

# Town of Philipstown Planning Board

## Meeting Agenda

Butterfield Library, Cold Spring, New York 10516

March 24, 2016

7:30 PM

## Public Hearing

- Scanga Realty (Lot 4)

*Pledge of Allegiance*

*Roll Call*

*Approval of Minutes – February 18, 2016*

**Scanga Realty (Lot 4)** - Amended site plan approval - Lady Blue Devils Lane, Cold Spring, NY: Map amendment/discussion

**Philipstown Square** - Amended site plan - 3166 Route 9, Cold Spring, NY: New submission

**Gex** – Lot line adjustment – 24 Hummingbird Lane, Garrison, NY: Request for extension

**County Line Equities, LLC** - Amended site plan - 1980 Route 9, Garrison, NY: Submission of revised plans

**John and Kimberly Sabatini** – Minor site plan application - 101 Dick's Castle Road, Garrison, NY: Submission of revised plans

**Vista 44 LLC (Garrison Café)** – Minor site plan application - Route 9D, Garrison, NY: Submission of revised plans

**Cold Spring Farm** – Minor site plan application – Route 9, Garrison, NY: New submission

## ***Return of Escrow:***

- . Dean Anderson
- . Entergy
- . Viewsave LLC
- . Villetto Vaughn Hammond
- . Lyons Realty Company

Adjourn

Anthony Merante, Chairman

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



## **PHILIPSTOWN PLANNING BOARD**

Public Hearing – March 24, 2016

The Philipstown Planning Board for the Town of Philipstown, New York will hold a public hearing on Thursday, March 24, 2016 starting at 7:30 p.m. at the Butterfield Library on Morris Avenue in Cold Spring, New York to consider the following application:

**Scanga Realty, LLC (Lot 4)** – for approval of an amended site plan for construction of a smaller, 10,000 square foot one-story building to be built adjacent to the existing building, including associated driveway and parking areas. The property is located on the north side of Lady Blue Devils Lane, approximately 400 feet east of U.S. Route 9, Town of Philipstown, in an Industrial District. {TM #16.16-1-20.4}

At said hearing all persons will have the right to be heard. Copies of the application, plat map, and other related materials may be seen in the Office of the Planning Board at the Philipstown Town Hall.

Dated at Philipstown, New York, this 25<sup>th</sup> day of February, 2016.

Anthony Merante, Chairman





# **Town of Philipstown**

238 Main Street

Cold Spring New York 10516

## **PLANNING BOARD**

### **AMENDMENT of SITE PLAN**

### **APPLICATION PACKAGE**

**Project Name:** PHILIPSTOWN SQUARE AMENDED SITE PLAN

**Date:** FEBRUARY 18, 2016

Town of Philipstown



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

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

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

Date: February 18, 2016

TM# 27.12-1-10

Project Name: Philipstown Square Amended Site Plan

Street Address: 3166 US Route 9, Philipstown, NY 10516

Fee Amount: \$500.00

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

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

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

**Applicant:**

Name Lausca, LLC

Address 22 Corporate Park West

Cold Spring, NY 10516

Telephone (845) 265 - 9115

**Design Professional:**

Name Lawrence J. Paggi, PE

Address 43 Broad Street

Fishkill, NY 12524

Telephone (845) 897 - 2375

**Tenant:**

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

**Surveyor:**

Name William E. James, PE, PLS

Address 8 Cheanda Lane

Wallkill, NY 12589

Telephone (845) 566 - 6522

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

Name Same as Applicant

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_



TM# 27.12-1-10

Project Name: Philipstown Square Amended Site Plan

Project Description: Project proposes to relocate proposed landscape area along the northerly property line to the site entrance in order to maintain one parking space.

**ZONING INFORMATION**

175-7 Zoning District: B-2

175-10 Proposed Use: No Change – Retail Plaza

Proposed Accessory Use(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**175-7 Overlay Districts on the property:**

Yes or No

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



TM# 27.12-1-10

Project Name: Philipstown Square Amended Site Plan

**175-11 Density and Dimensional Regulations**

Zoning District <u>HM</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road					
Measured from the travel way County/State	30	117	N/A		
Minimum side yard setback	10	16	N/A		
Minimum side yard setback (2)					
Minimum side yard setback (3)					
Minimum rear yard setback	15	148	N/A		
Maximum impervious surface coverage	50%	61%	N/A		
Maximum height	40	39	N/A		
Maximum footprint non-residential structures	10,000	14,790	N/A		

**SUBMISSION:**

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

1. Pre-Application meeting decision and comments
2. Application
3. Proof of Ownership
4. Site Plan
5. A long-form Environmental Assessment Form or Draft Environmental Impact Statement.
6. An agricultural data statement as defined in §175-74, if required by §175-37C.
7. The Site Plan application fee, as established by the Town Board and any required escrow deposit for review costs, as required by the Planning Board.
8. FEE: \_\_\_\_\_ Received: \_\_\_\_\_
9. Escrow: \_\_\_\_\_ Received: \_\_\_\_\_



## **Town of Philipstown Town Code Chapter 175**

### **D. Site Plan Amendments**

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

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



PROJECT I.D. NUMBER

617.20

## Appendix C

State Environmental Quality Review

# SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

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

1. APPLICANT/SPONSOR: LAUSCA, LLC	2. PROJECT NAME: Philipstown Square Amended Site Plan
3. PROJECT LOCATION: Municipality TOWN OF PHILIPSTOWN County PUTNAM	
4. PRECISE LOCATION: (Street address and road intersections, prominent landmarks, etc., or provide map) 3166 US ROUTE 9, PHILIPSTOWN, NY 10516	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: PROJECT PROPOSES TO RELOCATE PROPOSED LANDSCAPE AREA ALONG THE NORTHERLY PROPERTY LINE TO THE FRONT ENTRANCE IN ORDER TO MAINTAIN ONE PARKING SPACE.	
7. AMOUNT OF LAND AFFECTED: Initially <u>2.92 +/-</u> acres Ultimately <u>2.92 +/-</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agricultural <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) name and permit/approvals AMENDED SITE PLAN APPROVAL - TOWN OF PHILIPSTOWN	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) name and permit/approval AMENDED SITE PLAN APPROVAL - TOWN OF PHILIPSTOWN	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No AMENDED SITE PLAN APPROVAL BEING SOUGHT	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/Sponsor name: LAUSCA, LLC	Date: 2/18/16
Signature: John P. Scary	

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



**PART II-ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE 1 THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?

If No, a negative declaration may be superseded by another involved agency. ☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible.)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

NO

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character?

Explain briefly:

NO

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

NO

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?

Explain briefly:

NO

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

NO

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

NO

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

NO

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?

☐ Yes ☒ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☒ No If Yes, explain briefly:

**Part III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

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)

Date

OVER



*Put on 3/24/16  
P. Bd. Agenda*

**THE HILPERT LAW OFFICES**

75 SOUTH RIVERSIDE AVENUE  
CROTON-ON-HUDSON, NY 10520

TEL: 914 271-2100

FAX: 914 271-2141

ROBERT J. HILPERT, ESQ.  
LUKE P. HILPERT, ESQ.

JEFFREY P. ROGAN, ESQ.

LAURA L. STEDMAN, PARALEGAL

February 29, 2016

COLD SPRING OFFICE  
68 MAIN STREET  
COLD SPRING, NY 10516  
TEL: 845 265-4949  
FAX: 845 265-4951

Anthony Merante, Chairman  
Town of Philipstown Planning Board  
Attn: Ann Gallagher  
238 Main Street  
P.O. Box 155  
Cold Spring, NY 10516

Re: Evelyn Gex – Lot Line Adjustment  
24 Hummingbird Lane, Garrison, NY 10524

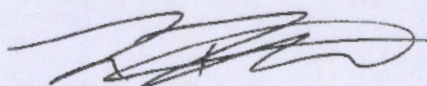
Dear Chairman Merante:

Over the last few weeks I have been speaking with my client's engineer (Peter Gregory) and Joseph Paravati, Jr. at the Putnam County Department of Health and I am happy to report that we appear to be at the final stage of this project. In a telephone conversation on February 15, 2016, Mr. Paravati advised that he "expected" to have the signed approval to us by mid-March, provided that he received the updated plans from Mr. Gregory. I am told by Mr. Gregory that he sent those revised plans on February 12, 2016.

