

**PB# 03-01**

**Kielly Estates**

**57-1-4**

TOWN OF NEW WINDSOR  
PLANNING BOARD  
**APPROVED COPY**

DATE: 3-7-07

03-01

KLING STUBBS  
LAKE ROAD - 10 E01

Map Number 11d1-07 City 1  
Section 57 Block 1 Lot 4 Town 1 Village New Windsor

Title: Kelly Estates

Dated: ~~3-15-07~~ 3-22-07 Filed 3-22-07

Approved by Genaro Argenio

on 3-17-07 ✓

Record Owner Francis G. Coleman

DONNA L. BENSON  
Orange County Clerk

8 sheets \$80<sup>00</sup>  
4 Copies \$12<sup>00</sup>  

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Total 92<sup>00</sup>

03-01-07

RECORDED/FILED-ORANGE COUNTY  
BOOK 02007 PAGE 0164  
03/22/2007 13:53:18  
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RECEIPT#709501 pafvt



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/23/2007

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 3-1

NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/07/2007	PLANS STAMPED	APPROVED
04/26/2006	P.B. APPEARANCE . WAIVED FINAL PUBLIC HEARING - NEED NOTE FOR 15" CULVERTS ON . PLAN - NEED BOND ESTIMATES - NEED MAINTENANCE AGREEMENT	WVE FINAL PH APP CON
02/08/2006	PRELIMINARY APPROVAL	GRANTED 6 MO EXT
12/08/2004	REQUEST FOR PRELIM APP EXT. . EXPIRES 6/09/05	GRANTED 6 MOS
06/09/2004	P.B. APPEARANCE	LA:ND PRELIM APPR
03/24/2004	P.B. APPEARANCE - PUBLIC HEA . NEED NOTE ON PLAN FOR STONE WALL REMOVALS - ADDRESS MARK'S . COMMENTS - ADDRESS 911 COMMENTS - NEED LA LETTER	CLSD PH: TO RETURN
01/22/2003	P.B. APPEARANCE . AUTHORIZED LEAD AGENCY LETTER - SCHEDULE PUBLIC HEARING - . NEED ROAD PROFILE - ADDRESS MARK'S COMMENTS - REVISE PLAN . FOR PH - NAME ROAD	LA LETR - SCHED PH
12/04/2002	WORK SHOP APPEARANCE	SUBMIT
10/02/2002	WORK SHOP APPEARANCE	REV & RET

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/23/2007

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LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 3-1

NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053

APPLICANT: COLEMAN, FRANCIS G.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	01/02/2003	EAF SUBMITTED	01/02/2003	WITH APPLIC
ORIG	01/02/2003	CIRCULATE TO INVOLVED AGENCIES	01/22/2003	AUTH LETR
ORIG	01/02/2003	LEAD AGENCY DECLARED	06/09/2004	TOOK LA
ORIG	01/02/2003	DECLARATION (POS/NEG)	06/09/2004	DECL NEG DEC
ORIG	01/02/2003	SCHEDULE PUBLIC HEARING	01/22/2003	SCHED PH
ORIG	01/02/2003	PUBLIC HEARING HELD	03/24/2004	CLOSED PH
ORIG	01/02/2003	WAIVE PUBLIC HEARING	/ /	
ORIG	01/02/2003	PRELIMINARY APPROVAL	/ /	
ORIG	01/02/2003		/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2007

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LISTING OF PLANNING BOARD **FEES**  
**PERFORMANCE BND**

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/01/2007	PERFOR BOND AMOUNT	CHG	53264.00		
03/01/2007	REC. CK. #104	PAID		53264.00	
		TOTAL:	53264.00	53264.00	0.00

*John Coleman*  
3-1-07

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/23/2006	2% OF 53,264. INSPEC FEE	CHG	1065.28		
03/01/2007	REC. CK. #102	PAID		1065.28	
		TOTAL:	1065.28	1065.28	0.00

*John Henney*  
3-1-07

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES  
RECREATION

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/23/2006	9 LOT REC FEE	CHG	18000.00		
03/01/2007	REC. CK. #103	PAID		18000.00	
		TOTAL:	18000.00	18000.00	0.00

*John Funnari*  
3-1-07

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/02/2003	REC. CK. #199	PAID		1050.00	
01/22/2003	P.B. ATTY. FEE	CHG	35.00		
01/22/2003	P.B. MINUTES	CHG	22.50		
03/24/2004	P.B. MINUTES	CHG	22.50		
03/24/2004	P.B. ATTY. FEE	CHG	35.00		
06/09/2004	P.B. ATTY. FEE	CHG	35.00		
06/09/2004	P.B. MINUTES	CHG	13.50		
04/26/2006	P.B. ATTY. FEE	CHG	35.00		
04/26/2006	P.B. MINUTES	CHG	35.00		
10/19/2006	P.B. ENGINEER FEE	CHG	773.20		
03/01/2007	RET TO APPLICANT	CHG	43.30		
		TOTAL:	1050.00	1050.00	0.00

*John Funnage*  
3-1-07

3/1/07  
L.R.

**Town of New Windsor**  
**555 Union Avenue**  
**New Windsor, NY 12553**  
**(845) 563-4611**

**RECEIPT**  
**#139-2007**

03/01/2007

**Coleman Jr, Francis**

Received \$ 550.00 for Planning Board Fees, on 03/01/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
**Town Clerk**

*PB #03-01 approval fee*

**RIDER, WEINER & FRANKEL, P.C.**

ATTORNEYS & COUNSELLORS AT LAW

655 LITTLE BRITAIN ROAD  
NEW WINDSOR, NEW YORK 12553

(MAILING ADDRESS:)

POST OFFICE BOX 2280

NEWBURGH, NEW YORK 12550

TEL. (845) 562-9100

FAX (845) 562-9126

DAVID L. RIDER  
CHARLES E. FRANKEL  
MICHAEL J. MATSLER  
DONNA M. BADURA  
MAUREEN CRUSH  
MARK C. TAYLOR  
RODERICK E. DE RAMON  
M. JUSTIN RIDER (NY AND FL)  
SHAY A. HUMPHREY  
JEFFREY S.E. SCULLEY (NY AND IL)  
MICHELLE F. RIDER (NY AND FL)

M.J. RIDER (1906-1968)  
ELLIOTT M. WEINER (1915-1990)

STEPHEN P. DUGGAN, III  
BRUCE C. DUNN, SR.  
COUNSEL

MOACYR R. CALHELHA  
CRAIG F. SIMON  
DAVID E. TOWER  
OF COUNSEL

firm@riderweiner.com  
www.riderweiner.com

February 27, 2007

Ms. Myra Mason  
Planning Board Secretary  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

RE: KEILLY ESTATES  
FRANCIS COLEMAN SUBDIVISION  
LAKE ROAD – TOWN OF NEW WINDSOR

Dear Myra:

Enclosed herewith please find the following checks regarding the above referenced matter:

101 – TOWN OF NEW WINDSOR – \$ 550.00 – approval fee

102 – TOWN OF NEW WINDSOR - \$ 1065.28 – inspection fee

103 – TOWN OF NEW WINDSOR - \$18,000.00 – recreation fee

In accordance with my conversation with the Town Attorney's office, by copy of this letter we are forwarding to him the following check:

104 – TOWN OF NEW WINDSOR - \$53,264.00 – Cash Bond

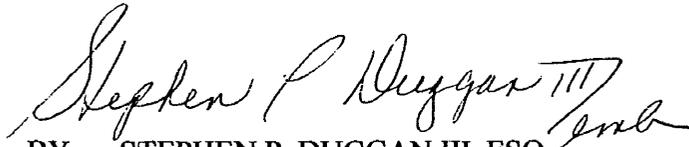
We understand that the cash bond will be deposited in a non-interest bearing account. Please forward to this office the name of the bank to which the cash bond was deposited along with a copy of the deposit slip for my client's records.

I believe we have now met the all of the requirements for final map approval. If you require anything additional, please let me know immediately.

As always, thank you for your cooperation.

Very truly yours,

RIDER, WEINER & FRANKEL, P.C.

  
BY: STEPHEN P. DUGGAN III, ESQ.

SPD:EMB  
Enclosures

CC: Mr. Francis Coleman  
Michael Blythe, Town Attorney – w/enclosure  
Town of New Windsor



**FRANCIS COLEMAN JR**  
431 LAKE RD  
NEW WINDSOR NY 12553-5936

104

29-7003/2213  
48

Date 2/23/2007

Pay to the order of Town of New Windsor | \$ 53,264.00

Fifty-three thousand two hundred sixty-four and <sup>00</sup>/<sub>100</sub> Dollars  Security features are included. Details on back.

 **Citizens Bank**

For Bond

*Francis Coleman Jr.*

⑆ 221370030⑆ ⑈ 4700477308 ⑈ 0104

RIDER, WEINER & FRANKEL, P.C.

ATTORNEYS & COUNSELLORS AT LAW

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NEW WINDSOR, NEW YORK 12553

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February 15, 2007

Michael Blythe, Town Attorney  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550

RE: PROPOSED SUBDIVISION – KIELLY ESTATES  
LAKE ROAD – TOWN OF NEW WINDSOR

Dear Mr. Blythe:

Enclosed herewith please find a copy of the Deed to be executed by Francis Coleman and original Affidavits to record the deed. This conveyance is in compliance with the subdivision approval which called for the conveyance of certain lands designated on the subdivision map for the public road. This property is being conveyed to the Town of New Windsor in accordance with the approval of the Kielly Estates subdivision.

We understand that our client will pay all title costs for title insurance for the town of New Windsor as well as all filing fees to record the executed Deed and Affidavits with the Orange County Clerk. We have already delivered to you the preliminary title insurance binder. We will insert the filed map information for the subdivision in the deed prior to recording it with the Orange County Clerk. Lake Road is already a public road maintained by the Town of New Windsor. I understand that recording the deed and providing title insurance for the Town will satisfy the all requirements with respect to the public road.

Please have the affidavits executed by the Town of New Windsor and return them to me so we can record the deed when the map is filed.

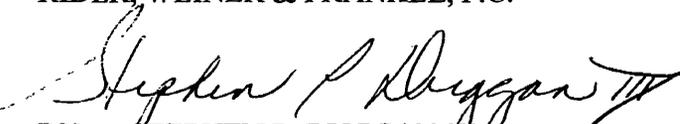
We will also be filing the private road maintenance agreement with the Orange County Clerk which has been approved by the Town of New Windsor. I am enclosing a copy of the private maintenance agreement for your information.

By copy of this letter to Myra Mason at the Town of New Windsor, I am also forwarding a copy of the deed, affidavits, and private road maintenance agreement. Mr. Coleman will be providing me with the necessary fees due the Town of New Windsor and we expect to have the fees to you in approximately once week.

Thank you for your cooperation. Please call me if you have any questions or if you require anything additional with respect to this conveyance.

Very truly yours,

RIDER, WEINER & FRANKEL, P.C.

  
BY: STEPHEN P. DUGGAN III

SPD:LIZ

cc: Mr. Francis Coleman  
Ms. Myra Mason, Town of New Windsor

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S  
ACTS (INDIVIDUAL OR CORPORATION)**

**FORM 8007**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND  
REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.**

***THIS INDENTURE***, made the \_\_\_\_\_ day of \_\_\_\_\_, two thousand and  
SEVEN, between

FRANCIS G. COLEMAN, JR. n/k/a FRANCIS G. COLEMAN, RESIDING AT 431  
LAKE ROAD, NEW WINDSOR, NY 12553,

party of the first part, and

TOWN OF NEW WINDSOR, A MUNICIPAL CORPORATION, HAVING ITS  
PRINCIPAL PLACE OF RESIDENCE AT 555 UNION AVENUE, NEW WINDSOR, NEW  
YORK 12553,

party of the second part,

***WITNESSETH***, that the party of the first part, in consideration of TEN dollars (\$10.00),  
lawful money of the United States, paid by the party of the second part, does hereby grant and  
release unto the party of the second part, the heirs or successors and assigns of the party of the  
second part forever,

***ALL*** that certain plot, piece or parcel of land, with the buildings and improvements  
thereon erected, situate, lying and being MORE PARTICULARLY DESCRIBED ON  
SCHEDULE 'A' ATTACHED HERETO AND MADE A PART HEREOF.

[Premises tax map]

PART OF 57 - 1 - 4

***TOGETHER*** with all right, title and interest, if any, of the party of the first part in and to  
any streets and roads abutting the above described premises to the center lines thereof,

***TOGETHER*** with the appurtenances and all the estate and rights of the party of the first  
part in and to said premises,

***TO HAVE AND TO HOLD*** the premises herein granted unto the party of the second part,  
the heirs or successors and assigns of the party of the second part forever.

***AND*** the party of the first part, covenants that the party of the first part has not done or  
suffered anything whereby the said premises have been encumbered in any way whatever, except  
as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

-----  
FRANCIS G. COLEMAN, JR. n/k/a

-----  
FRANCIS G. COLEMAN

-----  
**IN PRESENCE OF:**  
-----

Acknowledgment

STATE OF NEW YORK    )  
                                  ) ss.:  
COUNTY OF ORANGE    )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2007 before me, the undersigned, personally appeared FRANCIS G. COLEMAN, JR. n/k/a FRANCIS G. COLEMAN personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

# James A. Dillin, PLS

PROFESSIONAL LAND SURVEYOR  
38 SCOTCHTOWN AVENUE  
GOSHEN, NEW YORK 10924  
PHONE (845) 294-9086 FAX (845) 294-3606

Lands to be Gratuitously Conveyed to  
the Town of New Windsor for Highway Purposes

All that certain plot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange, State of New York, known and designated as being "Lands to be gratuitously conveyed to the Town of New Windsor" as shown on map entitled, "Subdivision of Property for Kielly Estates" filed in the Orange County Clerk's Office on as Map and being more particularly bounded and described as follows:

Beginning at a point in the centerline of Lake Road, where the same is intersected by the northerly boundary of Pennsylvania Lines and running thence along the centerline of Lake Road the following four courses and distances:

1. N21°12'33"E a distance of 800.00 feet,
2. N21°44'33"E a distance of 447.95 feet,
3. N20°41'23"E a distance of 286.64 feet,
4. N23°53'59"E a distance of 169.79 feet to a point;

thence through Lake Road and along the southerly boundary of lands now or formerly Coleman (Liber 2215 Page 657) S74°58'42"E a distance of 25.30 feet to a point; thence along the westerly boundary of Lot #10 and Lot #5 through Lot #1 the following four courses and distances:

1. S23°53'59"W a distance of 173.00 feet,
2. S20°41'23"W a distance of 286.17 feet,
3. S21°44'33"W a distance of 448.07 feet,
4. S21°12'33"W a distance of 793.24 feet to a point;thence along the northerly

boundary of Pennsylvania Lines on a curve to the left having a radius of 3889.83 and an arc length of 25.87 feet to the point of beginning, containing 0.977 acres.



Recording office time stamp

New York State Department of Taxation and Finance

# Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Please print or type.

**Schedule A — Information relating to conveyance**

Grantor/Transferor <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Other	Name (if individual; last, first, middle initial) <b>FRANCIS G. COLEMAN, JR., n/k/a FRANCIS G. COLEMAN</b>	Social security number
	Mailing address <b>431 LAKE ROAD</b>	Social security number
	City State ZIP code <b>NEW WINDSOR NEW YORK 12553</b>	Federal employer ident. number
	Grantee/Transferee	Name (if individual; last, first, middle initial) <b>TOWN OF NEW WINDSOR</b>
<input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Other	Mailing address <b>555 Union Avenue</b>	Social security number
	City State ZIP code <b>New Windsor NEW YORK 12553</b>	Federal employer ident. number

Location and description of property conveyed

Tax map designation			Address	City/village	Town	County
Section	Block	Lot				
p/o 57	1	4	LAKE ROAD		NEW WINDSOR	ORANGE

Type of property conveyed (check applicable box)

1 <input type="checkbox"/> One- to three-family house 2 <input type="checkbox"/> Residential cooperative 3 <input type="checkbox"/> Residential condominium 4 <input checked="" type="checkbox"/> Vacant land	5 <input type="checkbox"/> Commercial/Industrial 6 <input type="checkbox"/> Apartment building 7 <input type="checkbox"/> Office building 8 <input type="checkbox"/> Other for public road	Date of conveyance <table style="border: 1px solid black; width: 100%;"> <tr> <td style="width: 33%; text-align: center;">month</td> <td style="width: 33%; text-align: center;">day</td> <td style="width: 33%; text-align: center;">year</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">2007</td> </tr> </table> Percentage of real property conveyed which is residential real property <u>0</u> % (see instructions)	month	day	year			2007
month	day	year						
		2007						

Condition of conveyance (check all that apply)

- |   |  |  |
|---|--|--|
| a. <input checked="" type="checkbox"/> Conveyance of fee interest<br><br>b. <input type="checkbox"/> Acquisition of a controlling interest (state percentage acquired _____ %)<br><br>c. <input type="checkbox"/> Transfer of a controlling interest (state percentage transferred _____ %)<br><br>d. <input type="checkbox"/> Conveyance to cooperative housing corporation<br><br>e. <input type="checkbox"/> Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E) | f. <input type="checkbox"/> Conveyance which consists of a mere change of identify or form of ownership or organization (attach Form TP-584.1, Schedule F)<br><br>g. <input type="checkbox"/> Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)<br><br>h. <input type="checkbox"/> Conveyance of cooperative apartment(s)<br><br>i. <input type="checkbox"/> Syndication<br><br>j. <input type="checkbox"/> Conveyance of air rights or development rights<br><br>k. <input type="checkbox"/> Contract assignment | l. <input type="checkbox"/> Option assignment or surrender<br><br>m. <input type="checkbox"/> Leasehold assignment or surrender<br><br>n. <input type="checkbox"/> Leasehold grant<br><br>o. <input type="checkbox"/> Conveyance of an easement<br><br>p. <input type="checkbox"/> Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part III)<br><br>q. <input type="checkbox"/> Conveyance of property partly within and partly outside the state<br><br>r. <input type="checkbox"/> Other (describe) _____ |
|---|--|--|

<i>For recording officer's use</i>	Amount received Schedule B., Part I \$ _____ Schedule B., Part II \$ _____	Date received	Transaction number
------------------------------------	--	---------------	--------------------

**Schedule B — Real estate transfer tax return (Tax Law, Article 31)**

**Part I — Computation of tax due**

- 1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III) .....  **Exemption claimed**
- 2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien) .....
- 3 Taxable consideration (subtract line 2 from line 1) .....
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3 .....
- 5 Amount of credit claimed (see instructions and attach Form TP-584.1, Schedule G) .....
- 6 Total tax due\* (subtract line 5 from line 4) .....

