

Town of Philipstown Planning Board

Meeting Agenda
VFW Hall, Kemble Avenue, Cold Spring, New York 10516
November 15, 2012
7:30 PM

Revised 11/8/12

Pledge of Allegiance
Roll Call
Approval of Minutes: 09-20-12

Applications:

SNK Farms, Inc. – Minor site plan amendment and special permit application - 3188 Route 9, Cold Spring: Submission of amended site plan

Cold Spring Fuel Corp. – Minor site plan amendment to allow installation of 18,000-gallon propane tank – 3524 Route 9, Cold Spring: Submission of amended site plan and letter from James Pidala

Lyons Realty Co. – Two-lot subdivision – East Mountain Road So.: New submission

E. Polhemus Enterprises, LLC – Site plan approval – Horsemen's Trail, Cold Spring: Submission of revised materials/drainage calculation

The New Friary at Graymoor – Special Use Permit and Site Plan – P.O.Box 300, Garrison: Discussion

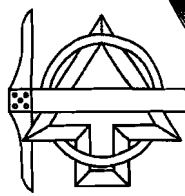
Garrison Properties LLC – 7 Garrison Landing, Garrison: Request to revise Resolution PB1-12

Mary Ellen Finger – 3 Horsemen's Trail, Cold Spring: Request for return of escrow: Discussion

Adjourn

Michael Leonard, Chairman

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



BADEY & WATSON

Surveying & Engineering, P.C.

Land Surveying
Civil Engineering
Laser Scanning
GPS Surveys
Site Planning
Subdivisions
Landscape Design

3063 Route 9, Cold Spring, New York 10516
(845)265-9217 (877)3.141593 (NY Toll Free) (845)265-4428 (Fax)
email: info@badey-watson.com website: www.badey-watson.com

Glennon J. Watson, L.S.
John P. Delano, P.E.
Peter Meisler, L.S.
Stephen R. Miller, L.S.
Jennifer W. Reap, L.S.
Robert S. Miglin, Jr., L.S.
Mary Rice, R.L.A., Consultant
George A. Badey, L.S., (1973-2011)

October 30, 2012

Honorable Michael Leonard, Chairman
Philipstown Town Board
238 Main Street
Cold Spring, NY 10516

RE: Amended Site Plan prepared for SNK Farms, NYS Route 9 (PB Appl. #100)

Dear Mr. Leonard and Honorable Board Members:

Attached are 13 copies each of the following documents our "Amended Site Plan prepared for SNK Farms, Inc.", last revised October 30, 2012

In response to recommendations made at the Planning Board meeting on October 18, 2012, and to recommendations made by the Board's consultants, we have revised the site plan as follows:

1. The drawing sheet title has been revised to note that this application is an "Amended Site Plan" and reference has been made to the 1994 "Amended Plan for Cold Spring Car Wash".
2. The length of the pedestrian crosswalk at the handicap parking area has been reduced. A 10ft. long wooden planter has been added to the site plan at the southerly end of this crosswalk. The crosswalk has been shortened to an overall length of approximately 25ft. Two-way advanced warning pedestrian signage has been added at this location.
3. In response to the concern regarding pedestrian circulation through the site, crosswalk demarcation has been added to the site plan to provide for a delineated pedestrian circulation route from the site's convenience store to the adjacent property to the south. Due to the fact that the existing curbing, located on the adjacent property, has a curb height along the north face of the curb of approximately 12 inches, the crosswalk has been delineated across the vehicular access point between the properties to allow for pedestrian passage from one property to the other.

Owners of the records of:

- ◆ Joseph S. Agnoli ◆ Barger & Hustis ◆ Burgess & Behr ◆ Roy Burgess ◆ Vincent Burruano ◆ Hudson Valley Engineering Company ◆ G. Radcliff Hustis ◆
◆ Peter R. Hustis ◆ J. Wilbur Irish ◆ James W. Irish, Jr. ◆ Douglas A. Merritt ◆ E.B. Moebus ◆ Reynolds & Chase ◆ General Jacob Schofield ◆
◆ Sidney Schofield ◆ Allan Smith ◆ Taconic Surveying and Engineering ◆ D. Walcutt ◆

Pedestrian circulation for oil change customers from the vehicle drop-off point in the oil change queue lane to the convenience store and to the adjacent property to the south has also been delineated on the site plan. Advance warning pedestrian crossing signs and paint symbols have been added at potential points of pedestrian/vehicular conflict.

4. A 10ft. by 40ft. off-street loading area for the convenience store is indicated on the site plan, north of the building. It is delineated with white pavement striping. A label has been added to the site plan. The designated loading area for the gasoline delivery vehicles has been identified on the site plan.

In his memo dated October 12, 2012, Mr. Gainer raises a concern regarding the adequacy of the existing on-site well and sanitary disposal system. The on-site well and sanitary disposal system have been in operation for many years prior to 1992. The car wash operation was discontinued, in part, because it was overtaxing the septic system. It did not overtax the well. Our client reports that since the car wash has been closed there have been no problems with the septic system or the well.

Our client also reports that it expects to increase its staff by two. Two additional staff members are expected to contribute approximately 30 gallons of water to the septic load per day. This relatively small increase is not expected to cause a system failure. However, because there is no documentation regarding the actual construction of the system, failure cannot be ruled out. We have explained this to our client and asked it to commit to a prompt repair of the system should it fail. Toward that end our client has provided the attached letter.

We look forward to presenting the modified plan at the next Planning Board meeting scheduled for November 15, 2012. We are hopeful that a decision can be made to adopt the resolution for the approval of the amended site plan at the meeting.

As always, thank you for your concern for and attention to this application.

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

by 

Mary C. Rice, RLA
mrice@badey-watson.com
845-265-9217 x15

Enclosure (1)
MCR/bms
cc: File 75-109B\ML300C12L_SubRevPlans.doc

BADEY & WATSON
Surveying & Engineering, P.C.

SNK FARM, INC.
Cold Spring Quick Stop
3188 Route 9
Cold Spring, New York 10516
(845) 765-8507

Nov. 01, 2012

Glennon J. Watson
Badey & Watson
3063 Route 9
Cold Spring, New York 10516

RE: 3188 Route 9 Septic System

Dear Mr. Watson,

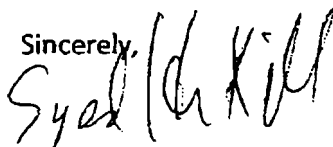
This letter answers your questions about the septic system on the property at 3188 Route 9, Cold Spring, New York.

We have no record of the actual construction of the septic system. The carwash was closed because it was too much for the septic system to handle. To keep it working, we had to have it pumped out too much.

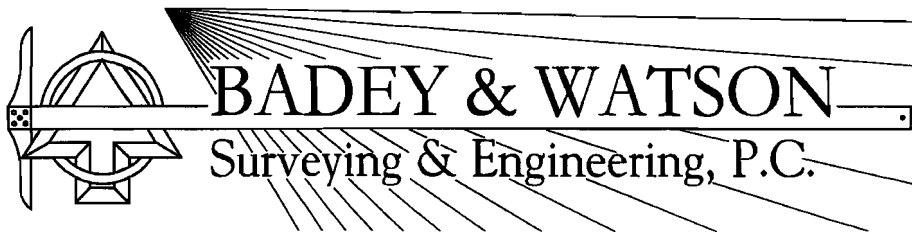
There have been no problems with the septic system since we closed the carwash. We expect to add two employees to the staff when the repair facility opens.

If we ever encounter problems with the septic system, we will attend to it immediately. We understand that any repair to the septic system requires a permit from the Health Department.

Sincerely,



Syed Kirmani
President



Land Surveying
Civil Engineering
Laser Scanning
GPS Surveys
Site Planning
Subdivisions
Landscape Design

3063 Route 9, Cold Spring, New York 10516
(845)265-9217 (877)3.141593 (NY Toll Free) (845)265-4428 (Fax)
email: info@badey-watson.com website: www.badey-watson.com

Glennon J. Watson, L.S.
John P. Delano, P.E.
Peter Meisler, L.S.
Stephen R. Miller, L.S.
Jennifer W. Reap, L.S.
Robert S. Miglin, Jr., L.S.
Mary Rice, R.L.A., Consultant
George A. Badey, L.S., (1973-2011)

October 30, 2012

Honorable Michael Leonard, Chairman
Philipstown Planning Board
238 Main Street
Cold Spring, NY 10516

RE: Application for Amended Site plan for Cold Spring Fuel Corp. (Pidala Oil Co. Inc.), (PB Appl.#101)

Dear Mr. Leonard and Honorable Board Members:

Attached are 13 copies each of the following documents:

1. "Amended Site Plan prepared for Cold Spring Fuel Corp." last revised October 30, 2012
2. Letter from Pidala Fuel Co. Inc., dated October 25, 2012

The site plan has been modified to correct the sheet title, as requested by AKRF, Inc. Specifically the drawing title has been revised to indicate that this application is an "Amended Site Plan" and reference has been made to the 2003 Site Plan.

In Mr. Gainer's memo dated October 12, 2012, he questions whether the new tank installations will require any increased occupancy/staffing at the site that could cause the adequacy of the on-site well and sanitary disposal systems to be of concern. Cold Spring Fuel Corp. has indicated that it does not expect an increase in staffing due to the new tank installation. Cold Spring Fuel Corp. has also indicated that the on-site well and sanitary disposal system currently provide adequate service. For this reason, we see no need to be concerned about over-taxing these systems. Please see the attached Letter from Cold Spring Fuel Corp. regarding expected staffing.

We look forward to presenting the modified plan at the next Planning Board meeting scheduled for November 15, 2012, after which we are hopeful that a decision can be made to adopt the resolution approving the amended site plan.

As always, thank you for your concern for and attention to this application.

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

by 

Mary C. Rice, RLA
mrice@badey-watson.com
845-265-9217 x15
Enclosure (1)
MCR/bms
cc: File 77-113B\ML30OC12L_SubRevPlan.doc

Owners of the records of:

- ◆ Joseph S. Agnoli ◆ Barger & Hustis ◆ Burgess & Behr ◆ Roy Burgess ◆ Vincent Burruano ◆ Hudson Valley Engineering Company ◆ G. Radcliff Hustis ◆
- ◆ Peter R. Hustis ◆ J. Wilbur Irish ◆ James W. Irish, Jr. ◆ Douglas A. Merritt ◆ E.B. Moebus ◆ Reynolds & Chase ◆ General Jacob Schofield ◆
- ◆ Sidney Schofield ◆ Allan Smith ◆ Taconic Surveying and Engineering ◆ D. Walcutt ◆

PIDALA OIL CO. INC.

