Philipstown Planning Board Meeting
Butterfield Library
10 Morris Avenue
Cold Spring, New York
June 19, 2014

Agenda

Pledge of Allegiance
Roll Call
Approval of Minutes – May 15, 2014

1. **Cold Spring Farm** (Marian Rockwell) – Alternative access – Old Albany Post Road, Garrison: Discussion of updated plan (email from Marian Rockwell enclosed)

2. **201 Old Stone Road** – Site plan application- 201 Old Stone Road, Garrison: Memo via email dated June 2, 2014 from Ron Gainer regarding site visit comments/observations

3. **Tuana** – 3-lot subdivision – 992-996 Old Albany Post Road, Garrison: Further discussion from May 15, 2014 meeting (submission made last month)/comments via email from Steve Gaba to follow

4. **ESP** (Bruce and Donna Kehr) – Site plan application – Route 9, Cold Spring: New submission

5. **Auth** (Steve and Sandra) – Site plan application – 279 Route 9, Cold Spring: New submission

6. **Obert R. Wood III** – Site plan application – 316 Old West Point Road, Garrison: New submission

Adjourn

Anthony Merante, Chairman

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

day, June 3, 2014 5:39 PM, Marian Rockwell <marian@rockwellcycles.com> wrote:

Also, should I have my engineer contact a wetland biologist to delineate wet-lands? Thank you. Marian

June 3, 2014
Dear Ann Gallagher,
Following is a letter that was sent out on May 27, 2014 which is the request to go before the board. My engineer, George Schmitt is working on the site plan showing the new access. Sylvan Stotzfus builders is working on the elevations of the building. Do you need these submitted prior to the meeting; (if so, when) or can we bring them with us? I contacted Dotty and mailed the balance of the required escrow today. My contact information is at the bottom of the letter. Please do not hesitate to contact me if I need to provide anything else.
Sincerely, Marian

Dear Ann Gallagher and members of the board:

I would like to request to be included in the June board meeting in order to discuss the [redacted] project utilizing a pre-existing , (albeit overgrown) access off of Old Albany Post Rd. I originally proposed to enter the property off of Vineyard Rd., utilizing a right of way access that was presented by the seller. However, when the title search was done on the property, the title search company was concerned that the right of way provision in the sellers' agreement was not clear enough without a written confirmation from Chris Fadden. Despite several meetings and substantial offers for financial compensation to utilize the proposed right of way, I was unable to reach an agreement, so I was unable to utilize that access as part of the original proposed plan.

In the time that has transpired I have agreed to purchase the property; (closing in a couple of weeks), without the right of way agreement. I have slightly re-designed and down-sized the original plan and also utilized a suggestion by Ron Gainer to reposition the barn slightly to an area that is flatter and somewhat closer to the new access, which should facilitate the over-all construction and satisfy scenic overlay requirements.

It is with this updated plan and access that I would like to continue the request for approval for the Cold Spring Farm project.

Respectfully,
Marian Rockwell
marian@rockwellcycles.com
(914) 329-39559©
(845) 446-3834 (w)
(845) 446-3063 (h)

Town of Philipstown

238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MAJOR PROJECT

Project Name: Site Plan Prepared for Bruce & Donna Kehr

Date: June 5, 2014

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

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

Application for Planning Board
Special Use & Site Plan Approval

Date: June 5, 2014 TM# 16.20-18, 20 & 21

Project Name: Site Plan Prepared for Bruce & Donna Kehr

Street Address: Route 9 Cold Spring, NY 10516

Fee Amount: _____ Received: _____

Bond Amount: _____ Received: _____

Applicant:

Name Bruce & Donna Kehr

Address 3330 Route 9
Cold Spring, NY 10516

Telephone 845-265-3771

Tenant:

Name _____

Address _____

Telephone _____

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, NY 10516

Telephone 845-265-9217

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

Name Same as applicant

Address _____

Telephone _____

Name _____

Address _____

Telephone _____

TM# 16.20-18, 20 & 21

Project Name: **Site Plan Prepared for Bruce & Donna Kehr**

Project Description: **Approval of Site Plan to continue the use of the Kehr property as building supply yard and sales establishment. The intention is to eliminate non-conformities that have accumulated since the site was originally approved. Non-conformities include expansion of the business beyond its original limits, site coverage greater that allowed and insufficient setbacks.**

ZONING INFORMATION

175-7 Zoning District: **HC & RR***

175-10 Proposed Use: **Building Materials Sales and Storage Facility**

Proposed Accessory Use(s): **NOTE: Applicant has filed a petition with the Town Board to change the zoning of the lands zoned RR to HC so that, if approved all of the land will be zoned HC**

175-7 Overlay Districts on the property:	Yes or No
175-13 Floodplain Overlay District - NFIP Map (FPO)	**Yes**
175-1 8.1 Mobile Home Overlay District (MHO)	**No**
175-14 Cold Spring Reservoir Water Shed Overlay (WSO)	**No**
175-15 Scenic Protection Overlay (SPO)	**No**
175-16 Aquifer Overlay District (AQO)	**Regional**
175-18 Open Space Conservation Overlay District (OSO)	**No**
175-35 Within 100 foot buffer of Wetlands or Watercourse	**Yes**
175-36 Steep Terrain	**Yes**
175-36 Ridge Line Protection	**No**
175-37 Protection Agricultural	**No**

TM# 16.20-18, 20 & 21

Project Name: **Site Plan Prepared for Bruce & Donna Kehr**

175-11 Density and Dimensional Regulations

*Required setbacks presume that all of the property will be zoned HC.

Zoning District HC & RR	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	N.A.	N.A.	N.A.	N.A.	N.A.
Measured from the travel way County/State	35'	162.7'	69.5	Yes	Not Required
Minimum side yard setback	15'	12.0'	15.0	Yes	Not Required
Minimum side yard setback (2)	15'	26.3'	26.3'	Yes	Not Required
Minimum side yard setback (3)	15'	44.2	44.2	Yes	Not Required
Minimum rear yard setback	35'	>720'	>720'	Yes	Not Required
Maximum impervious surface coverage	60%	29%	28%	Yes	Not Required
Maximum height	40'	20'+/-	20'+/-	Yes	Not Required
Maximum footprint non-residential Structures	40,000 S.F.	12,078	19,478	Yes	Not Required

SUBMISSION:

13 copies with one electronic file in .pdf form 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: **$1,320.00** Received: _____
9. Escrow: **$5,000.00** Received: _____

ARTICLE IX SPECIAL PERMITS AND SITE PLAN REVIEW
§175-60 PURPOSE AND APPLICABILITY

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

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

C. Minor and Major Projects

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

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

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

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

D. In reviewing any project subject to special permit or site plan approval, the reviewing board should consider Putnam County Pathways: A Greenway Planning Program Linking Putnam's Open Space, Historic, Cultural and Economic Resources, 11 as amended from time to time, as a statement of land use policies, principles and guides,

§175-66 PROCEDURE for Major Site Plan Approval

A. Applicability

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

B. Pre-Application Meetings

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

C. Submission

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

1. A long-form Environmental Assessment Form or Draft Environmental Impact Statement.
2. An agricultural data statement as defined in 75-74, if required by § 175-37C.
3. The Site Plan application fee, as established by the Town Board, and any required escrow deposit for review costs, as required by the Planning Board,

D. Application for Area Variance

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

E. SEQRA Compliance

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

F. Public Hearing and Decision

1.The Planning Board shall hold a public hearing on the Site Plan and shall follow the provisions on notice, agricultural data statements, county review, Conservation Board review, and time limits for Special Permits in §175-62 E through G.

2. Criteria for decisions on Site Plans shall be limited to those listed in §175-65D. In granting Site Plan approval, the Planning Board may impose any conditions which it considers necessary to fulfill the purposes of this Chapter. These conditions may include increasing dimensional or area requirements, requiring the set-aside of perpetual open space land pursuant to §175-20, specifying location, character, and number of vehicle access points, requiring landscaping and/or screening, requiring clustering of

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

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

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

§175-65 SITE PLAN REVIEW AND APPROVAL

A. Applicability

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

2. The procedures for review of Site Plans for Major and Minor Projects (as defined in Article X11) are described in §175-66 and §175-66 Agricultural structures with a footprint of over 15,000 square feet shall require Minor Project site plan approval. Agricultural structures with a footprint of 10,000 square feet or less are exempt from site plan approval requirements.

3. Site Plan approval shall also be required for any development which is the functional equivalent of a land subdivision but which is structured for ownership purposes as a condominium project. In such cases, the Planning Board shall apply all relevant review criteria contained in the Land Development Law (Chapter 1 12 of the Town Code) as well as the provisions of this Chapter.

B. Required Information for Site Plan
An application for Site Plan approval shall be accompanied by plans and descriptive information sufficient to clearly portray the intentions of the applicant, Minor Project Site Plans shall contain the information required by § I 75-67C and other information listed below if the Planning Board deems such information necessary to conduct an informed review, Major Project Site Plans shall be prepared by a licensed professional engineer, architect, surveyor, or landscape architect, and shall include the following (unless waived):

SITE PLAN CHECK LIST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

__x__ 19. Part One of a long Form Environmental Assessment Form or Draft Environmental Impact Statement.

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

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

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

a) **Applicant has filed a petition with the Town Board to change the zoning of the lands zoned RR to HC so that, if approved all of the land will be zoned HC**

b) **Elements of this application have been completed as if the zoning change had already been enacted.**

c) _____

c. Waivers

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

a) **Applicant requests that elevations of the new building be submitted at a later time during the approval process,**

b) **Building elevations to be submitted at a later date.**

c) _____

d) _____

e) _____

D. Criteria

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

1. Layout and Design

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

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

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

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

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

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

_____ g. Impacts on historic and cultural resources shall be minimized.

_____ h. Newly installed utility service systems and service modifications necessitated by exterior alterations shall be installed underground. When feasible, existing above ground utility service systems shall be placed underground.

_____ i. Buildings shall have a finished exterior on all sides.

_____ j. Metal buildings that are principal buildings (larger than a small storage building in an unobtrusive location) shall be of color consistent with earth tones; shall have sufficient fenestration and trim to break continuums of metal wall areas; and shall have brick, stone, wood trim or composite materials providing a similar

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Parking Circulation, and Loading

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

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

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

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

_____ e. All buildings shall be accessible by emergency vehicles.

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

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

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

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

5. Outside Storage

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

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

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

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

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

6. Miscellaneous Standards

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

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

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

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

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

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

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

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

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

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

B. Performance Guarantee

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

C. As-Built Plans and Inspection of Improvements

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

ADJOINERS LIST
KEHR
16.20-1-18, 20 & 21

16.20-1-14
DIEBBOLL, JOS F
31 Stephanie Ln
Cold Spring, NY 10516

16.20-1-17
MERRIGAN, THOMAS C
16 Stephanie Ln
Cold Spring, NY 10516

16.20-1-6
ALTMAN, JOSEPH
45 Stagecoach Rd
Cold Spring, NY 10516

16.20-1-22
SABITUS, HEDI MUELLER
97 Edgehill Dr
Wappingers Falls, NY 125903633

16.20-1-25.1
GIORDANO, ANTONIO
3091 Route 9
Cold Spring, NY 10516

16.20-1-16
M.H.C.P. REALTY, LLC
3504 Rt 9
Cold Spring, NY 10516

16.-1-41.2
CHMAR, ANDREW T
40 Walmer Ln
Cold Spring, NY 10516

16.-1-38
WB PHILIPSTOWN LLC
570 Taxter Rd Fl 6
Elmsford, NY 10523

16.20-1-10
WTP SUPPLY CO INC
101 Lime Ridge Rd
Poughquag, NY 12570

16.20-1-24.2
DEMILIO, WILLIAM R
18 Walmer Ln
Cold Spring, NY 10516

16.20-1-11.1
SCANGA, MARK
19 Scanga Ln
Cold Spring, NY 10516

16.20-1-11.2
SCANGA, JOHN PAUL
21 Scanga Ln
Cold Spring, NY 10516

16.20-1-8
3315 Rt 9, LLC
3315-3319 Rt 9
Cold Spring, NY 10516

16.20-1-7
49 Stagecoach Drive LLC
3315 Rt 9
Cold Spring, NY 10516

16.20-1-26
DAHLIA, TODD
10 Stagecoach Rd
Cold Spring, NY 10516

16.20-1-5
KLEIN, STEPHEN
2 Ridgewood Rd
Cold Spring, NY 10516

16.20-1-24.1
RICHARDSON, SUSAN
16 Walmer Ln
Cold Spring, NY 10516

16.20-1-3
THESING, ANTHONY
15 Stagecoach Rd
Cold Spring, NY 10516

16.20-1-23
MID-HUDSON CONS CORP
7 Mayfair Rd
Elmsford, NY 10523

16.20-1-4
LAUCH, WILLIAM P
20 Ridgewood Rd
Cold Spring, NY 10516

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Approval of Site Plan prepared for Bruce & Donna Kehr		
Project Location (describe, and attach a general location map): 3330 Route 9 Cold Spring, NY, Town of Philipstown		
Brief Description of Proposed Action (include purpose or need): Approval of Site Plan to continue the use of the Kehr property as building supply yard and sales establishment. The intention is to eliminate non-conformities that have accumulated since the site was originally approved. Non-conformities include expansion of the business beyond its original limits, site coverage greater that allowed and insufficient setbacks.		
Name of Applicant/Sponsor: Bruce & Donna Kehr	Telephone: 845-265-3771 E-Mail: dkehr@esp3771.com	
Address: 3330 Route 9		
City/PO: Cold Spring	State: NY	Zip Code: 10516
Project Contact (if not same as sponsor; give name and title/role): Glennon J. Watson L.S.	Telephone: 845-265-9217 x14 E-Mail: gwatson@badey-watson.com	
Address: 3063 Route 9		
City/PO: Cold Spring	State: NY	Zip Code: 10516
Property Owner (if not same as sponsor): Bruce & Donna Kehr	Telephone: 845-265-3771 E-Mail: dkehr@esp3771.com	
Address: 3330 Route 9		
City/PO: Cold Spring	State: NY	Zip Code: 10516

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ■ Yes □ No	Town Board - Zoning Amendment	08/30/2103
b. City, Town or Village Planning Board or Commission ■ Yes □ No	Planning Board - Site Plan	06/05/2014
c. City Council, Town or Village Zoning Board of Appeals □ Yes ■ No		
d. Other local agencies □ Yes ■ No		
e. County agencies ■ Yes □ No	County Planning-239 Referral	6/19/14
f. Regional agencies □ Yes ■ No		
g. State agencies □ Yes ■ No		
h. Federal agencies □ Yes ■ No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? □ Yes ■ No
If Yes,
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? □ Yes □ No
iii. Is the project site within a Coastal Erosion Hazard Area? □ Yes □ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ■ Yes □ No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ■ Yes □ No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? □ Yes ■ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) □ Yes ■ No
If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? □ Yes ■ No
If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ■ Yes □ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
HC,(Highway Commercial) RR (Rural Residential) RR to be changed to HC Aquifer Overlay (Clove Creek), Flood Plain Overlay

b. Is the use permitted or allowed by a special or conditional use permit? (Not in RR) □ Yes ■ No

c. Is a zoning change requested as part of the proposed action? ■ Yes □ No
If Yes,
i. What is the proposed new zoning for the site? HC

C.4. Existing community services.

a. In what school district is the project site located? Haldane Central School District

b. What police or other public protection forces serve the project site?
Putnam County Sheriff, NY State Police

c. Which fire protection and emergency medical services serve the project site?
North Highlands Fire District

d. What parks serve the project site?
Philipstown Town Park System, Putnam County Park, NYS Parks (Fahnstock)

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
Commercial, Residential

b. a. Total acreage of the site of the proposed action? 11.35 acres
b. Total acreage to be physically disturbed? 0.99 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 11.35 acres

c. Is the proposed action an expansion of an existing project or use? ■ Yes □ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 61 (buildings) Units: 12,078 to 19,478 SF

d. Is the proposed action a subdivision, or does it include a subdivision? □ Yes ■ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? □ Yes □ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? □ Yes ■ No
i. If No, anticipated period of construction: 10 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ■ No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ■ Yes ☐ No
If Yes,
i. Total number of structures 1+/- (6400 SF) 1 additional (1000 SF)
ii. Dimensions (in feet) of largest proposed structure: 20 height; 50 width; and 128 length
iii. Approximate extent of building space to be heated or cooled: 1000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ■ No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ■ No
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐ Yes ☐ No
ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ■ No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ■ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ■ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ■ Yes □ No
- Will line extension within an existing district be necessary to serve the project? □ Yes □ No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? □ Yes □ No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? □ Yes ■ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? □ Yes □ No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? □ Yes □ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? □ Yes ■ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? □ Yes □ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) □ Yes □ No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ■ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ■ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ■ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ■ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: 1000

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Local utility

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 am to 5 pm
- Saturday: _____ to _____
- Sunday: _____ to _____
- Holidays: _____ to _____

ii. During Operations:

- Monday - Friday: _____ to _____
- Saturday: _____ to _____
- Sunday: _____ to _____
- Holidays: _____ to _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ■ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe:

n.. Will the proposed action have outdoor lighting? ☐ Yes ■ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Exists

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ■ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or any amount in underground storage)? ☐ Yes ■ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ■ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial/or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ■ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ■ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ■ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ■ Commercial ■ Residential (suburban) ☐ Rural (non-farm)

■ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

Projects fronts on State Highway developed commercially, land at rear is forest

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	3.39	3.36	-0.03
• Forested	6.76	6.76	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.25	0.25	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Landscape	0.84	0.87	+0.03

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ■ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ■ Yes ☐ No

If Yes,

i. Identify Facilities:

Philipstown "Quarry Pond" Park lies to the north.

e. Does the project site contain an existing dam? ☐ Yes ■ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ■ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ■ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ■ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >7 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ■ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? - %

c. Predominant soil type(s) present on project site:

Riverhead Loam	17 %
Fluvaquents & UDI	83 %
Fluvaquents	%

d. What is the average depth to the water table on the project site? Average: 0 >7' feet

e. Drainage status of project site soils:
- ■ Well Drained: 81 % of site
- ■ Moderately Well Drained: 0 % of site
- ■ Poorly Drained 19 % of site

f. Approximate proportion of proposed action site with slopes:
- ■ 0-10%: 81 % of site
- ■ 10-15%: 5 % of site
- ■ 15% or greater: 14 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ■ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ■ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ■ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ■ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Clove Creek Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ■ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ■ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ■ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ■ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ■ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: Site inspection-more to follow
See attached letter

n. Does the project site contain a designated significant natural community? ☐ Yes ■ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ■ No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ■ No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ■ Yes ☐ No
If yes, give a brief description of how the proposed action may affect that use: Hunters frequent area near Clove Creek where there will be no changes.

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ■ No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ■ No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ■ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ■ No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ■ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ■ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ■ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within 5 miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ■ Yes ☐ No

If Yes:

i. Identify resource: Those relating to the Hudson River/Highlands

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Highway overlooks scenic byways and parks

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ■ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Bruce & Donna Kehr Date 06/05/2014

Signature _____ Title Surveyor for Applicant

AKRF
Environmental and Planning Consultants

34 South Broadway
Suite 401
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

Memorandum

To: Philipstown Planning Board

From: Susan Jainchill, Town Planner

Date: May 20, 2014

Re: RDR Equities Car Wash

cc: T. Wood, A. Merante, M. E. Finger, K. Conner, K. Donahue, R. Gainer,

As provided in Section 175-66B of the Town Code a preapplication meeting was held on **May 9, 2014** for the ESP Property located at 3330 Route 9.

In attendance:

Tom Wood- Applicant' Attorney
Anthony Merante – Planning Board Chairman
Mary Ellen Finger – Planning Board Member
Kim Conner – Planning Board Member
Kevin Donahue – Code Enforcement Officer
Ron Gainer – Town Engineer
Susan Jainchill – Town Planner

The following was discussed:

Purpose of Application:

The application would seek site plan approval and an amendment to the Town Zoning Code.

Zoning District:

The subject property is three parcels, two of which are located in the Highway Commercial District (HC) and one is located in the Rural Residential District. The Applicant would also be seeking to reclassify the RR zoned parcel to HC (see Section 175-69).

Site Plan Review Required:

The Applicant would propose a new structure for storage of materials to be located near Route 9 along with other site improvements. As part of this application the Applicant would seek to

change the zoning district designation for the rear lot to enlarge the project site. Thereafter the project site would be able accommodate the requirement that outdoor storage not exceed 20% of the square footage.

Major/Minor:

This application would be considered a major project.

Waivers:

The Applicant would inform the Planning Board once they determine whether they will seek waivers to the site plan requirements.

Overlays:

The property falls within the following any overlay districts: Floodplain Overlay District,Clove Creek Aquifer, Regional Aquifer Overlay District, Within 100 foot buffer of Wetlands or Watercourse. The Applicant will confirm whether there is steep terrain on the property.

Stormwater/Wetlands:

The Clove Creek runs through or near the property.

