

TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT NAME: GUELBERG & MCGOWAN LOT LINE CHANGE

PROJECT NO.: 2021-32

PROJECT LOCATION: SECTION 39, BLOCK 1, LOT 23 & 24

REVIEW DATE: 28 JANUARY 2022 MEETING DATE: 3 FEBRUARY 2022

PROJECT REPRESENTATIVE: ZEN DESIGN CONSULTANTS

1. The project involves the transfer of 6,650 +/- square feet of property to an adjoining residential structure.

- 2. Status of the Zoning Board of Appeals approval for the side yard setback on Tax Lot #23 should be addressed.
- 3. Confirmation that Adjoiners Notice has been submitted should be provided.

Respectfully submitted,

MHE Engineering, D.P.C.

Patril & Offenes

Patrick J. Hines

Principal

PJH/dns

ZEN Consultants, Inc.

1662 ROUTE 300, SUITE 138 NEWBURGH, NEW YORK 12550 (845) 629-1567 (phone) job# 21-046-JDU

PROJECT NARRATIVE

PROJECT:

Guelberg & McGowan - Lot Line Change Town Project #

PROPERTY LOCATION:

255 & 259 Fostertown Road

SBL:

39-1-(23&24)

ZONE:

R2 - Residential

ACRES:

2.45 +/- Acres

DESCRIPTION:

The submitted plan is a proposal for a lot line change between the two parcels listed above. The project is located along Fostertown Road, a county road, in the Town of Newburgh. The land is a gentle sloping parcel. We are proposing to add approx. 60' of property to s-b-l: 39-1-23 from the adjoining parcel s-b-l: 39-1-24 as shown on the attached plans. The existing lots are serviced by individual septic systems. One of the lots is attached to the town water and the other is utilizing a private well.

The proposed change to the property line will have no affect on the existing septic systems and no new structures are proposed. This is a simple lot line change to give the smaller lot a larger backyard area.

TOWN OF NEWBURGH APPLICATION FOR SUBDIVISION/SITE PLAN REVIEW

RETURN TO: Town of Newburgh Planning Board 308 Gardnertown Road Newburgh, New York 12550

D/	ATE RECEIVED:	TOWN FILE NO: 2/-032
	(Ap _j	plication fee returnable with this application)
1.	Title of Subdivis	sion/Site Plan (Project name): BERG + McGOWAN -LOT LINE CHANGE
2.	Owner of Lands Name Address Phone	Sto be reviewed: SESSICA GUELBERG CHRISTOPHER MCGOWA. 259 FOSTERTOWN RD. 255 FOSTERTOWN RD. NEWBURGH NEWBURGH, M. Y. 12530
3.	Applicant Information Name Address	mation (If different than owner):
	Representativ Phone Fax Email	WE KEN LYTLE - 71-N CONSULTANTS, INC. 845-629-1567 KLYTLE & ZL-NDCI, COM
4.	Subdivision/Site Name Address	Plan prepared by: ZEN CONSULTANTS, INC. 1662 ROUTE 300, SUITE 138 NEWBURGH, N.Y. 12550
	Phone/Fax	848-129-1567
5.	Location of land	s to be reviewed: + 259 MR FOST FRITOWN ROAD
6.	Zone <u>R-2</u> Acreage <u>M</u>	2.45 School District NIWBURGH
7.	Tax Map: Section	

			Purpose of			
	Number of	f existing le	ots <u>2</u>	Numbe	r of proposed lots	2
		_	,			
	Clearing a	nd grading	g			
	Other			· · · · · · · · · · · · · · · · · · ·		
THE	PROJECT Easements or	other rest		property:	PTION OR NARI	RATIVE OF
		plication a	nd schedylir	ng for an ap	he Planning Boar pearance on an aş	genda:
S	Signature	Hen_	GA	Title	11/27/21	
i	identified ap	plication a	nd schedylir	ng for an ap		genda:

<u>NOTE:</u> If property abuts and has its access to a County or State Highway or road, the following information must be placed on the subdivision map or site plan: entrance location, entrance profile, sizing of pipe (minimum length of pipe to be 24 feet).

