

**CONSERVATION BOARD
107 Glenclyffe Dr., Garrison, NY 10524
March 10th, 2020 7:30 PM
MEETING AGENDA**

1) Approval of Minutes

February

2) Old Business (all old business pending):

Karry Choy 12 Hudson River Lane

TM#89.7-1-16 WL20-321

(The applicate is seeking approval for replacement of deteriorating seawall, installation of floating dock and gangway and site grading. Controlled area affected .33 acres. Square footage of soil disturbed by the entire project 2178 sqft.)

Riverview Industries, 3012 Route 9, Cold Spring

TM#27.20-1-12.1

Applicant is seeking major site plan approval for a parking area for commercial truck parking and storage. The applicant owns and operates a commercial truck repair and auto body business on two parcel located across Route 9 and this is an extension of that use. A wetland permit will be required for disturbance in the 100 foot local wetland buffer. A floodplain Development Permit will be required for disturbance in the 100 year floodplain.

3) New Business:

N. Scott Johnson, Mountain Brook Drive, Cold Spring New York WL# 20-323

(The applicant is seeking approval for Construction of a gravel road to the most viable septic absorption area, in order to install a curtain drain. The curtain drain and potential septic system are outside of the regulated wetland areas, however the discharge pipe is within the 100' wetland buffer area. Installation of the curtain drain is required in order to continue the site & soil appraisal process.)

4) Stormwater:

5) Other Discussion:

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

*****BEGINNING OCTOBER 1, 2019 ALL SCHEDULED CONSERVATION BOARD
MEETINGS WILL BE HELD AT THE CLAUDIO MARZOLLO COMMUNITY
CENTER, 107 GLENCLYFFE DRIVE, GARRISON, NY 10524*****

TOWN OF PHILIPSTOWN CONSERVATION BOARD

238 MAIN STREET, COLD SPRING, NY 10516

February 11th 2020, 2019

MINUTES

The Conservation Board held its regular meeting at Philipstown Town Hall on Tuesday, March 10, 2020.

Present: Andrew Galler (Acting Chairman)
Robert Repetto
Anthony Deos
Krystal Ford
Lew Kinglsey
Max Garfinkle (Natural Resources Review Officer)

Absent: Mark Galezo (Chairman)
Jan Baker

****PLEASE NOTE that these minutes were abstracted in summary from the meeting and a taped recording.**

Andrew Galler opened the meeting at 7:30

Riverview Industries, 3012 Route 9, Cold Spring New York TM# 27.20-1-7 WL#20-320

Max Garfinkle stated that Glenn was here because of a larger discussion that is in front of the Planning Board right now in regards to a referral that came in front of us pertaining to Riverview Industries. The property is on 9 by Griffin Landscaping that has illegally at this point utilizing the lot in the manor they are. They don't have an official site plan that allows them to currently utilize the property for trucks storage. This was referred to Mark and he saw the plans and max and mark went out to the site to get a sense of what is going on there right now. Glenn stated the Planning Board has seen

this once in front of the board and once in the field. Max stated that there is a site plan in front of the planning board now that has a proposed use that is going to be considered. Our Board takes jurisdiction because there is a small wetland on the property. There are some violations that have occurred on the property that violate our Chapter 93 code a few years ago. Greg and Bob pursued a stop-work order and notices of violations on the property owner. I think they are in court with the town, Andrew said they are in court. At this point we are trying to move forward and rectify the situation and figure out what is going to be acceptable from the town's perspective for the use of that property and the boards involved. Are you going to be making an application next month on behalf of that property owner, so this can be a larger discussion when you all have had a chance to see the plans and the property. Glen said that max summed it up, but he didn't know if you had any comments. There is clearly issues with the site, I want to gather as much information as I can because it is going to be an upward struggle to get this thing rectified. Max stated that his initial thoughts were the boards going to have to weigh out after you see the property and the violations, there is a filling with the wetlands that abuts to the property where he is currently storing trucks and truck bodies. The use was not permitted as a parking lot by the wetlands Conservation Board. You are going to have to weigh out not only the site plan they are proposing but also what you would want to see to rectify the violation. There is going to have to a quantification of what was lost and how to structure mitigation moving forward that would balance that out.

Andrew Galler asked what kind of use does he want to have for the land going forward? Glenn Watson stated he wants to use it as a parking facility. This is on the riverside of Route 9, it is opposite the truck part store he has there. He has two sites across the street the big blue garage and big brown garage. You can have an offsite parking facility across the street, it's an allowable use. I can't characterize that place other than what it is. It is not in good condition, it's not orderly and has to be cleaned up one way or the other. It will be to his benefit to do that, and it has a history of being used that way. It was started in the 60's it was used as a staging area for building 84. It has some history of being pre-existing use and also has some wetland.

Krystal ford asked if there have been any soil samples taken from the area? I can only imagine leaking truck oil In to the surrounding soil. Glenn responded I don't know that. Krystal stated I'm sure it has been leaching into the wetlands. Glen said that he is there because he doesn't want to miss anything on the discussion. Max stated the bigger discussion will be in March when the board has more information. Glenn stated that he has to get together with the property owner and his lawyer and lay the cards out on the table for him too. Max said he thinks that would be the best way to go about it because when we get referrals from the Planning Board, we only get one set and they always go to mark and sometimes I never get to see them until after the meeting. Glen asked if you have seen the size of the wetland? Max stated he doesn't think they have determined that yet, I would be hesitant to give an answer right now because I think that is something that needs to be qualified in the field. MJ asked so there has not been a delineation? Glenn stated yes there has been, It has been delineated and it is on the plans. It does go off the site zone but doesn't go to far back because when you get back a couple of hundred feet it is a very steep slope. Max asked who did the delineation?

