

**MEETING AGENDA
TOWN OF PHILIPSTOWN PLANNING BOARD
Via Zoom
October 15th, 2020
7:30 PM**

Pledge of Allegiance Roll Call

Approval of Minutes:

September

Return of Escrow:

Chundu/Moth TM#16-1-23.13

Old Business

Roland Heitmann & Jeanne-Marie Fleming, Angel Hill Road, Garrison (Site Visit October 4th) TM#71.-3-15

(Applicant seeks approval of a site which, new construction of a single-family residence to be served by an on-site subsurface sewage treatment system and private individual well.)

Tony & Kim Ricci, 3315 Route 9, Cold Spring, New York **TM#16.20-1-8**
(applicant seeks to convert existing 2nd floor storage to a one-bedroom apartment)

Notice of Public Hearings

Magazzino Italian Art Foundation, 2700 Route 9, Cold Spring (Site Visits on March 8th, 2020 and July 5th, 2020)(Public Hearing) TM#38.-3-24.1

The Action is to approve:

1. A lot line adjustment such that the current configuration of applicant's property increases from 9.393 acres to 14.615 acres, while CF Diversified decreases a corresponding amount of land 63.516 acres to 58.294 acres

And

2. Site plan and special use permit that will allow the expansion of existing museum and art foundation facility by constructing a new building, parking and related facilities on a recently acquired parcel to the south of the existing facility and the relocation of a planned employee residential structure and related facilities on a parcel to be acquired to the north of the existing facility. Approval of the northerly property addition is the subject of a subdivision application being processed simultaneously with this Site Plan and Special Use application

CRS International Warehouse/Office, 2761 Route 9 (Public Hearing) TM# 38.-3-64

(The applicant is seeking Site Plan approval for the construction of a 20,340 sf “warehouse/office” structure, in order to expand the applicant’s current apparel wholesale/distribution business currently located at 3027 Route 9 (at Jaycox Road). The property involved in the application concerns the former MHCP self-storage site along the west side of NYS Route 9, between Lane Gate Road and NYS Route 301, which was never developed.)

Andrew Kepler, 176 Moog Road, Garrison, New York (Site Visit September 13th) (Public Hearing) TM#49.-3-48
(Applicants seek approval of a site, which includes the enlargement of an existing deck, construction of a 3-season room and a formal court yard on their 21.8-acre property at 176 Moog Road, Garrison, New York)

New Business

Sean Barton, 201 Old West Point Rd W, Garrison TM#71.20-1-4 & 7
(Applicant seeks proposed use of existing residential parcels for use as two-family dwellings, vehicle storage and storage of equipment and material associated with an existing landscaping business. Installation of 300 linear feet of privacy fence and an anti-track pad and bank stabilization.)

Joseph Pell Lombardi, 19 Fieldstone Ridge, Cold Spring NY TM#16.11-1-9,5,7
(Applicant seeking subdivision approval to adjust the line dividing lands of Leach from lands of Lombardi)

Christopher Flagg & Heidi Snyder, 699 Old Albany Post Rd, Garrison, NY TM#61.-3-6
(Applicant is seeking barn-like addition consists of a Family Room, Bedroom with bath, Garden tool storage and greenhouse connected to an existing 4-bedroom house via a covered pergola. The addition totals 1,762 Square Feet on two levels.)

3622 Route 9 LLC, Cold Spring, New York TM#17.-1-44
(Applicant seeks Site Plan Approval to remove an existing approximately 2,000 square foot structure and 325 square foot accessory structure, and to construct two new buildings (15,400 SF & 10,500 SF) to house contractor offices and storage)

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

**PHILIPSTOWN PLANNING BOARD
MEETING MINUTES
September 17th, 2020**

The Philipstown Planning Board held its regular monthly meeting on Thursday, September 17th, 2020 Via ZOOM.

Present: Neal Zuckerman- Chair
Kim Conner
Dennis Gagnon
Peter Lewis
Laura O'Connell
Neal Tomann
Heidi Wendel
Ronald J. Gainer, PE, Town Engineer
Stephen Gaba, Counsel

Absent:

Chair Neal Zuckerman opened the meeting at 7:30 p.m. with the Pledge of Allegiance.

Roll call was taken by Mrs. MacIntyre.

A. Minutes

The minutes of the August Regular meeting were reviewed. The Board then approved the minutes.

B. Correspondence

Roland Heitmann & Jeanne-Marie Fleming, Angel Hill Road, Garrison TM#71.-3-15

Chairman Neal Zuckerman recused himself because he has some personal business with the applicant related to a building he owns. Kim Conner will proceed as Acting Chair with the application.

Roland Heitmann represented himself and stated that he purchased a piece of property and wants to build a home for himself. Heitmann stated that he is working with an architect, Susan Rodriguez, and Badey & Watson to prepare the site plans.

Ron Gainer stated that the board has a memorandum from his office on the application. The house falls below the 3000 square foot threshold that is normally required for it to require any Planning Board action. However, the site does contain a Town designated ridgeline and this fact requires him to get a site plan approval. Relative to the construction proposed within the site, there's also going to be disturbance of slopes greater than 20 percent and that will require a referral to the Conservation Board for comment, although no permit from them should be required. Ron Gainer stated that this, being a residential project, should be classified as a "minor" project. Ron Gainer stated that in his technical review he identified that there was information lacking, which was a no-violations letter from the CEO, but this has since been

provided. Relative to SEQRA the project is classified as a "Type II" action. Lastly, as it lies along Route 9, it will require a referral to Putnam County Planning.

Kim Conner stated that she looked at the technical review from Badey & Watson and the amount of disturbance determines whether or not they will need a special permit?

Ron Gainer stated that is correct. The original plan submitted identified a variety of disturbances that warranted a special permit. There were disturbances showing beyond that necessary for just the driveway construction, which is permitted in slopes greater than 20 percent. The applicant's consultant then went back to further evaluate their slope analysis plan, as the Town Code does have some exclusions for very small areas of steep slopes. The slope analysis was subsequently modified in accordance with that criteria, which eliminated the disturbances in the vicinity of the proposed structures from the latest plan. It will still need a referral to the Conservation Board.

Kim Conner asked for a motion to classify this a "minor" project.

Peter Lewis made the motion, and Neal Tomann seconded the motion. The vote was as follows:

Kim Conner: Aye
Dennis Gagnon: Aye
Peter Lewis: Aye
Laura O'Connell: Aye
Neal Tomann: Aye
Heidi Wendel: Aye
Neal Zuckerman: Aye

Kim Conner: Any Opposed? Abstentions? Being none, motion passes.

Kim Conner asked for a motion to classify this as a Type II" SEQRA action.

Peter Lewis made the motion, and Neal Tomann seconded the motion. The vote was as follows:

Kim Conner: Aye
Dennis Gagnon: Aye
Peter Lewis: Aye
Laura O'Connell: Aye
Neal Tomann: Aye
Heidi Wendel: Aye
Neal Zuckerman: Aye

Kim Conner: Any Opposed? Abstentions? Being none, motion passes.

Kim Conner asked for a motion to make a referral to the Putnam County Planning and the Conservation Board.

Peter Lewis made the motion, and Dennis Gagnon seconded the motion. The vote was as follows:

Kim Conner: Aye

Dennis Gagnon: Aye
Peter Lewis: Aye
Laura O'Connell: Aye
Neal Tomann: Aye
Heidi Wendel: Aye
Neal Zuckerman: Aye

Kim Conner: Any Opposed? Abstentions? Being none, motion passes.

Kim Conner asked for a motion for a referral to the Garrison Fire Department

Peter Lewis made the motion, and Neal Tomann seconded the motion. The vote was as follows:

Kim Conner: Aye
Dennis Gagnon: Aye
Peter Lewis: Aye
Laura O'Connell: Aye
Neal Tomann: Aye
Heidi Wendel: Aye
Neal Zuckerman: Aye

Kim Conner: Any Opposed? Abstentions? Being none, motion passes.

Kim Conner asked for a motion to have a site walk.

Peter Lewis made the motion, and Dennis Gagnon seconded the motion. The vote was as follows:

Kim Conner: Aye
Dennis Gagnon: Aye
Peter Lewis: Aye
Laura O'Connell: Aye
Neal Tomann: Aye
Heidi Wendel: Aye
Neal Zuckerman: Aye

Kim Conner: Any Opposed? Abstentions? Being none, motion passes.

The site walk visit was made for October 4th at 9:30 a.m.

Glenn Watson asked if the board would consider waiving the public hearing?

Ron Gainer stated that, based on the original plan and the disturbances that were planned around the house, a special permit would have been required and that fact drove the need for a public hearing. With the special permit no longer being required based upon the latest slope analysis plan, the public hearing is now discretionary.

Kim Conner stated that it would be better to do the site walk and then decide if they will need a public hearing. The Board was all in favor of holding off until the site visit to make a decision on whether a public hearing should be scheduled.

John Canning represented the applicant concerning the traffic study. Canning stated that he originally prepared a traffic report that provided information on the suitability of Route 9 to accommodate the type of vehicles that would be accessing the facility. There were additional questions that the public and the Board had, so we did some additional studies. He then responded to the questions raised -

- 1) The data you collected previously for speed, was it out of the ordinary?
We put road tubes on the road again, and the data collected came back almost identical. There was a small difference, so they have updated the sight distance table in the latest report to reflect that information.
- 2) What is the existing sight distance today?
We went out and measured, and it is 540 feet today. There are a couple of small bushes and if they are removed, we can provide 710 feet. Glenn Watson revised the plans and submitted them to the board per Ron Gainer's request, to indicate the removal of those shrubs on the east side of the road and the twin trunk tree on the west side of the road.
- 3) What would happen if the number of trucks that you are projecting to visit the site double?
We did a technical intersection capacity analysis. What we did was take the estimated traffic volumes on Route 9, put them into software that analyzes the traffic delays, put in the project traffic turning left and turning right into and out of the driveway at the site, including one truck turning right in and one truck turning right out and the then same for left turns. We conducted an analysis of it for both the AM and the PM peaks. John Canning showed a table that shows the average delay in the AM is 28 seconds per vehicle. In the PM peak hour the average delay is slightly more, 30.6 seconds. The northbound left turn for vehicles turning in will have to wait 10 seconds in the morning and 9.5 seconds in the evening. John Canning stated that they went out in the morning to observe the roadway in the area of First Street, at the trailer park across the street. They noted that there was a total of eight vehicles that either entered or exited the park at peak hours. Ron Gainer had requested that we clarify some of the information on the previous report, so we have done that as well.

Chairman Neal Zuckerman stated that the information for the revised traffic study was only submitted yesterday, and the board has had no time to review it.

Glenn Watson stated that they have addressed two major comments by enhancing the landscape plan and increased the screening. The basic plan has not changed but the screening has. We have intensified the screening to the west.

Nick Pouder (Landscape Architect) stated that Eric Barreveld spoke with the neighbor to the rear of the site and put together a preliminary revision to the planting plan, increasing the buffer plantings on the western section of the site. Nick Pouder stated that they are looking to add another two-dozen plantings to the grounds.

Steve Gaba asked how extensive are the new changes going to be?

Nick Pouder stated that they are going to be on the back corner of the site. Nick Pouder stated that they will resubmit a three-dimensional sketch.

Glenn Watson shared on screen a sketch of the new plantings with the board. On the left side of the sketch there are a significant intensity of plantings.

Steve Gaba asked what kind of trees will they be planting?

Nick Pouder stated that they are white pine six to eight feet tall. It will take a few years to get the degree of screening. The revised plans show significant screening of the new building.

Dennis Gagnon had a question about the traffic study on the truck maneuvering plan. Dennis Gagnon stated that he didn't see a legend regarding the colored lines represented.

John Canning stated that the green line is the edge of the vehicle, and the red line is the wheel track.

Dennis Gagnon stated that on the drawings the two lines are squeezed together at the project entrance. Can you explain what is happening there? My concern is that as the trucks are leaving or entering the site, are they crossing over the double yellow line?

John Canning showed on the drawing that for the trucks to stay within the double lines they will have to hug the curb within the property, coming up to Route 9. They will pull out and the trailer will stay within the double yellow lines. Jason Snyder of Badey & Watson did coordinate with New York State DOT, and worked on the driveway configuration so it would satisfy DOT and they would approve it.

Kim Conner stated that there is no wiggle room in this driveway at all.

John Canning stated that the templates that they use are conservative. This is a standard driveway per DOT standards.

Chairman Neal Zuckerman asked the board, due to the shortness of time to review important documents and as well as for the public, would the board like to keep the public hearing open?

The Board all came to an agreement to keep the public hearing open until October meeting.

Andrew Kepler Site Plan, 176 Moog Road, Garrison, New York **TM# 49.-3-48**

Ron Gainer stated that there were significant issues that were observed on the recent site visit. The applicant's property lies along a ridge line. Most of the construction that they are proposing is in the vicinity of the house and in the rear, generally within flatter portions of the site. The concerns of the board related to the vegetation that was proposed along the severe embankment to the south of the driveway. The architect identified that his recent submittal had removed all this proposed vegetation, based on earlier comments he had heard from the board. They attempted to address all the concerns at the site walk. They still have significant landscaping proposed but it is proposed on flatter areas. Ron Gainer stated that the applicants have addressed the concerns of the board and he feels the board can move this forward with a public hearing.

Dennis Gagnon stated that they did not look at what they are calling a three-season room. It looks like they are extending over the existing deck. Dennis stated he is curious on the approach to that.

Glenn Watson stated that it is going to be extended only to the location of the existing deck.

Dennis Gagnon stated his question is on the downhill slope side of that, how much disruption or digging is going to be done?

Glenn Watson stated that there is not going to much at all. They are going to rebuild the deck if it needs structural work.

Ron Gainer stated that the pool room in this area already exists, and they are going to extend the room to the limit of the existing deck. The extension is going to be placed on piers, so I don't anticipate significant disturbances to accomplish the foundation work.

Laura O'Connell stated while on the site visit, they were talking about the ridgeline and the number of plantings along the ridge line and steep slopes. Are we going to get drawings that show the logistical plan of how that's going to happen, and what erosion controls are going to be put into place as that work is being proposed?

David Eaton (Landscape Architect) stated that the latest set of plans show that the only vegetation now proposed is on the lesser slopes around 10 percent and flatter areas of the property. All trees and plantings were removed from the very steep slopes.

Laura O'Connell stated that work is being done along the driveway on the other side of the stone wall. You will still be impacting the area so there will need to be some work done.

David Eaton stated that there is an existing post and rail fence along that eastern side of the driveway. They will take off the rails to place the vegetation, and I can provide a planting detail for how we would plant on that slope.

Laura O'Connell stated that the board should know what the plantings are so they can understand what the size of the root ball will be.

David Eaton stated that the planting plan series has been submitted in the latest set of drawing with plant heights and sizes.

Peter Lewis stated that on the site walk there was some considerable erosion that had been in evidence along the driveway because of the storm water runoff. There was some mention that there was going to be a drainage from the driveway onto the steep slope facing the south. Is that something that Ron Gainer is comfortable with?

Glenn Watson stated that they are going to be looking into that.

Ron Gainer stated that this concern was something that he had identified during the site walk, and he is awaiting revised plans that address those drainage concerns.

Kim Conner said on page 5, question (c) on the EAF it asks whether the proposed action will use or create a new demand for water. Kim Conner asked what is the threshold for a "yes" response, because this is a pretty significant planting proposal.

Steve Gaba stated that it usually refers to water piped into a house. It isn't usually referring to landscaping. You would need a lot of trees to come close to that threshold.

Kim Conner asked on page 6E of the EAF it refers to stormwater runoff. Will the proposed action disturb more than one acre and create stormwater runoff? Since this is 0.9 acres does that mean that it does not qualify?

Kim Conner stated on page 11 it asks for the drainage status of the project's site soils. The response says well drained at 100 percent of the site. I am wondering where that criteria are and where the applicant's information for the response given comes from?

Glenn Watson stated that the source for that is the US Department of Agriculture soils information. They provided a series of maps that categorize the soils and provide charts from which you get the characteristics of those soils.

Kim Conner said that on page F it asks if the project site or any portion of its location is in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory. That answer is checked "yes" and I wonder what that is. Is that just from the DEC environmental mapper, and you can't find what it is?

Glenn Watson stated yes, that is what happened there.

Chairman Neal Zuckerman stated that is the NYC aqueduct.

Ron Gainer needs to check and see if the referrals have gone out to the appropriate agencies.

Chairman Neal Zuckerman asked for a motion to schedule a public hearing for October meeting.

Kim Conner made the motion, and Neal Tomann seconded the motion. The vote was as follows:

Kim Conner: Aye

Dennis Gagnon: Aye

Peter Lewis: Aye

Laura O'Connell: Aye

Neal Tomann: Aye

Heidi Wendel: Aye

Neal Zuckerman: Aye

Neal Zuckerman: Any Opposed? Abstentions? Being none, motion passes.

Slope Line, LLC Subdivision, C/O The scenic Hudson Trust, 1 Civic Center Plaza, Suite 200 Poughkeepsie, NY TM#16.-1-19, 16.-1-18, 16.-1-11, 16.11-1-11, 16.-1-12, 16.-1-15, 16.-1-14, 16.-1-13, 16.-1-20, 16.-1-17, 16.-1-16, 16.11-1-1, 16.11-1-2, 16.11-1-3, 16.15-1-40

Ron Gainer stated that he was directed at August meeting to prepare a negative SEQRA declaration and an approval resolution for the project, and these are now in front of the board for consideration.

Chairman Neal Zuckerman asked for a motion for the Negative Declaration on SEQRA.

Neal Tomann made the motion, and Peter Lewis seconded the motion. The vote was as follows:

Kim Conner: Aye
Dennis Gagnon: Aye
Peter Lewis: Aye
Laura O'Connell: Aye
Neal Tomann: Aye
Heidi Wendel: Aye
Neal Zuckerman: Aye

Neal Zuckerman: Any Opposed? Abstentions? Being none, motion passes.

Chairman Neal Zuckerman asked for a motion for the grant of subdivision approval

Kim Conner made the motion, and Peter Lewis seconded the motion. The vote was as follows:

Kim Conner: Aye
Dennis Gagnon: Aye
Peter Lewis: Aye
Laura O'Connell: Aye
Neal Tomann: Aye
Heidi Wendel: Aye
Neal Zuckerman: Aye

Neal Zuckerman: Any Opposed? Abstentions? Being none, motion passes.

Tony & Kim Ricci, 3315 Route 9, Cold Spring, New York TM#16.20-1-8

Tony Ricci stated that they are looking to move into an apartment above their business.

Ron Gainer stated that the applicant indicates that there is an existing commercial building on the property which they are in the process of renovating the roof and the attic area, Under this application they are proposing to convert that space into an apartment. It is permitted to have an apartment on the upper floor of a commercial building in HC zone. There are no disturbances planned beyond the footprint of the existing building, so it qualifies as a "minor" project. The application was lacking a short EAF, and this should be filed to make the application complete. The board would have to wait for the filing of that before the board can initiate their required SEQRA responsibilities. Referrals will be needed, one to the Putnam County Planning Board, and also to the Putnam County Health Department. Ron Gainer stated that there are some technical issues that the applicant needs to address. Does the existing building location comply with all the bulk dimensional regulations? This couldn't be established from the plans submitted. Once the applicant confirms that or not, if any variances are necessary they will have to go to the Zoning Board of Appeals.

Chairman Neal Zuckerman stated that they will wait until the EAF is submitted before any referrals are made to outside agencies.

Kim Conner asked what is going on with the mobile home on the property?

Tony Ricci stated yes, the mobile home is rented out, and will remain.

Kim Conner asked is there a zoning issue with to how many residents you can have on a highway commercial property?

Steve Gaba stated that he was not aware of anyone living in the mobile home. Steve Gaba asked if the applicant was leaving that as a permanent dwelling on the property?

Tony Ricci stated that yes at this time they are planning on keeping it.

Steve Gaba stated that he believes that two family dwellings are allowed in the zone, it might be something to factor into the site plan and they will look into it for next month’s meeting.

Chairman Neal Zuckerman asked for a motion to classify the project as “minor”.

