

**PB# 03-16**

**Classic Home Builders**

**32-1-14.4**

PB # **03-16** CLASSIC HOME BLDRS  
SLIP & LL CHG. KINGS ROAD (LYTLE)

TOWN OF NEW WINDSOR  
PLANNING BOARD

**APPROVED COPY**

DATE: \_\_\_\_\_

*6/1/05*



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553-6196  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

Mark J. Edsall, P.E.  
Engineer for the Town

**FAXED**  
*[Handwritten signature]*

11 April 2006

William Brodsky  
The Carteret Group  
275 N. Middletown Road  
Pearl River, NY 10965

**SUBJECT: FOUR LOT SUBDIVISION OFF KINGS ROAD (MASON LANE)  
TOWN OF NEW WINDSOR - SBL32-1-14.4  
PB PROJECT NO. 03-16**

Dear Mr. Brodsky:

Your attention is directed to your approved subdivision plat, and specifically the off-site drainage improvements depicted on sheet no. 2, which were required by the Town Highway Superintendent and subsequently the Town Planning Board.

We are aware that you are proceeding with the development of the subdivision lots, and the construction of the aforementioned off-site drainage work has started, but has not been completed. The adjoining developer is in the process of completing his construction of the project roadway, and has advised the Town representatives that public improvement work in the form of curb work is to begin shortly.

It is imperative that you continue your required off-site work obligated by the subdivision approval. Should you delay the same any further, you will be required to replace any newly installed improvements to the satisfaction of the Town, fully at your cost.

We trust you will give the above your immediate attention.

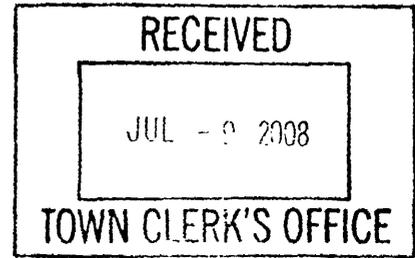
Very truly yours,

*[Handwritten signature of Mark J. Edsall]*  
Mark J. Edsall, P.E., P.P.  
Engineer for the Town

- cc: Anthony Fayo, Town Highway Superintendent (via fax) ✓
- Michael Babcock, Building and Zoning Inspector (via fax) ✓
- Field Copy (Hand delivered to Carteret Group rep in field) ✓



**MEMORANDUM**



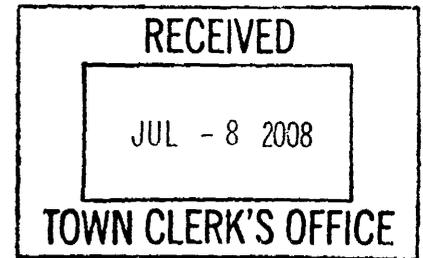
TO: Deborah Green, Town Clerk  
FROM: Michael Blythe, Esq.  
DATE: July 7, 2008  
SUBJECT: Classic Homes, LLC

Attached is a copy of a Motion from the May 7, 2008, Town Board Meeting authorizing the release of the Private Improvement Bond in the sum of \$122,030.80. Mr. Brodsky has indicated he wishes to pick up the original bond. I do not have any objections. If you have any questions, or require anything further, please advise.

MDB



## MEMORANDUM



TO: Deborah Green, Town Clerk  
FROM: Michael Blythe, Esq.  
DATE: July 7, 2008  
SUBJECT: Classic Homes, LLC

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Attached is a copy of a Motion from the May 7, 2008, Town Board Meeting authorizing the release of the Public Improvement Bond in the sum of \$64,735.00 upon receipt of a one year maintenance bond in the amount of \$6,474.00. This is to advise you that my office has received the maintenance bond. Mr. Brodsky has indicating he wishes to pick up the original bond from your office tomorrow morning. I do not have any objections. If you have any questions, or require anything further, please advise.

MDB

**TOWN BOARD MEETING  
WEDNESDAY, MAY 7, 2008; 7:00 P.M.**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to execute a Payment in Lieu of Taxes (PILOT) Agreement and related documents between the Town of New Windsor and Warwick Properties for New Windsor Senior Housing.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#7 ON AGENDA: RECEIVE AND FILE QUITCLAIM DEED – COVINGTON ESTATES**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Quitclaim Deed between Town of New Windsor and RRMGNWH, LLC, dated January 10, 2008, and recorded in the Orange County Clerk's office on the 25<sup>th</sup> day of January, 2008, as File #20080009615 (Covington Estates).

**#8 ON AGENDA: MOTION – AUTHORIZE RELEASE OF PUBLIC IMPROVEMENT BOND – CLASSIC HOMES LLC**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the release of a Public Improvement Bond for Classic Homes, LLC a/k/a Kings Road, LLC – Mason Lane, Planning Board File #03-16, in the amount of \$64,735.00 upon receipt of a one year Maintenance Bond in the amount of \$6,474.00, as recommended by the Town Engineer, McGoey, Hauser & Edsall, Consulting Engineers, P.C., by correspondence dated August 28, 2007.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#9 ON AGENDA: MOTION – AUTHORIZE RELEASE OF PRIVATE IMPROVEMENT BOND – CLASSIC HOMES, LLC**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the release of a Private Improvement Bond for Classic Homes, LLC a/k/a Kings Road, LLC – Mason Lane, Planning Board File #03-16, in the amount of \$122,030.80, as recommended by the Town Engineer, McGoey, Hauser & Edsall, Consulting Engineers, P.C., by correspondence dated August 28, 2007.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#10 ON AGENDA: MOTION – AUTHORIZE EXECUTION OF INTERMUNICIPAL COOPERATION AGREEMENT – OC MUNICIPAL PARKS PLANNING PROGRAM**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize Supervisor Green to execute attached Agreement between Town of New Windsor and County of Orange for funding to support the creation and enhancement of local parks and other recreational, historic and/or cultural facilities in the amount of \$130,300.00.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#11 ON AGENDA: MOTION – ADOPT ORDER CALLING PUBLIC HEARING – ESTABLISHMENT OF DRAINAGE DISTRICT #13 – SHADOWFAX RUN DEVELOPMENT**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt an Order Calling Public Hearing to be held on June 4, 2008, at 555 Union Avenue, New Windsor, New York at 7:00 o'clock p.m. to establish Drainage District #13, Shadowfax Run Development, in accordance with Resolution attached hereto.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

11/107  
P.B.#03-16



THE CARTERET GROUP

275 N. Middletown Road  
Pearl River, New York 10965

CC: M.E.

845.735.6525  
845.735.1840 (fax)

October 15, 2007

Mr. Mark Edsall – Consulting Engineer  
Town of New Windsor  
555 Union Avenue  
New Windsor New York 12553

Re: Temporary Sedimentation Pond Kings Road Subdivision

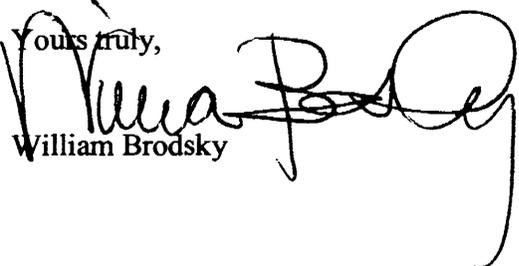
Dear Mr. Edsall,

We have completed the private road, Mason Lane, in the aforementioned subdivision. At this time we would like to connect all the piping leading to the temporary sediment pond on lot #4 to the pipe work in Mason Lane. Upon completion of this pipe work we will fill in the temporary sediment pond to the existing grade surrounding it. The filled area will then be top soiled, raked and seeded.

If there are any further questions concerning this issue can please let us know at your earliest convenience. If when can proceed with work can you please write us back and let us know.

Your cooperation with this issue is appreciated. Thank you.

Yours truly,

  
William Brodsky



**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

28 August 2007

Town of New Windsor Town Board  
555 Union Avenue  
New Windsor, NY 12553

ATTENTION: GEORGE A. GREEN, TOWN SUPERVISOR

SUBJECT: **CLASSIC HOMES MAJOR SUBDIVISION (KINGS ROAD)  
RECOMMENDATION FOR BOND REDUCTION  
Planning Board Application 03-16**

Dear Supervisor Green:

We have received the letter from William Brodsky of The Carteret Group requesting release of the Public Improvement and Private Improvement bonds for the subject project.

Our office performed a review of the work related to the Private Road and off-site public (drainage) improvements. *Based on our review, it is our recommendation that both bonds be released in full, as all work is complete.*

A maintenance bond in the amount of \$6,474 should be required to cover the public improvements for one year following acceptance.

Please do not hesitate to contact me if you have any questions concerning the above.

Very truly yours,

Mark J. Edsall, P.E.  
Engineer for the Town

cc: Anthony Fayo, Town Highway Superintendent  
Richard D. McGoe, P.E., Engineer for the Town  
Michael Blythe, Esq., Attorney for the Town

**REGIONAL OFFICES**

• 111 WHEATFIELD DRIVE - SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3391 •

Map Number 486-05 City New Windsor  
Section 32 Block 1 Lot 144 Town New Windsor  
Village

Title: Kings Road

Dated: 6/14/2004 Filed 6/14/2005

Approved by James Petro Jr  
on June 1, 2005

Record Owner Donald Witfield

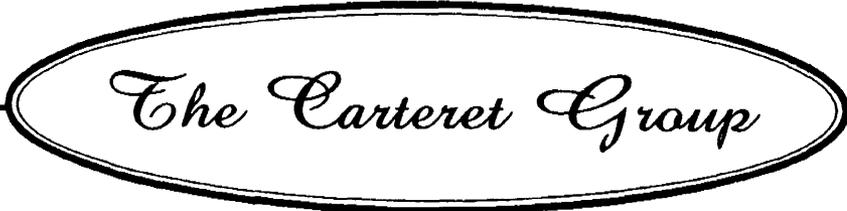
DONNA L. BENSON  
Orange County Clerk

5 sheets = 50 + 3 \$53  
total

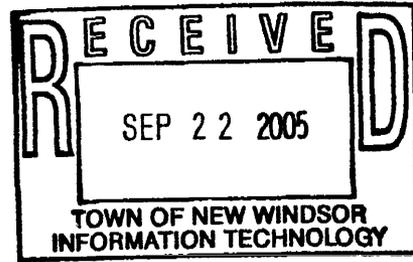
RECORDED/FILED ORANGE COUNTY  
BOOK 02005 PAGE 0486  
06/14/2005/ 10:47:06  
FILE NUMBER 20050066757  
RECEIPT#425387 patti



CC D. Taylor  
M. Mason



A Real Estate Development Company



Mr. John McDonald  
Town of New Windsor  
555 Union Avenue  
New Windsor New York 12553

Re: Four lot subdivision off Kings Road New Windsor New York SBL 32-1-14.4

Dear Mr. McDonald;

Recently a four lot subdivision was approved and filed off Kings Road in New Windsor. The applicant for this subdivision was Mr. Anthony Fayo. My company is now the owner of this parcel. The reason for this letter is that I have been instructed to write to you to request a change from the road name on the filed map to a new road name. The road name on the filed map is Skip's Way. We would like the road name to read Mason Lane instead.

Please let us know if this is acceptable and what we need to do to insure this name change. Your cooperation in this matter will be greatly appreciated.

Yours truly,

*William Brodsky*  
William Brodsky

9/23/05  
*OK Jones*



**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

11 October 2005

William Brodsky  
The Carteret Group  
275 N. Middletown Road  
Pearl River, NY 10965

**SUBJECT: FOUR LOT SUBDIVISION OFF KINGS ROAD (MASON LANE)  
TOWN OF NEW WINDSOR - SBL32-1-14.4  
PB PROJECT NO. 03-16**

Pursuant to a request by Mark J. Edsall, P.E., the undersigned conducted a site review with regards to the methods and means for erosion and sediment control.

It is evident in review of the site that the current efforts to control sediment runoff has been inadequate. It is highly recommended that all of the proposed practices for erosion and sediment control as depicted on the approved subdivision plans be put into practice.

Please be advised that sediment from this subdivision has been witnessed down-gradient offsite, and silt fencing that had been taken or knocked down remained in its ineffective state for more than a day's time. The Town understands that the recent storm event has caused widespread concerns with stormwater management on construction sites; however it is in everyone's best interest to remediate all erosion control practices in a timely manner.

Please consider this letter notice for being in non-conformance with your Stormwater Permit for Construction Activities.

Very truly yours,

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

A handwritten signature in black ink, appearing to read 'B. Masterson', is written over a horizontal line.