Glenn answered Steve Marino. Max stated it is a tricky situation because like Glenn said the use has been on going, but initially they filled the wetland to create the space. You can see what they have done up to three years ago looking at old aerial from 2011 and comparing it to now. You can see the size difference. MJ stated that has been since the re-zoning.

Robert Repetto stated that is a good point about the sampling, we might need him to hire somebody to do that kind of testing. Glenn stated he will make sure he gets that done. Makes said his point for bringing that up is that this has been an on-going us maybe not to the extent now but if we start doing soil testing, hydric soil you may get into a grey area of what's there. Glen stated that was a commercial lot so he may have had some done when he bought it, I will have to ask him. Robert stated it is kind of irrelevant if he bought the lot and something that was not a prier condition known and there was a spill doesn't, he inherit that liability? Glenn stated he believes that is correct but it does have a difference because if it is different today then it was then there would be an actual blame. Robert said it was used by the state right in 84. Glenn stated it was used in 84 by one of the contractors that was building it not directly by the state. I think there is an affidavit in the packet.

Manitou Point Preserve, LLC , 100 Mystery Point

Chris Egger, Race Coast Engineering stated we filed the application for the proposed dock. The project site is on the Hudson River and here are some pictures of the shore line. It is a 4 foot wide by 63 foot long pier with a 15 foot by 8 foot (In auditable) there is a kayak lift and a floating dock and gangway. Last time we were here the biggest questions was about ice. We have been working on the final design and construction drawings for the pier itself and in the structural detailing we have designed the piles to account for an ice flow load. We looked at AASHTO referred to the old Navy manual for Ice (In auditable). These piles are going to be steel piles, reinforced concrete and drove down into the bedrock so, they will be robust and also the steel will be smoother than the timber and less likely catch on the ice. Andrew asked what was the diameter of the pilings? Chris stated 8 piles 18 inches supporting the dock and 4 12 inch piles to anker the float. Andrew asked if the work was going to be done from the river predominantly true? Chris stated Yes.

Max asked if they have copies of the actual State and Federal permits and are they finalized? Oh, we got them in the other packet. Chris stated that DEC permit issued on Aug 5th 2019 I believe the Army Corp. Was issued also. Max stated that those were the biggest components that they had and typically the protection measures they set we are comfortable with. Andrew asked if there was any water on the dock? Chris asked like utilities? Andrew stated he assumed there is power. Chris stated there is power on the gangway hoist. Andrew asked with the utilities I assume you will be using marine grade not only with ground fault. Chris stated water proof, sealed connections.

MJ stated she had a small issue with there salt fence detail, on the paperwork we just got you specified hay bales, but we would prefer straw bales. Chris stated that would be okay. MJ stated that they typical want silk fence be wired backed. Chris stated okay.

Andrew asked what ice projections were you making? Chris said he doesn't have the specifics on them but we can send them as a condition for the permit. The Structural Engineer was looking at both the New York State Ice flow report and got some information from that. I'm not sure what the loading was but I can find out. Andrew said he things that they should have that in the records.

Robert asked if the dock comes out in the winter? Chris stated the dock could be removed. Robert said I thought that is what we said the dock would come out so it was not actually be, the pilings would stay. Andrew said what would stay in the gangplank is the major structure which is about 57 feet long if your looking at the right of the plan that would stay in. That's the only thing I'm concerned about subject to Ice box when the ice gets pushed up. The basic condition at this point from whatever you want on it from a logistic stand point and we should have on file the ice loading predictions that were done. Andrew asked if he had a motion to approve the permit?

Lew Kinsley: I'll make a motion

Andrew Galler: Second

MJ Martin: Second

Andrew Galler: All in favor

Robert Repetto: Aye

Krystal Ford: Aye

Andrew Galler: Aye

Kerry Choy, 12 Hudson River Lane, Garrison

TM#89.7-1-16 WL#20-321

Chris Egger representing 12 Hudson River Lane. There is three parts to this project, the first is we are replacing this concrete crib seawall with a new slopped revetment adding floating dock and gangway and regrading the lawn. There is a little fill work which is in the application.

Andrew asked what was all the construction that was torn up in the back, there was grass there and there's no more grass? Chris Yes there was grass but this picture was taken sometime in November. The house is under renovation and she has a building permit for that. I don't know how disturbed it was when you were there. Everything is an ongoing part of the house renovation so they are focused on the house right now. I know that part of this site grading when they were excavating for the house around the foundation, they have a little extra fill to use for grading. Andrew said the whole area from basically the deck in front of the house on the river side, from there on when we were there was disturbed. What mark and I were talking about is where the septic system is, which should be shown. We took a video which is not wonderful, but you can

look at this, where there seems to of been run off that is not from rain. That was from something from the ground and it is not ground water in that area. Robert said we were wondering if there was septic work done? Chris stated not the we are aware of. From what we have heard the well is up here closer to the road and the septic is on the back corner of the house near that deck. Outside of the proposed work area that we are looking at but definitely with the house renovations. Andrew asked the old masonry well was abandoned? Chris stated yes that one is abandoned, so from my understanding there is a well up here next to the driveway and the septic is over here. We didn't field locate or test pits or anything but that's what we have gathered.

