is adequate to delineate the limits of the property and do not believe a higher fence will provide additional protection to the creek. The woodpile stockpiles are sufficiently heavy that large weather events would be unlikely to cause pieces of firewood from making their way to Clove Creek. Additionally, a higher fence may be visible from the Route 9.
- Also, the CB felt that maintaining a 15-foot setback on the inside of the proposed chain-link fence across the entire site would allow for an added measure of protection between the activities on the property and Clove Creek. Ultimately, none of the CB Members wanted a situation where the stockpiling areas were retained by the permanent fencing, and thus those activities could have a negative impact on Clove Creek to the East and North of the Property.

Response: Due to the unconventional shape of the parcel a 15-foot setback from the property line would severely restrict use of the property. The applicant is proposing to maintain a 4-foot separation between the fence and stockpile areas.
- The CB would also like to strongly recommend the creation of a habitat restoration plan for the areas where stockpiling has taken place that are not on the applicant's property, specifically the northern portion of the site. Once woodpiles and machinery are removed, we hope to impress upon the Planning Board that requiring the applicant to restore these



areas back to healthy riparian habitat would be imperative, as they are the main line of above ground filtration between the applicant's property and Clove Creek. These areas would not only serve as a break from a developed landscape to an important waterway, but would add to critical habitat for a multitude of flora and fauna

Response: The plans now specify restoration of the areas where stockpiling has taken place beyond the applicant's property lines, specifically to the north of the site.

4. Also, on a similar point, the eastern portion of the property on the exterior of the proposed chain-link fence should be considered a location for additional native planting and restoration, as this portion of the property is located directly on the banks of Clove Creek. Creating healthy riparian habitat in this location as well would provide an added level of protection for the stream from the planned uses for the site.

Response: The plans specify restoration of the area between Clove Creek and the proposed fence with the addition of a berm to further protect Clove Creek from the activities on the site. This berm and the associated re-grading will direct runoff away from the creek and toward the proposed on-site stormwater treatment practices.

5. While on the property and after reviewing the plans submitted to the Town and Conservation Board, the CB felt that upgrades needed to be made to the drop inlet located approximately in the center of the parcel since its out flow goes directly into Clove Creek from the property. We suggested the use of a settling type of catch basin or, more preferably, creating a closed system where runoff is captured in a catch basin and piped into a holding tank and pumped, then removed from the site completely, would add to the further protection of Clove Creek in the future.

Response: The plans have been revised to include stormwater treatment practices to provide treatment of the onsite runoff prior to its discharge to Clove Creek. A permanent stone inlet protection will be installed around the existing catch basin inlet. This catch basin will be replaced with a new catch basin equipped with a deep sump to allow for settling of sediment-laden water, this will be considered a pretreatment practice. The runoff will then travel through a pipe to a new catch basin that will act as a diversion structure. Water will initially be directed to a drywell where it will infiltrate into the surrounding soils and will only discharge to Clove Creek on higher-level storm events when the drywell can no longer accommodate runoff. The second catch basin will also have a deep sump to provide additional pretreatment before the stormwater is directed to the dry well, this catch basin will have a solid cover and will not collect stormwater.

6. The CB also felt that the materials currently in place on the properties' surface could be better improved to prevent muddy conditions that could potentially effect Clove Creek during periods of rain or snow melt. If the site could be stabilized and graded away from the

stream and towards the drop inlet, there would be an added level of protection from sediment and pollutants from directly entering Clove Creek

Response: As discussed in responses 4 and 5 above re-grading of the site will direct surface runoff to the proposed onsite stormwater treatment practices.

7. We would also like to work with the applicant to select tree species that would be a native alternative to those proposed to screen the property from Route 9, instead of using the species listed on the provided site/ project plan, as they are of a non-native ornamental variety.

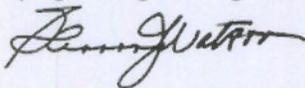
Response: The plans have been revised to indicate that the applicant will consult with the CB on selection of tree species that would be a native alternative to those proposed to screen the property from Route 9.

8. Finally, the CB would like the Town to request that the applicant provides further information regarding the presence of a septic system on the property, since the property falls almost entirely within the 100-foot set back from Clove Creek, and would thus result in additional oversight, especially for septic systems which could transmit effluent into water bodies if not properly installed.

Response: The plans have been revised to indicate that the facility is served by an existing rest room that is a dry earth closet. The dry earth closet is periodically pumped out; no effluent is discharged on site.

Enclosed please find 13 sets of the latest plans, last dated January 12, 2017. We request that this matter be placed on the February 16th 2017 agenda.

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



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

GJW/msm
cc: FileU:\74-136B\WO_22780\AM02FB17B_Letter.docx



TOWN OF PHILIPSTOWN ZONING BOARD OF APPEALS

In re application of:

Kristen E. Sorenson

RESOLUTION

for an area variance to Section 175-22(A) and Section 175-11(B) of the Town of Philipstown Zoning Code.

Appeal No. 897

Tax Map Parcel: 50-2-50.1

The applicant, Kristen E. Sorenson, is the owner of the property located at 1000 Old Albany Post Road, Garrison, New York. The subject property is located within the Residential Conservation (RC) Zoning District. The applicant seeks a lot line change which involves deeding a 42.76' X 353.22' strip of land from property identified on the tax map as Section 50, Block 2, Lot 50.1 (hereinafter "Lot 50.1" or "donor lot") to property identified on the tax map as Section 50, Block 2, Lot 48 (hereinafter "Lot 48"). Lot 48 fronts on Old Albany Post Road, and Lot 50.1 is a flag lot, with the bulk of its property located to the rear of Lot 48.

The proposed transfer of a strip of land from Lot 50.1 to Lot 48 requires two variances. The first variance is from Section 175-22(A) of the Zoning Law, which requires a flag lot to have a minimum frontage of 35 feet on an improved public or private road. With the transfer of property from Lot 50.1 to Lot 48, Lot 50.1 will have approximately 20 feet of road frontage. The second variance is from Section 175-11(B) of the Zoning Law, which requires a minimum lot size of 10 acres in the RC Zoning District. Currently, the donor lot is nonconforming with 6.052 acres. As a result of the lot line change, the donor lot will become more nonconforming, thus requiring an area variance.

On September 19, 2016, upon referral from Planning Board, the applicant submitted an application to the Zoning Board of Appeals for road frontage and lot size variances. At the

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EXHIBIT # 23

BY: LS

October 24, 2016 meeting, the Zoning Board of Appeals reviewed the application for completeness, and scheduled this matter for a public hearing. The public hearing was conducted on November 14, 2016, and upon all discussion and testimony that preceded it, the public hearing was closed.

At a public meeting of the Board on November 14, 2016, and upon all discussion and testimony that preceded it, and a review of all submissions and proof submitted to the Board, Vincent Cestone made a motion, seconded by Leonard Lim, as follows:

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Philipstown, Putnam County, New York, determines and finds:

FINDINGS OF FACT

1. The applicants submitted their request, Appeal #897, to the Town of Philipstown Zoning Board, based upon the Town of Philipstown Code Enforcement Officer's letter, dated July 5, 2016, which referred the applicants' request for a lot lane change involving the deeding of a 42.76' X 353.22' strip of land from the property identified on the Town of Philipstown Tax Map as Section 50, Block 2, Lot 50.1 (the donor lot) to the property identified on the same map as Section 50, Block 2, Lot 48 (Lot "48").
2. The subject properties are located in the Residential Conservation ("RC") Zoning District in the Town of Philipstown, and are located at 1000 Old Albany Post Road, Garrison, New York.
3. Section 175-22(A) of the Zoning Code requires flag lots to have a minimum frontage of 35 feet, and Section 175-11(B) requires a minimum lot size in the RC district of 10 acres.

4. The Board reviewed the application and accompanying materials at its regular meeting on October 24, 2016 in order to determine the sufficiency of the application and as a prerequisite to scheduling the public hearing on the instant appeal. The Board determined that the application was complete. A public hearing was scheduled for November 14, 2016, upon proper public notice thereof being given in accordance with statutory mandates and requirements.

5. The Board met on November 14, 2016 for the purpose of conducting the public hearing.

6. This is a Type II Action under the State Environmental Quality Review Act (SEQRA).

7. At the public hearing the Board heard from the applicants, their representatives, and members of the public. The Board closed the public hearing on November 14, 2016.

FINDINGS AND CONCLUSIONS

I. WHETHER AN UNDESIRABLE CHANGE WILL BE PRODUCED IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES WILL BE CREATED BY THE GRANTING OF THE VARIANCE?

Based upon the materials and testimony presented to the Board, as well as the Board's familiarity with the subject property, the Board finds that granting the variances sought in this application will not result in an undesirable change to the character of the neighborhood, and will not be a detriment to nearby properties.

The Board notes that the variance will provide a more suitable and less intrusive location for the construction of an improvement on Lot 48. Further, the transfer of property from the donor lot to Lot 48 will not result in any negative visual or spatial impacts on the surrounding neighborhood, or any visual impacts at all for that matter. The Board notes that there have been

no objections by neighboring or adjoining property owners to the variances sought, and observes that the abutting lots are of similar sizes to the proposed new lots.

II. WHETHER THE BENEFITS SOUGHT BY THE APPLICANTS CAN BE ACHIEVED BY SOME METHOD FEASIBLE FOR THE APPLICANTS TO PURSUE, OTHER THAN AN AREA VARIANCE?

The Board finds that the benefits sought by the proposed lot line change cannot be achieved by some other feasible method which would not require relief from this Board. The applicant represented to this Board that the proposed lot line change is the only suitable method of achieving the owner's goals of making Lot 48 more suitable for expansion and future development.

III. WHETHER THE REQUESTED AREA VARIANCES ARE SUBSTANTIAL?

Section 175-22(A) of the Town of Philipstown Zoning Code requires flag lots to have a minimum of 35 feet of road frontage. Although the donor lot currently meets this minimum requirement with approximately 62 feet of frontage, the strip of land to be transferred from the donor lot to Lot 48 is not used for access to the donor lot. The Board finds this variance to be non-substantial because the donor flag lot will retain frontage of 20 feet, which said frontage has been used as the sole and adequate means of ingress and egress. Therefore, the Board finds that the road frontage variance is not qualitatively substantial.

Section 175-11(B) of the Town of Philipstown Zoning Code requires a minimum lot size of 10 acres. The applicants seek to reduce the already non-conforming lot size of Lot 50.1 from 6.052 acres to 5.728 acres. The Board finds that this variance is not qualitatively substantial based on both lot's preexisting non-conforming lot size, and the minimal nature of the reduction in lot size.

IV. WHETHER THE PROPOSED VARIANCE WILL HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD?

The variances sought in this application - a reduction in the minimum lot size, and a reduction in the minimum road frontage requirements of the Zoning Law - will not adversely affect the physical or environmental conditions in the neighborhood under the facts of this application. The Board determines no adverse affects will occur because no physical changes are being made to the property.

V. WHETHER THE ALLEGED DIFFICULTY WAS SELF-CREATED?

The Board determined that the variances requested are "self-created." However, in light of the Board's findings that the variances will not detrimentally affect nearby properties or the neighborhood, the Board chooses not to assign significant weight to this consideration.

BALANCING TEST & CONCLUSION

Based upon the above findings, and taking into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community, the Board finds that the balance weighs in favor of approving the variances sought which permit the further reduction in lot size of an already non-conforming lot, and to permit 20 feet of frontage where 35 feet is required.

ROLL CALL VOTE

The question of the foregoing decision calling for approval of the requested variance was put to a roll call vote on the 14th day of November, 2017, and the results were as follows:

Robert Dec, Chairman	-	Voting No
Leonard Lim, Member	-	Voting Aye
Granite Frisenda, Member	-	Voting Aye

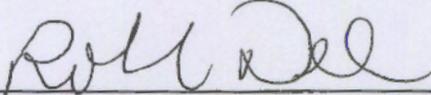
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541944

Paula Clair, Member - Voting Aye

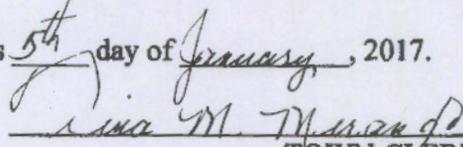
Vincent Cestone, Member - Voting No

Dated: Philipstown, New York
January , 2017



ROBERT DEE, Chairman – Town of Philipstown
Zoning Board of Appeals

Filed in the Town Clerk's Office this 5th day of January, 2017.



