



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS D.P.C.**

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Principal Emeritus:  
RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

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

**PROJECT: BROPHY LOT LINE CHANGE**  
**PROJECT NO.: 16-22**  
**PROJECT LOCATION: SECTION 9, BLOCK 3, LOT 58.3 & portion of**  
**SECTION 121, BLOCK 1, LOT 22**  
**REVIEW DATE: 09 DECEMBER 2016**  
**MEETING DATE: 15 DECEMBER 2016**  
**PROJECT REPRESENTATIVE: TALCOTT ENGINEERING DESIGN**

1. Mike Donnelly's comments regarding ownership of the portion of lot 121-1-22 should be received.
2. The premise of the lot line change is that existing Lot #1 is a portion of the Anchor Drive roadway and somehow an existing lot. That lot currently is not a buildable lot. History of this lot should be clearly defined as it is reputed in the application that the Town did not accept dedication of it which somehow formed a lot. Whatever entity owns this parcel and how ownership was received it should be clearly addressed and documentation provided. The proposal leaves out a portion of an area which contains a stone pillar identified as existing easement for maintenance of signs and landscaping. Ownership of this portion should be further discussed if project proceeds. Leaving out this portion appears to result in a subdivision.
3. Lot line change should be submitted with a surveyors stamp and signature.
4. Map reference note #2 should be revised as date is in the future.
5. The adjoining septic on the west side of River Road is up gradient of the proposed well on Lot #1. Additional information regarding the separation distances should be provided.
6. Driveway locations should be reviewed by the Highway Superintendent with regard to access.
7. The Planning Board attention is called to the one foot contour interval provided rather than the typical two foot.
8. Septic note #19 should be revised requiring submission of an As-Built plan and certification to

the Town of Newburgh Code Enforcement Office prior to the issuance of a Certificate of Occupancy.

9. We would recommend a separate map prepared by the surveyor be provided as Orange County Real Property will not file the map in its current condition due to overwriting of letters, numbers and symbols.

Respectfully submitted,

***McGoey, Hauser and Edsall  
Consulting Engineers, D.P.C.***

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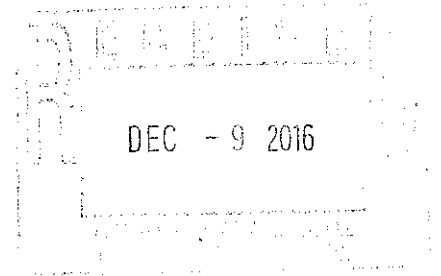
Patrick J. Hines  
Principal

PJH/kbw



# Talcott Engineering DESIGN, PLLC

1 GARDNERTOWN ROAD ~ NEWBURGH, NY 12550  
(845) 569-8400\* ~ (fax) (845) 569-4583



Town of Newburgh  
Planning Board  
308 Gardnertown Road  
Newburgh, NY 12550

December 8, 2016

Attn: John Ewasutyn, Chairman

Re: Project Narrative  
Town Project No. 2016-22  
Brophy Lot Line Change  
River Road & Anchor Drive  
SBL: 9-3-58.3 & part of Anchor Drive R.O.W (121-1-22)  
R-1 Zone  
Job No. 16195-BPY

## PROJECT NARRATIVE

The proposed project is a lot line change that will transfer 1.21 acres of land from lot 58.3 to "lot 22". The two subject parcels total approximately 3.8 acres. Both lots have frontage on "River Road" and "Anchor Drive". Lot 22 has not yet been assigned an S/B/L, as it was a portion of the Anchor Drive R.O.W. that the Town did not want.

The purpose of this lot line is to move the lot line such that both lots will be conforming. Both lots will be serviced by on-site wells and in ground septic systems.

Enclosed please find 12 Planning Board Applications, 12 sets of plans, and 12 copies of an EAF short form, along with this narrative and checks for the application fees (\$550) and escrow (\$3,000). FedEx 1 copy to Michael Donnelly, and will deliver 1 copy to Pat Hines tomorrow am.

Respectfully yours,

Charles T. Brown, P.E. – President  
Talcott Engineering

Pc; Joe Brophy, Owner

16195-BRY

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

DEC - 9 2016

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

**DATE RECEIVED:** \_\_\_\_\_ **TOWN FILE NO:** \_\_\_\_\_  
(Application fee returnable with this application)

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

BROPHY LOT LINE CHANGE

**2. Owner of Lands to be reviewed:**

Name JOE BROPHY  
Address 5003 KEMSEY ROAD  
ROSEDALE, MD 21237  
Phone 410-812-2988

**3. Applicant Information (If different than owner):**

Name (SAME)  
Address \_\_\_\_\_

Representative CHARLES T. BROWN, PE / TALCOTT ENGINEERING  
Phone (845) 569-8400  
Fax (845) 569-4583  
Email TALCOTTDESIGN12@GMAIL.COM

**4. Subdivision/Site Plan prepared by:**

Name CHARLES T. BROWN, PE / TALCOTT ENGINEERING  
Address 1 GARDNERTOWN ROAD  
NEWBURGH, NY 12550  
Phone/Fax (845) 569-8400 / (845) 569-4583