Robert asked max what about fencing? You can clearly see the dirt is running towards the Hudson so it would probably need some fencing. Max stated yes there should be some fences installed now if there is any earth work going on. Chris stated he would let the owner know and she can pass it on. Andrew said somehow, we should figure out if the septic system is functioning. Max stated that they should call the department of Health and see if we can get them to do a dye test. Lew asked it is on the river edge, doesn't the coast guard get involved with this when you start breaking up area's like that? Max asked if they actually had permits from DEC or Army Corp? Chris stated no. Max stated that they would wait to issue anything from the town's stand point until those permits are issued. The board is not going to vote on this tonight because of site issues with the septic. Robert asked about the water softener discharge. Max stated that is where they initially thought the water discharge was coming from. Andrew stated that the water softener discharge would either need to go into either the septic or more preferred (In auditable) but that is easier said or done. To mark and I when we went into the house it looked like they might still be using this old masonry well because water was going through a significant water system that looked like tanks with chlorine water purifier as well as two holding tanks as if it is a low compacity. A couple of gallons per minute so they can build up water. Since they are using some kind of water purification it looked like a water softener, we really need to know the functioning of the septic system. Max asked if the homeowner to could made aware and they can contact him. Max stated in terms of a permit we will wait until your final comments came back and you received the state permits before we issue anything. Chris asked if the board would be willing to consider entertaining the idea of issuing a permit with a condition not valid until the state permits are issued. Max stated that essential that is what we are doing but I don't know if we would go that far right now. Andrew said if there was not a prudential issue with the septic then we might do that, but in this case, there is to many moving parts. Robert stated that his concern is that so much dirt was moved with a machine near the Hudson and it is clearly moving towards the Hudson they need to demonstrate a little conscientious work here. Andrew asked if the work would be done more from the water side or land side? Chris stated he things the land side.

Garrison Fishing Game Club Pond, 183 South Highland Road TM# 61.-4-16 WL# 20.322

Max stated that we have this permit from the Fishing Game Club and that he would be more comfortable have the town contact them. Andrew stated he would be more

comfortable having the consultant come down and he is going to be the applicator as well. Max stated that this is just the application not the permit and they are just finishing there public noticing for the DEC side of things for the treatments. After that is done the DEC might issue the permits if no one raises any issues. The Town of Philipstown is a jacent land owner to one of those properties. Shares water rights to the outflow in some compacity so we were notified of the application being in front of the DEC and I did comment back. They were going to be required to have a town permit before they can perform work. Andrew stated he is not against treating ponds or lakes, since the main thing they are going after water shield. Max stated that he would like to see a management plan and there reasoning why. In the paperwork it just stated that is has become a hassle to control and keep the pond free of water shield.

Krystal asked if it is a sign of excessive amount of nutrients? Because you will get a plant that is thriving phosphorus. Andrew said not usually with water shield. Max said that all would bubble to the surface if they did have a (In auditable) testing done. You could see what the internal nutrients there are and fish composition is, all these different components are. Max stated that they need to have a written plan or discussion with the applicant or representative of the Fishing Game Club, I think that can be accomplished either way. They have completed the application with DEC Pesticide Bureau where they are evaluating what chemicals you are putting in and the effects are going to be on down stream property and the water body itself. The rational is to why are you making a decision. Max asked me to reach out to the Applicant and let them know what the board as decided before any decision can be made.

Andrew asked to vote on minutes. First would be September, Doe's anyone have any comments? I only had one comment on the September minutes on page two, third to last paragraph they are talking about a 6 foot high wall in the back Justin Way Property. I think we should just change that to already a stone wall in the back. Do I have a motion to except the September minutes.

Lew Kingley: Ill make a motion

MJ Martin: Second

Andrew Galler: All in Fvavor

Robert Repetto: Aye

Krystal Ford: Aye

Andrew said now we go to November Minutes, Any comments? Do I have a motion to except the minutes?

Robert Repetto: I'll make a motion

Lew Kingsley: Second

Andrew Galler: All in favor

Robert Repetto: Aye

Lew Kingsley: Aye

Andrew Galler: Aye

Andrew Galler: We will now go to January, any changes or comments?

MJ Martin: I'll make a motion

Robert Repetto: Second

Andrew Galler: All in favor

Robert Repetto: Aye

Lew Kinglsey: Aye

Andrew Galler: Aye

MJ Martin: Aye

Krystal Ford: Aye

Andrew Galler moved to adjourn the meeting and Robert Repetto seconded the motion. All were in favor and the meeting adjourned at 8:33 pm.

Date Approved: _____

Respectfully submitted by,

Kelly MacIntyre

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

238 Main Street
Cold Spring, NY, 10516
(845) 265-5202

APPLICATION FOR WETLANDS PERMIT

Note to Applicant:

Submit the completed application to the appropriate permitting authority. The application for Wetlands Permit should be submitted simultaneously with any related application (e.g., subdivision approval, site plan approval, Special Use Permit, etc.), being made to the permitting authority.