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

TOWN OF NEWBURGH PLANNING BOARD

GUELBERG + MC GOWAN - LOT LINE
PROJECT NAME CHANGE

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.
1. X Environmental Assessment Form As Required
2. X Proxy Statement
3. X Application Fees
4. Completed Checklist (Automatic rejection of application without checklist)
II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.
1. X Name and address of applicant
2. X Name and address of owner (if different from applicant)
3. X Subdivision or Site Plan and Location
4. X Tax Map Data (Section-Block-Lot)
5X Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS ma base only with property outlined
6X Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot
7. $\underline{\hspace{0.1in} \hspace{0.1in} 0.1$
8. X Date of plan preparation and/or plan revisions
9. \searrow Scale the plan is drawn to (Max 1" = 100')
10. North Arrow pointing generally up

11. X Surveyor, S Certification 12. \times Surveyor's seal and signature 13. X Name of adjoining owners 14.__X _Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements 15. \times Flood plain boundaries 16. X Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989 17. X Metes and bounds of all lots 18.__X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street 19. X Show existing or proposed easements (note restrictions) 20. X Right-of-way width and Rights of Access and Utility Placement 21. \times Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft, wide) 22. \times Lot area (in sq. ft. for each lot less than 2 acres) 23. X Number of lots including residual lot 24. \times Show any existing waterways 25. X A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable 26.__X Applicable note pertaining to owners review and concurrence with plat together with owner's signature 27. \times Show any improvements, i.e. drainage systems, water lines, sewer lines, etc. 28. X Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided 29. X Show topographical data with 2 or 5 ft. contours on initial submission

30. <u> </u>	Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
t	a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town pecs) is to be furnished and installed
32. <u> </u>	Number of acres to be cleared or timber harvested
	Estimated or known cubic yards of material to be excavated and removed from the site
34X	Estimated or known cubic yards of fill required
35>	The amount of grading expected or known to be required to bring the site to readiness
s i	Type and amount of site preparation which falls within the 100 ft. buffer trip of wetlands or within the Critical Environmental Area. Please explain a sq. ft. or cubic yards.
C	Any amount of site preparation within a 100 year floodplain or any water ourse on the site. Please explain in sq. ft. or cubic yards.
	ist of property owners within 500 feet of all parcels to be developed (see attached statement).
The plan	
	By: WILLIAM MONEAU, P.E 90 ZEN Licensed Professional CONSULTANS
	Date: 11/27/21
	is designed to be a guide ONLY. The Town of Newburgh Planning Board uire additional notes or revisions prior to granting approval.

Prepared (insert date):

PLANNING BOARD DISCLAIMER STATEMENT TO APPLICANTS

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

11 3 21 DATED

APPLICANT'S NAME (printed)

APPLICANT'S SIGNATURE

FEE ACKNOWLEDGEMENT

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

APPLICANT'S NAME (printed)

APPLICANTS SIGNATURE

DATE

Note: if the property abuts and has access to a County or State Highway or road, the following information must be place on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

PROXY

Tooler Qualbas - Dunlup	
(OWNER) JUSTICA CHURCHE, DEPOS	SES AND SAYS THAT HE/SHE
(OWNER) Jessica Guelbez - Dunlup RESIDES AT 259 FOSTO FOUNT	M.
IN THE COUNTY OF ORANGE	
AND STATE OF NEW YORK	
AND THAT HE/SHE IS THE OWNER IN FEE	OF 259 Fostertown Rd.
	Venburgh, M 12550
WHICH IS THE PREMISES DESCRIBED IN	THE FOREGOING
APPLICATION AS DESCRIBED THEREIN T	O THE TOWN OF NEWBURGH
PLANNING BOARD AND KEN LYPL	is authorized
TO REPRESENT THEM AT MEETINGS OF	SAID BOARD.
DATED: 11 3 21	OWNERS SIGNATURE
	Jessica Guelberg-Dunlup
	OWNERS NAME (printed)
	211
NAMES OF ADDITIONAL	WITNESS' SIGNATURE
REPRESENTATIVES	KEN LITTLE
	WITNESS' NAME (printed)