I spoke to Mr. Gregory again this morning and he advised that he is hand delivering a new application to the Department of Health today, per a request from Mr. Paravati and that should be the final step. I have also directed Mr. Gregory to provide Town Engineer Grainger with copies of the plans and application for his review as well.

While this all sounds very promising, I must ask that Ms. Gex be added to the agenda for the March 17, 2016 meeting for an additional 90 day extension in the event that we do not receive the appraisal from the Health Department by that time.

Very truly yours,

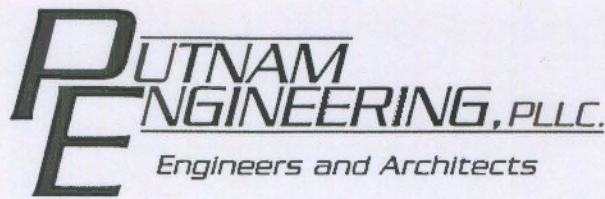


LUKE P. HILPERT

LPH/lls

Cc: Ms. Evelyn Gex





March 2, 2016

Mr. Anthony Merante, Chairman  
Philipstown Planning Board  
238 Main Street  
P.O. Box 155  
Cold Spring, NY 10516

Re: County Line Equities, LLC  
1980 Route 9  
TM #60-2-84

Dear Chairman Merante and Members of the Board:

Enclosed are revised plans for the County Line Equities property located at 1980 Route 9. We have added additional screening which will be planted on the adjacent lot owned by the applicants. In this way the landscape screening will be permanent to that lot and successor owners.

The Board has expressed concern over storing any damaged vehicles on bare ground due to possible fluid leaks. We have provided product data sheets for Absorbent Mat Pad, Absorbent Pillows and Utility Tray to be kept on site and used by the tenant when the need arises for the Board to consider.

In order to safeguard the existing on site sanitary disposal fields, we have added additional concrete block around the perimeter of the fields. We have also shown the location of the existing overhead wires, fuel oil tank, and buried well.

We look forward to appearing before the Board at the March 2016 meeting to further discuss the project.

Sincerely,

PUTNAM ENGINEERING, PLLC

A handwritten signature in black ink, appearing to read 'Paul M. Lynch', written over a horizontal line.

Paul M. Lynch, P.E.  
PML/tal  
Enclosure

(L01614)





# New Pig

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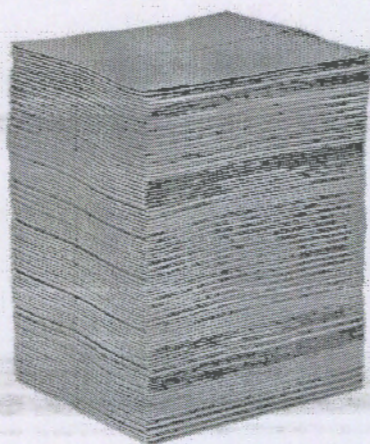
**Exclusive Offer: FREE \$25 HOME DEPOT GIFT CARD** with any \$250 order!

Offer applied at checkout.

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- > PIG Universal Absorbent Mats
- > Pig Blue Absorbent Mat
- > Pig Blue® Absorbent Mat Pad

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## Pig Blue® Absorbent Mat Pad

Pound for pound, Pig Blue is our most absorbent mat! Maximum absorbency soaks up more so you use less on big spills and high-volume leaks.

See more details below.

- Heavyweight
- 15" x 19"
- 100 pads

As Low As: \$78.00

Item# BLU101



Always in stock. Ships within 24 hours.

Thanks! This item is in your cart.

- **BLU101**
- **Pig Blue® Absorbent Mat Pad**
- Ships within [estimateShip]
- Quantity: [quantity]
- Price: [price]

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Today Only PIG Bonus!

Get 30% Off PIG Original Absorbent Sock!

- 
- **PIG218**
  - **PIG Original Absorbent Sock**
  - 3"x24"; 36 socks
  - Regular Price: ~~\$64.00~~
  - Now Only: \$44.80

Please limit to one  
at this price.

Add to CartNo Thanks  
x

The special offer has been added to your cart.

x Close

Qty:

Price:

1-2

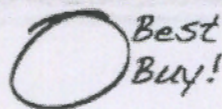
\$94.00

3-6

\$87.00

7+

\$78.00



Qty

1

Add to Cart

Request A Sample

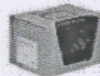
#### Other Customers Also Purchased



WIP231

PIG® PR40 All-Purpose Wipers

\$89.00 - \$97.00



MAT240

PIG® Absorbent Mat Pad in Dispenser Box

\$86.00 - \$104.00



404

PIG® Original Absorbent Sock

\$51.00 - \$79.00





BLU107  
Pig Blue® Absorbent Mat Pad in Dispenser Box  
\$37.00 - \$44.00



MAT403  
Pig Blue® Oil-Only Absorbent Mat Pad  
\$61.00 - \$79.00

## Sign up for PIG Autoship!

Get automatic delivery of BLU101 plus a **FREE** surprise in every shipment.

- ✓ **Never run out!** You set your delivery schedule.
- ✓ **Save time!** Order once and you're done.
- ✓ **Any quantity!** Get only what you need.

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**Learn More**

Free gifts shown here are only examples of what you may receive.

Product Details  
Reviews 4.9/5.0

### Description

Pound for pound, Pig Blue is our most absorbent mat! No leak zones! Consistent construction produces a mat that's free of light spots to absorb liquid evenly for better wicking and retention. FiberFusion Technology fuses superabsorbent natural fibers with strong

synthetic fibers for one high-performance absorbent

- Stays together, even when picking up or shifting a fully saturated mat
- Contains 75% recycled fibers; ideal in situations where green products are desired or required
- Fire retardant for added safety; flame-tested in accordance with ASTM Standard E84-08
- Absorbs oils, coolants, solvents and water; not recommended for acids, bases or other corrosive liquids
- Easy-tear perforations let you take only what you need, so you use less mat and save money
- Heavy-weight Pig Blue construction is super absorbent for your most demanding tasks and large-volume cleanups

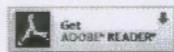
### Additional Information

- Product Data Sheet (PDS)
- Safety Data Sheet (SDS) for PIG® Blue™ Absorbent Mats
- Chemical Compatibility for Pig Blue Absorbent Mat

ASTM Standard E84-08

29 CFR 1910.22(a)(2) - Floors in the workplace should be, "maintained in a clean and, so far as possible, a dry condition."

- **Corrosive Liquids Notice**  
Not recommended for acids, bases or other corrosive liquids.



### Specifications

Color:

Light Blue

Dimensions:

15" W x 19" L

Recycled Content:

75% Pre-Consumer Recycled Cellulose

Absorbency:

Up to 34 gal. per box

Absorbency per:

Up to 43 oz. per pad

Configuration:

Mat Pad

Durability Level:







Light Foot Traffic

Fluid Absorbed:

Oils, Coolants, Solvents, Water

Mat Weight/Absorbency Level:

Heavyweight

Perforated:

Perforated Down Center Widthwise

Poly-Backed Barrier:

No

UV Resistant:

No

Sold as:

100 pads per box

Weight:

16.5 lbs.

New Pig Patent:

8,182,927

# per Pallet:

12

Composition:

Natural & Recycled Fiber Blend

UNSPSC:

47131901

Pigalog® Page Number:

Page 13



#### Who is New Pig and what's with that name?

We hear it a lot: How did your company get that funny name? It's an interesting story that goes back to the 1980's, when a simple product we nicknamed the "pig" launched an industry. We've told it a thousand times — but we don't mind telling it again...

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- Careers
- Why New Pig?

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What's new? Pigs in the O.R.



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**catalog now online.**

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- > PIG Spill Kit in High-Visibility Bag
- > PIG® Spill Kit in High-Visibility Bag

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Packed with  
PIG® Absorbents

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## PIG® Spill Kit in High-Visibility Bag

PIG Absorbents in an easy to see, fast to find, Hi-Viz bag.

See more details below.

- Absorbs up to 9 gal.
- Container Type - Portable Bag

As Low As: \$122.00

Item# **KIT220**

Always in stock. Ships within 24 hours.

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- Ships within [estimateShip]
- Quantity: [quantity]
- Price: [price]



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Today Only PIG Bonus!

Get 30% Off PIG Original Absorbent Sock!