(Office Use Only)

Application # WL 20-324 Permitting Authority _____
Received by: RJ _____ Z.B.A. _____
Date 2/28/20 _____ Planning Board _____
Fee 500 App ck# 5789 _____
1000 Escrow ck# 5790 Wetlands Inspector

Pursuant to Chapter 93 of the Code of the Town of Philipstown, entitled "Freshwater Wetlands and Watercourse Law of the Town of Philipstown" (Wetlands Law), the undersigned hereby applies for a Wetlands Permit to conduct a regulated activity in a controlled area.

1. **Owner:** Name: Riverview Industries

Address: 3012 Route 9, Cold Spring, NY 10516

Telephone: 845-265-5284

2. **Agent:** Name: Kevin Reichard, President
(Applicant must be owner of the land. The Application may be managed by an authorized agent of such person possessing a notarized letter of consent from the owner.)

3/ **Name of Agent**

If Corporation, give names of officers:
Kevin Reichard, President

Mailing Address: 3012 Route 9, Cold Spring, NY 10516

Telephone: 845-265-5284

3. **Location of Proposed Activity:**
3012 Route 9, Cold Spring, NY 10516

Tax Map No.: 27.20-1-7

Acreage of Controlled Area Affected: 11,500 sf (additional 7,300 sf to be determined)

4. **Type of Activity: (See list of regulated activities)**

Applicant is seeking major site plan approval for a parking area for commercial truck parking and storage. The Applicant owns and operates a commercial truck repair and auto body business on two parcel located across Route 9 and this is an extension of that use. A wetland permit will be required for disturbance in the 100 foot local wetland buffer. A Floodplain Development Permit may be required for disturbance in the 100 year floodplain.

RECEIVED

FEB 27 2020

5. Other permit(s) required and agency or agencies responsible for granting such permits such as but not limited to P.C.B.O.H, N.Y.D.E.C, Army Core of Engineers, EPA, DOT, Building Dept. Planning Board, and Z.B.A.

Philipstown Planning Board Site Plan approval, NYSDOT Highway Work Permit

6. Each copy of this application shall be accompanied by:
- a. A detailed description of the proposed activity and a comparison of the activity to the criteria for approval specified in §93-8 of the Wetlands Law. (See below)
 - b. A completed short form environmental assessment form.
 - c. A map prepared by a licensed surveyor landscape architect or engineer showing:
 - 1. The controlled area(s) wetland buffer zone 100 feet from the edge of any wetlands, lakes, ponds or streams on the site;
 - 2. Any wetland or watercourse therein and the location thereof;
 - 3. The location, extent, and nature of the proposed activity.
 - D. The names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice and the names and addresses of all owners of record of properties abutting and directly across from the proposed activity as shown on the latest tax record.

(Note: Any map, plat or plan showing the above information that is required to be submitted for any other permit or approval in connection with the regulated activity, and that is acceptable to the Permitting Authority, may be used.)

Date:

2/27/20

Signature of Applicant:

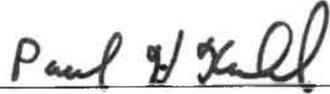


AFFIDAVIT

STATE OF NEW YORK :
 :
 :SS.:
COUNTY OF PUTNAM :

Paul H. Kinkel being duly sworn, deposes and says:

1. I am a resident of the Town of Philipstown, residing at 155 Moog Road, Garrison, NY, and have lived in this Town for most of my 75 years.
2. As such, I am very familiar with many properties throughout this town, including the property at 3021 Route 9, Cold Spring, NY, currently owned by Kevin Reichard and/or his Riverview Industries Inc.
3. The property has been used for the parking and staging of trucks and equipment for as long as I can remember, which is least from 1965 to today.
4. I make these statements knowing full well that Town of Philipstown, will rely on the truth of the statements made in this affidavit.



Paul H. Kinkel

Sworn to before me this 8th
day of November, 2019



Notary Public

REBECCA W LINDA
NOTARY PUBLIC, State of New York
No. 5004353
Qualified in Dutchess County
Commission Expires November 16, 2022

Applicant is seeking major site plan approval for a parking area for commercial truck parking and storage. The Applicant owns and operates a commercial truck repair and auto body business on two parcels located across Route 9 and this is an extension of that use. A wetland permit will be required for disturbance in the 100-foot local wetland buffer. A Floodplain Development Permit may be required for disturbance in the 100-year floodplain.

§ 93-8. Criteria for approval. [Amended 11-1-2001 by L.L. No. 4-2001]

A. The following are criteria applicable to the approval of permits for Proposed regulated activities in controlled areas:

(1) The activity will not have a substantial adverse effect upon the natural function and benefits of a wetland or watercourse as set forth in § 93-2B;

REMARK: The site has been used for truck storage and construction staging for many years, see attached Affidavit. The area within the buffer has already been disturbed and the application is sought to remove a stockpile of deposited material and generally formalize and establish the edge of the parking field.

(2) The activity will not substantially change the natural channel of a watercourse or substantially inhibit the dynamics of a watercourse system;

REMARK: The activity is within the 100-foot buffer and will not change the natural channel of a watercourse or substantially inhibit the dynamics of the watercourse system.

