

Philipstown Planning Board  
VFW Hall, Kemble Avenue, Cold Spring, New York  
March 21, 2013  
Agenda

**Public Hearing**

- Neill

Pledge of Allegiance

Roll Call

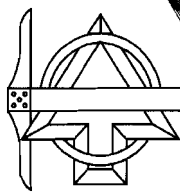
Approval of Minutes - February 21, 2013

1. **Neill** – Site Plan Application – 621 Route 9D, Garrison: Discussion
2. **The New Friary at Graymoor** – Special Use Permit and Site Plan – P.O.Box 300, Garrison: Submission of revised plans
3. **Cold Spring Farm** - Site Plan Application – Route 9/Vineyards Road, Town of Philipstown: New submission
4. **Garrison Properties (Guinan's)** – Site Plan Application – 7 Garrison Landing, Garrison: Amend conditional final approval of site plan: Submittal of letter from Delmar Karlen, Jr./discussion

Adjourn

Michael Leonard, Chairman

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



# BADEY & WATSON

## Surveying & Engineering, P.C.

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

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

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

March 7, 2013

Michael Leonard, Chairman  
Philipstown Planning Board  
Town Hall, 238 Main Street  
Cold Spring, NY 10516

RE: Graymoor - Submission of Revised Plans

Dear Mr. Leonard and Honorable Board Members:

This letter accompanies 13 sets of our 12-sheet set of plans for the New Friary and Chapel at Graymoor. They have been revised as of today, March 7, 2013, in response to comments contained in Mr. Gainer's memo to the Planning Board dated February 19, 2013 and comments received during the Public Hearing on the matter held on February 21, 2013.

As you review the plans you will find the following revisions have been made in response to Mr. Gainer's comments, which, for your convenience, have been repeated herein.

1. All sheets –

*Note refers to "1 of 9", and should be corrected. --- CORRECTED ON ALL SHEETS*

2. All sheets –

*The Philipstown approval box needs correction; should specify "Ronald J. Gainer, PE, Town Engineer" --- CORRECTED ON ALL SHEETS*

3. On sheet 2 -

- a. *the cross-hatching above the >25% slopes should be defined in the legend. --- CORRECTED*
- b. *the wetlands labeling in the lower left-hand corner contains over-writing, which should be corrected. --- CORRECTED*

4. On sheet 4 -

- a. *the limits of the pavement replacement should be denoted --- NOTED AS SUGGESTED*

5. On sheet 5 -

- a. *The design data missing on the drainage tables must be specified --- This is still incomplete, but will be addressed to Mr. Gainer's satisfaction on the final plans.*
- b. *The differentiation between the "proposed" and existing contours should be made more distinct, so the re-grading intent is clear. --- We compared the proposed and existing contours and found them to be clearly distinct from each other. So, we have not changed the line weights. However, we did see that difficulties existed with both the existing and proposed contours when one tries to distinguish between the major (5') and*

Owners of the records of:

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

minor (1') contours. To remedy this, we added additional labels to the existing contours and we enlarged the scale of this sheet from 40 feet per inch to 30 feet per inch.

6. On sheet 6 -

a. *All required E/C controls should be shown.* --- All required erosion controls are shown, however some have been altered to accommodate changes to the site plan made to reduce the amount of anticipated impervious surface.

b. *Reference should be made to the formal SWPPP document prepared for the project, along with the Contractor's obligation to comply with all environmental protections and recordkeeping requirements specified therein.* --- A note to this effect has been added to the Erosion Control Notes on the Sheet. Additionally, the standard notes that now appear on Sheet 8 contains associated requirements.

7. On sheet 7 -

a. *The Planting legend should specify the number of plantings by species, as well as the size at planting.* --- The Planting Plan has been completed.

8. On sheet 8 -

a. *The manhole and catch basin details should specify steps for structures 4 feet or greater in depth.* --- These details have been changed as requested

b. *Wherever filter fabric is specified, a model and manufacturer should be specified.* --- These details have been changed as requested

c. *All storm drain trench details should specify a trench width.* --- These details have been changed as requested

d. *The bio-retention swale detail should contain more specific reference to the backfill materials to be utilized.* --- This information has been added to the detail

e. *While a cross-sectional detail of the rain garden is provided, either in this detail or on plan the overall width and length of each rain garden (conforming to DEC criteria) to be provided should be specified, so the contractor need not scale it from the drawings.* --- This is still incomplete, but will be addressed to Mr. Gainer's satisfaction on the final plans 9.