Fees:

Major Site Plan Application	$1000 + $20/parking spaces
No Violation Letter	$175
Conservation Board	no fee
FEAF	$300
Public Hearing	$250
Final Approval	$250
Fee for Zoning Amendment	not yet established
Escrow set at	$5000

Additional Notes:

- The Applicant owned one of the three lots 20 years ago. At that time a site plan was approved for lot 18. Since then the additional lots were acquired.
- The Applicant has recently had violations issued and there has been a court proceeding. Once the legal issues are resolved the new application would proceed.
- The potential for amending the zoning in regards to this application has been a topic of Town Board discussion over the past 10 months and a zoning change is being considered.
- For regulations regarding outdoor storage see Section 175-65 D5
- The applicant was requested to propose a sequence for the municipal review process illustrated with a flow chart. Te purpose of this would be to clarify the roles of the various municipal boards role and coordinate the review schedule. The following sequence was discussed at the pre-application meeting:

  The first step would be for the Planning Board to determine whether the application is complete. Once completeness is determined the Planning Board would declare itself Lead Agency for the purposed of SEQRA review. Next the Applicant would appear before the Town Board to request a zoning code amendment. The Town Board would hold a Public hearing. The Planning Board would move forward with the SEQRA review anticipating the change in the zoning code. If the

zoning amendment is approved the Planning Board would then complete the site plan review process act on the application.

- The Applicant suggested that they would offer a conservation easement from the base flood elevation contour line to Clove Creek
- An increase in setback and a requirement of a dense vegetative buffer may be incorporated at property lines shared with residential lots.
- The rear lot would not be used for storage of materials. It may be used for stormwater. A fence would be introduced, demarcating the property line between the front and rear lots, in order to prevent storage use from 'creeping' onto rear lot.

PUTNAM COUNTY RECORDING PAGE

PAGE 1 OF RECORDED DOCUMENT

DOCUMENT # 16967

RETT: 337 $920.00
CONSIDERATION: $230,000.00

09/06/2005 02:56:52 P.M.
LIBER 1717 PAGE 479
RECEIPT: 16941 FEE: $212.00
DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR RECORDING INFORMATION

RECORD & RETURN TO:

Thomas J. Wood, Esq.
153 Albany Post Road
Buchanan, N.Y. 10511

TYPE OR PRINT

GRANTOR/MORTGAGOR
Thomas Braia
& Catherine Braia
to
Bruce Kehr & Dona Kehr

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 TAX AFFIDAVIT FILED
$5.00

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

RESERVE FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAW

Dennis J. Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

Revised 4/2003

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

THIS INDENTURE, made the 19th day of July , 2005

BETWEEN

Thomas Braia and Catherine Braia, having an address at 77 Homecrest Oval, Yonkers, New York 10703

party of the first part, and

Bruce Kehr and Donna Kehr, husband and wife, having an address at 54 Innsbruck Blvd., Hopewell Junction, NY 12533

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Two Hundred Thirty Thousand and 00/100 ($230,000.00) 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

See Attached Schedule "A"

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.

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

IN PRESENCE OF:

Thomas Braia

Catherine Braia

Standard N.Y.B.T.U. Form 8002 - Bargain and Sale Deed, with Covenant against Grantor's Acts – Uniform Acknowledgment
Form 3290

All that certain plot, piece or parcel of land situate, lying and being in the Town of Philipstown, County of Putnam and State of New York, being bounded and described as follows:

Beginning at a point located on the easterly side of NYS Route 5149 , also known as Albany Post Road, said point marking the northwest corner of lands now or formerly of Roder, marked by an iron pipe; thence , South 51 degrees 22' 20" East 596.45 feet through an iron pin on the west bank of Clove Brook to the center of said Clove Brook; thence along thew center of said brook and along lands, now or formerly of Iannone and other land of the grantor herein, thence following courses and distances; South 83 degrees 32' 10" East 31.08 feet; South 46 degrees 32' 20' East 145.04 feet; South 12 degrees 43' 44" East 62.72 feet; South 41 degrees 03' 00" East 216.95 feet; South 70 degrees 42' 30" East 115.45 feet; North 73 degrees 00' 00" East 179.13 feet; North 13 degrees 33' 46" East 163.80 feet; thence leaving said Clove Brook, North 24 degrees 39' 24" West 755.67 feet marking the northeast corner of lands of Romito marked by an iron pipe; thence South 37 degrees 59' 03" West 280 feet to a point marked by an iron pipe; thence, North 51 degrees 34' West 20.25 feet to an iron pipe marking the northeast corner of lands now or formerly of Roder; thence, South 38 degrees 28' 50" West 300.45 feet along lands now or formerly of Roder and Selleck to an iron pipe; thence along a stone wall and line of lands now or formerly of Selleck, North 51 degrees 22' 20" East 485.77 feet to a monumented point on the easterly side of NYS Highway No. 5749; thence along said easterly side of said highway, South 20 degrees 01' 20" West 21.10 feet top the point and place of beginning.

Together with a right of way over the following two pieces and parcels of land, situate, lying and being in the Town of Philipstown, County of Putnam, State of New York, bounded and described as follows:

Beginning at a point on the easterly side of the NY-Albany Post Road known as NYS Route 5149, which point is 20 feet south from the southwesterly corner of lands now or formerly of George Hustis and the northwesterly corner of lands now or formerly of Amato; running thence, North 32 degrees 58' 44" East 20 feet along the side of said highway 20 feet to a post marking the aforesaid southwesterly corner of Hustis; thence, South 51 degrees 34' East 602 feet to a stake on the division line of George Hustis marking the northeasterly corner of lands of Ray Hustis Adams; thence, South 37 degrees 59' 03" West 20 feet; thence, North 51 degrees 34' West in a line parallel with the southerly line of George Hustis 600 feet, more or less, to an iron pipe marking the point or place of beginning.

Continued On Next Page

ALSO

Beginning at point on the line of the lands now or formerly of George Hustis 602 feet East of NYS Route 9; thence, South 24 degrees 39' 24" East 455.25 feet to an iron pipe; thence, North 38 degrees 26' East 74.64 feet to an iron pipe; thence, North 0 degrees 43' 29" West 195.28 feet; thence, North 51 degrees 34' West 282.84 feet to the place of beginning.

Together with a right of way over the lands of Joseph J. Romito and Bertolina Romito, his wife, bounded and described as follows:

Beginning at a stake marking the southeasterly corner of Lot No. 5, on a certain map surveyed by Douglas Merritt of Clod Spring, NY, LS # 25591, Recorded 04/18/1952 in the Office of the Putnam County Clerk as "Clove Brook Homesites, Ray Adams Owner, Phillipstown, Putnam County, NY, 10/07/1951"; thence, South 37 degrees 59' 3" West 164.48 feet to a point marked by an iron pipe which point marks the southeasterly corner of the lands conveyed by Ella Hustis to Ray Hustis Adams (Liber 239 cp 124); thence, North 51 degrees 34' West 20 feet to a point marking the southeasterly corner of Lot No. 6, said point being marked by an iron pipe; thence, North 37 degrees 59' 3" East 164.48 feet to the southerly side of Lot No. 5; thence, South 51 degrees 34' East 20 feet to the point or place of beginning.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Westchester , ss:

On the 19th day of July in the year 2005 , before me, the undersigned, personally appeared Thomas Braia & Catherine Braia

, 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.

PAUL G. CONRAD
Notary Public
Qualified in Dutchess County
Reg. No. 01CO4867324
My Commission Expires 8-15-05

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County 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.

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of , ss:

On the day of in the year , before me, the undersigned, a Notary Public in and for said State, personally appeared , the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

*State of , County of , ss:

*(Or insert District of Columbia, Territory, Possession or Foreign County)

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), 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 make such appearance before the undersigned in the

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

Bargain and Sale Deed with Covenants

Title No. CAR-2297

Thomas Braia & Catherine Braia

TO

Bruce Kehr and Donna Kehr

SECTION: 16.20

BLOCK: 1

LOT: 20

COUNTY OR TOWN: Putnam

DISTRIBUTED BY

YOUR TITLE EXPERTS
The Judicial Title Insurance Agency LLC
800-281-TITLE (8485) FAX: 800-FAX-9396

RETURN BY MAIL TO:

Thomas F. Wood, Esq.
Wood & Klarl, Esqs.
153 albany Post Road
Buchanan, New York 10511

Standard N Y B T U Form 2002 Bargain and Sale Deed, with Covenant against Grantor's Acts—Individual or Corporation 1154 023a

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

F-682-354

THIS INDENTURE, made the 27th day of March, nineteen hundred and ninety-two

BETWEEN

PAULINE SAMMUT SIEBERT as sole surviving heir of EMANUEL J. SAMMUT who died on December 9, 1991, having been predeceased by ROSE SAMMUT, residing at

Route 9
Cold Spring, New York 10516

party of the first part, and

BRUCE KEHR and DONNA KEHR, husband and wife
Lake Walton Road
Hopewell Junction, New York 12533

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars 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 PHILLIPSTOWN, County of Putnam and State of New York and being more particularly described as follows:

BEGINNING at an iron pipe found on the Easterly line of New York State Route 9 also known as State Highway number 5149, said point of beginning being the Southwest corner of other Lands of Kehr as described in recorded Deed Liber 1068 page 35, said point of beginning also being the Northwesterly corner of the herein described parcel, thence from said point of beginning and along the Southerly line of other Lands of Kehr, South 51 34' 00" East 512.83 feet to an iron pipe found; thence along the Northerly line of Lands now or formerly Merson, South 38 28' 50" West 146.15 feet; thence continuing along the Northeasterly line of said Lands North 51 22' 20" West 485.77 feet to the Easterly line of said Route 9; thence along said line the remaining three courses and distances South 23 52' 42" East 22.95 feet; thence North 38 06' 01" East 38.68 feet; thence North 24 22' 01" East 86.20 feet to the point of beginning.

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" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Pauline Sammut Siebert
PAULINE SAMMUT SIEBERT

03575

1354 - 024

STATE OF NEW YORK, COUNTY OF Westchester ss:

On the 27 day of March 19 92 before me personally came

PAULINT SAMMUT SIEBERT

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

NOTARY PUBLIC

THOMAS F. WOOD
NOTARY PUBLIC, State of New York
No. 4684926
Qualified in Dutchess County
Commission Expires March 30, 1992

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the

of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed h name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. F-582-354

SAMMUT

TO

KEHR

SECTION 16.20
BLOCK 1
LOT 19 & 20
COUNTY OR TOWN of Philipstown
County of Putnam

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by
SECURITY TITLE AND GUARANTY COMPANY
CHARTERED 1886 IN NEW YORK

RETURN BY MAIL TO:

WOOD & KLAEL, ESQS.
153 Albany Post Road
Buchanan, New York
Zip No. 10511

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

PUTNAM COUNTY CLERK'S OFFICE
RECEIVED ON THE 14 DAY OF April 1992
AT 10 H 36 M A.M. RECORDED IN
BOOK No. 1354 OF Deeds
AT PAGE 23 AND EXAMINED

CLERK

RECEIVED
$ -0-
REAL ESTATE
TT 1993
TRANSFER TAX
PUTNAM
COUNTY

16.00
140.00

PUTNAM COUNTY
CLERK'S OFFICE
Apr 14 10 36 AM '92

A 291

Standard N.Y.B.T.U. Form 3007
Bargain & sale deed, with covenant against grantor's acts — Ind. or Corp.

LIBER 1068 PG 035

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS

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

THIS INDENTURE, made the 25th day of August, nineteen hundred and eighty-nine

BETWEEN BART CARBONE and DOLORES CARBONE, husband and wife, residing at 30 Beech Court, Fishkill, New York 12524

party of the first part, and BRUCE KEHR and DONNA KEHR, husband and wife, residing at Lake Walton Road, Hopewell Junction, New York 12533

party of the second part,

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

ten dollars----------dollars,

lawful money of the United States, and other good and 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 and State of New York, bounded and described as follows:

BEGINNING at an iron pipe on the easterly side of highway no. 5149, Route 9, distant southeasterly along the same 300 feet from lands now or formerly of G.E. Hustis at the southwesterly corner of lands now or formerly of Amato; running thence along said lands of Amato and land now or formerly of Adams, South 51° 34' East 555.62 feet to an iron pipe and lands now or formerly of Nerson; thence along the same, South 38° 28' 50" West 154.30 feet to an iron pipe and lands now or formerly of Easson; thence along the same, North 51° 34' West 512.83 feet to the said easterly side of Route 9; thence along the same, North 13° 45' East 54.50 feet; North 25° 58' 14" East 94.22 feet and North 32° 58'44" East 12.55 feet to the point and place of beginning.

456-982

08310

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 incumbered 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" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

BART CARBONE

DOLORES CARBONE

STATE OF NEW YORK, COUNTY OF Dutchess ss:

On the 25th day of August 1989, before me personally came

BART CARBONE & DOLORES CARBONE

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

NOTARY PUBLIC

LOUIS J. VIGLOTTI
Notary Public, State of New York
Qualified in Dutchess County
Commission Expires March 30, 19 11

STATE OF NEW YORK, COUNTY OF LIBER 1068 PG 037

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the

of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed h name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. 4365-982

SECTION 21
BLOCK 1
LOT 50
COUNTY OR TOWN

TO

RETURN BY MAIL TO:

ROBERT IANELLI, ESQ.
Route 52
Fishkill, NY 12524

Zip No.

Reserve this space for use of Recording Office.

CLERK'S OFFICE
Aug 29 1 13 PM '89

PUTNAM COUNTY CLERK'S OFFICE
RECEIVED ON THE 29 DAY OF Aug. 1989
AT 1 H 13 M P.M. RECORDED IN
BOOK No. 1068 OF Deeds
AT PAGE 035 AND EXAMINED

CLERK

RECEIVED
$ 930.00
REAL ESTATE
AUG 29 1989
TRANSFER TAX
PUTNAM
COUNTY

3-14.00
5.00
930.00
T.TAX

BADEY & WATSON
Surveying & Engineering, P.C.

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

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

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

June 3, 2014

NYS Dept. Of Environmental Conservation
Bureau of Wildlife
DEC Region 3
21 South Putt Corners Road
New Paltz, NY 12561

RE: 3330 Route 9 -Endangered Species Inquiry

Dear Sir or Madam:

We have been engaged to design and process a Site Plan of the captioned property. The project is located in the Town of Philipstown, Putnam County. The enclosed Site Plan contains a portion of the West Point Quadrangle Map on which we have marked the project's location.

We are writing to ask for your assistance. Could you check your Resource Index to see if there are any recorded indications of threatened or endangered species in the vicinity of the property?

Should you have any questions or if you need additional information, please do not hesitate to call us.

Your earliest possible response would be appreciated. Thank you for your efforts.

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

by,
Glennon J. Watson, L.S.

Enclosure (1)
GJW/mew
cc: File

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

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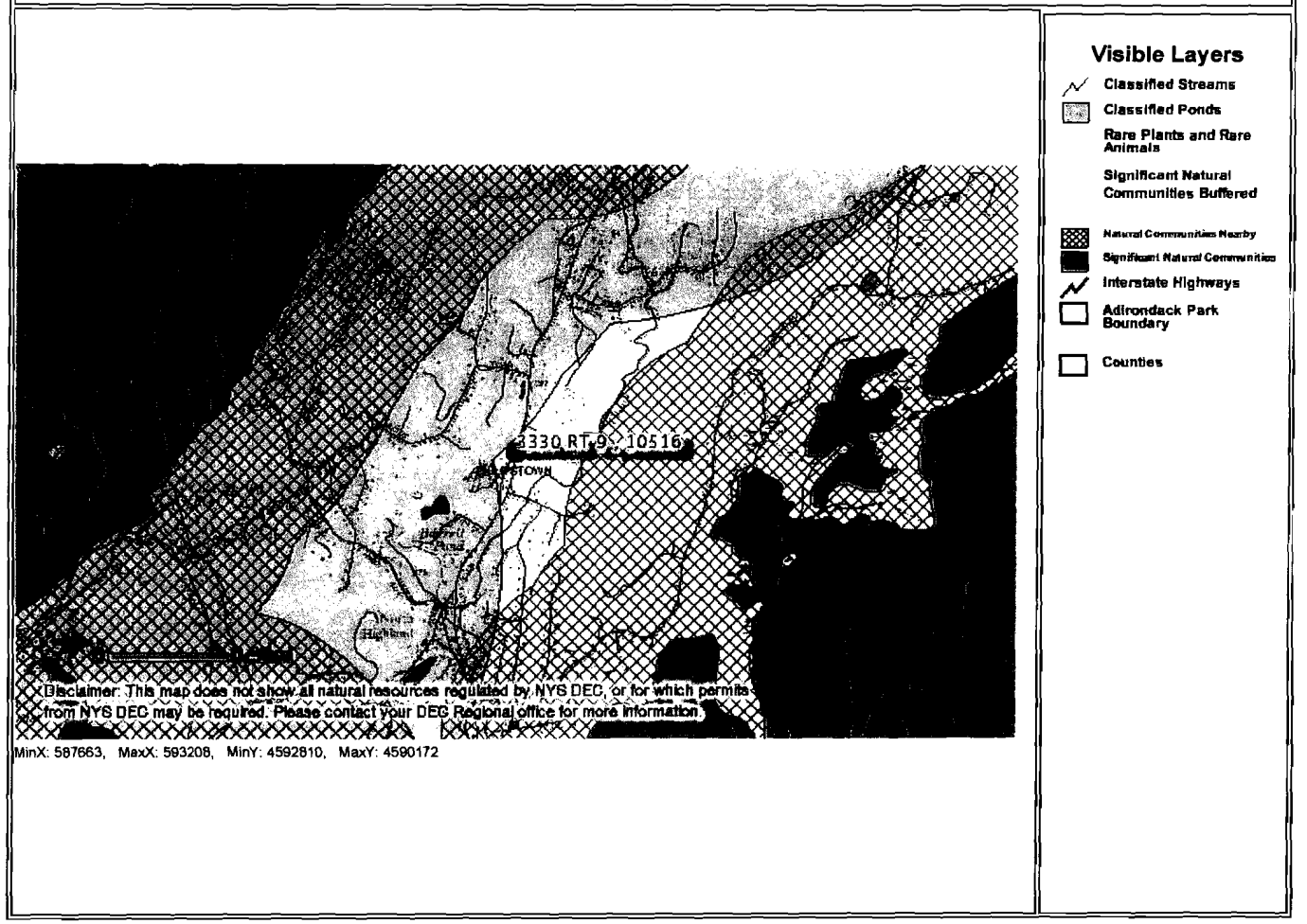
Please set your printer orientation to "Landscape".

ESP Site Plan

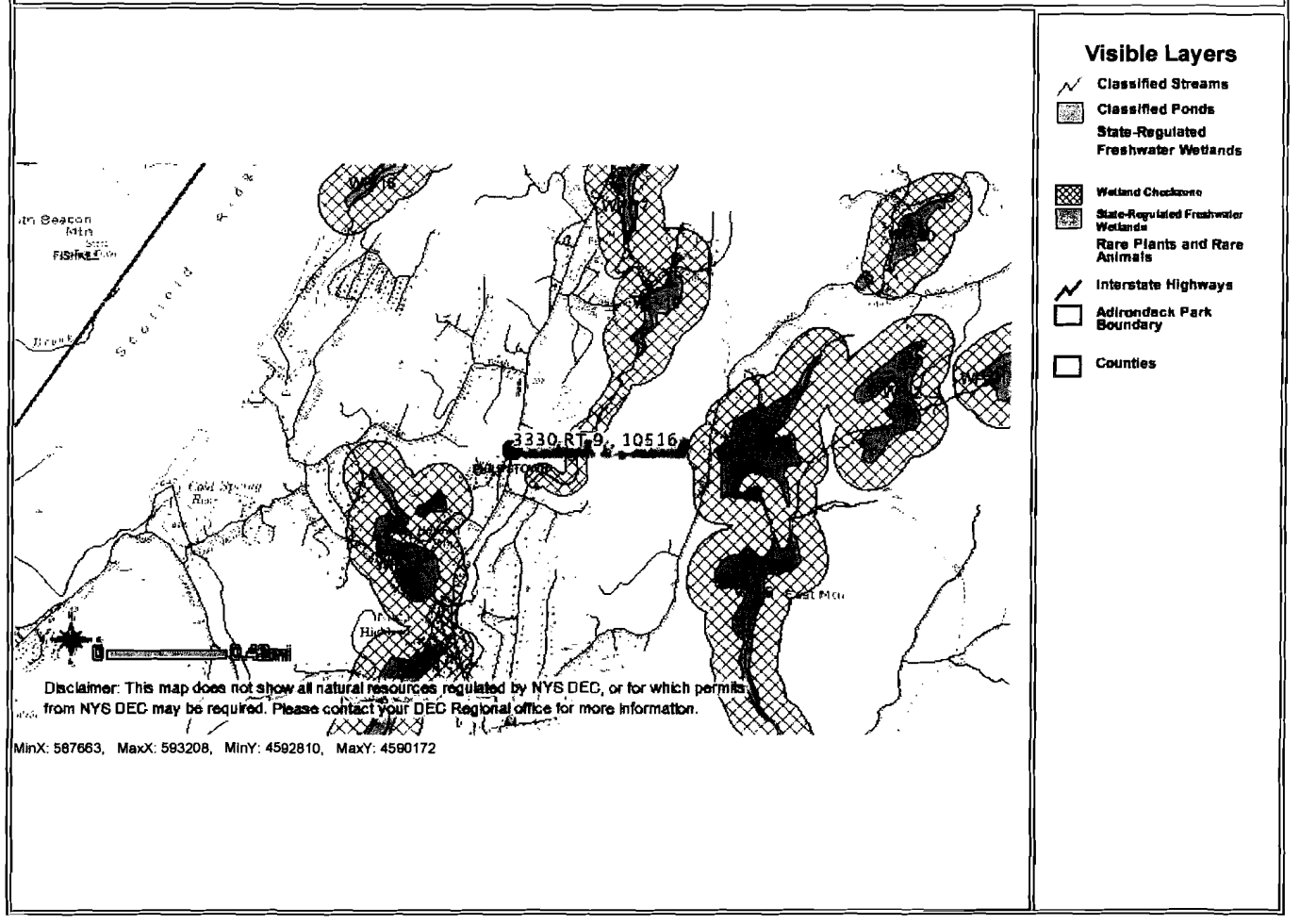


Disclaimer:This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

[print page] [close window]

Please set your printer orientation to "Landscape".

