

**MEETING AGENDA
TOWN OF PHILIPSTOWN PLANNING BOARD
Butterfield Library, Cold Spring, New York 10516
June 16, 2016
7:30 PM**

Pledge of Allegiance
Roll Call
Approval of Minutes – May 19, 2016

Public hearing
starting at 7:30 PM or soon thereafter

CF Diversified Corp/Olspan LLC, NYS Route 9 & Vineyard Road, Cold Spring, NY (TM#38.-3-24.1)

Lot line adjustment between two parcels totaling 72.909 acres along the east side of NYS Route 9, at Vineyard Road.

Correspondence and Referrals

Return of Escrow:

- Obert Wood, 316 Old West Point Rd TM# 71.-2-39.1

Resolutions for Delinquent Applications:

- Dean Anderson (71.-1-22)

Old Business:

Evelyn Gex, 24 Hummingbird Lane, Garrison, NY

TM# 60.-2-44 & 45

- Lot line adjustment – Request for extension

ESP/Kehr, 3330 NYS Route 9, Cold Spring, NY

TM# 16.20-1-18

- Consideration of a negative SEQRA declaration
- Sub-division approval
- Amended Site Plan approval.

New Business:

Kristin E. Sorenson, 1000 Old Albany Post Road, Garrison, NY

TM# 50.-2-48

- Minor Subdivision

Adjourn
Anthony Merante, Chairman

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

PHILIPSTOWN PLANNING BOARD
Public Hearing – June 16, 2016

The Philipstown Planning Board for the Town of Philipstown, New York will hold a public hearing on Thursday, June 16, 2016 starting at 7:30 p.m. at the Butterfield Library on Morris Avenue in Cold Spring, New York to consider the following application:

CF Diversified Corp/Olspan LLC, NYS Route 9 & Vineyard Road, Cold Spring, New York (TM# 38.-3-24.1) - The application represents a request for a lot line adjustment between 2 parcels totaling 72.909 acres along the east side of NYS Route 9, at Vineyard Road (a private road a/k/a "Roundhill Road"). The parcels are situated in a OC(Office/Commercial/Industry Mixed-Use) Zoning District. The Olspan LLC lot is currently developed with a commercial use. The CF Diversified Corp. lot is currently vacant and includes the private roadway.

It is proposed to transfer 0.498 acres from the larger (CF Diversified) lot to the smaller (Olspan LLC) parcel, which would make lot A-1a 66.911 acres and , while lot A-2a will become 5.998 acres. Both lots meet all required bulk dimensional requirements. No new construction activities are planned.

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

Dated at Philipstown, New York, this 23 rd. day of May 2016.

Anthony Merante, Chairman

PHILIPSTOWN PLANNING BOARD
MEETING MINUTES
May 19, 2016

The Philipstown Planning Board held its regularly monthly meeting on Thursday, May 19, 2016 at the Butterfield Library, 10 Morris Avenue, Cold Spring, New York.

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

Chairman Merante opened the meeting at about 7:32 P. M. with the Pledge of Allegiance.

Roll call was taken by Ms. Valentino

Approval of Minutes:

The minutes of April 21, 2016 were reviewed. Ms. Conner suggested the following revisions: Pg. 1 - correct one misspelling, pg. 8 - change the words "audience member" to "Delmar Karlen", pg. 10 -change the word "store" to "sell" and pg. 12 - change "wanted" to "did not want". Mr. Zuckerman moved to adopt the minutes as amended and Ms. Conner seconded the motion. The vote was as follows:

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

The motion passed unanimously.

Return of escrow:

Mr. Lewis moved to return the escrow for Synergy Gas and Mr. Zuckerman seconded the motion. The vote was as follows:

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

Neal Zuckerman Aye
The motion passed unanimously.

Ms. Conner moved to return the escrow for Lee Kristoferson, Old Albany Post Road and Mr. Lewis seconded the motion. The vote was as follows:

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

The motion passed unanimously.

Public Hearing
Garrison Station Plaza (Guinan's), 7 Station Road Garrison

Mr. Lewis recused himself from the application.

Ms. Valentino read the following legal notice:

The Philipstown Planning Board for the Town of Philipstown, New York will hold a public hearing on Thursday, May 19, 2016 starting at 7:30 p.m. at the Butterfield Library on Morris Avenue in Cold Spring, New York to consider the following application:

Garrison Station Plaza, Inc. - for a proposed mixed use development comprising of 2 apartments, wine bar and a restaurant for the former Guinan's Store in Garrison. The existing structure lies on a 6.674 acre parcel, and will be renovated as part of this application. An on-site wastewater treatment facility is proposed, which will involve a surface discharge.

The property lies along the easterly shore of the Hudson River, and is within the 100 year flood boundary.

The property is situated in a "HM" (Hamlet Mixed use) Zoning District in the Town of Philipstown. TM# 60.17-1-7.