FUEL OIL – DIESEL – BULK STORAGE

**3524 Route 9 - P.O. Box 249
Cold Spring, N.Y. 10516
Phone (845) 265-2073
Fax (845) 265-2113**

October 25, 2012

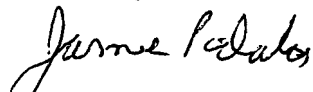
Town of Philipstown Planning Board
P.O. Box 155
Cold Spring, NY 10516

Re: Cold Spring Fuel – Propane Storage Tank

Dear Members of the Board,

This letter is to inform you that with the approval of the new propane storage tank, no additional employees will added and therefore no additional usage will be put on the existing septic system. Under normal circumstances, most of the present employees are out of the building for the majority of the day, arriving in the morning and returning at the end of the day.

Sincerely,



James Pidala
Pidala Oil Co., Inc.

T O W N O F P H I L I P S T O W N
P U T N A M C O U N T Y , N E W Y O R K

APPLICATION FOR APPROVAL OF SUBDIVISION PLAT ^{Tax Map No.} 17.-1-76.11

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 approval of a Preliminary Plat;
- for approval of a Final Plat;
- for approval of a Minor Subdivision as a Final Plat; or
- for revision of a previously Filed Plat.

For Office Use Only	
1.	Application # _____
2.	Fee _____
3.	Rec'd by _____
4.	Date _____

I. Identification of Applicant and Owner:

a. Applicant (name) Lyons Realty Company Tel. 845-265-2189
address 3175 Route 9
Cold Spring, New York 10516

b. Owner of property if not same as Applicant:

(name) Same as Applicant Tel. _____
address _____

II. 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

Date 11-1-12

Signed

Nathan Lyons

by Nathan Lyons

(authorized agent)

b. Owner of Property if not same as Applicant

Date _____

Signed _____

by _____

(authorized agent)

APPENDIX B-1: CERTIFICATE CONCERNING OWNERSHIP OF APPLICANT

1. If owner or applicant is a general or limited partnership, attach this notarized certification listing names and addresses of all partners and participants. If a partner is a partnership, corporation, association or business trust, provide the information required by this section for such partner.
2. If owner or applicant is a corporation, association or business trust attach notarized this certification listing position, name and address of all officers, directors and all shareholders owning (whether beneficially or equitable) five (5%) percent or more of any class of such party's stock.

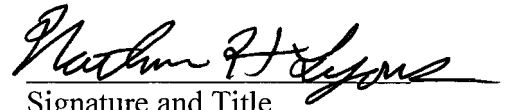
Certificate of _____

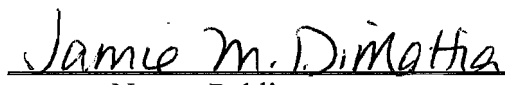
<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>% Ownership</u>
OWNER	NATHAN LYONS	20 LYONS ROAD COLD SPRING, NY 10516	50%
OWNER	ERNEST LYONS	40 LYONS ROAD COLD SPRING, NY 10516	50%
			%
			%
			%
			%

The undersigned (corporate officer) hereby certifies that the information herein above set forth is true and correct.

Sworn to before me this

1ST Day of NOVEMBER 2012


Signature and Title


Notary Public

JAMIE M. DIMATTIA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DI6119136
Qualified in Dutchess County
My Commission Expires November 22, 2012

APPENDIX C

TOWN OF PHILIPSTOWN, NEW YORK
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: Lyons Realty Company
3. RESIDENCE: 3175 Route 9, Cold Spring, New York 10516
4. DATE: 11-1-12
5. NATURE OF APPLICATION OR PETITION: Application for Approval of a 2 Lot Subdivision

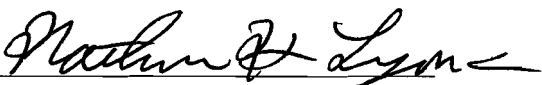
B. Nature and Extent of Interest of any State Officer or Municipal Officer or Employee in this Application (Set forth in detail).

N/A

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: 11/1/12

Signed: 

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

APPENDIX D: IDENTIFICATION OF PROPERTY AND PROPOSAL

D-1. Property

- a. Total acres 136.909
- b. Does application cover all contiguous land of the owner? Yes
If no, explain an excluded area _____

- c. Tax Map: Sheet 17. Block 1 Parcel (s) 76.11
- d. Last deed: Date August 8, 1991 Liber 1132 Page 215

D-2 Location:

- a. Zoning District(s) (M) Industrial/Manufacturing, (RR) Rural Residential & (SMO) Soil Mining Overlay District
- b. Property abuts (streets or roads) East Mountain Road South & Route 9
- c. Municipal Districts encompassing all or part of property:
School: Haldane Central School District
Fire Protection: North Highlands Fire Department
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.
- g. 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? Yes
If yes, specify Property abuts Route 9

- h. 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: N/A
- b. Length of Proposed streets or private ways in Plat: N/A feet.
- c. Does Applicant proposed to dedicate to public use all of the streets shown on the proposed plat? N/A, if not, describe Single Family Residence with Private Driveway Proposed
- d. Approximate acreage of land proposed as open space for parks and playground: 0 acres.
- e. Does applicant propose to dedicate to public use all of the open space shown on the Proposed plat? No, if not, describe Private Single Family Residence with Private Driveway is Proposed
- f. How is water supply to be provided? Private Well Has any application been made to the County of Putnam or State of New York for approval of proposed water supply? Yes, if yes, give date and describe Preliminary Application Submitted
- g. How is sewage disposal to be provided? Private Sewage 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? Yes, if yes, give date and describe Preliminary Application Submitted and Soil Testing Witnessed by Putnam County Health Department Representative on 10-18-12
- i. Does proposed plat include any wetlands and/or water courses as defined by the State of New York or an applicable Local Law? YES if yes, describe Clove Creek and New York State Wetland WP17

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 Yes. Please See Attached

- b. deed restrictions on use and development None

- c. mortgages None

- d. liens None

- e. leases None

- f. other None

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 of 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 and Watson Surveying and Engineering P.C.
Address 3063 Route 9
Cold Spring, New York 10516 Tel. 845-265-9217
N.Y. License No. 48167
- b. Engineer (name) Lawrence J. Paggi, P.E., P.C.
Address 43 Broad Street
Fishkill, New York 12524 Tel. 845-897-2375
N.Y. License No. 065155
- c. Other (name) _____
Address _____
N.Y. License, if any _____

E-2. Maps and Plans:

- a. Title and Date of Proposed Plat Map: Lyons Realty Company
Subdivision Plat dated November 1, 2012 as prepared by Lawrence J. Paggi, PE, PC
No. of Sheets: 1
- b. Title and Date of Proposed Profiles and Construction Plans: N/A

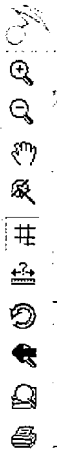
No. of Sheets: _____
- c. Title, Date and Preparer of other maps and plans: Sewage Disposal System Plan
dated November 1, 2012 as prepared by Lawrence J. Paggi, PE, PC

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

E-4. Attorney (if any):

- a. (name) _____
Address _____
Tel. _____

ance



Mapping Search

[Show All Selections](#)

[Selection Options](#) [Clear](#)

[Zoom to selected map feature](#)

Selected Parcels Feature

SBL	3726890170000010760110000
Municipality	Philipstown
Tax Map #	17.-1-76.11
Owner 1	Lyons Realty Company
Owner 2	
Address	EAST MOUNTAIN ROAD S
Acres	137.30999755
Frontage	2470
Depth	
Class	Rural vac>10
Deed Book	1132
Deed Page	215