ESP Site Plan



Disclaimer:This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

Town of Philipstown

238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MINOR PROJECT

Project Name: **"AUTH" - Residential Site Application, Minor Project**

Date: **June 5, 2014**

Town of Philipstown

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

Application for Planning Board Special Use & Site Plan Approval

Date: 6/5/2014 **TM #** 38.-3-71

Name: Steven & Sandra "AUTH"

Street Address: 279 U.S. Route 9 (at the intersection of Route 301)

Fee Amount $550.00 **Received:**

Bond Amount: **Received:**

Applicant:

Name Steven & Sandra Auth
Address 227 Canopus Hollow Road
Putnam, NY 10579
Telephone 845-528-2688

Tenant:

Name
Address
Telephone

Design Professional:

Name John P. Delano, P.E.
Address Badey & Watson, Surveying & Engineering, P.C.
3063 Route 9, Cold Spring, NY 10516
Telephone 845-265-9217 x12

Surveyor:

Name Glennon J. Watson, L.S.
Address Badey & Watson, Surveying & Engineering, P.C.
3063 Route 9, Cold Spring, NY 10516
Telephone 845-265-9217 x14

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

Name Trust U/W of Helen F. Hubbard (see attached)
Address c/o Cassidy Turley Commercial Real Estate Services, Inc.
277 Park Ave, 42nd Floor, NY, NY 10172
Telephone 212-318-9753

Name
Address
Telephone

TM # 38.-3-71

Project Name: Steven & Sandra "AUTH"

Project Description: Construction of a new single family residence, driveway, septic system & well

ZONING INFORMATION

175-7 Zoning District: RC

175-10 Proposed Use: single family residential

Proposed Accessory Use(s): N/A

175-7 Overlay Districts on the property	Yes or No
175-13 Floodplain Overlay District - NFIP Map ..... (FPO)	No
175-18.1 Mobile Home Overlay District ..... (MHO)	No
17-14 Cold Spring Reservoir Water Shed Overlay ..... (WSO)	No
175-15 Scenic Protection Overlay..... (SPO)	Yes
175-16 Aquifer Overlay District..... (AQO)	No
175-18 Open Space Conservation Overlay District..... (OSO)	No
175-35 Within 100 foot buffer of Wetlands or Watercourse	No
175-36 Steep Terrain	Yes
175-36 Ridge Line Protection	No
175-37 Protection Agricultural	No

TM # 38.-3-71

Project Name Steven & Sandra "AUTH"

175-11 Density and Dimensional Regulations

Zoning District RC	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	60'	N/A	N/A	Yes	No
Measured from the travel way County/state	60'	N/A	309' & 415'	Yes	None
Minimum side yard setback	30'	N/A	101'	Yes	No
Minimum side yard setback (2)	30'	N/A	190'	Yes	No
Minimum side yard setback (3)	N/A	N/A	N/A	N/A	No
Minimum rear yard setback	N/A	N/A	N/A	N/A	No
Maximum impervious surface coverage	10%	N/A	4%	Yes	No
Maximum height	40'	N/A	>40'	Yes	No
Maximum footprint non-residential structures	6,000 SF	N/A	N/A	N/A	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 coasts, as required by the Planning Board.
8. Fee: $550.00 Received: _____
9. Escrow: $2,500.00 Received: _____

ARTICLE IX SPECIAL PERMITS AND SITE PLAN REVIEW
§175-60 PURPOSE AND APPLICABILITY

A. It is the policy of the Town of Philipstown to allow a variety of uses of land, provided that such uses do not adversely affect neighboring properties, the natural environment, or the rural and historic character of the Town. Many uses are therefore permitted only upon issuance of a Special Permit by the Planning Board, in order to ensure that these uses are appropriate to their surroundings and consistent with the purposes of this Chapter. Some uses are allowed by right, subject only to Site Plan approval (see Use Table in § 1 75-1 0). Communication towers, soil mines, and certain solar and wind energy facilities (see §175-30E (2)) require a Special Permit issued by the Zoning Board of Appeals. Adult entertainment uses and uses not listed on the Use Table (if not prohibited by §175-10 C) require a Special Permit issued by the Town Board. in reviewing Special Permit applications, the Town Board and Zoning Board of Appeals shall follow the procedures and standards established for the Planning Board in this Article IX.

B. Accessory uses or structures used in connection with a Special Permit or Site Plan use shall be subject to the same approval requirements as the principal structure or use. Accessory structures used in connection with an institutional use in the IC district are governed by the provisions in § 175-1 01.

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

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

a. Construction of four multi-family dwelling units or a lodging facility with six bedrooms.

b. Construction of facilities or structures for a non-residential use covering 3,000 square feet of: building footprint.

c. Alteration of existing structures or expansion of such structures by 1,000 square feet.

d. Conversion of existing structures totaling 5,000 square feet to another use.

e. Alteration and active use of 10,000 square feet of land, with or without structures.

f. Construction of a structure that is 50 feet in height above average grade level. (provided that it otherwise complies with this Chapter or is the subject of an area variance),

2. **A Major Project or a Special Permit or: Site: Plan**: application exceeding any of the Minor project threshold.

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

175-62 A. PRE-APPLICATION MEETINGS.

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

§175-67 PROCEDURE FOR-MINOR PROJECT SITE PLAN APPROVAL

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

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

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

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

SITE PLAN CHECKLIST

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

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

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

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

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

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

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

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

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

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

175-65 **D Criteria**

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

1. Layout and Design

__X__ a. To the maximum extent practicable, development shall be located to preserve the natural features of the site and to avoid wetland areas, steep slopes, significant wildlife habitats, and other areas of environmental sensitivity. The placement and design of buildings and parking facilities shall take advantage of the site's topography, existing vegetation, mid other pertinent natural features. The Planning Board may require that an applicant prepare a conservation, analysis as described-in §135-20A of this chapter.

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

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

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

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

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

__X__ g. Impacts on, historic and cultural resources shall be minimized.

__X__ h. Newly installed utility service systems and service modifications necessitated by exterior alterations shall be installed underground, When feasible, existing above ground utility service systems shall be place underground

__X__ i. Buildings, shall have a finished exterior on all sides.

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

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

__X__ a. All areas of the lot not covered by buildings and other structures, outside storage and approved paving shall be suitably landscaped with trees and/or shrubs, lawns or other suitable, landscaping or shall be 1.4 as natural terrain, if not disturbed by filling, grading or excavation.

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

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

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

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

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

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

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

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

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

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

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

3. Parking, Circulation, and Loading

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

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

_X_ c. Off-street parking and loading standards in §175-M shall be satisfied.

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

_X_ e. All buildings shall be accessible by emergency vehicles.

_____ f. Parking spaces shall have. wheel stops or curbs to prevent injury to trees and shrubs planted in landscaped island.

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

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

4. Reservation of Parkland

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

5. Outside Storage

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

_____ a. The the HC and OC districts, outside storage areas shall not extend into the area required for a building setback from a street line or from the center line of U.S. Route 9, as determined under §175-30(J), or from a residential district boundary line. Outside storage shall be enclosed (except for necessary access drives) by buildings and/or fences, walls, embankments or evergreen shrubs or trees so as to screen the storage area from view from any other adjacent lot or any street.., in no case shall the height of outside storage exceed the height of the approved screening, Screening shall be of a density as to be at least 75% effective in screening such view, at the time of occupancy, except that when evergreens are used, such height and density shall be achieved within five years after establishment of the outside storage area.

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

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

38.-3-20
MAASIK, ANDREA
2792 Route 9
Cold Spring, NY 10516

38.-3-23
LOIS REALTY LLC
77 Route 59 East
Spring Valley, NY 10977

38.-3-67
CAROLL, JAMES
81 Vanderbuilt Ave
Brooklyn, NY 11205

38.-3-72.2
ELY, JAMES
273 Route 301
Cold Spring, NY 10516

38.-3-72.3
ELY, JAMES
273 Route 301
Cold Spring, NY 10516

28.-1-14.1
STATE OF NEW YORK
40 Gleneida Ave
Carmel, NY 10512

38.-3-71
HUBBARD, HELEN F
PO Box 810490
Dallas, TX 753810490

38.-3-18
MEKEEL'S CNR CHAPEL ASSOC
PO Box 106
Cold Spring, NY 10516

38.-3-19
YANNITELLI, DONATO
333 Route 301
Cold Spring, NY 10516

38.-3-16
CALIENDO, KATIE M
339 Rt 301
Cold Spring, NY 10516

38.-3-22
GOUVERNEUR SAMUEL
Rt 301
Cold Spring, NY 10516

38.-2-41.3
PEREIRA, URBANO
31 Kings Grant Way
Briarcliff Manor, NY 10510

38.-2-42
STATE OF NEW YORK
40 Gleneida Ave
Carmel, NY 10512

38.-3-72.1
ELY, JAMES
273 Route 301
Cold Spring, NY 10516

38.-3-70
VON BUJDOSS, NICHOLAS
2791 Rt 9
Cold Spring, NY 10516

38.-3-21
DRISCOLL, JEFFREY R
2784 Route 9
Cold Spring, NY 10516

38.-3-69
HERZIG, MICHAEL L
2787 Rt 9
Cold Spring, NY 10516

38.-3-68
THE STUDIO @ COLD SPRING
PO Box 307
Cold Spring, NY 10516

38.-3-66
ANASTASI, FRANK J
2779 Route 9
Cold Spring, NY 10516

38.-2-41.1
ROUTE 9 HOLDINGS LLC
3504 Rt 9
Cold Spring, NY 10516

38.-2-41.5
ROUTE 9 HOLDINGS LLC
3504 Rt 9
Cold Spring, NY 10516

38.-2-41.4
STATHOS, DEAN
44 Country Hill Ln
Cold Spring, NY 10516

617.20
Appendix B
Short Environmental Assessment Form

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:
"Auth" Residential Site Plan Application

Project Location (describe, and attach a location map):
Southwest Corner of intersection of Route 9 & 301

Brief Description of Proposed Action:
Construction of a new single family residence, driveway, septic system & well.

Name of Applicant or Sponsor:	Telephone: 845-528-1322
Steven & Sandra Auth	E-Mail: ecocpm@optonline.net

Address:
227 Canopus Hollow Road

City/PO:	State:	Zip Code:
Putnam Valley	NY	10579

	NO	YES
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.	✔	
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: NYSDOT- Highway work permit; PCDH-Septic & Well permits; Philipstown Building permit.		✔

3.a. Total acreage of the site of the proposed action? 10.0 acres
b. Total acreage to be physically disturbed? 2.400 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 10.0 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☑ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?		✔	
b. Consistent with the adopted comprehensive plan?		✔	

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		✔
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify:	✔	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✔	
b. Are public transportation service(s) available at or near the site of the proposed action?	✔	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	✔	
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:	✔	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: Private drilled well	✔	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Septic System	✔	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	✔	
b. Is the proposed action located in an archeological sensitive area?	✔	
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?	✔	
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:	✔	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☑ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

	NO	YES
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? More to follow	✔	
16. Is the project site located in the 100 year flood plain?	✔	
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? ☐ NO ☑ YES		✔
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☑ YES Overall drainage patterns will not be altered; runoff will continue to flow toward systems on Route 9, Route 301 and to the west.		

	NO	YES
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:	✔	
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:	✔	
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:	✔	

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

Applicant/sponsor name: Steven & Sandra Auth Date: 06/05/2014

Signature: Engineer for Applicant

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	✔	
2. Will the proposed action result in a change in the use or intensity of use of land?	✔	
3. Will the proposed action impair the character or quality of the existing community?	✔	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✔	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✔	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	✔	
7. Will the proposed action impact existing: a. public / private water supplies?	✔	
b. public / private wastewater treatment utilities?	✔	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✔	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✔	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✔	
11. Will the proposed action create a hazard to environmental resources or human health?	✔	

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Town of Philipstown

238 Main Street
Cold Spring New York 10516

Zoning/Planning Board

PREAPPLICATION MEETING

for

Special Use and Site Plan Applications

Project Name: Auth, 279 Route 9

Meeting Date: May 30, 2014

Meeting held and confirmed by : [illegible]

Tax Map# 38-3-71

ARTICLE IX SPECIAL PERMITS AND SITE PLAN REVIEW

§175-60 PURPOSE AND APPLICABILITY

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

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

C. Minor and Major Projects

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

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

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

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

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

§175-66 PROCEDURE FOR MAJOR PROJECT SITE PLAN APPROVAL

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

B. Pre-application Meetings

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

Zone RC – Greater 3000 ft Structure

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

Major _____ **Minor** X **Amendment** _____

1. Discuss of proposal and scope of work
2. Discuss existing and proposed uses Single Family Dwelling
3. Determine zone and uses to be approved —
4. Review fee schedule format through process
5. Determine fees for submission
6. Review escrow through process
7. Determine escrow for submission
8. Determine waivers
9. Review overlays:

   a. 175-13 Floodplain Overlay District – NFIP Map ---------- (FPO) NO
   b. 175-18.1 Mobile Home Overlay District ---------- (MHO) NO
   c. 175-14 Cold Spring Reservoir Water Shed Overlay ---------- (WSO) NO
   d. 175-15 Scenic Protection Overlay ---------- (SPO) Yes — < 10,000 greater
   e. 175-16 Aquifer Overlay District ---------- (AQO) Regional
   f. 175-18 Open Space Conservation Overlay District ---------- (OSO) NO
   g. 175-35 Within 100 foot buffer of Wetlands or Watercourse ---------- NO
   h. 175-36 Steep Terrain ---------- Yes
   i. 175-36 Ridge Line Protection ---------- NO
   j. 175-37Protection Agricultural ---------- NO

   30%

10. Existing violation letter - $175
11. SEQRA
    a. Short Form – No Fee
    b. Long Form - $300

175-67 D may Refer CB – SPO

Chapter 71 Development and Building Fees

Article I Costs of Special Consultants

71-3 Professional review services; payments; application for special arrangements.

A. Escrow deposit required.

(1) At the time of submission of any application to the Town Board, Planning Board and Zoning Board of Appeals, the applicant shall deposit funds with the Town.

a) For Major Special Use Permit and/or Site Plan reviews, the amount shall be $2,000. unless a greater amount is deemed necessary by the reviewing board.

b) During the Major Special Use Permit and/or Site Plan review process the encumbered bond amount of the escrow may not be less than $1,000 and the reviewing board will determine the amount of replenishment.

c) For Minor Special Use Permit and/or Site Plan reviews, the amount shall be $500 unless a greater amount is deemed necessary by the reviewing board.

d) The funds shall be used by the Town to pay the Town's consultants for all reasonable costs of planning, engineering, legal, architectural, accounting and/or other consultants deemed appropriate by the applicable Board. Proof of this deposit shall be submitted with the application to the applicable Board. The Board Secretary will ensure proof of this escrow fund prior to placing the application on the Board's agenda. This fund shall be monitored by the Board's secretary as to applicable debits and credits. Either Board may increase or decrease the amount of escrow, if it is appropriate to the application.

(2) Withdrawals shall be made from this fund to pay for the costs of professional review services. In the event that the escrow account is subsequently reduced by more than half, the applicant shall replenish the account to its original balance.

(3) For applications pending at the time of adoption of this provision, applicants shall be required to deposit funds in escrow and pay for such expenses incurred after the date of such adoption. Either Board may increase or decrease the amount of the escrow if it is appropriate to the application.

Chapter 175 Zoning

Proposed Chapter 175 Fee Schedule

Escrow amount – see Chapter 71-3.

Planning Board Fees

1. 175-65 Site Plan Major – $1000 + $20 per parking and loading space, + Escrow
2. 175-65 Site Plan Minor - $300 + Escrow as needed $300.00
3. 175-68 D. Amended - $250 if declared minor + Escrow, as needed
4. 175-68 D. Amended - $250 if declared major add $750 + $20 per parking and loading space, + Escrow
5. 175-62 Special Use Permit Minor - $500 + Escrow
6. 175-62 Special Use permit Major - $1500 + $20 per parking and loading space, + Escrow
7. 175-20 Conservation analysis and Density calculation.- $500
8. One and Two Family Site Plan more than 3000 square feet – $300
9. Conservation Board Referral - $300
10. Full Environmental Assessment Form - $300
11. Environmental Impact Statement - $1,000
12. Public Hearing - $250
13. Final or Conditional Final Approval - $250 $250
14. Re-approval of Final or Conditional Final Approval -$250
15. Request for extension of time - $250
16. Applications requesting a variance – See ZBA Fee Schedule FEE $550.00

Escrow $2500.00

harvesting operations conducted in a manner that avoids adverse effects of land disturbance on such slopes and provides for appropriate site restoration.

(4) Activities, uses, and construction which involve land disturbance on slopes 20% or greater and within steep terrain wetland/watercourse transition areas and which are subject to authorization or approval under this Chapter **175** and Chapter **112** shall be referred to the Philipstown Conservation Advisory Council/Conservation Board for review and advice with regard to the effects of the land disturbance, alternatives for development, and mitigation measures consistent with the purpose of this chapter.

(5) Land disturbance on slopes of 20% or greater that is within special flood hazard areas is subject to permit under Chapter **90**. Land disturbance on slopes of 20% or greater within watercourses and controlled wetlands and their buffer zones is subject to permit under Chapter **93**.

(6) Slopes shall be measured by utilizing two-foot contours, which can contain a rectangle on a horizontal plane having a length of 50 feet and a width of 25 feet, and exclusive of areas which cannot contain such rectangle.

(7) The Planning Board may grant a special permit allowing the disturbance of slopes of 20% or greater for a purpose other than those listed in Subsection **B(1)** above, provided that the Board makes a written finding that the proposed development would involve less land disturbance and have less overall impact on soils, vegetation, scenic views, and water resources than would development in compliance with Subsection **B(1)** of this section. An example of proper application of this Subsection **B(7)** would be to allow building on a site which has a slope exceeding 20% but which is at a relatively low elevation on a property and requires a short access driveway, as compared to a less steep site located at a higher elevation accessed by a longer driveway crossing slopes exceeding 20%. The latter may have a greater impact on the hillside both because of locating the building at a higher elevation and because the longer driveway across steep slopes would involve more land disturbance.

C. Ridgeline and hillside protection. The purpose of this Subsection **C** is to maintain the scenic beauty and rural character of the Town by minimizing visual intrusions into the landscape and preserving the important aesthetic, scenic, and ecological character of the Town's ridgelines and adjacent hillsides. The Town of Philipstown Resource Protection Zoning Map, Scenic Ridgelines *Editor's Note: Said map is included at the end of this chapter.* designates significant ridgelines for protection. **[Amended 9-7-2011 by L.L. No. 4-2011]**

(1) Designation of ridgeline and hillside protection area. The ridgeline and hillside protection area shall consist of all land lying 50 feet downslope, measured vertically, below a ridgeline indicated on the Zoning Map.