**5. Location of lands to be reviewed:**

CORNER OF RIVER ROAD AND NEWKOR DRIVE

**6. Zone** R-1 **Fire District** MIDDLEBROOK  
**Acreage** 1 **School District** MORLBORO

**7. Tax Map: Section** 9 **Block** 3 **Lot** 58.3

AND A PORTION OF SECTION 12, BLOCK 1 LOT 22  
(COPY OF DEED ATTACHED)

8. Project Description and Purpose of Review:

Number of existing lots 2 Number of proposed lots 2  
Lot line change ✓  
Site plan review N/A  
Clearing and grading N/A  
Other \_\_\_\_\_

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) EASEMENT FOR MAINTENANCE OF PILLER

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

Signature [Signature] Title OWNER

Date: 12/8/16

**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).

**TOWN OF NEWBURGH PLANNING BOARD**

RESENT LOT LINE CHANGE  
PROJECT NAME

**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. N/A 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. N/A Number of acres to be cleared or timber harvested
33. N/A Estimated or known cubic yards of material to be excavated and removed from the site
34. N/A 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. N/A 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.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
37. N/A 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.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

By: \_\_\_\_\_

  
Licensed Professional

Date: \_\_\_\_\_

12/8/16

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 8/11/05  
STATEMENT TO APPLICANTS

### 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.

JOSEPH E. BROPHY JR.  
APPLICANT'S NAME (printed)

  
APPLICANT'S SIGNATURE

30 Sep 2016  
DATE

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

PROXY

(OWNER) JOSEPH BROPHY, DEPOSES AND SAYS THAT HE/SHE  
RESIDES AT 5003 KEMBLEY ROAD  
IN THE COUNTY OF BALTIMORE  
AND STATE OF MARYLAND  
AND THAT HE/SHE IS THE OWNER IN FEE OF TWO LOT AT THE  
CORNER OF RIVER ROAD AND ANCHOR DR  
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING  
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH  
PLANNING BOARD AND CHARLES T. BROWN IS AUTHORIZED  
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 30 Sep 2016

  
OWNERS SIGNATURE

JOSEPH E. BROPHY JR  
OWNERS NAME (printed)

  
WITNESS' SIGNATURE

NAMES OF ADDITIONAL  
REPRESENTATIVES

Raymond B McKeiver  
WITNESS' NAME (printed)



**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.

30 Sep 2016  
DATED

JOSEPH E. BROPHY JR.  
APPLICANT'S NAME (printed)

  
APPLICANT'S SIGNATURE

**DISCLOSURE ADDENDUM STATEMENT TO APPLICATION,  
PETITION AND REQUEST**

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

✓ **NONE**


\_\_\_\_\_  
**NAME, ADDRESS, RELATIONSHIP OR INTEREST**  
(financial or otherwise)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**TOWN BOARD**  
**PLANNING BOARD**  
**ZONING BOARD OF APPEALS**  
**ZONING ENFORCEMENT OFFICER**  
**BUILDING INSPECTOR**  
**OTHER**

30 Sep 2016  
**DATED**

  
**INDIVIDUAL APPLICANT**

\_\_\_\_\_  
**CORPORATE OR PARTNERSHIP APPLICANT**

**BY:** \_\_\_\_\_  
(Pres.) (Partner) (Vice-Pres.)  
(Sec.) (Treas.)

# Short Environmental Assessment Form

## Part 1 - Project Information


### Instructions for Completing

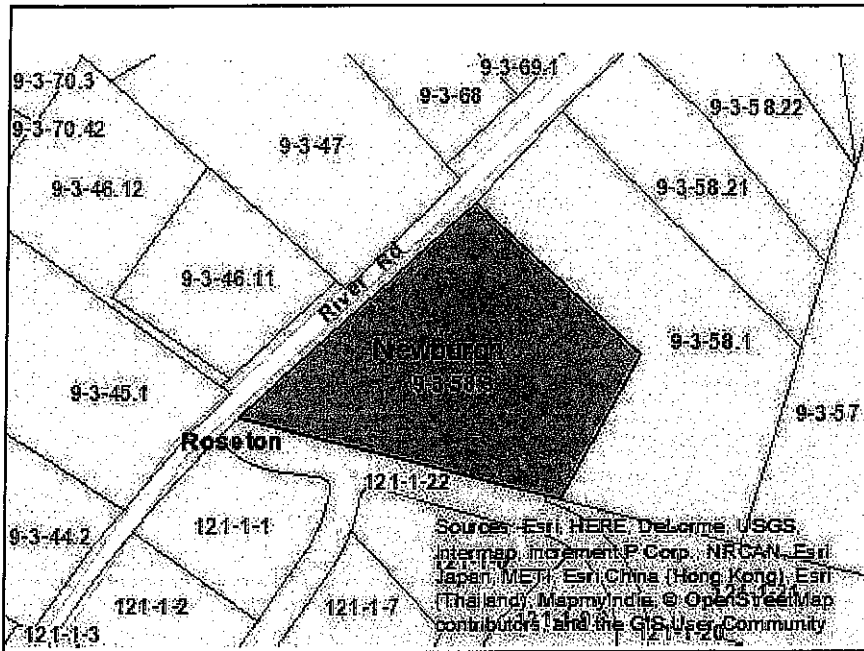
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

