

HAROLD GARY
Chairman

CRAIG PAEPRER
Vice-Chair

BOARD MEMBERS

CARL GREENWOOD
ANTHONY GIANNICO
DAVE FURFARO
CARL STONE
KIM KUGLER

**TOWN OF CARMEL
PLANNING BOARD**



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 – Ext.190
www.ci.carmel.ny.us

MICHAEL CARNAZZA
Director of Code
Enforcement

RICHARD FRANZETTI, P.E.
Town Engineer

PATRICK CLEARY,
AICP, CEP, PP, LEED AP
Town Planner

PLANNING BOARD AGENDA
JUNE 24, 2015 – 7:00 P.M.

MEETING ROOM #2

TAX MAP # PUB. HEARING MAP DATE COMMENTS

PUBLIC HEARING

1. Secor 78 LLC. – 78 Secor Road	74.43-1-11	06/24/15	05/29/15 Amended Site Plan/ Resolution
----------------------------------	------------	----------	---

RESOLUTION

2. Beachak Brothers, Inc. a/k/a Mahopac Motorcycles 485 Route 6	75.16-1-15		05/11/15 Site Plan/Change of Use
--	------------	--	----------------------------------

SITE PLAN

3. Hynes Plaza (The Parting Glass) – 925 Route 6	65.13-1-66		06/15/15 Amended Site Plan (Deck)
--	------------	--	-----------------------------------

MISC.

4. Hosch & Torres Subdivison – 490 Long Pond Rd	53.15-1-40		Amendment to Resolution
5. Old Forge Estates – Baldwin Place Road	75.15-1-19-40		Extension of Final Subdivision Approval
6. Campanelli, Michael – 424 Baldwin Place Rd.	75.11-2-25	6/3/14	Waiver of Site Plan Application
7. Minutes – 05/13/15 & 05/27/15			

JOHN KARELL, JR., P.E.
121 CUSHMAN ROAD
PATTERSON, NEW YORK, 12563
845-878-7894 FAX 845 878 4939
jack4911@yahoo.com

June 16, 2015

RESPONSE TO COMMENTS FROM CONSULTANTS
HYNES PLAZA, ROUTE 6, MAHOPAC, CARMEL(T)

MICHAEL CARNAZZA DATED JUNE 8, 2015

1. The plan submitted shows the location of the asphalt pavement except between the north west corner of the building and the north exit driveway. This line has been added and the existing paved area shaded.
2. Attached are copies of the NYSDEC and Town wetland permits form 1991 which authorized the placement of item 4 at the rear of the building in the 100 foot setback from the DEC wetland LC-32.
3. The parking calculation provided on the plan submitted has been clarified.

RICHARD FRANZETTI, DATED JUNE 2, 2015

1. No specifics regarding insufficient information provided on the plan was offered. Certain missing information identified by the other consultants has been provided.

PAT CLEARY, DATED JUNE 10, 2015

1. Operational characteristics of the outdoor deck are as follows:
 - Deck will operate as a regular part of the restaurant
 - Deck will operate in warm weather generally June to November.
 - Deck will serve same menu as inside restaurant
 - Deck will not be operated independent of the main restaurant. Same register, servers etc.
 - A separate bar will not be provided on the deck.
2. Zoning
 - It is recognized that a 1 foot variance is necessary for the 25 foot side yard setback due to the access ramp to the deck.
3. Restaurant Table Utilization
 - See discussion of seating below.
4. Deck Improvements
 - Outdoor lighting is proposed, 60 watt wall mounted packs and 60 watt deck railing lights. The number and location has yet to be determined.
 - No new spot lights are to be provided for the deck.
 - No amplified equipment or bands will be allowed on the deck.

PARKING REQUIREMENTS

Three separate area of the building require parking. The main floor of the building is divided into two sections, 3000 square feet for the restaurant and 2000 square feet for retail/offices.