1.	-0	00-
2.		
3.		
4.		
5.		
6.		

**Part II — Computation of additional tax due on the conveyance of residential real property for \$1 million or more**

- 1 Enter amount of consideration for conveyance (from Part I, line 1) .....
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) .....
- 3 Total additional transfer tax due\* (multiply line 2 by 1% (.01)) .....

1.		
2.		
3.		

**Part III — Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)**

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) ..... a
- b. Conveyance is to secure a debt or other obligation ..... b
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance ..... c
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts ..... d
- e. Conveyance is given in connection with a tax sale ..... e
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F ..... f
- g. Conveyance consists of deed of partition ..... g
- h. Conveyance is given pursuant to the federal Bankruptcy Act ..... h
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property ..... i
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment ..... j
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents supporting such claim) ..... k
- l. Other (attach explanation) ..... l

\*Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in New York City, make check(s) payable to the **NYC Department of Finance**. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

**Schedule C — Credit Line Mortgage Certificate (Tax Law, Article 11)**

Complete the following only if the interest being transferred is a fee simple interest.

I (we) certify that: (check the appropriate box)

1.  The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2.  The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
  - The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
  - The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
  - The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
  - The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

**Please note:** for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

  - Other (attach detailed explanation).
3.  The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
  - A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
  - A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4.  The real property being transferred is subject to an outstanding credit line mortgage recorded in \_\_\_\_\_ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is \_\_\_\_\_. No exemption from tax is claimed and the tax of \_\_\_\_\_ is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City, make check payable to the **NYC Department of Finance**.)

**Signature (both the grantor(s) and grantee(s) must sign)**

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete.

Grantor signature FRANCIS G. COLEMAN, JR., n/k/a	Title	Grantee signature TOWN OF NEW WINDSOR	Title
Grantor signature FRANCIS G. COLEMAN	Title	Grantee signature	Title

**Reminder:** Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in New York City, to the **NYC Department of Finance**? If no recording is required, send your check(s), made payable to the **Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

**Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)**

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

**Part I - New York State residents**

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

**Certification of resident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name FRANCIS G. COLEMAN, JR., n/k/a	Date
Signature	Print full name FRANCIS G. COLEMAN	Date
Signature	Print full name	Date
Signature	Print full name	Date

**Note:** A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

**Part II - Nonresidents of New York State**

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on page 1 of Form TP-584.

**Exemption for nonresident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

- The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from \_\_\_\_\_ to \_\_\_\_\_ (see instructions).  
Date Date
- The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

PLEASE TYPE OR PRESS FIRMLY WHEN WRITING ON FORM  
 INSTRUCTIONS: [http:// www.orps.state.ny.us](http://www.orps.state.ny.us) or PHONE (518) 473-7222

FOR COUNTY USE ONLY

C1. SWIS Code \_\_\_\_\_

C2. Date Deed Recorded \_\_\_\_\_  
 Month Day Year

C3. Book \_\_\_\_\_ C4. Page \_\_\_\_\_



**REAL PROPERTY TRANSFER REPORT**

STATE OF NEW YORK  
 STATE BOARD OF REAL PROPERTY SERVICES

**RP - 5217**

RP-5217 Rev 3/97

**PROPERTY INFORMATION**

1. Property Location LAKE ROAD  
 STREET NUMBER STREET NAME

New Windsor 12553  
 CITY OR TOWN VILLAGE ZIP CODE

2. Buyer Name TOWN OF NEW WINDSOR  
 LAST NAME / COMPANY FIRST NAME

\_\_\_\_\_  
 LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)  
 \_\_\_\_\_  
 LAST NAME / COMPANY FIRST NAME

\_\_\_\_\_  
 STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed \_\_\_\_\_ # of Parcels OR  Part of a Parcel

(Only if Part of a Parcel) Check as they apply:  
 4A. Planning Board with Subdivision Authority Exists

5. Deed Property Size \_\_\_\_\_ X \_\_\_\_\_ OR \_\_\_\_\_ .977 acres  
 FRONT FEET DEPTH ACRES

4B. Subdivision Approval was Required for Transfer   
 4C. Parcel Approved for Subdivision with Map Provided

6. Seller Name COLEMAN FRANCIS G.  
 LAST NAME / COMPANY FIRST NAME

\_\_\_\_\_  
 LAST NAME / COMPANY FIRST NAME

7. Check the box below which most accurately describes the use of the property at the time of sale:

Check the boxes below as they apply:  
 8. Ownership Type is Condominium

- A  One Family Residential
- B  2 or 3 Family Residential
- C  Residential Vacant Land
- D  Non-Residential Vacant Land
- E  Agricultural
- F  Commercial
- G  Apartment
- H  Entertainment / Amusement
- I  Community Service
- J  Industrial
- K  Public Service
- L  Forest

- 9. New Construction on Vacant Land
- 10A. Property Located within an Agricultural District
- 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

**SALE INFORMATION**

11. Sale Contract Date

Month	n/a	Year
-------	-----	------

12. Date of Sale / Transfer

Month		Year
		2007

13. Full Sale Price

9	9	0	0	0	0	0
---	---	---	---	---	---	---

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale

9	9	0	0	0	0	0
---	---	---	---	---	---	---

15. Check one or more of these conditions as applicable to transfer:

- A  Sale Between Relatives or Former Relatives
- B  Sale Between Related Companies or Partners in Business
- C  One of the Buyers is also a Seller
- D  Buyer or Seller is Government Agency or Lending Institution
- E  Deed Type **not** Warranty or Bargain and Sale (Specify Below)
- F  Sale of Fractional or Less than Fee Interest (Specify Below)
- G  Significant Change in Property Between Taxable Status and Sale
- H  Sale of Business is Included in Sale Price
- I  Other Unusual Factors Affecting Sale Price (Specify Below)
- J  None

**ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill**

16. Year of Assessment Roll from which information taken

0, 7

17. Total Assessed Value (of all parcels in transfer)

9	9	4	7	2	0	0
---	---	---	---	---	---	---

18. Property Class

1, 0, 5

19. School District Name

WASHINGTONVILLE

20. Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

part of 57 - 1 - 4

**CERTIFICATION**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

**BUYER****BUYER'S ATTORNEY**

BUYER SIGNATURE

DATE

TOWN OF NEW WINDSOR

555

Union Avenue

STREET NUMBER

STREET NAME (AFTER SALE)

New Windsor

NY

12553

CITY OR TOWN

STATE

ZIP CODE

**SELLER**

LAST NAME

FIRST NAME

AREA CODE

TELEPHONE NUMBER

NEW YORK STATE  
COPY

SELLER SIGNATURE

DATE

## **DECLARATION OF PRIVATE ROAD AND DRAINAGE EASEMENT**

Declaration made this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by FRANCIS G. COLEMAN, JR., n/k/a/ FRANCIS G. COLEMAN, with an address at 431 Lake Road, New Windsor, NY 12553, hereafter called "DEVELOPER".

### WITNESSETH:

WHEREAS, the Developer is the owner of property described in a Subdivision Map entitled "Subdivision of Property for KIELLY ESTATES," a ten lot subdivision of single family residential houses, of which six lots will share the use of the private road with a drainage easement now known as Kielly Court; and

WHEREAS, the Developer wishes to provide a private road with drainage easement for ingress and egress for such houses to the nearest public highway, and such private road is more fully described on Schedule "A" and the drainage easement is more fully described on Schedule "B" annexed hereto and made a part hereof; and

WHEREAS, the Developer has deemed it desirable for the orderly maintenance and preservation of such road and drainage easement that each of the six residential houses in this subdivision share responsibility for the maintenance and upkeep of such road and drainage easement;

NOW THEREFORE the Developer, for itself, its successors and assigns declares that the real property described in Schedule "A" and more commonly referred to as Kielly Court, shall be designated as a private road for the use and benefit of the homeowners of the six lots using the private road known as Kielly Court, and the property description described in Schedule "B" referred to as the drainage easement, are subject to the following:

1. The owners of each of the six subdivision lots and their heirs, successors, distributes and assigns shall have joint, equal and mutual rights to use said private road for all ordinary purposes of ingress and egress of pleasure and other vehicles over the same for their mutual convenience and benefit forever, or until the road which is the subject of this Agreement becomes a public highway by act of the appropriate municipal authorities, or by act of law; and such easement and ownership shall be appurtenant to and shall pass with the title to every home.
2. Each owner of the said six lots will be an owner of a portion of the land comprising such private road, and that such interest in the private road is not severable from the ownership of each lot and that any conveyance of a lot must also convey the ownership interest in and easement over the private road and subject to the drainage easement.

3. Each lot owner in the six lots using the private road for ingress and egress shall be responsible for one sixth of the cost of snow clearance, road maintenance, repair, and any other expense incurred for such road and drainage easement, as hereinafter defined and each lot owner of the six lots using the road shall be responsible for one-sixth of the cost of maintenance and any other expenses incurred for maintenance of the drainage easement..
4. No owner shall ever obstruct such road or drainage easement in any manner but shall cooperate in keeping said road and drainage easement open for the use of all parties interested therein and emergency vehicles.
5. For the purposes of the orderly maintenance of said road and drainage easement, the owners of the six parcels shall on September 1<sup>st</sup> of each year, or as soon thereafter as practical, elect a chairman from among the owners who will serve until his/her successor is duly elected. The chairman's duties will include collecting a proportionate share of the expense of maintaining the road and drainage easement and maintenance agreement from each owner and paying for those items of road and drainage easement maintenance that are deemed necessary by a majority of the owners of the six lots. The owners of each lot shall be entitled to a single vote for the office of chairman and for any items related to the maintenance of the road and drainage easement. In addition to each lot owner's proportionate share of the expense, the chairman shall collect from each lot owner the sum of \$100.00 per annum, which sum shall be placed in a contingency fund to be used for unexpected expenses incurred on behalf of the private road and drainage easement.
6. The words "maintenance" and "repair" as used in this Declaration shall be defined as all costs and expenses in connection with said private road and drainage easement, including the cost of snow removal, the application of sand when snow or ice conditions prevail, the sweeping, clearing of litter, trimming shrubs and trees within the right of way, surfacing and re-surfacing, gravelling, re-gravelling, filling in of holes, and all those items necessary so as to make it convenient and safe for the owners of the aforesaid six lots to use said private roadway and maintain roadway and in passable condition and maintain the drainage easement as necessary.
7. All lot owners agree that the roadway shall always be maintained so as to be passable by ordinary passenger vehicles and emergency vehicles and this shall include prompt repair of "potholes" or other defects in the roadway which cause said roadway to fail to meet that standard or cause said roadway to become otherwise substandard.
8. Unless otherwise agreed to by the lot owners, it is hereby declared as a minimum standard that in the event the accumulation of snow exceeds three inches as to the average depth, the chairman is authorized to engage a contractor to remove the

snow from the private roadway and/or apply sand and salt to the roadway without notice to the other lot owners.

9. In the event any lot owner fails to forward its share of expenses within seven days of the notification of the charges and excess charges, if any, the chairman shall have the right to collect the unpaid charges and excess charges for said unpaid lot owner from the remaining lots owners using said private road and forward the entire invoice amount to the contractor. In lieu of collecting the unpaid portion of any lot owners's share of maintenance and repairs from the remaining lot owners, the chairman may pay said portion from the contingency fund established above. In the event of default by a lot owner, the chairman, shall be deemed a "contractor" pursuant to Section 2 of the New York State Lien Law. The owner of any such lot having failed to pay his one sixth share shall subject his real property to the lien of the chairman. The chairman may also commence an action against the defaulting lot owner in a court of appropriate jurisdiction to recover the unpaid monies. In any action commenced against the defaulting owner of any lot, there shall be a presumption that the maintenance or repair work for which monies are owing was validly authorized and competently performed by the contractor. The defaulting owner of any lot is liable for all costs and expenses including, but not limited to reasonable attorney's fees which are incurred by the chairman in recovering said defaulting lot owner's unpaid share. In addition, if the chairman is required to appear in court in connection with the recovery of the unpaid monies owed by the defaulting owner of any lot, he shall be compensated by the defaulting lot owner in the amount of ONE HUNDRED (\$100.00) Dollars for each court appearance, plus any personal expenses. If the defaulting party is the chairman, then the owners of the other lots shall have all of the same rights and remedies as set forth herein against him. Upon collection of the defaulted lot owner's share, the chairman shall either reimburse each lot accordingly for their share of the defaulting lot owner, or, in the event to contingency fund was used to pay the defaulted share of the lot owner, replenish the contingency fund.
10. Upon receipt to a deed for a subdivision lot, or any portion thereof, each lot owner using this roadway for access to his property shall immediately become liable for its one sixth-share of the roadway maintenance and drainage easement maintenance and plowing obligations pursuant to this Declaration.
11. Any deed of conveyance must be subject to the terms and conditions of this agreement.
12. This agreement is binding upon the heirs, distributes, successors or assigns of any of the owners of the lots on Kielly Court and shall run with the land.

IN WITNESS WHEREOF, the Grantor has hereunto set his hands on the date first above written

\_\_\_\_\_  
FRANCIS G. COLEMAN, JR., n/k/a

\_\_\_\_\_  
FRANCIS G. COLEMAN

STATE OF NEW YORK            )  
  ) s.s.:  
COUNTY OF ORANGE         )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2007, before me personally came FRANCIS G. COLEMAN, JR., n/k/a FRANCIS G. COLEMAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_

# James A. Dillin, PLS

PROFESSIONAL LAND SURVEYOR  
38 SCOTCHTOWN AVENUE  
GOSHEN, NEW YORK 10924  
PHONE (845) 294-9086 FAX (845) 294-3606

## Kielly Court (Private Road)

All that certain plot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange, State of New York, known and designated as being "Kielly Court" as shown on map entitled, "Subdivision of Property for Kielly Estates" filed in the Orange County Clerk's Office on      as Map      and being more particularly bounded and described as follows:

Beginning at a point on the easterly boundary of Lake Road, where the same is intersected by the southerly boundary of Lot #10 and running thence along the easterly boundary of Lake Road N89°36'13"E a distance of 25.00 feet to a point; thence through Lot #10, Lot #9, Lot #8, Lot #7, Lot #6 and Lot #5 the following five courses and distances:

1. S69°18'37"E a distance of 311.27 feet,
2. on a curve to the left having a radius of 25.00 feet and an arc length of 23.55 feet,
3. on a curve to the right having a radius of 60.00 feet and an arc length of 301.53 feet,
4. on a curve to the left having a radius of 25.00 feet and an arc length of 23.55 feet,
5. N69°18'37"W a distance of 311.27 feet to a point;

thence along the easterly boundary of Lake Road N89°36'13"E a distance of 25.00 feet to the point of beginning.

SCHEDULE "A"

# James A. Dillin, PLS

PROFESSIONAL LAND SURVEYOR  
38 SCOTCHTOWN AVENUE  
GOSHEN, NEW YORK 10924  
PHONE (845) 294-9086 FAX (845) 294-3606

## Drainage Easement

All that certain plot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange, State of New York, known and designated as being a "Drainage Easement" as shown on map entitled, "Subdivision of Property for Kielly Estates" filed in the Orange County Clerk's Office on        as Map        and being more particularly bounded and described as follows:

Beginning at the easterly most corner of Lot #7, where the same is intersected by the westerly boundary of lands now or formerly Coleman (Liber 2215 Page 657) and running thence along the westerly boundary of lands now or formerly Coleman S21°00'00"W a distance of 8.65 feet to a point; thence through Lot #7 and Lot #8 the following two courses and distances:

1. S81°02'22"W a distance of 108.65 feet,
2. N74°52'42"W a distance of 79.72 feet to a point;

thence along the easterly boundary of Kielly Court, a private road, on a curve to the left having a radius of 60.00 feet and an arc length of 17.73 feet to a point; thence through Lot #8 the following two courses and distances:

1. S74°52'42"E a distance of 85.85 feet,
2. N81°02'22"E a distance of 114.10 feet to a point;

thence along the westerly boundary of lands now or formerly Coleman S21°00'00"W a distance of 8.66 feet to the point of beginning.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2007

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**APPROVAL**

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/23/2006	APPROVAL FEE	CHG	550.00		
03/01/2007	REC CK. #101	PAID		550.00	
		TOTAL:	550.00	550.00	0.00

KEILLY\_ESTATES\_SUBDIVISION\_(03-01)

MR. ARGENIO: Mark, next is Keilly Estates. Mark, that's something that you're going to talk about, yes?

MR. EDSALL: Yeah, there was some I'll just call it miscommunication. The applicant had asked for a reapproval but in fact they had not yet received their two 90 day extensions on their initial approval. So my suggestion is that you just grant them the two 90 day extensions of their conditional final subdivision approval, they'll then have the full 360 days that the law allows and if they aren't able to accomplish the conditions by then, then they'll have to come in and work toward an approval.

MR. CORDISCO: No problem.

MR. ARGENIO: I'd like a motion to that effect.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board, Mark, if I misspeak, correct me, grant the two 90 day extensions to Keilly Estates.

MR. EDSALL: Correct.

MR. ARGENIO: No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE



RIDER, WEINER & FRANKEL, P.C.

ATTORNEYS & COUNSELLORS AT LAW

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MICHAEL J. MATSLER  
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MAUREEN CRUSH  
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RODERICK E. DE RAMON  
M. JUSTIN RIDER (NY AND FL)  
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M.J. RIDER (1906-1968)  
ELLIOTT M. WEINER (1915-1990)

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COUNSEL

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OF COUNSEL

firm@riderweiner.com  
www.riderweiner.com

January 10, 2007

Ms. Myra Mason  
Planning Board Secretary  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

RE: KEILLY ESTATES  
FRANCIS COLEMAN SUBDIVISION  
Lake Road, Town of New Windsor

P.B.#  
03-01

1/24/07  
Granted 2 - 90-day  
extensions to original  
approval.  
(M)

Dear Myra:

In accordance with your recent telephone conversations with Liz Backer from my office, we are requesting a "reapproval" of my client's subdivision referenced above. My understanding is as follows with respect to this "reapproval".:

1. This "~~reapproval~~" will grant our client a ~~180-day extension~~ plus two 90 day extensions to accomplish the items as stated in your letter to Mr. Dillon's office dated December 19, 2006.
2. That all aspects of the subdivision have been approved and/or completed, including review by the town of the maintenance agreement. The only open items are those items listed in your letter dated December 19, 2006 requesting the required fees, which now will include the \$550 "reapproval" fee, the mylar and copies of the map, and the posting of a bond for the private road.

