

**MEETING AGENDA
TOWN OF PHILIPSTOWN PLANNING BOARD
Old VFW Hall, 34 Kemble Ave., Cold Spring, New York 10516
May 17, 2018
7:30 PM**

Pledge of Allegiance

Roll Call

Approval of Minutes: April 19, 2018 – Regular Monthly Meeting

Return of Escrow:

Martin McHugh, 200 Lake Surprise Road

TM# 27.-1-29 & 30

New Business:

Dunrite Construction/Bob Ashley, 3 Ethan Drive, Garrison

TM# 91.6-1-50

(The applicant is seeking approval of access to the property with the intent to construct a new single-family residence in the same location as the demolished home)

Jaymark Jewelers, Inc., 3612 Route 9, Cold Spring

TM# 17.-1-46

(The applicant is seeking Amended Site Plan approval to construct a 240 sf addition, for showroom space, to the rear of the existing structure)

Old Business (All Old Business Pending):

James Copeland, 3052 Route 9, Cold Spring

TM# 27.16-1-27

(The applicant is seeking a change in use from retail to office space. The space was previously an antiques store and is located in the HC zoning district.) (A site visit was performed May 6th)

Garrison Property Holdings LLC, 88-92 Whippoorwill Pond Rd.

TM #'s 90.-1-21 & 90.11-1-6

(The applicant is seeking Major Site Plan approval for the construction of a new single-family residence (accessory cottage), resurfacing and improving a portion of the driveway and the installation of a septic system. Additionally, 3 building will be razed, a cottage, a barn & a garage) (A site visit was performed May 6th)

Alex Campbell, 4 Cliffside Court & 28 Upland Dr.

TM# 82.20-2-23 & 21

(The applicant is seeking approval of access to the property with the intent to construct a new single-family residence)

1657 Route 9D (Christopher Buck), 1657 Route 9D, Cold Spring

TM# 49.-1-24.1

(Proposed renovation and addition to the existing residence. Construction of a new accessory structure for use as a home office, new pool and pool house. New driveways to access the home)

office and redefine the main entrance to the residence.) (Town Engineer was directed at last meeting to prep Draft SEQRA Declaration & Draft Approval Resolution)

Barbara Peck-Eyler, Lake Celeste Drive/Old Albany Post Rd. TM# 72.18-1-5
(Proposed construction of a new single-family residence and driveway with detached garage. Applicant is seeking approval of access)

Hudson Highland Reserve, Route 9 & Horton Road (Scoping Session)

(The 210.1-acre tract, involving 6 separate tax parcels, is located on the east side of Route 9 between Horton Road and East Mountain Road North. The eastern edge of the property has frontage on East Mountain Road South. The largest part of the property, 194.5 acres, is located in the "Rural Residential" (RR) zoning district, of which 153.5 acres are also in the "Open Space Overlay" (OSO) district. There are 11.1 acres of the property, in the most westerly part of the tract with frontage along Route 9, that are located in the "Industrial/Manufacturing" (M) zone. The remainder of the property, 4.5 acres is located in the "Highway Commercial" (HC) zone along Route 9. The application for Preliminary Approval is being processed as a "Conservation Subdivision" pursuant to the standards contained within §175-20 of the Zoning Ordinance. A minimum of 154 acres of the overall tract is proposed to remain undeveloped and protected as "Open Space". The Applicant seeks Preliminary Approval of a subdivision that includes 25 residential lots, each containing approximately 1 acre. The 25 lots will be served by individual wells and community wastewater treatment facilities. An equestrian center is also proposed. The 4.5-acre parcel, which is improved with an office building will remain a separate but smaller lot making room for the proposed access road.)

**PHILIPSTOWN PLANNING BOARD
MEETING MINUTES
April 19, 2018**

The Philipstown Planning Board held its regular monthly meeting on Thursday, March 15, 2018 at the Old VFW Hall, 34 Kemble Ave., Cold Spring, New York.

Present: Anthony Merante, Chairman
Kim Conner, Acting Chair
Peter Lewis
Neal Tomann
Dennis Gagnon
Neal Zuckerman
David Hardy
Stephen Gaba, Counsel
Ronald Gainer, Town Engineer
Chris Robbins, AKRF Consultant

Chairman Merante opened the meeting at 7:35 p.m. with the Pledge of Allegiance. Roll call was taken by Ms. Percacciolo.

A. Minutes

The minutes of the March 15, 2018 Workshop Meeting were reviewed. Mr. Gaba suggested 2 corrections, one in paragraph one on page two and another in paragraph 4 on page 3. Noting the changes, Ms. Conner moved to adopt the minutes and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Aye
David Hardy	-	Aye

The minutes of the March 15, 2018 Regular Monthly Meeting were reviewed. Mr. Lewis moved to adopt the minutes and Ms. Conner seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Aye
David Hardy	-	Aye

Chairman Merante stated he would be rearranging the agenda this evening and taking care of the Hudson Highland Reserve first.

B. Old Business

Hudson Highland Reserve, Rte 9 & Horton Road

Chairman Merante stated the board would vote on a determination, positive or negative, this evening and opened the floor to the board for discussion on the SEQRA Declaration.

Mr. Zuckerman made a motion to adopt a Positive Declaration under SEQRA and Mr. Lewis seconded the motion. Chairman Merante stated he would like to hear from each board member.

Mr. Zuckerman began by stating he is sure many people, including the applicant and his extensive team, are relieved to finally be taking a vote on the SEQRA declaration. He thanked Ulises, Glenn, Mr. O'Rourke, and Steve Gross for their efforts as it has been a long process, extensive and expensive. He stated his appreciation for their efforts to supply information and data and opinions in support of their project. Mr. Zuckerman continued, they have put a heavy burden on the board to review and understand. He stated it is important that the board bring to the project their best efforts, given how much the applicant has invested. Mr. Zuckerman continued by thanking the stalwart members of this board, appointed and paid staff, that have worked diligently over years to provide opinions. He continued on to thank the Conservation Board, and members of the public, which includes members of HHLT, tens of public speakers, Joel Russell, who wrote the code, and many others who submitted written opinions.

Mr. Zuckerman stated that he sees the board's job as to balance individual property rights with community rights and it is a constant exercise in balance. He stated if you look at the history of this board, it has actually never said no to anything in Mr. Zuckerman's tenure of 7 years. The board has asked for adjustments and on 2 occasions, applicants have withdrawn plans given heavy concerns (and 1 came back in a new location and that is Maggazzino). Regarding, SEQRA, this board has never declared anything other than a negative declaration. Mr. Zuckerman would say that this board has squarely valued property rights during his tenure. Coming to tonight, the board has also never had such an extensive project before them in his tenure, one that addresses many communities, human and otherwise, water and nature. Mr. Zuckerman stated, the question has been asked as to the board's view on SEQRA. As he read the standard as described by "SEQRA: Guiding the Process", it states that a lead agency must determine whether an action has the potential to cause at least 1 significant adverse impact where solutions can be explored to "avoid or minimize" impacts. Mr. Gaba has added the concept of minimizing to the "fullest extent that is practicable".

Mr. Zuckerman stated they are volunteers who are supposed to use their best judgment in support of the community. He reported he is not a scientist nor a use planner nor an attorney. He stated, they are supposed to take in the findings from their various constituents, hear them, and weigh the facts as they apply the law. But they are also supposed to use their judgment. If it was simply the role to ask a machine, or pay a firm to write a report, then he would gladly have back his Thursday nights and Sunday mornings.

Mr. Zuckerman continued, as such, he finds several parts of the EAF Part III still of material concern where he believes that there is potential for significant impact and listed them off: 3d, e, h, i, and j; 4h; and 17c.

Mr. Zuckerman reported, 3 relates to impacts on surface water on Ulmar Pond. The safety of the Pond and its downstream relationship to Clove Creek are paramount for the board. Degrading Water quality, decreasing of the size of a waterbody, and discharging of waste into a waterbody are all key topics for section 3. He continued, the applicant has designed a structure that has houses ringing a significant portion of the circumference of the pond. This is ostensibly because the value of a home is enhanced by being near a body of water. This approach, with significantly, downward sloping land to the pond on all sides, with lawns that will go down to within 140 feet (where HHLT has suggested 300 is more appropriate) of the pond, all lead him to see significant, potential impact. Mr. Zuckerman continued, the applicant has stated that there are several mitigations that are necessary to stave off the damage: a SWPPP; erosion plan; HOA in place and functioning; inspections by the yet unknown easement holder; adherence to a ban on fertilizer; bans on the removal of vegetation; and many others.

Mr. Zuckerman stated, it is precisely the number of tools that will need to be implemented, simultaneously, that lead him to suggest that there is a potential impact. As a former military helicopter pilot and from the MTA board and membership on its safety committee, Mr. Zuckerman stated he knows about accidents. Accidents happen often through a multiplication of factors, each contributing their risk and increasing at an accelerated factor by the coupling of multiple things that must all occur together to work. Each of these gives him pause; collectively it strikes Mr. Zuckerman that it is very much a real potential that they fail. If all have to work together, and if one fails they all fail, that puts the whole in jeopardy. Mr. Zuckerman stated, the remedy is quite practicable: do not build around the pond. There are many tens of acres and there are a range of dwelling sizes that the applicant could choose. Instead, they have chosen to have all the same size lots, which will get into the character issue of 17c. This same notion is mentioned by our Conservation Board. And it is practicable as there is much more acreage upon which to build and nothing beyond plans on paper that must be adjusted.