	Town	Tax Map #	Property Address	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	City	ST	Zip	Acres	Class	Owner
1	Philipstown	17.-1-40	26 EAST MOUNTAIN ROAD N	Holdam, James V		26 East Mountain Rd N		Cold Spring	NY	10516	1.15999996	1 Family Res	HOLDAM, JAMES V
2	Philipstown	17.-1-45	3620 RT 9	lebba, Nicola	lebba, Angela	23 Ryan's Run		Pleasant Valley	NY	12569	1.00000000	Restaurant	EBBA, NICOLA
3	Philipstown	17.-1-47	3602 RT 9	Moore, Barbara A	Moore, Raymond B	3602 Rt 9		Cold Spring	NY	10516	2.39000010	1 use sm bld	MOORE, BARBARA A
4	Philipstown	17.-1-19	33 ESSELBORNE RD	Lockie, Martin P		55 Esselborne Rd		Cold Spring	NY	10516	7.38000011	Vacant rural	LOCKIE, MARTIN P
5	Philipstown	17.-1-55	50 MILL RD	Mansur, Janice	Hustis, Donald A	47 Fine St		Nelsonville	NY	10516	7.94000005	1 Family Res	MANSUR, JANICE
6	Philipstown	16.12-1-14	19 MILL RD	Campbell, Paul	Campbell, Madelyn	19 Mill Rd		Cold Spring	NY	10516	1.44000005	1 Family Res	CAMPBELL, PAUL
7	Philipstown	17.-1-17.1	1 ESSELBORNE RD	Carlson, Prudence E		17 White St	Apt 6B	New York	NY	10013	5.03999996	1 Family Res	CARLSON, PRUDENCE E
8	Philipstown	16.12-1-13.1	33 MILL RD	McMasters, Brice T	McMasters, Janice	33 Mill Rd		Cold Spring	NY	10516	2.05999994	1 Family Res	MCMASTERS, BRICE T
9	Philipstown	16.12-1-12	47 MILL RD	Haleblian, John	Haleblian, Lisa P	2 East End Ave	Apt 2A	New York	NY	10021	2.57999992	1 Family Res	HALEBIAN, JOHN
10	Philipstown	17.-1-54	MILL RD	County Of Putnam		40 Gleneida Ave		Carmel	NY	10512	1.25999999	Rural vac<10	COUNTY OF PUTNAM
11	Philipstown	17.-3-22	443 EAST MOUNTAIN ROAD S	Pi-Sunyer, Xavier	Pi-Sunyer, Penelope W	800 West End Ave		New York	NY	10025	5.61999988	1 Family Res	PI-SUNYER, XAVIER
12	Philipstown	17.-3-23	439 EAST MOUNTAIN ROAD S	Walsh, Kevin P	Walsh, Linda S	439 East Mountain Road So		Cold Spring	NY	10516	3.00000000	1 Family Res	WALSH, KEVIN P
13	Philipstown	17.-1-72.1	60 OLD ALBANY POST ROAD N	Thomson, Carl L	Thomson, Dona L	19 E 75th St		New York	NY	10021	8.72000026	1 Family Res	THOMSON, CARL L
14	Philipstown	17.-1-72.2	RT 9	Thomson, Carl L	Thomson, Dona L	19 E 75th St		New York	NY	10021	4.71000003	Rural vac<10	THOMSON, CARL L
15	Philipstown	17.-1-42	18 EAST MOUNTAIN ROAD N	Frisenda, Antoinette		18 East Mountain Rd N		Cold Spring	NY	10516	3.30999994	1 Family Res	FRISENDA, ANTOINETTE
16	Philipstown	17.-1-44	3622 RT 9	3622 Route 9 LLC		108 Hudson Pointe Dr		Poughkeepsie	NY	12601	4.01999998	Converted Res	3622 ROUTE 9 LLC
17	Philipstown	17.-1-27	56 STONE HILL RD	Brucato, Linda		56 Stone Hill Rd		Cold Spring	NY	10516	25.52000045	Rural res	BRUCATO, LINDA
18	Philipstown	16.12-1-15	3524 RT 9	Cold Spring Fuel Corp		PO Box 249		Cold Spring	NY	10516	1.49000000	Fuel Store&Dist	COLD SPRING FUEL CORP
19	Philipstown	17.-1-53	18 MILL RD	Duffy, Lynn	Duffy, James	18 Mill Rd		Cold Spring	NY	10516	1.34000003	1 Family Res	DUFFY, LYNN
20	Philipstown	17.-1-26	25 STONE HILL RD	Baisley, Edith		371 Spring Hill Lake Rd		Red Hook	NY	12571	5.19000005	1 Family Res	BAISLEY, EDITH
21	Philipstown	17.-1-76.21	145-155 HORTON RD	Umar, Catherine Isabel		155 Horton Rd		Cold Spring	NY	10516	20.81999969	Res Multiple	ULMAR, CATHERINE ISABEL
22	Philipstown	17.-1-22	49 ESSELBORNE RD	Mitchell, Geraldine T		154 Elmood Ave		Hawthorne	NY	10532	1.30999994	1 Family Res	MITCHELL, GERALDINE T
23	Philipstown	17.-1-18	21 ESSELBORNE RD	Strauss, Michael J		PO Box 9225		Scarborough	NY	10510	4.11000013	Rural vac<10	STRAUSS, MICHAEL J
24	Philipstown	17.-1-20	35 ESSELBORNE RD	Mathers, Christopher	Hommel, Vreni Aukjen	35 Esselborne Rd		Cold Spring	NY	10516	1.80999994	1 Family Res	MATHERS, CHRISTOPHER
25	Philipstown	17.-1-16	464 EAST MOUNTAIN ROAD S	Rogoff, Lynn		10 Leonard Steet #35W		New York	NY	10013	5.82999992	Seasonal res	ROGOFF, LYNN
26	Philipstown	17.-1-56	HORTON RD	Clark, John	Clark, Valeria	91 Horton Rd		Cold Spring	NY	10516	2.19000005	Rural vac<10	CLARK, JOHN
27	Philipstown	17.-3-19	473 EAST MOUNTAIN ROAD S	Derry, James R	Derry, Doreen B	473 East Mountain Road So		Cold Spring	NY	10516	1.99000000	1 Family Res	DERRY, JAMES R
28													
29	Philipstown	17.-3-20	461 EAST MOUNTAIN ROAD S	Teff, Donald R	Pacheco, Joseph	461 East Mountain Rd S		Cold Spring	NY	10516	1.08000004	1 Family Res	TEFF, DONALD R
30	Philipstown	17.-3-21	451 EAST MOUNTAIN ROAD S	Sizemore, James G	Sizemore, Nicole S	451 East Mountain Rd S		Cold Spring	NY	10516	1.25000000	1 Family Res	SIZEMORE, JAMES G
31	Philipstown	17.-3-18	481 EAST MOUNTAIN ROAD S	Boyd, David L		481 East Mountain Rd S		Cold Spring	NY	10516	6.65000009	1 Family Res	BOYD, DAVID L
32	Philipstown	17.-3-24	425 EAST MOUNTAIN ROAD S	Miriam Dinerman Living Trust		850 Tanglewood Dr		Lafayette	CA	94549	5.71000003	1 Family Res	MIRIAM DINERMAN LIVING TRUST
33	Philipstown	17.-3-25	407 EAST MOUNTAIN ROAD S	Butensky, Richard	Cohen, Judith Faye	45 Grove St	Apt 4A	New York	NY	10014	5.15000009	1 Family Res	BUTENSKY, RICHARD
34	Philipstown	17.-3-26	393 EAST MOUNTAIN ROAD S	Savage, Paul	Savage, Fay	175 Merriweather Rd		Grosse Pointe	MI	48236	5.17999982	Seasonal res	SAVAGE, PAUL
35	Philipstown	17.-3-27	363 EAST MOUNTAIN ROAD S	Bilberry Farms Inc		45 Grove St	Apt 4A	New York	NY	10014	43.09999847	Rural vacant	BILBERRY FARMS INC
36	Philipstown	17.-1-49	3564 RT 9	Ulutas, Fahriye Isil		192 Agor Ln		Mahopac	NY	10541	1.30999994	Vacant comm	ULUTAS, FAHRIYE ISIL
37	Philipstown	17.-1-46	3612 RT 9	Jaymark Jewelers III LLC		3612 Rt 9		Cold Spring	NY	10516	3.09999990	Misc service	JAYMARK JEWELERS III LLC
38	Philipstown	17.-1-48	3590 RT 9	Kehr, Bruce	Kehr, Donna	54 Innsbruck Blvd		Hopewell Jct	NY	12533	4.51999998	Office bldg	KEHR, BRUCE
39	Philipstown	17.-1-71	3577-3585 RT 9	Patel, Dahyabhai	Patel, Chandrika	3577 Route 9		Cold Spring	NY	10516	3.33999991	Motel	PATEL, DAHYABHAI
40	Philipstown	17.-1-51	3556 RT 9	Formisano, Madeline		3556 Route 9		Cold Spring	NY	10516	3.07999992	Motel	FORMISANO, MADELINE
41	Philipstown	17.-1-70	3565 RT 9	Van Ross Route 9 Llc		34 Cedar Lake Dr		Putnam Valley	NY	10579	.00000000	Gas station	VAN ROSS ROUTE 9 LLC
42	Philipstown	17.-1-52	3541 RT 9	Gorman, Michael	Feely, Eileen	215 Ketchum Ave		Buchanan	NY	10511	5.48999977	Vacant comm	GORMAN, MICHAEL

43	Philipstown 17.-1-39	36 EAST MOUNTAIN ROAD N	Frisenda, Joseph	Frisenda, Diane	10 East Mountain Road No	Cold Spring	NY 10516 19.9899977	Rural res	FRISENDA, JOSEPH	
44	Philipstown 17.-1-37	167 ESSELBORNE RD	Roesslein, Fred		PO Box 33	Cold Spring	NY 10516 37.7000076	Rural res	ROESSLEIN, FRED	
45	Philipstown 17.-1-50	3562 RT 9	Dallow, Barbara		2548 Hollers Ave	Bronx	NY 10475 .00000000	1 Family Res	DALLOW, BARBARA	
46	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Realty Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
47	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Realty Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
48	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Realty Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
49	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Realty Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
50	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Realty Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
51										
52										
53										
54										
55										
56										
57										
58	Philipstown 17.-1-77.2	EAST MOUNTAIN RD S	Weber, Rodney		388 East Mountain Rd S	Cold Spring	NY 10516 27.70999908	Rural vac>10	WEBER, RODNEY	
59	Philipstown 17.-1-76.11	EAST MOUNTAIN ROAD S	Lyons Realty Company		3175 Route 9	Cold Spring	NY 10516 137.30999755	Rural vac>10	LYONS REALITY COMPANY	
60	Philipstown 17.-1-77.1	388 EAST MOUNTAIN RD S	Weber, Rodney		388 East Mountain Rd S	Cold Spring	NY 10516 20.47999954	Rural res	WEBER, RODNEY	
61	Philipstown 17.-1-59.22	130-140 HORTON RD	Lowry, Glenn D	Lowry, Susan	15 W 53rd St	Apt 38A	New York	NY 10019 11.03999996	Rural res	LOWRY, GLENN D
62	Philipstown 17.-1-59.21	HORTON RD	Lowry, Glenn D	Lowry, Susan	15 W 53rd St	Apt 38A	New York	NY 10019 35.86999893	Rural vac>10	LOWRY, GLENN D



PUTNAM COUNTY RECORDING PAGE

PAGE 1 OF RECORDED DOCUMENT



DOCUMENT # 1501170

EASEMENT

RETT: 1907 \$.00 CONSIDERATION: \$.00

06/09/2008 11:49:51 A.M. RECEIPT: 8896 FEE: \$58.00 DENNIS J. SANT PUTNAM COUNTY CLERK LIBER: 1804 PAGE: 333

RESERVE FOR RECORDING INFORMATION

TYPE OR PRINT

RECORD & RETURN TO:

LIBER 1804 PAGE 333

Edward Doyle, Esq. PO Box 150 Peekskill, NY 10566

GRANTOR/MORTGAGOR Lyons Realty Company to Rodney Weber.

DO NOT WRITE BELOW THIS LINE

DEED [] MTG [] SAT [] ASMT [] CEM [] POA [] ESE [X] OTHER []

Table with recording fees: EDP FEE 10.00, RCD FEE 18.00, STAT CHG 5.00, REC MGMT 20.00, TOTAL 53.00. Includes handwritten 'TP 584' and checkboxes for MTA and EAR/EAC.

