



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

PROJECT NAME: DAMATO & CASILLA LOT LINE CHANGE
PROJECT NO.: 24-33
SECTION 43, BLOCK 5, LOT 41.1 & 43
REVIEW DATE: 28 OCTOBER 2024
MEETING DATE: 7 NOVEMBER 2024
PROJECT REPRESENTATIVE: LANC & TULLY

1. A location map should be added to the plan sheet.
2. The project identifies the minimum lot area as 40,000 square feet. A hydrant is depicted on Albany Post Road. Tax records identify the parcels in the consolidated water district. Zoning Bulk information should be updated utilizing the R-3 Zone with public water.
3. After the Zoning Bulk Tables are updated any pre-existing non conformities should be identified in the Bulk Table.
4. Planning Board Attorney's comments regarding the lot lines for Tax Lot #43 running to the center line of Albany Post Road should be received.
5. The EAF was not filled out on the DEC website, however lot line changes are Type II Actions.
6. Project is an initial appearance, adjoiner notices must be sent out.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in blue ink, appearing to read 'Patrick J. Hines'.

Patrick J. Hines
Principal

PJH/kbw

A handwritten signature in blue ink, appearing to read 'Michael W. Weeks'.

Michael W. Weeks, P.E.
Principal

NEW YORK OFFICE

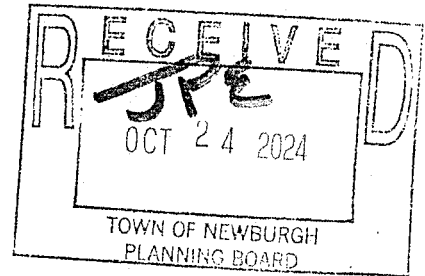
33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

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

301

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: 2024-33
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):
Virginia Brodsky-Damato - Albany Post Rd.

2. Owner of Lands to be reviewed:
Name Virginia Brodsky-Damato
Address 281 S. Middletown Rd
Pearl River N.Y. 10965
Phone 845-475-5778
virgnbrodsky@gmail.com

3. Applicant Information (If different than owner):
Name _____
Address _____

Representative _____
Phone _____
Fax _____
Email _____

4. Subdivision/Site Plan prepared by:
Name Kane T Tully
Address P.O. Box 687
Goshen, NY 10924
Phone/Fax 845-294-3700

5. Location of lands to be reviewed:
- 129 Albany Post Rd. Newburgh, NY

6. Zone R-3 Fire District Middlehope
Acreage 791 School District Newburgh

7. Tax Map: Section 43 Block 5 Lot 401

8. Project Description and Purpose of Review:

Number of existing lots 2 Number of proposed lots 2
Lot line change MOVE North lot line → South 77'
Site plan review _____
Clearing and grading None
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 Virginio Broolsky Dant Title Owner

Date: 6/7/23

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.

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

**DISCLOSURE ADDENDUM STATEMENT TO APPLICATION,
PETITION AND REQUEST**

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

 ✓ NONE

 NAME, ADDRESS, RELATIONSHIP OR INTEREST
(financial or otherwise)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

- TOWN BOARD
- PLANNING BOARD
- ZONING BOARD OF APPEALS
- ZONING ENFORCEMENT OFFICER
- BUILDING INSPECTOR
- OTHER

 6/9/23
DATED

 Virginia Brodsky-Damato
INDIVIDUAL APPLICANT

CORPORATE OR PARTNERSHIP APPLICANT

BY: _____
(Pres.) (Partner) (Vice-Pres.)
(Sec.) (Treas.)