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

Dated at Philipstown, New York, this 22nd day of April, 2016.

Anthony Merante, Chairman

Present for the applicant was Mr. Glenn Watson from Badey and Watson and Mr. Delmar Karlen who is the President of Garrison Station Plaza.

Mr. Watson reviewed the project as being about a 6 acres property, about 4,000 square feet of the property is usable the rest of the property is under water. The applicant proposed the following:

- An underground enclosed sewage treatment plant.
- A patio for outside dining.
- Renovate and preserve the building.
 - The first and lower floors of the building will be a restaurant.
 - The upper floor will be two apartments. Both apartments will have two bedrooms
- Improvements will be made to the front of the building and the driveway to make it more accessible.
- A turnaround has been added to the site plan (which was to address the Planning Boards concern) but needs to be approved by Mr. Gainer.

Mr. Gainer noted that the Board is aware of the project, as the site itself has been subject to multiple approvals in the past. This site plan represents re-approval of an older plan that had been previously approved. Many outside agency approvals previously received have lapsed.

An executed Wetlands/Watercourse Permit signed by the Wetlands Inspector was provided to the Planning Board at this meeting. Ms. Conner questioned the blank space, marked as statement #2, in the wetlands permit. It was noted by the Secretary that it is intentionally left blank and filled in only if a permit needs a special or unique condition, which the Wetlands Inspector would then insert prior to executing the permit. Mr. Gaba noted that once the permit is signed by the Wetlands Inspector it cannot be changed.

The Board opened the meeting for public comment:

Maryellen Yannitelli, Garrison – Questioned the address of the applicant as being either Garrison Station Road or Station Road and noted the US Post Office has the address one way and the application lists it as another and suggested that it should be looked into. Mrs. Yannitelli added that she hopes the Board approves the application and that it is a really good idea. Mrs. Yannitelli added that currently there are no public establishments along the shore in the whole town and that this is the last chance to provide one, and she really hopes it will happen.

Craig Watters, Garrison - Noted he was excited about the prospect of having an enterprise down by the water and appreciates the support. It will be good for all the small businesses down there and good for the community.

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

The vote was as follows:

Anthony Merante	Aye
Kim Conner	Aye
Mary Ellen Finger	Aye
David Hardy	Aye
Peter Lewis	Did not vote (had recused himself from the application)
Neal Tomann	Aye
Neal Zuckerman	Aye

The public hearing was closed about 7:48 P. M.

Mr. Gainer reviewed the SEQRA status, and noted that the applicants had accepted the requirements for retaining the significant parts of the building recommended by the New York State Parks, Recreation and Historic Preservation which was part of the prior application for the SEQRA process.

Mr. Gaba noted that it is not 100% known if this is an "unlisted" action. Mr Gaba noted that he has reviewed the project and noted that essentially it can be looked at as a renewal of a permit and the Board can move forward in declaring a negative declaration since the way the SEQRA regulations were drafted, and since the project has been through the SEQRA process one time before. Ms. Conner moved to declare a negative SEQRA declaration and Mr. Hardy seconded the motion. The vote was as follows:

Anthony Merante	Aye
Kim Conner	Aye
Mary Ellen Finger	Aye
David Hardy	Aye
Peter Lewis	Did not vote
Neal Tomann	Aye
Neal Zuckerman	Aye

The motion carried.

Mr. Gainer reviewed the draft Resolution and noted the prior outside agency approvals need to be renewed. Mr. Gainer noted that the resolution lists as a condition receipt of a Wetlands Permit, which has been received at tonight's meeting. Mr. Zuckerman moved to adopt the resolution as presented and Mr. Tomann seconded the motion.

The vote was as follows:

Anthony Merante	Aye
Kim Conner	Aye
Mary Ellen Finger	Aye
David Hardy	Aye
Peter Lewis	Did not vote
Neal Tomann	Aye
Neal Zuckerman	Aye

The motion carried.

Old Business:

John and Kimberly Sabatini, 101 Dick's Castle Road, Garrison

Mr. Lewis returned to the Board for this application.

Mr. Glenn Watson from Badey and Watson represented the applicant and noted that he had nothing to add. Mr. Gainer reviewed the proposal and noted that the ZBA granted the necessary variances based upon the prior guidance of the Planning Board.

Mr. Hardy questioned and reviewed "Impervious/ Impervious Surface Coverage" definition of the Town Code Mr. Hardy also reviewed the calculation for the impervious surface.

Mr. Hardy read the following section of the Town Code:

Impervious/Impervious Surface Coverage

The ratio between impervious surface and total land area of a lot, excluding wetlands, watercourses, floodplains, naturally impervious surfaces such as rock outcropping, and slopes of 20% or greater, expressed as the percentage of land covered by impervious surfaces. For purposes of calculating impervious surface coverage, no more than 100 feet of a driveway or access road shall be counted. The remainder of a driveway or access road shall be excluded from both the total land area and impervious surface calculations.

