

# TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT NAME: PRESTIGE HOMES LOT LINE CHANGE

PROJECT NO.: 24-30

PROJECT LOCATION: SECTION 53, BLOCK 2, LOT 10 & 11

REVIEW DATE: 10 OCTOBER 2024

MEETING DATE: 17 OCTOBER 2024

PROJECT REPRESENTATIVE: ZEN CONSULTANTS, INC.

- 1. The project proposes a lot line change between two adjoining parcels. One of the parcels contains an existing family residence identified as "to be removed".
- 2. Zoning Board of Appeals approval for the lot line change is required as the resulting lots will not meet the minimum R-1 lot area of 40,000 square feet. Tax Lot 10 proposes 18,167 square feet, Tax Lot 11 proposes 20,045 square feet.
- 3. Tax Lot 11 does not meet minimum lot width of 150 feet, 126 feet is proposed. It is requested that the minimum lot width be depicted on the plan sheet for use by the ZBA.
- 4. The Planning Board Attorney's comments regarding the existing residence to be removed should be received regarding assurances that the residence will be removed as part of the proposed lot line change project.
- 5. Driveway locations must be approved by the Highway Superintendent.
- 6. Compliance with the Town's Tree Preservation Ordinance must be documented.
- 7. Septic system design Data Chart should identify the absorption fields as proprietary Elgin systems.
- 8. Shallow absorption trench system notes are identified on the plans. Details do not identify shallow absorption trench systems proposed. Soil testing identifies soil acceptable for conventional installations. If shallow absorption trench systems are proposed appropriate details should be added to the plans and a Grading Plan for the shallow absorption trench should be provided.
- 9. The EAF submitted identifies potential habitat for Indianna Bat species. Tree clearing notes should be added to the plans.

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Respectfully submitted,

MHE Engineering, D.P.C.

Patrick J. Hines Principal

PJH/kbw

Michael W. Weeks, P.E.

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Principal

### TOWN OF NEWBURGH APPLICATION FOR SUBDIVISION/SITE PLAN REVIEW

RETURN TO: Town of Newburgh Planning Board 308 Gardnertown Road Newburgh, New York 12550

DA	TOWN FILE NO:
	(Application fee returnable with this application)
1.	Title of Subdivision/Site Plan (Project name):  PRESTIGE HOMES FROMES LOT LINE CHANGE
2.	Owner of Lands to be reviewed:         Name       LL'S PRESTIGE NomES, LLC         Address       f. 0, B 0 × 2535         NEWBURGN, N.K. 12550         Phone       914.4389999
3.	Applicant Information (If different than owner):  Name  Address
	RepresentativePhone Fax Email
4.	Subdivision/Site Plan prepared by:  Name
5.	Location of lands to be reviewed:  CORNER OF CHARLES STREET + ELIN HURST AVENUE
6.	Zone R-1  Acreage 0,88  School District NEWBURGH
7.	Tax Map: Section <u>53</u> Block <u>2</u> Lot <u>10 + 11</u>

8.	Project Description and Purpose of Review:
	Number of existing lots $2$ Number of proposed lots $2$
	Lot line change X
	Site plan review
	Clearing and grading
	Other
TH 9.	OVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF E PROJECT  Easements or other restrictions on property:  (Describe generally)
10.	The undersigned hereby requests approval by the Planning Board of the above
	identified application and scheduling for an appearance on an agenda:
	Signature Joy Al B Title Owner.
	Date: $\frac{5/23/23}{}$

<u>NOTE</u>: 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.

### TOWN OF NEWBURGH PLANNING BOARD

PRESTIGE HOMES LOTLINE CHANGE PROJECT NAME

### CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.
1. X Environmental Assessment Form As Required
2 Proxy Statement
3X Application Fees
4X Completed Checklist (Automatic rejection of application without checklist)
II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.
1. $\times$ Name and address of applicant
2
3X Subdivision or Site Plan and Location
4. X Tax Map Data (Section-Block-Lot)
5. Y Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
6. X Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot
7. X Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8
9. $\times$ Scale the plan is drawn to (Max 1" = 100')
10 North Arrow pointing generally up