TOWN CLERK

Town of Philipstown

238 Main Street
Cold Spring New York 10516

PLANNING BOARD

AMENDMENT of SITE PLAN

APPLICATION PACKAGE

Project Name: Amended Site Plan prepared of The Manitou School

Date: February 2, 2017

RECEIVED
FEB 02 2017
BY: [Signature]



Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: February 2, 2017 **TM#** 49.6-2-1

Project Name: Amended Site Plan prepared for Manitou Properties Co., LLC

Street Address: 1656 Route 9D Cold Spring, NY 10516

Fee Amount: _____ **Received:** _____

Bond Amount: _____ **Received:** _____

Applicant:

Name Manitou Properites Co., LLC

Address 1656 Route 9D

Cold Spring, NY 10516

Telephone 646-295-7349

Design Professional:

Name Timothy Rasic- Janko-Rasic Architects, PLLC

Address 109 East 37th Street

New York, New York 10016

Telephone 212-685-9500

Engineer

~~KODAK~~

John P. Delano, P.E.

Name Badey & Watson Surveying & Eng. P.C.

Address 3063 Route 9

Cold Spring, NY 10516

Telephone 845-265-9217 x12

Surveyor:

Glennon J. Watson, L.S.

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

Address 3063 Route 9

Cold Spring, NY 10516

Telephone 845-265-9217 x14

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

Name Manitou Properties Co., LLC

Address 1656 Route 9D

Cold Spring, NY 10516

Telephone 646-295-7349

Name -

Address -

-

Telephone -

TM# 49.6-2-1

Project Name: Amended Site Plan prepared of The Manitou School

Project Description: Site Plan proposes an addition of a new 6,310 s.f. building and a small 607 s.f. addition to the main school building on the Manitou School Campus. The plan provides for the existing carriage house to be removed to accommodate the new building. Parking will be realigned and enlarged and a new covered walkway will be installed between the buildings. Sundry other changes will be made to improve the functionality of the site. The site plan also includes additional stormwater management facilities.

ZONING INFORMATION

175-7 Zoning District: HM (Hamlet-Mixed Use)

175-10 Proposed Use: Educational use, elementary (K-8), pre-school classes, evening extracurricular classes, and summer classes.

Proposed Accessory Use(s): 2nd floor to be used for school offices
The new building will house additional classrooms and a gymnasium/
assembly room.

175-7 Overlay Districts on the property:	<u>Yes or No</u>
175-13 Floodplain Overlay District – NFIP Map ----- (FPO)	<u>No</u>
175-18.1 Mobile Home Overlay District ----- (MHO)	<u>No</u>
175-14 Cold Spring Reservoir Water Shed Overlay ----- (WSO)	<u>No</u>
175-15 Scenic Protection Overlay ----- (SPO)	<u>No</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>General</u>
175-18 Open Space Conservation Overlay District ----- (OSO)	<u>No</u>
175-35 Within 100 foot buffer of Wetlands or Watercourse -----	<u>No</u>
175-36 Steep Terrain -----	<u>No</u>
175-36 Ridge Line Protection -----	<u>No</u>
175-37 Protection Agricultural -----	<u>No</u>

TM# 49.6-2-1

Project Name: Amended Site Plan prepared for Manitou Properties Co., LLC

175-11 Density and Dimensional Regulations

Zoning District <u>HM</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	25	249.2	193.1	yes	
Measured from the travel way County/State	30	243.3	229.4	yes	
Minimum side yard setback	10	40.7	38.8	yes	
Minimum side yard setback (2)	10	187.5	187.5	yes	
Minimum side yard setback (3)	N/A	N/A	N/A	N/A	
Minimum rear yard setback	N/A	N/A	N/A	N/A	
Maximum impervious surface coverage	50%	21%	24%	yes	
Maximum height	40 ft.	35 +/-	35+/-		
Maximum footprint non-residential structures	10,000 sf.	8035	14,460		

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: \$ 1,580.00 Received: _____
9. Escrow: \$5,000.00 Received: _____

Town of Philipstown Town Code Chapter 175

D. Site Plan Amendments

An approved Site Plan may be amended by filing an application with the Planning Board for a Site Plan amendment.

1. If the Planning Board finds that such proposed amendment is consistent with the terms of any applicable Special Permit approval (or if no Special Permit is required) and does not represent a substantial change from the approved Site Plan, it shall grant the amendment without a hearing.
2. If the Planning Board determines that the proposed amendment is consistent with the terms of the applicable Special Permit approval (or if no Special Permit is required), but is a substantial change from the approved Site Plan, it shall follow the procedures for Site Plan approval contained in §175-66F and hold a public hearing if the amendment would be considered to be a Major Project.
3. If the Planning Board determines that the proposed amendment is inconsistent with the terms of any Special Permit approval, it shall consider the application to be one for a Special Permit amendment and proceed pursuant to §175-62.
4. Notwithstanding any other provision of this chapter, in considering any site plan amendment or any site plan approval for an existing use or structure, the Planning Board shall be limited to reviewing proposed changes and shall not require changes to any structures or conditions on the property legally in existence prior to such application, even if such structures or conditions are nonconforming.

Manitou Properties Co. LLC
Certification of Partnership

<u>Name</u>	<u>Position</u>
Rajay Bagaria	Managing Partner
Christopher Marrison	Managing Partner
Maria Stein-Marrison	Manager

ADJOINER'S LIST
49.6-2-1
MANITOU PROPERTIES CO
LLC

49.-1-25
PATTERSON, SUSAN H
Fair Oaks Farm PO Box 112
Cold Spring, NY 10516

49.6-2-5
DAVIES, JULIEN T
75 Moffatt Rd
Cold Spring, NY 10516

49.-1-26
BOSCOBEL RESTORATION INC
1601 Route 9D
Garrison, NY 10524

49.5-5-10
TRAINA, BERNARD F
53 Peekskill Rd
Cold Spring, NY 10516

49.5-5-3
BERKLEY, MICHAEL
1711 Route 9D
Cold Spring, NY 10516

49.5-5-1
RICHLEY, RONALD H
1701 Route 9D
Cold Spring, NY 10516

49.5-5-5
BEAUCHAMP, JEFFREY
1716 Rt 9D
Cold Spring, NY 10516

49.-1-24.22
KOUTOUZI, PHILLIPE
Aqua 33 H1 3B
1 Kotewall Rd Apt 1F
Midlevels, Hong Kong

49.5-5-13
COLD SPRING CEMETERY
Peekskill Rd
Nelsonville, NY 10516

49.6-2-4
CASEMENT, SUSAN BARRETT
65 Moffatt Rd
Cold Spring, NY 10516

49.5-5-11
AMERICO, JOSEPHINE
37 Peekskill Rd
Cold Spring, NY 10516

49.5-5-8
GARRISON GREEN REALTY
LLC
1698 Rt 9D
Cold Spring, NY 10516

49.5-5-7
REYNOLDS, VANESSA
1710 Rt 9D
Cold Spring, NY 10516

49.5-5-12
AMERICO, JOSEPHINE
37 Peekskill Rd
Cold Spring, NY 10516

49.5-1-27
COLD SPRING CEM TRSTES
PO BOX 188
Cold Spring, NY 10516

49.9-1-10
SCENIC HUDSON LAND TRUST
9 Vasser St
Poughkeepsie, NY 12601

49.6-2-3
HARRIS, WILLIAM L
61 Moffatt Rd
Cold Spring, NY 10516

49.6-2-2.1
ZENZ, FREDERICK A
PO Box 49
Cold Spring, NY 10516

49.6-1-1
HARRIS, WILLIAM L
61 MOFFATT RD
Nelsonville, NY 10516

49.6-2-2.2
OLSEN, JAMES B
39 Moffat Rd
Cold Spring, NY 10516

49.-1-24.1, 49.-1-24.21
1657, LLC
7 MASON'S ISLAND RD STE 1
Mystic, CT 06355

49.5-5-2
BIAFORE, JASON A
1715 Rt 9D
Cold Spring, NY 10516

49.6-1-7
LOGAN, DOUGLAS W
PO BOX 188
Cold Spring, NY 10516



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

office 845-878-6507

cell 845-527-1432

TO: Town of Philipstown Planning Board DATE: October 28, 2016
FROM: Ronald J. Gainer, PE SUBJ: Manitou School Amended Site Plan; NYS Route 9D

As provided in Section 175-66B of the Town Code a pre-application meeting was held on October 28, 2016 concerning Manitou School's plans to construct a new 5,600 building on their existing, developed commercial property at 1656 Route 9D, in Cold Spring.

In attendance were the following:

Maria Stein-Morrison	-	Manitou School Director
Timothy Rasic	-	Janko-Rasic Architects, PLLC
Rajay Bugaria	-	Manitou School Founder
Glenn Watson	-	Applicant's Consultant
Anthony Merante	-	Planning Board Chairman
Greg Wunner	-	Code Enforcement Office
Ron Gainer	-	Town Engineer

The following matters were discussed:

Purpose of Application:

The school has been very successful, and now plans to construct a new building in the area of the existing carriage house. The carriage house will be removed, and a 5,600 sf structure built. The new structure will lie within areas previously disturbed. It will be utilized for assembly space/gymnasium and other student activities. Their current population is 80 students, including pre-school (70 maximum at one time), with 13 full-time and 4 part-time staff.

No other substantial changes to the approved site plan (parking, ingress/egress, etc.) are expected.

Zoning District Information:

From the zoning map posted on the Town's web site, the property is located in the Hamlet-Mixed Use ("HM") Zoning District.

It does not appear that any of the "environmental" overlay districts, and their attendant regulations, apply to the property in question.

Site Plan Review Required:

The original conversion of the former Plum Bush Inn into the present educational use was granted Site Plan approval in 2013. Therefore, an "Amended" Site Plan approval application should be submitted for this latest proposal.

"Major/Minor" Classification:

RE: Manitou School Amended Site Plan; NYS Route 9

It is noted that, as the addition is greater than 1,000 sf, per §175-60 C(1)(c), it would represent a "major" project. Therefore, a Long Form EAF should be filed with the application. Section §175-68D covers amended site plan review procedures. Per paragraph D(2) of this section, a Public Hearing will be required (as it represents a major project).

Site Plan Procedures/Site Development Issues:

The applicant should identify existing and proposed future occupancy/staffing, to establish whether any expansion of either the on-site well or sanitary disposal system will be required as part of the overall project. It was recalled that during the processing of the former Site Plan application comments were received from adjoining property owners (Cemetery, residential property owners to south, off Moffat Lane), and so it was suggested that school representatives may wish to be in contact with them again concerning this latest proposal, to establish whether any other concerns have been identified since the site has been used for educational purposes.

It was noted that a traffic study was performed for the prior application, so this document should be reviewed to determine whether the expanded use of the property would change any of the report's findings. Since impervious coverage will be increasing, a review of the sizing of the now-existing stormwater treatment facilities in place should be performed to determine what improvements will be necessary to address the increased stormwater run-off from the site.

Since many of the current Planning Board members were not on the Board when the project first appeared in 2013, it was also suggested that a detailed "Narrative/Statement of Use" be provided with the application, to review the present occupancy and use of the site, as well as review any new potential impacts (personal vehicle drop-offs & pick-ups, busing activities, etc.), so the Board may evaluate potential environmental issues. For this reason, it was also expected that the Board will want to conduct a site inspection of the site in their review of the application, once it is filed.

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

"Amended Site Plan, major"	-	\$1,000 + \$20/parking space
Full Environmental Assessment Form	-	\$300
Public Hearing fee	-	\$250
"No Violation" letter from Zoning Administrator	-	\$175
"Final" Approval	-	\$250
Escrow	-	\$5,000 (un-used monies returned to applicant)

Therefore, fees of **\$1,975 + \$20 for every new parking space required, and a \$5,000 escrow** should be posted by the applicant as part of the Amended Site Plan application filing. The application fees and escrow deposit should be posted with separate checks.

Expected Referrals:

- As was done for the prior Site Plan application, a courtesy referral to the North Highland Fire Department will likely be performed.



