

PB# 91-16

WILLIAM HELMER SD

SBL 4-3-17.1

Approved 1-24-00

General Receipt

12127

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

July 19 19 91

Received of William Helmer \$ 25.00

Twenty-five and 00/100 DOLLARS

For Planning Board Application Fee 91-16

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Cash</u>		<u>25.00</u>

By Pauline H. Townsend
Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt

12128

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

July 19 19 91

Received of Pauline H. Townsend, Town Clerk \$ 300.00

Three hundred and 00/100 DOLLARS

For Planning Board Subdivision Survey - 91-16
Wm. Helmer

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Cash 2314</u>		<u>300.00</u>

By [Signature]
Cyaly

Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt

12128

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

July 19 19 91

Received of Pauline H. Townsend, Town Clerk \$ 300.00

Three Hundred and 00/100 DOLLARS

For Planning Board Subdivision Escrow - 91-16
Wm. Nemer

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CP 2314</u>		<u>\$300.00</u>

By [Signature]

[Signature]

Title

Coppola Remax

Map Number

#34-00

City

Town

Village

77-55 91-2 85-13 85-36
New Windsor

Section

4

Block

3

Lot

17.1

Title:

Helmer, William

91-16

Dated:

9-22-99

Rev. Filed

2-28-00

Approved by

James Petro, Jr.

on

11/24/00

Record Owner

Helmer-William

DONNA L. BENSON
Orange County Clerk

(1 Sheet)

County File No. WT 30 91 N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of William F. Helmer

for a A 2 lot subdivision - North side of Wembly Rd. (350' W. of Rte. 300)

County Action: Local Determination

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

.....
(Date of Local Action)

.....
(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.



America the Beautiful — USA 15

**ORANGE COUNTY DEPARTMENT OF PLANNING
AND DEVELOPMENT**

124 Main Street

Goshen, N.Y. 10924

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/02/2000

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

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

FOR PROJECT NUMBER: 91-16
NAME: AIR PRODUCTS, INC.
APPLICANT: HELMER, WILLIAM F.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
01/24/2000	PLANS STAMPED	APPROVED
12/22/1999	P.B. APPEARANCE	ND: APPROVED
08/13/1997	P.B. APPEARANCE	REFER TO Z.B.A.
07/16/1997	WORK SESSION APPEARANCE	NEXT AGENDA
08/28/1991	P.B. APPEARANCE	LA/WAIVE PH - RETURN

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/22/1999

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 91-16
NAME: AIR PRODUCTS, INC.
APPLICANT: HELMER, WILLIAM F.

DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG 08/29/1991	O.C. PLANNING DEPT.	09/13/1991	LOCAL DETERM
ORIG 07/19/1991	MUNICIPAL HIGHWAY	/ /	
ORIG 07/19/1991	MUNICIPAL WATER	07/23/1991	APPROVED
ORIG 07/19/1991	MUNICIPAL SEWER	07/30/1991	APPROVED
ORIG 07/19/1991	MUNICIPAL SANITARY	07/29/1991	APPROVED
ORIG 07/19/1991	MUNICIPAL FIRE	07/30/1991	APPROVED
ORIG 07/19/1991	PLANNING BOARD ENGINEER	/ /	

REGULAR ITEMS:

HELMER, WILLIAM SUBDIVISION (91-16)

Mr. Jay Cappola appeared before the board for this proposal.

MR. PETRO: This application involves the subdivision of an existing 5/57 acre parcel into two commercial lots. The plan was previously reviewed at the 28 August, 1991 and 23 July, 1997 and 13 August, 1997 planning board meetings. You had to get a variance, Jay?

MR. CAPPOLA: November 8.

MR. PETRO: For?

MR. CAPPOLA: For 8.56 feet. What happened was during this long process, the zoning changed, the lot width was measured when this was an approved lot at the building line, then it was moved to the setback line, then the setback was further reduced from 100 feet to 50 feet, therefore, requiring a variance of 8.56 feet.

MR. LUCAS: Which you have.

MR. CAPPOLA: We have November 8 and it's up on the top here.

MR. PETRO: Mark, what lot are we breaking off here, lot 2?

MR. EDSALL: Lot 2, lot 1, I believe is the Air Products building.

MR. CAPPOLA: Yes.

MR. EDSALL: It's been around for quite a while, Mr. Chairman, and the only thing that was missing was them getting that dimension and once they got it and got the variance, it's all ready.

MR. PETRO: How about some problems with drainage or easements on this property, has that been clarified?

MR. EDSALL: No, but keep in mind that their intent, I'm sure, is to come back with a site plan and at that point, any drainage modifications that need to be made would be addressed as part of the site plan.