MAIN FLOOR

Retail/ Office – requires one space for each 200 square feet of such space, 2000 square feet at one per 200 square feet = **10 spaces required**

Restaurant – requires 1 space per 3 seats, the restaurant has 128 seats = **43 spaces required**

BASEMENT

Office - requires 1 space per 200 square feet; 200 square feet exists = **1 space required**

Storage – requires no spaces

Total parking spaces required - 54

Total parking spaces provided - 57

SEATING

The present restaurant contains seats as follows:

	Seats
Bar Stools	16
Booths (9)	36
Floor Area # 1	36
Floor Area # 2	40
Total	128
Deck Seats	48

This deck improvement does not propose to increase the number of seats utilized by the restaurant. When the outside deck is used 40 seats in floor area # 2 will be removed. The chairs will be stored away and the tables pushed to the sides or stored away.

Two of the booths, 8 seats which are screwed to the floor will be physically removed and stored away. Total removed seats = 48

The question was raised by the consultants, “what if it rains and the outside deck cannot be used” there will still be 7 booths (28 seats), 16 bar stools and 36 seats in floor area # 1 which can be used in the restaurant, total 80 seats. If the owner wishes and it is raining he could close the deck for the day and bring out the 40 stored seats for the day.

5. Use of Rear of the Site

- It is proposed to seek a variance from the ZBA to leave the parking spaces unpaved due to their proximity to State wetland LC-32
- Copies of the NYSDEC and Town wetlands permits from 1991 for the placement of the item 4 in the rear parking area are attached.
- Existing parking spaces in the area of the proposed deck are to be removed and relocated in the rear and north side of the building. A discussion of the parking requirements is provided below.
- The vehicle storage area at the rear is used by a local contractor to store repossessed vehicles and equipment. Wetlands permits were issued to permit this use however Planning Board approvals could not be found in Town files. This application proposes to legalize this activity.
- See comment above relative to wetlands permits issued by the NYSDEC and Town of Carmel.

DISCUSSIONS AT A MEETING JUNE 11, 2015 ATTENDED BY MICHAEL CARNAZZA, PAT CLEARY, DAMION, OWNER AND THE WRITER

Issues discussed at the meeting other than as described above:

1. Screening of the rear vehicle storage area
 - Green colored privacy slats will be provided on the chain link fence at the rear of the property.
2. Lighting
 - See above discussion relative to lighting.
3. Demarcation of item 4 parking spaces
 - Parking spaces in item 4 areas will be designated by wheel stops
4. Basement Floor use
 - The basement of the building is used mostly for storage except for 2 small 100 square foot offices used by the owner infrequently, a total of 200 square feet. See discussion below relative to the required parking.

A handwritten signature in black ink, appearing to be the initials 'JC' followed by a stylized flourish.

DEC PERMIT NUMBER 3-3720-128/1-0
FACILITY/PROGRAM NUMBER(S) FW LC-32 (Class II)



PERMIT

Under the Environmental Conservation Law

EFFECTIVE DATE <i>FEBRUARY 14, 1991</i>
EXPIRATION DATE(S) December 31, 1991

- Article 15, Title 3; 6NYCRR 327, 328, 329: Aquatic Pesticides
- Article 15, Title 5: Protection of Water
- Article 15, Title 15: Water Supply
- Article 15, Title 15: Water Transport
- Article 15, Title 15: Long Island Wells
- Article 15, Title 27: Wild, Scenic and Recreational Rivers

- 6NYCRR 608: Water Quality Certification
- Article 17, Titles 7, 8: SPDES
- Article 19: Air Pollution Control*
- Article 23, Title 27: Mined Land Reclamation
- Article 24: Freshwater Wetlands
- N—New, R—Renewal, M—Modification, C—Construct (*only), O—Operate (*only)

- Article 25: Tidal Wetlands
- Article 27, Title 7; 6NYCRR 360: Solid Waste Management*
- Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
- Article 34: Coastal Erosion Management
- Article 36: Floodplain Management
- Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control