(2) Review of development within protection area. Within the ridgeline and hillside protection area, any structure containing 500 square feet or more of floor area

or that is more than 20 feet in height, and any land disturbance (as defined herein) of 2,000 square feet or more, shall be subject to site plan review. Structures built within the ridgeline and hillside protection area shall be no more than 30 feet in height, notwithstanding the provisions of § **175-30E**, and shall not project above such ridgeline when viewed from any publicly accessible place. Vegetative screening of new structures shall be required as necessary to minimize visibility from publicly accessible places, consistent with the limitations in Subsection **C(3)** below. The Planning Board may, but shall not be required to, waive this site plan review requirement if it finds that the proposed development site is not visible from any publicly accessible place.

(3) Notwithstanding any other provision in this chapter, landowners shall not be required to plant vegetative screening and shall be permitted to cut, clear, or remove vegetation on their property to the extent necessary to keep and maintain views that existed on May 5, 2011, the date of original adoption of this § **175-36**.

FOOTPRINT

Area of the ground covered by a structure, including the foundation and all areas enclosed by exterior walls and footings and covered by roofing. In the case of party-wall buildings, each unit shall be considered a separate structure for purposes of measuring footprint area.

175 Attachment 1

Town of Philipstown

Use Table
[Amended 10-3-2013 by L.L. No. 6-2013]

Symbol	Meaning
P	Designates a use permitted by right. Usually requires a zoning permit or a building permit and a certificate o Administrative Officer, but does not require review by any municipal board.
PS	Designates a use permitted by right, subject to site plan review by the Planning Board (see §§ 175-65 through 175-6
P/S	Designates a use permitted by right in some circumstances and by special permit in others. See the relevant section r
S, SZ, ST	Designates a use permitted by special permit issued by the Planning Board (S), Zoning Board of Appeals (SZ) or (see §§ 175-60 through 175-64).
—	Designates a prohibited use.

Use Category	RC	IC	RR	HM	HR	SR	HC	OC
Residential Uses								
Single-family dwelling	P*	P#	P*	P*	P*	P*	P*	P*
Two-family dwelling	S	P#	S	P*	P*	P*	S	S
Multifamily dwelling (conversion)	S	P#	S	PS	S	—	S	S
Multifamily dwelling (new)	S[1]	P#	S[1]	PS	S	—	S	S
Accessory apartment	P/S	P#	P/S	P/S	P/S	P/S	P/S	P/S
Mobile homes/mobile home parks	See § 175-44							
Upper-floor apartments in mixed-use building	—	P#	—	PS	PS	—	PS	S
Business Uses[2]								
Adult entertainment use	—	—	—	—	—	—	—	—
Agriculture	P	P	P	P	P	P	P	P
Bed-and-breakfast	PS	P#	PS	PS	PS	PS	PS	PS
Camp	S	P#	S	—	—	—	—	—
Craft workshop	S	P#	S	PS	S	—	P*	P*
Communications tower	See § 175-46							
Home occupation	P/S[4]	P#	P/S[4]	P/S[4]	P/S[4]	P/S[4]	P/S[4]	P/S[4]

Use Category	RC	IC	RR	HM	HR	SR	HC	OC
Kennel	S	S	S	—	—	—	S	S
Light industry	—	—	—	S	—	—	S	PS
Lodging facility	—	S	—	PS	S	—	PS	—
Office	S[3]	P#	S[3]	PS	S	—	PS	PS
Public utility facility	S	S	S	S	S	S	S	S
Recreational business, indoor	—	P#	—	S	S	—	PS	S
Recreational business, outdoor	S	S	S	—	S	—	S	—
Residential care facility	—	P#	S	S	S	—	—	—
Restaurant	S[3]	P#	S[3]	PS	S	—	PS	PS
Retail business (not listed elsewhere)	S[3]	P#	S[3]	PS	S	—	PS	PS[5]
Service business (not listed elsewhere)	S[3]	P#	S[3]	PS	S	—	PS	PS
Soil mining	—	—	—	—	—	—	—	—
Timber harvesting	See Chapter 159 of the Town Code							
Veterinary hospital	S	—	S	S	—	—	PS	PS
Warehouse/wholesale business	—	—	—	—	—	—	PS	PS
Riding academy	PS	P#	PS	—	—	—	—	—
Community/Institutional Uses								
Cemetery	S	S	S	S	S	S	—	—
Educational/charitable/religious	PS	PS	PS	PS	S	S	PS	PS
Health care facility	S	S	S	PS	S	—	PS	PS
Institutional use	S	P*	S	S	S	S	—	—
Membership club	S	S	S	S	S	—	PS	PS
Municipal	PS	PS	PS	PS	PS	PS	PS	PS

NOTES:

(*) Minor project site plan review required when footprint area exceeds 3,000 square feet. Additions to dwellings where the total cumulat 3,000 square feet shall require minor project site plan review if the footprint of the addition exceeds 1,000 square feet.

(#) Permitted by right if operated in conjunction with the primary institutional use as defined in § 175-74; otherwise a special permit is requ

(1) Only permitted in a conservation subdivision (see § 175-20).

(2) Subject to limitations on building footprint in the Dimensional Table.

(3) Only as provided in § 175-101.

(4) Requires a special permit if more than one nonresident employee or 30% of dwelling unit floor space. See § 175-41.

(5) Retail use shall not exceed 20% of floor area and shall include only sale of items produced on the premises and customary accessories tc

(6) Only within the Soil Mining Overlay District.

May 30, 2014

Auth - 279 Route 9
TM 38.-3-71

Attendance

NAME	Title
Kim K.	PB
Andie M.	PB
Ron Gainer	Town Engineer
MR & Ms Auth	Owner
John Delano	Bayley & Watson

BADEY & WATSON

John Delano <jdelano@badey-watson.com>

97604665: Hubbard Trust / 279 Route 301 - Authorization to file application

Tuohy, Victor <victor.tuohy@cassidyturley.com> Fri, May 30, 2014 at 3:29 PM
To: "adm1243@gmail.com" <adm1243@gmail.com>, "jdelano@badey-watson.com" <jdelano@badey-watson.com>, "ytdave@aol.com" <ytdave@aol.com>, "bsawin@houlihanlawrence.com" <bsawin@houlihanlawrence.com>, "kcdonohue@philipstown.com" <kcdonohue@philipstown.com>, "ecocpm@optonline.net" <ecocpm@optonline.net>, "37pc@optonline.net" <37pc@optonline.net>
Cc: "Wallin, Sylvia" <SWallin@houlihanlawrence.com>, "Catherine B Andreycak (candreycak@smhal.com)" <candreycak@smhal.com>, "Pearlman, Michael" <michael.pearlman@jpmorgan.com>, "Michalis, Clarence (cfm273@optonline.net)" <cfm273@optonline.net>

To the Town of Philipstown Planning Board, Badey & Watson, and other interested parties.

My firm is Agent for JPMorgan Chase Bank, N.A., Co-Trustee of the Trust U/W of Helen F. Hubbard, the owner of the vacant parcel located at 279 Route 301, and we also represent the interests of Clarence Michalis and Helen Winslow, Co-Trustees. The Trustees have entered into a contract of sale dated April 9, 2014 with Steven and Sandra Auth.

This notification will stand as the owners' authorization for Mr. & Mrs. Steven Auth, their engineering representative Mr. John Delano of Badey & Watson Surveying and Engineering, and/or Mr. David Wright Esq. to submit applications for driveway and residential construction for a residential structure on the parcel identified as 279 Route 301, Cold Spring NY 10516 TM 38.-3-71 in the Town of Philipstown.

This authorization extends to the Planning Board and Zoning Board of Appeals and/or Building Department of the Town of Philipstown.

It is intended to support and facilitate the application review process, and the Trust makes no representation as to the content of the information contained in the application(s) filed by Mr. and Mrs. Auth and/or their representatives

VET

Victor E. Tuohy Vice President

Cassidy Turley Commercial Real Estate Services, Inc., As Agent for JPMorgan Chase Bank, N.A., Co-Trustee
277 Park Avenue, 42nd Floor
New York, NY 10172
T 212-318-9753 **F** 877-303-3243
Victor.Tuohy@cassidyturley.com www.cassidyturley.com

BADEY & WATSON
Surveying & Engineering, P.C.

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

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

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

June 3, 2014

NYS Dept. Of Environmental Conservation
Bureau of Wildlife
DEC Region 3
21 South Putt Corners Road
New Paltz, NY 12561

RE: 279 Route 9 -Endangered Species Inquiry

Dear Sir or Madam:

We have been engaged to design and process a Site Plan of the captioned property. The project is located in the Town of Philipstown, Putnam County. The enclosed Site Plan contains a portion of the West Point Quadrangle Map on which we have marked the project's location.

We are writing to ask for your assistance. Could you check your Resource Index to see if there are any recorded indications of threatened or endangered species in the vicinity of the property?

Should you have any questions or if you need additional information, please do not hesitate to call us.

Your earliest possible response would be appreciated. Thank you for your efforts.

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

John P. Delano, P.E.

by
John P. Delano, P.E.

Enclosure (1)
JPD/mew
cc: File

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

T.T. .55

THIS INDENTURE made the 31st day of August , 1981

between:

IRVING TRUST COMPANY, a domestic banking corporation having its principal office at One Wall Street, New York, N. Y. 10005, as Executor of and Trustee under the Last Will and Testament of Ethel M. Goodridge, Deceased,

WILLIAM I. FEARING, residing at 436 Holly Street, Laguna, California 92651, and

ROSE V. ISELIN and EMMETT W. POINDEXTER, residing at Bible Hill, Claremont, New Hampshire 03743 and at 475 Stuyvesant Avenue, Rutherford, New Jersey 07070 respectively, as Executors of and Trustees under the Last Will and Testament of John H. Iselin, Deceased,

parties of the first part, and HELEN M. WINSLOW, CLARENCE F. MICHALIS and MANUFACTURERS HANOVER TRUST COMPANY, as Trustees under the Last Will and Testament of HELEN F. HUBBARD, Deceased, at 350 Park Avenue, New York, N.Y. 10022,

parties of the second part,

WITNESSETH that the parties of the first part, in consideration of ONE HUNDRED FOURTEEN DOLLARS and 20/100 lawful money of the United States, paid by the party(ies) of the second part, do hereby remise, release and quitclaim unto the party(ies) of the second part, its heirs and successors and assigns forever,

ALL their right, title and interest in, of and to all mines and minerals in all that certain plot, piece or parcels of land situate in the Town of Philipstown County of Putnam, State of New York containing 11.42 acres of land and bounded and described as follows:

All that certain parcel of land situate in the Town of Philipstown, County of Putnam, and State of New York, more particularly bounded and described as follows:

Beginning at a concrete monument marking the point on the westerly line of U.S. Route 9, where it is met by the line connecting it with the southerly line of N.Y. State Route 301 (State Highway 1694).

Thence from said point of beginning southerly along the westerly line of said U.S. Route 9, first

South 05°-24'-21" East	370.43 feet

to a monument; then

South 05°-31'-17" West	320.69 feet

to a point at the line of lands formerly of Smith and now or formerly of Driscoll; thence westerly along the last mentioned lands and mostly along the center of a stone wall, the following courses and distances:

North 85°-27'-11" West	9.42 feet;
South 80°-56'-37" West	32.58 feet;
South 80°-53'-39" West	45.14 feet;
South 76°-54'-56" West	62.34 feet;
South 75°-59'-06" West	80. .6 feet;
South 77°-47'-30" West	24.08 feet;
South 79°-10'-01" West	103.34 feet;
South 82°-55'-12" West	37.56 feet;
South 86°-01'-44" West	19.91 feet;
South 70°-59'-59" West	19.88 feet;
South 80°-17'-47" West	27.48 feet;
South 82°-52'-04" West	42.67 feet;
South 82°-28'-50" West	72.05 feet;
South 83°-05'-08" West	70.80 feet; and
South 82°-53'-30" West	75.12 feet

to a point at the intersection of two stone walls and in the line of lands formerly of Smith and now or formerly of Raleigh; thence northerly along the last mentioned lands and mostly along the center of a stone wall, the following courses and distances:

North 41°-23'-46" West	6.48 feet;
North 08°-28'-12" West	48.13 feet;
North 24°-16'-27" West	9.24 feet;
North 03°-43'-40" East	30.74 feet;
North 01°-24'-20" West	37.46 feet;
North 00°-28'-24" East	30.10 feet;
North 07°-00'-21" East	36.77 feet;
North 15°-46'-13" East	57.22 feet;
North 12°-17'-08" East	44.96 feet;
North 15°-39'-05" East	21.31 feet;
North 44°-02'-12" East	16.64 feet;
North 35°-09'-38" East	29.87 feet;
North 29°-54'-07" East	44.28 feet;
North 26°-58'-50" East	80.04 feet;
North 27°-00'-54" East	125.83 feet;
North 26°-05'-02" East	29.19 feet;
North 16°-45'-58" East	65.73 feet; and
North 57°-59'-01" West	37.41 feet

to a point on the southerly line of N.Y. State Route 301 (State Highway 1694); thence easterly along the said southerly line of N.Y. State Route 301, first

North 44°-52'-39" East	135.85 feet; then
North 53°-06'-39" East	76.80 feet;

then on a curve to the right, the center of which bears South 34°-47'-31" East, the central angle of which is 28°-42'-00", the radius of which is 603 feet for 302.05 feet; then

South 61°-21'-04" East	100.45 feet

to a point; then southeasterly along the line connecting the southerly line of N.Y. State Route 301 with the westerly line of the aforesaid U.S. Route 9

South 24°-21'-10" East	59.34 feet

to the aforesaid concrete monument marking the westerly line of U.S. Route 9 and the point or place of beginning.

TOGETHER with the appurtenances and all the estate and rights of the parties of the first part in and to the mines and minerals in said premises.

TO HAVE AND TO HOLD the interest in mines and minerals hereby granted unto the said party(ies) of the second part, its heirs and successors and assigns forever.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the day and year first above written.

IRVING TRUST COMPANY SEAL

ATTEST

VICE PRESIDENT

IRVING TRUST COMPANY
As Executor of and Trustee
under the Last Will and
Testament of Ethel M.
Goodridge, Deceased.

By: William D Barron
VICE PRESIDENT

WILLIAM I. FEARING

By: Emmett W Poindexter (L.S.)
Attorney-in-Fact

Rose V. Iselin (L.S.)
ROSE V. ISELIN

Emmett W Poindexter (L.S.)
EMMETT W. POINDEXTER

As Executors of and Trustees
under the Last Will and
Testament of JOHN H. ISELIN,
Deceased.

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

LIBER 783 PAGE 808

On the 16th day of September, 1981, before me personally came William G. Barron to me known, who, being by me duly sworn, did depose and say that he resides at One Stuyvesant Oval, New York, New York and that he is the Vice President of IRVING TRUST COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Barbara Butler
Notary Public
BARBARA BUTLER
Notary Public, State of New York
No. 41-4727212
Qualified in Queens County
Commission Expires on March 30, 1982

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

On the 31st day of August, 1981, before me personally came EMMETT W. POINDEXTER, to me known to be one of the individuals described in and who executed the foregoing instrument and to me known to be the attorney-in-fact of WILLIAM I. FEARING, the individual described in and who, by his attorney-in-fact, executed the same and acknowledged that he executed the said instrument as the act and deed of said WILLIAM I. FEARING, by virtue of the power of attorney recorded in the Office of the Clerk of the County of Putnam on April 30, 1965 in Book 609 of Deeds on Page 124.

John B. Rorden
Notary Public
JOHN B. RORDAN
Notary Public, State of New York
No. 30-4652880
Qualified in Nassau County
Commission Expires March 30, 1982

STATE OF NEW HAMPSHIRE)
ss.:
COUNTY OF SULLIVAN)

On this 5th day of September, 1981, before me personally came ROSE V. ISELIN, to me known to be one of the individuals described in and who executed the foregoing instrument and duly acknowledged to me that she executed the same as one of the executors of and trustees under the Last Will and Testament of JOHN H. ISELIN, deceased.

Carolyn R. McCuskey
Notary Public
My Commission Expires 3/1/1985

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

On this 31st day of August, 1981, before me personally came EMMETT W. POINDEXTER, to me known to be one of the individuals described in and who executed the foregoing instrument, and duly acknowledged to me that he executed the same as one of the executors of and trustees under the Last Will and Testament of JOHN H. ISELIN, deceased.

Notary Public

JOHN B. RORDAN
Notary Public, State of New York
No. 30-[illegible]
Qualified in Nassau County
Commission Expires March 30, 1983

IRVING TRUST COMPANY, as Executor of and Trustee u/w of ETHEL GOODRIDGE deceased, WILLIAM I. FEARING, ROSE V. [illegible] and ROBERT W. POTTENGER, as [illegible] and Trustees u/w of JOHN H. [illegible], deceased,

and

[illegible] H. HUBBARD, CLARENCE F. MICHALIS [illegible] MANUFACTURERS HANOVER TRUST COMPANY, [illegible] the [illegible] and [illegible] F. HUBBARD, Deceased.

[illegible] DEED
([illegible] Gas & Minerals)

[illegible] the within instrument to the town of Philipstown, County of Putnam and State of New York.

January 31, 1981.

MAIL TO:
MANUFACTURERS HANOVER TRUST CO.
270 PARK AVE
NY, NY 10022

Record and Return to: MERATHON INVESTMENT CO
~~Kelley Drye & Warren~~
~~350 Park Avenue~~
~~New York, New York 10022~~
~~Attn: David Savoy, Esq.~~
BOX 200
CARMEL, NY
10512

22.00
515

FILED
FEB MAY 26 AM 10 11
PUTNAM COUNTY
CLERK'S OFFICE

849 216

3156
TOW 1

ROW 91-R1a (12/84)
(Section D)

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REAL ESTATE DIVISION

APPROPRIATION OF PROPERTY BY THE PEOPLE OF THE STATE OF NEW YORK

COUNTY CLERK'S CERTIFICATE OF FILING OF DESCRIPTIONS AND MAPS

PROJECT:	DESCRIPTION AND MAPS MAP NOS.	PARCEL NOS.
PEEKSKILL-FRESKILL-PART 3	68	89-93
[illegible] 216		
PUTNAM COUNTY		

State of New York)
)SS.
County of PUTNAM)

I hereby certify that on the 20 day of MAY, 19 85, the Commissioner of Transportation caused a copy of each of the above designated descriptions and maps of property to be filed in this office.