Kim Conner made the motion, and Neal Tomann seconded the motion. The vote was as follows:

- Kim Conner: Aye
- Dennis Gagnon: Aye
- Peter Lewis: Aye
- Laura O’Connell: Aye
- Neal Tomann: Aye
- Heidi Wendel: Aye

Neal Zuckerman: Aye

Neal Zuckerman: Any Opposed? Abstentions? Being none, motion passes.

Chairman Neal Zuckerman moved to close adjourn the meeting, Peter Lewis seconded the motion. The vote was as followed

- Kim Conner: Aye
- Dennis Gagnon: Aye
- Peter Lewis: Aye
- Laura O’Connell: Aye
- Neal Tomann: Aye
- Heidi Wendel: Aye
- Neal Zuckerman: Aye

The motion passed unanimously, and the meeting adjourned at 8:51 pm.

Date approved _____

Respectfully submitted by,

Kelly MacIntyre

*These minutes were prepared for the Phillipstown Planning Board and are subject to review, comment, emendation and approval there upon.



kelly macintyre <kmacintyre@philipstown.com>

Fwd: Chundu/Moth 120 Skyline Dr

1 message

Town Clerk <townclerk@philipstown.com>

Tue, Sep 22, 2020 at 7:52 AM

To: kelly macintyre <kmacintyre@philipstown.com>

Morning sunshine! I don't think the Planning Board has approved the escrow return yet, have they?

-Tara

----- Forwarded message -----

From: Harini Chundu <harini.chundu@yahoo.com>

Date: Mon, Sep 21, 2020 at 12:05 PM

Subject: Chundu/Moth 120 Skyline Dr

To: supervisor@philipstown.com <supervisor@philipstown.com>

Cc: townclerk@philipstown.com <townclerk@philipstown.com>, nzuckerman@philipstown.com
<nzuckerman@philipstown.com>

Dear Supervisor Shea and Members of the Town Board,

We have completed the site plan approval process with the Planning Board and request that any remaining balance in the escrow account for Chundu/Moth (120 Skyline Drive) be returned.

Thank you for your time and consideration.

Sincerely,

Harini Chundu

Harini Chundu

602.751.1964

harini.chundu@yahoo.com

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Tara K. Percacciolo

Town Clerk

Town of Philipstown

238 Main St.

Cold Spring, NY 10516

TEL: 845-265-3329

FAX: 845-265-3958

3315 Route 9, LLC
3315 Route 9
Cold Spring, NY 10516

September 25, 2020

Mr. Neal Zuckerman, Chairman & Board Members
TOWN OF PHILIPSTOWN PLANNING BOARD
PO Box 155
Cold Spring, NY 10516

RE: 3315 Route 9 Site Plan Application

Dear Hon. Chair & Board Members:

Enclosed please find the following information on the above matter:

- "Survey of Property prepared for RICCI & NAFA REALTY CORP", dated July 27, 2010
- Short EAF

This latest survey plan will hopefully address the setback information requested by Mr. Ronald J. Gainer, PE in his recent memorandum. To address other information requested, we offer the following:

1. Required Site Plan information - This latest plan provides much more detailed information on the site boundaries and structures on the lot. We ask the Board to accept this plan as acceptable in order to process our application.
2. Adequacy of the on-site utility systems - We have retained the services of a consulting engineer to evaluate the adequacy of the existing systems, and deal with the Putnam County Department of Health to obtain their certification of these facilities.
3. Site Occupancy/Parking - It is expected that we will occupy the proposed apartment, so no changes to the existing on-site utility systems or parking should be necessary.
4. Mobile Home on site - This structure will remain, and continue to be occupied as at present.
5. Building Exterior - The existing structure will be re-sided with board & batten siding, painted gray.
6. Exterior Lighting - There is existing lights at the entrance doors and under the porch. No new lighting is planned.
7. Exterior Storage - No exterior storage is planned.

We look forward to visiting with the Board at the next meeting to answer any further the Board may have on our application.

Very truly yours,

Tony Ricci 

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

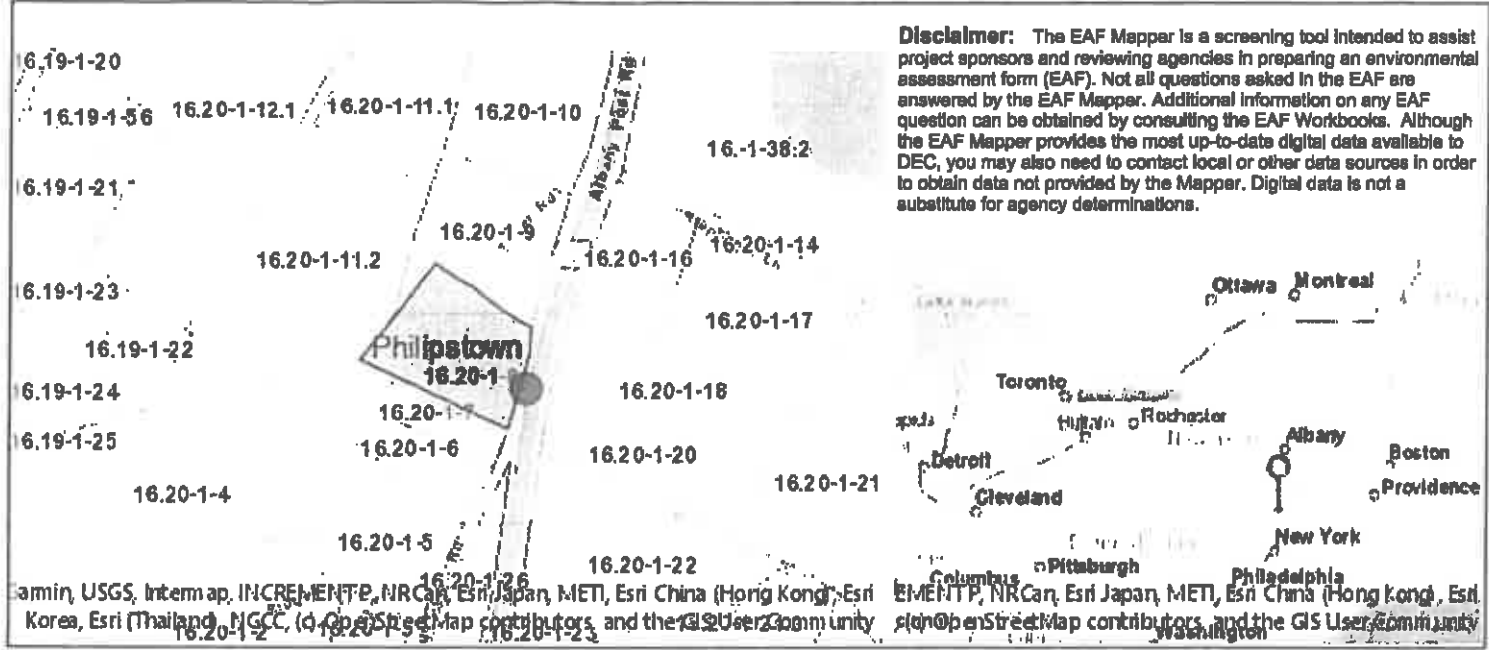
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			
3315 Route 9 LLC / Tony & Kim Riccl - 3315 Route 9, Cold Spring, NY 10516			
Name of Action or Project: Change of use on 2nd floor -3315 Route 9, Cold Spring, NY 10516			
Project Location (describe, and attach a location map): 33153 Route 9, Cold Spring,NY 10516			
Brief Description of Proposed Action: Convert 2nd floor storage into apartment living space.			
Name of Applicant or Sponsor: 3315 Route 9 LLC / Tony & Kim Riccl		Telephone: 845-265-4700 E-Mail: office @riccl-electric.com	
Address: 3315 Route 9			
City/PO: Cold Spring		State: NY	Zip Code: 10516
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: PUTNAM COUNTY DEPT. OF HEALTH CERTIFICATION OF WW SYSTEM.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.697 acres 0 acres 2.407 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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			

5.	Is the proposed action,	NO	YES	N/A
	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<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?	NO	YES	
	If Yes, identify: _____	<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 services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9.	Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
	If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10.	Will the proposed action connect to an existing public/private water supply?	NO	YES	
	If No, describe method for providing potable water: CONNECT TO EXISTING WELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11.	Will the proposed action connect to existing wastewater utilities?	NO	YES	
	If No, describe method for providing wastewater treatment: CONNECT TO EXISTING WW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12.	a. 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?	NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	b. 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 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional		
<input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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
Northern Long-eared Bat	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: 3315 ROUTE 9, LLC / TONY & KIM RICCI Date: 9/25/2020		
Signature: Tony Ricci Title: OWNER		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

October 1, 2020



Neal Zuckerman, Chairman
Town of Philisptown Planning Board
238 Main Street
Cold Spring, NY 10516

RE: Kepler & Picon – Site Plan Approval
176 Moog Road, Garrison
Tax Map No. 49.-3-48

Dear Chairman Zuckerman and Members of the Planning Board:

This office has received and reviewed a Technical Memo issued by the Town's Consulting Engineer, dated September 28, 2020; regarding the captioned property. Our plans, as well as the landscape architect's plans, have been revised accordingly. Please be advised of the following in review of this material:

Steep Terrain & Ridgeline Protection – As requested, all proposed landscaping has been removed from regulated slopes (20% and greater). The landscape architect's planting plan has been inserted into our erosion and sediment control plan, which now illustrated the regulated slope ranges (in addition to the existing conditions plan).

Drainage – The plan has been amended to include stabilization of the driveway surface following construction. The driveway is currently not crowned properly, so the travel surface shall be crowned along the centerline as part of the proposed work. There are several culverts along the length of the driveway, which attempt to divert runoff from the west side to the east side, and down the slope. These culverts are inadequate with regard to inlet and outlet protection, and the inlets and open channel conveyance are not effective. A grass shoulder, and stone-lined swale has been proposed along the west side of the driveway. This will keep the driveway material intact, divert the surface run-off away from the travel surface, slow down the velocity of runoff, and allow discharge into the catch basins. The exiting culverts shall be removed, the new culverts will be installed at a shallower pitch, and flared end sections and rock outlet aprons will be installed to reduce velocity. Each of the 3 existing culverts shall be replaced in the same location, with the addition of one additional. Again, the current problem is not so much the number of culverts, but the effectiveness in the inlets.

Exterior Lighting – A note has been added to the plan which indicates that all exterior lighting shall be dark-sky compliant.

www.Badey-Watson.com

SWPPP Requirements – This is a residential project, outside of the East-of-Hudson NYC watershed, proposing less than 1 acre of soil disturbance. There is no town or state requirement for preparation of a Stormwater Pollution Prevention Plan, either “basic” or “full”. An “erosion and sediment control plan” has been provided by this office in order to enhance the landscape architect’s Site Plan, and as a matter of course.

Conservation Easement – The landscape architect has filed their plans with the Hudson Highlands Land Trust. They (LA) anticipate correspondence from the HHLT prior to this planning board meeting of October. This office will forward any correspondence to the board upon receipt.

Other comments –

- The “standard” planning board site plan notes are on Sheet 2 of 2.
- The planting plan has been enlarged to enhance legibility.
- A note has been added to the plan indicating that no trees or shrubs shall be planted within 10’ of the existing absorption fields – all proposed landscaping has been removed from this area.
- The details on the planting plan have been labeled. All construction details associated with the site/civil improvements have been added to our plan set.
- The board has the most recent set of building plans.

Regarding the July memo, these comments have either been repeated in the current memo, or negated upon plan development. The disturbance associated with construction of the berm has been illustrated, and off-site run-off has been addressed with temporary and permanent diversionary swales.

We trust that all comments with regard to the most recent memo have been addressed. Thank you in advance for your continued review and consideration.

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

by,
Jason R. Snyder
Project Engineer

enclosures

Jrs

cc: David Eaton (email)
Andrew Kepler (email)



Town of Philipstown

**238 Main Street
Cold Spring New York 10516**

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MAJOR PROJECT

Project Name: 201 OLD WEST POINT RD. W.

Date: SEPT 29, 2020



Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: 9/29/2020 TM# 71.20-1-467

Project Name: 201 OLD WEST POINT RD WEST

Street Address: 201 OLD WEST POINT RD WEST

Fee Amount: _____ Received: _____

Bond Amount: _____ Received: _____

Applicant:

Name SEAN BARTON

Address 42 AQUEDUCT RD
GARRISON, NY 10524

Telephone 914 450-4536

Tenant:

Name _____

Address _____

Telephone _____

Design Professional:

Name JOHN LENTINI ARCHITECT

Address 124 ALLAN STR
CORTLANDT MAN. NY 10567

Telephone 914 737-2890

Surveyor:

Name ROBERT BAXTER

Address 855 PEEKSKILL HOLLOW RD
POTNAM VALLEY, NY 10579

Telephone 845 621-8562

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

Name _____

Address _____

Telephone _____

Name _____

Address _____

Telephone _____

TM# 71.20-1-487

Project Name: 201 OLD WEST POINT RD W.

Project Description: LEGALIZATION OF CONTRACTOR
STORAGE, PARKING AND 2-2 FAMILY
DWELLINGS

ZONING INFORMATION

175-7 Zoning District: HCR

175-10 Proposed Use: 2-2 FAMILY DWELLINGS / STORAGE

Proposed Accessory Use(s): PARKING

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>
175-14 Cold Spring Reservoir Water Shed Overlay ----- (WSO)	<u>NO</u>
175-15 Scenic Protection Overlay ----- (SPO)	<u>NO</u>
175-16 Aquifer Overlay District ----- (AQO)	<u>NO</u>
175-18 Open Space Conservation Overlay District ----- (OSO)	<u>NO</u>
175-35 Within 100 foot buffer of Wetlands or Watercourse -----	<u>NO</u>
175-36 Steep Terrain -----	<u>NO</u>
175-36 Ridge Line Protection -----	<u>NO</u>
175-37 Protection Agricultural -----	<u>NO</u>

TM# 7L20-1-467

Project Name: 201 OLD WEST POINT RD W.

175-11 Density and Dimensional Regulations

Zoning District <u>HC</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	25'	59'	59'	YES	
Measured from the travel way County/State					
Minimum side yard setback	15'	25'	25'	YES	
Minimum side yard setback (2)	15'	43'	43'	YES	
Minimum side yard setback (3)					
Minimum rear yard setback	35'	230'	230'	YES	
Maximum impervious surface coverage	60%	1%	1%	YES	
Maximum height	40'	30'	30'	YES	
Maximum footprint non-residential structures					

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: _____

TM# 71-20-1-467

Project Name: 201 OLD WEST POINT RD W

175-11 Density and Dimensional Regulations

Zoning District <u>RR</u>	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback					
Measured from the travel way Town Road	<u>60'</u>	<u>99'</u>	<u>99'</u>	<u>YES</u>	
Measured from the travel way County/State					
Minimum side yard setback	<u>30'</u>	<u>38'</u>	<u>38'</u>	<u>YES</u>	
Minimum side yard setback (2)	<u>30'</u>	<u>36'</u>	<u>36'</u>	<u>YES</u>	
Minimum side yard setback (3)					
Minimum rear yard setback	<u>50'</u>	<u>166'6"</u>	<u>166'</u>	<u>YES</u>	
Maximum impervious surface coverage	<u>10%</u>	<u>18%</u>	<u>18%</u>	<u>NO</u>	<u>REQUIRED</u>
Maximum height					
Maximum footprint non-residential structures					
LOT SIZE	<u>6 ACRES</u>	<u>.847A</u>	<u>.847A</u>	<u>NO</u>	<u>REQUIRED</u>

SUBMISSION:

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- 9. Escrow: _____ Received: _____



RONALD J. GAINER, P.E., PLLC
31 Baldwin Road, Patterson, NY 12563
Mailing Address: PO BOX 417, Pawling, NY 12564

office 845-878-6507 cell 845-527-1432

TO: Town of Philipstown Planning Board DATE: September 11, 2018
FROM: Ronald J. Gainer, PE SUBJ: Barpor Corp commercial property; 201 Old West Point Road W.

As provided in Section 175-66B of the Town Code a pre-application meeting was held today concerning improvements planned by the owner of properties along Old West Point Road West to determine applicable code requirements.

In attendance were the following:

Neal Tomann	—	Planning Board Member
Greg Wunner	—	Code Enforcement Officer
Tara Percacciolo	—	Planning Board Secretary
Ron Gainer	—	Town Engineer
Sean Barton	—	Applicant

The following matters were discussed:

Purpose of Application:

Barton has purchased 3 adjacent parcels along Old West Point Road West, just off the NYS Route 9 intersection. The specific parcels are noted below:

<u>Tax Parcel No.</u>	<u>Address</u>	<u>Size</u>	<u>Zoning Classification</u>	<u>Improvements on lot</u>
71.20-1-4	201 Old West Point Rd W	0.4± ac	HC (Highway-Commercial)	Vacant
71.20-1-6	1629 Route 9	1.12 ac	HC (Highway-Commercial)	Res. Dwelling + garage
71.20-1-7	203 West Point Rd W	0.4± ac	RR (Rural Residential)	Residential Dwelling

Barton operates a landscaping business, and he is proposing to relocate his business activities to these commercial properties. Today's meeting was set up as a result of a "Stop Work" order issued by the Building Department to Barton, concerning work he has been performing on tax parcel 71.20-1-6 without permits. Specifically, he has already removed the former garage, and re-graded an area around the garage.

Greg advised the applicant that Parcel 71.20-1-7, the residential property Barton owns along Old West Point Road West, since it is not part of his development plans for the commercially zoned parcels listed above, is not affected by the "Stop Work" order. Therefore, Greg explained that any plans he may have to renovate or improve this property alone only requires a building permit from his office. Further, Greg advised that Barton should immediately file a demolition permit with his office, along with fee payment of \$190, to cover the garage demolition already performed.

Barton explained that the larger commercially zoned parcel originally included both a residential dwelling and a garage. The property has access from Old West Point Road West. The garage has since been torn down. The residential dwelling remains. Various re-grading of the site in the area of the garage has also been done, in anticipation of the construction of a larger garage for his commercial business.

RE: Barpor Corp. (Sean Barton); 203 Old West Point Road West

He is proposing a 60' x 40' commercial garage. He indicated that the exterior would be board and batten in appearance. He advised that he would want to place the garage further back on the parcel than where the original garage was situated, and so it would likely extend over the property line onto lands of the vacant property in the rear (tax parcel 71.20-1-4). Therefore, he was advised that this would require that he merge the two parcels, and extinguish the common lot boundary between them. This would likely be a condition of any approvals that may be granted by the Town. He also advised that his landscaping equipment and vehicles (trucks, chipper, etc.) would be stored on the site, in the area he has re-graded.

Barton also noted that the parcel (71.20-1-6) wraps around the Garrison Garage property, and has limited frontage on NYS Route 9. However, this sliver of property is steep, and so it wouldn't appear to be feasible to construct a separate access into the site. Further, he noted that the Old West Point Road West intersection with Route 9 has poor geometry, making left turns onto Route 9 with any major equipment difficult if not impossible. This has been an issue to date with the construction vehicles which have accessed the site to date. He felt that this would be a lesser problem, although still a concern, once construction was concluded and only his landscaping vehicles and equipment were operating.

Zoning District Information & Use:

As noted above, the properties which would be the subject of an application are located in the "HC" (Highway Commercial) Zoning District. From a review of permitted "uses", it appears that the intended landscaping activity represents a "retail business" and so is permitted in the HC zone.

Site Plan Review Required:

Any commercial uses in the HC zone is permitted pursuant to Site Plan approval from the Planning Board.

Classification of Project as "Major" or "Minor":

With the building size and overall site disturbance expected, per the provisions of Section 175-60C(1) of the Town Code, it would appear that the proposed activity will exceed the following threshold criteria:

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

Therefore, given the project as described above, the project would appear to represent a "Major" project. It is noted that a public hearing for "Major" projects is discretionary is mandatory.

Site Plan requirements and review procedures:

The application package which must be filed with the Planning Board must include an application form, EAF, Site Plan complying with all plan requirements of §175-65B and required fees. The site plans should include the survey plan of the overall property, and should show all "existing" (including the recently demolished garage) and "proposed" structures planned, square footage of the structures, and overall site disturbance to understand SWPPP requirements.

It was noted that the applicant should discuss the geometry problem which exists at the Route 9 intersection. This would likely be evaluated during any site inspection the Board may accomplish, subsequent to the receipt of a "Site Plan" application.