- MORTGAGE/DEED TAX DISTRICTS: TOWN OF CARMEL, TOWN OF KENT, TOWN OF PATTERSON, TOWN OF PHILIPSTOWN, TOWN OF PUTNAM VALLEY, TOWN OF SOUTHEAST, APPORTIONMENT MORTGAGE. MORTGAGE TYPES: A COMMERCIAL/VACANT LAND, B 1-2 FAMILY, C UNDER \$10,000.00, J CREDIT UNION/ PERSONAL MTG, E 3-6 UNITS, N EXEMPT.

THIS DOCUMENT WAS EXAMINED PURSUANT TO §315 REAL PROPERTY LAW

Handwritten signature of Dennis J. Sant

DENNIS J. SANT PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

LIBER 1804 PAGE 334

Agreement made this 17 day of May, 2008 between

LYONS REALTY COMPANY, a New York Partnership having its office at
c/o Harold Lyons & Sons, Inc., 3175 Route 9, Cold Spring, New York 10516,
herein designated as : "LYONS"; and

RODNEY WEBER, residing at 65 Nassau Street #7A, New York, New
York 10038, herein designated as "WEBER";

WITNESSETH:

WHEREAS, LYONS acquired property in the Town of Philipstown by Deed
from Ellison dated August 8, 1991 and recorded in Putnam County Clerk's Liber
1132 at page 215 on August 9, 1991; and

WHEREAS, WEBER acquired property in the Town of Philipstown
adjoining the LYONS property by Deed dated October 15, 2007 and recorded in
Putnam County Clerk's Liber 1798 at page 453 on March 11, 2008, which
WEBER premises is the major portion of parcel C and a small portion of Parcel A
shown on Putnam County Clerk's Filed Map No. 2513; and

WHEREAS, the property acquired by LYONS in said Deed recorded in
Liber 1132 at page 215 originally included all of Parcel A shown on Putnam
County Clerk's Filed Map No. 2513, which Parcel A had frontage on Horton
Road, and as a result of a sale LYONS retained the major portion of Parcel A
shown on Filed Map No. 2513; and

WHEREAS, Parcels B and C shown on said Map No. 2513 were owned
by Ellison; and

WHEREAS, at the time of the acquisition of Parcel A by Lyons, Parcel C

LIBER 1804 PAGE 335

did not have frontage on Horton Road; and

WHEREAS, a portion of said Parcel A divided Parcel B from Parcel C as shown on said Map 2513, and to allow Parcel B and Parcel C to have access to each other over said portion of Parcel A, the Deed from Ellison to LYONS in Liber 1132 at page 215 reserved an Easement to Ellison described on "Schedule B/C Crossover Easement" in said Deed, which Easement was "for ingress and egress in common with others between the premises described on Schedule Parcel B and Schedule Parcel C over the premises described on Schedule B/C Crossover Easement...", which Easement was never intended to be used as access to Horton Road, but only for access between Parcel B and Parcel C; and

WHEREAS, the Northeasterly terminus of Horton Road has since been re-located and is described in a Deed from Lyons Realty Company to the Town of Philipstown dated January 6, 2006 and recorded in Putnam County Clerk's Liber 1738 at page 301 on March 24, 2006; and

WHEREAS, the area described as "Schedule B/C Crossover Easement" now has frontage on the re-located Northeasterly terminus of Horton Road; and

WHEREAS, WEBER has requested permission from LYONS to use said Easement area for access to and from one (1) lot on his premises described in Liber 1798 at page 453 to Horton Road, and LYONS has agreed to this limited use;

NOW, THEREFORE, in consideration of One (\$1.00) Dollar paid by each of the Parties to the other, receipt of which is hereby acknowledged, and the

LIBER 1804 PAGE 336

promises and agreements contained herein, the Parties hereby agree as follows:

1. LYONS hereby grants to WEBER an Easement for ingress, egress, and for above and underground utilities, to and from his premises described in Liber 1798 at page 453 and Horton Road, over the area described on "Schedule B/C Crossover Easement", said Easement, however, to be limited to ordinary vehicle and pedestrian access and utilities for one (1) lot only on said premises now owned by WEBER.

2. WEBER agrees that said Easement to and from Horton Road over the area described on "Schedule B/C Crossover Easement" is limited to serving only one (1) lot on his premises described in Liber 1798 at page 453.

3. Any required approval of such access to said WEBER premises from the Town of Philipstown or otherwise is the sole responsibility of WEBER.

4. Anything In this Agreement to the contrary notwithstanding, LYONS may seek approval of access to its said remaining premises from the Town of Philipstown or otherwise, and in doing so LYONS may seek or reserve approval for WEBER'S access.

5. Neither LYONS nor WEBER shall seek any approval or do any other act inconsistent with WEBER being entitled to access for one (1), but only one (1), lot on his said premises. The Parties agree to cooperate with each other to fulfill the provisions of this Agreement.

6. The Parties agree that the premises of LYONS shall continue to have the following rights as originally described in Deed from ELLISON to LYONS in Liber 1132 at page 215, and the rights granted to WEBER herein are subject to

same:

(B) ...GRANTING to the owner of Schedule Parcel A the right to grant, create and convey other rights of way and easements for the same, similar or other purposes over the premises described on Schedule B/C Crossover Easement, and Granting to the owner of Schedule Parcel A the right to convey, offer and/or dedicate all or part of said Schedule B/C Crossover Easement as a public road to a Municipality or any governmental entity, authority, agency or body, including but not limited to the Town of Philipstown, the County of Putnam, and/or the State of New York, and upon acceptance of same as a public road this easement for ingress and egress shall cease and terminate over that portion of the Schedule B/C Crossover Easement so dedicated and accepted.

7. The Parties agree this Agreement shall run with the land, and shall bind the Parties hereto, their heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF the undersigned have signed this Agreement as of the date first above written.

LYONS REALTY COMPANY

by: Harold Lyons
HAROLD LYONS

by: Nathan H. Lyons
NATHAN H. LYONS

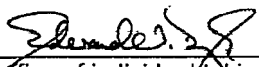
by: Ernest W. Lyons
ERNEST W. LYONS

Rodney Weber
RODNEY WEBER

LIBER 1804 PAGE 338

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

On the 21 day of May in the year 2008 before me, the undersigned, personally appeared HAROLD LYONS, 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.



(Signature and office of individual taking acknowledgment)

EDWARD W. DOYLE

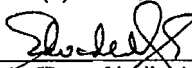
Notary Public in the State of New York

Appointed in Putnam County

Commission Expires October 31, 2010

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

On the 21 day of May in the year 2008 before me, the undersigned, personally appeared NATHAN H. LYONS, 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.



(Signature and office of individual taking acknowledgment)

EDWARD W. DOYLE

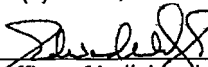
Notary Public in the State of New York

Appointed in Putnam County

Commission Expires October 31, 2010

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

On the 21 day of May in the year 2008 before me, the undersigned, personally appeared ERNEST W. LYONS, 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.



(Signature and office of individual taking acknowledgment)

EDWARD W. DOYLE

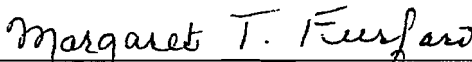
Notary Public in the State of New York

Appointed in Putnam County

Commission Expires October 31, 2010

State of New York }
County of Westchester } ss.:

On the 17 day of May in the year 2008 before me, the undersigned, personally appeared RODNEY WEBER, 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.



(Signature and office of individual taking acknowledgment)

MARGARET T. FURFARO

Notary Public, State of New York

Qlfd. Westchester County # 4707187

Term Expires March 30, 2011

LIBER 1804 PAGE 339

AGREEMENT

LYONS REALTY COMPANY

WITH

RODNEY WEBER

The premises affected by the within instrument are situate in the Town of Philipstown, County of Putnam and State of New York, being designated on the Tax Rolls of said Town as follows:

Lyons Realty Company: TM# 17-1-76.11
Rodney Weber: P/O TM# 17-1-76.22

Acc.

RECORDED AT REQUEST
OF RG AGENCY
PO BOX 431
PEEKSKILL, NY 10566
914-739-2700
RETURN BY MAIL TO

R&R

Edward Doyle, Esq.

PO Box 150

Peekskill, NY 10566

Record 11

Instrument #	Year	Date	- Time	Document Type	Consideration	Image	Pages
1501170	2008	06/09/2008	- 11:49:00	EASEMENT	\$.00		7
Liber				Page			
01804				0333			
Party	Sequence	Name			Correction		
GRANTOR	0001	LYONS REALTY COMPANY			N		
GRANTEE	0002	WEBER RODNEY			N		
Record & Return							
EDWARD DOYLE ESQ PO BOX 150 PEEKSKILL , NY 10566							

Public Search for Putnam County

LIBER, 1738 PAGE 301



PUTNAM COUNTY
RECORDING PAGE
PAGE 1 OF RECORDED DOCUMENT



DOCUMENT # 1500883
DEED - COMMERCIAL
RETT: 2148 \$.00
CONSIDERATION: \$.00
03/24/2006 09:45:04 A.M.
RECEIPT: 5135 FEE: \$226.00
DENNIS J. SANT
PUTNAM COUNTY CLERK
LIBER: 1738 PAGE: 301

RESERVE FOR RECORDING INFORMATION

RECORD & RETURN TO:

TYPE OR PRINT

Edward W. Doyle, Esq.
1010 Park Street
P.O. Box 150
Peekskill NY 10564

GRANTOR/MORTGAGOR
Lyons Realty Company
TO
Town of Philipstown

DO NOT WRITE BELOW THIS LINE

DEED MTG SAT ASMT CEM POA ESE
OTHER _____

RECORDING FEES	# OF PAGES
EDP FEE	10.00
RCD FEE	21.00
STAT CHG	5.00
REC MGMT	20.00
CROSS REF	
TOTAL	56.00

1+ 7 = 8
C/R

MORTGAGE/DEED TAX DISTRICTS:

- TOWN OF CARMEL
- TOWN OF KENT
- TOWN OF PATTERSON
- TOWN OF PHILIPSTOWN
- TOWN OF PUTNAM VALLEY
- TOWN OF SOUTHEAST
- APPORTIONMENT MORTGAGE