Mr. Hardy questioned the calculation of the driveway and asked if a new asphalt driveway is being proposed, why wouldn't it be counted in this calculation? Mr. Watson responded that he believed that the calculations are correct. Mr. Hardy then asked that if several impervious driveways were put in on the same property, none of them would count? Mr. Watson responded yes. Mr. Hardy noted that the section of the Town Code does not make sense and will be worth looking into for possible revision, so that common sense applies.

A discussion ensued over the meaning of the Town Code for "impervious surfaces".

Mr. Zuckerman moved to declare a negative SEQRA declaration and Mr. Tomann seconded the motion. The vote was as follows:

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

The motion carried unanimously.

Ms. Finger moved to adopt the resolution as presented and Mr. Lewis seconded the motion. The vote was as follows:

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

The motion carried unanimously.

ESP/Kehr, 3330 NYS Route 9, Cold Spring

Mr. Glenn Watson from Badey and Watson represented the applicant. Mr. Watson noted the applicant received their Zoning change from the Town Board. Mr. Watson noted he was present at the recent Town Board meeting when the Zoning change for the Subdivision was approved, or "Un-Subdivision".

The "Developers Agreement" consists of the 19 conditions (which have been previously talked about) and a Conservation Easement. The subdivision takes the existing three parcels and makes them into two parcels. The Applicant can then file the map with the Putnam County Clerk's office. At that point

the back lot can be separated from the front lot and the deeds can be merged into a single lot which will allow for the site to be developed as Commercial. Currently the rear lot is Zoned Highway Commercial. The Conservation Easements are restricted from commercial development by deed. It is believed that this is the first conservation easement that the Town will hold.

The Applicant has to fund an account for inspections and a baseline study. The money will be put in an interest bearing account to fund future inspections. This account will be controlled by the Town. Two inspections will occur the first year. One inspection will occur every year after.

Mr. Gaba reviewed the process regarding the Zoning change and noted that all the steps have been taken up to this point. The Planning Board has three things left to do which are as follows:

- Make SEQRA determination.
- Subdivision approval.
- Amended Site Plan approval.

Once the three items listed above are completed by the Planning Board the applicant's obligations under the Developers Agreement will start. The private road (Stephanie Lane) right-of-way has not changed but it was noted that it is one of the 19 conditions in the Developers Agreement. There are other items that still need to be done. Mr. Watson noted they have been in contact with the neighbors, the Merrigans, regarding extinguishing an easement which shows on a filed map but they are under no obligation to do so.

The applicant has agreed to extinguish a part of the easement with a neighbor, the Diebbolls, The part of the easement that will remain would be to allow for access to the lot and construction of a turnaround in case one is ever required. The applicant is also obligated to join the Home Owners Association which has been established. There are a total of two neighbors that are affected by this application.

Mr. Zuckerman moved to direct Mr. Gainer to prepare the following three documents: SEQRA, and the resolutions for the Subdivision approval and an amended Site Plan Approval. The motion was seconded by Ms. Conner.

The vote was as follows:

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

The motion carried unanimously.

New Business:

Olspan LLC, 2700 NYS Route 9, Cold Spring, NY

Mr. Glenn Watson from Badey and Watson represented the applicant and reviewed the proposal as noting the Applicants previously purchased just under 10% of land (of the smaller lot) from Fadden,

which did not require Site Plan approval. The Applicant has now acquired more land, which will put them over the 10% limitation that is allowed without Site Plan approval. Mr. Watson presented maps showing the following: what was originally approved, what was approved after the addition of first property purchased, and the last page showed what additional land purchase is being proposed. This proposal will bring the total lot line adjustment, from the beginning, to close to 20%.

Mr. Gainer reviewed the project, which qualifies as a minor subdivision and it can be classified as such at this time. This allows the applicant to proceed to "Final Plat" stage. Further, since the original Olspan Site Plan application was subject to the Planning Board's review, and contained all necessary Plat information required by the Code, Planning Board could now, if they wished, consider waivers for standard technical information on the plans, topography and other things which is not on this latest plan. Mr. Gainer suggested to the Board that the waivers should be granted if needed.

Mr. Gainer noted that a Putnam County Department of Planning referral, under GML 239m, needs to be done.

Mr. Gaba noted that the Planning Board must declare themselves Lead Agency for the SEQRA review process which is listed as an unlisted action. A site visit should be scheduled and a public hearing can be scheduled. There is no new construction being done.

Ms. Conner 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
Mary Ellen Finger	Aye
David Hardy	Aye
Peter Lewis	Aye
Neal Tomann	Aye
Neal Zuckerman	Aye

The motion carried unanimously.

