

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

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

DATE RECEIVED: 9/4/2013 **TOWN FILE NO:** 2013-16
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):

LOT LINE CHANGE FOR LANDS OF GILL & SANDRA L. MACKAY AND
CHRISTINA A. MACKAY AND GILL MACKAY & SANDRA L. (HOBART) MACKAY

2. Owner of Lands to be reviewed:

Name	<u>GILL & SANDRA L. MACKAY AND CHRISTINA A. MACKAY</u>	<u>GILL MACKAY & SANDRA (HOBART) MACKAY</u>
Address	<u>70 COLDENHILL ROAD NEWBURGH, N.Y. 12550</u>	<u>72 COLDENHILL ROAD NEWBURGH, N.Y. 12550</u>
Phone	<u>845-564-5415</u>	<u>845-564-5415</u>

3. Applicant Information (If different than owner):

Name GILL MACKAY
Address 72 COLDENHILL ROAD
NEWBURGH, N.Y. 12550

Representative _____
Phone 845-564-5415
Fax _____
Email gill.mackay@verizon.net

4. Subdivision/Site Plan prepared by:

Name MERCURIO-NORTON-TAROLLI-MARSHALL
Address 45 MAIN STREET, P.O. BOX 166
PINE BUSH, N.Y. 12566
Phone/Fax (P) 845-744-3620 (F) 845-744-3805

5. Location of lands to be reviewed:

COLDENHILL ROAD, TOWN OF NEWBURGH

6. Zone R-2 **Fire District** COLDENHAM
Acreage 3.154 TOTAL **School District** VALLEY CENTRAL

7. Tax Map: Section 47 **Block** 1 **Lot** 8.2 & 8.3

8. Project Description and Purpose of Review:

Number of existing lots 2 Number of proposed lots 2
Lot line change BETWEEN TAX LOTS SBL 47-1-8.2 & 47-1-8.3
Site plan review _____
Clearing and grading _____
Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT (ATTACHED)

9. Easements or other restrictions on property:

(Describe generally) NONE

10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Signature Mill Mackay Title owner

Date: AUGUST 29, 2013

NOTE: 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).

TOWN OF NEWBURGH PLANNING BOARD

LOT LINE CHANGE FOR LANDS OF ⓐ GILL & SANDRA L. MACKAY
AND CHRISTINA A. MACKAY AND ⓑ GILL MACKAY & SANDRA L.
(HOBART) MACKAY

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. Environmental Assessment Form As Required (SHORT FORM)
2. Proxy Statement
3. Application Fees
4. 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. Name and address of applicant
2. Name and address of owner (if different from applicant)
3. Subdivision or Site Plan and Location
4. Tax Map Data (Section-Block-Lot)
5. 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. 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. N/A Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. Date of plan preparation and/or plan revisions
9. Scale the plan is drawn to (Max 1" = 100')
10. North Arrow pointing generally up

11. Surveyor,s Certification
12. Surveyor's seal and signature
13. Name of adjoining owners
14. N/A Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
15. N/A Flood plain boundaries
16. Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
17. Metes and bounds of all lots
18. 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. Show existing or proposed easements (note restrictions)
20. Right-of-way width and Rights of Access and Utility Placement
21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
22. Lot area (in sq. ft. for each lot less than 2 acres)
23. Number of lots including residual lot
24. Show any existing waterways
25. N/A A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
26. Applicable note pertaining to owners review and concurrence with plat together with owner's signature
27. Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29. N/A Show topographical data with 2 or 5 ft. contours on initial submission

30. Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. N/A 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. Number of acres to be cleared or timber harvested (NONE)
33. N/A Estimated or known cubic yards of material to be excavated and removed from the site (NONE)
34. N/A Estimated or known cubic yards of fill required (NONE)
35. N/A The amount of grading expected or known to be required to bring the site to readiness (NONE)
36. N/A 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. (NONE)
-
-
-
37. N/A 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. (NONE)
-
-
-

The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

By: Neil Meekay
 OWNER ~~Licensed Professional~~

Date: AUGUST 29, 2013

This list is designed to be a guide ONLY. The Town of Newburgh Planning Board may require additional notes or revisions prior to granting approval.

