



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

**PROJECT NAME:** GUELBERG & MCGOWAN LOT LINE CHANGE  
**PROJECT NO.:** 2021-32  
**PROJECT LOCATION:** SECTION 39, BLOCK 1, LOT 23 & 24  
**REVIEW DATE:** 10 DECEMBER 2021  
**MEETING DATE:** 16 DECEMBER 2021  
**PROJECT REPRESENTATIVE:** ZEN CONSULTANTS

1. The project is located on Fostertown Road a County Highway. Referral to Orange County Planning is required.
2. Adjoiner Notices must be sent to all properties within 500 feet.
3. The existing structure on Tax Lot #23 has insufficient side yard, 13.3 existing where 15 feet is required. Referral to the Zoning Board of Appeals is required as the site loses its Grandfathering due to the Lot Line Change.

Respectfully submitted,

**MHE Engineering, D.P.C.**

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

Patrick J. Hines  
Principal

PJH/kbw

**NEW YORK OFFICE**

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

**PENNSYLVANIA OFFICE**

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

**ZEN Consultants, Inc.**

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

**PROJECT NARRATIVE**

**PROJECT:**

Guelberg & McGowan - Lot Line Change  
Town Project #

**PROPERTY LOCATION:**

255 & 259 Fostertown Road

**SBL:**

39-1-(23&24)

**ZONE:**

R2 - Residential

**ACRES:**

2.45 +/- Acres

**DESCRIPTION:**

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

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

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

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

**DATE RECEIVED:** \_\_\_\_\_ **TOWN FILE NO:** 21-032  
(Application fee returnable with this application)

1. **Title of Subdivision/Site Plan (Project name):**  
GUELBERG + MCGOWAN - LOT LINE CHANGE
  
2. **Owner of Lands to be reviewed:**

Name	<u>JESSICA GUELBERG</u>	<u>CHRISTOPHER MCGOWAN</u>
Address	<u>259 FOSTERTOWN RD. NEWBURGH</u>	<u>255 FOSTERTOWN RD NEWBURGH, N.Y. 12550</u>
Phone	_____	
  
3. **Applicant Information (If different than owner):**

Name	_____
Address	_____
	_____
Representative	<u>KEVIN LITTLE - ZEN CONSULTANTS, INC.</u>
Phone	<u>845-629-1567</u>
Fax	_____
Email	<u>KLITTLE@ZENDCI.COM</u>
  
4. **Subdivision/Site Plan prepared by:**

Name	<u>ZEN CONSULTANTS, INC.</u>
Address	<u>1662 ROUTE 300, SUITE 138 NEWBURGH, N.Y. 12550</u>
	_____
Phone/Fax	<u>845-629-1567</u>
  
5. **Location of lands to be reviewed:**  
255 + 259 MR FOSTERTOWN ROAD
  
6. **Zone** R-2 **Fire District** CRONONER VALLEY  
**Acreage** 2.45 **School District** NEWBURGH
  
7. **Tax Map: Section** 39 **Block** 1 **Lot** (23 + 24)

**8. Project Description and Purpose of Review:**

Number of existing lots 2      Number of proposed lots 2  
Lot line change X  
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) NONE

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

Signature [Handwritten Signature]      Title 11/27/21

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

**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**

GUELBERG + Mc GOWAN - LOT LINE  
PROJECT NAME CHANGE

**CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN**

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

1.  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. X Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. X 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. X Number of acres to be cleared or timber harvested
33. X Estimated or known cubic yards of material to be excavated and removed from the site
34. X Estimated or known cubic yards of fill required
35. X The amount of grading expected or known to be required to bring the site to readiness
36. X 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.  
NONE
37. X 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.  
NONE
38. X 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: WILLIAM MOREAU, P.E. & ZEN  
 Licensed Professional CONSULTANTS

Date: 11/27/21

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):

**PLANNING BOARD DISCLAIMER STATEMENT**  
**TO APPLICANTS**

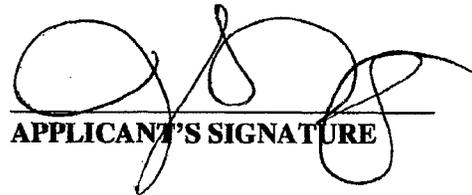
The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that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

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

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

11/3/21  
DATED

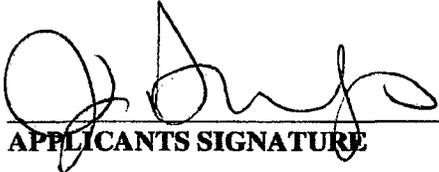
Jessica Guelberg - Dunlop  
APPLICANT'S NAME (printed)

  
APPLICANT'S SIGNATURE

**FEE ACKNOWLEDGEMENT**

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

Jessica Guelberg - Dunlop  
APPLICANT'S NAME (printed)

  
APPLICANTS SIGNATURE

11/3/21  
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) Jessica Guelberg - Dunlop, DEPOSES AND SAYS THAT HE/SHE

RESIDES AT 259 Fostertown Rd.