RE: Barpor Corp. (Sean Barton); 203 Old West Point Road West

Waivers: None were discussed during the pre-application conference.

Overlays:

The site abuts NYS Route 9, which is a delineated "scenic corridor" showing on the Town's Scenic Protection overlay mapping. However, as the scenic boundary ends at the northerly property line of the subject parcel, this tract IS NOT in this overlay zone.

The property does not appear to fall within any other Town overlay districts.

Fees: As described above, it would appear that the following Planning Board application fees would apply:

"Site Plan, Major"	-	\$1,000 + \$20 per parking space, + escrow
Full EAF	-	\$300
Public Hearing	-	\$250
Final Site Plan Approval	-	\$250
Escrow	-	\$5,000 (un-used monies returned to applicant)

Therefore, in summary the overall application fee payment totals \$1,800, + \$20 per parking space, plus the escrow to be posted. It should be noted that the application fees and escrow deposit should be posted with separate checks.

Expected Referrals:

As a portion of the site abuts NYS Route 9, the application will require referral to the Putnam County Department of Planning pursuant to GML 239m.

If any bathroom facilities were planned within the proposed garage, the Putnam County Department of Health would also be involved in reviewing the application.

No other referrals were readily apparent, although it is the Board's usual practice to make referral of Site Plans to the local fire department, should they wish to comment on any issues relating to site access for emergency responders.

At the conclusion of these discussions, the meeting ended.

c: Greg Wunner, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant



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: 201 OLD WEST POINT RD W.		
Project Location (describe, and attach a general location map): 201 OLD WEST POINT RD W. NORTH WEST CORNER OF NYS RTE 9, GARRISON, NEW YORK 10524, PUTNAM COUNTY		
Brief Description of Proposed Action (include purpose or need): PROPOSED USE OF EXISTING RESIDENTIAL PARCELS FOR USE AS TWO FAMILY DWELLINGS, VEHICLE STORAGE AND STORAGE OF EQUIPMENT AND MATERIAL ASSOCIATED WITH AN EXISTING LANDSCAPING BUSINESS. INSTALLATION OF 300 LINEAR FEET OF PRIVACY FENCE AND AN ANTI TRACK PAD AND BANK STABILIZATION.		
Name of Applicant/Sponsor: SEAN BARTON	Telephone: 914 450-4536	
	E-Mail: BARPORCORP@GMAIL.COM	
Address: 42 AQUEDUCT RD.		
City/PO: GARRISON	State: NY	Zip Code: 10524
Project Contact (if not same as sponsor, give name and title/role): JOHN LENTINI, ARCHITECT	Telephone: 914 737-2890	
	E-Mail: PENCILBASE@AOL.COM	
Address: 124 ALLAN STREET		
City/PO: CORTLANDT MANOR	State: NY	Zip Code: 10567
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PLANNING BOARD SITE PLAN AND SPECIAL PERMIT	OCTOBER 1, 2020
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ZONING BOARD OF APPEALS AREA VARIANCE	NOVEMBER 1,2020
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	BUILDING DEPARTMENT CONSTRUCTION PERMIT	DECEMBER 1,2020
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ENVIRONMENTAL HEALTH DEPARTMENT & DEPT. OF PLANNING GML 239m	NOVEMBER 1,2020
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT ROAD RTE 9 ACCESS IF DEEMED REQUIRED	NOVEMBER 1, 2020
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none">• If Yes, complete sections C, F and G.• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.
If Yes, what is the zoning classification(s) including any applicable overlay district?

☒ Yes☐ No
HC - HIGHWAY COMMERCIAL RR - RURAL RESIDENTIAL

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?
If Yes,

☐ Yes☒ No

i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located?

GARRISON UNION FREE DISTRICT

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

PUTNAM COUNTY SHERIFF

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

GARRISON VOLUNTEER FIRE DEPARTMENT

d. What parks serve the project site?

HUDSON HIGHLAND 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)? RESIDENTIAL, COMMERCIAL

b. a. Total acreage of the site of the proposed action?

2.2 acres

b. Total acreage to be physically disturbed?

< 1.0 acres

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

2.2 acres

c. Is the proposed action an expansion of an existing project or use?

☐ Yes☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision?

☐ Yes☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes☒ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will the proposed action be constructed in multiple phases?

☐ Yes☒ No

i. If No, anticipated period of construction:

6 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:

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: _____

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: _____ 600 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: INDIVIDUAL ON SITE WELLS

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: _____

EXISTING INDIVIDUAL SITE WELLS

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ 5 gallons/minute.

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

i. Total anticipated liquid waste generation per day: _____ 600 gallons/day

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

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

<ul style="list-style-type: none">Do existing sewer lines serve the project site?Will a line extension within an existing district be necessary to serve the project? <p>If Yes:</p> <ul style="list-style-type: none">Describe extensions or capacity expansions proposed to serve this project:	<div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div>
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?</p> <p>If Yes:</p> <ul style="list-style-type: none">Applicant/sponsor for new district:Date application submitted or anticipated:What is the receiving water for the wastewater discharge? <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste:</p>	<div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div>
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or _____ acres (impervious surface)</p> <p>_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources.</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <ul style="list-style-type: none">If to surface waters, identify receiving water bodies or wetlands: <ul style="list-style-type: none">Will stormwater runoff flow to adjacent properties?	<div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div>
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?</p>	<div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div>
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p>	<div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div>
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none">_____ Tons/year (short tons) of Carbon Dioxide (CO₂)_____ Tons/year (short tons) of Nitrous Oxide (N₂O)_____ Tons/year (short tons) of Perfluorocarbons (PFCs)_____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)_____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)_____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	<div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div>

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend		
<input type="checkbox"/> 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 0 Proposed 16 Net increase/decrease +16		
iv. Does the proposed action include any shared use parking?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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 1/4 mile of the proposed site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?		<input type="checkbox"/> Yes <input type="checkbox"/> No

l. Hours of operation. Answer all items which apply.		
i. During Construction:		
• Monday - Friday: 7:00 PM TILL 5:00 PM		
• Saturday: 8:00 AM till 5:00 PM		
• Sunday: _____		
• Holidays: _____		
ii. During Operations:		
• Monday - Friday: 7:00 AM till 5:00 PM		
• Saturday: 8:00 AM till 5:00 PM		
• Sunday: 8:00 AM till 5:00 PM		
• Holidays: closed		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes:		
i. Provide details including sources, time of day and duration:		
<div></div>		
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe: <div></div>		
<div></div>		
n. Will the proposed action have outdoor lighting?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes:		
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:		
<div></div>		
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe: <div></div>		
<div></div>		
o. Does the proposed action have the potential to produce odors for more than one hour per day?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:		
<div></div>		
<div></div>		
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Product(s) to be stored <div></div>		
ii. Volume(s) _____ per unit time _____ (e.g., month, year)		
iii. Generally, describe the proposed storage facilities: <div></div>		
<div></div>		
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe proposed treatment(s):		
<div></div>		
<div></div>		
ii. Will the proposed action use Integrated Pest Management Practices?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe any solid waste(s) to be generated during construction or operation of the facility:		
<ul style="list-style-type: none">Construction: _____ tons per _____ (unit of time)Operation : _____ tons per _____ (unit of time)		
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:		
<ul style="list-style-type: none">Construction: <div></div>		
<div></div>		
<ul style="list-style-type: none">Operation: <div></div>		
<div></div>		
iii. Proposed disposal methods/facilities for solid waste generated on-site:		
<ul style="list-style-type: none">Construction: <div></div>		
<div></div>		
<ul style="list-style-type: none">Operation: <div></div>		
<div></div>		

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:
NO HAZARDOUS WASTE PROPOSED

E. Site and Setting of Proposed Action

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

a. Existing land uses.
i. Check all uses that occur on, adjoining and near the project site.
☒ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)
☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____
ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	.18	.18	0
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.9	1.9	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)	.5	.5	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If Yes: explain: _____		
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,		
i. Identify Facilities: _____		

e. Does the project site contain an existing dam?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Dimensions of the dam and impoundment:		
• Dam height:	_____ feet	
• Dam length:	_____ feet	
• Surface area:	_____ acres	
• Volume impounded:	_____ gallons OR acre-feet	
ii. Dam's existing hazard classification: _____		
iii. Provide date and summarize results of last inspection: _____		

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Has the facility been formally closed?		<input type="checkbox"/> Yes <input type="checkbox"/> No
• If yes, cite sources/documentation: _____		
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____		

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

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____		

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:		<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes – Spills Incidents database	Provide DEC ID number(s): _____	
<input type="checkbox"/> Yes – Environmental Site Remediation database	Provide DEC ID number(s): _____	
<input type="checkbox"/> Neither database		
ii. If site has been subject of RCRA corrective activities, describe control measures: _____		

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide DEC ID number(s): _____		
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____		

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ ≥ 5 feet

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

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

CrC	90 %
CsD	5 %
LeB	5 %

d. What is the average depth to the water table on the project site? Average: _____ > 5 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ 95 % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ 5 % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ 80 % of site
☐ 10-15%: _____ 20 % of site
☐ 15% or greater: _____ % of site

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

h. Surface water features.

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

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

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

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

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

• Streams:	Name	ANNSVILLE CREEK	Classification	_____
• Lakes or Ponds:	Name	_____	Classification	_____
• Wetlands:	Name	_____	Approximate Size	_____
• Wetland No. (if regulated by DEC)	_____			

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

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

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

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

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

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

If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: NORTHERN LONG- EAR BAT	
n. Does the project site contain a designated significant natural community? If Yes: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No i. Describe the habitat/community (composition, function, and basis for designation): CHESTNUT OAK FOREST ii. Source(s) of description or evaluation: iii. Extent of community/habitat: • Currently: 736.88 366.5 acres • Following completion of project as proposed: acres • Gain or loss (indicate + or -): acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? If Yes: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No i. Species and listing (endangered or threatened): NORTHERN LONG-EARED BAT	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? If Yes: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. Species and listing:	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? If yes, give a brief description of how the proposed action may affect that use: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? If Yes, provide county plus district name/number: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Are agricultural lands consisting of highly productive soils present? i. If Yes: acreage(s) on project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Source(s) of soil rating(s):	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? If Yes: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent:	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? If Yes: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. CEA name: ii. Basis for designation: iii. Designating agency and date:	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on 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? ☒ Yes ☐ No

If Yes:

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

ii. Name: OSBORN, FREDERICK HOUSE

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

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

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

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

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

If Yes:

i. Identify resource: SCENIC CORRIDOR

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): NYS RTE 9

iii. Distance between project and resource: 0 miles.

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

If Yes:

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

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name SEAN BARTON

Date SEPT. 29 2020

Signature

Title OWNER

PRINT FORM



Residential

Property Info

Inventory

Owner/Sales

Improvements

Text Info

Report

Comparables

Municipality of Philipstown, Town of

SWIS: 372609Tax ID: 71 20-14

Ownership Information

KPB Properties LLCName42 Aqueduct Rd
Garrison NY 10524Address

Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
7/17/2018	\$425,000	210 - 1 Family Res	Land & Building	Lewia, Anna Hilda
	Value Usable	Arms Length	Dead Book	Dead Page
	Yes	Yes	2004	359
Additional Parcels Involved in Sale71 20-1-6 in Philipstown, Town of 71 20-1-7 in Philipstown, Town of				
Sale Date	Price	Property Class	Sale Type	Prior Owner
12/29/1994	\$1	314 - Rural vac<10	Land Only	Wainio, Karlo
	Value Usable	Arms Length	Dead Book	Dead Page
	No	No	1274	260
Additional Parcels Involved in Sale71 20-1-6 in Philipstown Town of				

ONLINE FILING RECEIPT

ENTITY NAME: KPB PROPERTIES, LLC

DOCUMENT TYPE: ARTICLES OF ORGANIZATION (DOM. LLC) COUNTY: PUTN

FILED:05/30/2018 DURATION:***** CASH#:180530010126 FILE#:180530010126
DOS ID:5349742

FILER: EXIST DATE

ALLSTATE CORPORATE SERVICES CORP. 05/30/2018
99 WASHINGTON AVENUE, SUITE 1008
ALBANY, NY 12260

ADDRESS FOR PROCESS:

THE LIMITED LIABILITY COMPANY
42 AQUEDUCT ROAD
GARRISON, NY 10524

REGISTERED AGENT:



The limited liability company is required to file a Biennial Statement with the Department of State every two years pursuant to Limited Liability Company Law Section 301. Notification that the Biennial Statement is due will only be made via email. Please go to www.email.ebiennial.dos.ny.gov to provide an email address to receive an email notification when the Biennial Statement is due.

SERVICE COMPANY: ALLSTATE CORPORATE SERVICES CORP.-9I
SERVICE CODE: 9I

FEE:	205.00	PAYMENTS	205.00
-----		-----	
FILING:	200.00	CHARGE	0.00
TAX:	0.00	DRAWDOWN	205.00
PLAIN COPY:	5.00		
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RESOLUTIONS ADOPTED BY ORGANIZER

OF

KPB PROPERTIES, LLC

The undersigned, being the Sole Organizer of the Limited Liability Company hereby adopts the following resolutions:

- (1) RESOLVED, that a copy of the Articles of Organization and/or Certificate of Formation of the Limited Liability Company as filed in the Office of the Secretary of State of New York on 5/30/18 be, and the same hereby is, inserted in the Records Book of the Limited Liability Company.
- (2) RESOLVED, that from this day hence and in addition to the appointment of the following named Director(s), the undersigned, effective this date, has fulfilled the duties of Sole Organizer and relinquishes all further duties to the newly appointed Director(s) of the Limited Liability Company.
- (3) RESOLVED, that the following persons be, and they hereby are, appointed as Directors of the Limited Liability Company, to conduct and manage all the affairs necessary to the Limited Liability Company's operation:

a. SEAN BARTON - MEMBER

b.

c.

Dated: 5/30/18



Steven Weiss, Sole Organizer

**ARTICLES OF ORGANIZATION
OF
KPB PROPERTIES, LLC**

Under Section 203 of the Limited Liability Company Law

THE UNDERSIGNED, being a natural person of at least eighteen (18) years of age, and acting as the organizer of the limited liability company hereby being formed under Section 203 of the Limited Liability Company Law of the State of New York certifies that:

FIRST: The name of the limited liability company is:

KPB PROPERTIES, LLC

SECOND: To engage in any lawful act or activity within the purposes for which limited liability companies may be organized pursuant to Limited Liability Company Law provided that the limited liability company is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency, or other body without such consent or approval first being obtained.

THIRD: The county, within this state, in which the office of the limited liability company is to be located is PUTNAM.

FOURTH: The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is:

THE LIMITED LIABILITY COMPANY
42 AQUEDUCT ROAD
GARRISON, NY 10524

FIFTH: The limited liability company is to be managed by: ONE OR MORE MEMBERS.

SIXTH: The existence of the limited liability company shall begin upon filing of these Articles of Organization with the Department of State.

SEVENTH: The limited liability company shall have a perpetual existence.

EIGHTH: The limited liability company shall defend, indemnify and hold harmless all members, managers, and former members and managers of the limited liability company against expenses (including attorney's fees, judgments, fines, and amounts paid in settlement) incurred in connection with any claims, causes of action, demands, damages, liabilities of the limited liability company, and any pending or threatened action, suit, or proceeding. Such indemnification shall be made to the fullest extent permitted by the laws of the State of New York, provided that such acts or omissions which gives rise to the cause of action or proceedings occurred while the Member or Manager was in performance of his or her duties for the limited liability company and was not as a result of his or her fraud, gross negligence, willful misconduct or a wrongful taking. The indemnification provided herein shall inure to the benefit of successors, assigns, heirs, executors, and the administrators of any such person.

I certify that I have read the above statements, I am authorized to sign these Articles of Organization, that the above statements are true and correct to the best of my knowledge and belief and that my signature typed below constitutes my signature.

STEVEN WEISS, ORGANIZER (signature)

STEVEN WEISS , ORGANIZER
ALLSTATE CORPORATE SERVICES CORP.
99 WASHINGTON AVENUE, SUITE 1008
ALBANY, NY 12260

Filed by:
ALLSTATE CORPORATE SERVICES CORP.
99 WASHINGTON AVENUE, SUITE 1008
ALBANY, NY 12260

ALLSTATE CORPORATE SERVICES CORP. (91)
DRAWDOWN
CUSTOMER REF# 2270851

FILED WITH THE NYS DEPARTMENT OF STATE ON: 05/30/2018
FILE NUMBER: 180530010126; DOS ID: 5349742

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

APPLICATION FOR APPROVAL OF SUBDIVISION PLAT Tax Map No. 16.11-1-9, 7 & 5

The undersigned hereby make application to the Planning Board of the Town of Philipstown under Part-One Subdivision Regulations for one of the following (check one):

	For Office Use Only
<input type="checkbox"/> for approval of a Preliminary Plat;	1. Application # _____
<input type="checkbox"/> for approval of a Final Plat;	2. Fee _____
<input checked="" type="checkbox"/> for approval of a Minor Subdivision as a Final Plat; or	3. Rec'd by _____
<input type="checkbox"/> for revision of a previously Filed Plat.	4. Date _____

I. Identification of Applicant and Owner:

a. Applicant (name) Joseph Pell Lombardi Tel. 212-349-0700
address 19 Fieldstone Ridge
Cold Spring, New York 10516

b. Owner of property if not same as Applicant:
(name) Todd P. Leach Tel. 917-733-1162
address 122 Adelphi Street Apt. 1B
Brooklyn, New York 11205

Attachments: Each of the following, when applicable, shall be attached to and are made a part of this Application (check the items attached):

- ☒ A- 1 Affidavit of Ownership, executed by the individual, or by the general partner of a partnership, that is the owner of property if not same as the Applicant; or
- ☐ A-2 Affidavit of Ownership, executed by a corporation that is the owner of property if not same as the applicant.
- ☐ Appendix B-1 certification executed by the Applicant if the Applicant is a partnership, corporation, association or business trust.

II Attachments: (cont.)

- ☐ Appendix B-2 certification executed by the owner of property if the owner is a partnership, corporation, association or business trust
- ☒ Appendix C Disclosure Statement under Sec. 809 of the General Municipal law.
- ☒ Appendix D Identification of Property and Proposal.
- ☒ Appendix E Identification of Plans and Documents.
- ☒ EAF - Environmental Assessment Form
- ☐ Application Checklist
- ☐ Request for a Waiver of Subdivision Regulations

III. Authorization: The Applicant and Owner hereby grant to the Planning Board, the Town Board and Superintendent of Highways, and their authorized agents, permission to enter upon the property that is the subject of this Application for the purpose of inspection and enforcement of the Subdivision Regulations, including the taking of tests and materials samples:

IV. Endorsements:

a. Applicant/Owner

Date 09/28/2020 Signed


Joseph Pell Lombardi

b. Owner of Property if not same as Applicant

Date 09/28/2020 Signed


Todd P. Leach

A P P E N D I X A-1: AFFIDAVIT OF OWNERSHIP (Individual or Partnership)

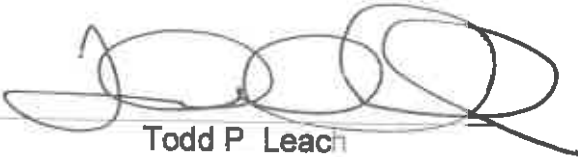
State of New York)
County of Putnam) ss.:

Todd P. Leach, being duly sworn, deposes and says that he resides at 122 Adelphi Street Apt. 1B, Brooklyn in the County of Kings, State of New York and that he (a general partner or) is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Philipstown, New York, aforesaid and known and designated on the Tax Map of the Town of Philipstown as Lot Number 7 & 5 block 1 on Map 16.11 and that deponent (said partnership) acquired title to the said premises by deed from recent transfer of the interest of Grantee Jennifer Gomez to Todd P. Leach by Deed dated 2020 and recorded on the Office of the Clerk of the County of Putnam on 11/24/2015 in Liber 1996 of Conveyance at Page 364 and that (said partnership hereby consents to the annexed application of Joseph Pell Lombardi

Subdivision Plot for Joseph Pell Lombardi for approval of the map (or project) entitled Subdivision Plot for Joseph Pell Lombardi and that statements of fact contained in said application, including the statements contained in all of the exhibits transmitted herewith, are true to the best of deponent's knowledge and belief.