12. X Surveyor's seal and signature 13. X 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. X Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989 17.  $\times$  Metes and bounds of all lots 18. X 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. X 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. X Lot area (in sq. ft. for each lot less than 2 acres) 23. X Number of lots including residual lot 24 Show any existing waterways 25. MA note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable 26. X Applicable note pertaining to owners review and concurrence with plat together with owner's signature 27. X Show any improvements, i.e. drainage systems, water lines, sewer lines, etc. 28. X Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided 29. X Show topographical data with 2 or 5 ft. contours on initial submission

11. X Surveyor, S Certification

30. <u> </u>	Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
	If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed
32. <u>X</u>	Number of acres to be cleared or timber harvested
33. <u>M/</u> A	Estimated or known cubic yards of material to be excavated and removed from the site
34. <u>X</u>	Estimated or known cubic yards of fill required
35. <u>X</u>	The amount of grading expected or known to be required to bring the site to readiness
•	Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.
37. <u>N/A</u>	Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.
38X_	List of property owners within 500 feet of all parcels to be developed (see attached statement).
The pla	in for the proposed subdivision or site has been prepared in accordance with ecklist.
	By: WILLIAM J. MOREAU, P.E.
	Licensed Professional
	Date: 10/2/24
	t is designed to be a guide ONLY. The Town of Newburgh Planning Board quire additional notes or revisions prior to granting approval.

Prepared (insert date):

#### STATEMENT TO APPLICANTS

#### RE: TOWN OF NEWBURGH CLEARING AND GRADING LAW

The Town of Newburgh Clearing and Grading Control Law requires a separate permit for most site preparation activities, including clearing, grading, tree cutting, excavating and filling. Site preparation activities performed following site plan or subdivision approval by the Planning Board may by exempt from the permit application, public hearing, fee and bonding requirements of the law provided the subdivision or site plan application has been reviewed for conformance with the clearing and grading law and the approval conditioned on compliance with the standards set forth in the law. Completion of the attached form will enable the Planning Board to review your application for conformance with the law's requirements. In the event it is not completed you many be required to apply for a separated permit for your site preparation activities. A sediment and erosion control plan and a plan showing the areas to be cleared, filled, graded or subjected to tree cutting, the types of vegetation affected and the proposed disposition of the destroyed vegetation must accompany the form. A SEQRA long form or full EAF should be utilized to discuss any environmental impacts and must accompany the application.

# TOWN OF NEWBURGH APPLICATION FOR CLEARING AND GRADING

Name of applicant: LL'S PRETTI	GE NOMES, LLC	
Name of owner on premises:		
Address of owner: P.O. BOX 2	535, NEWBURGH, N.Y. 12550	
Telephone number of owner: 914-	430-9899	
Telephone number of applicant: <u>Jam</u>	E	
State whether applicant is owner, lessee,	agent, architect, engineer or contractor:	
OWNER		
Location of land on which proposed worl	will be done: CORNER OF	
CHARLET STREET + ELMA	YURST AVENUE	
	Lot: 10 r // Sub. Div.: N/A	
Zoning District of Property:	Size of Lot: 0,88 ACRES	
	0,5 ACRES	
Proposed completion of date:		
	nn owner: OWNER	
Address:		
Telephone number:		
Date of Planning Board Approval:	(if required)	
I hereby agree to hold the Town of Newb	urgh harmless from any claims arising	
from the proposed activity.	,	
Signature of owner:	Date: 5/23/23	
Signature of applicant (if different than o		
TOWN ACTION:		
Examined:	20	
Approved: 20		
Disapproved: 20		

### FEE ACKNOWLEDGEMENT

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

APPLICANT'S NAME (printed)

APPLICANTS SIGNATURE

S/23/23

Note: if the property abuts and has access to a County or State Highway or road, the following information must be place on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

## **PROXY**

(OWNER) LL'S PRESIGE NOMES, LLC	SES AND SAYS THAT HE/SHE
RESIDES AT 3 Noah Pl N	emporgh my 12550
IN THE COUNTY OF ORANGE	
AND STATE OF <u>WEW YOOK</u>	
AND STATE OF <u>NEW YOOK</u> AND THAT HE/SHE IS THE OWNER IN FEE	OF <u>SBL: 53-2-(10+11)</u>
WHICH IS THE PREMISES DESCRIBED IN	THE FOREGOING
APPLICATION AS DESCRIBED THEREIN T	
PLANNING BOARD AND KEN LY12	E IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF S	SAID BOARD.
DATED: 10/2/24	OWNERS SIGNATURE
	Luis lema
	OWNERS NAME (printed)
	WITNESS' SIGNATURE
NAMES OF ADDITIONAL	WITNESS' SIGNATURE
REPRESENTATIVES	KEN LYTLE
	WITNESS' NAME (printed)