PERMIT ISSUED TO Hynes Realty, Inc.			
ADDRESS OF PERMITTEE RD #11, Box 80A Agor Lane, Mahopac, NY 10541			
AGENT FOR PERMITTEE/CONTACT PERSON Brendan Hynes			TELEPHONE NUMBER 914-628-3836
NAME AND ADDRESS OF PROJECT/FACILITY (If different from Permittee) Hynes Commercial Building, east side of Route 6, one half mile north of Croton Falls Road			
LOCATION OF PROJECT/FACILITY Adjacent to FW LC-32	COUNTY Putnam	TOWN/CITY/VILLAGE Carmel	UTM COORDINATES
DESCRIPTION OF AUTHORIZED ACTIVITY Upgrade existing storage and parking area within the adjacent area of Freshwater Wetland LC-32 limited to regrading and resurfacing the area with			
"Item 4 stone", installing fencing and relocating the drainage swale along southerly			
property line, in accordance with plans prepared by Keane Coppelman Eng., P.C. dated			
May 22, 1989 and as conditioned herein.			

GENERAL CONDITIONS

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations and the conditions specified herein or attached hereto.

- The permittee shall file in the office of the appropriate regional permit administrator, or other office designated in the special conditions, a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him/her promptly in writing of the completion of the work.
- The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation which may order the work suspended if the public interest so requires pursuant to ECL §71-0301 and SAPA §401(3).
- The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomsoever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.
- The Department reserves the right to modify, suspend or revoke this permit at any time after due notice, and, if requested, hold a hearing when:
 - the scope of the project is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations are found; or
 - the permit was obtained by misrepresentation or failure to disclose relevant facts; or
 - newly discovered information or significant physical changes are discovered since the permit was issued.
- The permittee is responsible for keeping the permit active by submitting a renewal application, including any forms, fees or supplemental information which may be required by the Department, no later than 30 days (180 days for SPDES or Solid or Hazardous Waste Management permits) prior to the expiration date.
- This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person not a party to the permit.
- The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way which may be required for this project.
- Issuance of this permit by the Department does not, unless expressly provided for, modify, supersede or rescind an order on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions, or requirements contained in such order or determination.
- Any modification of this permit granted by the Department must be in writing and attached hereto. Continued on Attachment "A" (12/89)

PERMIT ISSUANCE DATE <i>FEBRUARY 14, 1991</i>	PERMIT ADMINISTRATOR Michael D. Merriman	DEPUTY	ADDRESS 21 S. Putt Corners Road New Paltz, NY 12561
AUTHORIZED SIGNATURE <i>Michael D. Merriman</i>		DJR	Page 1 of <u>2</u>

NOTICE OF COMPLETE APPLICATION

Applicant: HYNES REALTY, INC. Date: JULY 20, 1990Address: RD 11, BOX 80A AGOR LANE
MAHOPAC, N.Y. 10541Permits applied for and application numbers FRESHWATER WETLANDS
3-3720-128/1-0Project description and location Town/City of CARMEL County of PUTNAM

THE APPLICANT PROPOSES TO UPGRADE AND EXPAND "SECURE" PARKING AND STORAGE AREAS FOR TENANTS OF AN EXISTING COMMERCIAL PROPERTY LOCATED ON THE EAST SIDE OF ROUTE 6 ADJACENT TO FRESHWATER WETLAND LC-32. ALTERATIONS INCLUDE GRADING/SURFACING WITH ITEM 4 STONE, FENCE INSTALLATION, AND REALLOCATION OF A DRAINAGE SWALE ALONG THE SOUTHERN PROPERTY LINE.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION: (Check appropriate box)

- SEQR-1 Project is not subject to SEQR because it is an exempt, excluded or a Type II action
- SEQR-2 Project is a Type I action and will not have a significant effect on the environment. A Negative Declaration is on file and a coordinated review with other agencies performed
- SEQR-3 Project is an unlisted action and will not have a significant effect on the environment, a Negative Declaration is on file
 A-coordinated review performed B-no coordinated review performed
- SEQR-4 A draft environmental impact statement has been prepared on this project and is on file
- SEQR-5 A final environmental impact statement has been prepared on this project and is on file
- SEQR-6 Project is an Unlisted Action. Mitigation measure required by the Lead Agency will modify the proposed action so that no significant adverse environmental impacts will result. A Conditioned Negative Declaration is on file