MR. PETRO: Something down the road a little ways.

MR. EDSALL: Well, there's a large drainage channel that runs immediately adjacent to lot 2 and they would just have to coordinate their drainage with that trapezoidal channel.

MR. PETRO: Which would not affect the subdivision when they come in for site plan approval, we can review it then.

MR. EDSALL: Well, we can deal with it then.

MR. PETRO: We have fire approval on 7/30/91, that's pretty current.

MR. EDSALL: Mr. Chairman, Bob Rogers has been to all the workshops, he's aware that he will, that he will have another view for site plan. You have also, by the way, taken lead agency a number of months ago in August of '91 and I still believe that would be valid.

MR. PETRO: Let's have a motion for negative dec.

MR. LUCAS: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declares negative dec for the Helmer Air Products minor subdivision on Wembly Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE

MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: We waived the public hearing in '91, so I really think we're all set. Motion for approval?

MR. LUCAS: I'll make that motion.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board grant final approval to the Helmer Air Products minor subdivision. Is there any further discussion from the board? If not, roll call.

ROLL CALL

MR. ARGENIO AYE
MR. BRESNAN AYE
MR. LANDER AYE
MR. LUCAS AYE
MR. PETRO AYE



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

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

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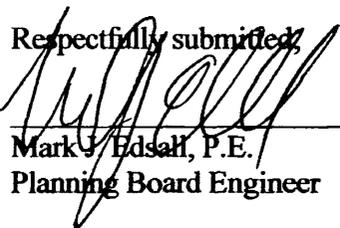
**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: HELMER (AIR PRODUCTS) MINOR SUBDIVISION
PROJECT LOCATION: WEMBLEY ROAD (GATEWAY INDUSTRIAL PARK)
 SECTION 4-BLOCK 3-LOT 17.1
PROJECT NUMBER: 91-16
DATE: 22 DECEMBER 1999
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF AN
 EXISTING 5.57± ACRE PARCEL INTO TWO (2) COMMERCIAL
 LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE
 28 AUGUST 1991, 23 JULY 1997 AND 13 AUGUST 1997 PLANNING
 BOARD MEETINGS.

1. This application sat inactive for several years awaiting the addition of a width dimension on the plan. During the course of the application, the lot width definition changed in the Town Code, which necessitated that a variance be obtained.

It is my understanding that this variance has been received and same has been indicated on the plan.

2. The Planning Board took Lead Agency at their 28 August 1991 Planning Board meeting. At this time, I am aware of no reason why the Planning Board could not consider a Negative Declaration (Determination of Significance) under the SEQRA review process.
3. At this time, I am aware of no outstanding issues with regard to this application. If the Board believes it is appropriate, a resolution of final approval could be considered.

Respectfully submitted,


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

MJEmk

HELMER.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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New Windsor, New York 12553
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507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 91-16
WORK SESSION DATE: 15 Dec 99 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: NO REQUIRED: new plan
PROJECT NAME: Helmer
PROJECT STATUS: NEW F OLD X
REPRESENTATIVE PRESENT: Jan Caputo
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- variance granted
- info added

CLOSING STATUS

- Set for agenda
- possible agenda item *if plans.*
- Discussion item for agenda
- ZBA referral on agenda

pbwsform 10MJE98

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(914) 563-4611

RECEIPT
#38-2000

01/24/2000

Helmer, William F. # 91-16 Subdivision Approval Fee

Received \$ 260.00 for Planning Board Fees, on 01/24/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/24/2000

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 91-16
NAME: AIR PRODUCTS, INC.
APPLICANT: HELMER, WILLIAM F.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL--DUE
01/12/2000	ONE LOT RECREATION FEE	CHG	500.00		
01/24/2000	REC CK. #3702	PAID		500.00	
		TOTAL:	500.00	500.00	0.00

Susan Zuppa

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/24/2000

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 91-16
NAME: AIR PRODUCTS, INC.
APPLICANT: HELMER, WILLIAM F.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/19/1991	2 LOTS @ 150.00	PAID		300.00	
07/23/1997	P.B. MINUTES - NO SHOW	CHG	4.50		
08/13/1997	P.B. ATTY. FEE	CHG	35.00		
08/13/1997	P.B. MINUTES	CHG	13.50		
12/22/1999	P.B. ATTY. FEE	CHG	35.00		
12/22/1999	P.B. MINUTES	CHG	13.50		
01/07/2000	P.B. ENGINEER FEE	CHG	216.50		
01/24/2000	REC. CK. #3701	PAID		18.00	
		TOTAL:	318.00	318.00	0.00

P. Zappol

AS OF: 01/07/00

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87 56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 91 15