Brendan Masterson  
Project Engineer

Cc: Mark J. Edsall, P.E. Planning Board Engineer  
Michael Babcock, Building and Zoning Inspector

**REGIONAL OFFICES**

- 607 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 08/23/2005

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 3-16

NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	06/18/2004 MUNICIPAL HIGHWAY . THE PLAN SEEMS TO MEET ALL THE REQUIREMENTS THAT THE HIGHWAY . DEPT REQUESTED. I AM AWAITING A FINAL REVIEW FROM MARK . EDSALL, TOWN ENGINEER	06/23/2004	APPROVED
REV1	06/18/2004 MUNICIPAL FIRE	06/18/2004	APPROVED
REV1	06/07/2004 E 911 COORDINATOR . SENT NUMBERED PLAN TO APPLICANT TO INCLUDE NUMBERS	06/11/2004	APPROVED
REV1	03/29/2004 MUNICIPAL HIGHWAY	04/12/2004	UNDER REVIEW
REV1	03/29/2004 MUNICIPAL WATER	/ /	
REV1	03/29/2004 MUNICIPAL SEWER	/ /	
REV1	03/29/2004 MUNICIPAL FIRE	/ /	
REV1	03/29/2004 NYS DOT	/ /	
ORIG	06/30/2003 MUNICIPAL HIGHWAY . DRAINAGE PLAN UNACCEPTABLE - ROAD SPEC IS INCOMPLETE	03/16/2003	DISAPPROVED
ORIG	06/30/2003 MUNICIPAL WATER	03/29/2004	SUPERSEDED BY REV1
ORIG	06/30/2003 MUNICIPAL SEWER	03/29/2004	SUPERSEDED BY REV1
ORIG	06/30/2003 MUNICIPAL FIRE	07/01/2003	APPROVED
ORIG	06/30/2003 NYS DOT	03/29/2004	SUPERSEDED BY REV1

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 08/23/2005

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 3-16

NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/01/2005	PLANS STAMPED	APPROVED
06/23/2004	P.B. APPEARANCE . SEND DEED AND PRIVATE ROAD AGREEMENT TO ANDY - NEED PRIVATE . ROAD COST ESTIMATE AND BOND - NEED HIGHWAY AND MARK'S . APPROVAL	ND: APPR COND
04/14/2004	P.B. APPEARANCE- PUBLIC HEAR . CLEAN UP DEBRIS AT 93 KINGS DRIVE - CLOSED PUBLIC HEARING	NEED D.O.H. & HWY
07/09/2003	P.B. APPEARANCE . NEED HIGHWAY APPROVAL - CORRECT PLAN & MARK'S COMMENTS THEN . SCHEDULE PH	LA:SCH PH
05/07/2003	WORK SHOP APPEARANCE	SUBMIT
04/02/2003	WORK SHOP APPEARANCE	RETURN TO WS
03/19/2003	WORK SHOP APPEARANCE	RETURN TO WS

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 08/23/2005

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 3-16

NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	06/18/2004	MUNICIPAL HIGHWAY . THE PLAN SEEMS TO MEET ALL THE REQUIREMENTS THAT THE HIGHWAY . DEPT REQUESTED. I AM AWAITING A FINAL REVIEW FROM MARK . EDSALL, TOWN ENGINEER	06/23/2004	APPROVED
REV1	06/18/2004	MUNICIPAL FIRE	06/18/2004	APPROVED
REV1	06/07/2004	E 911 COORDINATOR . SENT NUMBERED PLAN TO APPLICANT TO INCLUDE NUMBERS	06/11/2004	APPROVED
REV1	03/29/2004	MUNICIPAL HIGHWAY	04/12/2004	UNDER REVIEW
REV1	03/29/2004	MUNICIPAL WATER	/ /	
REV1	03/29/2004	MUNICIPAL SEWER	/ /	
REV1	03/29/2004	MUNICIPAL FIRE	/ /	
REV1	03/29/2004	NYS DOT	/ /	
ORIG	06/30/2003	MUNICIPAL HIGHWAY . DRAINAGE PLAN UNACCEPTABLE - ROAD SPEC IS INCOMPLETE	03/16/2003	DISAPPROVED
ORIG	06/30/2003	MUNICIPAL WATER	03/29/2004	SUPERSEDED BY REV1
ORIG	06/30/2003	MUNICIPAL SEWER	03/29/2004	SUPERSEDED BY REV1
ORIG	06/30/2003	MUNICIPAL FIRE	07/01/2003	APPROVED
ORIG	06/30/2003	NYS DOT	03/29/2004	SUPERSEDED BY REV1

THE GUARANTEE COMPANY OF NORTH AMERICA USA

SITE IMPROVEMENT BOND

BOND NUMBER: LS10021912

KNOW ALL MEN BY THESE PRESENTS, that we, KINGS ROAD, LLC  
275 NORTH MIDDLETOWN ROAD, PEARL RIVER, NY 10965 as Principal, and The Guarantee  
Company of North America USA, 162 Karcheval, Grosse Pointe Farms,  
Michigan, 48236 authorized to do business in the State of  
NEW YORK as Surety, are held and firmly bound unto TOWN OF NEW WINDSOR, NY  
HIGHLAND MILLS, NY as Obligor, in the penal sum of

ONE HUNDRED TWENTY TWO THOUSAND THIRTY DOLLARS AND 80/100 (\$122,030.80) Dollars, lawful money of the  
United States of America, for the payment of which and truly to be made, we bind ourselves, our  
heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these  
presents.

WHEREAS, KINGS ROAD, LLC will make the following  
improvements P.B. File #03-16, Classic Home Builders Subdivision

Kings Road 32-1-14.4

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the said  
Principal shall improve, or have improved, the areas herein described and shall hold the Obligor  
harmless from any loss, cost or damage by reason of its failure to complete said work, then this  
obligation shall be null and void; otherwise to remain in full force and effect.

SIGNED, sealed and dated this 16TH DAY OF MAY 2005

ATTEST: [Signature]

KINGS ROAD, LLC  
BY: [Signature]  
President  
THE GUARANTEE COMPANY OF NORTH AMERICA USA

WITNESS: [Signature]

BY: [Signature]  
GARY MORRISSEY, Attorney-in-fact

**SURETY ACKNOWLEDGMENT**

STATE OF NEW YORK  
COUNTY OF NASSAU

{ SS:

On this 16<sup>th</sup> of MAY in the year 2005, before me personally came **Gary Morrissey** to me known, who being by me duly sworn, did depose and say that he resides in **Chestnut Ridge, NY**; that he is the attorney-in-fact of **THE GUARANTEE COMPANY OF NORTH AMERICA USA** the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

NOTARY PUBLIC STAMP  
**USA G. GULLI**  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01GU6102799  
QUALIFIED IN NASSAU COUNTY  
COMMISSION EXPIRES JANUARY 26, 2008

*[Signature]*

NOTARY PUBLIC

**INDIVIDUAL - PRINCIPAL**

STATE OF  
COUNTY OF

{ SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned personally came and appeared to me personally known and known to me to be the individual described in and who executed the foregoing instrument and duly acknowledged to me that \_\_\_\_\_ executed the same.

NOTARY PUBLIC STAMP

NOTARY PUBLIC

**CORPORATION - PRINCIPAL**

STATE OF  
COUNTY OF

{ SS:

On this 16 day of MAY, 2005, before me came William Thorpe to me known, who, being by me duly sworn, did depose and say that he resides at 12 CHESTNUT ROAD, CHESTNUT RIDGE, N.Y. 10515 that he is President of KINGS ROAD, LLC the corporation described in and which executed the foregoing instrument as principal; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

NOTARY PUBLIC STAMP  
**DONALD J. ROSS**  
Notary Public, State of New York  
No. 3363825  
Qualified in Rockland County  
2007

*[Signature]*

NOTARY PUBLIC

**PARTNERSHIP PRINCIPAL**

STATE OF  
COUNTY OF

{ SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, before me personally came \_\_\_\_\_ to me personally known, and known to me to be a member of the firm of \_\_\_\_\_ and he duly acknowledged to me that he executed the same for the uses and purposes therein mentioned.

NOTARY PUBLIC STAMP

POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS: That THE GUARANTEE COMPANY OF NORTH AMERICA USA, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

Scott R. Treiber, Anthony Buono, William G. Morrissey, Richard C. Guarini  
Treiber Group

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon THE GUARANTEE COMPANY OF NORTH AMERICA USA as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of THE GUARANTEE COMPANY OF NORTH AMERICA USA at a meeting held on the 31<sup>st</sup> day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

- 1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
- 2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 31<sup>st</sup> day of December 2003, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, THE GUARANTEE COMPANY OF NORTH AMERICA USA has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 1st day of April, 2005.



THE GUARANTEE COMPANY OF NORTH AMERICA USA

STATE OF MICHIGAN  
County of Oakland

Stephen Dullard, Vice President

On this 1st day of April, 2005 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn, said that he is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



Gail Trevor  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires August 2, 2005  
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

I, Randall Musselman, Secretary of THE GUARANTEE COMPANY OF NORTH AMERICA USA, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by THE GUARANTEE COMPANY OF NORTH AMERICA USA, which is still in full force and effect.

IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 16<sup>th</sup> day of MAY 20 05

  
Randall Musselman, Secretary

**THE GUARANTEE COMPANY OF NORTH AMERICA USA**  
*Home Office, Southfield, Michigan*  
**STATUTORY BALANCE SHEET**  
*December 31, 2004*

**ASSETS**

Cash and Short-Term Investments	\$ 47,132,535
Marketable Securities	13,203,759
Premium and Agents Balances (under 90 days)	923,167
Reinsurance Receivable on paid losses	1,373,798
Accrued Interest and Dividends	168,988
Other Assets	<u>182,259</u>
Total Admitted Assets	<u>\$ 62,984,506</u>

**LIABILITIES**

Reserve for Losses and Loss Adjustment Expenses	\$ 5,867,201
Unearned Premium Reserve	3,504,820
Accrued Expenses	913,041
Ceded Reinsurance Premiums Payable	262,816
Taxes, Licenses and Fees Payable	<u>41,838</u>
Total Liabilities	<u>\$ 10,589,716</u>

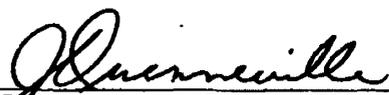
**CAPITAL AND SUPLUS**

Common Stock and Paid-In Capital	\$ 85,020,970
Surplus	<u>(32,626,180)</u>
Total Policyholders' Surplus	\$ 52,394,790
Total Liabilities, Capital and Surplus	<u>\$ 62,984,506</u>

State of Michigan  
County of Oakland

Jules R. Quenneville being duly sworn, says: That he is the Chief Executive Officer and President of The Guarantee Company of North America USA; that said company is a corporation duly organized, existing, and engaged in business as a surety by virtue of the laws of the State of Michigan, and has duly complied with all the requirements of the laws of said state applicable to said company and is duly qualified to act as surety under such laws; that said company has also complied with and is duly qualified to act as surety under the Act of Congress of July 30, 1947, as amended (6 U.S.C. 6-13); that the foregoing is a full, true and correct statement of the financial condition of said company on the 31<sup>st</sup> day of December 2004.

Sworn to before me this 28<sup>th</sup> day of March 2005.

  
\_\_\_\_\_  
Jules R. Quenneville, Chief Executive Officer and President

*Cynthia A. Takai*  
Notary  
**CYNTHIA A. TAKAI**  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires Feb. 27, 2008  
Acting in the County of Oakland

THE GUARANTEE COMPANY OF NORTH AMERICA USA

SITE IMPROVEMENT BOND

BOND NUMBER: LS10008431

KNOW ALL MEN BY THESE PRESENTS, that we, KINGS ROAD, LLC  
275 NORTH MIDDLETOWN ROAD, PEARL RIVER, NY 10965 as Principal, and The Guarantee  
Company of North America USA, 102 Kercheval, Grosse Pointe Farms,  
Michigan, 48236 authorized to do business in the State of  
NEW YORK as Surety, are held and firmly bound unto TOWN OF NEW WINDSOR, NY  
HIGHLAND MILLS, NY as Oblige, in the penal sum of  
SIXTY FOUR THOUSAND SEVEN HUNDRED THIRTY FIVE AND 00/100 (\$64,735.00) Dollars, lawful money of the  
United States of America, for the payment of which and truly to be made, we bind ourselves, our  
heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these  
presents.

WHEREAS, KINGS ROAD, LLC will make the following  
improvements P.B. File #03-16, Classic Home Builders Subdivision

Kings Road 32-1-14.4

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said  
Principal shall improve, or have improved, the areas herein described and shall hold the Oblige  
harmless from any loss, cost or damage by reason of its failure to complete said work, then this  
obligation shall be null and void; otherwise to remain in full force and effect.

