

Revised 4/5/13

Philipstown Planning Board
VFW Hall, Kemble Avenue, Cold Spring, New York
April 18, 2013
Agenda

Pledge of Allegiance

Roll Call

Approval of Minutes - March 21, 2013

1. **Neill** – Site Plan Application – 621 Route 9D, Garrison: Neg Dec/Resolution
2. **Evelyn Gex** – Realignment of Property – 4 and 24 Hummingbird Lane, Garrison: Request for 90-day extension (Letter from Evelyn Gex)
3. **E. Polhemus Enterprise, LLC** – Site plan application: Request for return of escrow funds (Letter from Mr. Polhemus submitted)
4. **Open Space Conservancy, Inc.** – Approval of subdivision plat - Route 9D, Garrison: New submission
5. **Mountain Trace** – Subdivision approval - Canopus Hollow/Sprout Brook Road, Garrison: Submittal of revised technical engineering plans/discussion
6. **CF Diversified** – Subdivision - 2700 Route 9, Cold Spring: Informal review (Request from Glenn Watson via email)

Adjourn

Michael Leonard, Chairman

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

E.Polhemus Enterprise, LLC
P.O. Box 23
Garrison, NY 10524
845-424-6131
polhemus@highlands.com

March 29, 2013

Dear Mr. Chairman,

This letter is a request for return of escrow funds from epolhemus enterprise,LLc site plan application.

Best Regards,

Ed Polhemus


Philipstown Planning Board
Meeting Minutes
March 21, 2013

The Philipstown Planning Board held its regularly monthly meeting on Thursday, March 21, 2013 at the VFW Hall on Kemble Avenue in Cold Spring, New York. The meeting was opened at 7:30 p.m. by the Chairman.

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



Approval of Minutes

- February 21, 2013

Mr. Meehan made a motion to adopt the minutes. Mr. Merante seconded the motion. The vote was as follows:

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

Public Hearing

Neill – Site Plan Application – 621 Route 9D, Garrison: Discussion

Mr. Mike Picorelli said that the letter of submission was in response to Mr. Gainer's comments. He said that he had received the latest comments based on the site visit and will incorporate all of those comments into their final submission as well as the additional comment he received this morning.

Mr. Meehan said that his only concern was that many people talked about the amount of salt being used on County and State roads. He said that the wells seem to be very close to Route 9D.

Mr. Picorelli said that the issue is that they are basically blocked into that area between the drainage culvert, septic system, tree and drive.

Mr. Meehan said that he wanted them to be aware they were going to get a lot of salt on top of the well and suggested the well digger be told about that.

Mr. Picorelli said sure and maybe they could look to tweak the location a little.

Mr. Gainer said that the Board received a memorandum from his office. He said that the points he raised were to be sure the Board's files have copies of all approvals of the project from the other regulatory agencies and they've also provided to the applicant the standard list of site plan notes that the Board requires since he's nearing action on the application.

Mr. Gaba said that he thought the Board was in a position to close the public hearing and may want to consider that the Resolutions be prepared for next month.

Ms. Finger said she wondered about the area between the two driveways and asked if there would be a large culvert between the old and the new driveway because of the steep drop.

Mr. Gainer asked the applicant if he had the D.O.T. permit yet.

The applicant said yes.

Mr. Gainer asked if they were mandating a culvert be installed or would they just grade down.

The applicant said it's being graded down and they have not mandated a culvert.

The Chair opened the hearing to the public.

There was no comment from the public.



Mr. Meehan made a motion to close the public hearing. Mr. Merante seconded the motion. The public hearing was closed and the vote was as follows:

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

Ms. Finger asked with regard to the site plan notes – number 9, if they would have to come back before the Board for review every time they want to make an addition to the house if it's less than 1000 square feet.

Mr. Gainer said that he guessed that was for the Board to determine.

Ms. Conner made a motion that the Board direct Mr. Gainer to prepare a SEQRA Declaration. Mr. Merante seconded the motion. The vote was as follows:

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

Regular Meeting

The New Friary at Graymoor – Special Use Permit and Site Plan – P.O. Box 300, Garrison: Submission of revised plans

Mr. Watson said that hopefully they were there for the Board to adopt a Negative Declaration and approval of the project, but they made some significant changes and wanted the Board to look at them first. He presented what he said was basically a new plan where the completed the landscaping plan around the proposed building, which was one of the requirements. Mr. Watson said that on the north side of the building they removed a lot of concrete, etc., in an effort to decrease impervious surfaces that were being created.

Mr. Gainer said to draw the Board's attention to one specific item that he thought may be of concern to the applicant, the Board may want to give guidance on, is one of the draft conditions of approval on the site plan concerns the acceptance of the site access modifications by the local fire department. It's been under discussion for some meetings and the applicant represented that they've tried on numerous occasions to affect that letter/confirmation. Mr. Gainer said that he maintained that as a condition.

Mr. Watson said that they have no objection to that condition, except that they'd like to have an escape valve. He said that they've been dealing with them since at least last August, with no response and they did do everything they wanted and added some of that stuff to the current plan.

Several Board members discussed the possibility of having a letter come from either Mr. Gaba or the Chair.

Mr. Gainer said that to have an escape in the letter, they could say if no response is received within thirty days or the next meeting, it would be considered to be acceptance of the design.

Mr. Leonard agreed and said that Mr. Watson had made the attempt and he thought they needed a letter coming from the Board.

Mr. Gaba said that he would leave the Resolution as it is and then if things don't pan out, just waive it. He said that he sent the Board a memo on Town Code 175-28 and explained why he feels that the plan complies with it and would be happy to answer any questions on that, but thought that aside, the Board is ready to move forward.

Mr. Gainer said that upon receiving the memo from Mr. Gaba and from his suggestion, he has modified the Resolution in front of the Board – to insert the phrase, "WHEREAS the Planning Board finds that the project meets the requirements of the Town Code Section 175-28".

Ms. Conner made a motion to adopt the Negative Declaration as amended. Mr. Meehan seconded the motion. The vote was as follows:

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



Mr. Merante made a motion to grant the site approval. Mr. Meehan seconded the motion. The vote was as follows:

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

Cold Spring Farm – Site Plan Application – Route 9/Vineyards Road, Town of Philipstown: New submission

Mr. Michael Klein, Attorney, introduced himself and Mr. Schmidt, Project Engineer and Marion and Nicholas Rockwell, applicants/contract vendees. He said that the applicants seek limited development of the site for an agricultural use – namely, a commercial horse boarding operation with a riding academy as an accessory use. Mr. Klein said that the contract of sale is contingent upon them obtaining site plan approval from the Board to permit their intended uses.

Ms. Rockwell spoke briefly about the plan and what she has envisioned.

Mr. Merante asked if they would be using the driveway that's currently there.

Ms. Rockwell said no –they're gaining a right-of-way off of Vineyard Road.

Mr. Meehan said that he thought the property was quarried. He said that it was never a farm.

Ms. Rockwell said that he was right – the very lower section of it was quarried and receded.

Ms. Sexton asked how many stalls she was planning on.

Ms. Rockwell said 21.

Ms. Sexton asked how big the arena was.

Ms. Rockwell said 220 feet long by 80 feet wide.

Ms. Conner asked if it would have a roof.

Ms. Rockwell said yes.