SEQR LEAD AGENCY NONE DESIGNATED

STATE HISTORIC PRESERVATION ACT (SHPA) DETERMINATION: (Check appropriate box)

- SHPA-1 Project is not subject to SHPA. A-exempt permit type B-federal review performed
- SHPA-2 Project will not have an adverse impact and an assessment is on file
- SHPA-3 A cultural resources survey has been prepared on this project and is on file

AVAILABILITY FOR PUBLIC COMMENT:

Applications may be reviewed at the address to the right. Comments on the project must be submitted to the Contact Person by no later than:

AUGUST 17, 1990

CONTACT PERSON:

DAVID T. REID
N.Y.S. D.E.L.
21 SOUTH PUTT CORNERS RD.
NEW PALTZ, N.Y. 12561

TO THE APPLICANT:

1. THIS IS NOT A PERMIT

- 2 This is to advise you that your application is complete and a review has commenced. Additional information may be requested from you at a future date, if deemed necessary, in order to reach a decision on your application.
- 3 Your project is classified MAJOR. Accordingly, a decision will be made within 90 days of the date of this Notice. If a public hearing is necessary, you will be notified within 60 days and the hearing will commence within 90 days of the date of this notice. If a hearing is held the final decision will be made within 60 days after the hearing is completed.
- 4 Publication of this Notice in a newspaper is required not required
If required, please consult the accompanying transmittal letter for further instructions.

CC: Chief Executive Officer SUN. (T) CARMEL
Environmental Notice Bulletin, Room 509, 50 Wolf Road, Albany, N.Y. 12233-0001
File

cc. J. STEALEY

TOWN OF CARMEL ENVIRONMENTAL CONSERVATION BOARD
Town Hall, Mc Alpin Avenue, Mahopac, New York
Tel. (914) 628-1500

Permit # 385
Tax Map # 53-3-11
Date Permit Granted 4/18/91
Permit Expiration 4/18/92

THIS PERMIT IS NON-TRANSFERABLE

WETLAND PERMIT

I HAVE READ, UNDERSTAND AND
AGREE TO ALL CONDITIONS OF
THIS PERMIT.

Brendan K. Hynes

Chapter 62 of the Town Of Carmel Code.

Permit issued to: Brendan Hynes

Address Of Permittee: RD 1180A Agor Lane, Mahopac, NY 10541

Location Of Project: Route 6, Mahopac, NY 10541

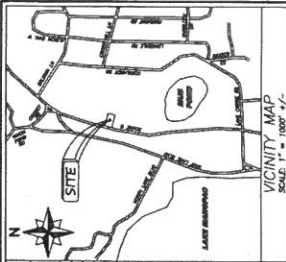
Description Of Project: to place gravel fill for parking.

Town: Carmel

County: Putnam

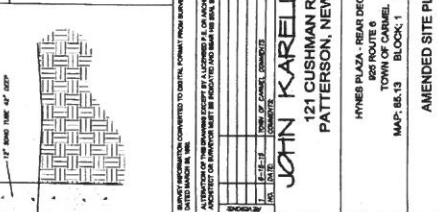
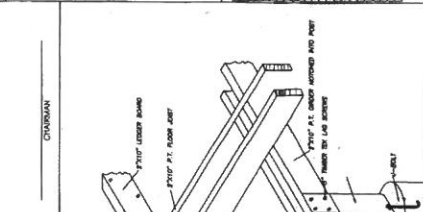
GENERAL CONDITIONS