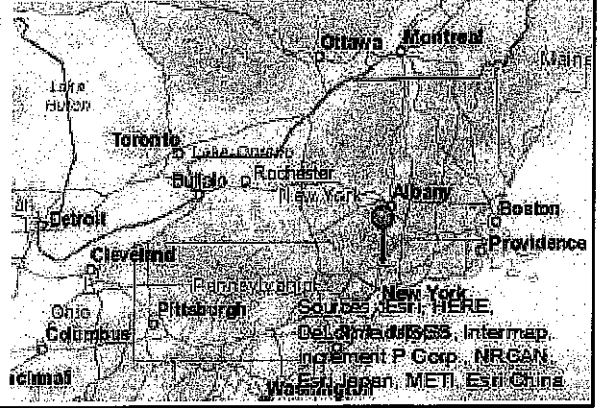
<b>Part 1 - Project and Sponsor Information</b>									
Name of Action or Project: BROPHY LOT LINE CHANGE <span style="float: right;">#16195</span>									
Project Location (describe, and attach a location map): CORNER OF RIVER ROAD AND ANCHOR DRIVE									
Brief Description of Proposed Action: MOVE A LOT LINE SO AN EXISTING UNDERSIZED LOT (0.21 ACRES) WILL BECOME A CONFORMING LOT. BOTH LOTS WILL HAVE WELLS AND IN GROUND SEPTIC SYSTEMS AND MEET ZONING BULK REQUIREMENTS FOR SINGLE FAMILY HOMES.									
Name of Applicant or Sponsor: JOE BROPHY		Telephone: 410-812-2988 E-Mail: JBROPHY15@COMCAST.NET							
Address: 5003 KEMSLEY ROAD									
City/PO: ROSEDALE		State: MD	Zip Code: 21237						
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<table style="width: 100%;"> <tr> <td style="width: 60%;">3.a. Total acreage of the site of the proposed action?</td> <td style="width: 40%; text-align: right;">3.8 acres</td> </tr> <tr> <td>3.b. Total acreage to be physically disturbed?</td> <td style="text-align: right;">0.8 acres</td> </tr> <tr> <td>3.c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</td> <td style="text-align: right;">3.8 acres</td> </tr> </table>				3.a. Total acreage of the site of the proposed action?	3.8 acres	3.b. Total acreage to be physically disturbed?	0.8 acres	3.c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	3.8 acres
3.a. Total acreage of the site of the proposed action?	3.8 acres								
3.b. Total acreage to be physically disturbed?	0.8 acres								
3.c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	3.8 acres								
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" 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?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<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: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ INDIVIDUAL WELLS	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ IN GROUND SEPTIC SYSTEMS	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" 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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>CHARLES T BROWN, PE</u> Date: <u>12-6-2016</u> Signature: <u></u>		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

*Copy Deed (Anchor Strip)*

Bargain & sale deed, with covenant against grantor's acts.

**THIS INDENTURE**, made the 16th day of November, 2016

**BETWEEN**

**VALLEY SERVICES, INC.**, a New York corporation with offices located at 211 South Plank Road, Suite 2, Newburgh, New York 12550,

party of the first part, and

**JOSEPH BROPHY**, residing at 5003 Kemsley Road, Rosedale, Maryland 21237,

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

p/o S-121  
B-1  
L-22

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being further described on Schedule "A" annexed hereto and made a part hereof.

**BEING AND INTENDED TO BE** a portion of the premises described in a deed dated November 12, 2014 made by Hudson Landings Corp. to Valley Services, Inc., the Grantor herein, and recorded in the Orange County Clerk's Office on November 14, 2014 in Liber 13815 of Deeds at page 1565.

**SUBJECT TO** covenants, restrictions and easements of record.

This transaction is being made in the regular course of business of the party of the first part and does not constitute a sale, transfer, or alienation of all or substantially all of the assets of said party of the first part. This conveyance is authorized by the Board of Directors of the party of the first part and no other consent is required.

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD**, the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

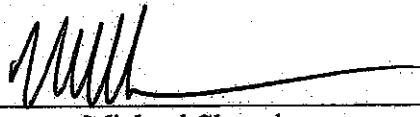
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

VALLEY SERVICES, INC.,


By:   
Name: Michael Shaughnessy  
Title: Vice President

STATE OF NEW YORK:

: SS.

COUNTY OF ORANGE :

On the 16<sup>th</sup> day of November, 2016, before me, the undersigned, a notary public in and for said state, personally appeared MICHAEL SHAUGHNESSY personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted executed the instrument.

  
Notary Public

SJG/ef/492226  
14156-66636  
11/10/16

ARLENE M. SLADER  
Notary Public, State of New York  
Qualified in Orange County  
No. 01SL6342235  
Commission Expires May 21, 2018



BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS  
\*\*\*\*\*

VALLEY SERVICES, INC.,

to

JOSEPH BROPHY

\*\*\*\*\*

P/O  
SECTION 121  
BLOCK 1  
LOT 22  
COUNTY OF ORANGE  
TOWN OF NEWBURGH

**RETURN BY MAIL TO:**

**Charles Frankel, Esq.  
Rider, Weiner & Frankel, P.C.  
P. O. Box 2280  
Newburgh, NY 12550**



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

12 Metro Park Road  
Suite 104  
Albany, NY 12205  
T: 518.459.3252  
F: 518.459.3284  
[www.maserconsulting.com](http://www.maserconsulting.com)