Ms. Conner asked how high it would be.

Ms. Rockwell said 30 feet.

Ms. Conner asked if the applicant was going to have classes.

Ms. Rockwell said that it was predominantly going to be a boarding barn. She said that she may give lessons from time to time – private or semi-private. Ms. Rockwell said that she does not anticipate it being a high volume barn – possibly a clinician maybe once or twice a year or perhaps an event, but not a show barn.

Mr. Meehan asked if the barn was going to be heated and how.

Ms. Rockwell said that barns traditionally are not heated. She said that the barn provides a certain amount of insulation. Ms. Rockwell said that she had a rough drawing of what the Amish (people she spoke with) had provided to her.

Mr. Meehan asked if the Board could see that.

Ms. Rockwell said that there will be for the boarders and for people a heated area and bathroom.

Mr. Meehan asked what they would do with the manure.

Ms. Rockwell said that she wanted to put in a compost bin.

Ms. Sexton asked if the applicant was going to have washing facilities.

Ms. Rockwell said that she had intended to provide a wash stall or two. She said that it did not use a lot of water – the average amount to wash a horse is about two gallons and it's not done on a daily basis.

Ms. Finger asked if there would only be one residence or they would have caretaker facilities in the horse barn.

Ms. Rockwell said that it's a little unclear right now, but thought she might need help.

Mr. Leonard said that the Board would be concerned because it's in a scenic overlay district. He asked what the public would see from Route 9, as that was important.

Ms. Rockwell said that she did not think you could see it. She said that it's in a section where it pretty much has a buffer all the way around.

Ms. Conner asked if the applicant was planning to fence the paddocks.

Ms. Rockwell said yes.



Ms. Conner asked what kind of fence she was planning.

Ms. Rockwell said a four board fence – a natural, darker color...and the barn also.

Mr. Merante asked if the location of the proposed residence was just tentative.



Ms. Rockwell said yes.

Ms. Conner asked what the rules were if they're getting a right-of-way to an existing road and if there's going to be commercial traffic on a pre-existing road.

Mr. Gainer said that they're going to have to understand whether it's a right-of-way that shows on a filed plat and what rights they have to that access, as they have frontage on Old Albany. He said that as was said, there's a scenic protection zone that runs along the Old Albany Post Road area, but he hadn't heard mention tonight that within the ridgeline protection overlay zone, there is a delineated ridge on this property in the vicinity of the proposed improvements. Mr. Gainer said that in looking at that, he thought the intention...the mapping that shoes the ridge...it would really run across the crest of that hill, so it should be reconfigured slightly on revised mapping and submitted to the Board. Mr. Gainer said that the Board should formally classify the project pursuant to 175-60C and it does represent a major project. He said that it would be good for the Board to have a Statement of Use or a narrative that better explains the intentions of the property owner in terms of how they propose to develop or what the uses are proposed to be. Mr. Gainer said that referrals to the CAB and Putnam County Planning can be made immediately. He suggested too, that the Board schedule a site visit.

Mr. Gaba said that the Board could declare itself Lead Agency under SEQRA and that it is an Unlisted Action and a major project.

Mr. Merante made a motion that the Board declare itself Lead Agency. Mr. Meehan seconded the motion was seconded. The vote was as follows:

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

Ms. Finger made a motion to refer the application to the County. The motion was seconded. The vote was as follows:

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

The Board agreed to schedule a site visit for Sunday, April 14, 2013 at 9:30 a.m.

Mr. Gainer asked if the applicant would speak to the issue of when they might be able to give a slope analysis and said that he delineated in his memo the specific classifications that the Board requires.

The applicant asked if the Board would like to see some sort of color banding showing the different labels or if the Board wanted it labeled somehow.

Mr. Gainer said something the Board would understand. He asked that the applicant also illustrate vegetative color also – just a rough outline.

Mr. Leonard asked if the applicant believed he could gather the information the Board asked for before the Board meets on the 18th.

The applicant said yes.

Ms. Finger asked if it was a requirement that the applicant have the soil surveys.



Mr. Gainer said that it would be at some point.

The applicant said that he could make another drawing that has all the soils on it also.

Mr. Gainer asked if it was possible for the consultant to rough layout in advance of the site walk the general area where the structures would be placed.

The consultant said they should be able to do that.

Garrison Properties (Guinan's) – Site Plan Application – 7 Garrison Landing, Garrison: Amend conditional final approval of site plan: Letter from Delmar Karlen, Jr.

Mr. Delmar Karlen Jr. introduced himself. He stated that as the Board may know, Garrison Properties itself has withdrawn from the plans it wanted to do at that site, but Garrison Station Plaza, the owner of the property, still wants to proceed. Mr. Karlen said that they were there a few years ago and had approval for apartments and offices and an apartment. He said that they don't want to do the business anymore, but he still wants to go ahead with something at that site and they would like to have approval to the restaurant if they can or to do the plan approved a couple of years ago of offices and apartment. Mr. Karlen said that after he wrote the letter to the Board on the 7th, another party came forward and would like to also put a restaurant there, but instead of apartments, have a small Inn/Hotel – around 7 rooms.

Mr. Gainer said that the original approval granted by the Board was in 2010 and it authorized two apartments in the building as well as office use. He said that the Board and entire community was very interested to see a restaurant use continued in that site. The applicant understood that and later came back with a revised application in 2012. The Board granted a modified site plan approval that granted the two apartments, retail sales and a restaurant. Mr. Gainer said that when he saw the letter come in, he expected that the Board may really have to understand whether it wanted to add the...the current approval talks about two apartments, retail and restaurant. Mr. Gainer said that this discussion tonight is somewhat different – the Board may need more information before deciding on how to address the issue.

Ms. Connor said that her concerns would be about parking. If they're going to have seven rooms, it's different than a couple of apartments, and would the rooms have on suite bathrooms or would there be a communal bathroom.

Mr. Karlen said that at this point, he expected it would be on suite.

Ms. Conner said because they'd have to show the Board that the septic could handle it.

Mr. Karlen said that as he understood it, there's quite a large waste water treatment plan approved at this point for the larger restaurant. He said that they would expect or hope that would be adequate, but if not, they'd do what had to be done. Mr. Karlen said that he thought the parking – with a smaller restaurant...they'd probably offset each other.

Mr. Gaba said that he did not think that there would be any problem with treating this as a continuation of the existing application, but thought that if they wanted to proceed, the applicant should submit some form of revised plans. He said that he understood they may not be changing the physical plan at all, but some

statement of what the use is going to be inside and some showing that they have adequate water, and showing that the parking is o.k. Mr. Gaba said that this was a pretty controversial application before, and certainly he didn't think a public hearing would be required on it, but it's the type of thing the Board might want to entertain just because of the history of it. Mr. Gaba said that he did not see how the Board could act on it in just one night.

Mr. Leonard stated that he thought the Board needed something from the applicant in writing, as to what he's looking for.



The Board agreed.

Mr. Karlen said that the Building Department and Planning Board has had plans for both of these – detailed plans. He asked if that did not help.

Mr. Leonard said yes it does help.

Mr. Karlen asked how much longer they'd have to go through this process and said that it has been over five years already.

Several Board members stated that the applicant was coming back to the Planning Board and the Planning Board didn't stop the process.