Dated: MAY 20, 1985

County Clerk

(SEAL)

23481

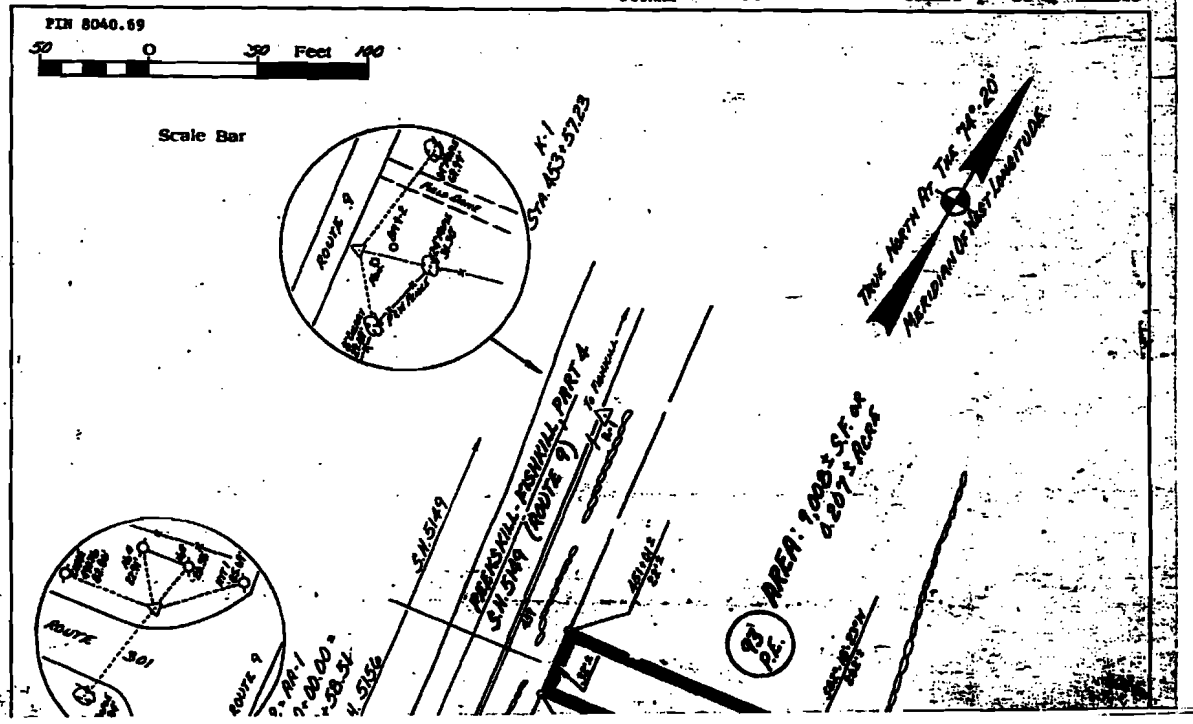
C 234a (9/74)

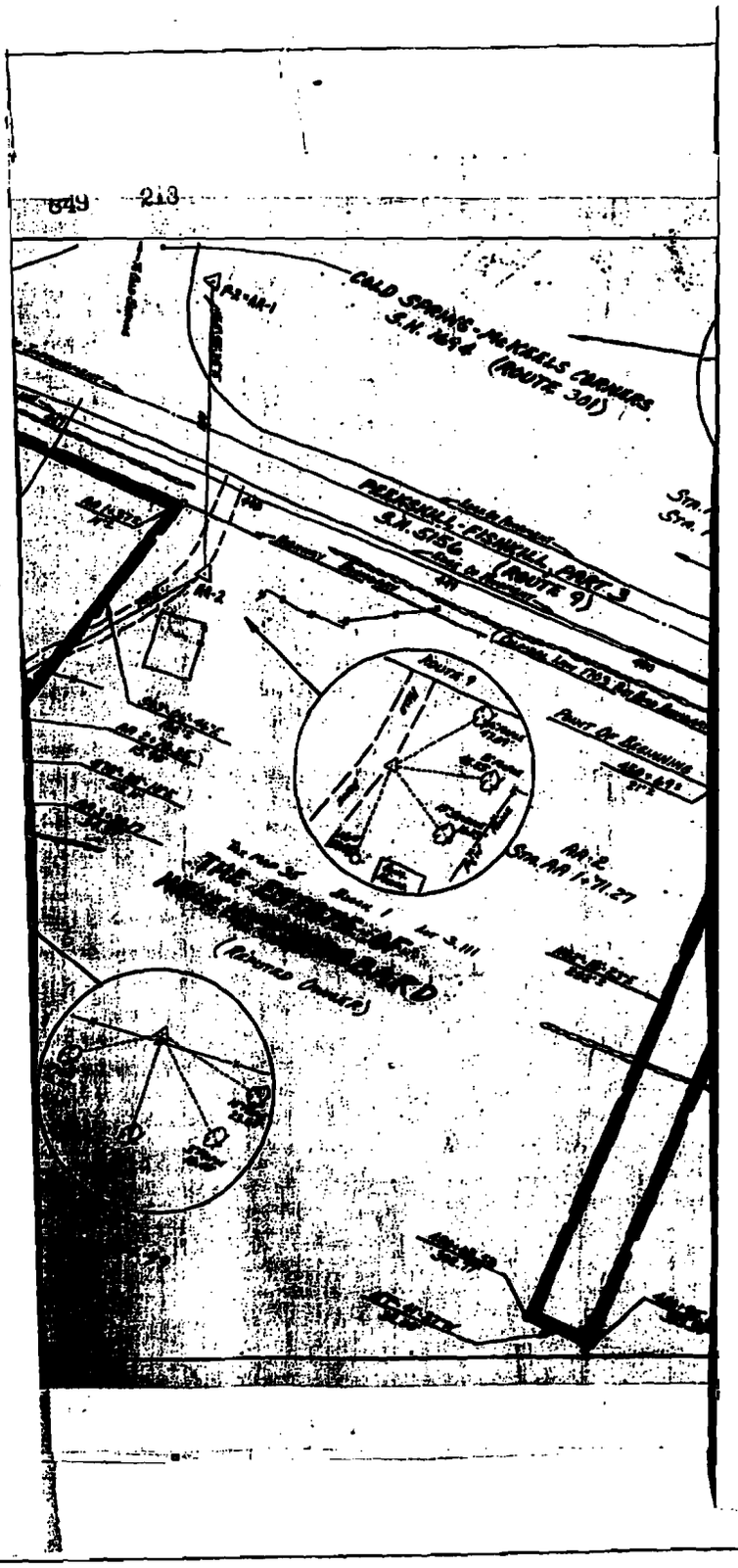
549 217

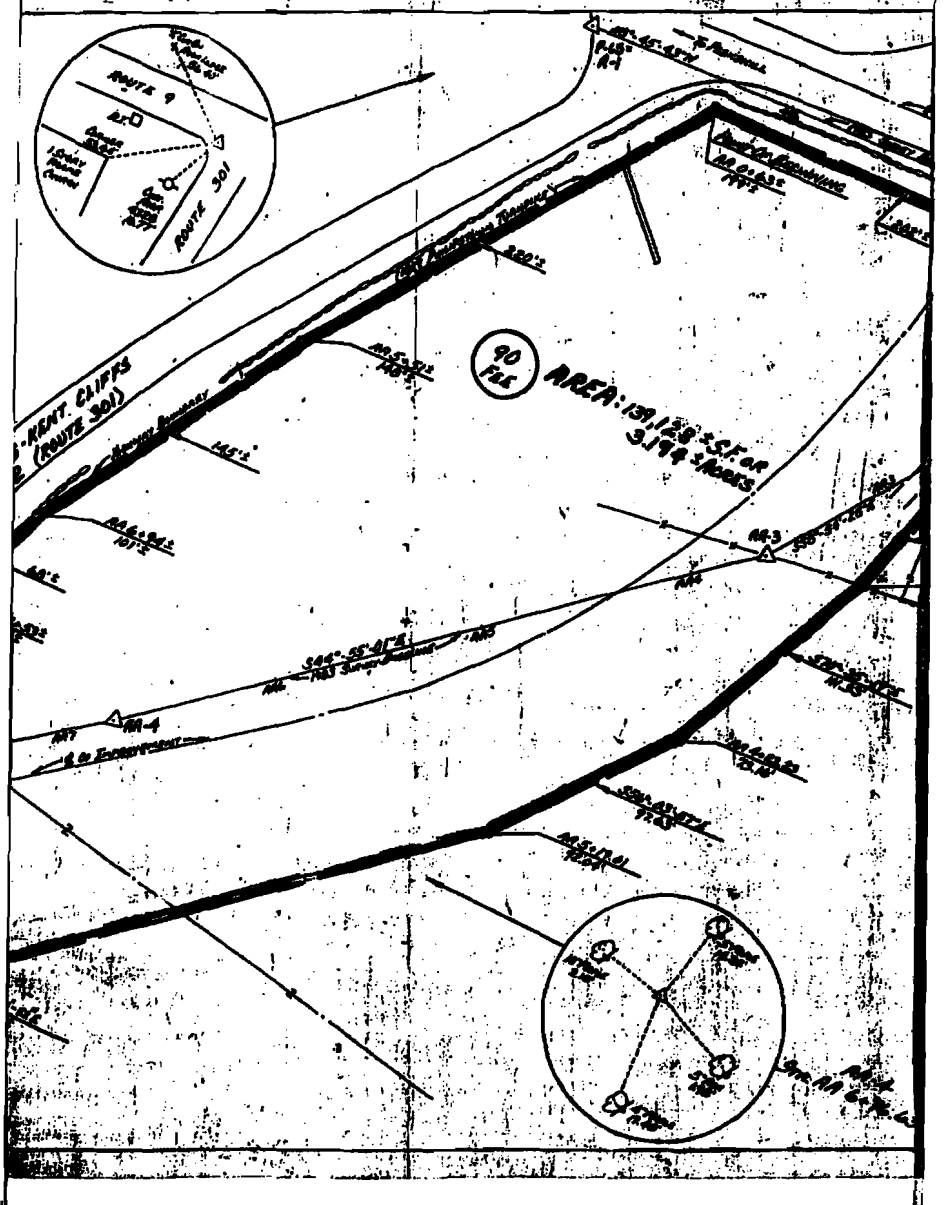
PEEKSKILL-FISHKILL, PART 3
S.H. NO. 5156

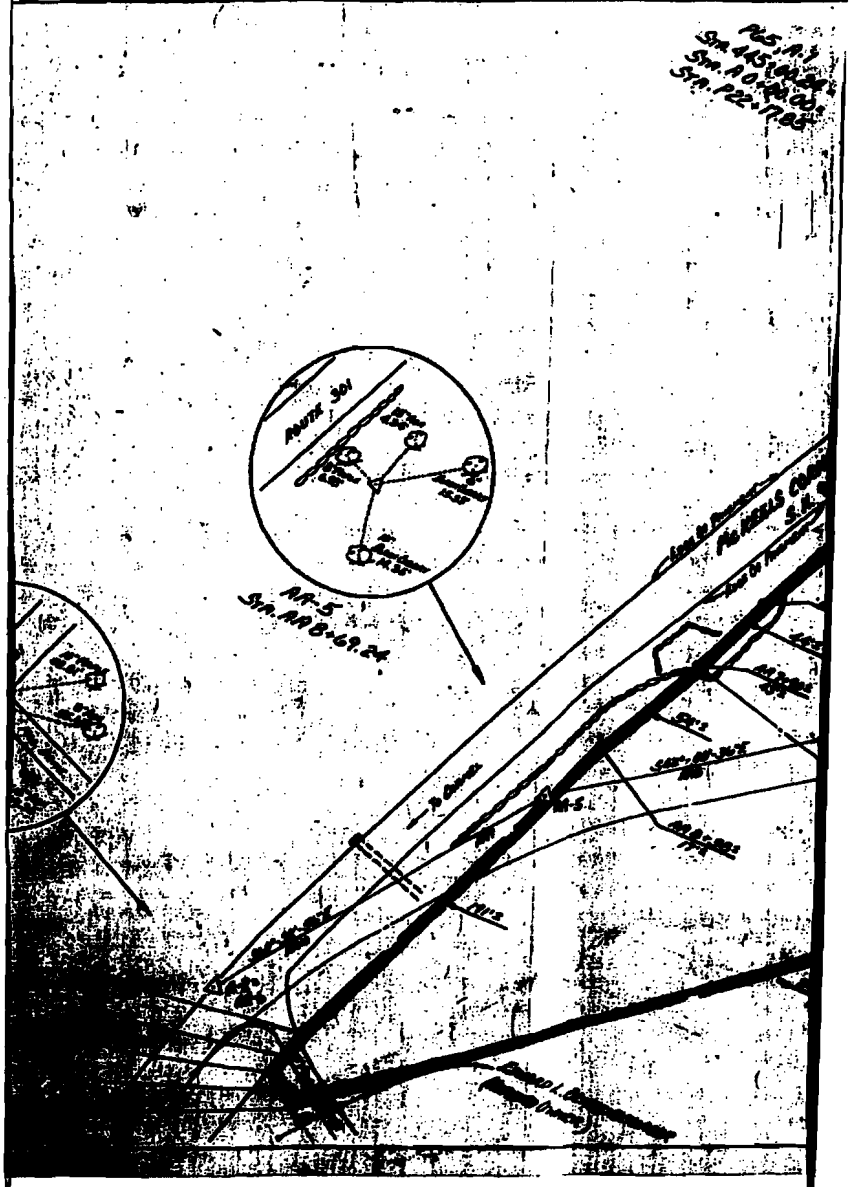
MAP NO. 68
PARCEL NO.'s 89,90,91,92, & 93

PUTNAM COUNTY SHEET 1 OF 4 SHEETS




COLD SPRINGS - McNEALS CORNERS
S.H. 1894
(ROUTE 301)
PEEKSKILL - FISHKILL, PORT. 3
S.H. 5156
(ROUTE 9)
Route 9
Point Of Beginning
M-2
Sta. M1 1+71.27
THE ESTATE OF
(Reputed Owner)


ROUTE 9
ROUTE 301
KENT CLIFFS
(ROUTE 301)
90
FEET
AREA: 139,128 S.S.F. OR
3.194 ACRES
A-1
M-3
M-4


Sta. 445+00.00
Sta. 10+44.00
Sta. P22+71.85
ROUTE 301
AP-5
Sta. AA B+69.24
AP-5

Continued on Sheet No. 2

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY

PEEKSKILL-FISHKILL, PART 3
S.H. 5156
PUTNAM COUNTY

Map No. 68
Parcel No.'s 89,90,91,92 & 93

THE ESTATE OF HELEN F. HUBBARD
(Reputed Owner.)

Sheet 1 of 4 Sheets

rge ✓Dan

C 224a (9/74)

PEEKSKILL-FISHKILL, PART 3
S.R. NO. 5156

MAP NO. 68
PARCEL NO.'s 89,90,91,92 & 93

PUTNAM COUNTY SHEET 2 OF 4 SHEETS

PIN 8040.69

50 0 50 Feet 100

Scale Bar

S.T. Mine
(Reputed Owner)