**GORE AREA  
ANCHORAGE-ON-HUDSON SUBDIVISION  
TOWN OF NEWBURGH, COUNTY OF ORANGE, STATE OF NEW YORK  
AREA = 0.21 ± ACRES OF LAND**

All that certain tract, piece or parcel of land situate in Town of Newburgh, County of Orange, State of New York and being more particularly bounded and described as follows:

BEGINNING at a point in the eastern road boundary of River Road located in the division line between lands now or formerly of Carmela Moroney (Tax Parcel 9-3-58.3; Book 4349, Page 200) to the north and lands now or formerly of Hudson Landing Corp. (portion of Tax Parcel 121-1-22) to the south; thence along said division line South 75 deg. 12 min. 30 sec. East a distance of 491.18 feet to a point located in the division line between lands of Hudson Landing Corp. to the west and Lot 21 to the east as depicted on a map entitled "Sheet 1 of 5, Subdivision Plat, prepared for Anchorage-On-Hudson" by Dennis E. Walden, Land Surveyor, dated December 17, 1999, revised October 10, 2001, and recorded as Map #216-02, filed in the Orange County Clerk's Office on October 17, 2002; thence along said division line South 14 deg. 47 min. 30 sec. West a distance of 15.00 feet to a point located in the northern road boundary of Anchor Drive; thence along the road boundary of Anchorage Drive the following four (4) courses and distances:

1. North 75 deg. 12 min. 30 sec. West a distance of 310.17 feet to a point;
2. North 82 deg. 25 min. 33 sec. West a distance of 124.79 feet to a point;
3. along a curve to the right having a radius of 100.00 feet, an arc length of 58.96 feet, and a chord bearing and distance of North 65 deg. 32 min. 07 sec. West 58.11 feet to a point;
4. along a curve to the right having a radius of 10.00 feet, an arc length of 16.57 feet, and a chord bearing and distance of North 01 deg. 10 min. 29 sec. West 14.74 feet to a point;

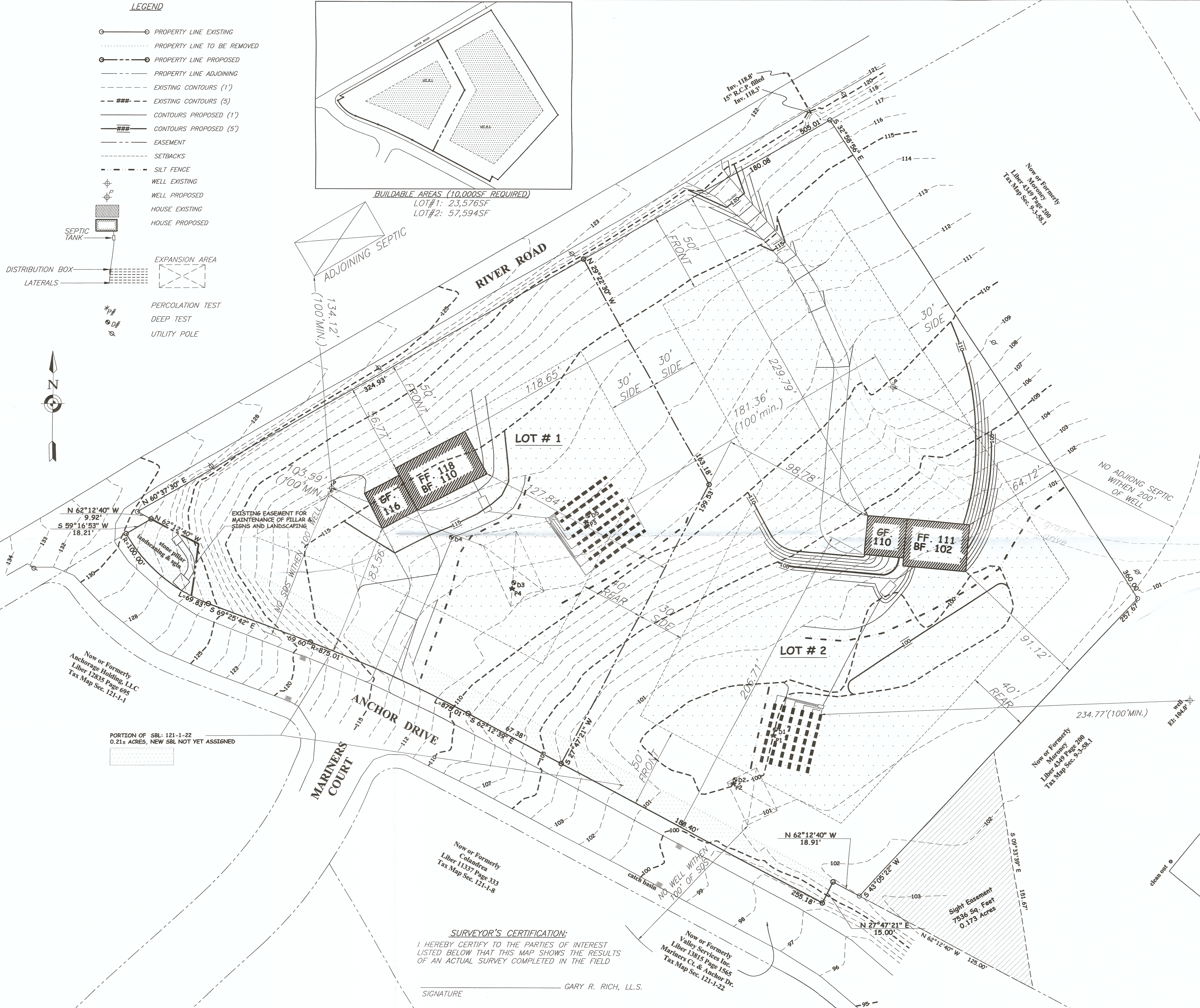
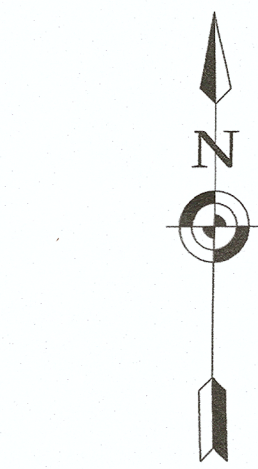
located in the eastern road boundary of River Road; thence along said road boundary, North 46 deg. 17 min. 02 sec. East a distance of 7.91 feet to a point or place of beginning, containing 9,201± square feet or 0.21± acres.