Sworn before me this 30th day of September, 2020

Mary Ganswindt
Notary Public

Signed 
Todd P. Leach

MARY GANSWINDT
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01GA6373538
Qualified in Putnam County
Commission Expires April 9, 2021

A P P E N D I X C

T O W N O F P H I L I P S T O W N , N E W Y O R K
DISCLOSURE STATEMENT ACCOMPANYING APPLICATION OR PETITION

A. Identification of Application or Petition:

1. TO: ☐ Philipstown Town Board
☒ Philipstown Planning Board
☐ Zoning Board of Appeals
☐ Zoning Administration Officer/Building Inspector

2. NAME OF APPLICANT: Joseph Pell Lombardi

3. RESIDENCE: 19 Fieldstone Ridge, Cold Spring, New York 10516

4. DATE: 12/31/2019

5. NATURE OF APPLICATION OR PETITION: _____

Approval of Final Subdivision Plat (Lot Line Adjustment)

B. Nature and Extent of Interest of any State Officer or Municipal Officer or Employee in this Application (Set forth in detail).

None

C. Statement that no State Officer or Municipal Officer or Employee has an interest in this Application.

The undersigned Applicant or Petitioner certifies by signature on this Disclosure Statement that, with the exception of the information contained in Paragraph B, above in accordance with the provisions of Sec. 809 of the General Municipal Law, no State officer or any officer or employee of the Town of Philipstown or of any municipality of which the Town is a part has any interest in the person, partnership or association making the above application, petition or request.

Date : 9/22/2020

Signed Joseph Pell Lombardi

(Note: See reverse for the provisions of Sec. 809)

This informaton is provided especially for those who may be making application without assistance of counsel, so that they will be fully advised as to the purpose and requirements of this statute.

SEC. 809. DISCLOSURE IN CERTAIN APPLICATIONS

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

- (a) is the applicant, or
- (b) is an officer, director, partner or employee of the applicant, or
- (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
- (d) is a party to an agreement with such on applicant, express or implied, whereby he may receive any payment, or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

APPENDIX D: IDENTIFICATION OF PROPERTY AND PROPOSAL

D-1. Property

- a. Total acres 2.275
- b. Does application cover all contiguous land of the owner? Yes
If no, explain any excluded area
- c. Tax Map: Sheet 16.11 Block 1 Parcel(s) 9 7 & 5
- d. Last deed: Date 9/29/2016 Liber 2026 Page 221

D-2. Location:

- a. Zoning District(s) HR (Hamlet Residential)
- b. Property abuts (street or roads) Alpine Road and Mountainview Drive
- c. Municipal Districts encompassing all or part of property:
School: Haldane Central School
Fire Protection: North Highlands
Other:
- d. Does plat propose a new street or private way connecting directly into any State Highway or County Road? No
If yes, give name and route #
- e. Does plat involve drainage lines connecting directly into any channel lines established by the County of Putnam? No
- f. Does plat include any land within 500 feet of any abutting municipality, the boundary of any existing or proposed County or State park or recreation area, the right-of-way of any existing or proposed County or State highway, the existing or proposed right-of-way or stream channel owned by the County and for which channel lines have been established, or the boundary of County or State land on which a public building or institution is established? No
If yes, specify
- g. Give name and address of all property owners within 500 feet of the perimeter boundary of the proposed plat (as indicated in the current Town Tax Assessor's records): SEE ATTACHED LIST

D-3. Proposal:

- a. Number of Proposed Lots: 2, number already occupied by dwellings, if any: 2
- b. Length of Proposed streets or private ways in Plat: Zero feet.
- c. Does Applicant propose to dedicate to public use all of the streets shown on the proposed plat? No, if not, describe
No streets are proposed. Existing streets are private and will remain to.
- d. Approximate acreage of land proposed as open space for parks and playground: Zero acres.
- e. Does applicant propose to dedicate to public use all of the open space shown on the proposed plat? No, if not, describe
None shown
- f. How is water supply to be provided? Individual drilled wells Has any application been made to the County of Putnam or State of New York for approval of proposed water supply? No, if yes, give date and describe
Pre-existing wells
- g. How is sewage disposal to be provided? Individual Subsurface Disposal System Has any application been made to the County of Putnam or State of New York for sewage discharge or approval of a sewage disposal system? No, if yes, give date and describe
Pre-existing Systems
- h. Does proposed plat include any wetlands and/or water courses as defined by the State of New York or an applicable Local Law? No, if yes, describe
N/A

D-4. Procedures:

- a. Does applicant (in the case of preliminary plats) propose to submit a final subdivision plat to cover entire preliminary plat or to file same in sections?
- ☐ entire;
- ☐ in sections.
- b. Does applicant intend to request any special authorization for the plat under any of the following? No If yes, specify,
- ☐ Sec 281 of Town Law (cluster)
- ☐ Waiver of Subdivision Regulation (Sec. 5)
- ☐ Alternate road standards

D-5. Encumbrances: If property is subject to any of the following encumbrances, describe or attach copies:

a. easements None

b. deed restrictions on use and development None

c. mortgages None

d. liens None

e. leases None

f. other N/A

D-6. Minor Plat: If request is made for acceptance of an application for final approval of minor subdivision plat, complete the following:

a. Does plat incorporate all of the tract from which lots are proposed to be divided? Yes

b. Does the plat map show all natural water courses, ponds, swamps, flood plains or other land subject to potential flooding within the plat and any other land subject to potential flooding within the plat and any drainage onto the plat from any existing State Highway, County Road or Town Street? Yes

APPENDIX E: IDENTIFICATION OF PLANS AND DOCUMENTS

E-1. Surveyor and Designer(s) Responsible for Plans:

a. Surveyor (name) BADEY & WATSON, Surveying & Engineering P.C.
Address 3063 Route 9
Cold Spring, NY 10516 Tel. (845) 265-9217 x214
N. Y. License No. 48167 (Glennon J. Watson, L.S.)

b. Engineer (name) _____
Address _____
Tel. _____
N. Y. License No. _____

c. Other (name) None
Address _____
Tel. _____
N. Y. License, if any _____

E-2. Maps and Plans:

a. Title and Date of Proposed Plat Map: "Subdivision plot showing Lot Line Adjustment between Lands of Todd P. Leach and Lands of Joseph Pell Lombardi"
No. of Sheets: 1

b. Title and Date of Proposed Profiles and Construction Plans: N/A
No. of Sheets: N/A

c. Title, Date and Preparer of other maps and plans: N/A

E-3. Other: Give titles, dates and preparer of reports and documents accompanying application: (such as results of soils test and reports on drainage, sewage disposal and water supply):
N/A

E-4. Attorney (if any):

a. (name) N/A
Address _____
Tel. _____

Applicant	Joseph Pell Lombardi
Project Name	Leach/Lombardi Lot Line Adjustmen
Applicant's Representative	Badey & Watson
Tax Map ID #	16.11-1-5, 7 & 9
Date	

**PHILIPSTOWN PLANNING BOARD
SUBMISSION CHECKLIST
SUBDIVISION APPLICATIONS**

For all subdivision applications, the following requirements are applicable before application review.

A. Land may not be subdivided if the application will result in the following except with Planning Board Approval)

- ☐ 2 or more lots located in a Business or Industrial zone
- ☐ 2 or more lots (of 10 acres or less) which have frontage on a state highway or county road located in a Res. Zone
- ☐ 3 or more lots each of which contains 10 acres or less
- ☐ The creation of a street, highway or r.o.w for vehicles

B. Land may not be divided so as to create rights-of-way for power, gas or telephone lines

C. Approved subdivision plats may not be revised

D. Subdivision plat requiring approval may not be used in connection with the conveyance of real property in the Town, or filed with the County Clerk's office until approved.

Preliminary Sketch Plans

1. Location of the plat in the neighborhood ☒
2. Layout of lots, streets and existing contours at 10' intervals ☐
3. Location of watercourses ☐
4. Location of water bodies ☐
5. Location of wetlands ☐
6. Location of major natural features ☐

Minor Subdivision Plat Applications

Typically, a plat of lots to which access is given by open development area private right-of-way or easements eligible for consideration as a minor plat.

I. General Submission Requirements

1. Application on proper forms ☐
2. Forms property signed ☐
3. Application Fee ☐
4. Final Plat Map (5 blue or black-line prints) ☐
 - a. Scale of 1" = 40' or 50' but not less than 1" = 100' ☐
 - b. No less than 20" x 20" no more than 36" x 48" ☐
 - c. Black waterproof ink on good cloth or film ☐
5. Construction Plans (see Checklist V2) ☐
6. Evidence that:
 - a. sewer & water supply approved by PCDH ☐
 - b. street or drainage connections to state or county roads submitted ☐
 - i. Connection application made ☐
 - c. NYSDEC wetland/watercourse modifications approved ☐
7. If major cuts or fills, grading plan ☐
 - a. Five (5) blue or black line prints ☐
8. Design computations and data for drainage or central water and sanitary sewer systems ☐
9. Separate map for lots accessed by open development right-of-way or easement ☐

II. Title and location information:

1. Scale of not less than 1" = 100 feet ☐
2. Proposed layout of lots, streets and improvements ☐
3. Future subdivisions on contiguous land ☐
4. Title of the plat ☐
 - a. Duplicate in Putnam Co. ☐
5. Date, Town, etc. ☐
 - a. Date ☐
 - b. Town ☐
 - c. Scale ☐
 - d. County ☐
 - e. North point ☐
 - f. State ☐
6. Location map at scale of 1" = 1000 or 2000 feet ☐
7. Vicinity map showing: property lines/streets within 300' ☐
 - a. scale of 1" = 400' or 500' ☐
 - b. adjacent owner identification ☐
8. Index map if plat is divided into sections or 1/4 is req. ☐
 - a. showing lots, lot #s, streets, street names ☐
 - b. delineation of areas covered ☐
 - c. scale of 1" = 400' or 500' ☐

III. Site conditions and land evaluations:

1. Existing contours not exceeding 5-foot intervals ☐
 - a. Meeting DOT standards for maps of 1" = 100' ☐
2. Appropriate benchmark ☐
3. Existing permanent buildings and structures ☐
4. Existing watercourses, water courses and streams ☐
5. Location and limits of wetlands ☐
6. Location and limits of potential flood hazard areas ☐
7. Location of drainage discharge points from any street or property ☐

IV. Property Ownership Information

1. Name and address of owner ☐
2. Name and address of applicant if different from owner ☐
3. Perimeter boundary of tract and area to be plotted ☐
4. Approx. location of prop. lines 100 feet from tract ☐
5. Both street r-o-w lines of any street abutting tract ☐
6. Names of owners of property abutting tract ☐
7. Proposed lots and lot numbers and area of each lot ☐
8. Proposed street and/or r-o-w including widths ☐
9. Location & dimensions of existing & proposed easements ☐
10. Existing monuments ☐
11. Any municipal or taxation district boundary ☐
12. Any channel and building lines ☐
13. Reserved areas for watercourses or wetland conservation ☐

V. Development Proposal Information:

1. For each lot near watercourses, courses, wetlands, flood hazard area, proposed floor elevation of lowest floor. ☐

Preliminary Subdivision Plat Application

General Submission Requirements

1. Application on proper forms
2. Properly signed
3. Application fee
4. Preliminary Plat (3 blue or black-line prints)
 - a. Scale not less than 1" = 100'
5. Preliminary profiles (3 blue or black-line prints)
 - a. Horizontal scale-- 1" = 40' or 50'
 - b. Vertical scale-- 1" = 4' or 5'
6. Five (5) copies of a report providing the following information:
 - a. Proposed method of water supply
 - b. Proposed method of sewage disposal
 - c. Results of seepage, deep-test and borings test
 - d. Offsite easements needed for storm drainage
 - e. Completed environmental assessment form (EAF)

Title and Location Information

1. Scale of not less than 1" = 100 feet
2. Existing conditions shown
3. Proposed layouts of lots, streets and improvements
4. Subdividable contiguous land under control of applicant shown
5. Title of the plat
 - a. Duplicate in Putnam County
6. Date, Town, etc.
 - a. Date ☐
 - b. Town ☐
 - c. Scale ☐
 - d. County ☐
 - e. North point ☐
 - f. State ☐
7. Location map at scale of 1" = 1000 or 2000 feet
8. Vicinity map showing:
 - a. property lines/streets within 500'
 - b. scale of 1" = 400' or 500'
 - c. adjacent owner identification

Site Conditions and Land Evaluation

1. Existing contours not exceeding 3-foot intervals
 - a. Meeting DOT standard for maps of 1" = 100'
2. Existing permanent buildings and structures
3. Any ledge outcrops
4. Location of existing stone walls and fences
5. Existing watercourses, water bodies and streams
6. Location and limits of wetlands
7. Location and limits of potential flood hazard areas
8. Soil types based on SCS surveys
9. Principal wooded areas or large isolated trees
10. Location of seepage test holes, pits and borings
11. Location of wells within 200 feet of the tract
12. Location of drainage discharge points

Property Ownership Information

1. Name and address of owner
2. Name and address of applicant if different from owner
3. Perimeter boundary of tract and est. area to be platted with dimensions
4. Approx. location of prop. lines 100 feet from tract
5. Both street s-o-w lines of any street abutting tract
6. Names of owners of property abutting tract
7. Proposed lots and lot numbers including dimensions and lot areas
8. Proposed street and/or s-o-w including widths
9. Location & dimensions of existing & proposed easements
10. Existing monuments
11. Tract zoning district and zoning within 200' of tract
12. Any municipal or taxation district boundary
13. Any channel and building lines
14. Parks and playgrounds and their area
15. Reserved areas for watercourse/wetland protection or conservation

Development Proposal Information

1. Location and width of a street pavement
2. Centerline stations at 100' intervals
3. Stations coordinated with preliminary profiles
4. Storm drains, Headwalls, etc.
 - a. Storm drains ☐
 - b. Headwalls ☐
 - c. Catch basins ☐
 - d. Detention Basins ☐
 - e. Manholes ☐
 - f. Tentative invert elevations ☐
5. Any relocation or improvement to channels or watercourses
6. Any sanitary sewers, treatment facilities
7. Central water supply site, water mains or appurtenances
8. For each lot:
 - a. water well site locations
 - b. leaching field size and location
 - c. reserve areas for future field extension
 - d. tentative location of building, driveway
 - e. near watercourse, wetland or flood hazard areas
 - f. If so, floor elevation of lowest floor
9. Limits of areas proposed for regrading or filling
10. Limits of areas proposed to be protected from excavation or filling

Final Subdivision Plat Applications

General Submission Requirements

1. Application on proper forms
2. Forms properly signed
3. Application fee
4. Final Plat in agreement with:
 - a. Preliminary Plat
 - b. and on 5 blue or black-line prints
 - c. 1" = 40' or 50' but no less than 1" = 100'
 - d. No less than 20" x 30" no more than 36" x 48"
 - e. Black waterproof ink on good cloth or film
5. Construction Plans (see Checklist VI)
6. Evidence that:
 - a. sewer & water supply approved by PCDH
 - b. street or drainage connections to state or county road submitted
 1. Connection application made
 - c. NYSDEC wetland/watercourse modifications approved
7. If major cuts or fills, grading plan
 - a. 5 blue or black-line prints
8. Design computations and data for drainage or central water and sanitary sewer systems
9. Separate map for lots accessed by open development right-of-way or easement

Title and Location Information

1. Title of the plat
2. Date, scale, north point, town, county & state
3. Location map at scale of 1" = 1000 or 2000 feet
4. Vicinity map showing:
 - a. property lines/streets within 300'
 - b. scale of 1" = 400' or 800'
 - c. adjacent owner identification
5. Index map if plat is divided into sections of >1 is required
 - a. showing lots, lot #'s, streets, street names
 - b. delineation of areas
 - c. scale of 1" = 400' or 800'

Site Conditions and Land Evaluations

1. Existing contours not exceeding 5-foot intervals
 - a. Meeting DOT standards for maps of 1" = 100'
2. Existing permanent buildings and structures
3. Existing watercourse, water bodies and streams
4. Location and limits of wetlands
5. Location and limits of potential flood hazard areas
6. Location of drainage discharge points from any street or structure

IV. Property Ownership Information

1. Name and address of owner
2. Name and address of applicant if different from owner
3. Perimeter boundary of tract and area
4. Approx. location of property lines 100 feet from tract
5. Both street r-o-w lines of any street abutting tract
6. Survey relationship of tract to streets/roads etc.
7. Names of owners of property abutting tract
8. Proposed lots and lot numbers and the area of each lot
9. Proposed street and/or r-o-w including widths
10. Street names
11. Location & dimensions of existing & proposed easements
12. Existing monuments
13. Proposed monuments
14. Any municipal or taxation district boundary
15. Any channel and building lines
16. Parks and playgrounds and their area
17. Reserved areas for watercourse/wetland protection or conservation

V. Development Proposal Information

1. For each lot near watercourses, bodies, wetlands, flood hazard area, proposed floor elevation of lowest floor

VI. Construction Plans (Final Plat Applications)

A. General:

1. Drawn on good quality heavy linen tracing cloth
2. Plan and profile drawings for all:
 - a. proposed streets
 - b. storm drains
 - c. gutters
 - d. catch basins
 - e. manholes
 - f. water mains
 - g. ditches
 - h. channels
 - i. headwalls
 - j. sidewalks
 - k. curbs
 - l. sanitary
3. Plan & profile drawings on 24" x 36" sheets
4. Profiles drawn to horizontal Scale of 1" = 40' or 50'
5. Profiles drawn to vertical Scale of 1" = 4' or 5'
6. Drawings and elevations based on official bench marks

Final Subdivision Plat Applications
(CONTINUED)

VI. Construction Plans (Continued)

B. Information Required:

1. Title of Plat
2. Date, scale, north point, town, county & state
3. For streets to be constructed to town specifications:
 - a. existing grades at center line and both street line
 - b. proposed grade at center line, street lines & edge
 - c. width of pavement
 - d. typical street cross section
 - e. cross section at all cross culverts
4. For open development area private r-o-w or easements:
 - a. existing/proposed grade at center line
 - b. street lines & edge/width of travel way
 - c. typical street cross section
 - d. cross section at all cross culverts
5. Pipes, Ditches, Culverts, etc.