Mr. Hardy asked if the two driveways represented on the Olspan provide reasonable access to the property. Mr. Watson noted that the Olspan access is from NYS Route 9. but noted it was likely possible to use the unpaved path out to Vineyard Road since the previous owner probably used it to drive to work.

Ms. Finger moved to declare the Planning Board Lead Agency and Mr. Zuckerman seconded the motion.

The vote was as follows:

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

The motion carried unanimously.

The need for a site visit was discussed and the Board members agreed that they were familiar enough with the property that a site visit wasn't required.

Ms. Conner moved to schedule a public hearing and Ms. Finger seconded the motion.

The vote was as follows:

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

The motion carried unanimously. The public hearing was scheduled for the June 16, 2016 at about 7:30 P. M.

Public comment:

Mr. Andy Chmar noted that this Planning Board meeting will be his last, and congratulated the current Board for their professionalism, thanked them for their service and noted he appreciated working with the Planning Board members and wished them luck with the big project coming up.

Chairman Merante noted that the Planning Board appreciated his service over the years.

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

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

The motion carried unanimously and the meeting adjourned at about 8:28 P. M.

Date approved _____

Respectfully submitted by

Linda Valentino

* These minutes were prepared for the Philipstown Planning Board and are subject to review, comment, emendation and approval there upon.



TOWN OF PHILIPSTOWN

238 Main St. P.O. Box 155 Cold Spring, NY 10516

RICHARD SHEA, SUPERVISOR

(845) 265-3329

TINA M. MERANDO
TOWN CLERK AND TAX COLLECTOR

NANCY MONTGOMERY, COUNCILWOMAN
JOHN VAN TASSEL, COUNCILMAN
MICHAEL LEONARD, COUNCILMAN
ROBERT FLAHERTY, COUNCILMAN

MEMORANDUM

TO: Linda Valentino, Planning Board Secretary

FROM: Dottie Turner, Supervisor's Clerk

RE: Return of Escrow Obert Wood single family residence \$961.10

DATE: May 24, 2016

Attached please find the following:

- Planning Board Resolution #7 September 2014
- Page 1 of Planning Board Application dated 6/5/2014
- Memo from Robert Emerick Deputy Code Enforcement Officer stating the residence is completed and the final site plan was signed by the Planning Board Chair on 12/16/2014.

Please place on the June 2016 Planning Board agenda for the Planning Board to approve the release of escrow to the applicant.

Town of Philipstown Planning Board Resolution to Deem an Application Abandoned

Applicant _____ TM# _____

WHEREAS, a Notice to Deem Land Use Application Abandoned was sent certified mail and first class mail on

_____;and/or applicant; /

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Land Use Application for _____ is hereby deemed to be abandoned and discontinued and any new application with payment of all application fees and escrow in accordance with the Town Code shall be required before the Planning Board will consider any subsequent application for land use approvals for the subject property.

The vote on the foregoing resolution was as follows:

Anthony Merante, Chairman, Voting _____

Kim Conner, Member, voting _____

Mary Ellen, Finger, Member, voting _____

David Hardy, Member, voting _____

Peter Lewis, Member, voting _____

Neal Tomann, Member, voting _____

Neal Zuckerman, Member, Voting _____



TOWN OF PHILIPSTOWN

238 Main St. P.O. Box 155 Cold Spring, NY 10516

RICHARD SHEA, SUPERVISOR

Town of Philipstown, NY
Monday, Aug (845) 265-3329

TINA M. MERANDO
TOWN CLERK AND TAX COLLECTOR

NANCY MONTGOMERY, COUNCILWOMAN
JOHN VAN TASSEL, COUNCILMAN
MICHAEL LEONARD, COUNCILMAN
ROBERT FLAHERTY, COUNCILMAN

Part 1. Subdivision of Land

Article VII. Administrative

MEMORANDUM

TO: Ann Gallagher, Planning Board Secretary
FROM: Dottie Turner, Supervisor's Office
RE: Dean Anderson DB application P.88 TM# 71.-1-22
Dormant Application

DATE: January 20, 2016

Attached please find the following:

- Land Development Policy No. 6 Procedure to deem application abandoned provided to me by Code Enforcement Officer Kevin Donohue.
- Original application of Dean Anderson submitted 11/03/2010.
- Summary of his escrow account showing his last activity on this account on 2/25/2011.

Please place this on the next Planning Board agenda for the Planning Board to consider the abandonment of this application and allow us, after procedure is followed, to close the escrow account and return the money to the applicant.

Thanks Ann. Please keep me posted of the progress.