PROXY

(OWNER) Christopher McGurander	OSES AND SAYS THAT HE/SHE
RESIDES AT 255 Fostertum 7	₹d.
IN THE COUNTY OF ORANGE	
AND STATE OF <u>NAW YORK</u>	
AND THAT HE/SHE IS THE OWNER IN FI	CE OF 255 Fostertown Ro
AND THAT HE/SHE IS THE OWNER IN FI	Newburgh, NY 12550
WHICH IS THE PREMISES DESCRIBED I	
APPLICATION AS DESCRIBED THEREIN	TO THE TOWN OF NEWBURGH
PLANNING BOARD AND 1420 Ly	is authorized
TO REPRESENT THEM AT MEETINGS OF	F SAID BOARD.
DATED: 11/3/21	OWNERS SIGNATURE
	OWNERS SIGNATURE
	OWNERS NAME (printed)
	WITNESS' SIGNATURE
NAMES OF ADDITIONAL	WIIIIESS SIGNATURE
REPRESENTATIVES	KEN LYTLE
	WITNESS' NAME (printed)

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

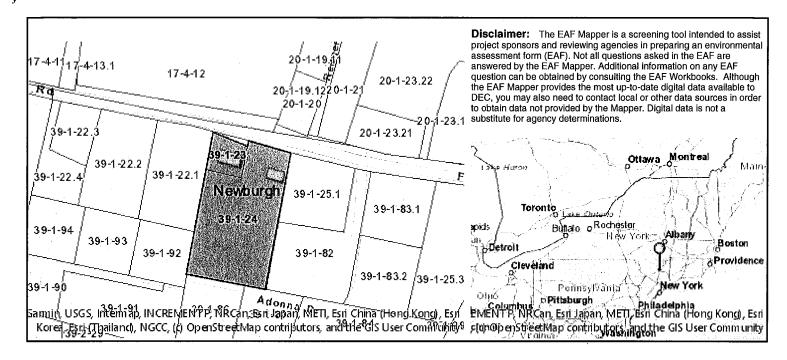
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