On sheet 9 -

a. *The "manual" referenced in the "Soil Stockpile" detail should be specified.* --- This reference has been added to the detail

b. *The stair detail is mis-properly labeled.* --- The label has been corrected.

We have added the Standard Notes to the plan as requested by Mr. Gainer. However, they have been edited to fit the site conditions.

During the Public Hearing, Mr. Gaba advised you that the project could not be approved if any increase of impervious surface area is anticipated, because the plans revealed that 17% impervious coverage already exists. This is more than the 10% that is allowable. He explained that the 17% was permissible because it pre-existed the law. We were suspicious that we had overstated the coverage, so we checked. We had overstated it, but it is still more than 10%. We have amended the plan to show the **correct figure of 12%.**

We also recalculated the anticipate change in impervious coverage. As previously presented, the plan, were it executed, would increase the coverage by about 12,000 square feet. To eliminate this problem, the yard area north of the proposed Friary was redesigned to have less paved surface. Additionally, a paved area, an unused basketball court northwest of the building, has been identified. We have specified that it will be removed and returned to a pervious condition. It is With this offsetting pavement removal, we anticipate a net decrease in imperious surface of approximately 2000 square feet.

During the Public Hearing we were asked to verify the location of the hydrants. This was done. All of the hydrants shown on the record drawings provided by the facilities were survey located to verify their location. They were and remain correctly shown on the plat.

We have added the vehicle path necessary for a fire truck to the plans.

Finally, we have yet to receive any comments from the Fire Company.

We trust you will find the revised plans have adequately addressed most of the outstanding issues. We are confident that those remaining can be appropriately addressed with Mr. Gainer.

We look forward resuming our discussion of this project at the March 21, 2013, meeting of the Planning Board, and we are hopeful that the matter can be brought to a positive closure that evening. As always, thank you for your continued attention to and concern for this project.

Yours truly,

**BADEY & WATSON,**

*Surveying & Engineering, P.C.*



by

Glennon J. Watson, L.S.

GJW/bms

cc: File 71-111B\WO20776\ML07MR13BP.doc  
Rick Alfandre, RA  
Richard L. O'Rourke, Esquire  
Dennis Polanco, S.A.

# **Town of Philipstown**

**238 Main Street  
Cold Spring New York 10516**

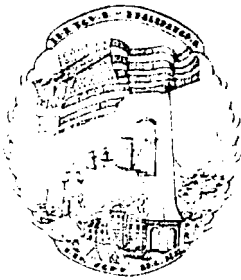
## **PLANNING BOARD**

### **SITE PLAN APPLICATION PACKAGE**

#### **MAJOR PROJECT**

**Project Name:** Cold Spring Farm

**Date:** 3 / 6 / 13



# Town of Philipstown

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

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

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

Date: \_\_\_\_\_

TM# 38-3-25

Project Name: Cold Spring Farm

Street Address: U.S. Route 9

Fee Amount: \_\_\_\_\_

Received: \_\_\_\_\_

Bond Amount: \_\_\_\_\_

Received: \_\_\_\_\_

### Applicant:

Name Marian & Nicholas Rockwell

Address P.O. Box 985

Ft. Montgomery, NY 10922

Telephone (845) 446-3063

### Design Professional:

Name Morris Associates

Address 64 Green Street, Suite 1

Hudson, NY 12534

Telephone (518) 828-2300

### Tenant:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

### Surveyor:

Name Maser Consulting

Address 12 Metro Park Rd, Suite 104

Albany, NY 12205

Telephone (518) 459-3252

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

Name "Trust of Jerome T. Rossi and

Address Nicholas Rossi", c/o Joseph A.

Russo, Jr. Esq.

Telephone \_\_\_\_\_

Name \_\_\_\_\_

Address 50 Main Street Suite 1000

White Plains, NY 10606

Telephone \_\_\_\_\_

TM# 38-3-25

Project Name: Cold Spring Farm

Project Description: The development of a barn, paddocks and riding arena for the  
boarding of horses.