Prepared 8/11/05
 STATEMENT TO APPLICANTS

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.

GILL MACKAY
APPLICANT'S NAME (printed)

Gill Mackay
APPLICANTS SIGNATURE

August 29, 2013
DATE

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).

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.

AUGUST 29, 2013
DATED

GILL MACKAY
APPLICANT'S NAME (printed)

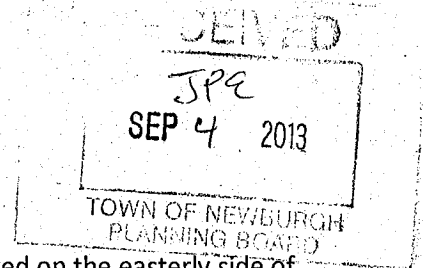
Gill Mackay
APPLICANT'S SIGNATURE

72 Colden Hill Road
Newburgh, NY 12550
August 30, 2013

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

RE: Lot Line Change Application

Gentlemen:



Enclosed is an application for a lot line change between two adjacent lots located on the easterly side of Colden Hill Road, in the Town of Newburgh. The project site consists of tax map parcels: Section 47, Block 1, Lots 8.2 & 8.3.

Included with this letter are the following documents for this application:

- Applicant's check in the amount of \$500 for the application fee
- Applicant's check in the amount of \$1,500 for deposit to the town's escrow fund
- Twelve sets of the following documents are also included:
 - Application for Subdivision/Site Plan Review
 - Checklist for Major/Minor Subdivision and/or site plan
 - Signed "Fee Acknowledgement" form
 - Signed "Planning Board Disclaimer Statement to Applicants" form
 - Proxy forms signed by each owner of the properties
 - Projective Narrative prepared by Mercurio-Norton-Tarolli-Marshall, P.C.
 - Short Environmental Assessment Form
 - Lot Line Change Map prepared by Mercurio-Norton-Tarolli-Marshall, P.C.

Should you have any questions regarding this package or need any additional information, I may be reached at 564-5415.

Sincerely,

Gill Mackay

PROXY

(OWNER) GILL MACKAY, DEPOSES AND SAYS THAT HE/~~SHE~~
RESIDES AT 72 COLDENHILL ROAD, NEWBURGH
IN THE COUNTY OF DRANGE
AND STATE OF NEW YORK
AND THAT HE/~~SHE~~ IS THE OWNER IN FEE OF 72 COLDENHILL ROAD,
NEWBURGH, N.Y. 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND GILL MACKAY IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: AUGUST 29, 2013

Gill Mackay
OWNERS SIGNATURE

GILL MACKAY
OWNERS NAME (printed)

Thomas W. Nixon Sr
WITNESS' SIGNATURE

Thomas W. Nixon Sr
WITNESS' NAME (printed)

NAMES OF ADDITIONAL
REPRESENTATIVES

PROXY

(OWNER) CHRISTINA A. MACKAY, DEPOSES AND SAYS THAT ~~HE~~/SHE
RESIDES AT 70 COLDENHILL ROAD, NEWBURGH
IN THE COUNTY OF ORANGE
AND STATE OF NEW YORK
AND THAT ~~HE~~/SHE IS THE OWNER IN FEE OF 70 COLDENHILL ROAD
NEWBURGH, N.Y. 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND GILL MACKAY IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: AUGUST 29, 2013

Christina A. Mackay
OWNERS SIGNATURE

CHRISTINA A. MACKAY
OWNERS NAME (printed)

Thomas W. Nixon Sr.
WITNESS' SIGNATURE

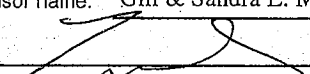
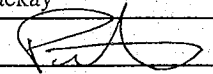
NAMES OF ADDITIONAL
REPRESENTATIVES

Thomas W. Nixon Sr.
WITNESS' NAME (printed)

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Gill & Sandra L. Mackay	2. PROJECT NAME Mackay Lot Line Change
3. PROJECT LOCATION: Municipality <u>Town of Newburgh</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>70 & 72 Colden Hill Road</u> <u>Newburgh, NY 12550</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Lot Line Change</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>3.154</u> acres Ultimately <u>3.154</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Gill & Sandra L. Mackay</u> Date: <u>July 19, 2013</u> Signature:   PROJECT ENGINEER	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

MERCURIO - NORTON - TAROLLI - MARSHALL

Engineering - Land Surveying, P.C.