- **PIG218**
- **PIG Original Absorbent Sock**
- 3"x24"; 36 socks
- Regular Price: ~~\$64.00~~
- Now Only: \$44.80

Please limit to one  
at this price.

Add to CartNo Thanks

x

The special offer has been added to your cart.

x Close

Qty:

Price:

1-2

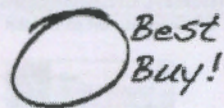
\$145.00

3-5

\$139.00

6+

\$122.00



Qty

1

Add to Cart

#### Other Customers Also Purchased



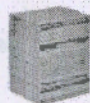
**MAT240**  
PIG® Absorbent Mat Pad in Dispenser Box  
\$86.00 - \$104.00



**404**  
PIG® Original Absorbent Sock  
\$51.00 - \$79.00



**MAT203**  
PIG® Absorbent Mat Pad  
\$84.00 - \$102.00



**BLU101**  
Pig Blue® Absorbent Mat Pad  
\$78.00 - \$94.00



**BKT214**  
Wall-Mount Hook for PIG® Spill Kit



\$25.00 - \$27.00

- Product Details
- Reviews 4.9/5.0

## Description

- Durable, water-resistant bag with hook-and-loop closure keeps contents clean and dry
- PIG Blue Socks stop spreading spills; PIG Mat absorbs quickly
- Temporary disposal bags help make cleanup easier
- Bright-yellow bag and large, color-coded label make the kit easy to locate
- Strap for easy carrying and hanging
- Compact and easy to store kit is great for use in trucks or equipment
- Only PIG Spill Kits feature PIG Absorbents proven for rapid response
- For information on custom spill kits, just call 1-800-HOT-HOGS (468-4647)

## Additional Information

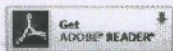
- White paper - Spills Happen. 10 Things you need to know about Spill Kits
- Product Data Sheet (PDS)

40 CFR 112.7 - SPCC planning requirements state that facilities subject to these regulations must have written plans in place discussing the products, countermeasures and procedures that are in place, or will be taken by the facility to prevent discharge of oil into waters of the United States.

40 CFR 122.26 - When applying for a National Pollutant Discharge Elimination System (NPDES) permit, facilities must have a plan in place that describes actions, procedures, control techniques, management practices and equipment available to prevent illegal discharge of pollutants into waterways.

40 CFR 263.30(a) - In the event of a spill, transporters must, "take appropriate immediate action to protect human health and the environment."

40 CFR 263.31 - Transporters, "must clean up any hazardous waste discharge that occurs during transportation...so that the hazardous waste discharge no longer presents a hazard to human health or the environment."



## Specifications

Absorbency:

Up to 9 gal.

Container Type:

Portable Bag

Fluid Absorbed:

Oils, Coolants, Solvents, Water

High Visibility:

Yes

See-Through:

No

UV Resistant:

No

Wheels:

No Wheels

Sold as:

1 each

Weight:

13.1 lbs.

# per Pallet:

30

Composition:

Bag - Vinyl-Laminated Nylon

Contents - Mats - Polypropylene

Socks - Polypropylene & Magnesium Aluminosilicate

Includes:

4 - ext. dia. 3" x 48" L PIG® Blue Absorbent Sock (4048)

28 - 15" W x 20" L PIG® Absorbent Mat Pad (MAT203)

5 - 18" W x 30" H Polyethylene Disposal Bags (BAG201-S)





# New Pig

World's Best Stuff for Leaks, Drips and Spills

Search

Enter Keyword or Item GO

**Exclusive Offer: FREE \$25 HOME DEPOT GIFT CARD** with any \$250 order!

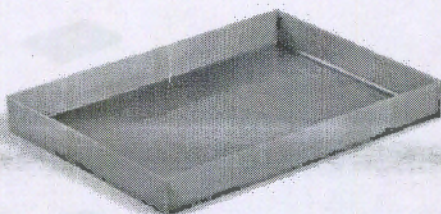
Offer applied at checkout.

- Home
- > Spill Containment
- > PIG Spill Trays & Containment Shelves
- > Poly Utility Tray
- > Poly Utility Tray

Email

Add to Cart

Other Customers Also Purchased



PAK658  
Steel Spill Tray  
\$177.00

[Click to Enlarge](#)



## Poly Utility Tray

Flat-bottom poly trays are the economical way to store small parts. Great for lining your benches and shelving.

See more details below.

- Plastic
- Standard
- 17" x 24" x 2.25"

Only: \$34.00

Item# **PAK658**

- [View Poly Utility Tray](#)
- [View Poly Utility Tray](#)

Thanks! This item is in your cart.

- **PAK658**
- **Poly Utility Tray**
- Ships within [estimateShip]
- Quantity: [quantity]
- Price: [price]

[Continue Shopping](#) [Checkout Now](#)

Today Only PIG Bonus!

Get 30% Off PIG Original Absorbent Sock!

[View Poly Utility Tray](#)

[View Poly Utility Tray](#)

When using this product with flammable liquids, please consider the requirements that apply to storage and handling of flammable liquids and the safety of this application. Flammable liquids, static discharge and heat sources. For further assistance, please call Technical Services.

- **PIG218**
- **PIG Original Absorbent Sock**



- 3"x24"; 36 socks
- Regular Price: ~~\$64.00~~
- Now Only: \$44.80

Please limit to one  
at this price.

Add to CartNo Thanks  
x

The special offer has been added to your cart.

x Close

Qty:

Price:

1+

\$34.00

Qty

1

Add to Cart

## Other Customers Also Purchased



PAK656  
Poly Utility Tray  
\$19.00



PAK254  
Steel Spill Tray  
\$177.00



PAK657  
Poly Utility Tray  
\$32.00



PAN404  
PIG® Utility Pan  
\$25.00 - \$26.00



PAK920  
PIG® Utility Containment Tray  
\$90.00 - \$93.00

- Product Details
- Reviews 5.0/5.0

## Description

- Light-colored, flat-bottom design makes it easy to see screws, springs and other small parts
- All-poly construction resists most chemicals; will not rust or corrode
- Rotationally molded spill tray is ideal for applications that would compromise injected or thermoformed trays
- Square modular design allows efficient use of space on bench or shelves for process parts

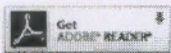
## Additional Information

- Product Data Sheet (PDS)
- Chemical Compatibility for LDPE Products

### Flammables Notice

If using this product with flammable liquids, please consider the regulations that apply to storage and handling of flammable liquids and the safety of this application, specifically flammable vapors, static discharge and heat sources. For further assistance, please call Technical Services.





## Specifications

Style:

Standard

Color:

Gray

Dimensions:

17" W x 24" L x 2.25" H

Sump Capacity:

3.27 gal.

Containment Type:

Tray

Interior Bottom Dimensions:

23.68" L x 16.68" W

Product Solution:

Tray

Tray Type:

Plastic

Sold as:

1 each

Weight:

4 lbs.

# per Pallet:

100

Composition:

Polyethylene

UNSPSC:

24111812

Pigalog® Page Number:

Page 408

## Who is New Pig and what's with that name?

We hear it a lot: How did your company get that funny name? It's an interesting story that goes back to the 1980's, when a simple product we nicknamed the "pig" launched an industry. We've told it a thousand times — but we don't mind telling it again...

- Our Story
- News
- Discount Programs
- Careers
- Why New Pig?

## Want a copy of our Pigalog catalog?

What's new? Pigs in the O.R.



Request Pigalog

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**See the entire**  
**catalog now online.**

View it Online

**SIGN UP FOR EMAIL**





March 10, 2016

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

RE: Minor Site Plan Application of John & Kimberly Sabatini - Submission of Revised Plans

Dear Chairman Merante and Honorable Board Members:

We submit herewith thirteen (13) sets of our 4 sheet plan set for the Sabatini project, dated March 10, 2016. The plans have been modified to show the alternate driveway location that we staked out and showed the Planning Board during its most recent site visit on November 8, 2015.

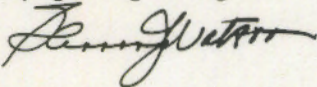
On February 8, 2016, the Philipstown Zoning Board of Appeals granted the variances necessary to construct the addition, pool and other improvements depicted on the site plan. We will provide copies of the variances as soon as they become available.