SIGNED, sealed and dated this 16TH DAY OF MAY 2005

ATTEST: [Signature]

KINGS ROAD, LLC  
BY: [Signature]  
President  
THE GUARANTEE COMPANY OF NORTH AMERICA USA

WITNESS: [Signature]

BY: [Signature]  
GARY MORRISSEY, Attorney in fact

**SURETY ACKNOWLEDGMENT**

STATE OF NEW YORK  
COUNTY OF NASSAU

{ SS:

On this 16<sup>th</sup> of MAY in the year 2005, before me personally came **Gary Morrissey** to me known, who being by me duly sworn, did depose and say that he resides in **Chestnut Ridge, NY**; that he is the attorney-in-fact of **THE GUARANTEE COMPANY OF NORTH AMERICA USA** the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

NOTARY PUBLIC STAMP  
LISA C. GULLI  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01GU6102799  
QUALIFIED IN NASSAU COUNTY  
COMMISSION EXPIRES JANUARY 26, 2008



NOTARY PUBLIC

**INDIVIDUAL - PRINCIPAL**

STATE OF  
COUNTY OF

{ SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned personally came and appeared to me personally known and known to me to be the individual described in and who executed the foregoing instrument and duly acknowledged to me that \_\_\_\_\_ executed the same.

NOTARY PUBLIC STAMP

NOTARY PUBLIC

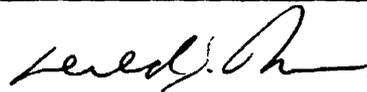
**CORPORATION - PRINCIPAL**

STATE OF  
COUNTY OF

{ SS:

On this 16<sup>th</sup> day of MAY, 2005, before me came William Bhopsky to me known, who, being by me duly sworn, did depose and say that he resides at 12 CANAL STREET ROAD, BEAULIEU, NY 10960 that he is PRESIDENT of KINGS ROAD, LLC the corporation described in and which executed the foregoing instrument as principal; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

NOTARY PUBLIC STAMP  
DONALD J. ROSS  
Notary Public, State of New York  
No. 3363825  
Qualified in Rockland County  
Commission Expires June 30, 2007



NOTARY PUBLIC

**PARTNERSHIP - PRINCIPAL**

STATE OF  
COUNTY OF

{ SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally came \_\_\_\_\_ to me personally known, and known to me to be a member of the firm of \_\_\_\_\_ and he duly acknowledged to me that he executed the same for the uses and purposes therein mentioned.

NOTARY PUBLIC STAMP

POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS: That THE GUARANTEE COMPANY OF NORTH AMERICA USA, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

Scott R. Treiber, Anthony Buono, William G. Morrissey, Richard C. Guarini  
Trelber Group

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon THE GUARANTEE COMPANY OF NORTH AMERICA USA as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of THE GUARANTEE COMPANY OF NORTH AMERICA USA at a meeting held on the 31<sup>st</sup> day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

- 1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 31<sup>st</sup> day of December 2003, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, THE GUARANTEE COMPANY OF NORTH AMERICA USA has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 1st day of April, 2005.

THE GUARANTEE COMPANY OF NORTH AMERICA USA



STATE OF MICHIGAN
County of Oakland

[Handwritten signature]

Stephen Dullard, Vice President

On this 1st day of April, 2005 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn, said that he is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



Gail Trevor
Notary Public, State of Michigan
County of Macomb
My Commission Expires August 2, 2005
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

[Handwritten signature]

I, Randall Musselman, Secretary of THE GUARANTEE COMPANY OF NORTH AMERICA USA, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by THE GUARANTEE COMPANY OF NORTH AMERICA USA, which is still in full force and effect.

IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 16th day of MAY 20 05



[Handwritten signature]
Randall Musselman, Secretary

**THE GUARANTEE COMPANY OF NORTH AMERICA USA**  
*Home Office, Southfield, Michigan*  
**STATUTORY BALANCE SHEET**  
*December 31, 2004*

**ASSETS**

Cash and Short-Term Investments	\$ 47,132,535
Marketable Securities	13,203,759
Premium and Agents Balances (under 90 days)	923,167
Reinsurance Receivable on paid losses	1,373,798
Accrued Interest and Dividends	168,988
Other Assets	<u>182,259</u>
Total Admitted Assets	<u>\$ 62,984,506</u>

**LIABILITIES**

Reserve for Losses and Loss Adjustment Expenses	\$ 5,867,201
Unearned Premium Reserve	3,504,820
Accrued Expenses	913,041
Ceded Reinsurance Premiums Payable	262,816
Taxes, Licenses and Fees Payable	<u>41,838</u>
Total Liabilities	\$ 10,589,716

**CAPITAL AND SUPLUS**

Common Stock and Paid-In Capital	\$ 85,020,970
Surplus	<u>(32,626,180)</u>
Total Policyholders' Surplus	\$ 52,394,790
Total Liabilities , Capital and Surplus	<u>\$ 62,984,506</u>

State of Michigan  
County of Oakland

Jules R. Quenneville being duly sworn, says: That he is the Chief Executive Officer and President of The Guarantee Company of North America USA; that said company is a corporation duly organized, existing, and engaged in business as a surety by virtue of the laws of the State of Michigan, and has duly complied with all the requirements of the laws of said state applicable to said company and is duly qualified to act as surety under such laws; that said company has also complied with and is duly qualified to act as surety under the Act of Congress of July 30, 1947, as amended (6 U.S.C. 6-13); that the foregoing is a full, true and correct statement of the financial condition of said company on the 31<sup>st</sup> day of December 2004.

Sworn to before me this 28<sup>th</sup> day of March 2005.

  
\_\_\_\_\_  
Jules R. Quenneville, Chief Executive Officer and President

*Cynthia A. Takai*  
Notary  
**CYNTHIA A. TAKAI**  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires Feb. 27, 2008  
Acting in the County of Oakland



**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)

*To be on J.B. Agenda  
for 9/15/04*

*Anthony Faye  
497-3529*

**MAIN OFFICE**

33 AIRPORT CENTER DRIVE  
SUITE 202  
NEW WINDSOR, NEW YORK 12553

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

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

**MEMORANDUM**

(via fax)

2 September 2004

*CORRECTED*

*Faye*

**TO: MYRA MASON, PLANNING BOARD SECRETARY**  
**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**  
**SUBJECT: CLASSIC HOME BLDRS SUBDIVISION  
PLANNING BOARD APPLICATION NO. 03-16**

Our office has reviewed the cost estimates submitted for the subject application. The project includes both private and (off-site) public improvements. Based on our review, some corrections were necessary on the private estimate. A copy of the public improvement estimate and the marked up site estimate is attached hereto.

Based on our review, we recommend that the Public Improvement estimate be established at \$64,735.00. This improvement requires the posting of a bond, letter of credit or equivalent guarantee approved in form by Phil Crotty. The inspection fee for the public improvements is \$2589.

Based on our review, we recommend that the Private site improvement estimate be established at \$122,030.80. The inspection fee associated with this bond amount is \$2441.

Our time printout for the project is attached.

Contact me if you have any questions regarding the above.

NWEG-16-Closed Memo 09-02-04  
MJE/m

**REGIONAL OFFICES**

• 607 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 840 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3999 •

**ZEN Design Consultants, Inc.**

2 SUMMIT COURT, SUITE 304  
FISHKILL, NY 12524

(866) 507-1808 (toll free)

(845) 896-8896 (phone)

(845)-896-1921 (fax)

**Classic Home Builder's**

**Propose Private Road Improvements**

<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Price</u>	<u>Description</u>
1	ea	\$1,200.00	\$1,200.00	Construction Entrance
1	Acre	\$4,425.00	\$4,425.00	Clear & Grub
1	Acre	\$2,825.00	\$2,825.00	Stump Removal
740	cy	\$1.32	\$976.80	Strip, Load & Stockpile Topsoil
2875	cy	\$3.00	\$8,625.00	Cut to Subgrade
200	cy	\$12.25	\$2,450.00	Truck, Grade, Compact Fill
179	lf	\$56.00	\$10,024.00	24" HDPE
0	ea	\$400.00	\$0.00	24" End Section
616	lf	\$48.00	\$29,568.00	18" HDPE
0	ea	\$400.00	\$0.00	18" End Section
48	lf	\$42.00	\$2,016.00	15" HDPE
0	ea	\$400.00	\$0.00	15" End Section
1660	sy	\$8.00	\$13,280.00	Roadway Subbase - 8"
1000	sy	\$6.00	\$6,000.00	Double Surface Treatment
6	ea	\$2,500.00	\$15,000.00	Stormwater - Catch Basin
2	ea	\$3,500.00	\$7,000.00	Stormwater - Manhole
640	cy	\$6.00	\$3,840.00	Rip-Rap
50	ea	\$2.66	\$133.00	Haybale
1000	lf	\$0.97	\$970.00	Silt Fence
1	Acre	\$1,698.00	\$1,698.00	Hydroseeding
2000	lf	\$0.75	\$1,500.00	Survey, Asbuilt
75	ea	\$140.00	\$10,500.00	Gabion Wall (3'x3'x9')
			<b>\$122,030.80</b>	<b>Total Price</b>

**N Design Consultants, Inc.**

MMIT COURT, SUITE 304

SHKILL, NY 12524

(66) 507-1808 (toll free)

(845) 896-8896 (phone)

(845)-896-1921 (fax)

**Classic Home Builder's**

**Existing Town Road Improvements**

<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Price</u>	<u>Description</u>
✓ 7	ea	\$2,500.00 -	\$17,500.00	Catch Basins
✓ 44	lf	\$48.00 -	\$2,112.00	18" HDPE
✓ 1	ea	\$400.00 -	\$400.00	18" End Section
ok 650 784	lf	\$56.00 -	\$36,400.00	24" HDPE
✓ 1	ea	\$400.00 -	\$400.00	24" End Section
* 170	lf	* \$6.00	* \$1,020.00	Rip-Rap
✓ 50	lf	\$1.00 -	\$50.00	saw-cut asphalt
✓ 30	sy	\$12.00 -	\$360.00	Roadway subbase - 12" thick
✓ 30	sy	\$18.00 -	\$540.00	5" thick asphalt
• 50	ea	\$2.66 -	\$133.00	Haybale

\$58,915.00 Total Price

~~\$58,915.00~~  
\$64,735

\* 170' x 6' =  $\frac{1020 SF}{9}$  = 114 sy @ \$60 = \$6840

AS OF: 09/02/2004

PAGE: 2

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 3- 16

FOR WORK DONE PRIOR TO: 09/02/2004

										-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE		
3-16	238417	02/26/04			BILL 04-276					-994.10			
											-994.10		
3-16	239646	03/03/04	TIME	MJE	MC TC/KEN L Qs RE:KING	99.00	0.30	29.70					
3-16	241349	03/16/04	TIME	MJE	MC L/A COORD ARANSON	99.00	0.40	39.60					
3-16	242887	03/22/04	TIME	MJE	MC KINGS DR FAYO W/HK	99.00	0.30	29.70					
3-16	242888	03/22/04	TIME	MJE	MC COORD FAYO W/MM	99.00	0.30	29.70					
3-16	244651	04/12/04	TIME	MJE	MC MC/KROLL RVW FAYO	99.00	0.40	39.60					
3-16	244610	04/14/04	TIME	MJE	MC CLASSIC SUB	99.00	0.70	69.30					
3-16	245646	04/20/04	TIME	MJE	MC TC/FAYO DISC SUBDIV	99.00	0.40	39.60					
								777.20					
3-16	246401	04/28/04			BILL 04-459					-306.90			
											-306.90		
3-16	249497	05/17/04	TIME	MJE	MC COORD:FAYO PERCS	99.00	0.30	29.70					
3-16	249500	05/18/04	TIME	MJE	MC COORD:FAYO PERCS	99.00	0.30	29.70					
3-16	252033	05/19/04	TIME	BMM	FI PERC TESTS KINGS RD	99.00	2.50	247.50					
3-16	249510	05/20/04	TIME	MJE	MC LYTLE:2 PERCS REOD	99.00	0.30	29.70					
3-16	251362	06/02/04	TIME	MJE	MC TC/LYTLE:FAYO SUB	99.00	0.30	29.70					
3-16	253311	06/02/04	TIME	BMM	FI KINGS RD PERCS	99.00	2.00	198.00					
3-16	254463	06/16/04	TIME	MJE	MS CLASSIC HOMES SUB	99.00	0.30	29.70					
3-16	255055	06/22/04	TIME	MJE	MC CLASSIC HOME SUB	99.00	0.50	49.50					
3-16	254760	06/23/04	TIME	MJE	MM Classic COND APPL	0.00	0.10	0.00					
								643.50					
3-16	255377	06/30/04			BILL 04-687					-643.50			
											-643.50		
3-16	264316	09/01/04	TIME	MJE	MC Rev w/BM	99.00	0.20	19.80					
3-16	264320	09/02/04	TIME	MJE	MC Classic Closeout	99.00	0.40	39.60					
3-16	264324	09/02/04	TIME	BMM	MC Cost Est rev	99.00	2.00	198.00					
								TASK TOTAL	2572.40	0.00	-2315.00	257.40	
								GRAND TOTAL	2572.40	0.00	-2315.00	257.40	

AS OF: 09/02/2004

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: MEMWIN - TOWN OF NEW WINDSOR

