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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

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In the Matter of:

*WTF*

**WFT NY LOT LINE CHANGE**

(2014-07)  
979 & 983 NYS ROUTE 32  
Section 2; Block 1; Lots 42 & 46  
RR Zone

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**LOT LINE CHANGE**

Date: May 15, 2014  
Time: 7:09 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

**BOARD MEMBERS:** JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD BROWNE  
KENNETH MENNERICH  
JOSEPH PROFACI  
DAVID DOMINICK  
JOHN A. WARD

**ALSO PRESENT:** MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES, P.C.  
GERARD CANFIELD, Code Compliance Supervisor

**APPLICANT'S REPRESENTATIVE:** CHARLES BROWN, P.E.

----- X

MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845) 895-3018

Reported by: Rosemary A. Meyer

- WFT NY LOT LINE CHANGE -

1  
2 BOARD MEMBER PROFACI: The next item on tonight's  
3 agenda is WTF New York Lot Line Change, Project 2014-07,  
4 located at 979 and 983 New York State Route 32, Section 2,  
5 Block 1, Lots 42 and 46. It's in the RR Zone, and it's a  
6 lot line change. It's presented by Charles Brown.

7 MR. BROWN: Thanks, Joe.

8 Since we were here last time, the rear lot was  
9 landlocked and we received the document from Mike relating  
10 to that. So in response to that, we added a 15-foot wide  
11 flagpole to the rear lot that goes all the way to Route 32  
12 so that both lots now have frontage on the approved road,  
13 New York State Route 32.

14 I had a conversation with Mike today about that. We  
15 do have to move the driveway over so that the driveway for  
16 the rear lot, Lot 46, is within that 15 foot. And when the  
17 other driveway runs up, it'll be a common driveway. At  
18 that point, from there down, we'll split the property line  
19 there so that the common driveway is half on each of my  
20 client's lots.

21 I looked at the grading to do that. That's no  
22 problem. We have already met with the DOT and we got the  
23 verbal sign off on the intersection. At that point, the  
24 sight distance is actually very, very good.

25 And hopefully, tonight we get a referral to the Zoning

1 - WFT NY LOT LINE CHANGE -

2 Board. We need a lot variance for the front lot, Lot No.  
3 42, 147 feet versus the 200 required, to give us enough  
4 area so we have 15,000 square foot buildable area which is  
5 shown here, attached.

6 CHAIRMAN EWASUTYN: Any comments from our consultants?  
7 Gerry Canfield, Code Compliance.

8 MR. CANFIELD: We had some question with respect to  
9 the 40 feet Charlie flagged for the lot in the rear. The  
10 question is is this driveway that you're proposing, is this  
11 part of that of 40 feet, or no?

12 MR. BROWN: That's actually only 24 feet. You're  
13 talking about the part that's part of the Mc Kerril  
14 (phonetic) lot, Lot 47, this here lot. That's not my  
15 client's property. That was why we had to provide the  
16 flagpole that we've were talking about. We will be moving  
17 our driveways onto my client's property, so we won't be  
18 using that.

19 MR. HINES: I guess the question with the tax map is  
20 that which, for tax purposes, show that to be a 40-foot  
21 strip rather than a 24-foot strip.

22 MR. BROWN: Yes. Well, what I have here is based upon  
23 Darin's Traygard's (phonetic) field survey and his research  
24 and everything else. You know, the deeds are very old,  
25 but, you know, I have to -- that shows 40 foot just right

1 - WFT NY LOT LINE CHANGE -

2 at the entrance driveway. This is a valid survey. It was  
3 surveyed and that's what he came up with, 24 foot. It does  
4 vary a little bit in width. The 44 foot is the minimum.  
5 But again, that's not our property.

6 MR. CANFIELD: The other issue is with the access, and  
7 I think Michael or Pat will go into it a little further in  
8 depth, but from my perspective, whether this becomes a  
9 private road or not greatly affects what you're going to  
10 Zoning for, the referral, because if it becomes a private  
11 driveway or a private road, excuse me, this first lot now  
12 becomes a corner lot with two front yards.

