

**Philipstown Planning Board Meeting
Butterfield Library
10 Morris Avenue
Cold Spring, New York
September 18, 2014**

Agenda

Public Hearing

- **Auth (Steve and Sandra)**

Pledge of Allegiance

Roll Call

Approval of Minutes – June 19, 2014

1. **Auth (Steve and Sandra)** – Site plan application – 279 Route 9, Cold Spring: Discussion
2. **Obert R. Wood III** – Site plan application – 316 Old West Point Road, Garrison: Resolution
3. **Scanga Realty, LLC** – Amended site plan (Lot 4) – Lady Blue Devils Lane, Cold Spring: Request for extension
4. **Burstein** - Minor site plan application – 52 Lane Gate Road, Cold Spring: New submission

Adjourn

Anthony Merante, Chairman

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

Philipstown Planning Board
Public Hearing – September 18, 2014

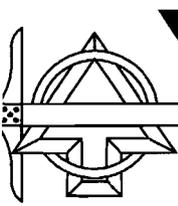
The Philipstown Planning Board for the Town of Philipstown, New York will hold a public hearing on Thursday, September 18, 2014 at 7:30 p.m. at the Butterfield Library, 10 Morris Avenue in Cold Spring, New York to consider the following application:

Steve and Sandra Auth - Application dated June 5, 2014 for a minor residential site plan application for construction of a new single family residence, driveway, septic system and well. The property is located at 279 Route 9. The development proposal involves a 10.024 acre parcel lying at the southwest corner of NYS Route 9 & Route 301, and concerns the construction of a new single family residential structure, access driveway off Route 301 and well and subsurface sanitary treatment system for the proposed dwelling. (tax map #38.-3-71)

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

Dated at Philipstown, New York this 27th day of August 2014.

Anthony Merante, Chairman



BADEY & WATSON

Surveying & Engineering, P.C.

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

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

Glennon J. Watson, L.S.
John P. Delano, P.E.
Stephen R. Miller, L.S.
Jennifer W. Reap, L.S.

Robert S. Miglin, Jr., L.S.
Mary Rice, R.L.A., Consultant
Peter Meisler, L.S., Consultant
George A. Badey, L.S., (1973-2011)

September 4, 2014

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

Re: Minor Site Plan Application – Auth
Route 301, Cold Spring
TM #38.-3-71

Dear Chairman Merante and Members of the Board:

This office has received and reviewed comments issued by the Town Engineer, dated June 16, 2014, with regard to the captioned project. The plans have been revised accordingly, please be advised of the following:

- The Erosion & Sediment Control Plan has been revised to indicate the areas of disturbance over the existing slopes ranging from 20-35%, and slopes greater than 35%.
- The Planting Plan has been revised to comply with §175-15 of the Code, for disturbance within the Scenic Protection Overlay District.
- The height of the proposed structure will not exceed 40 feet; the Dimensional Table has been revised accordingly.
- The North Highlands Engine Co. 1 has commented on the proposed project. The driveway has been modified to provide a turn-around at the end of the driveway. No pull-offs were requested, however the single pull-off we initially proposed remains. They also requested 10,000 gallons of water storage for fire service. A lap-pool and fire service line, with stanchion location as requested, has been provided.
- As indicated, a “no violations” letter will not be required from the Code Enforcement Officer.
- A note has been added to the site plan regarding wells and septic systems with 200 feet of the property boundary.
- Estimates for cut and fill quantities have been added to the Site Plan.

Owners of the records of:

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

- Most of the retaining walls have been eliminated. A gravity retaining wall with a maximum exposed face of 6'-0", and a back-slope of 2H:1V, is currently proposed. Supporting documentation of the wall design is included herewith.
- The proposed limit of disturbance, as well as the area of proposed impervious surfaces has been added to the Site Plan. A basic Stormwater Pollution Prevention Plan (Erosion & Sediment Control Plan) has been provided. In addition, dry wells have been proposed in order to mitigate the increase in runoff associated with the building footprint.
- Per our site walk with NYS DOT permit engineer, they do not require stormwater mitigation for the proposed driveway and highway entrance. Culverts have been provided that match the capacity of the existing upstream culvert.
- As previously stated, the Erosion & Sediment Control Plan has been revised to indicate the areas of disturbance over the existing slopes ranging from 20-35%, and slopes greater than 35%.
- The applicant wishes to install LED flood lights, residential in application, that will illuminate the proposed dwelling. The lamps will be directed toward the structure, there will be no light cast off-site.
- The Planting Plan has been revised to shown a 50-foot-deep green buffer along the Route 301 road line, and a 100-foot-deep green buffer along the Route 9 road line. The buffer shall be a native no-mow meadow seed mix appropriate for the light and soil conditions.
- The applicant has provided samples of exterior building materials for the Board's review.
- The Highway Entry Plan for the NYSDOT permit application has been included in the Town's plan set.
- The proposed land disturbance on slopes in excess of 20% occurs only for construction of a motor vehicle driveway running from the principle building site area to the street providing access to the lot. Therefore, this disturbance is allowed per §175-36B(1) without a special permit.
- A construction sequence has been added to the Erosion & Sediment Control Plan.
- The plan set at this time has been finalized with regard to all design elements.

In addition, the revised plans have incorporated comments and observations from the site walk of July 14, 2014.

Site Access – The most recent plan shows a modified driveway configuration in order to reduce the extent of rock removal and overall excavation. The proposed minimum turning radii and maximum driveway grades have remained the same.

Drainage – The plans have been revised to indicate limits of disturbance. As more than 1-acre of soil disturbance is proposed, a Notice of Intent must be filed with the NYSDEC for coverage under the General (Stormwater) SPDES Permit. A basic Erosion & Sediment Control Plan has been prepared to satisfy the Stormwater Pollution Prevention Plan requirement of the permit. Furthermore, in order to avoid adversely affecting downstream properties, the natural depression at the edge of Route 301 shall be slightly enlarged in order to provide a similar volume of storage to the pre-developed condition.

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BADEY & WATSON
Surveying & Engineering, P.C.

Scenic Protection Overlay/Visibility – The revised plan illustrates the proposed limits of clearing to be preformed (Limit of Disturbance) associated with all development including minimized clearing to the west (rear) of the proposed dwelling.

Subsurface Sewage Treatment System (SSTS) – The proposed septic system has been proposed on the only viable location on the property. The clearing associated with its construction has been minimized.

Exterior Lighting – The applicant wishes to install LED flood lights, residential in application, that will illuminate the proposed dwelling. The lamps will be directed toward the structure, there will be no light cast off-site.

Exterior Elevations – The applicant has provided samples of exterior building materials for the Board's review.

Project Referrals – The North Highlands Engine Co. 1 has commented on the proposed project. The driveway has been modified to provide a turn-around at the end of the driveway. No pull-offs were requested, however the single pull-off we initially proposed remains. They also requested 10,000 gallons of water storage for fire service. A lap-pool and fire service line, with stanchion location as requested, has been provided.

We trust that all comments with regard to this Minor Site Plan Application have been addressed at this time.

Consistent with §175.60.C of the Town's Zoning Ordinance relative to "minor" projects, which the Auth proposal has been classified as, and "in recognition of their lesser impact, minor projects involve simpler application materials, a more streamlined review process, and less detailed findings requirements," we ask that your Board consider having a resolution for minor site plan approval prepared for consideration at the close of the public hearing which we are hopeful will happen at your meeting this September 18th.

Thank you in advance for you continued review and consideration.

Yours truly,

BADEY & WATSON,

Surveying and Engineering, P.C.



by,

John P. Delano, P.E.

JPD/jrs

enclosures

cc: FileU:\81-121B\WO_21874\AM04SP14BP.doc

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BADEY & WATSON
Surveying & Engineering, P.C.