45 Main Street • P.O. Box 166 • Pine Bush, New York 12566

Tel: (845) 744-3620 • Fax: (845) 744-3805

Email: mnt-pc@mnt-pc.com

Alphonse Mercurio, L.S.
William G. Norton, L.S. (NY & PA)
John Tarolli, P.E., L.S.

Lawrence J. Marshall, P.E.
Kenneth W. Vriesema, L.S.

Project Narrative

For Lands Of

Lot Line Change

Colden Hill Road
Town of Newburgh
Orange County, New York

Prepared for:

Gill & Sandra L. Mackay
72 Colden Hill Road
Newburgh, NY 12550
(914) 213-4455

Prepared by:

Mercurio-Norton-Tarolli-Marshall, P.C.
P. O. Box 166
45 Main Street
Pine Bush, NY 12566
(845) 744-3620

Prepared:

July 19, 2013

Stormwater Management Report for
Mackay Lot Line Change

D) Site Location

The project site is located in the Town of Newburgh, Orange County, New York on the easterly side of Colden Hill Road. The project site consists of tax map parcels: Section 47, Block 1, Lots 8.2 & 8.3. The project contains a total of 3.154 acres of land and is located in the R-2 zoning district.

II) Proposed Project

The proposed project involves a lot line change between tax parcel 47-1-8.2 and tax parcel 47-1-8.3. There are existing single-family homes on each lot served by private wells and sewage disposal systems. All existing improvements, including the locations of the wells and sewage disposal systems, have been shown on the plan. The lot line change will reconfigure the property line between the two existing dwellings to more evenly distribute the lot width and side yard setbacks.

Tax parcel 47-1-8.2 is owned by Gill and Sandra L. Mackay (husband & wife) and Christina A. Mackay (sister-in-law). The lot was previously owned by Christina A. Mackey and Gill Mackay's brother, who has since passed away. Tax parcel 47-1-8.3 is owned by Gill and Sandra Mackay. Christina Mackay is currently ill with Multiple Sclerosis (MS). The proposed lot line change allows Christina Mackay to sell her property (lot 8.2) if she needs money for medical bills and Gill & Sandra Mackay to retain a large portion of their land.

The area of the two parcels will be revised as follows:

Tax Map Parcel 47-1-8.2:

Existing Area = 2.746 Acres (119,165 sq.ft.)

Proposed Area = 0.712 Acres (31,008 sq.ft.)

Tax Map Parcel 47-1-8.3:

Existing Area = 0.408 Acres (17,775 sq.ft.)

Proposed Area = 2.442 Acres (106,359 sq.ft.)

III) Requested Variances

The two existing parcels do not conform to all of the separation and lot dimension requirements for the R-2 zoning district. The lot line change has been designed to decrease the non-conformity of the existing lots as much as possible.

The project is unable to meet all of the zoning requirements and will require the following variances:

Stormwater Management Report for
Mackay Lot Line Change

Tax Map Parcel 47-1-8.2:

Minimum Lot Area:

Existing = 119,615 sq.ft.
Proposed = 31,008 sq.ft.
Required = 40,000 sq.ft.
Required Variance = 8,992 sq.ft.

