

MEETING AGENDA
TOWN OF PHILIPSTOWN PLANNING BOARD
Old VFW Hall, 34 Kemble Ave., Cold Spring, New York 10516
July 19, 2018
7:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes: June 21, 2018 – Regular Monthly Meeting

Old Business:

Jaymark Jewelers, Inc., 3612 Route 9, Cold Spring **TM# 17.-1-46**

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

Hudson Highland Reserve, Route 9 & Horton Road

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

New Business:

Taylor/Fratesi, 220 South Highland Road, Garrison **TM# 50.-2-63.3**

(The applicant is seeking site plan approval for a 3-bedroom, 3.5 bath, single family home of 4020 sf with a detached garage of 898 sf. The vacant lot consists of 17.08 acres.)

Public Hearing:

James Copeland, 3052 Route 9, Cold Spring **TM# 27.16-1-27**

(The applicant is seeking a change in use from retail to office space. The space was previously an antiques store and is located in the HC zoning district.)

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

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

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

**PHILIPSTOWN PLANNING BOARD
MEETING MINUTES
June 21, 2018**

The Philipstown Planning Board held the rescheduled May monthly meeting on Thursday, June 21, 2018 at the Old VFW Hall, 34 Kemble Ave., Cold Spring, New York.

Present: Anthony Merante, Chairman
 Peter Lewis
 Neal Tomann
 Dennis Gagnon
 David Hardy
 Stephen Gaba, Counsel
 Ronald Gainer, Town Engineer
 Chris Robbins, AKRF Consultant
 Aaron Werner, AKRF Consultant

Absent: Kim Conner
 Neal Zuckerman

Chairman Merante opened the meeting at 7:00 p.m. with the Pledge of Allegiance. Roll call was taken by Ms. Percacciolo.

A. Minutes

The minutes of the June 5, 2018 Regular Monthly Meeting (rescheduled due to weather from May 17th) were reviewed. Mr. Tomann moved to adopt the minutes and Mr. Gagnon seconded the motion. The vote was as follows:

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

B. Old Business

Dunrite Construction/Bob Ashley, 3 Ethan Drive, Garrison

TM# 91.6-1-50

Mr. Gainer reported the subject lot is on a private road so the applicant is seeking approval of access on a private road from the Planning Board. He stated that, at the direction of the board, referrals were made, including a referral to the Continental Village Fire Department who just yesterday responded and identified 2 recommendations that they wish the applicant to consider.

Mr. Gainer explained, those improvements are the removal of a tree and the other is a request to permanently secure cable and telephone lines along the frontage. Mr. Gainer stated the board has accepted those recommendations, which have been built into the draft resolution that the board has before them to consider this evening. Mr. Gainer stated the board has before them both a draft access approval resolution and a draft Negative SEQRA Declaration, for consideration this evening. There were no other comments from any board members.

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

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

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

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

Alex Campbell, 4 Cliffside Court & 28 Upland Dr.

TM# 82.20-2-23 & 21

Mr. Gainer reported the board has before them a draft Negative SEQRA Declaration and a draft access approval resolution to consider this evening. He continued, the board has been discussing this project for some period. Mr. Gainer stated a referral was made to the Continental Village Fire Department which has identified a variety of improvements they see appropriate for both Upland Drive and Cliffside Court. He continued, the proposed driveway is along Cliffside Court and the draft access approval resolution identifies those as conditions of approval, among other standard conditions.

Mr. Gaba stated there was some question as to whether a signed EAF had been submitted and asked if that was completed. Mr. Gainer stated it was received earlier that day.

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

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

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

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

Hudson Highland Reserve, Route 9 & Horton Road – Scoping Session

Chairman Merante requested that anyone who plans to speak please sign in on the sheet in the back of the room. He explained that the meeting is filmed and all comments made will be part of the record. The Chairman requested that anyone who speaks supply a written copy of their comments to the secretary. He stated, the board would first ask the project sponsor to briefly describe the project and craft the scope. Chairman Merante stated comments will be limited to between 3 and 5 minutes and there will be no back and forth between speakers. He stated speakers will be called in order as they appear on the sign in sheet and requested that each speaker identify themselves before making comments. Once through the list, the Chairman will ask if there is anyone else who would like to comment. Chairman Merante explained that the meeting will be held open for one week to allow for review of the draft and additional written comments, which can be submitted by mail or email by the close of business next Thursday, June 28th. He continued, comments received by June 28th will be compiled by the project sponsor and consultants. Simultaneously the final scope will be prepared. The Chairman continued, the scope must be prepared within 60 days, which is August 4th, and the applicant will prepare a DEIS. The intent is to prepare a draft scope for the purpose of establishing an outline of what should be analyzed in the draft environmental impact statement and comments should be limited to the draft scope of the DEIS. Chairman Merante thanked AKRF for providing a basic outline for the board and asked if Mr. Gaba had any comments.

Mr. Gaba explained that the draft scope is basically going to be the table of contents for the draft environmental impact statement that's being prepared. He stated that the draft scope they are working with this evening is by no means an exhaustive or overly detailed table of contents; it sets forth that the DEIS is going to begin with the description of the project, including its location, layout, site areas, with some subpoints to put some 'meat on the bone' there as far as what's going to be in it, but it is up to the applicant to decide the detail and information they are going to provide to satisfy the board that they've adequately described the project. Mr. Gaba

explained, when the applicant comes in with their draft environmental impact statement the board will have the chance to accept it or to reject it as incomplete, which would occur if the board feels they haven't provided adequate information to address the areas identified or have not touched on all of the areas.

Mr. Gaba reported there is a section on construction and maintenance and they of course identify the approvals. After that, section 5 is on page 4, we get to the 'meat' or the main purpose of the EIS, which is, looking at the identified potential significant adverse environmental impacts, discussing them, and discussing how they might be mitigated to the maximum extent practicable. He continued, the first one identified is Water Resources and is broken down into Existing Conditions, then to Groundwater, Floodway and Wetlands. They talk about anticipated impacts on surface water, groundwater, floodway and wetlands and then it will talk about mitigation measures.

Mr. Gaba explained, at this scoping session, one of the main purposes is to listen to the people, of course, and take any comments board members might have about, for example, water resources. He continued, if the board sees something in there that they believe has already been adequately covered and there is no reason to go over it again, then it would be appropriate to suggest removing the item. By the same token, Mr. Gaba stated, if there is something the board feels needs to be analyzed and discussed further, now is the time to say it. All of these comments are going to form the basis for the draft final scope, the proposed final scope, that the board will look at, at the next meeting.

Mr. Gaba continued, the next item covered is Vegetation and Wildlife which talks about existing conditions and then about anticipated impacts and then will look at mitigation measures. He stated that Vegetation Wildlife is pretty broad and noted that the board had discussed impacts on the Scarlet Tanager at previously held meetings. Mr. Gaba explained, an EIS isn't an encyclopedia; it does not have to cover every conceivable impact. But, he continued, if for some reason the board felt that the impacts on the Scarlet Tanigers habitat are something that absolutely need to be looked at, that this is a crucial area for them, then that would be something to add to your scope.

Mr. Gaba reported, next is Zoning and Land Use and it covers Existing Conditions, Anticipated Impacts and Mitigation Measures, and then there is Community Character, and that's about it. He stated he would anticipate that in this section the board will see discussion of the town's Comprehensive Plan and the extent to which the proposed development is consistent with that. Then we get into alternatives.

Mr. Gaba explained, alternatives are reasonable alternatives to the project that is proposed; you can not ask the applicant in the scope or in the EIS to propose as alternatives a project completely different than the project that's being proposed. He continued, it's reasonable to say to the applicant, we would like to see the project with the houses reconfigured or with a smaller equestrian center or something along those lines. It is not reasonable to say to the applicant, we want to see what the impacts would be if it was just kept all farmland. Mr. Gaba stated there is a no build contingency allowed for under the SEQRA regulations but that's basically just to give a

baseline of what the impacts are going to be as opposed to the impacts that will happen if no development occurred at all.

At the end, Mr. Gaba continued, there will be conclusions including Adverse Environmental Impacts That Cannot Be Avoided, if any, Irreversible and Irrecoverable Account of Resources, Growth Inducing Aspects, the extent to which this is going to have an impact on development in this area of the town, municipal services, things like that, and Appendices which will consist of copies of the reports and supporting documentation that the applicant will be submitting; all of the representations that they make in the EIS have to be supported by reference to some empirical evidence, expert opinion, letters from some municipal agency saying this is or is not so.

Chris Robbins asked if there were any questions from board members about the materials they provided with regard to how this is going to be set up or the process and timing moving forward after tonight or what happens between tonight and the next Planning Board Meeting. Chairman Merante stated that it was mentioned in the June 18th memo from AKRF that there would be a week to receive additional written comments and then after that the comment period is closed. Chairman Merante requested clarification on what will occur in the interim until the July meeting.

Mr. Robbins explained, the board will receive comments tonight from the public and as Mr. Gaba mentioned, the board can supply comments as well. Once the close of the meeting tonight there will be an additional week to receive written comments, until the close of business on Thursday June 28th, all the comments will be gathered and they will go through, categorize them, organize them, and put them in a table so that they can be identified by section in the current scope. He continued, if there are any additional comments that don't fit any of the sections that already exist in the scope, they will have additional sections noted. All of this information will be shared with the applicant and from there, the applicant will take that information and work on a revision of this scope to address comments and incorporate all those items that were raised by the public, the Planning Board, and by any involved agencies that may comments. Mr. Robbins explained, the scope was published in the Environmental News Bulletin and was distributed by Ms. Percacciolo to the agencies identified that would have some discretionary authority over some portion of this project. Mr. Robbins continued, from there that draft scope will be reviewed internally and copies will be provided to the board prior to the next meeting. At said meeting, the board will vote as to whether or not that revised scope is sufficient for setting forth the outline for the draft environmental impact statement, which will then be developed by the applicant.