13 MR. BROWN: Well, there's no benefit to my client to  
14 making this a private road. We have no control over the  
15 property in the rear. I understand that may happen. I did  
16 shift that house back far enough so that it would meet the  
17 front yard setback, but other than that, we have no control  
18 over the rear property.

19 MR. CANFIELD: And then lastly, where you've taken  
20 your lot width, is that the buildable envelope?

21 MR. BROWN: Yes. If you look at the buildable  
22 envelope, the minimum requirement is 15,000 square foot.  
23 At that location that gives us 15,137. That's as close as  
24 we could get without being under.

25 MR. CANFIELD: Okay. But you can move that to the

1 - WFT NY LOT LINE CHANGE -

2 building line which will lessen --

3 MR. HINES: He needs to show 15,000 buildable area.

4 MR. CANFIELD: But the lot width can still be there.

5 MR. HINES: The building lots on this end, that has to  
6 be usable. That has to be usable. If they want to make it  
7 usable they need the variance.

8 MR. CANFIELD: It's going to be a greater degree of  
9 variance than a building line.

10 MR. HINES: You may want to explain at the zoning  
11 level that the building has actually been resited.

12 MR. BROWN: But again, if we're going to the Zoning  
13 Board, I want to go for a variance on the 15,000 square  
14 foot with more width and create a smaller envelope, I would  
15 prefer to go in with this dimension you have here and  
16 achieve the 15,000 square foot building envelope. It gives  
17 my client a little bit more flexibility, and it also  
18 probably even make it a little easier to achieve the  
19 variances, since the 15,000 square foot buildable area is  
20 relatively new code.

21 MR. CANFIELD: And that's my point. It's not that  
22 what you're doing is wrong, it's just that it'll be a  
23 lesser degree of variance, lesser feet.

24 MR. BROWN: Well, there's two variances, though; one  
25 for the building envelope and one for the lot width.

1 - WFT NY LOT LINE CHANGE -

2 MR. CANFIELD: But that's not the case now.

3 MR. BROWN: Now it's just the width.

4 MR. CANFIELD: Just the width.

5 MR. BROWN: Right.

6 MR. CANFIELD: Correct.

7 That's all I have, John.

8 CHAIRMAN EWASUTYN: Pat Hines, drainage consultant.

9 MR. HINES: The only issues we have with the new  
10 proposal for separate driveways is if DOT is going to  
11 approve the three driveways all at that location. I only  
12 talked to them about this driveway, the single driveway.  
13 When you come back, if you're successful with the ZBA, just  
14 make sure you have their approval that they'll allow that.

15 MR. BROWN: Yes.

16 MR. HINES: It's going to be a wide driveway entrance  
17 there.

18 MR. BROWN: Our driveway will be two lots. These two  
19 lots will be serviced by a common driveway which will be  
20 centered on the new lot line between the rear lot and the  
21 front lot, the intersection of the two driveways out.

22 MR. HINES: There appears to be a culvert right there  
23 that will need to be addressed.

24 MR. BROWN: Right, I understand.

25 MR. HINES: When we see you again just make sure that

1 - WFT NY LOT LINE CHANGE -

2 works.

3 MR. BROWN: Yes.

4 CHAIRMAN EWASUTYN: Comments from Board Members. John  
5 Ward.

6 BOARD MEMBER WARD: No comment.

7 CHAIRMAN EWASUTYN: David.

8 BOARD MEMBER DOMINICK: No comment.

9 CHAIRMAN EWASUTYN: Joe.

10 BOARD MEMBER PROFACI: Nothing.

11 CHAIRMAN EWASUTYN: Cliff.

12 Mr. BROWNE: Nothing.

13 CHAIRMAN EWASUTYN: Ken.

14 BOARD MEMBER MENNERICH: No.

15 CHAIRMAN EWASUTYN: Mike, For the benefit of the  
16 Applicant and the Board Members, can you cite the variances  
17 that will be going to ZBA?

18 MR. DONNELLY: There's one variance and that is lot  
19 width for Lot 42 which is providing 147 feet where 200 feet  
20 is required. It's going to be conditioned upon the  
21 Applicant revising the plan to show the straddled driveway  
22 going out to Route 32.

