



TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS

PROJECT NAME: 55 SOUTH PLANK RD./18 BROOKSIDE AVE. LOT LINE CHANGE
PROJECT NO.: 2021-30
PROJECT LOCATION: SECTION 71, BLOCK 5, LOT 8 & 18.1
REVIEW DATE: 11 NOVEMBER 2021
MEETING DATE: 18 NOVEMBER 2021
PROJECT REPRESENTATIVE: LANC & TULLY ENGINEERING AND SURVEYING, P.C.

1. Existing Tax Lot 8 contains numerous pre-existing non-conformities. Tax Lot 18.1 contains an existing front yard setback deficiency. The following will be a list of variances required prior to the Planning Board being able to act on the lot line change.

A. Tax Lot 8:

- Lot size - 12,500 square feet required, 9,525.25 proposed.
- Lot width - 85 feet required, 50 feet existing
- Front yard - 40 feet required, 30.7 feet existing.
- Side yard – 15/30 where 9/19.3 existing

B. Tax Lot 18.1:

- Front yard – 40 feet required, where 36.8 exists.

Both lots will require referral to the Zoning Board of Appeals due to pre-existing non-conformities.

2. The Applicants representative are requested to confirm that municipal sanitary sewer is available to serve Lot 8. Existing manholes are depicted in the rear yard of Lot 8 and the side yard of Lot 18.1. It is unclear if any easements exist to permit the sanitary sewer to connect to sewer within Brookside Avenue. No sewer exists within State Route 52 along the property frontage.

Respectfully submitted,

MHE Engineering, D.P.C.

Patrick J. Hines
Principal

PJH/kbw

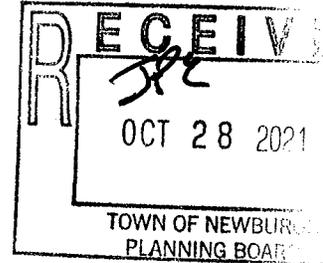
NEW YORK OFFICE

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

**TOWN OF NEWBURGH
APPLICATION FOR
SUBDIVISION/SITE PLAN REVIEW**



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

DATE RECEIVED: _____ TOWN FILE NO: 2021-30
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):

Lot Line Change 55 South Plank Rd. (S/B/L: 71-5-8) and 18 Brookside Ave. (S/B/L: 71-5-18.1)

2. Owner of Lands to be reviewed:

Name	<u>Mynah Enterprises LLC</u>	<u>George & Terri Bowen & Linda Flynn</u>
Address	<u>55 South Plank Road</u>	<u>18 Brookside Avenue</u>
	<u>Newburgh, NY 12550</u>	<u>Newburgh, NY 12550</u>
Phone	<u>(845) 797-5477</u>	<u>(845) 220-6360</u>

3. Applicant Information (If different than owner):

Name Kevin Gagliano (Managing Member of Mynah Enterprises LLC a
Address single member LLC)

Representative Kevin Gagliano, Esq.
Phone (845) 527-6427
Fax (845) 397-7517
Email kevin@gaglianolaw.com

4. Subdivision/Site Plan prepared by:

Name Lanc & Tully Engineering and Surveying P.C.
Address 3132 NY 207 Campbell Hall, NY 10916
(845) 294-3700
Phone/Fax (845) 294-8609

5. Location of lands to be reviewed:

55 South Plank Road, Newburgh, NY and 18 Brookside Ave., Newburgh, NY

6. Zone R3 **Fire District** Goodwill
Acreeage 0.05 **School District** Newburgh

7.

Tax Map: Section 71 Block 5 Lot 8 & 18.1

8. Project Description and Purpose of Review:

Number of existing lots 2 Number of proposed lots 2
Lot line change Adjusting lot line, transferring 0.059 acres from 71-5-18.1 to 71-5-8
Site plan review _____
Clearing and grading _____
Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) N/A

10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Signature  Title Applicant
Date: 10/27/2021

NOTE: 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
PROJECT NAME**

Lot line change 55 South Plank Road (S/B/L: 71-5-8) and 18 Brookside Ave. (S/B/L: 71-5-18.1)

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. Environmental Assessment Form As Required
2. Proxy Statement
3. Application Fees
4. Completed Checklist (Automatic rejection of application without checklist)

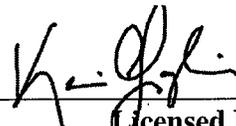
II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.

