Full Size Site Plans

are available for viewing at the

Zoning Board of Appeals
Office located at
308 Gardnertown Road
Newburgh, NY

845-566-4901

Jeffrey Lease 597 Grand Avenue Newburgh, NY 12550



June 13, 2018

Darrin J. Scalzo, Chairperson and Board Member Town of Newburgh Zoning Board of Appeals 308 Gardnertown Road Newburgh, NY 12550

Re: Zoning Use-Variance Request-Your File No. E802007 F&T Darrigo Site 84 Lakeside Road Section 86, Block 1, Lot 96 Orange County, Newburgh, NY 12550

Dear Mr. Scalzo and the Town of Newburgh ZBA,

Please find attached the Site Plan for 84 Lakeside Road showing Existing Conditions and the proposed 4 Megawatt Solar Array. This project is like no other applicant for Use Variance in the Town. It is a unique condition of an existing Former Hazardous Waste Site and the cost of developing the property around that condition.

- 1. The Former Hazardous Waste Site is unique to the Town.
- 2. The variance will be less intrusive than the land clearing and earth moving required for residential development and will allow the Farm to remain a buffer for neighbors against the noise of I-84 and the Airport.
- 3. Changed DEC regulations rendered the field hazardous and was not self-created.
- 4. The cost analysis reveals a benefit of \$190,000 under current zoning compared to \$1,300,000 as a solar variance to the owners.

There is no other reasonable return on this property except use as a solar farm.

This project was first proposed in April of 2017 when the Town suggested we have an informal Town Hall Meeting. That meeting was held in July 2017 and attended by neighbors and Town officials. The project saw broad support among both. At the Town's request a proposal was made to change Code. But at the September 2017 Council Workshop Meeting the Town changed its mind and requested we appear before the ZBA.

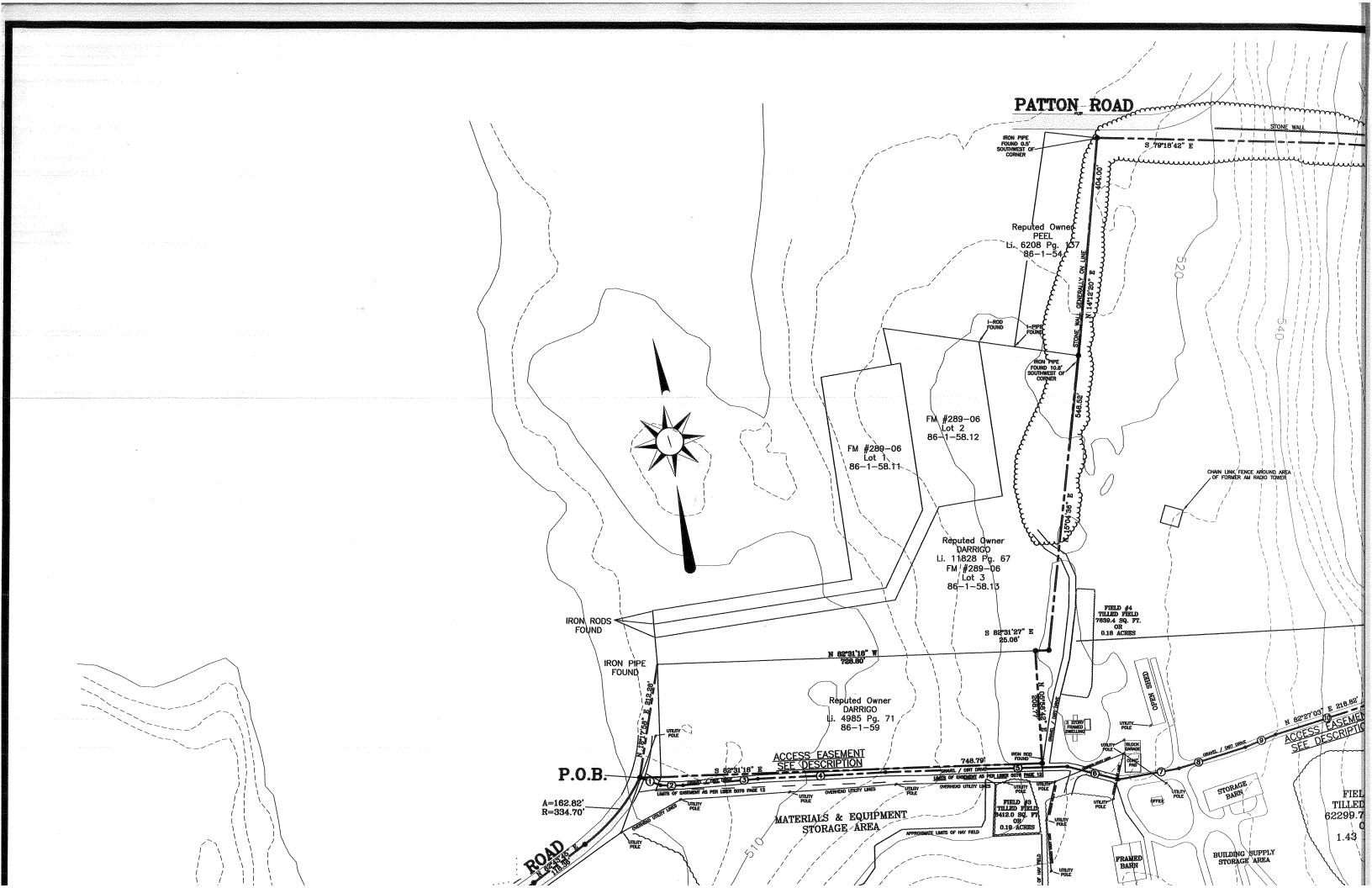
This project is unlike any other the Town will ever review. It has been vetted and held to the highest standards. It is currently the only Solar Project on extension in New York because Central Hudson and the Public Service Commission want to see it built. The County Planner has endorsed the project as well as neighbors and Town Council.