1. The permittee shall file an application with the Secretary of the Board at least 5 days prior to the commencement of work and shall also notify the Secretary of the completion of the work.
2. The permitted work shall be subject to inspection by the Wetland Inspector or a member of the Environmental Conservation Board and said work may be suspended if the public interest so requires.
3. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of the waterway or flood plain or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway. Such removed material shall not be deposited on any other property within the Town Of Carmel unless a permit therefor has been issued by the Town Of Carmel Planning Board.
4. Any material to be deposited or dumped under this permit, either in the waterway or on shore above high-water mark, shall be deposited or dumped in the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material into the waterway.
5. That if future operations by the Town Of Carmel require an alteration of the position of the structure or work herein authorized, or if, in the opinion of the Environmental Conservation Board it shall cause unreasonable obstruction to the free navigation of waters or flood flows, or endanger the health, safety or welfare of the people of the Town or loss or destruction of the natural resources of the Town, the owner may be ordered by the Environmental Conservation Board to remove or alter the structural work, obstructions, or hazards caused by this permit.
6. All work carried out under this permit shall be performed in accordance with established engineering practice and in a workmanlike manner and in full compliance with all applicable codes, rules and regulations of the Town Of Carmel, County of Putnam and State of New York.
7. If granted under Article 62 of the Town Of Carmel code, the Environmental Conservation Board reserves the right to reconsider this approval at any time and after due notice and hearing to continue, rescind or modify this permit in such a manner as may be found to be just and equitable. If upon the expiration or revocation of this permit, the modification of the wetland hereby authorized has not been completed, the applicant shall, without expense to the Town, and to such extent and in such time and manner as the Environmental Conservation Board may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the Town Of Carmel on account of any such removal or alteration.
8. This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person not a party to the permit.



AREA MAP / LEGEND OF OWNERS
N.T.S.

BLK	LOT	OWNER	ADDRESS
1	1	...	...
1	2	...	...
1	3	...	...
1	4	...	...
1	5	...	...
1	6	...	...
1	7	...	...
1	8	...	...
1	9	...	...
1	10	...	...
1	11	...	...
1	12	...	...
1	13	...	...
1	14	...	...
1	15	...	...
1	16	...	...
1	17	...	...
1	18	...	...
1	19	...	...
1	20	...	...
2	1	...	...
2	2	...	...
2	3	...	...
2	4	...	...
2	5	...	...
2	6	...	...
2	7	...	...
2	8	...	...
2	9	...	...
2	10	...	...
2	11	...	...
2	12	...	...
2	13	...	...
2	14	...	...
2	15	...	...
2	16	...	...
2	17	...	...
2	18	...	...
2	19	...	...
2	20	...	...
3	1	...	...
3	2	...	...
3	3	...	...
3	4	...	...
3	5	...	...
3	6	...	...
3	7	...	...
3	8	...	...
3	9	...	...
3	10	...	...
3	11	...	...
3	12	...	...
3	13	...	...
3	14	...	...
3	15	...	...
3	16	...	...
3	17	...	...
3	18	...	...
3	19	...	...
3	20	...	...



Schedule of Zoning Requirements

DISTRICT REGULATION	REQUIRED	PROVIDED	VARIANCE AREA ID
MINIMUM LOT AREA	63,000 S.F.	58,877 S.F.	NONE
LOT FRONTAGE	100 FT	202.0 FT	NONE
LOT DEPTH	100 FT	202.0 FT	NONE
FLOOR AREA	5,000 S.F.	5,000 S.F.	NONE
LOT COVERAGE	8.4%	8.4%	NONE
MAX. HGT.	35 FT	35 FT	NONE
BUILDING SETBACK - REAR	10 FT	10 FT	NONE
BUILDING SETBACK - SIDE	10 FT	10 FT	NONE
MAX. NUMBER OF STORIES	3	3	NONE
MAX. NUMBER OF UNITS	1	1	NONE

