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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:** July 30, 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

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 July 30, 2012.

### **COMMENTS AND RECOMMENDATIONS:**

1. The applicant appeared at the April 24, 2012 consultants' worksession to discuss revisions to the plan which will bring it in compliance with current zoning and subdivision regulations for final subdivision approval. The main discussion involved the Residential Lot Area requirements of Section 185-48.5. The applicant has revised the plans to reflect these requirements and has provided a plan which shows 52 lots instead of the 54 previously seen by the Planning Board. One cul-de-sac was removed from the plans (Quince Road) because of the loss of one lot, and a common driveway with two lots is now shown off Wells Road in its place. Lot lines were shifted on lots 5-9, 37-41 and 51-55 for compliance with the residential lot area requirement.
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 applicant should include a table somewhere on the subdivision plans showing each individual lot dimensions to ensure compliance with the Zoning Bulk tables. This will help the building department during their review of the plans for issuance of a building permit.
4. The stormwater pond near lots 51 and 53 will have additional area added to the lot to eliminate the need for a retaining wall.
5. The applicant has shown both a surveyor and engineer's stamp and signature on the plans.
6. There is a loss of 2 lots and a loss in one cul-de-sac in favor of a common driveway on the current plans. I believe this is a substantial change to the approved subdivision plans and a new Public Hearing would be necessary. The Planning Board will need to vote on this issue before issuing any type of approval. The next Planning Board meeting that would be available for a Public Hearing would be September 6, 2012.

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.