Mr. Zuckerman continued, on #4h: the potential impact of the industrial-scale equestrian center from manure management on groundwater. He stated the board is concerned, as is the public, about the large volume of horses, their antibiotics, their manure. The applicant has described a complex system of manure capture. And yet the entire siting of the gargantuan facility, near a feeder into Clove Creek and the Ulmar Pond, is of sincere concern. The very size of the facility, and the number of horses, leads the board to be concerned that the chance of this manure and their material eventually getting into the water supply is a serious, potential impact and one that can be significant. And again, while the applicant has mitigations mentioned, they equal another set of interrelated activities and require each to succeed. Mr. Zuckerman Suggested, a practicable action could be to significantly reduce the size of this facility, or move it much further away from any water, or even better, eliminate the idea in total. It is imminently practicable as there is nothing that requires a commercial horse facility to be here. It is not as if the residential development cannot exist without it. And it is not as if they are building it on an existing facility, where it needs to be kept going for the sake of an ongoing business.

Mr. Zuckerman continued, on #17c: in keeping with the community character. The board has heard the thoughts of many of the community. The board has heard the thoughts and communicated as a board for years (since MaryEllen Finger, former board member, implored the applicant in her last meeting before she passed away) that the layout of this development is conventional in look and feel. The houses are not clustered. They are not of varying sizes and styles. They are uniform, spread out in a uniform way and without differentiation. The impact is potentially significant as other conservation subdivisions if they come in the future will look at this and say, "I guess it is ok." Mr. Zuckerman continued, to quote the Town Supervisor at last month's town board meeting talking about another development, a development that did not accurately represent their intentions to this board, and soon after opening under one pretense, are asking for an expansion of their use: "If it walks like a duck, and talks like a duck, it is a duck". And so, this is a duck, a duck called a conventional subdivision. Mr. Zuckerman stated it would be practicable to adjust, as, again, this is a plan on paper, one that can be adjusted with thoughtful adherence to conservation subdivision planning guidelines.

Mr. Zuckerman concluded, for all these reasons, with respect for all the applicants' efforts, a deep regard for the needs and desires of the community, in keeping with our code, and without any joy, he votes for a positive declaration. Going forward, Mr. Zuckerman stated he would ask that this development much more thoughtfully take into account conservation subdivision planning to much more tightly cluster these homes, with consideration to avoid the pond and curtail the extent and location of the horse farm. Mr. Zuckerman also asked that the board's scoping for an EIS, if the board does proceed in that direction, address the 3 major issues he has raised.

Mr. Lewis stated that Mr. Zuckerman very much covered his concerns. He added that he is concerned by the industrial nature of what appears to be the horse facility. Mr. Lewis stated he believes they are setting a bad precedent for the first conservation subdivision.

Mr. Hardy stated he was also in favor of a positive declaration. He stated he was grateful to Mr. Zuckerman for spelling out many of the reasons, adding that the pond was a very large concern for him. Mr. Hardy continued stating that he believes that enough is not yet known about the 40-horse equestrian center. He noted that one of the things that had been explained to the board is that the equestrian center would be used solely for dressage horses and Mr. Hardy recalled a gentleman by the name of Richard Butensky at one of the meetings had questioned, what if they're not? Mr. Hardy stated, without knowing that is absolutely the case and without knowing the exact size of the facility, he can not sign off on the equestrian center.

Mr. Gagnon stated, after what he feels has been a thorough review, and having somewhat of a late start on the project being a new member of this board, he too has questions about the size of the equestrian center and how the number of 40 horses was reached, but after reviewing all the documentation and the mitigation of some of these concerns, he stated he would vote for a Negative Declaration.

Mr. Tomann expressed his appreciation for the time and efforts of both the applicant, the public and the board. He stated he has narrowed this down to 2 elements, the number and location of the

houses and the nature of the equestrian center. He stated, for lack of a better term, that the ship has sailed in terms of asking the applicant to consider the number and location of the buildings adding that he thinks they have played by the rules and have done what was asked of them according to the existing code. Mr. Tomann questioned what avenues the board may have to address the equestrian center; after a vote tonight, what are the board's options for reviewing and possibly scaling down the scope of the equestrian center. He added that he believes the equestrian center deserves a much closer look, so on the one hand, that is the real potential source for minimizing the impact to the greatest extent practicable.

Mr. Gaba stated the significance of the equestrian center is twofold. On one hand it could, theoretically impact SEQRA review if the board feels that it is going to have some sort of environmental impact. He continued, the other significance of the equestrian review, as far as the Conservation Subdivision site plan goes, you look at how the equestrian center will interact with the property and, in a broader sense, with adjoining properties and if you have some legitimate planning and engineering reasons for saying 40 horses is unacceptable, then you would have the authority, as part of your permitting process, to say scale it back. Mr. Gaba suggested, if the board feels that you need to know more about it, there are 2 ways to go about that as well. The first way, rather than saying you don't know enough about the equestrian center and issuing a Positive Declaration and requiring the applicant to go through the EIS process, is to request that they supplement their part 3 EAF and get more information on that, maybe even update their plans or submit a separate packet explaining everything further as far as the physical manifestations of it on there and any writeup that you have, and that may be enough to push you in the direction of issuing a Negative Declaration. However, if you're satisfied there aren't going to be any environmental impacts, you could certainly ask for more information about it in the course of reviewing the Conservation Subdivision and the applicant could provide you that information. Mr. Gaba explained, the difference would be that if you make a Negative Declaration under SEQRA now, the board is going to be foreclosed, unless the Negative Declaration is later revoked, from really getting into the environmental aspects of the equestrian center because you would have already decided that there would be no significant adverse environmental impacts by the SEQRA.

Mr. Tomann stated he does not see holding up the applicant any longer by making a Positive Declaration because he believes they have minimized the environmental impacts as best they can. Mr. Tomann stated his feeling is that the he needs to know more about the equestrian center.

Mr. Gaba questioned whether Mr. Tomann wanted to know more about it before a vote on SEQRA, or if he was satisfied with SEQRA and just wanted to know more about it in the context of the Conservation Subdivision. Mr. Tomann responded, the size of it. He questioned, if they vote for a Negative Declaration tonight, can they say later on that 40 horses are too many? Mr. Tomann stated that he knows a little bit about this and there's numbers; X number of horses, X number of biomass, X amount of room they need for exercise. Mr. Gaba stated, if the board votes for a Negative Declaration this evening, you will not be able to demand more environmental information about it because you have already determined, by virtue of a Negative Declaration, that there are no significant adverse environmental impacts from the equestrian center. Mr. Tomann stated, in that case, that he would have to vote for a Positive Declaration.

Mr. Gaba stated, in the alternative, they could ask the applicant to provide an additional EAF part 3 to supplement it, they don't necessarily have to go one way or the other. He clarified that declaring a Positive Declaration is not the only option. Mr. Tomann questioned if that would mean he is voting neither. Mr. Gaba stated that Mr. Tomann could move to table for more information on the equestrian center. Chairman Merante asked if anyone would second the motion.

Ms. Conner stated that she too is concerned about the equestrian center. She stated her concern about the fact that when the board makes decisions, they have to make them not based on, from her understanding, what this project is right this minute but what it will be in the future. Ms. Conner stated they have had this experience recently where there is an equestrian center that was approved for a particular purpose, which she stated she believes has since changed hands twice, and they don't have the ability to protect against things not staying the same. Ms. Conner stated that this proposal states that the equestrian center will consist of all dressage horses but there is the possibility that it will not be all dressage horses in the future and that is a concern that she believes has an environmental impact.

Ms. Conner stated the board has not seen any alternative designs and it seems to her that surrounding the pond with houses and then surrounding the pond again with a wall at each house and if there are animals that want to get to the pond, it does not seem environmentally appropriate and that can't be changed once they vote.

Ms. Conner stated another concern of hers is enforcement. She stated that one of the things that people complain about whenever the town makes rules is, how will the town enforce those rules? She continued, here what we have is an HOA which is tasked with an enormous amount of enforcement and on top of that we don't know who the conservation easement holder is going to be. She added, we know it will not be the Land Trust but the board hasn't been supplied any information from the applicant as to who an alternative would be and the board has no information as to whether it will be an accredited entity. Ms. Conner stated it is a substantial job which requires a substantial amount of funding. She explained, you can not just put a conservation easement on something and then it's done; it has to be monitored every year.

Ms. Conner stated it is also unclear who has ownership of the equestrian center, whether the HOA owns it or whether it's a separate company, which she thinks, again, has some enforcement implications.