23 We have not addressed the issue of SEQRA. If you'd  
24 like, I'd suggest to the Zoning Board that they handle  
25 SEQRA on a uncoordinated review basis.

1 - WFT NY LOT LINE CHANGE -

2 CHAIRMAN EWASUTYN: Any questions or comments?

3 (No verbal response.)

4 CHAIRMAN EWASUTYN: I move for a motion of the Board  
5 to refer this to the ZBA for a lot width.

6 BOARD MEMBER GALLI: So moved.

7 BOARD MEMBER MENNERICH: Second.

8 CHAIRMAN EWASUTYN: I have a motion by Frank Galli and  
9 a second by Ken Mennerich.

10 Any discussion of the motion?

11 (No verbal response.)

12 CHAIRMAN EWASUTYN: Move for A roll call vote starting  
13 with Frank Galli.

14 BOARD MEMBER GALLI: Aye.

15 BOARD MEMBER BROWNE: Aye.

16 BOARD MEMBER MENNERICH: Aye.

17 BOARD MEMBER PROFACI: Aye.

18 BOARD MEMBER DOMINICK: Aye.

19 BOARD MEMBER WARD: Aye.

20 CHAIRMAN EWASUTYN: Myself.

21 (The motion was approved and carried.)

22 MR. BROWN: Mike, when I revise that plan I'll submit  
23 it to the ZBA and a carbon copy to the Planning Board  
24 consultants?

25 MR. DONNELLY: Sure.



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- WFT NY LOT LINE CHANGE -

MR. BROWN: Thank you very much.

(Time noted: 7:17 p.m.)

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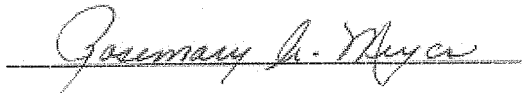
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**REPORTER'S CERTIFICATION**

I, ROSEMARY A. MEYER, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify:

that the foregoing transcript is an accurate record of the proceedings herein, to the best of my knowledge and belief, having been stenographically recorded by me and transcribed under my supervision.

I further certify that I am in no way related to any of the parties to this action and that I have no personal interest whatsoever in the outcome thereof.



ROSEMARY A. MEYER

Date Transcribed: June 7, 2014

# 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

April 28, 2014

Attn: John Ewasutyn, Chairman

Re: WTF NY Lot Line  
Town Project No. 2014-17  
S-B-L: 2-1-42 & 46  
Job No. 13072-WTF

FILE COPY



Dear John:

Please be advised that Talcott Engineering has prepared a revised subdivision plan set for the above referenced project. Said plan set has been revised to address the following:

To address Mike Donnelly's Comment;

1. The lot line change has been revised to give the rear lot (lot 46) a 15' wide "pole" to NYS Route 32 for fee access.

Per Pat Hines Comments;

1. The above change modifies the amount of land being transferred and increase the nonconformity of lot width for the front lot (lot 42). We would need a width variance to 145' to achieve the 15,000sf buildable area now required per codes.

2. The buildable area is shown for each lot. Lot 42's area is based on the above.

3. Both lots have rights to use Griffins Lane for access, therefore, the driveways will utilize this Lane. An easement is provided so that Lot 42 can cross the proposed "pole" and access Griffins Lane.

4. The Septic Design Table has been revised.

5. We met with the DOT on April 11<sup>th</sup>. Plans now reflect their field comments, including the entrance widening, extent of pavement and adjusted ROW. Site distance was not an issue.

We are prepared to deliver 11 site plan sets and to the Code Compliance Building whenever you deem appropriate.

Respectfully yours,

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

Pc: Bob Holmes, Owner



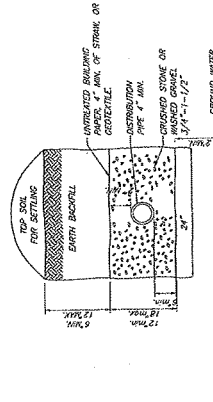
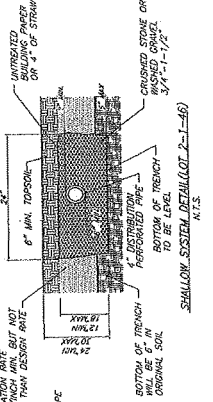


**SEPTIC SYSTEM GENERAL NOTES:**

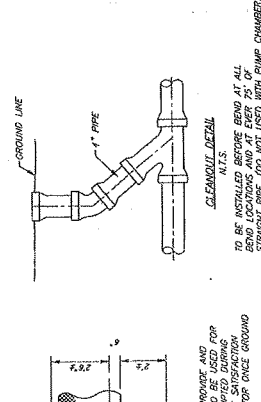
1. ALL PORTIONS OF THE SYSTEM SHALL BE CONSTRUCTED OF 12" DIA. UNGLAZED CERAMIC PIPE.
2. ALL TRENCHES SHALL BE LOCATED AT A MINIMUM DISTANCE OF 10 FEET FROM CELLAR BASES, POLE BARNS OR FOUNDING DRAINS. SHALL NOT BE LOCATED UNDER ANY STRUCTURE THAT MAY CONTACT THE SYSTEM.
3. ALL TRENCHES SHALL BE CONSTRUCTED OVER ANY PORTION OF THE ABSORPTION FIELD.
4. NO TRENCHES TO BE INSTALLED IN TRENCH PRIOR TO PLACING GRAVEL IN ABSORPTION TRENCH.
5. GROUT ALL JOINTS AND PENETRATIONS TO CONC. SEPTIC TANK & DISTRIBUTION BOX.
6. DISTRIBUTION BOX SHALL BE CONSTRUCTED OF 12" DIA. UNGLAZED CERAMIC PIPE.
7. SURFACE WATER SHALL BE IMMEDIATELY STABILIZED UPON CONSTRUCTION COMPLETION USING GRASS SEED @ 2.0 LBS./SQ. YD.
8. CONSTRUCTION SHALL BE PLACED WITHIN 30' OF ANY WATER COURSE.
9. ALL LAUNDRY AND KITCHEN WASTES SHALL BE DISCHARGED INTO SEWER.
10. BROADS SHALL BE USED WHEN ENTRANCE OR EXIT FROM SEPTIC TANK IS NOT APPROXIMATELY SQUARE WITH A CLEANOUT AS REQUIRED.
11. THE DESIGN AND LOCATION OF THE SWIFTWAY FACILITIES SHALL NOT BE CHANGED WITHOUT ENGINEER'S CONSENT.
12. THIS SYSTEM WAS NOT DESIGNED TO ACCOMMODATE ONE OR MORE ADDITIONAL WELLS EXCEPT DURING THE ACTUAL CONSTRUCTION. THERE SHALL BE NO ADDITIONAL FIELD AREA BEYOND CURING OR AFTER CONSTRUCTION.
13. AS SUCH, THESE ITEMS SHALL NOT BE INSTALLED UNLESS THE SYSTEM IS REDESIGNED TO ACCOMMODATE POSSIBLE SLOPE FROM THE SEPTIC TANK FOR ANY PUMPING OR LOSING CHANGES TO THE HOUSE, ALLOWING FOR FUTURE EXPANSION OF THE LOT. SHALL BE PROVIDED WITH A COPY OF THE APPROVED PLANS AND AN ACCURATE AS-BUILT DRAWING OF ANY EXISTING SWIFTWAY FACILITIES.

THE DESIGN, CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND GENERALLY ACCEPTED STANDARDS IN EFFECT AT THE TIME OF CONSTRUCTION WHICH INCLUDE:

