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WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

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

PROJECT: 4 MARINERS COURT- AMENDED SUBDIVISION
PROJECT NO.: 19-20
PROJECT LOCATION: SECTION 121, BLOCK 1, LOT 4
REVIEW DATE: 27 SEPTEMBER 2019
MEETING DATE: 03 OCTOBER 2019
PROJECT REPRESENTATIVE: DAVID NIEMOTKO ARCHITECTS, P.C.

1. During the original subdivision approval there was significant public input regarding access to River Road from the lots which front on River Road. At that time, access was only depicted off of the proposed Town road Mariners Court. The applicants are before the board to amend the subdivision plan for Lot 4 to eliminate the driveway from Mariners Court in favor of a driveway emanating from River Road. The purpose of the change is to allow placement of the proposed residential structure in a more westerly location on the property to take advantage of the increased elevation and river views.
2. The original subdivision contained notes that required any modifications to the grading be submitted for review and approval as grading changes can impact the ability to construct driveways on neighboring lots. The driveway accesses, and portions of the previously identified retaining walls, have been constructed on the subject property and adjoining properties. The modified grading proposed does not appear to impact constructability of the adjoining lots.
3. A public hearing is required for the amended subdivision.
4. Should the subdivision amendment ultimately be approved by the Planning Board, a subdivision map in compliance with County Real Property Department's/County Clerk's standards, must be provided stamped by the Licensed Surveyor for filing at the County to supersede the previously approved lot.

5. The site distance is referenced on the map at River Road, however, the site distance is not located at the proposed driveway location.
6. Highway Superintendent's comments on the proposed driveway should be received.

Respectfully submitted,

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

Patrick J. Hines
Principal

PJH/dns

TOWN OF NEWBURGH
APPLICATION FOR
SUBDIVISION/SITE PLAN REVIEW

JPE
SEP 18 2019

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

DATE RECEIVED: _____ TOWN FILE NO: 2019-20
(Application fee returnable with this application)

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

2. Owner of Lands to be reviewed:

Name David & Tracey Niemotko
Address 167 Stage Road Monroe, New York 10950
Phone (845) 401-2891

3. Applicant Information (If different than owner):

Name N/A
Address _____
Representative David Niemotko
Phone (845) 401-2891
Fax _____
Email david@niemotkoarchitects.com

4. Subdivision/Site Plan prepared by:

Name David Niemotko Architects, P.C.
Address 167 Stage Road Monroe, New York 10950
Phone/Fax (845) 401-2891

5. Location of lands to be reviewed:

4 Mariners Court Newburgh, New York 12550

6. Zone R-1 District Fire District Middlehope Fire
Acreage 0.125 Ac. School District Marlboro

7. Tax Map: Section 121 Block 01 Lot 04

8. Project Description and Purpose of Review:

Number of existing lots 1 Number of proposed lots 1

Lot line change _____

Site plan review _____

Clearing and grading _____

Other Amended subdivision plan-single family dwelling

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 *David Hammoth* Title owner

Date: 9.9.19

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.

DAVID NIEMOTKO ARCHITECT, P.C.

167 STAGE ROAD

Monroe, New York 10950

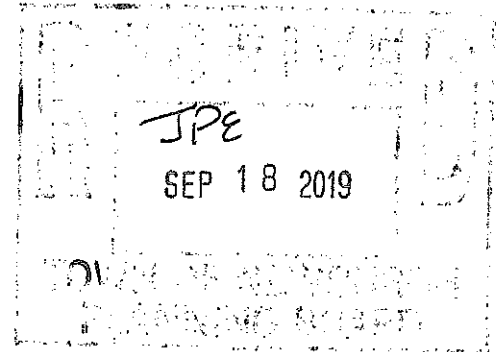
(845) 774-7523 (phone) (845) 401-2891 (cell)

david@niemotkoarchitects.com

www.niemotkoarchitects.com

September 16, 2019

John P. Ewasutyn, Chairman
Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, NY 12550
Via: Hand Delivery



Re: Relocated Driveway, 4 Mariners Court, Newburgh, NY - SBL: 101-01-04

Board Members:

We are submitting an amended site plan for lot #4 of the already approved subdivision known as Anchorage on the Hudson (Map #216-02), which was approved in October of 2002 and plan #4 of the subdivision set is attached to this application. This is a residential subdivision with 21 lots, of which only 3 are developed to date.