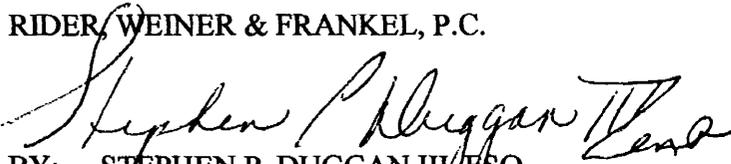
We are currently working on satisfying the town's requirements for the road bond. We hope to have everything requested in your letter dated December 19<sup>th</sup>, 2006 to you shortly.

Please let me know immediately if my understanding is incorrect.

As always, thank you for your cooperation.

Very truly yours,

RIDER, WEINER & FRANKEL, P.C.



BY: STEPHEN P. DUGGAN III, ESQ.

SPD:EMB

CC: Mr. Francis Coleman



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE PLANNING BOARD

December 19, 2006

James Dillin, PLS  
38 Scotchtown Avenue  
Goshen, NY 10924

SUBJECT: P.B. #03-01 KIELLY ESTATES SUBDIVISION

Dear Mr. Dillin:

Please find attached printouts of fees due for subject project. There is a balance remaining in the escrow account in the amount of \$43.30 that will be returned to the applicant.

Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 – Approval Fee.....	\$	550.00
Check #2 – 2% of cost estimate (inspection fee).....	\$	1,065.28
Check #3 – Recreation Fee (9 lots).....	\$	18,000.00

**PLEASE NOTE: A BOND IN THE AMOUNT OF \$53,264.00 MUST BE POSTED OR THE BONDED IMPROVEMENTS MUST BE COMPLETED PRIOR TO THE PLANS BEING STAMPED APPROVED.**

Upon receipt of these checks, bonds and ten (10) sets of plans with mylar, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

---

Myra L. Mason, Secretary To The  
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/22/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
RECREATION

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/23/2006	9 LOT REC FEE	CHG	18000.00		
		TOTAL:	18000.00	0.00	18000.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/22/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/23/2006	2% OF 53,264. INSPEC FEE	CHG	1065.28		
			-----	-----	-----
		TOTAL:	1065.28	0.00	1065.28

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/22/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/23/2006	APPROVAL FEE	CHG	550.00		
			-----	-----	-----
		TOTAL:	550.00	0.00	550.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/22/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/02/2003	REC. CK. #199	PAID		1050.00	
01/22/2003	P.B. ATTY. FEE	CHG	35.00		
01/22/2003	P.B. MINUTES	CHG	22.50		
03/24/2004	P.B. MINUTES	CHG	22.50		
03/24/2004	P.B. ATTY. FEE	CHG	35.00		
06/09/2004	P.B. ATTY. FEE	CHG	35.00		
06/09/2004	P.B. MINUTES	CHG	13.50		
04/26/2006	P.B. ATTY. FEE	CHG	35.00		
04/26/2006	P.B. MINUTES	CHG	35.00		
10/19/2006	P.B. ENGINEER FEE	CHG	773.20		
		TOTAL:	1006.70	1050.00	-43.30

# TOWN OF NEW WINDSOR

## MAJOR SUBDIVISION FEE SCHEDULE

APPLICATION FEE: \$ 150.00

ESCROW:

RESIDENTIAL:

\_\_\_\_\_ LOTS @ \$200.00 EACH LOT (FIRST FOUR LOTS) \$ \_\_\_\_\_

\_\_\_\_\_ LOTS @ \$100.00 EACH LOT OVER FOUR LOTS \$ \_\_\_\_\_

COMMERCIAL:

\_\_\_\_\_ LOTS @ \$500.00 EACH LOT (FIRST FOUR LOTS) \$ \_\_\_\_\_

\_\_\_\_\_ LOTS @ \$200.00 EACH LOT OVER FOUR LOTS \$ \_\_\_\_\_

TOTAL ESCROW DUE: \$ \_\_\_\_\_

---

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APPROVAL FEES:

PRE-PRELIMINARY PLAT APPROVAL \$ 200.00

PRELIMINARY PLAT APPROVAL (200.00 OR 20.00/LOT) \$ 200.00

FINAL PLAT APPROVAL FEE (\$100.00 + \$5.00/LOT) \$ 150.00

FINAL PLAT SECTION FEE \$ ~~100.00~~

TOTAL APPROVAL FEES: \$ 550.00

---

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RECREATION FEES:

9 LOTS @ \$2,000.00 / LOT \$ 18,000.00

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TO BE DEDUCTED FROM ESCROW:

ESCROW POSTED: \$ \_\_\_\_\_

P.B. ENGINEER FEE \$ 773.20

P.B. ATTY. FEE \$ \_\_\_\_\_

MINUTES OF MEETING \$ \_\_\_\_\_

OTHER \$ \_\_\_\_\_

TOTAL DEDUCTION: \$ \_\_\_\_\_

REFUND: \$ \_\_\_\_\_

AMOUNT DUE: \$ \_\_\_\_\_

---

---

PERFORMANCE BOND AMOUNT \$ 53,264.00

INSPECTION FEE:

2% PRIVATE IMPROVEMENTS \$ 1065.28

4% PUBLIC IMPROVEMENTS \$ —

**CONSTRUCTION COST ESTIMATE**

Project: Kielly Estates  
 Location: Lake Road

Prepared on: 9/22/2006  
 Reduced on:

Description	Type	Qty. Req'd	Qty Installed to Date	Unit Price	Total Price	Price Installed to Date
<b>I. Streets</b>						
a) Clear, grub, grade, subbase	cubic yards (CY)	3000		\$8.00	\$24,000.00	
b) Foundation course	12" Crushed Shale (CY)	400		\$30.00	\$12,000.00	
c) Base course	Item 4 (CY)	175		\$36.00	\$6,300.00	
d) Binder course					\$0.00	
e) Surface course	Oil & Chip - Double Treatment Sq Yds (SY)	1000		\$5.00	\$5,000.00	
f) Curb	N/A				\$0.00	
g) Sidewalk	N/A				\$0.00	
h) Entrances to existing roads		1		\$1,500.00	\$1,500.00	
i) Driveway aprons		6		\$750.00	\$4,500.00	
j) Temporary Turnarounds					\$0.00	
k) Miscellaneous	Topsoil & Seed (SY)	1100		\$2.00	\$2,200.00	
	Road Ditch (LF)	660		\$5.00	\$3,300.00	
					\$0.00	
					\$0.00	
					\$0.00	
				Price installed to Date		
Maintenance Bond	Less 10% of price installed to date					
(Subtotal) Amount Remaining: \$				Sub Total:	\$58,800.00	\$

RECEIVED  
 TOWN OF NEW WINDSOR  
 SEP 27 2006  
 ENGINEER & PLANNING

James A. Dillin, PLS  
 38 Scotchtown Avenue  
 Goshen, New York 10924  
 (845) 294-9086

Louis Cascino, P.E.

**CONSTRUCTION COST ESTIMATE**

Description	Type	Qty. Req'd	Qty Installed to Date	Unit Price	Total Price	Price Installed to Date
<b>II. Storm Drainage</b>						
a) Catchbasins:	Pre-Cast with Frame and Grate					
0'-6' deep		3		\$2,500.00	\$7,500.00	
6'-9' deep					\$0.00	
9'-12' deep					\$0.00	
> 12' deep					\$0.00	
b) Manholes:					\$0.00	
0'-6' deep					\$0.00	
6'-9' deep					\$0.00	
9'-12' deep					\$0.00	
> 12' deep					\$0.00	
c) End Sections	Flared	1		\$300.00	\$300.00	
d) Headwalls:					\$0.00	
0'-4' High					\$0.00	
4'-8' High					\$0.00	
>8' High					\$0.00	
e) Pipe:					\$0.00	
12"					\$0.00	
15"					\$0.00	
18"	HDPE	230		\$48.00	\$11,040.00	
18"	SDR PVC with Gaskets LF	83		\$54.00	\$4,482.00	
36"					\$0.00	
42"					\$0.00	
48"					\$0.00	
f) Swales & ditches	Grass Lined (LF)	130		\$15.00	\$1,950.00	
g) Site gradin in relation to drainage					\$0.00	
h) Rig-rap	Apron	1		\$300.00	\$300.00	
i) Rock Excavation					\$0.00	
j) Miscellaneous					\$0.00	
					\$0.00	
					\$0.00	
				Price installed to date		
<b>MAINTENANCE BOND</b>				Less 10% of price installed to date		
(Subtotal)	Amount Remaining: \$			<b>SUB TOTAL:</b>	\$25,572.00	\$

James A. Dillin, PLS  
 38 Scotchtown Avenue  
 Goshen, New York 10924  
 (845) 294-9086



CONSTRUCTION COST ESTIMATE

TOTALS:	TOTAL PRICE	PRICE INSTALLED TO DATE
I. Street	\$58,800.00	
II. Storm Drainage	\$25,572.00	
III. Water Supply	N/A	
IV. Sanitary Sewer	N/A	
V. Accessory Items	\$9,800.00	
TOTAL:	\$94,172.00	

Note: Unit Prices are those estimated for year 2006.

James A. Dillin, PLS  
38 Scotchtown Avenue  
Goshen, New York 10924  
(845) 294-9086

**Myra Mason**

---

**From:** mje [mje@mhepc.com]  
**Sent:** Thursday, October 19, 2006 10:15 AM  
**To:** Myra Mason  
**Subject:** Fw: Kielly Closeout 03-01  
**Attachments:** NW03-01-Cost Est - Closeout 10-19-06.pdf

----- Forwarded Message -----

From: "mje" <mje@mhepc.com>  
To: "NW - Myra Mason" <mmason@town.new-windsor.ny.us>  
Sent: Thu, 19 Oct 2006 10:13:03 -0400  
Subject: Kielly Closeout 03-01

Myra

Attached is the marked up improvement estimate for the project. Revised bond amount is \$53,264.

Also attached are our closeout fees.

Plan is fine to stamp & sign.

mark

Mark J. Edsall, P.E., Principal  
McGoey, Hauser & Edsall, Consulting Engineers, P.C.  
33 Airport Center Drive - Suite #202  
New Windsor, New York 12553  
(845) 567-3100

----- End of Forwarded Message -----

Mark J. Edsall, P.E., Principal  
McGoey, Hauser & Edsall, Consulting Engineers, P.C.  
33 Airport Center Drive - Suite #202  
New Windsor, New York 12553  
(845) 567-3100

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: MERWIN -- TOWN OF NEW WINDSOR

TASK: 3- 1

FOR WORK DONE PRIOR TO: 10/19/2006

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	-----DOLLARS-----		
									EXP.	BILLED	BALANCE
3-1	191738	01/21/03	TIME	MJE	MC KELLY SUB	95.00	0.50	47.50			
								47.50			
3-1	202120	06/24/03			BILL 03-774						-47.50
											-47.50
3-1	217927	01/07/04	TIME	MJE	WS KELLY ESTATES	99.00	0.40	39.60			
3-1	223466	03/23/04	TIME	MJE	MC KELLY SUBDIV	99.00	0.70	69.30			
								108.90			
3-1	225643	04/28/04			BILL 04-459						-108.90
											-108.90
3-1	226391	05/04/04	TIME	MJE	MC L/A COORD KELLY	99.00	0.40	39.60			
3-1	229586	06/09/04	TIME	MJE	MC KELLY SUB	99.00	0.60	59.40			
								99.00			
3-1	231367	06/30/04			BILL 04-687						-99.00
											-99.00
3-1	245544	12/08/04	TIME	MJE	MM +6mos Prelim	99.00	0.10	9.90			
3-1	268336	07/27/05	TIME	MJE	MM Kelly Prelim +12mos	99.00	0.10	9.90			
3-1	290354	02/08/06	TIME	MJE	MM Kelly 6mos PRELIM	115.00	0.10	11.50			
3-1	295805	03/15/06	TIME	MJE	WS KELLY EST	115.00	0.40	46.00			
3-1	299393	04/04/06	TIME	MJE	MC TC/DILLIN RE:KELLY	115.00	0.30	34.50			
3-1	299423	04/05/06	TIME	MJE	MC MC/AF DISC KELLY SU	115.00	0.40	46.00			
3-1	299380	04/06/06	TIME	MJE	PM MTG AF KVV KELLY PL	115.00	0.30	34.50			
3-1	301658	04/21/06	TIME	MM	MR KILLEY DRAINAGE KVV	99.00	0.50	49.50			
3-1	301904	04/21/06	TIME	MJE	MR KELLY SOPFF/SESC	115.00	0.30	34.50			
3-1	301905	04/21/06	TIME	MJE	MR KELLY EST SUB	115.00	0.70	80.50			
3-1	302794	04/26/06	TIME	MJE	MM Kelly Est Cond Fina	115.00	0.10	11.50			
								368.30			
3-1	300488	04/13/06			BILL 06-960						-192.30
											-192.30
3-1	306359	05/15/06	TIME	MJE	MC KELLY -REWRITE NOTE	115.00	0.40	46.00			
								46.00			

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 3- 1

FOR WORK DONE PRIOR TO: 10/19/2006

										-----DOLLARS-----	
TASK-NO	REC	--DATE--	TRAM	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
.....											
3-1	306786	05/24/06			BILL 06-1236					-222.00	
											-222.00
3-1	330997	10/18/06	TIME	MJE	MC Cost Est Rvw	115.00	0.50	57.50			
3-1	331001	10/19/06	TIME	MJE	MC Closeout Memo	115.00	0.40	46.00			
								<u>773.20</u>		<u>-669.70</u>	
<b>TASK TOTAL</b>									0.00		103.50
.....											
<b>GRAND TOTAL</b>								<u>773.20</u>		<u>-669.70</u>	103.50

RIDER, WEINER & FRANKEL, P.C.

ATTORNEYS & COUNSELLORS AT LAW

655 LITTLE BRITAIN ROAD  
NEW WINDSOR, NEW YORK 12553

(MAILING ADDRESS:)  
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DONNA M. BADURA  
MAUREEN CRUSH  
MARK C. TAYLOR  
RODERICK E. DE RAMON  
M. JUSTIN RIDER (NY AND FL)  
SHAY A. HUMPHREY  
JEFFREY S.E. SCULLEY (NY AND IL)  
MICHELLE F. RIDER (NY AND FL)

M.J. RIDER (1906-1968)  
ELLIOTT M. WEINER (1915-1990)

STEPHEN P. DUGGAN, III  
BRUCE C. DUNN, SR.  
COUNSEL

MOACYR R. CALHELHA  
CRAIG F. SIMON  
DAVID E. TOWER  
OF COUNSEL

firm@riderweiner.com  
www.riderweiner.com

December 5, 2006

Ms. Myra Mason  
Planning Board Secretary  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

RE: KEILLY ESTATES  
FRANCIS COLEMAN SUBDIVISION

Dear Myra:

I enclose herewith a copy of our third draft of the proposed Declaration of Private Road and Drainage Easement together with schedules "A" and "B" which describe the easements.

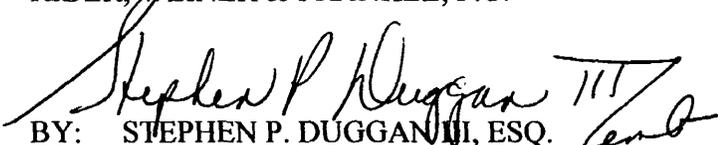
As I previously advised you, we forwarded a draft copy of this Declaration to Andrew Krieger which he returned with his comments. We have tried to incorporate his suggested changes as best we can. We had trouble reading his writing.

You kindly offered to forward this draft to the new attorney. I understand that once this draft has been approved, you will tell me the cost of the bond and any other fees required and we will file the map.

As always, thank you for your cooperation.

Very truly yours,

RIDER, WEINER & FRANKEL, P.C.

  
BY: STEPHEN P. DUGGAN III, ESQ.

SPD:EMB

CC: Mr. Francis Coleman

CONSTRUCTION COST ESTIMATE

Project: Kielly Estates  
 Location: Lake Road

Prepared on: 9/22/2006  
 Reduced on:

Description	Type	Qty. Req'd	Qty Installed to Date	Unit Price	Total Price	Price Installed to Date
<b>I. Streets</b>						
a) Clear, grub, grade, subbase	cubic yards (CY)	3000		<del>\$8.00</del>	<del>\$24,000.00</del>	
b) Foundation course	12" Crushed Shale (CY)	<del>600</del> 400		<del>\$30.00</del> 18	<del>\$12,000.00</del>	10,800
c) Base course	Item 4 (CY)	<del>175</del>		<del>\$36.00</del>	<del>\$6,300.00</del>	
d) Binder course					\$0.00	
e) Surface course	Oil & Chip - Double Treatment Sq Yds (SY)	<del>157</del> 2000		<del>\$5.00</del> 6	<del>\$5,000.00</del>	9432
f) Curb	N/A				\$0.00	
g) Sidewalk	N/A				\$0.00	
h) Entrances to existing roads		1		<del>\$1,500.00</del>	<del>\$1,500.00</del>	
i) Driveway aprons		6		<del>\$750.00</del>	<del>\$4,500.00</del>	
j) Temporary Turnarounds					\$0.00	
k) Miscellaneous	Topsoil & Seed (SY)	1100		\$2.00	\$2,200.00	
	Road Ditch (LF)	660		\$5.00	\$3,300.00	
					\$0.00	
					\$0.00	
					\$0.00	
					Price installed to Date	
Maintenance Bond		Less 10% of price installed to date				
(Subtotal) Amount Remaining: \$				Sub Total:	<del>\$58,000.00</del>	\$

25,732

03-01

RECEIVED  
 TOWN OF NEW WINDSOR  
 SEP 28 2006  
 ENGINEER & PLANNING

James A. Dillin, PLS  
 38 Scotchtown Avenue  
 Goshen, New York 10924  
 (845) 294-9086

Louis Cascino, P.E.





CONSTRUCTION COST ESTIMATE

TOTALS:	TOTAL PRICE	PRICE INSTALLED TO DATE
I. Street	<del>\$58,800.00</del>	25,732
II. Storm Drainage	<del>\$25,572.00</del>	23,732
III. Water Supply	N/A	
IV. Sanitary Sewer	N/A	
V. Accessory Items	<del>\$9,800.00</del>	3800
TOTAL:	<del>\$94,172.00</del>	53,264

Note: Unit Prices are those estimated for year 2006.