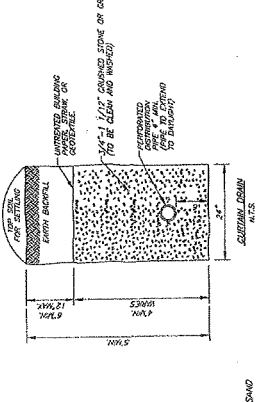
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- 3. SEPTIC SYSTEMS - NEW YORK STATE DEPARTMENT OF HEALTH, DIVISION OF WATER SUPPLY, NEW YORK STATE DEPARTMENT OF HEALTH, DIVISION OF WATER SUPPLY, NEW YORK STATE DEPARTMENT OF HEALTH, DIVISION OF WATER SUPPLY.
- 4. SEPTIC SYSTEMS - NEW YORK STATE DEPARTMENT OF HEALTH, DIVISION OF WATER SUPPLY, NEW YORK STATE DEPARTMENT OF HEALTH, DIVISION OF WATER SUPPLY, NEW YORK STATE DEPARTMENT OF HEALTH, DIVISION OF WATER SUPPLY.
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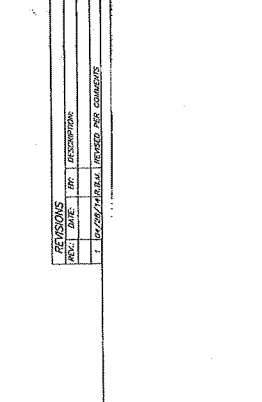
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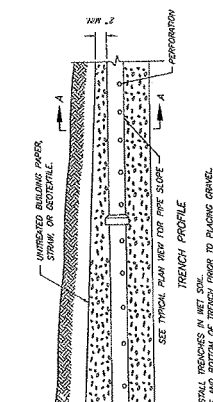
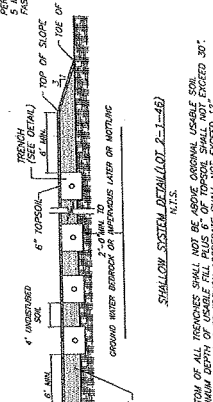
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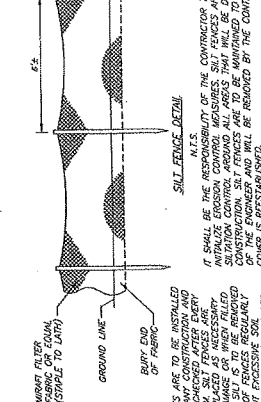
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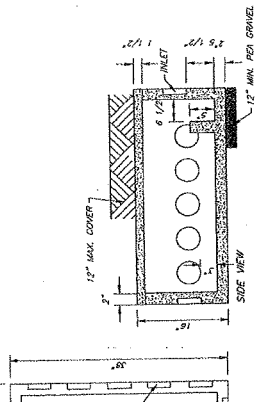
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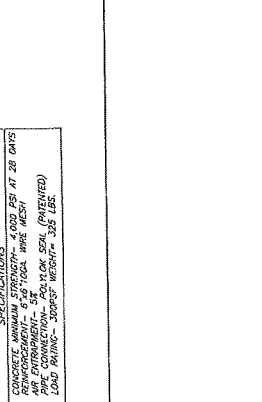
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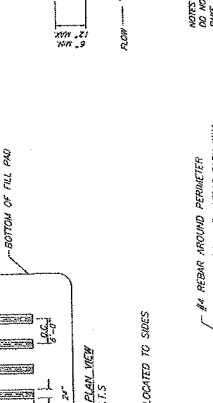
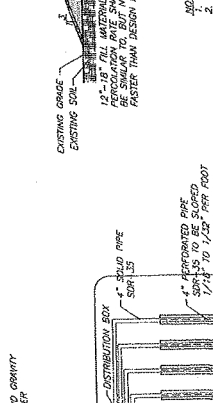
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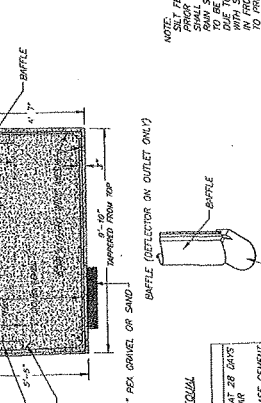
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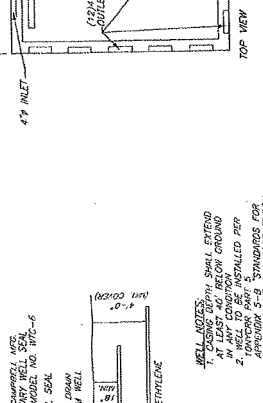
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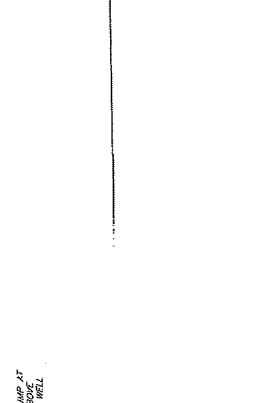
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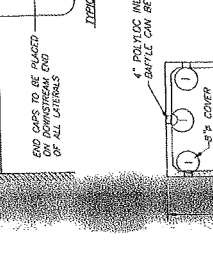
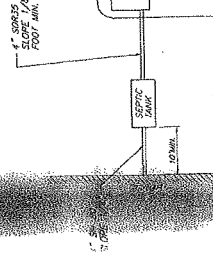
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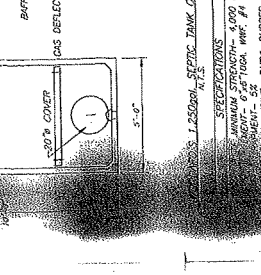
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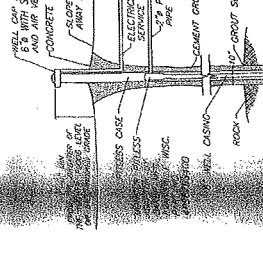
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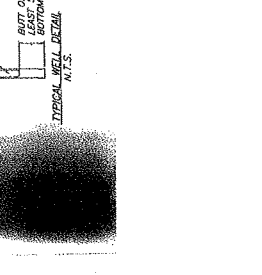
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WOODWARD'S SPEED LEVELER ES-L-2  
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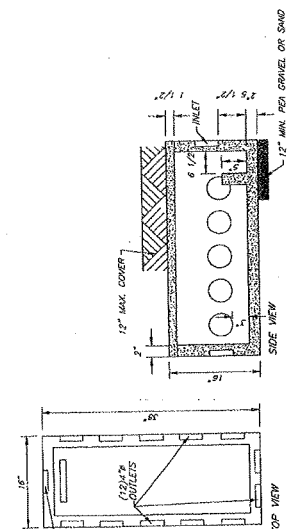
CHARLES T. BROPHY, P.E.  
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NEW YORK, NY 10017  
NEW YORK, NY 10017



