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

----- X
In the Matter of

RIDGEVIEW SUBDIVISION
(2015-34)

3 Ridgeview Drive
Section 98; Block 1; Lot 14.3
R-3 Zone

----- X

INITIAL APPEARANCE
TWO-LOT SUBDIVISION

Date: January 7, 2016
Time: 7:07 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: ANDREW WILLINGHAM

----- X

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

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RIDGEVIEW SUBDIVISION

CHAIRMAN EWASUTYN: The only other item we have scheduled is Ridgeview Subdivision. It's a two-lot subdivision. It's the initial appearance. It's on 3 Ridgeview Drive in an R-3 Zone and it's being represented by Willingham Engineering.

Good to see you. I spoke to you enough

MR. WILLINGHAM: It's been awhile.

Good evening. My name is Andy Willingham with Willingham Engineering. I'm here to present a two-lot subdivision at 3 Ridgeview Drive.

The lot is .72 acres and allowed under code is -- the lot is a little over 30,000 square feet. 12,500 is allowed under code. We'd like to subdivide the lot into two residential lots.

The existing house is kind of pushed to the west. It kind of works well with the subdivision.

We basically want to break the bottom into two equal halves and keep the existing house on the western lot and build the new house on the eastern lot, have the new driveway off Ridgeview

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RIDGEVIEW SUBDIVISION

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Drive and connect to existing water and sewer on Ridgeview Drive.

CHAIRMAN EWASUTYN: Okay. Any questions from Board Members? Frank Galli?

MR. GALLI: No. Not at this time yet.

MR. MENNERICH: I have one question. On lot 2, the sanitary line looks like it's running right down the middle of the driveway. Is that the way you're going to do that?

MR. WILLINGHAM: Yeah. I mean I could push it over -- I mean push it off the edge of the driveway perhaps so you can dig it up. I could do that. That's fine.

CHAIRMAN EWASUTYN: Additional questions?

MR. HINES: They need to maintain the ten-foot separation between the water and sewer. Wherever they fall, there's a ten-foot separation requirement.

MR. DOMINICK: No questions.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Not at this time.

CHAIRMAN EWASUTYN: At this point I'll turn to Pat Hines, our Planning and Engineering

1
2 Consultant.

3 MR. HINES: As you identified in your
4 cover letter, the house on proposed lot 1, the
5 existing structure, has a setback issue with the
6 front yard. It has two front yards. One of the
7 front yards encroaches into the setback. 40 feet
8 is required and 38.7 is provided. That's going
9 to need a referral to the Zoning Board of
10 Appeals. There's no exception for pre-existing
11 nonconforming conditions in the Town. The ZBA
12 referral from the Board is an action that you'd
13 be seeking tonight.

14 The lot area chart identifies the lot
15 in the AR-1. It is an R-3. The bulk table is
16 correct but you have that one chart that's mis-
17 labeled.

18 Moving forward we ask that the highway
19 superintendent review the driveway, and you can
20 coordinate directly with him, due to the
21 proximity of the driveway to the turn in
22 Ridgeview Drive which is a horseshoe off of
23 Stewart Avenue.

24 The proposed house location on lot 2 is
25 positioned exactly at the side yard setback to

1
2 the east side of the lot. If you propose the
3 house to remain there, we have a standard note
4 that says that a stakeout by a licensed surveyor
5 needs to be provided prior to the issuance of a
6 building permit, just to make sure that doesn't
7 get positioned -- I think you can move the house
8 a little bit to make sure that that doesn't
9 happen.

10 Note 7 identifies Ridgeview as a
11 private road with a maintenance agreement. It is
12 a Town road. That note can go away.

13 I'll provide you with the updated Town
14 2015 version of the water and sewer notes. There
15 are just two notes that have changed since the
16 last time you submitted to the Town. There's some
17 updated note requirements which we'll get you.

18 And then drainage at the proposed
19 driveway, the flow moves from a westerly to
20 easterly direction and there's likely a need for
21 a pipe at that driveway location.