Please place this matter on the agenda for the March 24, 2016, meeting of the Planning Board, at which time we are hopeful that approval might be considered.

As always, thank you for your continued consideration.

Yours truly,

**BADEY & WATSON,**  
Surveying & Engineering, P.C.



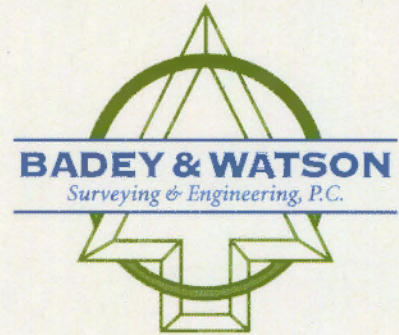
By  
Glennon J. Watson, L.S.  
845.265.9217 x14

[gwatson@badey-watson.com](mailto:gwatson@badey-watson.com)

GJW/bms

cc: File U:\77-146B\AM10MR16BY\_Sabatini\_SubmitRevisedPlans.docx  
John & Kimberly Sabatini  
Justin Kacur, RA, Highlands Architecture





March 10, 2016

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

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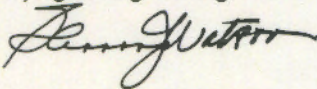
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By  
Glennon J. Watson, L.S.  
845.265.9217 x14  
[gwatson@badey-watson.com](mailto:gwatson@badey-watson.com)

GJW/bms

cc: File U:\77-146B\AM10MR16BY\_Sabatini\_SubmitRevisedPlans.docx  
John & Kimberly Sabatini  
Justin Kacur, RA, Highlands Architecture



March 10, 2016

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



RE: Major Site Plan Application of Vista 44 LLC (Garrison Café) - Submission of Revised Plans

Dear Chairman Merante and Honorable Board Members:

We submit herewith thirteen (13) sets of our 5 sheet plan set for the Garrison Cafe project, dated March 10, 2016.

Following the February meeting of the Planning Board, we met with Mr. Gainer and reviewed his technical concerns. The plans we are submitting have been revised to address them. Several small items have been addressed. The larger concerns that have been addressed are the addition of rooftop screening to hide the mechanical equipment, providing better definition of the parking spaces on the southerly end of the building, and revising the northerly end of the parking area to provide help to avoid having cars back into the existing sign.

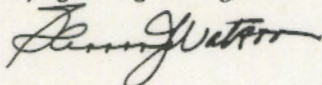
We have continued to request information and clarification regarding the DEC Spill that is still open. While the matter has not been resolved yet, we have received copies of recent correspondence between the DEC and the property owner indicating that there has been some movement toward a positive resolution. We are hopeful that we will be able to submit additional information when we next meet with the Planning Board.

Please place this matter on the agenda for the March 24, 2016, meeting of the Planning Board, at which time we are hopeful that some positive movement toward approval can be achieved.

As always, thank you for your continued consideration.

Yours truly,

**BADEY & WATSON,**  
Surveying & Engineering, P.C.



By  
Glennon J. Watson, L.S.  
845.265.9217 x14

[gwatson@badey-watson.com](mailto:gwatson@badey-watson.com)

GJW/bms

cc: File U:\82-118B\WO\_22356\_Vista44LLC\AM10MR16BY\_Vista44\_SubmitRevisedPlans.docx

Matthew & Lydia McMahon

Baldev & Manjit Raju



# **Town of Philipstown**

**238 Main Street**

**Cold Spring New York 10516**

## **PLANNING BOARD**

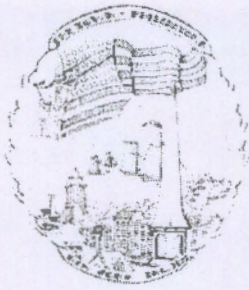
### **SITE PLAN APPLICATION PACKAGE**

### **MINOR PROJECT**

**Project Name:** Minor Site Plan for Cold Spring Farm

**Date:** March 10, 2016





## 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:** March 10, 2016

TM# 38.-3-25

**Project Name:** Minor Site Plan for Cold Spring Farm

Street Address: Route 9 Garrison NY 10524

**Fee Amount:** \_\_\_\_\_ **Received:** \_\_\_\_\_

**Bond Amount:** \_\_\_\_\_ **Received:** \_\_\_\_\_

**Applicant:**

Name **Marian & Nicholas Rockwell**

Address P.O. Box 985, 1005 Rt. 9W

Ft. Montgomery, NY 10922

Telephone 845-446-7834

**Design Professional:**

Badey & Watson Surveying & Eng. P.C.

Address 3063 Route 9

Cold Spring, NY 10516

Telephone 845-265-9217

**Tenant:**

Name N/A

Address \_\_\_\_\_

Telephone \_\_\_\_\_

**Property Owner**

Name Same as above

Address \_\_\_\_\_

Telephone \_\_\_\_\_



TM# 38.-3-25

Project Name: Minor Site Plan for Cold Spring Farm

Project Description: Approval of Minor Site Plan for proposed Horse Farm

**ZONING INFORMATION**

175-7 Zoning District: RC

175-10 Proposed Use: Agriculture

Proposed Accessory Use(s): Horse Farm to include horse boarding facility

**175-7 Overlay Districts on the property:**

Yes or No

175-13 Floodplain Overlay District – NFIP Map ----- (FPO)	<u>No</u>
175-18.1 Mobile Home Overlay District ----- (MHO)	<u>No</u>
175-14 Cold Spring Reservoir Water Shed Overlay ----- (WSO)	<u>No</u>
175-15 Scenic Protection Overlay ----- (SPO)	<u>Yes</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>Yes</u>
175-18 Open Space Conservation Overlay District ----- (OSO)	<u>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>N/A</u>



Project Name: Minor Site Plan for Cold Spring Farms

**175-11 Density and Dimensional Regulations**

Zoning District	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	30/150*	N/A	980	Yes	N/A
Measured from the travel way County/State	"	N/A	1000	Yes	N/A
Minimum side yard setback	"	N/A	1220	Yes	N/A
Minimum side yard setback (2)	"	N/A	1530	Yes	
Minimum side yard setback (3)	"	N/A	-	N/A	N/A
Minimum rear yard setback	30/50*	N/A	610	Yes	N/A
Maximum impervious surface coverage	10%	N/A	3.5	Yes	N/A
Maximum height	N/A	N/A	23.7	Yes	N/A
Maximum footprint non-residential structures	N/A	N/A	25824	Yes	N/A

\* Requirements listed above consider exemptions and additional requirements that appear in Section 135-37E of the Zoning Law.

**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.



## **175-62 A. PRE-APPLICATION MEETINGS.**

Before filing an application, a preliminary conference with the Zoning Administrative Officer and/or the Town Planner is required to discuss the nature of the proposed use and to classify it as a major or minor project. If the Zoning Administrative Officer classifies the project as a major project, a preliminary meeting with the Planning Board is required to discuss the nature of the proposed use and to determine the information that will need to be submitted in the site plan.

## **175-67 PROCEDURE FOR MINOR PROJECT SITE PLAN APPROVAL**

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

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

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

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

### **SITE PLAN CHECK LIST**

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

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

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

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

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

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

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



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

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

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

#### **175-65 D. Criteria**

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

#### **1. Layout and Design**

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

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

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



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

       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.

  x   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.

  x   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

  x   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.