RE: Manitou School Amended Site Plan; NYS Route 9

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

c: Greg Wunner, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant



*Full Environmental Assessment Form
Part 1 - Project and Setting*

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

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

A. Project and Sponsor Information.

Name of Action or Project: Approval of Amended Site Plan prepared for Manitou Properties Co., LLC		
Project Location (describe, and attach a general location map): 1656 Route 9D, Cold Spring, NY Town of Philipstown, Putnam County		
Brief Description of Proposed Action (include purpose or need): Approval of a Site Plan to allow the addition of a new 6,310 square foot building and a small 607 square foot addition to the main school building on the Manitou School campus. The plan provides for the existing carriage house will be removed to accommodate the new building. Parking will be realigned and enlarged and a new covered walkway will be installed between the buildings. Sundry other changes will be made to improve the functionality of the site. The site plan also includes additional stormwater management facilities.		
Name of Applicant/Sponsor: Manitou Properties Co., LLC	Telephone: 646-295-7349	E-Mail: director@manitouschool.org
Address: 1656 Route 9D		
City/PO: Cold Spring	State: NY	Zip Code: 10516
Project Contact (if not same as sponsor; give name and title/role): Glennon J. Watson, L.S. Badey & Watson, P.C.	Telephone: 845-265-9217 x14	E-Mail: gwatson@badey-watson.com
Address: 3063 Route 9		
City/PO: Cold Spring	State: NY	Zip Code: 10516
Property Owner (if not same as sponsor): Manitou Properties Co., LLC	Telephone: 646-295-7349	E-Mail: director@manitouschool.org
Address: 1656 Route 9D		
City/PO: Cold Spring	State: NY	Zip Code: 10516

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Amended Site Plan Approval	01/12/2017
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Planning 239 Referral	TBD
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Planning and Zoning

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

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

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

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

HM (Hamlet Mixed Use)

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

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

If Yes,

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

C.4. Existing community services.

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

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

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

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

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 5.269 acres

b. Total acreage to be physically disturbed? 1.684 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 5.269 acres

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

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 44 Units: Students

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

If Yes,

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

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

iii. Number of lots proposed? _____

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

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

i. If No, anticipated period of construction: 6 months

ii. If Yes:

• Total number of phases anticipated _____

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

• Anticipated completion date of final phase _____ month _____ year

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

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

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

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

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 23 height; 61 width; and 104 length

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

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

i. Purpose of the impoundment: _____

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

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

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

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

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

D.2. Project Operations

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

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

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

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

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

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

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

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

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

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

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

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

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

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

If Yes, describe: _____

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

If Yes:

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

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

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

If Yes:

i. Total anticipated water usage/demand per day: 1380 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: _____

Existing will continue to be used.

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

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

If Yes:

i. Total anticipated liquid waste generation per day: 1380 gallons/day

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

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

• Will the proposed action require the construction of a new wastewater treatment plant?

Yes No

• Will the construction of a new wastewater treatment plant be necessary to serve the project?

Yes No

If Yes:

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

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

Existing sub-surface sewage treatment system will continue to be used.

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?

Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. Roof leaders

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On site management structure.

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

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?

Yes No

If Yes, identify:

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

Heavy equipment delivery vehicles

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

No

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

No

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?

Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

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

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

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

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

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

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? Yes No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

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

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

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

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

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

i. During Construction:

- Monday - Friday: 7:30 am 5:00 pm
- Saturday: 8:00 am 12:00 pm
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 7:30 am 5:00 pm
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

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

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 There will be no new outside lighting.

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

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

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or any amount in underground storage)? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally describe proposed storage facilities: _____

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

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

r. Will the proposed action (commercial/or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

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

 • Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.100	1.300	+0.2
• Forested	1.100	1.100	0.00
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.500	0.400	-0.1
• Agricultural (includes active orchards, field, greenhouse etc.)	0.000	0.000	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.000	0.000	0.0
• Wetlands (freshwater or tidal)	0.000	0.000	0.0
• Non-vegetated (bare rock, earth or fill)	0.300	0.300	0.3
• Other Describe: <u>Lawns & Gardens & Landscaped Areas.</u>	2.300	2.200	-0.1

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

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities:
 This facility is a school. Medical facilities (Butterfield) and senior housing properties are about 1200' away. _____

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 0 > 5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? 6 %

c. Predominant soil type(s) present on project site: Charlton Chatfield 100 %
 _____ %
 _____ %

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

e. Drainage status of project site soils: Well Drained: 100 % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 67 % of site
 10-15%: 15 % of site
 15% or greater: 18 % of site

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

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

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

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:	Deer, squirrels <hr/> <hr/> <hr/>
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation): _____ _____	
ii. Source(s) of description or evaluation: _____ _____	
iii. Extent of community/habitat:	
<ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No see attached response dated 7/24/2013	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
ii. Name: <u>Plumbush</u>	
iii. Brief description of attributes on which listing is based: <u>Historic Building</u>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within 5 miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Project is on Route 9D a scenic highway</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: <u>0</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

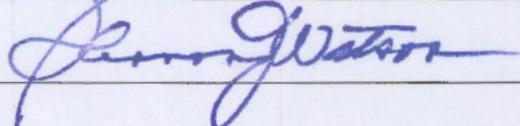
Attach any additional information which may be needed to clarify your project.

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

G. Verification

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

Applicant/Sponsor Name Manitou Properties Co., LLC Date 02/02/2017

Signature  Title Surveyor for Applicant

PRELIMINARY
Statement of Use
of
MANITOU SCHOOL
(2017 Amended Site Plan)

This Statement of Use is submitted with the request of Manitou Properties Co., LLC for approval of an Amended Site Plan to permit the expansion of the private school known as The Manitou School at its present Route 9D, Cold Spring location.

Property Identified – The property is located at the intersection of Route 9D with Peekskill Road and with Moffat Road, just south of the southeasterly line of the Village of Cold Spring. It is shown on the Putnam County Tax Map for the Town of Philipstown as Sheet 49.06, Block 2, Lot 1 (49.06-2-1). The area of the parcel is 229,509 square feet or 5.269 acres. The property is located in a HM (Hamlet Mixed Use) zoning district.

For many years, the property had been occupied by The Plumbush Inn. In November 2013, by its Resolution #14, The Philipstown Planning Board granted site plan approval for the establishment of The Manitou School on the property. In 2014, the site plan was complete and The Manitou School opened.

Use Permitted – The property is improved with, and The Manitou School Operates within a 7,600-square foot (footprint). Following its original approval, the former restaurant building and the site underwent extensive renovations to accommodate the private school. Both the building and the site function well and in accordance with the approved site plan.

As demonstrated for the original approval, Chapter 175 (Zoning) of the Town Code, enacted in 2011 establishes a HM or Hamlet Mixed Use Zone and places the subject property in that zone. Attachment I to Chapter 175 provides a table indicating what uses may be established in the zone. Uses permitted in the HM zone include: "Educational Institutions". The use established by the applicant continues to fall squarely into this category.

Amended Site Plan Required – Although the school is only 3 years old, its success has exceeded expectations. As originally envisioned, it was expected that the school would reach a maximum student population of 75 over a period of several years. It has already exceeded that goal by 5 students and has an average daily attendance of 70.

For the school to continue to succeed and fully serve its students, its directors have concluded that it must expand both its facilities and its student population. If the amended site plan approval is granted, the school will be able to continue to grow to a population of approximately 115 students and an average daily attendance of 100.

Additional Facilities Planned – The amended site plan identifies the removal of a 1,211-square foot building; the addition of a 6,310-square foot building in its place, and a small addition of a 325-square foot greenhouse to the main building. The site plan also shows the relocation of certain of the approved facilities, such as the play structure, fences and walkways to accommodate the new building. Parking

facilities have also been realigned and redefined with an addition of 29 new spaces that will bring the total number of parking spaces to 69, inclusive of overflow parking that will be accommodated on the lawn area west of the westerly gravel parking area. A new covered walkway connecting the main building and the new building is planned as are enhanced stormwater treatment facilities.

The new building, which is the focal point of the revised site plan will provide both classroom and a large space that will double as a gymnasium and assembly space.

Planned Activities and Services – Manitou School will provide educational services, in the form of a day school for students from Pre-K to 8th Grade. Manitou School will also offer educational services and educational facilities to others in the form of evening classes such as “ESL”, specialized classes for professional and similar educational uses. The private school, which is the core of the facility, will operate in a manner similar to other private schools. In doing so, there is an expectation that group events, such as graduations, parent appreciation days, student conferences and the like will occur throughout the school year. When these events are to be held during non-school hours, they will be scheduled so as to not conflict with other evening activities.

Food service will continue to be provided.

Outdoor educational and recreational facilities will also continue to be provided.

Traffic – The Peak Hour is expected to occur on a weekday morning when 60 trips are expected. Average daily trips generated are estimated to be 200. A significant number of students will be transported to the school by the local school district.

Sewage Treatment – An on-site wastewater treatment system exists and is shown on the plan. The school places and will continue to place significantly less demand on the system than that of the restaurant for which the system was designed and installed. For this reason, no improvements are planned for the system.

Water Supply – The existing well, previously used by the restaurant, will continue to be utilized. Water consumption, according to tables provided by the NYS Department of Health, indicate anticipated consumption will increase from 960 gallons (80 students * 15 gpd * .8) to 1380 gallons per day (115 students * 15 gpd * .8), which includes the water consumed as part of the food service. A new well will not be needed.

Outside Storage – There will be no outside storage associated with the use.

Solid Waste – This is expected to be approximately 1 ton per month. It will be removed by a commercial carting service.

Required Parking – Sixty-nine (69) spaces are provided. It is expected that 24 spaces will be used on a daily basis. The other 45 spaces will be used during special events. Smaller special events will use the 29 spaces that are shown on the plan as gravel, while larger events may be required to also use the 16 overflow spaces that will have a grass surface. Section 175-38 does not mandate that a specific formula be used to calculate the number of spaces required for this use. To arrive at the number of spaces shown on

the plan school administration provided the designers with the current parking demands, which were then extrapolated to accommodate the enlarged student population.

Hours of Operation - The applicant anticipates that the school will operate 5 days a week between 7:30 A.M. and 5 P.M., generally following the local school system's calendar. Students will be in attendance from approximately 8:30 A.M. until 3:00 P.M. Evening classes are expected to end at 10 P.M.

Site Grading and Drainage – The proposed project anticipates a small increase in stormwater runoff. Stormwater management facilities are shown on the plan. They include both temporary and permanent measures.

Performance Standards - The proposed use will not cause vibration. It will not cause radio or television interference. The proposed use will not produce excessive noise. It will not cause glare, nor will illumination from the site endanger public safety, cause discomfort or impair the value or use of any lot in a residential district.

The proposed uses do not threaten pollution from dust, smoke, dirt, particulates, fumes or gases. The use will not create any offensive odors. Solid and liquid waste will be generated and handled as described above. Solid wastes will not be discharged into any watercourse or drainage facility. Neither will they be discharged into the ground in a manner that causes a threat to public health or safety or ground or surface water quality.

Heating and cooking fuel will be kept on-site. Appropriately limited quantities of cleaners, solvents, thinners, paints and other products associated with proper cleaning and building maintenance will be kept on site and locked away from the student population. No other toxic or hazardous materials as identified in the United States Environmental Protection Agency's List of Priority Pollutants, Section 3001 of the Resource Conservation and Recovery Act (40 CFR, 261) or Article 27 of the New York State Environmental Conservation Law (6 NYCRR) will be kept on site.

Respectfully submitted,
Manitou Properties Co., LLC

by _____
Maria Stein-Marrison, Manager
February 2, 2017



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



ACS-000000000330470-000000000687892-006

Endorsement Page

Document # 1500366 Drawer # 02 Recorded Date: 02/25/2014
Document Type: DEED COM OR VACANT Book 1944 Page 363 Recorded Time: 2:55:11 PM
Document Page Count: 6 Receipt # 2803

PRESENTER:

REGENCY ABSTRACT SERVICES LTD
42 CATHARINE STREET
POUGHKEEPSIE, NY 12601

RETURN TO:

CAMILLE LINSON, ESQ.
13 PARROTT STREET
COLD SPRING, NY 10516

PARTIES

GRANTOR
ROUTE 9D COLD SPRING, LLC

GRANTEE
MANITOU PROPERTY CO., LLC

FEE DETAILS

Consideration:		\$1,200,000.00
1500366		
DEED COM OR VACANT	6	50.00
TP-584	1	5.00
CULTURAL EDUCATION		15.00
RP-5217 COMMERCIAL		250.00
RECORD MANAGEMENT		5.00
TRANSFER TAX		4,800.00
PROCESSING FEE	1	1.00
AMOUNT FOR THIS DOCUMENT:		5,126.00
RETT #	000001196	

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
REAL PROPERTY LAW

EXEMPTIONS

①

RESERVED FOR CLERKS NOTES

DENNIS J. SANT
PUTNAM COUNTY CLERK

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

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

THIS INDENTURE, made the 12th day of February, 2014,

BETWEEN ROUTE 9D COLD SPRING, LLC, a New York limited liability company, with an address at 1656 Route 9D, Cold Spring, New York 10516, party of the first part, and

MANITOU PROPERTY CO., LLC, with its principal office located at 7 Old Manitou Road, Garrison, New York 10524, party of the second part,

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam and State of New York, being more specifically described as follows:

SEE SCHEDULE A ANNEXED HERETO AND MADE A PART HEREOF

BEING AND INTENDED TO BE the same premises acquired by Deed from Grischun Restaurant Corp., dated August 26, 2004 and recorded in the Office of the Putnam County Clerk in Liber 1680, Page 98 on September 8, 2004.