James A. Dillin, PLS  
 38 Scotchtown Avenue  
 Goshen, New York 10924  
 (845) 294-9086

April 26, 2006

4

REGULAR ITEMS:

-----  
KEILLY\_ESTATES\_(COLEMAN)\_(03-01)  
-----

Mr. James Dillin appeared before the board for this proposal.

MR. ARGENIO: This project proposes subdivision of the 24.1 acre parcel into 10 single family residential lots. The plan was previously reviewed at the 22 January, 2003 meeting, the 24 March, 2004 meeting and the 9 June, 2004 planning board meetings. Do you have a plan you can put up there for us, Mr. Dillin?

MR. DILLIN: Yes, I do.

MR. VAN LEEUWEN: Beautiful piece of property, tell you that much, I know it well.

MR. ARGENIO: You have not been here since 9 June of '04, can you tell us where you're at and what you've been doing for the benefit of the board members?

MR. DILLIN: We have received preliminary approval and we have been before the health department, there's no lot line changes, it's basically engineering to get the septics, wells approved. We had to drill wells, we had to pump a couple different times. I have applied for extensions for the board to keep our preliminary status up. We have received health department approval and we're ready for final subdivision approval.

MR. ARGENIO: Mark has a few items here.

MR. EDSALL: Mr. Chairman, they're all procedural except for one which maybe Jim could point out if I'm missing the note or just need to have it added, is the note the highway superintendent requested about driveway culverts there?

MR. ARGENIO: I have a note here, he's requesting 15 inch driveway culvert to be installed on each of the building lots, have you addressed that?

MR. DILLIN: Yes, what I did was Mark had given me that comment, I thought he meant only on Keilly Court because of the steepness. I will put the note on but Lakes Road I'm not sure we need culverts cause it runs totally away from it.

MR. EDSALL: Well, what he wasn't sure what the road side ditching was going to be when the driveways were built so he was happy with just a note and that way if they weren't needed waive it in the field, this they were required he'd call for it.

MR. ARGENIO: It's on each building lot if I'm reading it correctly.

MR. BABCOCK: That's correct.

MR. EDSALL: Any access to Lake Road would have a 15 inch culvert unless it's waived by the highway super.

MR. ARGENIO: He says each building lot, I'm asking if you can clarify.

MR. EDSALL: There are some building lots that are interior on the private road that I'm sure he really isn't considering.

MR. ARGENIO: He's concerned about the Lake Road access.

MR. EDSALL: I met with him and developed this with him so if Jim could add that note on the final plan.

MR. DILLIN: I'll add the note on, I have no problem adding that on, no.

MR. ARGENIO: We have something else here that does not specifically refer to you, sir, but I'm going to touch on it for the benefit of the other board members. I'm going to read Mark's item number 2 for the benefit of the board member, the plans are substantially the same as those considered at preliminary. As such, I recommend that the board waive the final public hearing as per the discretionary judgment under Section 257-14 (B)(2) of the Town Code. Final public hearing is something new. Mark, can you shed a little light on that for us please?

MR. EDSALL: When the Town Board asked that all departments update the Town Code and it was effectively done from cover to cover, one of the sections that was redone was the subdivision regulations and there were draft regulations provided to the Town that would bring them into conformance with today's standards and the case law. One of the enhancements that he they put into the code was the ability to have a final public hearing in case the plans changed quite a bit from when they were granted preliminary approval to when they came back for final. You've got the option to ask for a final public hearing, I would think in the great number of times I doubt you'll have one you'll waive it and this is one of them.

MR. ARGENIO: In the odd instance that we have a plan that for whatever reason Department of Health or whatever the reason changes substantially we as a board have the opportunity to open up to the public again if we see fit.

MR. EDSALL: Correct, or if there's for some reason new information you become ware of between prelim and final and you want to have the input from the public, you would have it for that reason, something I would think would be substantial to have another public hearing but in this case, it's just procedural, I would think it's appropriate to waive it.

MR. ARGENIO: Joe, you on that?

MR. MINUTA: I'm on board with that. The only issue that I have, I'm new to this plan so I really don't have a full understanding of it.

MR. ARGENIO: Well, this was before us when you served as an alternate, yeah, I actually, Joe, for the benefit of Howard who's brand new, I did call him and tell him and I called you too, I called Henry Van Leeuwen the two brand new members, I made it a point to call them because they'd never ever seen this but this was before us when you stood as an alternate or I certainly would have called you. I think that--

MR. MINUTA: Just don't have recollection of this.

MR. ARGENIO: Well, we do see a lot of plans. I'll accept a motion that we waive that final public hearing unless somebody else feels different.

MR. SCHLESINGER: I'll make the motion to waive the final public hearing in that pretty much everything is the same as the preliminary.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion has been made that the Town of New Windsor Planning Board waive the final public hearing of Keilly Estates major subdivision. If there's no further discussion from the board members, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE

April 26, 2006

8

MR. ARGENIO            AYE

MR. ARGENIO: We have, we already talked about the highway issues, Anthony Fayo's issues, I think that they have been effectively addressed, we have fire on 6/9 of '04, 911 has been approved, I'm not aware of any other issues here, there's a couple subject-tos here that I'll read in, the bond and the maintenance declaration which will go to Andy Krieger. Does anybody have anything further on this?

MR. KRIEGER: Dedications to the Town, private road maintenance comes to me.

MR. DILLIN: Okay.

MR. ARGENIO: If nobody has anything else, I'll accept a motion for final approval for Keilly Estates.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board grant Keilly Estates major subdivision final approval on Lakes Road. No further discussion for the board members, roll call.

ROLL CALL

MR. SCHLESINGER        AYE  
MR. BROWN              AYE  
MR. MINUTA             AYE  
MR. VAN LEEUWEN       AYE  
MR. ARGENIO            AYE

MR. ARGENIO: Good luck.

MR. DILLIN: Thank you very much.





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

RICHARD D. MCGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**  
33 AIRPORT CENTER DRIVE  
SUITE 202  
NEW WINDSOR, NEW YORK 12553

(845) 567-3100  
FAX: (845) 567-3232  
E-MAIL: MHENY@MHEPC.COM

**WRITER'S E-MAIL ADDRESS:**  
MJE@MHEPC.COM

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** KIELLY ESTATES MAJOR SUBDIVISION  
**PROJECT LOCATION:** LAKE ROAD  
SECTION 57 – BLOCK 1 – LOT 4  
**PROJECT NUMBER:** 03-01  
**DATE:** 26 APRIL 2006  
**DESCRIPTION:** THE PROJECT PROPOSES THE SUBDIVISION OF THE 24.14+/- ACRE PARCEL INTO TEN (10) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 22 JANUARY 2003, 24 MARCH 2004 AND 9 JUNE 2004 PLANNING BOARD MEETINGS.

1. The property is located in the R-1 zoning district of the Town. The application is before the board seeking final approval.

The application has been before the board since early 2003, having attended three prior meetings and four worksessions. A public hearing was held on 3-24-04, with SEQRA being closed on 6-9-04 with a "neg dec".

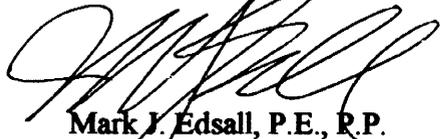
2. The plans are substantially the same as those considered at Preliminary. As such, I recommend that the Board waive the Final Public Hearing, as per their discretionary judgment under Section 257-14 (B)(2) of the Town Code.
3. The only remaining correction which was to be made (and I am unable to find such a note) is a requirement that the private road and all driveways be provided with a 15" driveway culvert, unless otherwise approved in the field by the Highway Superintendent.
4. The applicant will be required to submit a Private Road Completion Bond per the requirements of Section 252-27 (A) (8) of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3391 •

5. The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, for review by the Attorney for the Planning Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/mt  
NW03-01-26Apr06.doc



## **MEMORANDUM**

TO: Myra Mason, Planning Board Secretary

FROM: Michael Blythe, Esq.

DATE: March 1, 2007

SUBJECT: Keilly Estates  
Francis Coleman Subdivision  
Lake Road – Town of New Windsor

---

Pursuant to our conversation of today in which we discussed the fact that cash bonds for private improvements have historically been set, received and tracked by the Planning Board only and have not required Town Board authorization, I am enclosing check #104 payable to the Town of New Windsor in the sum of \$53,264.00 representing the cash bond for private improvements in the above referenced matter which was forwarded to us by the developer's attorney.

Once the same is deposited kindly provide Stephen P. Duggan, III, Esq., with the name of the bank in which it was deposited together with a copy of the deposit slip as requested in his letter of February 27, 2007.

MDB

TPB

**ORANGE COUNTY DEPARTMENT OF HEALTH  
Division of Environmental Health**

**CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS**

**TO: Francis G. Coleman  
431 Lake Road  
New Windsor, NY 12553**

The Orange County Department of Health certifies that a realty subdivision map entitled Kielly Estates, dated September 12, 2002, latest revision May 15, 2006, located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: 24.142 acres                      Number of lots: 10

Water supply: Individual wells

Sewage disposal: Individual subsurface sewage disposal systems

The owner intends to sell lots only.

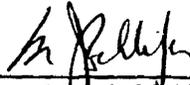
Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. **THAT** the proposed facilities are installed in conformity with said plans.
2. **THAT** no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. **THAT** the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. **THAT** the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.

5. **THAT** the sanitary facilities (water supply, any water treatment, and sewage disposal facilities) on these lots shall be inspected for compliance with the approved plans at the time of construction by a P.E., R.A. or exempt L.L.S. and that written certification to that effect shall be submitted to this Department and the Local Building Code Enforcement Officer within 30 days and prior to occupancy.
6. **THAT** individual wells and sewage treatment systems shall no longer be constructed or used for household domestic purposes when public facilities become available. Connection to the public sewerage system is required within one year of the system becoming available.
7. **THAT** plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
8. **THAT** the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.
9. **THAT** all local and state agency rules and regulations be complied with.

May 31, 2006

Date



\_\_\_\_\_, P.E.  
M.J. Schleifer, P.E.

Assistant Commissioner



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

4 May 2004

SUBJECT: KIELLY ESTATES  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
(NWPB REF. NO. 03-01)

To all Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an application for Subdivision approval of the Kielly Estates project, located Lake Road within the Town. The project involves, in general, the subdivision of a 24.1+ Acre parcel into ten (10) single-family residential lots. It is the opinion of the Town of New Windsor Planning Board that the action is an Unlisted Action under SEQRA. This letter is written as a request for Lead Agency Coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA review process, sent to the Planning Board at the above address, attention of Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved agency desire the Lead Agency position; it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a written response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position. Thank you for your attention to this matter. Should you have any questions regarding this notice, please feel free to contact the undersigned at the above number or (845) 567-3100.

Very truly yours,

*Mark Edsall, P. E.*

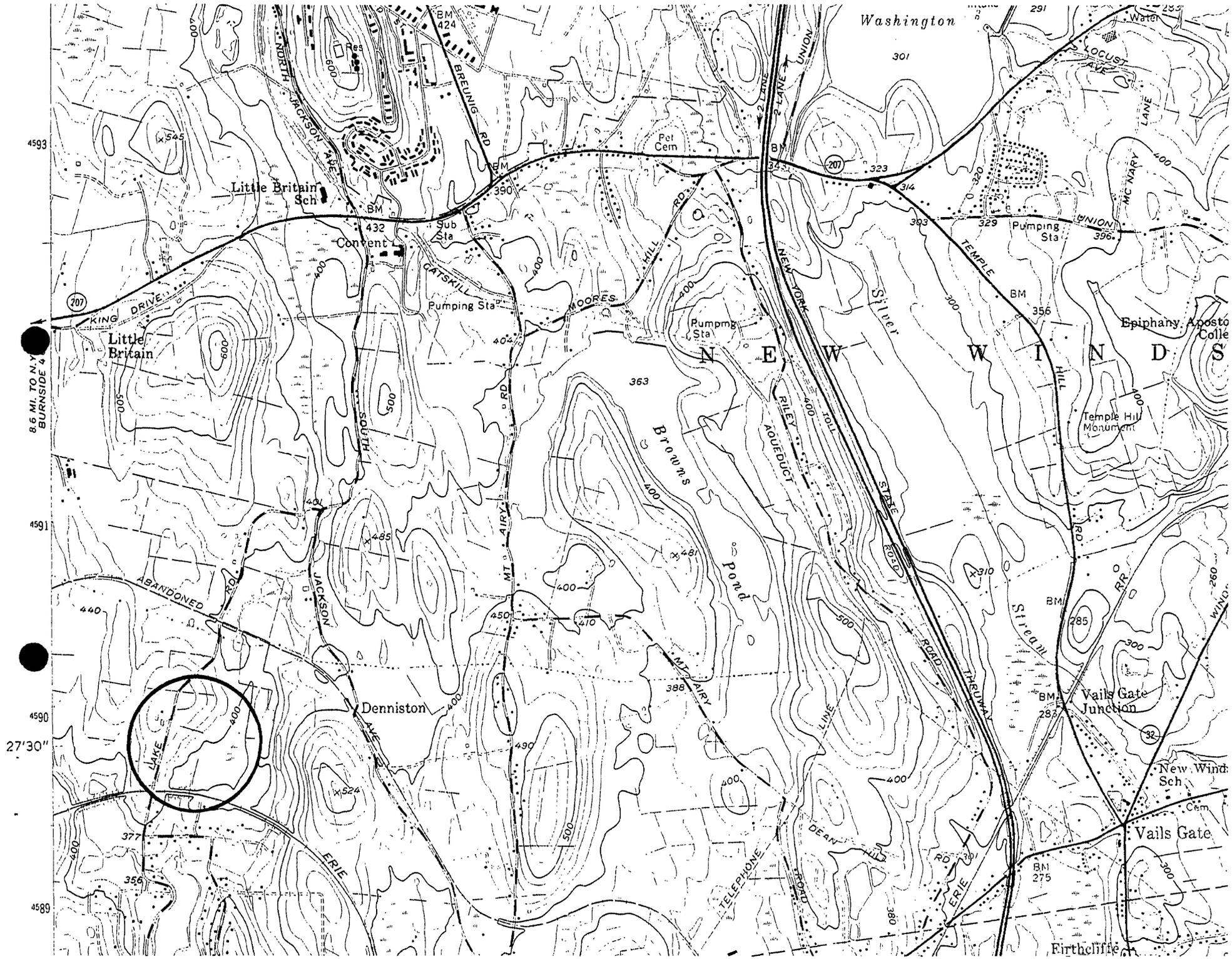
Mark J. Edsall, P.E., P.P.

Planning Board Engineer

NYS Department of Environmental Conservation, New Paltz  
New York State Parks, Recreation and Historic Preservation  
Orange County Department of Health  
George J. Meyers, Town of New Windsor Supervisor (w/o encl)  
Town of New Windsor Town Clerk (w/o encl)  
Orange County Department of Planning  
Myra Mason, Planning Board Secretary  
Planning Board Attorney (w/o encl)  
Applicant (w/o encl)

NW03-01-LA Coord Letter 05-04-04.doc

*Sent 5/5/04*



Washington

4593

4591

4590

27°30"

4589

8.6 MI. TO N.Y.  
BURNSIDE 4

Little Britain

Little Britain Sch

Convent

Pumping Sta

Pumping Sta

Pumping Sta

Vails Gate Junction

Vails Gate

Firthcliffe

N E W I N D S





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 564-6660  
Fax: (845) 564-5102

**Superintendent of Highways**  
**Anthony E. Fayo**

TO: Myra Mason, Secretary to the Planning Board  
FROM: Anthony E. Fayo, Superintendent of Highways  
DATE: April 6, 2006  
SUBJECT: Kielly Estates (Coleman Property)

I reviewed this property today with Mark Edsall and I request that fifteen (15) inch driveway pipes be installed on each building lot.

If you have any questions, please do not hesitate to contact me.

AEF/mvz

Cc: file

KIELLY\_ESTATES\_SUBDIVISION\_(03-01)

---

MR. EDSALL: Kielly Estates application 03-01 is also looking for six month extension, I recommend the extension.

MR. ARGENIO: No issues, everything in order?

MR. EDSALL: Yes.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that Kielly Estates be awarded a six month extension only for preliminary approval. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE
MR. BROWN	AYE
MR. ARGENIO	AYE



**American**  
**PLUMBER**®  
Residential

INTEGRAL BRACKET  
HOUSINGS

5

HOUSINGS

6

HIGH TEMPERATURE  
HOUSING

8

PARTS & ACCESSORIES

9

SEDIMENT CARTRIDGES

11

TASTE & ODOR  
CARTRIDGES

13

SPECIALTY CARTRIDGES

15

PHOSPHATE CRYSTAL  
CARTRIDGE

16

REFRIGERATOR/  
ICE MAKER FILTERS

17

REVERSE OSMOSIS  
SYSTEMS

19

DRINKING WATER  
SYSTEMS

20

WHOLE HOUSE  
FILTRATION SYSTEM

21

CARTRIDGE  
SELECTION GUIDES

22

PRODUCT  
SELECTION GUIDE

23

2

How important is water to our lives? Given that the human body is approximately 70% water, not only is water important to our lives, it is our lives. While the earth's water resources are abundant, the supply of clean water for drinking, cooking and cleaning continues to be threatened. For peace of mind regarding the safety of their water, American families are turning to the same water professionals who have come to rely on American Plumber.

With a durable line of professional grade products designed to exacting standards, American Plumber can help provide families with clean and good-tasting water. Our comprehensive line of filtration products, installed by professionals, can take care of a wide range of water problems, including hardness, sediment, bad taste and odor, lead and other impurities like cysts and volatile organic chemicals (VOCs).\*

\*These contaminants are not necessarily in your water, and may or may not pose a health risk.

## About Your Water

### Hard water

Hard water contains a large amount of the dissolved minerals, calcium and magnesium. Hard water is very common in American households and may have undesirable effects on your water-using appliances, your skin and hair, and your household plumbing.

### Sediment

Sediment can give water a cloudy appearance. Substances such as sand, silt, rust and scale particles may severely wear on plumbing and household appliances.

### Taste and Odor

While water that smells or tastes unpleasant may not be unhealthy, it often is undesirable to drink. Poor tasting water can adversely affect the taste of your food and beverages.