Mark R. DeLor P.L.S.



LEGEND

- PROPERTY LINE EXISTING
- PROPERTY LINE TO BE REMOVED
- PROPERTY LINE PROPOSED
- PROPERTY LINE ADJOINING
- EXISTING CONTOURS (1')
- EXISTING CONTOURS (5')
- CONTOURS PROPOSED (1')
- CONTOURS PROPOSED (5')
- EASEMENT
- SETBACKS
- SILT FENCE
- ⊕ WELL EXISTING
- ⊕ WELL PROPOSED
- HOUSE EXISTING
- HOUSE PROPOSED
- SEPTIC TANK
- DISTRIBUTION BOX
- LATERALS
- EXPANSION AREA
- PERCOLATION TEST DEEP TEST
- UTILITY POLE



SEPTIC DESIGN CRITERIA LOT # 1:

1. NO. OF BEDROOMS— 4 MAX.
2. SEPTIC TANK DESIGN— 1,250gal.
3. STABILIZED PERCOLATION RATE— 16–20min./inch
4. FLOW RATE (GALS /DAY)— 440
5. DESIGN LENGTHS:  
4BR= 8 LATS. @ 40'= 320 L.F. (315 L.F. REQ'D.)
6. RESERVED AREA IS THE SAME DESIGN AS MAIN AREA

SEPTIC DESIGN CRITERIA LOT # 2:

1. NO. OF BEDROOMS— 4 MAX.
2. SEPTIC TANK DESIGN— 1,250gal.
3. STABILIZED PERCOLATION RATE— 6–7min./inch
4. FLOW RATE (GALS /DAY)— 440
5. DESIGN LENGTHS:  
4BR= 6 LATS. @ 38'= 228 L.F. (220 L.F. REQ'D.)
6. RESERVED AREA IS THE SAME DESIGN AS MAIN AREA

PERCOLATION DATA LOT # 1:

* P1	24" DEEP	09/01/16	3	4
FINISH	12:12	12:25	12:37	12:49
START	12:03	12:14	12:26	12:37
TIME	:09	:11	:11	:12
STABILIZED PERCOLATION RATE: 12 MINUTES /INCH				

* P2	24" DEEP	09/01/16	3	4
FINISH	12:07	12:25	12:44	1:04
START	11:59	12:08	12:26	12:45
TIME	:08	:17	:18	:19
STABILIZED PERCOLATION RATE: 19 MINUTES /INCH				

PERCOLATION DATA LOT # 2:

* P3	24" DEEP	09/01/16	3	4
FINISH	12:33	12:38	12:44	12:50
START	12:30	12:34	12:39	12:45
TIME	:03	:04	:05	:05
STABILIZED PERCOLATION RATE: 5 MINUTES /INCH				

* P4	24" DEEP	09/01/16	3	4
FINISH	12:00	12:01	12:02	12:01
START	11:59	12:00	12:01	12:01
TIME	:01	:01	:01	:01
STABILIZED PERCOLATION RATE: 1 MINUTES /INCH				

DEEP TEST DATA LOT # 1:

* D1	90" DEEP	09/01/16
0–5"	TOPSOIL	
5"–50"	SANDY SILT LOAM	
50"–90"	CLAY LOAM	
NO ROCK, NO WATER, NO MOTTLING		

* D2	60" DEEP	09/01/16
0–5"	TOPSOIL	
5"–20"	SANDY SILT	
20"–60"	CLAY SILTY LOAM	
NO ROCK, NO WATER, NO MOTTLING		

DEEP TEST DATA LOT # 2:

* D3	72" DEEP	09/01/16
0–6"	TOPSOIL	
6"–24"	CLAY LOAM	
24"–72"	GRAVELLY SANDY	
NO ROCK, NO WATER, NO MOTTLING		

* D4	88" DEEP	09/01/16
0–6"	TOPSOIL	
6"–36"	SANDY LOAM	
36"–48"	GRAVELLY SANDY LOAM	
48"–88"	GRAVEL W/ SAND	
NO ROCK, NO WATER, NO MOTTLING		