Mr. Karlen said that he was asking for nothing different than what they've already come to the Board for and had approved by the Board.

Mr. Leonard said that they need a Statement of Use.

Mr. Karlen asked if he could have some details as to what they have to come back with, as he wanted to do it right.

Mr. Gaba said that the Board would treat it as the exact same application, so the applicant didn't need a new application or EAF, etc. He said that the applicant should prepare a Statement of Use and a set of plans which show how the building is going to be used.

Miscellaneous

Mr. Leonard reminded the Board of the training session on April 20th (Saturday) at the North Highland Fire House. He said that he would have to check the time and get back to confirm with the Board.

Adjourn

Ms. Sexton made a motion to adjourn the meeting. Mr. Merante seconded the motion. The meeting ended at 9:00 p.m. The vote was as follows:

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

Respectfully submitted,

Ann M. Gallagher

Note: These minutes were prepared for the Philipstown Planning Board and are subject to review, comment, emendation and approval thereupon.

Approved: _____

Subject: april 2013 agenda...

From: Lady Eve (evg8230@yahoo.com)

To: amgal720@yahoo.com;

Cc: sgaba@drakeloeb.com; chrismarconi@earthlink.net;

Date: Monday, March 11, 2013 12:01 AM

March 11, 2013

To. The Planning Board
Town of Philipstown
238 Main Street
Cold Spring, New York, 10516

Attn. Ms. Anne Gallagher.

I am writing this letter requesting to be included in the Planning Board Agenda for the April 2013 Planning Board meeting. This is pertaining for my request for a 90 day extension for the property realignment in 4 and 24 Hummingbird Lane Garrison, New York 10524 location. Please reply via email confirming that we are going to be included for the April 2013 Agenda. Thank you in advance for your help.

Sincerely,

Evelyn Gex
914-329-5773

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

The undersigned hereby make application to the Planning Board of the Town of Philipstown under Part-One Subdivision Regulations for one of the following (check one):

- ☐ for approval of a Preliminary Plat;
- ☐ for approval of a Final Plat;
- ☒ for approval of a Minor Subdivision as a Final Plat; or
- ☐ for revision of a previously Filed Plat.

For Office Use Only

- | | |
|----|---------------------|
| 1. | Application # _____ |
| 2. | Fee _____ |
| 3. | Rec'd by _____ |
| 4. | Date _____ |

I. Identification of Applicant and Owner:

a. Applicant (name) Open Space Conservancy, Inc. Tel. 212-629-3981
address 1350 Broadway Room 201
New York, NY 10018

b. Owner of property if not same as Applicant:

(name) Same as above Tel. _____
address _____

II. Attachments: Each of the following, when applicable, shall be attached to and are made a part of this Application (check the items attached):

- ☐ A- 1 Affidavit of Ownership, executed by the individual, or by the general partner of a partnership, that is the owner of property if not same as the Applicant; OR
- ☐ A-2 Affidavit of Ownership, executed by a corporation that is the owner of property if not same as the applicant.
- ☐ Appendix B- 1 certification executed by the Applicant if the Applicant is a partnership, corporation, association or business trust.

II Attachments: (cont.)

- ☒ Appendix B-2 certification executed by the owner of property if the owner is a partnership, corporation, association or business trust
- ☒ Appendix C Disclosure Statement under Sec. 809 of the General Municipal law.
- ☒ Appendix D Identification of Property and Proposal.
- ☒ Appendix E Identification of Plans and Documents.
- ☒ EAF - Environmental Assessment Form
- ☒ Application Checklist
- ☒ Request for a Waiver of Subdivision Regulations

III. Authorization: The Applicant and Owner hereby grant to the Planning Board, the Town Board and Superintendent of Highways, and their authorized agents, permission to enter upon the property that is the subject of this Application for the purpose of inspection and enforcement of the Subdivision Regulations, including the taking of tests and materials samples:


IV. Endorsements:

a. Applicant/Owner

Open Space Conservancy, Inc.

Date March 27, 2012

Signed by:



**Samayla D. Deutch, Vice President
and Associate General Council**

b. Owner of Property if not same as Applicant

Date _____

Signed _____

Same as above

1. If owner or applicant is a general or limited partnership, attach this notarized certification listing names and addresses of all partners and participants. If a partner is a partnership, corporation association or business trust, provide the information required by this section for such partner.
2. If owner or applicant is a corporation, association or business trust attach notarized this certification listing position, name and address of all officers, directors and all shareholders owning (whether beneficially or equitable) five (5%) percent or more of any class of such party's stock.

Certificate of Open Space Conservancy, Inc.

Position	Name	Address	% Ownership
	See Attached List	all address are c/o Open Space Institute 1350 Broadway Rm. 201 New York, NY 10018	N/A % % % % % % % %

The undersigned (corporate officer) hereby certifies that the information herein-above set forth is true and correct.

Sworn to before me this

27th day of March, 20 13

Linda B. Rosenthal

Notary Public

Samayla D. Deutch

Samayla Deutch, Vice President and
Associate General Counsel

Signature and Title

LINDA ROSENTHAL
NOTARY PUBLIC, STATE OF NEW YORK
COMM. NO. 01RO4710864
NASSAU COUNTY
COMM. EXP. 01-31-20

Open Space Institute and Open Space Conservancy Board of Trustees

Officers

John H. Adams	Chairman
Peter A. Bienstock	Vice-Chair
Caroline Niemczyk	Vice-Chair
Edward A. Ames	Secretary
Paul J. Elston	Treasurer

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Peter L. Howell, Executive Vice President for Conservation Capital
Tally Blumberg, Senior Vice President for Programs
Alice Gleason – Senior Vice President for Finance, Chief Financial Officers
Erik Kulleseid, Senior Vice President for New York State Parks
Robert K. Anderberg, Vice President and General Counsel
Antonia Bowring, Vice President and Chief Operating Officer
Nathan Berry, Vice President
Samayla D. Deutch, Vice President and Associate General Counsel
Terrence Nolan, Vice President for Conservation Transactions
Joseph Holland, Controller and Assistant Treasurer
Susan Barbarisi, Assistant Secretary

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S:\BOARD\board list names only.doc

A P P E N D I X C

T O W N O F P H I L I P S T O W N , N E W Y O R K
DISCLOSURE STATEMENT ACCOMPANYING APPLICATION OR PETITION

A. Identification of Application or Petition:

1. TO: ☐ Philipstown Town Board
☒ Philipstown Planning Board
☐ Zoning Board of Appeals
☐ Zoning Administration Officer/Building Inspector
2. NAME OF APPLICANT: Open Space Conservancy, Inc.
3. RESIDENCE: 1350 Broadway Room 201, New York NY 10018
4. DATE: 3/27/2013
5. NATURE OF APPLICATION OR PETITION: Approval of Subdivision Plat of Parcel A1 of Glenclyffe
as shown on that certain "Subdivision Plat showing further Subdivision on Parcel A...,"
(which was filed in Putnam County Clerks office on May 26, 2005 as Map No. 2925A)

B. Nature and Extent of Interest of any State Officer or Municipal Officer or Employee in this Application (Set forth in detail).

None

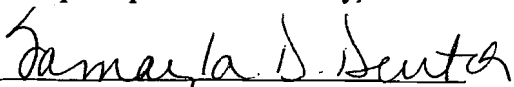
C. Statement that no State Officer or Municipal Officer or Employee has an interest in this Application.

