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TO: Town of Philipstown Planning Board DATE: June 20, 2017

FROM: Ronald J. Gainer, PE SUBJ: Sadlon Residential Site Plan; 825 NYS Route 9D

As provided in Section 175-66B of the Town Code a pre-application meeting was held on October 26, 2021 concerning the construction of a new residential structure on a currently vacant property along NYS Route 9D.

In attendance were the following:

John Sadlon	–	Property Owner/Applicant
Glenn Waltson, Jason Snyder	–	Badey & Watson, PC (Applicant's consultant)
Dennis Gagnon	–	Planning Board Member
Neal Tomann	–	Planning Board Member
Greg Wunner	–	Code Enforcement Officer
Cheryl Rockett	–	Planning Board Secretary
Ron Gainer	–	Town Engineer

The following matters were discussed:

Purpose of Application:

The property is located along the west side of NYS Route 9D, and lies just south of the Town Recreation Center property. It's an irregularly shaped parcel, extending from Route 9D westerly to the MetroNorth railroad tracks adjacent to the Hudson River. Sadlon purchased the property from OSI this past July. The Applicant is proposing to construct the existing single-family residence on the property. The property comprises approximately 20 acres; tax map no. 71.-1-13.111. The overall development would include the following general elements:

- Construction of the main residence, of approx. 3,600 sf
- Lap pool to the rear (west) of the dwelling
- A detached structure to include a 900 sf garage, 200 sf workshop, and accessory apartment (<800 sf)
- Driveway access out to Route 9D
- New well and SSTS to serve the main residence and detached garage/accessory apartment

The property is encumbered by a conservation easement over the tract, which contains building restrictions but does describe a specified area where development is permitted. The Site layout plan reviewed during the meeting complies with these restrictions. Additionally, portions of "Arnold's Flight", the historic trail marking Benedict Arnold's escape from Revolutionary War soldiers, lies within and adjacent to the northerly edge of the property. This, too, is within the property's conservation easement. This will remain accessible by area hikers.

Significant Town-regulated steep slopes also exist across the property, both along the area of the northern boundary, as well as the westerly portion of the tract which slopes down to the railroad tracks. Further, these westerly sections of the property are utilized as public hiking trails, which will continue to be allowed per the conservation easement. Neither of these areas will be disturbed by construction.

RE: Sadlon Residential Site Plan; 825 Route 9D

The main residence will be one-story, with much glass along the westerly side (facing the Hudson River). However, the applicant advises that the structure will not be visible from the Hudson River, with views from the public hiking trails filtered by the existing vegetation on the tract which will remain, to the extent possible.

Zoning District Information:

The property is located in the Institutional Conservation ("IC") Residential Zoning District.

Site Plan Review Required:

Per the Town of Philipstown "Use Table" contained in the Zoning Ordinance, Site Plan approval from the Planning Board will be required as the project entails construction of a residential structure in excess of 3,000 sf.

"Major/Minor" Classification:

Per prior Board policy, single family dwellings requiring site plan approval are deemed to require only "minor" site plan approval. Therefore, this application should be processed by the Planning Board in accordance with the Zoning Code provisions for a "Minor" project.

It is noted that a public hearing is discretionary for "Minor" projects, although is often held by the Board.

Waivers: No waivers were identified by the applicant during the pre-application meeting.

Overlay Districts:

This property falls within or adjacent to:

- Scenic Protection Overlay (SPO) District (encompasses entire site)
- Regional Aquifer Overlay District

Site Development issues:

Recognizing that the entire property is in the SPO District (which extends from Route 9D to the Hudson River), all applicable requirements of §175-15 will therefore apply to the project. Further, given that the portions of the site to be developed will be visible from "publicly accessible places" (i.e.; the nearby hiking trails, which are covered by separate "public access easements"), these regulations seek to prevent degradation of "scenic character" and views from such public trails. Therefore, removal of existing vegetation lying between the proposed dwelling location and the hiking trails should be minimized, and totally avoided if at all possible.

The necessary application documents and Site Plan drawings required by §175-65 ("*Site Plan review*") & §175-67 (*procedures for "minor projects"*) must be submitted in order for the application to be deemed "complete". The Site Plan drawings should also specify the amount of impervious coverage, as well as overall site disturbance planned, to confirm what SWPPP requirements will apply.

Expected Referrals: It would appear that the project should be referred to the following agencies:

- Putnam County Department of Planning (per NYS §239m; lies along Route 9D)
- New York State Department of Transportation (driveway entrance onto Route 9D)
- Town Conservation Board (steep slopes, and nearby watercourse)

Further, while not required, a courtesy referral to the local Fire Department is typically accomplished by the Planning Board.



RE: Sadlon Residential Site Plan; 825 Route 9D

Site Plan Fees: As described above, it appears that “minor Site Plan” fees would apply. Based upon review of the Town's fee schedule, the following fees would apply:

“Site Plan, minor”/”One- & Two family SP”	-	\$300
Escrow	-	\$5,000 (un-used monies returned to applicant)

Therefore, fees of **\$300** and a **\$5,000 escrow** should be posted by the applicant as part of the Site Plan application filing. The application fees and escrow deposit should be posted with separate checks.

At the conclusion of these discussions, the pre-application meeting concluded.

c: Greg Wunner, Code Enforcement Officer
Max Garfinkle, NRRO
Stephen Gaba, Esq.
Applicant (c/o Badey & Watson, PC)