ZONING SCHEDULE

ZONE: R-1	REQUIRED	LOT # 1 PROVIDED	LOT # 2 PROVIDED
MINIMUM LOT AREA	40,000 sf	61,866 sf	102,723sf
MINIMUM YARDS (feet)			
FRONT	50'	56'/83'	229'/206'
REAR	40'	127'	91'
SIDE			
ONE	30'	118'	64'
BOTH	80'	162'	162'
MINIMUM LOT WIDTH (feet)	150'	255'	190'
MINIMUM LOT DEPTH (feet)	150'	228'	392'
MAXIMUM LOT BUILDING COVERAGE (%)	10%	4%	2%
MAXIMUM LOT SURFACE COVERAGE (%)	20%	7%	4%
MAXIMUM HEIGHT	35'	<35'	<35'

EXISTING LOT 1 IS A PORTION ON S.B.L. ANCHOR DR R.O.W. 121–1–22(0.21ACRES)  
EXISTING LOT 2 IS S.B.L. 9–3–58.3(3.59 ACRES)

MAP REFERENCE:

1. EXISTING FEATURES INCLUDING PROPERTY LINES AND TOPOGRAPHY PER A SURVEY PERFORMED BY GARY R RICH LLS LAST REVISED 2016.
2. ADDITION EASEMENT INFORMATION PROVIDED BY A MAP PREPARED BY MASER ENGINEERING LAST REVISED 11/12/18

RECORD 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.

JOESEPH E BROPHY JR.  
5003 KEMSLEY ROAD  
ROSEDALE, MD 21237

RECORD OWNER'S SIGNATURE

THIS SHEET IS INVALID AND VOID UNLESS ACCOMPANIED BY REMAINING SHEETS-IN-SET.

**ENGINEER**

CHARLES T. BROWN, P.E.

**TALCOTT ENGINEERING DESIGN PLLC**

1 GARDINERTOWN ROAD  
NEWBURGH, NY 12550  
(845) 569-8400  
(FAX) (845) 569-4583  
TALCOTTDESIGN12@GMAIL.COM

**PROPOSED LOT LINE CHANGE**  
**BROPHY LOT LINE CHANGE**  
**58 RIVER ROAD, S-B-L: 9-3-58.3 & PORTION OF 121-1-22**  
**TOWN OF NEWBURGH, ORANGE COUNTY, NY**

DATE: 12/08/16 SCALE: 1"=30' JOB NUMBER: 16195-BPY SHEET NUMBER: 1 OF 2

SURVEYOR'S 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

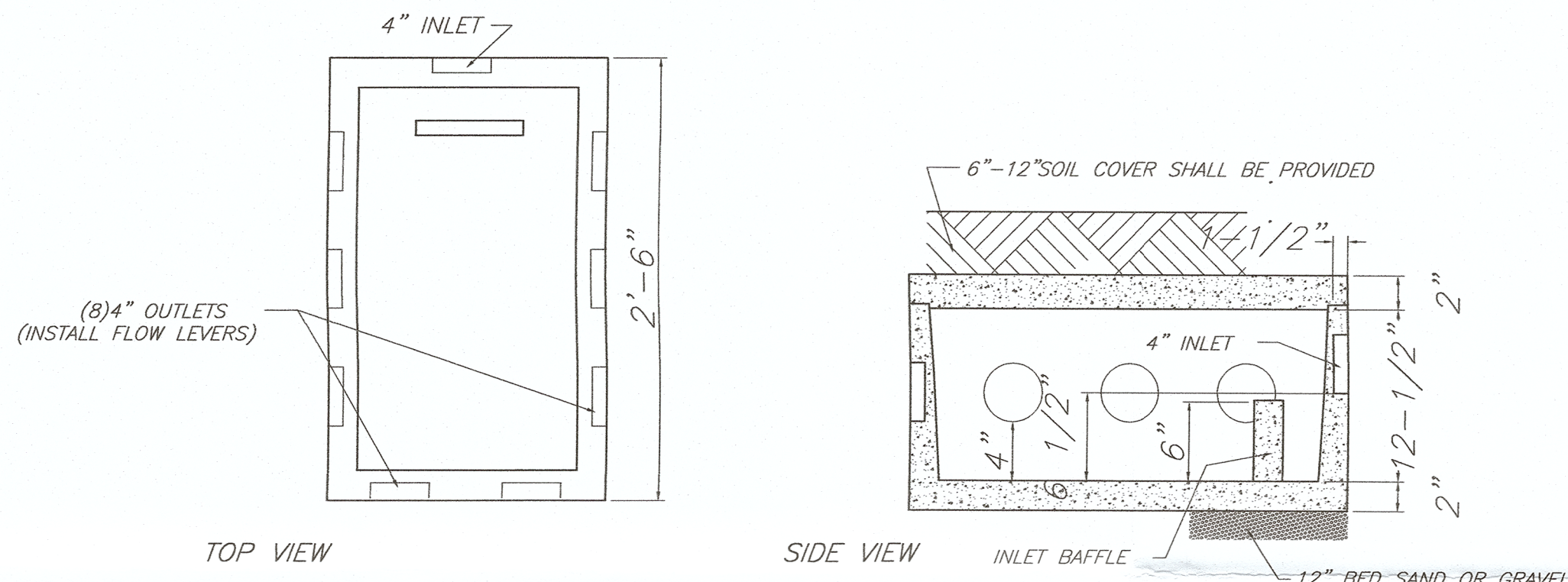
SIGNATURE \_\_\_\_\_ GARY R. RICH, LL.S.