The undersigned Applicant or Petitioner certifies by signature on this Disclosure Statement that, with the exception of the information contained in Paragraph B, above in accordance with the provisions of Sec.809 of the General Municipal Law, no State officer or any officer or employee of the Town of Philipstown or of any municipality of which the Town is a part has any interest in the person, partnership or association making the above application, petition or request.

Date : March 27, 2013

Signed

Open Space Conservancy, Inc.



Samayla D. Deutch, Vice President
and Associate General Council

(Note: See reverse for the provisions of Sec. 809)

This informaton is provided especially for those who may be making application without assistance of counsel, so that they will be fully advised as to the purpose and requirements of this statute.

SEC. 809. DISCLOSURE IN CERTAIN APPLICATIONS

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

- (a) is the applicant, or
- (b) is an officer, director, partner or employee of the applicant, or
- (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
- (d) is a party to an agreement with such on applicant, express or implied, whereby he may receive any payment, or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

A P P E N D I X D: IDENTIFICATION OF PROPERTY AND PROPOSAL

D-1. Property

- a. Total acres 60.003
- b. Does application cover all contiguous land of the owner? No
If no, explain any excluded area Open Space Institute, Inc. (an affiliated organization) owns adjacent Golf Course (Tax Map 71.-1-14.1)
- c. Tax Map: Sheet 71. Block 1 Parcel(s) 13.11
- d. Last deed: Date 3/27/2013 Liber 1918 Page 132

D-2. Location:

- a. Zoning District(s) IC -Institutional Conservation & RC- Rural Conservation
- b. Property abuts (street or roads) NYS Route 9d.
- c. Municipal Districts encompassing all or part of property:
School: Garrison School
Fire Protection: Garrison Fire District
Other: -
- d. Does plat propose a new street or private way connecting directly into any State Highway or County Road? Yes If yes, give name and route #
Previously approved easement. To be converted to a private road.
See Filed Map 2925B and deed Liber 1820 cp1 (attached)
- e. Does plat involve drainage lines connecting directly into any channel lines established by the County of Putnam? No
- f. Does plat include any land within 500 feet of any abutting municipality, the boundary of any existing or proposed County or State park or recreation area, the right-of-way of any existing or proposed County or State highway, the existing or proposed right-of-way or stream channel owned by the County and for which channel lines have been established, or the boundary of County or State land on which a public building or institution is established? Yes
If yes, specify Property abuts U.S. Route 9d, a State Highway and is adjacent to State Park Lands (Tax Map 71.-1-14.2).
- g. Give name and address of all property owners within 500 feet of the perimeter boundary of the proposed plat (as indicated in the current Town Tax Assessor's records): SEE ATTACHED LIST

D-3. Proposal:

- a. Number of Proposed Lots: 3, number already occupied by dwellings, if any: 1
- b. Length of Proposed streets or private ways in Plat: Zero feet.
- c. Does Applicant propose to dedicate to public use all of the streets shown on the proposed plat? No, if not, describe Private Road to remain private. Note this road is on Town property and is currently partially maintained by the Town for the Recreation Center.
- d. Approximate acreage of land proposed as open space for parks and playground: Zero acres.
- e. Does applicant propose to dedicate to public use all of the open space shown on the proposed plat? No, if not, describe None Shown
- f. How is water supply to be provided? * see below Has any application been made to the County of Putnam or State of New York for approval of proposed water supply? No, if yes, give date and describe
- g. How is sewage disposal to be provided? *see below Has any application been made to the County of Putnam or State of New York for sewage discharge or approval of a sewage disposal system? No, if yes, give date and describe
- h. Does proposed plat include any wetlands and/or water courses as defined by the State of New York or an applicable Local Law? Yes, if yes, describe Unnamed stream runs through the site. Previously identified wetlands are shown on plat.

D-4. Procedures:

- a. Does applicant (in the case of preliminary plats) propose to submit a final subdivision plat to cover entire preliminary plat or to file same in sections?
- ☒ entire;
- ☐ in sections.
- b. Does applicant intend to request any special authorization for the plat under any of the following? Yes If yes, specify,
- ☐ Sec 281 of Town Law (cluster)
- ☒ Waiver of Subdivision Regulation (Sec. 5) (width of private right-of-way)
- ☐ Alternate road standards

* Lot 2 will continue to utilize existing water supply and sewage treatment systems. Lots 1 & 3 will have individual wells and septic systems.

D-5. Encumbrances: If property is subject to any of the following encumbrances, describe or attach copies:

- a. easements None burdening. Beneficial easements on Filed Map 2925 & 2925B
- b. deed restrictions on use and development None
- c. mortgages None
- d. liens None
- e. leases None
- f. other None

D-6. Minor Plat: If request is made for acceptance of an application for final, approval of minor subdivision plat, complete the following:

- a. Does plat incorporate all of the tract from which lots are proposed to be divided? Yes
- b. Does the plat map show all natural water courses, ponds, swamps, flood plains or other land subject to potential flooding within the plat and any other land subject to potential flooding within the plat and any drainage onto the plat from any existing State Highway, County Road or Town Street? Yes

E-1. Surveyor and Designer(s) Responsible for Plans:

- a. Surveyor (name) BADEY & WATSON, Surveying & Engineering, P.C.
 Address 3063 Route 9
Cold Spring, NY 10516 Tel. (845) 265-9217 x14
 N. Y. License No. 48167 (Glennon J. Watson, L.S.)
- b. Engineer (name) BADEY & WATSON, Surveying & Engineering, P.C.
 Address 3063 Route 9
Cold Spring, NY 10516 Tel. (845) 265-9217 x12
 N. Y. License No. 62505 (John P. Delano, P.E.)
- c. Other (name) _____
 Address _____
 _____ Tel. _____
 N. Y. License, if any _____

E-2. Maps and Plans:

- a. Title and Date of Proposed Plat Map: Subdivision Plat of Parcel A1 of Glenclyffe
as shown on that certain "Subdivision Plat showing further Subdivision on Parcel A...," (which was
filed in Putnam County Clerks office on May 26, 2005 as Map No. 2925A)
- No. of Sheets: 2
- b. Title and Date of Proposed Profiles and Construction Plans: _____

- No. of Sheets: _____
- c. Title, Date and Preparer of other maps and plans: _____

E-3. Other: Give titles, dates and preparer of reports and documents accompanying application: (such as results of soils test and reports on drainage, sewage disposal and water supply):

E-4. Attorney (if any):

- a. (name) _____
 Address _____
 _____ Tel. _____

Applicant	Open Space Conservancy, Inc.
Project Name	Subdivision Plat of Parcel A1
Applicant's Representative	Badley & Watson Surveying & Engineering, P. C.
Tax Map ID #	71.-1-13.11
Date	8/4/13

PHILIPSTOWN PLANNING BOARD
SUBMISSION CHECKLIST
SUBDIVISION APPLICATIONS

For all subdivision applications, the following requirements are applicable before application review.

