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## **PROJECT ANALYSIS**

**MUNICIPALITY:** Town of Newburgh

**TOWN PROJECT NO.** 2000-09

**PROJECT NAME:** Elm Farm Subdivision

**LOCATION:** Wells and Fostertown Roads (39-1-12.44)

**TYPE OF PROJECT:** 52 lot residential subdivision

**DATE:** August 31, 2012

**REVIEWING PLANNER:** Bryant Cocks

### **PROJECT SUMMARY:**

Approval Status: Plans submitted 3/28/00, Public Hearing held on January 6, 2005, Preliminary Approval granted in June 2005 and is valid through November 3, 2012, plans resubmitted July 27, 2012

SEQRA Status: Unlisted, coordinated, planning board has been lead agency as of May 2000, Negative Declaration Issued October 21, 2004

Zone/Utilities: R-2/central water and sewer

Map Dated: July 24, 2012

Planning Board Agenda: September 6, 2012

Consultant/Applicant: Eustance and Horowitz, P.C.

Copies have been sent to: John P. Ewasutyn at the Planning Board office, James Osborne, Gerald Canfield, Michael Donnelly, Karen Arent, Ken Wersted and Patrick Hines on August 31, 2012

### **COMMENTS AND RECOMMENDATIONS:**

1. The applicant is before the Planning Board for a Public Hearing on the 52 lot subdivision, the following comment will need to be addressed on the revised plans after the hearing is closed.
2. The new lots meet the buildable area requirement of 5,000 square feet, but the box is not shown on the grading and utility plan. The overall subdivision plans shows the building envelope on each lot, this type of dashed box should be shown on the grading and utility plan lots to demonstrate the buildable area requirement.
3. The Planning Board did not grant a SEQRA determination at the August 2, 2012 Planning Board meeting, this issue should be discussed as I believe a Re-Affirmation of the Negative Declaration is required to grant final approval to the amended subdivision.

4. The status of the Orange County Health Department approval should be discussed by the applicant, the Planning Board has not previously granted final approval without the Health Department's approval.

The above comments represent my professional opinion and judgment, but may not necessarily, in all cases, reflect the opinion of the Planning Board. Please revise your plans to reflect these comments with the understanding that further changes may be required. In all cases the requirements of the Zoning Law and Subdivision Regulations shall be adhered to by the applicant and shall be shown on the plans. Where variances to the Zoning Law are required or where waivers from the Subdivision Regulations are needed, specific requests shall be made to the Planning Board for a waiver or for referral to the ZBA. These comments are prepared based on current zoning and subdivision regulation requirements. Any change in those regulations prior to final approval of these plans could require revisions beyond the scope of my existing comments.