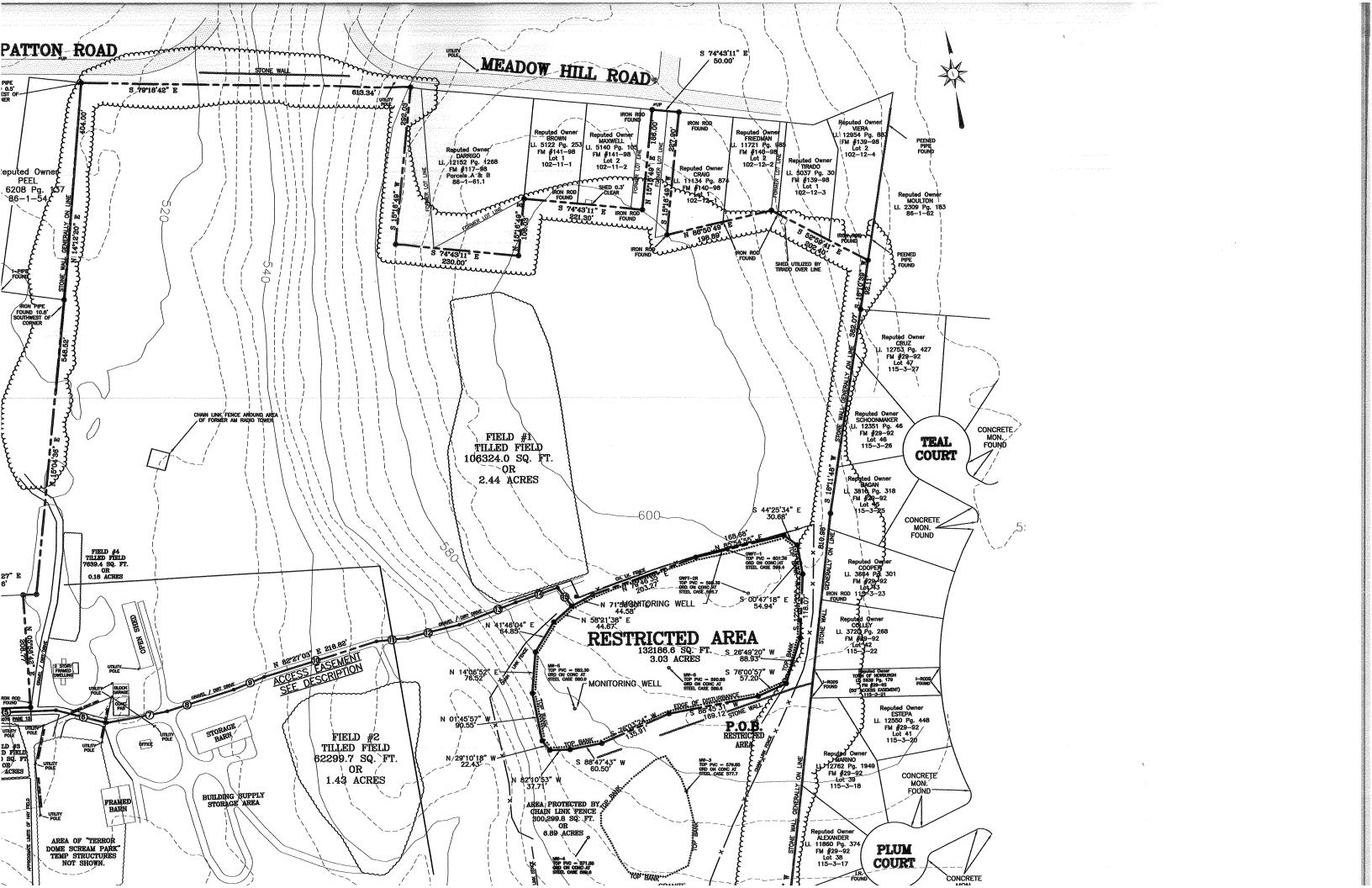
It's also right because Solar Farm projects prevent costly substation line extensions for peak demand. This in turn will keep utility rate increases down, something for which the Town is currently advocating. Your approval opens the way for a project of long-term future benefits for the Town as a renewable power source that supports the power grid in emergencies. Approval of this Variance allows the Darrigo Family to continue to own a property that has been in their family for three generations and begin a Town improvement that will benefit us all for generations to come.

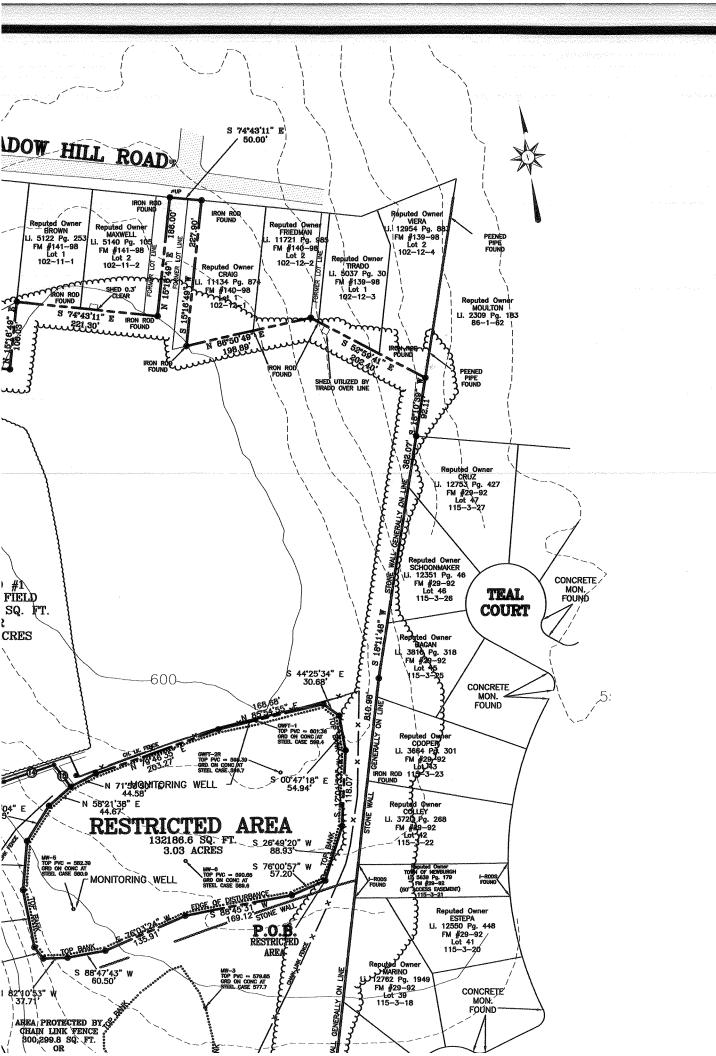
Sincerely,

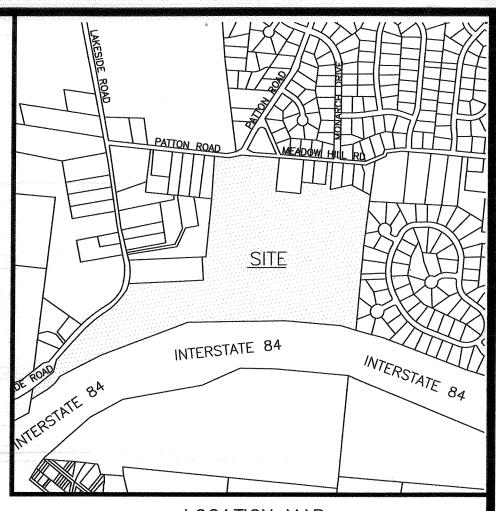
Jeffrey Lease,

Proxy Applicant for the Frank Darrigo Revocable Trust









LOCATION MAP

SCALE: 1"=1000'