APPROVED BY THE PLANNING BOARD OF THE TOWN OF CAMEL, PUTNAM COUNTY, NY, BY RESOLUTION NO. _____, DATED _____, 2015

SIGNED THIS _____ DAY OF _____, 2015

CHIEF OF PLANNING

Site Data

Address: 121 Cushman Road, Patterson, NY 12552

Parcel No.: 121-1-1

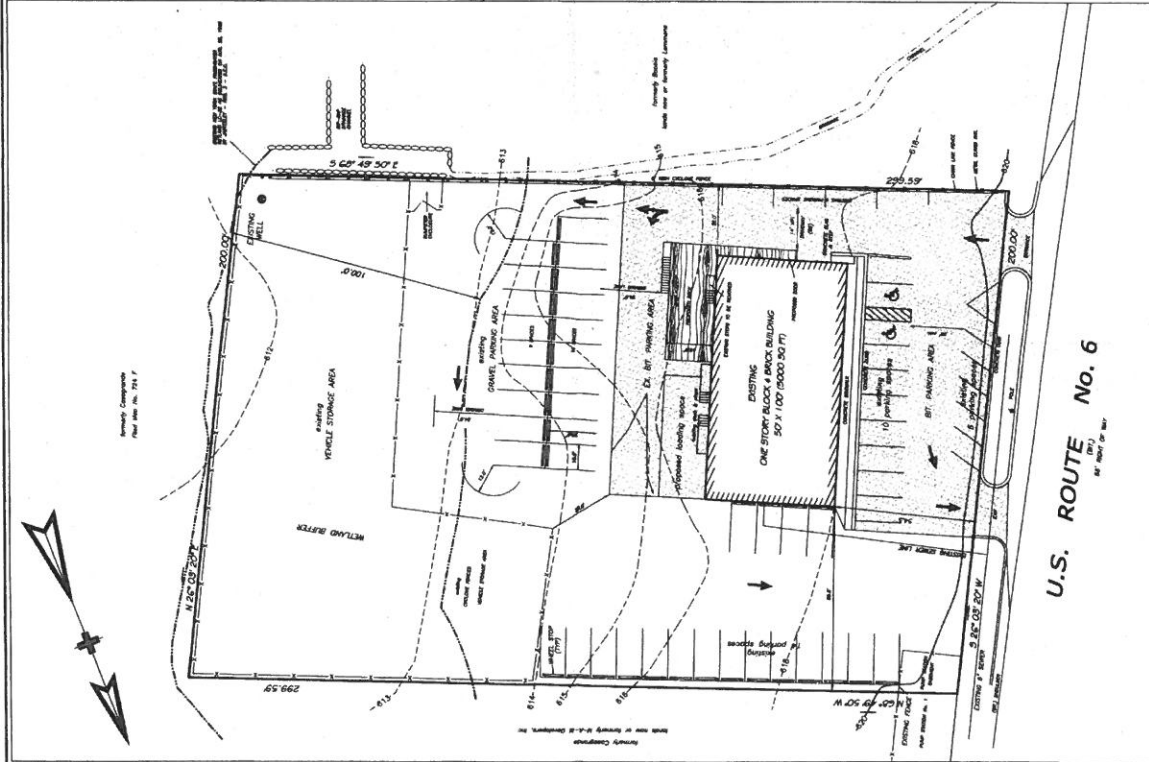
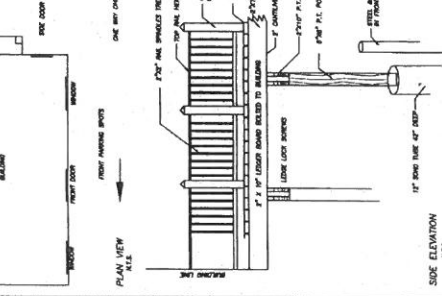
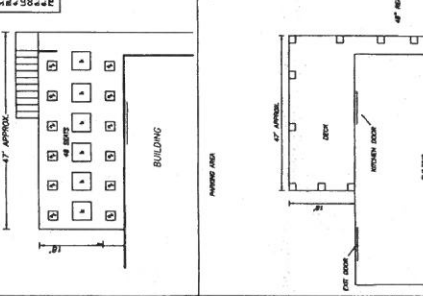
Map No.: 68.13 BLOC. 1 LOT: 68