Our plan proposes a new access driveway from River Road, equidistant from the other adjacent driveways on that road. Currently, the proposed drive accesses the lot from Mariners Court. This location provides safe sight distances in both directions, with easy access onto the drive for incoming vehicles. Also, the drive length can easily queue 3 to 4 cars entering the lot without any interference with River Road. The driveway will have a "turnaround" which allows fluidity of vehicle movement and this type of layout is consistent with many of the existing designs for other homes along River Road. In addition, locating the drive on River Road allows for a design that optimizes the views of the Hudson River since the back of the house will be orientated toward the river.

Please note that the proposed well and septic field locations have not changed from the previously approved subdivision plan. At the discretion of the board, the access from Mariners Court can be abandoned or remain upon the board's preference. If abandoned, it is possible to introduce vegetative screening to close the site from Mariners Court.

Very truly yours,

David Niemotko (Electronic Signature)

David Niemotko, Registered Architect

Enclosures: 14 copies of plan C-1, dated September 15, 2019
14 copies of sheet 4 of 16 - Anchorage on the Hudson Subdivision Plans
14 copies of signed application package
14 copies of Short Form EAF
\$550 check to Town of Newburgh for application fee
\$150 check to Town of Newburgh for Short Form EAF Review
\$2,200 check to Town of Newburgh for Escrow

DAVID NIEMOTKO ARCHITECT, P.C.

167 STAGE ROAD

Monroe, New York 10950

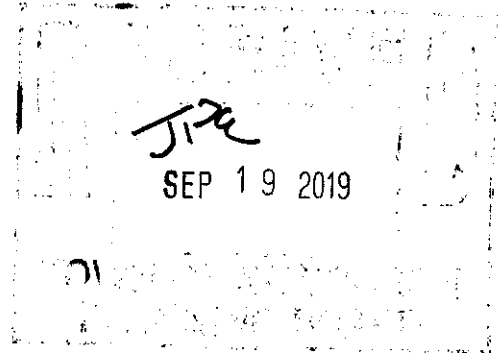
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David@niemotkoarchitects.com

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**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:** 2019-20
(Application fee returnable with this application)

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

2. Owner of Lands to be reviewed:

Name David & Tracey Niemotko

Address 167 Stage Road Monroe, New York 10950

Phone (845) 401-2891

3. Applicant Information (If different than owner):

Name N/A

Address _____

Representative David Niemotko

Phone (845) 401-2891

Fax _____

Email david@niemotkoarchitects.com

4. Subdivision/Site Plan prepared by:

Name David Niemotko Architects, P.C.

Address 167 Stage Road Monroe, New York 10950

Phone/Fax (845) 401-2891

5. Location of lands to be reviewed:

4 Mariners Court Newburgh, New York 12550

6. Zone R-1 District

Acreeage 0.125 Ac.

Fire District Middlehope Fire

School District Marlboro

7. Tax Map: Section 121 **Block** 01 **Lot** 04

8. Project Description and Purpose of Review:

Number of existing lots 1 Number of proposed lots 1

Lot line change _____

Site plan review _____

Clearing and grading _____

Other Amended subdivision plan-single family dwelling

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 owner

Date: 9.9.19

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

4 Mariners Court

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. X 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. X Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
17. X Metes and bounds of all lots
18. X 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. X Right-of-way width and Rights of Access and Utility Placement
21. X Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
22. X Lot area (in sq. ft. for each lot less than 2 acres)
23. X 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. X Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. X Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29. X 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. X 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.
- _____
- _____
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.
- _____
- _____
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: David Kuroto Presid.
Licensed Professional

Date: 9.9.19

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):

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.

DAVID NIEMOTKO
APPLICANT'S NAME (printed)

David Niemotko
APPLICANT'S SIGNATURE

9.9.19
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) David Niemotko, **DEPOSES AND SAYS THAT HE/SHE**
RESIDES AT 167 Stage Road Monroe
IN THE COUNTY OF Orange
AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 4 Mariners Court Newburgh,
New York 12550

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

DATED: 9.9.19


OWNERS SIGNATURE

DAVID NIEMOTKO
OWNERS NAME (printed)

**NAMES OF ADDITIONAL
REPRESENTATIVES**

WITNESS' SIGNATURE

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.