### Chlorine

Many public water systems use chlorine as a disinfecting agent to kill pathogenic bacteria or other potentially harmful organisms. While chlorine is important in effectively treating water, it may cause your water to take on a strong taste and odor.

### Hydrogen Sulfide

Well water often emits a "rotten-egg" odor that results from hydrogen sulfide gas. In addition to making your water smell unpleasant, hydrogen sulfide gas may also corrode plumbing fixtures.

### Cysts

Waterborne protozoan cysts such as *Giardia* and *Cryptosporidium* may be present in some water supplies. When ingested, the cyst-shell is shed and the organisms may infect the intestines. Because *Giardia* and *Cryptosporidium* cysts are resistant to traditional disinfection agents such as chlorine and chloramine, the organisms may not be totally removed by municipal water treatment.

### Volatile Organic Chemicals (VOCs)

These and other synthetic organic chemicals, including herbicides and pesticides, may enter the water supply through agricultural or industrial run-off, or as a by-product of chlorination. VOCs are suspected of causing certain health problems.\*

### Lead

Both tasteless and odorless, lead can leach into the water supply through the corrosion of lead pipes and solder used in older homes and water distribution systems. High levels of lead have been linked to developmental delays in children and elevated blood pressure in adults.\*

American Plumber® provides solutions to today's water problems by providing the most reliable filtration products on the market. Available exclusively through plumbing wholesalers, professional American Plumber products will make your water the very best it can be.

The contaminants or substances mentioned above are not necessarily in your water. Certain states require registration or certification for health-related reduction claims.

\* "Current Drinking Water Standards", United States Environmental Protection Agency of Water (<http://epa.gov/safewater/md.html>), April 10, 2001



## Rugged Systems for All Your Filtration Needs

An American Plumber filter system can make your family's water cleaner and better tasting at a fraction of the cost of bottled water. Our professional grade products meet virtually every household filtration need, from sediment control to chlorine taste & odor, certain organic chemicals\*, lead\* and cyst\* reduction.

While each product is designed to solve a specific water problem, your choices fall into two basic categories:

- Whole-house or point-of-entry (POE) systems are typically installed on a home's main water line, trapping sediment before it ever enters the water supply. Investing in a whole-house filter will help guard your clothes, fixtures and toilets against unsightly stains caused by iron and rust particles, and it will protect and extend the life of your appliances from sand, silt, scale and other particles.
- Drinking water or point-of-use (POU) systems are commonly installed at the kitchen faucet. American Plumber offers a variety of under-sink filters, which incorporate activated carbon drinking water cartridges designed to solve specific problems, including bad taste, odor, chlorine taste & odor, lead, VOCs (volatile organic chemicals) and cysts. Our icemaker filter connects to the automatic icemaker on your refrigerator, helping produce fresher-tasting water for ice cubes and beverages.

These quality components are installed by people who know water, your local plumbing professional. With American Plumber, you can be confident that your family is using the very best water filtration products available.

\* These contaminants are not necessarily in your water.

Certain states require registration or certification for health-related reduction claims.



### VALVE-IN-HEAD

- Valve-In-Head (VIH) closes both the inlet and outlet port simultaneously making cartridge change-outs quick and easy
- 3/4" NPT inlet/outlet
- Pressure relief button
- Accepts a wide variety of 2 1/2" to 3" diameter cartridges



Tested and Certified by NSF International

Model #	Part #	Sump	Case	Inlet NPT	Outlet Diameter	Operating Pressure (psi)	Operating Temperature (°F)	Details, Accessories, Model #
WVC34	152003	Clear	Black	3/4"	12 1/2" x 5 1/2"	30-125	40-100°	WMB34, WW34

† See page 9 for model number and description

NOTE: See chart on page 9 for flow rates with specific cartridges.



### HEAVY DUTY

- Large capacity housing for whole house and high-flow applications
- Pressure relief button
- Available with 1" or 1 1/2" NPT inlet/outlet and 10" and 20" lengths
- Available with clear or opaque sump
- Accepts large capacity 4 1/2" diameter cartridge

Model #	Part #	Sump	Case	Inlet NPT	Outlet Diameter	Operating Pressure (psi)	Operating Temperature (°F)	Details, Accessories, Model #
W10-PR	152014	Gray	Black	1"	13 1/4" x 7 1/4"	30-100	40-100°	WMB20, WWHD
W2010-PR	152015	Gray	Black	1"	23 3/4" x 7 1/4"	30-90	40-100°	WMB20, SW-4
W15-PR	152016	Gray	Black	1 1/2"	13 1/4" x 7 1/4"	30-100	40-100°	WMB20, WWHD
W2015-PR	152017	Gray	Black	1 1/2"	23 3/4" x 7 1/4"	30-90	40-100°	WMB20, SW-4
W10-BC*	152080	Clear	Blue	1"	13 1/4" x 7 1/4"	30-100	40-100°	WMB20, WWBC

\* The W-10BC includes a unique spanner wrench and replacement o-ring

† See page 9 for model number and description.

Note: To prevent costly repairs and possible water damage, we strongly recommend that the sump of all plastic housings be replaced periodically (every 5 years for clear sumps, and every 10 years for opaque sumps). Housings SHOULD NEVER be cleaned with household chemical cleaners. Use a solution of water and a mild detergent (dish soap) to clean.

# taste & odor cartridges

## RADIAL FLOW CARBON

- Ideal for whole house and other high flow rate applications
- Unique design and nominal 25-micron inner wrap reduces carbon fines as tested by American Plumber
- Effectively reduces bad taste, odor and chlorine taste & odor from water (as tested by American Plumber for the WRC25HD20)
- Recommended for whole house taste and odor filtration

WRC25HD WRC25HD20



The WRC25HD20 is Tested and Certified by NSF International for material requirements only.



The WRC25HD is Tested and Certified by NSF International.

Model	Part #	Media	Design Flow & Design Capacity	Number of Elements	Element Diameter	Length
WRC25HD	155141-51	Granular Activated Carbon	5,000* Gal @ 3 GPM	3	4 1/2"	9 1/2"
WRC25HD20	155247-51	Granular Activated Carbon	100,000 Gal @ 4 GPM	8	4 1/2"	20"

\*NSF Tested Capacity

# cartridge selection guides

## CARBON CARTRIDGE SELECTION GUIDE

Filter* Cartridge	Micron Rating†	Cartridge Reduces	Sediment	Bad Taste & Odor	Chlorine Taste & Odor	Cysts: Cryptosporidium & Giardia	VOCs: Volatile Organic Chemicals	Lead & Mercury
<b>5" Cartridges</b>								
WSCIP478	5		•	•	•	•	•	•
WGC478	N/A		•	•	•	•	•	•
W5CB478	5		•	•	•	•	•	•
<b>10" Cartridges</b>								
WSCIP	5		•	•	•	•	•	•
RWC-5	5		•	•	•	•	•	•
WCC	N/A		•	•	•	•	•	•
W5CB	0.5		•	•	•	•	•	•
WLCR	0.5		•	•	•	•	•	•
<b>10" Heavy Duty</b>								
W5CBHD	0.5		•	•	•	•	•	•
WGCHD	N/A		•	•	•	•	•	•
WRC25HD	25		•	•	•	•	•	•
<b>20" Heavy Duty</b>								
WRC25HD20	25		•	•	•	•	•	•

† Micron ratings are nominal

\* Contaminants or other substances removed or reduced by this water treatment device are not necessarily in your water. Filter life may vary with local water conditions. Certain states require certification for health related claims.

For information on filter cartridge life, see specific cartridge listing in this catalog.

## SEDIMENT CARTRIDGE SELECTION GUIDE

Filter Cartridge	Micron Rating†	Filter Style	Spun	Pleated	Thermally Bonded	String Wound	Media	Polypropylene	Cellulose	Polyester	Cellulose/Polyester	Filtration Type	Depth	Surface	Dual Gradient Density Depth	For Use On	Chlorinated Water	Non-Chlorinated Water
<b>10" Cartridges</b>																		
WPD-110	5		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W5W	5		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
WSCP	5		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W20CLA	20		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
WSP	5		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
WPD-25	25		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W25P	25		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W30W	30		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W30PE	30		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W50W	50		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W50PE	50		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
<b>10" Heavy Duty</b>																		
WDGD-5005	50/5		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W20CLHD	20		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W5CPHD	5		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
W30PEHD	30		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
WDGD-5005	50/5		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
<b>20" Heavy Duty</b>																		
W20CLHD20	20		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

† Micron ratings are nominal

# product selection guide

## h o u s i n g s

### CARTRIDGE/HOUSING SELECTION GUIDE

- 1) Choose the application for the customer:
  - Sediment filtration
  - Drinking Water filtration
  - Whole House filtration
  - Scale & Corrosion filtration
- 2) Select cartridge based on the application
- 3) Select housing by matching cartridge to proper housing fit

Filter Cartridge	Micron Rating†	3/8" SlimLine® Housings	W385-PR (5")	W38-PRA (10")	W38-PRB (10")	W38-PRQC (10")	3/4" Standard Housings	W34-PR (10")	WC34-PR (10")	WVC34 (10")	W34-PRB (10")	WC34-PRB (10")	W34-PRM (10")	3/4" High Temp Housing	WH34 (10")	1" Heavy Duty Housings	W10-PR (10")	W10-BC (10")	W2010-PR (20")*	1 1/2" Heavy Duty Housings	W15-PR (10")	W2015-PR (20")*
------------------	----------------	-------------------------	--------------	---------------	---------------	----------------	------------------------	--------------	---------------	-------------	---------------	----------------	---------------	------------------------	------------	------------------------	--------------	--------------	-----------------	----------------------------	--------------	-----------------

Sediment		Flow Rate** in gallons per minute																						
WSP	5																							
WPD-110	5																							
W5CP	5																							
W5W	5																							
W20CLA	20																							
W25P	25																							
WPD-25	25																							
W30PE	30																							
W30W	30																							
W50PE	50																							
W50W	50																							
WDGD-5005	5																	10	10				10	
W5CPHD	5																	20	20	20*			20	20*
W20CLHD	20																	20	20	20*			20	20*
W30PEHD	30																	25	25	25*			25	25*
W50PEHDA	50																	25	25	25*			25	25*
W20CLHD20	20																	25	25	25			25	25

Drinking Water		Flow Rate** in gallons per minute																						
W5CB478	0.5		1																					
W5CIP478	5		1																					
WGC478	-		1																					
W5CB	0.5			1	1	1																		
WLC-R	0.5			0.6	0.6	0.6																		
W5CIP	5			5	5	5		5	5	5	5	5	5											
RWC-5	5			2	2	2																		
WCC	-			1	1	1																		

Whole House Taste & Odor		Flow Rate** in gallons per minute																						
W5CBHD	0.5																	4	4	8*			4	8*
WGCHD	-																							
WRC25HD	25																	3	3				3	
WRC25HD20	25																			8			8	

Scale & Corrosion Inhibiting		Flow Rate** in gallons per minute																						
WPCC	-			5																				

† Micron ratings are nominal  
 \* With two 10" cartridges and a cartridge coupler  
 \*\* Flow rates are calculated for cartridges according to the housing in which they are being used.

c a r t r i d g e s

**James A. Dillin, PLS**

PROFESSIONAL LAND SURVEYOR  
38 SCOTCHTOWN AVENUE  
GOSHEN, NEW YORK 10924  
PHONE (845) 294-9086 FAX (845) 294-3606

P.B.#03-01

December 22, 2005

James Petro, Chairman  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12553

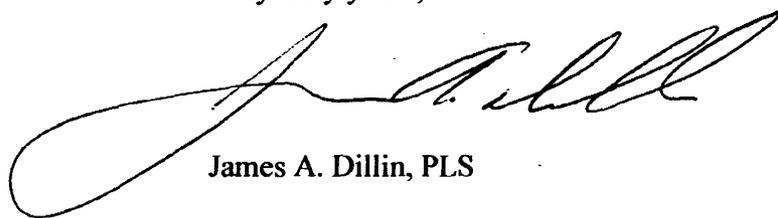
RE: Kielly Estates  
Realty Subdivision  
Town of New Windsor

Dear Mr. Petro and Planning Board Members:

I would like to request an extension of the Preliminary Approval granted by the Town of New Windsor Planning Board on June 9, 2004 for Kielly Estates. On December 20, 2005, the subdivision was resubmitted for the 3<sup>rd</sup> time to the Orange County Department of Health, for review as per the attached letter. Please review this matter at the January 11, 2006 Planning Board Meeting.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact my office.

Very truly yours,



James A. Dillin, PLS

JAD/nmr  
Encl.

② Sch } 5-0  
⑤ MWS } bmas

JULY 27, 2005

KIELLY ESTATES 03-01

MR. PETRO: Also correspondence, Dear James Petro, Chairman, I'd like to request two extensions of the preliminary approval granted by the Town of New Windsor Planning Board on June 9<sup>th</sup>, 2004 for Kielly Estates. On June 29<sup>th</sup>, 2005 the subdivision was resubmitted for the second time to the Orange County Department of Health for review as per the attached letter. Please review this matter at the July 13<sup>th</sup>, 2005 meeting. Mark, any problems with this one. And this would run for two extensions of what 90 days again.

MR. EDSALL: Well, they are six months, apparently they have a reason why they need a double extension, they anticipate a greater period of time I would expect.

MR. PETRO: Orange County Department of Health must be holding them up for some reason, I'll accept a motion.

MR. ARGENIO: I'll make a motion for 2 six month extensions of preliminary approval for Kielly Estates.

MR. SCHLESINGER: Second it.

ROLL CALL:

MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

# James A. Dillin, PLS

PROFESSIONAL LAND SURVEYOR  
38 SCOTCHTOWN AVENUE  
GOSHEN, NEW YORK 10924  
PHONE (845) 294-9086 FAX (845) 294-3606

July 8, 2005

James Petro, Chairman  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12553

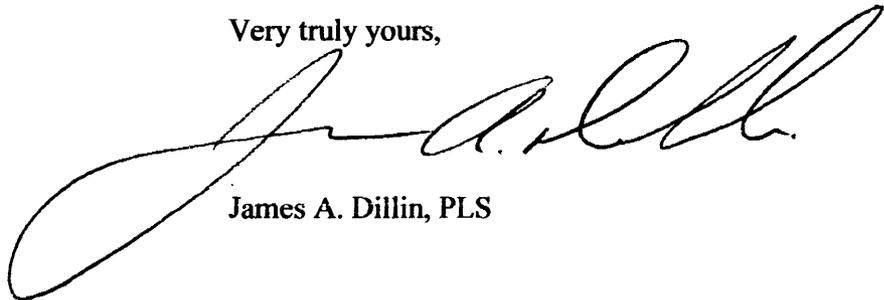
RE: Kielly Estates  
Realty Subdivision  
Town of New Windsor

Dear Mr. Petro and Planning Board Members:

I would like to request two (2) extensions of the Preliminary Approval granted by the Town of New Windsor Planning Board on June 9, 2004 for Kielly Estates. On June 29, 2005, the subdivision was resubmitted for the 2<sup>nd</sup> time to the Orange County Department of Health, for review as per the attached letter. Please review this matter at the July 13, 2005 Planning Board Meeting.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact my office.

Very truly yours,



James A. Dillin, PLS

JAD/nnr

2 6 nr  
(M) A } 5 eyes  
(S) S S } 0.75 up

## REVIEW COMMENTS

1. Well Drillers Log will be obtained from the Owner and will be submitted under separate cover as soon as it is available. The odor will be addressed at the time of final submission when perc and deep test holes are witnessed by your department. Test results for iron, manganese, coliform bacteria, lead and sodium are attached.
2. The high point invert for the curtain drain on Lot 7 has been corrected.
3. The separation from the crushed stone rip rap to the sewage disposal system on Lot 7 has been increased to >50'.
4. The invert for the last line on Lot 1 has been corrected.
5. The polyethylene baffle for the DB-12 distribution box is now shown corrected.
6. Dimensions and details are restored on the curtain drain crosssection.
7. Note C on Sheet 5 of 6 has been revised.

CORRESPONDENCE

KIELLY ESTATES SUBDIVISION (03-01)

MR. PETRO: Request for extension of preliminary approval granted June 9, 2004, request extension of preliminary approval granted by the New Windsor Planning Board on June 9, 2004 for Kielly Estates Subdivision which is presently being reviewed by the Orange County Department of Health. Please review this matter on the December 8, 2004 planning board meeting.

MR. EDSALL: Myra, this was this application under new zoning or is this one of the applications, '03, it should be just--

MS. MASON: I thought when we had that meeting you had said this was one configured under the new zoning.

MR. EDSALL: I believe it is.

MS. MASON: I'm not sure though.

MR. PETRO: Mark, is that up to us to, are you just doing it as a courtesy?

MR. EDSALL: No, I'm just looking to make sure what we're doing.

MR. PETRO: Now, where you're headed with it, see, if you give them the preliminary and it goes passed October 3 of '05 then it's all a moot point anyway, they need final approval.

MS. MASON: Mark, I think this project number is an '04 number.

MR. EDSALL: Says '03-01.

MR. PETRO: We can give them the extension.

MR. EDSALL: Six months.

MR. PETRO: Then notify them unless they have a final--

MR. EDSALL: Well, they can to see if it's subject to that issue.

MR. PETRO: If it is then I would, somebody should really give them a call and tell them to get going or they're going to lose it.

MR. EDSALL: Why don't you do six months.

MR. PETRO: Need a motion for extension for the Kielly Estates.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant 6 month extension from whatever their expiration date is, Myra, on the Kielly Estates subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. LANDER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

# James A. Dillin, PLS

PROFESSIONAL LAND SURVEYOR  
38 SCOTCHTOWN AVENUE  
GOSHEN, NEW YORK 10924  
PHONE (845) 294-9086 FAX (845) 294-3606

November 17, 2004

James Petro, Chairman  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12553

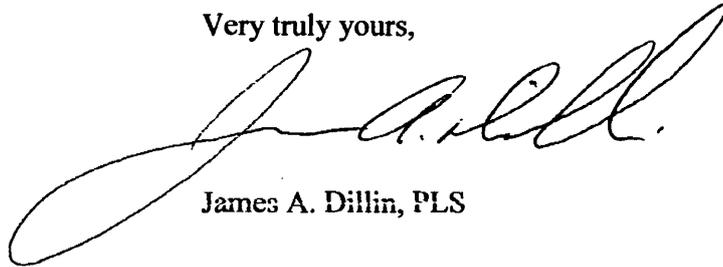
RE: Kielly Estates  
Realty Subdivision  
Town of New Windsor

Dear Mr. Petro and Planning Board Members:

I would like to request an extension of the Preliminary Approval granted by the Town of New Windsor Planning Board on June 9, 2004 for Kielly Estates. The subdivision is presently being reviewed by the Orange County Department of Health. Please review this matter at the December 8, 2004 Planning Board Meeting.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact my office.