NOTICE OF INTENT

New York State Department of Environmental Conservation



Division of Water

625 Broadway, 4th Floor

Albany, New York 12233-3505

NYR
 (for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-10-001
 All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANT-
RETURN THIS FORM TO THE ADDRESS ABOVE
OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

S T E V E N & S A N D R A A U T H

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

A U T H

Owner/Operator Contact Person First Name

S T E V E

Owner/Operator Mailing Address

2 2 7 C A N O P U S H O L L O W R O A D

City

P U T N A M V A L L E Y

State

N Y

Zip

1 0 5 7 9 -

Phone (Owner/Operator)

8 4 5 - 5 2 8 - 2 6 8 8

Fax (Owner/Operator)

- -

Email (Owner/Operator)

FED TAX ID

- (not required for individuals)

Project Site Information

Project/Site Name

A U T H - M I N O R S I T E P L A N A P P R O V A L

Street Address (NOT P.O. BOX)

N Y S R O U T E 3 0 1

Side of Street

 North South East West

City/Town/Village (THAT ISSUES BUILDING PERMIT)

T O W N O F P H I L I P S T O W N

State Zip County DEC Region

N Y 1 0 5 1 6 - P U T N A M 3

Name of Nearest Cross Street

U S R O U T E 9 (A T I N T E R S E C T I O N)

Distance to Nearest Cross Street (Feet)

0

Project In Relation to Cross Street

 North South East WestTax Map Numbers
Section-Block-Parcel

3 8 . - 3 - 7 1

Tax Map Numbers

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you **must** go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

5 9 0 4 3 6

Y Coordinates (Northing)

4 5 8 7 7 7 7

2. What is the nature of this construction project?

- New Construction
- Redevelopment with increase in impervious area
- Redevelopment with no increase in impervious area

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? Yes No Unknown

16. What is the name of the municipality/entity that owns the separate storm sewer system?

T O W N O F P H I L I P S T O W N

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? Yes No Unknown

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? Yes No

19. Is this property owned by a state authority, state agency, federal government or local government? Yes No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) Yes No

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? Yes No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? Yes No
If No, skip questions 23 and 27-39.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? Yes No

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- Preservation of Undisturbed Areas
- Preservation of Buffers
- Reduction of Clearing and Grading
- Locating Development in Less Sensitive Areas
- Roadway Reduction
- Sidewalk Reduction
- Driveway Reduction
- Cul-de-sac Reduction
- Building Footprint Reduction
- Parking Reduction

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).

- All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

. **acre-feet**

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required (#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

<u>RR Techniques (Area Reduction)</u>	<u>Total Contributing Area (acres)</u>		<u>Total Contributing Impervious Area (acres)</u>	
<input type="checkbox"/> Conservation of Natural Areas (RR-1) ...				
<input type="checkbox"/> Sheetflow to Riparian Buffers/Filters Strips (RR-2)				
<input type="checkbox"/> Tree Planting/Tree Pit (RR-3)				
<input type="checkbox"/> Disconnection of Rooftop Runoff (RR-4) ..				
<u>RR Techniques (Volume Reduction)</u>				
<input type="checkbox"/> Vegetated Swale (RR-5)				
<input type="checkbox"/> Rain Garden (RR-6)				
<input type="checkbox"/> Stormwater Planter (RR-7)				
<input type="checkbox"/> Rain Barrel/Cistern (RR-8)				
<input type="checkbox"/> Porous Pavement (RR-9)				
<input type="checkbox"/> Green Roof (RR-10)				
<u>Standard SMPs with RRv Capacity</u>				
<input type="checkbox"/> Infiltration Trench (I-1)				
<input type="checkbox"/> Infiltration Basin (I-2)				
<input type="checkbox"/> Dry Well (I-3)				
<input type="checkbox"/> Underground Infiltration System (I-4)				
<input type="checkbox"/> Bioretention (F-5)				
<input type="checkbox"/> Dry Swale (O-1)				
<u>Standard SMPs</u>				
<input type="checkbox"/> Micropool Extended Detention (P-1)				
<input type="checkbox"/> Wet Pond (P-2)				
<input type="checkbox"/> Wet Extended Detention (P-3)				
<input type="checkbox"/> Multiple Pond System (P-4)				
<input type="checkbox"/> Pocket Pond (P-5)				
<input type="checkbox"/> Surface Sand Filter (F-1)				
<input type="checkbox"/> Underground Sand Filter (F-2)				
<input type="checkbox"/> Perimeter Sand Filter (F-3)				
<input type="checkbox"/> Organic Filter (F-4)				
<input type="checkbox"/> Shallow Wetland (W-1)				
<input type="checkbox"/> Extended Detention Wetland (W-2)				
<input type="checkbox"/> Pond/Wetland System (W-3)				
<input type="checkbox"/> Pocket Wetland (W-4)				
<input type="checkbox"/> Wet Swale (O-2)				

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

WQv Provided

. **acre-feet**

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a). .

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? **Yes** **No**

If Yes, go to question 36.
If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

CPv Required	CPv Provided
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> acre-feet	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> acre-feet

36a. The need to provide channel protection has been waived because:

- Site discharges directly to tidal waters or a fifth order or larger stream.
- Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

Pre-Development	Post-development
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> CFS	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> CFS

Total Extreme Flood Control Criteria (Qf)

Pre-Development	Post-development
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> CFS	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> CFS



New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form
for
Construction Activities Seeking Authorization Under SPDES General Permit
*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operator Information

1. Owner/Operator Name: Steven & Sandra Auth
2. Contact Person: Steve Auth
3. Street Address: 227 Canopus Hollow Road
4. City/State/Zip: Putnam Valley, NY 10579

II. Project Site Information

5. Project/Site Name: Auth - Minor Site Plan Approval
6. Street Address: NYS Route 301 (intersection of US Route 9)
7. City/State/Zip: Cold Spring, NY 10516

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by: David J. Klotzle
9. Title/Position: Stormwater Management Officer
10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4: Town of Philipstown
12. MS4 SPDES Permit Identification Number: NYR20A 470
13. Contact Person: David J. Klotzle
14. Street Address: 238 Main Street
15. City/State/Zip: Cold Spring, NY 10516
16. Telephone Number: (845) 265-5202

(NYS DEC - MS4 SWPPP Acceptance Form - January 2010)

CONTRACTOR'S CERTIFICATION (STATE)

Pursuant to Part III.A.6.of the General Permit:

Prior to the commencement of construction activity, the owner or operator must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP.

The owner or operator shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor. The owner or operator shall ensure that at least one trained contractor is on site on a daily basis when soil disturbance activities are being performed.

The owner or operator shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any construction activity:

“I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also understand that the owner or operator must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System (“SPDES”) general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.”

Name of Company

Name of Contractor (print)

Signature

Date

Title

Name of Trained Contractor (print)

Contact Information

Responsibilities

CONTRACTOR'S CERTIFICATION (TOWN)

Pursuant to §147A-7.D. of the Code of the Town of Philipstown:

Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity:

“I certify under penalty of law that I understand and agree to comply with the terms and conditions of the stormwater pollution prevention plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards.”