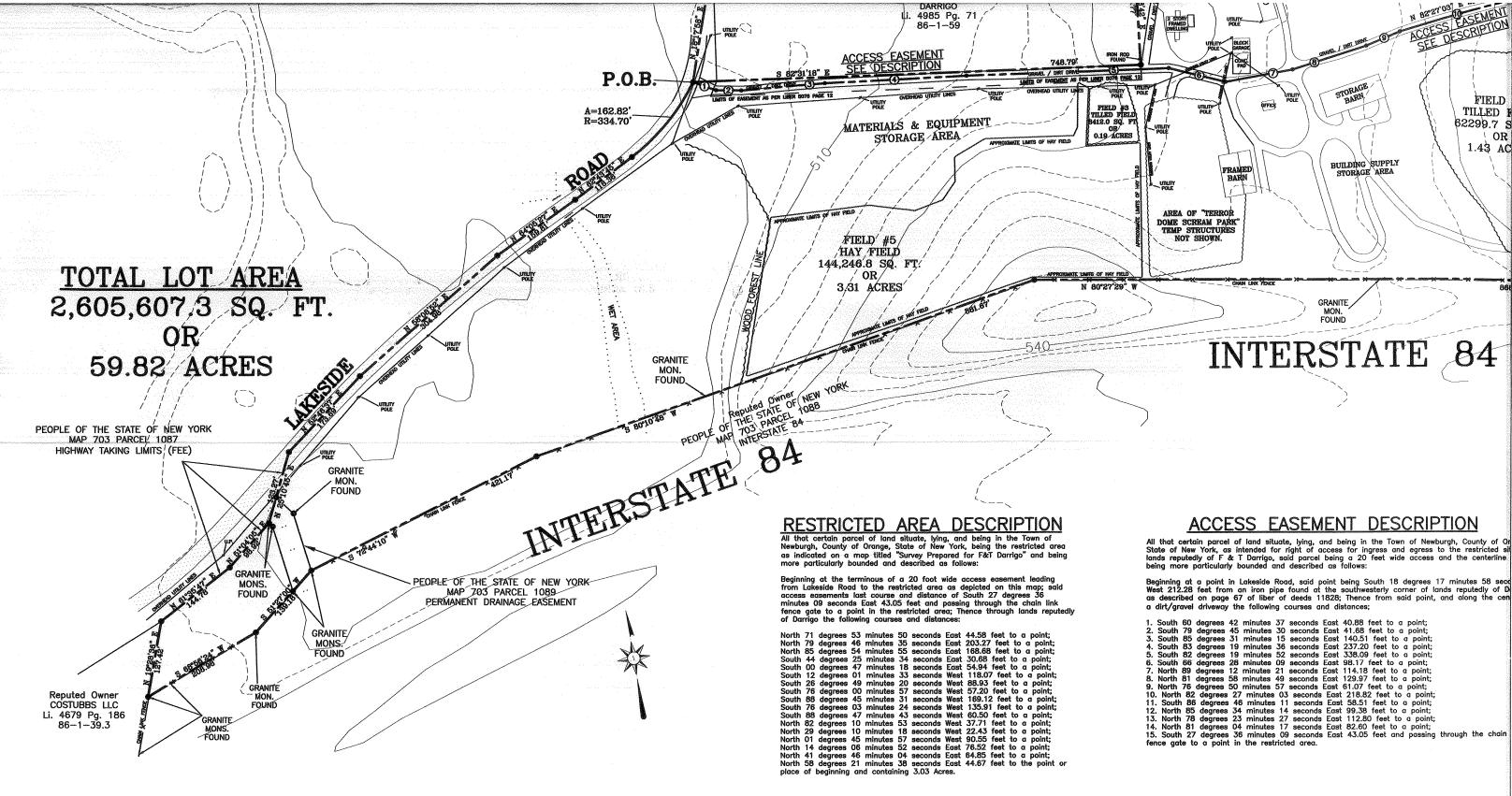
SOURCE: OCWAGIS TAX MAPS

GENERAL NOTES:

1. <u>APPLICANT & OWNER:</u>
FRANK DARRIGO REVOCABLE TRUST
84 LAKESIDE RD
NEWBURGH NY 12550

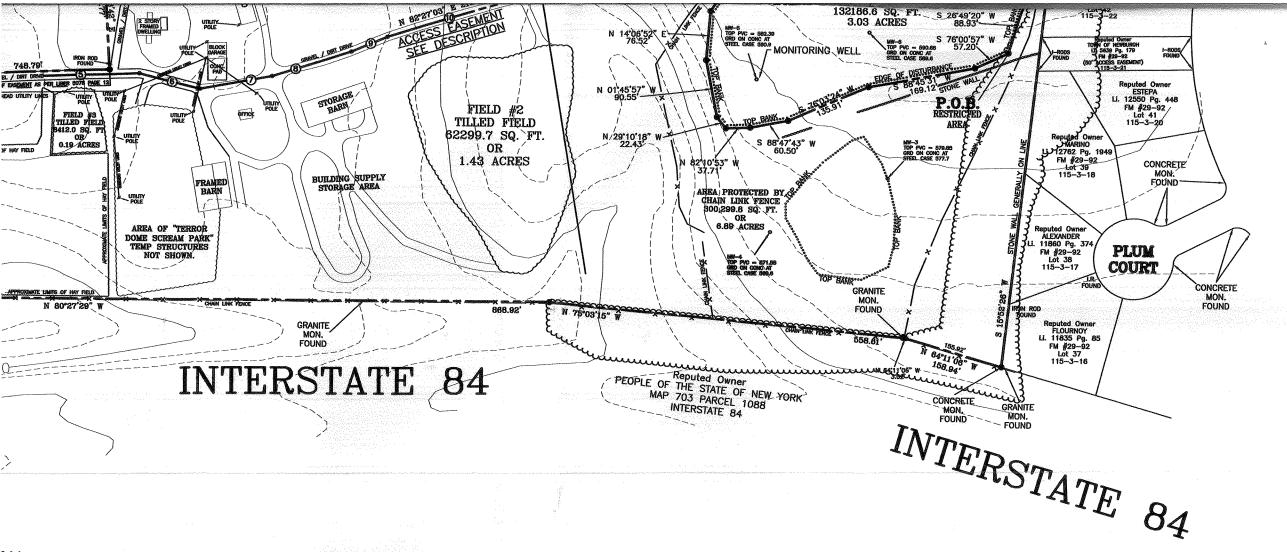
REFERENCES:

- TOWN OF NEWBURGH TAX MAP SBL 86-1-96.
- BOUNDARY AND PLANIMETRIC INFORMATION ON THIS PLAN HAS BEEN TAKEN FROM A SURVEY ENTITLED "SURVEY PREPARED FOR F&T DARRIGO" DATED MAY 13, 2012 AS PREPARED BY DJ SCALZO ASSOCIATES ENGINEERING and PLANNING, 57 FIFTH AVENUE, NEWBURGH, NEW YORK 12550.
- 3. SOLAR ARRAY DESIGN INFORMATION ON THIS PLAN HAS BEEN TAKEN FROM A PLAN ENTITLED "MOUNTAIN GARDENS, LLC" DATED JUNE 5, 2018 AS PREPARED BY ENTER SOLAR, 805 THIRD AVENUE, 20th FLOOR, NEW YORK, NY 1002.
- 4. TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN HAS BEEN TAKEN FROM THE ORANGE COUNTY WATER AUTHORITY GIS WEBSITE.
- 5. THIS MAP IS NOT FOR CONSTRUCTION PURPOSES. IT SOLELY FOR THE USE OF A ZONING BOARD OF APPEALS VARIANCE.