# PLANNING BOARD DISCLAIMER STATEMENT TO APPLICANTS

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

5/23/23 DATED

LUIS Lema

APPLICANT'S NAME (printed)

APPLICANT'S SIGNATURE

# Short Environmental Assessment Form Part 1 - Project Information

### **Instructions for Completing**

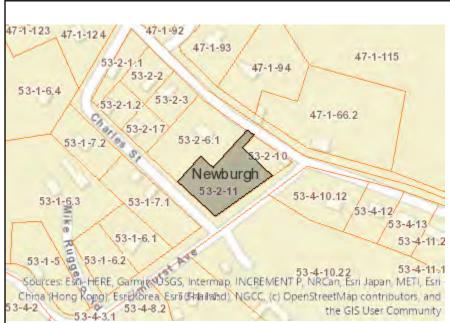
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			
Name of Action or Project:			
Prestige Homes Lot Line Change			
Project Location (describe, and attach a location map):			
corner of Charles Street & Elmhurst Avenue			
Brief Description of Proposed Action:			
Lot line change between (2) parcels to create (2) residential building lots.			
Name of Applicant or Sponsor:	Telephone: 914-438-989	9	
LL's Prestige Homes, LLC	E-Mail:		
Address:			
P.O. Box 2535			
City/PO: State: Zip Coo			
Newburgh New York 12550			1
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.			YES
If Yes, list agency(s) name and permit or approval: ZBA Variances			
2 205, not agency (o) name and permit of approximation			<b>'</b>
3. a. Total acreage of the site of the proposed action?  b. Total acreage to be physically disturbed?  c. Total acreage (project site and any contiguous properties) owned  or controlled by the applicant or project sponsor?  0.88 acres  0.50 acres  0.88 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. Urban Rural (non-agriculture) Industrial Commercial <b>V</b> Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
Parkland			

5.	Is t	the proposed action,	NO	YES	N/A
	a.	A permitted use under the zoning regulations?		<b>V</b>	
	b.	Consistent with the adopted comprehensive plan?		<b>V</b>	
_	T. A	sh		NO	YES
6.	1S 1	the proposed action consistent with the predominant character of the existing built or natural landscape?			~
7.	Is t	the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If `	Yes,	identify:		~	
8.	a.	Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	b.	Are public transportation services available at or near the site of the proposed action?		<b>V</b>	
	c.	Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<b>V</b>	
9.	Do	ses the proposed action meet or exceed the state energy code requirements?		NO	YES
If t	he p	roposed action will exceed requirements, describe design features and technologies:			~
10	Wi	Il the proposed action connect to an existing public/private water supply?		NO	YES
Indi	/idua	If No, describe method for providing potable water:		~	
11.	Wi	ill the proposed action connect to existing wastewater utilities?		NO	YES
Indi	/idua	If No, describe method for providing wastewater treatment:		~	
		Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or distric	t	NO	YES
Co	mmi	s listed on the National or State Register of Historic Places, or that has been determined by the ssioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the egister of Historic Places?		<b>/</b>	
	b.	Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for ological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			~
13.		Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain tlands or other waterbodies regulated by a federal, state or local agency?		NO 🗸	YES
	b. `	Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<b>V</b>	
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	NO	YES
Federal government as threatened or endangered? Indiana Bat		<b>'</b>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<b>~</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<b>~</b>	
a. Will storm water discharges flow to adjacent properties?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)?	110	1 LS
If Yes, explain the purpose and size of the impoundment:	~	
	ب	
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility?  If Yes, describe:		
ii Tes, describe.	~	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?  If Yes, describe:		
	<b>~</b>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE	CT OF	
MY KNOWLEDGE	SI OF	
Applicant/sponsor/name: Ken Lytle Date: 10/02/2024		
Signature:Title:		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