Chairman Merante questioned what happens if there are discrepancies in terms of the information the applicant chooses to provide in the DEIS and the information the board has already been supplied. What happens if there are discrepancies between what the applicant wants and what the DEIS produces. If there are differences between what the applicant wants to do and what the board wants to do, before approval.

Mr. Robbins explained, this scope will be the outline for the DEIS. The next step will be to prepare the DEIS; the applicant will do that and submit it to the board. The Planning Board will review that to ensure that it is consistent with what's in the scope. Mr. Robbins explained, it is

not an assessment of whether or not you agree with what's been presented or not, it's a check to make sure that it is compliant with all of the sections of the scope that were set forth by the Planning Board for the applicant to file. At that time, the DEIS itself, once you review it and it becomes accepted as a complete document, once it's compliant with the scope, then you go to the next step where you have a substantive review to make sure that everything that's been presented in that DEIS is accurate. You also have the opportunity to go back and say, for example, the calculations for your stormwater runoff in this area seem to be not based on the TR-55 manual, or whatever it might be, and request the applicant to go and revise those things in the final environmental impact statement.

Mr. Robbins continued, the focus of this document will be an assessment of the proposed plan and the analysis done in this will be on that plan. He explained that the alternatives that are at the end allow the Planning Board the opportunity to see how those alternatives identified impacts compare with the proposed, preferred plan that the applicant is going to review. At that point the Planning Board can then take a look at what those differences are and think about what they might want to see further in the next step of the environmental review. The project itself then goes through the final environmental impact statement and that gets through the review process by the Planning Board and the consultants and then findings are made. Mr. Robbins stated, at the time of findings the Planning Board can determine whether or not they are okay with the way this project has been set forth and reviewed.

Mr. Gaba stated, it is important to keep in mind that the SEQRA process is going to terminate in what's called a finding statement which will either make a determination that the adverse environmental impacts have been mitigated to the maximum extent practicable or haven't. And it may, if it determines that they have not been, impose conditions on development which would result in suitable mitigation or, you may find that they are not mitigated at all and require denial. Mr. Gaba continued, the finding statement will not require grant of the conservation subdivision approval, that's dependent upon the criteria set forth in the town code. The findings that you make in SEQRA, assuming that you find that the adverse environmental impacts have been mitigated to the maximum extent practicable, are certainly going to inform your decision as to whether or not they've met the criteria in the town code but aren't necessarily determinative of it.

Richard O'Rourke, attorney from Keane & Beane PC representing the applicant, stated he was in agreement with everything Mr. Gaba and Mr. Robbins had stated and opined that they offered a lucid explanation of what the process is and the steps and procedures that must be followed in order to ensure compliance with the law. He stated he believes the overriding situation, or environment, to use a word as defined by the regulations, by the law as adopted, and by the courts, is that, what's to be applied to this process is a rule of reason. And what that means, he continued, is that there has to be a balancing of environmental issues with economics and property rights consideration. Mr. O'Rourke stated, this is a piece of property that has been owned by a resident here for over 10 years and so the framework in which they are looking at this is to develop his property in conformity with and within his capabilities and objectives of what he wants to accomplish, and that is the context in which all of this is evaluated. Mr. O'Rourke requested that they be allowed to offer a brief presentation on the project for any members of the public who have not been to a previous meeting.

Glenn Watson of Badey & Watson was in attendance on behalf of the applicant. Mr. Watson reported the Hudson Highlands Reserve is a 210-acre accumulation of about 5 different parcels and is located in the northerly part of town. He stated the property has frontage on Route 9, Horton Road, and East Mountain Road South and East Mountain Road North. Mr. Watson explained, the plan is to develop a conservation subdivision of 25 lots plus an equestrian center for 40 horses. Within the property, he continued, there is an existing pond, Ulmar Pond and to the southeast there is steep slope land. To the south portion of the property, approaching the pond, there's some wetlands and Clove Creek runs along the side of the property and a very small portion of Clove Creek runs through the property and exits the property, goes under Route 9, and flows to the north. Mr. Watson explained, although it was mentioned that there is frontage on 4 different roads, the sole access that will be used on a regular basis is from Route 9, adding that the road system that is being planned is going to come in from Route 9, just north of the crossover of Clove Creek, next to the old PemCorp building, south of Jaymark Jewelers. Mr. Watson explained, the road will come in, circle up to come up the hill and come to the main part of the property; the road will come up through the property and ultimately will end at the equestrian center. Off of this main road there will be a cul-de-sac with some houses on it. There is a cul-de-sac is going off to the southwest and one off to the northeast.

Mr. Watson stated, some of the features of the project are, a large buffer going around the pond to protect it as well as the equestrian center. He explained there will be 25 houses in 3 different areas, one in between the cul-de-sac and the main road, one to the northeast of the equestrian center and one to the west of the pond with the lots consisting of approximately one acre each, with a few being slightly under. Mr. Watson explained they anticipate the permanent conservation of about 153 acres.

Mr. Watson reported the property has some commercial zoning up on route 9, it's in the rural residential district, and is in a couple of overlay zones. He stated the largest part of it is in the large lot overlay zone, so they're trying to conserve the most environmentally significant portions of the property, steep slopes down to Clove Creek, steep slopes up to East Mountain Road North.

Mr. Watson continued, the project will be serviced by a common septic system, common sewage collection system and individual wells. He stated it will be controlled by a Homeowner's Association, in addition to the conservation easement, with some strict covenants and restrictions that will govern the property and allow for the internal payment of the cost of maintaining the subdivision and the conservation subdivision in a way it should be maintained. Mr. Watson stated membership of the HOA will be mandatory.

Mr. O'Rourke introduced Suzanne McGovern, equine consultant, along with Reinhard Teetor, to give a PowerPoint presentation regarding the project. The presentation is attached to the end of these minutes. *

Mr. O'Rourke stated the stenographer had arrived and requested that anyone who offers comments please state their name clearly for the record. Chairman Merante also asked that the applicant please provide a copy of the PowerPoint presentation to the secretary so it can be incorporated in the minutes of the meeting.

Chairman Merante stated he would first survey the board and enter the comments of each member from this evening. He stated he would also like to enter the comments from the April meeting that each member made, as all were in attendance that evening.

David Hardy, Planning Board Member: Mr. Hardy directed his question to Mr. Teetor and asked if these 40 horses need to be exercised everyday for a minimum amount of time and if that is the case, how that would be handled. What kind of staff is necessary to make that happen?

Mr. Teetor responded that the anticipated staff, per se, for the facility at full operation, which would be 40 horses, would be 12 people, management and staff. He continued, the type of horses that would be involved at this facility would be either competition horses or pleasure horses, recreational horses and the point of an owner bringing a horse to that facility is that they can use the facility. He stated, these types of horses, between a program developed by the teacher/trainer, whoever they're working with, and the owner who's riding or the owners' rider, they develop a program where the horses work anywhere from 4-6 days a week. When the horses are in work, they don't need to be out all day long; they need to be out for an hour to an hour and a half and not all the horses get turned out every day.

Peter Lewis, Planning Board Member: Mr. Lewis stated that he thought the draft scope was pretty comprehensive. He stated he thought the letter from the Hudson Highlands Land Trust did a good job at not poking holes so much as making it a deeper document. Mr. Lewis stated he fell back time and again to the fact that all of this is going to be documented with zoning compliance, which makes him feel good.

Planning Board member Neal Tomann made no comment.

Dennis Gagnon, Planning Board Member: Mr. Gagnon went back to his initial comment, questioning how the size of the equestrian center was established and how the number of horses came into play. He stated there was a comment made a little earlier that evening regarding the inclusion of pleasure horses at the facility and requested that be addressed.

Chairman Anthony Merante, Planning Board: Chairman Merante stated he has a number of issues, the first being the size of the stable, the size of the equestrian center and the waste, not just solid but liquid as well, and the possibility of that leaching into the ground. Another concern is the size of the lots, the houses on them and their proximity to the pond. He stated these are issues he believes need to be addressed and that all of these statements were made back in the April 18th minutes.

Richard Nairn, 36 Horton Road: Mr. Nairn stated he wishes the Planning Board would really take a look at the magnitude and scope of this project. He believes a good look needs to be taken at the geography of the property as there are a lot of steep slopes that are on the backside of this project. Another concern is mountain runoff. He stated that Hurricane Irene blew out the backside of Horton Road; the whole thing was gone and washed into Ulmar Pond and had to be completely reconstructed. Mr. Nairn stated that Ulmar Pond is a very fragile zone and any housing around that, as the pond sits down low and the surrounding property around it sits up

high, is a recipe for disaster. He stated these are common sense issues, it is going to happen. Mr. Nairn reiterated his statement that the magnitude of the project needs to really be looked at. He stated Clove Creek is fragile and is also protected by New York State

Betsy Calhoun, 788 Old Albany Post Rd: Ms. Calhoun stated she drove up Horton Road and Mill Road recently and stated she was stunned by the beauty of the property. She stated it is something special that the town would never be able to get back, adding that other towns don't have something like this. She stated that as the plan stands, it will totally destroy the area; 25 houses on an acre each with their lawns and each with a swimming pool for people who only come up on the weekends. Ms. Calhoun questioned where the staff for the facility will live and whether any of them will live in any of these 25 homes, adding her doubt. She questioned what these, as described by Ms. Calhoun, separate, elitist people will offer to the community, only visiting on weekends. She stated, to put this in a primeval forest, where endangered species exist, this is a special area. It is her desire to see the property remain untouched and put wholly into a conservation easement.