TASK: 3- 16

FOR WORK DONE PRIOR TO: 09/02/2004

TASK-NO	REC	--DATE--	TRAN	EMPL.	ACT DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----		
									EXP.	BILLED	BALANCE
3-16	207980	03/19/03	TIME	MJE	WS CLASSIC HOME BLDRS	95.00	0.40	38.00			
3-16	208768	04/02/03	TIME	MJE	WS CLASSIC HOMES N/S	95.00	0.40	38.00			
3-16	211609	05/07/03	TIME	MJE	WS FAYO SUB	95.00	0.40	38.00			
3-16	217009	07/07/03	TIME	MJE	MC CLASSIC HOME BLDRS	95.00	0.50	47.50			
									-----		
									161.50		
3-16	220265	08/26/03			BILL 03-1021						-123.50
											-----
											-123.50
3-16	222391	09/18/03	TIME	MJE	MC TC/LYILE-FAYO APP/PM	95.00	0.30	28.50			
3-16	223272	09/23/03	TIME	MJE	FM MTG ENGR & HK FAYO	95.00	1.50	142.50			
3-16	226783	10/29/03	TIME	MJE	WS CLASSIC HOMES	95.00	0.40	38.00			
									-----		
									209.00		
3-16	226226	10/30/03			BILL 03-1316						-209.00
3-16	228745	11/26/03			BILL 03-1486						-38.00
											-----
											-247.00
3-16	233892	01/05/04	TIME	MJE	MC RVW KINGS DR PLN	99.00	0.40	39.60			
3-16	233894	01/05/04	TIME	MJE	MC TC/K LYILE-FAYO KING	99.00	0.40	39.60			
3-16	233897	01/05/04	TIME	MJE	MC MC/HK DTSC KINGS DR	99.00	0.30	29.70			
3-16	233899	01/06/04	TIME	MJE	MC TC/GM DTSC FAYO KING	99.00	0.30	29.70			
3-16	233677	01/13/04	TIME	MJE	MC TC/GM RE FAYO KINGS	99.00	0.30	29.70			
3-16	233708	01/16/04	TIME	MJE	MC TC/GM RE FAYO KINGS	99.00	0.20	19.80			
3-16	234562	01/19/04	TIME	MJE	MC FAYO SUB KINGS DR	99.00	0.50	49.50			
3-16	234563	01/19/04	TIME	MJE	MC DISC FAYO-KINGS W/PH	99.00	0.40	39.60			
3-16	235255	01/20/04	TIME	PSR	CL PB COMM:CLASSIC HOME	28.00	0.50	14.00			
3-16	236902	01/20/04	TIME	PJH	MR KINGS ROAD DRAIN	99.00	1.50	148.50			
3-16	234823	01/28/04	TIME	MJE	MC MC/GM-FAYO KING STA1	99.00	0.30	29.70			
3-16	235566	02/05/04	TIME	MJE	MC CLASSIC HOMES DRAIN	99.00	0.50	49.50			
3-16	236395	02/09/04	TIME	MJE	MC TCS/MB/GM KINGS DR	99.00	0.30	29.70			
3-16	236396	02/09/04	TIME	MJE	MC LTR WITFIELD/FAYO ST	99.00	0.40	39.60			
3-16	236397	02/09/04	TIME	MJE	MC TC/F FAYO/KINGS DR	99.00	0.40	39.60			
3-16	236398	02/09/04	TIME	MJE	MC TC/SHAW COORD KINGS	99.00	0.30	29.70			
3-16	236438	02/11/04	TIME	MJE	MC FAYO/KINGS W/CROTTY	99.00	0.30	29.70			
3-16	237427	02/19/04	TIME	PJH	MR CLASSIC HOME/DRNG	99.00	1.50	148.50			
3-16	237555	02/19/04	TIME	MJE	MC FAYO W/PJH	99.00	0.40	39.60			
3-16	237557	02/19/04	TIME	MJE	FM KINGS DR SITE MTG	99.00	1.00	99.00			
3-16	237573	02/20/04	TIME	MJE	GM TC/LM KEN LYILE	99.00	0.20	19.80			
3-16	238501	02/23/04	TIME	MJE	MC TC/LYILE RE FAYO	99.00	0.30	29.70			
									-----		
									1023.80		

CORRESPONDENCE

CLASSIC HOME BUILDERS SUBDIVISION (03-16)

MR. PETRO: Classic Home Builders subdivision, request for two 90 day extensions of conditional final approval, to the Town of New Windsor Planning Board from Classic Home Builders, I am requesting two 90 day extensions for 4 lot subdivision on Kings Road. Anthony Fayo. Mark, do you see any reason we can't do this?

MR. EDSALL: No, I would just make the record clear that they have conditional final approval and that part of the conditions include paying all the fees, they still owe inspection fees, they have to post a bond for the private road, they have to post a bond for the public improvements.

MR. ARGENIO: So it has to be subject to all the original requirements?

MR. EDSALL: Exactly, so they're not getting anything, all they're doing is having the same conditions carried along.

MR. PETRO: Motion is for two 90 day extensions.

MR. ARGENIO: Motion we do that subject to the original requirements being applicable to the extension.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant two 90 day extensions for the Classic Home Builders subdivision. Myra, you will make sure that these two 90 days run contiguous to the whenever it ran out so there's no lapse of time and no gaining of time. Any further discussion from the board members? If not, roll call.

January 12, 2005

37

ROLL CALL

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

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/25/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/30/2003	CK2932 S/\$600. LLC/\$150.	PAID		750.00	
07/09/2003	P.B. ATTY. FEE	CHG	35.00		
07/09/2003	P.B. MINUTES	CHG	18.00		
04/14/2004	P.B. ATTY. FEE	CHG	35.00		
04/14/2004	P.B. MINUTES	CHG	60.50		
06/23/2004	P.B. ATTY. FEE	CHG	35.00		
06/23/2004	P.B. MINUTES	CHG	22.00		
09/09/2004	P.B. ENGINEER FEE	CHG	2572.40		
05/24/2005	REC. CK. #4762	PAID		2027.90	
		TOTAL:	2777.90	2777.90	0.00

  
5/20/05

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

**RECEIPT**  
**#480-2005**

05/25/2005

Dickover, Donnelly, Etaldickover, D *P.B.# 03-16*

Received \$ 470.00 for Planning Board Fees, on 05/25/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

PLANNING BOARD  
TOWN OF NEW WINDSOR

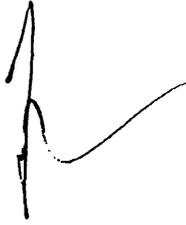
AS OF: 05/25/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
RECREATION

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2004	REC FEE FOR 3 LOTS@ 1,500	CHG	4500.00		
05/24/2005	REC. CK. #4763	PAID		4500.00	
		TOTAL:	4500.00	4500.00	0.00

  
5/20/05

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/25/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2004	4% OF 64,735. INSPECT FEE	CHG	2589.00		
09/09/2004	2% OF 122030.80 INSPECT F	CHG	2441.00		
05/24/2005	REC. CK. #4764	PAID		2589.00	
05/24/2005	REC. CK. #4765	PAID		2441.00	
		TOTAL:	5030.00	5030.00	0.00

  
5/20/05

12/15/04

To: The Town of New Windsor planning board  
From: Classic Home Builders

I am requesting (2) 90 day  
extensions on 4 lot subdivision  
on Kings Rd. (532-B1-L14.4)

Yours Truly

Anthony Fayo  
Classic Home Builders

1/12/05

(M) A } 5 days  
(S) S } 0 days

Calculate Dates

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/25/2005

PAGE: 1

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

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2004	APPROVAL FEE	CHG	470.00		
05/24/2005	REC. CK. #4761	PAID		470.00	
		TOTAL:	----- 470.00	----- 470.00	----- 0.00



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## OFFICE OF THE PLANNING BOARD

September 10, 2004

Classic Home Builders  
308 Bull Road  
Washingtonville, NY 10992

ATTN: ANTHONY FAYO

SUBJECT: SUBDIVISION FEES - P.B. #03-16

Dear Anthony:

Please find attached printouts of fees due for subject project.

Please submit payment in separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....	\$ 470.00 ✓
Check #2 - Amount over escrow posted.....	\$ 2,027.90 ✓
Check #3 - Recreation fee on 3 Lots.....	\$ 4,500.00 ✓
Check #4 - Inspection fee for Public Improvements: Based on cost estimate of \$64,735.....	\$ 2,589.00 ✓
Check #5 - Inspection fee for Private Improvements: Based on cost estimate of \$122,030.80.....	\$ 2,441.00 ✓

Upon receipt of these checks and ten (10) sets of plans with mylar, I will have them 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

**FAXED**

9-10-04  
497-3529

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/10/2004

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 3-16

NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2004	4% OF 64,735. INSPECT FEE	CHG	2589.00		
09/09/2004	2% OF 122030.80 INSPECT F	CHG	2441.00		
		TOTAL:	5030.00	0.00	5030.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/10/2004

PAGE: 1

LISTING OF PLANNING BOARD FEES  
RECREATION

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2004	REC FEE FOR 3 LOTS@ 1,500	CHG	4500.00		
		TOTAL:	4500.00	0.00	4500.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/10/2004

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2004	APPROVAL FEE	CHG	470.00		
		TOTAL:	470.00	0.00	470.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/10/2004

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/30/2003	CK2932 S/\$600. LLC/\$150.	PAID		750.00	
07/09/2003	P.B. ATTY. FEE	CHG	35.00		
07/09/2003	P.B. MINUTES	CHG	18.00		
04/14/2004	P.B. ATTY. FEE	CHG	35.00		
04/14/2004	P.B. MINUTES	CHG	60.50		
06/23/2004	P.B. ATTY. FEE	CHG	35.00		
06/23/2004	P.B. MINUTES	CHG	22.00		
09/09/2004	P.B. ENGINEER FEE	CHG	2572.40		
		TOTAL:	2777.90	750.00	2027.90



# TOWN OF NEW WINDSOR

TOWN CLERK'S OFFICE  
555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4611  
Fax: (845) 563-4670

## REQUEST FOR PUBLIC RECORDS

Date: 11/2/04

Name: UPSTATE BUILDERS

Address: 51 FORBES DR #203-4  
MONROE N.Y. 10950

Phone: (845) 781-7441

Representing: \_\_\_\_\_

**Please specify:**

- Property location (street address or section, block and lot number)
- Department you are requesting records from
- Describe information requested as fully as possible

32-1-14.4      KINGS RD.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**Dickover, Donnelly, Donovan & Biagi, LLP**  
**Attorneys and Counselors at Law**

**James B. Biagi**  
**David A. Donovan**  
**Michael H. Donnelly**  
**Robert J. Dickover**

**25 Bruen Place**  
**P.O. Box 610**  
**Goshen, NY 10924**  
**Phone (845) 294-9447**  
**Fax (845) 294-6553**  
*(Not for Service of Process)*

Suzanne Law Firm, Inc.  
Alexander Appellbaum, P.C., Florida, N.Y. (1915-1988)  
Ludmeyer & Varco, Esqs., Warwick, N.Y.

September 8, 2004

Andrew Krieger, Esq.  
219 Quassick Ave.  
New Windsor, New York 12553

**VIA FAX ONLY: 562-2407**

***RE: Town of New Windsor Planning Board w/ Classic Home Builders, LLC***

---

Dear Mr. Krieger:

I write to you in your capacity as counsel for the Town of New Windsor Planning Board.

The undersigned represents Classic Home Builders, LLC in connection with their conditionally approved four lot subdivision in the Town of New Windsor.

One of the conditions imposed in connection with the approval was the submission of a "draft copy of the private road maintenance declaration" to the Planning Board Attorney.

Accordingly, I transmit herewith a proposed private road maintenance declaration for your review.

Please let me know if the document is acceptable or if you will require any changes and/or modifications.

Thank you.

**PRIVATE ROAD MAINTENANCE DECLARATION**

**THIS DECLARATION** made this \_\_\_ day of September 2004, by Classic Home Builders, LLC a duly constituted New York Limited Liability Company having an office for the transaction of business at 308 Bull Road, Washingtonville, New York 10992 recites as follows:

**WHEREAS**, Classic Home Builders, LLC presently owns certain real property in the Town of New Windsor, New York known and designated on the Town of New Windsor Tax Map as Section 32, Block 1, Lot 14.4 which property is further depicted on a certain subdivision map prepared by Zen Design Consultants, Inc, dated [\_\_\_\_\_] and last revised [\_\_\_\_\_] and filed in the Office of the Orange County Clerk on [\_\_\_\_\_] as Map #[\_\_\_\_]; and

**WHEREAS**, there is, and will be, a private road, servicing said subdivision substantially as shown and set forth on said Map and which private road is more particularly described in Schedule "A" annexed hereto; and

**WHEREAS**, it is and will be in the best interests of all present and future owners of said named lots to have an understanding and agreement to maintain said private road and to set forth the distribution of expenses and costs for the maintenance, improvements and repairs of the same, and

**WHEREAS**, these obligations and burdens are intended to run with the land and will be assumed and carried by the owner or owners of said lots, and their successors in interest;

**NOW THEREFORE, IN CONSIDERATION OF MUTUAL COVENANTS AND PROMISES CONTAINED HEREIN, IT IS HEREBY DECLARED AS FOLLOWS:**

**FIRST:** The record owner(s) of said lots as defined herein shall refer to this Agreement in any Deed conveying title to any of said lots, and shall cause subsequent and future

purchasers and owners thereof to assume the obligations and burdens set forth, upon acceptance of title to any of said lots.