1. Name and address of applicant
2. Name and address of owner (if different from applicant)
3. Subdivision or Site Plan and Location
4. Tax Map Data (Section-Block-Lot)
5. Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
6. 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. Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. Date of plan preparation and/or plan revisions
9. Scale the plan is drawn to (Max 1" = 100')
10. North Arrow pointing generally up

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

30. Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. If 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 specs) is to be furnished and installed
32. Number of acres to be cleared or timber harvested
33. Estimated or known cubic yards of material to be excavated and removed from the site
34. 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
36. Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.
N/A
-
37. Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.
N/A
-
38. List of property owners within 500 feet of all parcels to be developed (see attached statement).

The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

By: 
Licensed Professional

Date: 10/27/2021

This list is designed to be a guide ONLY. The Town of Newburgh Planning Board may require additional notes or revisions prior to granting approval.

Prepared (insert date): 10/27/2021

STATEMENT TO APPLICANTS

RE: TOWN OF NEWBURGH CLEARING AND GRADING LAW

The Town of Newburgh Clearing and Grading Control Law requires a separate permit for most site preparation activities, including clearing, grading, tree cutting, excavating and filling. Site preparation activities performed following site plan or subdivision approval by the Planning Board may be exempt from the permit application, public hearing, fee and bonding requirements of the law provided the subdivision or site plan application has been reviewed for conformance with the clearing and grading law and the approval conditioned on compliance with the standards set forth in the law. Completion of the attached form will enable the Planning Board to review your application for conformance with the law's requirements. In the event it is not completed you may be required to apply for a separated permit for your site preparation activities. A sediment and erosion control plan and a plan showing the areas to be cleared, filled, graded or subjected to tree cutting, the types of vegetation affected and the proposed disposition of the destroyed vegetation must accompany the form. A SEQRA long form or full EAF should be utilized to discuss any environmental impacts and must accompany the application.

FEE LAW SUMMARY

PENDING APPLICATIONS

All applicants with matters pending before the Planning Board as of the effective date of this local law shall be required to post as escrow in the manner and upon the terms and conditions set forth below:

- (a) The Planning Board, in consultation with the applicant, shall compute the amount of the escrow to be posted with the Town. Such amount shall be reasonably related to the costs attendant to the Town's review of the application as of the effective date of this local law. Under no circumstances shall the escrow include amounts attributable to any costs incurred by the Town prior to the effective date of this local law.
- (b) Once computed and established by Resolution of the Planning Board, the applicant shall, within fifteen (15) days of said resolution, post escrow fees with the Secretary of the Planning Board. Failure to deliver the said escrow fees may result in delay of the further processing of the application.

SEVERABILITY

In the event a court of law determined that any provision of this chapter is unenforceable, then only that provision shall be affected and all other provisions shall be fully enforceable.

EFFECTIVE DATE:

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

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.

KEVIN GAGLIANO
APPLICANT'S NAME (printed)


APPLICANTS SIGNATURE

10/27/2021
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

(OWNER) Terri A. Bowen, DEPOSES AND SAYS THAT HE/SHE
RESIDES AT 18 Brookside Avenue, Newburgh
IN THE COUNTY OF Orange
AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 18 Brookside Avenue
Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND Kevin Gagliano IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 10/6/2021

Terri A. Bowen
OWNERS SIGNATURE

Terri A. Bowen
OWNERS NAME (printed)

Elizabeth Bord
WITNESS' SIGNATURE

Elizabeth Bord
WITNESS' NAME (printed)

NAMES OF ADDITIONAL
REPRESENTATIVES

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.

10/27/2021
DATED

KEVIN GAGLIANO
APPLICANT'S NAME (printed)


APPLICANT'S SIGNATURE

AGRICULTURAL NOTE

(Required to be placed on all plans where property lies within 500 feet of land in active agricultural production or operation)

Property adjacent to lots (1) is in active agricultural operation and production and residents must be aware that such property is protected by New York State "Right to Farm Laws" as regulated by the Department of Agriculture and Markets. From time to time during and prior to the normal growing season land and crops may be sprayed from the ground or by air, manure may be applied, and periodic noise may occur from machinery operation at various times throughout the day. Residents should be aware of this action by the adjacent property owners.