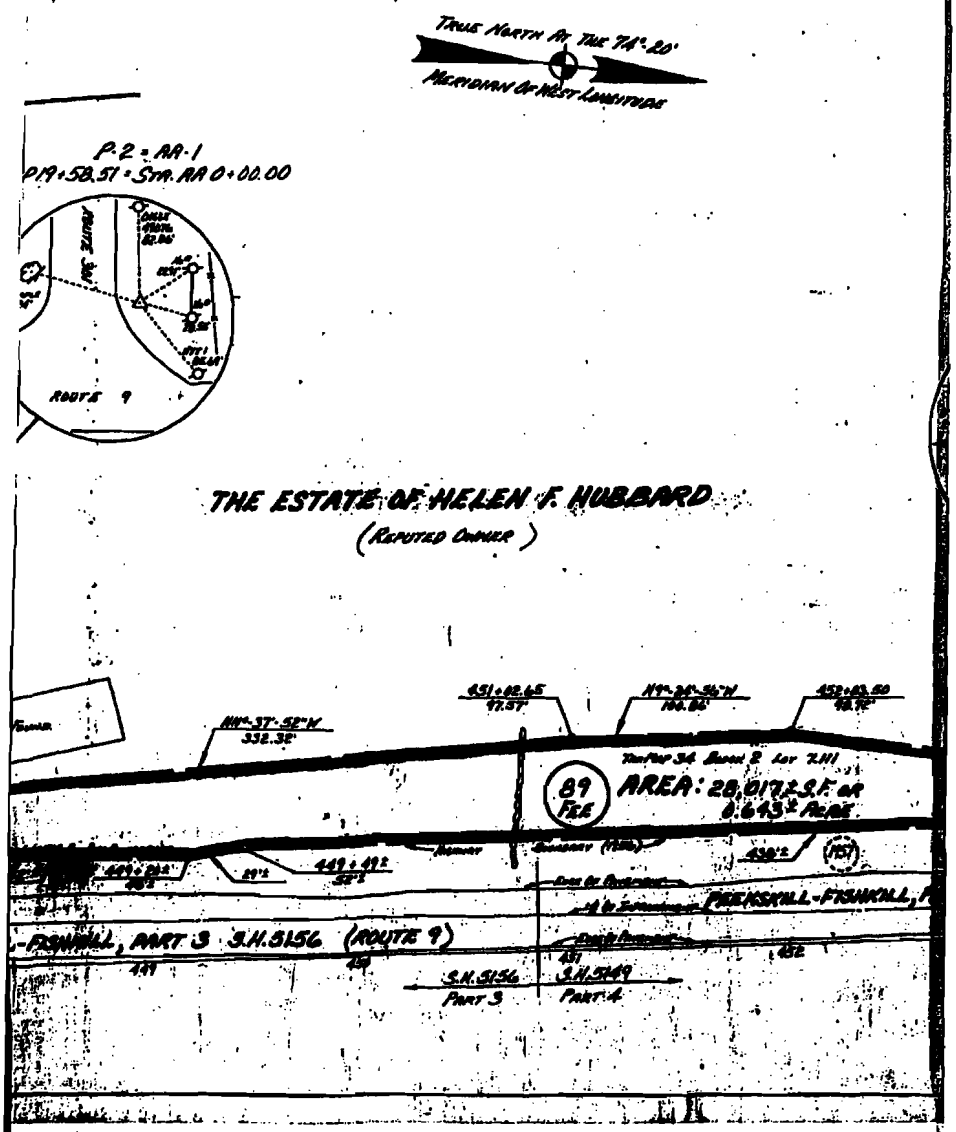
K-2
Sta. 456+02.82

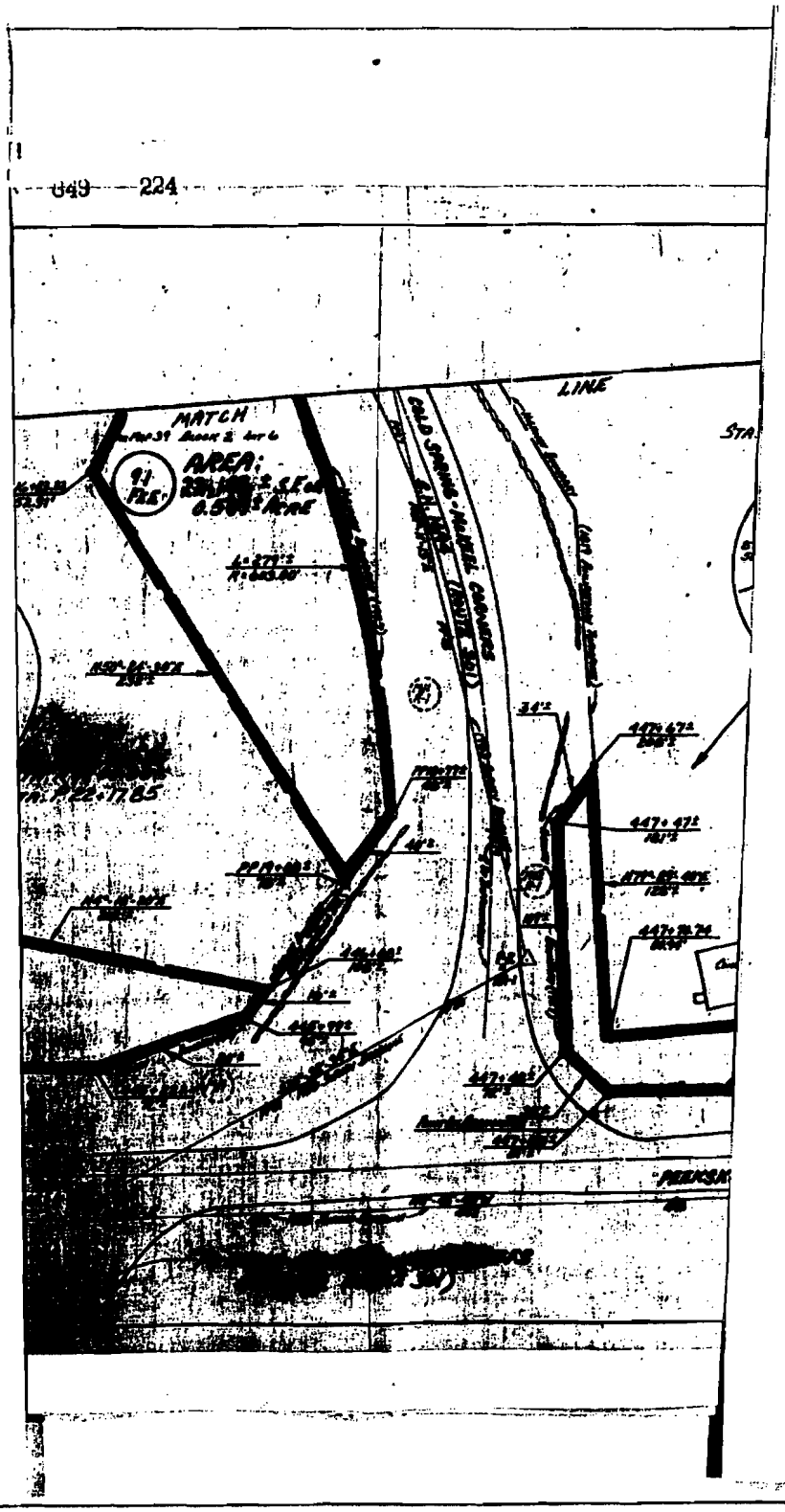
K-1
Sta. 453+57.23

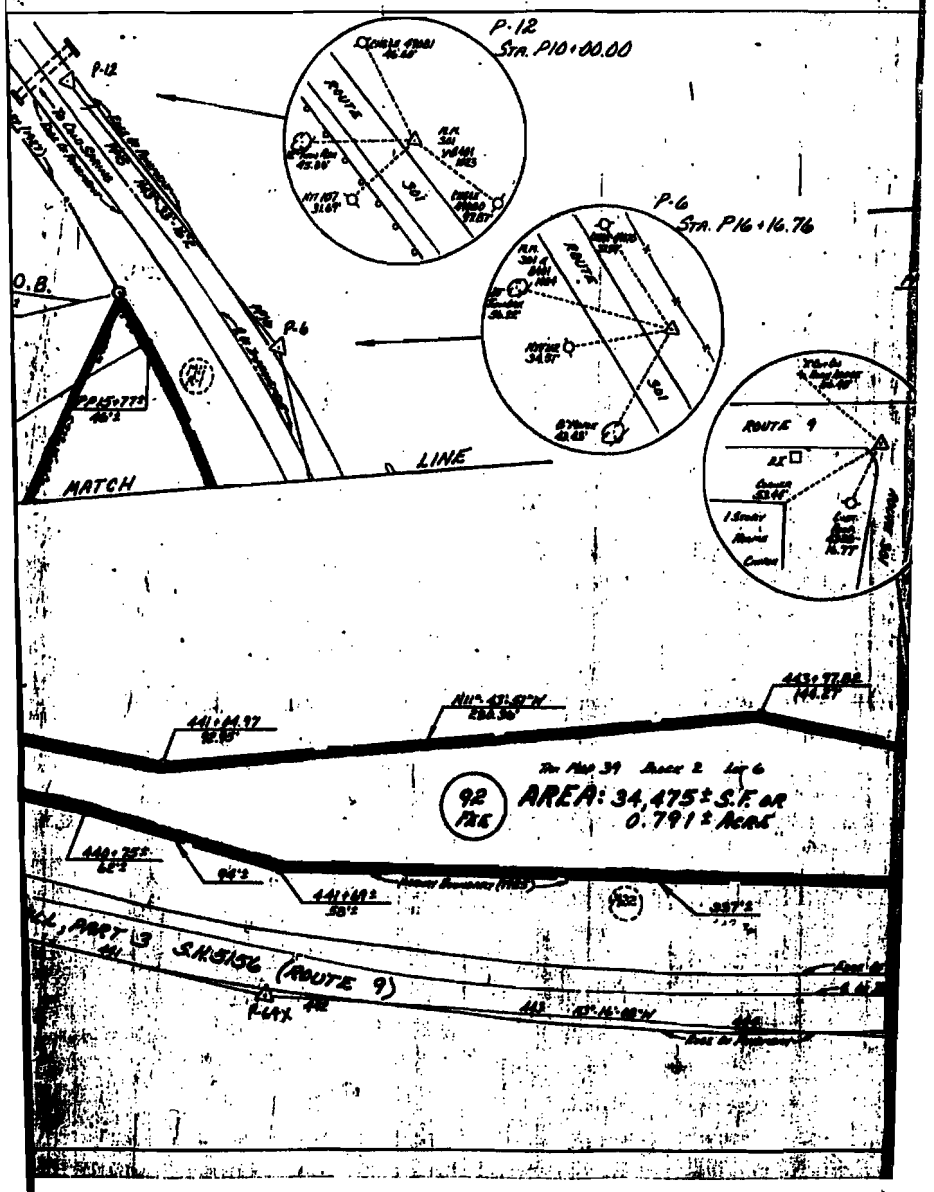
ROUTE 9

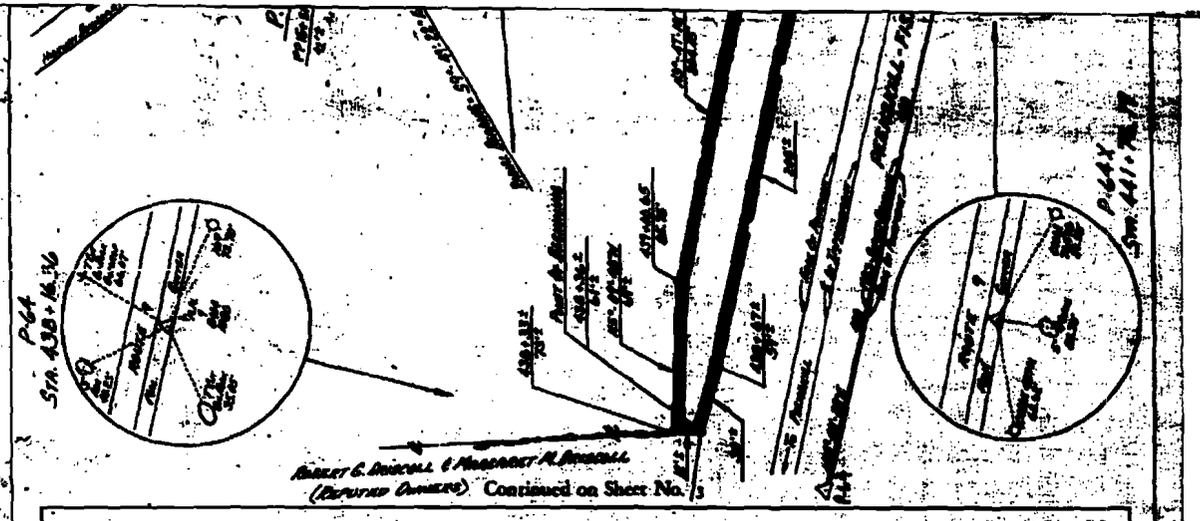
Base Point

U43 2222


TRUE NORTH AT THE 74°.20'
MERIDIAN OF WEST LONGITUDE
P-2 = AA-1
P.I. + 58.51 = STA. AA 0+00.00
ROUTE 9
THE ESTATE OF HELEN F. HUBBARD
(REPUTED OWNER)
N14°-37'-52"W
332.38'
451+62.65
97.57'
N14°-37'-52"W
100.06'
452+63.50
98.72'
89
F&E
AREA: 28,017± S.F. OR
0.643± ACRE
449+62.5
49.2
449+49.2
52.2
452.2
(157)
PEEKSKILL-FISHKILL,
-FISHKILL, PART 3 S.H.5156 (ROUTE 9)
449
450
451
452
S.H.5156
PART 3
S.H.5149
PART 4


MATCH
AREA:
LINE
COLD SPRING - MAHEL COMMONS
34'±
447.47±
447.47±
447.47


P-12
Sta. P10+00.00
P-12
ROUTE
SOI
P-6
Sta. P16+16.76
P-6
O.B.
ROUTE 9
MATCH
LINE
92
PK
AREA: 34,475± S.F. OR
0.791± ACRE
S.H. 5156 (ROUTE 9)



NEW YORK STATE DEPARTMENT OF TRANSPORTATION
DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY

PEEKSKILL-FISHKILL, PART 3
S.H. 5156
PUTNAM COUNTY

Map No. 68
Parcel No.'s 89,90,91,92, & 93

THE ESTATE OF HELEN F. HURRAND
(Reputed Owner)

Sheet 2 of 3 Sheets

Y2E ✓DAM

C 234a (8/74)

227

049

PEEKSKILL-FISHKILL, PART 3
S.H. NO. 5156

MAP NO. 68
PARCEL NO. 's 89,90,91,92, & 93

3

PUTNAM COUNTY SHEET 3 OF 4 SHEETS

Survey Notes on file at New York State
Department of Transportation, Regional
Office No. 8, located at Poughkeepsie, New York

TRN : 1

CC L 267 P 494
391 419

All those pieces or parcels of property hereinafter designated as Parcel Nos. 89, 90, 91, 92 being a portion of Map 34, Block 2, Lot 7.111, Map 35, Block 1, Lot 3.111, and Map 39, Block 2, Lot 6 as shown on the official tax map, situate in the Town of Philipstown, County of Putnam, State of New York as shown on the accompanying map and described as follows:

Parcel No. 89

Beginning at a point on the westerly boundary of the existing Peekskill-Fishkill, Part 3 highway at the intersection of the said boundary with the northwesterly boundary of the existing Cold Spring-McKeels Corners Highway, said point being 51± feet distant westerly, measured at right angles, from station 447+68± of the hereinafter described survey baseline for the reconstruction of the Peekskill-Fishkill, Part 3, State Highway No. 5156; thence along the northwesterly boundary of said existing Cold Spring-McKeels Corners Highway the following following three (3) courses and distances: one (1) southwesterly, 30± feet to a point 72± feet distant westerly, measured at right angles, from station 447+48± of said baseline; two (2) westerly, 109± feet to a point 181± feet distant westerly, measured at right angles, from station 447+47± of said baseline; and three (3) northwesterly, 34± feet to a point 208± feet distant westerly, measured at right angles, from station 447+67± of said baseline; thence through the property of the Estate of Helen F. Hubbard (reputed owner) the following four (4) courses and distances: one (1) N 79°-29'-40"E, 128± feet to a point 80.94 feet distant westerly, measured

measured at right angles, from station [illegible] 98.72 feet distant westerly, measured at right angles, from station 452+03.50 of said baseline; and four (4) N 0°-19'-48"E, 350± feet to a point on the division line between the property of S.T. King (reputed owner) on the north and the property of the Estate of Helen F. Hubbard (reputed owner) on the south, the last mentioned point being 56± feet distant westerly, measured at right angles, from station 455+46± of said baseline; thence easterly along said division line 9± feet to its intersection with the westerly boundary of said first mentioned existing highway, the last mentioned point being 47± feet distant westerly measured at right angles from station 455+46± of said baseline; thence southerly along the last mentioned boundary of said existing highway, the following seven (7) distances: one (1) 7± feet to a point 48± feet distant westerly, measured at right angles, from station 455+39± of said baseline; two (2) 5± feet to a point 48± feet distant westerly, measured at right angles, from station 455+34± of said baseline; three (3) 70± feet to a point 57± feet distant westerly, measured at right angles, from station 454+64± of said baseline; four (4) 81± feet to a point 54± feet distant westerly, measured at right angles, from station 453+83± of said baseline; five (5) 438± feet to a point 52± feet distant westerly, measured at right angles, from station 449+49± of said baseline; six (6) 29± feet to a point 48± feet distant westerly, measured at right angles, from station 449+20± of said baseline; and seven (7) 152± feet to the point of beginning; being 28,017 square feet or 0.643 acre more or less.

Parcel No. 90

Beginning at a point on the easterly boundary of the existing Peekskill-Fishkill, Part 3 highway at the intersection of the said boundary with the northeasterly boundary of the existing McKeels Corners-Kent Cliffs highway, said point being 199± feet distant southwesterly, measured at right angles, from station AA0+63± of the hereinafter described survey baseline for the reconstruction of the Peekskill-Fishkill, Part 3 State Highway No. 5156; thence northerly along the easterly boundary of said existing Peekskill-Fishkill, Part 3 Highway 202± feet to a point 11± feet distant southwesterly measured at right angles, from station AA1+37± of said baseline; thence through the property of the Estate of Helen F. Hubbard (reputed owner) the following five (5) courses and distances: one (1) S 83°-06'-46"E, 125± feet to a point 15.90 feet distant northeasterly, measured at right angles, from station AA2+78.25 of said baseline; two (2) S 78°-29'-10"E, 55.11 feet to a point 34.37 feet distant northeasterly, measured at right angles, from station AA3+30.17 of said baseline; three (3) S 70°-35'-19"E, 111.33 feet to a point 73.13 feet distant northeasterly, measured at right angles, from station AA4+23.23 of said baseline; four (4) S 56°-03'-57"E, 97.63 feet to a point 92.04 feet distant northeasterly, measured at right angles, from station AA5+19.01 of said baseline; and five (5) S 45°-41'-52" E, 495± feet

to a point on the division line between the property of the Estate of Helen F. Hubbard (reputed owner) on the northwest and the property of Edward L. Ochsenschlager (reputed owner) on the southeast, said point being 65± feet distant northeasterly, measured at right angles, from station AA10+38± of said baseline; thence southwesterly along said division line 20± feet to its intersection with the northeasterly boundary of said existing McKeels Corners-Kent Cliffs highway, the last mentioned point being 46± feet distant northeasterly measured at right angles, from station AA10+40± of said baseline; thence along the last mentioned boundary of said existing highway, the following seven (7) courses and distances: one (1) westerly 22± feet to a point 38± feet distant northeasterly, measured at right angles, from station AA10+19± of said baseline; two (2) westerly 191± feet to a point 17± feet distant southwesterly, measured at right angles, from station AA8+38± of said baseline; three (3) westerly 54± feet to a point 43± feet distant southwesterly, measured at right angles, from station AA7+90± of said baseline; four (4) westerly 44± feet to a point 67± feet distant southwesterly, measured at right angles, from station AA7+53± of said baseline; five (5) westerly 68± feet to a point 101± feet distant southwesterly, measured at right angles, from station AA6+94± of said baseline; six (6) northwesterly 145± feet to a point 148± feet distant southwesterly, measured at right angles, from station AA5+51± of said baseline; and seven (7) northwesterly 220± feet to the point of beginning; being 139,128 square feet or 3.194 acres more or less.

Parcel No. 91

Beginning at a point on the southeasterly boundary of the existing Cold Spring-McKeel Corners highway said point being 42± feet distant southeasterly, measured at right angles, from station PP15+51± of the hereinafter described survey baseline for the reconstruction of the Peekskill-Fishkill, Part 3, State Highway No. 5156; thence through the property of the Estate of Helen F. Hubbard (reputed owner) the following two (2) courses and distances: one (1) S 72°-13'-31"E, 139± feet to a point 152.91 feet distant southerly, measured at right angles, from station PP16+83.83 of said baseline; and two (2) N 50°-24'-30"E, 232± feet to a point on the southwesterly boundary of said existing highway, the last mentioned point being 78± feet distant southerly measured at right angles, from station PP19+03± of said baseline; thence along the last mentioned boundary of said existing highway, the following three (3) courses and distances: one (1) northwesterly 40± feet to a point 48± feet distant southerly, measured at right angles, from station PP18+77± of said baseline; two (2) southwesterly on a curve to the left having a radius of 603.00 feet, a distance of 279± feet to a point 46± feet distant southeasterly, measured at right angles, from station PP15+77± of said baseline; and three (3) southwesterly 27± feet to the point of beginning; being 22,182 square feet or 0.509 acre more or less.

Parcel No. 92

Beginning at a point on the westerly boundary of the existing Peekskill-Fishkill, Part 3 highway at the intersection of the said boundary with the division line between the property of Robert G. Driscoll & Margaret [illegible]. Driscoll (reputed owners) on the south and the property of the Estate of Helen F. Hubbard (reputed owner) on the north, said point being 61± feet distant westerly, measured at right angles, from station 438+36± of the hereinafter described survey baseline for the reconstruction of the Peekskill-Fishkill, Part 3, State Highway No. 5156; thence westerly along said division line 12± feet to a point 73± feet distant westerly measured at right angles, from station 438+33± of said baseline; thence through the property of the Estate of Helen F. Hubbard (reputed owner) the following four (4) courses and distances: one (1) N 5°-09'-48"W, 69± feet to a point 85.75 feet distant westerly, measured at right angles, from station 439+00.65 of said baseline; two (2) N 3°-47'-10"E, 204.45 feet to a point 92.95 feet distant westerly, measured at right angles, from station 441+04.97 of said baseline; three (3) N 11°-43'-51"W, 280.36 feet to a point 144.27 feet distant westerly, measured at right angles, from station 443+97.32 of said baseline; and four (4) N 4°-18'-20"E, 232± feet to a point on the southwesterly boundary of the existing Cold Spring-McKeels Corners highway, the last mentioned point being 108± feet distant westerly measured at right angles from station 446+08± of said baseline; thence southeasterly along the last mentioned boundary of said existing highway, 16± feet to its intersection with the southwesterly boundary of said existing Peekskill-Fishkill, Part 3, highway the last mentioned point being 95± feet distant westerly, measured at right angles, from station 445+99± of said baseline; thence along the last mentioned boundary of said existing highway, the following five (5) courses and distances: one (1) southeasterly 80± feet to a point 71± feet distant westerly, measured at right angles, from station 445+22± of said baseline; two (2) southerly 337± feet to a point 58± feet distant westerly, measured at right angles, from station 441+69± of said baseline; three (3) southerly 94± feet [illegible] 71 feet distant westerly, measured at right angles, from station 440+75± of said baseline; four (4) southerly 206± feet to a point 59± feet distant westerly, measured at right angles, from station 438+67± of said baseline; and five (5) southerly 30± to the point of beginning; being 34,475 square feet or 0.791 acre more or less.

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Continued on Sheet No. 4

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY

PEEKSKILL-FISHKILL, PART 3
S.H. 5156
PUTNAM COUNTY

Map No. 68
Parcel No. 's 89,90,91,92, & 93

THE ESTATE OF HELEN F. HUBBARD
(Reputed Owner)

Sheet 3 **of** 4 **Sheets**

BRUNING 44-560 25894

✓DAM

PERMANENT EASEMENT FOR DRAINAGE DITCH

A permanent easement to be exercised in, on and over the property above delineated and hereinafter described for the purpose of constructing, reconstructing and maintaining thereon a drainage ditch and appurtenances in and to all that piece or parcel of property hereinafter designated as Parcel No. 93 being a portion of Map No. 35, Block 1, Lot 3.111 as shown on the official tax map, situate in the Town of Philipstown, County of Putnam, State of New York, as shown on the accompanying map and described as follows:

Parcel No. 93

Beginning at a point on the easterly boundary of the existing Peekskill-Fishkill, Part 3, highway said point being 21± feet distant easterly, measured at right angles, from station 450+69± of the hereinafter described survey baseline for the reconstruction of the Peekskill-Fishkill, Part 3, State Highway No. 5156; thence through the property of the Estate of Helen F. Hubbard (reputed owner) the following three (3) courses and distances: one (1) N 82°-18'-23"E, 282± feet to a point 302.77 feet distant easterly, measured at right angles, from station 450+63.58 of said baseline; two (2) N 7°-41'-37"W, 32.00 feet to a point 303.37 feet distant easterly, measured at right angles, from station 450+95.57 of said baseline; and three (3) S 82°-18'-23"W, 282± feet to a point on the easterly boundary of said existing highway, the last mentioned point being 22± feet distant easterly measured at right angles from station 451+01± of said baseline; thence southerly along the last mentioned boundary of said existing highway, 32± feet to the point of beginning; being 9,008 square feet or 0.207 acre more or less.

Reserving, however, to the owner of any right, title or interest in and to the property described above and such owner's successors or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction and as so constructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 1983 survey baseline for the reconstruction of the Peekskill-Fishkill, Part 3, State Highway No. 5156 as shown on a map and plan on file in the office of the State Department of Transportation and [illegible]

Beginning at station 438+16.36; thence N 5°-48'-20"E to station 441+76.17; thence N 3°-16'-08"W to station 445+00.24=P22+17.85; thence N 8°-45'-43"W to station 453+57.23; thence N 4°-38'-20"W to station 456+02.82.

Also beginning at station P10+00.00; thence N 43°-33'-16"E to station P16+16.76; thence N 69°-11'-13"E to station P19+58.51=AA0+00.00; thence S 35°-32'-34"E to station P22+17.85=445+00.24.

Also beginning at station AA+00.00=P19+58.51; thence N 60°-38'-34"E to station AA1+71.27; thence S 38°-54'-25"E to station AA3+64.99; thence S 44°-55'-01"E to station AA6+76.63; thence S 42°-00'-36"E to station AA8+69.24; thence S 60°-32-56"E to station AA10+43.81=A7+12.59.

All bearings referred to TRUE NORTH at the 74° - 20' MERIDIAN OF WEST LONGITUDE.

I hereby certify that, to the best of my knowledge, this is an accurate description and map made from an accurate survey, prepared under my direction.

LESTER T. OLSSON

Date JAN. 4, 1985

849 232

049 233

Senior Land Surveyor
P.L.S. License No. 49370

I hereby certify that the property described and mapped above is necessary for this project and the acquisition thereof is recommended.

W. H. KIKILLUS

Date JAN. 4, 1985

REGIONAL DESIGN ENGINEER
FOR THE REGIONAL DIRECTOR OF TRANSPORTATION
REGION NO. 8

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY

PEEKSKILL-FISHKILL, PART 3
S.H. 5156
PUTNAM COUNTY

MAP NO. 68

TOTAL AREA = 232,810± Sq.Ft. or 5.344 ± Acres

PARCEL NOS. 89,90,91,92,93.

THE ESTATE OF HELEN F. HUBBARD
(Reputed Owner)

Description and map of property showing (1) Parcel No.'s 89,90,91, and 92 to be acquired in fee; and (2) Parcel No. 93 in and to which an easement as hereinabove defined is to be acquired; each of which the Commissioner of Transportation deems necessary to be acquired by appropriation in the name of the People of the State of New York for purposes connected with the highway system of the State of New York pursuant to Section 30 of the Highway Law, and the Eminent Domain Procedure Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America, in or to said property.

Pursuant to statute set forth above and the authority delegated to me by official order of the Commissioner of Transportation, the above description and map are hereby officially approved; and said description and the original tracing of this map are hereby officially filed [illegible]

of Transportation, the [illegible] original tracing of this map are hereby officially filed in the office of the Department of Transportation.

Date April 26 1985

Director, Real Estate Division

I have compared the foregoing copy of description and map with the original thereof, as filed in the Office of the Department of Transportation and I do hereby certify the same to be a true and correct copy of said original and of the whole thereof.