IN THE COUNTY OF ORANGE

AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF 259 Fostertown Rd.  
Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND KEN LITTLE IS AUTHORIZED

TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 11/3/21

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

**NAMES OF ADDITIONAL REPRESENTATIVES**

  
OWNERS SIGNATURE

Jessica Guelberg - Dunlop  
OWNERS NAME (printed)

  
WITNESS' SIGNATURE

KEN LITTLE  
WITNESS' NAME (printed)

**PROXY**

(OWNER) Christopher McGowan DEPOSES AND SAYS THAT HE/SHE

RESIDES AT 255 Fostertown Rd.

IN THE COUNTY OF ORANGE

AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF 255 Fostertown Rd.  
Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND KEN LITTLE IS AUTHORIZED

TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 11/3/21

Chris McGowan  
OWNERS SIGNATURE

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

Christopher McGowan  
OWNERS NAME (printed)

Ken Little  
WITNESS' SIGNATURE

NAMES OF ADDITIONAL  
REPRESENTATIVES

KEN LITTLE  
WITNESS' NAME (printed)

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

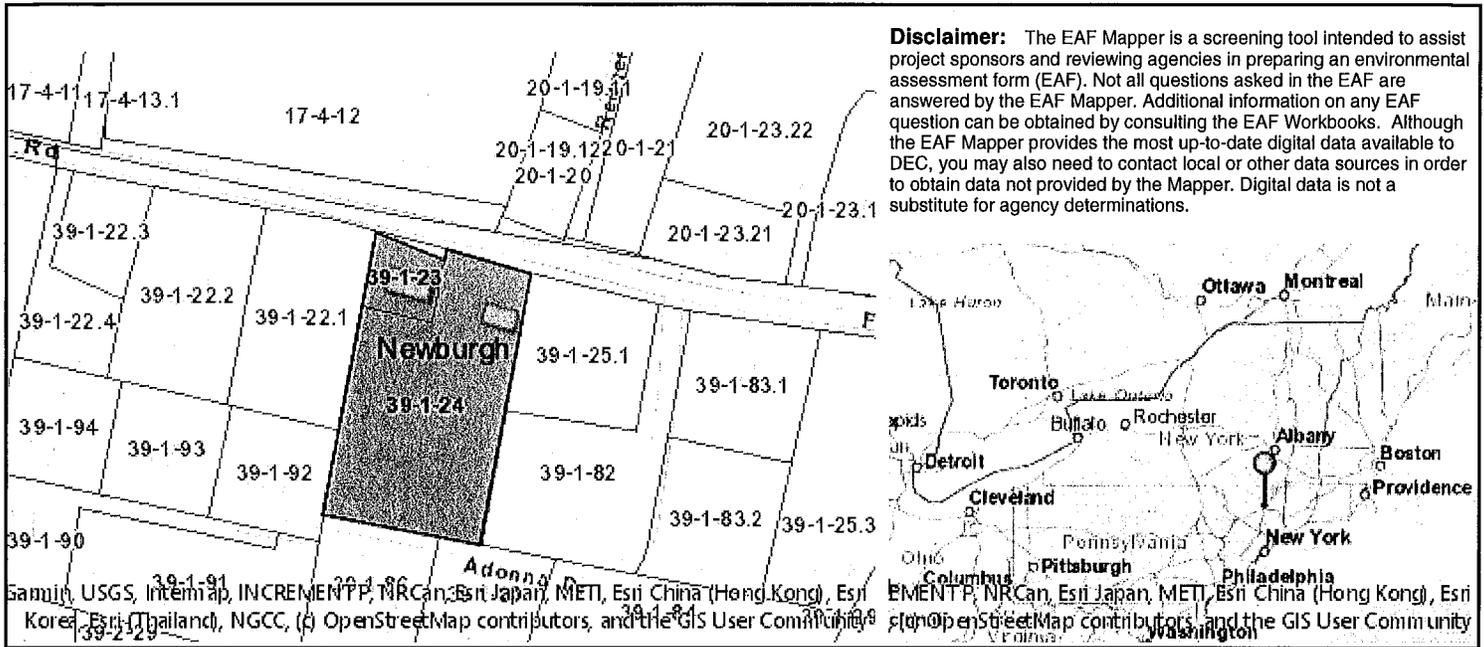
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