Minimum Lot Width:

Existing = 142.5 ft
Proposed = 122.4 ft
Required = 150 ft
Required Variance = 27.9 ft

Side Setback (One):

Existing = 31.2 ft
Proposed = 16.3 ft
Required = 30 ft
Required Variance = 13.7 ft

Tax Map Parcel 47-1-8.3:

Minimum Lot Width:

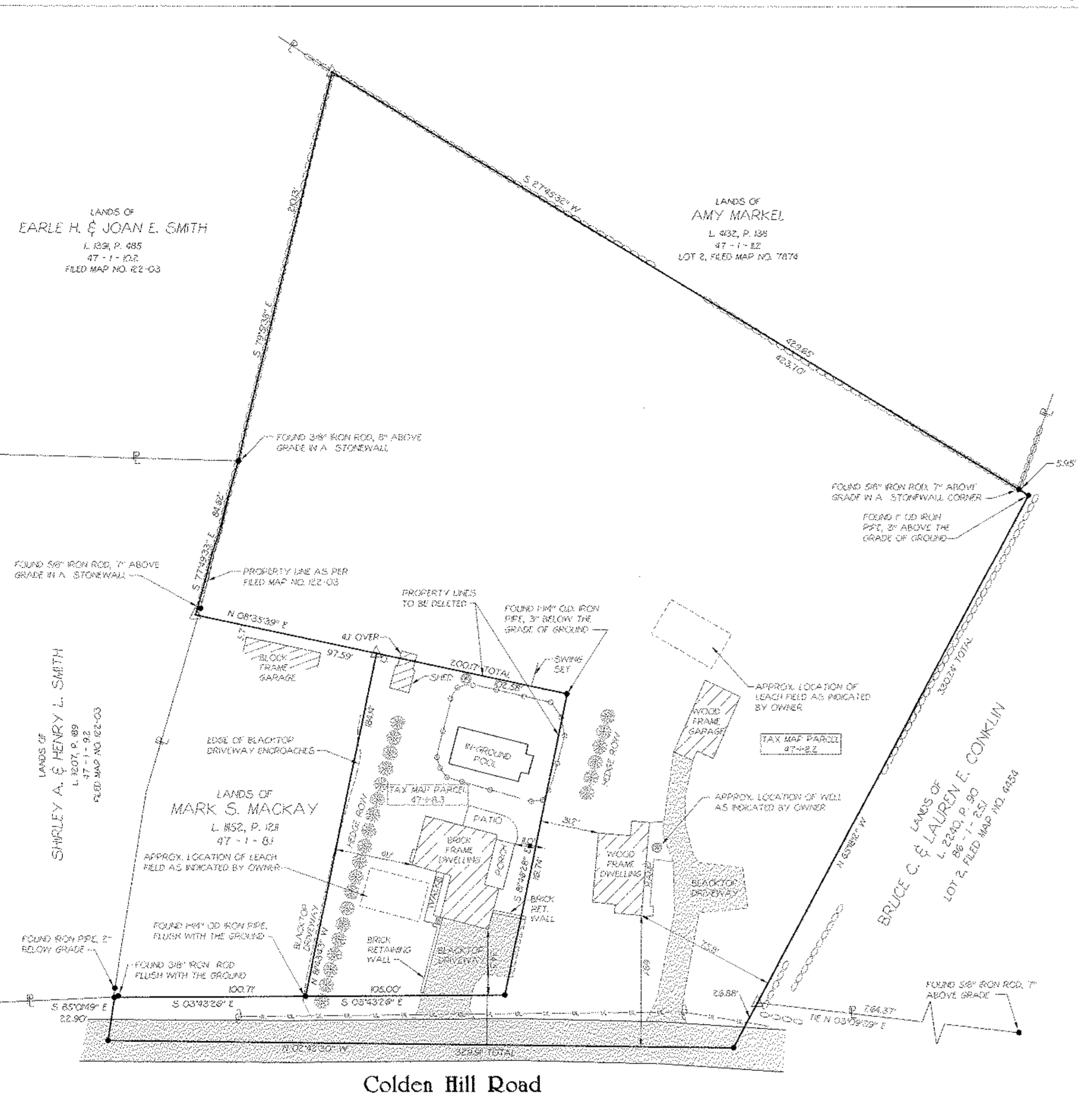
Existing = 105.0 ft
Proposed = 124.8 ft
Required = 150 ft
Required Variance = 25.2 ft

Side Setback (One):

Existing = 11.0 ft
Proposed = 26.9 ft
Required = 30 ft
Required Variance = 3.1 ft