EXISTING CONDITIONS

SCALE: 1"-150



ACCESS EASEMENT DESCRIPTION

All that certain parcel of land situate, lying, and being in the Town of Newburgh, County of Orange, State of New York, as intended for right of access for ingress and egress to the restricted site on lands reputedly of F & T Darrigo, said parcel being a 20 feet wide access and the centerline thereof being more particularly bounded and described as follows:

Beginning at a point in Lakeside Road, said point being South 18 degrees 17 minutes 58 seconds West 212.28 feet from an iron pipe found at the southwesterly corner of lands reputedly of Darrigo as described on page 67 of liber of deeds 11828; Thence from said point, and along the center of a dirt/gravel driveway the following courses and distances;

1. South 60 degrees 42 minutes 37 seconds East 40.88 feet to a point;
2. South 79 degrees 45 minutes 30 seconds East 41.68 feet to a point;
3. South 85 degrees 31 minutes 36 seconds East 41.68 feet to a point;
4. South 83 degrees 19 minutes 36 seconds East 237.20 feet to a point;
5. South 82 degrees 19 minutes 52 seconds East 338.09 feet to a point;
6. South 66 degrees 28 minutes 09 seconds East 88.17 feet to a point;
7. North 89 degrees 12 minutes 21 seconds East 88.17 feet to a point;
8. North 81 degrees 50 minutes 92 seconds East 114.18 feet to a point;
9. North 76 degrees 50 minutes 97 seconds East 16.07 feet to a point;
10. North 82 degrees 27 minutes 03 seconds East 16.07 feet to a point;
11. South 86 degrees 46 minutes 11 seconds East 58.51 feet to a point;
12. North 85 degrees 37 minutes 14 seconds East 58.51 feet to a point;
13. North 78 degrees 23 minutes 17 seconds East 82.60 feet to a point;
14. North 81 degrees 04 minutes 17 seconds East 82.60 feet to a point;
15. South 27 degrees 36 minutes 09 seconds East 43.05 feet and passing through the chain link fence gate to a point in the restricted area.

LEGEND
PROPERTY LINE
TREE LINE

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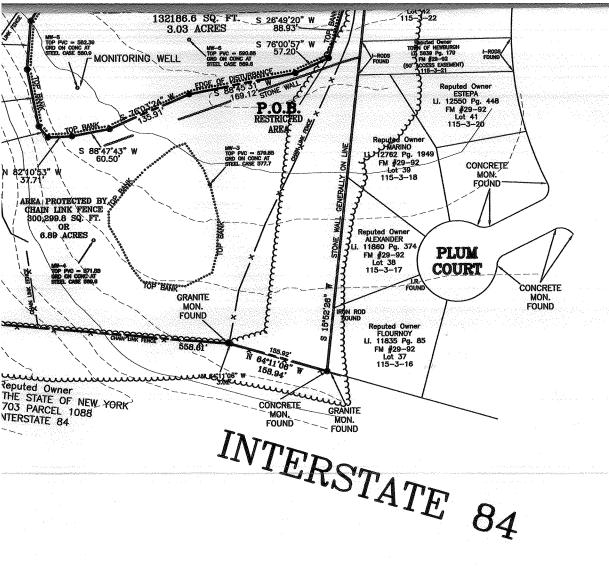
SCALE: 1"=150'

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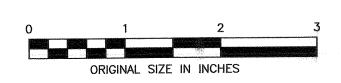
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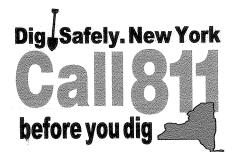
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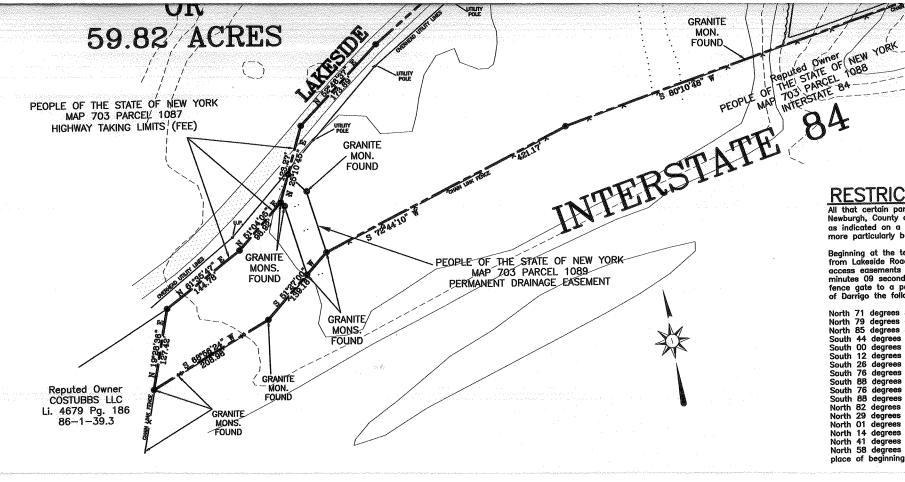


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- INFORMATION REGARDING SOLAR POWER GENERATED FOR THIS FACILITY HAS BEEN PROVIDED BY ENTER SOLAR, 805 THIRD AVENUE, 20th FLOOR, NEW YORK, NY, 1002





REVISION	BY	DATE	DESCRIPTION



RESTRICTED AREA DESCRIPTION

All that certain parcel of land situate, lying, and being in the Town of Newburgh, County of Orange, State of New York, being the restricted area as indicated on a map titled "Survey Prepared for F&T Darrigo" and being

Beginning at the terminous of a 20 foot wide access easement leading from Lakeside Road to the restricted area as depicted on this map; said access easements lost course and distance of South 27 degrees 36 minutes 09 seconds East 43.05 feet and passing through the chain link fence gate to a point in the restricted area; Thence through lands reputed of Darrigo the following courses and distances:

North 71 degrees 53 minutes 50 seconds East 44.58 feet to a point;
North 79 degrees 46 minutes 35 seconds East 203.27 feet to a point;
North 85 degrees 54 minutes 55 seconds East 168.68 feet to a point;
South 44 degrees 25 minutes 34 seconds East 30.68 feet to a point;
South 12 degrees 47 minutes 18 seconds East 30.68 feet to a point;
South 26 degrees 01 minutes 33 seconds West 118.07 feet to a point;
South 26 degrees 49 minutes 20 seconds West 118.07 feet to a point;
South 86 degrees 49 minutes 57 seconds West 88.93 feet to a point;
South 86 degrees 45 minutes 31 seconds West 169.12 feet to a point;
South 86 degrees 47 minutes 43 seconds West 169.12 feet to a point;
North 82 degrees 10 minutes 43 seconds West 135.91 feet to a point;
North 82 degrees 10 minutes 53 seconds West 37.71 feet to a point;
North 14 degrees 45 minutes 57 seconds West 22.43 feet to a point;
North 14 degrees 46 minutes 52 seconds East 64.85 feet to a point;
North 41 degrees 46 minutes 53 seconds East 44.67 feet to a point;
North 41 degrees 46 minutes 53 seconds East 44.67 feet to a point;
North 58 degrees 21 minutes 38 seconds East 44.67 feet to the point or place of beginning and containing 3.03 Acres.