Very truly yours,



James A. Dillin, PLS

JAD/nnr

(12)  
A

(5)  
L

5 Axes

0 Nayp

Check zoning



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

RICHARD D. MCGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**  
33 AIRPORT CENTER DRIVE  
SUITE 202  
NEW WINDSOR, NEW YORK 12553

(845) 567-3100  
FAX: (845) 567-3232  
E-MAIL: MHENY@MHEPC.COM

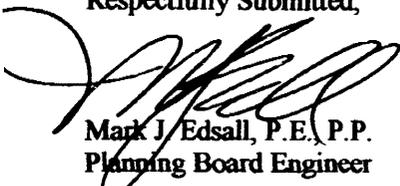
**WRITER'S E-MAIL ADDRESS:**  
MJE@MHEPC.COM

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** KIELLY ESTATES MAJOR SUBDIVISION  
**PROJECT LOCATION:** LAKE ROAD  
SECTION 57 - BLOCK 1 - LOT 4  
**PROJECT NUMBER:** 03-01  
**DATE:** 9 JUNE 2004  
**DESCRIPTION:** THE PROJECT PROPOSES THE SUBDIVISION OF THE 24.14+/- ACRE PARCEL INTO TEN (10) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 22 JANUARY 2003 AND 24 MARCH 2004 PLANNING BOARD MEETINGS.

1. The property is located in the R-1 zoning district of the Town. The "required" bulk information on the plan is correct for the zone and use proposed.
2. I have reviewed the latest plan submitted, and have the following comments at this time:
  - The bulk table on sheet 3 has "net area" in the bulk table, sheet 2 does not. At least one lot depicted on sheet 2 is effected with "subtractions". Please add "net area" to the sheet 2 table.
  - Additional information has been added to the drawings regarding the water quality basin downgrade of the private road. This is currently under review.
3. A lead agency coordination letter was issued on 05-04-04. As long as no objection has been noted in any response, I recommend that the Board formally adopt the position of lead agency at this time.
4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
5. The Board may wish to consider Preliminary Approval of the application, such that it can be referred to the OCDOH for approval.

Respectfully Submitted,

  
Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st NW03-01-24Mar04.doc

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3391 •

REGULAR ITEMS:

KEILLY ESTATES (COLEMAN) (03-01)

Mr. James Dillin appeared before the board for this proposal.

MR. PETRO: This project proposes subdivision of 24.1 acre parcel into 10 single family residential lots. Plan was previously reviewed at the 22 January, 2003, 24 March, 2004 planning board meetings. Located in R-1 zoning district of the Town, required bulk information on the plan is correct and you can go from there. We made minor changes, I think the board did, the lead agency mailing, we added a few things the engineer wanted. Any response for the lead agency mailing?

MS. MASON: No.

MR. PETRO: Motion for lead agency.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Keilly Estates major subdivision. Is there any further discussion? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: We had a public hearing. I will entertain a motion for negative dec.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec under the SEQRA process for the Keilly subdivision on Lake Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: Mark, go over those two bullets that you have on number 2, please.

MR. EDSALL: Yeah, Jim did a good job, we had a number of issues to get fixed and he took care of those. What he did was he added the net area on sheet 3 but didn't add it on sheet 2 and there's one lot on sheet 2 that's affected by the subtraction. So on the final plans just show net area for all the lots and I'm just, the second bullet just advising you that we do have additional information and we're looking at it, if we need anything additional while Jim's at the health department we'll ask for it.

MR. DILLIN: Okay.

MR. EDSALL: It's in good shape.

MR. PETRO: Any of the members have anything you want to review? Entertain a motion for preliminary.

MR. ARGENIO: Motion for preliminary approval.

MR. MASON: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant preliminary approval to Keilly Estates major subdivision on Lake Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE



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

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Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhiepa@mhhepc.com

Writer's E-mail Address:  
mje@mhhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN / VILLAGE OF: New Windsor P/B APP. NO.: \_\_\_\_\_

WORK SESSION DATE: 15 MAR 06 PROJECT: NEW \_\_\_\_\_ OLD X

REAPPEARANCE AT W/S REQUESTED: \_\_\_\_\_ RESUB. REQ'D: \_\_\_\_\_

PROJECT NAME: Kielly Estates

REPRESENTATIVES PRESENT: Low Carcin / Jim P. Hill

MUNICIPAL REPS PRESENT: BLDG INSP. \_\_\_\_\_ FIRE INSP. \_\_\_\_\_  
ENGINEER X PLANNER \_\_\_\_\_  
P/B CHMN \_\_\_\_\_ OTHER \_\_\_\_\_

ITEMS DISCUSSED: \_\_\_\_\_ STND CHECKLIST: \_\_\_\_\_ PROJECT TYPE \_\_\_\_\_  
- BMM - Storm Erosion Plan \_\_\_\_\_ DRAINAGE \_\_\_\_\_ SITE PLAN \_\_\_\_\_  
\* AF final review \* got plan \_\_\_\_\_ BUMPSTER \_\_\_\_\_ SPEC PERMIT \_\_\_\_\_  
- Waive Erosion P/H Fee \_\_\_\_\_ SCREENING \_\_\_\_\_ L L CHG. \_\_\_\_\_  
- Estimate for P/H \_\_\_\_\_ LIGHTING \_\_\_\_\_ SUBDIVISION \_\_\_\_\_  
- P/H declaration => P/H Atty \_\_\_\_\_ (Streetlights) \_\_\_\_\_ OTHER \_\_\_\_\_  
- incl drainage easement \_\_\_\_\_ LANDSCAPING \_\_\_\_\_  
- description for ded to NY \_\_\_\_\_ BLACKTOP \_\_\_\_\_  
    to NY the ded along Lake Rd. \_\_\_\_\_ ROADWAYS \_\_\_\_\_

APPROVAL BOX \_\_\_\_\_

PROJECT STATUS:  
ZBA Referral: \_\_\_\_\_ Y \_\_\_\_\_ N  
Ready For Meeting \_\_\_\_\_ Y \_\_\_\_\_ N

Recommended Mtg Date \_\_\_\_\_



New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

June 18, 2004

Mark Edsall  
New Windsor Town Planning Board  
555 Union Avenue  
New Windsor, New York 12553

Re: SEORA  
Kielly Estates/Lake Road  
New Windsor, Orange County  
04PR02505

Dear Mr. Edsall:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. Our staff has reviewed the documentation that you provided on your project. Preliminary comments and/or requests for additional information are noted on separate enclosures accompanying this letter. A determination of impact/effect will be provided only after ALL documentation requirements noted on any enclosures have been met. Any questions concerning our preliminary comments and/or requests for additional information should be directed to the appropriate staff person identified on each enclosure.

In cases where a state agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 requires that agency to initiate Section 106 consultation with the State Historic Preservation Officer (SHPO).

When responding, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Director

RLP:bsa

**ARCHEOLOGY COMMENTS**  
**04PR02505**

Based on reported resources, there is an archeological site in or adjacent to your project area. Therefore the Office of Parks, Recreation and Historic Preservation (OPRHP) recommends that a Phase 1 archeological survey is warranted for all portions of the project to involve ground disturbance, unless substantial prior ground disturbance can be documented. If you consider the project area to be disturbed, documentation of the disturbance will need to be reviewed by OPRHP. Examples of disturbance include mining activities and multiple episodes of building construction and demolition.

A Phase 1 survey is designed to determine the presence or absence of archeological sites or other cultural resources in the project's area of potential effect. The Phase 1 survey is divided into two progressive units of study including a Phase 1A sensitivity assessment and initial project area field inspection, and a Phase 1B subsurface testing program for the project area. The OPRHP can provide standards for conducting cultural resource investigations upon request. Cultural resource surveys and survey reports that meet these standards will be accepted and approved by the OPRHP.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archeologist should be retained to conduct the Phase 1 survey. Many archeological consulting firms advertise their availability in the yellow pages. The services of qualified archeologists can also be obtained by contacting local, regional, or statewide professional archeological organizations. Phase 1 surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Documentation of ground disturbance should include a description of the disturbance with confirming evidence. Confirmation can include current photographs and/or older photographs of the project area which illustrate the disturbance (approximately keyed to a project area map), past maps or site plans that accurately record previous disturbances, or current soil borings that verify past disruptions to the land. Agricultural activity is not considered to be substantial ground disturbance and many sites have been identified in previously cultivated land.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before any archeological survey activities are conducted on State-owned land. If any portion of the project includes the lands of New York State you should contact the SED before initiating survey activities. The SED contact is Christina B. Rieth and she can be reached at (518) 402-5975. Section 233 permits are not required for projects on private lands.

If you have any questions concerning archeology, please contact Michael Schifferli at 518-237-8643. ext 3281

**BUILDINGS/STRUCTURES/DISTRICTS  
EVALUATION COMMENTS**

**PROJECT NUMBER 04PR02505**

**( Kielly Estates/Lake Road, 24 acre parcel/ 10 residential units/T/NEW  
WINDSOR )**

---

- There are no properties listed in the State or National Register of Historic Places within or adjacent to your project site.
  - The following properties listed in the State/National Registers of Historic Places are located within or adjacent to your project area:
  - Your project area has not been comprehensively surveyed for historic resources. If you would like the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) to comment regarding properties potentially eligible for inclusion in the State or National Register of Historic Places, please submit original photographs of structures over fifty years old within or adjacent to the project area and key them to a site map.
  - Other: If any state or federal agencies are involved in this project, further review may be required in accordance with section 14.09 of the New York State Parks, Recreation and Historic Preservation Law or Section 106 of the National Historic Preservation Act of 1966.
- 

If you have any questions concerning this information, please call William Krattinger at 5182378643. ext 3265

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED ABOVE WHEN  
RESPONDING TO THIS REQUEST**

New York State Department of Environmental Conservation  
Division of Environmental Permits, Region 3  
21 South Putt Corners Road, New Paltz, New York 12561-1696  
Phone: (845) 256-3054 FAX: (845) 255-3042  
Website: www.dec.state.ny.us



Erin M. Crotty  
Commissioner

6/23/04

ATTN: Mark Edsall - Planning Bd  
TOWN HALL OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, NY 12553  
\_\_\_\_\_

RE: **Lead Agency Coordination Response**  
Project: Kielly Estates  
Town: New Windsor, County: Orange

We have reviewed the SEQR lead agency coordination request for the above referenced project, which our office received on May 7, 2004. Based on our review of the circulated documents, and any additional information that we may have requested, DEC has no project-specific permit jurisdiction for this action. Consequently, the Department is not an involved agency for this proposal and has no objection to your board/agency serving as lead agency.

Additional Comments

In addition to the comments noted above, please be advised of the those issues indicated below by a checked box:

**Stormwater Management:** Please note that stormwater discharges that result from construction projects involving the disturbance of 1 or more acres of land now require coverage under the Department's "State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities". If the sponsor believes their project would be covered under this SPDES General Permit and does not require any other DEC permits, they may apply for coverage by filing a "Notice of Intent" form with DEC, Division of Water, 625 Broadway, Albany NY 12233-3505, (form and permit available from this office or DEC Website at [www.dec.state.ny.us/website/dow/mainpag.htm](http://www.dec.state.ny.us/website/dow/mainpag.htm)).

**Threatened & Endangered Species:** According to Department records, the following state-listed threatened or endangered species has(have) been recorded within or near the project site:

Species: \_\_\_\_\_ NYS Status: \_\_\_\_\_  
Species: \_\_\_\_\_ NYS Status: \_\_\_\_\_

The potential impacts of the proposed project on this(these) species may require evaluation during the review of the project pursuant to SEQR. For further guidance on this matter, the project sponsor may contact Mr. Steven Joule in the DEC Division of Fish and Wildlife at (845) 256-3089 concerning animal species, and Mr. Jeffrey Wiegert in the DEC Division of Lands and Forests at (845) 256-3111 concerning plant species.

**Other:** \_\_\_\_\_

SEQR Lead Agency Response: Project: Keilly Estates

Date: 6/23/04

Page 2

Please feel free to contact me if you have any questions or if you would like to discuss this further. I can be reached at (845) 256-3055. Thank you.

Respectfully,

*Lauree Lawrence*  
Division of Environmental Permits  
Region 3

cc: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

**RICHARD D. MCGOEY, P.E.** (NY & PA)  
**WILLIAM J. HAUSER, P.E.** (NY & NJ)  
**MARK J. EDSALL, P.E.** (NY, NJ & PA)  
**JAMES M. FARR, P.E.** (NY & PA)

**MAIN OFFICE**  
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(845) 567-3100  
fax: (845) 567-3232  
e-mail: mheny@mhepc.com

*Writer's e-mail address:*  
mje@mhepc.com

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** KIELLY ESTATES MAJOR SUBDIVISION  
**PROJECT LOCATION:** LAKE ROAD  
SECTION 57 – BLOCK 1 – LOT 4  
**PROJECT NUMBER:** 03-01  
**DATE:** 24 MARCH 2004  
**DESCRIPTION:** THE PROJECT PROPOSES THE SUBDIVISION OF THE 24.14+/- ACRE PARCEL INTO TEN (10) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 22 JANUARY 2003 PLANNING BOARD MEETING. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

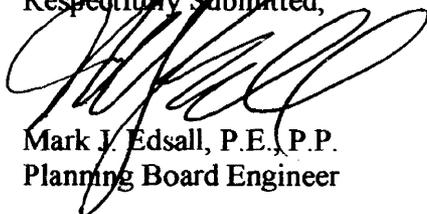
1. The property is located in the R-1 zoning district of the Town. The “required” bulk information on the plan is correct for the zone and use proposed.
2. The plan now includes a bulk table to confirm zoning compliance for each lot. Based on the data submitted each lot is in compliance; although the next plan submitted should include a line for “net lot area” to confirm compliance in that regard.
3. I have reviewed the latest plan submitted, and have the following comments at this time:
  - Metes bounds data should be included for the boundaries of the individual lots.
  - A water quality basin is noted downgrade of the private road. Details for the design should be submitted.
  - The private road detail must be corrected. The subbase structure (lower course) must be crushed shale (ROW alternative not permitted). Also, the shoulders must have the same 12” subbase structure as the traveled way, and the swale should be rip rap lined.

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3391 •

4. At the previous meeting, we requested that five (5) sets of drawings and the environmental form be submitted for purposes of circulating the Lead Agency Coordination letter for the project. These were never received. It is imperative that the circulation be made immediately following this meeting.
5. As per the 911 Policy of the Town, this project will require the assignment of a street name and 911 address numbering. This should be added before Preliminary approval.
6. The Board is reminded that submittal of this application/plan to the OCDOH will be necessary.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW03-01-24Mar04.doc



**FIRE INSPECTOR'S  
INTER-OFFICE CORRESPONDENCE**

**TO:** James Petro, Planning Board Chairman

**FROM:** John McDonald, Fire Inspector

**SUBJECT:** PB-03-01  
Kielly Estates

**DATE:** June 9, 2004



Fire Prevention Reference Number: FPS-04-024

A review of the above referenced subdivision plan has been reviewed and found to be acceptable.

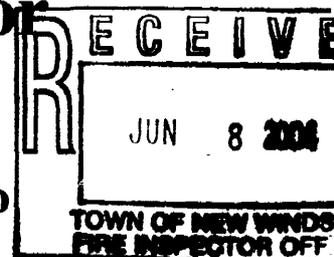


# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET



**TO: FIRE INSPECTOR**

P.B. FILE #03-01      DATE RECEIVED: 05-04

**PLEASE RETURN COMPLETED FORM TO MYRA  
BY: A.S.A.P. TO BE ON AGENDA FOR THE 06-09-04 PLANNING BOARD  
MEETING.**

THE MAPS AND/OR PLANS FOR:

**KIELLY ESTATES**  
Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XXX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

**APPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: *Madmalc*      6/8/04  
Reviewed by      date



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

April 5, 2004

James A. Dillin  
38 Scotchtown Hwy.  
Goshen, NY 10924

**SUBJECT: KIELLY ESTATES (P.B. #03-01)**

Dear Mr. Dillin:

Please find enclosed a copy of your subdivision plan as reviewed by the E911 Coordinator. As you will note, the address numbers and street name(s) have been added to the plan.

Please add this information to the plan so they appear on the final submittal for signature and approval.

Thank you for your cooperation in this matter and if you have any questions, please contact our office.

Very truly yours,

---

Myra Mason, Secretary  
NEW WINDSOR PLANNING BOARD

MLM

Cc: John McDonald, E911 Coordinator



KELLY ESTATES 03-01

Mr. James Dillin appeared before the board for this proposal.

MR. PETRO: Proposed ten lot residential subdivision for single family homes. The project proposes subdivision of 24 acre parcel into ten single family residential lots. The plan was previously reviewed at the 22 January, 2003 planning board meeting. Here tonight for a public hearing. It's R-1 zone district of the Town, bulk information on the plan is correct for the zone and proposed use. It is imperative that the circulation be made immediately following this meeting, that was for you, sir, did you hear that? Why don't you go over it briefly, we've seen it a couple times.

MR. DILLIN: For the audience, this property is located on the easterly side of Lake Road, it lies north of the railroad over the bridge and adjoins 1,700 feet of frontage along Lake Road, it's in the R-1 zone and the minimum lot size is 80,000 square feet. We're proposing permitted use on this property of single family residential homes. We show 10, 4 of the lots will front directly on Lake Road, we're proposing to access the rest of the property by a private road with a cul-de-sac on it where we'll have five driveways entering onto the private road. We have a dedication from the center line back 25 feet to be given to the Town of New Windsor, fee ownership of the property goes to the middle of Lake Road and going to be dedicating 25 feet to the Town. It's serviced by individual wells and septic. All the tests have been prepared on the other sheets. We've done some tests and on everything we're set really for preliminary approval and ready to go to the health department.

MR. LANDER: Do we have any wetlands on this property flagged?

MR. DILLIN: There is none flagged, there's a little bit in this corner down here but it's nowhere near our actual construction.

MR. LANDER: Is that area subtracted from the total on lot 1 do you know?

MR. DILLIN: I didn't do a subtraction, but I could and would still have enough.