CALL BEFORE YOU DIG.... IT'S THE LAW

WHETHER YOU'RE LAYING A FOUNDATION FOR A BUILDING OR PLANTING A TREE, YOU MUST FIRST CHECK FOR THE EXISTENCE OF UNDERGROUND UTILITY LINES AND CABLES. IF YOU OR YOUR CONTRACTOR DISRUPT ANY OF THESE LINES, THE RESULTS CAN BE DANGEROUS – AND COSTLY – TO EVERYONE. CALL BEFORE YOU DIG, TOLL FREE, 811

REVISIONS			
REV.:	DATE:	BY:	DESCRIPTION:





SPECIFICATIONS

CONCRETE MINIMUM STRENGTH- 4,000 PSI AT 28 DAYS  
REINFORCEMENT- FIBER  
AIR ENTRAPMENT- 5%  
PIPE CONNECTION: POLYLOK SEAL (PATENTED)  
LOAD RATING- 300 PSF WEIGHT= 290 lbs

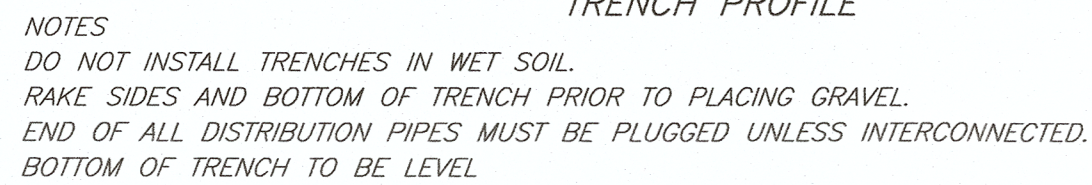


Diagram illustrating the cross-section of a trench for a distribution pipe, showing the required layers and dimensions:

- Top Soil for Settling** (indicated by a hatched pattern at the top)
- Earth Backfill** (indicated by a cross-hatched pattern)
- Untreated Building Paper, Straw, or Geotextile** (indicated by a wavy line pattern)
- Distribution Pipe 4" Min.** (indicated by a circle with a vertical line through it)
- Crushed Stone or Washed Gravel** (indicated by a dotted pattern)

**Dimensions:**

- Width:** 24" (Total trench width)
- Depth:** 18" (Total trench depth)
- Gravel Layer:** 6" (Minimum thickness)
- Backfill Layer:** 12" (Minimum thickness)
- Geotextile Layer:** 6" (Minimum thickness)

1. ALL PORTIONS OF THE SEPTIC FIELD WILL BE A MINIMUM DISTANCE OF 200 FEET UP SLOPE AND 100 FEET DOWN SLOPE FROM ANY WELL.
2. SEPTIC TANK TO BE LOCATED A MINIMUM DISTANCE OF 10 FEET FROM ANY BUILDING OR PROPERTY LINE.
3. CELLAR DRAINS, ROOF DRAINS OR FOOTING DRAINS SHALL NOT BE DISCHARGED IN THE VICINITY OF ABSORPTION FIELD.
4. NO SWIMMING POOLS, DRIVEWAYS, OR STRUCTURES THAT MAY COMPACT THE SOIL SHALL BE CONSTRUCTED OVER ANY PORTION OF THE ABSORPTION FIELD.
5. NO TRENCHES TO BE INSTALLED IN WET SOIL.
6. RAKE SIDES AND BOTTOM OF TRENCH PRIOR TO PLACING GRAVEL IN ABSORPTION TRENCH.
7. GROUT ALL PIPE PENETRATIONS TO CONC. SEPTIC TANK & DISTRIBUTION BOX.
8. DISTRIBUTION LINE ARE TO BE CAPPED.
9. THE PERIMETER OF THE ABSORPTION FIELD SHOULD BE GRADED TO DIVERT SURFACE WATER.
10. ALL NEWLY DISTURBED AREAS SHALL BE IMMEDIATELY STABILIZED UPON CONSTRUCTION COMPLETION USING GRASS SEED & MULCH.
11. NO SEWAGE SYSTEM SHALL BE PLACED WITHIN 35' OF ANY WATER COURSE DRAINAGE DITCH.
12. ALL LAUNDRY AND KITCHEN WASTES SHALL BE DISCHARGED INTO SEWAGE SYSTEM.
13. BENDS SHALL BE USED WHEN ENTRANCE OR EXIT FROM SEPTIC TANK IS NOT APPROXIMATELY STRAIGHT. IF BENDS ARE USED AT POINTS OTHER THAN ENTRANCE OR EXIT POINTS, THEN A CLEANOUT IS REQUIRED.
14. THE DESIGN AND LOCATION OF THE SANITARY FACILITIES SHALL NOT BE CHANGED WITHOUT RESUBMISSION FOR APPROVAL.
15. HEAVY EQUIPMENT SHALL BE KEPT OFF THE AREA OF THE ABSORPTION FIELD EXCEPT DURING THE ACTUAL CONSTRUCTION. THERE SHALL BE NO UNNECESSARY MOVEMENT OF CONSTRUCTION EQUIPMENT IN THE ABSORPTION FIELD AREA BEFORE, DURING, OR AFTER CONSTRUCTION.
16. THIS SYSTEM WAS NOT DESIGNED TO ACCOMMODATE GARAGE GRINDERS, JACUZZI TYPE SPA TUBS OVER 100 GALLONS, OR WATER CONDITIONERS. AS SUCH, THESE TUBS SHALL NOT BE INSTALLED UNLESS THE SYSTEM IS REDESIGNED TO ACCOUNT FOR THESE.
17. THERE MUST BE AN UNINTERRUPTED POSITIVE SLOPE FROM THE SEPTIC TANK (OR ANY PUMPING OR DOSING CHAMBER) TO THE HOUSE, ALLOWING SEPTIC GASES TO DISCHARGE THROUGH THE STACK VENT.
18. THE PURCHASER OF THIS LOT SHALL BE PROVIDED WITH A COPY OF THE APPROVED PLANS AND AN ACCURATE AS-BUILT DRAWING OF ANY EXISTING SANITARY FACILITIES.
19. THE DESIGN ENGINEER WILL BE REQUIRED TO CERTIFY THE COMPLETE DISPOSAL FACILITY.