(1) Specific lots adjacent to the active farming area which are impacted shall be inserted in this space.

N/A

AGRICULTURAL DATA STATEMENT

(Required pursuant to Agricultural and Markets Law §305-a for applications for site plan approvals, use variances and subdivision approvals that will occur on property within a County Agricultural District containing an active farm operation or on property with boundaries within five hundred feet of an active farm operation located in a County Agricultural District)

Name and address of the applicant: _____

Description of the proposed project: _____

Location of the proposed project: _____

Name(s) and address(es) of any owner(s) of land within a County Agricultural District containing active farming operations and located within five hundred feet of the boundary of the project property: N/A _____

A tax map or other map showing the site of the proposed project relative to the location of the identified farm operations must be attached to this form.

 _____

APPLICANT'S SIGNATURE

10/27/2021

DATE

ARCHITECTURAL REVIEW

The Town of Newburgh Planning Board had been authorized to act as the Architectural Review Board for all: site plans, projects involving ten or more dwelling units, and any construction that would affect the character of a neighborhood under Section §185-59 of the Town Code (Zoning Law).

In order to perform this task, at some point prior to final approval, the applicant shall provide the Planning Board with elevations of buildings for all sides and a written (separately or on drawings) description of the materials, colors and textures to be used in construction. Plans shall also include topographical information and any screening of portions of the buildings, either existing or proposed.

Samples of the material and colors to be used shall either be submitted to the Planning Board or brought to the meeting at which architectural review will be discussed.

ARCHITECTURAL REVIEW FORM
TOWN OF NEWBURGH PLANNING BOARD

DATE: _____ N/A
NAME OF PROJECT: _____

The applicant is to submit in writing the following items prior to signing of the site plans.

EXTERIOR FINISH (skin of the building):
Type (steel, wood, block, split block, etc.)

COLOR OF THE EXTERIOR OF BUILDING:

ACCENT TRIM:

Location: _____

Color: _____

Type (material): _____

PARAPET (all roof top mechanicals are to be screened on all four sides):

ROOF:

Type (gabled, flat, etc.): _____

Material (shingles, metal, tar & sand, etc.): _____

Color: _____

WINDOWS/SHUTTERS:

Color (also trim if different): _____

Type: _____

DOORS:

Color: _____

Type (if different than standard door entrée): _____

SIGN:

Color: _____

Material: _____

Square footage of signage of site: _____

Applicant/Owner _____

Please print name and title (owner, agent, builder, superintendent of job, etc.)

Signature

LIST OF ADJACENT PROPERTY OWNERS

Within ten business days following the applicant's first appearance before the Planning Board, the applicant shall forward a letter prepared by the Planning Board or an authorized agent of the Planning Board to all property owners within 500 feet of the land involved in the application, as the names of such owners appear on the last completed assessment roll of the Town, notifying the property owners of the receipt of the plat and application, by first class mail. **The list of property owners shall be provided to the applicant from the Planning Board, through the Town Assessor's office.** The applicant shall thereafter submit a duly executed, notarized affidavit of mailing to the Planning Board. Further appearances before the Planning Board shall be prohibited until an affidavit meeting the requirements has been delivered. In the event a modification to an application proposes an increase in the number of lots or the relocation of a proposed road or drainage basin to a location adjacent to an adjoining property, then a supplementary letter shall be required to be forwarded in the same manner advising of the modification.