(3) The activity will not result in the degrading or pollution of waters.

REMARK: An Erosion and Sediment Control Plan has been developed to minimize potential of the construction to degrade or pollute the waters.

(4) The activity will not increase the potential for flooding.

REMARK: Although a portion of the 100-year flood plane is show at the entrance to the site, the activity will not increase the potential for flooding as any fill has been offset with an equal amount of cut.

(5) Sufficient provision has been made for control of pollution, erosion, Siltation and sedimentation during and after conduct of the activity;

REMARK: An Erosion and Sediment Control Plan has been developed

(6) No practicable alternative location is available on the subject parcel.

REMARK: The western portion of the site contains steep slopes and is inaccessible from Route 9 unless the wetland is crossed.

(7) No additional technical improvements or safeguards can reasonably be added to the plan or activity which would minimize the impact on a controlled area; or

REMARK: We do not believe there are additional technical improvement or safeguards that can be reasonably added to the plan that would minimize the impact on the controlled area.

(8) The activity will alleviate or remove a hazard to the public health or safety.

REMARK: The plan will formalize the parking area on site, including a controlled entrance with screening. This will improve the aesthetics of Route 9 in this area.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

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

A. Project and Applicant/Sponsor Information.

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------------------------------------|
| Name of Action or Project: Riverview Industries Major Site Plan | | |
| Project Location (describe, and attach a general location map): Route 9 | | |
| Brief Description of Proposed Action (include purpose or need): Applicant is seeking major site plan approval for a parking area for commercial truck parking and storage. The Applicant owns and operates a commercial truck repair and auto body business on two parcel located across Route 9 and this is an extension of that use. A wetland permit will be required for disturbance in the 100 foot local wetland buffer. A Floodplain Development Permit will be required for disturbance in the 100 year floodplain | | |
| Name of Applicant/Sponsor: Kevin Reichard | | Telephone: 845-265-5284 E-Mail: RiverviewInd@Hotmail.Com |
| Address: 3012 Route 9 | | |
| City/PO: Cold Spring | State: New York | Zip Code: 10516 |
| Project Contact (if not same as sponsor; give name and title/role): Badey & Watson Surveying & Engineering. P.C. | | Telephone: 845-265-9217 E-Mail: gwatson@badey-watson.com |
| Address: 3063 Route 9 | | |
| City/PO: Cold Spring | State: New York | Zip Code: 10516 |
| Property Owner (if not same as sponsor): Riverview Industreis | | Telephone: 845-265-5284 E-Mail: riverviewind@hotmail.com |
| Address: 3012 Route 9 | | |
| City/PO: Cold Spring | State: New York | Zip Code: 10516 |

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
 HC- Highway Commercial

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

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

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
 Putnam County Sheriff and New York State Police

c. Which fire protection and emergency medical services serve the project site?
 North Highland Engine Co. 1 and Philipstown Volunteer Ambulance Corp.

d. What parks serve the project site?
 Local and State Parks

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 4.529 acres
 b. Total acreage to be physically disturbed? 0.81 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 7.96 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 24 Units: acres

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: 4 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
The disturbance is temporary and will better define the limits of the existing parking area, remove stockpiled debris and restore areas of impervious surface to non-impervious landscaped area.

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

If Yes, describe: _____

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

If Yes:

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

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

All areas that are disturbed will be restored with topsoil, seed and mulch or tree planting.

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If, Yes:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

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

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

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

If Yes:

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

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

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

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

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

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

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

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

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

If Yes:

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

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

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

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

i. During Construction:

- Monday - Friday: _____ 9am to 5 pm _____
- Saturday: _____ 9am to 5pm _____
- Sunday: _____ n/a _____
- Holidays: _____ n/a _____

ii. During Operations:

- Monday - Friday: _____ 9am to 5 pm _____
- Saturday: _____ 9am to 5 pm _____
- Sunday: _____ n/a _____
- Holidays: _____ n/a _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

The project site fronts Route 9 and there are generally existing commercial uses north and south on both sides of Route 9. There are along existing residential uses on Route 9 to the south and just off Route 9 to the east and west. To the east of the site there are forested areas.

b. Land uses and covertypes on the project site.

| Land use or Covertypes | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|------------------------------------------------------------------------------------------|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 1.06 | 0.91 | -0.15 |
| • Forested | 1.949 | 1.949 | 0 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 0.85 | 1.0 | +0.15 |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0 | 0 | 0 |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0 | 0 | 0 |
| • Wetlands (freshwater or tidal) | 0.67 | 0.67 | 0 |
| • Non-vegetated (bare rock, earth or fill) | 0 | 0 | 0 |
| • Other Describe: _____ | 0 | 0 | 0 |

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ > 6 feet

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

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

| | | |
|----------------|-------|------|
| Charlton Loam | _____ | 49 % |
| Leicester Loam | _____ | 17 % |
| Udorthents | _____ | 34 % |

d. What is the average depth to the water table on the project site? Average: _____ 4 feet

e. Drainage status of project site soils:

| | | |
|--------------------------------------------------------------|-------|--------------|
| <input checked="" type="checkbox"/> Well Drained: | _____ | 49 % of site |
| <input checked="" type="checkbox"/> Moderately Well Drained: | _____ | 34 % of site |
| <input checked="" type="checkbox"/> Poorly Drained | _____ | 17 % of site |

f. Approximate proportion of proposed action site with slopes:

| | | |
|-----------------------------------------------------|-------|--------------|
| <input checked="" type="checkbox"/> 0-10%: | _____ | 56 % of site |
| <input type="checkbox"/> 10-15%: | _____ | % of site |
| <input checked="" type="checkbox"/> 15% or greater: | _____ | 44 % of site |

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

h. Surface water features.