A. Land may not be subdivided if the application will result in the following except with Planning Board Approval)

- ☒ All subdivisions require approval
- ☐ 2 or more lots located in a Business or Industrial zone
- ☐ 2 or more lots (of 10 acres or less) which have frontage on a state highway or county road located in a Res. Zone
- ☐ 3 or more lots each of which contains 10 acres or less
- ☐ The creation of a street, highway or r.o.w for vehicles

B. Land may not be divided so as to create rights-of-way for power, gas or telephone lines

C. Approved subdivision plats may not be revised

D. Subdivision plat requiring approval may not be used in connection with the conveyance of real property in the Town, or filed with the County Clerk's office until approved.

Preliminary Sketch Plans

1. Location of the plat in the neighborhood ☐
2. Layout of lots, streets and existing contours at 10' intervals ☐
3. Location of watercourses ☐
4. Location of water bodies ☐
5. Location of wetlands ☐
6. Location of major natural features ☐

Minor Subdivision Plat Applications

Typically, a plat of lots to which access is given by open development area private right-of-way or easements eligible for consideration as a minor plat.

I. General Submission Requirements

1. Application on proper forms ☒
2. Forms property signed ☒
3. Application Fee ☒
4. Final Plat Map (5 blue or black-line prints) ☒
 - a. Scale of 1" = 40' or 50' but not less than 1" = 100' ☒
 - b. No less than 20" x 20" no more than 36" x 48" ☒
 - c. Black waterproof ink on good cloth or film ☒
5. Construction Plans (see Checklist VI)
6. Evidence that:
 - a. sewer & water supply approved by PCDH ☐
 - b. street or drainage connections to state or county roads submitted ☒
 - i. Connection application made ☐
 - c. NYSDEC wetland/watercourse modifications approved ☐
7. If major cuts or fills, grading plan ☐
 - a. Five (5) blue or black line prints ☐
8. Design computations and data for drainage or central water and sanitary sewer systems ☐
9. Separate map for lots accessed by open development right-of-way or easement ☐

II. Title and location information:

1. Scale of not less than 1" = 100 feet ☒
2. Proposed layout of lots, streets and improvements ☒
3. Future subdivisions on contiguous land ☐
4. Title of the plat ☒
 - a. Duplicate in Putnam Co. ☐
5. Date, Town, etc.
 - a. Date ☒
 - b. Town ☒
 - c. Scale ☒
 - d. County ☒
 - e. North point ☒
 - f. State ☒
6. Location map at scale of 1" = 1000 or 2000 feet ☒
7. Vicinity map showing: property lines/streets within 500' ☒
 - a. scale of 1" = 400' or 800' ☒
 - b. adjacent owner identification ☒
8. Index map if plat is divided into sections or > 1 is reg.
 - a. showing lots, lot #'s, streets, street names ☒
 - b. delineation of areas covered ☒
 - c. scale of 1" = 400' or 800' ☒

III. Site conditions and land evaluations:

1. Existing contours not exceeding 5-foot intervals ☐
 - a. Meeting DOT standards for maps of 1" = 200' ☐
2. Appropriate benchmark ☐
3. Existing permanent buildings and structures ☒
4. Existing watercourses, water bodies and streams ☐
5. Location and limits of wetlands ☐
6. Location and limits of potential flood hazard areas ☐
7. Location of drainage discharge points from any street or property ☐

IV. Property Ownership Information

1. Name and address of owner ☒
2. Name and address of applicant if different from owner ☐
3. Perimeter boundary of tract and area to be plotted ☒
4. Approx. location of prop. lines 200 feet from tract ☐
5. Both street r-o-w lines of any street abutting tract ☒
6. Names of owners of property abutting tract ☒
7. Proposed lots and lot numbers and area of each lot ☒
8. Proposed street and/or r-o-w including widths ☒
9. Location & dimensions of existing & proposed easements ☐
10. Existing monuments ☐
11. Any municipal or taxation district boundary ☐
12. Any channel and building lines ☐
13. Reserved areas for watercourses or wetland conservation ☐

V. Development Proposal Information:

1. For each lot near watercourses, bodies, wetlands, flood hazard area, proposed floor elevation of lowest floor. ☐

71.-1-9 & 10.2
WILLIS, SUZANNE
14 Lawes Ln
Garrison, NY 10524

71.-1-5 & 6
FINNEGAN, MICHAEL C
19 Lawes Ln
Garrison, NY 10524

71.-1-49
BURKE, GILMAN S
838 Rt 9D
Garrison, NY 10524

71.-1-46.2
D'ACQUISTO, TIM
832 Route 9D
Garrison, NY 10524

71.-1-47
TIMMONS, RICHARD J
806 Route 9D
Garrison, NY 10524

71.-1-13.12
TOWN OF PHILIPSTOWN
PO Box 155
Cold Spring, NY 10516

71.-1-12 & 81.-1-3
MIDTOWN TRACKAGE
VENTURES
551 5th Ave Fl 34
New York, NY 10176

71.-1-14.2, 15 & 42
STATE OF NEW YORK
40 Gleneida Ave
Carmel, NY 10512

71.-1-50.1
PRENTICE, NATHANIEL S
848 Rt 9D
Garrison, NY 10524

71.-1-10.1
R.A.S. 3 LLC
15 Central Park West Apt 14G
New York, NY 10023

71.-1-14.1
OPEN SPACE INSTITUTE, INC.
The Garrison
PO Box 348
Garrison, NY 10524

71.-1-13.2
LOSTAND FOUNDATION INC
PO Box 532
Garrison, NY 10524

70.-1-2
PROVINCE OF ST MARY OF
30 Gedney Park Dr
White Plains, NY 10605

71.-1-41
SILBIGER, TOMMY
90 Riverside Dr Apt 5G
New York, NY 10024

71.-1-51
ROSE, JONATHAN F
33 Katonah Ave
Katonah, NY 10560

71.-1-4
RHODES, ROBERT R
15 Central Park West Apt 14G
New York, NY 10024

71.-1-48
COOK, SUSAN S
782 Route 9D
Garrison, NY 10524

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

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

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

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

Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:



Part 1



Part 2

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

The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared**.

Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***

The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared**.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Subdivision Plat of Parcel A1 of Glennclyffe

Name of Action

Town of Philipstown Planning Board

Name of Lead Agency

Michael Leonard

Print or Type Name of Responsible Officer in Lead Agency

Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART I - PROJECT INFORMATION**Prepared by Project Sponsor**

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

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

NAME OF ACTION Approval of Subdivision Plat of Parcel A1 of Glenclyffe as shown on that certain "Subdivision Plat showing further Subdivision on Parcel A....," (which was filed in Putnam County Clerks office on May 26, 2005 as Map No. 2925A)		
LOCATION OF ACTION (include Street Address, Municipality and County) Route 9D, Garrison, Town of Philipstown, Putnam County, NY		
NAME OF APPLICANT/SPONSOR Open Space Conservancy, Inc.	BUSINESS TELEPHONE 212-629-3981	
ADDRESS 1350 Broadway Room 201		
CITY/PO New York	STATE NY	ZIP CODE 10018
NAME OF OWNER (if different) Same as above	BUSINESS TELEPHONE	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION Proposed 3 lot Subdivision of Parcel A1 of Glenclyffe		

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

A. Site Description

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

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)
☐ Forest ☐ Agriculture ☒ Other