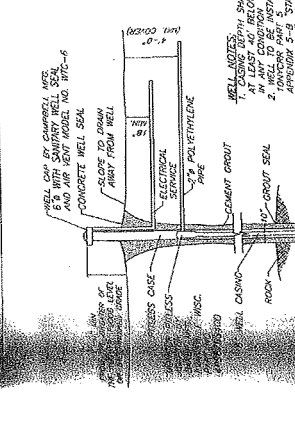
SEPTIC DETAILS  
LOT LINE CHANGES  
WTF NY INC  
270 & 985 AVES ROUTE 30  
TOWN OF NEUBURG, ORANGE COUNTY  
NEW YORK  
03/29/14 AS NOTED 13022-14-105

WOODWARD'S 12" OUTLET DISTRIBUTION BOX OF EQUAL  
N.I.S.

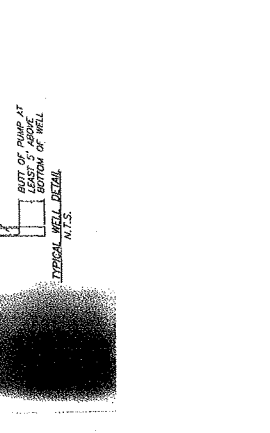
CONCRETE MINIMUM STRENGTH - 4000 PSI AT 28 DAYS  
MINIMUM STRENGTH - 1000 PSI AT 7 DAYS  
PIPE CONNECTION - PER WOODWARD'S (PRINTED)  
LOAD RATING - 2500 LB. (PRINTED)



12" MIN. PER GRAVEL OR SAND  
N.I.S.



SEPTIC TANK OR EQUALIZATION TANK  
N.I.S.



SEPTIC TANK OR EQUALIZATION TANK  
N.I.S.