APPROXIMATE AREAS:

- 1. TO EMPLOYERS, RESTAURANT & RETAIL
- 2. WATER USE
- 3. WATER USE

EXISTING CALCULATED ZONING: R-100

PROPOSED DECK SEATING:



U.S. ROUTE, No. 6

JOHN KARELL, JR., P.E.
121 CUSHMAN ROAD
PATTERSON, NEW YORK

HYMER PLAZA - REAR DECK
825 ROUTE 6
TOWN OF CAMEL
MAP 68.13 BLOC. 1 LOT: 68

SCALE: 1" = 20'

DATE: APRIL 2, 2016

SHEET NO. 8-1



June 4, 2015

Mr. Harold Gary, Chairman
Town of Carmel Planning Board
60 McAlpin Avenue
Mahopac, NY 10541

Re: Old Forge Estates
First Extension of Final Subdivision Re-approval
Baldwin Place Road
TM #75.15-1-19 thru 40

Dear Chairman Gary and Members of the Board:

We request the above referenced project be placed on the next available Planning Board agenda for the second extension of the Final Subdivision Re-approval granted last June.

Please be aware that the applicant has paid the engineering inspection fees for the project. In addition, and at the Town's request, the applicant installed watermain across their property connecting Water District #13 to Water District #10.

Status of Approvals:

1. P.C.H.D. Approval expires on 11/4/15
2. N.Y.C.D.E.P. SWPPP Approval Expires on 9/2/18
3. Town of Carmel ECB Approval Expires on 9/2/15

Sincerely,

PUTNAM ENGINEERING, PLLC

A handwritten signature in black ink, appearing to read 'Paul M. Lynch', written over a horizontal line.

Paul M.Lynch, P.E.
PML/tal

cc: Applicant

(L015oldForgR_L01470)

William A. Shilling, Jr., P.C.

Attorney at Law

122 Old Route 6

Carmel, New York 10512

E-Mail was.law@comcast.net

Michael V. Caruso

**Also admitted in CT*

Phone (845) 225-7500

Fax (845) 225-5692

June 8, 2015

Via email

Planning Board of the Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541

Re: Application for waiver of site plan approval for real property known as
424 Baldwin Place Road, Mahopac, New York (the "Premises")

Dear Chairman Gary and Members of the Planning Board,

This matter was before you for a waiver of site plan pursuant to §156-61(L) of the Carmel Town Code. Several discussions were had regarding the issue of the waiver. (See my letter of March 17, 2015, enclosed).

Subsequently, the Building Inspector opined the matter should be referred back to the ZBA for necessary side yard area variances.

At the May agenda, 5 variances (attached) were granted by the ZBA. While the formal written decision and order has not yet been received, the variances were in fact granted at that time.

We ask that the matter be immediately restored to the Planning Board agenda for further discussions on the issue of waiver of site plan.