PROXY

(OWNER) Virginia Danete DEPOSES AND SAYS THAT HE/SHE
RESIDES AT 281 S. Middletown Rd Pearl River NY 10965
IN THE COUNTY OF Rockland
AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF Albany Post Rd
Newburgh NY SBL-

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

DATED: 4-12-24

Virginia Danete
OWNERS SIGNATURE

Virginia Danete
OWNERS NAME (printed)

NAMES OF ADDITIONAL
REPRESENTATIVES

WITNESS' SIGNATURE

WITNESS' NAME (printed)

PROXY

(OWNER) Christine & Anthony Casilla DEPOSES AND SAYS THAT HE/SHE

RESIDES AT 29 Albany Post Road

IN THE COUNTY OF Orange

AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 29 Albany Post Road, Newburgh, N.Y. 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND Virginia Brodsky IS AUTHORIZED TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 5/3/2024

[Signature]
OWNERS SIGNATURE

Christine Reyes Casilla
OWNERS NAME (printed)

[Signature]
WITNESS' SIGNATURE

NAMES OF ADDITIONAL REPRESENTATIVES

Anthony Casilla
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.

Part 1 – Project and Sponsor Information			
Albany Post Rd. Newburg- SBL 43 -5 - 40.1			
Name of Action or Project: lot line Change			
Project Location (describe, and attach a location map): West side of Albany Post Rd, Newburgh.			
Brief Description of Proposed Action: Change lot line by moving North lot line South by 77.04'			
Name of Applicant or Sponsor: Virginia Brodsky Damato		Telephone: 845-475-5778	
		E-Mail: vrgnbrodsky@gmail.com	
Address: 281 S. Middletown Rd			
City/PO: Pearl River		State: N.Y.	Zip Code: 10965
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 checked="" 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 checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.291 acres	
b. Total acreage to be physically disturbed?		.27 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.277 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<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 checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
_____ N/A _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Virginia Brudsky-Damato Date: 6/7/23

Signature: Virginia Brudsky-Damato Title: Owner

NOTES:

1. THIS SURVEY IS SUBJECT TO ANY FINDINGS OF A TITLE SEARCH.
2. SUBSURFACE STRUCTURES AND UTILITIES NOT VISIBLE AT THE TIME OF SURVEY HAVE NOT BEEN SHOWN.
3. REFERENCE:

MAP ENTITLED "LOT LINE CHANGE PLAN LANDS OF LOUIS W. & BERNICE J. COLANDREA NYS ROUTE 9W & OLD ALBANY POST ROAD, TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK," DATED JANUARY 11, 2002 AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON MARCH 20, 2002 AS MAP NO. 55-02.


LIBER 5230 OF DEEDS AT PAGE 111 AS RECORDED IN THE ORANGE COUNTY CLERK'S OFFICE.

LIBER 14646 OF DEEDS AT PAGE 815 AS RECORDED IN THE ORANGE COUNTY CLERK'S OFFICE.

RECORD OWNER:

VIRGINIA BRODSKY DAMATO
281 S MIDDLETOWN ROAD
PEARL RIVER, NEW YORK 10965

L. 15041 P. 1780
43 - 5 - 40.1

FM  LOT
MAP NO. 55-02

CHRISTINE REYES
29 ALBANY POST ROAD
NEWBURGH, NEW YORK 12550

L. 11292 P. 1472
43 - 5 - 43

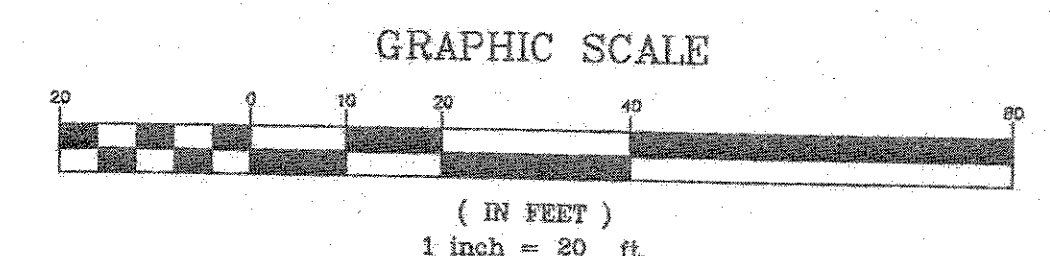
AREAS:

TAX LOT	EXISTING	PROPOSED
43 - 5 - 40.1	0.791± AC.	0.531± AC.
43 - 7 - 43	0.486± AC.	0.746± AC.
TOTAL:	1.277± AC.	1.277± AC.