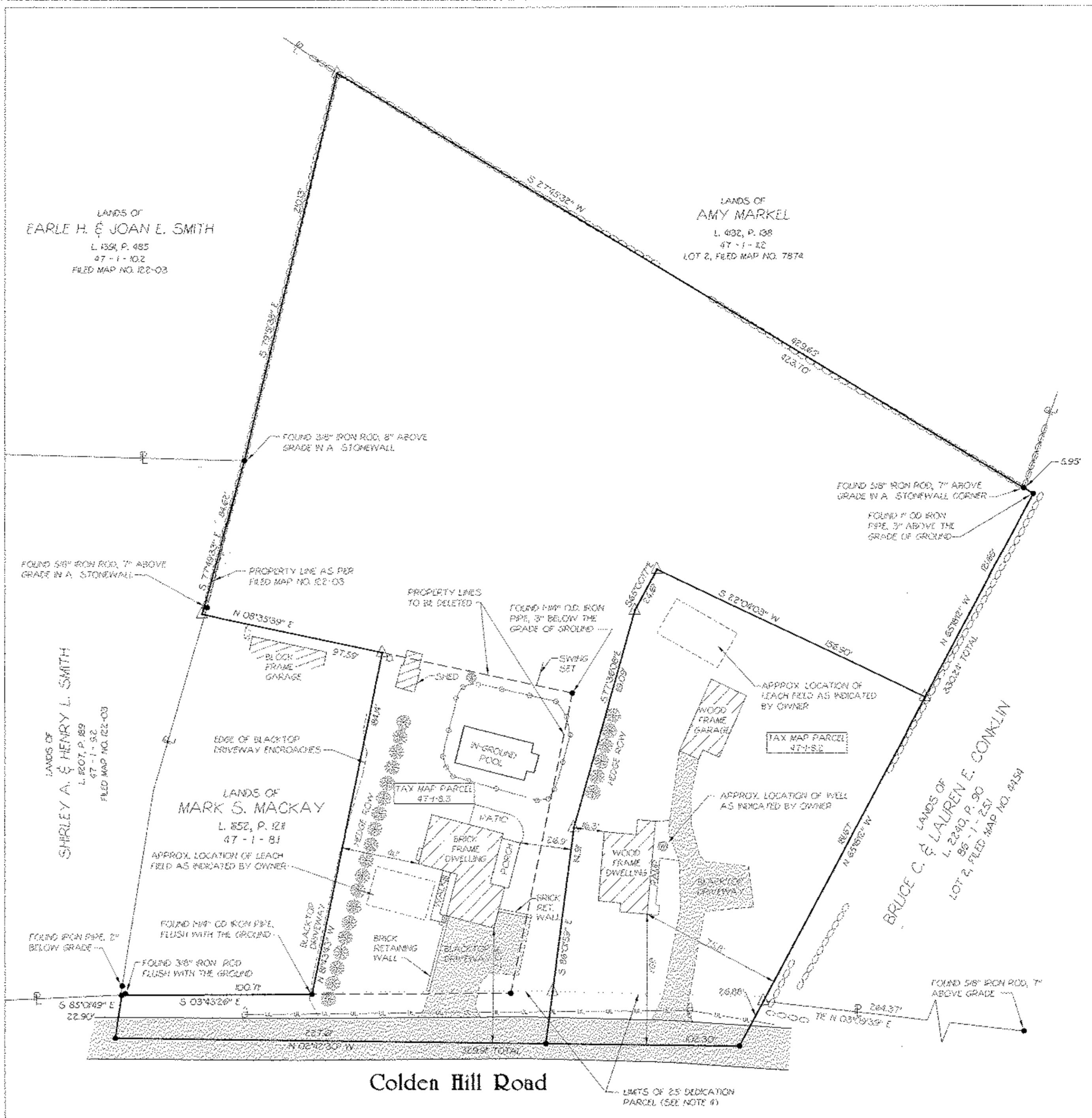
Side Setback (Both):

Existing = 52.1 ft
Proposed = 68.0 ft
Required = 80 ft
Required Variance = 12.0 ft