TOGETHER with all right, title and interest, if any, of the party of the first part of, 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.

[Signature Line to Follow.]

13RB-X135

SCHEDULE "A"

Title #: 13RB-X135

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 bounded and described as follows:

BEGINNING at a point, said point being the intersection of the southerly line of lands of the Cold Spring Cemetery Association with the easterly line of the Peekskill Road and running thence along said southerly line of the Cold Spring Cemetery Association the following: North 62° 36' 10" East 129.31 feet, North 64° 01' 15" East 132.12 feet, North 64° 02' 40" East 131.82 feet and North 63° 23' 10" East 131.98 feet; thence along other lands now or formerly Michael A. Scalpi, South 20° 07' 25" East 613.20 feet; thence along the northerly line of Moffatt Road the following: South 76° 50' 25" West 29.99 feet, South 79° 02' 05" West 15.73 feet, South 81° 14' 45" West 69.65 feet, North 89° 14' 50" West 60.84 feet, South 89° 38' 20" West 90.30 feet, North 86° 39' 20" West 16.51 feet, North 74° 08' 50" West 13.97 feet and North 70° 33' 45" West 82.67 feet to the easterly line of Peekskill Road; thence along the said easterly line of Peekskill Road the following: North 61° 49' 00" West 11.61 feet, North 50° 23' 35" West 16.90 feet, North 45° 52' 50" West 30.55 feet, North 40° 13' 10" West 22.72 feet, North 38° 15' 40" West 54.32 feet, North 44° 04' 05" West 61.53 feet, North 52° 39' 00" West 21.33 feet, North 50° 44' 20" West 25.61 feet, North 46° 56' 00" West 23.78 feet, North 41° 31' 10" West 17.58 feet, and North 39° 29' 35" West 167.41 feet to the point or place of **BEGINNING**.

Being more particularly described in accordance with a new survey as follows:
(See attached)

SCHEDULE "A"

Title #: 13RB-X135

(Amended 2/20/14)

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 bounded and described as follows:

BEGINNING at the point on the northeasterly line of Peekskill Road where it is met by the line dividing the lands so conveyed to Route 9D Cold Spring, LLC, on the southeast, from lands now or formerly of the Cold Spring Cemetery Association, on the northwest; Thence from the said point of beginning along the said Cold Spring Cemetery Association lands, the following courses: North 62° 22' 33" East 129.17 feet, to a monument, North 63° 47' 38" East 132.12 feet, to a monument, North 63° 49' 03" East 131.82 feet, to a monument, and North 63° 09' 33" East 131.98 feet to a monument at the westerly line of other lands formerly of Scalpi and now shown on that certain "Map of Subdivision for Michael A. Scalpi,,," which was filed in the Putnam County Clerk's office on April 4, 1991, as Map No. 2499. Thence along the said lands shown on Filed Map No. 2499; South 20° 21' 02" East 613.20 feet to a point on the northerly line of Moffatt Road. Thence westerly along the northerly line of Moffatt Road and generally along the road face of a stone wall, the following courses: South 76° 36' 48" West 29.99 feet, South 78° 48' 28" West 15.73 feet, South 81° 01' 08" West 69.65 feet, North 89° 28' 27" West 60.84 feet, South 89° 24' 43" West 90.30 feet, and North 86° 52' 57" West 16.51 feet to a point on the northeasterly line of New York State Route 9D. Thence northwesterly along the said northeasterly line of New York State Route 9D, the following courses: North 74° 22' 27" West 13.97 feet, North 70° 47' 22" West 82.67 feet, and North 62° 02' 37" West 11.61 feet to a point at the easterly line of Peekskill Road; Thence northwesterly along the northeasterly line of Peekskill Road and in part along the road face of a stone wall, the following courses: North 50° 37' 12" West 16.90 feet, North 46° 06' 27" West 30.55 feet, North 40° 26' 47" West 22.72 feet, North 38° 29' 17" West 54.32 feet, North 44° 17' 42" West 61.53 feet, North 52° 52' 37" West 21.33 feet, North 50° 57' 57" West 25.61 feet, North 47° 09' 37" West 23.78 feet, North 41° 44' 47" West 17.58 feet, and North 39° 40' 12" West 167.37 feet to the point or place of **BEGINNING**.

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

STATE OF NEW YORK
COUNTY OF WESTCHESTER
I, the undersigned, a Notary Public in and for said State, personally appeared Mohsen Alam El Din and Jeannette Doellgast, personally known to me or proved to me on the basis of satisfactory evidence as persons who are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Sarah P. Cook
Notary Public

SAHARAH E. COOK
Notary Public, State of New York
No. 0109017784
Qualified in Dutchess County
Commission Expires Sept. 4, 2014

ROUTE 9D COLD SPRING, LLC

By: *M. Alam El Din*
Mohsen Alam El Din,
Managing Member and
Authorized Signatory

ROUTE 9D COLD SPRING, LLC

By: *Jeannette Doellgast*
Jeannette Doellgast,
Managing Member and
Authorized Signatory

(Insert city or political subdivision, name, state or county or other place acknowledged in.)

Notary Public

Section: 046
Block: 2
Lot: 1
Town: Philipstown
County: Putnam
Address: 1630 Route 9D
Cold Spring, NY 10516

Record and Return To:

Candice S. Litwin, Esq.
13 Fiscal Street
Cold Spring, New York 10516

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

ROUTE 9D COLD SPRING, LLC

MANHOU PROPERTY CO., LLC

NOTARIAL PUBLIC CERTIFICATE - See Notary Public's Commission on Back of this Certificate and Notary Seal for Signature and Commission

ACKNOWLEDGMENT - in New York State (RPL-309b)

STATE OF NEW YORK,
COUNTY OF PUTNAM s.s.:

On the 12th day of February in the year 2014, before me the undersigned, a Notary Public in and for said State, personally appeared Mohsen Alam El Din and Jeannette Doellgast, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Sarah E. Croak
Notary Public

SARAH E. CROAK
Notary Public, State of New York
No. 01CR6173784
Qualified in Dutchess County 14
Commission Expires Sept. 4, 20

BARGAIN AND SALE DEED WITH
COVENANT AGAINST GRANTOR'S ACTS

ROUTE 9D COLD SPRING, LLC

to

MANITOU PROPERTY CO., LLC

ACKNOWLEDGMENT - outside of New York State (RPL-309b)

STATE OF _____, COUNTY OF _____ s.s.:

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

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

Notary Public

Section: 49.6
Block: 2
Lot: 1
Town: Philipstown
County: Putnam
Address: 1656 Route 9D
Cold Spring, NY 10516

Record and Return To:

Camille S. Linson, Esq.
13 Parrot Street
Cold Spring, New York 10516

INSTRUCTIONS(RP-5217-PDF-INS): www.orps.state.ny.us



New York State Department of Taxation and Finance
Office of Real Property Tax Services
RP- 5217-PDF
Real Property Transfer Report (8/10)

FOR COUNTY USE ONLY

C1. SWIS Code 372689
C2. Date Deed Recorded 2/25/14
C3. Book 1944 C4. Page 363

PROPERTY INFORMATION

1. Property Location 1656 Route 9D
Philipstown

2. Buyer Name Manitou Property Co., LLC

3. Tax Billing Address 7 Old Manitou Road Garrison NY 10524

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR Part of a Parcel
5. Deed Property Size X OR 5.27

6. Seller Name Route 9D Cold Spring, LLC

7. Select the description which most accurately describes the use of the property at the time of sale:
Commercial
Check the boxes below as they apply:
8. Ownership Type is Condominium
9. New Construction on a Vacant Land
10A. Property Located within an Agricultural District
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date 08/19/2013
12. Date of Sale/Transfer 02/12/2014
13. Full Sale Price 1,200,000.00
14. Indicate the value of personal property included in the sale 0.00

15. Check one or more of these conditions as applicable to transfer:
A Sale Between Relatives or Former Relatives
B Sale between Related Companies or Partners in Business
C One of the Buyers is also a Seller
D Buyer or Seller is Government Agency or Lending Institution
E Deed Type not Warranty or Bargain and Sale (Specify Below)
F Sale of Fractional or Less than Fee Interest (Specify Below)
G Significant Change in Property Between Taxable Status and Sale Dates
H Sale of Business is included in Sale Price
I Other Unusual Factors Affecting Sale Price (Specify Below)
J None

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

16. Year of Assessment Roll from which information taken(YY) 14
17. Total Assessed Value 677,600
18. Property Class 421
19. School District Name Haldane CSD
20. Tax Map Identifier(s)/Roll Identifier(s) (if more than four, attach sheet with additional identifier(s))
49.6-2-1

CERTIFICATION

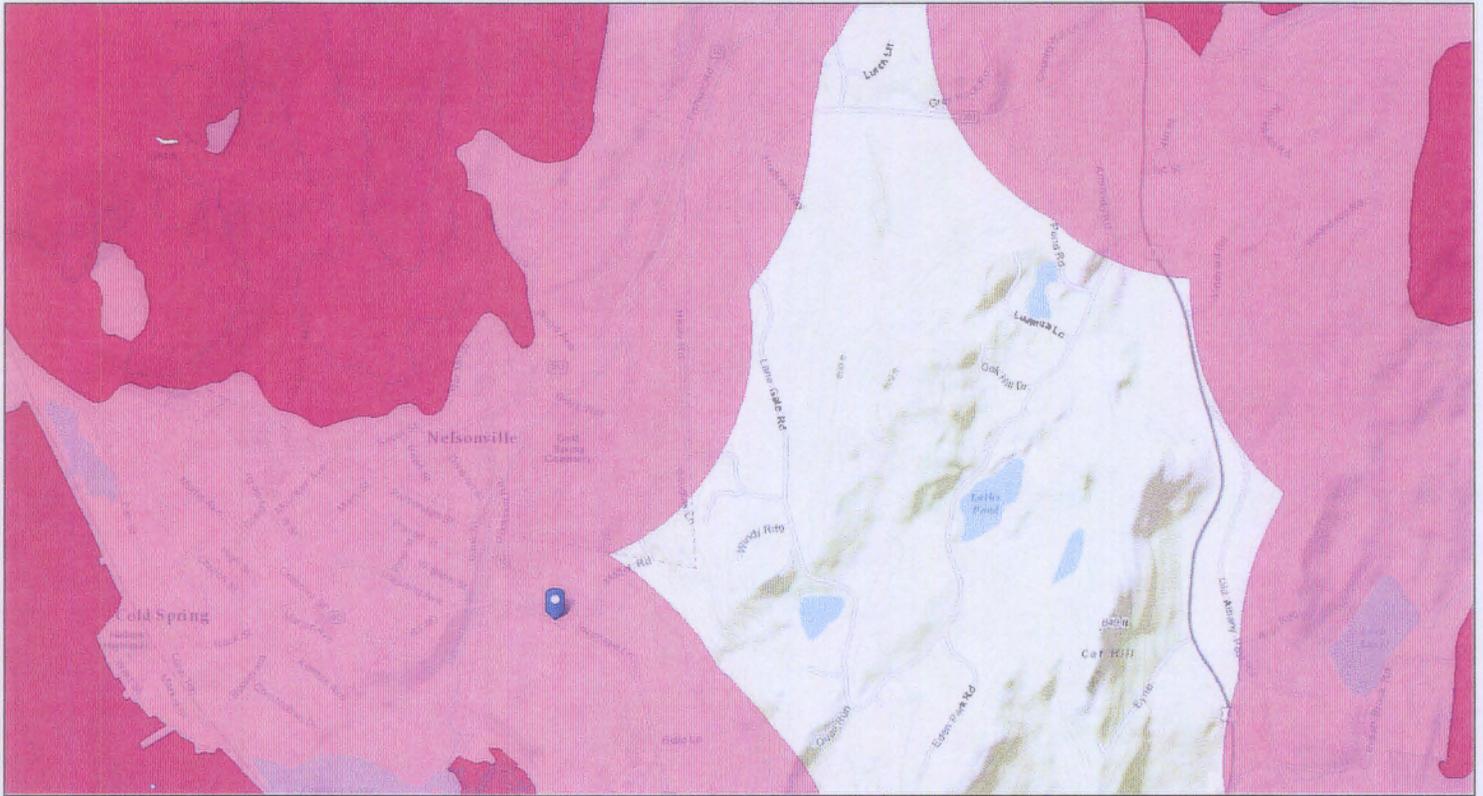
I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of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

Seller Signature: M. J. ... 11-12-2014
Buyer Signature: Rajiv B. ... 2-12-14

BUYER CONTACT INFORMATION
Manitou Property Co., LLC
7 Old Manitou Road
Garrison NY 10524
BUYER'S ATTORNEY
Linson Camille
(845) 809-5179

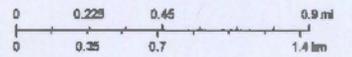


Plumbush - Natural Communities



February 2, 2017

1:18,056



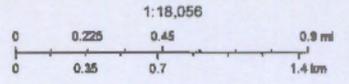
Source: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, EsriBee, IGN, Kartchner NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swastopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

NYS Department of Environmental Conservation
 Use a legal document

Plumbush - Rare Plants



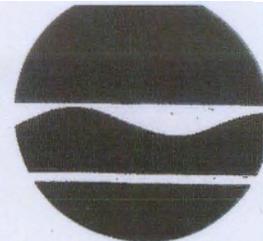
February 2, 2017



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBasis, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

NYS Department of Environmental Conservation
Not a legal document

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Commissioner

July 24, 2013

Glennon J. Watson, L.S.
Badey & Watson Surveying and Engineering, P.C.
3063 Route 9

Cold Spring, NY 10516

Re: Manitou Properties, Co. LLC - 1656 Route 9D - Endangered Species Inquiry
Town/City: PHILIPSTOWN. County: PUTNAM.