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

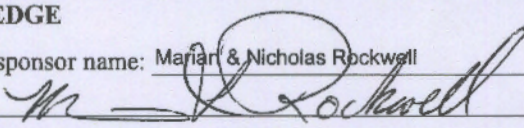
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: Site Plan for Cold Spring Farm							
Project Location (describe, and attach a location map): East side of U.S. Route 9 in the Town of Philipstown, Putnam County approximately 0.3 miles south of Lane Gate Road							
Brief Description of Proposed Action: Applicant seeks Minor Site Plan approval to construct a Horse Barn on 85.6 acres of undeveloped land. Barn will exceed 10,000 square feet of building foot print area and thus, as provided in Section 175-37E(3) of the Philipstown Zoning Law requires Minor Site Plan Approval from the Planning Board. Barn is to be located no closer to a property line than 610 feet. Project involves construction approximately 3740 feet of driveway, introduction of approximately 3.0 acres of impervious surfaces and 6.8 acres disturbance. If approved, the applicants will operate a farm, including horse boarding facilities and crops.							
Name of Applicant or Sponsor: Marian & Nicholas Rockwell		Telephone: (914) 329-9935 E-Mail: marian@rockwellcycles.com					
Address: 1005 Route 9W							
City/PO: Fort Montgomery		State: NY	Zip Code: 10922				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Putnam County Planning (Site Plan Approval), Philipstown CAC (Wetlands Permit), Putnam County Health (Septic & Well)			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		85.6 acres					
b. Total acreage to be physically disturbed?		6.8 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		85.6 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							



5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ Individual Drilled Well will be installed	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ Individual Subsurface Sewage Treatment System will be installed	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>SWPPP is likely to require a retention or detention pond, which has not yet been designed</p>	<p>NO</p>  <input type="checkbox"/>	<p>YES</p>  <input checked="" type="checkbox"/>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p>	<p>NO</p>  <input checked="" type="checkbox"/>	<p>YES</p>  <input type="checkbox"/>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p>	<p>NO</p>  <input checked="" type="checkbox"/>	<p>YES</p>  <input type="checkbox"/>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Marian &amp; Nicholas Rockwell</u> Date: <u>10 March 2016</u></p> <p>Signature: <u></u></p>		



38.-3-25  
**ROCKWELL  
ADJOINER'S LIST**

50.-2-8  
BENT, ARTHUR THOMAS III  
240 Park Avenue South Apt 15A  
New York, NY 10003

49.-4-35  
FRONIO, JOSEPH  
1248 Old Albany Post Road  
Garrison, NY 10524

49.-4-32  
IRISH, KYLE M  
101 Travis Corners Road  
Garrison, NY 10524

38.-3-27  
HARRISON PARK ASSOCIATES  
84 Park Ln  
West Harrison, NY 10604

38.-3-26  
DE MILIO, BARBARA  
2644 Route 9  
Cold Spring, NY 10516

49.-4-19  
RUSSO, JOSEPH A JR  
50 Main St Ste 1000  
White Plains, NY 10606

38.-3-26  
DE MILIO, BARBARA  
2644 Route 9  
Cold Spring, NY 10516

49.-4-20  
IRISH, GERALD  
PO Box 91  
Garrison, NY 10524

49.-4-21  
ANTENUCCI, ROBERT  
12 Horsemans Trl  
Cold Spring, NY 10516

49.-4-37  
CALIENDO, FRANK A  
1236 Old Albany Post Rd  
Garrison, NY 10524

39.-2-21.4  
GOREVIC, ROGER  
60 Round Hill Rd  
Cold Spring, NY 10516

39.-2-21.1, 21.2 & 21.3  
FADDEN, CHRISTOPHER  
PO Box 160  
Cold Spring, NY 10516

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

49.-3-87  
STERLING, TRUST  
Attn.: Joan Kessler  
110 East 59Th St Flr 23  
New York, NY 10022

49.-4-36  
Vista Property Dev LLC  
934 Old Albany Post Road  
Garrison, NY 10524


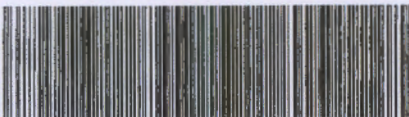
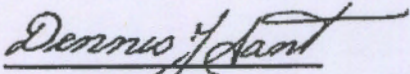
39.-2-22  
TOWLES, AMOR  
133 E 18<sup>th</sup> St  
New York, NY 10003

49.-4-44  
SIRUSAS, PETER V  
21 Aras Ridge  
Garrison, NY 10524

49.-4-33 & 34  
KUROWSKI, ALEC D  
1252 Old Albany Post Road  
Garrison, NY 10524

38.-3-24.2  
C F DIVERSIFIED CORP  
PO Box 160  
Cold Spring, NY 10516



	Dennis J Sant, County Clerk Putnam County Office Building 40 Glenside Avenue, Room 100 Carmel, New York 10512		ACS-000000000338982-000000000699727-007
Endorsement Page			
Document # 1501267	Drawer # 40	Recorded Date: 06/30/2014	
Document Type: DEED COM OR VACANT	Book 1953	Page 345	Recorded Time: 11:19:58 AM
Document Page Count: 7	Receipt # 10255		
<b>PRESENTER:</b> JADE ABSTRACT COMPANY INC 151 S. MAIN STREET	<b>RETURN TO:</b> MICHAEL KLEIN, ESQ TWO EXECUTIVE BOULEVARD		
NEW CITY, NY 10956	SUFFERN, NY 10901		
<b>PARTIES</b>			
<b>GRANTOR</b> NICHOLAS ROSSI	<b>GRANTEE</b> NICHOLAS ROCKWELL		
<b>FEE DETAILS</b>	RESERVED FOR CERTIFICATION		
Consideration: \$440,000.00 1501267 DEED COM OR VACANT 7 55.00 TP-584 1 5.00 CULTURAL EDUCATION 15.00 RP-5217 COMMERCIAL 250.00 RECORD MANAGEMENT 5.00 TRANSFER TAX 1,760.00 PROCESSING FEE 1 1.00 AMOUNT FOR THIS DOCUMENT: 2,091.00 RETT # 000001835			
THIS DOCUMENT WAS EXAMINED PURSUANT TO §315 REAL PROPERTY LAW	EXEMPTIONS		
 DENNIS J. SANT PUTNAM COUNTY CLERK	RESERVED FOR CLERKS NOTES		



30502 JAD

## FIDUCIARY DEED

### STATUTORY FORM E

THIS IS A LEGALLY BINDING INSTRUMENT. IF NOT FULLY UNDERSTOOD, WE RECOMMEND ALL PARTIES TO THE INSTRUMENT CONSULT AN ATTORNEY BEFORE SIGNING.

**THIS INDENTURE**, made the 24<sup>th</sup> day of June, two thousand and fourteen,

between Nicholas Rossi, individually and Stella Rossi and Joseph A. Russo, Jr. as Co-Trustees of the Trust under the Last Will and Testament of Jerome Rossi late of Cold Spring, New York, as tenants in common, Serge Industries, Inc. all c/o 50 Main Street, Ste 1000, White Plains, New York 10606,

party of the first part, and

Marian Rockwell and Nicholas Rockwell, PO Box 985 Fort Montgomery, New York 10922,

party of the second part:

**WITNESSETH**, that the parties of the first part, by virtue of the power and authority to them both individually and as given in and by the said Last Will and Testament of Jerome T. Rossi, and in consideration of \$440,000.00 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, its heirs, successors and assigns forever,

This conveyance by Serge Industries, Inc. is part of a winding up of the affairs of the Corporation which was dissolved in 2011 and it has the consent of all shareholders.

See Schedule 'A' Attached;

Subject to all covenants, easements and restrictions of record, if any, affecting said premises.

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

**TOGETHER** with the appurtenances, and also all the rights which the said testator had at the time of his decease in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

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

**AND** the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been encumbered in any way whatever other than as contracted for.

And the parties of the first part/grantors, in compliance with Section 13 of the Lien Law, covenant that the parties of the first part/grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement, if any, before using any part of the total of the same for any other purpose. The word "party" or "grantor" shall be construed as if it read "parties" or "grantors" whenever the sense of this document so requires.

**IN WITNESS WHEREOF**, the party of the first part has hereunto set his hand and seal the day and year first above written.

Nicholas Rossi

Nicholas Rossi, individually, Seller

Nicholas Rossi

Nicholas Rossi, President of Serge Industries

Stella Rossi

Stella Rossi, Co-Trustee, Seller

Joseph A. Russo, Jr.

Joseph A. Russo, Jr., Co-Trustee, Seller



Jade Abstract Company, Inc.

Title No. 30502 JAD

## SCHEDULE A (description of premises)

## PARCEL I

All those certain lots, parcels and pieces of land situate in the Town of Philipstown, County of Putnam, State of New York, bounded and described as follows:

## PARCEL A

BEGINNING on the line of land of Elijah McKeel at about 15 feet westerly from a maple tree marked and bluff of rocks, and running thence with Elijah McKeel's land southerly 22 rods and 5 feet to a black oak stump; thence still with said Elijah McKeel's line southerly to a stone marked X at a corner of land of party of the second part; thence with his land easterly to the Post Road; thence northerly along the Post Road to the gate of said party of the second part; thence easterly to a rock marked X at the southeast corner thence with other land of the party of the first part northeasterly as wall runs 8 rods and 11 feet; thence still with the wall westerly 60 rods and 8 feet to the Post Road; thence crossing the Post Road westerly as the wall runs 21 rods to a little cedar and stone marked X; thence westerly as the wall runs 18 rods and 4 feet to a stone marked X in the corner of the wall; thence westerly as the fence now stands and crossing the swamp, 15 rods and 9 feet to the place of beginning. Containing 25 acres of land be the same more or less.