**ZONING INFORMATION**

175-7 Zoning District: RC

175-10 Proposed Use: Agriculture

Proposed Accessory Use(s): Horse Riding Academy

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>Yes</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>No</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>

TM# 38-3-25

Project Name: Cold Spring Farm

**175-11 Density and Dimensional Regulations**

Zoning District <u>RC</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	60	n/a	618	Yes	n/a
Measured from the travel way County/State	60	n/a	765	Yes	n/a
Minimum side yard setback					
Minimum side yard setback (2)	30	n/a	331	Yes	n/a
Minimum side yard setback (3)		n/a		Yes	n/a
Minimum rear yard setback	50	n/a	329	Yes	n/a
Maximum impervious surface coverage	10%	n/a	6%	Yes	n/a
Maximum height	40	n/a	<40	Yes	n/a
Maximum footprint non-residential structures	6,000	n/a	n/a	Yes	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: \_\_\_\_\_



## ARTICLE IX SPECIAL PERMITS AND SITE PLAN REVIEW

### §175-60 PURPOSE AND APPLICABILITY

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

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

#### C. Minor and Major Projects

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

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

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

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

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

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

### **A. Applicability**

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

### **B. Pre-application Meetings**

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

### **C. Submission**

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

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

### **D. Application for Area Variance**

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

### **E. SEQRA Compliance**

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

### **F. Public Hearing and Decision**

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

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

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

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

## **§175-65 SITE PLAN REVIEW AND APPROVAL**

### **A. Applicability**

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

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

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

### **B. Required Information for Site Plan**

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

### **SITE PLAN CHECK LIST**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- a) \_\_\_\_\_  
\_\_\_\_\_
- b) \_\_\_\_\_  
\_\_\_\_\_
- c) \_\_\_\_\_  
\_\_\_\_\_

### **c. Waivers**

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

- a) \_\_\_\_\_  
\_\_\_\_\_
- b) \_\_\_\_\_  
\_\_\_\_\_
- c) \_\_\_\_\_  
\_\_\_\_\_
- d) \_\_\_\_\_  
\_\_\_\_\_
- e) \_\_\_\_\_  
\_\_\_\_\_

## D. Criteria

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

### 1. Layout and Design

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

### **3. Parking, Circulation, and Loading**

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

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

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

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

\_\_\_\_\_ e. All buildings shall be accessible by emergency vehicles.

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

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

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

### **4. Reservation of Parkland**

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

### **5. Outside Storage**

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

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

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

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

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

## 6. Miscellaneous Standards

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

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

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

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

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

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

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

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

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

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

**B. Performance Guarantee**

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

**C. As-Built Plans and Inspection of Improvements**

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

March 4, 2013

Philipstown Planning Board  
238 Main Street  
Cold Spring, NY 10516

Attn: Mr. Michael Leonard, Chariman

**RE: Cold Spring Farm  
U.S. Route 9  
MA# 213011.00**

Dear Mr. Leonard and Planning Board Members,

This firm represents certain contract vendees (Marian and Nicholas Rockwell) interested in purchasing and improving a parcel of land in your Town. More specifically the parcel in question is designated as Section 38 Block 3 Lot 25 on the official tax maps of the Town of Philipstown. Said parcel is approximately 85 acres in size and situate on the northeasterly corner of U.S. Route 9 and a Private Road signed as Vineyards Road.

The subject parcel is located entirely within the Rural Conservation (RC) Zoning District. The proposed project is agriculture in nature and will result, as proposed, in the construction of a single family residence, a horse barn, a riding arena and a few supporting out buildings. Approximately twenty-two (22) Acres of land will be utilized for horse paddocks/pasture. The boundaries of the proposed paddocks will be the existing stone walls, which monument the location of the historical fields once in production on site (ref. enclosed proposed site plan). The current plan is for the balance of the site to remain forested.

A pre application meeting was held at the Town Offices on July 27, 2012 to discuss this project. At that time it was determined that the project was a permitted use in the zone and that it rose to the level of a major site plan.

At this time we respectfully request to be placed on the Planning Board's March Agenda for so that we may more fully introduce the project to the Board and enlist discussion. Please find enclosed herewith, thirteen (13) copies of the following:

- the proposed site plans,
- Major Site Plan Application,

- Full EAF, and
- the owners letter of consent allowing the project to be presented for your review/consideration and comments.

If you have any questions, or require additional information please do not hesitate to contact the undersigned at (518) 828-2300.