2. Total acreage of project area: 60.003 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Bushland (Non-agricultural)	<u>3.0</u> acres	<u>2.0</u> acres
Forested	<u>48.</u> acres	<u>47.0</u> acres
Agricultural (Includes orchards, cropland, pastures, etc.)	<u>0.0</u> acres	<u>0.0</u> acres
Wetland (Freshwater or tidal as per Articles 24, 25 or ECL)	<u>3.0</u> acres	<u>3.0</u> acres
Water Surface Area	<u>0.4</u> acres	<u>0.4</u> acres
Unvegetated (Rock, earth or fill)	<u>1.0</u> acres	<u>1.0</u> acres
Roads, buildings and other paved surfaces	<u>2.2</u> acres	<u>3.0</u> acres
Other (Indicate type) <u>Lawns, Gardens and Hardscape</u>	<u>2.4</u> acres	<u>3.6</u> acres
TOTALS	<u>60</u> acres	<u>60</u> acres

3. What is predominant soil type(s) on project site? Charlton Loam and Riverhead Loam
- a. Soil drainage: ☒ Well Drained 60 % of site ☒ Moderately well drained 20 % of site
☒ Poorly Drained 20 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres. (See 1 NYCRR 3700.)
4. Are there bedrock outcroppings on project site? ☒ Yes ☐ No
- a. What is the depth to bedrock? 0->7 (in feet)

5. Approximate percentage of proposed site with slopes: ☒ 0-10% 43.2 % ☒ 10-15% 13.5 %
☒ 15% or greater 43.3 %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☐ Yes ☒ No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? 0-7 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
☐ Yes ☒ No According to Previously inquired.
Identify each species N/A
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations.)
☐ Yes ☒ No Describe N/A
13. Is the project site presently used by the community or neighborhood as an open space or recreational area?
☐ Yes ☒ No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
☒ Yes ☐ No
15. Streams within or contiguous to project area: Unnamed stream runs through the site
a. Name of Stream and name of River to which it is tributary Un-nammed Stream tributary to Hudson River
16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name Two small un-named ponds shown on plat b. Size (in acres) 0.5 acres total
17. Is the site served by existing public utilities? ☒ Yes ☐ No
a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
b) If Yes, will improvements be necessary to allow connection? ☐ Yes ☒ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

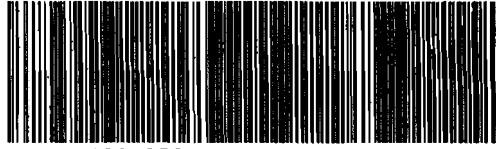
1. Physical dimensions and scale of project (fill in dimensions as appropriate)

- a. Total contiguous acreage owned or controlled by project sponsor 60.003 acres
- b. Project acreage to be developed: 2 acres initially; 2 acres ultimately.
- c. Project acreage to remain undeveloped 45 acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed? N/A %
- f. Number of off-street parking spaces existing 20, proposed 24
- g. Maximum vehicular trips generated per hour 4 (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
| Ultimately | <u>2</u> | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
- i. Dimensions (in feet) of largest proposed structure 30 height; 60 width; 45 length.

- j. Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? _____ tons/cubic yards?
3. Will disturbed areas be reclaimed? ☒ Yes ☐ No ☐ N/A **Lawns, Gardens and Hardscape**
- a. If yes, for what intended purpose is the site being reclaimed? _____
- b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☒ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? _____ acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
☐ Yes ☒ No
6. If single phase project: Anticipated period of construction? N/A months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated? N/A (number).
- b. Anticipated date of commencement phase 1 N/A month N/A year,
- c. Approximate completion date of final phase N/A month N/A year.
- d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☒ No
8. Will blasting occur during construction? ☐ Yes ☒ No
9. Number of jobs generated during construction? 0, after project is complete 0
10. Number of jobs eliminated by this project? 0
11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No
If yes, explain N/A
12. Is surface liquid waste disposal involved? ☐ Yes ☐ No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount. _____
- b. Name of water body into which effluent will be discharged. _____
13. Is subsurface liquid waste disposal involved? ☐ Yes ☐ No
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No
Explain _____
15. Is project or any portion of project located in 100 year flood plain? ☐ Yes ☒ No
16. Will the project generate solid waste? ☐ Yes ☐ No
- a. If yes, what is the amount per month _____ Tons
- b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No
- c. If yes, give name Commercial Carting, location Unknown
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
- e. If yes, explain Recyclables will be segregated for that purpose.
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
- a. If yes, what is the anticipated rate of disposal? 0 tons/month.
- b. If yes, what is the anticipated site life? N/A years.
18. Will project use herbicides or pesticides? ☐ Yes ☒ No
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
21. Will project result in an increase in energy use? ☒ Yes ☐ No
If yes, indicate type(s) Heating fuel, Electricity
22. If water supply is from wells, indicate pumping capacity 5 gallons/minute.
23. Total anticipated water usage per day 600 gallons/day.
24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No
If yes, explain N/A



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



ACS-000000000307291-000000000654190-010

Endorsement Page

Document # 1500603 Drawer # 02 Recorded Date 03/27/2013
Document Type DEED COM OR VACANT Book 1918 Page 132 Recorded Time 12 41 37 PM
Document Page Count 100 Receipt # 5396

PRESENTER:

BADEY & WATSON
3063 ROUTE 9

COLD SPRING, NY 10516

RETURN TO:

OPEN SPACE INSTITUTE
1350 BROADWAY SUITE 201
SAMAYLA D DEUTCH
NEWYORK, NY 10018

PARTIES

GRANTOR

OPEN SPACE CONSERVANCY, INC

GRANTEE

OPEN SPACE CONSERVANCY, INC

FEE DETAILS

1500603		
DEED COM OR VACANT	10	70 00
TP-584	1	5 00
CULTURAL EDUCATION		15 00
RP-5217 COMMERCIAL		250 00
RECORD MANAGEMENT		5 00
AMOUNT FOR THIS DOCUMENT		345 00
RETT #	000001236	

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERKS NOTES

DENNIS J. SANT
PUTNAM COUNTY CLERK

QUITCLAIM DEED

THIS QUITCLAIM DEED is made as of March 25th, 2013 between OPEN SPACE CONSERVANCY, INC., a not-for-profit corporation under New York law having its principal place of business at 1350 Broadway, Room 201, New York, New York 10018 (the "Grantor"), and OPEN SPACE CONSERVANCY, INC., a not-for-profit corporation under New York law having its principal place of business at 1350 Broadway, Room 201, New York, New York 10018 (the "Grantee").

WITNESSETH, that the Grantor, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by the Grantee, does hereby remise, release and quitclaim unto the Grantee and its successors and assigns all of the Grantors' interest in the certain premises located in the Town of Philipstown, Putnam County, New York described in the Exhibit A attached hereto and incorporated herein by reference.

This conveyance is made subject to all covenants, easements, and restrictions of record.

This conveyance is made for the purpose of consolidating the lands of Open Space Conservancy, Inc into a single parcel, thus assuring that the recent conveyances between Open Space Institute, Inc. and Open Space Conservancy, Inc. are in fact "conveyance(s) or exchange(s) of land between adjoining owners" and not a subdivision as defined in Section 112-1 of the Philipstown Town Code.

TOGETHER with the appurtenances and all the estate and rights of the Grantors in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee and its successors and assigns forever.

AND the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor 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 improvement before using any part of the total of the same for any other purpose.