MR. PETRO: Stone walls are to be removed. Probably put a note on the plan to be removed, private road detail must be corrected and the sub-base structure and overcourse must be crushed shale, also the shoulders must have the same 12 inch and the swale shall be rip-rap lined. These are notes coming from Mark. You can go over them and correct them. 911 policy of the Town project required assignment of street name and 911 address numbering. You have a fire disapproval, need name for the private road, we just went over it's all 911 so if you take care of the one I just read in this note, it should disappear. The highway he gave you an approval subject to the sight distance calculations, he wants to have the calculations actually implemented on the plan, I think we're going to do that from now on, actually show a note and/or somewhere on the plan for your sight distance but I think it's 450 is required, show the actual sight distance that you have both ways and also make a note on the plan to that effect what's required.

MR. EDSALL: Depending upon the speed and which direction you're looking.

MR. PETRO: Whatever the requirement for that, there what is it there, do you know? He's the one that's approving it, highway department again has to be here, it says approved but that's subject to so if you get that clarified but it's got to be on the plan, he wants

to see it on the plan.

MR. BABCOCK: Is that only for the private road or is that for the driveways also so we're clear?

MR. PETRO: Just the private road. This is a public hearing. On the 9th day of March, 2004, 16 addressed envelopes went out. Again, if someone is here to speak for or against this application, be recognized by the Chair, come forward, state your name, address and your concern. Is there anyone who'd like to speak?

MR. REGGIO: Good evening, my name is Nick Reggio, I live at 4 Deljo Lane right at the top of the hill. The information that's been covered so far and answered two or three of my questions, I was curious what the approximate boundaries of the project are?

MR. DILLIN: The total limits are from the railroad to the sharp curve in the road to the right, right at the very top.

MR. REGGIO: It's a single entry into the neighborhood?

MR. DILLIN: There's one single entry for these five homes at this point here, these homes will all have driveways on this private road, there's four single driveways from the railroad up approximately straight in.

MR. REGGIO: I was curious if the speed limit will change with the additional housing in the area?

MR. PETRO: I would say no.

MR. REGGIO: Thanks very much.

MR. PETRO: Anyone else on this application? Okay, motion to close the public hearing.

MR. ARGENIO: Motion to close.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Kelley Estates major subdivision on Lakes Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I'd open it back up to the board for any further comment. Mark, what else do you have on this that you want to bring out tonight?

MR. EDSALL: You touched on all of them and Jim can get these corrections made fairly easily.

MR. ARGENIO: Did anybody from your office witness the perc tests out there?

MR. EDSALL: I don't believe anything's been scheduled yet.

MR. DILLIN: It's going to go to the health department.

MR. EDSALL: This one does go to the health department because it's over the five lots, so we wouldn't participate in this review.

MR. PETRO: You have all the little notes we made tonight, don't forget the sight distance on the map and here's the lead agency letter, you should get that out

March 24, 2004

14

otherwise you're going to get held up. Thank you very much.



**LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on **MARCH 24<sup>TH</sup>, 2004** at 7:30 P.M. on the approval of the proposed Subdivision for **KIELLY ESTATES (COLEMAN) (03-01)**

Located at **LAKE ROAD** (Tax Map #Section **57**, Block **1**, Lot **4**) . Map of the proposed project is on file and may be inspected at the **Planning Board Office**, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public Hearing.

Date: **MARCH 5, 2004**

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman

# TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 01-09-2004 PROJECT NUMBER: ZBA# \_\_\_\_\_ P.B. # 03-01

APPLICANT NAME: KIELLY ESTATES

PERSON TO NOTIFY TO PICK UP LIST:

JAMES A. DILLIN, P.L.S.  
38 SCOTCHTOWN AVENUE  
GOSHEN, NY 10924

TELEPHONE: 294-9086

TAX MAP NUMBER: SEC. 57 BLOCK 1 LOT 4  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: LAKE ROAD  
NEW WINDSOR

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: XXX

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) XXX

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT) XXX



NEW WINDSOR ZONING BOARD \_\_\_\_\_

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT \_\_\_\_\_



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 6337

TOTAL CHARGES: \_\_\_\_\_



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessor's Office

January 13, 2004

James A. Dillin, P.L.S.  
38 Scotchtown Avenue  
Goshen, NY 10924

Re: 57-1-4 P.B.#03-01 Francis Coleman

Dear Mr. Dillin:

According to our records, the attached list of property owners are abutting and across the street from the above referenced property.

Parcels marked with one (\*) asterisk represent abutting parcels, two (\*\*) asterisks represent that the parcel is located within an Agricultural District and three asterisks (\*\*\*) represent that the parcel is both abutting and located within an Agricultural District.

Please be advised that the subject parcel is also located within and Agricultural District.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IA0  
Assessor

JTW/lrd  
Attachments

CC: Myra Mason, PB

57-1-5\*\*\*  
Harold Baxter Jr.  
505 Jackson Avenue  
New Windsor, NY 12553

57-1-98\*  
Louis & Doretta Lupinacci  
3 Valley Lane  
Upper Saddle River, NJ 07458

57-1-99\*  
Daniel & Patricia Ryan  
301 Lake Road  
Salisbury Mills, NY 12577

57-1-105.1\*  
Ellen & Arthur Gedalje  
2 Deljo Lane  
Salisbury Mills, NY 12577

57-1-105.3\*  
James Cronin  
Jacqueline Cooper Cronin  
3 Deljo Lane  
Salisbury Mills, NY 12577

57-1-106\*  
Warren & Lauren Donohue  
Box 68  
Salisbury Mills, NY 12577

57-1-107\*  
Peter & Sandra Brenner  
337 Lake Road  
Salisbury Mills, NY 12577

57-1-108\*  
Robert & Donna Foley  
333 Lake Road  
Salisbury Mills, NY 12577

57-1-109\*  
Paul & Janet Latouche  
325 Lake Road  
Salisbury Mills, NY 12577

57-1-126\*  
Consolidated Rail Corporation  
6 Penn Center Plaza  
Philadelphia, PA 19103

57-1-127\*  
Consolidated Rail Corporation  
Property Tax Department  
PO Box 8499  
Philadelphia, PA 19101

George J. Meyers, Supervisor  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

Deborah Green, Town Clerk  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

Andrew Krieger, ESQ.  
219 Quassaick Avenue  
New Windsor, NY 12553

James Petro, Chairman  
Planning Board  
555 Union Avenue  
New Windsor, NY 12553

Mark J. Edsall, P.E.  
McGoey and Hauser  
Consulting Engineers, P.C.  
33 Airport Center Drive, Suite 202  
New Windsor, NY 12553



# TOWN OF NEW WINDSOR

TOWN CLERK'S OFFICE

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12553

Telephone: (845) 563-4611

Fax: (845) 563-4670

1763

## REQUEST FOR PUBLIC RECORDS

(Please specify or describe item (s) requested)

COLEMAN SUBDIVISION (LAKE ROAD)

Date Records Requested:

3/24/04

Name:

WILLIAM E. STEWLE

Address:

575 JARVIS AVE

NEW WINDSOR, NY

Phone:

(845) 564-4111

Representing:

SELF

**Documents may not be taken from this office.**



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**

33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mheny@mhepc.com

Writer's e-mail address:

mje@mhepc.com

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** KIELLY ESTATES MAJOR SUBDIVISION  
**PROJECT LOCATION:** LAKE ROAD  
SECTION 57 – BLOCK 1 – LOT 4  
**PROJECT NUMBER:** 03-01  
**DATE:** 22 JANUARY 2003  
**DESCRIPTION:** THE PROJECT PROPOSES THE SUBDIVISION OF THE 24.14+/- ACRE PARCEL INTO TEN (10) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the R-1 zoning district of the Town. The “required” bulk information on the plan is correct for the zone and use proposed. On initial review, each of the lots appear to comply with the minimum bulk requirements, but this is not yet confirmed since the plans do not include a complete bulk table with “provided” values for each lot. The table should also include the required and provided net areas for each lot.
2. The Planning Board may wish to authorize the issuance of a Lead Agency Coordination letter for the project, to begin the SEQRA review process. The only other involved agency would appear to be the Orange County Health Department. The applicant should submit five (5) sets of drawings and the environmental form for this purpose.
3. Currently there is insufficient information to even authorize the required public hearing. The applicant is here only for a concept review.
4. As per the 911 Policy of the Town, this project will require the assignment of a street name and 911 address numbering at the Preliminary approval stage of the subdivision review.

Respectfully Submitted,

Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW03-01-22Jan03.doc

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3391 •



KIELLY ESTATES (COLEMAN) (03-01)

Mr. James Dillin appeared before the board for this proposal.

MR. PETRO: Proposed ten lot residential subdivision for single family homes. Property is located in an R-1 zoning district of the town, bulk information on the plan is correct. This is 24.14 acres being divided into ten single family residential lots, each of the lots appear to comply with the minimum bulk requirements but this is not confirmed because there is not a complete bulk table on the plan. The planning board may wish to issue a lead agency coordination letter to begin the SEQRA review process. Applicant is here for concept review only. 911 policy as you heard you have to get that tied in with the fire inspector's office. First time we've seen this, correct?

MR. ARGENIO: Yes.

MR. PETRO: All right.

MR. DILLIN: This is a 24 acre parcel owned by Mr. Coleman on the east side of Lake Road. This plan is the result of two work sessions with Mark. What we have laid out is 4 lots that are entering right directly off Lake Road and putting in a private road where 6 lots would enter off the private road reducing the number of lots. Our entrance is out to Lake Road. On the second sheet you read something about the bulk table on the second sheet, I have the bulk tables, I think they comply. So there's two sheets with those, each sheet has the bulk tables on them, sheets 2 and 3, but we believe everything complies. It's going to be serviced by individual wells, individual septic systems. We have the net areas, the gross areas are over 80,000 and the net areas are just a little over 80,000 according to the table.

MR. PETRO: 1.9 acres, that must be very close.

MR. DILLIN: It's close, yeah, you have the square footages in the tables, some lots are 80,000. We also tried to, you see the existing stone walls, we used

those for boundary lines and we tried to maintain those. The walls that exist for lot number 4 will be right down the existing stone walls.

MR. PETRO: Where is the topo for this? Do we have a topo map here? Is this slope down onto the lots?

MR. DILLIN: Yeah, sloping down this way.

MR. PETRO: And the slope on the private road, is it within 10%, Mark?

MR. EDSALL: For the private road, well, I think Jim would probably once in concept, if you have no problem with the layout, probably give us a profile on the private road.

MR. DILLIN: Just the back of the cul-de-sac may have to be filled a little bit.

MR. PETRO: It's workable?

MR. DILLIN: Definitely, yes.

MR. PETRO: Jerry asked me the same thing, look at page 3.

MR. EDSALL: For lot count?

MR. PETRO: No, for the number of driveways on a private road.

MR. EDSALL: Well, you can have 6, but you can only have 4 lots that are internal and you can have an additional 2 and those two have legal frontage on a town road. We don't want the driveways on the town road.

MR. ARGENIO: But you can have 6 on a private road?

MR. EDSALL: Yes, as long as the two of the lots have legal frontage on the town road, that's the way it's been.

MR. LANDER: It was always my impression that the

driveways, as long as they exited onto the town road wouldn't be considered in the count.

MR. PETRO: I had the same impression, how come we seem to be so--we're just all wrong and you're right?

MR. EDSALL: That's how we set it up because think about it this way, the highway superintendent never wants to have two driveways right next to a private road exit.

MR. PETRO: Maybe it just never came up.

MR. EDSALL: This is supposed to avoid almost like flag private road lots where you have a narrow access and then get a whole bunch of lots inside, it's 4 plus a bonus 2 only if they have a--

MR. ARGENIO: So it's a cap of 6?

MR. EDSALL: If you can fit the two on the outside, sometimes you can fit one.

MR. LANDER: Eight hundred feet of road, that's the legal limit? I can probably straighten that out, we were wrong, he knew it, he just let us keep going with the idea we had in our heads until it came up.

MR. PETRO: To where it really matters, 12 years.

MR. BABCOCK: The way it's worded it says you can have 4 lots on a private road, then it goes on to say you can have two additional lots, if you have legal road frontage on the town road.

MR. PETRO: But I never knew it was frontage. I thought it had to exit on the town road. All right, conceptually, does anybody have a problem with the plan? He's exceeded or met the requirements at one point of 80,000 square feet, you're going to give us a profile for the road, just lot number one over there with the wetlands, if you netted out the 80,000, I mean, the 80,000 feet is included with the little bit of wetlands. You've got three acres anyway. All right, let's, I guess you've got Mark's comments.

MR. EDSALL: One I guess procedurally given the time of year and the weather conditions normally if this was a subdivision that we would have full review here at the town, you would normally not want to have a public hearing until you had all the soils information, but in this case, with the number of lots being over 5 in number under five acres they're going to be going to the health department and we don't have any jurisdiction on the sanitary anyway, so it's your option if you want to go ahead and have the profile added and any other details for the private road and then authorize a public hearing because we're not going to review the sanitary here anyway. That way, it doesn't hold him up, they can get two preliminary and it's their business.

MR. PETRO: Motion for lead agency coordination letter to be sent out.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded to have the lead agency coordination letter mailed for the Kielly Estates major subdivision on Lake Road. Is there any discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Motion to have a public hearing.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded we will have the public hearing but make sure you at least get

the road profile, get a little bit more done on the map, I'd like to have as much as we can for the public hearing. How about any of the driveways, anything affected?

MR. EDSALL: I will look with Jim on the plan, if there's any driveways that are in that zone where there starts to be a little concern for the grading, we'll get driveway profiles. If not, we'll leave it alone.

MR. PETRO: For the public hearing, get a little idea of where the drainage is going and how you're going to treat it because, you know, you're going to have somebody here and that's one of the major questions, we know it's going to the rear of the property.

MR. DILLIN: Coleman owns behind it.

MR. PETRO: Just address it so we have an answer. Motion has been made and seconded. Is there any further discussion?

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Try and come up with a name for the road and have it on the map, it would be a good idea for 911.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/03/2003

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 3-1  
NAME: KIELLY ESTATES (COLEMAN) - PA2002-1053  
APPLICANT: COLEMAN, FRANCIS G.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/02/2003	REC. CK. #199	PAID		1050.00	
		TOTAL:	0.00	1050.00	-1050.00

*Mc*  
1/3/03

**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#3-2003**

**01/03/2003**

*PB#03-01 Application Fee*  
**Coleman, Francis  
431 Lake Road  
New Windsor, NY 12553**

**Received \$ 100.00 for Planning Board Fees, on 01/03/2003. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

**TO: HIGHWAY DEPARTMENT**

P.B. FILE #03-01      DATE RECEIVED: 03-23-2004

**PLEASE RETURN COMPLETED FORM TO MYRA  
BY: ASAP TO BE ON AGENDA FOR THE ASAP PLANNING BOARD MEETING.**

THE MAPS AND/OR PLANS FOR:

**KIELLY ESTATES**  
Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XXX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

**APPROVED:**

Notes: SUBJECT TO SITE DISTANCE CALCULATIONS BE SUBMITTED  
TO HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Idony G. Howell      3/24/04  
Reviewed by      date

**FIRE INSPECTOR'S  
INTER-OFFICE CORRESPONDENCE**

**RECEIVED**

MAR 17 2004

Town of New Windsor Bldg. Dept.

**TO:** James Petro, Planning Board Chairman

**FROM:** John McDonald, Fire Inspector



**SUBJECT:** PB-03-01  
Kielly Estates

**DATE:** March 16, 2004

Fire Prevention Reference Number: FPS-04-012

The above referenced subdivision plan has been reviewed and found to be unacceptable for the following reasons:

- 1) A name for the private road needs to be provided and approved by the E-911 Coordinator. The private road name shall be included on all future subdivision plans.
  
- 2) Three sets of plans indicating proposed parcels and proposed driveways set to a scale of 1 inch=50 feet shall be provided to the E-911 Coordinator to be assigned 911 street addresses. The E-911 street address shall appear on all subdivision plans.



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

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

Main Office  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mhenry@mhepc.com

Regional Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhpa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF: New Windsor P/B APP. NO.: 03 01

WORK SESSION DATE: 7 Jan 2004 PROJECT: NEW OLD X

REAPPEARANCE AT W/S REQUESTED: not now RESUB. REQ'D: new plans

PROJECT NAME: Kielly Estates

REPRESENTATIVES PRESENT: Jin Dillon, etc

MUNICIPAL REPS PRESENT: BLDG INSP. \_\_\_\_\_  
ENGINEER X FIRE INSP. \_\_\_\_\_  
P/B CHMN \_\_\_\_\_ PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

ITEMS DISCUSSED:

- SDS drawings done -  
- need P/H auth  
- P/H needs rip rap in circle.  
Kielly Ct #911

need 1/14 to  
get P/H auth

STND CHECKLIST: PROJECT TYPE

DRAINAGE \_\_\_\_\_  
DUMPSTER \_\_\_\_\_  
SCREENING \_\_\_\_\_  
LIGHTING \_\_\_\_\_  
(Streetlights)  
LANDSCAPING \_\_\_\_\_  
BLACKTOP \_\_\_\_\_  
ROADWAYS \_\_\_\_\_  
APPROVAL BOX \_\_\_\_\_

SITE PLAN  
SPEC PERMIT  
L L CHG.  
SUBDIVISION  
OTHER

PROJECT STATUS:  
ZBA Referral: \_\_\_\_\_ Y \_\_\_\_\_ N

Ready For Meeting Y \_\_\_\_\_ N

Recommended Mtg Date [Signature]



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

RECEIVED

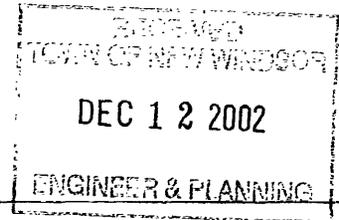
OFFICE OF THE PLANNING BOARD

JAN 9 2003

PROJECT REVIEW SHEET

N.W. HIGHWAY DEPT.

TO:  FIRE INSPECTOR,  WATER DEPT.,  
 SEWER DEPT.,  HIGHWAY DEPT.