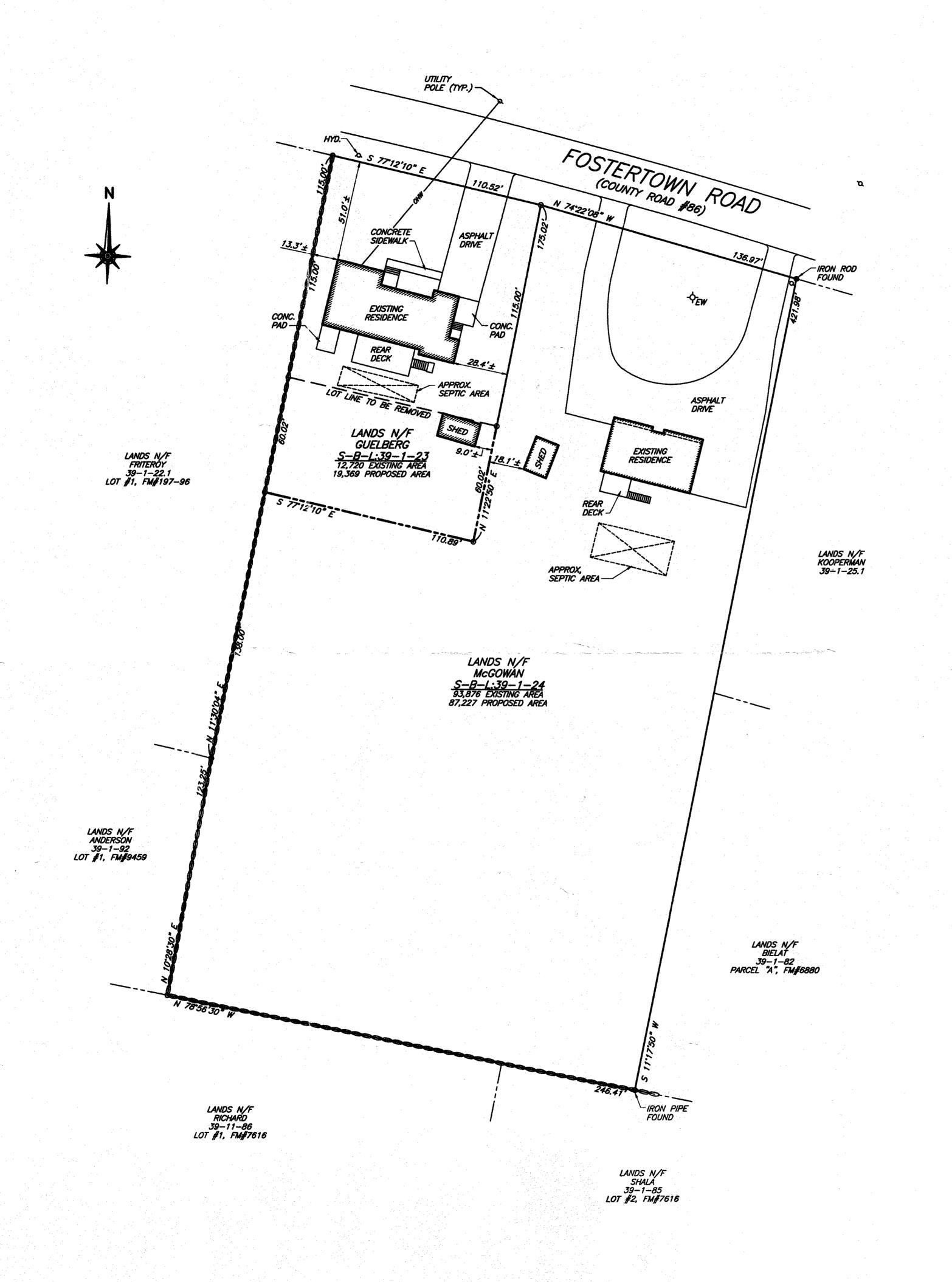
Part 1 – Project and Sponsor Information			
Guelberg & McGowan			
Name of Action or Project:			
Guelberg & McGowan - Lot Line Change			
Project Location (describe, and attach a location map): 255 & 259 Fostertown Road			
Brief Description of Proposed Action:			
Lot Line change with neighbor to gain additional rear yard area as shown.			
Name of Applicant or Sponsor:	Telephone: (845) 401-0	765	
Guelberg & McGowan	E-Mail:		
Address: 255 & 259 Fostertown Road			
City/PO: Newburgh	State: New York	Zip Code: 12550	
Newburgh 1. Does the proposed action only involve the legislative adoption of a plan, loc	New York		YES
Newburgh	New York al law, ordinance, environmental resources th	12550 NO	YES
 Newburgh Does the proposed action only involve the legislative adoption of a plan, loc administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the may be affected in the municipality and proceed to Part 2. If no, continue to que Does the proposed action require a permit, approval or funding from any oth 	New York al law, ordinance, environmental resources the	12550 NO	YES YES
 Newburgh Does the proposed action only involve the legislative adoption of a plan, loc administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the may be affected in the municipality and proceed to Part 2. If no, continue to que 	New York al law, ordinance, environmental resources the	12550 NO nat	
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 Newburgh Does the proposed action only involve the legislative adoption of a plan, loc administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the may be affected in the municipality and proceed to Part 2. If no, continue to que Does the proposed action require a permit, approval or funding from any oth If Yes, list agency(s) name and permit or approval: a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? Check all land uses that occur on, are adjoining or near the proposed action: 	New York al law, ordinance, environmental resources the stion 2. Her government Agency? 2.45 acres 0.00 acres	12550 NO nat NO	
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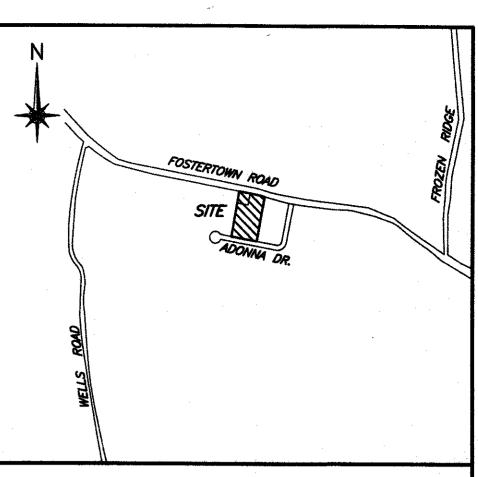
્ડે. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		V	
b. Consistent with the adopted comprehensive plan?			v
6. Is the proposed action consistent with the predominant character of the existing built or natural landsca	ne?	NO	YES
o. Is the proposed action consistent with the predominant character of the existing built of natural fandsea	pe:		V
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area	?	NO	YES
If Yes, identify:		V	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation services available at or near the site of the proposed action?		~	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
		V	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
		~	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
·			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or dis	trict	NO	YES
which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on	the	V	
State Register of Historic Places?	••••		
		V	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
		~	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
		,	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline Forest Agricultural/grasslands Early mid-successional		
☐ Wetland ☐ Urban ☑ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	\	
16. Is the project site located in the 100-year flood plan?	NO	YES
	V	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	~	
a. Will storm water discharges flow to adjacent properties?	V	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	V	
If ites, offerly describe.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
	V	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
	~	Ш
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:		
	~	Ш
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name: Ken Lytle Date: 11/27/2021		<u>.</u>
Signature: Title:		
orginature		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No .
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No