MORTGAGE TYPES:

- A COMMERCIAL/VACANT LAND
- B 1-2 FAMILY
- C UNDER \$10,000.00
- J CREDIT UNION/ PERSONAL MTG
- E 3-6 UNITS
- N EXEMPT

() MTA FILED \$5.00
() EAR \$75.00 (/) EAC \$165.00

RESERVE FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED
PURSUANT TO §315 REAL PROPERTY LAW

DENNIS J. SANT
PUTNAM COUNTY CLERK

RESERVE FOR CLERK'S NOTES

8/10/01

PF-30 (1/86) - Bargain and Sale Deed, with Covenant against Grantor's Acts - Individual or Corporation

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

THIS INDENTURE, made the 6th day of January two thousand and six

BETWEEN

LYONS REALTY COMPANY, a New York Partnership composed of
HAROLD LYONS, residing at 3179 Route 9, Cold Spring, New York 10516,
NATHAN H. LYONS, residing at 15 Lyons Road, Cold Spring, New York 10516, and
ERNEST W. LYONS, residing at 40 Lyons Road, Cold Spring, New York 10516

party of the first part, and

TOWN OF PHILIPSTOWN, a municipal corporation, having its office at Town Hall,
238 Main Street, P.O. Box 155, Cold Spring, New York 10516.

party of the second part,

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

_____ **TEN (\$10.00)** _____ dollars.

lawful money of the United States, and other good and 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 for 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** being more particularly bounded and described on **SCHEDULE A** attached hereto and made a part hereof.

SCHEDULE A

File No. 86-228
W.O. No. 12393
Doc. No. LR19JLD.lwp
Created: July 19, 2001
Revised: July 19, 2001
Printed: July 20, 2001
Figure No(s.) 100, 1203
Author: GJW

DESCRIPTION OF PROPERTY
prepared for
LYONS REALTY COMPANY
(Horton Road widening strip)

ALL that certain parcel of land situate in the Town of Philipstown, County of Putnam and State of New York that:

- is a portion of ^{Schedule} Parcel A of those lands that were heretofore conveyed by Joan Ellison to Lyons Realty Company by that certain deed dated August 8, 1991 and recorded in the Putnam County Clerk's Liber 1132 of deeds at page 215;
- is a portion of Parcel A shown on that certain "Survey of Property prepared for The Estate of Catherine I. Ulmar ...," which was filed in the Putnam County Clerk's office on August 9, 1991 as Map No. 2513;
- contains the entirety of those lands for which Lyons Realty Company reserved the right to "convey, offer and/or dedicate ... to the Town of Philipstown ..." in that certain deed to Albert A. Pope dated September 11, 1997 and recorded in the Putnam County Clerk's Liber 1400 of deeds at page 185; and
- is bounded and described as follows:

BEGINNING at the point on the southeasterly line of Horton Road where it is met by the line dividing Parcel A as shown on said Filed Map No. 2513 on the northeast; from lands formerly of Koczko, formerly of Pielmeier and now or formerly of the Hudson Highlands Land Trust, Inc., on the southwest, which point is designated "Point G" on Filed Map No. 2513, and which point occupies coordinate position

N 538933.54 (y)
E 616668.87 (x)

of the New York Coordinate System, East Zone.

THENCE from the said point of beginning northeasterly along the southeasterly and southerly lines of Horton Road as shown on Filed Map No. 2513, the following courses:

N 39°04'45" E 165.29 feet
N 72°45'12" E 239.69 feet
S 74°13'00" E 319.89 feet
N 87°26'20" E 60.02 feet
N 50°26'38" E 199.17 feet and
N 70°48'13" E 72.26 feet

to a point that is the southeasterly end of the present northeasterly terminus of Horton Road and at the line of Parcel B on Filed Map No. 2513, which point is designated on said Filed Map No. 2513 as "Point H" and which point occupies coordinate position

N 539199.18 (y)
E 617591.57 (x)

of the New York State Coordinate System, East Zone.

Thence along the line of said Parcel B and continuing through said Parcel A

S 24°00'50" E 93.13 feet

to a point at the northerly line of the lands so conveyed to Pope and subsequently conveyed by Pope to Glenn D. Lowry and Susan Lowry by that certain deed dated September 11, 1997 and recorded in the Putnam County Clerk's Liber 1400 of deeds at page 195. Thence along the said Lowry lands and continuing through them and continuing further through lands so conveyed to Pope and subsequently conveyed by Pope to Glenn D. Lowry and Susan Lowry by that certain deed dated October 1, 1999, and recorded in the Putnam County Clerk's Liber 1491 of deeds at page 155, the following, first westerly on a non-tangent curve to the right, the center of which bears N24°00'50"W, the central angle of which is 2°30'50", the radius of which is 575.00 feet for 25.23 feet, then

S 68°30'00" W 178.10 feet

then on a tangent curve to the right, the central angle of which is 37°17'00", the radius of which is 225.00 feet for 146.41 feet, then

N 74°13'00" W 254.29 feet

then on a tangent curve to the left, the central angle of which is 33°01'47", the radius of which is 175.00 feet for 100.88 feet, then

S 72°45'12" W 122.89 feet

then on a tangent curve to the left, the central angle of which is 33°40'27", the radius of which is 175.00 feet for 102.85 feet and then

S 39°04'45" W 105.67 feet

to a point at the line of lands formerly of Koczko, formerly of Pielmeier and now or formerly of the Hudson Highlands Land Trust, Inc. Thence along the said Hudson Highlands Land Trust lands

N 60°20'34" W 18.23 feet

to the point or place of beginning, containing 33,600 square feet, more or less.

SCHEDULE A (continued)

Said premises is conveyed to the Town of Philipstown for highway purposes; street purposes, and all related public municipal uses, including but not limited to utilities, telephone, telegraph, cable television, electricity, gas, water, wires, conduits, poles and accessories, grading, sight purposes and/or drainage purposes, either above or underground, together with the right to maintain, repair, alter or replace same.

TOGETHER WITH a STORMWATER DRAINAGE EASEMENT in common with the Grantor, its heirs, successors and assigns, over a portion of Parcel B on said Filed Map No. 2513, so conveyed to it by Joan Ellison by the said deed in Putnam County Clerk's Liber 1132 of deeds at page 215 that is described below, for the purposes of carrying surface water to the lake or pond shown on the aforesaid Filed Map No. 2513 and discharging same therein. Together with the right to install within the area of said STORMWATER DRAINAGE EASEMENT catch basins, detention facilities, dry wells, drainage lines, pipes and other appurtenances for the purposes of carrying said surface water drainage. Together with the right of access over the area of said STORMWATER DRAINAGE EASEMENT for the purposes of making reasonable and routine inspections, to install, maintain, clean, operate, use, repair, remove, replace and reconstruct the aforesaid catch basins, detention facilities, dry wells, drainage lines, pipes and other appurtenances within said easement area. The STORMWATER DRAINAGE EASEMENT is granted subject to the limitations set forth in the said deed from Ellison to Lyons Realty Company recorded in the Putnam County Clerk's Liber 1132 of deeds at page 215. Said limitations provide this EASEMENT is for "the purposes of carrying surface water collected on the premises described in SCHEDULE PARCEL A" therein. As states above, the premises described above is a part of the premises described in said SCHEDULE PARCEL A. The area of said STORMWATER DRAINAGE EASEMENT is bounded and described as follows:

BEGINNING at the point on the northwesterly line of Horton Road that occupies coordinate position

N 539,179.16 (y)
E 617,476.04 (x)

of the New York State Coordinate System, East Zone, which point is designated "Point I₁" on Filed Map No. 2513 and which point is distant

N 19°11'47" W 33.00 feet

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

On the 6th day of January in the year 2006 before me, the undersigned, personally appeared HAROLD LYONS, 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.

Glennon J. Watson
(Signature and office of individual taking acknowledgment)
GLENNON J. WATSON
Notary Public, State of New York
No. 4755184
Qualified in Putnam County
Commission Expires March 30, 2007

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

On the 6th day of January in the year 2006 before me, the undersigned, personally appeared NATHAN H. LYONS, 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.

Glennon J. Watson
(Signature and office of individual taking acknowledgment)
GLENNON J. WATSON
Notary Public, State of New York
No. 4755184
Qualified in Putnam County
Commission Expires March 30, 2007

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

On the 6th day of January in the year 2006 before me, the undersigned, personally appeared ERNEST W. LYONS, 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.

Glennon J. Watson
(Signature and office of individual taking acknowledgment)
GLENNON J. WATSON
Notary Public, State of New York
No. 4755184
Qualified in Putnam County
Commission Expires March 30, 2007

Bargain and Sale Deed

Covenant Against Grantor's Acts With

Title No. RGD14196

SECTION
BLOCK
LOT
COUNTY OR TOWN TOWN OF PHILIPSTOWN

TO

RETURN BY MAIL TO

Distributed by
Nations Title Insurance of New York Inc.

RECORDED AT REQUEST
OF RG AGENCY
Box 431
Peekskill, NY 10568
(914) 738-2700
RETURN BY MAIL TO

Edward W. Doyle, Esq.
1010 Park Street, P.O. Box 150
Peekskill, NY 10566
Zip No.

RESERVE THIS SPACE FOR
USE OF RECORDING OFFICE

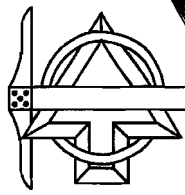
PROJECT I.D. NUMBER

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR: Lyons Realty Company
2. PROJECT NAME: Lyons Realty Company Subdivision Plat
3. PROJECT LOCATION: Municipality TOWN OF PHILIPSTOWN County PUTNAM
4. PRECISE LOCATION: (Street address and road intersections, prominent landmarks, etc., or provide map)
East Mountain Road South (Refer to Attached Map for Precise Location)
5. PROPOSED ACTION IS:
[X]New []Expansion []Modification/alteration
6. DESCRIBE PROJECT BRIEFLY:
Proposed 2 Lot Subdivision of Land to Accommodate Proposed Single Family Residence on Proposed Lot Number
7. AMOUNT OF LAND AFFECTED:
Initially 136.909 acres Ultimately Lot 1: 50.033 acres and Lot 2: 86.876 acres
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
[X]Yes []No If No, describe briefly
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
[X]Residential [X]Industrial []Commercial []Agricultural [X]Park/Forest/Open space [X]Other Soil Mining
Describe:
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
[X]Yes []No If yes, list agency(s) name and permit/approvals
Subdivision Approval from Town Planning Board
Putnam County Health Department Approval for Well and Sewage Disposal System
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
[]Yes [X]No If yes, list agency(s) name and permit/approval
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
[]Yes [X]No
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/Sponsor name: Lyons Realty Company Date: 11-1-12
Signature: [Handwritten Signature]

If the action is in a Coastal Area, and you are a state agency, complete a Coastal Assessment Form before proceeding with this assessment



BADEY & WATSON

Surveying & Engineering, P.C.