ACCESS EASEMENT DESCRIPTION

INICADIATE OF

All that certain parcel of land situate, lying, and being in the Town of Newburgh, Coun State of New York, as intended for right of access for ingress and egress to the rest lands reputedly of F & T Darrigo, said parcel being a 20 feet wide access and the certain part of the country of the country of the certain part of the

Beginning at a point in Lakeside Road, said point being South 18 degrees 17 minutes. West 212.28 feet from an iron pipe found at the southwesterly corner of lands repute as described on page 67 of liber of deeds 11828; Thence from said point, and along

- a dirt/gravel driveway the following courses and distances;

 1. South 60 degrees 42 minutes 37 seconds East 40.88 feet to a point;
 2. South 79 degrees 45 minutes 30 seconds East 41.68 feet to a point;
 3. South 85 degrees 31 minutes 15 seconds East 140.51 feet to a point;
 4. South 83 degrees 19 minutes 36 seconds East 37.20 feet to a point;
 5. South 82 degrees 19 minutes 52 seconds East 338.09 feet to a point;
 6. South 66 degrees 28 minutes 09 seconds East 98.17 feet to a point;
 7. North 89 degrees 12 minutes 21 seconds East 114.18 feet to a point;
 8. North 81 degrees 58 minutes 49 seconds East 129.97 feet to a point;
 10. North 82 degrees 27 minutes 03 seconds East 61.07 feet to a point;
 11. South 86 degrees 34 minutes 11 seconds East 58.51 feet to a point;
 12. North 85 degrees 34 minutes 11 seconds East 58.51 feet to a point;
 13. North 75 degrees 23 minutes 27 seconds East 112.80 feet to a point;
 14. North 81 degrees 04 minutes 17 seconds East 82.60 feet to a point;
 15. South 27 degrees 36 minutes 17 seconds East 82.60 feet to a point;
 15. South 27 degrees 36 minutes 10 seconds East 40.05 feet and possing through fence gate to a point in the restricted area.
- fence gate to a point in the restricted area.

EXISTING CONDITIONS

SCALE: 1"=150

WARNING- IT IS A VIOLATION OF NEW YORK EDUCATIONAL LAW, SECTION 7209.2, FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER THIS DOCUMENT IN ANY WAY. IF ALTERED, THE ALTERING PERSON SHALL COMPLY WITH THE REQUIREMENTS OF NEW YORK EDUCATIONAL LAW, SECTION 7209.2

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INTERSTATE 84

Reputed Owner
PEOPLE OF THE STATE OF NEW YORK
MAP 703 PARCEL 1088
INTERSTATE 84

INTERSTATE 84

CONCRETE

LI. 11835 Pg. 9 FM #29-92 Lot 37 115-3-16

ACCESS EASEMENT DESCRIPTION

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Beginning at a point in Lakeside Road, said point being South 18 degrees 17 minutes 58 seconds West 212.28 feet from an iron pipe found at the southwesterly corner of lands reputedly of Darrigo as described on page 67 of liber of deeds 11828; Thence from said point, and along the center of a dirt/gravel driveway the following courses and distances;

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7. North 89 degrees 19 minutes 49 seconds East 114.18 feet to a point;
8. North 81 degrees 58 minutes 49 seconds East 129.97 feet to a point;
9. North 76 degrees 50 minutes 57 seconds East 218.82 feet to a point;
10. North 82 degrees 27 minutes 03 seconds East 218.82 feet to a point;
11. South 86 degrees 46 minutes 11 seconds East 58.51 feet to a point;
12. North 85 degrees 34 minutes 14 seconds East 58.51 feet to a point;
13. North 86 degrees 34 minutes 14 seconds East 58.51 feet to a point;
14. North 81 degrees 26 minutes 19 seconds East 112.80 feet to a point;
15. South 27 degrees 36 minutes 19 seconds East 82.60 feet to a point;
15. South 27 degrees 36 minutes 19 seconds East 43.05 feet and passing through the chain lifence gate to a point in the restricted area.
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SCALE: 1"=150'

<u>LEGEND</u>

PROPERTY LINE

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TREE LINE

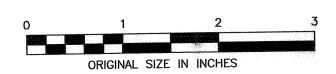
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LEGEND - PROPERTY LINE سی TREE LINE