Dottie

cc: Kevin Donohue

received
4-26-16

Tax map 71.-1-22

①

7009 2620 0000 8143 1670

U.S. Postal Service TM	
CERTIFIED MAILTM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 3.93
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.93

7009 2620 0000 8143 1670

Sent To	
Dean Anderson	
Street, Apt. No., or PO Box No. P.O. Box 636	
City, State, ZIP+4 Beacon, NY 12508	

PS Form 3800, August 2006 See Reverse for Instructions

Postmark: COLD SPRING NY APR 26 2016 0516 USPS

② Sent Same letter The same day to
Above address by regular mail

9/26/16

Dean Anderson
P O Box 636
Beacon, NY 12508



Town of Philipstown

Code Enforcement Office

Main Street, PO Box 155

Cold Spring, NY 10516

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

NOTICE TO DEEM LAND USE APPLICATION ABANDONED

April 25, 2016

Name: Dean Anderson

Address: P.O. Box 636

City, State, Zip: Beacon, NY 12508

RE: Subdivision of
TM# 71.-1-22

Dear Mr. Anderson,

PLEASE TAKE NOTICE that your land use application named Anderson & Libonati Planning for a Subdivision had last appeared before the Planning Board on November 18, 2010 and there has been no activity for a period of more than one year.

PLEASE BE ADVISED that in keeping with Chapter 112-51.1 Policy No. 6: of the Code of the Town of Philipstown, you have thirty days to respond in writing to this Notice that you wish to resumes active pursuit of the application and appearing at the Planning Board next regular meeting with plans and specification and/or written update by the meeting deadline.

FURTHER, PLEASE BE ADVISED that if the Planning Board does not receive a written response to this notice the land use application will be deemed abandoned and discontinued at the next regular Planning Board meeting.

FOLLOWING ADOPTION OF A RESOLUTION deeming an application abandoned a new application and payment of all application fees and escrow required by the Town Code shall be required before the Planning Board will consider any subsequent application for land use approvals for the subject property.

Sincerely,

Linda Valentino

Planning Board Secretary

Code of the Town of Philipstown

Chapter 112-51.1. Policy No. 6: Procedure to deem application abandoned.

A. The Planning Board may deem any land use approval application upon which there has been no activity for a period of at least one year to have been abandoned and discontinued by the applicant.

B. The Planning Board shall not adopt a resolution deeming an application abandoned unless the Planning Board has first given written notice to the applicant by both certified mail and regular mail that, unless the applicant resumes active pursuit of the application within 30 days, the Planning Board will deem the application abandoned and will discontinue review of it, and following such notice the applicant fails to resume active pursuit of the application.

C. Upon adoption by the Planning Board of a resolution deeming a land use approval application to have been abandoned, any surplus funds held in escrow for payment of consultants' review fees will be refunded to the applicant.

D. Following adoption of a resolution deeming an application abandoned, a new application and payment of all application fees required by the Town Code shall be required before the Planning Board will consider any subsequent application for land use approvals for the subject property.

THE HILPERT LAW OFFICES
75 SOUTH RIVERSIDE AVENUE
CROTON-ON-HUDSON, NY 10520
TEL: 914 271-2100
FAX: 914 271-2141

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

JEFFREY P. ROGAN, ESQ.

LAURA L. STEDMAN, PARALEGAL

June 1, 2016

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

Via Email (lvalentino@philipstown.com) and First Class Mail
Town of Philipstown Planning Board
Attn: Anthony Merante, Chairman
238 Main Street
P.O. Box 155
Cold Spring, NY 10516

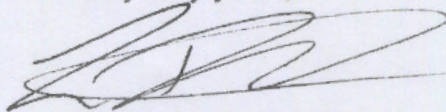
Re: Evelyn Gex – Lot Line Adjustment
24 Hummingbird Lane, Garrison, NY 10524

Dear Mr. Merante:

I write to provide an update on this matter, and to request that Ms. Gex be added to the agenda for the next Planning Board Meeting, in the even that an additional extension is required. On May 18, 2016 I spoke to Joseph Paravati, Jr. of the Putnam County Department of Health. On that date he advised me that the file was "on his desk" and that while he could not make any promise that his review would be completed by that end of that week, that review and approval would be forthcoming. I have attempted to contact him on a number of occasions since that date, but have not received a reply. While I remain hopeful that I will hear from him soon, to be safe, I ask that we be added to the agenda for the next meeting.

I hope that I will be able to provide an additional update from Mr. Paravati soon.


Very truly yours,



LUKE P. HILPERT

RJH/lls

Cc: Ms. Evelyn Gex (via email)

RECEIVED
JUN 01 2016
BY: 

June 2, 2016

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



RE: Application of CF Diversified/Olspan – Submission of Revised Plans

Dear Mr. Merante and Honorable Board Members:

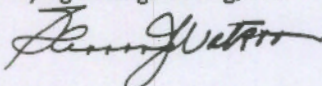
Enclosed with this letter are 13 copies of our "Subdivision Map to adjust the line dividing lands of CF DIVERSIFIED CORP. from lands of OLSPAN, LLC ...," last revised on June 2, 2016.