**SECOND:** The record owner(s) of said lots shall meet or be heard at least once every year to determine what maintenance or improvements or repairs shall be performed upon said road for the coming year, (including snow removal, surfacing, paving, graveling, widening, clearing, filling in holes, and any other item of work necessary for the safe and convenient use of said road by the owners of said lots), and the manner and method of performing the same, or of having the same performed by others and paying for the same, including the naming of one of said lot owners as "spokesperson" for all.

**THIRD:** All decisions relating to the maintenance or improvements or repairs of said road as set forth in paragraph SECOND shall be made by a majority vote of the owners of said lots. The lot owner(s) shall be entitled to one (1) vote for every lot owned. Each lot owner shall be responsible for the proportion of expense and cost for such maintenance, improvement, or repair that his/her/their vote bears to the total votes eligible to be cast.

**FOURTH:** The "spokesperson" for said lot owners shall gather the bills, invoices, or other accounts for the expenses and costs of any such maintenance, improvement, or repair of said road, and shall immediately notify the other remaining lot owners of the same and his/her/their proportionate share of said expenses and costs. Within fifteen (15) days of such notification, each lot owner shall deliver an appropriate check to the "spokesperson" representing his/her/their proportionate share of said expenses and costs, and the "spokesperson" shall then and there immediately forward said sums to pay the bills for said expenses and costs. In the event one of the said lot owners fails to deliver his/her/their check as set forth above, then the "spokesperson" shall be authorized:

(a) to forward that portion of said bill or invoice that has been delivered to him for payment to the person or persons performing any such work on the road, together with a statement setting forth the proportionate share thereof that remains unpaid and the name and address of the lot owner who has failed to pay his/her/their share, or

(b) to collect from one or more other lot owners that portion of said bill or invoice that remains unpaid, and then to forward same to the person or persons performing any such work on the road, the monies for full payment of the same.

Each said lot owner understands and consents and agrees that in the event that any lot owner fails to pay his/her/their proportionate share as set forth above, then either the person or persons performing the said work upon the road, or the one or more other lot owners who have paid an increased share of said expenses and costs, shall be entitled to recover from the lot owner who fails to pay his/her/their proportionate share, the monies due and owing therefore, and the same shall subject the real property of said lot owner who fails to pay his/her/their proportionate share, to a lien in the amount of the sum due and owing therefore, together with any statutory interest and reasonable costs, therefore.

**FIFTH:** Upon taking title by the delivery of a Deed to any lots as defined herein, any present or subsequent or future purchaser or owner thereof shall have a perpetual easement to use the said private road for ingress and egress, to and from, [*insert name of public road*], and his/her/their lot, and shall also become immediately liable for his/her/proportionate share of the obligations and burdens set forth herein, all consistent with this Agreement.

**SIXTH:** This Agreement shall be recorded, and shall be deemed a covenant running with the lands affected hereby, and shall inure to the benefit of, and shall be binding

upon, all of the parties hereto, and their heirs, distributees, personal representatives, and successors in interest.

Dated:

---



**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:** CLASSIC HOME BUILDERS (WITFIELD) MINOR SUBDIVISION AND LOT LINE CHANGE (WITH LANDS OF FOX HILL ASSOCIATES)  
**PROJECT LOCATION:** KINGS ROAD  
SECTION 32 – BLOCK 1 – LOT 14.4  
**PROJECT NUMBER:** 03-16  
**DATE:** 23 JUNE 2004  
**DESCRIPTION:** THE PROJECT INVOLVES THE SUBDIVISION OF A 17.8 +/- ACRE PARCEL INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL LOTS, WITH A PRIVATE ROAD. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 9 JULY 2003 AND 14 APRIL 2004 PLANNING BOARD MEETINGS.

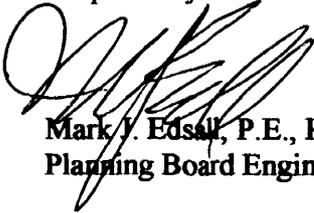
1. The property is located in the R-1 zoning district of the Town. The “required” values on the bulk table are correct. As a final correction to the bulk table, an asterisk should be added to the “lot width” listing on the table to correspond to the asterisk note at the bottom of the table.
2. As previously noted, the application also includes a lot line change. The applicant should be aware that a new combination deed will be required to insure that the land being conveyed to Fox Hill is merged into their existing lot.
3. I have reviewed the resubmitted plans and have the following initial comments:
  - The sanitary system designs are based on soils data per testing by applicant’s engineer with testing witnessed by our office. Sanitary designs are currently under final review.
  - The plans now provide a complete off-site stormwater system to address the concerns of the Highway Superintendent. The plans provide piping and catch basins which have been coordinated with the ADC Windsor Inc subdivision (application 01-45), which is also a current application before the Board. It is my opinion that the layout is acceptable. Following this meeting, I will coordinate a final approval of the system with the Highway Superintendent.

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

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 applicant will be required to submit a Private Road Completion Bond per the requirements of Section A60-10(A)(8) of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.
6. The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Planning Board Attorney for review.
7. The applicant should be directed to submit the Public Improvement Bond Estimate to the Town for review, and subsequent approval of the Town Board.
8. 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  
NW03-16-23June04.doc



# TOWN OF NEW WINDSOR

TOWN CLERK'S OFFICE

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12553

Telephone: (845) 563-4611

Fax: (845) 563-4670

## REQUEST FOR PUBLIC RECORDS

Date: 10/29/04

Name: Beth Rickli

Address: 10 Lakeside Dr.

New Windsor, NY. 12553

Phone: (845) 496-5938

Representing: self

**Please specify:**

- Property location (street address or section, block and lot number)
- Department you are requesting records from
- Describe information requested as fully as possible

Classic Home Builders - Fees Due

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

# TOWN OF NEW WINDSOR

## MINOR SUBDIVISION FEE SCHEDULE

APPLICATION FEE: \$ 75.00

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 \$ 100.00

PRELIMINARY PLAT APPROVAL \$ 150.00

FINAL PLAT APPROVAL FEE (\$100.00 + \$5.00/LOT) \$ 120.00

FINAL PLAT SECTION FEE \$ 100.00

TOTAL APPROVAL FEES: \$ 470.00

---

---

RECREATION FEES:

  3   LOTS @ \$1,500.00 / LOT \$ 4,500.00

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TO BE DEDUCTED FROM ESCROW:

ESCROW POSTED: \$           

P.B. ENGINEER FEE \$           

P.B. ATTY. FEE \$           

MINUTES OF MEETING \$           

OTHER \$           

TOTAL DEDUCTION: \$           

REFUND: \$           

AMOUNT DUE: \$           

---

---

PERFORMANCE BOND AMOUNT \$           

INSPECTION FEE:

2% PRIVATE IMPROVEMENTS \$           

4% PUBLIC IMPROVEMENTS \$

CLASSIC HOME BUILDERS SUBDIVISION (03-16)

Mr. Ken Lytle appeared before the board for this proposal.

MR. PETRO: Proposed 4 lot residential subdivision. Project involves subdivision of 17.8 acre parcel into 4 single family residential lots on a private road. Application previously reviewed at the 9 July, 2003, 14 April, 2004 planning board meetings, R-1 zone required values of the bulk table are correct, final correction of the bulk table, asterisk should be added to the lot width previously noted also includes lot line change should be aware that the new combination deed would be required to ensure that the land being conveyed to Fox Hill is merging into the existing lot, Andy, you're going to have to let me know when that's fine so I can sign the plan and/or Mr. Schlesinger. Okay?

MR. KRIEGER: Yes.

MR. PETRO: I have reviewed the plans and filed the initial comments.

MR. KRIEGER: As far as the applicant is concerned that means you have to send me the deed.

MR. PETRO: When did we have the public hearing last time?

MR. LYTLE: Yes.

MS. MASON: It was April 14th.

MR. PETRO: Do you want to say anything, I mean, or you want me to do it?

MR. LYTLE: You're doing a fine job. We did the combined percs and deeps, everything went fine. We actually made modifications to the drainage which he

asked for. Basically that's all the comments.

MR. PETRO: We do have highway approval on 6/23/2004, the plan seems to meet all the requirements that the highway department requested. I am awaiting a final review from Mark Edsall, the Town engineer, I guess he wanted to check a couple pipes.

MR. LYTLE: That's correct.

MR. PETRO: What we'll do is as we move along, we'll make that a condition, condition of final approval that he get a sign-off from the highway department, fire was approved on 6/18/2004. Planning board may wish to make a determination regarding type of action. I'll entertain a motion for negative dec.

MR. ARGENIO: I'll make that motion.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the Classic Home Builders subdivision on Kings Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

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

MR. PETRO: Applicant required to submit a private road completion bond per the requirements of the Town Street Specifications. The applicant should submit a draft copy of the private road maintenance declaration in recordable form to the planning board attorney for

review. Add that to your list, Andy.

MR. KRIEGER: Okay.

MR. PETRO: Applicant should be directed to submit public improvement bond estimate to the Town for review and subsequent approval for the Town Board. You know what that's all about? As per the 911 policy of the Town, this project requires the assignment of a street name and 911 address numbering.

MR. BABCOCK: Must have been done.

MR. PETRO: So let's take that off. And final subject to will be what I already said, I'm not going to repeat them, so make sure you have everything, I just said complete, which will be that the highway superintendent signs off, even though we have an approval here on 6/23/2004, he does have other notes, so it has to be signed with those notes, I called him and it's just a couple of pipes sizings. Okay?

MR. LYTTLE: Yes.

MR. PETRO: Any comment from any of the board members? If not, entertain a motion for final approval.

MR. ARGENIO: Motion for final approval subject to the comments that the Chairman just read into the minutes.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Classic Home Builders minor subdivision and lot line change on Kings Road. Any further comment? That's with the subject-to's that I have already said. Any further comments from anybody?

ROLL CALL

June 23, 2004

42

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



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/23/2004

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 3-16

NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG

APPLICANT: CLASSIC HOME BUILDERS

DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	06/18/2004 MUNICIPAL HIGHWAY . THE PLAN SEEMS TO MEET ALL THE REQUIREMENTS THAT THE HIGHWAY . DEPT REQUESTED. I AM AWAITING A FINAL REVIEW FROM MARK . EDSALL, TOWN ENGINEER	06/23/2004	APPROVED
REV1	06/18/2004 MUNICIPAL FIRE	06/18/2004	APPROVED
REV1	06/07/2004 E 911 COORDINATOR . SENT NUMBERED PLAN TO APPLICANT TO INCLUDE NUMBERS	06/11/2004	APPROVED
REV1	03/29/2004 MUNICIPAL HIGHWAY	04/12/2004	UNDER REVIEW
REV1	03/29/2004 MUNICIPAL WATER	/ /	
REV1	03/29/2004 MUNICIPAL SEWER	/ /	
REV1	03/29/2004 MUNICIPAL FIRE	/ /	
REV1	03/29/2004 NYS DOT	/ /	
ORIG	06/30/2003 MUNICIPAL HIGHWAY . DRAINAGE PLAN UNACCEPTABLE - ROAD SPEC IS INCOMPLETE	03/16/2003	DISAPPROVED
ORIG	06/30/2003 MUNICIPAL WATER	03/29/2004	SUPERSEDED BY REV1
ORIG	06/30/2003 MUNICIPAL SEWER	03/29/2004	SUPERSEDED BY REV1
ORIG	06/30/2003 MUNICIPAL FIRE	07/01/2003	APPROVED
ORIG	06/30/2003 NYS DOT	03/29/2004	SUPERSEDED BY REV1

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/23/2004

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd  
O [Disap, Appr

FOR PROJECT NUMBER: 3-16

NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/14/2004	P.B. APPEARANCE- PUBLIC HEAR . CLEAN UP DEBRIS AT 93 KINGS DRIVE	NEED D.O.H. & HWY - CLOSED PUBLIC HEARING
07/09/2003	P.B. APPEARANCE . NEED HIGHWAY APPROVAL . SCHEDULE PH	LA:SCH PH - CORRECT PLAN & MARK'S COMMENTS THEN
05/07/2003	WORK SHOP APPEARANCE	SUBMIT
04/02/2003	WORK SHOP APPEARANCE	RETURN TO WS
03/19/2003	WORK SHOP APPEARANCE	RETURN TO WS

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/23/2004

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 3-16

NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG

APPLICANT: CLASSIC HOME BUILDERS

DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG 06/30/2003	EAF SUBMITTED	06/30/2003	WITH APPLIC
ORIG 06/30/2003	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG 06/30/2003	LEAD AGENCY DECLARED	07/09/2003	TOOK LA
ORIG 06/30/2003	DECLARATION (POS/NEG)	/ /	
ORIG 06/30/2003	SCHEDULE PUBLIC HEARING	07/09/2003	SCHED PH
ORIG 06/30/2003	PUBLIC HEARING HELD	04/14/2004	CLOSED PH
ORIG 06/30/2003	WAIVE PUBLIC HEARING	/ /	
ORIG 06/30/2003	PRELIMINARY APPROVAL	/ /	
ORIG 06/30/2003		/ /	



# 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

June 11, 2004

Zen Design Consultants, Inc.  
2 Summit Court - Suite 304  
Fishkill, NY 12524

**SUBJECT: CLASSIC HOME BUILDERS - P.B. #03-16 ✓**

Dear Sir:

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

PUBLIC HEARINGS:

CLASSIC HOME BUILDERS SUBDIVISION & LOT LINE CHANGE  
(03-16)

Mr. Kenneth Lytle and Mr. Anthony Fayo appeared before the board for this proposal.