Ms. Conner stated there are still all of these questions the board wants answered and if they were to declare a Negative Declaration tonight, they don't get to ask any more of those questions, they don't get to see alternative designs. She stated the board asks all these questions and they're told 'oh it will get taken care of later' and when it is at a point where it might get taken care of, it's usually past a decision-making point and that is how this feels to her at this moment.

Ms. Conner stated that she would have to vote for a Positive Declaration for these reasons and others already stated by the other members of the board that have spoken.

Chairman Merante stated he has a number of issues with this and as most people have stated, his primary issue, and there are some parts that haven't been mentioned, is the horse paddock, the barn. He questioned why this is even in the project as it seems like more of an agricultural thing and the fact that we're talking about people's homes, a lot of talk has been about how to handle the horse waste but no one has mentioned the amount of water that 40 horses will consume and the amount of water they would produce that will go into the ground, possibly the water table.

Chairman Merante stated he discovered the term 'LLU' the other day. He stated the town has farm animals in the code and an 'LLU' is a large animal which is supposed to have one acre for usage and questioned how this horse facility fulfills that requirement, but is aware that the issue he raised about the usage of water, and that's the second issue, and the water table and the consumption and disposal of water is a major issue that he believes has not been properly addressed.

Chairman Merante stated another major issue he has is, were talking about a property with a small amount of developable land. He stated, they have these large houses on one-acre sites and there is no need for them to be one-acre sites. Chairman Merante stated he finds that it is going to be much more difficult for the HOA to control the homeowner's, who are going to do what they want to do with these expensive homes and large lots, and what they wish to do with their properties. He explained that he believes that there is not going to be enough control from an HOA. He explained that he happens to live in an HOA and he knows the things that go by the HOA never knows about.

Chairman Merante stated he believes the homes can be moved away from the pond if the lots are made much smaller. He stated he knows of another pond in town, Barrett pond which is a short distance away, that was killed by fertilizers and other things that seeped in to it. Chairman Merante stated that when he was a kid you could skate on that pond, now you can practically walk across it because of the inundation of lily pads. Chairman Merante stated it is a dead water body he feels that with this type of usage, the equestrian center, the number of houses and the proximity to the pond, this pond will end up the same and it won't take very long for it to happen. Chairman Merante stated other members of the board had addressed some of his other concerns, but that these were his major issues. Chairman Merante stated he for all of these reasons, he would have to vote for a Positive Declaration.

Chairman Merante stated Mr. Zuckerman had made a motion to adopt a Positive Declaration and Mr. Lewis had seconded it. Mr. Gaba questioned if Mr. Tomann's motion to table had received a second and Chairman Merante clarified that it did not. Mr. Gaba stated the Chairman can call the question and the board can vote.

Mr. Steve Gross questioned if the applicant and his representatives could respond to what the members of the board have stated before the vote takes place.

Mr. Rick O'Rourke stated that there have been a number of issues raised with regard to the horses and the number of horses, which is obviously of great concern to the board. He stated, Mr. Liceaga was able to locate an expert, who is here this evening, who has over 40 years of experience, has worked with Olympic gold medalists and is well familiar with dressage. Mr.

O'Rourke requested, as that appears to be the principal and primary concern, that the board have the opportunity to hear from that expert. Chairman Merante surveyed the board. Mr. Zuckerman stated he was clear about his view at last meeting; they have been supplied with an enormous amount of information, from the public and otherwise. Mr. Tomann stated his view that, procedurally, it would be unsound to allow that at this point. Mr. Lewis and Ms. Conner agreed. Chairman Merante stated that Mr. O'Rourke's request is denied, as the board has spoken. He added, as Mr. Tomann stated, it would be out of order at the moment.

Chairman Merante stated the board would now vote on the motion to declare a Positive Declaration.

Mr. Zuckerman made a motion to adopt a Positive Declaration under SEQRA and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Nay
Peter Lewis	-	Aye
Neal Tomann	-	Nay
Neal Zuckerman	-	Aye
David Hardy	-	Aye

Chairman Merante stated the vote is 5 to 2 in favor of a Positive Declaration and questioned Mr. Gaba as to what the next step would be.

Mr. Gaba stated that since the board voted for a Positive Declaration, the applicant has to decide if they want to continue forward with the EIS process and if they do, we would have to start working on a scoping document. He added, now would be an appropriate time to hear from the applicant.

Mr. O'Rourke stated that, as he is sure Mr. Gaba and Mr. Robbins will advise, the next step for the board as it proceeds down this path would be to schedule a scoping session. He also stated that the applicant certainly has the opportunity to submit a proposed scope to the board as well. Mr. Gaba questioned if that is what the applicant and his representatives wish to do. Mr. O'Rourke responded that he has to confer with his client, but should they go that route, that is what they will do. Mr. Gaba questioned if they would like the board to schedule a scoping session for next month and added that they could always withdraw on it.

Mr. Gaba suggested the board schedule a scoping session for next month and that they would have a draft scope prepared for people to comment on. Chairman Merante questioned if the board needed to make a motion to that affect. Mr. Gaba stated that a motion was needed. Ms. Conner questioned if that would take place during the regular monthly meeting or if that would be an additional meeting. Mr. Gaba stated that was up to the board, it is just like a public hearing, except it's not a public hearing. Chairman Merante stated he had been through the process years ago and it can get fairly long. Chairman Merante suggested it be set up for next month's regular meeting and if it doesn't work out they can communicate ahead of time and reschedule it.

Ms. Conner moved to schedule a scoping session for the next regular monthly meeting of May 17th and Mr. Hardy seconded the motion. Mr. Zuckerman questioned, in order to make the process more efficient, if someone, maybe the secretary or Mr. Gainer or Mr. Gaba, could summarize the comments of the board as a starting point for those things that would be scoped. Mr. Gaba asked Ms. Percacciolo how quickly she could get the minutes done as his notes were scarce. The vote to schedule the scoping session for the May 17th meeting was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Aye
David Hardy	-	Aye

C. Return of Escrow

Alltec Service Center/Robert Miller, 1380 Route 9

TM# 82.-2-7

Ms. Conner made a motion to approve the return of escrow, conditional on the payment of any outstanding bills, and Mr. Gagnon seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Aye
David Hardy	-	Aye

D. Old Business

James Copeland, 3052 Route 9, Cold Spring

TM# 27.16-1-27

Ms. Conner asked Ms. Percacciolo if she ever got in contact with the applicant. Ms. Percacciolo reported she had, and although he could not attend tonight's meeting he sent a representative in his place so that another site visit could be scheduled. Ms. Conner moved to schedule a site visit for May 6, 2018 at 9:30 am and Mr. Hardy seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Aye
David Hardy	-	Aye

Surprise Lake Camp, 382 Lake Surprise Road

TM# 27.-1-1.1

Chairman Merante stated that Mr. Gainer had prepared resolutions for the SEQRA determination and the approval, as directed at last month's meeting.

Mr. Gainer stated that the board has before them a technical memorandum issued from his office summarizing the current status of the project. He stated it identifies previous issues raised that have now, for the most part, been resolved. Mr. Gainer reported the board made various referrals to outside agencies and those agencies have responded, as appropriate. He stated the applicant has responded to the agency comments, and included plans as necessary to address concerns for both New York State Parks and the local fire department. At the board's direction, Mr. Gainer stated he has prepared draft Negative SEQRA declaration and an approval resolution for the board's consideration this evening.

Ms. Conner made a motion to adopt a Negative Declaration under SEQRA and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Aye
David Hardy	-	Aye

Mr. Hardy moved to approve the project and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Aye
David Hardy	-	Aye

Rich Williams of Insite Engineering thanked the board for their time.

E. Other Discussion

Comprehensive Plan Update Committee

Lithgow Osborne stated he was present in his capacity as a member of the Comprehensive Plan Update Committee. He stated, in the committee's efforts to enjoin as many members of the various boards in Philipstown, they would like to invite the board to join in the conversation as

they begin the process of updating the Comprehensive Plan. Mr. Osborne stated there were 10 goals originally and the committee has added an 11th goal which concerns health and safety, knowing the impacts that certain developments or the lack of proper drainage, etcetera, could have on health. He continued, all of the original 10 goals are being reviewed and analyzed. Mr. Osborne stated it is the committee's hope that this board will join in that conversation by looking over the Comprehensive Plan and relaying any thoughts or ideas to the committee and in the future would love to have some of the Planning Board members come to one of their meetings and join in the conversation.

Mr. Zuckerman questioned if this was a formal town activity. Mr. Osborne reported that they committee had just been appointed by the Town Board. Mr. Zuckerman suggested the Planning Board pick a member to be their representative in a formal basis. Ms. Conner asked when the committee meets. Mr. Osborne stated they meet every second and fourth Thursday of the month at 6:30 pm at the Town Hall. Ms. Conner volunteered to be the Planning Board representative.

Chairman Merante asked, if the committee is putting out information on a regular basis, to keep the Planning Board informed. He explained that email addresses of each PB member are listed on the town website.

Mr. Osborne explained, each of the members of the committee has taken a goal and are reviewing and rewriting it and once they have been a little bit more formally realized, they can send their notes and reports that they have each done to the members of the Planning Board. He stated they are hoping at some point to have a public meeting to discuss.