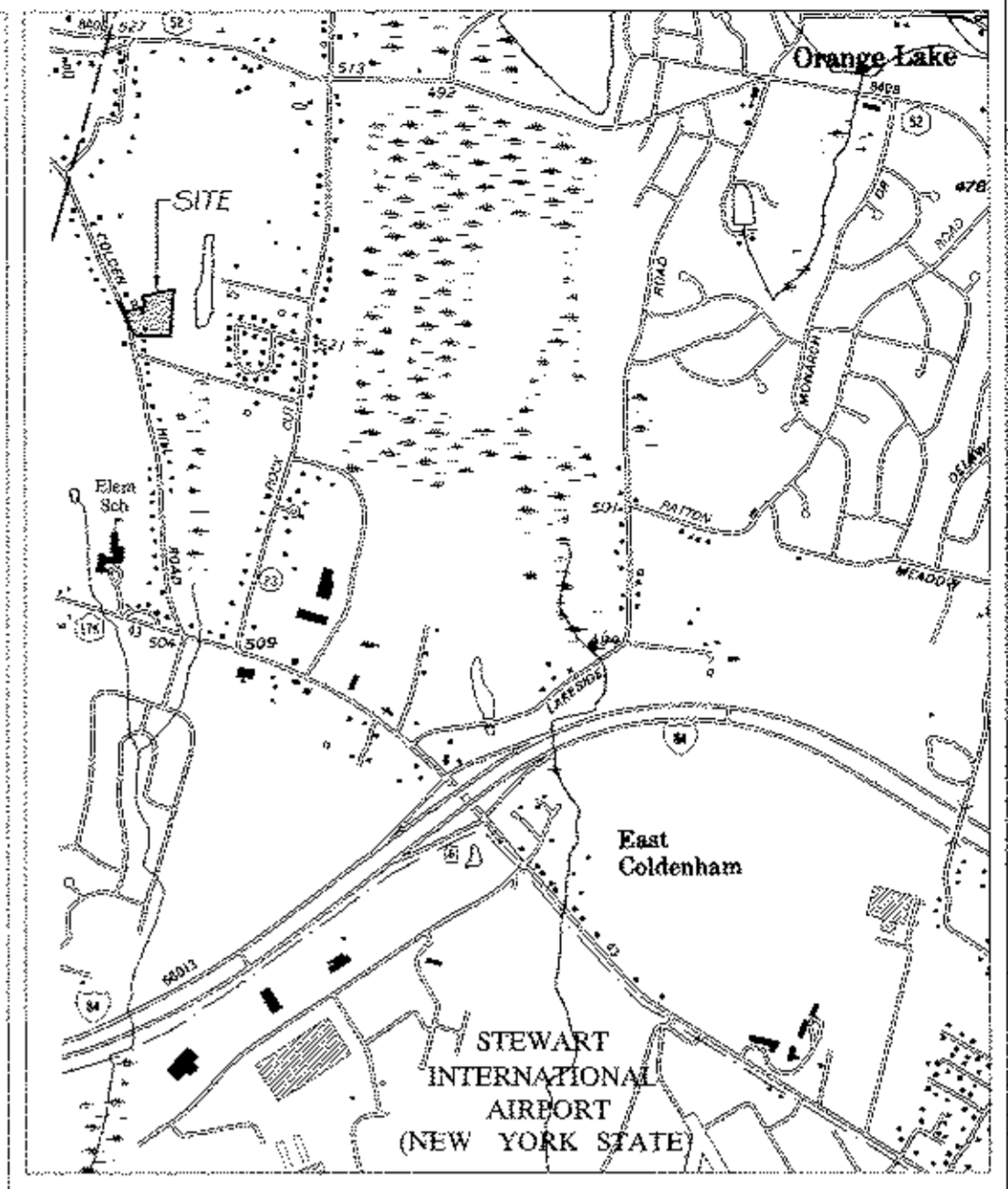
Colden Hill Road

Existing Lot Configuration



Colden Hill Road

Proposed Lot Configuration



Location Map

SCALE: 1" = 2,000'