Name of Company

Name of Contractor (print)

Signature

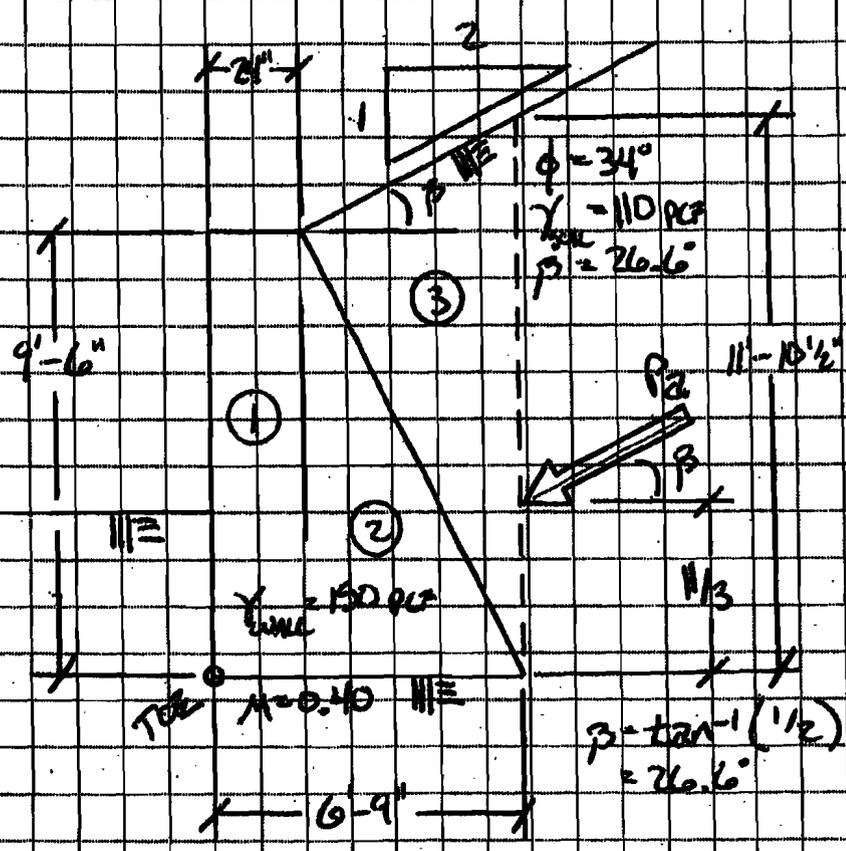
Date

Title

Address of Contracting Firm

Telephone Number of Contracting Firm

6'-0" MAX HEIGHT
 RETAINING WALL
 USE RANKINE
 THEORY
 NEGLECT PASSIVE
 EARTH PRESSURE



COEFFICIENT OF ACTIVE EARTH PRESSURE

$$K_a = \frac{\cos \beta \cos \phi - (\cos^2 \beta - \cos^2 \phi)^{1/2}}{\cos \beta + (\cos^2 \beta - \cos^2 \phi)^{1/2}} = 0.406$$

ACTIVE EARTH PRESSURE

$$P_2 = \frac{1}{2} \gamma H^2 K_a = (0.5)(110 \text{ pcf})(11.875')^2(0.406) = 3,149 \text{ #/FT}$$

$$\text{HORIZONTAL COMPONENT } (P_H) = 3,149 \cos 26.6^\circ = 2,816 \text{ #/FT}$$

$$\text{VERTICAL COMPONENT } (P_V) = 3,149 \sin 26.6^\circ = 1,410 \text{ #/FT}$$

RESISTING MOMENT

<u>COMPONENT</u>	<u>WEIGHT OF COMPONENT (KWT)</u>	<u>MOMENT ARM FROM TOE (FT)</u>	<u>MOMENT ABOUT TOE (FT-KWT)</u>
①	$2(9.5)(150) = 2,850$	$2(1/2) = 1$	2,850
②	$4.75(1/2)(9.5)(150) = 3,384$	$2 + 4.75(1/3) = 3.58$	12,115
③	$4.75(1/2)(18.75)(10) = 3,102$	$2 + 4.75(2/3) = 5.17$	16,037
P_v	<u>1,410</u>	<u>6.75</u>	<u>9,518</u>
	$\Sigma V = 10,746$		$\Sigma M_r = 40,520$

OVERTURNING MOMENT

$$\Sigma M_o = P_h(H/3) = 2,8K \cdot 1/3 (11.875)(1/3) = 11,447 \text{ FT-KWT}$$

FACTOR OF SAFETY FROM OVERTURNING

$$FS_{\text{OVERTURNING}} = \frac{\Sigma M_r}{\Sigma M_o} = \frac{40,520}{11,447} = 3.6$$

3.6 > 1.5 ✓

FACTOR OF SAFETY FROM SLIDING

$$FS_{\text{SLIDING}} = \frac{\mu \Sigma V}{P_h} = \frac{0.40(10,746)}{2,8K} = 1.5$$

1.5 = 1.5 ✓

BEARING CAPACITY

LOCATION OF RESULTANT FROM TOE

$$\bar{x} = \frac{\sum M_p - \sum M_o}{\sum N} = \frac{(10,520 - 11,147)}{10,746} = 2.73'$$

ECCENTRICITY

$$e = 4/2 - \bar{x} = 6.75'/2 - 2.73' = 0.65'$$

$$L/6 = 6.75'/6 = 1.13', e < L/6$$

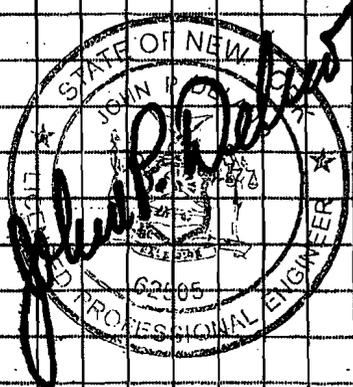
∴ THE RESULTANT ACTS WITHIN THE MIDDLE THIRD OF THE BASE.

STRESS DISTRIBUTION WHERE $e < L/6$

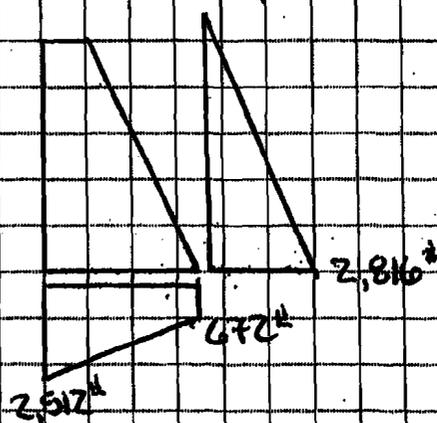
$$q_{MAX} = \frac{\sum N}{L} \left(1 + 6e/L \right) = \frac{10,746}{6.75} \left(1 + 6(0.65)/6.75 \right) = 2,512 \text{ psf}$$

$$q_{MIN} = \frac{\sum N}{L} \left(1 - 6e/L \right) = \frac{10,746}{6.75} \left(1 - 6(0.65)/6.75 \right) = 672 \text{ psf}$$

ASSUME ALLOWABLE BEARING CAPACITY OF 2 TONS/SF ✓



WALL LOADS



8/29/14
\$500

**PUTNAM COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES**

CONSTRUCTION PERMIT FOR SEWAGE TREATMENT SYSTEM

PERMIT # PH-11-08

Located at 279 ROUTE 9 (O ROUTE 301) Town or Village PHILIPSTOWN
Subdivision name N/A Subd. Lot # N/A Tax Map 38 Block 3 Lot 71
Date Subdivision Approved N/A Renewal X Revision X
Owner/Applicant Name STEVEN & SANDRA AUTH Date of Previous Approval 11/25/08
Mailing Address 227 CANOPUS HOLLOW ROAD, PUTNAM VALLEY, NY Zip 10579
Amount of Fee Enclosed \$ 500.00
Building Type RESIDENTIAL Lot Area 10+Ac No. of Bedrooms 6 Design Flow GPD 900

Fill Section Only _____	Depth _____	Volume _____
PCHD NOTIFICATION IS REQUIRED WHEN FILL IS COMPLETED		

Separate Sewerage System to consist of 2,000 gallon septic tank and 456 LF - 24" WIDE ABSORPTION TRENCHES SPACED AT 6' O.C.