Michelle Smith, Executive Director of the Hudson Highlands Land Trust: Ms. Smith stated she had submitted comments earlier in the week by email on behalf of HHLT. She stated they were quite detailed and part of the reason for that is that this project is very special in the Town of Philipstown as it is the first conservation subdivision under the Philipstown Zoning Code. She stated it also lies in 3 overlay districts of Philipstown, as defined in the Philipstown Zoning Code, the Open Space Overlay, the Scenic Protection Overlay, and the Clove Creek Aquifer Overlay and in addition to that, it is quite visible from key points in both Fahnestock State Park and Hudson Highlands State Park.

Ms. Smith added, as stated many times by the applicant, a large part of the property is in close proximity to Route 9, which is already disturbed area, and HHLT agrees that this is a good site for a conservation subdivision. Ms. Smith explained, in a conservation subdivision what you're trying to do is really minimize the environmental impact, to minimize the ecological footprint so that it's not much greater than the actual development footprint. Therefore, the HHLT believes it is really important that the Environmental Impact Statement that gets produced from this process is very comprehensive in terms of addressing all those environmental impacts and how to minimize them to the smallest extent possible, especially given that this is a conservation subdivision.

Ms. Smith stated that, in their letter, they address 5 areas in sections 4 & 5 of the draft scope in order to try and make sure that the draft scope becomes a really good guide for a very comprehensive EIS for the reasons previously outlined. She stated they also, in section 6, alternatives, recommended another alternative, alternative F, which they believe has lots of benefits because it would eliminate a lot of the significant environmental impacts as well as it is much more likely that an established conservation organization would take the conservation easement on the property.

Ms. Smith stated, the first area which HHLT believes needs a lot more detail in the scope to ensure it gets addressed in the EIS is the definition of open space that will have the conservation easement on it. She stated there should be a call for a very detailed map so you can see exactly

what the boundaries of the conserved area are and a description of how the conserved area will be marked, what those markers are, will it be boundary posted and what exact activities will take place in the conserved area that is subject to a conservation easement. Also, what improvements, if any, will be made in the area that is subject to the conservation easement and where will they be on a map.

Ms. Smith continued, the second area of comments has to do with land use plans, consistency with land use plans and with the zoning code. And, on land-use plans, there should be specific mention of the Philipstown Comprehensive Plan as well as the Open Space and Natural Resource Plan of Philipstown and, in those, the rationale for conservation subdivision for Philipstown. In the Zoning Code reference, HHLT thinks there should be specific reference to the conservation subdivision provisions of the zoning code, particularly the issue of how the open space is defined and what that implies for fragmentation of the open space and particularly what that implies for the ability of the easement holder to monitor and enforce the conservation easement. She continued, HHLT also believes there should be reference to another important area of the code which is the amount of land for large livestock units, which the code calls for 40,000 square feet for each large livestock unit, and a horse is one of them.

Ms. Smith stated, the third area is community character and scenic resources. HHLT believes there should be a full scenic analysis from key points in Fahnestock State Park and Hudson Highlands State Park, especially along Fishkill Ridge and Scofield Ridge.

The next area of comments is wildlife and Ms. Smith stated they listed some local resources, local inventories of wildlife, many of which the applicant used in the conservation analysis. Ms. Smith stated that the HHLT feels that there needs to be particular attention to the impact that the houses around the pond have on wildlife movement and their access to the pond and to water in general. Another area of concern is the impacts that 40 horses will have on wildlife in the area.

Ms. Smith stated the fifth and final area is water resources, adding that HHLT has given some recommendations for local data and information. They believe there needs to be an analysis of the houses around the pond and the equestrian facility on the water resources and the aquatic life in the pond and Clove Creek.

Ms. Smith stated their final recommendation was in the alternatives section and they recommend an alternative F which is a combination of the current alternatives D & E. She explained, what alternative F would do is take the houses away from the pond; they'd still have the 25 lots but they would be moved north of the pond and reduce the equestrian facility to a number of horses that is consistent with the exercising in the 40,000 square foot per horse that's in the equestrian facility. She stated they believe that this alternative F would have many advantages such as eliminating many of the environmental impacts and really get that ecological footprint down. Ms. Smith suggested another added bonus is you're much more likely to get an established conservation organization to be willing to hold that conservation easement.

Richard Butensky, 407 East Mountain Rd S: Mr. Butensky stated that one of the aspects of the presentation given earlier by the applicant's team was maintenance and questioned how that is legislated to have someone keep up that maintenance if the facility changes hands and urged that,

whatever number of horses was agreed upon, that is something that is somehow stipulated and that there's some 'teeth' behind maintaining those types of things. Mr. Butensky also touched upon the code requirement for 40,000 square feet required per large livestock unit, as opposed to 40,000 for the entire facility.

Ulises Liceaga, 260 East Mountain Rd S: Mr. Liceaga stated he was speaking not as the applicant but as a neighbor. Mr. Liceaga stated that for the last four and a half years they have been with the board, answering their questions, answering the public's questions, and have done everything by the book of the law. He thanked everyone for helping the design process along. He stated he is not an elitist, as referred to earlier in the evening, and has been a taxpaying member of this community for 14 years. Mr. Liceaga stated he loves the area and wants his children to have their place here because they love it.

Mr. Gaba interrupted Mr. Liceaga to request that the comments be limited to the scope and whether or not something should be added or removed, as this is not a public hearing.

Mr. Liceaga stated he believes that the scope of the project has been misinterpreted by possible personal interests. He stated he believes that most of these comments stem from a very vocal minority, neighbors around the area, who have been using the property for recreational and personal purposes.

John Clark, 91 Horton Road: Mr. Clark stated he 'has a dog in this fight' because he lives right by the development. His first concern is the buffer around the pond. Particularly, to the west of the pond it is very narrow and Mr. Clark can not imagine there not being some kind of outflow from the houses and the road into the pond itself. As Ms. Smith had previously stated, Mr. Clark stated a lot of issues would be addressed if everything were moved off the pond.

With respect to the equestrian center, which he stated he welcomes, as his daughter rides, Mr. Clark stated it does not seem that the facility is big enough to house the number of horses being proposed. He stated he did a little math with respect to waste and discovered that 40 horses would generate 360 tons of waste a year. He is concerned with what mitigation measures there are in terms of mitigating seepage of that waste.

Mr. Clark added his concern about how this development has been designed and called it a form of gerrymandering, which isn't necessarily against the law but is against the spirit of the law. He stated he feels as if they have just carved out these plots and technically there is conservation value in that but realistically, how is wildlife going to get through there? Mr. Clark reported he lives right near the pond and hears coyotes at night that go down to drink from that pond and questioned if that will still be the case with all those houses surrounding the pond.

Chairman Merante stated that Mr. Clark was the last name on the list and asked if there was anyone else present who would like to speak.

Mr. Gaba stated the board could entertain a motion to close the scoping session except for the seven-day written comment period and then move forward from there.

Mr. Tomann moved to close the scoping session, accepting written comments for a seven-day period expiring on June 28, 2018 and Mr. Gagnon seconded the motion. The vote was as follows:

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

Mr. Gaba explained, what will happen next is AKRF will prepare a memo cross-referencing the comments to the draft scope and will circulate a proposed draft scope. The board will indicate if there is any dissent as to what might be in it before the next meeting. At the next meeting the board will have the proposed final scope in front of them. If they don't like what's in the final scope, that should be expressed at the next meeting. Mr. Gaba stated it would be good to have those ideas in mind for next meeting as the 60 days expires August 4th and there is not another meeting scheduled before then, although a special meeting could be held.

Mr. Gagnon questioned, if a member of the board has comments between now and the next meeting, should they be forwarded to the consultants or expressed at the next meeting. Mr. Gaba explained that if it is within the next 7 days, they can be forwarded to the secretary who can then distribute them to the appropriate parties, but anything after the next 7 days wouldn't be appropriate. He clarified that at the next meeting they could be offered, but it would be nice to have everything ready for that meeting.