The revisions to the plat have been made to address the technical comments contained in Mr. Gainer's memo to the Planning Board dated May 18, 2016. Specifically, the following information has been added to the plat: the buildings under construction; existing septic system on Parcel A-2A, wells and septic systems within 200 feet of the subject property.

We look forward to presenting the plan during the Public Hearing scheduled for the June 16, 2016, meeting of the Planning Board, at which time we are hopeful of bringing the matter to a positive conclusion.

As always, thank you for your consideration.

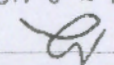
Yours truly,
BADEY & WATSON,
Surveying & Engineering, P.C.


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

GJW/bms

CC: File U:\74-148B\WO_22940\AM02JN16BP_Submission_Revised_Plans.docx
Giorgio Spanu
Nancy Olnick
Miguel Quismondo
Christopher Fadden

RECEIVED
JUN 02 2016

BY: 

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

RECEIVED
JUN 01 2016
BY: *W*

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) KEISTIN E. SOREANSON Tel. (845) 558-2990
address 1000 OLD ALBANY POST ROAD
GARRISON, NY 10524

b. Owner of property if not same as Applicant:

(name) _____ 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:

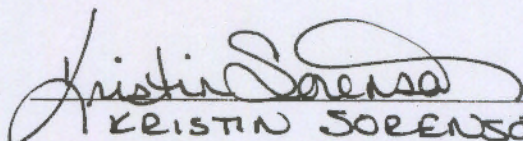
IV.

Endorsements:

a. Applicant

Date 5.23.16

Signed


KRISTIN SORENSON ✓

by

(authorized agent)

b. Owner of Property if not same as Applicant

Date _____

Signed _____

by

(authorized agent)

A P P E N D I X A-1: AFFIDAVIT OF OWNERSHIP (Individual or Partnership)

State of New York)

ss. :

County of Putnam)

KRISTIN SORENSON, being duly sworn, deposes and says that SHE resides at 1000 Old Albany Post Road, Garrison the County of PUTNAM, State of NY and that SHE (a general partner or N/A) is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Philipstown, New York, aforesaid and known and designated on the Tax Map of the Town of Philipstown as Lot Number 48 Block 2 on Map 50 and that deponent (said partnership) acquired title to the said premises by deed from MARTA GUITART dated 12/14/05 and recorded in the Office of the Clerk of the County of Putnam on _____ in Liber 1728 of Conveyance at Page 283 and that SHE (said partnership) hereby consents to the annexed application of LOT LINE ADJUSTMENT for approval of the map (or project) entitled LOT LINE ADJUSTMENT and that statements of fact contained in said application, including the statements contained in all of the exhibits transmitted herewith, are true to the best of deponent's knowledge and belief.

(signed) Kristin Sorenson

Sworn to before me this

24 day of May 2016

[Signature]
Notary Public

Susan K. Truax
Notary Public, State of New York
Dutchess County No. 01TR6209733
Commission Expires 08/03/2017

A P P E N D I X A-1: AFFIDAVIT OF OWNERSHIP (Individual or Partnership)

State of New York)

County of Putnam) ss. :

CLARK THOMPSON AND LAURA WATT, being duly sworn, deposes and says that ~~HE SHE~~ resides at 992-996 OLD ALBANY POST RD in the County of PUTNAM, State of NEW YORK and that WE (a general partner or ARE) is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Philipstown, New York, aforesaid and known and designated on the Tax Map of the Town of Philipstown as Lot Number 50 Block 2 on Map 50 and that deponent (said partnership) acquired title to the said premises by deed from JOSEPH A TLANA & MARTA GUITART dated 6 NOV 2015 and

recorded in the Office of the Clerk of the County of Putnam on

PAGE 1:
in Liber 1670 of Conveyance at Page 228 and that WE (said part-
AND PARCEL 2: LIBER 1670 P. 215 AND PARCEL 3: LIBER 1670 P. 219
nership) hereby consents to the annexed application of LOT LINE

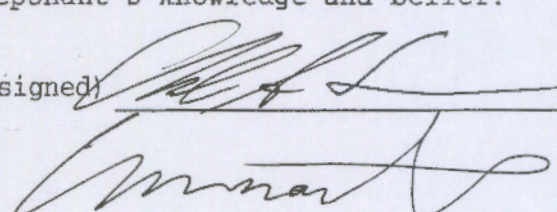
ADJUSTMENT

for approval of the map (or project) entitled

LOT LINE ADJUSTMENT

and that statements of fact contained

in said application, including the statements contained in all of the exhibits transmitted herewith, are true to the best of deponent's knowledge and belief.