334600 71-2-15
Mary E Scott
60 S Plank Rd
Newburgh NY 12550

334600 71-2-8.1
Brian Chmielnik
6 Vascello Rd
New Windsor NY 12553

334600 71-5-4
Rihab Issa
Mahmoud I Issa
65 S Plank Rd
Newburgh NY 12550

334600 71-5-16
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-5-15
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-5-19
Douglas Bard L.E.
Elizabeth Trustee Bard
16 Brookside Ave
Newburgh NY 12550

334600 71-6-29
William H Williams Jr
Sandra A Williams
8 Fifth Ave
Newburgh NY 12550

334600 71-4-11
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-5-21
Thomas J Schlappich
Jane M Schlappich
14 Brookside Ave
Newburgh NY 12550

334600 71-6-33.1
Jessica L Turrone
Shane Turrone
20 Fifth Ave
Newburgh NY 12550

334600 71-5-23
Anthony Velita
10 Brookside Ave
Newburgh NY 12550

334600 71-6-31
LSF9 Master Participation Trust
U.S. Bank Trust, N.A.
3701 Regent Blvd Ste 200
Irving TX 75063

334600 71-4-14
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-4-13
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-6-24.2
Brian Jo Lynn Holding Corp
4226 Congressional Dr
Myrtle Beach SC 29579

334600 71-5-22
Kemar Gregory
12 Brookside Ave
Newburgh NY 12550

334600 71-6-32
Robert W Bréhaut
Lisa A Drago
16 Fifth Ave
Newburgh NY 12550

334600 71-6-2
John F Lanspery L.E. Jr
John F Lanspery III
35 Woodlawn Ter
Newburgh NY 12550

334600 71-6-33.2
David Welsh
Karen Welsh
18 Fifth Ave
Newburgh NY 12550

334600 71-2-7
Ira Wolfe
Florence Wolfe
25 Fifth Ave
Newburgh NY 12550

334600 71-5-7
Mynah Enterprises LLC
55 S Plank Rd
Newburgh NY 12550

334600 71-4-6
Christopher J Frain
Jade C Calub
19 Brookside Ave
Newburgh NY 12550

334600 71-2-16
James W Scott
Mary E Scott
60 So Plank Rd
Newburgh NY 12550

334600 71-5-2
Carl Angelo Darrigo
67 So Plank Rd
Newburgh NY 12550

334600 71-5-24
William Roe Knapp
Judith Ann Knapp
8 Brookside Ave
Newburgh NY 12550

334600 71-4-8
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-2-12
South Plank LLC
149 Quassaick Ave
New Windsor NY 12553

334600 71-4-9
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-2-14
Thomas A Bufalieri
Danine B Laganaro
1 Mace Cir
Newburgh NY 12550

334600 71-4-7
James Corbett
20 Brookside Ave
Newburgh NY 12550

TOWN of Newburgh
Office of the Assessor
1496 Route 300
Newburgh, NY 12550

Diane 10/20/21

SEC 71 BLK 5 LOT 2

Pg. 1 of 2

334600 71-6-30.2
Jason K Hunt
Erica S Hunt
10 Fifth Ave
Newburgh NY 12550

334600 71-4-5
Christopher Trotta
17 Brookside Ave
Newburgh NY 12550

334600 71-5-6
Jose Lema
61 S Plank Rd
Newburgh NY 12550

334600 97-1-20.3
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-6-30.1
Shawn Espitia
Diana Espitia
12 Fifth Ave
Newburgh NY 12550

334600 71-2-8.2
Michael Manzi
Jennifer Manzi
19 Fifth Ave
Newburgh NY 12550

334600 71-2-9
Michael W Tierney
Kelly Tierney
269 Old Albany Post Rd
Garrison NY 10524

334600 71-5-20
Susan G St Pierre
6 Brookside Ave
Newburgh NY 12550

334600 71-5-9
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-5-3
Mahmoud I Issa
Rihab Issa
65 South Plank Rd
Newburgh NY 12550

334600 71-2-11
Gasland Petroleum Inc
3 S Ohioville Rd
New Paltz NY 12561

334600 71-4-4
Jonathan T Lofaro
Wendy S Craig-Lafaro
15 Brookside Ave
Newburgh NY 12550

334600 71-5-12
Scott W Spagnoli
Tina Spagnoli
P.O. Box 4288
New Windsor NY 12553

334600 71-4-10
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-2-10
Robert C Soukup Sr
Mildred I Soukup
9 Fifth Ave
Newburgh NY 12550

334600 71-6-25
Brian Jo Lynn Holding Corp
4226 Congressional Dr
Myrtle Beach SC 29579