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4 MW AC SOLAR FARM DARRIGO

84 LAKESIDE AVENUE TOWN OF NEWBURGH - ORANGE COUNTY, N.Y.

EXISTING CONDITIONS

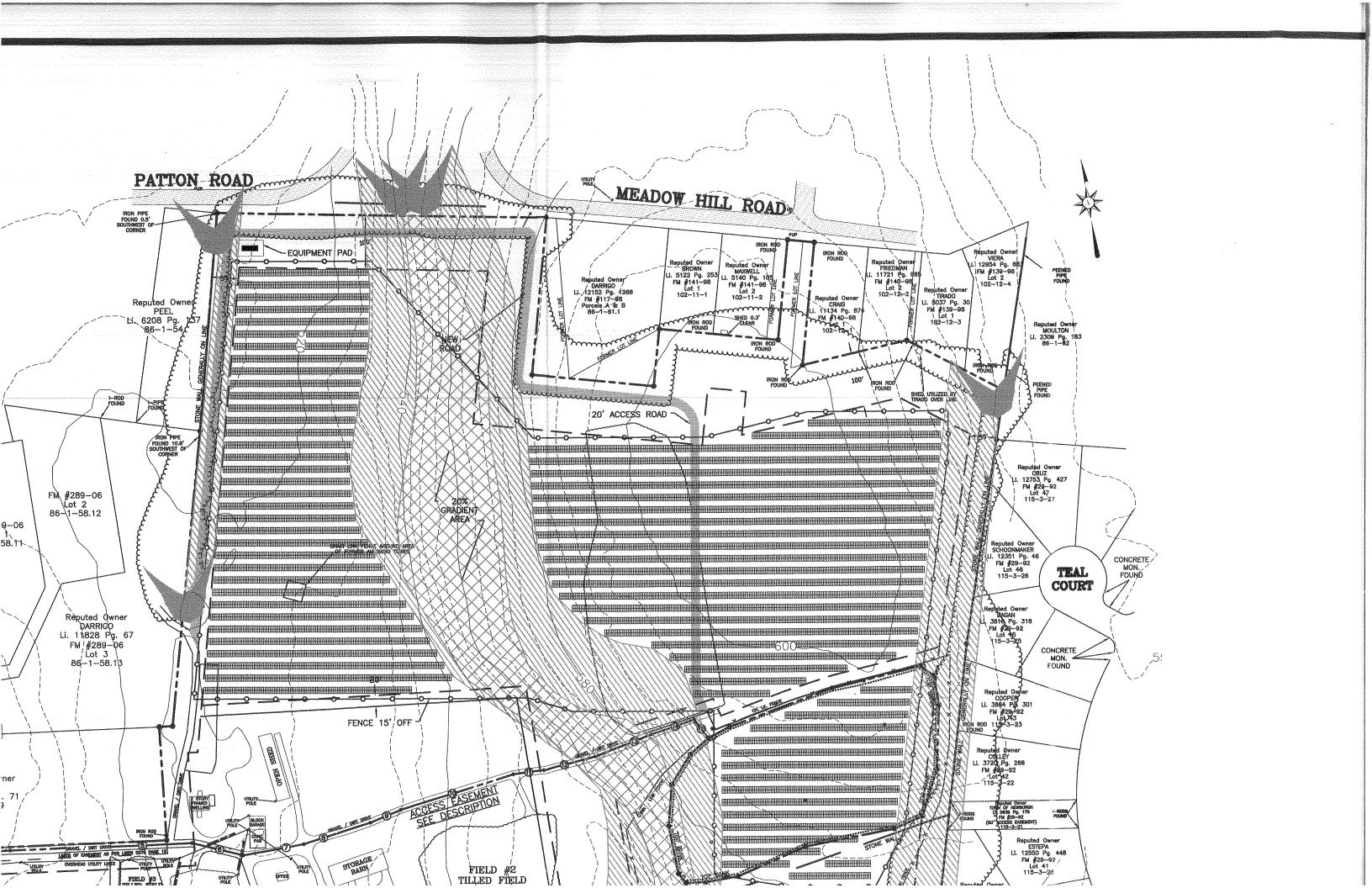
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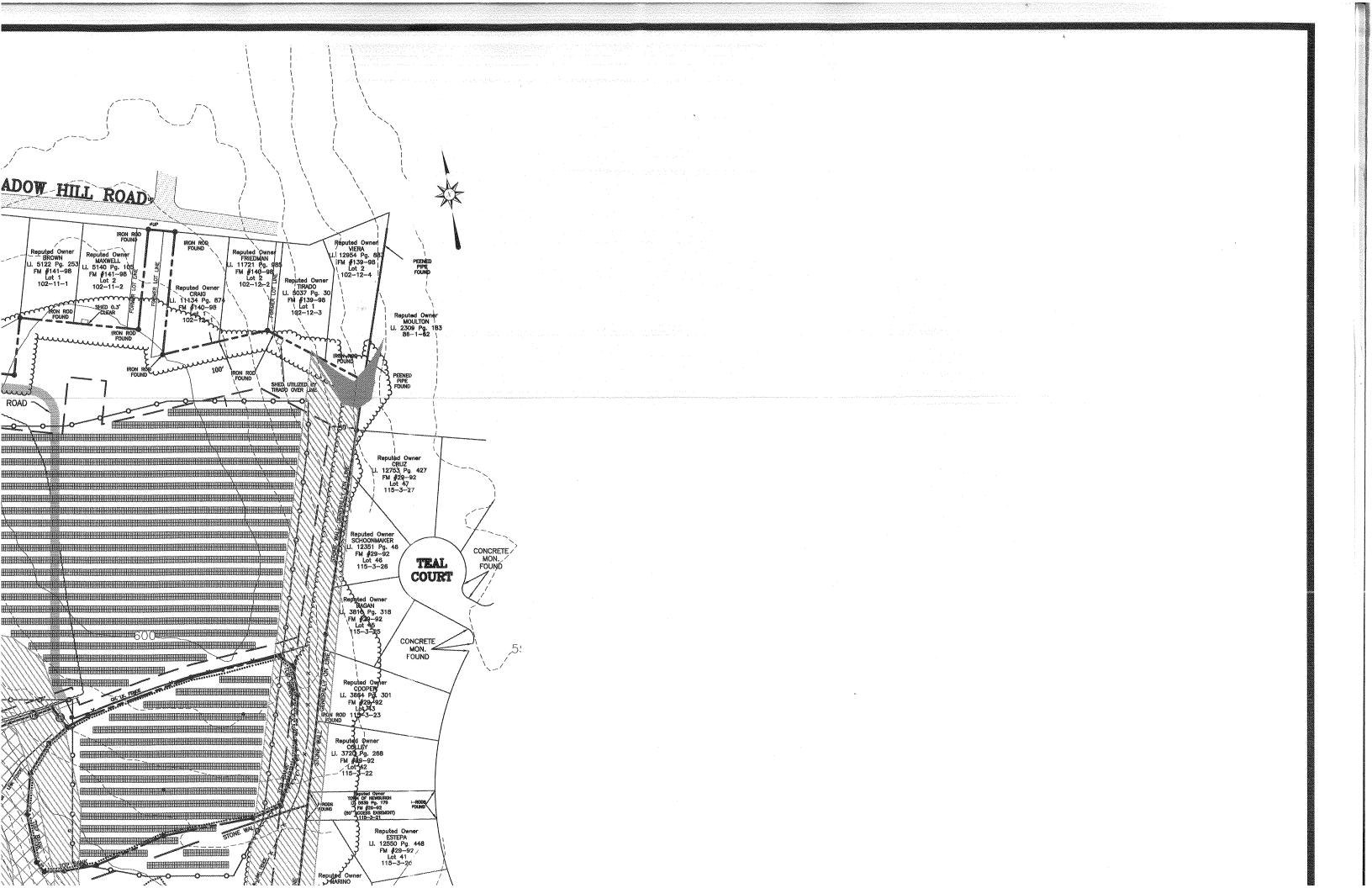
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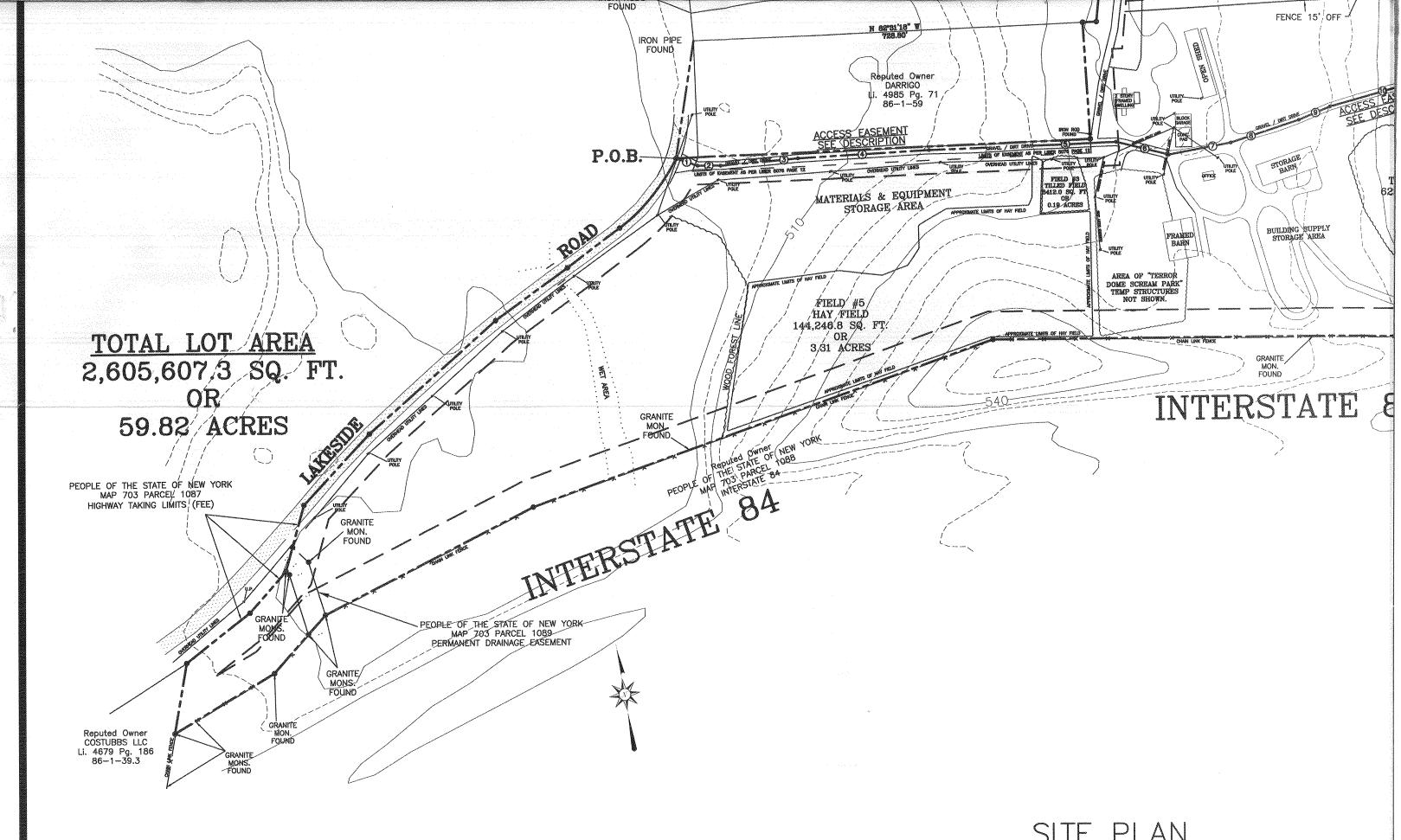
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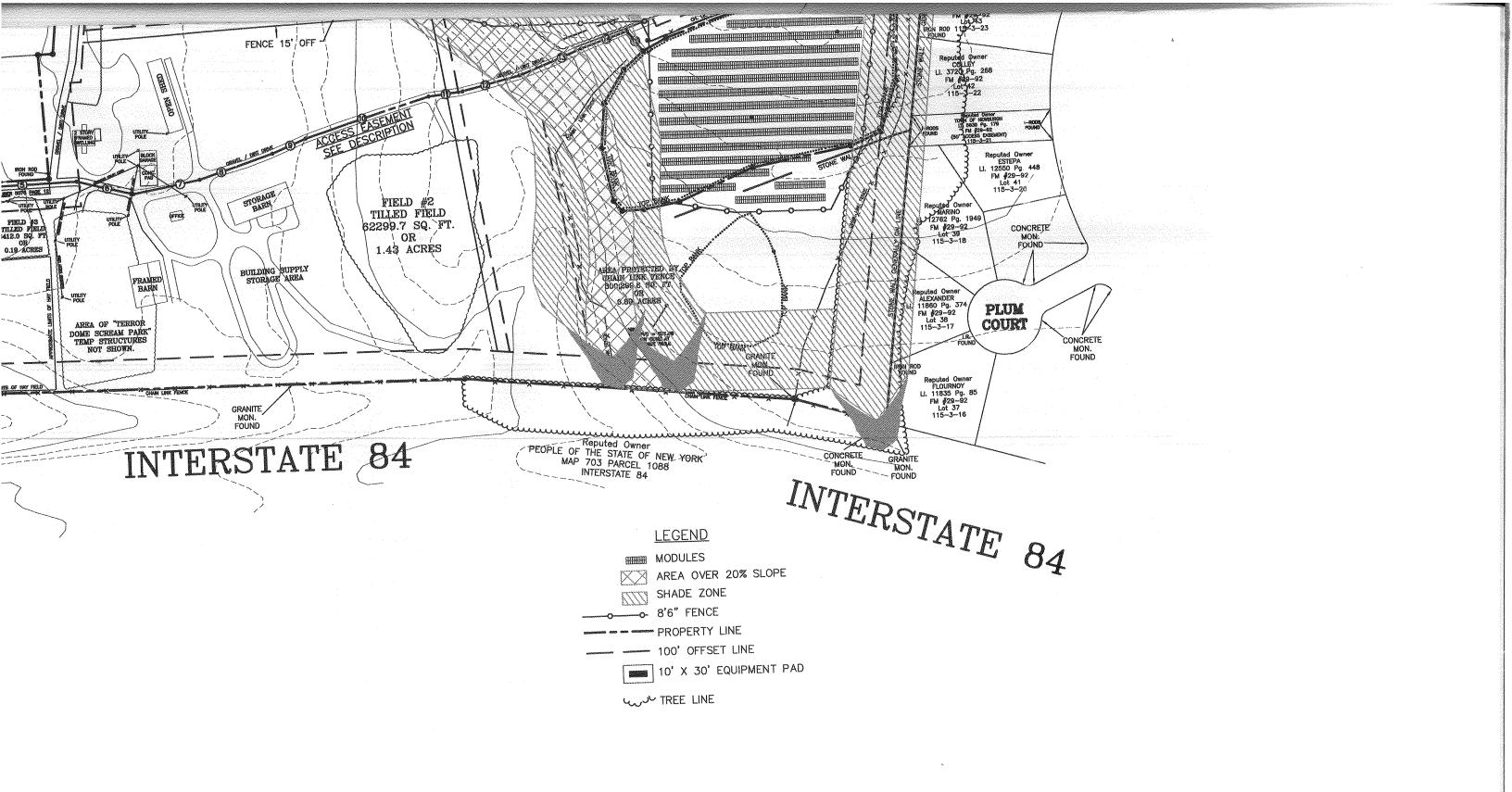