Mr. Osborne stated that when it was originally written, a member of the Planning Board was a little upset that the members of the Comprehensive Planning Committee did not reach out to the Planning Board at the beginning of the process and only enjoined the Planning Board later on in the process.

Mr. Zuckerman left the meeting at this time.

F. New Business

Alex Campbell, 4 Cliffside Court & 28 Upland Dr.

TM# 82.20-2-23 & 21

Mr. Campbell introduced himself to the board and informed them that he works in renewable power in New York City for small scale hydro groups and geothermal power installs. He explained that he came to learn about Garrison through a friend of his who attended West Point and unfortunately passed away in Afghanistan in 2014. He stated he spent about a year looking around the area for a property to possibly buy or develop as a developer. He continued, in looking at properties to buy he saw there was a kind of disparity of levels, it was multi-million-dollar homes or cottages that were from the 50s or 60s, which were also fairly expensive. Mr. Campbell decided he would look for land instead and found this piece of land at 4 Cliffside Court which is part of the parcel he is applying for and, after seeing the prior owners plan which had a huge access road to develop a water well, he decided that the plan was expensive and also looked really bad. Mr. Campbell then decided to acquire the property to the south of this parcel

to put the water well on and worked with Glenn Watson and his team to come up with a plan, which he has not yet submitted to the board.

Mr. Campbell stated a pre-application meeting was held in November of 2016 and discussed potentially acquiring the property at 26 Upland Drive which has been in foreclosure since January of 2010. Mr. Campbell stated since then, he spent roughly a year trying to locate the owner and work out a short sale with the lender but has been unable to locate her.

Mr. Campbell continued, in lieu of finding the owner, he went through the town goals and stated he would like to highlight 4 particular goals for his property because he believes he has a solution that everyone will like. He added, he had read through Mr. Gainer's memo and stated he would fulfill those requests that were made, the SEQRA and the referrals. Mr. Campbell stated, goal number 2, to maintain and enhance the socio-economic diversity of Philipstown's population by increasing the availability of moderate priced rental and ownership housing. He stated that would fully lie on him because this would be a moderately priced home that is new and encourages socio-economic diversity.

Mr. Campbell continued, Goal number 5 is to control real estate property by ensuring they are reasonable and equitable by maximizing tax revenues while minimizing cost of providing municipal services.

Mr. Gaba interrupted Mr. Campbell in order to orient the board and focus at the issue at hand which as Mr. Gaba understands is approval of an open development area road in order for him to obtain a building permit for the property. He explained, in order to get an open development area road, what Mr. Campbell needs to do is convince the board that there is safe and suitable access over the private right of way which leads to the property.

Mr. Campbell continued, if he adds a home to the property, the taxes would go up but that he would have private well and septic, which minimize municipal services, and protect Philipstown natural resources through protecting water quality wetlands. Goal 10, revise land use regulations by rewriting zoning code and land development regulations as they apply to Manitou, Lake Valhalla and Continental Village.

Mr. Campbell stated, his proposal is that he would grant the Town of Philipstown an acre of his land that touches the wetlands to promote all of these things, as a pathway to get approval of access, the suitable and safe egress and ingress. He stated Mr. Gainer's recommendation of a referral to the Continental Village Fire Department is fair and he reported he has spoken to the Fire Chief of the department and submitted a letter that they responded to in his request to ask if Upland Drive is in fact suitable and safe for ingress and egress.

Mr. Campbell reported he has also reached out to all of his neighbors and questioned if over the last 20-30 years that they've lived there if there have been any accidents and stated he has not received any documentation of any.

Mr. Campbell reiterated his offer to give the Town the acre of property that touches the wetlands that the Town has itself outlined and added that the Town currently owns all the wetlands south

of his property. Chairman Merante stated the board is simply dealing with the access and that the Town may not want to take that acre.

Mr. Gainer stated there is still a need for the applicant to file the appropriate fees, which he stated he will work out with Mr. Gaba to confirm what the amounts should be. He added, the applicant also needs to provide an EAF and a physical plan of what his proposed improvements will entail so the board can discern exactly where his proposal and need for access would be. Mr. Gainer suggested that the board schedule a site walk so the board can evaluate for itself exactly what condition the existing private road is in and, related to that, Mr. Gainer suggested the project be referred to the local fire department for their opinion as well. He added, they will likely respond and so the board will have a basis to understand if there's any need for any improvements necessary to provide safe access to the parcel.

Mr. Campbell stated, the guidelines right now are very onerous for that road, Upland Drive. He continued, what he was thinking about doing is talking to the neighbors and asking what the touch points are for them because it is hard for him to approach the idea of upgrading a road without something that's feasible, which apparently 14 degrees and 20 feet wide is not feasible, according to Badey & Watson. Mr. Campbell stated he also understands that the town does not want him to ruin or decrease the traction on the road which, according to many residents of Philipstown, is already a difficult road. Mr. Campbell stated he thought it would be helpful to approach it in a way that kind of helped everyone, by going to the neighbors and finding out the touch points of the road, knowing that he will bear the full cost of the repairs.

Mr. Gainer explained, the town land development regulations have specific criteria for construction standards on private roads. The reason this is before the board is because the access, the private roads leading to your lot, don't comply with that standard. He continued, the point of the Planning Board to accomplish a site visit is to determine what relief may be appropriate from those standards to lessen the requirements. Mr. Gainer stated, they still might identify improvements that are appropriate to make for safe access and, as part of that, the board also relies heavily on any comments the emergency responders would provide, which is the point of the referral to the local fire department.

Chairman Merante stated they would not schedule a site visit until all the required items have been submitted. Mr. Gainer suggested, if the board deems it appropriate, they start the referral to the local fire department as it may take them a little time to respond.

Ms. Conner moved to refer the project to the Continental Village Fire Department and Mr. Hardy seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Garrison Prop. Holdings LLC, 88-92 Whippoorwill Pond Rd. TM #'s 90.-1-21 & 90.11-1-6

Glenn Watson of Badey & Watson was present on behalf of the applicant. He stated the property was formerly owned by the Freeman family and before that the Balter's and is at the end of Whippoorwill Pond Road. The property comes in from a private road to a compound where there were 2 main houses, a pool house and the main house. Mr. Watson stated it has a cottage, a garage, and a barn. He stated they want to take down the cottage, barn and the garage and they want to replace it with a larger residential structure and another garage and put in a new septic system. Mr. Watson stated they are having more than one principal dwelling on the site so they need the board's approval for that. He stated they are adding bedrooms; there can be a net increase in bedrooms of 2, which requires the new septic system.

Mr. Watson stated he had just received Mr. Gainer's memo in which he raises an issue with regard to the sections of steep slopes. Mr. Watson stated he does not believe they actually qualify as they do not fit into the required rectangle. Mr. Watson stated he was not the one handling this in his office but understands from one of the engineers that the septic permit has actually been issued on this and so they need the Planning Board's site plan approval.

Mr. Watson reported they are going to build a bigger driveway which will accommodate a firetruck turnaround but the driveway will be located in the same place as it is currently. They plan to get rid of the cottage and where the barn was, will put the new house. Ms. Conner questioned if the road to the house was new. Mr. Watson reported that both roads are existing today, though one is newer than the other, though he was unsure which of the 2 was newer.

Ms. Conner questioned if there were any conservation easements on the property. Mr. Watson stated this is quite a large piece of property but they are just dealing with a very small part at the very north end. He added, the property extends all the way down to the County line and most of it is under conservation easement. Ms. Conner questioned who holds the easement and if there are restrictions. She asked if the Land Trust holds the easement. Mr. Watson stated he did not believe so, unless it was transferred as it was quite some time ago. He reported there are restrictions on there but he would have to check it; he does not believe the whole property is under a conservation easement, rather just a portion of it. Mr. Watson stated he would make sure that is checked.

Mr. Gainer stated the considerations for tonight's meeting are, initially, to classify the project. As the applicant indicates, he does require site plan approval from the board. He reported, Mr. Watson's discussion on whether steep slopes are being disturbed relates to whether a special permit is required pursuant to the Town's Terrain and Ridgeline protection regulations which Mr. Gainer stated he would discuss that with him and establish whether that is necessary, but site plan approval from the Planning Board is definitely necessary.

Ms. Conner requested that Mr. Gainer explain the 'steep slopes in a rectangle' that Mr. Watson had mentioned earlier. Mr. Gainer stated he did not have the specific regulation in front of him but explained that to qualify as a steep slope under the Town's regulations there is a certain minimum dimension that's required within that steep slope, otherwise it falls into the next lower

slope designation and added that Mr. Watson may be correct, it just needs to be analyzed. He added, the site plans do indicate “steep slopes”, they just may not qualify under the Town’s definition.

Mr. Watson continued, let’s say you have a prairie, no steep slopes, and then right in the middle of it you have a step that’s very steep. Until that step gets big enough to be very steep, 25 feet wide, this does not count; a very quick step does not constitute a steep slope and there’s a measurement, it depends on the grade of the slope. Mr. Watson stated the smallest it is is a 25-foot square, then it goes to 25 foot by 50 foot, and then 25 foot by 75 foot, depending on the slope and so you discount that as it is too small to get the overall sense of the property. He added, as that steep slope gets bigger, then it qualifies.