	Depth	Invert	Slope	Size
a. pipes				
b. ditches				
c. culvert				
d. manholes				
e. catch basins				
f. headwalls				
g. channels				
6. Ditch and channel cross sections
7. Approx. loc. of lot lines intersecting the street line
8. Lot numbers and street names
9. Sidewalks, Curbs, etc.

a. Sidewalks	<input type="checkbox"/>	d. Water main
b. Curbs	<input type="checkbox"/>	e. Sanitary sewer
c. Gutters	<input type="checkbox"/>	
10. Detail drawings of:
 - a. Bridges
 - b. Deep manholes
 - c. Culverts
11. If required by PB, existing and proposed contours at an interval not over 2 feet for the following:
 - a. within not less than 25' outside street r-o-w lines
 - b. outside the street r-o-w lines at intersections & sight easements
 - c. within street r-o-w lines including pavement areas at intersections
 - d. construction/grading adjacent to watercourses/wetlands
 - e. improvement areas in park and recreation areas
12. Provision for temporary or permanent storm water det.
13. Provision for erosion control during & after construction ☐
14. Landscaping, grading, drainage, fencing, or other improvements for park and recreation areas as required
15. Block for "Approved by PB" & place to sign/date

VII. Grading Plans (Final Plat Applications)

1. Drawn on good cloth/film at scale: 1" = 40' or 50'
2. Title of Subdivision
3. Date, scale, north point, town, county & state
4. Layout of existing/proposed lot/street lines
5. Boundary of area to be regraded, cut or filled
6. Existing/proposed contours at intervals not exceeding 2'
7. Cross-sections, if requested by PB
8. Existing/proposed drainage watercourses, wetlands
9. Existing/permanent buildings and structures
10. Location of all test holes/ pits and borings
11. Provision for temporary/permanent storm water det.
12. Control of erosion/sed. during and after construction ☐
13. Block for "Approval by PB" with plat to sign/date

VIII. Additional Information (For Minor/Final Applications)

1. Cert. by surveyor that map has no error of closure of greater than 1 part/5000
2. Cert. by surveyor of completion date of survey and plat map
3. Signature block "Approved by PB" space for sign/date
4. Signature block for owner/applicant authorizing filing
5. PCHD endorsement for water/sewer provisions
6. Any additional notes required or approved by PB

Short Environmental Assessment Form
Part 1 - Project Information

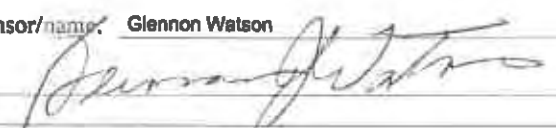
Instructions for Completing

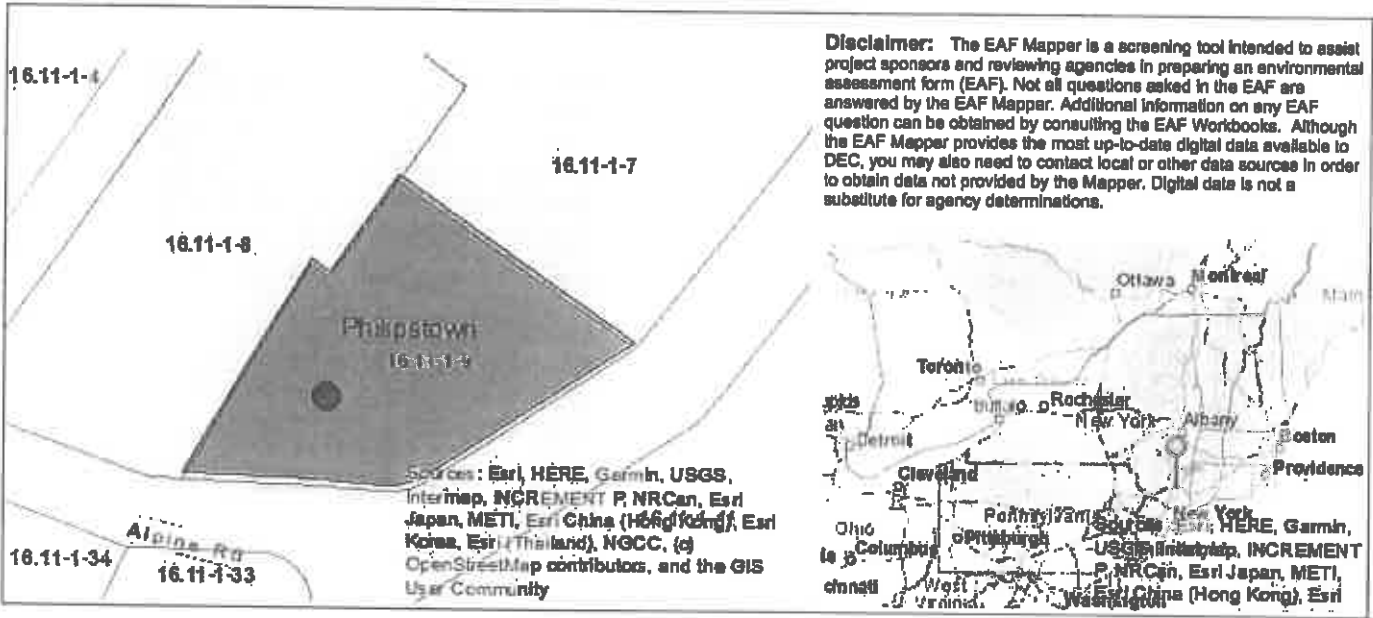
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Leach Lombardi Lot Line Adjustment			
Project Location (describe, and attach a location map): 6 Alpine Road, 44 Mountainview Drive and 125 Mountainview Drive			
Brief Description of Proposed Action: Subdivision approval to adjust the line dividing lands of Leach from lands of Lombardi			
Name of Applicant or Sponsor: Joseph Pell Lombardi		Telephone: 212-623-5139	
		E-Mail: lombardi55@aol.com	
Address: 19 Fieldstone Ridge			
City/PO: Cold Spring		State: New York	Zip Code: 10516
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.275 acres	
b. Total acreage to be physically disturbed?		Zero acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.275 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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?	NO	YES	
If Yes, identify: _____	<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 services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Existing individual drilled well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Existing Individual Sub-Surface Sewage Treatment System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. 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 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional		
<input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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
Timber Rattlesnake, Bald Eagle	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Glennon Watson</u> Date: <u>September 28, 2020</u>		
Signature: <u></u> Title: <u>Surveyor for Applicant</u>		

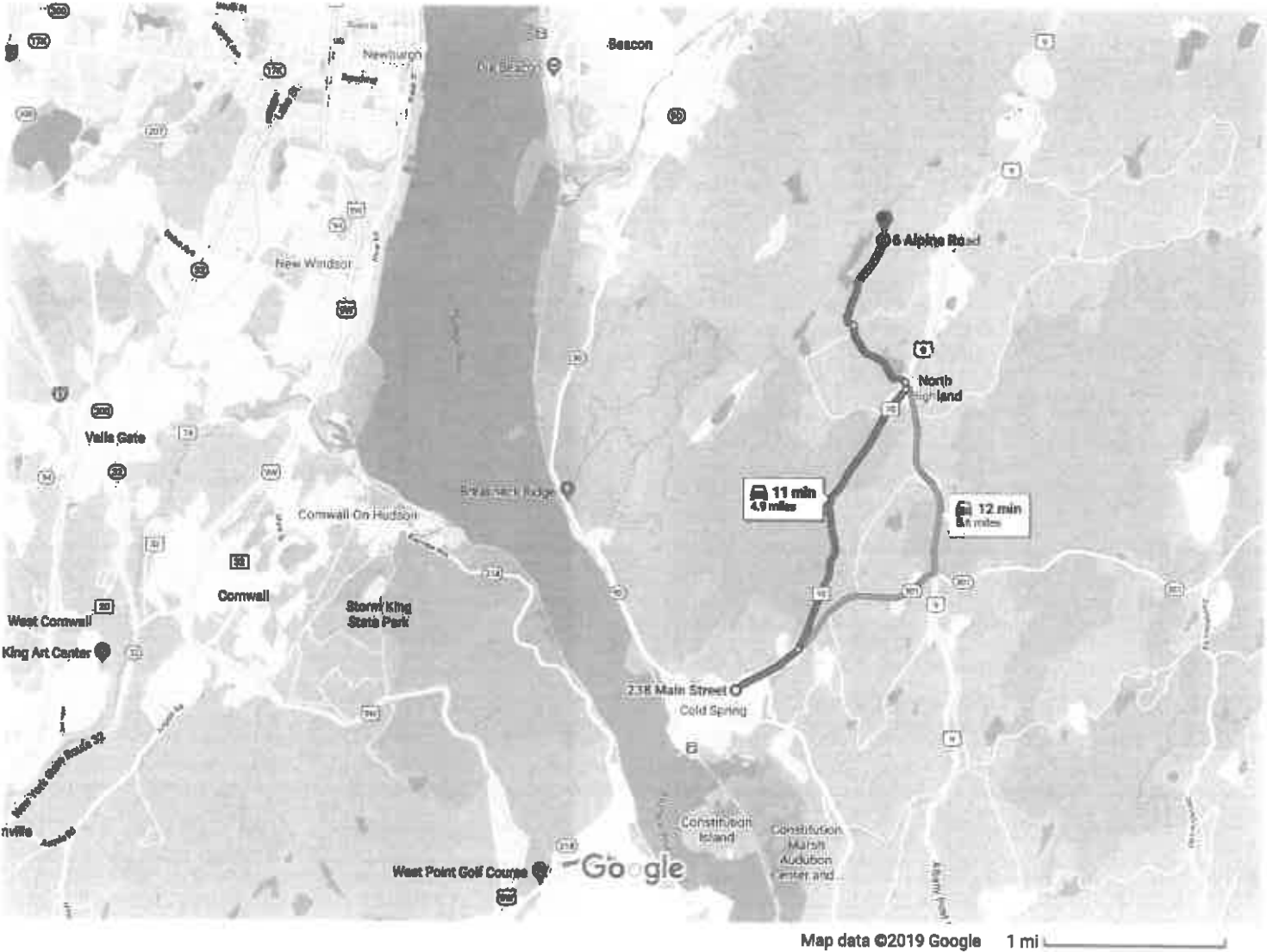


Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Timber Rattlesnake, Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Google Maps

238 Main St, Cold Spring, NY 10516 to 6 Alpine Rd, Cold Spring, NY 10516

Drive 4.9 miles, 11 min



238 Main St
Cold Spring, NY 10516

- ↑

1. Head northeast on NY-301 E/Main St toward Parsonage St

0.7 mi
- ↶

2. Turn left onto Fishkill Rd

2.6 mi
- ↶

3. Turn left onto N Fishkill Rd

338 ft
- ↶

4. Turn left onto Barrett Pond Rd

0.7 mi
- ↶

5. Turn left onto Highland Rd

0.9 mi

↑

6. Continue onto Alpine Rd

1

Destination will be on the right

138 ft

6 Alpine Rd

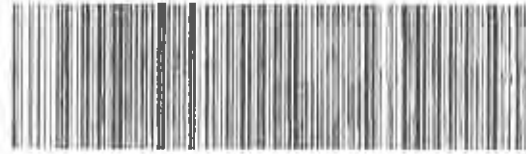
Cold Spring, NY 10516

These directions are for planning purposes only.
You may find that construction projects, traffic,
weather, or other events may cause conditions to
differ from the map results, and you should plan
your route accordingly. You must obey all signs or
notices regarding your route.



Michael C Bartolotti, County Clerk

Putnam County Office Building
40 Gleneida Avenue Room 100
Carmel, New York 10512



ACS-000000000392816-000000000776779-004

Endorsement	Page
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Document # 1502766

Drawer # 02

Drawer # 02

Recorded Date: 10/20/2016

Document Type: DEED

Book 2026 Page 221

Recorded Time: 11:32:10 AM

Document Page Count: 4

Receipt # 17081

RESENER:

PROFESSIONAL AGENCY SERVICES INC
732 1ST AVENUE

NEW YORK, NY 10128

RETURN TO:

JOSEPH SAYEGH ESQ
1100 ROUTE 9

FISHKILL, NY 12524

PARTIES

GRANTOR

FRANK KOLAREK

GRANTEE

JOSEPH PELL LOMBARDI

FREE DETAILS

consideration: \$335,000.00

1502766

LEAD	4	40.00
------	---	-------

P-584	1	5.00
-------	---	------

CULTURAL EDUCATION	15.00
--------------------	-------

RECORD MANAGEMENT	5.00
-------------------	------

P-5217 RESID/AGRIC	125.00
--------------------	--------

TRANSFER TAX	1,340.00
--------------	----------

2/2/2010

AMOUNT FOR THIS DOCUMENT: 1,530.00

ETT # 000000649

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO 5315
REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERKS NOTES



Michael C. Bartolotti
Putnam County Clerk

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

THIS INDENTURE, made the 29th day of September, 2016
BETWEEN

Frank Kolarek and Doris Jean Kolarek
6 Alpine Road
Cold Spring, New York 10516

party of the first part, and

Joseph Pell Lombardi
55 Liberty Street
New York, New York 10005

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

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

TAX
MAP
DESIGN
ATION
Dist.

BEING the same premises conveyed to the grantor herein by deed dated 2/14/14 and recorded 5/19/14 in the Putnam County Clerk's Office in Liber 1950 page 383.

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, hereby covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Frank Kolarek, by Jenean Klein
Frank Kolarek
By: Jenean Klein, as agent

Doris Jean Kolarek, by Jenean Klein
Doris Jean Kolarek
By: Jenean Klein, as agent

Title No. PRO-9310-PF

SCHEDULE "A"

PARCEL I

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Philipstown, County of Putnam, State of New York, known and designated as Lot No. 99 on a certain Map entitled, "Section 2, Subdivision Survey, Valhalla Highlands, Inc., Philipstown, Putnam Co., New York", dated the 27th day of June, 1935, made by Allan Smith, P.E. and L.S., Cold Spring, New York, and which Map is filed in the Office of the Clerk of Putnam County.

PARCEL II

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Philipstown, County of Putnam, State of New York, known and designated as Lot No. 98 on a certain Map entitled, "Section 2, Subdivision Survey, Valhalla Highlands, Inc., Philipstown, Putnam Co., New York", dated the 27th day of June, 1935, made by Allan Smith, P.E. and L.S., Cold Spring, New York as Map No. 163-C, and which Map is filed in the Office of the Clerk of Putnam County.

STATE OF NEW YORK, COUNTY OF WESTCHESTER

STATE OF NEW YORK, COUNTY OF


On September 29, 2016 before me, the undersigned,
personally appeared

JENEAN KLEIN

personally known to me or proved to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) is
(are) subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/hers/their
capacity(ies), and that by his/her/their signature(s) on the
instrument, the individual(s), or the person upon behalf of
which the individual(s) acted, executed the instrument.

On the day of 19 bef
me personally came

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


Teresa Ann McManus
Notary Public State of New York
No. 01MC4862656
Qualified in Westchester County
Commission Expires June 23, 2018

STATE OF NEW YORK, COUNTY OF NEW YORK

STATE OF NEW YORK, COUNTY OF

On the day of , before me, the
undersigned, a notary public in and for said state, personally
appeared

, personally known to me or proved to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) is
(are) subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their
capacity(ies), and that by his/her/their signature(s) on the
instrument, the individual(s), or the person upon behalf of
which the individual(s) acted, executed the instrument.

On the day of 19 , bef
me, the undersigned, a notary public in and for said sta
personally appeared

, personally known to me or proved to me on the basis
satisfactory evidence to be the individual(s) whose name(s)
(are) subscribed to the within instrument and acknowledged
me that he/she/they executed the same in his/her/th
capacity(ies), and that by his/her/their signature(s) on
instrument, the individual(s), or the person upon behalf
which the individual(s) acted, executed the instrument.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

FRANK KOLAREK AND
DORIS JEAN KOLAREK

TO

JOSEPH PELL LOMBARDI

SECTION 16.11

BLOCK 1

LOT 9

COUNTY OR TOWN Philipstown

RETURN BY MAIL TO:

Joseph S. Sayegh, Esq.
1100 Route 9
Fishkill, New York 12524

FOR COUNTY USE ONLY

C1. SWIS Code

37268.9

C2. Date Deed Recorded

10/20/16

C3. Book

2026

C4. Page

221

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property
Location

6

STREET NAME

10516

CITY OR TOWN

VILLAGE

10516

2. Buyer
Name

Lombardi

FIRST NAME

LAST NAME/COMPANY

3. Tax
Billing
AddressIndicate where future Tax Bills are to be sent
if other than buyer address(at bottom of form)4. Indicate the number of Assessment
Roll parcels transferred on the deed

1

of Parcels

OR

☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

4A. Planning Board with Subdivision Authority Edits

4B. Subdivision Approval was Required for Transfer

4C. Parcel Approved for Subdivision with Map Provided

5. Deed
Property
Size

128

* FRONT FEET

X

92

* DEPTH

OR

6. Seller
Name

Kolarek

* LAST NAME/COMPANY

Kolarek

LAST NAME/COMPANY

FIRST NAME

Doris Jean

FIRST NAME

*7. Select the description which most accurately describes the
use of the property at the time of sale:

A. One Family Residential

Check the boxes below as they apply:

8. Ownership Type is Condominium

9. New Construction on a Vacant Land

10A. Property Located within an Agricultural District

10B. Buyer received a disclosure notice indicating that the property is in an
Agricultural District

SALE INFORMATION

11. Sale Contract Date

08/19/2016

* 12. Date of Sale/Transfer

09/29/2016

*13. Full Sale Price

335,000.00

(Full Sale Price is the total amount paid for the property including personal property.
This payment may be in the form of cash, other property or goods, or the assumption of
mortgages or other obligations.) Please round to the nearest whole dollar amount.

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☐ C. One of the Buyers is also a Seller☐ D. Buyer or Seller is Government Agency or Lending Institution☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)☐ G. Significant Change in Property Between Taxable Status and Sale Dates☐ H. Sale of Business is Included in Sale Price☒ I. Other Unusual Factors Affecting Sale Price (Specify Below)

Comment(s) on Condition:

14. Indicate the value of personal
property included in the sale

.00

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

16. Year of Assessment Roll from which information taken(Y/Y)

16

*17. Total Assessed Value

*18. Property Class

210

*19. School District Name

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

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 of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

Frank Kolarek, by Joseph Klear as agent
Doris Jean Kolarek, by Joseph Klear as agent
DATE 9/29/16

BUYER SIGNATURE

Joseph P. Lombardi, by his agent
DATE 9/29/16

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.)

Lombardi

* LAST NAME

212

* AREA CODE

55

* STREET NAME

Liberty Street

New York

* OR TOWN

NY

* STATE

10005

* ZIP CODE

BUYER'S ATTORNEY

Sayegh

* LAST NAME

(845)

* AREA CODE

206-9990

* TELEPHONE NUMBER (N.Y. 800/9990)

Joseph

* FIRST NAME



PUTNAM COUNTY – STATE OF NEW YORK
MICHAEL C. BARTOLOTTI, COUNTY CLERK
40 GLENEIDA AVENUE, ROOM 100
CARMEL, NEW YORK 10512

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 2148 / 265
INSTRUMENT #: 1257-2020

Receipt#: 2020028745
Clerk: CJ
Rec Date: 02/12/2020 03:18:16 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 6
Rec'd Frm: TitleVest Agency, LLC.

Party1: GOMEZ JENNIFER
Party2: LEACH TODD P
Town: PHILIPSTOWN

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
Processing Fee	1.00
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 201.00

Transfer Tax
Transfer Tax - State 1280.00

Sub Total: 1280.00

Total: 1481.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 1532
Transfer Tax
Consideration: 320000.00

Transfer Tax - State 1280.00

Total: 1280.00

WARNING***

*** Information may be amended during the verification process, and may not be reflected on this cover page.

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT,
AS REQUIRED BY SECTIONS 315, 316-a(5) & 319 OF THE
REAL PROPERTY LAW OF THE STATE OF NEW YORK

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE
Michael C. Bartolotti
Putnam County Clerk

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

THIS INDENTURE, made as of the 29 day of JANUARY, in the year 2020

BETWEEN

JENNIFER GOMEZ, having an address of 30A Lower Harlings, Shotley Gate Suffolk, 1P9-1QE,
party of the first part, and

TODD LEACH, having an address of 44 Mountainview Drive, Cold Spring, NY 10516,
party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Philipstown, County of Putnam, and State of New York, bounded and described as follows:

See attached Schedule A hereto.

Being and intended to be the same property as conveyed to the grantor herein by deed from LAYNE T. AURAND, dated 11/20/2015, recorded 11/24/2015 in Book 1996 Page 364, in the Office of the Putnam County Clerk.

TOGETHER with all right, title and interest, if any, of the party of the first part of, 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, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:


JENNIFER GOMEZ

5:16.11
B: 1
L: 7

STATE OF New North Wales)
COUNTY OF PUTNAM) ss.