MR. PETRO: Proposed 4 lot residential subdivision and lot line change. This project involves subdivision of 17.8 acre parcel into a single family residential lots with a private road. The application was previously reviewed at the 9 July, 2000 planning board meeting. Obviously, we're here for a public hearing. Property is in an R-1 zone, required bulk table is correct. As a final correction to the bulk table, an asterisk should be added to the lot width listing on the table to correspond to the asterisk note at the bottom of the table. This application includes lot line change, applicant should be aware that new combination deed will be required to assure that the land being conveyed to Fox Hill is merged into their existing lot. The application shows that the wells and septic systems are as per plan dated 3/10/02 as the applicant's engineer field verified the location of the adjoining well to ensure proper separation.

MR. LYTLE: Yes.

MR. PETRO: How do you follow up on that? He's saying yes, not that I disbelieve you.

MR. EDSALL: The record is clear, they can also add in instead of saying per the plan they can say field verified.

MR. PETRO: Plan now includes sanitary disposal systems, the systems are proposed shale or absorption trench systems sent to the Orange County Department of Health for review. Has it gone there?

MR. LYTLE: No, it has not.

MR. PETRO: Going to have to be sent there and approval following the public hearing, preliminary approval so once we have the preliminary, we can send it on. Is that correct?

MR. EDSALL: It will have to be based on the information on the plan.

MR. PETRO: The plan has provided for an off-site storm water system to address the concerns of the highway superintendent. What do we have from him now? Highway is under review, okay, it did go from disapproved to under review so you're moving along. The plans provide piping and catch basins, this is what he's looking at, right, installation conflicts with the plans for the ADC Windsor, Inc. subdivision application which is also a current application before the board. This will need to be coordinated by the applicant. Evidently, we have another application and the two are not coinciding evidently, right, Mark?

MR. EDSALL: Correct.

MR. PETRO: So I'm just going to outline that I don't want to get into it now, get together with your engineer, get together with Mr. Kroll and work it out.

MR. LYTLE: Okay.

MR. PETRO: We're not going to sit here and design the drainage off-site, until I see that it's approved, we can't go further. Do you want to make any presentation or anything or we can just go right to the public hearing, basically, I said it all, right?

MR. LYTLE: Yes.

MR. PETRO: On the 29th day of March, 2004, 13 addressed envelopes containing the public notice were mailed out. If someone is here and would like to speak for or against the application, please be recognized by the Chair, come forward, state your concerns. Is there anyone here who'd like to speak? Yes, sir?

MR. DOULAN: Is it possible to ask what the style of the homes would be?

MR. PETRO: Why don't you come up here, please, I think we have a sign-in sheet somewhere and we also need your name and your address. Want to repeat your question?

MR. DOULAN: Pete Doulan, 67 Kings Drive, Rock Tavern, New York. And my question simply is I'm just curious of the style of the homes?

MR. FAYO: Colonials, probably going to run between 38 to 4,800 square feet.

MR. DOULAN: And it, will it be locked in for just like the four homes, not going to go any further than that?

MR. FAYO: No, that's it.

MR. PETRO: Only what we're approving, just the four homes.

MR. DOULAN: I was just curious of the style of the homes that would be going up. I have nothing against it, I think it's going to be great. There's no idea of how long this type of project takes?

MR. PETRO: This is a minor subdivision and it's not going to be here long, once they get really together with the highway superintendent, we're going to hear back from Orange County Board of Health with the separation of the wells and the septic designs, I would say within months, in other words, this is not a two or

three years project, they could be built by the end of the summer, I would say, yes, and that's only an opinion.

MR. DOULAN: That was my question. I'm down here so septic is a big thing. Thank you so much. Thank you, sir.

MR. PETRO: What's the price of the house, \$300,000 plus?

MR. FAYO: I think more like 5.

MR. ARGENIO: It's a nice area out that way.

MR. MARCADO: Carlos Marcado. My question is what are they going to do with the drainage situation over there because that area is generally a wet area, so with the construction that's going on there, I want to know where the drainage is going to go because your driveway to go into there is right between my lot and my neighbor's house, so once you're going to do construction, I don't know where the water's going to go. I don't want that coming into my property.

MR. PETRO: Show us on the map where you live.

MR. MARCADO: I live at 87 Kings Road, my house is about right here.

MR. PETRO: Which way is the topo going?

MR. LYTLE: Down this way.

MR. PETRO: So you're saying naturally flowing away from his home?

MR. LYTLE: That's correct, whereas we're going to catch all the water coming down, there will be drains, all the water coming down the hill will run into a

pond, do what we have to do drying out our back yard running it down the street and all the way down to the swamp.

MR. MARCADO: This whole area as it is is wet.

MR. PETRO: Well, you know, if you do a site visit with them and go see when they're working there you may be able to take, the pond is basically in your back yard, actually run off some of your gutter drains or something into the pond and get it off your property, that's between you and the builder, but it looks like it's in a perfect spot to do that. If you look at the topo lines, it's actually running not into your property from this property it's going to actually just go to the right there. But I would suggest to you that you get in touch with them when you see them over there, I'm sure you wouldn't mind building a small dry ditch over to the pond?

MR. FAYO: That's not a problem.

MR. PETRO: Anything else?

MS. NEGERI (PHONETIC): Catherine Negeri. I'm also concerned about the drainage problem.

MR. PETRO: Show us where you are.

MS. NEGERI: We're right over here.

MR. PETRO: Now she's in the flow basically as far as the topo lines, what's going on?

MS. NEGERI: We're having a huge problem right now with the drainage, the kids can't play in the back yard because there's so much water there, we had a terrible problem since we moved in with ice and water running off the driveway and eroding the property as well, a lot of trouble near our mailbox and water runoff in the

back yard, side, front and all over the place. I'm quite concerned about the property being able to handle four more houses.

MR. PETRO: Okay. What's there, a ten foot cut here?

MR. LYTLE: I believe so, yes.

MR. FAYO: Our intention is we will catch all the water that's heading to the house and the drainage.

MR. PETRO: Into your retention pond. Show it to her.

MR. FAYO: Yes.

MR. LYTLE: This is the natural slope of the land going towards your house, this is going to catch any water going towards your house, taking it down the road and into this pond and there's piping underground out and down the road.

MR. PETRO: You know how it works? It catches water at a fast rate like a big bowl in the property and all the water will go into the bowl and major rainstorm let's the water out slowly downstream in the wetlands which is down from you. Is that correct?

MR. LYTLE: Yes.

MR. PETRO: Instead of overrunning your property, it will go into the pond first and then be let out at a certain rate.

MS. NEGERI: I want to know where the entrance to the private road is going to be, doesn't seem like there's adequate room for a private road for that between my house.

MR. LYTLE: There's a stone wall that's currently there, it's going to start 25 feet from there towards

your house.

MS. NEGERI: How wide is the road going to be?

MR. LYTLE: The right-of-way is 50 feet and the road is 18.

MS. NEGERI: And when the construction does start, I'm a little concerned about cleanup and construction debris and machinery as well because we moved in in December, 2002 and we still have construction debris in the back yard sitting there. How long is that stuff going to be around? I don't want to look out my window and see that.

MR. PETRO: Normally, it shouldn't be, building department and fire department, when they do their jobs properly in 99.9 percent of the time they have to do that before the C.O.s are issued.

MS. NEGERI: I guess they didn't do their jobs the right way because I still have it.

MR. PETRO: I said 99.9.

MS. NEGERI: They still have stuff that's still waiting to be moved from when I moved in, what's the guarantee that's not going to be around three years later behind me?

MR. PETRO: Construction debris?

MS. NEGERI: Whatever is cleared from the land, stumps, wood, you know, whatever was there.

MR. PETRO: Who built the house?

MR. FAYO: I did.

MR. PETRO: Anthony, clean the back of the lady's

house, it will take five minutes.

MR. FAYO: We'll make it all disappear.

MR. PETRO: Call Myra, tell her that it's not cleaned up and the C.O.s will take a long time to find their way over there. How's that sound?

MS. NEGERI: Sounds good.

MR. FAYO: I know we talked about it before.

MR. PETRO: That problem's solved real quick. Nice to find both people in the same spot. Anything else?

MS. NEGERI: That's it, thank you.

MR. PETRO: Anybody else? Motion to close the public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Classic Home Builders minor subdivision and lot line change on Kings Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. MASON	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I'll reopen it back up to the board for any further input. Mark, do you have

anything else you want to talk about tonight?

MR. EDSALL: No, you've covered the comments.

MR. SCHLESINGER: I have a question. Shallow absorption trench system, is that designed for any one particular reason?

MR. LYTLE: Soil, based on the soil conditions we found.

MR. SCHLESINGER: What were those?

MR. LYTLE: On the fourth page I believe it's hazardous conditions, we had some heavy soils, more of a clay-ish type soil, actually had some water.

MR. SCHLESINGER: So this is a septic system that's designed for the type of conditions you have?

MR. LYTLE: Yes and we have curtain drains to continue drying out the soil in that area.

MR. PETRO: It's going to Orange County Board of Health to review, is that correct, Mark?

MR. EDSALL: Not because of the four homes. The code requires for shallow absorption trench systems that you have 24 inches between the bottom of trenches and the impermeable area, ground water, bedrock and that does not exist based on the information in the plans. We pointed that out in January and rather than I would assume go with an alternative type system, they have been, they have continued with the shallow trench system. The fact that it doesn't meet the state standards means we have to refer it to the health department for them to get a waiver or change the design.

MR. PETRO: I would suggest this and nobody has to tell

you because I'm sure you have been down this road before, make sure you build them properly, make sure they work, if not, it's going to be a nightmare for you, the people who live there and for the Town, we already have another spot in town where it's been a real problem, people have been here a couple times and it just doesn't work.

MR. ARGENIO: Same general area of the Town.

MR. PETRO: And it doesn't work, I don't care what the specs say.

MR. ARGENIO: Do it right.

MR. PETRO: I'm not saying you wouldn't do it right but I'm saying definitely put a little more effort into that building when you're building at least four homes.

MR. LYTLE: We're able to meet with Mark's people who normally witness these things, assume they met the code at that time would that be acceptable?

MR. EDSALL: I don't know why we would want to witness something we have no jurisdiction to review.

MR. LYTLE: Wouldn't be up to you to have your joint site inspection for a normal septic under 4 lots?

MR. EDSALL: It would be if the system as you submit it met the state health department standards and we had jurisdiction but once the system does not comply with the requirements and the state health department's publications, we have no jurisdiction, you have to go to the health department to get the waivers because we can't grant them.

MR. LANDER: Change the design instead of going to the County.

MR. EDSALL: Well, you can't change the ground water, that's the problem, in other words, if they changed to an alternative system and make it a raised bed that's an alternative system that has to go to the County so the only way to make this so we have authorization is to change the ground water.

MR. LYTLE: We installed a curtain drain, it would be working after it's fully installed.

MR. EDSALL: If you have a way of taking the condition and relieving it, then we can look at it.

MR. PETRO: Thank you.



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

**PROJECT NAME:** CLASSIC HOME BUILDERS (WITFIELD) MINOR SUBDIVISION AND LOT LINE CHANGE (WITH LANDS OF FOX HILL ASSOCIATES)  
**PROJECT LOCATION:** KINGS ROAD  
SECTION 32 – BLOCK 1 – LOT 14.4  
**PROJECT NUMBER:** 03-16  
**DATE:** 14 APRIL 2004  
**DESCRIPTION:** THE PROJECT INVOLVES THE SUBDIVISION OF A 17.8 +/- ACRE PARCEL INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL LOTS, WITH A PRIVATE ROAD. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 9 JULY 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” values on the bulk table are correct. As a final correction to the bulk table, an asterisk should be added to the “lot width” listing on the table to correspond to the asterisk note at the bottom of the table.
2. As previously noted, the application also includes a lot line change. The applicant should be aware that a new combination deed will be required to insure that the land being conveyed to Fox Hill is merged into their existing lot.
3. I have reviewed the resubmitted plans and have the following initial comments:
  - The plans note that existing wells and septic systems are as per plan dated 3/10/02. Has the applicant’s engineer field verified the location of the adjoining well to insure proper separation?