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

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

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

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

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name local wetland Approximate Size 0.67 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

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

If Yes:

i. Name of aquifer: Principal Aquifer _____

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p>ii. Name: _____</p> <p>iii. Brief description of attributes on which listing is based: _____</p> | |
| <p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | |
| <p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p> | |
| <p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify resource: <u>Route 9D</u></p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>NYS Designated Scenic Road</u></p> <p>iii. Distance between project and resource: _____ <u>2.8 miles.</u></p> | |
| <p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |

F. Additional Information

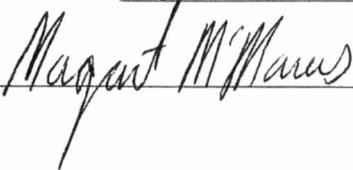
Attach any additional information which may be needed to clarify your project.

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

G. Verification

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

Applicant/Sponsor Name Margaret McManus for Badey & Watson Date 12/05/2019

Signature  Title Sr. Project Manager

| | |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| E.2.n.i [Natural Communities - Acres] | 0.0 |
| E.2.o. [Endangered or Threatened Species] | Yes |
| E.2.o. [Endangered or Threatened Species - Name] | Northern Long-eared Bat |
| E.2.p. [Rare Plants or Animals] | Yes |
| E.2.p. [Rare Plants or Animals - Name] | New England Cottontail |
| E.3.a. [Agricultural District] | No |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | No |
| E.3.i. [Designated River Corridor] | No |

500' ADJOINERS LIST
27.20-1-7
Riverview Industries

27.20-1-25
Vuksta, Peter J II
11 Cross Creek Rd Apt 1
Cold Spring, NY 10516

27.20-1-6
Resi, Joseph
21 Orchard Ln
Cold Spring, NY 10516

27.19-1-22
Milner, John A
230 Jaycox Rd
Cold Spring, NY 10516

27.19-1-19
Mole, Anthony
244 Jaycox Rd
Cold Spring, NY 10516

38.-2-43
State of New York
40 Gleneida Ave
Carmel, NY 10512

27.20-1-2
Nafa, Hamed
2975 Route 9
Cold Spring, NY 10516

27.20-1-33
Barrios, Kenny
2982 Rt 9
Cold Spring, NY 10516

27.20-1-11
Desimone, William F
3 Orchard Ln
Cold Spring, NY 10516

27.20-1-28
Reichard, Kevin
3012 Route 9
Cold Spring, NY 10516

27.19-1-17
HFO Property 103 LLC
211 E 70th Apt 16B
New York, NY 10021

27.20-1-27
Singh, Bachitar
21 Torchia Rd
Cold Spring, NY 10516

27.19-1-21
O'Hara, Michael
234 Jaycox Rd
Cold Spring, NY 10516

27.19-1-18
Locitzer, David
252 Jaycox Rd
Cold Spring, NY 10516

27.16-1-32.1 & 32.5
Fava Terra Corp
518-A North State Rd
Briarcliff Manor, NY 10510

27.20-1-31
Singh, Bachiter
2980 Rt 9
Cold Spring, NY 10516

27.20-1-4
Carchi, Luis
2985 Route 9
Cold Spring, NY 10516

27.20-1-29
Reichard, Kevin
3008 Rt 9
Cold Spring, NY 10516

27.20-1-16
Carlson Construction
2 Third St
Cold Spring, NY 10516

27.20-1-12.1
Panthen, Donald C
5026 Waple Ln
Alexandria, VA 22034

27.20-1-1
Ostrow, Eugene
2971 Route 9
Cold Spring, NY 10516

27.19-1-20
Chiera, Frank L Jr
238 Jaycox Rd
Cold Spring, NY 10516

27.19-1-15 & 16
Rommel, Richard M
253 Jaycox Rd
Cold Spring, NY 10516

27.20-1-13
Pidala, Stephen
54 Grey Rock Rd
Cold Spring, NY 10516

27.20-1-3
Carchi, Maribel R
2981 Rt 9
Cold Spring, NY 10516

27.20-1-5
Mastrantone, Matthew
PO Box 506
Cold Spring, NY 10516

27.20-1-8
Rossi, Jerome
401 Commons Way Unit D
Fishkill, NY 12524

27.20-1-9
Line Drive Properties LLC
3021 Rt 9
Cold Spring, NY 10516

27.20-1-15
Mambee Jambee Ltd
3255 Crompond Rd
Yorktown Heights, NY 10598

27.20-1-10
ES LLC
3027 Route 9
Cold Spring, NY 10516

27.20-1-14
Griffin's Landscaping Corp
1234 Lincoln Ter
Peekskill, NY 10566

27.20-1-26
Salvi, Giuliana
77 Innsbruck Blvd
Hopewell Junction, NY 12533

27.20-1-12.2
HFO Property 102 LLC
211 E 70th St Apt 16B
New York, NY 10021

27.20-1-7
Riverview Industries
3012 Rt 9
Cold Spring, NY 10516

BADEY & WATSON

Surveying & Engineering, P.C.