Dear Glennon J. Watson, L.S. :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The enclosed report may be included in documents that will be available to the public. However, any maps displaying locations of rare species are considered sensitive information, and are should not be included in any document that will be made available to the public, without permission from the New York Natural Heritage Program.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

David Marston
Programmer / Analyst
New York Natural Heritage Program



**The following state-listed animals have been documented
at your project site, or in its vicinity.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing. The list may also include significant natural communities that can serve as habitat for Endangered or Threatened animals, and/or other rare animals and rare plants found at these habitats.

For information about potential impacts of your project on these populations, how to avoid, minimize, or mitigate any impacts, and any permit considerations, contact the Wildlife Manager or the Fisheries Manager at the NYSDEC Regional Office for the region where the project is located. A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.

The following species have been documented within 1 mi. Individual animals may travel 1 mi from documented locations.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
Birds			
Bald Eagle <i>Nonbreeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened	5782

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at <http://www.dec.ny.gov/animals/7494.html>.

Information about many of the rare plants and animals, and natural community types, in New York are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NatureServe Explorer at <http://www.natureserve.org/explorer>.



The following rare plants, rare animals, and significant natural communities have been documented at your project site, or in its vicinity.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Animal Assemblages			
Anadromous Fish Concentration Area			
Constitution Marsh, 1986: 400 acres wetland, tidal, brackish, freshwater, emergent marsh.			607
Waterfowl Winter Concentration Area			
Constitution Marsh, 1986: 400 acre wetland, tidal, brackish, freshwater, emergent marsh.			1513
Fish			
Atlantic Silverside	<i>Menidia menidia</i>	Unlisted	Imperiled in NYS
Constitution Marsh, 1986-pre: The fish were found in a marsh.			11813
Dragonflies and Damselflies			
Needham's Skimmer	<i>Libellula needhami</i>	Unlisted	Vulnerable in NYS
Constitution Marsh, 2006-07-24: This is the northern portion of a brackish tidal marsh. This portion of the marsh had been a superfund site and was dredged and restored in the recent past. An area of open water, Foundry Cove, is present adjacent to the area where the odonates were observed and the main portion of Constitution Marsh is immediately to the south. The vegetation of the marsh is primarily cattail, with arrowhead, arrow arum, wild rice, swamp rose mallow, rushes, and other marsh vegetation present. The restored portion of the marsh has been invaded by purple loosestrife.			12401

York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on Draft Ecological Communities of New York State.

Town of Philipstown
238 Main Street
Cold Spring New York 10516

PLANNING BOARD

AMENDMENT of SITE PLAN

APPLICATION PACKAGE

Project Name: Site Plan prepared for Stonecrop Gardens, Inc.

Date: February 2, 2017

TOWN OF PHILIPSTOWN
FEB 02 2017
BT:



Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: 2/2/17

TM# 39.-2-10.1 & 10.2

Project Name: Site Plan prepared for Stonecrop Gardens, Inc.

Street Address: 81 Stonecrop Lane Cold Spring, NY 10516

Fee Amount: _____ Received: _____

Bond Amount: _____ Received: _____

Applicant:

Name Stonecrop Gardens, Inc.

Address 81 Stonecrop Lane

Cold Spring, NY 10516

Telephone 845-265-2000

Tenant:

Name -

Address -

-

Telephone -

Design Professional:

John P. Delano, P.E.

Name Badey & Watson Surveying & Eng. P.C.

Address 3063 Route 9

Cold Spring, NY 10516

Telephone 845-265-9217

Surveyor:

Glennon J. Watson, L.S.

Name Badey & Watson Surveying & Eng. P.C.

Address 3063 Route 9

Cold Spring, NY 10516

Telephone 845-265-9217 x14

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

Name Stonecrop Gardens, Inc.

Address 81 Stonecrop Lane

Cold Spring, NY 10516

Telephone 845-265-2000

Name -

Address -

-

Telephone -

TM# 39-2-10.1 & 10.2

Project Name: Site Plan prepared for Stonecrop Gardens, Inc.

Project Description: Replacement of building destroyed by fire with larger facility which will encompass a "Welcome Center" & workshop area. Expansion of facilities.
area site.

ZONING INFORMATION

175-7 Zoning District: IC-Institutional Conservation

175-10 Proposed Use: Public Garden and Horticultural Educational institutes

Proposed Accessory Use(s): Residential facilities for interns and key staff.

Second institutional use is Therapeutic Equestrian Center.

175-7 Overlay Districts on the property:

Yes or No

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

Board of Directors and Officers for
Stonecrop Gardens, Inc.

OFFICERS

President: F. Colin Cabot

Vice President: Anne P. Cabot

Secretary and Treasurer: Anne P. Cabot

Executive Director: Caroline Burgess

Assistant Treasurer: Jennifer Campbell

Assistant secretary: Alexis Fry

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Antonia F. Adezio

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Diane Botnick

Jessica Galligan Goldsmith

Richard W. Lighty

Susan Lowry

*Full Environmental Assessment Form
Part 1 - Project and Setting*

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

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

A. Project and Sponsor Information.

Name of Action or Project: <p style="text-align: center;">Approval of Site Plan prepared for Stonecorp Gardens, Inc.</p>		
Project Location (describe, and attach a general location map): <p style="text-align: center;">81 Stonecrop Lane Cold Spring, NY 10516</p>		
Brief Description of Proposed Action (include purpose or need): <p style="text-align: center;">Approval of a site plan to allow replacement of building destroyed by fire with larger facility which will encompass a "Welcome Center" and workshop. Expansion of facilities.</p>		
Name of Applicant/Sponsor: <p style="text-align: center;">Stonecorp Gardens, Inc.</p>		Telephone: 845-265-2000 E-Mail: hortus@highlands.com
Address: <p style="text-align: center;">81 Stonecrop Lane</p>		
City/PO: <p style="text-align: center;">Cold Spring</p>	State: NY	Zip Code: 10516
Project Contact (if not same as sponsor; give name and title/role): <p style="text-align: center;">Glennon J. Watson</p>		Telephone: 845-265-9217x 14 E-Mail: gwatson@badey-watson.com
Address: <p style="text-align: center;">3063 Route 9</p>		
City/PO: <p style="text-align: center;">Cold Spring</p>	State: NY	Zip Code: 10516
Property Owner (if not same as sponsor): <p style="text-align: center;">Same as applicant</p>		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Site Plan Approval PPB	2/2/17
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Philipstown ZBA Variance	
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	239 Referral County Planning	
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Health Dept. SSTS permit	
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC SPDES Permit	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

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

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

Philipstown Open Space Plan

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
IC- Institutional Conservation
- b. Is the use permitted or allowed by a special or conditional use permit? Yes No
- c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Haldane Central School District
- b. What police or other public protection forces serve the project site?
Putnam County Sheriff, NYS Police
- c. Which fire protection and emergency medical services serve the project site?
North Highlands Fire District
- d. What parks serve the project site?
Fahnstock State Park, Philipstown Parks

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
Institutional Conservation (Public garden & Educational Institution).
- b. a. Total acreage of the site of the proposed action? 67.25 acres
b. Total acreage to be physically disturbed? 1.19 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 67.25 acres
- c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 110 Units: Parking Spaces
- d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____
- e. Will proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: 12 months
ii. If Yes:
 - Total number of phases anticipated _____
 - Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 - Anticipated completion date of final phase _____ month _____ year
 - Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

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

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

If Yes,

- i. Total number of structures 1
ii. Dimensions (in feet) of largest proposed structure: 37 height; 81 width; and 83 length
iii. Approximate extent of building space to be heated or cooled: 3,800 square feet

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

If Yes,

- i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

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

If Yes:

- i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
• Volume (specify tons or cubic yards): _____
• Over what duration of time? _____
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? Yes No
ix. Summarize site reclamation goals and plan: _____

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

If Yes:

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

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

If Yes, describe: _____

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

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

- Source(s) of supply for the district: _____

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

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes? * Building being replaced. Yes No

If Yes:

i. Total anticipated liquid waste generation per day: 2050 gallons/day

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 1.1 acres (impervious surface)

_____ Square feet or 67.2 acres (parcel size)

ii. Describe types of new point sources. Roof Leaders, driveway & parking lot drainage

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)?

On site management facilities.

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

• Will stormwater runoff flow to adjacent properties? Yes No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

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

Heavy equipment delivery vehicles

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

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

Emergency generators.

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

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

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

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

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

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

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? Yes No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

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

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

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

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

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

i. During Construction:

- Monday - Friday: 7:30 am 4:00 pm
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 10:00 am 5:00 pm
- Saturday: _____
- Sunday: _____
- Holidays: _____

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

If yes:

i. Provide details including sources, time of day and duration:

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

Describe: _____

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

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Minimal residential downward directed lighting

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

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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

If Yes:

i. Product(s) to be stored _____

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

iii. Generally describe proposed storage facilities: _____

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

If Yes:

i. Describe proposed treatment(s):

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

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

If Yes:

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

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

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

- Construction: _____
- Operation: _____

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

- Construction: _____
- Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

ii. If mix of uses, generally describe:

Parkland-conserved land-institutional land

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	4.7	5.8	+1.1
• Forested	33.6	33.1	-0.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	13.0	12.6	-0.6
• Agricultural (includes active orchards, field, greenhouse etc.)	14.5	14.5	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.4	0.4	0
• Wetlands (freshwater or tidal)	0.0	0.0	0
• Non-vegetated (bare rock, earth or fill)	0.5	0.5	0
• Other Describe: <u>Lawn</u>	0.5	0.5	0

67.2

67.2

c. Is the project site presently used by members of the community for public recreation? Yes No

i. If Yes: explain: Garden is open to public.

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

If Yes,

i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No

If Yes:

i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

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

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No

Yes - Spills Incidents database Provide DEC ID number(s): _____

Yes - Environmental Site Remediation database Provide DEC ID number(s): _____

Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 0>-5 feet

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

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

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

e. Drainage status of project site soils: Well Drained: 90 % of site
 Moderately Well Drained: 5 % of site
 Poorly Drained: 5 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 85 % of site
 10-15%: 14 % of site
 15% or greater: 1 % of site

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

h. Surface water features.

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

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

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

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____	Deer Squirrels _____ _____
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): <u>More to follow</u> _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>More to follow</u>	
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 <u>More to follow</u>	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

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

F. Additional Information

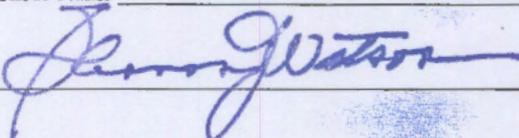
Attach any additional information which may be needed to clarify your project.

