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TO: Town of Philipstown Planning Board DATE: April 15, 2019
FROM: Ronald J. Gainer, PE SUBJ: Brookmeade Estate; NYS Route 9

As provided in Section 175-66B of the Town Code a pre-application meeting was held on Friday, April 12, 2019 concerning improvements planned by the property owner of the Brookmeade estate (2010 Route 9), to determine applicable code requirements. In attendance were the following:

Stefan Yarabek	–	Applicant's Architect
Ande Merante	–	Planning Board Chairman
Tara Percacciolo	–	Planning Board Secretary
Greg Wunner	–	Code Enforcement Officer
Ron Gainer	–	Town Engineer

Purpose of Application:

The property involved in the application concerns the "Brookmeade" estate along the east side of NYS Route 9, which lies across from the Garrison Golf Club entrance and just north of Travis Corners Road. The tract involved is tax map parcel 60.-2-80, and is approx. 12.5 acres in size. The 2-story mansion contains approx. 6,800 sf, overall, with various outbuildings/structures on the site. The main access is a driveway from Route 9, with a second gravel driveway in the rear which extends across an adjacent parcel (over an easement) out to Travis Corners Road.

The architect explained that the owner previously, in 2002, first filed a Site Plan application with the Planning Board with a proposal to convert the residence to an inn and restaurant, with parking to be constructed behind the dwelling. With the application process extending over 1½ years without action by the former Board, the applicant eventually abandoned the application.

At this time, the applicant again wishes to pursue this same concept, involving the structure's conversion into an inn and restaurant. The architect provided a "Master Plan" for the property, which is very similar to that originally proposed. The entrance driveway from NYS Route 9 would be expanded to 2 lanes, separated by a treed median, leading towards the house. Approx. 60 parking spaces would be created, in 3 separate parking areas to the north and east of the dwelling. New trees/landscaping would be incorporated into the project's design, to screen views into the property.

The building would be restored and converted to an inn, with 6 suites created in the residence for guests. The building footprint would be slightly increased in size, to approx. 8,000 sf, and would include a 2,200 sf restaurant & kitchen area. Barns are proposed to be built over existing foundations on the property. Some areas of the property which have become overgrown, where lawns once existed, will be restored to grass. The adequacy of the existing well must be confirmed, and it is likely that a replacement SSTS will be required.

A watercourse runs through the lower (southerly) portion of tract. However, this area is not expected to be disturbed by the development planned.

RE: "Brookmeade" Estate; NYS Route 9

Zoning District:

The property is located in the Rural Conservation (RC) District.

Applicable Zoning Code provisions:

The existing property complies with the bulk dimensional regulations applicable to the "RC" zone. Further, per the Town's "Use Table", "bed & breakfast" and "restaurant" uses are permitted in the zone. Specifically, "bed & breakfast" uses requires only "Site Plan" approval from the Planning Board. With respect to "restaurants", this is only permitted by the grant of a "Special Permit" from the Planning Board.

Further, per note (3) of the Use Table which applies to "restaurants" in the RC zone, this use is only as is provided in §175-10I of the Zoning Code, as presented below:

"Small-scale business uses in the RC and RR Districts. Residential structures in existence as of the date of adoption of this Zoning Law (May 5, 2011) may be used for business purposes by special permit, if allowed under Footnote (3) of the Use Table,¹⁴¹ provided that their exterior appearance is not significantly modified and that the business use does not occupy more than 5,000 square feet of floor area. New structures not exceeding 5,000 square feet in floor area may be built that comply with this section, provided that they maintain a residential appearance and that all new parking spaces are screened from view from adjoining properties and public roads. Any changes to an existing structure or construction of a new structure shall be made with consideration of the design guidelines referred to in § 175-5. The uses allowed by this Subsection I may only be permitted if they have frontage on and access to a state highway. The screening requirements in this Subsection I may be modified by the Planning Board where it is not feasible to comply with them."

Given the information provided by the applicant's Architect, these provisions appear to be satisfied by the applicant's proposal.

Site Plan Review Required:

Per the above-noted applicable regulations the applicant's proposal may be permitted upon receipt of "Site Plan" & "Special Permit" approvals from the Town Planning Board.

Major/Minor:

Per the provisions of Section 175-60C(1) of the Town Code, it would appear that the proposed activities planned for the site would exceed the following threshold criteria:

- Conversion of existing structures totaling 5,000 square feet to another use
- Alteration and active use of 10,000 square feet of land, with or without structures.

The project would therefore appear to represent a "Major" project. It is noted that a public hearing for "Major" projects is mandatory, as is the filing of a full EAF.

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



RE: "Brookmeade" Estate; NYS Route 9

Overlays: This property falls within:

- Scenic Protection Overlay zone (project frontage)
- "Regional Aquifer" Overlay District.

Site Development issues:

The "Special Permit" application package which must be filed with the Planning Board must include an application form, EAF, Site Plan complying with all plan requirements of §175-65B and required fees. The site plans should include the survey plan of the overall property, and should show all "existing" and "proposed" structures planned, along with square footage of the structures.

The Site Plan drawings should identify the brook which traverses the site, along with its 100-foot buffer, as well as the limits of any adjacent wetlands areas which may exist.

The Plans should also specify the amount of impervious coverage, as well as any overall site disturbance planned, to confirm what SWPPP requirements will apply.

Fees: As described above, it appears that the following fees would apply:

Planning Board

"Special Permit + Site Plan, Major"	-	\$1,500 + \$20 per parking & loading space, + escrow
Full Environmental Assessment Form	-	\$300
Public Hearing	-	\$250
Escrow	-	\$5,000 (un-used monies returned to applicant)

It should be noted that the application fees and escrow deposit should be posted with separate checks. The amounts of these fees shall be re-confirmed upon receipt of the required applications.

Expected Referrals:

- Town Conservation Board (watercourse through tract)
- a courtesy referral to the local Fire Department is typically accomplished by the Planning Board.
- If any improvements are planned at the Route 9 driveway entrance, a Highway Work Permit must be obtained for the work from the New York State Department of Transportation
- Since the matter requires "Special Use" and "Site Plan" approvals, the application will require referral to the Putnam County Department of Planning pursuant to GML 239m

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

c: Anthony Merante, Planning Board Chair
Tara Percacciolo, PB/ZBA Secretary
Max Garfinkle, NRRO
Greg Wunner, Code Enforcement Officer
Stephen Gaba, Esq.
Applicant