## PARCEL B

ALL that piece or parcel of land lying in the Town of Philipstown aforesaid on each side of the Post Road leading through said town from Peekskill to Fishkill bounded as follows, to wit: BEGINNING at a rock at the southwest corner adjoining John Warren deceased land, and running North 88 degrees East 21 chains 24 links along said Warren's line to the Post Road aforesaid; thence North 85 degrees East 9 chains 35 links to a heap of stones; thence South 4 degrees East 1 chain 90 links to a heap of stones; thence South 86 degrees East 6 chains 16 links to a heap of stones; thence North 29 links East 6 chains 24 links to a white oak tree; thence South 17 degrees East 17 chains 25 links to a heap of stones; thence South 6 degrees East 4 chains 95 links to a rock oak tree; thence South 67 3/4 degrees West 10 chains 90 links to a butternut tree; thence South 50 3/4 degrees West 4 chains 15 links to a maple tree; thence South 17 1/2 degrees West across said Post Road 29 chains 45 links to a heap of stones; thence South 27 3/4 degrees West 4 chains 44 links to the place of beginning. Containing 41 acres and a quarter be the same more or less. Being the same premises conveyed by deed by Charles Leconte and wife to Joseph Lathrop on March 25, 1885.

## PARCEL C

BEGINNING on the easterly side of the highway leading from Griffin's Corners to Nelson's Corners at a flat rock in the wall marked L and running thence easterly along the wall as it now runs 8 chains 25 feet 6 inches to a stone marked L in the wall; thence running in a northerly course in a straight line to a rock marked L in the wall 4 chains and 61 feet; thence running a westerly course following the wall as it now runs 5 chains and 16 feet to the wall adjoining the said highway to a rock marked L; thence southerly along the said highway to the place of beginning. The said piece is bounded on the Southeast and North by the lands now or late of Milton Smith, being the same premises conveyed by Isaac Leconte and wife to the said William H. Daniels by deed bearing date the 14th of February, 1863.



Jade Abstract Company, Inc.

Title No. 30502 JAD

**SCHEDULE A** (description of premises)PARCEL D

BEGINNING at a heap of stones in the southwest corner adjoining the lands occupied by Hannah Le Count, and running North  $27\frac{3}{4}$  degrees East 6 chains 40 links to a pine tree; thence North  $47\frac{3}{4}$  degrees 90 links across said Post Road to a heap of stones; thence South  $61\frac{1}{2}$  degrees East 22 chains 35 links to a butternut tree said line running along the south line of a farm owned by Samuel Gouverneur from said butternut tree, south 17 degrees west 85 links to a heap of stones; thence 61 degrees west 4 chains 95 links to a rock oak tree; thence south  $67\frac{3}{4}$  degrees west 10 chains 96 links to a butternut tree; thence south  $50\frac{3}{4}$  degrees west 4 chains 15 links to a maple tree; thence South  $70\frac{1}{2}$  degrees west 29 chains 45 links to the place of beginning. Being bounded South on lands of Richard Smith; containing  $57\frac{1}{2}$  acres of land be the same more or less.

PARCEL E

BEGINNING at a stone set marked X on the easterly side of the old post road and runs from thence by present bearings of magnetic needle along the stonewall and with land of Elijah and Sylvanus McKeel south eighty seven degrees forty five minutes east 5 chains and sixty six links to a stone set marked X; thence south eighty four degrees thirty minutes east seven chains twenty nine links to a mark X on a large rock; thence in same course of south eighty four degrees thirty minutes east six chains seventy six links farther to a stone set marked X; thence south ten degrees west two chains eight links to a mark X on a rock; thence south four degrees forty five minutes west two chains nine links to a stone set in line of land of party of second party; thence with his line North forty three degrees west three chains thence south forty seven degrees thirty minutes west six chains to land of James Todd; thence with his line North eighty nine degrees forty five minutes west ten chains sixty six links to the easterly side of the aforesaid Old Post Road; thence northerly along the same eight chains seventy three links to the place of beginning. Containing thirteen acres of land.

EXCEPTING therefrom all that piece or parcel of land which was conveyed by Deed dated December 29, 1954 between Edith C. Smith, individually and as executrix of the Estate of James S. Smith to Samuel Van Fassell and Sarah F. Van Fassell and was recorded with the Clerk of Putnam County on the 31st of December, 1954 in Liber 455 of Deeds at Page 50, and is more fully bounded and described as follows:

BEGINNING at a point on the Easterly side of the New York State Highway #5149 (Albany Post Road) said point marked by an iron pipe set in the ground thence south about 10 feet from a General Outdoor Advertising sign; thence southerly along the said easterly side of the Highway 100 feet; thence at right angles with the easterly side of the Albany Post Road 200 feet to a point; thence northerly along other land of the first party and in a line parallel to said easterly side of the Albany Post Road 100 feet to a point, westerly along the lands of the first party to the point and place of Beginning.

EXCEPTING therefrom so much of the above described premises as has been conveyed in Liber 1349 page 14 and Liber 1349 page 24.



Jade Abstract Company, Inc.

Title No. 30502 JAD

**SCHEDULE A** (description of premises)  
**PARCEL II**

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam and State of New York that is a portion of those lands heretofore conveyed by Eugene Albert to Christopher Fadden by that certain deed dated November 7, 1986 and recorded in the Putnam County Clerk's Liber 922 of deeds at page 283, that is bounded and described as follows.

**BEGINNING** at the intersection of two stone walls marking a corner on the line dividing the said lands so conveyed to Fadden on the north from lands now or formerly of Rossi, on the south, which point is distant the following courses:

N 84°39'04" E 127.79 feet  
 N 86°21'16" E 117.08 feet  
 N 84°07'43" E 71.64 feet  
 N 84°36'54" E 74.67 feet  
 N 86°05'25" E 45.00 feet  
 N 83°59'59" E 41.33 feet  
 N 85°34'06" E 195.66 feet  
 N 85°25'03" E 145.28 feet  
 N 84°36'09" E 97.84 feet  
 N 86°46'27" E 82.06 feet  
 N 86°05'56" E 45.33 feet  
 S 24°30'48" W 80.99 feet  
 S 23°22'19" W 58.23 feet  
 S 6°57'12" W 37.40 feet  
 N 88°21'41" E 22.37 feet  
 N 87°54'03" E 58.91 feet  
 N 86°33'27" E 107.81 feet  
 N 83°54'10" E 76.41 feet  
 N 86°23'30" E 45.86 feet  
 N 89°00'52" E 135.95 feet and  
 N 86°07'40" E 23.27 feet



Jade Abstract Company, Inc.

Title No. 30502 JAD

**SCHEDULE A** (description of premises)  
**PARCEL II (continued)**

as measured along the northerly line of the said lands so conveyed to Rossi from the point where it intersects the easterly line of U.S. Route 9, which intersection point on the easterly line of U.S. Route 9 is distant approximately 0.6 miles southerly along U.S. Route 9 from its intersection with N.Y.S. Route 301, and which

intersection point on the easterly line of U.S. Route 9 is also distant 1239.71 feet southerly as measured along the easterly line of U.S. Route 9 from a monument marking the easterly line of U.S. Route 9 where it is met by the southerly line of lands now or formerly of Martens (Liber 458 cp 347).

THENCE from the said point of beginning through the lands so conveyed to Fadden

N 89°47'00" E 357.32 feet and  
S 2°30'00" E 497.45 feet

to another point on the northerly line of the said Rossi lands. Thence along the said Rossi lands

N 65°09'23" W 406.08 feet

to a point in the center of a stone wall. Thence still along the said Rossi lands and along the center of the said stone wall the following courses:

N 3°08'41" W 7.27 feet  
N 3°51'20" W 86.97 feet  
N 6°18'04" W 51.85 feet  
N 0°23'52" E 89.49 feet  
N 1°43'08" E 82.84 feet and  
N 13°17'31" W 7.35 feet

to the point or place of beginning, containing 3.416 acres more or less.