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 Stonecorp Gardens, Inc. Date 02/02/2017

Signature  Title Surveyor for Applicant

39.-2-10.1 & 2
STONECROP GARDENS INC.
ADJOINER'S LIST

40.-1-1, 39.-1-3,
STATE OF NEW YORK
Commissioner of Finance
40 Gleneida Ave
Carmel, NY 10512

28.-1-16, 29.-3-1.1, 39.-2-24.1
STATE OF NEW YORK
Comm of Finance of Putnam Co
40 Gleneida Ave
Carmel, NY 10512

38.-3-9
MCGUIRK, BARBARA A
PO Box 152
Cold Spring, NY 10516

39.-1-2, 39.-1-9
ORENTREICH, DAVID
14 E 75th St Apt 6A
New York, NY 10012

38.-3-66
ANASTASI, FRANK J
2779 Route 9
Cold Spring, NY 10516

28.-1-15
Open Space Conservancy Inc
Attn.: Robert Anderberg
1350 Broadway Rm 201
New York, NY 10018

38.-3-24.1
OLSPAN LLC
1 East End Ave
New York, NY 10075

Preliminary Statement of Use of Stonecrop Gardens, Inc.

Background – Stonecrop Gardens, Inc. is the owner of Stonecrop Gardens, a 67.25-acre parcel located on the northerly side of New York State Route 301 in the Town of Philipstown. The property is opposite the intersection of Route 301 with Dennytown Road. Most of the property, approximately 50 acres was, for many years, the home of Francis H. and Anne P. Cabot. The remaining 17 acres was acquired in recent years from Perkins Associates, a Perkins Family partnership, through a series of intra-family transactions that also involved Beaverkill Conservancy. The name "Stonecrop" is the name that the Cabots used in referring to their estate. The entirety of Stonecrop's holdings is shown on the plans of property submitted with this application.

Mr. Cabot was an avid horticulturist. He developed what has become Stonecrop Gardens as an integral part of his home and estate. A significant portion of Mr. Cabot's time was spent supporting the art and science of horticulture both financially and with his personal time and efforts. Over the years, Mr. Cabot's garden developed a reputation as one of the finest private gardens in the northeast. When it came time to plan for the future of their property, the Cabots decided that preservation of the gardens and their desire to continue to support the advancement of horticulture would be best served by the formal conversion of their estate into Stonecrop Gardens, a Public Garden.

The purpose of Stonecrop Gardens is, perhaps best expressed in its mission statement.

To uphold and demonstrate the highest standards of horticultural practice and to promote the use of such standards among amateur and professional gardeners through aesthetic displays and educational programs

The 67 acres of Stonecrop Gardens consist of gardens, fields and woodlands between the elevations 950 and 1150 feet above Mean Sea Level. At present, approximately 12 acres of the core of the site contain the gardens, quarters and other facilities.

Stonecrop Gardens was established as a Public Garden in 1992. In 1998, it formalized its status as an educational institution by providing post-graduate training for horticultural interns.

The Property and Zoning – As stated above, the property contains 67.25 acres located on the northerly side of NYS Route 301. The property carries the designation: Sheet 39, Block 2, Lots 10.1 and 10.2 (39.-2-10.1 and 10.2). It is located in an IC or Institutional Conservation Zone established by the Philipstown Zoning Law adopted in 2011.

The Use Table that appears at the end of the Zoning Law clearly allows the educational and institutional uses that are conducted at Stonecrop Gardens.

The Application – The 2017 application before the Planning Board is seeking site plan approval to enlarge the parking area and construct a bothy or visitors' center.

As Stonecrop's reputation grew, so did membership and the number of visitors, creating the need to add parking and realign the roads and pathways to help guide them through the garden. To accommodate the additional parking needs, the parking will be realigned and enlarged from the existing 35 spaces to a total of 73 parking spaces. The number of spaces is based on the number of visitors that have historically visited the site and a reasonable projection of the number expected to visit the site in the future.

The building that had been used as a bothy was destroyed by fire, creating the need for its replacement. The need to replace the bothy and the increase in the number of visitors resulted in the need for a larger building with better facilities.

Public Access, Member Access and Parking – The Gardens are open to members. They are also open to the public for a modest admission fee. On the busiest days, up to 300 visitors will tour the gardens. As they walk through the gardens, visitors are given literature relating to the displays and horticulture in general. They may also be given the opportunity to view demonstrations of particular activities associated with horticulture. The new building will offer future opportunity to visit a gift shop and refreshment area. The new building will be large enough to host small professionally catered parties.

Special activities and events are held for members who support the gardens. For instance, an annual reception is held to thank the membership for their support. This event is the largest event held at the garden. Parking for this event is contained within one of the pastures on the property.

Groups of up to 40 are allowed to visit the gardens by special arrangement and appointment only. A typical group might consist of local garden club members on an outing. These groups travel to and from Stonecrop Gardens by bus, thus eliminating any threat that the parking facility will be overburdened. No more than 2 groups are scheduled per day. The parking lot will accommodate 2 buses, while still accommodating 66 cars.

Science - The science of horticulture as practiced at Stonecrop involves the application of specific scientific principles and concepts. Among the activities that constitute the science of horticulture are:

Taxonomy. Stonecrop uses the Binomial System of Nomenclature, originated by Linnaeus in 1753. Stonecrop follows the categories set by the International Code of Botanical Nomenclature (ICBN). All plant labeling and familial organization reflect these codes.

Greenhouse Management. Plant care inside a structure involves two environmental considerations: the aerial environment which can be broken down into humidity, gaseous balance, air temperature and light transmission, and the second environment, the medium (compost and soil), which includes temperature, moisture status, aeration and alkalinity and acidity. The combined factors should produce an ideal environment for photosynthesis with each specific plant. Stonecrop has 6,438 square feet under glass and 3,024 square feet under polyethylene.

Chemistry is the science of elements and their laws of combination and change. Relevant chemistry applies to soil, fertilization and pesticide application, as well as the chemistry of each plant converting sunlight into energy.

Plant Physiology. Plant structure, growth and function as they relate to the following: mineral nutrition, photosynthesis, water movement in plants, plant respiration/metabolism, use of plant hormones and/or growth regulators, tropisms (growth curvature of a plant due to an external environmental influence), vernalization (forcing flowering using low temperatures) and plant adaptations to the environment. Stonecrop propagates, maintains and uses plants based on each plant's unique physiology.

Agronomy/Soil Science. Soil science and soil management pertain to the physical properties of soil as a medium for plant growth. Soil structure and soil quality can affect plant growth by either enhancing or inhibiting root growth and distribution, nutrient availability, soil fertility and soil productivity. Stonecrop makes and uses its own soil mixes that are specially formulated to meet the needs of individual plants.

Propagation. The purposeful production of desired plants. The science of propagation regards the cycle of each specific plant and intervenes at the most opportune moment for successful reproduction. Implicit in this concept is the desire to maintain unique characteristics of the specific plant being reproduced. In order for this to happen a plant's physiology and reproductive capabilities must be understood. There are several fundamental concepts of biology which provide the framework upon which plant propagation depends. They are as follows: sexual vs. asexual reproduction; gene expression in the control of plant growth and development; plant life cycles and plant nomenclature. In the field of horticulture, as practiced at Stonecrop, these concepts are applied in the various methods of seed collecting, seed germination and in the multiplication of plants through division, root cuttings, leaf cuttings or stem cuttings. At Stonecrop, specific scientific procedures involving the regulation of heat, light, water and growth are followed in order to maximize the outcome of each propagation technique used. Stonecrop also publishes a seed list available to their members with complete instructions relating to the successful germination of each plant species. Past workshops also include substantial handouts (seed sowing) and plant lists relevant to slide presentation (plants of South Africa, Chile, Switzerland, and the gardens at Millstream and Stonecrop).

Botany is defined as the scientific study of plant life. This discipline involves the study of plant systems from the level of cells and cellular metabolisms to the level of a plant's role in biotic communities. The research and careful and accurate observation of botanical science ultimately developed and expanded to include the sciences of taxonomy, morphology, plant physiology and many areas of biology including plant breeding, propagation and genetics. Botanical science is also allied to various practical aspects that have developed into specific scientific disciplines, which include agronomy and horticulture. At Stonecrop, botanical science and all the systems and methods defined by this specific discipline form the foundation for all of Stonecrop's procedures and methodology in plant growth, plant maintenance and plant use.

Entomology is defined as the study of insects, their life cycles and their impact (positive and negative) on their surrounding environment. Knowledge of entomology is crucial in order to grow, maintain and use a healthy plant collection. Stonecrop uses the principles and concepts of entomology when managing the insects which are commonly found in greenhouses and on most ornamental plant collections. In order to safely and effectively control the insect population at Stonecrop, the life cycles of insects, their biological

make-up , and their effect on plant life need to be understood well enough to identify and properly treat a potential pest without negative impact on the environment. Stonecrop practices safe and effective pest management techniques.

Plant pathology is the science involving the study of plant diseases and pathogens and how they affect the natural environment. Maintaining a disease-free plant collection is important for ensuring the integrity of the plants and health of their seeds, seedlings, cuttings, and divisions. Controlling plant diseases requires knowledge of each disease's life cycle and known causes. Recognizing the identifying characteristics of a disease is also necessary in order to properly identify and treat the disease. Stonecrop carefully monitors its plant collection in order to maintain its good health. Any pathogens found in its collection are controlled through safe and effective management techniques.

The foregoing discussion of some of the activities undertaken at Stonecrop Gardens was provided by its Executive Director Caroline M. Burgess. This discussion clearly demonstrates the scientific nature of the garden's activities.

Education – In its simplest sense, Stonecrop provides an educational opportunity to all its visitors. Those that are fortunate enough to hear staff members speak during their visit are provided an opportunity to learn firsthand from experienced professionals in the field. Those that collect some of the literature produced can absorb this information at a slower pace and refer to it when working in their own gardens. Those that witness a demonstration get to see first-hand how the professionals work. Those who simply tour the gardens are provided with an ever-growing series of labels identifying the individual plants growing in the gardens.

In its more formal sense, Stonecrop Gardens provides internships to aspiring horticulturists. Interns who are selected for the program work in the gardens and greenhouses at Stonecrop. During their stay the interns rotate through facilities and are taught how to know, grow, and use plants. In other words, they are taught practical horticulture. During their 9 month stay, interns are taught the specialized skills of a professional horticulturist. By combining the practical side of Horticulture with the lessons provided by the professional staff, the theoretical foundation with which the interns arrive is deepened and enhanced.

The interns accepted at Stonecrop are provided quarters and a stipend. Extraordinary interns may be invited to participate in a second and more advanced internship.

Performance Standards

Air Quality. No dust, dirt, smoke, particulates, fumes or gases will be emitted to the air so as to be a hazard to public health and safety or a source of air pollution.

Odors. No offensive odors shall be observable outside of a building or outside of the site.

Wastes. No solid or liquid wastes will be discharged to any watercourse or storm drainage facility or to the ground so as to be a hazard to public health and safety or to degrade surface and groundwater quality.

Vibration. With the exception of vibration necessarily involved in construction of buildings or other structures and construction of site improvements, no noticeable vibration shall be transmitted through the ground outside the site.

Radio Interference. No use on the site shall cause interference with radio and television reception on any other site. Any use of electronic equipment will conform with regulations of the Federal Communications Commission.

Noise. The proposed use will not produce noise that will be a hazard to public health and safety.

Hazardous Materials. The various uses on the site employ cleaning agents, paints and solvents normally associated with the maintenance of residential structures and other buildings. Heating and cooking fuel is also stored on the site. Commercially available fertilizers and pesticides, herbicides and other products associated with gardening are kept on the site under lock and key. These materials are managed only by personnel trained in their use. All such materials are commercially available to the public without restriction. All such materials are handled in an environmentally responsible manner. All materials are handled and applied in strict conformance with all regulations and the manufacturer's directions.

Glare. The site will not produce any glare that will be transmitted off site.

CONCLUSION

The site plan approval sought by this application is an asset that will be respected and carefully guarded by Stonecrop Gardens. The management fully understands the responsibilities associated with the acceptance of the approval and represents that it will conform to all lawful requirements of the approval. Stonecrop Gardens fully intends to remain a quietly valuable asset to the community.

Respectfully submitted,

STONECROP GARDENS, INC

Caroline Burgess, Executive Director



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 10, 2016

FROM: Ronald J. Gainer, PE SUBJ: Stone Crop Gardens Amended Site Plan; NYS Route 301

As provided in Section 175-66B of the Town Code a pre-application meeting was held on November 10, 2016 concerning Stone Crop Gardens plans for new improvements to their existing, developed property along NYS Route 301.