Mr. Gainer stated, if it’s a steep slope, it’s a steep slope. The question is whether it is regulated by the town’s ordinance, and that’s what is being referred to; it may not be under regulation and that it what he and Mr. Watson will verify. Mr. Watson clarified that this measurement is horizontal, you could have something jump up 10 feet in one foot and still not qualify, because it doesn’t have enough breadth.

Mr. Gainer stated this represents a “major” project and should be classified as such this evening.

Mr. Tomann moved to declare this proposal a major project and Mr. Gagnon seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Chairman Merante questioned if the board should declare themselves lead agency. Mr. Gainer stated there are other involved agencies, adding that Mr. Watson has indicated that Putnam County Health has already signed off in the septic system. Mr. Gainer stated there is a referral required for Putnam County Planning as the property has frontage on Route 9 and also touches the county line. He added, depending on whether the slopes are classified as regulated steep slopes there may be a referral to the Conservation Board. Mr. Watson stated they are all interested agencies, they’re not involved.

Mr. Gainer stated that Putnam County Health is an involved agency as they are granting a permit. Mr. Gaba stated the board can declare lead agency but suggested it was not necessary to mail out the notice.

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

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Ms. Conner moved to schedule a site visit for May 6, 2018 at 10:30 am and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Mr. Tomann moved to send the proposal to the Putnam County Department of Planning for a 239m referral and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Mr. Gaba suggested the referral be made to the Conservation Board and if it turns out it is not necessary, so be it. Mr. Tomann questioned the basis for referring to the CB. Mr. Gaba stated it was the possible issue of steep slopes.

Ms. Conner moved to refer the project to the Conservation Board and Mr. Lewis seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

G. Other Discussion

1657 Route 9D (Christopher Buck), 1657 Route 9D, Cold Spring

TM# 49.-1-24.1

Mr. Watson stated it was his understanding that the Office of Parks, Recreation and Historic Places has opined and written back to the town regarding the Buck/Patterson project site plan and respectfully requested that the matter be placed back on the agenda for the May meeting. He also asked that the board direct Mr. Gainer to prepare a draft resolution, hopefully for approval.

Mr. Gainer stated, as the board will recall, that referral to the NYS OPRHP was the last open issue. He stated the board previously held and closed the public hearing and then this issue came up. Mr. Gainer added, the board is now prepared, with the SHPO sign-off, to consider approving the project.

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

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

Mr. Tomann moved to have Mr. Gainer prepare a draft resolution of approval to be voted on at next meeting and Mr. Gagnon seconded the motion. The vote was as follows:

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

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

Anthony Merante	-	Aye
Kim Conner	-	Aye
Dennis Gagnon	-	Aye
Peter Lewis	-	Aye
Neal Tomann	-	Aye
Neal Zuckerman	-	Absent
David Hardy	-	Aye

The motion passed unanimously and the meeting adjourned at 8:53 pm.

Date approved _____

Respectfully submitted by,

Tara K. Percacciolo

Martin J. McHugh
13365 Inlet Cove, Carrollton VA 23314
(757) 692-3394

April 26, 2017

Honorable Richard Shea, Supervisor
Philipstown Town Board
Town Hall, 238 Main Street
Cold Spring, New York 10516

RE: Request for return of Escrow Balance

Street Address: Lake Surprise Road
Tax Map Number: 27-1-30 & 27-1-29

Dear Supervisor Shea and Honorable Councilmembers:

As the Planning Board has completed its review of our application, I request that any unexpended balance of the escrow deposit associated with our application be returned. In anticipation of the Town Board's usual practice of referring such requests to the Planning Board, I have taken the liberty of forwarding a copy of this letter to Planning Board Chairman Merante. Please place this request on the agenda for the next regular meeting of the Town Board. If there are any other actions necessary on my part, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read 'Martin J. McHugh', with a long horizontal flourish extending to the right.

Martin J. McHugh

cc: Anthony Merante, Planning Board Chair

APPLICATION FOR APPROVAL OF ACCESS
TOWN OF PHILIPSTOWN

APPLICATION # _____

TAX MAP # 91.06-1-50

Application date 4/20/18

Application fee (~~100~~) received by _____
#400
Escrow - \$5,000 \$2500

Application is hereby made to the Planning Board of the Town of Philipstown for approval of a street or highway, right of way or easement for access to authorize the issuance of a building permit pursuant to Section 280-A of the Town Law of the State of New York.

Name of owner Dunrite Construction Bob Ashley Telephone # 914-282-1096

Address 321 Hill St. Mahopac, NY 10541

Name of applicant (if different than owner) _____

Address _____

Location of property 3 Ethan Drive

Proposed use of property if access is approved Build new house in same location
as house demolished

Access to the property is by means of:

_____ street or highway that is NOT a state, county or town highway but which is located in a subdivision plat that is duly recorded in the office of the Putnam County Clerk.

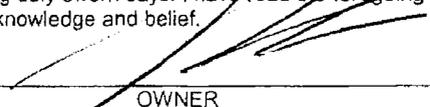
_____ right-of-way or easement that is NOT approved under the Open Development Area General Regulations of the Town of Philipstown

other (specify) Private Road

The owner and applicant acknowledge that the street or highway, right of way or easement giving access to the property is not a state, county or town highway, is not accepted by the Town of Philipstown and is not maintained by the Town of Philipstown. The owner and applicant further acknowledge that the Town of Philipstown requires certain standards for layout and improvement of a street or highway, right of way or easement before a building permit will be issued, and that the owner and applicant, his successors in title, and other owners of approved buildings having access to such street or highway, right of way or easement, have the responsibility to maintain same permanently in not less than the condition required by the Town of Philipstown for the issuance of said building permit.

This application must be signed by the owner AND applicant (if different from owner)

STATE OF NEW YORK, COUNTY OF PUTNAM Robert Ashley ss _____
being duly sworn says: I have read the foregoing application, that the statements and representations made therein are true to the best of my knowledge and belief.


OWNER

APPLICANT (IF NOT OWNER)

Sworn before me this 17 day of April 2018

NOTARY PUBLIC

LINDA M. VALENTINO
Notary Public, State of New York
No. 01VA6056840
Qualified in Putnam County
Commission Expires April 2, 2019
Linda M. Valentino

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

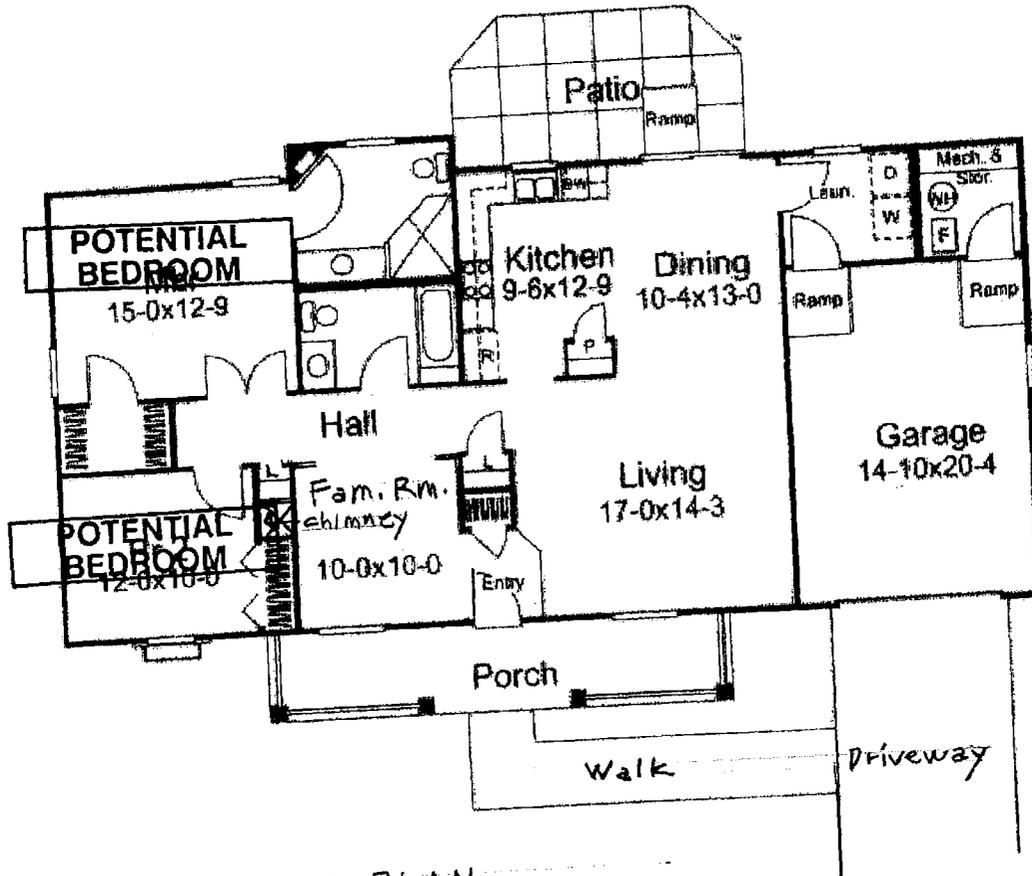
Part 1 - Project and Sponsor Information			
Name of Action or Project: Dunrite Construction			
Project Location (describe, and attach a location map): 3 Ethan Drive			
Brief Description of Proposed Action: New (1) Family Residence			
Name of Applicant or Sponsor: Robert Ashley		Telephone: 914-282-1096	
		E-Mail:	
Address: 760 Route 6			
City/PO: Mahopac		State: NY	Zip Code: 10541
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: PHILIPSTOWN BUILDING DEPT.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.37 acres	
b. Total acreage to be physically disturbed?		0.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.37 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: DUnrite Construction Date: 11/6/17

Signature: *Joel Greenberg* PROJ. ARCHT.