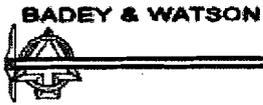
Other Requirements: _____
To be constructed by SDF CONSTRUCTION, INC Address PUTNAM VALLEY, NY
Water Supply: _____ Public Supply From _____ Address _____
or: X Private Supply Drilled by NORMAN ANDERSON INC Address PUTNAM VALLEY

I represent that I am wholly and completely responsible for the design and location of the proposed system(s) and that the separate sewage treatment system described above will be constructed as shown on the approved amendment thereto and in accordance with the standards, rules and regulations of the Putnam County Department of Health, and that on completion thereof a "Certificate of Construction Compliance" satisfactory to the Director/Commissioner will be submitted to the Department, and a written guarantee will be furnished the owner, his successors, heirs or assigns by the builder, that said builder will place in good operating condition any part of said sewage treatment system during the period of two (2) years immediately following the date of the issuance of the approval of the Certificate of Construction Compliance of the original system or any repairs thereto.

Signed: John P. DeLuis P.E. X R.A. _____ Date 08/28/14
Address BATEY & WATSON, PC, ROUTE 9, COLD SPRING, NY License # 62505

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the sewage treatment system has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Director/Commissioner. Any revision or alteration of the approved plan requires a new permit. Approved for discharge of domestic sanitary sewage only.

By: John P. DeLuis, P.E. Title: APHE Date: 9/2/14
White copy - HD File; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Design Professional



John Delano <jdelano@badey-watson.com>

AUTH

1 message

John Delano <jdelano@badey-watson.com>

Mon, Aug 4, 2014 at 3:56 PM

To: David Jewett Klotzle <dklotzle@bestweb.net>

Cc: Ann Gallagher <amgal720@yahoo.com>, Ron Gainer <RJGainer@comcast.net>, Steve <ecocpm@optonline.net>

08/04/14

Re: AUTH – S/W Corner of Route 9 & Route 301

David,

After speaking with you last week, I reviewed Ron Gainer's memo to the Planning Board dated June 16, 2014, as well as my personal notes from the Planning Board meeting of June 19, 2014.

Both the memo and the notes mention referral to the Conservation Board because of proposed steep slopes disturbance.

Ron's memo makes specific reference to the Town's Code Section 175-36B.

However, as I read Section 175-36B(4) more closely, I see where Kevin Donohue has advised you that the application does not require referral to the Conservation Board because the contemplated steep slope disturbance is not also within a steep terrain/watercourse transition area.

If this is in fact the case, some confirmation in writing would be appreciated.

We would not want to be without Conservation Board review and advice for the Planning Board in September if same is truly required.

In the interim, we remain available for a site walk and the Conservation Board meeting of August 12th should the application be deemed to be within Conservation Board's purview.

Thank you for kind attention in this matter.

John Delano

--

John P. Delano, P.E.
Badey & Watson
Surveying & Engineering, P.C.
3063 Route 9
Cold Spring, NY 10516
845-265-9217 Ext 12
845-265-4428 Fax

LAWRENCE J. PAGGI, PE, PC

Consulting Engineering
43 Broad Street
Fishkill, New York 12524

Phone 845 897 2375
Fax 845 897 2239
Email ljpaggi@optonline.net

September 4, 2014

Anthony Merante, Planning Board Chairman
Town of Philipstown Planning Board
c/o Ann Gallagher, Secretary
238 Main Street
Cold Spring, New York 10516

Re: ***Scanga Realty, LLC Lot 4 Amended Site Plan
Lady Blue Devils Lane
Tax ID No.: 16.16-1-20.4***

Dear Chairman Merante and Members of the Planning Board:

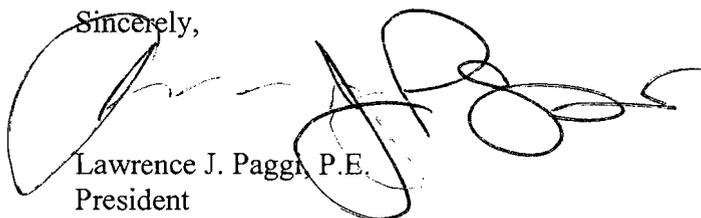
I am hereby requesting, on behalf of my client, an extension of the Amended Site Plan approval that was originally granted by the Planning Board on April 15, 2010. This project was granted a one year extension in 2011 in order to finalize the conditions of Resolution PPB #03. The final site plans were endorsed by the Planning Board Chairman on June 15, 2012.

Our client applied for a building permit in May 2014, obtained a wetland permit in May 2014 from the Philipstown Conservation Board, obtained coverage under GP-0-10-001 from NYSDEC and has begun the site work associated with the Amended Site Plan.

Based upon the attached memo issued by the Code Enforcement Officer, the building permit was not issued prior to June 15, 2014 and the Amended Site Plan approval has expired. The memo goes on to state that the applicant may apply to the Planning Board for an extension.

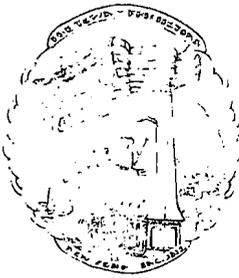
We respectfully request to be placed on the Planning Board's September 18th meeting agenda for consideration of granting an extension. Please do not hesitate to contact our office if additional information is required. Your attention to this matter is greatly appreciated.

Sincerely,



Lawrence J. Paggi, P.E.
President

cc John Scanga



Town of Philipstown

Code Enforcement Office
238 Main Street, PO Box 155
Cold Spring, NY 10516

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

August 25, 2014

Scanga Realty
22 Corporate Park West
Cold Spring, NY 10516

Re: Building Permit Application
Location: 22 Lady Blue Devils Lane.
Tax Map: #16.16-1-20.4

On August 13, 2014, I received a resubmission of the construction plans and specification for the construction of a two story, 25,000 square foot F-1 Factory (woodworking cabinets) building at 22 Lady Blue Devils Lane. A review of the construction plans and specifications revealed that there is insufficient information to permit determination that the plans and specification for the construction will accord by the Building Code of New York State. A limited building code review revealed the following items need to be submitted or addressed to complete the plan submission;

1. The edition of the New York State Uniform Fire Prevention and Building Code is not stated on the plans.
2. Please verify and confirm if the construction is an addition to an existing building or a new building. Verify the building code as set forth in the notes and construction details on the plans. Verify distance separations. See BCNYS 503.1.2 and 602.
3. The proximity of the proposed east side wall of 3hr type2 will require a Building Code evaluation on the exterior wall of the existing building exterior wall.
4. Window and doors are present in the existing building exterior wall – not shown on plan.
5. The occupancy classification shown on the Page A-100 is Factory Industrial F-1. On Page A-107, DOB Notes 2 of 2, #13, indicates the use of the building as a warehouse (S-1). Please verify.
6. A floor plan showing the use and arrangement of the basement and first floor is required including but not limited to the manufacturing, assembly, finishing, packing, storage and shipping of woodworking cabinets.
7. Verify exit access of the basement and first floor. See BCNYS 1014, 1015, 1016.
8. The property address is not shown on each Page A-107 or the 8 pages of the MBMA plan set.
9. MBMA plan set is not shown on Page A-100 of the list of drawings.
10. MBMA plan set is not sealed by a design professional and does not show specification or construction details for the installation of the steel building, roof and exterior walls.
11. Soils to be investigated and verified by design professional. See BCNYS 1802.2.6

