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TO: Town of Philipstown Planning Board DATE: March 15, 2022
FROM: Ronald J. Gainer, PE SUBJ: DePaolis/Cedar Hill Landscaping Commercial Site Plan
18 E. Mountain Road North

Project Scope: Commercial Business
Zoning District: "HC" (Highway Commercial) District

We have reviewed the following information which was received on the above project:

Prepared by Badey & Watson Surveying & Engineering, PC (all last revised 3/3/2022)

- "Existing Conditions Plan"
- "Site Plan"
- "Landscape and Erosion & Sediment Control Plan"
- Full EAF – Part 1; last revised March 3, 2022

As the Board is aware, the property involved in this application lies along the south side of East Mountain Road North, just east of the NYS Route 9 intersection, comprising a 3.31-acre parcel located in the Highway Commercial (HC) Zoning District. The subject lot contains an existing residential dwelling and detached garage (with a second-floor accessory apartment), with the applicant proposing a change in use to occupy the property for their landscaping business. They will utilize the existing apartment in the garage for the business, maintain the residential use on the property, and construct a 48' x 80' one-story garage in the rear of the tract for equipment and material storage. Associated parking and outdoor material storage bins will also be provided on the site.

At the January 20, 2022 meeting the Board classified the matter as a "minor" project, declared it an "unlisted" SEQRA action and decided to conduct an "uncoordinated" environmental review. Therefore, the Board may make a SEQRA determination whenever they believe that they have sufficient information on which to base a decision. To assist in the Board's review of potential environmental impacts, enclosed please find an EAF-Part 2 for your review and consideration. If acceptable to the Board, this should be adopted at your upcoming meeting.

Additionally, a site inspection of the property was performed on February 6, 2022. All necessary referrals have been made. Lastly, a public hearing is scheduled for the matter on the March 17, 2022 meeting.

The latest plans and revised EAF submitted address most prior technical comments offered, and incorporate the following minor changes:

- Infiltration facilities for the proposed garage in the rear are now shown.
- Plan notations have been added to address the potential habitat for Northern Long-Eared bats, which have been flagged by NYS DEC.
- Additional evergreen screening has been shown to address visibility from the adjacent residence.
- The applicant has committed to storing all construction and landscaping equipment indoors.
- No outdoor signage or salt storage will be provided at the site

Issues which remain open include the following:

- It is noted that the applicant has requested a waiver from having to identify all trees >8" DBH on the site

RE: DePaolis/Cedar Hill Landscaping Commercial Site Plan; East Mountain Road North

plans. As any trees within the areas of disturbance appear to be shown, we take no exception to this request.

- Building materials and colors for the garages will be presented at an upcoming meeting of the Board.
- The Board should discuss whether any potential traffic concerns could result from the property's change in use. The applicant has represented that their business will involve vehicular movement outside of the AM and PM peak traffic periods on Route 9.

Once the Public Hearing is concluded and, assuming no new concerns are identified, once the above open matters are resolved the Board may be in a position to consider having an approval resolution prepared for the next meeting. Should you have any questions, please don't hesitate to contact us.

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