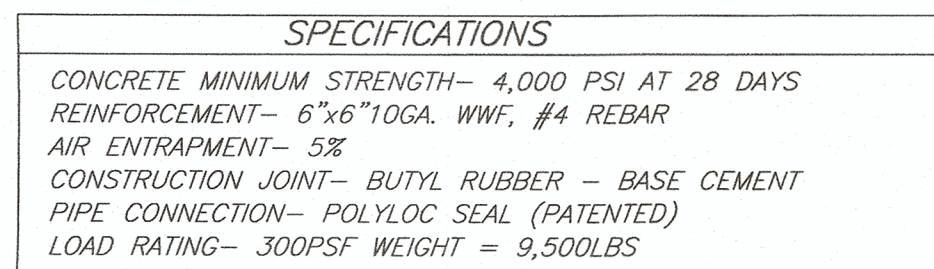
ALL WELLS AND S.D.S. EXISTING OR APPROVED WITHIN 200' OF THE PROPOSED WELLS AND S.D.S. ARE SHOWN ON THIS PLAN ALONG WITH ANY OTHER ENVIRONMENTAL HAZARDS IN THE AREA THAT MAY AFFECT THE DESIGN AND FUNCTIONAL ABILITY OF THE S.D.S. AND WELLS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MONITORING OF THE WELLS BY A LICENSED ENGINEER THAT THE SEPTIC TANK IS SEALED, WATER TIGHT AND ACCEPTABLE FOR USE. THIS SHALL REQUIRE, AS A MINIMUM, THE FILLING OF THE TANK WITH WATER TO OBSERVE IF IT IS IN FACT SEALED, WATERTIGHT AND ACCEPTABLE FOR USE.

ALL PROPOSED WELLS AND SERVICE LINES ON THIS PLAN ARE ACCESSIBLE FOR INSTALLATION AND PLACEMENT.

TRENCH BOTTOMS TO BE SET LEVEL AND PARALLEL TO EXISTING CONTOURS.

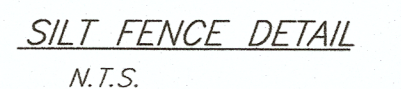


1. CASING DEPTH SHALL EXTEND AT LEAST 40' BELOW GROUND IN ANY CONDITION
2. WELL TO BE CONSTRUCTED PER NYSDOH APPENDIX 5B "STANDARDS FOR WATER WELL" LATEST EDITION
3. WELL SHALL HAVE A MIN. YIELD OF 5 GPM.
4. WELL CASING MATERIAL IS TO BE IN COMPLIANCE WITH AWWA STANDARD A-100, LATEST VERSION.
5. MINIMUM YIELD SHALL BE 5 GPM



WOODARD'S SPEED LEVELER FSL-4

NOTE:  
SILT FENCE IS TO BE INSTALLED  
PRIOR TO ANY CONSTRUCTION AND  
SHALL BE CHECKED AFTER EVERY  
RAIN STORM. SILT FENCES ARE  
TO BE REPLACED AS NECESSARY  
DUE TO DAMAGE OR WHEN FILLED  
WITH SILT. SILT TO BE REMOVED  
IN FRONT OF FENCES REGULARLY  
TO PREVENT EXCESSIVE SOIL  
BEARING WEIGHT ON THE FENCES  
AND FENCE POSTS.



IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE AND INITIALIZE EROSION CONTROL MEASURES, SILT FENCING IS TO BE USED FOR SILTATION CONTROL AROUND ALL AREAS THAT WILL BE DISRUPTED DURING CONSTRUCTION, SILT FENCING IS TO BE MAINTAINED TO THE SATISFACTION OF THE ENGINEER AND WILL BE REMOVED BY THE CONTRACTOR ONCE GROUND COVER IS REESTABLISHED.

THIS SHEET IS INVALID AND VOID UNLESS ACCOMPANIED BY REMAINING SHEETS IN SET.

REVISIONS			
REV.:	DATE:	BY:	DESCRIPTION: