

6. PUBLIC HEARING ORDER: Caitlyn's Way Drainage District

DEC 26 2012

6

VALDINA ~ MARTI ENGINEERING & SURVEYING, PC

4 Pleasant View Ave., Newburgh, New York 12550

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Craig M. Marti, PE

Phone: (845) 565-4447
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REPORT

CAITLYN'S WAY DRAINAGE DISTRICT

TOWN OF NEWBURGH

ORANGE COUNTY

NEW YORK

APPLICANT:

CNC ASSOCIATES, INC.

PREPARED:

June 27, 2011

PROJECT ENGINEER:

Valdina ~ Marti Engineering & Surveying, PC

By: Frank J. Valdina, Jr., PE, LS

Unauthorized Alteration or Addition
To this document is a Violation of
Section 7209 (2) of the New York
State Education Law.

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Project Description:

The existing parcel consists of 70.8+ acres of wooded lands located on the east side of Pressler Road, in the Town of Newburgh, and is traversed by Gidneytown Creek.

The proposed development consists of a Lot Line Change, thereby transferring a 9.3+ acre parcel to an adjoining property owner, and the creation of twelve (12) residential building lots.

Each residence will contain three (3) to four (4) bedrooms, depending on the existing soil conditions.

A new road, proposed to be dedicated to the Town of Newburgh, will be constructed to provide access to Pressler Road for eleven (11) of the residences with the twelfth (12th) residence having direct access to Pressler Road.

Project Site:

The project site, as mentioned, is wooded with an area of Federal Wetlands along Gidneytown Creek. The wetlands will not be disturbed by any aspect of the proposed development.

The terrain, in the area for the development, is a mix of gentle slopes and rolling hills.

Project Drainage:

The storm runoff from the easterly 62+ acres of the site will be conveyed, via sheet flow and the proposed storm water collection system, directly to Gidneytown Creek.

The storm water from the westerly 8+ acres of the site will be conveyed to the existing culvert under Pressler Road. Due to the potential impact of an increased runoff from this portion of the site development, a storm retention area has been designed to limit the post development flows to less than the existing flow.

The developer proposes constructing a detention basin as part of the storm water management program for the project area. To offset the cost of maintaining the detention pond, it is proposed that a drainage district be created, incorporating all lands of the Caitlyn's Way Subdivision within the district boundary.

Proposed Development Drainage Facilities:

In accordance with NYSDEC regulations, the storm water management facilities have been designed, for water quality purposes, to retain 90% of the average annual stormwater runoff volume.

The WQv flows from lots 1 and 12 will be retained in the detention pond, which has been sized to attenuate the peak flows from the contributory area, in accordance with Town of Newburgh and NYSDEC regulations.

The storm water runoff volumes from the proposed site have been analyzed by contributory area, as shown on the attached "Drainage Plan - Proposed Drainage Patterns." The stormwater runoff from these areas to the existing culvert under Pressler Road will be attenuated by a Stormwater Retention/Detention pond, which has been designed to provide water quality retention as well as attenuate the peak post development flows, in accordance with NYSDEC and Town of Newburgh Standards.

The Hydraulic Analysis contains calculations of pre-development and post-development stormwater runoff for the 2, 10, 25, 50 and 100 year storm events. The stormwater management facilities have been designed to address the potential water quality impacts of the contributory flows by retaining the WQv and detaining 2 year runoff flow for the maximum practical time by discharge through 2" diameter orifice at an elevation of 590.50'.

The 10, 25, and 50 year storm event flows are attenuated and discharged at a rate below the pre-developed rate and the 100 year storm event can safely pass through the proposed facilities as summarized below:

Summary of Flows to Pressler Road:

Flows to inlet of existing CMP:

Storm Event	Pre-Development Flows	Post-Development Flows
2 yr	2.5 cfs	1.7 cfs
10 yr	8.0 cfs	6.7 cfs
25 yr	12.8 cfs	11.7 cfs
50 yr	14.9 cfs	14.7 cfs
100 yr	18.7 cfs	19.8 cfs

Retention Pond Summary:

Storm Event	Peak Surface Elevation	Storage
2 yr.	591.2	0.092 Ac. Ft.
10 yr.	591.8	0.144 Ac. Ft.
25 yr.	592.5	0.197 Ac. Ft.
50 yr.	592.6	0.210 Ac. Ft.
100 yr.	592.9	0.228 Ac. Ft.

The storm water management system has been designed to mitigate the potential water quality and volume impacts of the proposed development.

Periodic inspections of the detention basin should be conducted by the Town Highway Superintendent and/or the Town Engineer for determination of the maintenance requirements of this basin.

Project Costs:

As part of the request for this district formation, the developer has agreed to pay all associated Legal, Engineering and Miscellaneous costs. Therefore, since the district will not be responsible for any costs of construction, this payment arrangement will not have any impact or cause any increase in charges to the property owners in the Town.

Annual Charges:

The detention basin will require routine maintenance consisting primarily of silt/sediment removal. It is anticipated removal of deposited material will be done on a five (5) year cycle. This cycle rate will vary depending upon the number and intensity of storms.

It is recommended the deposited material be removed upon an accumulation of sufficient depth ($\frac{1}{2}\pm$) at which the detention basin becomes less effective.

Based upon the above outlines factors, the projected annual charge per residence/residential lot or unit is as follows:

A) Insurance Premium = \$ 250.00/year

B) Detention Pond Maintenance

1) Mowing (weekly from April thru Sept.)
6 months x 4 weeks x \$50/week = 1200.00/year

2) Silt Removal

Volume of Material = 120 cy/5 yrs

Cost of Removal = \$ 100 cy

Cost = \$ 12000

Annual Charge = $\frac{\$ 12000/\text{yr}}{5 \text{ yrs} \times 12 \text{ Units}}$ = 2400.00/year

Annual Cost = \$ 1690.00/year

$$\text{Annual Charge/Residence} = \frac{\$ 1690.00}{12} \neq \$ 141.00/\text{yr.}$$

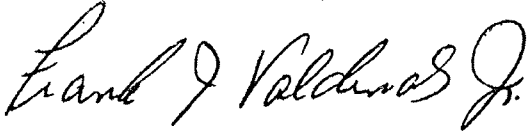
Say \$ 150.00/yr.

This annual charge of \$ 150 per unit should be deposited in an interest bearing account and reserved for the sole purpose it is intended for.

Conclusion:

It is the opinion of this office that this report meets the requirements for the formation of the Caitlyn's Way Drainage District for the Caitlyn's Way Subdivision in the Town of Newburgh.

Respectfully submitted,
Valdina ~ Marti Engineering & Surveying, P.C.



Frank J. Valdina, Jr., PE, LS



Appendix "A"

District Description

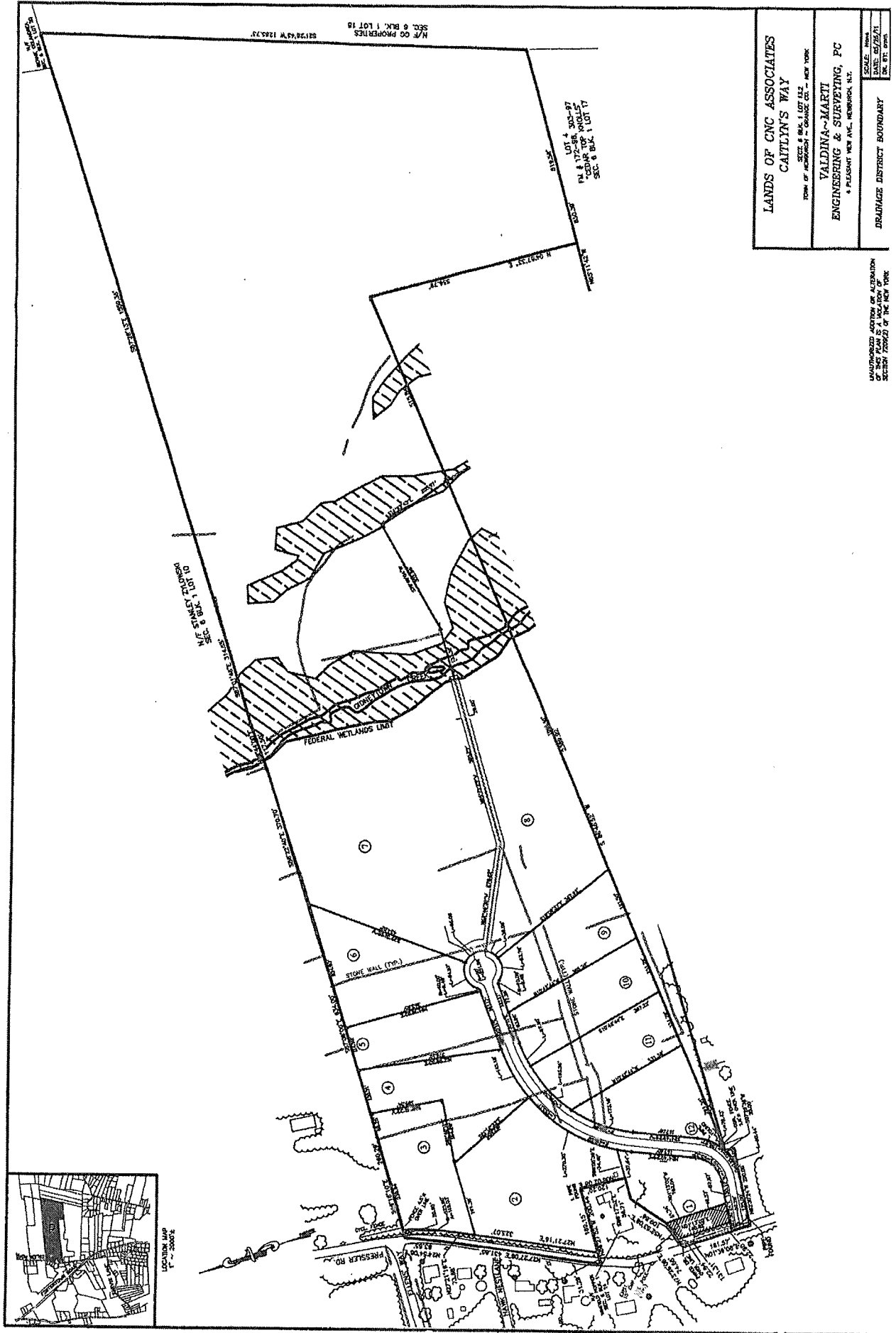
Description
Of
Caitlyn's Way Drainage District
Town of Newburgh
Orange County
New York

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. Bounded and described as follows:

Beginning at a point in the center of Pressler Road at the northwesterly corner of Lands of CNC Associates; Caitlyn's Way Subdivision, designated as Section 6, Block 1, Lot 13 on the Town of Newburgh Tax Maps; thence from said point of beginning easterly along the northerly line of the Caitlyn's Way Subdivision the following six (6) courses; (1) S 86° 16' 10" E 260.29' to a point; (2) thence S 87° 08' 00" E 634.00' to a point; (3) thence S 88° 22' 40" E 370.70' to a point; (4) thence N 89° 44' 00" E 117.50' to a point; (5) thence S 87° 01' 46" E 314.55' to a point; (6) thence S 87° 28' 13" E 1559.36' to a point, said point being the northeasterly corner of the said subdivision; thence along the easterly line of said subdivision S 21° 28' 45" W 1265.73' to a point, said point being the southeasterly corner of said subdivision; thence along the southerly line of said subdivision the following five (5) courses: (1) N 85° 11' 42" W 519.58' to a point; (2) thence N 04° 57' 33" E 556.79' to a point; (3) thence S 86° 46' 52" W 2389.92' to a point; (4) thence S 07° 29' 36" W 25.00' to a point; (5) thence N 82° 30' 24" W 200.00' to a point in the center of Pressler Road, said point being the southwest corner of said subdivision; thence along the westerly line of said subdivision the following eight (8) courses: (1) N 01° 39' 08" E 181.57' along the center of said Pressler Road to a point; (2) thence N 73° 26' 08" E 74.68' to a point; (3) thence N 52° 53' 08" E 109.86' to a point; (4) thence S 86° 17' 52" E 56.71' to a point; (5) thence N 06° 02' 08" E 120.02' to a point; (6) thence N 86° 27' 52" W 200.44' to a point, said point being in the center of said Pressler Road; (7) thence along the center of said Pressler Road N 27° 27' 08" E 431.65' to a point; (8) thence along the center of said Pressler Road N 24° 54' 08" E 83.65' to the point or place of beginning.

Attachment

District Map



LANDS OF CNC ASSOCIATES
 CAITLYN'S WAY
 SEC. 8 B/LK. 1 LOT 17
 TOWN OF AUBURN - ORANGE CO. - NEW YORK

VALDINA-MARTI
 ENGINEERING & SURVEYING, PC
 4 PLEASANT NEW AVE., NEWBURGH, N.Y.

SCALE: 1"=40'
 DATE: 05/28/11
 DRN. BY: DMH

DRAINAGE DISTRICT BOUNDARY

UNLAWFUL COPY OR ALTERATION
 OF THIS PLAN IS PROHIBITED
 SECTION 240 OF THE NEW YORK
 E.S. & S.S. LAW

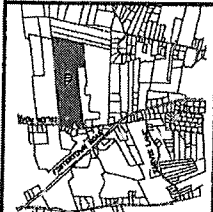
N/2 OF PROPERTIES
 SEC. 8 B/LK. 1 LOT 18
 S172°43'W 125.73'

LOT # 300-97
 PA. # 177-98 "POLES"
 SEC. 8 B/LK. 1 LOT 17

TO LOT 177-98
 SEC. 8 B/LK. 1 LOT 17

FEDERAL WETLANDS LIMIT

STONE WALL (TOP.)



DEC 28 2012

DRAINAGEDISTRICT12PETITION2

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**PETITION
TO THE TOWN BOARD
OF THE TOWN OF NEWBURGH
FOR THE ESTABLISHMENT OF A DRAINAGE DISTRICT**

TO: THE TOWN BOARD OF THE TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK:

The undersigned, being the owner(s) of all of the taxable real property situated in the proposed drainage district described below in the Town of Newburgh, New York and owning in the aggregate at least one-half (1/2) of the assessed valuation of all of the taxable real property in the proposed drainage district as shown upon the latest completed assessment roll of the Town of Newburgh and including the resident owners, if any, of the taxable real property aggregating at least one-half (1/2) of all the taxable real property of the proposed drainage district owned by resident owners, according to the latest completed assessment roll of the Town, do(es) hereby petition your Honorable Board as follows:

1. Petitioner petitions, pursuant to Town Law Article 12, the Town Board to establish a drainage district in the Town of Newburgh, County of Orange, State of New York, which proposed drainage district is bounded and described in the annexed Schedule "A".
2. Petitioner requests that said Drainage District be initially known as the Caitlyn's Way Drainage District
3. Said described territory is outside of any incorporated village or city and totally within the Town of Newburgh. The formation of the proposed drainage district is requested in conjunction with a proposed twelve (12) lot subdivision of property designated on the Town of Newburgh Tax Map as Section 6, Block 1, Lot(s) 13.2, which subdivision is known as Caitlyn's Way Subdivision, and is located in the AR Zoning District of the Town of Newburgh.
4. The maps and plans annexed hereto and made a part of this petition show the boundaries

of the proposed drainage district sufficiently to identify the lands as in a deed of conveyance, including the construction of proposed drainage facilities, and the location and a general plan thereof and, further, identify the property proposed to be conveyed and dedicated for the proposed district's drainage purposes as in a deed of conveyance.

5. The said map and plans have been prepared by Valdina~Marti Engr. & Surveying, PC having an address at 4 Pleasant View Ave., Newburgh, New York 12550, competent engineers fully licensed by the State of New York.

6. The improvements in the proposed drainage district shall be constructed at the expense of a petitioning owner of taxable real property in the district and dedicated to the Town of Newburgh on behalf of the district and accordingly, this petition does not request the construction or acquisition of an improvement, and accordingly the maximum amount proposed to be expended for construction or acquisition is \$0.00.

7. This petition does propose the provision of repair and maintenance of dedicated drainage improvements of the proposed drainage district at a maximum amount of \$ 2400 to be expended annually. Such expense shall be assessed, levied and collected from the several lots and parcels of land within the proposed drainage district so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine confers upon the improvement. The annual cost to each homeowner in the proposed drainage district is estimated to be \$ 150.00.

8. The assessed valuation of all the taxable real property situate in the proposed drainage district, as such valuations appear upon the latest completed assessment roll of the Town of Newburgh is \$ 56,200, The assessed valuation of all the taxable real property situate in the proposed drainage district owned by resident owners thereof, as such valuations appear upon the latest completed assessment roll of the Town of Newburgh is \$ 56,200.

9. All of the petitioners are owners, including resident owners, of real property situate in the proposed drainage district, which property according to the latest completed assessment roll of the Town of Newburgh, shows the assessed valuations respectively set out next to the names of the petitioners below:

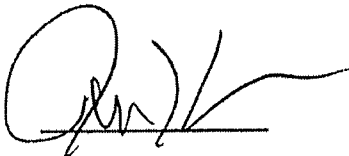
Name and Address of Resident Petitioner(s) Owning Property in Proposed Drainage District	Assessed Valuation of Property on Last Assessment Roll	Tax Map No.
_____	_____	_____
_____	\$ _____	_____

_____	\$ _____	_____

Name and Address of Non-Resident Petitioner(s) Owning Property in Proposed Drainage District	Assessed Valuation of Property on Last Assessment Roll	Tax Map No.
_____	_____	_____
<u>CNC Associates, Inc</u>	\$ <u>56,200</u>	<u>S6-B1-L13.2</u>

_____	\$ _____	_____

WHEREFORE, petitioner(s) respectfully request(s) that the Town Board of the Town of Newburgh establish the Caitlyn's Way Drainage District hereinabove proposed and described and that a public hearing thereon be held in accordance with law.

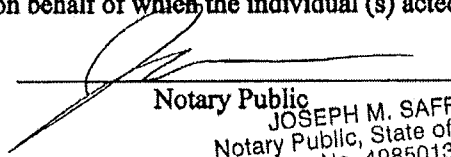
Names and Addresses of Petitioners Owning Property in Proposed Extension	Date	Signature	Title
<u>CNC Associates, Inc.</u> _____	<u>8/15/12</u>		<u>Secretary</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

STATE OF NEW YORK:)

)SS.

COUNTY OF ORANGE:)

On the 15th day of August, in the year 2012 before me, the undersigned, personally appeared David Callus personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.



Notary Public
JOSEPH M. SAFFIOTI
Notary Public, State of New York
No. 4985013
Qualified in Orange County
Commission Expires August 5, 2013

STATE OF NEW YORK:)

)SS.

COUNTY OF ORANGE:)

On the ___ day of ___ in the year 200__ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK:)

)SS.

COUNTY OF ORANGE:)

On the ___ day of ___, in the year 200__ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK:)

)SS.

COUNTY OF ORANGE:)

On the ___ day of ___, in the year 200__ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

SCHEDULE "A"

**METES AND BOUNDS DESCRIPTION OF
PROPOSED DRAINAGE DISTRICT'S BOUNDARIES**

Description
Of
Caitlyn's Way Drainage District
Town of Newburgh
Orange County
New York

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DEC 26 2012

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At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of December, 2012 at 7:00 o'clock p.m.

PRESENT:

- Wayne C. Booth, Supervisor
- George Woolsey, Councilman
- Gilbert J. Piaquadio, Councilman
- Elizabeth J. Greene, Councilwoman
- Ernest C. Bello, Jr., Councilman

ORDER OF TOWN BOARD
CALLING PUBLIC HEARING
IN THE MATTER OF THE
ESTABLISHMENT OF THE
CAITLYN'S WAY SUBDIVISION DRAINAGE
DISTRICT OF THE TOWN OF NEWBURGH,
ORANGE COUNTY, NEW YORK PURSUANT
ARTICLE 12 OF THE TOWN LAW

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, a petition dated August 15, 2012 has been duly presented to the Town Board, according to law, requesting that the Caitlyn's Way Subdivision Drainage District, as hereinafter described, be established in the Town of Newburgh; and

WHEREAS, the necessary map, plan and report dated June 27, 2011 prepared by Valdina-Marti Engineering & Surveying, PC, competent engineers duly licensed by the State of New York showing the facilities involved together with the proposed boundaries of the proposed Caitlyn's Way Subdivision Drainage District was attached to the petition and has heretofore been filed in the office of the Town Clerk of the Town of Newburgh where the same is available during regular office hours for examination by any persons interested in the subject matter thereon; and

WHEREAS, the boundaries of the proposed Caitlyn's Way Subdivision Drainage District are set forth in Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of a water quality/storm water detention pond, storm drainage system, catch basins and piping, utility easement, landscaping, fencing and access; and

WHEREAS, no amount is proposed to be expended for the improvements as stated in the petition and no financing of the cost of the District's facilities or services is proposed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the Town nor is it proposed to assume debt service on obligations issued pursuant to Subdivision 12 of Town Law §198, the developer of the Caitlyn's Way Subdivision proposing to install and dedicate the necessary drainage facilities at no cost to the District or Town; and

WHEREAS, \$2,400 is set forth in the petition and the map, plan and report appended to the petition as the maximum amount proposed to be expended annually for the performance or supplying of services for the repair and maintenance of the dedicated stormwater management facilities of the Greiner Subdivision Drainage District inclusive of the estimated annual insurance cost to be expended annually for the proposed drainage district and the average annual cost of the District to a typical property is estimated to be \$150, which is the same as the cost to the

typical one or two family home; and

WHEREAS, the establishment of the Caitlyn's Way Subdivision Drainage District has been determined to be an "Unlisted Action" for purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder, and the Town of Newburgh Planning Board acting in its capacity as Lead Agency for the Caitlyn's Way Subdivision has issued a negative declaration for the Action encompassing the establishment of said Drainage District; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said Caitlyn's Way Subdivision Drainage District pursuant to Article 12 of the Town Law.

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Newburgh, Orange County, New York, as follows:

Section 1. The Town Board of the Town of Newburgh shall hold a public hearing at the Town Hall at 1496 Route 300, Town of Newburgh, New York on the ___th day of January, 2012 at 7:00 o'clock, p.m., Prevailing Time in the matter of the establishment of the proposed Caitlyn's Way Subdivision Drainage District as described in the preambles hereof, and to consider the petition and map, plan and report filed in relation thereto and the improvements therefore and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this Order to be published once in The Mid-Hudson Times and The Sentinel, the official newspapers of said Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the day set herein for the hearing as aforesaid, and the Town Clerk shall also cause a copy of this Order to be posted on the signboard of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten (10) nor more than twenty (20) days before the day set for the public hearing.

Section 3. This Order shall be entered in the minutes of the meeting and shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call which resulted as follows:

George Woolsey, Councilman voting _____

Gilbert J. Piaquadio, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Ernest C. Bello, Jr., Councilman voting _____

Wayne C. Booth, Supervisor voting _____

The order was thereupon declared duly adopted.

SCHEDULE "A"

SCHEDULE "A"

**METES AND BOUNDS DESCRIPTION OF
PROPOSED DRAINAGE DISTRICT'S BOUNDARIES**

Description
Of
Caitlyn's Way Drainage District
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