Real Estate Division

PUTNAM COUNTY CLERK'S OFFICE
RECEIVED ON THE 20 DAY OF May 1985
AT 9:45 A.M. P.M. RECORDED IN
BOOK No. 219 OF Deeds
ON PAGE 276 AND EXAMINED

Clerk

049 204

BADEY & WATSON

John Delano <jdelano@badey-watson.com>

FW: Steve & Sandy Auth Rt.9 & 301

DeNigro, Albert (DOT) <Albert.DeNigro@dot.ny.gov> Wed, Jun 4, 2014 at 4:20 PM
To: "jdelano@badey-watson.com" <jdelano@badey-watson.com>
Cc: "ecocpm@optonline.net" <ecocpm@optonline.net>

John,

Please accept this correspondence – to be proffered to the town of Philipstown – as our Departments position concerning Sandy and Steve's access to their property which fronts both Route 9 on the east, and Route 301 to the north.

Failing an access easement agreement with the adjoining property owner/owners, which the Auth's may benefit from, a driveway access from Route 301 would seem to have the least impact to the local highway network, as opposed to one on Route 9. Having increased AADT and higher operating speeds.

For obvious safety reasons it is highly more preferable to consider an access from Route 301 where the type access the Auth's desire is more in keeping with that highway, as opposed to Route 9 which is significantly more commercial in use

Thank you

Albert R. DeNigro Jr.

Permit Engineer

Southern Dutchess - Putnam Counties

New York State Department Of Transportation

106 Ludingtonville Road

Holmes, NY 12531

Albert.DeNigro@dot.ny.gov

(845) 878-6363

Town of Philipstown

238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MINOR PROJECT

Project Name: **Wood - Site Plan Approval**

Date: **June 5, 2014**

Town of Philipstown

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

Application for Planning Board Special Use & Site Plan Approval

Date: 6/5/2014 **TM #** 71.-2-39.1

Name: Obert Wood & Tatiana Kotik

Street Address: 316 Old West Point Road West, Garrison

Fee Amount $550 **Received:**

Bond Amount: $2,500 **Received:**

Applicant:

Name Obert R. Wood, III
Address 115 East 9th Street, Apt 2M
New York, NY 10003
Telephone (212) 529-8334

Tenant:

Name
Address
Telephone

Design Professional:

Name John P. Delano, P.E.
Address Badey & Watson, P.C.
3063 Route 9 Cold Spring, NY 10516
Telephone (845) 265-9217

Surveyor:

Name Glennon J. Watson, L.S.
Address Badey & Watson, P.C.
3063 Route 9 Cold Spring, NY 10516
Telephone (845) 265-9217

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

Name Obert R. Wood, III
Address 115 East 9th Street, Apt 2M
New York, NY 10003
Telephone (212) 529-8334

Name
Address
Telephone

TM # 71.-2-39.1

Project Name: **Wood - Site Plan Approval**

Project Description: **New construction of a single-family dwelling to be served by private well & septic system. Existing single-family dwelling to remain as an accessory structure.**

ZONING INFORMATION

175-7 Zoning District: **Rural Residential (RR)**

175-10 Proposed Use: **Single-family dwelling.**

Proposed Accessory Use(s): **An accessory apartment shall be located in the accessory structure on an owner-occupied residential property.**

175-7 Overlay Districts on the property	Yes or No
175-13 Floodplain Overlay District - NFIP Map ..... (FPO)	**No**
175-18.1 Mobile Home Overlay District ..... (MHO)	**No**
17-14 Cold Spring Reservoir Water Shed Overlay ..... (WSO)	**No**
175-15 Scenic Protection Overlay..... (SPO)	**No**
175-16 Aquifer Overlay District..... (AQO)	**Yes, regional.**
175-18 Open Space Conservation Overlay District..... (OSO)	**No**
175-35 Within 100 foot buffer of Wetlands or Watercourse	**Yes**
175-36 Steep Terrain.....	**Yes**
175-36 Ridge Line Protection	**No**
175-37 Protection Agricultural	**No**

TM # 71.-2-39.1

Project Name Wood - Site Plan Approval

175-11 Density and Dimensional Regulations

Zoning District _____	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	60 ft	n/a	720.7 ft	X	
Measured from the travel way County/state	60 ft	n/a	n/a	n/a	
Minimum side yard setback	30 ft	n/a	210.7 ft	X	
Minimum side yard setback (2)	30 ft	n/a	145.2 ft	X	
Minimum side yard setback (3)	30 ft	n/a	n/a	n/a	
Minimum rear yard setback	50 ft	n/a	661.3 ft	X	
Maximum impervious surface coverage	10%	0.2%	1.6%	X	
Maximum height	40 ft	n/a	17 ft	X	
Maximum footprint non-residential structures	4,000 sf	n/a	n/a	n/a	

SUBMISSION:

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

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

ARTICLE IX SPECIAL PERMITS AND SITE PLAN REVIEW
§175-60 PURPOSE AND APPLICABILITY

A. It is the policy of the Town of Philipstown to allow a variety of uses of land, provided that such uses do not adversely affect neighboring properties, the natural environment, or the rural and historic character of the Town. Many uses are therefore permitted only upon issuance of a Special Permit by the Planning Board, in order to ensure that these uses are appropriate to their surroundings and consistent with the purposes of this Chapter. Some uses are allowed by right, subject only to Site Plan approval (see Use Table in § 1 75-1 0). Communication towers, soil mines, and certain solar and wind energy facilities (see §175-30E (2)) require a Special Permit issued by the Zoning Board of Appeals. Adult entertainment uses and uses not listed on the Use Table (if not prohibited by §175-10 C) require a Special Permit issued by the Town Board. in reviewing Special Permit applications, the Town Board and Zoning Board of Appeals shall follow the procedures and standards established for the Planning Board in this Article IX.

B. Accessory uses or structures used in connection with a Special Permit or Site Plan use shall be subject to the same approval requirements as the principal structure or use. Accessory structures used in connection with an institutional use in the IC district are governed by the provisions in § 175-1 01.

C. Minor and Major Project

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

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

   a. Construction of four multi-family dwelling units or a lodging facility with six bedrooms.

   b. Construction of facilities or structures for a non-residential use covering 3,000 square feet of: building footprint.

   c. Alteration of existing structures or expansion of such structures by 1,000 square feet.

   d. Conversion of existing structures totaling 5,000 square feet to another use.

   e. Alteration and active use of 10,000 square feet of land, with or without structures.

   f. Construction of a structure that is 50 feet in height above average grade level. (provided that it otherwise complies with this Chapter or is the subject of an area variance),

2. **A Major Project or a Special Permit or: Site: Plan**: application exceeding any of the Minor project threshold.

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

175-62 A. PRE-APPLICATION MEETINGS.

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

§175-67 PROCEDURE FOR-MINOR PROJECT SITE PLAN APPROVAL

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

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

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

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

SITE PLAN CHECKLIST

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

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

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

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

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

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

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

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

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

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

175-65 **D Criteria**

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

1. Layout and Design

_____ a. To the maximum extent practicable, development shall be located to preserve the natural features of the site and to avoid wetland areas, steep slopes, significant wildlife habitats, and other areas of environmental sensitivity. The placement and design of buildings and parking facilities shall take advantage of the site's topography, existing vegetation, mid other pertinent natural features. The Planning Board may require that an applicant prepare a conservation, analysis as described-in §135-20A of this chapter.

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

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

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

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

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

_____ g. Impacts on, historic and cultural resources shall be minimized.

_____ h. Newly installed utility service systems and service modifications necessitated by exterior alterations shall be installed underground, When feasible, existing above ground utility service systems shall be place underground

_____ i. Buildings, shall have a finished exterior on all sides.

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

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

_____ a. All areas of the lot not covered by buildings and other structures, outside storage and approved paving shall be suitably landscaped with trees and/or shrubs, lawns or other suitable, landscaping or shall be 1.4 as natural terrain, if not disturbed by filling, grading or excavation.

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

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

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

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

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

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

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

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

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

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

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

3. Parking, Circulation, and Loading

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

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

_____ c. Off-street parking and loading standards in §175-M shall be satisfied.

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

_____ e. All buildings shall be accessible by emergency vehicles.

_____ f. Parking spaces shall have. wheel stops or curbs to prevent injury to trees and shrubs planted in landscaped island.

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

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

4. Reservation of Parkland

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

5. Outside Storage

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

_____ a. The the HC and OC districts, outside storage areas shall not extend into the area required for a building setback from a street line or from the center line of U.S. Route 9, as determined under §175-30(J), or from a residential district boundary line. Outside storage shall be enclosed (except for necessary access drives) by buildings and/or fences, walls, embankments or evergreen shrubs or trees so as to screen the storage area from view from any other adjacent lot or any street.., in no case shall the height of outside storage exceed the height of the approved screening, Screening shall be of a density as to be at least 75% effective in screening such view, at the time of occupancy, except that when evergreens are used, such height and density shall be achieved within five years after establishment of the outside storage area.

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

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

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Wood - Site Plan Approval		
Project Location (describe, and attach a general location map): 316 Old West Point Road West, Garrison (see map provided)		
Brief Description of Proposed Action (include purpose or need): New construction of a single-family dwelling to be served by private well and septic system. The existing single-family dwelling (and existing septic and well serving it) is to remain as an accessory structure.		
Name of Applicant/Sponsor: Obert R. Wood, III	Telephone: (212) 529-8334 E-Mail: obert.wood@morganstanley.com	
Address: 115 East 9th Street, Apt. 2M		
City/PO: New York	State: NY	Zip Code: 10003
Project Contact (if not same as sponsor; give name and title/role): Glennon J. Watson, LS (Surveyor for Applicant)	Telephone: (845) 265-9217 x14 E-Mail: gwatson@badey-watson.com	
Address: Badey & Watson, Surveying and Engineering, P.C. 3063 Route 9		
City/PO: Cold Spring	State: NY	Zip Code: 10516
Property Owner (if not same as sponsor): Same as Applicant	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☐ Yes ■ No		
b. City, Town or Village Planning Board or Commission ■ Yes ☐ No	Planning Board Site Plan	06/05/2014
c. City Council, Town or Village Zoning Board of Appeals ☐ Yes ■ No		
d. Other local agencies ■ Yes ☐ No	Road Opening, Wetlands	T.B.D
e. County agencies ■ Yes ☐ No	PCDH	05/13/2014
f. Regional agencies ☐ Yes ■ No		
g. State agencies ☐ Yes ■ No		
h. Federal agencies ☐ Yes ■ No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ■ No
If Yes,
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☐ No
iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☐ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ■ No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ■ No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ■ No
If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ■ No
If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ■ Yes □ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Rural Residential (RR)

b. Is the use permitted or allowed by a special or conditional use permit? ■ Yes □ No

c. Is a zoning change requested as part of the proposed action? □ Yes ■ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Garrison Union Fee School District

b. What police or other public protection forces serve the project site?
Putnam County Sheriff's Department, New York State Police

c. Which fire protection and emergency medical services serve the project site?
Garrison Volunteer Fire Company and Garrison Volunteer Ambulance Corp.

d. What parks serve the project site?
Philipstown Park System, Putnam County Parks, New York State Parks, Hudson Highlands, Fahnestock

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
Residential

b. a. Total acreage of the site of the proposed action? 20.397 acres
b. Total acreage to be physically disturbed? 2.254 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 20.397 acres

c. Is the proposed action an expansion of an existing project or use? □ Yes ■ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? □ Yes ■ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
_____
ii. Is a cluster/conservation layout proposed? □ Yes □ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? □ Yes ■ No
i. If No, anticipated period of construction: 12 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ■ Yes □ No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	1			
At completion of all phases	1			

g. Does the proposed action include new non-residential construction (including expansions)? □ Yes ■ No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? □ Yes ■ No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: □ Ground water □ Surface water streams □ Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) □ Yes ■ No
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
iv. Will there be onsite dewatering or processing of excavated materials? □ Yes □ No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? □ Yes □ No
ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? □ Yes ■ No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres: _____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ■ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: 900 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ■ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ■ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ■ No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: A new private potable water well will be drilled on-site.

vi. If water supply will be from wells (public or private), maximum pumping capacity: 5 gallons/minute.

d. Will the proposed action generate liquid wastes? ■ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: 900 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Sanitary wastewater.

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ■ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ■ No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):
A new private subsurface sewage treatment system will be constructed on-site.

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: None

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ■ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?
_____ Square feet or 0.160 acres (impervious surface)
_____ Square feet or 20.397 acres (parcel size)

ii. Describe types of new point sources. Roof Leader drains and stone-lined swales.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
On-site stormwater infiltration system(s).

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐ Yes ■ No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ■ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ■ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ■ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ■ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ■ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ■ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ■ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 8:00 am to 6:00 pm
- Saturday: 8:00 am to 6:00 pm
- Sunday: _____ to _____
- Holidays: _____ to _____

ii. During Operations:

- Monday - Friday: _____ to _____
- Saturday: _____ to _____
- Sunday: _____ to _____
- Holidays: _____ to _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ■ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe:

n.. Will the proposed action have outdoor lighting? ■ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Motion-sensing security lighting of residential application.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ■ No

Describe: Barriers will be enhanced in the from of the proposed structures and landscaping that will block or soften the effects.

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ■ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or any amount in underground storage)? ☐ Yes ■ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ■ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ■ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ■ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ■ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ■ Residential (suburban) ■ Rural (non-farm)

■ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

Surrounding land is mostly undeveloped on larger, wooded parcels, with single-family dwelling on smaller parcels developed closer to the road.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.396	0.555	+0.159
• Forested	18.172	17.619	-0.553
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.305	1.305	0.000
• Agricultural (includes active orchards, field, greenhouse etc.)	0.000	0.000	0.000
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.000	0.000	0.000
• Wetlands (freshwater or tidal)	0.524	0.524	0.000
• Non-vegetated (bare rock, earth or fill)	0.000	0.000	0.000
• Other Describe: Lawn/landscaping	0.000	0.394	+0.394

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ■ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ■ No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ■ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ■ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ■ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ■ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

- ☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
- ☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
- ☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ■ Yes □ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): Conservation Easement
- Describe any use limitations: No Subdivision, Building Envelope
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? □ Yes ■ No
- Explain: Proposed work is within the constraints of the easement.

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 0-7' feet

b. Are there bedrock outcroppings on the project site? ■ Yes □ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? < 1 %

c. Predominant soil type(s) present on project site:

Charlton-Chatfield Complex	54 %
Chatfield-Charlton Complex	41 %
Chatfield-Hollis Rock Outcro	5 %

d. What is the average depth to the water table on the project site? Average: 0-7' feet

e. Drainage status of project site soils:
- ■ Well Drained: 100 % of site
- □ Moderately Well Drained: ____ % of site
- □ Poorly Drained ____ % of site

f. Approximate proportion of proposed action site with slopes:
- ■ 0-10%: 17 % of site
- ■ 10-15%: 16 % of site
- ■ 15% or greater: 67 % of site

g. Are there any unique geologic features on the project site? □ Yes ■ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ■ Yes □ No

ii. Do any wetlands or other waterbodies adjoin the project site? ■ Yes □ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ■ Yes □ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Town regulated freshwater wetlands Approximate Size 0.715 (total)
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? □ Yes ■ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? □ Yes ■ No

j. Is the project site in the 100 year Floodplain? □ Yes ■ No

k. Is the project site in the 500 year Floodplain? □ Yes ■ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? □ Yes ■ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
Typical northeast game.

n. Does the project site contain a designated significant natural community? ☐ Yes ■ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ■ No

See attachment.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ■ No

See attachment.

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ■ No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ■ No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ■ No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ■ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ■ No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ■ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ■ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ■ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within 5 miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ■ Yes ☐ No

If Yes:

i. Identify resource: Those relating to the Hudson River/Highlands

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Highway overlooks, scenic byways and parks.

iii. Distance between project and resource: 1-5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ■ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Glennon J. Watson, L.S. Date 06/05/2014

Signature Glennon J Watson Title Surveyor for Applicant

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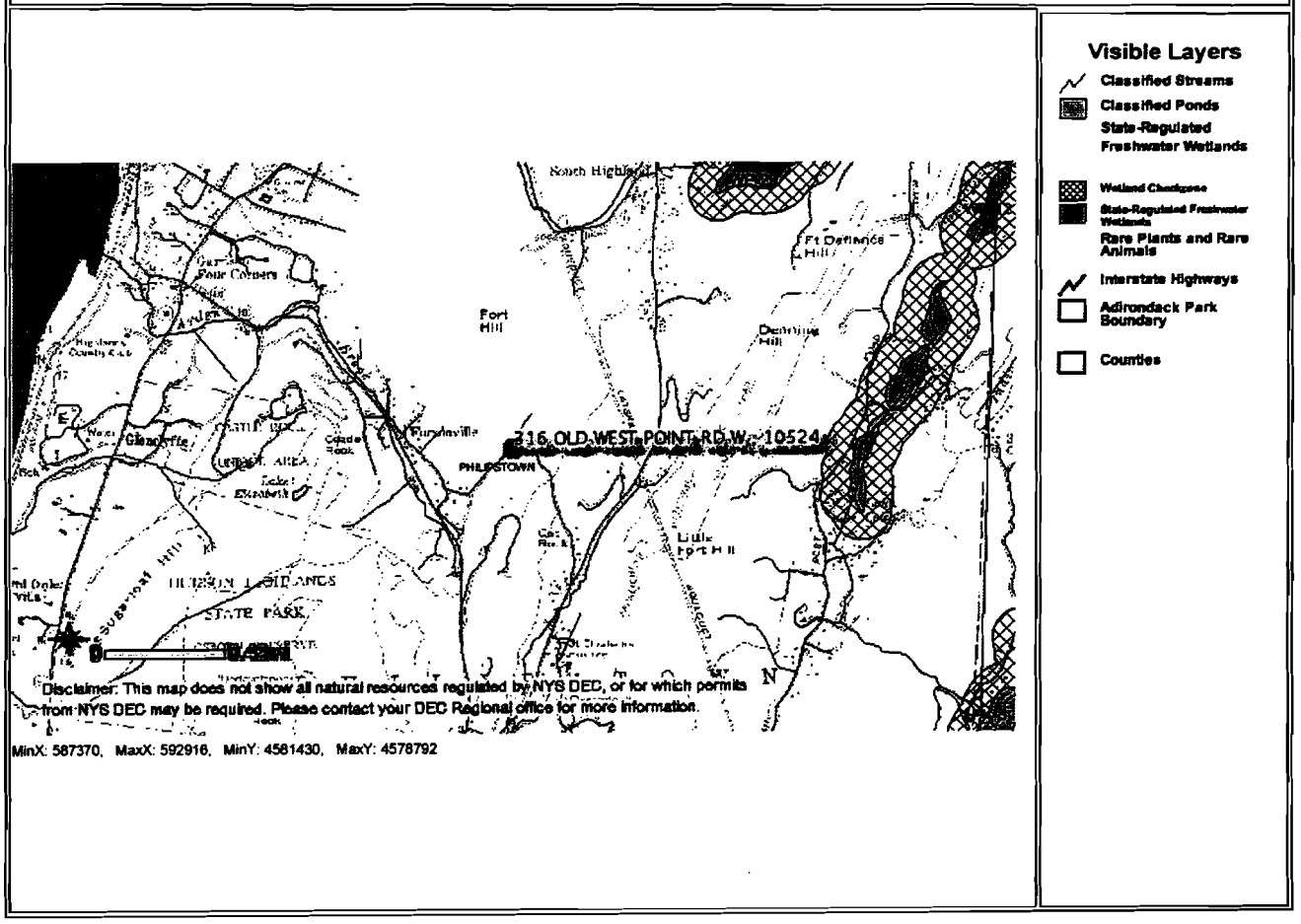
Please set your printer orientation to "Landscape".