Very truly yours,

**MORRIS ASSOCIATES  
ENGINEERINGCONSULTANTS, PLLC**

George Schmitt, IE  
Project Engineer

cc: Michael Klein, Attorney  
Marian Rockwell, Applicant

**OWNER'S CONSENT**

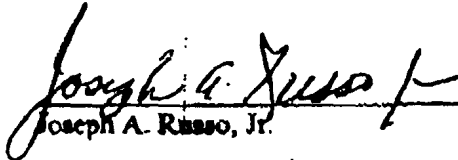
Joseph A. Russo, Jr., an attorney duly admitted to practice law in the State of New York, affirms the following:

1. I am the Trustee of the Jerome T. Rossi Trust and attorney for both the Jerome T. Rossi Trust and Nicholas Rossi, owners in fee of the property bearing tax map designation 38-3-25 located on Rt. 9, Cold Spring, New York. The Jerome T. Rossi Trust and Nicholas Rossi have contracted to sell the subject property to Marian Rockwell and Nicholas Rockwell subject to zoning approvals from the Town of Philipstown.

2. The mailing address of both The Jerome T. Rossi Trust and Nicholas Rossi is c/o Joseph A. Russo, Jr., Esq., 50 Main Street, Suite 1000, White Plains, NY 10606.

3. The owners consent to the filing of an application for site plan approval by the contract vendees, Marian Rockwell and Nicholas Rockwell, with the Planning Board of the Town of Philipstown.

Dated: March 6, 2013  
White Plains, NY

  
Joseph A. Russo, Jr.

**617.20**  
**Appendix A**  
**State Environmental Quality Review**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

---

**THIS AREA FOR LEAD AGENCY USE ONLY**

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

Identify the Portions of EAF completed for this project:

☐

Part 1

☐

Part 2

☐

Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there **will not be** a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.\***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

---

Name of Action

---

Name of Lead Agency

---

Print or Type Name of Responsible Officer in Lead Agency

---

Title of Responsible Officer

---

Signature of Responsible Officer in Lead Agency

---

Signature of Preparer (If different from responsible officer)

## PART 1--PROJECT INFORMATION

### Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Cold Spring Farm

Location of Action (include Street Address, Municipality and County)

Project is an 85 acre site on the southeasterly corner of the intersection of Round Hill Rd (A.K.A. Vineyard Ln) and U.S. Route 9

Name of Applicant/Sponsor Marian and Nicholas Rockwell

Address P.O. Box 985

City / PO Fort Montgomery State NY Zip Code 10922

Business Telephone (845) 446-3063

Name of Owner (if different) "Trust of Jerome T. Rossi and Nicholas Rossi", c/o Joseph A. Russo, Jr. Esq.

Address 50 Main Street Suite 1000

City / PO White Plains State NY Zip Code 10606

Business Telephone \_\_\_\_\_

Description of Action:

The project will consist of the construction of a barn, riding arena and multiple paddock areas for a maximum of 21 horses. In addition, a residence may be constructed on site in the future. The proposed action will result in minimal disturbance as most of the 27.3 acres of hte 31.6 acre total disturbance will be reclaimed as pasture lands. Therefore the resulting project will have a small footprint, with 80.7 acres of the 85 acre parcel remaining as either forest or pasture lands.



**Please Complete Each Question--Indicate N.A. if not applicable**

**A. SITE DESCRIPTION**

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)  
☒ Forest ☐ Agriculture ☐ Other \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. Total acreage of project area: 85 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>5.2</u> acres	_____ acres
Forested	<u>79.8</u> acres	<u>53.4</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	<u>27.3</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	<u>4.3</u> acres
Other (Indicate type) _____	<u>85</u> acres	<u>85</u> acres

3. What is predominant soil type(s) on project site? Charlton/Chatfield Loams

- a. Soil drainage: ☒ Well drained 90 % of site ☒ Moderately well drained 10 % of site.  
☐ Poorly drained \_\_\_\_\_ % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? \_\_\_\_\_ acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☒ Yes ☐ No

- a. What is depth to bedrock 1.5 +/- (in feet)

5. Approximate percentage of proposed project site with slopes:

☒ 0-10% 15 % ☒ 10- 15% 15 % ☒ 15% or greater 70 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☐ Yes ☒ No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No

8. What is the depth of the water table? 6 (in feet)

9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☐ No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☒ Yes ☐ No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐ Yes ☒ No

According to:

NYS DEC Environmental Resource Mapper

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

☐ Yes ☒ No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

☐ Yes ☒ No

If yes, explain:

14. Does the present site include scenic views known to be important to the community?

☒ Yes ☐ No

15. Streams within or contiguous to project area:

There are no streams within or contiguous to the project area.