Land Surveying
Civil Engineering
Laser Scanning
GPS Surveys
Site Planning
Subdivisions
Landscape Design

3063 Route 9, Cold Spring, New York 10516
(845)265-9217 (877)3.141593 (NY Toll Free) (845)265-4428 (Fax)
email: info@badey-watson.com website: www.badey-watson.com

Glennon J. Watson, L.S.
John P. Delano, P.E.
Peter Meisler, L.S.
Stephen R. Miller, L.S.
Jennifer W. Reap, L.S.
Robert S. Miglin, Jr., L.S.
Mary Rice, R.L.A., Consultant
George A. Badey, L.S., (1973-2011)

November 1, 2012

Honorable Michael Leonard, Chairman
Philipstown Planning Board
238 Main Street
Cold Spring, NY 10516

RE: Application of E. Polhemus Enterprise, LLC - Submission of Revised Materials

Dear Mr. Leonard and Honorable Board Members:

We submit herewith 13 copies each of the following materials:

- Site Plan for E. Polhemus Enterprise, LLC, 3 sheets, last revised November 1, 2012, and
- Drainage calculations demonstrating adequacy of sediment trap.

The site plan has been revised in response to comments contained in Mr. Gainer's memo dated October 12, 2012. Specifically, notes concerning equipment and personnel on site and hours of operation have been added to the plan.

The attached drainage calculations demonstrate two things. First, that the drainage conditions will be improved primarily due to the increase in vegetated cover that will result when the plan is complete. Second, that the volume of the sediment trap is adequate for the area it is intended serve.

Please place this matter on the agenda for the November 15, 2012, meeting of the Planning Board, at which time we are hopeful that the matter will be brought to a satisfactory conclusion. As always, thank you for your attention to and concern for this project.

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

by
Glennon J. Watson, L.S.

Enclosures (2)
GJW/bms
cc: File 90-130B\ML01NV12BP_SubmitRevMaterial.doc
Edgar B. Polhemus, Jr., w/enclosures.

Owners of the records of:

- ◆ Joseph S. Agnoli ◆ Barger & Hustis ◆ Burgess & Behr ◆ Roy Burgess ◆ Vincent Burruano ◆ Hudson Valley Engineering Company ◆ G. Radcliff Hustis ◆
- ◆ Peter R. Hustis ◆ J. Wilbur Irish ◆ James W. Irish, Jr. ◆ Douglas A. Merritt ◆ E.B. Moebus ◆ Reynolds & Chase ◆ General Jacob Schofield ◆
- ◆ Sidney Schofield ◆ Allan Smith ◆ Taconic Surveying and Engineering ◆ D. Walcutt ◆

DRAINAGE ANALYSIS
based on
COVER TYPE & HYDROLOGIC CONDITION
prepared for
E. Polhemus Enterprise, LLC
prepared by
BADEY & WATSON, *Surveying and Engineering, P.C.*

PRE-DEVELOPMENT (AREA TO POST- TRENCH)				
Cover Type	H.S.G.	Curve Number	Area (square feet)	Product
Impervious Area	-	98	1,095	107,310
Woods-grass combination, good	B	58	4,669	270,802
Surface mine, graded spoils	-	84	24,044	2,019,696
Surface mine, vegetated spoils	-	75	-	-
Total:			29,808	2,397,808
Weighted Curve Number:			-	80.4

POST-DEVELOPMENT AREA TO TRENCH				
Cover Type	H.S.G.	Curve Number	Area (square feet)	Product
Impervious Area	-	98	1,623	159,054
Woods-grass combination, good	B	58	4,012	232,696
Surface mine, graded spoils	-	84	19,354	1,625,736
Surface mine, vegetated spoils	-	75	4,819	361,425
Total:			29,808	2,378,911
Weighted Curve Number:			-	79.8

PRE-DEVELOPMENT (AREA TO POST- BASIN)				
Cover Type	H.S.G.	Curve Number	Area (square feet)	Product
Impervious Area	-	98	-	-
Woods-grass combination, good	B	58	5,659	328,222
Surface mine, graded spoils	-	84	48,113	4,041,492
Surface mine, vegetated spoils	-	75	-	-
Total:			53,772	4,369,714
Weighted Curve Number:			-	81.3

POST-DEVELOPMENT AREA TO BASIN				
Cover Type	H.S.G.	Curve Number	Area (square feet)	Product
Impervious Area	-	98	-	-
Woods-grass combination, good	B	58	5,212	302,296
Surface mine, graded spoils	-	84	35,087	2,947,308
Surface mine, vegetated spoils	-	75	13,473	1,010,475
Total:			53,772	4,260,079
Weighted Curve Number:			-	79.2

Generally, the decrease in the Curve Number (CN) from the Pre- to Post-Development Condition is attributed to the fact that vegetation and landscaping is being proposed. As the CN is decreasing, the runoff depth will also decrease for the same selected Rainfall Amount. While the runoff depth will decrease, there will still in fact be runoff. As such, an infiltration trench and infiltration basin has been proposed to collect stormwater runoff to the extent practical.

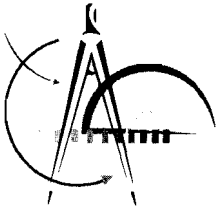
Basin as a Sediment Trap

Drainage Area Contributing to Basin => 53,722 sf = 1.234 acres

$Vol_{\text{trap}} = 3,600 \text{ cubic feet per acre} = 3,600 \times 1.234 = 4,442 \text{ cubic feet required.}$

VOLUME OF BASIN (AVERAGE END METHOD)		
Elevation	Area (square feet)	Volume (cubic feet)
323.9	2,330	-
323	1,890	1,899
322	1,569	1,730
232.1	1,302	1,292
Total:		4,921

Therefore, the proposed basin has adequate volume to function as a sediment trap.



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: October 12, 2012
FROM: Ronald J. Gainer, PE SUBJ: Graymoor - New Friary; Old West Point Road

Project Scope: Proposed Site Plan
Zoning District: Institutional Conservation (IC)

We have reviewed the following materials submitted on the above referenced Site Plan application:

Prepared by Badey & Watson Surveying and Engineering, PC

- Sheet 1 "New Friary at Graymoor – Survey of Property "; dated October 4, 2012
- Sheet 2 "New Friary at Graymoor – Existing Conditions"; dated October 4, 2012
- Sheet 3 "New Friary at Graymoor – Demolition Plan"; dated October 4, 2012
- Sheet 4 "New Friary at Graymoor – Layout and Materials Plan"; dated October 4, 2012
- Sheet 5 "New Friary at Graymoor – Grading and Drainage"; dated October 4, 2012
- Sheet 6 "New Friary at Graymoor – Erosion Control Plan"; dated October 4, 2012
- Sheet 7 "New Friary at Graymoor – Planting Plan"; dated October 4, 2012
- Sheet 8 "New Friary at Graymoor – Utility Details"; dated October 4, 2012
- Sheet 9 "New Friary at Graymoor – Site Details"; dated October 4, 2012

Prepared by Alfandre Architecture, PC

- A1 "New Friary – Entry Level, Section & Site Plan"; dated October 2, 2012
- A2 "New Friary – Mechanical & Health Center Level"; dated October 2, 2012
- A3 "New Friary – First Residential Floor"; dated October 2, 2012
- A4 "New Friary – Second Residential Floor"; dated October 2, 2012
- A5 "New Friary – Third Residential Floor"; dated October 2, 2012
- A6 "New Friary – Schematic Design: South & North Elevations"; dated October 2, 2012
- A7 "New Friary – Schematic Design: Section through building"; dated October 2, 2012
- Application Package, including Long Form EAF, Part 1, dated October 4, 2012
- Narrative, describing existing and proposed use
- Wetlands Delineation & Natural Resources Assessment, prepared by Stephen Coleman, dated July 19, 2007

The application relates to improvement proposed to the Friars of the Atonement religious site along NYS Route 9 & Old West Point Road in Garrison. The specific improvements, in summary, concern:

- Demolishment of an existing 21,750 sf friary
- Construction of a new 29,270 sf friary, in approximately the same location
- Related infrastructure improvements for parking, drainage and emergency vehicle access to the site

The subject parcel on which development is planned comprises 112.8 acres along the east side of NYS Route 9. Overall, the Graymoor property holdings encompass 428 contiguous acres. The property currently houses the society's corporate, administrative office and ministry operations. The application indicates that approximately one-third of the site is actively used, with the balance of the site un-developed. The parcel is zoned "Institutional Conservation" (IC). The application will require both "Special Use" Permit and Site Plan Approvals.

RE: Graymoor – New Friary; Old West Point Road

Based upon the information contained on the site plan drawings, it appears that all demolition and new construction will take place within previously-developed areas of the site. The property includes both steep slopes and town-regulated wetlands. While no wetlands or buffer areas are proposed to be disturbed by the development planned, some disturbances of steep slopes will occur. Further, the parcel lies within "Scenic" and "Ridge Line Protection" overlay zones. These specific slope disturbances, as well as visibility of the new Friary, must be quantified as the project is processed by the Board.

A pre-application meeting was held with the applicant on June 15, 2012. As the Board has not yet conducted any detailed review of the proposal, we wish to offer the following preliminary comments on the matter. The applicant should recognize that as the project design elements are refined through the Board's review process, further comments will be forthcoming. It is also recognized that many of the issues raised below may not actually be resolved until later in the review process. However, we wish to make this initial assessment as detailed as the present design information permits, to assist the design professionals as much as possible.