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

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF WESTCHESTER )

On the 24<sup>th</sup> day of June, in the year 2014, before me, the undersigned, personally appeared Nicholas Rossi, individually, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

(signature and office of individual taking acknowledgment)

RAWN SINGLETON  
 Notary Public - State of New York  
 Reg. No. 01516066339  
 Qualified in Rockland County  
 My Commission Expires November 13, 2017

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

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF DUTCHESS )

On the 19<sup>th</sup> day of June in the year 2014, before me, the undersigned, personally appeared Stella Rossi as Co-Trustee of the Trust under the Last Will and Testament of Jerome Rossi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

(signature and office of individual taking acknowledgment)

RICHARD W. BACHWEL  
 Notary Public, State of New York  
 No. 0188082797  
 QUALIFIED IN DUTCHES COUNTY  
 COMMISSION EXPIRES JULY 28, 2017

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

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF WESTCHESTER )

On the 24<sup>th</sup> day of June in the year 2014, before me, the undersigned, personally appeared Joseph A. Russo, Jr. as Co-Trustee of the Trust under the Last Will and Testament of Jerome Rossi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

(signature and office of individual taking acknowledgment)

RAWN SINGLETON  
 Notary Public - State of New York  
 Reg. No. 01516066339  
 Qualified in Rockland County  
 My Commission Expires November 13, 2017

**Title No. 30502 IAD**

**Section 38.**  
**Block 3**  
**Lot 25**

**Deed**

Nicholas Rossi, individually and  
 Stella Rossi and Joseph A. Russo,  
 Jr. as Co-Trustees of the Trust under  
 the Last Will and Testament of  
 Jerome Rossi

**County or Town** Town of Philipstown  
**Street Address** RT 9  
 Cold Spring, New York 10516

To  
 Marian Rockwell &  
 Nicholas Rockwell

## Return By Mail To:

Michael L. Klein, Esq.  
 Two Executive Boulevard  
 Suffern, New York 10901

Reserve This Space For Use Of Recording Office



[illegible]

SALE INFORMATION	
11. Sale Contract Date	06/14/2012
* 12. Date of Sale/Transfer	06/24/2014
13. Full Sale Price	440,000.00

(\* Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale .00

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

15. Year of Assessment Roll from which information taken (TTP) 14 17. Total Assessed Value 455,550

18. Property Class 720 19. School District Name Waldene CSD

20. Tax Map Identifier[s] Roll Identifier[s] (If more than four, attach sheet with additional Identifier[s])  
38-3-25

**CERTIFICATION**

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

SELLER SIGNATURE <i>John R. Brown</i> 1234 Main St., Apt. 200 Los Angeles, CA 90001 SELLER SIGNATURE <i>John R. Brown</i> 1234 Main St., Apt. 200 Los Angeles, CA 90001 SELLER SIGNATURE <i>John R. Brown</i> 1234 Main St., Apt. 200 Los Angeles, CA 90001		BUYER CONTACT INFORMATION (Enter information for the buyer. Note: If buyer is L.L.C., society, association, partnership, joint stock company, estate or trust that is not an individual agent or fiduciary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.) FIRST NAME LAST NAME PHONE ADDRESS CITY STATE ZIP	
DATE 6/24/14		DATE 6/24/14	

\*STREET NUMBER  
 \*STREET NAME  
 CITY OR TOWN  
 STATE  
 ZIP CODE  
 BUYER'S ATTORNEY  
 LAST NAME  
 FIRST NAME  
 AREA CODE  
 TELEPHONE NUMBER (in words)

Fort Montgomery  
 NY  
 100  
 Klein  
 Michael  
 845  
 351-7900



# Town of Philipstown

238 Main Street  
Cold Spring New York 10516



## Zoning/Planning Board

### PREAPPLICATION MEETING

for

### Special Use and Site Plan Applications

Project Name: Marian and Nicholas Rockwell

Meeting Date: July 27, 2012

Meeting held and confirmed by: Susan Janschill, Town Planning  
CONSULTANT.

IN ATTENDANCE: MARION ROCKWELL (APPLICANT)  
NICHOLAS ROCKWELL (APPLICANT) FOR  
JOSEPH T. CARUSO P.E. (ENGINEER-APPLICANT)  
JAMES SCHMITT (CONTRACTOR-APPLICANT) FOR  
MICHAEL L. KLEIN (ATTORNEY - FOR APPLICANT)  
SUSAN JANSCHILL (PLANNER - TOWN.)  
RON GAISSER (PLANNER - TOWN)  
KEVIN DONAHUE (CODE ENFORCEMENT OFFICER)



# §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.

Determine Special Use Permit and/or Site Plan application is;

Major X Minor \_\_\_\_\_ Amendment \_\_\_\_\_

1. Discuss of proposal and scope of work HORSE FARM - (AGR. USE W/ACCESSORY - RIDING ACADEMY)
2. Discuss existing and proposed uses - VACANT (EXIST)
3. Determine zone and uses to be approved RC, RIDING ACADEMY (AGR. AS-OF-RIGHT)
4. Review fee schedule format through process
5. Determine fees for submission
6. Review escrow through process \$2000 (+ FEE OF \$1000 AND PARKING SPACES X \$20)
7. Determine escrow for submission
8. Determine waivers - ENGINEER TO SUBMIT REQUESTS FOR WAIVERS AS APPROPRIATE
9. Review overlays:

- |   |       |       |
|---|-------|-------|
| a. 175-13 Floodplain Overlay District - NFIP Map -----            | (FPO) | _____ |
| b. 175-18.1 Mobile Home Overlay District -----                    | (MHO) | _____ |
| c. 175-14 Cold Spring Reservoir Water Shed Overlay -----          | (WSO) | _____ |
| d. 175-15 Scenic Protection Overlay -----                         | (SPO) | X     |
| e. 175-16 Aquifer Overlay District -----                          | (AQO) | X     |
| f. 175-18 Open Space Conservation Overlay District -----          | (OSO) | X     |
| g. 175-35 Within 100 foot buffer of Wetlands or Watercourse ----- |       | ?     |
| h. 175-36 Steep Terrain -----                                     |       | ?     |
| i. 175-36 Ridge Line Protection -----                             |       | ?     |
| j. 175-37 Protection Agricultural -----                           |       | _____ |

10. Existing violation letter - (\$175)

11. SEQRA

- a. Short Form - No Fee
- b. Long Form - (\$300)

### ISSUES TO BE ADDRESSED

- POTENTIAL SIGN
- POTENTIAL EVENTS.
- LOCATION OF ACCESS ROAD

ANTICIPATED FEES

• MAJOR SITE PLAN	\$1000 +
• CONSERVATION BOARD	\$300
• FULL EAF	\$300
• PUBLIC HEARING	\$250
• FINAL APPROVAL	\$250



**Subject:** Planning Board - pre-application meeting held

**From:** Susan Jainchill <sjainchill@akrf.com>

**Date:** 7/30/2012 9:53 AM

**To:** Ann Gallagher <amgal720@yahoo.com>, Anthony Merante <a\_d\_merante@verizon.net>, Kerry Meehan <KandSMeehan@aol.com>, Kevin Donohue <kcdonohue@philipstown.com>, Kim Conner <kkconner@gmail.com>, Mary Ellen Finger <horsemen@localnet.com>, Michael Leonard <michael.leonard@nypa.gov>, Nancy Montgomery <Nmontgomery9@aol.com>, Neal Zuckerman <Zuckerman.Neal@bcg.com>, Patricia Sexton <PSel377978@aol.com>, "Ronald J. Gainer, PE, PLLC" <rjgainer@comcast.net>, Stephen Gaba <SGABA@drakeloeb.com>

A pre-application meeting was held on Friday for Marian and Nicholas Rockwell. See attached forms/ notes from that meeting.