12. On Plan Page ST-3, Oldcastle precast hollowcore plank are indentified for the floor system. Plans and specifications prepared by a NYS design professional for the use and installation - not submitted.
13. Page A-100, DOB Notes 1 of 2, E, Occupant load is not stated. See BCNYS 1004
14. Page A-100, DOB Notes 1 of 2, G, required plumbing fixture is not clear. See PCNYS P403
15. On plan page A-102 and A-103, Holeless Freight Elevator is identified. Plans and specification prepared by a NYS design professional for the use and installation – not submitted.
16. Type of roofing system and details of installation and penetrations - not submitted BCYYS Chapter 15.
17. Plumbing waste, vent and water supply system plans and riser diagrams – not submitted
18. Building sewer connection to existing sewerage disposal system - not shown. PCNYS P703.
19. Roof storm water system diagram not shown; see PCNYS P11.
20. Electrical plan – not submitted. See BCNYS 2701
21. Ventilation requirements– not shown. See BCNYS 1203 and MCNYS M4
22. Interior Finishes – not shown. See BCNYS section 803 and 804.
23. Energy Code Compliance – not shown. See ECNYS
24. Page A-107, Partition Types 1 through Type 5 wall, approved or designed, fire rated assemblies are not shown. See BCNYS Chapter 703.
25. UL# 263 is a fire-rating testing method and acceptance for system certification of fire rated assemblies.
26. Verify the use of Fire Walls and Fire Barriers. See BCNYS Chapter 7.
27. Demonstrate on the plans conformance with BCNYS Chapter 9, Fire Protection Equipment, on whether each system is require or not require and provided or not provided. A form is included within the Commercial – Multifamily Building Permit Package, Plans and Specification Requirements for your assistance.
28. On page A-107, DOB Note 2 of 2, #2, Sprinkle not required for one story building. (basement is not a story). See BCNYS Chapter 903.2.3.
29. BCNYS Chapter 11 and Reference standard A117.1 of 2003, Handicap Accessible features are not shown or shown in compliance;
 - a. Vertical access – See BCNYS 1104.4
 - b. Stair risers shown at greater than 7” – See ANSI A117.1 section 504
 - c. Stair railings – See ANSI A117.1 section 505
 - d. Access isle shown at 5’ wide – See BCNYS 1106.1.1
30. Statement of Special Inspection– not submitted. See BCNYS Chapter 1705
31. On page A-101, the access drive in the rear of the proposed building shows 15 feet width. A minimum width 20 feet is required. See FCNYS 503.
32. Plans and specification prepared by NYS design professional for the installation of Liquid Petroleum gas piping systems, gas boilers, gas venting, radiant heat, floor/ceiling and roof penetrations – not shown.
33. On Page A-100, Notes, “Elevator to be filed under separate application by elevator contractor. Fire Alarm to be filed under separate application by Fire Alarm Contractor. Plumber to file riser diagram with application for plumbing work.” Please be advised that separate building permits are not required for subcontractor utility and trade work. All plans and specification for subcontractors utility and trade work shall be included with the design professionals plan package submitted with the building permit application.

A Commercial – Multifamily Building Permit Package, Plans and Specification Requirements and a NYS Uniform Fire Prevention and Building Code Review Form are included for your assistance in preparation of plans and specifications for a building permit.

PLEASE BE ADVISED that site plan approval for Amended Site Plan for Scanga Realty , LLC, for the 25,000 square foot addition of a was received on June 15, 2012 has expired.

The Philipstown Zoning Law section 175-68. E. (1) states “Site plan approval **shall expire** if the applicant fails to obtain any necessary building permits, fails to comply with the conditions of the site plan approval, or fails to initiate the use **within 24 months of its issuance**, or if the special permit with which it is associated expires.”

FURTHER BE ADVISED that you may apply to the Planning Board for an extension. The Philipstown Zoning Law section 175-68. E. (1) states “The Planning Board may grant a one-time six-month extension, and additional extensions, upon a showing of hardship or extenuating circumstances.”

If you have any question you may contact my office at (845) 265-520.


Kevin Donohue, CFM
Code Enforcement Officer

CC: Robert Rhodes, RA

Town of Philipstown
238 Main Street
Cold Spring New York 10516

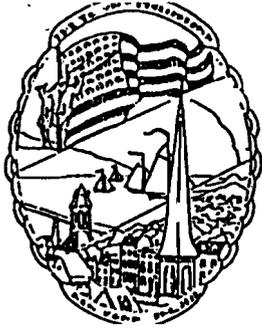
PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MINOR PROJECT

Project Name: Burstein - Minor Site Plan Approval

Date: 9/4/2014



Town of Philipstown

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

(845) 265-3329 (845) 265-2687 Fax

Application for Planning Board Special Use & Site Plan Approval

Date: 9/4/2014 TM # 38.-3-49.1

Project Name: Burstein - Minor Site Plan Approval

Street Address: 52 Lane Gate Road, Cold Spring

Fee Amount \$550 Received: _____

Bond Amount: \$2,500 Received: _____

Applicant:

Name Jeffery Burstein

Address 52 Lane Gate Road
Cold Spring, NY 10516

Telephone (845) 265-5374

Tenant:

Name _____

Address _____

Telephone _____

Design Professional:

Name Badey & Watson, P.C.

Address 3063 Route 9
Cold Spring, NY 10516

Telephone (845) 265-9217

Property Owner

Name Jeffery Burstein

Address 52 Lane Gate Road
Cold Spring, NY 10516

Telephone (845) 265-5374

TM # 38.-3-49.1

Project Name: Burstein - Minor Site Plan Approval

Project Description: Addition in excess of 1,000 sf to and existing single-family dwelling in excess of 2,000 sf for a total cumulative footprint greater than 3,000 sf. The addition is to be served by the existing septic system and private well without modification.

ZONING INFORMATION

175-7 Zoning District: Rural Conservation

175-10 Proposed Use: Single-family dwelling.

Proposed Accessory Use(s): None.

175-7 Overlay Districts on the property

Yes or No

175-13 Floodplain Overlay District - NFIP Map (FPO)	<u>No</u>
175-18.1 Mobile Home Overlay District (MHO)	<u>No</u>
17-14 Cold Spring Reservoir Water Shed Overlay (WSO)	<u>No</u>
175-15 Scenic Protection Overlay..... (SPO)	<u>Yes</u>
175-16 Aquifer Overlay District..... (AQO)	<u>Yes</u>
175-18 Open Space Conservation Overlay District..... (OSO)	<u>No</u>
175-35 Within 100 foot buffer of Wetlands or Watercourse	<u>Yes</u>
175-36 Steep Terrain <u>Existing slopes between 20% and 35%.</u>	<u>Yes</u>
175-36 Ridge Line Protection	<u>No</u>
175-37 Protection Agricultural	<u>No</u>

TM # 38.-3-49.1

Project Name Burstein - Minor Site Plan Approval

175-11 Density and Dimensional Regulations

Zoning District <u>RC</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	60 ft	36.1 ft	66.0 ft	Yes	No
Measured from the travel way County/state	60 ft	n/a	n/a	n/a	n/a
Minimum side yard setback	30 ft	87.5 ft	122.6 ft	Yes	No
Minimum side yard setback (2)	30 ft	339.6 ft	301.4 ft	Yes	No
Minimum side yard setback (3)	30 ft	21.9 ft	136.2 ft	Yes	No
Minimum rear yard setback	50 ft	n/a	n/a	n/a	n/a
Maximum impervious surface coverage	10%	5.8 %	7.0%	Yes	No
Maximum height	40 ft	26 ft	26 ft	Yes	No
Maximum footprint non-residential structures	6,000 sf	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: _____

Town of Philipstown Town Code Chapter 175

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 §175-10 C) require a Special Permit issued by the Town Board. In reviewing Special Permit applications, the Town Board and Zoning Board of Appeals shall follow the procedures and standards established for the Planning Board in this Article IX.