In this context, we offer the following:

PRELIMINARY CONSIDERATIONS – Pursuant to the terms of the new Ordinance, the Board should first accomplish the following:

1. ***Classification of the Project*** – As the project exceeds one or more of the thresholds established in §175-63, the project should be deemed as a "Major" project, with the application processed under the procedures and requirements of §175-65 and §175-66.
2. ***"Completeness" of Application*** – Upon classification of the project as "Major", initially the applicant is required to have a preliminary conference with the Planning Board to discuss the development proposal and determine information required to be submitted.

The October 12, 2012 Board meeting may serve for this purpose, to allow the Board to offer initial comments to the applicant on the application.

Further, it is noted that the Town Building Inspector has issued a "No Violations" letter to the Planning Board, for your use in processing the application. Therefore, based upon my review of the application, it appears that the level of detail contained on the supporting plans and technical materials are sufficient for the Board to deem the application as "complete".

It is also noted that the 17% "impervious surface coverage" exceeds the 10% maximum specified for the IC zone, as is the "height" limitation (of 40 feet) exceeded. Since these are "pre-existing" conditions, the Board's Attorney should merely confirm that the application can be processed by the Planning Board without any relief from the Zoning Board of Appeals. Otherwise, referral to the ZBA will be required.

SEQR – The project appears to represent an "Unlisted" action pursuant to SEQR. Given the project's classification as "Major", a long form Environmental Assessment Form has been filed as part of the application.

REFERRALS- Once the application is deemed "complete", the project should be referred to the following agencies:

- Putnam County Department of Planning (proximity to NYS Route 9)
- Putnam County Health Department
- Philipstown Conservation Board



RE: Graymoor – New Friary; Old West Point Road

PRELIMINARY TECHNICAL CONCERNS – While this meeting represents the applicant’s initial appearance before the Board, to assist their design professionals as the technical aspects of the project are enhanced, we have enclosed preliminary technical comments for their review and attention. It should be recognized that more detailed comments may be expected as the Site Plan drawings are refined.

Given the preliminary nature of the application, we strongly recommend that the Board initially conduct a site inspection of the overall site and specific area proposed for development, in order to evaluate site-specific issues and potential environmental concerns of the development proposal. Thereafter, the applicant should refine the project plans as necessary in order to resolve the Board’s field comments and technical concerns of the Board’s consultants.

Once the Board is satisfied with the project’s layout and design details, a public hearing (which is mandatory for “Major” projects) could subsequently be considered.

We trust that these preliminary comments are adequate for the Board and applicant’s consultant. Should you have any questions, please don’t hesitate to contact us.

c: Roger Chirico, Highway Superintendent
Kevin Donohue, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant



Ronald J. Gainer, P.E. PLLC

RE: Graymoor – New Friary; Old West Point Road

Preliminary Technical Comments

Badey & Watson Plans

General

1. The extent of disturbances to occur to the various regulated steep slope categories should be determined.
2. Since the project lies within a “ridgeline protection” overlay zone, the project’s visibility to off-site receptors should be established.
3. Any expected change in resident population should be established, and an analysis of the capacities of the existing water supply and wastewater disposal systems provided to determine whether any improvements to these utilities will be necessary.
4. The area of overall site disturbance, as well as the extent of “new” impervious surfaces, should be specified on plan, so as to establish the technical elements required in the SWPPP which must be developed for the project.

Sheet 4

5. Any new drainage facilities proposed are expected to incorporate all necessary detail information (frame/grate and invert elevations). Further, a stormwater management report should be provided to document existing and proposed drainage patterns and stormwater run-off, and identify any appropriate mitigation required.

Sheet 5

6. The purpose of the re-grading which is indicated to the south of the site development planned should be explained.

Sheet 7

7. The number and size of plantings should be specified in the table.

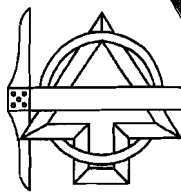
Sheets 8 & 9

8. Various construction details provided are lacking necessary technical information/data. We propose to work directly with the design consultant to resolve these issues.

Alfandre Architecture PC Plans

9. The building renderings should clearly denote all building materials of construction, colors, etc. for the Board’s review and acceptance.





BADEY & WATSON

Surveying & Engineering, P.C.

Land Surveying
Civil Engineering
Laser Scanning
GPS Surveys
Site Planning
Subdivisions
Landscape Design

3063 Route 9, Cold Spring, New York 10516
(845)265-9217 (877)3.141593 (NY Toll Free) (845)265-4428 (Fax)
email: info@badey-watson.com website: www.badey-watson.com

Glennon J. Watson, L.S.
John P. Delano, P.E.
Peter Meisler, L.S.
Stephen R. Miller, L.S.
Jennifer W. Reap, L.S.

Robert S. Miglin, Jr., L.S.
Mary Rice, R.L.A., Consultant
George A. Badey, L.S., (1973-2011)

November 1, 2012

Michael Leonard, Chairman
Philipstown Planning Board
Town Hall, 238 Main Street
Cold Spring, NY 10516

RE: 7 Garrison Landing - Request to Revise Resolution PB#1-12

Dear Mr. Leonard:

This letter is our formal request that the Planning Board revise/correct the captioned resolution by adding approval/issuance of the Wetlands Permit that was also part of the application. We are certain that this omission was an oversight and one we did not catch until recently as we were checking to be certain all of the conditions of the resolution were addressed or being addressed.

In support, we attach the portions of the following documents showing that an application for the permit was submitted with the application for site plan approval and that the matter was referred to the CAC (now CAB), although it appears from the resolution that the CAC did not comment.

- ❑ Application for Site Plan Approval dated January 4, 2012, showing date of application
- ❑ Application for Wetlands Permit dated January 5, 2012, showing date of application
- ❑ Memo from Ron Gainer dated January 19, 2012, acknowledging the Wetlands Permit application
- ❑ Resolution PB#12, dated March 15, 2012, indicating that referral to CAC had been made.

Owners of the records of:

◆ Joseph S. Agnoli ◆ Barger & Hustis ◆ Burgess & Behr ◆ Roy Burgess ◆ Vincent Burrano ◆ Hudson Valley Engineering Company ◆ G. Radcliff Hustis ◆
◆ Peter R. Hustis ◆ J. Wilbur Irish ◆ James W. Irish, Jr. ◆ Douglas A. Merritt ◆ E.B. Moebus ◆ Reynolds & Chase ◆ General Jacob Schofield ◆
◆ Sidney Schofield ◆ Allan Smith ◆ Taconic Surveying and Engineering ◆ D. Walcutt ◆

Members will undoubtedly remember that a previous site plan approval and wetlands permit were issued for this site. This earlier approval was for modification to of the site and building for office space. The current site plan requires a little more site work than the earlier plan. This additional disturbance, in our view, required a new wetlands permit, which is why we applied for it.


Please place this request on the agenda for the Planning Board meeting scheduled for November 15, 2012, at which time we are hopeful that the Planning Board will issue a revised resolution and the requested wetlands permit.

As always, thank you for your consideration.

Yours truly,

BADEY & WATSON,

Surveying & Engineering, P.C.



by

Glennon J. Watson, L.S.

Enclosure (4)

GJW/bms

cc: File 78-118B\ML01NV12BP_ReqRevReso.doc

BADEY & WATSON
Surveying & Engineering, P.C.

APPLICATION FOR APPROVAL OF SPECIAL USE PERMIT OR SITE PLAN

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

- for approval of a Site Plan by the Planning Board under Article IX
- for grant of a Special Use Permit by the Board of Appeals under Article XI
- for grant of a Special Use Permit by the Board of Appeals under Section 175.24 and Article XI

For Office Use Only

1. Application # _____
2. Fee _____
3. Rec'd by _____
4. Date _____

I. Identification of Applicant:

a. Applicant (name) Garrison Properties, LLC Tel. 845-424-3604
address 2015 Route 9 P.O. Box 348
Garrison, NY 10524

b. Owner of property if not same as Applicant:

(name) Garrison Station Plaza, Inc. Tel. 914-262-2156
address P.O. Box 205
Garrison, NY 10524

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

- Appendix 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
- Appendix 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.
- 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 DD: Identification of Property and Proposal.
- Appendix EE: Identification of Plans and Documents.
- Appendix FF: Request to omit certain plan elements (Par. 31.3 or 33.3) if any are requested under Item III of this Application (attach a statement specifying the request and reasons).
- EAF - Environmental Assessment Form
- Application Checklist

III. Plan Requests and Authorizations:

a. As part of this Application, request is hereby made to the (X) Planning Board () Board of Appeals to determine that all or part of Site Plan and architectural plan information specified in Par. 31.2.2 and 33.2.2 and 33.2.3 is not necessary and need not be submitted

None requested.

Request, as set forth in Appendix FF, together with the reasons therefore.

b. The Applicant and Owner hereby grant to the Planning Board, Board of Appeals and Zoning Administrative Officer, 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 Zoning Law, including the taking of tests and materials samples.

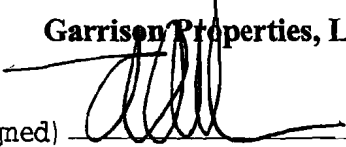
IV. Endorsements:

Applicant

Garrison Properties, LLC

Date

January 4, 2012

(Signed) 

by

Chip Allemann, Vice President

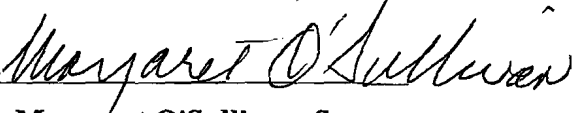
(authorized Agent)

Owner

Garrison Station Plaza, Inc.

Date

January 4, 2012

(Signed) 

by

Margaret O'Sullivan, Secretary

(authorized Agent)

APPLICATION FOR WETLANDS PERMIT

Note to Applicant:

Submit the completed application to the appropriate permitting authority. The application for Wetlands Permit should be submitted simultaneously with any related application (e.g. subdivision approval, site plan approval, special use permit, etc.) being made to the permitting authority.

(Office Use Only)

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

Pursuant to Chapter 93 of the Code of the Town of Philipstown, entitled "Freshwater Wetlands and Watercourse Law of the Town of Philipstown" (Wetlands Law), the undersigned hereby applies for a Wetlands Permit to conduct a regulated activity in a controlled area.