<b>Part 1 – Project and Sponsor Information</b>			
Guelberg & McGowan			
Name of Action or Project: Guelberg & McGowan - Lot Line Change			
Project Location (describe, and attach a location map): 255 & 259 Fostertown Road			
Brief Description of Proposed Action: Lot Line change with neighbor to gain additional rear yard area as shown.			
Name of Applicant or Sponsor: Guelberg & McGowan		Telephone: (845) 401-0765	
		E-Mail:	
Address: 255 & 259 Fostertown Road			
City/PO: Newburgh		State: New York	Zip Code: 12550
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"/>
			YES <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:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.45 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.45 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? 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 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	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: _____ _____	NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input 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 <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	





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



LANDS N/F  
FRITEROY  
39-1-22.1  
LOT #1, FM#197-86

LANDS N/F  
ANDERSON  
39-1-82  
LOT #1, FM#9459

LANDS N/F  
RICHARD  
39-11-86  
LOT #1, FM#7616

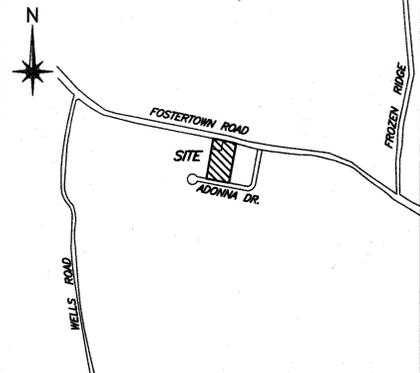
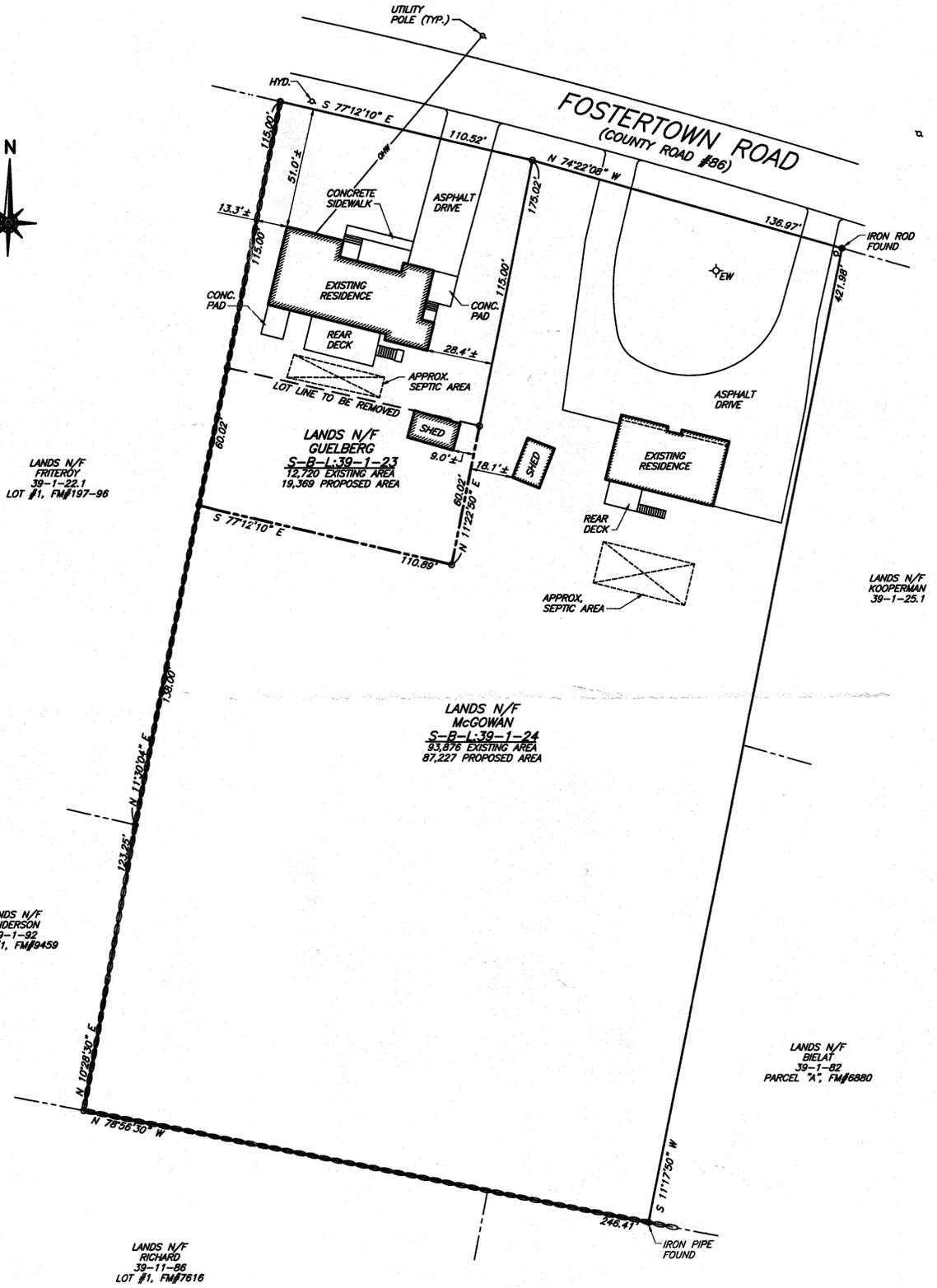
LANDS N/F  
SHALA  
39-1-85  
LOT #2, FM#7616