On the 20th day of JANUARY in the year 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared JENNIFER GOMEZ, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public: Scott Johnson SCOTT JOHNSON
Printed Name: SOLICITOR & NOTARY PUBLIC
My Commission Expires: 6-30-2020
renews

BATEMAN BATTERSBY
Lawyers
19 Lawson Street
Perth NSW 2750
PO Box 981 Perth 2751
DX 8040 Perth
(02) 4731 5889

Quitclaim Deed

TITLE NO: 435463

JENNIFER GOMEZ

To
TODD LEACH

SECTION 16.11
BLOCK 1
LOT 5 & 7
COUNTY OR TOWN PUTNAM



RETURN BY MAIL TO:
TODD LEACH
44 MOUNTAINVIEW DRIVE
COLD SPRING, NY 10516



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

- | | |
|---------------------------------|--|
| 1. Country | Australia |
| This public document | |
| 2. has been signed by | Scott Arthur Johnson |
| 3. acting in the capacity of | Notary Public |
| 4. bears the seal/stamp of | Scott Arthur Johnson, Notary Public,
Sydney |
| Certified | |
| 5. at Sydney Passport
Office | 6. the 22nd day of January, 2020 |
| 7. by Larissa Vasilenkova | Department of Foreign Affairs and Trade
Sydney Passport Office
Australia |
| 8. No. UPPT-96-105606 | |
| 9. Seal/Stamp | 10. Signature |



This Apostille only certifies the authenticity of the signature (where applicable) and the capacity of the person who has signed the public document, and, where appropriate, the identity of the seal or stamp which the public document bears. This Apostille does not certify the content of the document for which it was issued. This Apostille can be verified at <https://orao.dfat.gov.au/pages/verifyapostille.aspx>

SCHEDULE A

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE VALHALLA HIGHLANDS, TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, AS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY SIDE OF MOUNTAIN VIEW DRIVE WHICH SAID POINT IS MARKED BY AN IRON PIPE AND WHICH SAID POINT IS NORTH 44 DEGREES 02 MINUTES 50 SECONDS EAST 228 FEET MEASURED ALONG THE SAID EASTERLY SIDE OF MOUNTAIN VIEW DRIVE FROM ITS INTERSECTION WITH THE NORTHERLY SIDE OF ALPINE ROAD, WHICH SAID POINT OF INTERSECTION IS MARKED BY AND IRON PIPE;

RUNNING THENCE NORTH 44 DEGREES 02 MINUTES 50 SECONDS EAST 75 FEET ALONG THE EASTERLY SIDE OF MOUNTAIN VIEW DRIVE TO A POINT, WHICH SAID POINT IS MARKED BY AN IRON PIPE;

RUNNING THENCE SOUTH 45 DEGREES 578 MINUTES 10 SECONDS EAST 100 FEET TO A POINT WHICH SAID POINT IS MARKED BY AN IRON PIPE;

THENCE SOUTH 44 DEGREES 02 MINUTES 50 SECONDS WEST 75 FEET TO A POINT, WHICH SAID POINT IS MARKED BY AN IRON PIPE;

THENCE NORTH 45 DEGREES 57 MINUTES 10 SECONDS WEST 100 FEET TO THE POINT AND PLACE OF BEGINNING.

THE SAID MOUNTAIN VIEW DRIVE AND ALPINE ROAD APPEARING ON MAP ENTITLED "SECOND AMENDED MAP OF PROPOSED SUB-DIVISION, VALHALLA HIGHLANDS, INC., PHILIPSTOWN, PUTNAM CO., N.Y., NOVEMBER 8, 1935," WHICH SAID MAP WAS FILED IN THE OFFICE OF THE PUTNAM COUNTY CLERK ON NOVEMBER 25, 1935.

ALSO ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE PROPERTY OF VALHALLA HIGHLANDS, INC.; IN THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY AN IRON PIPE DRIVEN IN THE GROUND IN THE SOUTHEASTERLY SIDE OF A HIGHWAY KNOWN AS MOUNTAINVIEW ROAD WHICH LEADS NORTHEASTERLY FROM ALPINE ROAD IN SAID TOWN OF PHILIPSTOWN, AND WHICH POINT IS IN THE MOST NORTHERLY CORNER OF A PARCEL OF LAND, HERETOFORE CONVEYED BY VALHALLA HIGHLANDS, INC., TO JOSEPH H. LOMBARDI BY DEED DATED MARCH 9, 1951 AND RECORDED IN THE OFFICE OF THE CLERK OF THE COUNTY PUTNAM IN LIBER 392 OF DEEDS AT PAGE 1 ON MARCH 22, 1951, AND WHICH POINT IS IN THE MOST WESTERLY CORNER OF THE PARCEL HEREIN DESCRIBED AND CONVEYED:

THENCE FROM SAID POINT OF BEGINNING ALONG SAID LANDS OF JOSEPH H. LOMBARDI SOUTH 45 DEGREES 57 MINUTES 10 SECONDS EAST 100.00 FEET TO A POINT MARKED BY AN IRON PIPE DRIVEN IN THE GROUND;

THENCE ALONG OTHER LANDS OF VALHALLA HIGHLANDS, INC., THE FOLLOWING COURSES AND DISTANCES: NORTH 44 DEGREES 02 MINUTES 50 SECONDS EAST 48.00 FEET TO A POINT MARKED BY AN IRON PIPE DRIVEN IN THE GROUND AND NORTH 59 DEGREES 44 MINUTES 35 SECONDS EAST 54.00 FEET TO A POINT MARKED BY AN IRON PIPE DRIVEN IN THE GROUND AND NORTH 45 DEGREES 57 MINUTES 10 SECONDS WEST 100.00 FEET TO A POINT MARKED BY AN IRON PIPE DRIVEN IN THE GROUND IN THE SOUTHEASTERLY SIDE OF SAID MOUNTAINVIEW ROAD;

THENCE ALONG THE SAID SOUTHEASTERLY SIDE OF MOUNTAINVIEW ROAD, THE FOLLOWING COURSES AND DISTANCES: SOUTH 59 DEGREES 44 MINUTES 35 SECONDS WEST 29.01 FEET TO A POINT; AND

THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 108.82 FEET A DISTANCE OF 29.81 FEET TO A POINT AND SOUTH 44 DEGREES 02 MINUTES 50 SECONDS WEST 33.00 FEET TO THE POINT AND PLACE OF BEGINNING.

SCHEDULE A (continued)

ALSO ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING AT VALHALLA HIGHLANDS IN THE TOWN OF PHILIPSTOWN, COUNTY OF PUTNAM AND STATE OF NEW YORK AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE ON THE NORTHEASTERLY SIDE OF HIGHLAND ROAD, SAID PIPE BEING AT THE NORTHWESTERLY CORNER OF LANDS OF HERKERT;

THENCE RUNNING ALONG THE NORTHWESTERLY SIDE OF HIGHLAND ROAD NORTH 48 DEGREES 30 MINUTES 40 SECONDS EAST 112.78 FEET; NORTH 43 DEGREES 24 MINUTES 10 SECONDS EAST 112.22 FEET;

THENCE LEAVING HIGHLAND ROAD AND RUNNING NORTH 45 DEGREES 32 MINUTES 00 SECONDS WEST 116.41 FEET TO THE NORTHEASTERLY CORNER OF OTHER LANDS OF LOMBARDI;

THENCE RUNNING ALONG OTHER LANDS OF LOMBARDI SOUTH 59 DEGREES 44 MINUTES 35 SECONDS WEST 94.01 FEET TO AN ANGLE IN THE ABOVE MENTIONED LINE;

THENCE CONTINUING ALONG LANDS OF LOMBARDI AND OTHER LANDS OF VALHALLA HIGHLANDS, INC., SOUTH 44 DEGREES 02 MINUTES 50 SECONDS WEST 173.50 FEET TO AN IRON PIPE ON THE LINE OF LANDS OF HERKERT,

THENCE RUNNING ALONG THE LINE OF LANDS OF HERKERT SOUTH 45 DEGREES 57 MINUTES 10 SECONDS EAST 123.50 FEET TO THE POINT AND PLACE OF BEGINNING.

ALSO ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING AT VALHALLA HIGHLANDS IN THE TOWN OF PHILIPSTOWN, COUNTY OF PUTNAM AND STATE OF NEW YORK, AND BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL I:

BEGINNING AT A POINT MARKED BY AN IRON PIPE SET IN THE GROUND ON THE NORTHEASTERLY SIDE OF MOUNTAINVIEW ROAD, SAID POINT BEING THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF JOSEPH LOMBARDI;

RUNNING THENCE ALONG THE EASTERLY SIDE OF MOUNTAINVIEW ROAD, NORTH 52 DEGREES 04 MINUTES 35 SECONDS EAST 101.26 FEET TO A POINT;

THENCE LEAVING THE MOUNTAINVIEW ROAD AND RUNNING SOUTH 45 DEGREES 32 MINUTES 00 SECONDS EAST 194.46 FEET TO THE WESTERLY SIDE OF HIGHLAND ROAD;

RUNNING THENCE ALONG THE WESTERLY SIDE OF SAID ROAD, SOUTH 39 DEGREES 34 MINUTES 10 SECONDS WEST 100 FEET TO AN IRON PIPE SET IN THE GROUND MARKING THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF LOMBARDI;

RUNNING THENCE ALONG THE NORTHERLY BOUNDARY OF LANDS OF LOMBARDI NORTH 45 DEGREES 32 MINUTES 00 SECONDS WEST 116.41 FEET AND NORTH 45 DEGREES 57 MINUTES 10 SECONDS WEST 100 FEET TO THE POINT OF PLACE OF BEGINNING.

PARCEL II:

BEGINNING AT A POINT WHICH IS DISTANT NORTH 52 DEGREES 04 MINUTES 35 SECONDS EAST 101.26 FEET ALONG THE EASTERLY SIDE OF MOUNTAINVIEW ROAD FROM AN IRON PIPE SET IN THE GROUND MARKING THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF JOSEPH LOMBARDI AND BEING THE POINT OF BEGINNING OF PARCEL I, LOT 103 DESCRIBED ABOVE;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE EASTERLY SIDE OF MOUNTAINVIEW ROAD NORTH 34 DEGREES 04 MINUTES 35 SECONDS EAST 100.70 FEET TO A POINT;

THENCE LEAVING MOUNTAINVIEW ROAD AND RUNNING SOUTH 45 DEGREES 32 MINUTES 00 SECONDS EAST 198.88 FEET TO THE WESTERLY SIDE OF HIGHLAND ROAD;

RUNNING THENCE ALONG THE WESTERLY SIDE OF SAID ROAD, SOUTH 36 DEGREES 34 MINUTES 10 SECONDS WEST 100 FEET TO POINT WHICH IS THE NORTHEASTERLY CORNER OF SAID PARCEL I, LOT 103;

RUNNING THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL, NORTH 45 DEGREES 32 MINUTES 00 SECONDS WEST, 194.46 FEET TO THE POINT OR PLACE OF BEGINNING.

FOR INFORMATION ONLY: Said premises also known as 44 Mountainview Drive, Cold Spring, NY 10516.

FOR CONVEYANCING ONLY, if intended to be conveyed: Together with all rights title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

Town of Philipstown
238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MINOR PROJECT

Project Name: Proposed Addition for Chris and Heidi Flagg

Date: 09/30/2020

112811

Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: 09/30/2020

TM#

Project Name: Proposed Addition for Chris and Heidi Flagg

Street Address: 699 Old Albany Post Rd., Garrison, NY 10524

Fee Amount:

Received:

Bond Amount:

Received:

Applicant:

Name David M. Spence

Address 914 Mt. Kemble Ave.

Morristown, NJ 07960

Telephone 973-425-7680

Tenant:

Name

Address

Telephone

Design Professional:

David M. Spence / Windigo Architecture LLC

Address 914 Mt. Kemble Ave.

Morristown, NJ 07960

Telephone 973-425-7680

Property Owner

Name Christopher S. Flagg / Heidi L. Snyder

Address 699 Old Albany Post Rd.

Garrison, NY 10524

Telephone 917-225-5883

TM# _____

Project Name: Proposed Addition for Chris and Heidi Flagg _____

Project Description: A family room, bedroom, and garden tool storage
addition totalling 1,762 sf on two levels. The addition is
barn-like in form, complementing the existing nineteenth-century house.

ZONING INFORMATION

175-7 Zoning District: RC

175-10 Proposed Use: Single-Family Residence

Proposed Accessory Use(s): _____

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>
175-14 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>NO</u>
175-36 Steep Terrain -----	<u>NO</u>
175-36 Ridge Line Protection -----	<u>NO</u>
175-37Protection Agricultural-----	<u>NO</u>

TM# _____

Project Name: Proposed Addition for Chris and Heidi Flagg

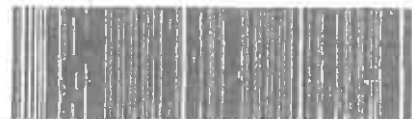
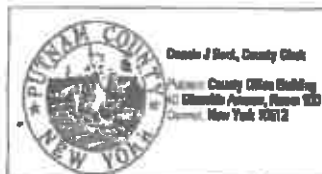
175-11 Density and Dimensional Regulations

Zoning District	RC	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback						
Measured from the travel way Town Road		60'	44.86'	No Change	No	Pre-existing
Measured from the travel way County/State		60'	N/A	N/A	N/A	N/A
Minimum side yard setback		30'	235.73'	204.06'	Yes	
Minimum side yard setback (2)		30'	327.56'	No Change	Yes	
Minimum side yard setback (3)		N/A	N/A	N/A	N/A	N/A
Minimum rear yard setback		50'	303.29'	288.55'	Yes	
Maximum impervious surface coverage		10%	2.2%	2.9%	Yes	
Maximum height		40'	24'-1"	No Change	Yes	
Maximum footprint non-residential structures		6,000	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: _____



ACS-00000000259878-000000000426721-004

Document # 1500944
Document Type: DEED
Document Page Count: 4
Receipt # 10020
Drawer # 07
Book 1099 Page 394
Recorded Date: 05/15/2012
Recorded Time: 2:45:33 PM

PRESENTED BY:
ED AGENCY
1000 NORTH DIVISION STREET
P.O. BOX 431
POKESKILL, NY 10566

RETURN TO:
STEPHEN TOWNSEND, INC.
1708 SOUTH RD, PO BOX 313
COLD SPRING, NY 10516

GRANTOR
PATRICIA KING

GRANTEE
CHRISTOPHER S PLACC

FEE DETAILS

RESERVED FOR CERTIFICATION

Consideration: \$995,000.00
1500944
DEED 4 40.00
FP-584 1 5.00
CULTURAL EDUCATION 15.00
RECORD MANAGEMENT 5.00
H & A - RESID/AGRIC 125.00
TRANSFER TAX 3,980.00
PROCESSING FEE 1 1.00
AMOUNT FOR THIS DOCUMENT: 4,171.00
KEY # 000001443

THIS DOCUMENT WAS EXAMINED PURSUANT TO 8315
REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERK'S NOTES

DENNIS J. SANT
PUTNAM COUNTY CLERK

from King & Clark

Flagg, Christopher P. & Snyder, H.

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

THIS INSTRUMENT, made the 1st day of June, in the year 2012

BETWEEN

PATRICIA KING and DAVID J. CLARK,
with an address at 699 Old Albany Post Road, Garrison, NY

party of the first part, and

CHRISTOPHER S. FLAGG and HEIDI L. SNYDER, husband and wife,
with an address at 1 Blocker Street, apt 2, New York, NY 10012

party of the second part,

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

Two and 00/100 (\$10.00)

dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors
and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being
in the

Town of Philipstown, County of Putnam, State of New York, as more fully described in Schedule "A" annexed hereto.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said
premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will
receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied
first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the
improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it
read "parties" whenever the sense of this instrument 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:


Patricia King


David J. Clark

Schedule A
(description)

All that certain piece, plot or parcel of land situate lying and being in the TOWN OF PHILIPSTOWN, COUNTY OF PUTNAM, State of New York, known and designated as Parcel 4 and portions of Parcels 3 and 5 as shown on a certain map entitled, "Map showing survey of property located in the Town of Philipstown, said map being dated April 6, 1931 and made by the Hudson Valley Engineering Co. Inc.", and filed in the Putnam County Clerk's Office on December 11, 1898 as Map No. 172, said parcel and portions of parcels, when taken together being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the southwesternly side of Old Albany Post Road and the northwesternly line of lands now or formerly of Kaspar Soehnlein;

RUNNING THENCE along said southwesternly line of Old Albany Post Road the following courses and distances: North 48° 53' 07" West 192.82 feet, North 48° 28' 18" West 128.84 feet and North 51° 58' 18" West 176.45 feet to a point on the southerly line of Travis Corners Road;

RUNNING THENCE along same, South 77° 52' 32" West 53.84 feet and South 78° 16' 42" West 180.01 feet to a point on the northerly line of lands now or formerly of Ephraim B. Flint;

RUNNING THENCE along same, South 18° 53' 00" East 341.95 feet and South 88° 43' 10" East 385.33 feet to a point on the northeasternly line of lands now or formerly of Kaspar Soehnlein;

RUNNING THENCE along same and along a stone wall, North 35° 43' 30" East 345.19 feet to a point on the southwesternly line of Old Albany Post Road, said point being the point and place of BEGINNING.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of WESTCHESTER, ss:

On the 8th day of June in the year 2012, before me, the undersigned, personally appeared Patricia King and David J. Clark,

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ROBERT SUE GOLDMAN
Notary Public, State of New York
No. 4038818
Qualified in Westchester County
Commission Expires August 24, 2014

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of , ss:

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

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

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

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

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of , ss:

On the day of in the year , before me, the undersigned, personally appeared

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

State of , County of , ss:
*(Or least District of Columbia, Territory, Possession or Foreign County)

On the day of in the year , before me the undersigned personally appeared

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that each individual made such appearance before the undersigned in the

(Add the city or political subdivision and the state or country or other place the acknowledgment was taken).

Bargain and Sale Deed
With Covenants

Title No. Rb P 19785

KING and CLARK
TO
PLANO

DISTRIBUTED BY
TOM'S TITLE EXPERTS
The Judicial Title Insurance Agency LLC
800-351-TITLE (8468) FAX: 800-FAX-8386

SECTION: 61.

BLOCK: 3

LOT: 6

COUNTY OR TOWN: PUTNAM

RECORDED AT REQUEST
OF IRS AGENCY
PO BOX 491
PEENSKILL, NY 10968
814-730-2700
RETURN BY MAIL TO

RETURN BY MAIL TO:

Stephen G. Tamm, Esq.
1728 Route 9D (PO Box 213)
Cold Spring, New York 10516

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.

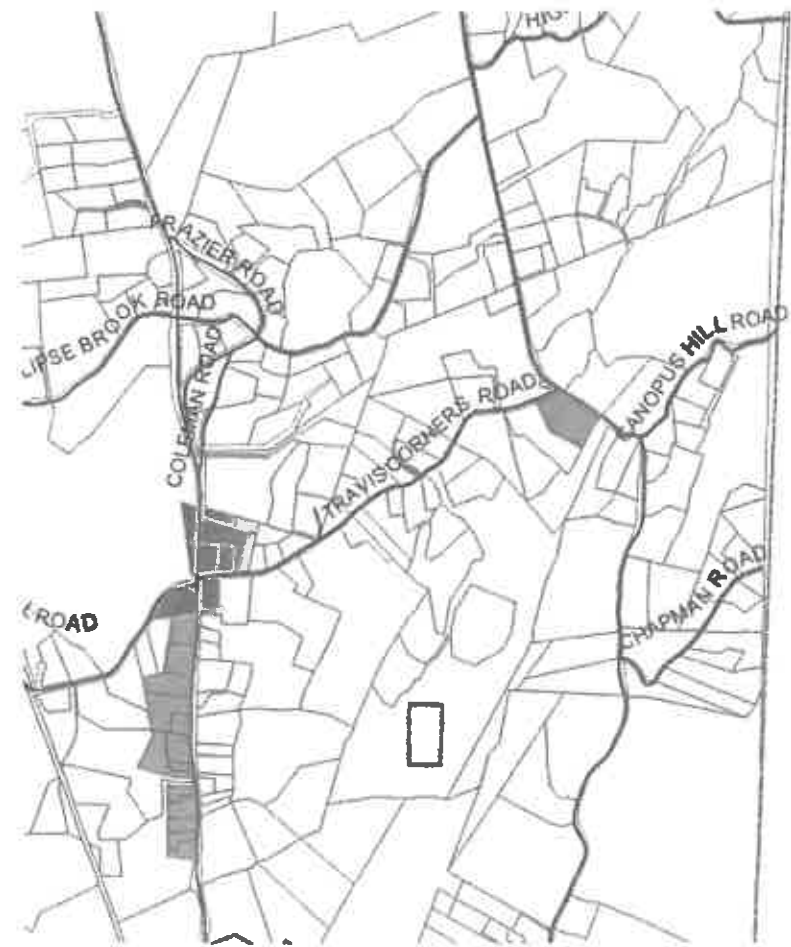
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Proposed Addition for Chris and Heidi Flagg			
Project Location (describe, and attach a location map): 699 Old Albany Post Rd., Garrison NY 10524			
Brief Description of Proposed Action: <p>Located on an existing RC lot in Garrison, NY, the proposed barn-like addition consists of a Family Room, Bedroom with bath, Garden tool storage and greenhouse connected to an existing 4-bedroom house via a covered pergola. The addition totals 1,782 square feet on two levels. Since bedroom spaces in the current home are relatively small, the addition to this private residence is intended to provide additional sleeping and living areas for extended family and friends as well as storage for gardening tools and equipment, which is a use permitted by right pursuant to local zoning ordinance.</p> <p>The existing house is on an existing lot of less than the required minimum lot size, and is closer to Old Albany Post Road than current setback requirements. Accordingly, zoning and planning review is required for the proposed addition due to the previously existing nonconformity of the existing house and lot and the floor area of the proposed addition. The proposed addition reflects and complements the nineteenth-century design of the existing house, and except insofar as it connects to the existing nonconforming house complies with all other zoning envelope requirements.</p>			
Name of Applicant or Sponsor: David M. Spence / Windigo Architecture		Telephone: 973-425-7680 E-Mail: david@windigodesign.com	
Address: 914 Mt. Kemble Ave.			
City/PO: Morristown		State: NJ	Zip Code: 07960
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Building Permit issued by Phillipstown, NY Building Dept. Variance and Special Permit issued by Phillipstown, NY Zoning Board		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.07 acres 0.07 acres 5 acres	
4. Check all land uses that occur on, are adjoining or 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			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
If Yes, identify:	<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 services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
A qualified, licensed engineering firm to be named will provide any required septic field system design to meet required waste loads.			
12. a. 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
The lot fronts on Old Albany Post Rd. The road itself is listed on the NRHP, though the existing house is not registered	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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?			
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 checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
NB: A small wetland area exists on the lot of 741 Old Albany Post Rd., adjacent to the site of the proposed addition across Travis Corners Rd. This area is not within a 200' radius of the proposed addition, and is well under the 12.4 acre threshold for waterbody regulation.			