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

- The plans now include sanitary disposal system designs. The systems proposed are “shallow absorption trench systems”, as defined in the NYSDOH Design Handbook. The State guidelines require a minimum of 24” of separation between the bottom of disposal trenches and “boundary conditions” (ie. Bedrock, groundwater, impermeable strata). The soils data does not indicate that this is present, with the logs indicating groundwater intrusion at levels from 6” to 18”. As such, this plan should be sent to the Orange County Department of Health for review and approval following the Public Hearing and preliminary approval.
  - The plan have provided for an off-site stormwater system to address the concerns of the Highway Superintendent. The plans provide piping and catch basins on the south side of Kings Road. The installation conflicts with the plans for the ADC Windsor Inc subdivision (application 01-45), which is also a current application before the Board. This will need to be coordinated by the applicant.
4. I am not aware of an approval from the Highway Superintendent. An approval should be gained by the applicant as soon as possible, to confirm acceptability of the plan/design as currently submitted.
  5. If additional concerns are noted during the Public Hearing, I will be pleased to review same, as deemed appropriate by the Planning Board.

Respectfully Submitted,



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

MJE/st

NW03-16-14Apr04.doc





**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 **APRIL 14, 2004** at 7:30 P.M. on the approval of the proposed Subdivision for **CLASSIC HOME BUILDERS (03-16)**

Located at **KINGS ROAD** (Tax Map #Section **32**, Block **1**, Lot **14.4**) . 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 22, 2004**\_\_\_\_\_

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman



# Town of New Windsor

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

## Assessors Office

March 17, 2004

Classic Home Builders, LLC  
ATT: Anthony Fayo  
308 Bull Road  
Washingtonville, NY 10992

Re: 32-1-14.4 / PB# 03-16

Dear Mr. Fayo,

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

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  
Sole Assessor

JTW/tmp  
Attachments

32-1-13  
Ostner, Richard & Linda  
66 Union Avenue  
New Windsor, NY 12553

32-1-14.1  
Flannery, John R & Linda G  
61 Kings Road  
Rock Tavern, NY 12575

32-1-14.2  
Doolan, Peter J & Diane M  
67 Kings Road  
Rock Tavern, NY 12575

32-1-14.3  
Liggieri, Maurizio S & Catherine M  
93 Kings Road  
Rock Tavern, NY 12575

32-1-18.1  
Finnegan, Jean M  
26 Richman Avenue  
Newburgh, NY 12550

32-1-19  
Mercado, Carlos A & Zoraida  
87 Kings Road  
Rock Tavern, NY 12575

32-1-20.1  
Miles Family Trust  
Miles, Frederick & Margaret  
77 Kings Road  
Rock Tavern, NY 12575

54-1-2.2  
ADC Windsor, Inc.  
1995 Broadway – Suite 1200  
NY, NY 10023

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

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

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

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

**TOWN OF NEW WINDSOR**  
**REQUEST FOR NOTIFICATION LIST**

DATE: 03-16-2004 PROJECT NUMBER: ZBA# \_\_\_\_\_ P.B. # 03-16

APPLICANT NAME: CLASSIC HOME BUILDERS, LLC.

PERSON TO NOTIFY TO PICK UP LIST:

ANTHONY FAYO  
308 BULL ROAD  
WASHINGTONVILLE, NY 10992

TELEPHONE: 497-3529

TAX MAP NUMBER: SEC. 32 BLOCK 1 LOT 14.4  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: KINGS ROAD  
NEW WINDSOR, NY

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) \_\_\_\_\_



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

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 3033

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



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

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

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

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

WORK SESSION DATE: 29 Oct 2003 PROJECT: NEW \_\_\_\_\_ OLD X

REAPPEARANCE AT W/S REQUESTED: YET RESUB. REQ'D: New plan, later

PROJECT NAME: Classic Home Bldg (F940)

REPRESENTATIVES PRESENT: Ka Lyle

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

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

Kings Rd.

- disc tying to ABC subs
- incept drain @ top
- coord w/ Greg
- drains along Kings needed

STND CHECKLIST: \_\_\_\_\_

DRAINAGE \_\_\_\_\_

DUMPSTER \_\_\_\_\_

SCREENING \_\_\_\_\_

LIGHTING \_\_\_\_\_

(Streetlights)

LANDSCAPING \_\_\_\_\_

BLACKTOP \_\_\_\_\_

ROADWAYS \_\_\_\_\_

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

PROJECT STATUS:

ZBA Referral: \_\_\_\_\_ Y \_\_\_\_\_ N

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

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



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

**RICHARD D. McGOEY, P.E.** (NY & PA)  
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*Writer's e-mail address:*  
mje@mhepc.com

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

**PROJECT NAME:** CLASSIC HOME BUILDERS (WITFIELD) MINOR SUBDIVISION AND LOT LINE CHANGE (WITH LANDS OF FOX HILL ASSOCIATES)  
**PROJECT LOCATION:** KINGS ROAD  
SECTION 32 – BLOCK 1 – LOT 14.4  
**PROJECT NUMBER:** 03-16  
**DATE:** 9 JULY 2003  
**DESCRIPTION:** THE PROJECT INVOLVES THE SUBDIVISION OF A 17.8 +/- ACRE PARCEL INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL LOTS, WITH A PRIVATE ROAD. THE APPLICATION WAS REVIEWED ON A CONCEPT BASIS ONLY.

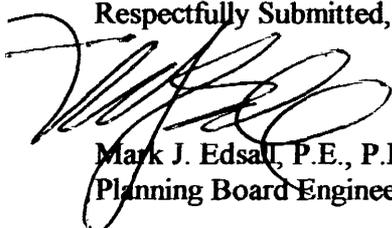
1. The property is located in the R-1 zoning district of the Town. The “required” values on the bulk table are correct, other than one correction noted below. The “provided” values indicate compliance for each lot, but corrections are needed as noted below.
  - The table should note “maximum development coverage”, not building coverage.
  - Provide actual lot width measurements both on the subdivision plat and the bulk table.
  - Provide actual road frontage measurements both on the subdivision plat and the bulk table.
2. The application also includes a lot line change. The applicant should be aware that a new combination deed will be required to insure that the land being conveyed to Fox Hill is merged into their existing lot.
3. I have reviewed the concept plans submitted and have the following initial comments:
  - The plans note that existing wells and septic systems are as per a 1990 filed map. The design engineer must make a current review of the existing conditions.

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

- The note on sheet 2 indicates that the sanitary systems will be designed prior to a building permit. This is not acceptable; as per Orange County Local Law #1 – 1989, and Town of New Windsor requirements, the systems must be designed as part of this subdivision.
  - The private road detail must specify the road finish in accordance with Town standards.
  - Outlet of the roadside swale must be identified. Catch basins may be needed at lower section of roadway.
  - Additional review will be required of the side slope grading and proposed retaining wall, proposed stormwater control measures, and related details of construction.
4. We have not yet reviewed the sanitary system designs pending Board acceptance of the sketch plan layout. Also, are percolation tests to be verified/witnessed?
  5. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
  6. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision and lot line change, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.

Respectfully Submitted,



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

MJE/st  
NW03-16-09Jul03.doc



REGULAR ITEMS

CLASSIC HOME BUILDERS SUBDIVISION & LOT LINE CHANGE  
(03-16)

Mr. Ken Lytle appeared before the board for this proposal.

MR. PETRO: Involves subdivision of 17.8 acre parcel into the 17 residential lots with a private road. Application is reviewed on a concept basis only, R-1 zone, required values on the bulk table are correct. Couple notes Mark has that you can go over and correct plans, notes that existing wells and septics are from 1990 filed map, design engineer must make a current review of existing conditions. A note on sheet 2 indicates that the sanitary systems will be designed prior to a building permit. This is not acceptable, as per Orange County Law and Town of New Windsor requirements, system must be designed as part of this subdivision. And there's other notes that can go on and on. Why don't you go over just quickly what we're doing here? Tell us where Kings Road is one more time. You should have a location map. Is there one on here?

MR. LYTLE: On another sheet.

MR. LANDER: Right off 207.

MR. PETRO: I know where it is. All the lots conform with size?

MR. LYTLE: That's right.

MR. PETRO: What's that land over there? You're combining, you're taking it from another parcel?

MR. LYTLE: We're actually giving it to an adjoining parcel.

MR. PETRO: So you're going to remove a lot line?

MR. LYTLE: That's correct.

MR. LANDER: Parcel A is going to be conveyed to Foxdale?

MR. LYTLE: Yes.

MR. PETRO: Take a motion for lead agency.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Classic Homebuilders subdivision and lot line change. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. MASON	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: We have Highway disapproved, drainage plan unacceptable, road spec is incomplete so you're going to have to get back together with Mr. Kroll, go over that, Fire was approved on 7/1/2003. Is there anything you want to tell us tonight? How about conceptually the layout I guess is fine, we don't have any problem with the layout, the lots all conform to size if you get a copy of Mark's comments. You have that?

MR. LYTLE: Yes.

MR. PETRO: Planning board should determine if a public hearing will be necessary for this minor subdivision and lot line change. Gentlemen, what's your preference on this? I'll poll the board. Ronny?

MR. LANDER: Four lot subdivision, Mr. Chairman, and a lot line change.

MR. PETRO: I can tell from the tone you do.

MR. LANDER: There's not that many houses on this small stretch of road but I think we should have a public hearing.

MR. MASON: I agree with Ron.

MR. KARNAVEZOS: I agree also.

MR. ARGENIO: I think if I owned any of those houses on Kings Road, I'd want to know about it.

MR. LANDER: There's not many there but public hearing and there's no questions.

MR. PETRO: All right, what we'll do is we're going to make a motion to have a public hearing, I think before you come back to the public hearing, I'd like to see some of the comments cleared up and also get an approval from the Highway Department. It's not that hard to get together with him and clear up what he's got on his sheet, drainage plan unacceptable, road spec is incomplete, those two items. Do I have a motion to have a public hearing?

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Classic Homebuilders subdivision and lot line change on Kings Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

July 9, 2003

17

MR. LANDER	AYE
MR. MASON	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: Once you feel the plan is complete, get together with Myra and she can schedule you for the public hearing.

MR. LYTLE: Thank you.

PB # 03-16  
Subdivision Application fee

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

**RECEIPT**  
**#647-2003**

**06/30/2003**

**Builders, Classic Home**  
308 Bull Road  
Washingtonville, NY 10992

**Received \$ 100.00 for Planning Board Fees, on 06/30/2003. 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, NY 12553  
(845) 563-4611**

**RECEIPT  
#654-2003**

**07/02/2003**

*#03-16 Application See*

**Classic Home Builders LLC  
308 Bull Road  
Washingtonville, NY 10992**

**Received \$ 50.00 for Planning Board Fees, on 07/02/2003. Thank you for  
stopping by the Town Clerk's office.**

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

**Deborah Green  
Town Clerk**

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/30/2003

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/30/2003	CK2932 S/\$600. LLC/\$150.	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

*[Handwritten signature]*  
7/1/07

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/30/2003

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**APPLICATION**

FOR PROJECT NUMBER: 3-16  
NAME: CLASSIC HOME BUILDERS SUBDIVISION & LL CHG  
APPLICANT: CLASSIC HOME BUILDERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/30/2003	SUB. APPLICATION FEE	CHG	100.00		
06/30/2003	REC. CK. #2933	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

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

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

**FROM:** John McDonald, Fire Inspector

**SUBJECT:** PB03-16  
Classic Home Builders

**DATE:** June 18, 2004



Fire Prevention Reference Number: FPS-04-027

The above referenced subdivision plan has been reviewed and found to be acceptable.

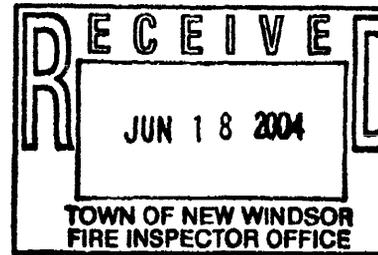


# Town of New Windsor

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 027

P.B. FILE #03-16 DATE RECEIVED: 06-11-04

PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 06-21-04 TO BE ON AGENDA FOR THE 06-23-04 PLANNING BOARD  
MEETING.