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

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

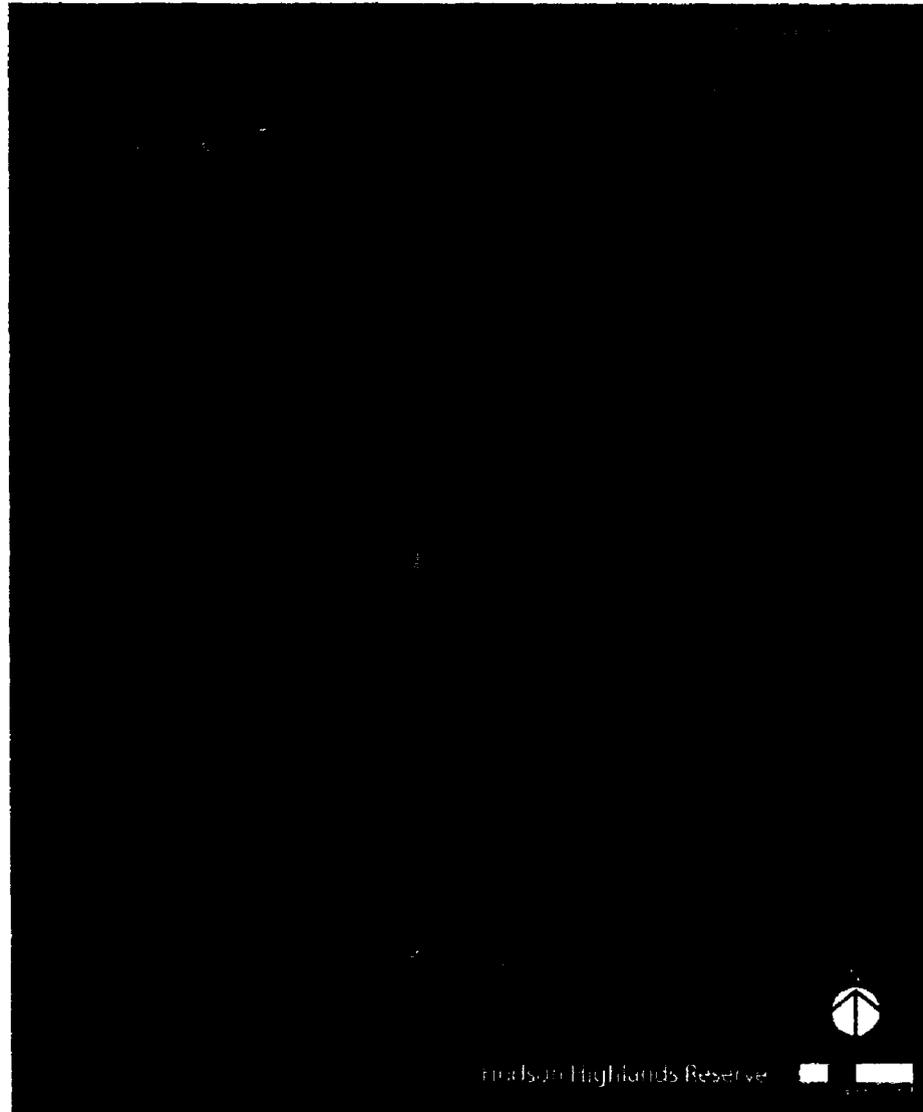
The motion passed unanimously and the meeting adjourned at 8:27 pm.

Date approved _____

Respectfully submitted by,

Tara K. Percacciolo

Hudson Highlands Reserve



Hudson Highlands Reserve

Natural Living by Design

Presentation to Town of Philipstown Planning Board

6/21/18

Who Is HHR?

HHR is not a faceless corporate builder “out there” somewhere.



Vision and Mission

Vision

Marry HHR's professional and personal passions – natural environment, sustainable living and horses -- to build a new gold standard of eco-centric, equine-centric community living that can serve as a beacon for all conservation communities.

Mission

Develop a Conservation Subdivision community of weekend/vacation homes and Equestrian Facility for like-minded nature lovers -- providing a full, authentic, natural living experience that contributes to the sustainable grid, respects the region's conservation mindset, and "gives back" to the community. A first for Philipstown.

HHR Key Components

- 210 acres
 - 154 acres (73%) conservation
- Modern, eco-conscious, 40-horse equestrian facility
 - accessible to both HHR residents and the larger community
- Community of 25 sustainable single-family homes
 - 2,500 SF, 1 acre lots, forested surroundings
- Ulmar Pond
- Historic barn (restored as a community clubhouse)

Sustainable Building

Sustainable/“Green” =

Structure and processes that optimize efficiency of resource use while minimizing impact on the environment and human health

- Site: location, orientation, landscaping
- Energy: zero net energy ideal
- Water: use efficiently/conserve; reuse/recycle when feasible
- Building Space/Materials: use/reuse productively
- Indoor Environment Quality: daylighting, ventilation, moisture control, acoustics
- Operations/Maintenance: materials and systems that require less water and energy

Custom Homes

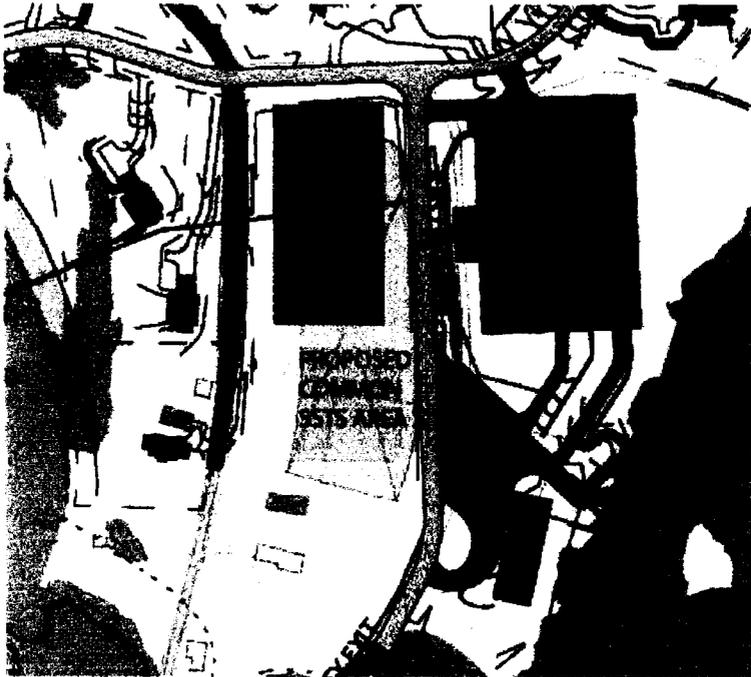
Sustainable/“Green” =

Structure and processes that optimize efficiency of resource use while minimizing impact on the environment and human health



- 2,500 SF ~ 1 acre lot ~ individually designed ~ forested environment
- Hudson Valley appropriate character with modern amenities
- Meet Rural Residential zoning and LEED Certification guidelines
- Aim for zero-net energy use
- Maximize location, orientation, landscaping and daylighting
- Materials and systems that require less water and energy

Equestrian Facility

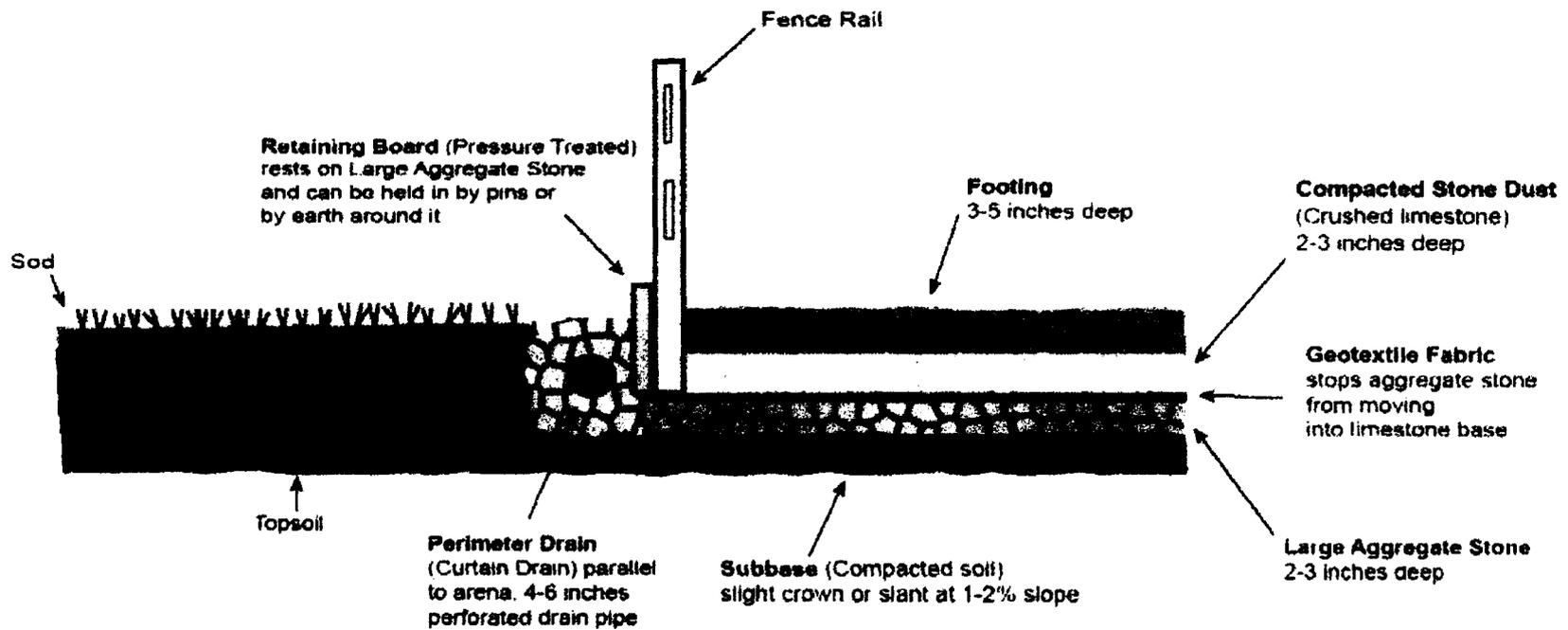


- 60,000 SF Equestrian Center
 - 31,200 SF stable
 - 28,800 SF indoor arena
 - 40 12' X 12' box stalls
 - 40,000 SF Paddock Space
 - 45,000 SF Outdoor Arena
-
- State-of-the-art manure storage and removal system
 - Arena/paddock foundation and footing designed to prevent leaching
 - HHR total daily water consumption <15% aquifer recharge rate
 - Natural light and clean open space as central design focus
 - Positive economic impact for larger Philipstown community