3063 Route 9, Cold Spring, New York 10516

LETTER of TRANSMITTAL

Date: 27 Feb 2020

File No. 81-100

W. O. # 24201

RE:

Reichard

Route 9

Lot No. on Subdivision

Tax Map 27.20-1-7

Permit/Title/PO #

TO:

Conservation Board
Town of Philipstown

Sent via:

US MAIL
 PICK-UP

MESSENGER
 FAX

FEDEX
 UPS-COD

UPS-2 DAY
 UPS-3 DAY

UPS-NIGHT
 UPS-GRND

We are sending :

| copies | date | description of document |
|--------|-----------|--------------------------------------------------|
| 1 | 27-Feb-20 | Check #5789 \$500.00 Applicatin Fee |
| 1 | 27-Feb-20 | Check #5790 \$1,000.00 Escrow |
| 10 | 27-Feb-20 | Application for Wetlands Permit with attachments |
| 10 | 05-Dec-20 | Full Environment Assessment Form |
| 10 | | Ajioners List |
| 10 | 05-Dec-19 | Set of 4 Site Plans (SP24201__R01_V17) |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

REMARKS:

[Empty box for remarks]

Copies to: File

[Empty box for copies to]

Yours truly:

Badey & Watson

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

238 Main Street
Cold Spring, NY, 10516
(845) 265-5202

APPLICATION FOR WETLANDS PERMIT

Note to Applicant:

Submit the completed application to the appropriate permitting authority. The application for Wetlands Permit should be submitted simultaneously with any related application (e.g., subdivision approval, site plan approval, Special Use Permit, etc.), being made to the permitting authority.

(Office Use Only)

| | | | |
|---------------|------------------|--------------------------|--|
| Application # | <u>10L20-323</u> | Permitting Authority | |
| Received by: | _____ | | |
| Date | <u>2/20/20</u> | _____ Conservation Board | |
| Fee | _____ | _____ Wetlands Inspector | |

Pursuant to Chapter 93 of the Code of the Town of Philipstown, entitled "Freshwater Wetlands and Watercourse Law of the Town of Philipstown" (Wetlands Law), the undersigned hereby applies for a Wetlands Permit to conduct a regulated activity in a controlled area.

1. Owner: Name: N. Scott Johnson (JRP 143 LLC)

Address: 2 Horatio Street - Apt 11L New York, NY 10014

Telephone: (347) 224-0122

If Corporation, give names of officers:

N. Scott Johnson

Mailing Address: 2 Horatio Street - Apt 11L New York, NY 10014

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

2. Name of Agent (Engineer for Owner/Applicant)

(Applicant must be owner of the land. The Application may be managed an authorized agent of such person.)

Mailing Address: 3063 Route 9 Cold Spring, NY 10516



N. Scott Johnson, Owner/Applicant

Check List for a Complete Wetlands Permit Application

****All supporting materials must be submitted to the Conservation Board/Wetland Inspector two weeks prior to the scheduled meeting date to allow to distribution to members before the meeting.

Ten (10) sets of all material as follows:

Application Form

Environmental Assessment Form (short form), unless other agencies have requested the long form in which case that should be presented.

A plan of your site drawn by a design professional, such as an engineer, architect or land surveyor. All plans must show: wetlands delineation boundaries, 100' buffer zones from wetlands and watercourses, location of access route for construction activities, the location of any well or sewage or wastewater disposal system and, in most cases, the topography of the site. Site plans must include all proposed work within the 100 'foot buffer zone and be full sized for easy reading by CB members

Copies of correspondence from all other agencies including, but not limited to; DEC, DOT, EPA, PCBOH, ACOE or other Town of Philipstown agencies; Town Board, Planning Board, ZBA, Building Dept.

A written outline of the proposed activity, along with a construction scenario that should include specific items such as the estimated quantities of material excavated or the amount of fill required and the total square footage of soil to be disturbed.

Names and addresses of all owners of record of properties abutting and directly across from the proposed activity as shown on the latest tax record as well as the names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice.

Short Environmental Assessment Form

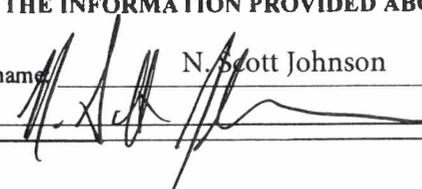
Part 1 - Project Information

Instructions for Completing

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

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

| Part 1 - Project and Sponsor Information | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------|--------------------------------------------|
| Name of Action or Project: Johnson - Freshwater Wetlands Permit | | | |
| Project Location (describe, and attach a location map): Mountain Brook Drive, Cold Spring (see map provided) | | | |
| Brief Description of Proposed Action: Construction of a gravel road to the most viable septic absorption area, in order to install a curtain drain. The curtain drain and potential septic system are outside of the regulated wetland areas, however the discharge pipe is within the 100' wetland buffer area. Installation of the curtain drain is required in order to continue the Site & Soil Appraisal process. | | | |
| Name of Applicant or Sponsor: N. Scott Johnson | | Telephone: (347) 224-0122 E-Mail: sjohnson@xdea-studio.com | |
| Address: 2 Horatio Street - Apt 11L | | | |
| City/PO: New York | | State: NY | Zip Code: 10014 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | | NO <input type="checkbox"/> |
| 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: Putnam County Department of Health - Construction Permit | | | YES <input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? | | 12.3 acres | |
| b. Total acreage to be physically disturbed? | | 0.9 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 50.2 acres | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. | | | |
| <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland | | | |

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> | NO | YES |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> | NO | YES |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> | NO | YES |
| <p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>N. Scott Johnson</u> Date: <u>Feb 10, 2020</u></p> <p>Signature: <u></u></p> | | |

PRINT FORM

Statement in Support
of the
Application
of
N. Scott Johnson (JRP 143 LLC)
for a
FRESHWATER WETLANDS PERMIT
to conduct
REGULATED ACTIVITIES
within a
REGULATED AREA
as required under
CHAPTER 93
of the
CODE of the TOWN OF PHILIPSTOWN

Prepared and respectfully submitted by:

BADEY & WATSON,
Surveying and Engineering, P.C.
3063 U.S. Route 9
Cold Spring, NY 10516
(845) 265-9217 (voice)
(845) 265-4428 (fax)
(877) 3.141593 (toll-free)
www.Badey-Watson.com

Project Location

The applicant, Scott Johnson, is the owner of five (5) adjacent parcels with a combined area of 50+ acres in the Towns of Philipstown and Fishkill. The properties where the proposed construction activities will take place are in the Town of Philipstown only, designated on the Putnam County Tax Map for the Town as Sheet 16., Block 1, Lot 39 and 56. The two properties are located at the terminus of Mountain Brook Drive in Cold Spring. The other property in Putnam County is tax map lot 6.-1-1, which has the reservoir on it. The other portion of this reservoir lot is in Dutchess County, having Tax Map No. 6154-00-400355. The other two lots in Dutchess County are 6154-00-423430 and 6154-00-385440.

Regulated Activities Involved (§ 93-5)

The permit sought will allow the development of a construction road which is required to install a curtain drain uphill of the potential septic area. The curtain drain is required in order to continue the site and soil appraisal process for the septic system absorption area. The curtain drain itself is outside of the 100' wetland buffer zone, the curtain drain discharge only is within buffer. The discharge from the curtain drain shall be clean groundwater only. In addition, all the other site improvements shall be located outside the buffer, including the house/garage, septic system and well. Generally, the proposed construction road shall follow the path of the existing dam maintenance/access road.

The construction involves the following work:

- Construction of a 12'-wide gravel road with swales.
- Construction of stone retaining walls and headwalls.
- Installation of cross culverts and rock aprons.
- Installation of curtain drain discharge pipe and rock apron.

More specifically, the following Regulated Activities are involved:

- Excavation of soil (§93-5A.)
- Deposition of soil, stones, and gravel (§93-5B.)
- Construction and installation of a road and pipes (§93-5C.)
- Installation of drainage pipes (§93-5K.)
- Installation of open swales (§93-5L.)

The proposed area of controlled area affected is 29,876 square feet. The total limit of proposed soil disturbance for this activity is approximately 40,474 square feet.

Comparison of the proposed activity to the Criteria for Approval § 93.8

Section 93-8, *Criteria for approval* sets forth eight (8) criteria that the Conservation Board and Permitting Authority must consider before a permit may be recommended or issued. The following is a list of them with a discussion of how the project compares to each criterion.

The activity will not have a substantial adverse effect upon the natural function and benefits of a wetland or watercourses as set forth in §93-2B.

The activity is consistent with the existing development and access to the property. The proposed road is designed to minimize grading, drainage, and removal of vegetation.

The activity will not substantially change the natural channel of a watercourse or substantially inhibit the dynamics of a watercourse system.

The activity will not substantially alter surface runoff drainage characteristics.

The activity will not result in the degrading or pollution of waters.

The activity does not substantially increase sources of pollution, and utilizes the existing site development which was used in a similar manner.

The activity will not increase the potential for flooding.

The activity will not substantially increase impervious area of the site, and does not restrict the flow of water or decrease natural storage volumes.

Sufficient provision has been made for control of pollution, erosion, siltation and sedimentation during and after conduct of the activity.

The activity proposes temporary and permanent erosion and sediment control both during and after construction.

No practicable alternative location is available on the subject parcel.

The site can only be accessed in the manner proposed, and generally utilizes the existing development corridor.

No additional technical improvements or safeguards can reasonably be added to the plan or activity, which would minimize the impact on a controlled area.

The plan proposes simple construction techniques, using the existing site improvements.

The activity will alleviate or remove a hazard to the public health or safety.

The activity will allow for the applicant to explore development possibilities of his property, and also control misuse of the property by trespassers.

Respectfully submitted on behalf of Mr. Johnson,

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

ADJOINERS

JRP 143 LLC

6.-1-1, 16.-1-34, 16.-1-56 (Putnam)
6154-00-385440, 6154-00-423430,
6154-00-400355 (Dutchess)

16.-1-55
Sloperline LLC
1 Civic Center Plz Ste 200
Poughkeepsie, NY 12601

6.-1-2
Ellis Nathan A
PO Box 139
Yorktown Hgts, NY 10598

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