## 03-01

P.B. FILE # \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

PLEASE RETURN COMPLETED FORM TO MYRA BY: 1-20-03

THE MAPS AND/OR PLANS FOR:

Kielly Estates  
Applicant or Project Name

SITE PLAN , SUBDIVISION , LOT LINE CHANGE , SPECIAL PERMIT

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISAPPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Henry J. Hull 2/17/03  
Reviewed by: \_\_\_\_\_ Date

**INTER-OFFICE CORRESPONDENCE**

**TO: Town Planning Board**  
**FROM: Town Fire Inspector**  
**SUBJECT: Kielly Estates**  
**DATE: 15 January 2003**

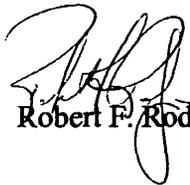
**Planning Board Reference Number: PB-03-01**  
**Dated: 12 December 2002**  
**Fire Prevention Reference Number: FPS-03-01**

**A review of the above referenced subdivision plan was conducted on 15 January 2003.**

**This subdivision plan is acceptable.**

**Please advise my office of the name of the new private road.**

**Plans Dated: 12 September 2002**

  
**Robert F. Rodgers**



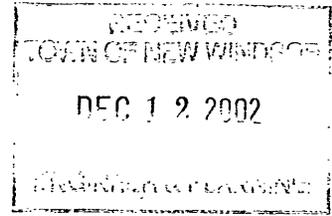
# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO:  FIRE INSPECTOR,  WATER DEPT.,  
 SEWER DEPT.,  HIGHWAY DEPT.



P.B. FILE # **03-01** DATE RECEIVED: \_\_\_\_\_

PLEASE RETURN COMPLETED FORM TO MYRA BY: 1-20-03

THE MAPS AND/OR PLANS FOR:

Kielly Estates  
Applicant or Project Name

SITE PLAN , SUBDIVISION , LOT LINE CHANGE , SPECIAL PERMIT

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: There is no town water in this area.

DISAPPROVED:

Notes: \_\_\_\_\_

Signature: [Signature] / 1-14-03  
Reviewed by: \_\_\_\_\_ Date



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

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
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Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF: NEW WINDSOR P/B APP. NO.: 003-01

WORK SESSION DATE: 4 Dec 2002 PROJECT: NEW X OLD     

REAPPEARANCE AT W/S REQUESTED: later RESUB. REQ'D: later

PROJECT NAME: Kielly Estates (Coleman)

REPRESENTATIVES PRESENT: Tim Dillia / Frank Coleman

MUNICIPAL REPS PRESENT:

BLDG INSP.	ENGINEER	<u>X</u>	FIRE INSP.	<u>Bob</u>
	P/B CHMN	<u>    </u>	PLANNER	<u>    </u>
			OTHER	<u>    </u>

ITEMS DISCUSSED:

- fill bulk tanks  
- O.C.D.O.H. - S.D.S. + well  
- no water or sewer dept involvement  
- add police - X-reat - limits for later

STND CHECKLIST:

DRAINAGE       
DUMPSTER       
SCREENING       
LIGHTING       
(Streetlights)  
LANDSCAPING       
BLACKTOP       
ROADWAYS       
APPROVAL BOX     

PROJECT TYPE

SITE PLAN  
SPEC PERMIT  
L L CHG.  
SUBDIVISION  
OTHER

PROJECT STATUS:

ZBA Referral:      Y X N  
Ready For Meeting sketch X Y      N  
Recommended Mtg Date 12/11

*Miffa this is for sketch only - PK to put on 12/11 agenda*



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

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

□ Main Office  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mheny@mhepc.com

□ Regional Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhpa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

1-3

TOWN / VILLAGE OF: New Windsor P/B APP. NO.: 03-01

WORK SESSION DATE: 10-2-02 PROJECT: NEW X OLD     

REAPPEARANCE AT W/S REQUESTED: not now RESUB. REQ'D: full app

PROJECT NAME: Coleman Subdiv

REPRESENTATIVES PRESENT: Jim Dillin / Frank Coleman

MUNICIPAL REPS PRESENT:  
BLDG INSP. \_\_\_\_\_ FIRE INSP. B3  
ENGINEER X PLANNER \_\_\_\_\_  
P/B CHMN \_\_\_\_\_ OTHER \_\_\_\_\_

ITEMS DISCUSSED: \_\_\_\_\_

STND CHECKLIST: PROJECT TYPE  
DRAINAGE \_\_\_\_\_ SITE PLAN \_\_\_\_\_  
DUMPSTER \_\_\_\_\_ SPEC PERM. \_\_\_\_\_  
SCREENING \_\_\_\_\_ L L CHG. \_\_\_\_\_  
LIGHTING \_\_\_\_\_ SUBDIVISIC  
(Streetlights) LANDSCAPING \_\_\_\_\_ OTHER \_\_\_\_\_  
BLACKTOP \_\_\_\_\_  
ROADWAYS \_\_\_\_\_

APPROVAL BOX: \_\_\_\_\_

- lot width - flag lots.  
- private road -

• do private roads need to be bonded  
YA cond. letter  
PH auth.

Official Jim Dillin

PROJECT STATUS:  
ZBA Referral: \_\_\_\_\_ Y X N

Ready For Meeting X Y \_\_\_\_\_ N  
after correction

Recommended Mtg Date 10/23

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision  Lot Line Change  Site Plan  Special Permit

Tax Map Designation: Sec. 57 Block 1 Lot 4

**BUILDING DEPARTMENT REFERRAL NUMBER** PA2002-1053

1. Name of Project Subdivision of Property for Kielly Estates

2. Owner of Record Francis G. Coleman Phone 496-4303

Address: 431 Lake Road New Windsor, New York 12553  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant (same) Phone \_\_\_\_\_

Address: \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan James A. Dillin, P.L.S. Phone 294-9086

Address: 38 Scotchtown Avenue Goshen, New York 10924  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney none Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

James A. Dillin, P.L.S. (845) 294-9086  
(Name) (Phone)

7. Project Location: On the easterly side of Lake Road 700± feet  
(Direction) (Street) (No.)  
north of Beaver Brook Road  
(Direction) (Street)

8. Project Data: Acreage 24.142 Zone R - 1 School Dist. Washingtonville

**03-01**

PAGE 1 OF 2

(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

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ENGINEER & PLANNING

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes X No \_\_\_\_\_

**\*This information can be verified in the Assessor's Office.**

**\*If you answer yes to question 9, please complete the attached Agricultural Data Statement.**

10. Description of Project: (Use, Size, Number of Lots, etc.) Ten Lot Single-Family Residential Subdivision

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**ACKNOWLEDGMENT:**

**IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.**

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

16<sup>th</sup> DAY OF October 2002

Francis Coleman  
APPLICANT'S SIGNATURE

Deborah Green  
DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4984065  
Commission Expires July 15, 2003

Francis Coleman  
Please Print Applicant's Name as Signed

TOWN USE ONLY  
TOWN OF NEW WINDSOR

DEC 12 2002  
DATE APPLICATION RECEIVED

**03-01**  
APPLICATION NUMBER

ENGINEER & PLANNING

IF APPLICABLE "XX"

\*\*This form to be completed only if you answer "yes" to question #9 on the application form.

AGRICULTURAL DATA STATEMENT

1. Name and Address of Applicant:

Francis G. Coleman

431 Lake Road New Windsor, New York 12553

2. Description of proposed project and its locations:

Ten Lot Single-Family Residential Subdivision with 4 Lots

fronting on a public road and 6 Lots fronting on a private

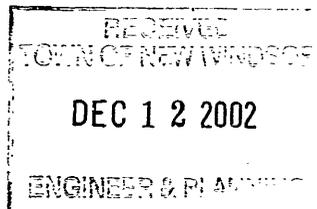
road located on the easterly boundary of Lake Road, 700± ft.

3. <sup>South of Beaver Road</sup>  
Name and address of any owner of land within the  
Agricultural District:

4. Name and address of any owner of land containing farm  
operations located within 500 feet of the boundary of the  
subject property.

(Please see attached sheet)

5. A map is submitted herewith showing the site of the proposed  
project relative to the location of farm operations  
identified in this statement.



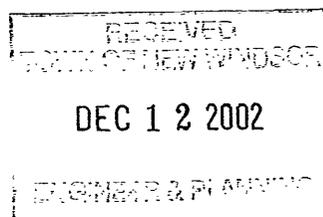
03-01

Town of New Windsor  
 Application Attachment  
 Agricultural Data Statement  
 Planning Board

RE: Subdivision of Property for Kielly Estates  
 Section 57 Block 1 Lot 4  
 Lake Road

**4.) Name and address of any owner of land containing farm operations located within 500 feet of the boundary of the subject property.**

Section 57 Block 1 Lot 5 & 7	Section 57 Block 1 Lot 6.1
Harold Baxter, Jr. 505 Jackson Avenue New Windsor, New York 12553	Margaret L. & William E. Steidle, Jr. Box 65 – Jackson Avenue New Windsor, New York 12553
Lot 5 – Vacant Farmland	Nursery
Lot 7 – Dairy Farm	
Section 54 Block 1 Lot 48.222	Section 54 Block 1 Lot 44.1
Francis G. Coleman 431 Lake Road New Windsor, New York 12553	John & Susan Waugh Trust Agreement 637 Jackson Avenue New Windsor, New York 12553
Livestock	Dairy Farm



**03-01**

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

Francis G. Coleman, deposes and says that he resides  
(OWNER)

at 431 Lake Road, New Windsor in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 57 Block 1 Lot 4)  
designation number (Sec.        Block        Lot       ) which is the premises described in  
the foregoing application and that he authorizes:

\_\_\_\_\_  
(Applicant Name & Address, if different from owner)

James A. Dillin, P.L.S. 38 Scotchtown Avenue Goshen, New York 10924

\_\_\_\_\_  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: October 16, 2002

Francis Coleman  
Owner's Signature

Deborah Green  
Witness' Signature

\_\_\_\_\_  
Applicant's Signature if different than owner

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\_\_\_\_\_  
Representative's Signature

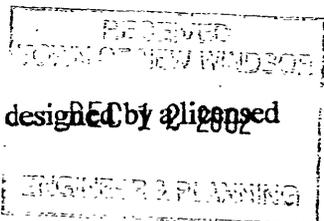
**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO  
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

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**TOWN OF NEW WINDSOR PLANNING BOARD  
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

- 1.   X   Name and address of Applicant.
  - \* 2.   X   Name and address of Owner.
  - 3.   X   Subdivision name and location
  - 4.   X   **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**
- SAMPLE:** 
- 5.   X   Tax Map Data (Section, Block & Lot).
  - 6.        Location Map at a scale of 1" = 2,000 ft.
  - 7.   X   Zoning table showing what is required in the particular zone and what applicant is proposing.
  - 8.        Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
  - 9.   X   Date of plat preparation and/or date of any plat revisions.
  - 10.   X   Scale the plat is drawn to and North arrow.
  - 11.        Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
  - 12.   X   Surveyor's certificate.
  - 13.   X   Surveyor's seal and signature.
  - 14.   X   Name of adjoining owners.
  - 15.        Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
  - \* 16.        Flood land boundaries.
  - 17.        A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
  - 18.        Final metes and bounds.



- 19.   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.
- 20.        Include existing or proposed easements.
- 21.   X   Right-of-way widths.
- 22.        Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
- 23.   X   Lot area (in square feet for each lot less than 2 acres).
- 24.   X   Number the lots including residual lot.
- 25.        Show any existing waterways.
- \*26.        A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
- 27.        Applicable note pertaining to owners review and concurrence with plat together with owners signature.
- 28.        Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
- 29.        Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
- 30.        Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
- 31.        Provide A septic system design notes as required by the Town of New Windsor.
- 32.   X   Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
- 33.        Indicate percentage and direction of grade.
- 34.        Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
- 35.        Indicate location of street or area lighting (if required).

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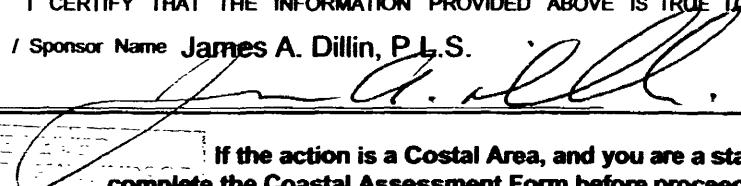
PROJECT ID NUMBER

SEQR

617.20  
APPENDIX C  
STATE ENVIRONMENTAL QUALITY REVIEW

**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
for UNLISTED ACTIONS Only

**PART 1 - PROJECT INFORMATION** (To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR Francis G. Coleman	2. PROJECT NAME Subdivision of Property for Kielly Estates
3. PROJECT LOCATION: Town of New Windsor Municipality	Orange County
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map  The easterly boundary of Lake Road, adjacent to Pennsylvania Lines	
5. IS PROPOSED ACTION : <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY:  Ten Lot Single-Family Residential Subdivision with Four Lots fronting on a public road and Six Lots fronting on a private road	
7. AMOUNT OF LAND AFFECTED: Initially 24.142 acres                      Ultimately 24.142 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" 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 name and permit / approval:	
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 name and permit / approval:	
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 James A. Dillin, P.L.S.	Date: December 5, 2002
Signature 	

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

DEC 12 2002

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PLANNING

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

[Empty text box for C1 answer]

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

[Empty text box for C2 answer]

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

[Empty text box for C3 answer]

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

[Empty text box for C4 answer]

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

[Empty text box for C5 answer]

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

[Empty text box for C6 answer]

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

[Empty text box for C7 answer]

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly:

Yes  No

[Empty text box for D answer]

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:

Yes  No

[Empty text box for E answer]

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Town of New Windsor Planning Board

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

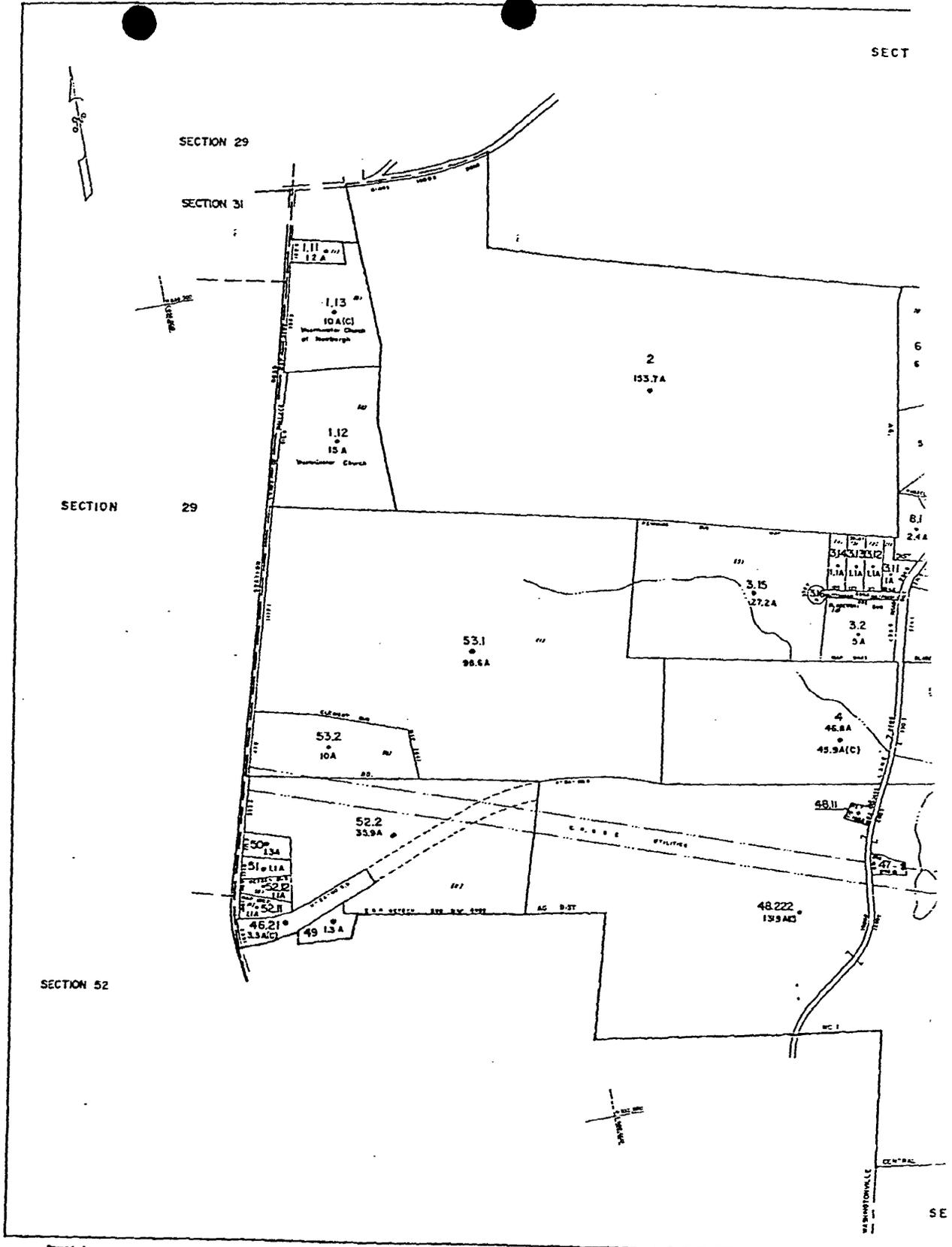
Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

DEC 12 2002

ESSEX PLANNING

03-01



Prepared by  
**AERO SERVICE CORPORATION**  
 A DIVISION OF CITICORP INVESTMENTS  
 100 WALL STREET, NEW YORK, N.Y. 10038

**FOR TAX PURPOSES ONLY**  
 NOT TO BE USED FOR CONVEYANCE

LEGEND			
STATE OF COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN NO.
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.	FILED PLAN AC.
BLOCK & SECTION LINE	MATCH LINE	AREAS (Dist. in 1/4, 1/2, 3/4, 1/8, 1/16)	STATE NUMBER
SPECIAL DISTRICT LINE	STREAMS	DISCREPANCY (Dist. in 1/4, 1/2, 3/4, 1/8, 1/16)	COUNTY NUMBER
PROPERTY LINE			TOWN ROAD

SECTION 52

SECTION 56

TOWN OF BLOOMING GROVE

Prepared by  
 ORANGE CO. TAX MAP DEPT.  
 MAIN ST., GOSHEN, N.Y. 10824  
 1989  
 FOR TAX PURPOSES ONLY  
 NOT TO BE USED FOR CONVEYANCE

LEGEND	
STATE OF NEW YORK	TAX MAP BLOCK NO. 32
CITY OF GOSHEN	TAX MAP PARCEL NO. 125
TOWN OF BLOOMING GROVE	SECTION 52
SPECIAL DISTRICT LINE	STREAMS
PROPERTY LINE	3RD CORNER CENTER