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

C. Minor and Major Project 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: 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 threshold.

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

175-62 A. PRE-APPLICATION MEETINGS.

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

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

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

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

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

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

SITE PLAN CHECKLIST

- ✓ 1. A sketch of the parcel on a location map (e.g., a tax map) showing boundaries and dimensions of the parcel and identifying contiguous properties that are within 200 feet of the proposed structure and any known easements or rights-of-way and roadways.
- ✓ 2. Existing features of the site lying within 200 feet of the proposed structure including land and water areas, water or sewer systems, and the approximate location of all structures within 200 feet of the proposed structures.
- ✓ 3. The proposed location and arrangements of structures and uses on the site, including means of ingress and egress, parking, and circulation of traffic.
- ✓ 4. A sketch of any proposed structures (including signs), showing exterior dimensions and elevations of front, side and rear views; copies of available blue prints, plans, or drawings.
- ✓ 5. A concise description of the project describing the intended use of proposed structures (including signs), and any changes in the existing topography and natural features.
- ✓ 6. The name and address of the applicant and any professional advisors, and the authorization of the owner if the applicant is not the owner.
- ✓ 7. If the parcel contains a stream, wetland, or floodplain a copy of the floodplain map and wetland map that corresponds with the boundaries of the property

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

A minor project site plan shall be referred to the Conservation Board if it is located within the OSO, WSO, SPO or FPO Districts, or within a Visible Ridgeline No-Build Area or a Hillside Protection Area. The Conservation Board shall have 20 days to report its recommendations to the Planning Board after which time the Planning Board may act without receiving a recommendation. The Planning Board shall take the Conservation Board's recommendations into consideration and if it does not follow such recommendations, it shall provide a written explanation of its reasons for not doing so.

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

175-65 D Criteria

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

1. Layout and Design

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

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

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

- ___ d. Where appropriate setbacks, shall maintain and continue the existing setback pattern of surrounding properties.
- ___ e. The Planning Board shall encourage the creation of landscaped parks or squares easily accessible by pedestrians.
- ___ f. Trademarked architecture which identifies a specific company by building design features shall be prohibited, unless the applicant can demonstrate that the design is compatible with the historic architecture of the Town or the Building Form Guidelines.
- ___ g. Impacts on historic and cultural resources shall be minimized.
- ___ h. Newly installed utility service systems and service modifications necessitated by exterior alterations shall be installed underground, When feasible, existing above ground utility service systems shall be placed underground
- ___ i. Buildings, shall have a finished exterior on all sides.
- ___ j. Metal buildings that are principal buildings (larger than a small storage building in an unobtrusive location) shall be of color consistent with earth tones; shall have sufficient fenestration and trim to break continuums of metal wall areas; and shall have brick, stone, wood trim or composite materials providing a similar 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 dense evergreen buffer strip within five years.
- ___ d. Off street parking and loading areas shall be provided with landscaped planting islands within or border landscaping adjacent to such area in such a manner as to enhance the appearance of the area. Any parking area accommodating 20 or more cars shall be provided with not less than one tree for each 20 cars or fraction thereof, which trees shall be not less than three inches diameter at breast height and 10 feet in height.
- ___ e. Landscaping, including grading provided in the area required for a building setback from the street line or center line or U. S. 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- 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 island
- ___ g. Bicycle parking spaces and racks shall be provided in an area that does not conflict with vehicular traffic. Designated van/car pool parking, 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. The the HC and OC districts, outside storage areas shall not extend into the area required for a building setback from a street line or from the center line of U.S. Route 9, as determined under §175-30(J), or from a residential district boundary line. Outside storage shall be enclosed (except for necessary access drives) by buildings and/or fences, walls, embankments or evergreen shrubs or trees so as to screen the storage area from view from any other adjacent lot or any street. In no case shall the height of outside storage exceed the height of the approved screening. Screening shall be of a density as to be at least 75% effective in screening such view, at the time of occupancy, except that when evergreens are used, such height and density shall be achieved within five years after establishment of the outside storage area.
- ___ b. Outside storage on properties in the HC or OC districts shall not exceed 20% of the lot area located in such district.
- ___ c. In the M District, outside storage areas shall not extend into the area required for a building setback from a property line, or a residence district boundary line, and shall not exceed 15% of the lot area located in the industrial M District.

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 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 materials does not pollute ground water 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.

500' ADJOINERS LIST
38.-3-49.1
BURSTEIN, JEFFREY

38.-3-50
POWELL, CAROL A
3 Whitehill Pl
Cold Spring, NY 10516

38.-3-47 & 51
GOETZ, PETER
19 Pond Rd
Cold Spring, NY 10516

38.-3-56
NELSON, JOSEPH
32 Lane Gate Rd
Cold Spring, NY 10516

38.-3-45
MENDELSON, MARK
252 7th Ave #18G
New York, NY 10001

38.-3-27
HARRISON PARK ASSOCIATES
83 Park Ln
West Harrison, NY 10604

38.-3-29
STEPHENS, WAYNE
33 Lane Gate Rd
Cold Spring, NY 10516

38.-3-58
VIVENZIO, ARMANDO
21 Armando Rd
Cold Spring, NY 10516

38.-3-28
VENTURA, RICKY NELSON
1 Lane Gate Rd
Cold Spring, NY 10516

38.-3-31
RUSSELL, PETER
71 OCEAN PKWY APT 5B
Brooklyn, NY 11218

38.-3-44
LAMBRECHT, WINIFRED
8 Table Rock Rd
Lincoln, RI 02865

38.-3-30
TOWN OF PHILIPSTOWN
238 Main St
Cold Spring, NY 10516

38.-3-55
GIACHINTA, SUZANNE
10 Pond Rd
Cold Spring, NY 10516

38.-3-57
CLARK, DENNIS W
28 Lane Gate Rd
Cold Spring, NY 10516

38.-3-49.2
PEARSON, SCOTT S
5595 East Ln
Lake View, NY 14085

38.-3-43
DONOHUE, BRUCE A
80 Lane Gate Rd
Cold Spring, NY 10516

38.-3-46.1
SWEET HOME REAL PROPERTY
TRUST
485 Madison Ave
New York, NY 10022

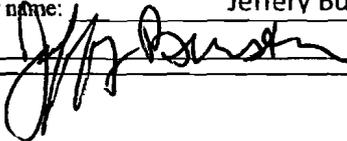
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: <p style="text-align: center;">Burstein - Minor Site Plan Approval</p>			
Project Location (describe, and attach a location map): <p style="text-align: center;">52 Lane Gate Road, Cold Spring</p>			
Brief Description of Proposed Action: <p style="text-align: center;">Addition in excess of 1,000 sf to an existing single-family dwelling in excess of 2,000 sf for a total culmulative footprint greater than 3,000 sf. The dwelling is served by an existing septic system and private well. The proposed addition shall be connected to same without modification.</p>			
Name of Applicant or Sponsor: <p style="text-align: center;">Jeffery Burstein</p>		Telephone:	
		E-Mail:	
Address: <p style="text-align: center;">52 Lane Gate Road</p>			
City/PO: <p style="text-align: center;">Cold Spring</p>		State: <p style="text-align: center;">NY</p>	Zip Code: <p style="text-align: center;">10516</p>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ✓
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <p style="text-align: center;">Town of Philipstown Conservation Board and Building Department</p>			NO YES ✓
3.a. Total acreage of the site of the proposed action?		2.303 acres	
b. Total acreage to be physically disturbed?		0.210 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.303 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	✓	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Jeffery Burstein</u>	Date: <u>09/04/14</u>	
Signature: 		

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

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

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

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

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Town of Philipstown Planning Board	
Name of Lead Agency	Date
Anthony Merante	Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

T 691 Standard N Y B T U Form 8002, Bargain & Sale deed,
with covenant against grantor's acts - Ind or Corp single sheet

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

THIS INDENTURE, made the 5 day of June, in the year Two Thousand Thirteen

BETWEEN

SCOTT S. PEARSON and ANNA M. PEARSON, husband and wife, residing at 52 Lane Gate Road,
Cold Spring, New York 10516

parties of the first part,

JEFFREY BURSTEIN and ELLYN VARELA-BURSTEIN, husband and wife, residing at
142 Lane Gate Road, Cold Spring, New York 10516

parties of the second part,

WITNESSETH, that the party of the first part in consideration of Ten Dollars and other valuable consideration paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs or successors and assigns of the parties 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, Putnam County, and State of New York, which is more particularly bounded and described on Schedule "A," which is attached hereto and made a part hereof

BEING the same premises conveyed by Scott Pearson to Scott S Pearson and Anna M Pearson by deed dated April 2, 2006, and recorded in the Putnam County Clerk's Office on April 19, 2006, in Liber 1740 of Deeds at Page 448

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid **AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the

S
38

B
3

Lot
49.001

ALL STATE ABSTRACT CORP.

Title No. STP85887-03

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam, State of New York, known and designated as Lot 1 on a certain map entitled, "Subdivision Map Prepared for Scott Pearson", said map filed in the Office of the Clerk of the County of Putnam on the 14th day of May, 1991 as Map Number 2505, said premises being more particularly bounded and described as follows;

BEGINNING at a point on the Northwesterly side of Lane Gate Road, said point being on the Southeasterly corner of the premises to be described at the division line of land now or formerly of Hand and Lot 1 on the above referenced filed map;

RUNNING THENCE North 64 degrees 25 minutes 55 seconds West 392.62 feet;

RUNNING THENCE North 24 degrees 39 minutes 12 seconds East 166.37 feet;

RUNNING THENCE South 75 degrees 57 minutes 33 seconds East 163.24 feet;

RUNNING THENCE North 73 degrees 57 minutes 39 seconds East 222.06 feet;

RUNNING THENCE South 75 degrees 57 minutes 33 seconds East 70.00 feet to a point on the Northwesterly side of Lane Gate Road;

RUNNING THENCE The following three courses and distances along the Northwesterly side of Lane Gate Road;

1) South 22 degrees 25 minutes 54 seconds West 149.53 feet;

2) South 26 degrees 33 minutes 54 seconds West 145.34 feet;

3) South 29 degrees 52 minutes 12 seconds West 65.97 feet to the point or place of BEGINNING.

**FOR
CONVEYANCING
ONLY**

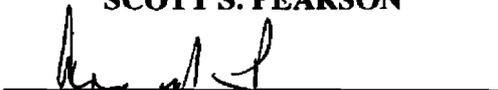
The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.

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.

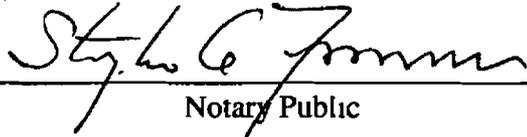
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF


SCOTT S. PEARSON

ANNA M. PEARSON

STATE OF NEW YORK)
COUNTY OF PUTNAM) ss:

On the 26th day of April, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared SCOTT S. PEARSON and ANNA M. PEARSON personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals or the person upon behalf of which the individuals acted, executed the instrument.


Notary Public
STEPHEN G. TOMANN
Notary Public, State of New York
Qualified in Putnam County
Reg. No. 0.T04804470
My Commission Expires April 30, 2014

Bargain & Sale Deed
With Covenant Against Grantor's Acts
Title No. P85887-03
SCOTT S. PEARSON and ANNA M. PEARSON,

TO

SECTION
BLOCK Tax Map No 38 -3-49 1
COUNTY OR TOWN TOWN OF PHILIPSTOWN
COUNTY OF PUTNAM

JEFFREY BURSTEIN and ELLYN VARELA-BURSTEIN

RECORD & RETURN TO:

PATRICK BOYLE, ESQ
151 WEST CARVER STREET
HUNTINGTON, NY 11550

FOR COUNTY USE ONLY

C1 SWIS Code 372689
 C2 Date Deed Recorded 6/18/13
 C3 Book 19246 Page 85



New York State Department of
Taxation and Finance
 Office of Real Property Tax Services
RP-5217-PDF
 Real Property Transfer Report (RTR)

PROPERTY INFORMATION

1 Property Location: 52 LANE GATE ROAD, PHILIPSTOWN, NY 10516
 2 Buyer Name: JEFFREY BURSTEIN, ELLYN VARELA-BURSTEIN
 3 Tax Billing Address: [Blank]
 4 Indicate the number of Assessments: 1 of Parcels OR Part of a Parcel
 5 Deed Property Size: X DEPTH OR 2.30 ACRES
 6 Seller Name: PEARSON, SCOTT S, ANNA M
 7 Select the description which most accurately describes the use of the property at the time of sale: A One Family Residential

SALE INFORMATION

11 Sale Contract Date: 01/24/2013
 12 Date of Sale/Transfer: [Blank]
 13 Full Sale Price: 565,000.00
 14 Indicate the value of personal property included in the sale: 0.00
 15 Check one or more of these conditions as applicable to transfer:
 A Sale Between Relatives or Former Relatives
 B Sale Between Related Companies or Partners in Business
 C One of the Buyers is also a Seller
 D Buyer or Seller is Government Agency or Lending Institution
 E Deed Type with Warranty or Bargain and Sale (Specify Below)
 F Sale of Fractional or Less than Five Interest (Specify Below)
 G Significant Change in Property Between Taxable Status and Sale Date
 H Sale of Business or Included in Sale Price
 I Other Unusual Factors Affecting Sale Price (Specify Below)
 J None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

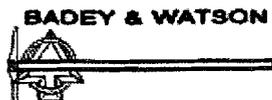
16 Year of Assessment Roll from which information taken(YT): 12
 17 Total Assessed Value: 165,400
 18 Property Class: 210
 19 School District Name: HALDANE CENTRAL
 20 Tax Map Identifier(s) (Roll Identifier(s) if more than four, attach sheet with additional identifier(s))
30-3-49.001

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement or omission hereon subject me to the provisions of the penal law relative to the making and filing of false statements.

SELLER SIGNATURE: [Signature]
 BUYER SIGNATURE: [Signature]
 DATE: 6/18/13

BUYER CONTACT INFORMATION
 (Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)
 BURSIEIN, JEFFREY & ELLYN VARELA
 AREA CODE: 852 TELEPHONE NUMBER (if applicable): Lane Gate Road
 STREET NUMBER: Cold Spring STREET NAME: NY 10516
 CITY OR TOWN: STATE: ZIP CODE:
 BUYER'S ATTORNEY: BOYLE, PATRICK
 LAST NAME: FIRST NAME: (631) 923-0940
 AREA CODE: TELEPHONE NUMBER (if applicable):



John Delano <jdelano@badey-watson.com>

Re: Pre-Application Meeting for BURSTEIN

Kevin Donohue <kcdonohue@philipstown.com>
To: John Delano <jdelano@badey-watson.com>

Thu, Aug 14, 2014 at 1:44 PM

I agree, minor site plan approval from the Planning Board is required. A pre-application meeting is required only for Major special Use/Site Plan approval.

Kevin Donohue, CFM
Code Enforcement Officer
Town of Philipstown
PO Box 155
Cold Spring, NY 10516
845 265-5202

On 8/14/2014 11:52 AM, John Delano wrote:

Kevin,

The Bursteins are the new owners of 52 Lane Gate Road.

The property is in the Rural Conservation (RC) district, and the Scenic Protection Overlay district (SPO).

The property is 2.303 acres (pre-existing, non-conforming), where 10 acres is required. While not 100% certain, we do not believe there is a need to go to the Zoning Board.

The existing principal residence has a footprint of 2,046 SF.

The Bursteins are proposing a 1,227 SF addition to the footprint.

The new footprint will be 3,273 SF.

Total area to be disturbed within the SPO is currently anticipated to be 9,385 SF.

We believe these square footage figures, in the RC zone, require a minor site plan approval from the Planning Board.

There is also a pond on the property, immediately behind the house and addition.

We must therefore go to the Conservation Board.

We believe we can, or would like to, go directly to them and run both applications (CB & PB) concurrently.

We have attached a PDF of the Site Plan for your use, and look forward to a Pre-application meeting to clarify the issues.

Thank you

--

John P. Delano, P.E.
Badey & Watson
Surveying & Engineering, P.C.
3063 Route 9

Cold Spring, NY 10516
845-265-9217 Ext 12
845-265-4428 Fax

PETER GOETZ
19 Pond Road
Cold Spring, New York 10516

August 12, 2014

Phillips Town Planning Board
238 Main Street
Cold Spring, NY 10516

Dear Sirs and Madams,

I recently read in the local newspaper that ESP located on Lane Gate Road and Route 9 is seeking to permission expand their space.

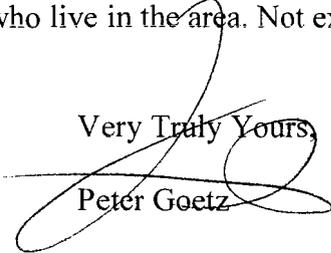
According to the newspaper article the owners of the ESP are Bruce and Donna Kehr and live behind this site. As a resident of Lane Gate Rd I find the ESP site deplorable. The site is covered with 30 foot mountains of chipped trees which they refer to as "mulch", unsightly earthen materials and during the day the site is active with big construction equipment and earthmoving trucks driving around the site which clearly resembles a site out of a non prospering Appalachian coal mine.

The site is a terrible eyesore and clearly the ugliest site along Route 9. To expand this site is unthinkable. In fact the owners of ESP in an effort to somehow legitimize this horrendous looking site have placed two large concrete angel statues wings outstretched along the retaining wall on route 9. The kindest thing that can be said is that it is an ecclesiastical junkyard.

To add insult to injury this site has a high Towered security searchlight which blinds the drivers turning into Lane Gate Road from Route 9. This is clearly a driving hazard.

The owner's residence which is adjacent to the site and on Lane Gate Road has a chain link fence running along the road with BEWARE OF DOGS signs placarded on the fence, and well people should be, as behind the fence are a pair of particularly vicious guard dogs, a German Shepard and a Doberman Pincer, who charge the fence barking and snarling in a terrorizing manner whenever a person or car goes by. The Board can verify this guard dog situation with any of the Lane Gate residents who live in the area. Not exactly the friendly environment of our Cold Spring community.

Very Truly Yours,


Peter Goetz

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, New York 10516

Phone (845) 265-4400

Fax (845) 265-4418

August 15, 2014

Mr. Jonathan Stercho
Environmental Analyst 1
Division of Environmental Permits
NYSDEC Region 3
21 South Putt Corners Road
New Paltz, NY 10516

**RE: NYSDEC Application #: 3-3726-00315/00001
Olspan Warehouse Improvements
Town of Philipstown, NY**

Dear Mr. Stercho:

We are writing in response to your letter of August 1, 2014 indicating that the further information and an application fee was needed to review the permit application and make a decision.

Enclosed, please find an application fee of \$200.

Also enclosed, is a copy of the Town of Philipstown Planning Board determination of significance, a Negative Declaration dated February 20, 2014. A Resolution adopting the Negative Declaration under SEQRA is attached.

Finally, you inquired about the potential for the removal of trees for the installation of a proposed dry well in the northeast portion of the site. This area of the site contains brush and bushes and no trees greater than 6-in in diameter. It is an upland area outside of the 100-foot adjacent area.

Please review the enclosed and contact us if you have any questions or require additional information.

Sincerely,



Jon P. Dahlgren
Senior Geologist
TIM MILLER ASSOCIATES, INC.

Enclosure

c. M. Quismondo
Town of Philipstown Planning Board

NEGATIVE DECLARATION

Site Plan Approval – Olspan LLC *Town of Philipstown Planning Board, County of Putnam*

Date: February 20, 2014

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (the State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Philipstown Planning Board as Lead Agency has determined that the proposed action described below will not have potential significant harmful effects on the environment, and a Draft Environmental Impact Statement will not be prepared.

Name of Project: Olspan LLC Site Plan
Action Type : Unlisted
Site Location : NYS Route 9, Cold Spring, NY
Location : Town of Philipstown

Summary of Action: The action is granting of site plan approval for a change in use of a 5.0 acre parcel lying along the easterly side of NYS Route 9, just north of Vineyard Road. The tract is situated in an OC Zoning District. The project concerns the renovation of an existing light manufacturing/office building and the construction of a new addition for a new passive warehouse space for the storage of personal property. The property also contains an existing single-family residence which will remain on-site as a caretaker residence. The renovation and new construction will be completed in currently developed portions of the property. The project will utilize an existing on-site well for potable water and two existing on-site septic systems (one for the residence and one for the warehouse).

The existing building on the site is 10,798 SF in size. The expansion will add 8,676 SF of new space to the building with a small open courtyard in the central area of the warehouse. In total, the proposed warehouse space will contain approximately 19,474 SF. the new addition will be located entirely within existing impervious areas of the site.

Reasons Supporting This Determination:

- (a) The proposed change in use of the building and site, and 8,700 sf addition will not create a material conflict with the community's plans or goals as officially approved or adopted. Nor will the proposed action result in a substantial increase in traffic, solid waste production or noise level.
- (b) The proposed development does not pose significant potential water pollution impacts.
- (c) No significant adverse drainage impacts are expected, and appropriate erosion/sediment control measures will be implemented to insure that erosion/sediment impacts to downstream properties and receiving waters will be minimized to the maximum practical extent possible.

RESOLUTION ADOPTING A NEGATIVE DECLARATION UNDER SEQRA

WHEREAS, Olspan LLC has applied to the Town of Philipstown Planning Board for site plan approval pursuant to Town Code Chapter 175 for a site on certain real property located on NYS Route 9, Philipstown, New York with the "OC" Zoning District and identified as Town of Philipstown Tax Map No. 38.-3-24.2; and

WHEREAS, in regard to proposed development of the property a Long-Form Environmental Assessment Form ("EAF") - Part 1 & 2 has been submitted pursuant to the New York State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, a coordinated environmental review was accomplished by the Planning Board; and

WHEREAS, the Planning Board, as Lead Agency, has duly reviewed the EAF documents, the public record and latest plans.

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Planning Board does hereby adopt the Negative Declaration attached hereto.

Mr. Meehan presented the foregoing resolution which was seconded by Ms. Finger,

The vote on the foregoing resolution was as follows:

- Kim Conner, Member, voting In Favor
- Mary Ellen Finger, Member, voting In Favor
- Kerry Meehan, Member, voting In Favor
- Pat Sexton, Member, voting In Favor
- Neal Zuckerman, Member, voting Absent
- Anthony Merante, Chairman, voting In Favor

Adopted at a meeting of the Philipstown Planning Board on February 20, 2014.

PHILIPSTOWN PLANNING BOARD

Anthony Merante, Chairman