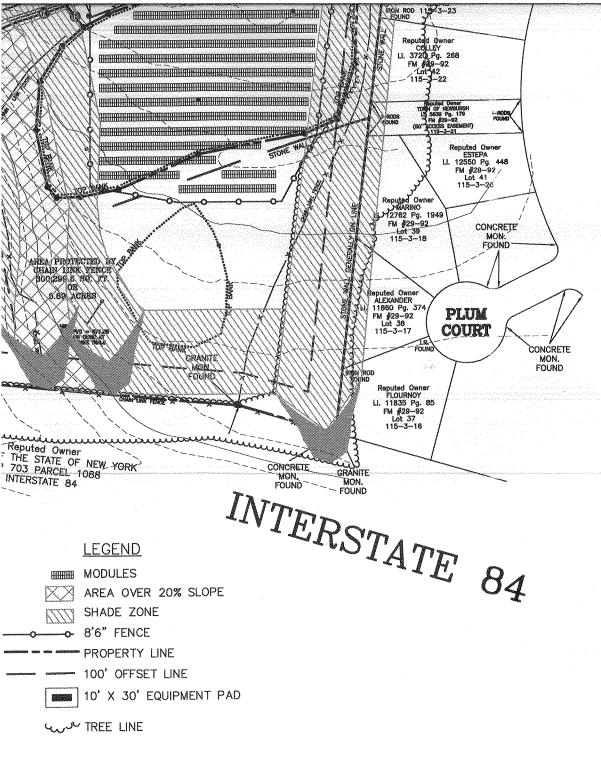
SITE PLAN
SCALE: 1"=150"

