

CONSERVATION BOARD
238 Main St., Cold Spring, NY 10516
September 11, 2018 7:30 PM

MEETING AGENDA

1) Approval of Minutes:

- June 12, 2018
- July 10, 2018

2) Return of Escrow:

2) Old Business (all old business pending):

NYCDEP Catskill Aqueduct Repair & Rehabilitation Project

(A representative will be present to explain the project which includes applications for wetland disturbance, clearing and grading, steep slope, and floodplain development permits for the applicable 5 of 14 Town-wide work sites.) (*A copy of the complete submission is available for review in the Code-Enforcement Office*)

3) New Business:

Lois Realty LLC, Post Road Mobile Home Park -8 First Street, Cold Spring TM# 38.-3-23

(The applicant is seeking to obtain a permit for excavation and fill within the wetland buffer zone. The purpose of the work is to allow for the replacement of a mobile home on an already developed mobile home park lot in which the only upgrade required is the proposed construction of a concrete slab foundation, for the proposed mobile home.)

4) Stormwater Discussion:

5) Other Discussion:

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 # _____	Permitting Authority _____
Received by: _____	_____ Z.B.A.
Date _____	_____ Planning Board
Fee _____	_____ Wetlands Inspector / Conservation Board

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: Lois Realty LLC

Address: P.O. Box 103 Montrose, NY 10548

Telephone: (845) 659-3095

2. Agent: Name: Joseph F. Lois

(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:

Mailing Address: _____

Telephone: _____

3. Location of Proposed Activity:

Post Road Mobile Home Park - 8 First Street, Cold Spring

Tax Map No.: 38.-3-23

Acreage of Controlled Area Affected: 3,450 square feet

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

Excavation and fill within wetlands buffer zone.

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.

Freshwater Wetlands Permit - NYS DEC

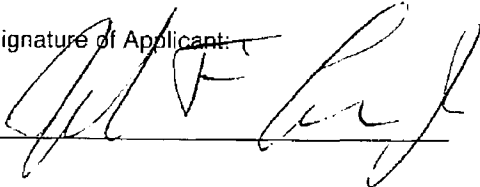
Building Permit - Town of Philipstown

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: 08/28/18

Signature of Applicant:



Statement in Support
of the
Application
of
Lois Realty 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, Lois Realty LLC, is the owner of a 10.649-acre Mobile Home Park in the Town of Philipstown. The property is designated on the Putnam County Tax Map for the Town as Sheet 38., Block 3, Lot 23. It is located on the east side of U.S. Route 9, approximately ½ mile south of NYS Route 301.

Regulated Activities Involved (§ 93-5)

The permit sought will allow replacement of a mobile home on an already-developed mobile home park lot, with existing service connections to existing utilities. The mobile home lot is approximately 10,800 square feet, and has Putnam County Department of Health approved central water and sewer service. The only required upgrade is the proposed construction of a concrete slab foundation for the proposed mobile home.

The proposed construction involves the following work:

- Stripping of topsoil over new construction (stockpiling outside of buffer).
- Excavation of slab foundation, removal of spoils off-site.
- Backfill with structural fill, and construction of concrete slab.
- Installation of mobile home, and reconnection of existing service utilities.
- Construction of side deck, and reestablish sidewalk to driveway.

More specifically, the following Regulated Activities are involved:

- Excavation and removal of soil (§93-5A.)
- Deposition of gravel material (§93-5B.)
- Construction of a steel-reinforced concrete slab (§93-5C.)
- Installation of a mobile home (§93-5C.)

Total anticipated disturbance within the controlled area is not expected to exceed 3,450 square feet. The total site disturbance is approximately 4,870 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 proposed activity will not alter existing land contours or ground covers. All the construction will take place within the existing development on the lot.

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

No work is proposed within a stream channel or over a water surface.

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

Temporary erosion and sediment controls during construction have been proposed.

The activity will not increase the potential for flooding.

The proposed construction will not increase impervious surfaces, or restrict the flow of water in any way.

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

Temporary erosion and sediment controls during construction have been proposed.

No practicable alternative location is available on the subject parcel.

The lots in the park are not large enough to explore alternative site locations.

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

Additional improvements or safeguards would only cause additional, unnecessary disturbance.

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

The proposed activity does not remove a hazard to public health or safety.

Respectfully submitted on behalf of Lois Realty LLC,
BADEY & WATSON,
Surveying and Engineering, P.C.

by
Glennon J. Watson, L.S.

Short Environmental Assessment Form

Part 1 - Project Information

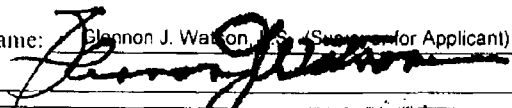
Instructions for Completing

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: Lois Realty LLC - Freshwater Wetlands Permit			
Project Location (describe, and attach a location map): Post Road Mobile Home Park - 8 First Street, Cold Spring (see map provided).			
Brief Description of Proposed Action: Replacement of a mobile home on a developed mobile home park lot (with currently razed home). Proposed construction of a concrete slab foundation now required by Town Building Department.			
Name of Applicant or Sponsor: Lois Realty LLC (Joseph F. Lois)		Telephone: (845) 659-3095	
		E-Mail: jflois@gmail.com	
Address: P.O. Box 103			
City/PO: Montrose		State: NY	Zip Code: 10548
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	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Philipstown - Building Permit & Freshwater Wetlands Permit NYS DEC - Freshwater Wetlands Permit		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.248 acres	
b. Total acreage to be physically disturbed?		0.112 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10.649 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 checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Mixed Use</u>			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>Approximately 3,450 SE of temporary soil disturbance within the Adjacent Area (Wetland Buffer Zone). No proposed permanent alteration of land contours or ground cover.</u>			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Eleonon J. Watson, Jr. (Sponsor for Applicant)</u>		Date: <u>August 28, 2018</u>
Signature: <u></u>		

ADJOINER'S LIST

Lois Realty LLC

33.-3-23

38.-3-21

Driscoll, Jeffrey R
2784 Route 9
Cold Spring, NY 10516

38.-3-22

Gouverneur, Samuel
Rt 301
Cold Spring, NY 10516

38.-3-16

Caliendo, Katie M
339 Rt 301
Cold Spring, NY 10516

38.-3-14

Kirstein, Charles D Jr
349 Rt 301
Cold Spring, NY 10516

38.-3-13.1

Jordan, Allen
24 White Rocks Lane
Cold Spring, NY 10516

38.-3-24.21

C F Diversified Corp
40 Yesterday Dr
Cold Spring, NY 10516

38.-3-60

Thorpe, Terrance J
2753 Rt 9
Cold Spring, NY 10516

39.-3-62

Delaney, Nancy L
2757 Rt 9
Cold Spring, NY 10516

38.-3-64

State Road Storage LLC
3504 Rt 9
Cold Spring, NY 10516

38.-3-66

Anastasi, Frank J
2779 Route 9
Cold Spring, NY 10516

38.-3-68

The Studio @ Cold Spring
PO Box 307
Cold Spring, NY 10516

38.-3-69

Chase, Matthew A
2787 Rt 9
Cold Spring, NY 10516

38.-3-70

Von Bujdoss, Nicholas
2791 Rt 9
Cold Spring, NY 10516