LOCATION MAP



TOWN: NEWBURGH ZONE: R2								
	SINGLE FAMILY W/ WATER							
	REQUIRED	39-	1-23	.39-	-1-24			
MINIMUM LOT AREA MINIMUM YARDS	17,500sf	EXISTING 12,720sf	PROPOSED 19,369sf	EXISTING 93,876sf	PROPOSED 87,227sf			
FRONT REAR SIDE 1 SIDE BOTH	40' 40' 15' 30'	51.0'± 26.6'± 13.3'± 41.7'±	51.0'± 26.6'± 13.3'± 41.7'±	92.3'± 306.0'± 31.2'± 88.4'±	92.3'± 306.0'± 31.2'± 88.4'±			
MINIMUM LOT WIDTH DEPTH	100° 125°	110.5'± 115.0'±	110.5°± 175.0±	137.0°± 422.0°±	137.0'± 422.0'±			

OWNER'S CONSENT NOTE:

THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE THAT THEY ARE FAMILIAR WITH THIS PLAN, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON AND TO THE FILING OF THIS PLAN IN THE OFFICE OF THE CLERK OF THE COUNTY OF ORANGE, IF SO REQUIRED.

GUELBERG

McGOWAN

APPLICANT/OWNER JESSICA GUELBERG 259 FOSTERTOWN ROAD NEWBURGH, NY 12550 APPLICANT/OWNER CHRISTOPHER & KARI McGOWAN 255 FOSTERTOWN ROAD

NEWBURGH, NY 12550

CERTIFICATION:

I HEREBY CERTIFY TO THE PARTIES OF INTEREST LISTED BELOW THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL SURVEY COMPLETED IN THE FIELD ON AUGUST 31, 2021 BY ANTHONY D. VALDINA, L.S.

WATER NOTE:

LOT 39-1-23 IS CONNECTED TO TOWN WATER 39-1-24 UTILIZES PRIVATE WELL, AS SHOWN ON PLAN

SEWER NOTE:

PRIVATE SEPTIC SYSTEM

SURVEY NOTES:

- 1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE N.Y. STATE EDUCATION LAW.

 2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED OR INK SEAL SHALL BE CONSIDERED TO BE VALID COPIES.

 3. UNDERGROUND IMPROVEMENTS OR ENCROPPORTUNENTS OF ANY ARE NOT OUR
- 3. UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN
- 4. SURVEYED IN ACCORDANCE WITH FILED MAPS, DEEDS, AND PHYSICAL MONUMENTATION FOUND AT THE TIME OF SURVEY.
 5. SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN UP TO DATE TITLE ABSTRACT REPORT.

MAP REFERENCES:

- MAP REFERENCES:

 1. MAP ENTITLED "PROPOSED SUBDIVISION, LANDS OF DAVID L. HAWKINS ENTERPRISES, INC.", FILED IN THE ORANGE COUNTY CLERK'S OFFICE 04/23/1975 AS MAP \$3441.

 2. MAP ENTITLED "SUBDIVISION PLAN, LANDS OF VINCENT J. CERTO & JAMES RAAB" FILED IN THE ORANGE COUNTY CLERK'S OFFICE 04/26/1989 AS MAP \$9459.

 3. MAP ENTITLED "SUBDIVISION PLAN, LANDS OF DEBRA L. RICHARD" FILED IN THE ORANGE COUNTY CLERK'S OFFICE 05/05/1986 AS MAP \$7616.

 4. MAP ENTITLED "SUBDIVISION PLAN, LANDS OF LAND INVESTMENT GROUP", FILED IN THE ORANGE COUNTY CLERK'S OFFICE 01/23/1985 AS MAP \$6880.

SURVEYOR NTHONY VALDINA, L.S.

GUELBERG & McGOWAN LOT LINE CHANGE
SURVEY PLAT
FOSTERTOWN ROAD, SBL: 39-1-(23&24)
TOWN OF NEWBURGH, ORANGE COUNTY, NY

10/20/2021 21-046-JDU