PROPOSED ADDITION FOR CHRIS AND HEIDI FLAGG
699 OLD ALBANY POST RD., GARRISON, NY

SITE LOCATION MAP



Christopher S. Flagg
1 Bleecker Street, Apt. 2
New York, NY 10012

October 1, 2020

Planning Board
Philipstown, NY 10516

RE: Owner Authorization Letter – Proposed addition at 699 Old Albany Post Rd

To whom it may concern:

I, Christopher S. Flagg - Owner of 699 Old Albany Post Rd. - authorize my architect David Spence, to represent me in the upcoming Planning board meeting and present my project and request for variances to the members of the board.

Sincerely,



Christopher S. Flagg



October 1, 2020

Town of Philipstown Planning Board
34 Kemble Avenue
Cold Spring, NY
10516

RE: 3622 Route 9, Cold Spring, NY
Tax Map No. 17.-1-44

Dear Chairman Zuckerman and Members of the Board:

Please find enclosed thirteen (13) copies of the following drawings and documents in support of an application for Special Use and Site Plan Approval for the above referenced project:

- Site Plan Drawing Set (6 sheets), dated October 1, 2020.
- Special Use & Site Plan Application, dated October 1, 2020.
- Statement of Use, revised October 1, 2020.
- Memorandum from Ron Gainer, PE, dated May 27, 2020.
- Email correspondence from Greg Wunner, Town Code Enforcement Officer, confirming the interpretation of the proposed use as Service Business, dated August 28, 2020.
- Full Environmental Assessment Form (EAF), dated October 1, 2020.
- Property Deed.
- Letter of "No Violations" from Code Enforcement Officer, Greg Wunner, dated September 25, 2020.
- Check No. 1520 in the amount of \$3,020, combining the Application (\$2,220), EAF (\$300), Public Hearing (\$250), and Final or Conditional Approval Fees (\$250).
- Check No. 1521 in the amount of \$5,000 for escrow.

The applicant seeks Site Plan Approval to remove an existing approximately 2,000 square foot structure and 325 square foot accessory structure, and to construct two new buildings (15,400sf & 10,500sf) to house contractor offices and storage. Associated with this Site Plan is a proposed Special Use, which would allow a potential tenant to store salt, fertilizers, pesticide, and herbicides in the Clove Creek Aquifer Overlay district. As the site is contemplated to accommodate contractors, proper storage of some of these items may be desired by potential tenants. See the attached Statement of Use for more detailed information on the proposed use.

We look forward to discussing the project with the Board at the October 15 meeting. Should you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By:


John M. Watson, PE
Senior Principal Engineer

JMW/sdt

Enclosures

cc: Larry Downey, via email
Ron Gainer, PE (Mail w/ Enclosures)

Insite File No. 18156.100

3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717
www.insite-eng.com

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Town of Philipstown
238 Main Street
Cold Spring New York 10516

PLANNING BOARD

SITE PLAN APPLICATION PACKAGE

MAJOR PROJECT

Project Name: 3622 Route 9 LLC

Date: October 1, 2020



Town of Philipstown

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

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

Application for Planning Board Special Use & Site Plan Approval

Date: 10/1/20 TM# 17 -1-44

Project Name: 3622 Route 9 LLC

Street Address: 3622 Route 9, Cold Spring, NY 10516

Fee Amount: Received:

Bond Amount: Received:

Applicant:

Name 3622 Route 9 LLC

Address 108 Hudson Pointe Drive
Poughkeepsie, NY 12601

Telephone

Design Professional:

Name Insite Engineering, Surveying &
Landscape Architecture, P.C.

Address 3 Garrett Place
Carmel, NY 10512

Telephone 845-225-9690

Tenant:

Name TBD

Address

Telephone

Surveyor:

Name Insite Engineering, Surveying &
Landscape Architecture, P.C.

Address 3 Garrett Place
Carmel, NY 10512

Telephone 845-225-9690

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

Name 3622 Route 9 LLC

Address 108 Hudson Pointe Drive
Poughkeepsie, NY 12601

Telephone 845-452-3200

Name

Address

Telephone

Project Name: 3622 Route 9 LLC

Project Description: The applicant seeks to demolish the existing building and erect (2) new buildings (10,500 sf & 15,400 sf) to house contractor offices and storage (service business).

ZONING INFORMATION

175-7 Zoning District: HC

175-10 Proposed Use: Service business

Proposed Accessory Use(s): Storage for salt (hoop house)

Storage of fertilizers, pesitcides, & herbicides

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

Project Name: 3622 Route 9 LLC

175-11 Density and Dimensional Regulations

Zoning District _____	Required	Existing	Proposed	Complies	Variance
Minimum front yard setback	35'		87'±		
Measured from the travel way Town Road					
Measured from the travel way County/State					
Minimum side yard setback	15'		19'±		
Minimum side yard setback (2)					
Minimum side yard setback (3)					
Minimum rear yard setback	35'		36'±		
Maximum impervious surface coverage	60%		59.4%		
Maximum height	40'		<40'		
Maximum footprint non-residential structures	40,000		25,900 sf		

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: \$3,020* Received: _____
- 9. Escrow: \$5,000 Received: _____

* See cover letter for breakdown of fees.

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

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

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

C. Minor and Major Projects

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

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

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

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

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

A. Applicability

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

B. Pre-application Meetings

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

C. Submission

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

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

D. Application for Area Variance

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

E. SEQRA Compliance

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

F. Public Hearing and Decision

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

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

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

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

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

§175-65 SITE PLAN REVIEW AND APPROVAL

A. Applicability

- 1. Site Plan approval by the Planning Board shall be required for all permitted uses listed on the Use Table as requiring Site Plan approval only. Site Plan review shall be included as an integral part of the Special Permit approval process and no separate Site Plan approval shall be required for uses requiring a Special Permit.
- 2. The procedures for review of Site Plans for Major and Minor Projects (as defined in Article XII) are described in §§175-66 and 175-67. Agricultural structures with a footprint of over 15,000 square feet shall require Minor Project site plan approval. Agricultural structures with a footprint of 10,000 square feet or less are exempt from site plan approval requirements.
- 3. Site Plan approval shall also be required for any development which is the functional equivalent of a land subdivision but which is structured for ownership purposes as a condominium project. In such cases, the Planning Board shall apply all relevant review criteria contained in the Land Development Law (Chapter 112 of the Town Code) as well as the provisions of this Chapter.

B. Required Information for Site Plan

An application for Site Plan approval shall be accompanied by plans and descriptive information sufficient to clearly portray the intentions of the applicant. Minor Project Site Plans shall contain the information required by §175-67C and other information listed below if the Planning Board deems such information necessary to conduct an informed review. Major Project Site Plans shall be prepared by a licensed professional engineer, architect, surveyor, or landscape architect, and shall include the following (unless waived):

SITE PLAN CHECK LIST

- ☒ 1. A location map drawn at the scale of 2,000 feet to the inch or larger (or other convenient scale acceptable to the Planning Board) that shows the relationship of the proposal to existing community facilities which affect or serve it, such as roads, shopping areas, schools, etc. A vicinity map shall also be submitted that shows all properties, subdivisions, streets, and easements within 500 feet of the property. Such maps may be superimposed on a United States Geological Survey or New York State Department of Transportation map of the area.
- ☒ 2. An existing conditions map, showing existing buildings, roads, utilities, and other man-made features, as well as topography and all existing natural land features that may influence the design of the proposed use such as rock outcrops, single trees eight or more inches in diameter located within any area where clearing will occur, forest cover, soils (including prime and statewide important agricultural soils), and ponds, lakes, wetlands and watercourses, aquifers, floodplains, and drainage retention areas.
- ☒ 3. A Site Plan, drawn at a scale and on a sheet size appropriate to the project. The information listed below shall be shown on the Site Plan and continuation sheets.
- ☒ 4. Name of the project, boundaries, date, north arrow, and scale of the plan. Name and address of the owner of record, developer, and seal of the engineer, architect, surveyor, and/or landscape architect. If the applicant is not the record owner, a letter of authorization shall be required from the owner.
- ☒ 5. The location and use of all existing and proposed structures within the property, including all dimensions of height and floor area, all exterior entrances, and all anticipated future additions and alterations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

✓ 19. Part One of a long-form Environmental Assessment Form or Draft Environmental Impact Statement.

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

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

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

- a) _____

- b) _____

- c) _____

c. Waivers

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

- a) Building plans and elevations to be provided in a future submission.

- b) _____

- c) _____

- d) _____

- e) _____

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

1. Layout and Design

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Parking, Circulation, and Loading

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

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

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

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

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

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

N/A 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.

N/A 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.

N/A 4. Reservation of Parkland

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

5. Outside Storage

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

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

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

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

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

6. Miscellaneous Standards

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

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

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

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

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

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

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

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

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

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

B. Performance Guarantee

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

C. As-Built Plans and Inspection of Improvements

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



Statement of Use

**3622 U.S. Route 9, Town of Philipstown, New York
Tax Map # 17.-1-44**

October 1, 2020

The subject property contains 4.5± acres located in the Highway Commercial (HC) Zoning District, on U.S. Route 9, in the Town of Philipstown. The subject lot contains a one primary building which has generally been used for contractor offices and storage, and an accessory building to its south. There are currently three access points to the site along its frontage with US-Rt 9, with gravel drives and lawn consuming the front of the property. The rear of the property is currently largely gravel and lawn area used for tenant storage and parking. There is a well and septic system on site. There is a layer of brush, and a thin layer of mostly deciduous trees around the periphery of the property.

The applicant is proposing to remove the existing building, associated drives, and storage areas, in order to construct two buildings (15,400 SF and 10,500 SF), new outdoor storage enclosures, and associated parking. The buildings would house contractor office space and storage. The applicant seeks to maintain the property's current use as Service Business, which is permitted by right in the HC zone. No area variances are required. See the bulk requirements table on sheet SP-1, dated October 1, 2020.

It is anticipated that the buildings will house between 5 and 8 tenant spaces. The applicant proposes to install a well and single septic system to service both buildings. All utilities will be engineered and sized to accommodate the anticipated daily usage of approximately 600 gallons per day. It is anticipated that the average employee count for each unit will be 2-3 employees per tenant, with a total of 10-24 total employees. It is anticipated that the proposed use as contractor offices and storage could generate one in, and one out trip per employee, plus an average of 2-3 additional in and out trip per tenant, per weekday for deliveries, etc. Weekend trips are anticipated to be minimal.

The property also falls within the Clove Creek Aquifer (CCA) Subdistrict of the Town-wide Aquifer Overlay District (AQO). Pursuant to Section 175-16E of the Town of Philipstown Code, no uses prohibited within the AQO or CCA are being proposed. The applicant is seeking a Special Use approval for storage of salt, fertilizers, pesticide, or herbicides in the Overlay District. As the site is contemplated to accommodate contractors, proper storage of some of these items may be desired by potential tenants. Covered storage would be required for salt, which would be accommodated by the potential future hoop house indicated in the plan. Storage of all such materials would meet all local, and state requirements.



RONALD J. GAINER, P.E., PLLC
31 Baldwin Road, Patterson, NY 12563
Mailing Address: PO BOX 417, Pawling, NY 12564

office 845-878-6507 cell 845-527-1432

TO: Town of Philipstown Planning Board DATE: May 27, 2020

FROM: Ronald J. Gainer, PE SUBJ: Commercial Site Plan - 3622 Route 9

Section 175-66B of the Town Code specifies that a pre-application conference be held concerning projects which will require "Site Plan" or "Special Use" approvals from the Planning Board. However, given that the precautions currently being taken during the coronavirus pandemic have caused Town Hall to be closed and so preclude such a meeting from being held, it has been decided that applicants should review their development proposal with the Town Engineer's office in order to meet the intent of these regulations, so that the Planning Board may obtain background information on such projects prior the filing of any formal applications to advance the project.

As a result, Adam Thyberg of Insite Engineering, Land Surveying and Landscape Architecture, PC has recently been in contact with my office to discuss the property at 3622 Route 9. During these communications, the enclosed technical information (see attached, encompassing a "Statement of Use" and "Concept Plan" drawing for the site) was provided concerning the property owner's plans to modify the present use of the property.

From these discussions, the following summary was developed on the proposal and relevant Code considerations.

Purpose of Application:

The property lies along the east side of NYS Route 9, 400± feet south of Mountain Road North and immediately north of Nikolas Italian Restaurant. The property presently contains a 1,300±sf structure and detached garage. While the site was originally developed as a residence in the 1960's, for some time the site has been used for contractor offices and storage, with the garage converted to an accessory building. However, the site is currently vacant. There are three access points to the site along its Route 9 frontage, with gravel drives and lawn in the front of the property. The rear of the property is currently largely gravel and lawn area, which is used for tenant storage and parking. There is a well and SSTS on site to serve the premises. There is some vegetative growth and a thin strand of mostly deciduous trees around the side and rear boundaries of the property.

The applicant proposes to demolish the existing building, associated drives and storage areas, and construct two buildings (15,400 SF and 10,500 SF), new outdoor storage enclosures, and associated parking. While no specific tenants have been identified, the applicant's representatives advised that the buildings would house contractor office space, with outside material and equipment storage.

Zoning District Information:

The property is located in the Highway-Commercial ("HC") Zoning District.

Discussion of Zoning Code Uses:

The applicant's representative has described the planned uses as light industrial. However, the Town Zoning Code defines "Light Industrial" as:

"Manufacture, assembly, treatment, processing, or packaging of products that does not emit objectionable levels of smoke, noise, dust, odor, glare, or vibration beyond the property boundaries."

RE: Commercial Site Plan; 3622 Route 9, Cold Spring, NY

It does not appear that the "Contractor's Yard" (as the applicant's representative describes the proposed use) constitutes a "Light Industrial" use within the meaning of the Town's Zoning Code. Further, the Town Zoning Code does not list "contractor's yard" as a use at all.

The Town Attorney previously looked into the issue of "contractor yards" and opined that, depending on what activity was being proposed, such a use might fall within the definitions of either "Light Industry", "Heavy Industry", "Service business" or "Warehouse/wholesale business". However, as was noted above, the "contractor's yard" at issue does not appear to fit within the definition of "Light Industry" and it also seems unlikely that it fits within any of the other definitions.

Town Attorney previously looked into the issue of "contractor yards" and opined that, depending on what activity was being proposed, such a use might fall within the definitions of either "Light Industry", "Heavy Industry", "Service business" or "Warehouse/wholesale business". However, as was noted above, the "contractor's yard" at issue does not appear to fit within the definition of "Light Industry" and it also seems unlikely that it fits within any of the other definitions.

Town Code § 175-10(A) provides that when in the event that a particular proposed use does not fit into any of the categories shown on the Use Table and is not prohibited by the Town Code, then the use may be allowed upon grant of a special permit by the Town Board. Therefore, unless the "contractor's yard" proposed by the applicant can fit within the definition of one of the other uses allowed in the HC District, or can be shown to be a legal nonconforming use, it seems that that applicant will need to seek such a special use permit from the Town Board or a use variance from the ZBA.

If the applicant disagrees with me on this point, they may seek a ruling from the Zoning Administrative Officer (i.e., the Building Inspector). If the Building Inspector says it doesn't fall within one of the uses listed in the Code, the applicant could apply to the Town Board for a special permit or then appeal to the ZBA for an interpretation and/or variance.

One other possibility is that if the applicant can conclusively establish that the former use involved a "Contractor's Yard", and that this use has not been abandoned for more than two years (see §175-23F), they can seek to have the Building Inspector permit the continuance of this use. Further, per §175-23B(2) the applicant could be allowed to expand the "use" by no more than 25% over what previously existed, but even this would first require the grant of a "Special Permit" by the Town ZBA.

In summary, if the Contractor's Yard "use" is pre-existing, then the matter can be addressed directly with the Building Inspector's office. If not, then action by either the Town Board or ZBA would be necessary.

Site Plan Review Required:

In regard to Site Plan approval, from a review of the above the first threshold for the applicant to cross would be whether the intended "uses" of the site are either "pre-existing" or otherwise permitted.

The Building Department advises that no Site Plan for the property exists in Town records. Therefore, if action by the Planning Board is found to be necessary, a "Site Plan" application and associated fees will be required, and would follow the usual Planning Board procedures.



RE: Commercial Site Plan; 3622 Route 9, Cold Spring, NY

“Major/Minor” Classification:

Per the provisions of Section 175-60C(1) of the Town Code, the proposed activity would clearly exceed the following threshold criteria:

- Construction of facilities or structures for a non-residential use covering 3,000sf of building footprint
- Alteration and active use of 10,000 square feet of land, with or without structures.

Therefore, the project would therefore represent a “Major” project. It is noted that a public hearing for “Major” projects is mandatory.

Waivers: No waivers were identified by the applicant.

Sensitive Environmental Areas/Overlay Districts:

This property falls within:

- Clove Creek Aquifer Overlay District (compliance with §175-16 regulations required)

It is noted that the concept plan provided indicates an area for covered outdoor salt storage. This would represent a use that requires a special permit under §175-16.

Site Development issues:

Any application filed must include all information specified in §175-65B as well as that required by §175-16. Further, the Plans should also specify the amount of impervious coverage, as well as any overall site disturbance planned, to confirm what SWPPP requirements will apply.

Site Plan Fees: Depending upon the process followed by the applicant, the following fees would may apply:

“Site Plan, major”	-	\$1,000 +\$20/parking space + escrow
Or		
“Special Permit Use & Site Plan, major”	-	\$1,500 +\$20/parking space + escrow
Full Environmental Assessment Form	-	\$300
“No Violations” letter from Town CEO	-	\$175
Public Hearing fee	=	\$250 (mandatory for “major” projects)
Final or Conditional Final Approval fee	-	\$250
Escrow	-	\$5,000 (un-used monies returned to applicant)

It should be noted that the application fees and escrow deposit should be posted with separate checks. Further, the fee for the “No Violations” letter is paid directly to the Town Building Department.

Expected Referrals:

- Putnam County Department of Planning (GML 239m referral)
- NYS DOT (Highway Work Permit required for new channelized access locations proposed)
- PC DOH (well & SSTs’s to serve proposed premises)
- a courtesy referral to the North Highlands Fire Department is often performed for any active applications, to permit them to comment should they wish.



RE: Commercial Site Plan; 3622 Route 9, Cold Spring, NY

It is believed that the foregoing summarizes Town Code provisions which will apply to the site improvements planned.

c: Greg Wunner, Code Enforcement Officer
Stephen Gaba, Esq.
Max Garfinkle, NRRO
Applicant (c/o Insite Engineering)



Ronald J. Galner, P.E., PLLC

Adam Thyberg

From: Greg Wunner <gwunner@philipstown.com>
Sent: Wednesday, August 26, 2020 11:06 AM
To: Adam Thyberg
Subject: Re: FW: (T) Philipstown PB - 3622 Route 9

Based on the "statement of use" and conversation, it appears to comply with the definition of a "service business " and would most likely be in keeping with surrounding uses.