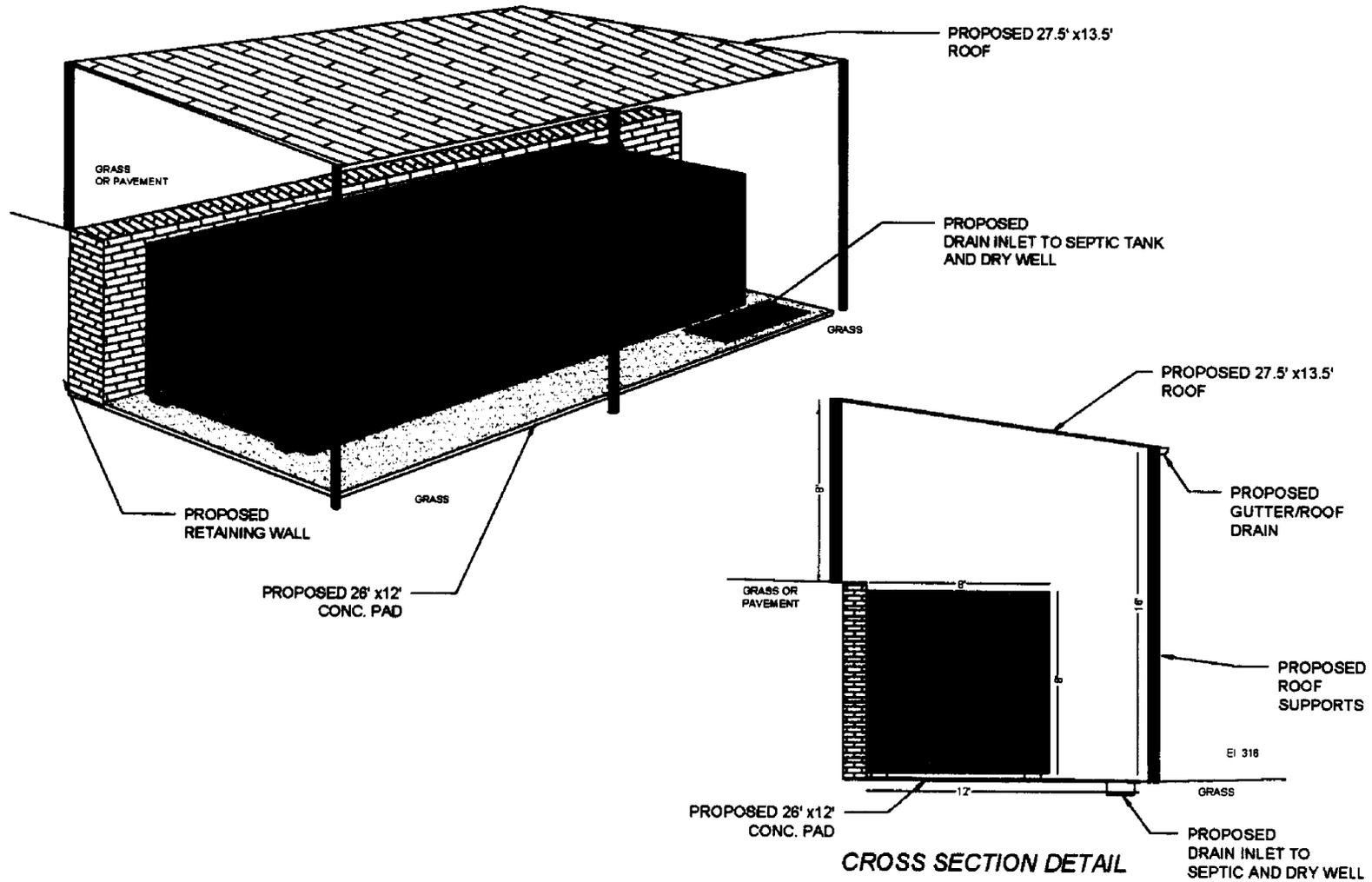
5 Critical Equine Waste Barriers

1. Building Foundation Design
2. Stall Design & Maintenance
3. Waste Storage & Removal
4. Riding Arena Design & Maintenance
5. Paddock Design & Maintenance

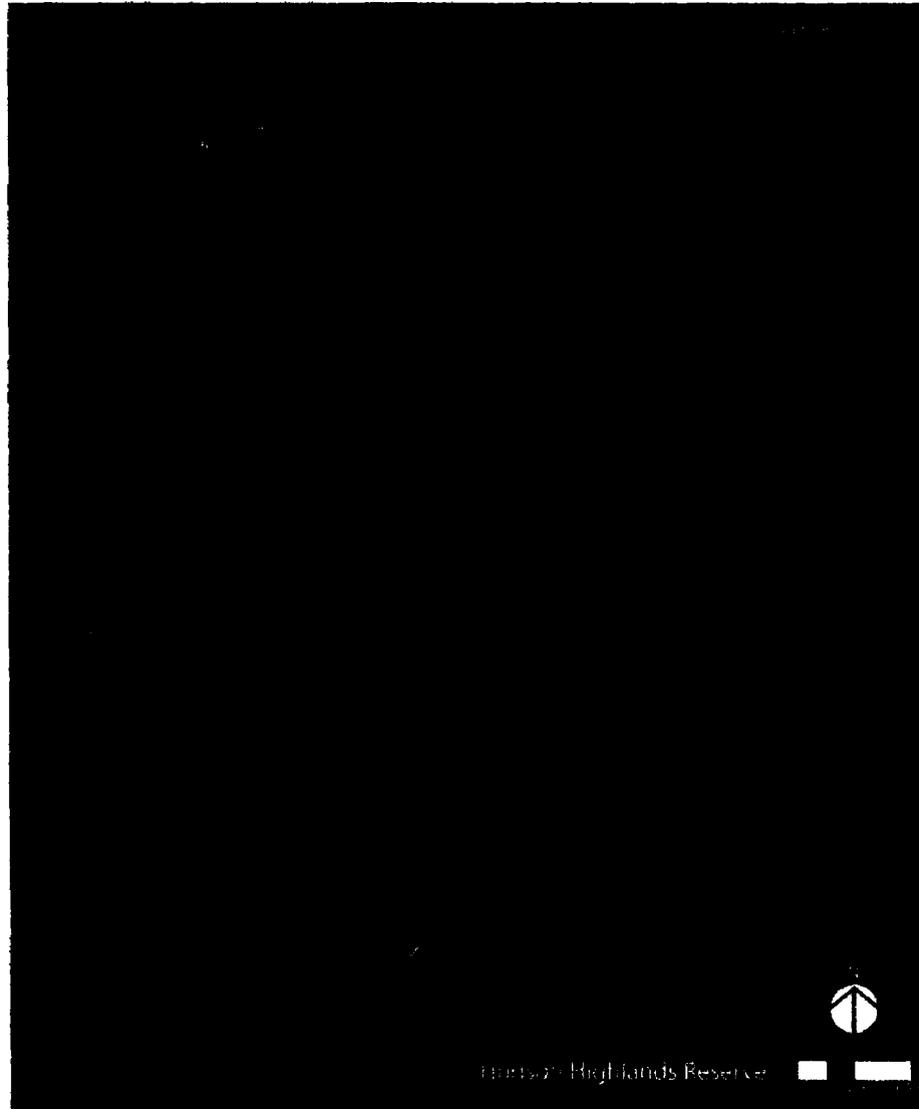
Impermeable Base



Waste Management System



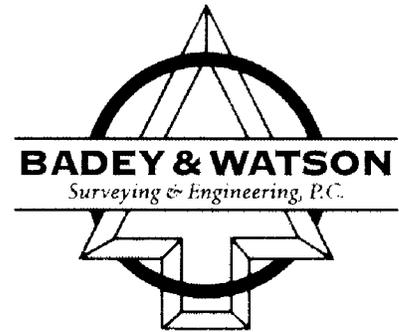
Hudson Highlands Reserve



July 5, 2018

RE: Application of Jaymark Jewelers, Inc. - Amended Site Plan Approval

Hon. Anthony Merante, Chairman
Philipstown Planning Board
238 Main Street
Cold Spring, NY 10516



Dear Mr. Merante and Honorable Board Members:

Enclosed with this letter are 13 copies each of the following documents:

1. "Amended Site Plan prepared for Jaymark Jewelers, Inc." dated May 3, 2018, last revised July 3, 2018, 1 sheet by Badey & Watson; and
2. "16'x15' One Story Rear Addition" for James Matero, Jaymark Jewelers, marked "Preliminary" and dated March 12, 2018, 3 sheets by Michael P. Carr, PE.

The site plan has been revised in response to comments contained in Mr. Gainer's memo to the Planning Board dated May 15, 2018. Mr. Carr's plans, also submitted as part of the response, show the building elevations, including specifications that the finishes of the addition match the existing finishes.

We understand that the Planning Board's referral to the Putnam County Planning Department has been returned "approved as submitted" and that of the North Highlands Fire Department has been returned without comment.

Please place this matter on the agenda for the Planning Board's July 18, 2018 meeting. It is our hope that the Planning Board will see fit to approve the Amended Site Plan during this meeting. As always, thank you for your attention and service to the Town.