Legend

- PROPERTY LINE & CORNER
- ▲— SET 3/8" IRON ROD
- ▲— ADJOINER'S PROPERTY LINE
- ▲— LIBER OF DEEDS, PAGE
- ▲— TAX MAP DESIGNATION (SECTION - BLOCK - LOT)
- ▲— EX. UTILITY POLE & LINE
- ▲— ZONING MINIMUM SETBACK LINE
- ▲— EXISTING WELL LOCATION
- ▲— PROPERTY LINE TO BE DELETED
- ▲— EXISTING STONE WALL
- ▲— LIMITS OF ROAD DEDICATION

Tax Map Parcel 47-1-82

Existing Area = 2.746 Acres
Proposed Area = 0.712 Acres

Tax Map Parcel 47-1-83

Existing Area = 0.408 Acres
Proposed Area = 2.442 Acres

Total Area = 3.154 Acres

Lot Line Change Map for Lands of Gill & Sandra L. Mackay and Christina A. Mackay

RECORD OWNER: GILL & SANDRA MACKAY, 72 COLDEN HILL ROAD, NEWBURGH, NY 12550 AND CHRISTINA A. MACKAY, 70 COLDEN HILL ROAD, NEWBURGH, NY 12550
DEED REFERENCE: LIBER 1937, PAGE 1030
TAX MAP REFERENCE: SECTION 47, BLOCK 1, LOT 8.2

Gill Mackay & Sandra L. (Hobart) Mackay

RECORD OWNER: GILL & SANDRA MACKAY, 72 COLDEN HILL ROAD, NEWBURGH, NY 12550
DEED REFERENCE: LIBER 2034, PAGE 325
TAX MAP REFERENCE: SECTION 47, BLOCK 1, LOT 8.3

Situate in the Town of Newburgh
Orange County, New York State
Scale 1"=40' June 2013
ORIGINAL SURVEY COMPLETED: OCTOBER 2012

Zoning Legend: R-2

	TAX MAP PARCEL 47-1-82			TAX MAP PARCEL 47-1-83		
	REQUIRED	EXISTING	PROPOSED	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA (ACRES)		2.746	0.712	0.408	2.442	2.442
MINIMUM LOT AREA (SQ. FT.)	40,000	89,496	31,028	8,000	11,779	136,359
MINIMUM LOT WIDTH	150	142.5	102.3	125	100.0	125.0
MINIMUM LOT DEPTH	150	280.0	245.0	100.0	100.0	120.0
MINIMUM FRONT SETBACK	50	89.1	89.1	34.5	69.7	69.7
MINIMUM SIDE SETBACK (ONE)	30	3.2	6.3	13.7	26.5	26.5
MINIMUM SIDE SETBACK (BOTH)	50	102.0	92.1	52.1	65.0	120.0
MINIMUM REAR SETBACK	40	28.3	120.3	78.2	298.3	—
HABITABLE FLOOR AREA PER DWELLING UNIT	200 S.F.	2800 S.F.	2800 S.F.	2800 S.F.	2800 S.F.	2800 S.F.
LOT BUILDING COVERAGE	15.0%	16.7%	6.7%	15.0%	17.3%	17.3%
LOT SURFACE COVERAGE	30%	5.8%	18.2%	25.0%	4.7%	4.7%

Notes:
1) SUBJECT TO ANY FACTS THAT MAY BE REVEALED BY AN ACCURATE, UP TO DATE, TITLE ABSTRACT REPORT.
2) SUBJECT TO THAT PORTION OF LAND WITHIN THE BOUNDS OF COLDEN HILL ROAD FOR USE AS A PUBLIC HIGHWAY.
3) SUBJECT TO UTILITY GRANTS OF RECORD.
4) THE STRIP OF LAND WITHIN 25' OF COLDEN HILL ROAD IS HEREBY OFFERED FOR DEDICATION TO THE TOWN OF NEWBURGH FOR USE AS A PUBLIC ROAD.



MNTM
Merecurio-Norton-Tarolli-Marshall
ENGINEERING - LAND SURVEYING
PO Box 166, 45 Main Street, Pine Bush, NY 12566
P: (845)744.3620 F:(845)744.3805 Email: mnt-pc@mnt-pc.com

Alfonse Merecurio