It would be difficult to declare actual tenants at this time, but may be useful to clarify actual uses allowed and uses that are restricted in any approvals moving forward .

On 8/26/2020 10:02 AM, Adam Thyberg wrote:

Greg,

See below. As discussed this morning, Ron is looking for an interpretation that the proposed use, as detailed in the attached Statement of Use, fits the description of the Town code's definition of Service Business, which reads,

"A business or nonprofit organization that provides services to the public, either on or off the premises, including but not limited to building, electrical, plumbing, and landscape contracting, arts instruction or studio, automobile service station, business and educational services, catering, day-care center (not as part of an educational institution), health club, house cleaning services, locksmith, photocopying, repair and restoration services, tailoring, typing, and word processing. Service business does not include retail business, restaurants, warehouses, offices, or other uses separately listed in the Use Table.[4] A convenience store that sells gasoline and auto supplies but does not repair or service vehicles shall be considered a retail business." (§ 175-74b.)

You will also find a Concept Plan attached.

If you could please respond to this email whether the proposed use seems to fit the definition above, it would allow us to move forward with the Planning Board.

Thanks again!



Adam Thyberg

Senior Designer

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From: Ron Gainer <rgainer@comcast.net>
Sent: Thursday, June 4, 2020 10:12 AM
To: Adam Thyberg <athyberg@insite-eng.com>
Subject: (T) Philipstown PB - 3622 Route 9

Since the Town Attorney was heavily involved in the development of my earlier memorandum, I forwarded your email to his office for comment. Below is Steve Gaba's response. So, your next step with be to make your case with the Town Building Inspector. He's previously received my memo.

Ron Gainer

From: Stephen Gaba <sgaba@drakeloeb.com>
Sent: Thursday, June 4, 2020 9:58 AM
To: Ron Gainer <rgainer@comcast.net>
Subject: RE: (T) Philipstown PB - 3622 Route 9

Ron,

I think they need to go through Greg Wunner regarding the interpretation question on the use. If you want to send their memo to Greg for them that's fine (or, if not, you can tell them they need to do it). But I think we'd be overstepping our authority if you were to just say "OK, it's a service business". I'm not ready to say that all contractors yards are service businesses.

Stephen J. Gaba, Esq.
Member

DRAKE LOEB PLLC
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From: Ron Gainer [mailto:rjgainer@comcast.net]
Sent: Thursday, June 04, 2020 9:41 AM
To: Stephen Gaba
Subject: FW: (T) Philipstown PB - 3622 Route 9

Pls see the email below, and the information attached. I've also attached my original memo, which was developed with your input. What say you? Any reason to revise the memo?

From: Adam Thyberg <athyberg@insite-eng.com>
Sent: Thursday, June 4, 2020 8:56 AM
To: Ron Gainer <rjgainer@comcast.net>
Cc: John Watson <JWatson@insite-eng.com>
Subject: RE: (T) Philipstown PB - 3622 Route 9

Ron,

Thank you for your thorough analysis. We acknowledge that the Light Industrial use as defined in the code is not compatible with the proposed use, but we feel confident that the definition of "Service business" fits with what we are proposing. Please see the response letter, revised Statement of Use, and Concept Plan attached here.

We hope that you will agree with our assessment and will be willing to revise your memorandum to the Planning Board.

Thanks for your help on this. Let us know if you have any questions.


**ENGINEERING, SURVEYING &
LANDSCAPE ARCHITECTURE, P.C.** Adam Thyberg
Landscape Designer

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From: Ron Gainer <rjgainer@comcast.net>
Sent: Thursday, May 28, 2020 11:56 AM

To: Adam Thyberg <athyberg@insite-eng.com>

Subject: (T) Philipstown PB - 3622 Route 9

Enclosed pls find a memorandum concerning the improvements proposed at the above referenced commercial site. This was developed in consultation with the Town Attorney's office.

This has been distributed to the Town. Any questions, pls call.

Ronald J. Gainer
RONALD J. GAINER, PE, PLLC
PO Box 417
Pawling, NY 12564
(c) 845-527-1432

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: 3622 Route 9 LLC		
Project Location (describe, and attach a general location map): 3622 Route 9, Cold Spring, NY 10516		
Brief Description of Proposed Action (include purpose or need): The applicant seeks Site Plan Approval to remove an existing approximately 2,000 square foot structure and 325 square foot accessory structure, and to construct two new buildings (15,400sf & 10,500sf) to house contractor offices and storage.		
Name of Applicant/Sponsor: 3622 Route 9 LLC	Telephone: 845-452-3200	
	E-Mail:	
Address: 108 Hudson Pointe Drive		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Project Contact (if not same as sponsor; give name and title/role): John M. Watson, P.E., Inslte Engineering, Surveying & Landscape Architecture, P.C.	Telephone: 845-225-9690	
	E-Mail: jwatson@inslte-eng.com	
Address: 3 Garrett Place		
City/PO: Carmel	State: NY	Zip Code: 10512
Property Owner (if not same as sponsor): Same As Applicant	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Site Plan Approval Approval of Special Use Permit	10/1/20
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PCDOH Well & Septic	1/1/21+-
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDOT Driveway Permit NYSDEC Coverage under GP-0-20-001	1/1/21+- 3/1/21+-
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes☐ No

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

If Yes, identify the plan(s):

Clove Creek Aquifer Overlay

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes☒ No

If Yes, identify the plan(s):

Page 2 of 13

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? HC (Highway Commercial), CCA (Clove Creek Aquifer Overlay)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C.4. Existing community services.

a. In what school district is the project site located?	Haldane School District
b. What police or other public protection forces serve the project site?	Cold Spring Police Department and Fishkill Police Department
c. Which fire protection and emergency medical services serve the project site?	North Highlands Fire Department
d. What parks serve the project site?	Hudson Highlands State Park, Mt. Beacon, and Fahnestock State Park

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)?	Commerical - Contractor offices and storage
b. a. Total acreage of the site of the proposed action?	4.55 acres
b. Total acreage to be physically disturbed?	3.59 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	4.55 acres
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No % 125 Units: 66,000 s.f.±
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is a cluster/conservation layout proposed?	<input type="checkbox"/> Yes <input type="checkbox"/> 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? i. If No, anticipated period of construction:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 8 months
ii. If Yes: • Total number of phases anticipated • Anticipated commencement date of phase 1 (including demolition) • Anticipated completion date of final phase • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:	 month year month year

If Yes, show numbers of units proposed.			
<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase			
At completion of all phases			

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No

If Yes,

i. Total number of structures 2

ii. Dimensions (in feet) of largest proposed structure: 30' height; 70' width; and 220' length

iii. Approximate extent of building space to be heated or cooled: 25,900 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will 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: _____

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: _____ 600 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: _____
Well _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ 5 gallons/minute.

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

If Yes: _____

i. Total anticipated liquid waste generation per day: _____ 600 gallons/day

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

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

If Yes: _____

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

iii. Will the proposed action produce noise that will exceed existing ambient noise operation, or both?	
If yes:	
i. Provide details including sources, time of day and duration:	
Typical construction noise during weekdays and some Saturdays	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Describe: Some trees will be removed.	
n. Will the proposed action have outdoor lighting?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes:	
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	
Full cutoff site lighting run during regular operations and on motion sensors after hours.	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Describe:	
o. Does the proposed action have the potential to produce odors for more than one hour per day?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Product(s) to be stored	
ii. Volume(s) per unit time (e.g., month, year)	
iii. Generally, describe the proposed storage facilities:	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Describe proposed treatment(s):	
ii. Will the proposed action use Integrated Pest Management Practices?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	
• Construction: 20 tons per Day during demo (unit of time)	
• Operation : 1 tons per Month (unit of time)	
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:	
• Construction: Recycling where possible.	
• Operation: Recycling where possible.	
iii. Proposed disposal methods/facilities for solid waste generated on-site:	
• Construction: Qualified and licensed waste management service.	
• Operation: Qualified and licensed waste management service.	

Describe the proposed action include construction or renovation 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: _____

No hazardous waste to be produced on site. _____

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:

Highway commercial which adjoins residential.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.45	2.70	+2.25
• Forested	2.45	0.76	-1.69
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other			
Describe: Lawn	1.62	0.98	-0.64
Stormwater Management	0	0.08	+0.08

c. Is the project site presently used by members of the community for public recreation?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If Yes: explain:		
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes,		
i. Identify Facilities:		
Preferred care at Home of North Westchester and Putnam.		
e. Does the project site contain an existing dam?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Dimensions of the dam and impoundment:		
• Dam height: _____ feet		
• Dam length: _____ feet		
• Surface area: _____ acres		
• Volume impounded: _____ gallons OR acre-feet		
ii. Dam's existing hazard classification: _____		
iii. Provide date and summarize results of last inspection: _____		
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Has the facility been formally closed?		<input type="checkbox"/> Yes <input type="checkbox"/> No
• If yes, cite sources/documentation: _____		
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____		
iii. Describe any development constraints due to the prior solid waste activities: _____		
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____		
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes – Spills Incidents database		Provide DEC ID number(s): _____
<input type="checkbox"/> Yes – Environmental Site Remediation database		Provide DEC ID number(s): _____
<input type="checkbox"/> Neither database		
ii. If site has been subject of RCRA corrective activities, describe control measures: _____		
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide DEC ID number(s): _____		
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____		

iii. Identify the predominant wildlife species that occupy or use the project site:	
Squirrels	
Deer	
n. Does the project site contain a designated significant natural community? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation):	
Oak-Tulip Tree Forest	
ii. Source(s) of description or evaluation:	
iii. Extent of community/habitat:	
• Currently:	2768.0 acres
• Following completion of project as proposed:	acres
• Gain or loss (indicate + or -):	acres
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Species and listing (endangered or threatened):	
Northern Long-eared Bat, Timber Rattlesnake	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Species and listing:	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, give a brief description of how the proposed action may affect that use:	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, provide county plus district name/number:	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If Yes: acreage(s) on project site:	
ii. Source(s) of soil rating(s):	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature	
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. CEA name:	
ii. Basis for designation:	
iii. Designating agency and date:	

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?

If Yes:

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

ii. Name: _____

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

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

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

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

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

If Yes:

i. Identify resource: Taconic State Parkway, Bear Mountain - Beacon Highway (Route 9D), Newburgh Beacon Bridge

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): NYS Scenic Byways

iii. Distance between project and resource: <5 miles

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

If Yes:

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

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

F. Additional Information

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

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

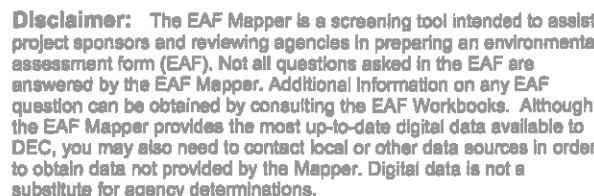
G. Verification

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

Applicant/Sponsor Name John M. Watson, P.E. Date 10/1/2020

Insite Engineering, Surveying & Landscape Architecture, P.C.

Signature  Title Senior Principal Engineer



Full Environmental Assessment Form - EAF Mapper Summary Report

E.2.c. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat, Timber Rattlesnake
E.2.p. [Rare Plants or Animals]	No
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

TOWN OF PHILIPSTOWN
CODE ADMINISTRATOR

230 MAIN STREET
P.O. BOX 155
COLD SPRING, NY 10516

Greg Wunner, Code Enforcement Officer
(845) 265-5202
(845) 265-3929
(845) 265-2687 FAX

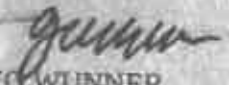
DATE: September 25, 2020

TO: insite Engineering
3 Garrett Place
Carmel NY 10512

REF: 3622 BTR LLC
Cold Spring, NY 10516
Lawrence Dondray
TAX MAP #17.-1-44

IN RESPONSE TO YOUR REQUEST FOR "NO VIOLATION LETTER" ON ABOVE MENTIONED
PROPERTY PLEASE BE ADVISED THAT AFTER REVIEWING PROPERTY RECORDS THERE
WERE NO VIOLATION NOTED.

SINCERELY


GREG WUNNER
ZONING ADMINISTRATOR



DOCUMENT # 1500785

DEED - COMM/VACANT

RETT: 1420 \$.00
CONSIDERATION: \$.00

05/14/2010 02:24:51 P.M.
RECEIPT: 7310 FEE: \$315.00
DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1853 PAGE: 37

RESERVE FOR RECORDING INFORMATION



PUTNAM COUNTY RECORDING PAGE

PAGE 1 OF RECORDED DOCUMENT

RECORD & RETURN TO:

Stern Keiser & Panken, LLP
Cynthia T. Grubiak, Paralegal
1025 Westchester Avenue, Ste. 305
White Plains, Ny 10604

TYPE OR PRINT

GRANTOR/MORTGAGOR

Lawrence M. Downey
To
3622 Route 9, Llc

DO NOT WRITE BELOW THIS LINE

DEED ☒ MTG ☐ SAT ☐ ASMT ☐ CEM ☐ POA ☐ ESE ☐
OTHER

RECORDING FEES # OF
PAGES

4

C/R

RCD FEE 20.00

STAT CHG 20.00

REC MGMT 20.00

CROSS REF

TOTAL 60.00

RESERVE FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO §315 REAL PROPERTY LAW

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

115

20

115

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 5th day of May, in the year 2010,

BETWEEN

LAWRENCE M. DOWNEY, having a mailing address at P.O. Box 115, Cold Spring, New York, 10516,

party of the first part, and

3622 ROUTE 9, LLC, a New York Limited Liability Company, having a mailing address at c/o Alan Feldstein, 627 South Main Street, New City, New York 10956,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars (\$10.00) paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

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

BEING the same premises conveyed to the party of the first part by deed dated September 13, 2001 and recorded in the Office of the Putnam County Clerk on November 5, 2001 in Liber 1568, Page 245.

BEING the same premises known as 3622 Route 9, Philipstown, New York 10516.


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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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


LAWRENCE M. DOWNEY

<div>ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE</div> <div>State of New York, County of <u>WESTCHESTER</u>, ss:</div> <div>On the <u>5th</u> day of <u>MAY</u> in the year 2010, before me, the undersigned, personally appeared</div> <div>LAWRENCE M. DOWNEY</div> <div><p>, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.</p></div> <div>Notary Signature</div> <div>SUSAN H. ACCETTA Notary Public, State of New York No. 02AC5047917 Qualified in Westchester County Commission Expires August 14, 2013</div> <div>ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE</div> <div>State of New York, County of , ss:</div> <div>On the day of in the year , before me, the undersigned, a Notary Public in and for said State, personally appeared , the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in</div> <div>(If the place of residence is in a city, include the street and street number if any, thereof). that he/she/they know(s)</div> <div>to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said</div> <div>execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto</div>	<div>ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE</div> <div>State of New York, County of , ss:</div> <div>On the day of in the year 2010, before me, the undersigned, personally appeared</div> <div><p>, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.</p></div> <div>Notary Signature</div> <div>ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE</div> <div>*State of , County of , ss:</div> <div>*(Or insert District of Columbia, Territory, Possession or Foreign County)</div> <div>On the day of in the year , before me the undersigned personally appeared</div> <div>Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the</div> <div>(add the city or political subdivision and the state or country or other place the acknowledgement was taken).</div> <div>SECTION: 17</div> <div>BLOCK: 1</div> <div>LOT: 44</div> <div>COUNTY OR TOWN: Putnam County</div> <div>STREET ADDRESS: 3622 Route 9 Philipstown, NY 10516</div> <div>RETURN BY MAIL TO:</div> <div>STERN KEISER & PANKEN, LLP ATT: CYNTHIA GRUBIAK, PARALEGAL 1025 WESTCHESTER AVENUE, SUITE 305 WHITE PLAINS, NY 10604</div>
<div>Bargain and Sale Deed With Covenants</div> <div>Title No.</div> <div>LAWRENCE M. DOWNEY TO 3622 ROUTE 9, LLC</div>	

SCHEDULE A

ALL that certain parcel of land, situate in the Town of Philipstown, County of Putnam and State of New York, that is known and designated as Parcel 2 on that certain "Subdivision Plat Prepared for Empire Swift Homes, Inc." dated May 30, 1988 and prepared by BADEY & WATSON, Surveying & Engineering, P. C., which map was filed October 5, 1989 as Map No. 2441, that is bounded and described as follows:

BEGINNING at a point on the southeasterly line of U.S. Route 9 where the said southeasterly line is intersected by the line dividing Parcel 1 from Parcel 2 on the said map, which point is distant S. 37-46-29 W. 236.37 feet as measured along the said southeasterly line of U.S. Route 9 from the point formed by the intersection of the said southeasterly line of U.S. Route 9 with the southwesterly line of East Mountain Road North, all as shown on the said filed map, said point being the northerly most corner of the herein described premises; thence from said point of beginning along the said division line between Parcel 1 and Parcel 2 as shown on the said map S. 59-10-43 W. 390.78 feet to a point in the line of lands formerly of O'Connor and now or formerly of Frisenda; thence southwesterly along the said Frisenda lands and along lands now or formerly of Bengis S. 29-17-23 W. 565.25 feet to a point in the center of a stone wall marking the northeasterly line of lands now or formerly of Forman; thence along the said stone wall and along the said northeasterly line of lands now or formerly of Forman the following courses: N. 57-41-07 W. 65.54 feet; N. 56-11-54 W. 149.95 feet; and N. 57-33-20 W. 48.42 feet to a point at the line of lands formerly of Roder and now or formerly of Jan Realty; thence along the said Jan Realty lands N. 37-46-29 E. 209.17 feet and N. 57-33-20 W. 209.17 feet to another point on the aforementioned southeasterly line of U.S. Route 9; thence northeasterly along the southeasterly line of U.S. Route 9 N. 37-46-29 E. 343.14 feet to the point or place of **BEGINNING**.

TOGETHER with an easement over that portion of the lands heretofore conveyed to John and Zeolla that is shown on the said map as 50 foot easement for common drive that is bounded and described as follows:

BEGINNING at a point on the southeasterly line of U.S. Route 9 where it is intersected by the line dividing Parcel 1 from Parcel 2 on the said map, which point is distant S. 37-46-29 W. 236.37 feet as measured along the said southeasterly line of U.S. Route 9 from a point formed by the intersection of the said southeasterly line of U.S. Route 9 with the southwesterly line of East Mountain Road North; thence from the said point of beginning northeasterly along the said southeasterly line of U.S. Route 9 N. 37-46-29 E. 53.42 feet to a point; thence leaving the said southeasterly line of U.S. Route 9 and running through Parcel 1 as shown on the said map first turning about and then on a curve to the left, the tangent of which bears S. 37-46-29 W., the central angle of which is 96-57-12, the radius of which is 25.00 feet for 42.30 feet and then S. 59-10-43 E. 68.72 feet and S. 30-49-17 W. 25.00 feet to a point on the division line between Parcel 1 and Parcel 2 as shown on the said map and on the northeasterly line of the hereinabove described premises; thence northwesterly along the said division line N. 59-10-43 W. 100.00 feet to the southeasterly line of U.S. Route 9 at the point or place of **BEGINNING**.

SUBJECT to an easement over that portion of Parcel 2 on the said map designated as 50 foot easement for common driveway, which easement is bounded and described as follows:

BEGINNING at a point on the southeasterly line of U.S. Route 9, which point is the northeasterly most corner of the herein described premises at which point the said southeasterly line of U.S. Route 9 is intersected by the line dividing Parcel 1 from Parcel 2 on the said map, which point is distant S. 37-46-29 W. 236.37 feet as measured along the said southeasterly line of U.S. Route 9 from the point formed by the intersection of the said southeasterly line of U.S. Route 9 with the southwesterly line of East Mountain Road North; thence from the said point of beginning along the said division line between Parcel 1 and Parcel 2 as shown on the said map S. 59-10-43 E. 100.00 feet to a point; thence through the said Parcel 2 and through the parcel herein described the following: S. 30-49-17 W. 25.00 feet and N. 59-10-43 W. 80.91 feet and then on a curve to the left, the central angle of which is 83-02-48, the radius of which is 25.00 feet for 36.24 feet to another point on the aforementioned southeasterly line of U.S. Route 9; thence northeasterly along the said southeasterly line of U.S. Route 9 N. 37-46-29 E. 47.32 feet to the point or place of **BEGINNING**.