THE MAPS AND/OR PLANS FOR:

### CLASSIC HOME BUILDERS

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: [Handwritten Signature] 6/18/04  
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)  
JAMES M. FARR, P.E. (NY & PA)

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(570) 296-2765  
e-mail: mhapa@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.: 03-16  
WORK SESSION DATE: 16 June 2004 PROJECT: NEW OLD   
REAPPEARANCE AT W/S REQUESTED: Not now RESUB. REQ'D: new plans  
PROJECT NAME: Classic (believe already in)  
REPRESENTATIVES PRESENT: Ken/Anthony/Fred  
MUNICIPAL REPS PRESENT: BLDG INSP. \_\_\_\_\_ FIRE INSP. \_\_\_\_\_  
ENGINEER  PLANNER \_\_\_\_\_  
P/B CHMN \_\_\_\_\_ OTHER \_\_\_\_\_

**ITEMS DISCUSSED:**

- add road way to 1" sheet
- meet w/ drainage
- verify plans of B.M.

**STND CHECKLIST:**

**PROJECT TYPE**

DRAINAGE \_\_\_\_\_

SITE PLAN

DUMPSTER \_\_\_\_\_

SPEC PERMIT

SCREENING \_\_\_\_\_

L L CHG.

LIGHTING \_\_\_\_\_

(Streetlights)

SUBDIVISION

LANDSCAPING \_\_\_\_\_

OTHER

BLACKTOP \_\_\_\_\_

ROADWAYS \_\_\_\_\_

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

**PROJECT STATUS:**

ZBA Referral: Y  N

Ready For Meeting  Y N

Recommended Mtg Date next avail





# 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 #03-16      DATE RECEIVED: 06-30-03

PLEASE RETURN COMPLETED FORM TO MYRA BY: 07-07-03

THE MAPS AND/OR PLANS FOR:

**CLASSIC HOME BUILDERS**  
Applicant or Project Name

**RECEIVED**

JUN 30 2003

**N.W. HIGHWAY DEPT.**

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

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

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

DISAPPROVED:

Notes: Drainage Plan unacceptible.  
Road Spec incomplete.  
\_\_\_\_\_  
\_\_\_\_\_

Signature: [Handwritten Signature]      7/9/03  
Reviewed by: \_\_\_\_\_      Date

**INTER-OFFICE CORRESPONDENCE**

**TO:** Town Planning Board  
**FROM:** Asst. Fire Inspector Thomas Lucchesi  
**SUBJECT:** Classic Home Builders  
**DATE:** July 1, 2003

Planning Board Reference Number: PB-03-16  
Date Received: June 30, 2003  
Fire Prevention Reference Number: FPS-03-27

A review of the above referenced subdivision and lot line change was conducted on July 1, 2003.

This subdivision plan and lot line change are acceptable.

Plans Dated: 12-10-2002

  
Thomas R. Lucchesi  
Asst. Fire Inspector

TRL/dh



**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)

5/8/03  
 Told him if you bring  
 in submittal early next  
 week, I will get it on for  
 5/28 meeting.

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: mhepa@mhepc.com

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

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

**03-16**

TOWN/VILLAGE OF: New Windsor

P/B APP. NO.: 03-16

WORK SESSION DATE: 7 MAY 03

PROJECT: NEW  OLD

REAPPEARANCE AT W/S REQUESTED: No

RESUB. REQ'D: full set

PROJECT NAME: Fay

REPRESENTATIVES PRESENT: Ken Lytle

MUNICIPAL REPS PRESENT:

BLDG INSP. ENGINEER	<input checked="" type="checkbox"/>	FIRE INSP. PLANNER	<u>Bob</u>
P/B CHMN	<input type="checkbox"/>	OTHER	<input type="checkbox"/>

ITEMS DISCUSSED: Kings Rd.

- show 4c to be deleted, 4c proposed
- need - slope off King
- add 4b
- call out DST
- swale rip up lined
- 4b on & swale
- do 110 gfl
- add retaining wall detail
- road name

STND CHECKLIST:

DRAINAGE	<input type="checkbox"/>	<u>PROJECT TYPE</u>
DUMPSTER	<input type="checkbox"/>	SITE PLAN
SCREENING	<input type="checkbox"/>	SPEC PERMIT
LIGHTING	<input type="checkbox"/>	L L CHG.
(Streetlights)		SUBDIVISION
LANDSCAPING	<input type="checkbox"/>	OTHER
BLACKTOP	<input type="checkbox"/>	
ROADWAYS	<input type="checkbox"/>	
APPROVAL BOX	<input type="checkbox"/>	

PROJECT STATUS:  
 ZBA Referral:  Y  N  
 Ready For Meeting  Y  N  
 Recommended Mtg Date next avail



**McGOEY, HAUSER and EDSALL  
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**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN / VILLAGE OF: New Windsor P/B APP. NO.: 03-16<sup>100-3</sup>  
WORK SESSION DATE: 2 April 03 PROJECT: NEW X OLD  
REAPPEARANCE AT W/S REQUESTED: \_\_\_\_\_ RESUB. REQ'D: \_\_\_\_\_  
PROJECT NAME: Classic Home Builders  
REPRESENTATIVES PRESENT: \_\_\_\_\_

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

ITEMS DISCUSSED:  
No Show  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

APPROVAL BOX:  
PROJECT STATUS:  
ZBA Referral: \_\_\_\_\_ Y \_\_\_\_\_ N  
Ready For Meeting \_\_\_\_\_ Y \_\_\_\_\_ N  
Recommended Mtg Date \_\_\_\_\_



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CONSULTING ENGINEERS P.C.**

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

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

<sup>13</sup>  
**03-16**

TOWN/VILLAGE OF: New Windsor

P/B APP. NO.: 03-16

WORK SESSION DATE: 19 MAR 03

PROJECT: NEW  OLD

REAPPEARANCE AT W/S REQUESTED: Yes

RESUB. REQ'D: full later

PROJECT NAME: Classic Home Builders - (Anthony Fayo)

REPRESENTATIVES PRESENT: Ken Lytle - Zen Design Consultants

MUNICIPAL REPS PRESENT:  
BLDG INSP. \_\_\_\_\_  
ENGINEER  \_\_\_\_\_  
P/B CHMN \_\_\_\_\_

FIRE INSP. Red \_\_\_\_\_  
PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

ITEMS DISCUSSED:  
- Kings Rd 4-lot sub.  
- Private Rd. probably - take P/B to committee  
- topo  
- design of septic  
- fire bulk.  
- p/c conch. detail  
- curbside draw SDI. - note mandatory  
to return

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  N

Ready For Meeting Y  N

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

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## PLANNING BOARD APPLICATION

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

Subdivision  Lot Line Change  Site Plan \_\_\_\_\_ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 32 Block 1 Lot 14.4

**BUILDING DEPARTMENT REFERRAL NUMBER** PA 2003-0141

1. Name of Project 4 LOT SUBDIVISION / LOT LINE CHANGE

2. Owner of Record DONALD WITFIELD Phone \_\_\_\_\_

Address: 2294 RT 208 MONTGOMERY NY 12549  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant CLASSIC HOME BUILDERS Phone 497-3529

Address: 308 BULL RD. WASHINGTONVILLE NY 10992  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan ZEN DESIGN CONSULTANTS Phone 896-8896

Address: 2 SUMMIT CT. SUITE 304 FISHKILL NY 0524  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_

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

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

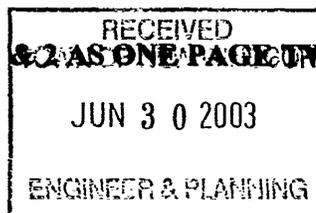
KEN LITTLE (845) 896-8896 (845) 896-1921  
(Name) (Phone) (fax)

7. Project Location: On the SOUTH side of KINGS ROAD  
(Direction) (Street)

8. Project Data: Acreage 17.8± Zone R-1 School Dist. NEWBURGH

PAGE 1 OF 2

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



03-16

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 \_\_\_\_\_ 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. Detailed description of Project: (Use, Size, Number of Lots, etc.) 4 LOT RESIDENTIAL SUBDIVISION WITH PRIVATE ROAD

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

**IF THIS APPLICATION IS SIGNED 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:

20<sup>th</sup> DAY OF MAY 2003

EDDA RECHTOROVIC  
Notary Public, State of New York  
Qualified in Orange County  
My Commission Expires 7-5-03

Eda Rechtorovic  
NOTARY PUBLIC

Donald A. Wetfield  
(OWNER'S SIGNATURE)

Anthony Fayo (MFBK)  
(AGENT'S SIGNATURE)

Anthony Fayo  
Please Print Agent's Name as Signed

\*\*\*\*\*

TOWN USE ONLY  
RECEIVED  
TOWN OF NEW WINDSOR  
JUN 3 0 2003  
DATE APPLICATION RECEIVED

03-16  
APPLICATION NUMBER

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

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

DONALD WITFIELD, deposes and says that he resides  
(OWNER)

at 2294 RT 208 MONTGOMERY NY in the County of ORANGE  
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map

(Sec. 32 Block 1 Lot 14.4)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in  
the foregoing application and that he designates:

CLASSIC HOME BUILDERS (ANTHONY FAYO) 308 BULL RD. WASHINGTONVILLE NY  
(Agent Name & Address)

ZEN DESIGN CONSULTANTS 2 SUMMIT CT. FISHKILL NY 12524  
(Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR  
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.**

SWORN BEFORE ME THIS:

\*\* Donald Witfield  
Owner's Signature (MUST BE NOTARIZED)

20<sup>th</sup> DAY OF MAY 2003)

EDGA RECHTOROVIC  
Notary Public, State of New York  
Orange County  
Notary No. 7-5-06

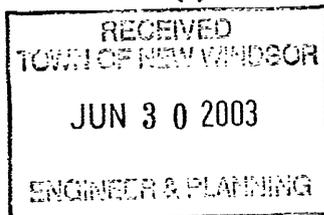
Anthony J. Crebber  
Agent's Signature (If Applicable)

Edga Rechtorovic  
NOTARY PUBLIC

Ken Lyka  
Professional Representative's Signature

\*\* PLEASE NOTE: **ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

**THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER**

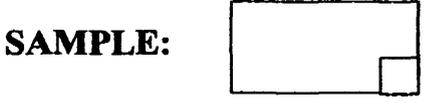


**03-16**

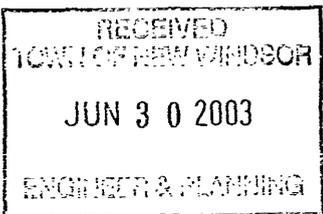
**TOWN OF NEW WINDSOR PLANNING BOARD  
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

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

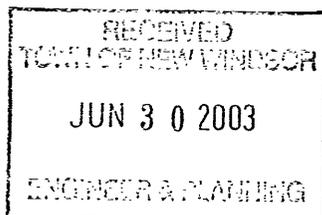
1. ✓ Name and address of Applicant.
- \* 2. ✓ Name and address of Owner.
3. ✓ Subdivision name and location
4. ✓ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**



5. ✓ Tax Map Data (Section, Block & Lot).
6. ✓ Location Map at a scale of 1" = 2,000 ft.
7. ✓ 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. ✓ Date of plat preparation and/or date of any plat revisions.
10. ✓ Scale the plat is drawn to and North arrow.
11. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. ✓ Surveyor's certificate.
13. ✓ Surveyor's seal and signature.
14. ✓ Name of adjoining owners.
15. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- \* 16. N/A 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 map and bounds.
19. ✓ 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. ✓ Right-of-way widths.
22. ✓ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. ✓ Lot area (in square feet for each lot less than 2 acres).
24. ✓ 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 Clerks Office.
27. ✓ Applicable note pertaining to owner's 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. ✓ 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. N/A Indicate location of street or area lighting (if required).



REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A

Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

37. N/A

A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

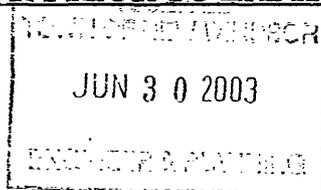
THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.



BY: [Signature] 06/11/03  
Licensed Professional Date

**PLEASE NOTE:** ⌘ ⌘ ⌘ ⌘ ⌘ ⌘

**THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.**



PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

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

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>Zen Design</b>	2. PROJECT NAME <b>4 LOT SUBDIVISION / LOTLINE CHANGE</b>
3. PROJECT LOCATION: Municipality <b>NEW WINDSOR</b> County <b>ORANGE</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>- KINGS ROAD - SEE MAP</b>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>4 LOT RESIDENTIAL SUBDIVISION WITH PRIVATE ROAD, SEPTIC SYSTEMS &amp; WELLS</b>	
7. AMOUNT OF LAND AFFECTED: Initially <b>17.8±</b> acres    Ultimately <b>17.8±</b> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency 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: <b>ZEN DESIGN CONSULTANTS, INC.</b>	Date: <b>6/19/03</b>
Signature: 	

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

JUN 30 2003  
EXPIRES 9:00 AM '03

OVER  
1

03-16

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? 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 patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

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

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

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:

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

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

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

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly

**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.

- 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:

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
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)

JUN 30 2003

\_\_\_\_\_  
Date