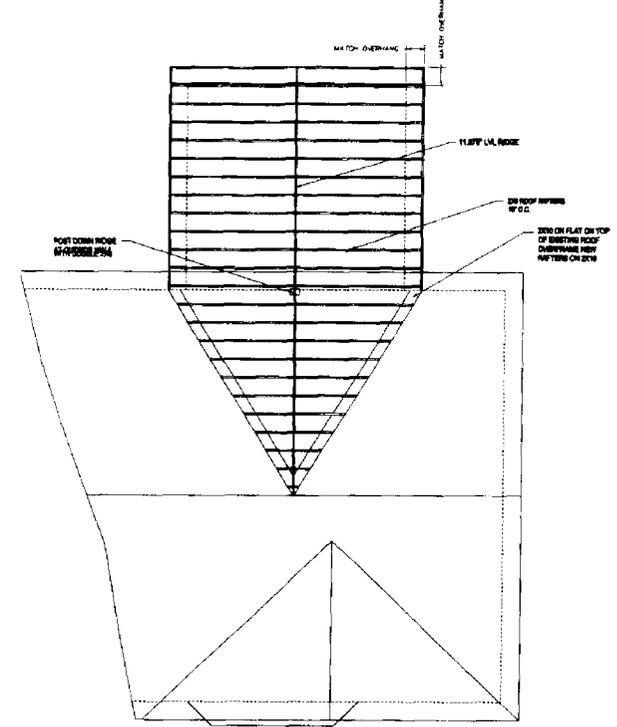
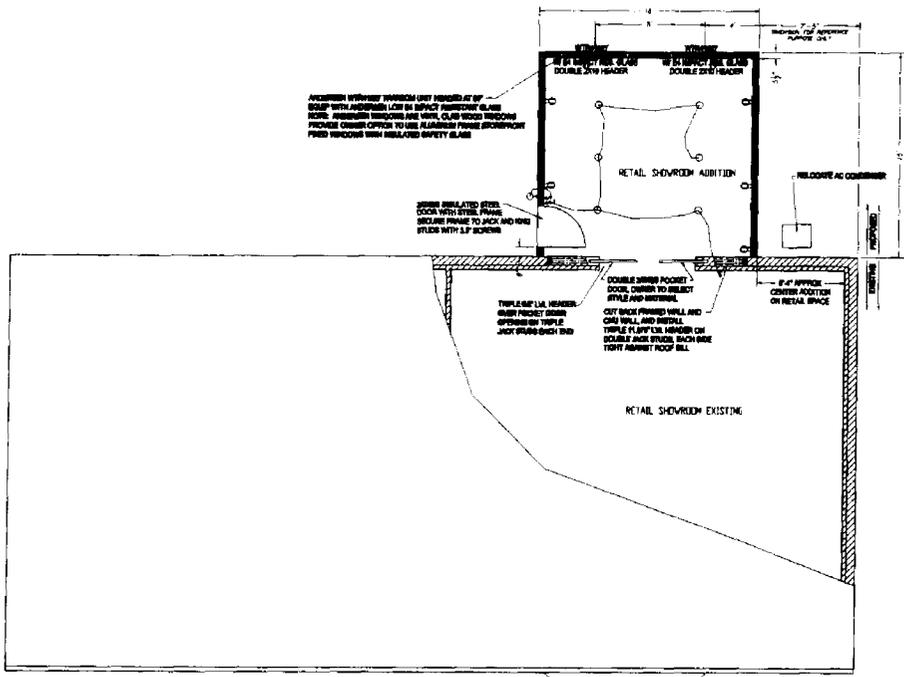
Yours truly,
BADEY & WATSON,
Surveying & Engineering, P.C.


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

GJW/bms

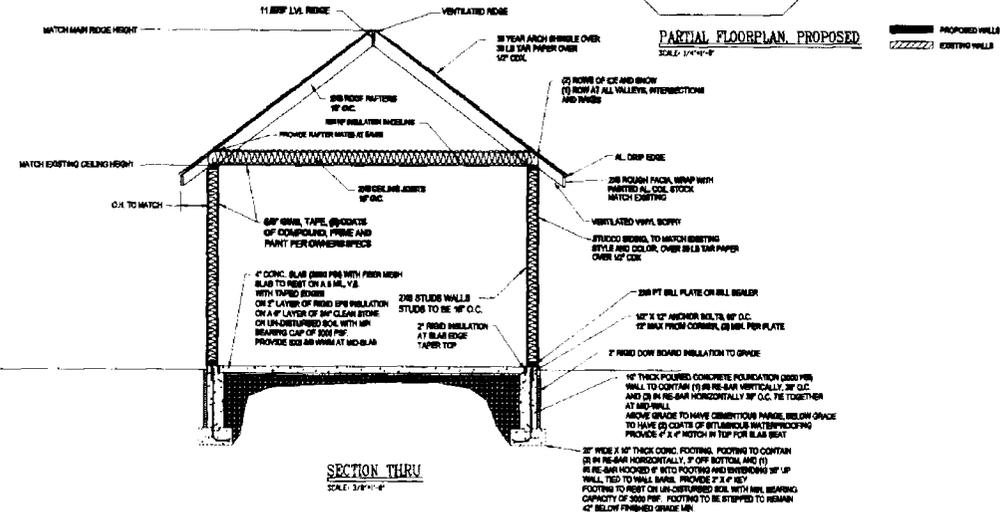
cc: File U:\79-109B\WO_23428\AM05JL18BP_SubmitsRevisedPlans.docx
James Matero, w/enclosures

www.Badey-Watson.com



PARTIAL FLOORPLAN, PROPOSED
SCALE: 1/4" = 1'-0"

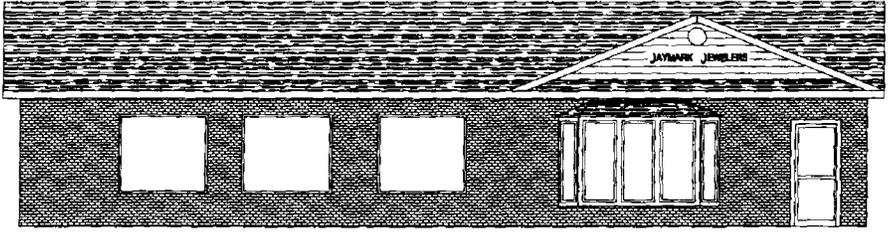
PARTIAL ROOF PLAN, PROPOSED
SCALE: 1/4" = 1'-0"



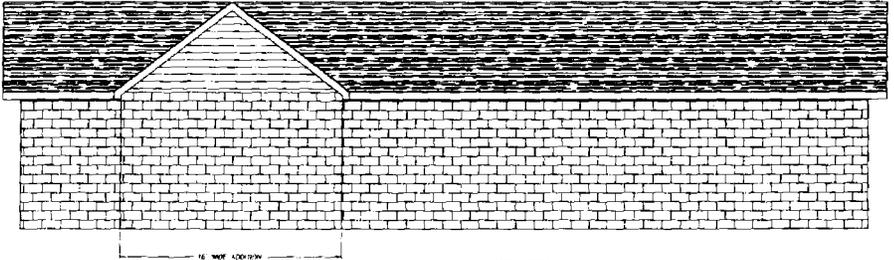
SECTION THRU
SCALE: 3/8" = 1'-0"

NOT FOR CONSTRUCTION

3/12/18 Prelim	
No.	Date: Description:
100' of One Story Rear Addition	
MICHAEL P. CHAPPEL Consulting Engineer Professional Seal No. 00000000000000000000	
CLIENT:	James Adams James Adams 3000 Route 14 Cold Spring, NY 10516
LOCATION:	Town of Philipstown Putnam County
PROJECT NO.:	18-00000000000000000000
DATE:	3/12/18
SCALE:	AS SHOWN
PROJECT NO.:	872



FRONT ELEVATION - NO CHANGE
SCALE: 1/4"=1'-0"



REAR ELEVATION AC CONDENSED AND
SCALE: 1/4"=1'-0" PROMISE YOUR NOT BORN

Town of Philipstown

238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MAJOR PROJECT

Project Name: 220 South Greenwood

Date: 5 July 2018



Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: _____ **TM#** _____

Project Name: _____

Street Address: _____

Fee Amount: _____ **Received:** _____

Bond Amount: _____ **Received:** _____

Applicant:

Name L. Taylor & J. Fratesi

Address 27 Spring St.
Beacon, NY 12508

Telephone 917-447-4040

Tenant:

Name n/a

Address _____

Telephone _____

Design Professional:

Name Berg + Moss Architects

Address 427 Main St. #104
Beacon, NY 12508

Telephone 845-831-1318

Surveyor:

Name Badey Watson

Address 3062 Rte 9
Cold Spring, NY 10516

Telephone 845-265-9217

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

Name L. Taylor & J. Fratesi

Address 27 Spring St.
Beacon, NY 12508

Telephone 917-447-4040

Name _____

Address _____

Telephone _____

TM# _____

Project Name: 220 South Highland Road

Project Description: Single Family home (4,020 sf) with detached garage (898 sf)
on a 17.08 acre (743,721 sf) vacant lot. 3 bedroom, 3.5 bath

ZONING INFORMATION

175-7 Zoning District: RC (Rural Conservation)

175-10 Proposed Use: R-1 - Single Family

Proposed Accessory Use(s): Garage (898 sf)

175-7 Overlay Districts on the property:

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

TM# _____

Project Name: 220 South Highland Road

175-11 Density and Dimensional Regulations

Zoning District _____	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback	35 ft	n/a	104 ft	yes	no
Measured from the travel way Town Road	-	-	-	-	-
Measured from the travel way County/State	-	-	-	-	-
Minimum side yard setback	30 ft	n/a	470 ft	yes	no
Minimum side yard setback (2)	30	n/a	95 ft	yes	no
Minimum side yard setback (3)	-	-	-	-	-
Minimum rear yard setback	30 ft	n/a	169 ft	yes	no
Maximum impervious surface coverage	n/a	n/a	n/a	n/a	n/a
Maximum height	40 ft	n/a	18 ft	yes	no
Maximum footprint non-residential structures	n/a	n/a	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 costs, as required by the Planning Board.
8. FEE: _____ Received: _____
9. Escrow: _____ Received: _____

ARTICLE IX SPECIAL PERMITS AND SITE PLAN REVIEW

§175-60 PURPOSE AND APPLICABILITY

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

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

C. Minor and Major Projects

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

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

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

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

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

§175-66 **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.