Susan Jainchill, RLA AICP  
Technical Director

**AKRF, INC.**

*Environmental, Planning, and Engineering Consultants*

34 South Broadway, Suite 401 | White Plains, NY 10601

P) 914.922.2394 | F) 914.949.7559

[www.akrf.com](http://www.akrf.com)

— Attachments: —

2012\_07\_27\_Preapplication Rockwell.pdf

127 KB



# **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

PB 13-1

Date: 3-7-13

TM# 38-3-25

Project Name: Cold Spring Farm

Street Address: U.S. Route 9

Fee Amount: \$ 2000 ch # 595

Received: 3-7-13 mbl

Bond Amount: 1000 - ch # 596

Received: 3-7-13 mbl

### 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

To: Phillipstown Planning Board

From: Kevin Donohue, Code Enforcement

#### 175-7 Overlay Districts on the property:

Yes or No

175-13 Floodplain Overlay District – NFIP Map ----- (FPO)	<u>No</u>
175-18.1 Mobile Home Overlay District ----- (MHO)	<u>No</u>
175-14 Cold Spring Reservoir Water Shed Overlay ----- (WSO)	<u>No</u>
175-15 Scenic Protection Overlay ----- (SPO)	<u>Yes</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>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>

3. An Emergency 911 Address will need to be proposed by the applicant.

4. The uses described on the site plan (for each building), within the long form EAP and Site Plan application should follow the definitions as provided in the Zoning Code. The proposed accessory building needs a use description.

a. **RIDING ACADEMY** Any establishment where more than four horses are kept for riding, driving, horsetack riding lessons, or training for competition or instruction to the operation of any club, association, meet, riding school, ranch, or similar establishment. A riding academy operated in conjunction with a farm operation is an agricultural accessory use.

b. **DWELLING SINGLE-FAMILY** A detached building designed for the use of one family, in which not more than three boarders may be sheltered and/or fed for compensation.





## Town of Philipstown

Code Enforcement Office  
238 Main Street, PO Box 155  
Cold Spring, NY 10516

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

# Memo

To: Philipstown Planning Board  
From: Kevin Donohue, Code Enforcement Officer

Date: 4/12/2013

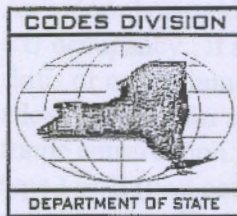
Re: Cold Spring Farm, SEQRA Comments - TM# 38.-3-<sup>2</sup>~~7~~5

---

A review of the proposed site plan and long form EAF revealed the following commentary;

1. All documents and plans submission should contain the name of the project, date and the Tax map identification number.
2. The applicant should address the following building code sections as they may affect the building and road layout on the site plan;
  - a. Is a fire apparatus road required – FCNYS Section 503 and 511.
  - b. Are fire sprinklers or open space required – BCNYS Chapter 5
3. An Emergency 911 Address will need to be proposed by the applicant.
4. The uses described on the site plan (for each building), within the long form EAF and Site Plan application should follow the definitions as provided in the Zoning Code. The proposed accessory building needs a use description.
  - a. **RIDING ACADEMY** Any establishment where more than four horses are kept for riding, driving, horseback riding lessons, or stabling for compensation, or incidental to the operation of any club, association, resort, riding school, ranch, or similar establishment. A riding academy operated in conjunction with a farm operation is an agricultural accessory use.
  - b. **DWELLING, SINGLE-FAMILY** - A detached building designed for the use of one family, in which not more than three boarders may be sheltered and/or fed for compensation.





## NEW YORK STATE DEPARTMENT OF STATE

Division of Code Enforcement and Administration

Phone : (518) 474-4073

[www.dos.state.ny.us](http://www.dos.state.ny.us)

Fax : (518) 486-4487

E-mail: [info@dos.state.ny.us](mailto:info@dos.state.ny.us)

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### TECHNICAL BULLETIN

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**Code Effective Date:** January 1, 2008

**Source Document:** 19NYCRR 1221 - *Building Code of New York State* (BCNYS)

**Topic:** Agricultural building vs Horse riding arena

This document explains the occupancy classifications and the code requirements for a horse boarding stable, and a barn for raising animals and/or growing and storing crops, versus an indoor horse riding arena. *Building Code of New York State* (BCNYS) section 101.2, *Scope*, exception 2. provides that agricultural buildings used solely in the raising, growing or storage of agricultural products by a farmer engaged in a farming operation are exempt from requirements of the BCNYS. A commercial horse boarding building, and a barn for raising animals and/or growing and storing crops are considered agricultural and a riding arena is not. Please note that the building department which has jurisdiction may require a building permit for the construction of agricultural buildings, to insure that the building meets the zoning requirements and to alert the assessor.

Article 25AA of the Agriculture and Markets Law provides for preferential assessments, referred to as agricultural assessments, for agricultural land which satisfies certain statutory criteria. To be eligible for an agricultural assessment, land must satisfy the definition for the term "land used in agricultural production" set out in Agriculture and Markets Law §301. It is worth noting that in 1994 the definition of land used in agricultural production was amended to provide that land used to support a commercial horse boarding operation would thereafter be included within the definition and consequently be eligible for an agricultural assessment.

Whether the property owner files for an agricultural assessment or not, a horse boarding facility and a barn for raising animals and/or growing and storing crops, no matter the size, is an agricultural building for purposes of the BCNYS and is exempt from the construction and inspection requirements.

*Fire Code of New York State* (FCNYS) section 102.1(5) contains the same exception to the construction requirements of the code. Agricultural buildings are not classified under any occupancy classification in BCNYS Chapter 3.

FCNYS section 102.1(5) also states:

*Agricultural buildings shall be subject to the applicable requirements of fire safety practice and methodology prescribed herein.*

This section can only be used when the Code Enforcement Official is notified by the Fire Official of an fire event in an agricultural building.



An indoor horse riding arena for the use of the people boarding their horses on said farm is classified as a U occupancy. If such arena is used for other than private purposes, such as teaching horsemanship skills or entertainment for the public, the occupancy classification is A-3 (up to 300 persons). The allowable area for such a building is 5,000 square feet for a U and 6,000 square feet for a A-3, of wood frame construction. BCNYS section 507, *Unlimited area buildings*, 507.5 for group A-3 buildings of type I or II (non-combustible) construction are allowed unlimited area however they are required to be sprinklered and to be surrounded by 60 foot public ways or yards.

**Ronald E. Piester, AIA, Director**  
**Division of Code Enforcement and Administration**



**§F503**  
**FIRE APPARATUS ACCESS ROADS**

**§F503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with §F503.1.1 through §F503.1.3.

**§F503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**Exceptions:**

1. The distance is permitted to be 300 feet (91 440 mm) where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with §F903.3.1.1 or §F903.3.1.2, when approved by the code enforcement official.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, is equipped with an automatic sprinkler system in accordance with §F903.3.1.1, and an approved alternative means of fire protection is provided.
3. Fire apparatus access roads are not required for one- and two-family dwellings regulated by *Residential Code of New York State*, and for not more than two Group R-3 occupancies, when provided with emergency vehicle access in accordance with §F511.
4. Fire apparatus access roads are not required for Group U occupancies.
5. Area additions to buildings not exceeding 33 percent of the original floor area or increasing the building area beyond those permitted by §506 of the *Building Code of New York State*. This exception does not apply to the addition of stories to a building.

**§F503.1.2 Additional access.** The code enforcement official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

**§F503.1.3 High-piled storage.** Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter F23.

**§F503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with §F503.2.1 through §F503.2.7 and Appendix FD.

**§F503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with §F503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Fire apparatus access roads shall also meet the width requirements of §FD103.1 and §FD105

NY



of Appendix FD.

**\$F503.2.2 Authority.** The code enforcement official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

**\$F503.2.3 Surface.** Fire apparatus access roads shall be designed per \$FD102.1 of Appendix D, maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

**\$F503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the code enforcement official.

**\$F503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus as required in \$FD103.4 of Appendix FD.

**\$F503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the code enforcement official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the code enforcement official.

**\$F503.2.7 Grade.** The grade of the fire apparatus access road shall be within the limits established by the code enforcement official or by \$FD103.2, based on the fire department's apparatus.

**\$F503.3 Marking.** Where required by the code enforcement official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**\$F503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in \$F503.2.1 shall be maintained at all times.

**\$F503.5 Required gates or barricades.** The code enforcement official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways.

**\$F503.5.1 Secured gates and barricades.** When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by \$F503.5 shall not be trespassed on or used unless authorized by the owner and the code enforcement official.

**Exception:** The restriction on use shall not apply to public officers acting within the scope of duty.



**SF503.6 Security gates.** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.