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

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In the Matter of

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LANDS OF WEDDELL  
(2015-27)

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6, 7, 12 & 14 Heritage Lane  
Section 89; Block 1; Lots 10.1, 10.2, 77.1 & 77.2  
R-1 Zone

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INITIAL APPEARANCE  
LOT LINE CHANGE

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Date: October 1, 2015  
Time: 7:24 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

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

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LANDS OF WEDDELL

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MR. BROWNE: Our next item of business is Lands of Weddell. Did I get that right?

MR. DOMINICK: They're not here.

CHAIRMAN EWASUTYN: Maybe Darren is coming a little bit later. We'll skip over that.

MR. BROWNE: We'll skip that and do item number 3.

(Time noted: 7:25 p.m.)

(Time resumed: 7:50 p.m.)

CHAIRMAN EWASUTYN: I think out of politeness to Darren we'll review the plan, we'll make the referral to the ZBA and we'll save him from coming back at a later time.

MR. GALLI: Maybe that's why he didn't come, he thought you were going to refer it.

CHAIRMAN EWASUTYN: Darren is very cooperative in everything he does.

MR. BROWNE: Our next item of business would be -- actually, the second item is the Lands of Weddell, project number 2015-27. This is an initial appearance for a lot line change. The representative is Vincent J. Doce Associates.

CHAIRMAN EWASUTYN: Pat Hines, you reviewed the proposed lot line change.

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2 MR. HINES: We reviewed the plans.  
3 Current tax lot 10.1 needs a referral to the  
4 Zoning Board. As we discussed at work session,  
5 the existing lot has insufficient lot area. It  
6 has 30,203 where 40,000 is required. And then  
7 the front yard has 23.3 feet where 50 feet is  
8 required.

9 As we discussed at work session, I  
10 don't believe there is an issue with the side  
11 yard. We determined that the front yard is the  
12 lot line that contains the access to the site.  
13 So it needs those two variances there.

14 There's an existing access road that is  
15 shared by numerous houses, so the access and  
16 maintenance agreement should be submitted for  
17 Mike Donnelly's review.

18 There is a modification proposed due to  
19 the lot line change of the access to the rear  
20 lots. The current access to the structures are  
21 not in the easement area depicted so they're  
22 going to modify that. That modified access and  
23 maintenance agreement will need approval.

24 The well for tax lot 10.2 is located  
25 within the existing right-of-way. It's an

1  
2 existing condition. I don't know that it's a  
3 problem, I just wanted to bring it to everyone's  
4 attention.

5 Then the project needs a ten-day  
6 notification for the adjoiners in compliance with  
7 the notification requirements of the Zoning  
8 Ordinance.

9 At this time a referral to the ZBA is  
10 the only action the Board can take.

11 CHAIRMAN EWASUTYN: Michael, would you  
12 outline what the letter will state?

13 MR. DONNELLY: I'll prepare the letter.  
14 It will be for two area variances. The first is  
15 for lot area of -- lot 1 of the 30,203 square  
16 feet --

17 MR. HINES: It's lot 10.1. It's an  
18 existing lot number.

19 MR. DONNELLY: -- where 40,000 square  
20 feet is required. A front yard variance for that  
21 same lot where 50 feet is required and 23.3 is  
22 existing.

23 CHAIRMAN EWASUTYN: I'll move for a  
24 motion for Mike Donnelly to prepare a letter, a  
25 referral to the Zoning Board of Appeals for the

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two lot area requirements.

MR. WARD: So moved.

MR. MENNERICH: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Pat, you'll contact the assessor's office for the mailing list.

MR. HINES: Yes.

(Time noted: 7:53 p.m.)

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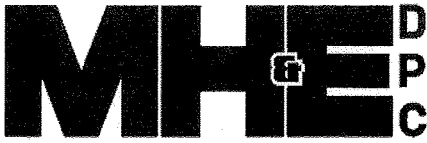
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DATED: October 23, 2015

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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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**TOWN OF NEWBURGH  
PLANNING BOARD  
TECHNICAL REVIEW COMMENTS**

**PROJECT NAME: LANDS OF WEDDELL**  
**PROJECT NO.: 15-27**  
**PROJECT LOCATION: SECTION 89, BLOCK 1, LOTS 10.1, 10.2, 77.1 & 77.2**  
**REVIEW DATE: 25 SEPTEMBER 2015**  
**MEETING DATE: 1 OCTOBER 2015**  
**REPRESENTATIVE: VINCENT J. DOCE ASSOCIATES**

1. Referral to the Zoning Board of Appeals is required as lot 10.1 does not have sufficient lot area.
  - a. 30,203 present while 40,000 required.
  - b. Front yard 50 foot required while 49 proposed (23.3).
  - c. One side yard 30 feet required, while 23 is proposed. If the 23 foot side yard identified is considered a front yard, the side yard variance may not be required.
2. Existing and proposed access and maintenance agreements for the common driveway should be received. All parties to the existing common driveway easement must be parties to the modification. Metes and bounds of the common driveway should be provided in the easement.
3. The wells serving lot 10.2 are depicted within the existing and proposed right of way.
4. Compliance with notification requirements for the lot line change must be provided. A mailing must be performed within 10 days of the Planning Board meeting identifying that the project is before the Board.