334600 71-2-13
Delia Spata
50 S Plank Rd
Newburgh NY 12550

334600 71-5-8
Mynah Enterprises LLC
55 S Plank Rd
Newburgh NY 12550

334600 71-6-27
Dane E Clark
4 Fifth Ave
Newburgh NY 12550

334600 71-5-29
Ira Bose
Marjorie Bose
4 Brookside Ave
Newburgh NY 12550

334600 71-5-1
Scott A Classey
Jill A Classey
2 Brookside Ave
Newburgh NY 12550

334600 71-5-5
Jose Lema
61 S Plank Rd
Newburgh NY 12550

334600 71-5-25
William Roe Knapp
Judith Ann Knapp
8 Brookside Ave
Newburgh NY 12550

334600 71-5-18.1
Linda A Flynn L.E.
George L Bowen
18 Brookside Ave
Newburgh NY 12550

334600 71-4-12
LLC Matrix Newburgh Rout 300
Forsgate Dr CN4000
Cranbury NJ 08512

334600 71-6-28
Robert R Kuhn Jr
Kathie J Kuhn
6 Fifth Ave
Newburgh NY 12550

334600 71-6-34.2
Anne Christine Haugland
22 Fifth Ave
Newburgh NY 12550

Town of Newburgh
Office of the Assessor
1496 Route 300
Newburgh, NY 12550

Bose 10/20/21
21

SEC 71 BLK 5 LOT 8

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			
Name of Action or Project: Lot Line Change granting portion of 18 Brookside Avenue, Newburgh, NY to owner of 55 S. Plank Rd. Newburgh, nY			
Project Location (describe, and attach a location map): 18 Brookside Avenue (S/B/L: 71-5.18.1)			
Brief Description of Proposed Action: Lot line change conveying 0.059 acres to owner of adjacent parcel.			
Name of Applicant or Sponsor: Kevin Gagliano		Telephone: (845) 527-6427 E-Mail: info@gaglianolaw.com	
Address: 100 Stony Brook Ct.			
City/PO: Newburgh		State: NY	Zip Code: 1550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh Planning Board			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.059 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.2334 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district 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 State Register of Historic Places? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? 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: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Project: Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: _____
 Date: _____

**Short Environmental Assessment Form
 Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PAT

TOWN OF NEWBURGH PLANNING BOARD

APPLICATION PACKAGE

for

SUBDIVISIONS,

SITE PLANS,

LOT LINE CHANGES

And

SPECIAL EXCEPTION USE PERMITS

Procedures and Requirements

July 2013

**TOWN OF NEWBURGH PLANNING BOARD
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550
(845) 564-7804
fax: (845) 564-7802
planningboard@hvc.rr.com**

Project Name: Lot Line Change 55 South Plank Road (S/B/L: 71-5-8) and 18 Brookside Ave. (S/B/L: 71-5-18.1)

NARRATIVE OF PROJECT

This project is for property located in the R-3 zone and is a lot line change transferring 0.059 acres from lot 71-5-18.1 (18 Brookside Ave.) to lot 71-5-8 (55 South Plank Road).

