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

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In the Matter of

C.D. BANNERMAN VIEW SUBDIVISION
(2013-17)

12 Bannerman View Drive
Section 22; Block 4; Lot 6
R-3 Zone

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TWO-LOT SUBDIVISION

Date: September 19, 2013
Time: 7:53 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
KENNETH MENNERICH

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JONATHAN CELLA

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

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MR. BROWNE: The next item of business we have is C.D. Bannerman View Subdivision, project number 2013-17. This is a two-lot subdivision. Again it's an initial appearance being presented by --

MR. CELLA: Jonathan Cella.

Good evening. I'm Jonathan Cella filling in for Charlie Brown. As Pat said, it's his birthday.

We're here for a two-lot subdivision on the corner of Bannerman Drive. Currently there's an existing open building permit for a single-family residence that's under construction. The property is .82 acres in the R-3 Zoning District and it's serviced by Town water and individual septic systems.

Based upon the lot geometry, we need a side yard setback variance for lot 1, a lot width variance for lot 1 and a lot width variance for lot number 2.

The plans show septic systems designed for which the soil testing was conducted August 2013, recently.

We're here tonight to request that we

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can be forwarded to the Zoning Board of Appeals for the required variances.

CHAIRMAN EWASUTYN: Pat Hines, Jerry Canfield, would you like to talk about the proposed one-inch water service?

MR. HINES: My comment number 2, there's an existing water main running up the private road. It stops well short of lot 1, and certainly further short of lot 2. We want to see the location of that water main, and then we want you to meet with Jim Osborne, the Town Engineer, to make sure there's adequate pressure there due to the elevations of this. There may be a reason why they stopped when they did. We want to make sure there is adequate flow and pressure there or if any improvements are required.

We also talked at the work session, it's interesting that the parent parcel doesn't meet the lot size for a lot without water and sewer. We're kind of interested in how it was ever created in the first place.

MR. CELLA: Good question.

MR. HINES: It requires 40,000 square feet for a lot in this zone without water and

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sewer.

MR. CELLA: Maybe they assumed it was going to be serviced by the water.

MR. HINES: I don't know. There's a history there, certainly.

Existing topography needs to be shown on the plans.

Separation from any of the wells on the other side of this lot. The Canfield well and the Thorner well, and any other wells in that area should be shown.

You did identify the variances that are required for this, including the one for the house under construction.

MR. CELLA: I spoke with Charlie. The topographic survey was completed and that will be included on the next submitted plans. All the lots within the influence of our septic systems are serviced by Town water. That shouldn't be an issue.

CHAIRMAN EWASUTYN: Comments from -- Jerry Canfield, do you have anything to add?

MR. CANFIELD: No. Just to reiterate Pat's comment. Again, if for some reason the

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water department does not permit water to lot 2,
then another variance you will need is lot area.

MR. CELLA: Lot area.

MR. CANFIELD: The requirement goes up
to 40,000 square feet.

MR. HINES: You're going to have septic
separation issues and it's not going to fly.

CHAIRMAN EWASUTYN: Comments from Board
Members?

MR. GALLI: What would that do with lot
1? Lot 1 would still be all right as far as if
they didn't have water?

MR. CANFIELD: Yes, with the water.

MR. GALLI: Lot 2 would all be one big
lot.

MR. HINES: It's under construction
now.

MR. GALLI: That's what I'm saying.

MR. CANFIELD: That's how it got the
permit.

MR. GALLI: If it goes to the Zoning
Board and the Zoning Board gives him approvals
and then he finds out he doesn't have water --

MR. HINES: I think they can take the

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parallel course, otherwise they're going to come back here with not being able to serve --

MR. DONNELLY: I'm going to suggest in the referral letters there's an issue as to water being available, and before they rule on these variances they should require the applicant to demonstrate water does exist.

MR. MENNERICH: That works.

MR. CANFIELD: That makes sense.

CHAIRMAN EWASUTYN: Any other questions or comments?

MR. BROWNE: No.

CHAIRMAN EWASUTYN: We'll move for a motion to refer this to the Zoning Board of Appeals.

MR. GALLI: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Ken Mennerich. We'll ask for a roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

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You'll prepare the necessary paperwork?

MR. DONNELLY: Yes.

CHAIRMAN EWASUTYN: You're preparing a site plan to come before the Planning Board?

MR. CELLA: You should have that next week. Do I put the number on the plans or can I print it without the number, the Town project number?

CHAIRMAN EWASUTYN: The new one coming in?

MR. CELLA: Yes.

CHAIRMAN EWASUTYN: When you're ready to submit give me a call. At that point we'll know what the current number is.

MR. HINES: The first one won't have a number.

MR. CELLA: The first one doesn't need a number?

CHAIRMAN EWASUTYN: Talking about on this plan?

MR. HINES: He's talking about the one he's going to make prints. The first prints won't have the Town project number.

MR. CELLA: I was asking if I could

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print them before I get the Town project number.

CHAIRMAN EWASUTYN: Yes.

MR. CELLA: Thank you.

(Time noted: 8:00 p.m.)

C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

DATED: October 11, 2013