Respectfully submitted,

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

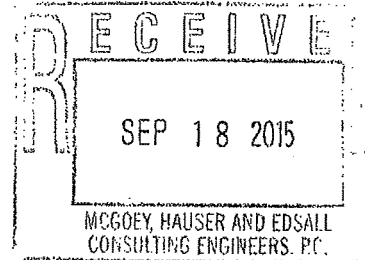
\_\_\_\_\_  
Patrick J. Hines  
Principal

# VINCENT J. DOCE ASSOCIATES

ENGINEERS ~ SURVEYORS ~ PLANNERS  
PROJECT CONSULTANTS ~ LAND CONSULTANTS  
242 SOUTH PLANK ROAD, NEWBURGH, NEW YORK 12550  
TEL. 845-561-1170 ~ FAX 845-561-7738

September 14, 2015

John P. Ewasutyn, Chairman  
Town of Newburgh Planning Board  
308 Gardnertown Road  
Newburgh, NY 12550



RE: Lot Line Change Plan lands of Weddell  
6, 12, 14 and 7 Heritage Lane  
Town of Newburgh Tax Parcels: Section 89 Block 1 Lot 10.1, 10.2, 77.1 and 77.2  
Town Project No. 15-27

Dear Mr. Ewasutyn:

Enclosed are 12 sets of the above referenced plan, application with a short EAF and the required fees.

The applicant proposes a lot line change involving the above referenced parcels situated on Heritage Lane, an existing private drive located off of International Boulevard. The parcels are located in the R-1 Zoning District, the Valley Central School District and the Coldenham Fire District. The parcels contain existing dwellings utilizing individual wells and sanitary disposal systems. Since the parcels involved are developed and the slope of the land is relatively flat, the applicant requests that the planning board waive the requirement for a contour survey.

Tax parcel section 89 block 1 lot 10.1 (S/B/L 89-1-10.1) is an existing non-conforming lot. The required lot area for a single family dwelling in the R-1 zone is 40,000 square feet. The area of this parcel is 0.70 acres. The parcel contains an existing single-family home that does not meet the required front yard setback, side yard setback or lot width as per the existing zoning law. As a result of the lot line change, the area of this parcel will remain 0.70 acres. However, the lot width will now be conforming. The lot line change will not increase the degree of or create any new non-conformity.

Tax parcel section 89 block 1 lot 10.2 (S/B/L 89-1-10.2) is currently 1.22 +/- acres in size. This lot will be increased to 2.17 +/- acres. Tax parcel section 89 block 1 lot 77.2 (S/B/L 89-1-77.2) is 0.73 +/- acres in size and is non-conforming. The area of this parcel will increase to a conforming 0.94 +/- acres. Tax parcel section 89 block 1 lot 77.1 (S/B/L 89-1-77.1) is 6.11 +/- acres in size. The area of this parcel will decrease to 4.75 +/- acres. These three parcels will meet all the bulk requirements for single-family dwellings.



# VINCENT J. DOCE ASSOCIATES

ENGINEERS ~ SURVEYORS ~ PLANNERS

PROJECT CONSULTANTS - LAND CONSULTANTS

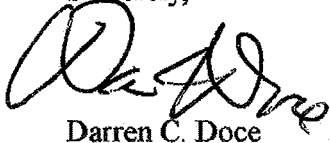
242 SOUTH PLANK ROAD, NEWBURGH, NEW YORK 12550

TEL. 845-561-1170 ~ FAX 845-561-7738

A shown on the lot line change plan, the driveway for S/B/L 89-1-10.2 is not located entirely on said parcel. As a result of the lot line change, this driveway will be located entirely on S/B/L 89-1-10.2. Also as shown on the plan, Heritage Lane does not fall within the existing right-of-way. As part of this proposal, the right-of-way will be relocated to conform to the physical location of Heritage Lane.

If any further explanation is required, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darren C. Doce', written in a cursive style.

Darren C. Doce