In attendance were the following:

Anthony Merante	-	Planning Board Chairman
Peter Lewis	-	Planning Board Member
Neal Tomann	-	Planning Board Member
Greg Wunner	-	Code Enforcement Officer
Linda Valentino	-	Planning Board Secretary
Ron Gainer	-	Town Engineer
Carolyn Burgess	-	Stone Crop Gardens Director
Alexis Fry	-	Office Assistant
Tim Rasic	-	Project Architect
Glenn Watson	-	Applicant/Owner's representative

The following matters were discussed:

Purpose of Application:

The site encompasses a 27.6 acre parcel along the north side of NYS Route 301 (street address: 81 Stonecrop, Cold Spring, NY 10516) ; tax map parcel 39.-2-10.1. The tract lies adjacent to Glynwood. The site originally obtained "Special Permit" approval from the Town Zoning Board of Appeals in 1998.

A former 2-story building on the property was destroyed by fire earlier this year, and the Center now proposes to replace the structure with a larger facility which will encompass a "welcome center" + with a workshop area. They will also expand parking at the site. The proposed building will be 3,800 sf, with an open archway through the building for access (total overall footprint = 4,080 sf). Due to rock outcrops in the area of the building, it will not contain a basement. The former building was approximately 2,000-2,500± sf.

Occupancy of the new structure is still being analyzed. The facility will be served by a new well and SSTS; the SSTS will actually jointly serve the new structure and an existing horse barn, which contains bathrooms.

Currently, there is space for approximately 40 cars. They hope to increase this to 100 spaces, provided sufficient usable space near the building exists. The parking would be arranged so as to "fit" within the existing landscape & vegetation, to avoid a "parking lot" appearance, and will have an Item 4 surface (no paving). The new parking will include handicapped spaces, and a handicapped accessible walkway to the new structure. Overall disturbances are expected to be >1 acre.

RE: Stone Crop Gardens Amended Site Plan; NYS Route 301

The architect presented conceptual elevations of the new facility, which will include a tower section to match the architecture of other buildings on site. He advised that it will comply with the applicable height restrictions of Town Code.

Zoning District Information:

The property is located in the Institutional Conservation ("IC") Zoning District.

With the exception of steep slopes (which exist on the site but will not be disturbed), no other Town or NYS environmental regulations appear to apply to the planned construction.

Site Plan Review Required:

With the various modifications planned to the prior Site Plan approval granted, a new site plan approval from the Planning Board is required. Per the "Use Table" in the Zoning Ordinance, only "Site Plan" approval is required for this "Institutional" use in the IC Zone.

Site Plan Procedures:

As the site has previously been granted a "Special Use Permit" in 1998, at this time an "Amended" Site Plan approval application should be submitted for this latest proposal.

As the proposed improvements exceed 3,000 sf, the project will represent "Major" project. Therefore, a Long Form EAF should be filed with the application. Section §175-68D covers amended site plan review procedures. Per paragraph D(2) of this section, a Public Hearing will be required (again, as it represents a major project).

The application documents filed should include a "Statement of Use" to outline existing and proposed uses of the overall site, new facility, parking, occupancy, etc. Further, being a "major" project, a "No Violations" letter will also be required from the Town CEO.

Site Plan Fees:

The following fees should be posted by the applicant:

"Amended Site Plan, major"	-	\$1,000 + \$20/parking space
Escrow	-	\$5,000 (un-used monies returned to applicant)
Full EAF review fee	-	\$300
Public Hearing fee	-	\$250
Final Approval fee	-	\$250
"No Violation" ltr from CEO	-	\$175

Therefore, fees of \$1,975 + \$20/parking space, and a \$5,000 escrow should be posted by the applicant as part of the Amended Site Plan application filing.

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

c: Greg Wunner, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant





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



ACS-00000000314195-00000000664327-007

Endorsement Page

Document # 1501215 Drawer # 02 Recorded Date 06/21/2013
Document Type DEED COM OR VACANT Book 1924 Page 284 Recorded Time 1 58 48 PM
Document Page Count 7 Receipt # 11606

PRESENTER:
COMMONWEALTH LAND TITLE INSURANCE CO
140 EAST 45TH STREET, 22ND FL
NEW YORK, NY 10017

RETURN TO:
HOWARD G SEITZ
230 PARK AVENUE, 11TH FLOOR
NEW YORK, NY 10169

PARTIES

GRANTOR
STONECROP GARDENS, INC

GRANTEE
STONECROP GARDENS, INC

FEE DETAILS

1501215		
DEED COM OR VACANT	7	55 00
TP-584	1	5 00
CULTURAL EDUCATION		15 00
RP-5217 COMMERCIAL		250 00
RECORD MANAGEMENT		5 00
PROCESSING FEE	1	1 00
AMOUNT FOR THIS DOCUMENT		331 00
RETT #	000001668	

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
REAL PROPERTY LAW

EXEMPTIONS

①

RESERVED FOR CLERKS NOTES

Dennis J Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

STANDARD NYBTU FORM 8007

CAUTION THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING

THIS INDENTURE, made the 4th day of June 2013

between **Stonecrop Gardens, Inc.**, with an address at 81 Stonecrop Lane, Cold Spring, NY 10516

party of the first part, and

Stonecrop Gardens, Inc., with an address at 81 Stonecrop Lane, Cold Spring, NY 10516

WITNESSETH, that the party of the first part, in consideration of \$10 00 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

See Schedule A Annexed hereto and made a part hereof.

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

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

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

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

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

This conveyance is made for the purpose of consolidating the lands described herein, previously conveyed to Stonecrop Gardens, Inc , into a single parcel

File No 78-148
Work Order No 20951
File Name SC25OC12BD_Stonecrop_Consolidation.doc
Date Created October 30 2012
Date Revised October 30, 2012
Date Printed October 30, 2012
Figure No 6110
Author GJW

**Description of Property
prepared for
Stonecrop Gardens, Inc.
Stonecrop Consolidation**

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam, and State of New York that is the entirety of those lands conveyed to Stonecrop Gardens, Inc by the following three (3) deeds recorded or intended to be recorded in the Putnam County Clerk's Office simultaneously with the recording of this instrument

- 1 Liber 1188 cp 181 from Anne P Cabot and Stonecrop Gardens, Inc , dated February 16, 1993,
- 2 Liber 1312 cp 237 from Beaverville Conservancy, Inc dated October 23, 1995, and
- 3 Deed from Open Space Conservancy, Inc bearing a date even herewith,

which when taken together is bounded and described as follows

BEGINNING at a point on the northwesterly line of N Y S Route 301 where it is met by the line dividing lands formerly of Perkins Associates, formerly of Beaverville Conservancy, Inc and now or formerly of The People of the State of New York. on the east, from the lands now being described, on the west, which point occupies coordinate position

N 524,503 68 (y)
E 627,698 57 (x)

of the New York State Coordinate System, East Zone and which point is distant the following courses

S 68°32'04" W 330 44 feet to a monument
S 59°04'25" W 1,025 30 feet to a monument
S 62°00'22" W 851 33 feet to a monument
S 53°41'42" W 398 09 feet to a monument
S 50°14'31" W 548 14 feet to a monument
S 37°26'00" W 661 81 feet to a monument and
S 35°29'50" W 845 23 feet

as measured along the northerly line of NYS Route 301 from another point thereon where it is met by the line dividing the land formerly of Perkins Associates and now or formerly of Beaverville Conservancy, Inc , on the west from lands of the People of the State of New York (Fahnestock Park), on the east, which reference point is marked by an iron pipe monument and which reference point occupies coordinate position

N 527,351 05 (y)
E 631,272 61 (x)

of the said New York State Coordinate System, East Zone

October 30, 2012

Stonecrop Gardens, Inc
Stonecrop Consolidation

Page 2 of 3

THENCE from the said point of beginning southwesterly along the said northwesterly line of N Y S Route 301, the following courses

- S 35°29'50" W 30 71 feet, to a monument
- S 41°26'22" W 607 85 feet, to a monument
- S 52°05'05" W 472 28 feet, to a monument, and
- S 50°38'56" W 6 66 feet

to a point at the line of lands formerly of Perkins Associates, formerly of Beaverkill Conservancy, Inc , and now or formerly of The People of The State of New York Thence along the said lands of The People of the State of New York, the following courses

- N 07°39'38" W 309 76 feet, to an iron pipe
- N 20°13'44" E 211 04 feet, to an iron pipe
- N 04°38'21" W 790 00 feet
- S 85°21'39" W 484 26 feet
- N 10°00'02" E 338 03 feet, and
- N 13°15'00" W 632 00 feet

to a point at the line of lands formerly of Perkins Associates and now or formerly of Beaverkill Conservancy, Inc (now known as Open Space Conservancy, Inc) Thence along the said Open Space Conservancy lands

- S 86°00'00" E 286 00 feet
- N 06°40'00" W 987 00 feet, and
- S 49°00'00" E 47 00 feet

to a point Thence along other lands of Open Space Conservancy, Inc , the following courses

- N 04°10'00" W 36 70 feet, and
- N 01°20'30" W 163 30 feet

in part along the centerline of a stone wall to a point Thence still along other lands of Open Space Conservancy, Inc , but no longer along the said stone wall

- N 88°39'30" E 212 60 feet

to a point in the center of another stone wall Thence still along other lands of Open Space Conservancy, Inc and generally along the centerline of the second stone wall, the following courses

- S 04°08'00" W 169 80 feet
- S 06°58'30" W 53 40 feet
- S 00°30'00" E 29 00 feet
- S 05°15'30" W 75 00 feet, and
- S 12°10'50" W 30 90 feet

to a point Thence once again along lands formerly of Perkins Associates and now or formerly of Open Space Conservancy, Inc

- S 49°00'00" E 13 20 feet, and
- S 84°15'00" E 980 00 feet

October 30, 2012

Stonecrop Gardens, Inc
Stonecrop Consolidation

Page 3 of 3

to a point that is an angle in the line of lands formerly of Perkins Associates, formerly of Beaverkill Conservancy, Inc, and now or formerly of The People of The State of New York Thence along the last mentioned lands of The People of The State of New York, the following courses

S 38°19'04" E 364.20 feet, to a monument

S 16°49'09" W 683.50 feet

S 69°03'00" E 178.53 feet

S 20°21'30" W 578.79 feet, and

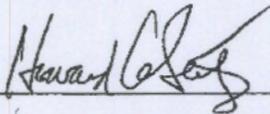
S 04°09'40" E 552.48 feet

to the point or place of beginning, containing 68.526 acres, more or less

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

Stonecrop Gardens, Inc



By

Howard G. Seitz

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

STATE OF NEW YORK)

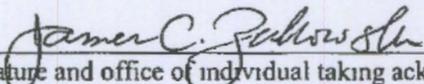
)

COUNTY OF New York)

) ss

)

On the 7th day of June in the year 2013 before me, the undersigned, personally appeared Howard G. Seitz personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument



(signature and office of individual taking acknowledgment)

JAMES C ZUKOWSKI
Notary Public, State of New York
No. 01ZU6062097
Qualified in Nassau County
Commission Expires July 30, 2013

Deed

Title No.

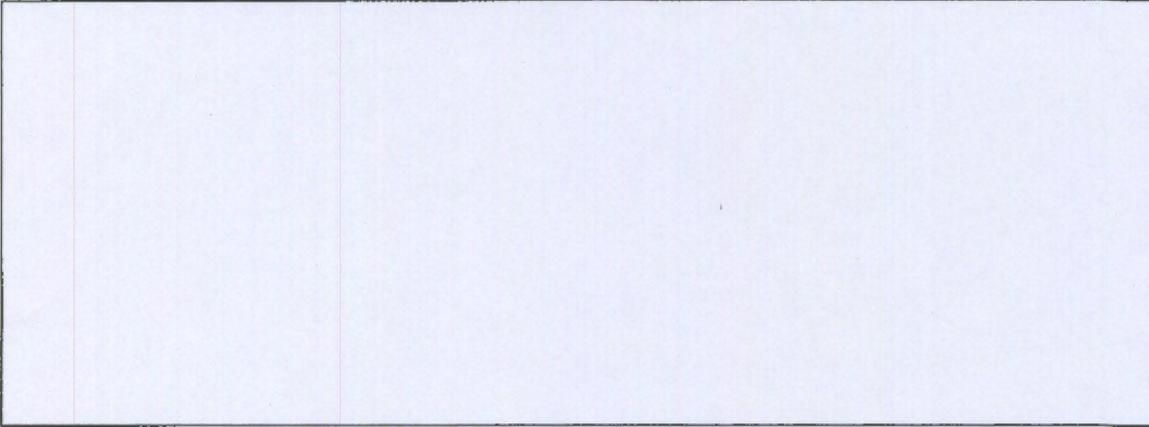
Stonecrop Gardens, Inc.
To
Stonecrop Gardens, Inc.