(signed) 

Sworn to before me this

27th day of May 20 16

Adam Ziskind

Notary Public
ADAM CHARLES ZISKIND
NOTARY PUBLIC, STATE OF NEW YORK
DUTCHESS COUNTY
LIC. #0126305349
MY COMMISSION EXPIRES 06/09/2018

APPENDIX C

TOWN OF PHILIPSTOWN, NEW YORK

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: KRISTIN E. SORENSON
3. RESIDENCE: 1000 OLD ALBANY POST ROAD, GARRISON
NEW YORK, 10524
4. DATE: _____
5. NATURE OF APPLICATION OR PETITION: LOT LINE ADJUSTMENT
(SEE ATTACHED.)

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

N/A

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 : 5.23.16

Signed

Kristin E. Sorenson ✓

(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 1.865
- b. Does application cover all contiguous land of the owner? No
If no, explain any excluded area LOT 49 EXISTING
HOMESTEAD
- c. Tax Map: Sheet MAP 5D Block 2 Parcel(s) LOT 48
- d. Last deed: Date 12/14/05 Liber 1728 Page 283

D-2. Location:

- a. Zoning District(s) R-80
- b. Property abuts (street or roads) OLD ALBANY POST ROAD
- c. Municipal Districts encompassing all or part of property:
School: GARRISON
Fire Protection: GARRISON
Other: _____
- d. Does plat propose a new street or private way connecting directly into any State Highway or County Road? No If yes, give name and route # _____
- 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 FAHNSTOCK PARK < 500 FT. AWAY,
NOT ABUTTING
- 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: 1, number already occupied by dwellings, if any: 0
- b. Length of Proposed streets or private ways in Plat: N/A feet.
- c. Does Applicant propose to dedicate to public use all of the streets shown on the proposed plat? N/A, if not, describe

- d. Approximate acreage of land proposed as open space for parks and playground:
0 acres.
- e. Does applicant propose to dedicate to public use all of the open space shown on the proposed plat? N/A, if not, describe

- f. How is water supply to be provided? N/A Has any application been made to the County of Putnam or State of New York for approval of proposed water supply? _____, if yes, give date and describe

- g. How is sewage disposal to be provided? N/A 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? _____, 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? No, if yes, describe

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? N/A If yes, specify,
- ☐ Sec 281 of Town Law (cluster)
- ☐ Waiver of Subdivision Regulation (Sec. 5)
- ☐ Alternate road standards

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

- a. easements N/A
- b. deed restrictions on use and development N/A
- c. mortgages N/A
- d. liens N/A
- e. leases N/A
- f. other N/A

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? N/A

APPENDIX E: IDENTIFICATION OF PLANS AND DOCUMENTS

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

- a. Surveyor (name) MATTHEW NOVELLO
Address 77 HUGHSON RD, CARMEL, NY 10512
Tel. (845) 225-4004
N. Y. License No. 50073
- b. Engineer (name) SAME AS ABOVE
Address _____
Tel. _____
N. Y. License No. _____
- c. Other (name) _____
Address _____
Tel. _____
N. Y. License, if any _____

E-2. Maps and Plans:

- a. Title and Date of Proposed Plat Map: LOT LINE ADJUSTMENT
& SURVEY OF PROPERTY FOR KRISTIN SORENSON
4/4/16
No. of Sheets: 1
- 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):

N/A

E-4. Attorney (if any):

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

Proposal for Lot Line Adjustment
Tax Map 50.00 Block 2 Lot 48 and Lot 50.1

June 2 2016

Owners: Lot 50.1
Clark Thompson
Laura Watt
994 Old Albany Post Rd
Garrison, NY 10524

Owner: Lot 48
Kristin Sorenson
1000 Old Albany Post Rd
Garrison, NY 10524

With the decision of the previous owner, Joseph Tuana, of Lot 50.1, 50.2, and 50.3 to recombine these lots due to an improper subdivision into one single lot 50.1, the two 20' wide entrances created to meet zoning regulations for flag lots 50.2 and 50.3 are no longer necessary.

For due consideration the current owners of 50.1, Laura Watt and Clark Thompson, have agreed to transfer the area described in the survey January 20, 2006 and revised April 4 2016 showing a lot line adjustment to the benefit of Lot 48 of a parcel 40.2' x 353.22' containing 14,115 sq. ft. This parcel represents 5.4% of Lot 50.1 and therefore falls under the guidelines for a lot line conveyance of less than 10%.

Lot 48 will increase in size by approximately 17%, but this change does not alter its pre-existing status as a buildable lot under the zoning laws that existed when it was created. Adding the additional 40.2' of frontage to this lot will enhance access from Old Albany Post Rd as well as create greater flexibility to the building site plan.