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 §175-74, 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 §§175-62E 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 Permit 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 XII) are described in §§175-66 and 175-67. 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 112 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 §175-67C 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

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 easements 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.

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.

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.

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.

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.

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.

 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.

 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
 - d. Storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.

 10. Erosion and sedimentation control plan required by §175-32 to prevent the pollution of surface or groundwater, 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 floodplain, 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.

 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.

 - 14. Traffic flow patterns within the site, entrances and exits, and loading and unloading areas, as 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.;
- b. Estimated maximum number of current and future employees;
- c. Maximum seating capacity, where applicable; and
- d. Number of parking spaces existing and required for the intended use.

 X 16. Elevations at a scale of one-quarter inch equals one foot for all exterior facades of the 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.

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.

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.

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

- a) _____

- b) _____

- c) _____

c. Waivers

The Planning Board may waive or allow deferred submission of any of the information required in 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 waivers for all major projects. This statement shall be filed in the permanent record of the property.

- a) _____

- b) _____

- 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

 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, 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 aboveground 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 appearance, and features combined with the basic metal enclosure. A complete package of elevations shall accompany any proposal for a metal building.

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Parking, Circulation, and Loading

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

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

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

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

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

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

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

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

_____ 4. Reservation of Parkland

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

5. Outside Storage

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

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

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

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

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

6. Miscellaneous Standards

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

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

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

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

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

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

§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.

THIS INDENTURE, made the 10 day of January, 2014
BETWEEN

JANE CLARK CHERMAYEFF, 140 East 81st Street, New York, New York 10028

party of the first part, and

JOSEPH FRATESI and LINDSEY TAYLOR, 102 East 22nd Street, Apt. 11D, New York, New York 10010

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 Philipstown, known as 220 South Highland Road, in the State of New York, bounded and described as follows:

SEE "SCHEDULE A" ATTACHED HERETO AND MADE A PART HEREOF

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


JANE CLARK CHERMAYEFF

13RSX240

SCHEDULE A - DESCRIPTION
CHERMAYEFF TO FRATESI AND TAYLOR

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, bounded and described as follows: Being the same premises conveyed by Canopus Partners, LLC, dated -/-/08, acknowledged 8/12/08, and recorded 9/5/08 in Liber 1811 of Deeds, at Page 158 in the Office of the Putnam County Clerk, and being more fully described as follows:

BEGINNING at a point on the Northerly boundary line of Philips Brook Road that is distance the following courses:

North 66 degrees 55 minutes 42 seconds East 37.10 feet;
North 62 degrees 48 minutes 22 seconds East 48.94 feet;
North 57 degrees 20 minutes 52 seconds East 97.21 feet;
North 70 degrees 30 minutes 35 seconds East 30.53 feet;
North 48 degrees 25 minutes 12 seconds East 35.63 feet;
North 55 degrees 53 minutes 19 seconds East 12.57 feet;
North 79 degrees 02 minutes 19 seconds East 11.88 feet;
North 66 degrees 01 minute 48 seconds East 55.48 feet;
North 60 degrees 35 minutes 01 second East 35.19 feet;
North 61 degrees 58 minutes 28 seconds East 75.74 feet;
North 66 degrees 12 minutes 48 seconds East 25.87 feet;
North 52 degrees 54 minutes 28 seconds East 68.43 feet;
North 48 degrees 31 minutes 09 seconds East 44.59 feet;
North 51 degrees 03 minutes 31 seconds East 52.52 feet;
North 38 degrees 39 minutes 21 seconds East 112.96 feet;
North 71 degrees 35 minutes 48 seconds East 61.46 feet;
North 88 degrees 49 minutes 09 seconds East 87.88 feet;
South 61 degrees 39 minutes 52 seconds East 35.22 feet;
South 60 degrees 50 minutes 06 seconds East 55.58 feet;
South 49 degrees 33 minutes 13 seconds East 12.13 feet;
South 61 degrees 07 minutes 28 seconds East 54.20 feet;
South 56 degrees 54 minutes 51 seconds East 32.30 feet;
South 66 degrees 32 minutes 03 seconds East 10.43 feet;

SCHEDULE A - DESCRIPTION
CHERMAYEFF TO FRATESI AND TAYLOR

South 52 degrees 12 minutes 20 seconds East 35.24 feet;
South 49 degrees 57 minutes 03 seconds East 57.85 feet;
South 47 degrees 22 minutes 15 seconds East 66.96 feet; and
South 41 degrees 21 minutes 26 seconds East 67.86 feet as measured along the said Northerly and Easterly boundary line of Philipse Brook Road from the point on the Southerly boundary line of Philipse Brook Road where it is met by the line dividing the lands so conveyed to Roberts on the East from lands heretofore conveyed to Earl D. Osborn to The People of the State of New York by that certain deed dated May 27, 1977 and recorded Putnam County Clerk's Liber 744 of deeds at page 544, on the West, which reference point is marked by an iron pipe and which reference point is the point of beginning of the lands so conveyed to Roberts;

THENCE from said point of beginning through the lands so conveyed to Roberts, North 49 degrees 30 minutes 00 seconds East 415.60 feet to a point in the center of a stone wall;

THENCE still through the said lands so conveyed to Roberts and along the center of the said stone wall the following courses:

North 32 degrees 41 minutes 00 seconds West 66.08 feet to a cross cut;

North 34 degrees 46 minutes 00 seconds West 88.00 feet;

North 36 degrees 51 minutes 00 seconds West 52.70 feet;

North 35 degrees 02 minutes 00 seconds West 80.00 feet;

North 35 degrees 21 minutes 00 seconds West 90.00 feet;

North 37 degrees 58 minutes 00 seconds West 31.00 feet;

North 32 degrees 09 minutes 00 seconds West 85.00 feet; and

North 27 degrees 22 minutes 16 seconds West 58.92 feet to a cross cut set at the end of the said stone wall;

THENCE still through the said lands so conveyed to Roberts, but no longer along the said stone wall the following courses and distances:

North 26 degrees 46 minutes 08 seconds West 543.76 feet;

SCHEDULE A – DESCRIPTION
CHERMAYEFF TO FRATESI AND TAYLOR

North 54 degrees 42 minutes 22 seconds East 347.38 feet;

North 50 degrees 14 minutes 54 seconds East 337.89 feet;

South 41 degrees 38 minutes 53 seconds East 625.08 feet;

South 31 degrees 46 minutes 00 seconds West 230.00 feet; and

South 60 degrees 00 minutes 00 seconds West 210.00 feet to a nail set at the beginning of another stone wall;

THENCE still through the said lands so conveyed to Roberts and in part along the center of the said stone wall, the following courses:

South 38 degrees 43 minutes 00 seconds East 19.13 feet;

South 44 degrees 53 minutes 00 seconds East 34.65 feet;

South 37 degrees 30 minutes 00 seconds East 68.00 feet to a cross cut;

South 36 degrees 26 minutes 00 seconds East 52.72 feet; and

South 38 degrees 26 minutes 00 seconds East 154.49 feet to a point past the end of said stone wall;

THENCE still through the said lands so conveyed to Roberts, the following courses:

South 30 degrees 00 minutes 00 seconds West 462.30 feet; and

South 49 degrees 30 minutes 00 seconds West 409.03 feet to a point on the Easterly boundary line of Philipse Brook Road which point is the Southerly most corner of the premises now being described;

THENCE Northerly along the said Easterly boundary line of Philipse Brook Road and in part along the road face of a stone wall the following courses:

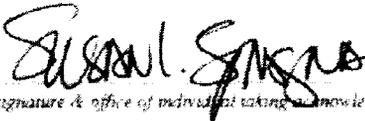
North 64 degrees 28 minutes 24 seconds West 15.12 feet;

North 70 degrees 16 minutes 28 seconds West 24.68 feet; and

North 45 degrees 13 minutes 35 seconds West 64.98 feet to the point or place of BEGINNING.

ACKNOWLEDGMENT IN NEW YORK STATE (RPL309-a)
NEW YORK, COUNTY OF **New York** ss.:

On the **7th** day of **JANUARY** 2014, before me the undersigned personally appeared **JANE CLARK CHERMAYEFF** 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 he/she/they acknowledged to me that he/she/they executed the same in his/her capacity, and that by his/her signature on the on the instrument, the individual(s) or person(s) on behalf of which the individual(s) acted, executed the instrument.