22 That's all we have.

23 The only action we can recommend
24 tonight would be a referral to the ZBA for the
25 pre-existing front yard setback.

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CHAIRMAN EWASUTYN: Mike Donnelly,
would you prepare a letter and at this time
discuss --

MR. DONNELLY: Just for your
understanding, noncompliant building protection
is lost on subdivision. You need to convert to a
variance. With the Board's direction I will
write a letter to the Zoning Board but you will
need to apply directly to them referencing that
letter.

MR. WILLINGHAM: That's the only way to
resolve that is to actually get the variance from
the Zoning Board?

MR. HINES: Or tear the house down.

MR. WILLINGHAM: Push it a little?

CHAIRMAN EWASUTYN: You will need a
demo permit if you do that.

MR. WILLINGHAM: Got it.

MR. GALLI: Lot 2, how come the house
is so close to the side yard?

MR. WILLINGHAM: The side yard --

MR. GALLI: You have a lot of property.

MR. WILLINGHAM: I can move it to the
middle. I was thinking a little bit sort of

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spacing it between the houses and the sides.

MR. GALLI: You might want to give yourself a couple feet to play with.

MR. WILLINGHAM: I was going to move it. I think I'll just move it a little bit to the west and solve that.

MR. CANFIELD: That would make sense. If there's ever going to be a side deck or porch or landing you need to give yourself some room or else it would be another zoning variance at that time.

MR. WILLINGHAM: Okay. I'll just put it in the middle.

CHAIRMAN EWASUTYN: Mr. Willingham, Pat Hines will get a list from the assessor's office so you can notify the people within 500 feet of the proposed subdivision. There will be an informational letter that will be required to be mailed out, and also you'll coordinate with Cindy Martinez at Gil Piaquadio's office to look over the mailing and the envelopes when you're ready to mail them.

MR. HINES: The Town has a process. There's no certified mailings. You stuff the

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envelopes, address them, stamp them, bring them here and the Town physically mails them. It saves on the certified mailing costs. We'll work that out as the project moves forward.

MR. WILLINGHAM: Okay.

CHAIRMAN EWASUTYN: So you'll prepare -- I'll move for a motion to refer this to the Zoning Board of Appeals for a front yard setback.

MR. GALLI: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Ken Mennerich. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

(Time noted: 7:15 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:

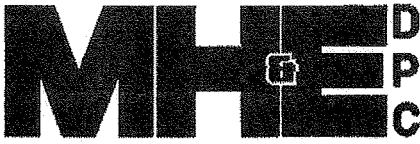
That hereinbefore set forth is a
true record of the proceedings.

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 20th day of January 2016.

Michelle Conero

MICHELLE CONERO



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

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
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MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT & VA)
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**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT: 3 RIDGEVIEW DRIVE SUBDIVISION
PROJECT NO.: 15-34
PROJECT LOCATION: SECTION 98, BLOCK 1, LOT 14.3
PROJECT REPRESENTATIVE: WILLINGHAM ENGINEERING
REVIEW DATE: 29 DECEMBER 2015
MEETING DATE: 7 JANUARY 2016

1. The Applicants representative identifies the existing front yard setback issue on proposed Lot 1 as a pre-existing non-conforming condition. This will require referral through the Zoning Board of Appeals for insufficient front yard setback for the existing lot line, 40 feet is required where 38.7 feet is provided.
2. Lot area summary chart should be revised to identify lot in the R3 Zone.
3. Highway Superintendant's comments on the driveway location should be received.
4. Proposed house location is at the side yard setback. A note should be added to the plans requiring stake out of the structure to be submitted to the Building Department prior to construction.
5. Map note item 7 identifies a road maintenance agreement. Is Ridgeview Drive a private road?
6. Updated Water and Sewer notes should be added to the plans 2015 version should be provided, copy attached. Details of proposed driveways should be added to the plan.

7. Drainage at proposed driveway should be addressed. Pavement replacement detail should be added to the plans for utility connections.

Respectfully submitted,

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

Patrick J. Hines
Principal