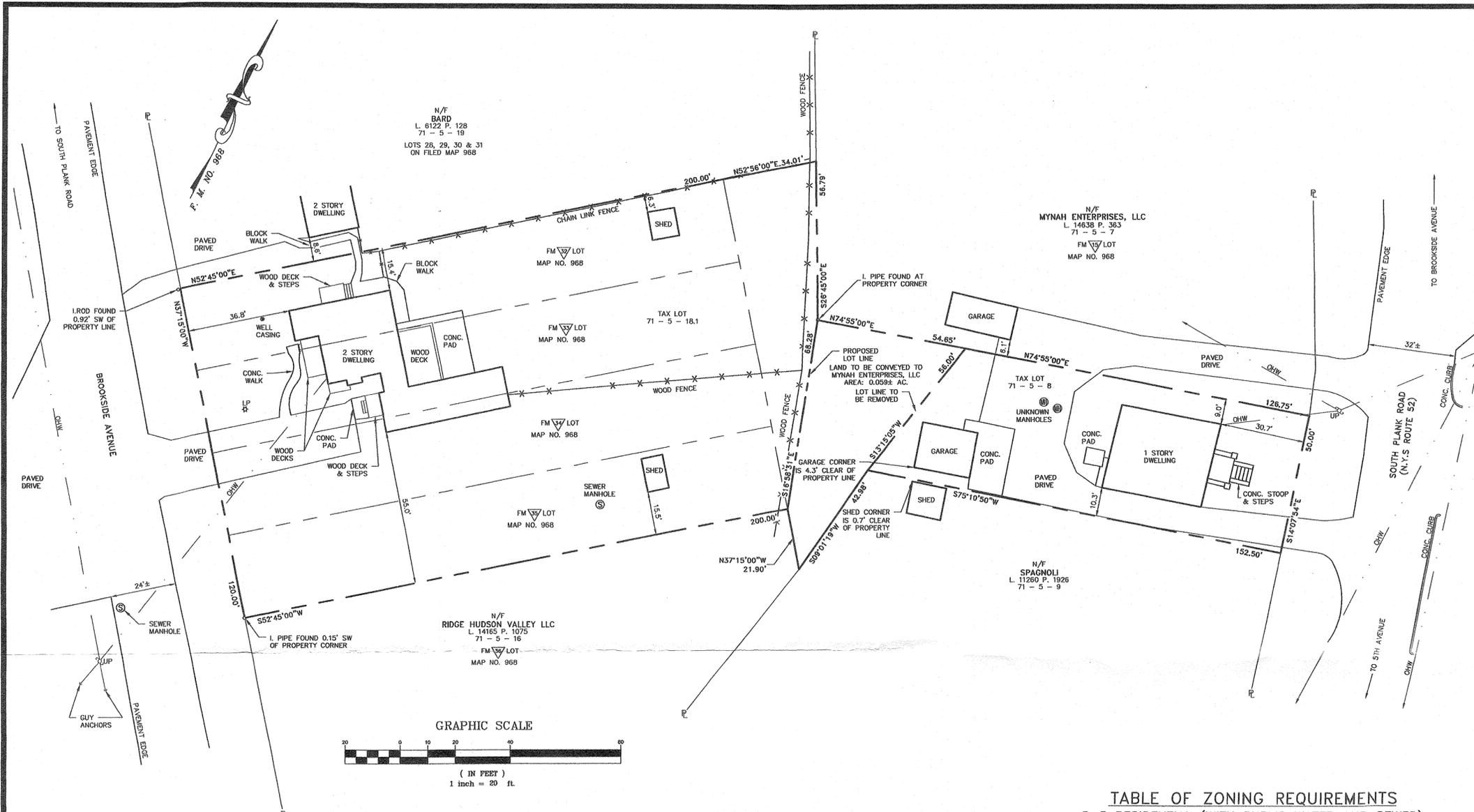
The original area of the grantor's parcel (18 Brookside Ave.) is 28,959.01 +/- sq. ft. and the proposed area will be 26,369.78 +/- sq. ft.

The original area of the grantee's parcel (55 South Plank Rd.) is 6,936.02 +/- sq. ft. and the proposed area will be 9,525.25 +/- sq. ft.

Water/sewer information for grantor's parcel (18 Brookside Ave.): Municipal Water/Sewer

Water/sewer information for grantee's parcel (55 South Plank Rd.): Municipal Water/Private Septic

Both parcels are on a Town road.



LOCATION PLAN
1 INCH = 2000 FEET

GENERAL NOTES:

1. PROPOSED LOT LINE ADJUSTMENT BETWEEN TAX LOTS 71 - 5 - 18.1 AND 71 - 5 - 8 REAR PROPERTY BOUNDARIES RESULTING IN THE TRANSFER OF 2,589.23± SQUARE FEET.
2. NO NEW CONSTRUCTION IS PROPOSED AS PART OF THIS ACTION; TRANSFER OF LAND ONLY FOR EXISTING RESIDENTIAL DEVELOPED LOTS.
3. ZONING DISTRICT: R-3 RESIDENTIAL
4. LOT 71 - 5 - 8 IS A PRE-EXISTING, NON-CONFORMING LOT TO AREA AND SIDE AND FRONT YARD SETBACKS. THE PRE-EXISTING, NON-CONFORMING CONDITIONS ARE NOT WORSENERD BY THE PROPOSED LOT LINE ADJUSTMENT.