Respectfully submitted,

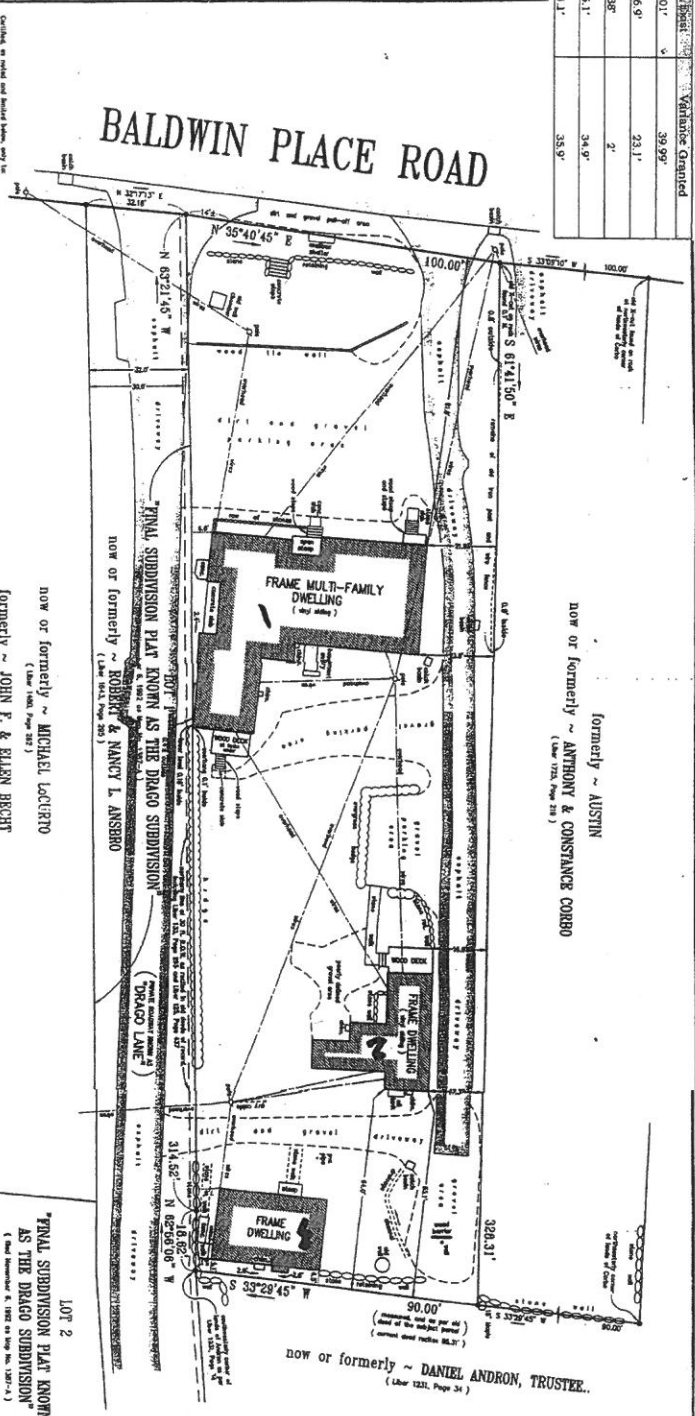

William A. Shilling, Jr., Esq

WAS/bm

Encl.

cc: Mr. Michael Campanelli

Width	Depth	Variance Granted
40' Front Yard	16.9'	39.99'
40' Rear Yard	38'	23.1'
40' Front Yard	5.1'	2'
40' Rear Yard	4.1'	34.6'
		35.9'



BALDWIN PLACE ROAD

now or formerly ~ ANTHONY & CONSTANCE CORBO
(Law 1724, Page 28)

formerly ~ AUSTIN
(Law 1724, Page 28)

now or formerly ~ DANIEL ANDRON, TRUSTEE.
(Law 1231, Page 34)

now or formerly ~ ROBERT & NANCY L. ANSBERO
(Law 1514, Page 20)

now or formerly ~ MICHAEL LACURRO
(Law 1061, Page 22)

formerly ~ JOHN F. & ELLEN BECHT
(Law 175, Page 47)

formerly ~ ACOR

FINAL SUBDIVISION PLAN KNOWN AS THE DRAGO SUBDIVISION
(Final Subject Matter of DRAGO LANE)

LOT 2
FINAL SUBDIVISION PLAN KNOWN AS THE DRAGO SUBDIVISION
(Law 1061, Page 22)

AREA = 31,143 SQ. FT.
(0.719 ACRE)

Prepared by:
Baxter Land Surveying, P.C.
655 Presidential Boulevard
Putnam Valley, New York 10979
Phone: (845) 821-8562 / (914) 962-2689

ROCCO CAMPANELLI
PROPERTY SITUATE IN
TOWN OF CARMEL
COUNTY OF PUTNAM
STATE OF NEW YORK

SCALE: 1" = 20'
DATE: JUNE 3, 2014