1. Owner; Name: Garrison Station Plaza, Inc.

Address: P.O. Box 205

Telephone: (914) 262-2156

2. Agent Name: Garrison Properties, LLC (applicant)
(Applicant must be owner of the land The Application may be managed by an authorized agent of such person possessing a notarized letter of consent from the owner.)

Name of Agent Garrison Properties, LLC

If Corporation, give names of officers:

Sharon Saul Davis (President), Christopher Davis (Vice-President) and
Chip Allemann (Vice-President)

Mailing Address 2015 Route 9 Garrison, New York 10524

Telephone: (845) 424-3604

3. Location of Proposed Activity:
7 Garrison Landing, Garrison

Tax Map No.: 60.17-1-7

Acreage of Controlled Area Affected: 0.190

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

Exterior renovation of existing multi-use structure. Construction of new, and rehab. of existing impervious surfaces (hardscape). Installation of a new wastewater treatment system.

5. Other permit(s) required and agency or agencies responsible for granting such permits such as but not limited to P.C.B.O.H., N.Y.D.E.C., Army core of Engineers, EPA, DOT, Building Dept. Planning Board and Z.B.A.

Town of Philipstown Planning Board - Site Plan, Putnam County Department of Health -
On-Site Wastewater Treatment Plant, New York State Department of Environmental
Conservation - Surface Discharge and Stream Disturbance Permits

6. Each copy of this application shall be accompanied by:

a. A detailed description of the proposed activity and a comparison of the activity to the criteria for approval specified in §93-8 of the Wetlands Law (see below)

b. A completed short form environmental assessment form.

c. A map prepared by a licensed surveyor landscape architect or engineer showing:

1. The controlled area(s) wetland buffer zone 100 feet from the edge of any wetlands, lakes, ponds or streams on the site;

2. Any wetland or watercourse therein and the location thereof;

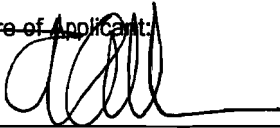
3. The location, extent, and nature of the proposed activity

D. The names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice and the names and address of all owners of record of properties abutting and directly across from the proposed activity as shown on the latest tax record.

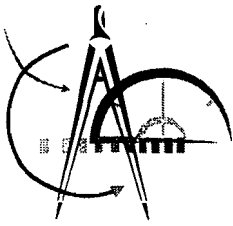
(Note: Any map, plat or plan showing the above information that is required to be submitted for any other permit or approval in connection with the regulated activity, and that is acceptable to the Permitting Authority, may be used.)

Date 01/05/12

Signature of Applicant:



A handwritten signature in black ink, appearing to be 'D. M.', is written over a horizontal line. The signature is cursive and somewhat stylized.



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: January 19, 2012
FROM: Ronald J. Gainer, PE SUBJ: Garrison Properties LLC; Station Road

Project Scope: Proposed Site Plan
Zoning District: "HM" (Hamlet Mixed use District)

We have reviewed the Site Plan prepared by Badey & Watson, P.C. concerning a proposed mixed use development comprising 2 apartments, retail sales and a restaurant of the former Guinan's Store in Garrison. The existing structure lies on a 6.674 acre parcel, and will be renovated as part of this application. A new on-site wastewater treatment facility is proposed, which will involve a surface discharge.

The property lies along the easterly shore of the Hudson River, and is within the 100 year flood boundary. By way of background, the site previously was granted Site Plan approval by the Planning Board in October, 2010 for office/apartment uses in the premises. During this review, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) offered recommendations as the exterior renovations proposed at that time. This latest application is governed by the Town's new Zoning Ordinance.

As the Board has not yet conducted any detailed review of the proposal, we wish to offer the following preliminary comments on the matter. The applicant should recognize that as the project design elements are refined through the Board's review process, further comments will be forthcoming. It is also recognized that many of the issues raised below may not actually be resolved until later in the review process. However, we wish to make this initial assessment as detailed as the present design information permits, to assist the design professional as much as possible. In this context, we offer the following:

PRELIMINARY CONSIDERATIONS – Pursuant to the terms of the new Ordinance, the Board should first accomplish the following:

1. ***Classification of the Project*** – As the project does not appear to exceed any of the thresholds established in the new Zoning Law, the project may be deemed as a "Minor" project, and so the application can be processed under the procedures and requirements of §175-67.
2. ***"Completeness" of Application*** – The January 19, 2012 Board meeting offers the Board an ability to offer their initial comments on the application.

Initially, the applicant should provide to the Board documentation as to the site's authorization and ability to utilize on-street parking along Station Road to satisfy their parking requirements. A review of the project's water demands and wastewater generation should also be provided.

Further, following the procedures established by the new Zoning Code, it is suggested that the applicant meet with the Zoning Administrator and Town Engineer to discuss the overall application package and whether any needed plan refinements are necessary. In this way, the plans can be revised, and a complete application can be developed so that it may then be processed by the Board. We therefore suggest that "Completeness" not be established until this meeting with the Town's Zoning Administrator.

RE: Garrison Properties, LLC – Site Plan

SEQR – The project appears to represent an “Unlisted” action pursuant to SEQR. The applicant has filed a long form Parts 1 & 2 Environmental Assessment Form, for the Board’s review. There are matters on Part 2 of the form which appear to warrant revision. We propose to work directly with the applicant’s consultant to have these addressed, and a new Part 2 filed for the Board’s consideration.

Since this is an “Unlisted” action procedurally the Board has the discretion of whether or not to conduct a coordinated review. If the Board chooses to perform a coordinated environmental review they should initially declare their intent to become Lead Agency and notify other involved agencies. After 30 days has elapsed, the Board may then consider making a SEQRA Declaration of Significance. However, if a non-coordinated review is decided, the Board can make a SEQRA Declaration as soon as they believe they have all of the information required to arrive at this decision.

REFERRALS- Once the application is deemed complete, the project should be referred to the following agencies:

- Putnam County Department of Planning
- Town of Philipstown CAC (wetlands permit required)
- NYSOPRHP
- Putnam County Department of Health

Given that this is the Board’s first opportunity to discuss the application, we suggest that the Board initially determine whether a site inspection of the proposal should be conducted to evaluate site-specific issues and potential environmental concerns. Thereafter, once the Board’s field comments are resolved, and the Board is satisfied with their understanding of the project, the Board should determine whether a public hearing should be held (which is discretionary for “Minor” projects).

We trust that these preliminary comments are adequate for the Board and applicant’s consultant. Should you have any questions, please don’t hesitate to contact us.

c: Roger Chirico, Highway Superintendent
Kevin Donohue, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant

Ronald J. Gainer, P.E. PLLC



PHILIPSTOWN PLANNING BOARD

TOWN OF PHILIPSTOWN, NEW YORK

RESOLUTION # 1-12 Garrison Properties, LLC. 6.674 Acres of Land located on Station Road. Tax Map # 60.17-1-7.

WHEREAS, Garrison Properties, LLC is the owner of a parcel located on Station Road in the "HM" Zoning District; and

WHEREAS, an application was made to the Planning Board of the Town of Philipstown by Garrison Properties, LLC for Site Plan approval of a change in use of the property from office/apartment uses to a proposed mixed use development comprising 2 apartments, retail sales and a restaurant of the former Guinan's Store in Garrison, including building renovations and associated site improvements involving construction of a formal sewage treatment plant for the premises, which will involve a surface discharge; and

WHEREAS, the Planning Board has completed SEQRA review for this project; and

WHEREAS, a duly advertised public hearing on the application has been held; and

WHEREAS, referral of the application to the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) was performed pursuant to the Board's environmental review of the project, with NYSOPRHP issuing a notice of "No Adverse Impacts", having no concerns to the change in use and building renovations being proposed; and

WHEREAS, referral of the application pursuant to GML §239-m has been duly made to the Putnam County Planning Department, which has responded with approval of the project; and

WHEREAS, referral of the application was duly made to the Town Conservation Advisory Committee, and which offered no concerns to the project; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials; and

WHEREAS, the applicant has submitted the following materials for consideration:

Author	Title	Last Revision Date
Badey & Watson, PC	Site Plan	January 5, 2012
Badey & Watson, PC	Sewage Treatment Plant	
Jeff Wilkinson, RA	Sketch views, building renovations & colored renderings	

WHEREAS, the Site Plan drawings have been revised to address prior concerns of the Board and Town Engineer's office; and

WHEREAS, the Town Planning Board has been duly authorized to grant Site Plan approval for property located within the Town; and

WHEREAS, appropriate application fees have been received by the Town;

NOW, THEREFORE, BE IT RESOLVED, that:

Site Plan Approval:

- 1) The Planning Board finds that the applicant has met the requirements of Town of Philipstown Chapter 175 for granting of site plan approval; and
- 2) The Planning Board hereby grants Site Plan approval of the improvements depicted on the plans listed above subject to the following conditions:
 - A. Receipt of the approval of the Putnam County Department of Health and New York State Department of Environmental Conservation for the Sewage Treatment Plant proposed to serve the premises.
 - B. Provision of an erosion/sediment control plan conforming to applicable NYS and Town Stormwater Pollution Prevention Plan (SWPPP) requirements, and including all necessary construction details required therein, acceptable to the Town Engineer.
 - C. Receipt of all required regulatory permits for the intended Sewage Treatment Plant discharge to the Hudson River.
 - D. Receipt of a letter from the Town Zoning Administrator confirming that there are no outstanding violations on the property.
 - E. Receipt of written documentation from the owner of the Station Road R.O.W. that the on-street parking shown on the site plan shall be assigned exclusively for the use of the Garrison Properties LLC site.
 - F. Payment of all outstanding fees for review and approval of this application.
- 3) The Chairman is authorized as officer of the Planning Board to endorse the site plans when Conditions A through F has been met.
- 4) This conditional Site Plan approval shall expire in one year from the date of this resolution, unless such improvements shall have been certified as completed.

Adopted at a meeting of the Philipstown Planning Board on March 15, 2012.

PHILIPSTOWN PLANNING BOARD



Michael Leonard, Chairman

cc: Richard Shea, Town Supervisor
David Klotzle, Wetlands Inspector
Kevin Donohue, Code Enforcement Officer