FLOOR PLAN

Proposed.

PUTNAM COUNTY DEPARTMENT OF HEALTH

HOUSE PLANS APPROVED FOR BEDROOM COUNT ONLY,

2 BEDROOMS

A-187-16 (DPH)

TM# 91.06-1-50

ALL SUBSEQUENT REVISION/ALTERATIONS TO THESE HOUSE PLANS MUST BE SUBMITTED TO THE PCDOH FOR APPROVAL

J. J. [Signature] P.E. APHE 1/6/17
 SIGNATURE & TITLE DATE

ARCHITECTURAL VISIONS, PLLC
 A GREENBERG DESIGN GROUP
 TWO MUSCOOT ROAD NORTH
 MAHOPAC, NY 10541



Michael C Bartolotti, County Clerk
 Putnam County Office Building
 40 Cleneida Avenue Room 100
 Carmel, New York 10312



ACS-00000000400990-00000000789118-004

Endorsement Page

Document # 1500574 Drawer # 02 Recorded Date: 03/01/2017
 Document Type: DEED COM OR VACANT Book 2038 Page 63 Recorded Time: 11:37:43 AM
 Document Page Count: 4 Receipt # 3507

PRESENTER:
 JUDICIAL TITLE INS.
 125810-SB
 800 WESTCHESTER AVENUE
 RYE BROOK, NY 10573

RETURN TO:
 RICK CONLE, ESQ.
 18 HAIR STREET
 CARMEL, NY 10312

PARTIES

GRANTOR
 RALPH LEGNINI

GRANTEE
 DUNRITE CONSTRUCTION II CORP

FEE DETAILS

RESERVED FOR CERTIFICATION

Consideration:		\$20,000.00
1500574		
DEED COM OR VACANT	4	40.00
FP-584	1	5.00
CULTURAL EDUCATION		15.00
RP-5217 COMMERCIAL		250.00
RECORD MANAGEMENT		5.00
TRANSFER TAX		80.00
PROCESSING FEE	1	1.00

AMOUNT FOR THIS DOCUMENT: 396.00
 RETT # 000001574

THIS DOCUMENT WAS EXAMINED PURSUANT TO S315
 REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERKS NOTES

Michael C. Bartolotti
 Putnam County Clerk



800 Westchester Avenue • Suite 6340 • Rye Brook, NY 10573 • T (914) 381-8700 • F (914) 381-3131
275 Madison Avenue • Suite 626 • New York, NY 10016 • T (212) 433-3272 • F (800) 328-9306
30 West Main Street • Suite 302 • Riverhead, NY 11901 • T (831) 395-0500 • F (831) 405-3188

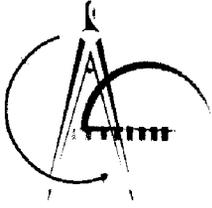
Title Number: 1258100L-P

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam and State of New York, shown and designated as Lot No. 14 in Block No. 6-B on a certain map or plan of lots called "Map 6 of Continental Village, Town of Philipstown, Putnam County, N.Y.", made by Hans E. Frommholz, P.E. & L.S. on April 15, 1948 and filed in the Office of the Clerk of the County of Putnam, Carmel, N.Y., on May 19, 1948 as Map No. 372-C.

FOR CONVEYANCING ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property. TOGETHER with all the right, title and interest of the party in the first part, or, in and to the land lying in the street in front of and adjoining said premises.



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

office 845-878-6507

cell 845-527-1432

TO: Town of Philipstown Planning Board DATE: April 6, 2018

FROM: Ronald J. Gainer, PE SUBJ: Jaymark Jewelers Site Plan; NYS Route 9

As provided in Section 175-66B of the Town Code a pre-application meeting was held April 6, 2018 in the office of the Philipstown Building Department. In attendance were the following:

Jim Matero	-	Applicant/property owner
Glenn Watson	-	Applicant's surveyor
Mike Carr	-	Applicant's engineer
Anthony Merante	-	Planning Board Chairman
Greg Wunner	-	Code Enforcement Officer
Tara Percacciolo	-	Board Secretary
Ron Gainer	-	Town Engineer

The following matters were discussed:

Purpose of Application:

The property in question is the current Jaymark Jewelers site along NYS Route 9. The property lies along the east side of NYS Route 9, just south of the East Mountain Road North intersection. The site contains the Jaymark Jewelers commercial building and parking area and shares a driveway entrance off NYS Route 9 with the commercial property to the south. The use of the building represents a "retail" use, per the Zoning Code. The property comprises 3.1± acres; tax map no. 17-1-46. The total square footage of the existing commercial building is approximately 1,800 sf.

The applicant proposes to construct a 240 sf addition attached to the rear of the present building, for use as showroom space. No additional staff will be employed, and the addition will not add any bathroom facilities. No other changes to site are planned. The addition will occur within a flat area of the site, immediately behind the existing building. An existing at-grade A/C unit will likely require relocation as part of the work.

Since no additional staffing is planned, the existing on-site utility systems (well and SSTS) will not require any expansion. Further, no changes to the existing entrance driveway will occur.

Zoning District Information:

The property is located in the Highway-Commercial ("HC") Zoning District. Retail uses are permitted in the zone.

Site Plan Review Required:

Per the Town of Philipstown "Use Table" contained in the Zoning Ordinance, Site Plan approval from the Planning Board will be required as the project entails an addition to a commercial use.

RE: Jaymark Jewelers Site Plan; 3612 NYS Route 9

Greg Wunner advised that a Site Plan from 1983 exists in Town records. Therefore, an "Amended Site Plan" application and associated fees will be required.

"Major/Minor" Classification:

Per the provisions of §175-60C(1) of the Town Code, it would appear that the proposed activity would not exceed the following threshold criteria (which would appear to be the only items that could conceivably apply to the proposal, since only limited site improvements/land disturbances are planned):

- Conversion of existing structures totaling 5,000 square feet to another use
- Alteration and active use of 10,000 square feet of land, with or without structures.

Since the building addition involves only 240 sf, the project would therefore be classified as a "Minor" project. It is noted that a public hearing for "Minor" projects is discretionary, while they are mandatory for "Major" projects.

Waivers:

No waivers were identified by the applicant during the pre-application meeting.

Sensitive Environmental Areas/Overlay Districts:

This property falls within or adjacent to:

- "Clove Creek Aquifer" (CCA) Overlay District
- Adjacent to the Horton Road LLC Conservation Subdivision project (which property is shown on the Town's "Open Space Conservation District" mapping; no impacts expected)

No other overlay districts appeared to encompass the property.

Site Development issues:

The applicant was advised to include a bulk dimensional table on the Site Plan to be prepared, to establish that all applicable dimensional requirements will be met by the project. Further, it was noted that a review of the required parking for the expanded building should be conducted and included in this table, to establish whether any additional spaces will be necessary. If any are required, they should be denoted on the Site Plan.

Further, the requirements of §175-16 ("Aquifer Overlay District") of the Zoning Code, specifically relating to the Clove Creek Aquifer, should be reviewed to determine whether any such Code provisions may apply to the project. If so, they should likewise be noted on the Site Plan.

Site Plan Fees:

Based upon review of the Town's fee schedule, the following fees would appear to apply:

"Amended Site Plan, minor"	-	\$250 + escrow (+ \$20/new parking space, if any are proposed)
Public Hearing fee	-	\$250 (if one is held)
Escrow	-	\$5,000 (un-used monies returned to applicant)

It should be noted that the application fees and escrow deposit should be posted with separate checks.



RE: Jaymark Jewelers Site Plan; 3612 NYS Route 9

Expected Referrals:

As the project lies along NYS Route 9, referral to the Putnam County Planning Department will be required.
Given the minor nature of the project, no other referrals were apparent.

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

c: Anthony Merante, Planning Board Chairman
Greg Wunner, Code Enforcement Officer
Max Garfinkle, NRRO
Stephen Gaba, Esq.
Applicant (c/o Glenn Watson)



Town of Philipstown

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

PLANNING BOARD

AMENDMENT of SITE PLAN

APPLICATION PACKAGE

Approval of Amended
Project Name: Site Plan for Jaymark Jewelers, Inc.