Exhibit A

File No 79-120
Work Order No 21206
File Name OS12MR13BD_OSC_Consolidation.doc
Date Created March 12, 2013
Date Revised March 18, 2013
Date Printed March 18, 2013
Figure No 1060
Author GJW

**Description of Property
prepared for
Open Space Conservancy, Inc.
(Open Space Conservancy, Inc. Consolidation)**

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam, and State of New York that is a major portion of Parcel A1 shown on that certain "Subdivision Plat showing the Further Subdivision of Parcel A shown on that certain 'Subdivision of Glenclyffe...'", which was filed in the Putnam County Clerk's office on May 26, 2005 as Map No 2925A and three small portions of the "Club Parcel" shown on that certain "Topographic Map and Survey of Property prepared for Open Space Institute. ," which was filed in the Putnam County Clerk's office on December 16, 1991, as Map No 2536, that when taken together are bounded and described as follows.

BEGINNING at the point on the westerly line of the Bear Mountain – Beacon State Highway No 5715, N Y S Route 9D **BEGINNING** at the point that occupies coordinate position

N 499,575 90 (y)
E 605,877 08 (x)

of the New York State Coordinate System, East Zone (NAD 27), which point is distant

S 16°31'57" W 30 00 feet,

measured southerly along the said westerly line of said N Y S Route 9D from the point thereon where it is met by the line dividing the said "Club Parcel shown on Filed Map No 2536, on the north, from said Parcel A1 on Filed Map No 2925A, on the south, which reference point occupies coordinate position

N 499,604.66 (y)
E 605,885 61 (x)

of the New York State Coordinate System, East Zone

THENCE from the said point of beginning southerly along the westerly line of New York State Route 9D

S 16°31'57" W 200 89 feet,

to a point at the line of Parcel B shown on that certain "Subdivision Plat of Glenclyffe .," which was filed in the Putnam County Clerk's office on March 6, 2003, as Map No 2925 Thence along and counterclockwise around said Parcel B on Filed Map No 2925, the following, first

N 88°20'00" W 140 33 feet

then on a tangent curve to the left, the central angle of which is 42°00'00", the radius of which is 580 00 feet for 425.16 feet, then

S 49°40'00" W 88.00 feet

then on a tangent curve to the right, the central angle of which is 03°32'00", the radius of which is 2,750 00 feet for 169.59 feet, and then the following courses

N 36°48'00" W 231 37 feet,
N 10°39'00" E 212.74 feet,
N 87°12'00" W 216.00 feet,
S 36°30'00" W 113 00 feet,
S 89°25'00" W 325 00 feet,
S 05°38'00" W 530.00 feet, and
S 78°30'00" E 132.00 feet,

to a point at the line of "New Parcel A2" on the aforementioned Filed Map No 2925A Thence along the line of said "New Parcel A2", the following courses

S 32°00'00" W 135 00 feet,
S 02°30'00" W 500.00 feet,
N 77°00'00" E 69 00 feet,
S 20°00'00" W 200 00 feet,
S 70°00'00" E 135 82 feet,
N 20°00'00" E 91 28 feet,
S 73°00'00" E 90 00 feet,
N 77°00'00" E 544 75 feet,
N 13°00'00" W 87 46 feet,
N 77°00'00" E 75 00 feet,
S 13°00'00" E 50.00 feet, and
N 77°00'00" E 230 00 feet,

to still another point on the westerly line of N Y S Route 9D Thence southerly along the said westerly line of N Y S Route 9d, the following courses

S 19°28'42" W 284 07 feet,
S 18°54'34" W 488 57 feet, and
S 11°11'26" W 47 98 feet,

to a point at the line of lands formerly of Underhill and now or formerly of R A S 3, L P Thence along the said R A S 3, L P. lands and continuing along lands formerly of Underhill and now or formerly of Gravinese and lands formerly of Underhill and now or formerly of Duncan, the following courses

N 71°44'07" W 488 09 feet,
N 72°05'57" W 240 96 feet, and
N 45°12'57" W 229 71 feet,

to a point in the centerline of the former Beverly Dock Road Thence still along the said Duncan lands and along the centerline of the former Beverly Dock Road, the following courses

S 53°45'23" W 98 08 feet,
S 50°00'23" W 215 80 feet,
S 25°30'23" W 429.70 feet,
S 13°00'23" W 171 60 feet,
S 32°45'23" W 118 00 feet,
S 62°45'23" W 205 90 feet, and
S 47°15'23" W 130 38 feet

to a point on the easterly exterior line of lands formerly of the Hudson River Railroad Company and now or formerly of Owasco River Railway, Inc Thence northerly along the said Owasco River Railway, Inc lands the following, first on a non-tangent curve to the right, the center of which bears S84°54'50"E, the central angle of which is 13°16'05", the radius of which is 3,042 82 feet for 704 63 feet, then

N 18°21'15" E 794.25 feet

then on a tangent curve to the left, the central angle of which is 04°38'30", the radius of which is 5,898 03 feet for 477 81 feet, and then the following courses:

N 13°42'45" E 783 63 feet,
N 18°04'05" E 660 75 feet, and

N 27°11'05" E 271.88 feet,

to a point at the line of lands now or formerly of The People of the State of New York, which lands are designated "State Parcel East" on the aforementioned Filed Map No. 2536. Thence along the said "State Parcel East" shown on Filed Map No. 2536

S 71°55'17" E 573.07 feet, and
N 26°43'50" E 392.58 feet,

to a point. Thence through the aforementioned "Club Parcel" shown on Filed Map No. 2536, the following courses:

S 56°00'00" E 100.78 feet,
S 34°00'00" W 211.92 feet,
S 12°00'00" W 47.00 feet, and
Due South 142.00 feet,

to a point on the line dividing the said "Club Parcel" shown on Filed Map No. 2536, on the north, from the aforementioned Parcel A1 on said Filed Map No. 2925A, on the south. Thence along the said division line

S 62°14'37" E 181.55 feet,

to a point. Thence once again through the said "Club Parcel" shown on Filed Map No. 2536, the following courses:

N 45°00'00" E 42.75 feet,
S 74°00'00" E 106.14 feet, and
S 29°00'00" E 79.82 feet,

to a corner on the last mentioned division line. Thence once again through the said "Club Parcel" shown on Filed Map No. 2536, the following courses:

S 29°00'00" E 81.18 feet,
S 72°00'00" E 22.92 feet,
S 15°00'00" E 76.00 feet, and
S 40°30'00" W 22.31 feet,

to yet another point on the last mentioned division line. Thence through the aforementioned Parcel A1 on Filed Map No. 2925A, the following courses:

S 40°30'00" W 39.53 feet,

S 08°00'00" E 132 38 feet,
S 64°12'26" E 135.96 feet,
S 71°00'00" E 54 16 feet, and
S 75°00'00" E 101 00 feet

to the westerly line of N Y S Route 9D and the point or place of beginning,
containing 60 003 acres, more or less

TOGETHER WITH AND SUBJECT TO the benefits and burdens of any and
all easements of record affecting the lands hereinabove described to the extent that
the same are in force and effect as of the date of this instrument

N B The conveyance anticipated by this description is one made for the purpose
of consolidating the lands of Open Space Conservancy, Inc into a single parcel,
thus assuring that the recent conveyances between Open Space Institute, Inc and
Open Space Conservancy, Inc are in fact “ conveyance(s) or exchange(s) of
land between adjoining owners ” and not a subdivision as defined in Section
112-1 of the Philipstown Town Code

Prepared by

BADEY & WATSON

Surveying & Engineering, P C

3063 Route 9

Cold Spring, New York 10516

(845) 265-9217 (voice)

(845) 265-4428 (fax)

(877) 3 141593

[www Badey-Watson.com](http://www.Badey-Watson.com)

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

GRANTOR

OPEN SPACE CONSERVANCY, INC.