Section 39 (and Portion of Section 28 Block 1 Lot 15 -
362 Glynwood)
Block 2
Lot(s) 10.1, 10.2, 25 and 26
County or Town Putnam
Street Address : 61-89 Stonecrop, Philipstown, NY

Return By Mail To:

Howard G Seitz
Satterlee Stephens Burke & Burke LLP
230 Park Avenue, 11th Floor
New York, New York 10169

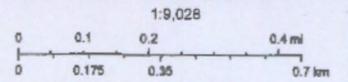
Reserve This Space For Use Of Recording Office



Stonecrop - Natural Communities



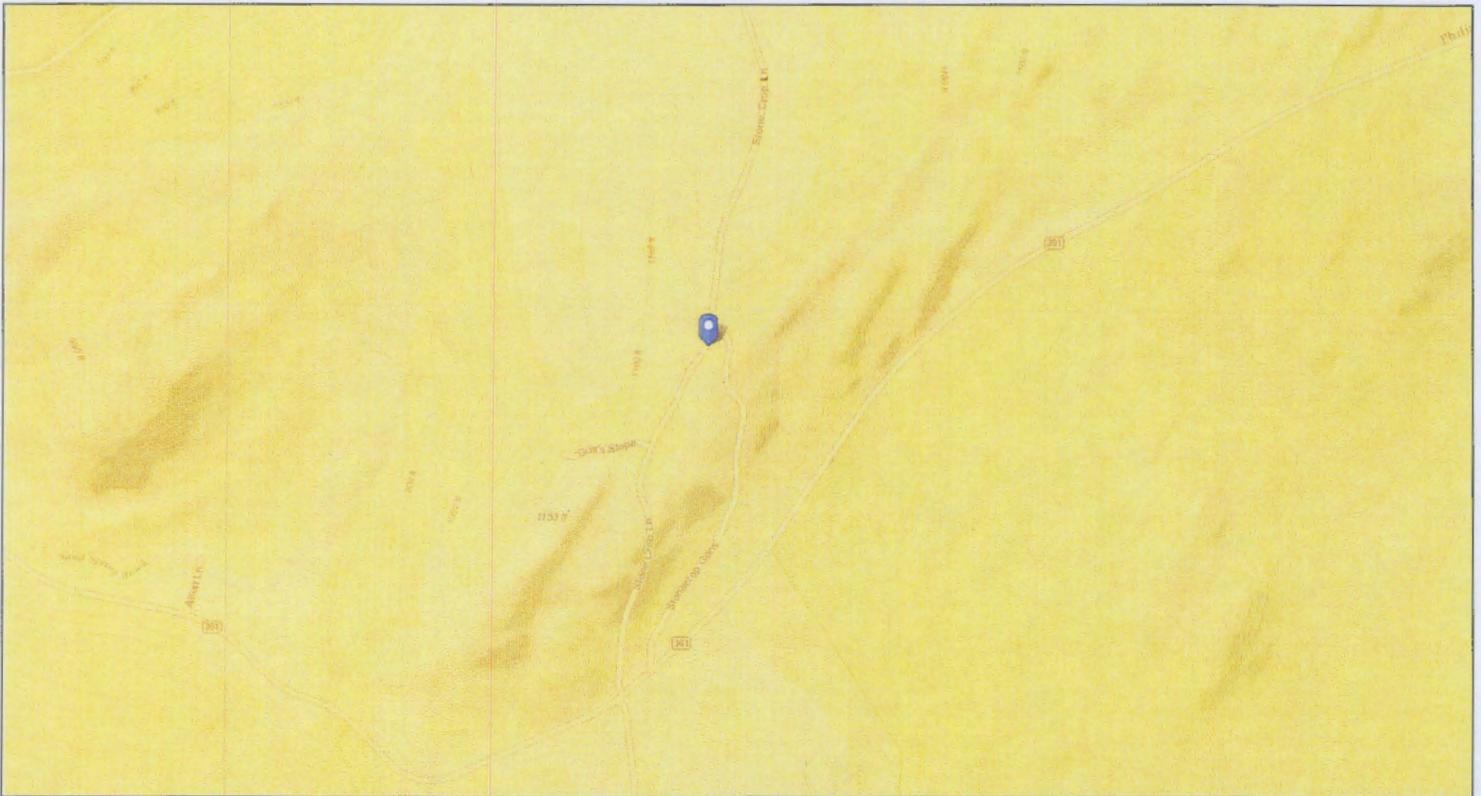
February 2, 2017



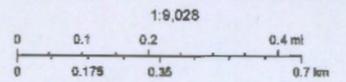
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAM, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

NYS Department of Environmental Conservation
Not a legal document

Stonecrop - Rare Plants and Animals



February 2, 2017



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, UOGS, FAO, NPS, NRCAN, GeoBasis, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

NYB Department of Environmental Conservation
Not a legal document

Town of Philipstown

238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MINOR PROJECT

Project Name: Johanna : David Brenner

Date: 1/30/17

RECEIVED
JAN 31 2017 12811
BY: tw



Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: 1/30/17 TM# 17-2-52

Project Name: Johanna & David Brenner

Street Address: 530 East Mountain road, Cold Spring, NY 10516

Fee Amount: 500 52294 Received: 1/31/17

^{escrow}
~~Bond~~ Amount: 1000 52293 Received: 1/31/17

Applicant:

Name Patrick Hatcher
Address 642 International Blvd
Rock Tavern, NY 12575
Telephone 845-787-0400

Design Professional:

Tony Pisarri
Address 3 Rosalind Drive
Cortlandt Manor, NY 10567
Telephone 914-329-1605

Tenant:

Name _____
Address _____
Telephone _____

Property Owner

Name Johanna & David Brenner
Address 530 East Mt. Road
Cold Spring, NY 10516
Telephone 516-482-1464

TM# 17-2-52

Project Name: Brenner

Project Description: New Construction of a residential single family dwelling

ZONING INFORMATION

175-7 Zoning District: RR

175-10 Proposed Use: Single family dwelling

Proposed Accessory Use(s): Breezway & Garage attached to house

175-7 Overlay Districts on the property:

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

TM# 17-2-52

Project Name: Brenner

175-11 Density and Dimensional Regulations

Zoning District <u>RR</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback	60'	N/A	275'		
Measured from the travel way Town Road					
Measured from the travel way County/State					
Minimum side yard setback	30'	N/A	95'		
Minimum side yard setback (2)			215'		
Minimum side yard setback (3)					
Minimum rear yard setback	50'	N/A	70'		
Maximum impervious surface coverage			3,000 ^{SF}		
Maximum height			35'		
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: _____ Received: _____
9. Escrow: _____ 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 retention of existing natural vegetation, thereby reducing or eliminating the need for irrigation, pesticides, herbicides, and fertilizers.

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

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

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

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

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

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

3. Parking, Circulation, and Loading

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

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

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

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

_____ e. All buildings shall be accessible by emergency vehicles.

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

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

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

4. Reservation of Parkland

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

5. Outside Storage

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

_____ a. In the HC and OC districts, outside storage areas shall not extend into the area required for a building setback from a street line or from the center line of U.S. Route 9, as determined under § 175-30(J), or from a residential district boundary line. Outside storage shall be enclosed (except for necessary access drives) by buildings and/or fences, walls, embankments or evergreen shrubs or trees so as to screen the storage area from view from any other adjacent lot or any street. In no case shall the height of outside storage exceed the height of the approved screening. Screening shall be of a density as to be at least 75% effective in screening such view, at the time of occupancy, except that when evergreens are used, such height and density shall be achieved within five years after establishment of the outside storage area.

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

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

6. Miscellaneous Standards

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

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

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

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

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

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



Town of Philipstown

Code Enforcement Office
238 Main Street, PO Box 155
Cold Spring, NY 10516

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

January,17.2017

Dave & Johanna Brenner
34 Hawthorne Lane
Great Neck NY 11023

Ref; Amended Application Single Family Home (Under Construction)
Location; 530 East Mt. Rd. South - Cold Spring N Y
Tax Map# 17.-2-52 zoned RR

Included;

1. Application for Building Permit (Revised)
2. Revised Plans for Single Family Dwelling (Proposing Finished 3rd floor and breezeway)
3. Current Building Permit 9 Dated 12/20/2016
4. Current application dated 10 / 31 / 2016

The Application proposes finishing the 3rd floor of a Dwelling.
Also the connection of a garage by way of a breezeway.

As per the "Use Table" Chapter 175-P* Sight plan review is required when foot print area exceeds 3000 square feet.

Since the proposed additional proposed construction will now total more than 3000 square feet,
The permit application is hereby DENIED for non-conformance with the Use Table .

If you are aggrieved by this decision, you may submit an application to the planning board ,
pursuant to the provisions of Article IV of the Town Code within 60 days from the date of this
letter. An application is enclosed.

Any questions please contact this office.

Greg Wunner
Code Enforcement Officer

RECEIVED
JAN 21 2017

BT:

17.-2-49
CARLSON PRUDENCE
10 WHITE ST
NEW YORK, NY 10013

17.-2-46
ALTSCHULER MYRON
ALTSCHULER MILDRED
26 ESSELBORNE RD

17.-2-50
NOBEL DANIEL
ANSPACH SUSAN
516 EAST MOUNTAIN RD

17.-3-12
ROFFMAN CRAIG
527 EAST MOUNTAIN RD SO
COLD SPRING, NY 105162205

17.-3-10
DINI MICHAEL
DINI KRISTEN
PO BOX 901

17.-2-54.2
ATTIA URI
ATTIA ANGELA G
546 E. MOUNTAIN ROAD SOUTH

17.-2-55
MACMASTER SUSAN
552 EAST MOUNTAIN RD
COLD SPRING, NY 10516

17.-3-15.1
MANTEO CORPORATION
527 EAST MOUNTAIN RD SO
COLD SPRING, NY 10516

17.-2-48
SPEIGHT WILLIAM
SPEIGHT JEAN
20 ESSELBORNE RD

17.-2-45
SOLOMON IRA
SOLOMON MICHELLE
34 ESSELBORNE RD

17.-2-51
BERK PAUL
BERK NICOLE
412 110TH ST

17.-2-52
BRENNER DAVID
BRENNER JOHANNA
34 HAWTHORNE LN
GREAT NECK, NY 11023

17.-2-53
MICHALEK MARK
MICHALEK TAMMY
542 MOUNTAIN RD

17.-3-8
MACKIN EDWARD
547 EAST MOUNTAIN RD
COLD SPRING, NY 10516

17.-3-7
POLICH GEORGE
POLICH JULIE
553 EAST MOUNTAIN RD SO

17.-2-47
NOORMAE ERIK
BUZBY LAUREN
22 ESSELBORNE RD

17.-3-17
PAPALE CAROLE
PAPALE LOUIS
6 LINDA LN

17.-3-13
ROFFMAN CRAIG
GREICO JOANNE
527 EAST MOUNTAIN RD SO

17.-3-11
CINQUANTA WALTER
CINQUANTA KIRSTEN
533 EAST MOUNTAIN RD SO

17.-3-9
TOMIZAWA PAUL
TOMIZAWA-RINCON JULISA
543 EAST MOUNTAIN RD

17.-2-54.1
JEFFREY I. KAUFFMAN
GESCHKE, URSULA B.
550 EAST MOUNTAIN RD SO

17.-3-14
MCMULLAN RICHARD
JAKIM OLGA
523 EAST MOUNTAIN RD SO

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. 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 1 - Project and Sponsor Information			
Name of Action or Project: <i>Johanna + David Brenner</i>			
Project Location (describe, and attach a location map): <i>530 East Mountain Road, Cold Spring, NY 10516</i>			
Brief Description of Proposed Action: <i>Construction of a single family dwelling</i>			
Name of Applicant or Sponsor: <i>Patrick Hatcher</i>		Telephone: <i>845-787-0400</i>	
		E-Mail: <i>Phatcher@westchestermodular.com</i>	
Address: <i>642 International Blvd</i>			
City/PO: <i>Rock Tavern</i>		State: <i>NY</i>	Zip Code: <i>12575</i>
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.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>3.25⁺</i> acres	
b. Total acreage to be physically disturbed?		<i>.6⁺</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>3.25⁺</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Patrick Hatcher</u></p>		<p>Date: <u>1-31-17</u></p>
<p>Signature: <u>Patrick Hatcher</u></p>		