Date: May 3, 2018



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: May 3, 2018 TM# 17.-1-46

Project Name: Approval of Amended Site Plan for Jaymark Jewelers, Inc.

Street Address: 3612 Route 9, Cold Spring, New York 10516

Fee Amount: \$250.00 Received: _____

Bond Amount: \$5,000.00 Received: _____

Applicant:

Name Jaymark Jewelers, Inc.

Address 3612 Route 9

Cold Spring, New York 10516

Telephone 845-265-9246

Tenant:

Name Jaymark Jewelers, Inc.

Address 3612 Route 9

Cold Spring, New York 10516

Telephone 845-265-9246

Design Professional:

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

Address 3063 Route 9

Cold Spring, New York 10516

Telephone 845-265-9217

Surveyor:

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

Address 3063 Route 9

Cold Spring, New York 10516

Telephone 845-265-9217

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

Name Jaymark Jewelers, III, LLC

Address 3612 Route 9

Cold Spring, New York 10516

Telephone 845-265-9246

Name _____

Address _____

Telephone _____

TM# 17.-1-46

Project Name: Approval of Amended Site Plan for Jaymark Jewelers

Project Description: Construct a 240 sq. foot addition for showroom space. Addition will be attached to the rear of the existing building. No additional staff, or additional bathroom facilities will be added.

ZONING INFORMATION

175-7 Zoning District: HC

175-10 Proposed Use: Jewelry Manufacturing and Retail Sales

Proposed Accessory Use(s): _____

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>No</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>Yes</u>
175-18 Open Space Conservation Overlay District ----- (OSO)	<u>No</u>
175-35 Within 100 foot buffer of Wetlands or Watercourse -----	<u>No</u>
175-36 Steep Terrain -----	<u>No</u>
175-36 Ridge Line Protection -----	<u>No</u>
175-37 Protection Agricultural -----	<u>No</u>

TM# 17.-1-46

Project Name: Jaymark Jewelers, Inc.

175-11 Density and Dimensional Regulations

Zoning District <u>HC</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback	X	X	X	X	X
Measured from the travel way Town Road	25 Ft.	N/A	N/A	N/A	No
Measured from the travel way County/State	35 Ft.	147.8 Ft.	178.8 Ft.	Yes	No
Minimum side yard setback	X	X	X	X	X
Minimum side yard setback (2)	15 Ft.	54.8 Ft.	54.8 Ft.	Yes	No
Minimum side yard setback (3)	15 Ft.	82.0 Ft.	82.0 Ft.	Yes	No
Minimum rear yard setback	35 Ft.	448.5 Ft.	433.5 Ft.	Yes	No
Maximum impervious surface coverage	60%	7.9%	8.1%	Yes	No
Maximum height	40 Ft.	16.5 Ft.	16.5 Ft.	Yes	No
Maximum footprint non-residential structures	40,000 sq.ft.	1899 sq.ft.	2139 sq.ft.	Yes	No

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: \$250.00 Received: _____
9. Escrow: \$5,000.00 Received: _____

Town of Philipstown Town Code Chapter 175

D. Site Plan Amendments

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

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



LIBER 1694 PAGE 177

PUTNAM COUNTY RECORDING PAGE
PAGE 1 OF RECORDED DOCUMENT

DOCUMENT # 1339

RETT: 1631 \$4.00
CONSIDERATION: \$9.00

01/19/2005 09:19:38 A.M.
LIBER 1694 PAGE 177
RECEIPT: 1142 FEE: \$212.00
DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR RECORDING INFORMATION

RECORD & RETURN TO:

TYPE OR PRINT

Rider, Weiner & Frankel, P.C.
655 Little Britain Rd
New Windsor NY 12553

GRANTOR/MORTGAGOR
Matero

DO NOT WRITE BELOW THIS LINE

DEED MTG SAT ASMT CEM POA ESMT
OTHER _____

RECORDING FEES

OF PAGES **5**

RCD FEE 17.00
STAT CHG 5.00
REC MGMT 20.00
CROSS REF —
TOTAL 42.00

MORTGAGE/DEED TAX DISTRICTS:

TOWN OF CARMEL
TOWN OF KENT
TOWN OF PATTERSON
TOWN OF PHILIPSTOWN
TOWN OF PUTNAM VALLEY
TOWN OF SOUTHEAST
APPORTIONMENT MORTGAGE

MORTGAGE TYPES:

COMMERCIAL/VACANT LAND
1-2 FAMILY
CREDIT UNION/ PERSONAL MTG
3-6 UNITS
EXEMPT

() MORTGAGE TAX AFFIDAVIT FILED
\$5.00

RESERVE FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAW

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

LIBER 1694 PAGE 178

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

THIS INDENTURE, made the 3rd day of December, Two thousand and Four

BETWEEN JAMES R. MATERO and MARGARET L. MATERO, residing at 34 John Cava Lane, Peekskill, New York 10566

party of the first part, and JAYMARK JEWELERS III, LLC, with an address at R.R. #1, Box 131, Route 9, Cold Spring, New York 10516

party of the second part,

WITNESSETH, that the party of the first part, in consideration of the sum of One Dollar and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

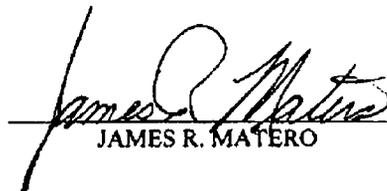
ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam, State of New York, more particularly described in Schedule attached hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

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



 JAMES R. MATERO



 MARGARET L. MATERO

LIBER 1694 PAGE 179

Schedule "A"

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

BEGINNING at a point on the easterly side of U.S. Route 9 (State Highway No. 5149) at the common boundary line of lands of the grantor herein and lands N/F of Horton, said point also being the most southerly point of the grantor's lands described herein:

THENCE from said point proceeding northerly along the easterly line of U.S. Route 9 (State Highway No. 5149) the following courses and distances: North 45° 25' 01" East 58.91 feet, North 43° 31' 59" East 294.97 feet, North 45° 02' 53" East 300.04 feet, North 39° 57' 45" East 237.38 feet to land N/F of Pega Realty Corp.;

THENCE along lands N/F of Pega and N/F of Bengis the following courses and distances: South 57° 33' 20" East 257.59 feet, South 56° 11' 54" East 149.95 feet, South 57° 41' 07" East 65.54 feet, South 55° 48' 21" East 69.50 feet, South 59° 09' 07" East 41.52 feet, South 61° 18' 51" East 50.41 feet, South 54° 31' 22" East 49.87 feet to lands N/F of Ulmar;

THENCE along lands N/F of Ulmar, N/F of Knapp, N/F of Horton the following courses and distances: South 64° 49' 46" West 12.94 feet, South 59° 12' 22" West 31.34 feet, South 59° 37' 50" West 65.75 feet, South 61° 50' 12" West 95.46 feet, South 58° 50' 36" West 92.90 feet, South 63° 57' 23" West 51.46 feet, North 83° 11' 19" West 143.88 feet, South 80° 12' 36" West 152.80 feet, South 86° 39' 34" West 11.01 feet, South 80° 28' 41" West 148.60 feet, South 78° 17' 50" West 44.05 feet, South 80° 43' 43" West 40.36 feet, South 76° 48' 34" West 44.91 feet, South 80° 47' 33" West 81.13 feet, South 79° 47' 07" West 207.80 feet, North 86° 11' 19" West 17.80 feet to the point or place of BEGINNING.

LIBER 1694 PAGE 180

Subject to:

- 1) Mining and mineral rights in the heirs of Philipse, if any
- 2) Easements of public utility companies.
- 3) Terms of Billboard Lease with Highway Displays, Inc.

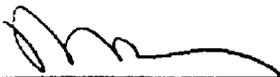
BEING AND INTENDED to be the same premises conveyed by James R. Matero and Margaret L. Matero, husband and wife, to James R. Matero and Margaret L. Matero, as tenants in common without right of Survivorship, by Deed dated May 12, 1994 and recorded in the Putnam County Clerk's Office on May 31, 1994 in Liber 1246 at page 195.