LANDS N/F  
BIELAT  
39-1-82  
PARCEL "A", FM#6880

LANDS N/F  
KOOPERMAN  
39-1-25.1

LANDS N/F  
McGOWAN  
S-B-1-39-1-24  
93,876 EXISTING AREA  
87,227 PROPOSED AREA

LANDS N/F  
GUELBERG  
S-B-1-39-1-23  
12,720 EXISTING AREA  
19,369 PROPOSED AREA



LOCATION MAP

**ZEN**  
CONSULTANTS, INC.  
1662 ROUTE 300, SUITE 138  
NEWBURGH, NEW YORK 12550  
(845)-629-1567 (phone)

TOWN: NEWBURGH  
ZONE: R2  
SINGLE FAMILY W/ WATER

	REQUIRED	39-1-23		39-1-24	
		EXISTING	PROPOSED	EXISTING	PROPOSED
MINIMUM LOT AREA	17,500sf	12,720sf	19,369sf	93,876sf	87,227sf
MINIMUM YARDS					
FRONT	40'	51.0'±	51.0'±	92.3'±	92.3'±
REAR	40'	28.6'±	26.6'±	306.0'±	306.0'±
SIDE 1	15'	13.3'±	13.3'±	31.2'±	31.2'±
SIDE BOTH	30'	41.7'±	41.7'±	88.4'±	88.4'±
MINIMUM LOT WIDTH	100'	110.5'±	110.5'±	137.0'±	137.0'±
DEPTH	125'	115.0'±	175.0'±	422.0'±	422.0'±

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

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

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

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

**SEWER NOTE:**  
PRIVATE SEPTIC SYSTEM

- SURVEY NOTES:**
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 720B, SUBDIVISION 2, OF THE N.Y. STATE EDUCATION LAW.
  - ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED OR INK SEAL SHALL BE CONSIDERED TO BE VALID COPIES.
  - UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
  - SURVEYED IN ACCORDANCE WITH FILED MAPS, DEEDS, AND PHYSICAL MONUMENTATION FOUND AT THE TIME OF SURVEY.
  - SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN UP TO DATE TITLE ABSTRACT REPORT.

- MAP REFERENCES:**
- MAP ENTITLED "PROPOSED SUBDIVISION, LANDS OF DAVID L. HAWKINS ENTERPRISES, INC.", FILED IN THE ORANGE COUNTY CLERK'S OFFICE 04/23/1975 AS MAP #3441.
  - MAP ENTITLED "SUBDIVISION PLAN, LANDS OF VINCENT J. CERTO & JAMES RAB", FILED IN THE ORANGE COUNTY CLERK'S OFFICE 04/26/1989 AS MAP #9459.
  - MAP ENTITLED "SUBDIVISION PLAN, LANDS OF DEBRA L. RICHARD" FILED IN THE ORANGE COUNTY CLERK'S OFFICE 05/05/1986 AS MAP #7616.
  - MAP ENTITLED "SUBDIVISION PLAN, LANDS OF LAND INVESTMENT GROUP", FILED IN THE ORANGE COUNTY CLERK'S OFFICE 01/23/1985 AS MAP #6880.

 <b>SURVEYOR</b> ANTHONY VALDINA, L.S.	<b>GUELBERG &amp; MCGOWAN</b> <b>LOT LINE CHANGE</b> <b>SURVEY PLAT</b> FOSTERTOWN ROAD, SBL: 39-1-(23&24) TOWN OF NEWBURGH, ORANGE COUNTY, NY			
	DATE	SCALE	JOB NUMBER	SHEET NUMBER
10/20/2021	1" = 30'	21-046-JDU	1 OF 1	