SURVEY NOTES:

1. THIS SURVEY IS SUBJECT TO ANY FINDINGS OF A TITLE SEARCH.
2. SUBSURFACE STRUCTURES AND UTILITIES NOT VISIBLE AT THE TIME OF SURVEY HAVE NOT BEEN SHOWN.
3. REFERENCE:

MAP ENTITLED "SECTION D. WINONA LAKE DEVELOPMENT CO., TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK," DATED OCTOBER 24, 1925, AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON NOVEMBER 9, 1925 AS FILED MAP NO. 968.

RECORD OWNERS:

<p>MYNAH ENTERPRISES, LLC 55 SOUTH PLANK ROAD NEWBURGH, NEW YORK 12550</p> <p>L. 14638 P. 363 71 - 5 - 8</p>	<p>GEORGE L. BOWEN & TERRI A. BOWEN 18 BROOKSIDE AVENUE NEWBURGH, NEW YORK 12550</p> <p>L. 14320 P. 1630 71 - 5 - 18.1</p> <p>LOTS 32, 33, 34 & 35 ON FILED MAP NO. 968</p>
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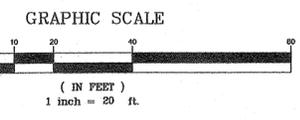


TABLE OF ZONING REQUIREMENTS
R-3 RESIDENTIAL (WITH PUBLIC WATER AND SEWER)

	MINIMUM	REQUIRED	PROPOSED 17-5-18.1	PROPOSED 17-5-8
LOT SIZE (SQ.FT.)		12,500	26,369.78±	9,525.25±*
LOT WIDTH (FT.)		85	120	50*
LOT DEPTH (FT.)		100	200±	180±
FRONT YARD (FT.)		40	36.8±*	30.7*
REAR YARD (FT.)		40	104.6±	111.3±
SIDE YARD (FT.) (ONE/BOTH)		15/30	15.4/65.4±	9.0/19.3±
MAXIMUM	PERMITTED	PROVIDED	PROVIDED	
BUILDING HEIGHT (FT.)	40	<40	<40	
DEVELOPMENT COVERAGE (%)	12	<1±	4.3±	
BUILDING COVERAGE % / FLOOR AREA RATIO	5/0.05	<5/0.05	4.3/0.04±	

*PRE-EXISTING NON-CONFORMING LOT AND/OR SETBACK

AREAS:

TAX PARCEL	ORIGINAL AREA	PROPOSED AREA
TAX LOT 71 - 5 - 18.1	28,959.01± SF	26,369.78± SF
TAX LOT 71 - 5 - 8	6,936.02± SF	9,525.25± SF

TOWN OF NEWBURGH
PLANNING BOARD NO.

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<p>LANC & TULLY ENGINEERING AND SURVEYING, P.C.</p>	<p>P.O. Box 687, Rt. 207 Goshen, N.Y. 10924 (845) 294-3700</p>
	<p>Date: MARCH 24, 2021</p>
<p>LOT LINE ADJUSTMENT PREPARED FOR</p>	
<p>MYNAH ENTERPRISES, LLC AND GEORGE & TERRI BOWEN TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK</p>	
<p>Drawn By: dmd</p>	<p>Checked By: [Signature]</p>
<p>Scale: 1" = 20'</p>	<p>Tax Map Rec: AS NOTED</p>
<p>Sheet No.: 1 OF 1</p>	<p>Drawing No.: C30 B-21-0026-01</p>

OWNER'S CONSENT NOTE:

THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREON STATE THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS, LEGENDS AND NOTATIONS, AND HEREBY AGREE AND CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

OWNER(S) SIGNATURE _____ DATE _____

OWNER(S) SIGNATURE _____ DATE _____

CERTIFICATION:

I HEREBY CERTIFY TO THE PARTIES OF INTEREST LISTED BELOW THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL FIELD SURVEY COMPLETED ON MARCH 5, 2021.

BY: Rodney C. Knutson, L.S.
NEW YORK STATE LICENSE NO. 60276

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