LIBER 1694 PAGE 181

STATE OF NEW YORK)
)SS.:
COUNTY OF ORANGE)

On the 31st day of December in the year 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared James R. Matero and Margaret L. Matero, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

RODERICK E. de RAMON
Notary Public, State of New York
Qualified in Dutchess County
No. 4964022
Commission Expires March 19, 2016



Notary Public

Short Environmental Assessment Form

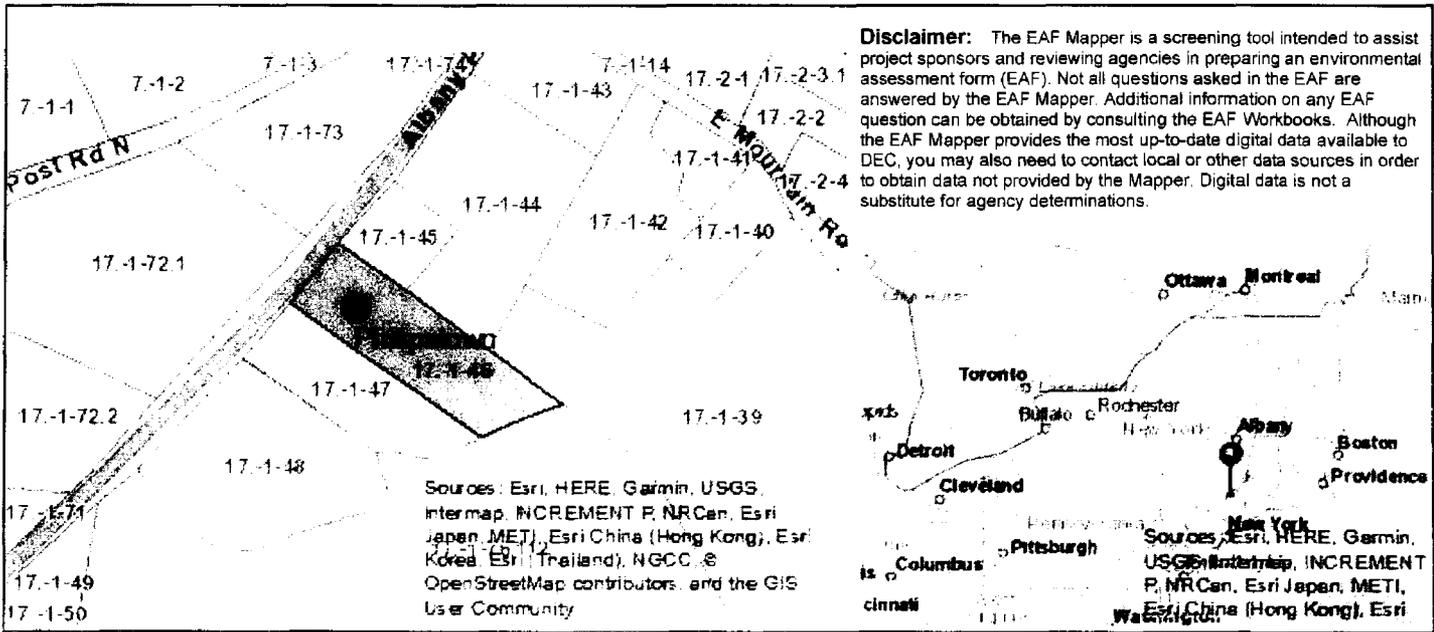
Part 1 - Project Information

Instructions for Completing

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

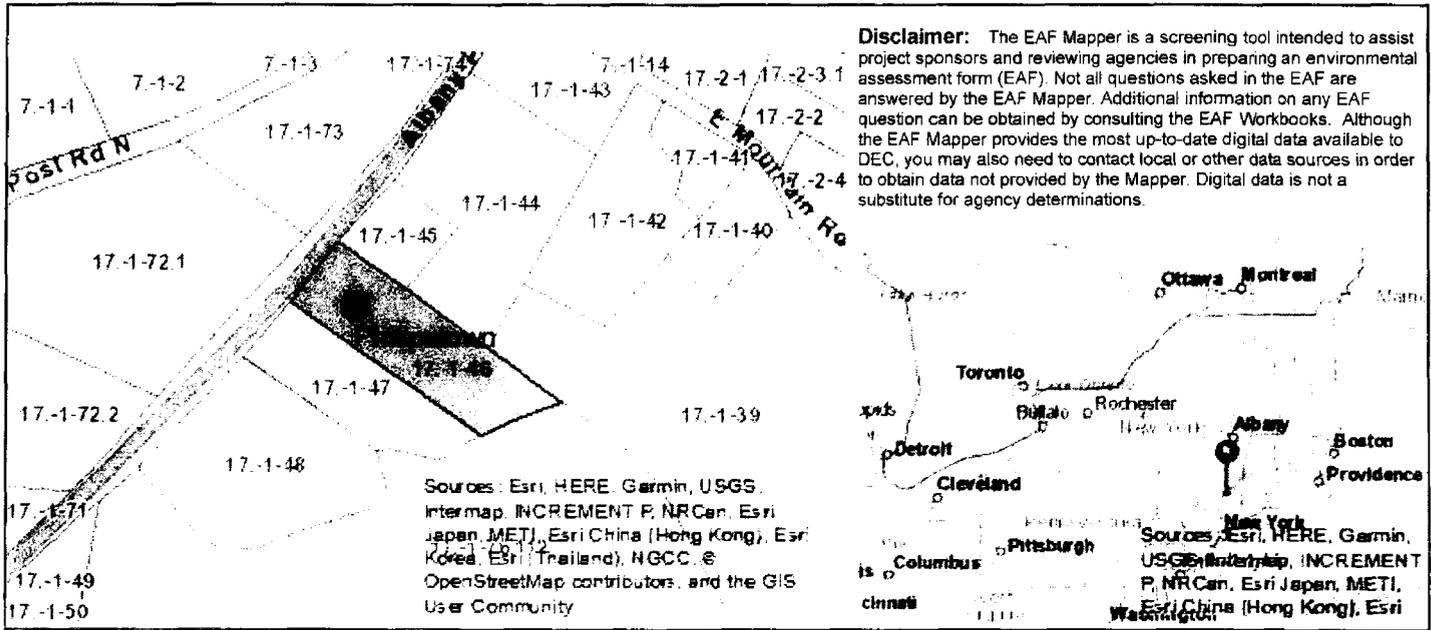
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Approval of an Amended Site Plan for Jaymark Jewelers, Inc.			
Project Location (describe, and attach a location map): 3612 Route 9, Cold Spring, NY 10516. See location map on Site Plan			
Brief Description of Proposed Action: Applicant has operated a small jewelry manufacturing and retail sales establishment at this location for over 35 years. The 1 story building in which the business is located contains 1,899 square feet. The applicant wishes to add a 240 extension to the rear of the building, bringing the total building footprint to 2,139 square feet. The addition will enlarge the showroom space. It will not require any additional employees. It will not increase the demand on either the septic system or the well. The addition is located at the rear of the building and will not be seen from Route 9, the highway in front of the property.			
Name of Applicant or Sponsor: Jaymark Jewelers, Inc		Telephone: 845-265-9246 E-Mail: jim.matero@gmail.com	
Address: 3612 Route 9			
City/PO: Cold Spring		State: NY	Zip Code: 10516
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	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:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.992 acres	
b. Total acreage to be physically disturbed?		.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.992 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			



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat, Timber Rattlesnake
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: Jaymark Jewelers, Inc</p>		<p>Date: May 3, 2018</p>
<p>Signature:  Surveyor for Applicant</p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat, Timber Rattlesnake
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

TOWN OF PHILIPSTOWN
CODE ADMINISTRATOR

238 MAIN STREET
P.O. BOX 155
COLD SPRING, NY 10516

Greg Wunner, Code Enforcement Officer
(845) 265-5202
(845) 265-3929
(845) 265-2687 FAX

DATE: 5/4/18

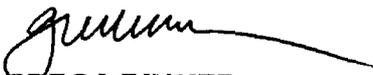
TO: JAYMARK JEWELERS INC
3612 RT 9
COLD SPRING NY
10516

REF: ADDITION TO STRUCTURE

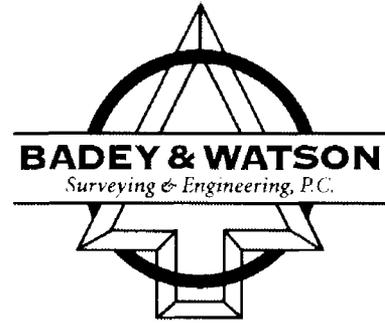
TAX MAP # 17-1-46

IN RESPONSE TO YOUR REQUEST FOR "NO VIOLATION LETTER" ON ABOVE MENTIONED PROPERTY PLEASE BE ADVISED THAT AFTER REVIEWING PROPERTY RECORDS THERE WERE NO VIOLATION NOTED.

SINCERELY



GREG WUNNER
ZONING ADMINISTRATOR



May 3, 2018

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

RE: Major Site Plan Application for 1657, LLC.

Dear Mr. Merante:

In furtherance of site plan approval for our client 1657, LLC, we respectfully submit 13 copies of the 5-sheet plan set entitled "Site Plan prepared for 1657, LLC..." last dated May 3, 2018. The plans have been revised, the locations of the pool, pool house, barn and driveways have all been slightly altered as we move towards fully developed the plans. The location of the office and home addition have not changed and none of the alterations significantly alter the plan as previously submitted.

As you are aware, the project received an area variance to erect an accessory garage which will exceed the 1,000-sq. ft. maximum of the Town Code Section 175-10(D)(5). Additionally, the SHPO review is complete and the comment letter allow for construction of the addition as proposed.

We request to be placed on the May 2018 planning board agenda to discuss the project, at which time we hope you will consider a resolution of approval of the site plan.

As always, thank you for your consideration of this matter.

Yours truly,

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

by 

Glennon J. Watson, L.S.

845.265-9217 x14

GWatson@Badey-Watson.com

GJW/mm

cc: U:\50-9738\WO_23435_Site Plan\2018-05-03 PB Submittal\AM03MA18BP_COVER LTR pb.docx