



**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT NAME: LANDS OF WEDDELL
PROJECT NO.: 2024-10
PROJECT LOCATION: SECTION 89, BLOCK 1, LOTS 10.1, 10.2, 77.1 & 77.2
REVIEW DATE: 11 APRIL 2024
MEETING DATE: 18 APRIL 2024
PROJECT REPRESENTATIVE: DARREN DOCE, PE

1. The proposed lot line change has received Conditional Final Approval from the Town Planning Board on 17 March 2016. The applicants did not complete the Conditions of Approval and the approval has lapsed.
2. The Planning Board Attorney's comments regarding the validity of the 22 December 2015 ZBA variances should be received.
3. A copy of the 17 March 2016 Resolution is attached.
4. Adjoiner's Notices must be re-sent for the application.
5. It is noted that the Lot Line Plan entitled *Wedell*, while the owner's endorsements are spelled *Weddell*.
6. The applicant's representative are requesting a waiver for topography on the map.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in dark blue ink that reads 'Patrick J. Hines'.

Patrick J. Hines
Principal
PJH/kbw

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

RECEIVED
MAR 21 2016
TOWN OF NEWBURGH
TOWN CLERKS OFFICE

RESOLUTION OF APPROVAL
LOT LINE CHANGE
FOR
THOMAS WEDDELL LOT LINE CHANGE
PROJECT # 2015-27

RECEIVED
MAR 24 2016
WEDDELL LOT LINE CHANGE

Nature of Application

Thomas Weddell Lot Line Change has applied to the Planning Board for a lot line change approval allowing the relocation of lot lines among four existing parcels.

Property Involved

The property affected by this resolution is shown on the Tax Maps of the Town of Newburgh as parcel(s) 89-1-10.1, 89-1-1.2, 89-1-77.1 and 89-1-77.2 and is commonly referred to as Weddell Lot Line Change.

Zoning District

The property affected by this resolution is located in the R-1 zoning district of the Town of Newburgh.

Plans

The Subdivision Plat materials being considered consist of the following:

1. Completed application form and Environmental Assessment Form.
2. Plans prepared for Thomas Weddell Lot Line

Change as follows:

<u>Author</u>	<u>Title</u>	<u>Last Revision Date</u>
Vincent J. Doce Associates	Lot Line Change Plan	December 23, 2015

History

Date of Application

The application was filed with the Planning Board on September 2, 2015.

Public Hearing

A public hearing on this application is not required.

SEQRA

Type of Action:

This matter constitutes an unlisted action under the State Environmental Quality Review Act.

Lead Agency:

The Town of Newburgh Planning Board is the lead agency in regard to this action. The Planning Board's status as lead agency was established on March 17, 2016.

Declaration of Significance:

A negative declaration was issued on March 17, 2016.

GML 239 Referral

This application is not required to be referred to the Orange County Planning Department for review.

*** Findings**

The Planning Board has determined that this approval constitutes a lot line change inasmuch as what is proposed is an alteration that will result in land area

becoming part of an existing adjacent lot without the creation of a new lot and without making any lot nonconforming or making any existing lot more nonconforming, subject to compliance in full with the conditions hereinafter imposed.

Resolution of Approval

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to approve this lot line change application of Thomas Weddell Lot Line Change as said proposal is depicted on the plans identified above and upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

AND, THE PLANNING BOARD FURTHER RESOLVES to authorize the applicant to record a deed consistent with the plans identified herein without the need of formal subdivision approval upon satisfaction of those conditions below noted to be conditions precedent to such recording.

Specific Conditions

1. All conditions attached to a grant of variance issued by the Town of Newburgh Zoning Board of Appeals on December 22, 2015 (copy attached hereto) are made a part of this approval and this approval is subject to the same as if those conditions were set forth herein at length.
2. A revised Common Driveway Easement and Maintenance Agreement, satisfactory to the Planning Board Attorney, must be submitted and approved before the plans are signed. That instrument must be recorded as a condition of this approval.
3. The applicant must confirm that there are no buried utilities in the lot area to be transferred that will result in encroachments or violations of regulatory agency requirements. The applicant's

surveyor should include the following not on the plan: *"From the best available knowledge, there are no buried utilities within or adjacent to the lot line change that will cause encroachments or create violations of the State Sanitary Health Code."*

4. The applicant shall submit one reproducible mylar and one copy of the lot line change plat provided by the applicant and properly signed by the applicant and owner(s).
5. A map must be filed with the Orange County Real Property Tax Service Agency, and no deed may be recorded until such map is filed. The map shall provide accurate dimensional and area data regarding the resulting parcels. The applicant shall copy the Planning Board on its letter transmitting that map to the Orange County Real Property Tax Service Agency for filing and shall provide the Planning Board with any return correspondence reflecting either acceptance or rejection of said plat.
6. The applicant shall copy the Planning Board on its letter transmitting the deed to the Orange County Clerk for recording and shall provide the Planning Board with any return correspondence reflecting either acceptance or rejection of said deed.
7. After filing, the applicant shall provide the Planning Board with two copies of the lot line change plat certified by office of the Orange County Clerk together with the liber and page of the recorded deeds implementing the contemplated transfer. No building permit shall be issued until such certified copies of the plat and the deed recording information are received by the Town of Newburgh. Planning Board approval of a lot line change plat shall not be deemed an acceptance by the Town of any road, or other land, shown as offered for cession to public use and ownership.

General Conditions

This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, including mylars when required, to the Town of Newburgh Building Department within sixty days of the date of this approval.

This approval shall expire 62 days after the signing of the plat by the Chairperson of the Planning Board unless filing of the lot line plat is accomplished within that time period in the Office of the Orange County Clerk. The expiration of an approval shall mean that any further action shall require submission of a new application, payment of a new application fee and Planning Board review of all previous findings

A FAILURE to comply with the general condition immediately above in a timely manner shall result, without further action, in a lapsing of this approval.

In Favor 6 Against 0 Abstain Absent 1

Dated: March 17, 2016



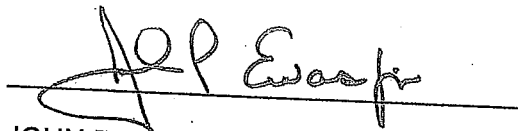
JOHN P. EWASUTYN, CHAIRPERSON
TOWN OF NEWBURGH PLANNING BOARD

STATE OF NEW YORK)

)ss:

COUNTY OF ORANGE)

I, JOHN P. EWASUTYN, Chairman to the Planning Board of the Town of Newburgh, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Planning Board at a meeting of said Board held on March 17, 2016.



JOHN P. EWASUTYN, CHAIRMAN
TOWN OF NEWBURGH PLANNING BOARD

I, ANDREW J. ZARUTSKIE, Clerk of the Town of Newburgh, do hereby certify that the foregoing Resolution was filed in the Office of the Town Clerk on

~~MAR 21~~ 2016



ANDREW J. ZARUTSKIE, CLERK
TOWN OF NEWBURGH