



Statement of Use

Dain's Lumber

3622 U.S. Route 9, Town of Philipstown, New York

Tax Map # 17.-1-44

November 3, 2022

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 one primary building which has generally been used for contractor offices and storage, and occasionally as a single family residence, 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 construct the subject project over two phases. Phase 1 would consist of the removal of the three existing driveway entrances in favor of two entrances designed to New York State Department of Transportation standards, and to construct a 7,000 square foot building, a 27,500+-square foot enclosed outdoor storage area, the associated parking and landscaping, and a stormwater management practice. The new 7,000sf building would be solely used for storage of lumber and building materials, and would not have water or wastewater connections. The outdoor storage area will have rows of bays for building material storage, which will typically not exceed 8 feet in height and in no case will exceed 15 feet. In this first phase, the existing building would be kept and rented as a residential unit, and would continue to utilize the existing well and septic system. In addition to the car trips produced by the single family dwelling, the storage building and outdoor storage area are anticipated to produce 5 to 10 in and outbound trips per week for 1 to 3 transient employees.

Phase 2 would consist of the removal of the existing building and residential use, in order to construct a second new building in its place of 10,500 square feet. Phase 2 would also include a new septic and drilled well, additional associated parking and landscaping, and an additional stormwater management practice to treat runoff from the new impervious surfaces. One side of the phase 2 building would house contractor offices and storage, and the other would house a retail space.

The contractor office and storage component would be modular such that it could accommodate one, or up to three tenants, depending on demand. It is anticipated that the average employee count for each contractor unit will be 2-3 employees per tenant, with a potential total of 2-9 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 trips per tenant, per weekday for deliveries, etc. Weekend trips are anticipated to be minimal.

The retail space would be a hardware and building materials store that will require approximately 2-3 employees for operation. Operations will include retail counter and contractor sales. Inventory will include a full array of common hardware items, including but not limited to, nails, screws, paints/stains, hand and power tools; and building materials, including but not limited to doors, windows, decking, interior trim, sheet goods and framing materials. Based on this mix of uses, all utilities will be engineered and sized to accommodate the anticipated daily usage of approximately 600 gallons per day.

Over the two phases of the project, the proposed uses will include the following:

- "Warehouse/wholesale business" for the storage proposed in the phase 1 building. This use is permitted by right, subject to site plan review.

- “Single family dwelling,” for the phase 1 use of the existing building. This use is permitted by right.
- “Service business,” for the proposed use of the contractor office and storage portion of the phase 2 building, as was approved as part of the 2021 site plan. This use is permitted by right, subject to site plan review.
- “Retail” for the hardware store described above. This use is permitted by right, subject to site plan review.

No area variances are required. See the bulk requirement tables on drawings SP-1.1 and SP-2.1, dated November 3, 2022.

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 to maintain a Special Use permit which was approved under the 2021 site plan for the potential 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. Storage of all such materials would meet all local, and state requirements.