TABLE OF USE AND BULK REQUIREMENTS

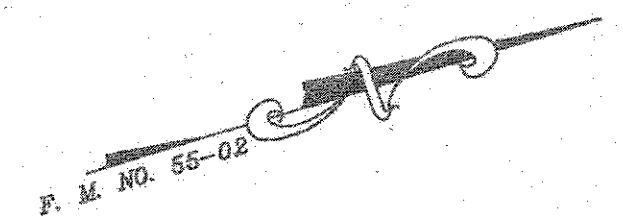
TOWN OF NEWBURGH REGULATIONS
R-3 DISTRICT SINGLE FAMILY DWELLINGS
WITHOUT BOTH PUBLIC SEWER AND PUBLIC WATER SYSTEMS

DENSITY PLAN	
MINIMUM	REQUIRED
LOT AREA	40,000 SF.
LOT WIDTH	150 FT.
LOT DEPTH	150 FT.
FRONT YARD SETBACK	50 FT.
ONE SIDE YARD/BOTH SETBACK	30 FT./80 FT.
REAR YARD SETBACK	40 FT.
HABITABLE FLOOR AREA	900 SF.
MAXIMUM	
PERMITTED	
LOT BUILDING COVERAGE	15%
BUILDING HEIGHT	35 FT.
LOT SURFACE COVERAGE	30%



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 LANC & TULLY ENGINEERING AND SURVEYING, P.C.	P.O. Box 887, Rt. 207 Goshen, N.Y. 10924 (845) 294-3700
	LOT LINE CHANGE MAP PREPARED FOR VIRGINIA BRODSKY-DAMATO TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK
Drawn By: EK Checked By: Scale: 1" = 20' Tax Map No.: AS NOTED	Date: APRIL 22, 2022 Revision: JANUARY 12, 2023 FEBRUARY 3, 2023 CAD File: 220137-SVY.DWG Layout: L1 CHANGE Sheet No.: 1 OF 1 Drawing No.: C30 B - 22 - 0037 - 01