9.9.19
DATED

DAVID NIEMOTKO
APPLICANT'S NAME (printed)

David Niemotko
APPLICANT'S SIGNATURE

Short Environmental Assessment Form

Part 1 - Project Information

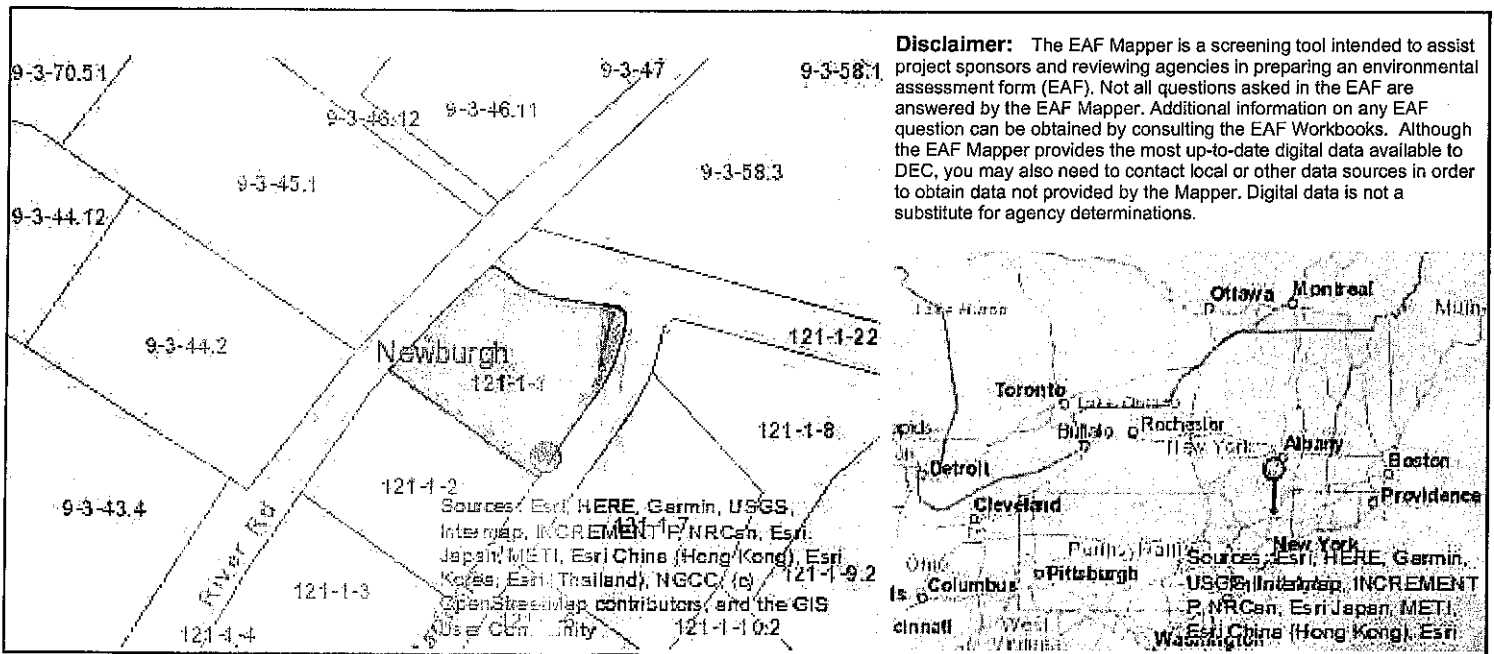
Instructions for Completing

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			
Proposed Single Family Dwelling			
Name of Action or Project: 4 Mariners Court			
Project Location (describe, and attach a location map): 4 Mariners Court			
Brief Description of Proposed Action: Proposed 4 bedroom single family dwelling with associated driveway and utilities, including on site well and septic field.			
Name of Applicant or Sponsor: David Niemoitko		Telephone: (845) 401-2891 E-Mail: david@niemoitkoarchitects.com	
Address: 167 Stage Road			
City/PO: Monroe		State: New York	Zip Code: 10950
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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ .125 acres b. Total acreage to be physically disturbed? _____ 0.8 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .125 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	NO	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: _____	<input checked="" type="checkbox"/>	NO	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?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	NO	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: <u>The proposed dwelling will meet all state energy code requirements.</u>	<input type="checkbox"/>	NO	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: _____ Potable water will be acquired from a proposed on-site well.	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Wastewater will be treated with a proposed septic field.	<input checked="" type="checkbox"/>	NO	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?	<input checked="" type="checkbox"/> <input type="checkbox"/>	NO	YES <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? 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 checked="" type="checkbox"/>	NO	YES <input 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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