By: Robert K. Anderberg
Robert K. Anderberg
Vice President + General Counsel

Attachments:

Exhibit A (Description of Premises)

State of New York
County of New York ss.:

On the 25th day of March in the year 2013 before me, the undersigned, personally appeared Robert L. Anderson personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Samayla D. Deutch
Signature and Office of individual
taking acknowledgment

Samayla D. Deutch
Notary Public, State of New York
No. 02DE6083990
Qualified in New York County
Commission Expires November 25, 2014

Reserve this space for use
of Recording Office:

Record and return by mail:

TM# 71.00 - 1-13.11 & 14.1

Samayla D. Deutch, Esq.
Open Space Institute
1350 Broadway, Suite 201
New York, NY 10018



DOCUMENT # 1502663

DEED - COMM/VACANT

RETT: 929 \$.00

CONSIDERATION: \$.00

11/14/2008

10:43:53 A.M.

RECEIPT: 16586 FEE: \$240.00

DENNIS J. SANT

PUTNAM COUNTY CLERK

LIBER: 1820 PAGE: 1

RESERVE FOR RECORDING INFORMATION



PUTNAM COUNTY RECORDING PAGE

PAGE 1 OF RECORDED DOCUMENT

RECORD & RETURN TO:

TYPE OR PRINT

Edward Doyle, Esq.
PO Box 150
Peekskill, NY 10566

GRANTOR/MORTGAGOR

Open Space Conservancy
to
~~Open~~ Town of
Philipstown

DO NOT WRITE BELOW THIS LINE

DEED ☒ MTG ☐ SAT ☐ ASMT ☐ CEM ☐ POA ☐ ESE ☐
OTHER ☐

RECORDING FEES # OF PAGES

C/R

RESERVE FOR CERTIFICATION

RCD FEE

30.00

STAT CHG

20.00

REC MGMT

20.00

CROSS REF

TOTAL

70.00

THIS DOCUMENT WAS EXAMINED PURSUANT TO §315 REAL PROPERTY LAW

Dennis J. Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

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

[St. Mary's Hall Parcel]

THIS INDENTURE is made on October 22, 2008 between OPEN SPACE CONSERVANCY, INC., a not-for-profit corporation under New York law having a principal place of business at 1350 Broadway, Rm. 201, New York, New York 10018 (the "Grantor"), and TOWN OF PHILIPSTOWN, a municipal corporation under New York law having its principal place of business at 238 Main Street, Cold Spring, New York (the "Grantee").

WITNESSETH, that the Grantor, in consideration of No Dollars paid by the Grantee, does hereby grant and release unto the Grantee and its successors and assigns forever all of the Grantor's interest in the certain premises with the buildings and improvements thereon located in the Town of Philipstown, Putnam County, New York described in the Exhibit A attached hereto and incorporated herein by reference.

This conveyance is made subject to the following:

1. a lien for non delinquent real property taxes;
2. the natural flow of the brook through or along the premises;
3. Setback on Filed Map No. 2925B;
4. Utility Company Agreements in the Putnam County Clerk's Office in Liber 168 cpl18;
5. Declaration of Common Facilities and Easement Agreement dated March 20, 2003 between Open Space Conservancy, Inc. and Lostand Foundation, Inc., recorded on April 2, 2003 in the Putnam County Clerk's Office in Liber 1617 page 420 as amended by Amendment to Declaration of Common Facilities and Easement Agreement dated August 11, 2006 to be recorded prior to this deed;

Attachments:

Exhibit A (Description of Premises)

EXHIBIT A

**DESCRIPTIVE BOUNDARY
of land to be conveyed to the
Town of Philipstown by Open Space Conservancy, Inc.**

All that certain piece, plot or parcel of land situate lying and being in the TOWN OF PHILIPSTOWN, COUNTY OF PUTNAM, State of New York, being shown as "New Parcel A2" on that certain "Plat Showing the Relocation of Access Easement Through Parcel A2 shown on that certain 'Subdivision Plat Showing the Further Subdivision of Parcel A2...' (which was filed in the Putnam County Clerk's Office on May 26, 2005 as Map No. 2925A) and The Elimination of a Portion of the Access Easement Through Parcel B Shown on that Certain 'Subdivision of Glenclyffe Prepared for Open Space Conservancy, Inc.,' (which was filed in the Putnam County Clerk's Office on March 6, 2003 as Map No. 2925) Situate in the Town of Philipstown Putnam County New York" Scale 1 inch=100 feet dated June 5, 2007 s filed with the Putnam County Clerk's Office as Map No. 2925B ("New Plan") and subject to and with the benefit of the easements as shown on said New Plan.

6. Conservation Easement from Open Space Conservancy, Inc. to Open Space Institute, Inc. dated October 22, 2008 recorded prior to this deed; and

7. Right of First Refusal from Open Space Conservancy, Inc. to Open Space Institute, Inc. dated October 22, 2008 recorded prior to this deed.

This conveyance is made together with all right, title and interest of the Grantor in and to any streets and roads abutting the above described premises to the center lines thereof.

This conveyance is made together with the appurtenances and all the estate and rights of the Grantor in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, and the successors and assigns of the Grantee forever.

AND the Grantor covenants that the Grantor has not done or suffered anything whereby the premises have been encumbered in anyway whatever.

THE PROPERTY conveyed herein is intended to be a portion of the property as conveyed to the grantor by deed recorded in Putnam County Clerk's Office in Liber 1572 of deeds at page 202.

AND the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor 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 improvement before using any part of the total of the same for any other purpose.

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

GRANTOR

OPEN SPACE CONSERVANCY, INC.

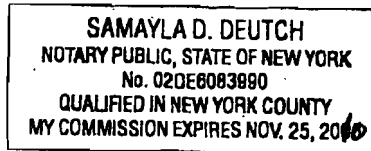
By: Robert K. Anderberg

Name: Robert K. Anderberg
Title: Vice President and General Counsel

State of New York
County of New York) ss.:

On the 22nd day of October in the year 2008 before me, the undersigned, personally appeared Robert K. Anderberg, 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.

Samayla D. Deutch
Samayla D. Deutch
Notary Public



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EDWARD W. DOYLE, Esq
PO Box 150
PEEKSKILL, NY 10566

RECORDED AT REQUEST
OF RG AGENCY
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914-739-2700
RETURN BY MAIL TO

TM 71.-1-13.12
T1 Philipstown
RHP 17497

[illegible]

OWNER/DEVELOPER
DOMINICK AND DESRA
SANTUCCI
15 Third Lane
Westport, NY 10590

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38 ALDO LANE, DOWRYGIST WARRAGE WA 60067
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DOWRYGIST@AOL.COM



NOTE
UNAUTHORIZED ALTERATION OR ADDITIONS TO THIS MAP ARE A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.