N/F
STORE MASTER FUNDING XI LLC
L. 14646 P. 815
43 - 5 - 41.22

N/F
DEVI HOSPITALITY NEWBURGH LLC
L. 12704 P. 78
43 - 5 - 38

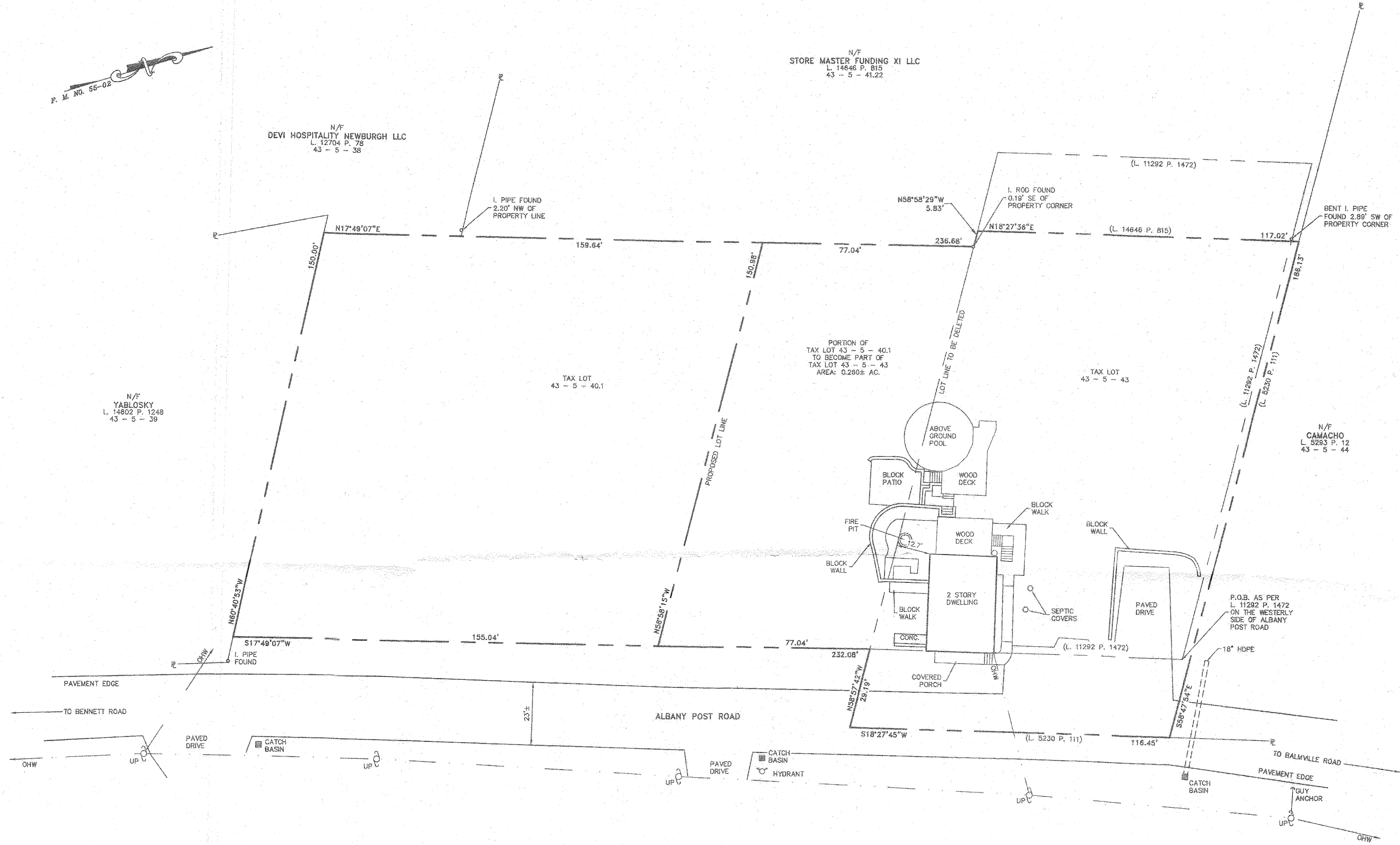
N/F
YABLOSKY
L. 14802 P. 1248
43 - 5 - 39

N/F
CAMACHO
L. 5283 P. 12
43 - 5 - 44

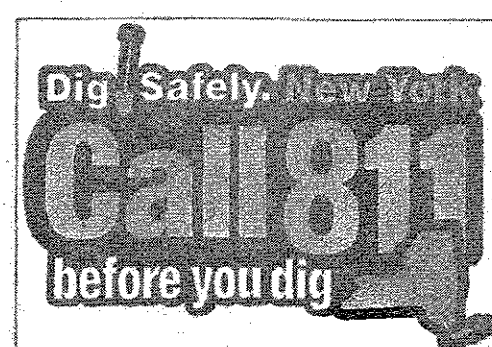
TAX LOT
43 - 5 - 40.1

PORTION OF
TAX LOT 43 - 5 - 40.1
TO BECOME PART OF
TAX LOT 43 - 5 - 43
AREA: 0.280± AC.

TAX LOT
43 - 5 - 43



COPIES FROM THE ORIGINAL OF THIS DOCUMENT NOT MARKED WITH AN ORIGINAL OF THE PROFESSIONAL ENGINEER'S AND/OR LAND SURVEYOR'S STAMP OR EMBOSSED SEAL SHALL NOT BE CONSIDERED VALID, TRUE COPIES.



UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

CERTIFICATION:
I HEREBY CERTIFY TO THE PARTIES OF INTEREST LISTED BELOW THAT THE RESULTS OF AN ACTUAL FIELD SURVEY COMPLETED ON MARCH 16, 2022.



BY: *Rodney C. Knowlton, L.S.*
RODNEY C. KNOWLTON, L.S.
NEW YORK STATE LICENSE NO. 50276