- a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

NYS Freshwater wetland WP-9 is located across U.S. Route 9 from the project parcel, but is not contiguous to the project area.

- b. Size (in acres):

17. Is the site served by existing public utilities? ☒ Yes ☐ No
- a. If YES, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
- b. If YES, will improvements be necessary to allow connection? ☐ Yes ☒ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

## B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 85 acres.
- b. Project acreage to be developed: 31.6 acres initially; 31.6 acres ultimately.
- c. Project acreage to remain undeveloped: 53.4 acres.
- d. Length of project, in miles: n/a (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. n/a %
- f. Number of off-street parking spaces existing 0; proposed 6
- g. Maximum vehicular trips generated per hour: 2 (upon completion of project)?
- h. If residential: Number and type of housing units:
- |            | One Family                  | Two Family                  | Multiple Family             | Condominium                 |
|------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Initially  | <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| Ultimately | <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> |
- i. Dimensions (in feet) of largest proposed structure: 40 height; 80 width; 220 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 2,300 ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed ☒ Yes ☐ No ☐ N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- The majority of the disturbed area (approximately 30 acres) will be in the form of Horse Paddocks.
- b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☒ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 32.5 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

☐ Yes ☒ No

6. If single phase project: Anticipated period of construction: 18 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated \_\_\_\_\_ (number)

b. Anticipated date of commencement phase 1: \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition)

c. Approximate completion date of final phase: \_\_\_\_\_ month \_\_\_\_\_ year.

d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ☒ No

9. Number of jobs generated: during construction 10 ; after project is complete 2

10. Number of jobs eliminated by this project 0

11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No

If yes, explain:

12. Is surface liquid waste disposal involved? ☐ Yes ☒ No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount \_\_\_\_\_

b. Name of water body into which effluent will be discharged \_\_\_\_\_

13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type \_\_\_\_\_

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No

16. Will the project generate solid waste? ☒ Yes ☐ No

a. If yes, what is the amount per month? 15.8 tons

b. If yes, will an existing solid waste facility be used? ☐ Yes ☒ No

c. If yes, give name \_\_\_\_\_ ; location \_\_\_\_\_

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☒ Yes ☐ No

e. If yes, explain:

The 15.8 tons of waste listed above are attributable to waste generated by horse manure generation. Assumed to be 50 lbs/day/animal and assuming all stalls are occupied. Manure will be composted on site.

17. Will the project involve the disposal of solid waste? ☒ Yes ☐ No

a. If yes, what is the anticipated rate of disposal? 15.8 tons/month.

b. If yes, what is the anticipated site life? n/a years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No

21. Will project result in an increase in energy use? ☐ Yes ☒ No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity >5 gallons/minute.

23. Total anticipated water usage per day 1370 gallons/day.

24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No

If yes, explain:

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Site Plan Approval	
City, Town Zoning Board	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
City, County Health Department	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Septic system approval	
Other Local Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Building Permit	
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
State Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☐ Yes ☒ No

If Yes, indicate decision required:

<input type="checkbox"/> Zoning amendment	<input type="checkbox"/> Zoning variance	<input type="checkbox"/> New/revision of master plan	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Site plan	<input type="checkbox"/> Special use permit	<input type="checkbox"/> Resource management plan	<input type="checkbox"/> Other

2. What is the zoning classification(s) of the site?

The zoning classification is Rural Conservation (RC)

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

Maximum development of the site would be somewhere between 8 and 17 dwelling units.

4. What is the proposed zoning of the site?

n/a

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

n/a

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? ☒ Yes ☐ No

9. If the proposed action is the subdivision of land, how many lots are proposed? n/a

- a. What is the minimum lot size proposed? \_\_\_\_\_

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

☒ Yes ☐ No

a. If yes, is existing capacity sufficient to handle projected demand? ☒ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No

a. If yes, is the existing road network adequate to handle the additional traffic. ☐ Yes ☐ No


**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

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

Applicant/Sponsor Name Marian Rockwell Date 3/6/13

Signature 

Title \_\_\_\_\_

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



## PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

### Responsibility of Lead Agency

#### General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

#### Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

#### Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO ☐ YES ☐

#### Examples that would apply to column 2

- |  |                          |                          |                              |                             |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

☐ NO ☐ YES

• Specific land forms:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
------------------------	--------------------------	--------------------------	--

#### Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

☐ NO ☐ YES

**Examples** that would apply to column 2

• Developable area of site contains a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Extension of utility distribution facilities through a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated freshwater or tidal wetland.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

4. Will Proposed Action affect any non-protected existing or new body of water?

☐ NO ☐ YES

**Examples** that would apply to column 2

• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction of a body of water that exceeds 10 acres of surface area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
5. Will Proposed Action affect surface or groundwater quality or quantity? <input type="checkbox"/> NO <input type="checkbox"/> YES			
<b>Examples</b> that would apply to column 2			
• Proposed Action will require a discharge permit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction or operation causing any contamination of a water supply system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will adversely affect groundwater.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action would use water in excess of 20,000 gallons per day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

☐ NO ☐ YES

**Examples** that would apply to column 2

- |  |                          |                          |                              |                             |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action would change flood water flows                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion.                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

#### IMPACT ON AIR

7. Will Proposed Action affect air quality?

☐ NO ☐ YES

**Examples** that would apply to column 2

- |   |                          |                          |                              |                             |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use.                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas.               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

#### IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

☐ NO ☐ YES

**Examples** that would apply to column 2

- |   |                          |                          |                              |                             |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

☐ NO ☐ YES

**Examples** that would apply to column 2

- |  | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated by<br>Project Change     |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.                          | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

--

#### IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

☐ NO ☐ YES

**Examples** that would apply to column 2

- |  | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated by<br>Project Change     |
|--|-------------------------------------|-----------------------------------|--|
| • The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)                                 | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction activity would excavate or compact the soil profile of agricultural land.   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

#### IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

☐ NO ☐ YES

##### Examples that would apply to column 2

- |   | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated by<br>Project Change     |
|---|-------------------------------------|-----------------------------------|--|
| • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.                              | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Project components that will result in the elimination or significant screening of scenic views known to be important to the area.  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

--	--	--	--

#### IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

☐ NO ☐ YES

##### Examples that would apply to column 2

- |   | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated by<br>Project Change     |
|---|-------------------------------------|-----------------------------------|--|
| • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Any impact to an archaeological site or fossil bed located within the project site.   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- |                  | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated by<br>Project Change     |
|------------------|-------------------------------------|-----------------------------------|--|
| • Other impacts: | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

#### IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

☐ NO ☐ YES

**Examples** that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • The permanent foreclosure of a future recreational opportunity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • A major reduction of an open space important to the community.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

#### IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

☐ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

**Examples** that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • Proposed Action to locate within the CEA?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quantity of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quality of the resource?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will impact the use, function or enjoyment of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

1  
Small to  
Moderate  
Impact

2  
Potential  
Large  
Impact

3  
Can Impact Be  
Mitigated by  
Project Change

### IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☐ NO ☐ YES

**Examples** that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts:

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No

### IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☐ NO ☐ YES

**Examples** that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts:

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No

### NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☐ NO ☐ YES

**Examples** that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts:

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No

☐
☐

☐ Yes

☐ No



1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

### IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

☐ NO ☐ YES

- |  |                          |                          |  |
|--|--------------------------|--------------------------|--|
| • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

### IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

☐ NO ☐ YES

Examples that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will conflict with officially adopted plans or goals.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will cause a change in the density of land use.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Development will create a demand for additional community services (e.g. schools, police and fire, etc.)                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
- ☐ NO ☐ YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3**

## Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

### Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

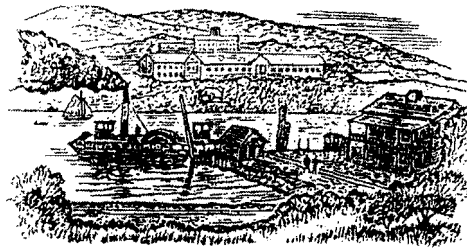
**Instructions** (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.



## Garrison Station Plaza, Inc.

P.O. BOX 205  
GARRISON-ON-HUDSON  
NEW YORK 10524-0205

March 7, 2013

To the Philipstown Planning Board

Re: No 7, Garrison's Landing  
Garrison, N.Y.

We wish to amend the conditional final approval of the site plan for the above property to include retail business, restaurant, and office uses as defined in the Zoning Code of the Town of Philipstown.

Please schedule this for the March 21, 2013 Planning Board meeting.

Sincerely,

Delmar Karlen, Jr.  
President