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

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In the Matter of

DeGROAT & SMITH
(2017-13)

68 & 78 Forest Road
Section 3; Block 1; Lots 33.11 & 33.22
AR Zone

----- X
INITIAL APPEARANCE
LOT LINE CHANGE

Date: April 20, 2017
Time: 7:25 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
STEPHANIE DELUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: LAWRENCE MARSHALL

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

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DeGROAT & SMITH

CHAIRMAN EWASUTYN: Our third item of business this evening is DeGroat and Smith. It's a lot line change located on Forest Road in an AR Zone. It's being represented by Larry Marshall.

MR. MARSHALL: Good evening. As the Chairman stated, this is a lot line change transferring approximately 1.24 acres of land from the existing tax parcel 3-1-33.22 to tax map parcel 3-1-33.11. The lot line change does not affect the lots in any manner as far as using wells or septic systems. It's just a straight transfer of land.

The existing parcel in the front owned by DeGroat does have a house that's too close to the property line along the side yard at 26.7 feet and will require a variance due to the 30 foot minimum requirement. We would ask that the Board allow us -- refer us to the Zoning Board of Appeals to request that variance.

Other than that, the two lots are in conformance with zoning.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: We concur with that

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statement. The existing lot 33.22 has a deficient side yard, 26.7 feet where 30 is required. It's an existing condition but it loses it's pre-existing condition protection because of a change in the lot size. That will need to go to the ZBA.

Then at least ten days prior to coming back before this Board notifications must be mailed out to property owners within 500 feet. There's no public hearing requirement for the lot lines but the notification requirement will have to be complied with.

So a referral to the ZBA would be appropriate.

CHAIRMAN EWASUTYN: Any questions or comments from Board Members?

(No response.)

CHAIRMAN EWASUTYN: Mike Donnelly, you'll prepare a letter to the Zoning Board of Appeals.

MR. DONNELLY: I will.

MR. MARSHALL: Thank you very much.

(Time noted: 7:27 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 11th day of May 2017.

Michelle Conero

MICHELLE CONERO



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS D.P.C.

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT & VA)
MATTHEW J. SICKLER, P.E. (NY & PA)
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RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

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

PROJECT: DEGROAT & SMITH LOT LINE CHANGE
PROJECT NO.: 17-13
PROJECT LOCATION: SECTION 3, BLOCK 1, LOT 33.11 & 33.22
REVIEW DATE: 14 APRIL 2017
MEETING DATE: 20 APRIL 2017
PROJECT REPRESENTATIVE: MECURIO-NORTON-TAROLLI-MARSHALL

1. Existing lot 33.22 has a deficient side yard of 26.7 feet while 30 feet is required. Referral to the Zoning Board of Appeals for a variance is required.
2. Notification under the Town's regulations of neighboring properties is required. This office will provide required notice for mailing.

Respectfully submitted,

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

Patrick J. Hines
Principal

PJH/kbw