Wetlands - Obert Wood Site Plan



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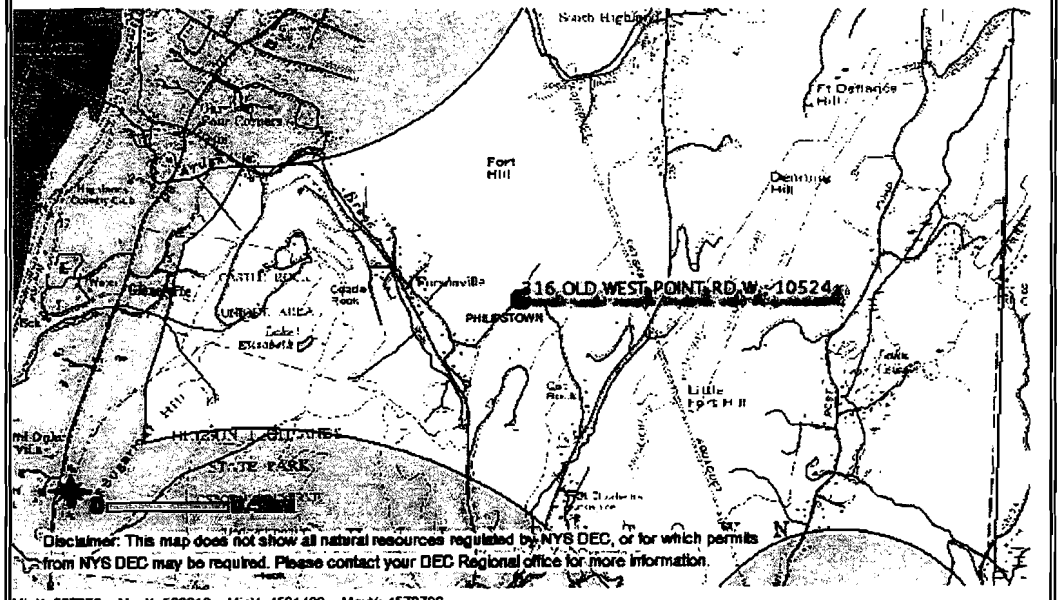
Plants & Animals - Obert Wood Site Plan



MinX: 587370, MaxX: 592916, MinY: 4581430, MaxY: 4578792

Visible Layers

- Classified Streams
- Classified Ponds
- Rare Plants and Rare Animals
- Interstate Highways
- Adirondack Park Boundary
- Counties

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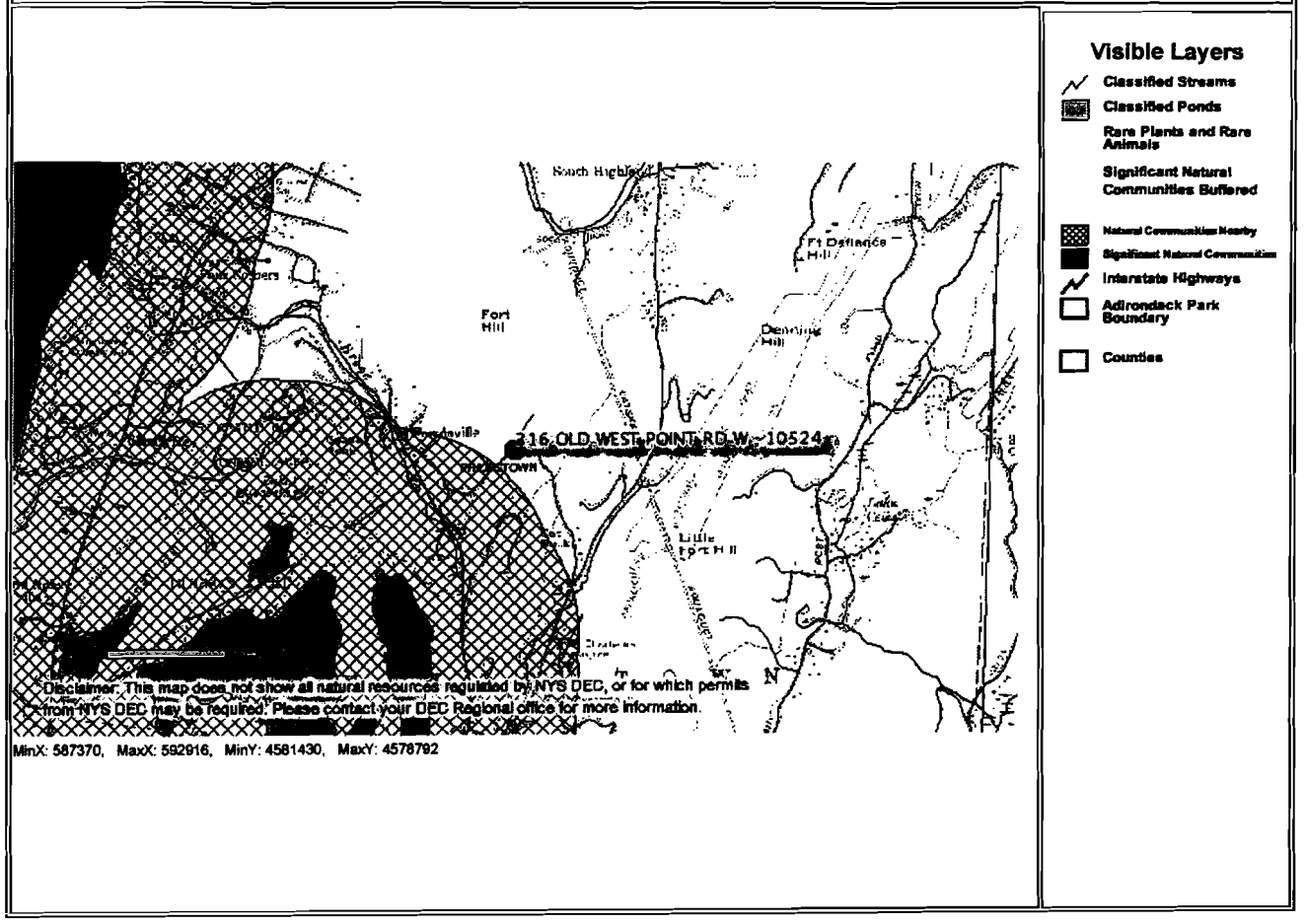
Natural Communities - Obert Wood Site Plan



MinX: 587370, MaxX: 592916, MinY: 4581430, MaxY: 4578792

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Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

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

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer **"Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer **"No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐ NO ■ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	■
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	■
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ■ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ■ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	■	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. ☐ NO ■ YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	■	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	■	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. ■ NO ☐ YES

(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ■ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ■ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ■ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) ■ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur

a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	 ☐ ☐	 ☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½-3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) ■ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐
d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3: i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property's setting or	 E3e, E3g, E3f E3e, E3f, E3g, E1a,	 ☐ ☐	 ☐ ☐

integrity. iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E1b E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. ■ NO ☐ YES

(See Part 1. C.2.c, E.1.c., E.2.q.)

If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) ■ NO ☐ YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ■ NO ☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐

b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ■ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ■ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐
d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure ■ NO ☐ YES

to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ■ NO ☐ YES
(See Part 1. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not	C3, D1c,	☐	☐

supported by existing infrastructure or is distant from existing infrastructure.	D1d, D1f, D1d, E1b		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ■ NO ☐ YES
(See Part 1. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

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: May 30, 2014

FROM: Ronald J. Gainer, PE SUBJ: Obert Wood Site Plan; Old West Point Road West

As provided in Section 175-66B of the Town Code a pre-application meeting was held on May 30, 2014 for Obert Wood III, concerning site improvements planned on residential property located at 316 Old West Point Road West, Garrison, NY.

In attendance were the following:

Obert Wood, III	–	Applicant
Dave McCoy	–	
Glenn Watson/Jason Synder	–	Applicant's Consultant
Anthony Merante	–	Planning Board Chairman
Kim Conner	–	Planning Board Member
Kevin Donohue	–	Code Enforcement Officer
Ron Gainer	–	Town Engineer

The following matters were discussed:

Purpose of Application:

The Applicant is proposing to construct a new residence on the property, which encompasses a 20 acre parcel; tax map no. 71.-2-39.1. There is an existing cottage on the property, which will remain. The cottage is served by an existing well and SSDS. The property is adjacent to 181 acres of Garrison School forest lands.

The applicant, prior to the adoption of the new Zoning Ordinance in 2011, had obtained a *Wetlands/ Watercourse* permit from the Town Wetlands Inspector (David Klotzle) and a driveway entrance permit from the Town Highway Superintendent to permit construction of a driveway to serve the proposed residence, as well as approval from the PC Department of Health for a new SSTS. Most of the driveway has now been constructed. Notwithstanding the issuance of these prior permits or the construction which has occurred to date, neither the Planning Board or Building Department has had any previous involvement in, or knowledge of, the project.

Now that the applicant is ready to proceed with the construction of the dwelling, the current Zoning Ordinance requires them to obtain Planning Board approval, and so this was the reason for this pre-application conference.

The residence, including garage, will be approximately 3,800 sf. As part of the house construction, the driveway will be extended approximately 150 feet to the location of the residence. Further, the applicant

RE: Obert Wood III Site Plan; Old West Point Road West

plans to extend underground utility service along the edge of the driveway to the dwelling. As this work will occur adjacent to designated wetlands, this will require that the Wetlands/Watercourse permit from the Town either remains in effect or, if lapsed, a new permit must be obtained.

Zoning District:

The property is located in the Rural Residential ("RR") Zoning District.

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 the construction of a residence in excess of 3,000 sf.

Major/Minor:

Per Section 175-60C(1) of the Town Code, the project would be classified as a "Minor" project, as it does not exceeds any of the thresholds specified therein.

Waivers:

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

Overlays:

This property falls within:

- lies adjacent to, but not within the Open Space Conservation Overlay District (Garrison School District Forest)
- Regional Aquifer Overlay District
- driveway/utility construction within area of designated Wetlands or Watercourse

Stormwater/Wetlands:

Site Plan drawings should specify the amount of impervious coverage, as well as overall site disturbance, to confirm what SWPPP requirements will apply.

Fees: Based upon review of the Town's fee schedule, fees of $550.00 will be due.

Escrow: Set at an initial amount of $2,500. The applicant understood that this was only an estimate. If Consultant review costs were less, any monies remaining in the escrow account would be returned to the applicant. However, if costs exceeded this amount, the escrow would have to be replenished in order for the Board to continue to process the application.

Expected Referrals:

- Town Conservation Board

RE: Obert Wood III Site Plan; Old West Point Road West

- It must be confirmed whether the adjacent Garrison School District forest lands will require that referral to the PC Department of Planning be made, per GML §239m; no other GML thresholds appear to be met that would otherwise require this referral.
- a courtesy referral to the Garrison Volunteer Fire Department was felt appropriate, given the length of the driveway

Additional Notes:

- A "No violations" letter from the CEO will ***NOT*** be required (per §175-67C), as it is a "Minor" project
- As noted above, given the length of the driveway the application should be referred to the Garrison Volunteer Fire Department for comment. Widened sections of driveway may be deemed appropriate in order to permit vehicles to pass. Further, it was noted that the driveway must conform with all requirements of Section 511 of the NYS Fire Code. Evidence of compliance must be shown through plat note references.
- The applicant should confirm whether the "Wetlands/Watercourse" Permit is still valid, and in force. If it has lapsed, a new permit will be required.
- The applicant advised that the PCDOH SSTS approval is still in effect. A copy of this approval should be filed with the Site Plan application documents.
- As the application represents a "Minor" project, a Public Hearing is discretionary.
- The applicant expects to file a Site Plan application package next week.

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

c: Kevin Donohue, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant (c/o Badey & Watson, PC)

DOCUMENT # 1502124

DEED

RETT: 647 $1,960.00
CONSIDERATION: $490,000.00

12/08/2009 10:44:40 A.M.
RECEIPT: 18306 FEE: $190.00
DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1843 PAGE: 170

RESERVE FOR RECORDING INFORMATION

PUTNAM COUNTY RECORDING PAGE

PAGE 1 OF RECORDED DOCUMENT

RECORD & RETURN TO:

JAMIE C. ABRAMS, ESQ
BASS + ABRAMS
109 GRAND STREET
CROTON-ON-HUDSON, NY.
10520

TYPE OR PRINT

GRANTOR/MORTGAGOR
BARBARA O. DAVID
WILLIAM C. OSBORN
FREDERICK H. OSBORN III
ROBERT L. SEAMAN
TRUSTEES

DO NOT WRITE BELOW THIS LINE

DEED [✓] MTG [ ] SAT [ ] ASMT [ ] CEM [ ] POA [ ] ESE [ ]
OTHER

RECORDING FEES	# OF PAGES	5
		C/R
RCD FEE	20.00	
STAT CHG	20.00	
REC MGMT	20.00	
CROSS REF		
TOTAL	60.00	

RESERVE FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO §315 REAL PROPERTY LAW

Dennis J. Sant

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

Revised 10/2008

SA-106464-PS

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

THIS INDENTURE, made AS OF the 20th day of November, 2009

BETWEEN

Barbara O. David, William C. Osborn, Frederick H. Osborn III and Robert L. Seaman, as Trustees under that certain trust agreement dated December 29, 1976, made by Frederick H. Osborn, Jr. and Anne Pell Osborn, 200 Osborn Drive, Garrison, New York

party of the first part, and

Obert R. Wood III, 115 East 9th Street, New York, New York

party of the second part,

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

Ten ($10) dollars and other good and 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 and State of New York, and more particularly described in Exhibit A annexed hereto.

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.

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

Barbara O. David, Trustee

Barbara O. David, Trustee

William C. Osborn, Trustee

Frederick H. Osborn III, Trustee

Robert L. Seaman, Trustee

Standard N.Y.B.T.U. Form 8002 Bargain and Sale Deed, with Covenant against Grantor's Acts- Uniform Acknowledgment
Form 3290

SCHEDULE A

ALL that certain lot, plot, piece or parcel of land, situate, lying and being in the Town of Philipstown, County of Putnam and State of New York, which property is bounded and described as follows:

BEGINNING at a point where the northerly line of Old West Point Road is intersected by the dividing line between the westerly line of the premises described herein and the Easterly line of lands now or formerly of Lancaster;

THENCE from said point of beginning along the said division line North 41 degrees 06' 10" West (North 41 degrees 06' 09" West per deed) 142.91 feet, to a point at the line of lands now or formerly of Grace Turner. Thence along the said Grace Turner lands North 43 degrees 14' 18" West 154.95 feet; and South 48 degrees 48' 59" West 281.31 feet, to a point at the line of lands now or formerly of Baldino. Thence along the said Baldino lands North 43 degrees 14' 18" West 37.34 feet, to a point at the line of lands heretofore conveyed by Barbara O. David, William C. Osborn, etal, Trustees to Andre Grasso by that certain deed dated December 5, 2005, and recorded in the Putnam County Clerk's Office in Liber 1733 of deeds at page 110. Thence along the said Grasso lands and through the lands shown on said Filed Map No. 1308, the following courses:

North 11 degrees 59' 00" West 125.60 feet;
North 11 degrees 37' 10" West 543.93 feet; and
North 73 degrees 45' 00" West 330.01 feet to the point that is the corner common among the lands now being described, the said lands now or formerly of Grasso, lands formerly of Selleck and now shown on that certain "Subdivision Plat Prepared for Andre W. Grasso...", which was filed in the Putnam County Clerk's Office on June 29, 1988, as Map No. 2326 and lands formerly of Osborn and now or formerly of the Garrison Union Free School District. Thence along the said School District lands North 14 degrees 04' 38" East 762.00 feet to a corner common among the lands shown on said Filed Map No. 1308, the said lands formerly of Osborn and now or formerly of the Garrison Union Free School District and lands formerly of Turner, formerly of Osborn and now or formerly of the Garrison Union Free School District. Thence along the last mentioned School District lands South 78 degrees 17' 39" East 411.39 feet to a point at the line of still other lands formerly of the Garrison Union Free School District and the centerline of the stone wall marking it.

Thence along the last mentioned School District lands and the centerline of the said stone wall, the following courses:

South 13 degrees 04' 09" East 10.61 feet;
South 14 degrees 27' 21" East 70.62 feet;
South 24 degrees 23' 53" East 16.66 feet;
South 10 degrees 12' 43" East 26.29 feet;
South 16 degrees 22' 12" East 28.31 feet;
South 13 degrees 09' 37" East 51.52 feet;
South 13 degrees 49' 43" East 21.13 feet;
South 20 degrees 40' 02" East 9.07 feet; and
South 12 degrees 02' 15" East 49.57 feet to a point at the line of lands formerly of Brown and now shown on that certain "Subdivision Plat Prepared For Alice O. Breese and Morris & Virginia O. Earle...", which was filed in the Putnam County Clerk's Office on May 31, 1996, as Map No. 2245-A.

Continued....

Thence along said lands shown on Filed Map No. 2245-A the following courses:

South 12 degrees 02' 15" East 26.14 feet;
South 24 degrees 01' 22" East 8.23 feet;
South 00 degrees 56' 59" East 5.97 feet;
South 15 degrees 07' 37" East 33.82 feet;
South 12 degrees 18' 30" East 26.94 feet;
South 14 degrees 46' 14" East 49.17 feet;
South 05 degrees 36' 07" East 4.50 feet;
South 16 degrees 19' 56" East 23.14 feet;
South 14 degrees 47' 51" East 83.95 feet;
South 13 degrees 34' 01" East 48.64 feet;
South 13 degrees 18' 25" East 87.52 feet;
South 19 degrees 12' 32" East 10.46 feet;
South 13 degrees 14' 28" East 31.70 feet;
South 17 degrees 51' 13" East 7.57 feet;
South 24 degrees 47' 10" East 6.44 feet;
South 30 degrees 29' 12" East 160.00 feet;
South 84 degrees 00' 00" East 210.00 feet;
South 65 degrees 00' 00" East 160.00 feet;
South 11 degrees 00' 00" East 63.04 feet;
South 25 degrees 00' 00" West 306.63 feet to the northwesterly side of Old West Point Road;

THENCE RUNNING along same South 49 degrees 56' 09" West 183.93 feet; and South 40 degrees 28' 03" West 87.17 feet to the point or place of BEGINNING.

Being and intended to be that certain parcel of land, situate, lying and being in the Town of Philipstown, County of Putnam and State of New York that is a portion of those lands heretofore conveyed by Keith Sharpley and Linda Patterson to Barbara O. David, William C. Osborn, Frederick H. Osborn, III and Robert L. Seaman, as Trustees under that certain trust Agreement, dated December 29, 1976 by Frederick H. Osborn, Jr. and Anne Pell Osborn by that certain deed, dated July 18, 2008, and recorded in the Putnam County Clerk's Office in Liber 1809 of deeds at page 341 and the remaining portion of those lands shown on that certain map entitled, "Survey of Property Prepared For Frederick H. Osborn, Jr....", which was filed in the Putnam County Clerk's Office on April 13, 1973, as Map No. 1308.

Being and intended to be the same premises conveyed to the grantor(s) here by deed dated 5/28/09, and recorded on 7/29/09 in Liber 1835, of deeds at page 33 and by deed dated 5/26/09, and recorded on 7/29/09 in Liber 1835 of deeds at page 54 and by deed dated 12/29/76, and recorded on 12/30/76 in Liber 740 of deeds at page 361 and by deed dated 7/18/08, and recorded 8/14/08 in Liber 1809 of deeds at page 341, in the Clerk's Office of Putnam County.

This conveyance is subject to a Conservation Easement, which runs with the land and was granted to Hudson Highlands Land Trust, Inc., dated November 12, 2009, and recorded on November 19, 2009, in the Office of the Putnam County Clerk at Book 1842 of Deeds, Page 150.

The parties hereto acknowledge the right of the public to use the existing hiking trail that crosses the premises and runs from the Boy Scout Cabin on the School Forest property to the Blueberry Swamp Dam, the approximate location of which is shown on a map of the premises made by Badey & Watson, Surveying & Engineering, P.C., dated May 6, 2009, and the party of the second part takes title to the premises hereunder subject to said right.

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

State of New York, County of New York ss:

On the 20th day of November in the year 2009 before me, the undersigned, personally appeared **Frederick H. Osborn III,** 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)
PAUL A. WERNER
Notary Public, State of New York
No. 01WE6115421
Qualified in Nassau County
Commission Expires Sept. 7, 20 12

State of New York, County of New York ss:

On the 4th day of November in the year 2009 before me, the undersigned, personally appeared **Robert L. Seaman,** 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)
NANNE J. WAINWRIGHT
Notary Public, State of New York
No.01WA6082688
Qualified in Queens County
Commission Expires Nov 4, 2010

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

State (or District of Columbia, Territory, or Foreign Country) of **Connecticut** ss:

On the 26th day of October in the year 2009 before me, the undersigned, personally appeared **Barbara O. David**

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

Lyme, Conn. (insert the City or other political subdivision) in **the State of Connecticut** (and insert the State or Country or other place the acknowledgment was taken)

Notary Public
(signature and office of individual taking acknowledgment)
My commission expires 3/31/2012

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

State (or District of Columbia, Territory, or Foreign Country) of **Commonwealth of Massachusetts** ss:

On the 28th day of October in the year 2009 before me, the undersigned, personally appeared **William C. Osborn**

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

Brookline, MA (insert the City or other political subdivision) in **the Commonwealth of Massachusetts** (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)
Notary Public
My commission expires 5-17-2013

DISTRICT

SECTION 71

BLOCK 2

LOT 39.1 & 48 + 49

COUNTY OR TOWN **Philipstown**

STREET ADDRESS **316 Old West Point Road**

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. SA-106464

Trustees of FAN Trust

TO

Obert R. Wood III

Recorded at Request of

RETURN BY MAIL TO:

Jamie C. Abrams, Esq.
Bass & Abrams
109 Grand Street
Croton-on-Hudson, NY 10520

DISTRIBUTED BY