All Property Owners within 500 Ft. Lot 48 Block 2 Map 50

Richard and Paige Gordon
1024 Old Albany Post Rd
Garrison, NY

Matthew Noviello
77 Hughson Road
Carmel, NY 10512

Clark Thompson
Laura Watt
998 Old Albany Post Rd
Garrison, NY 10524

Short Environmental Assessment Form
Part 1 - Project Information

RECEIVED
 JUN 01 2016
 BY: *R*

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: <p align="center">LOT LINE ADJUSTMENT</p>							
Project Location (describe, and attach a location map): <p align="center">OLD ALBANY POST RD., MAP #50, BLOCK #2, LOT #48 & #50</p>							
Brief Description of Proposed Action: <p align="center">LOT LINE ADJUSTMENT, 42.76^{FT.} WIDE X 353 FT. PARCEL TO BE ADDED TO LOT #48 FROM LOT #50</p>							
Name of Applicant or Sponsor: <p align="center">KRISTIN E. SORENSON</p>		Telephone: 845-558-					
		E-Mail:					
Address: <p align="center">1000 OLD ALBANY POST RD.</p>							
City/PO: <p align="center">GARRISON</p>		State: <p align="center">NY</p>	Zip Code: <p align="center">10524</p>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">NO</td> <td align="center">YES</td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">NO</td> <td align="center">YES</td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<u>1.865</u> acres					
b. Total acreage to be physically disturbed?		<u>0</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>3.866</u> 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							

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

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: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>KEISTIN SORENSON</u> Date: <u>June 1, 2016</u> Signature: <u><i>Keistin Sorenson</i></u>		

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of **New York** ss:

State of New York, County of ss:

On the **28** day of November in the year 2005
before me, the undersigned, personally appeared
Marta Guitart

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.

Pamela Jager

(signature and office of individual taking acknowledgment)

On the day of in the year
before me, the undersigned, personally appeared

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

(signature and office of individual taking acknowledgment)

PAMELA JAGER
NOTARY PUBLIC, STATE OF NEW YORK
ID No. 01JA8121226
QUALIFIED IN SUFFOLK COUNTY
N.Y. COMMISSION EXPIRES 01/10/2009

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of

ss:

On the day of in the year before me, the undersigned, personally appeared

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

(Insert the City or other political subdivision)

in (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

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

Title No. _____
Marta Guitart

TO

Kristin E. Sorenson

DISTRICT

SECTION 50

BLOCK 2

LOT 48

COUNTY OR TOWN Philipstown

STREET ADDRESS 1002 Old Albany Post Road
Garrison, NY 10524

Recorded at Request of
THE JUDICIAL TITLE INSURANCE AGENCY LLC

RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by
THE JUDICIAL TITLE INSURANCE AGENCY LLC
550 MAMARONECK AVENUE
HARRISON, NY 10528
914-381-6700 • 800-281-TITLE

Thomas Whyatt, Esq.
Oxman, Tulis, Kirkpatrick, Whyatt & Geiger
120 Bloomingdale Road
White Plains, NY 10605

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of **New York**

ss:

State of New York, County of

ss:

On the **28** day of November in the year 2005
before me, the undersigned, personally appeared
Marta Guitart

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.

Pamela Jager

(signature and office of individual taking acknowledgment)

On the day of in the year
before me, the undersigned, personally appeared

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

(signature and office of individual taking acknowledgment)

PAMELA JAGER
NOTARY PUBLIC, STATE OF NEW YORK
ID No. 11JA6121226
QUALIFIED IN SUFFOLK COUNTY
N.Y. COMMISSION EXPIRES 01/10/2009

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of

ss:

On the day of in the year before me, the undersigned, personally appeared

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

(Insert the City or other political subdivision)

in

(and Insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

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

Title No. _____

Marta Guitart

TO

Kristin E. Sorenson

DISTRICT
SECTION 50
BLOCK 2
LOT 48

COUNTY OR TOWN Philipstown

STREET ADDRESS 1002 Old Albany Post Road
Garrison, NY 10524

Recorded at Request of
THE JUDICIAL TITLE INSURANCE AGENCY LLC

RETURN BY MAIL TO:

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550 MAMARONECK AVENUE
HARRISON, NY 10528
914-381-6700 • 800-281-TITLE

Thomas Whyatt, Esq.
Oxman, Tulis, Kirkpatrick, Whyatt & Geiger
120 Bloomingdale Road
White Plains, NY 10605

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

THIS INDENTURE, made the ^{as of} 1st day of December, 2005

BETWEEN

Marta Guitart, with an address at 16 East 52nd Street, Suite 902, New York, NY 10022

party of the first part, and

Kristin E. Sorenson, residing at 1000 Albany Post Road, Garrison, NY 10524

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

ten dollars
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, as more particularly described in Schedule "A" annexed hereto and made a part hereof.

Being the same premises conveyed to the grantor herein by deed from Paul T. Heuston dated June 7, 2004 and recorded on June 16, 2004 in Liber 1670 cp 244 in the Putnam County Clerk's Office.

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

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

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