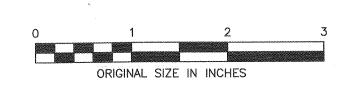


SITE PLAN

SCALE: 1"=150"

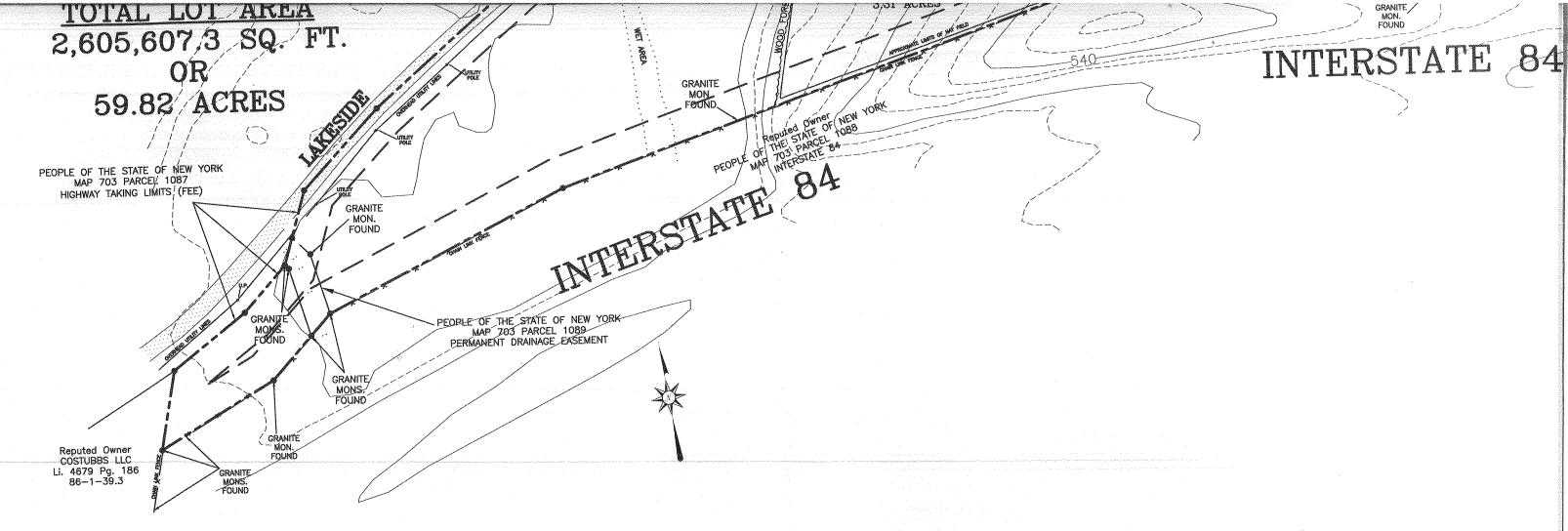
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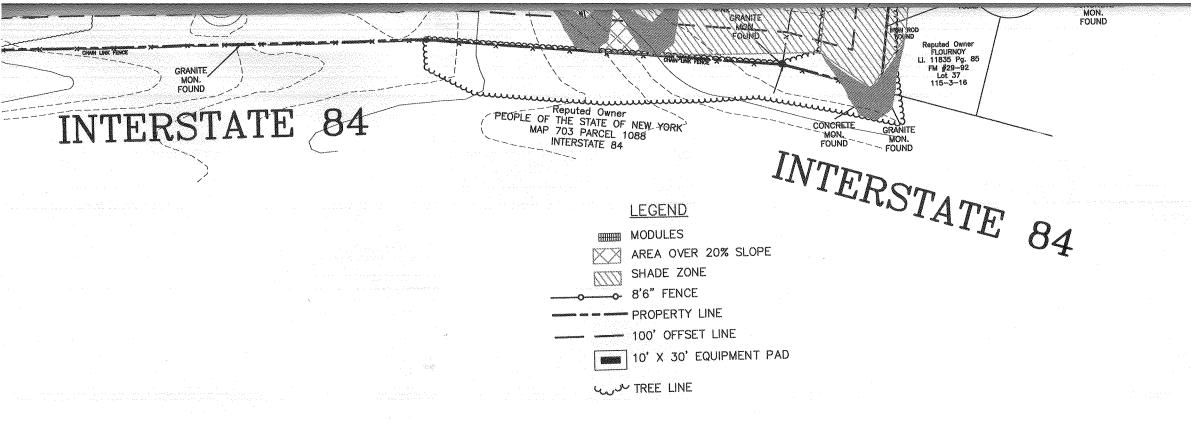
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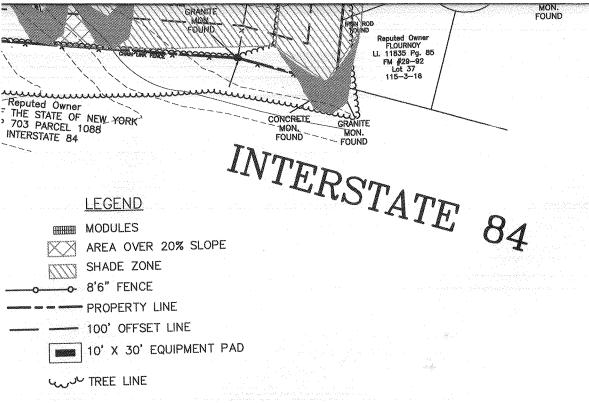
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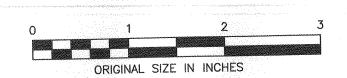


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ARDEN CONSULTING ENGINEERS, PLLC

P.O. BOX 340 MONROE, N.Y. TEL: (845) 782-8114

WWW.ARDENCONSULTING.NET



MICHAEL A. MORGANTE, P.E. LIC. NO. 78577 4 MW AC SOLAR FARM SITE PLAN FOR DARRIGO

84 LAKESIDE AVENUE TOWN OF NEWBURGH - ORANGE COUNTY, N.Y.

PROPOSED SITE PLAN

JOB#:

18-014
SCALE:
AS NOTED
DATE:
6-11-18
DRAWN:
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CHECKED:
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SHEET NO.

2 of 2

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