(signature & office of individual taking acknowledgment)

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)
STATE OF _____)
COUNTY OF _____) ss.:

On the _____ day of _____, 20____, before me the undersigned personally appeared

the subscribing witness(es) 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 & street number, if any, thereof).

SUSAN L. SPAGNA
NOTARY PUBLIC-STATE OF NEW YORK
No 02SP4932241
Qualified in New York County
My Commission Expires May 02, 2014
(that he/she/they know(s))

to be the individual(s) described in and who executed the foregoing instrument, that said subscribing witness(es) was (were) present & saw said

ACKNOWLEDGMENT OUTSIDE OF NEW YORK STATE (RPL309-b)
STATE OF _____ COUNTY OF _____ ss.:

On the _____ day of _____, 20____, 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 he/she/they acknowledged to me that he/she/they executed the same in his/her their capacity(s), and that by his/her their signature(s) on the instrument, the individual(s) or person(s) on behalf of which the individual(s) acted, executed the instrument.

(insert city or political subdivision & state or county or other place where acknowledgment taken)

(signature & office of individual taking acknowledgment)

execute the same, and that said witness(es) at the same time subscribed his/her/their name(s) as witness(es) thereto. *(if taken outside New York State insert the city or political subdivision & state or county or other place acknowledgment taken)* And that said subscribing witness(es) made such appearance before the undersigned in

(signature & office of individual taking acknowledgment)

Bargain and Sale Deed

WITH COVENANTS AGAINST GRANTOR'S ACTS

Title No. _____

SECTION 50.

BLOCK 02

LOT 63.3

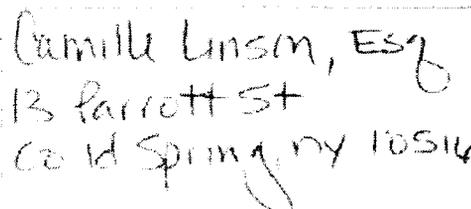
COUNTY OR TOWN **PUTNAM**

RETURN BY MAIL TO

JANE CLARK CHERMAYEFF

to

JOSEPH FRATESI & LINDSEY TAYLOR



Full Environmental Assessment Form
Part 1 - Project and Setting

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: 220 South Highland Road - single family home		
Project Location (describe, and attach a general location map): 220 South Highland Road, Philipstown, NY		
Brief Description of Proposed Action (include purpose or need): 4,020 sf single family home with 898 sf detached garage. 3 bedrooms, 3.5 baths. One Story.		
Name of Applicant/Sponsor: L. Taylor & J. Fratesi		Telephone: 917-447-4040
		E-Mail: fratesi@atlaseast.com
Address: 27 Spring Street		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		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, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dept. of Health (SWPP)	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part I 	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?

RC- Rural Conservation - Single Family

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? Philipstown

b. What police or other public protection forces serve the project site?

Philipstown, NYS

c. Which fire protection and emergency medical services serve the project site?

Philipstown

d. What parks serve the project site?

n/a

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? 17.08 acres

b. Total acreage to be physically disturbed? approx. 126 acre acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 17.08 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: months

ii. If Yes:

- Total number of phases anticipated
- Anticipated commencement date of phase I (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.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? minimal excavation for slab on grade foundation
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): approximately 750 cf
 • Over what duration of time? 4 weeks
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Top soil to be removed and preserved. Subsoil to be excavated as needed for footings & foundations.
 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? _____ +/- .125 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? _____ +/- 4 feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____
if ledge is encountered then the footings will be pinned to the ledge with stainless steel dowels

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: private well will be dug
- 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): domestic Sanitary waste

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 (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (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 1/2 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: +/- 3000 kw/ year

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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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:
 _____ minimal, low level, Dark Sky Compliant lighting will be used _____

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: _____

b. Land uses and covertypes on the project site.

Land use or Coverture	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	-	-	-
• Forested	17.08	16.85	+/- .125
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	-	-	-
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	-	-	-
• Wetlands (freshwater or tidal)	-	-	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: _____	-	-	-

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): _____
- 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? _____ +/-5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 15 %

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

d. What is the average depth to the water table on the project site? Average: _____ +/-40 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%: _____ 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % 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 NYS Wetland, Federal Waters Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) WP-27

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: _____

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):
 Highbush Blueberry Bog Thicket, Chestnut Oak Forest
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
 • Currently: 116.7, 7421.4 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
 Northern Long-eared Bat

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
 New England Cottontail

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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

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

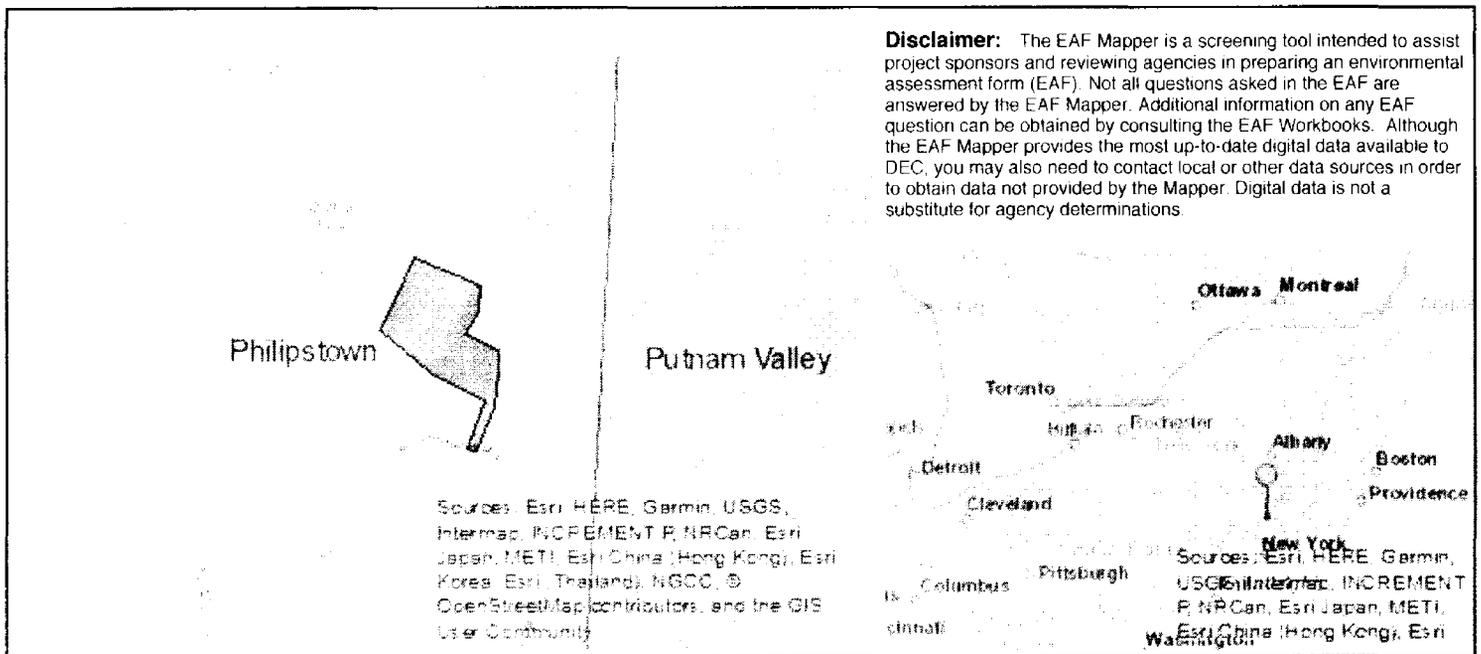
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	NYS Wetland, Federal Waters
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):55.8
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	WP-27
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No

E.2.m. [Equifers]	No
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Highbush Blueberry Bog Thicket, Chestnut Oak Forest
E.2.n.i [Natural Communities - Acres]	116.7, 7421.4
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	New England Cottontail
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

PHILIPSTOWN PLANNING BOARD
Public Hearing – July 19, 2018

The Philipstown Planning Board for the Town of Philipstown, New York will hold a public hearing on Thursday, July 19, 2018 starting at 7:30 p.m. at the Old VFW Hall, 34 Kemble Ave. in Cold Spring, New York to consider the following application:

James Copeland/3052 Route 9, 3052 Route 9, Cold Spring – The applicant is proposing a change in use of the first floor to retail/office use and utilize the second floor for office use. The property is approximately .93 acres with the building comprising of approximately 4,000 sf. The property is situated in the “HC” (Highway Commercial) Zoning District in the Town of Philipstown. TM# 27.16-1-27.

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

Dated at Philipstown, New York, this 29th day of June, 2018.

Anthony Merante, Chairman

PHILIPSTOWN PLANNING BOARD
Public Hearing – July 19, 2018

The Philipstown Planning Board for the Town of Philipstown, New York will hold a public hearing on Thursday, July 19, 2018 starting at 7:30 p.m. at the Old VFW Hall, 34 Kemble Ave. in Cold Spring, New York to consider the following application:

Garrison Property Holdings LLC, 88-92 Whippoorwill Pond Road, Garrison – The applicant is seeking site plan approval for the construction of a new cottage residence and garage, resurfacing and improving a portion of the driveway and the installation of a septic system. Additionally, 3 buildings will be demolished; a cottage, a barn and a garage. The property is approximately 80.81 acres and is situated in the “RC” (Rural Conservation) Zoning District in the Town of Philipstown. TM# 90.-1-21 & 90.11-1-6.

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

Dated at Philipstown, New York, this 29th day of June, 2018.

Anthony Merante, Chairman