FOR WORK DONE PRIOR TO: 12/31/99

TASK NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	DOLLARS		
									EXP.	BILLED	BALANCE
91-16	160374	09/15/99	TIME	MJE	WS HELMER SUB	75.00	0.40	30.00			
91-16	161585	09/24/99	TIME	MJE	MC HELMER SUB TC/CAPOLLA	75.00	0.30	22.50			
91-16	162580	09/27/99	TIME	MJE	MC HELMER SUB W/CAPOLLA	75.00	0.40	30.00			
91-16	162583	09/28/99	TIME	MJE	MC HELMER W/BLOG INSP	75.00	0.20	15.00			
								97.50			
91-16	162799	10/14/99			BILL 99-984					-97.50	
											-97.50
91-16	169604	12/15/99	TIME	MJE	WS HELMER SUB	75.00	0.40	30.00			
91-16	169605	12/15/99	TIME	MJE	WS HELMER S/P	75.00	0.40	30.00			
91-16	170087	12/17/99	TIME	MJE	MC HELMER SUBDIVISION	75.00	0.30	22.50			
91-16	165517	12/22/99	TIME	MJE	MM HELMER SUB APPL	75.00	0.10	7.50			
91-16	170087	12/22/99	TIME	MCK	CL HELMER REVIEW COMMS	28.00	0.50	14.00			
TASK TOTAL								216.50	0.00	-97.50	119.00
GRAND TOTAL								216.50	0.00	-97.50	119.00

SUBDIVISION FEES - TOWN OF NEW WINDSOR

11/11/00
Phoned J. Lopez
and gave him
amt.

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

 LOTS @ 150.00 (FIRST 4 LOTS).....\$ _____

 LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

 LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____

 LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ _____

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00

PRELIMINARY PLAT APPROVAL\$ 100.00

FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 110.00

FINAL PLAT SECTION FEE.....\$ 100.00

BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 260.00 (1)

RECREATION FEES:

 1 LOTS @ \$500.00 PER LOT\$ 500.00 (2)

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ _____

PLANNING BOARD ATTORNEY FEES.....\$ _____

MINUTES OF MEETINGS.....\$ _____

OTHER.....\$ _____

Due \$18.00 (3)

PERFORMANCE BOND AMOUNT.....\$ _____

4% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

2% OF APPROVED COST ESTIMATE:.....\$ _____
(INSPECTION FEE)

ZONING BOARD OF APPEALS
November 8, 1999

REVISED AGENDA:

7:30 p.m. – ROLL CALL

Motion to accept minutes of the 10/25/99 meeting as written.

PRELIMINARY MEETING:

- NO SHOW* 1. **MINUTOLI, RICHARD F.** – Request for 2 ft. fence height variance to construct fence in front yard in variation of Section 48-14C(1)(c) of the Supp. Yard Regs. at 424 Mt. Airy Road in an R-3 zone. (65-1-77). *Cancelled to 11/22/99.*
- SET UP FOR P/H* 2. **DUFFER'S HIDE-A-WAY** – Request for 22 ft. front yard variance for parking lot, 32 ft. max. bldg. height variance for poles and a 5.5% developmental coverage for reconstruction of driving range and construction of 20 additional parking spaces in front of site on e/s Windsor Highway in a C zone. (9-1-25.21)

PUBLIC HEARINGS:

- APPROVED* 3. **ROSS, GEORGE** – Request for 15,718 sq. ft. lot area, 9.1 ft. max. bldg. height, plus façade sign: one additional, 6 ft. height, 10 ft. width variance; freestanding sign: one additional, 3 ft. height and 4 ft. 6 in. width variance for proposed used car/leasing office at 268 Windsor Highway (formerly Barry's Automotive) in a C/PI zone. (35-1-45).
DISAPPROVED FOR FREE STANDING SIGN
- TABLE TO 11-22-99* 4. **MAURICE, FRANK** – Request for 68.8 ft. lot width and 28.8 ft. street frontage to construct single-family dwelling on Mt. Airy Road in R-3 zone. (65-1-16.12).
- APPROVED* 5. **ALDRIDGE, DONALD D.** – Request for 15 ft. 8 in. front yard variance for construction of deck at 558 Shore Drive in an R-4 zone. (62-8-32).
- APPROVED* 6. **H-Z DEVELOPMENT PARTNERS (HELMER)** – Request for 8.56 lot width variance after subdividing lots in Gateway Development on Wembly Road in PI zone. (4-3-17.13).

APPROVED **DECISION – WINDSOR ACADEMY** (from 10/25/99 meeting).

FORMAL DECISIONS: (1) ORWEST (2) POSPISIL (3) RINALDI
Pat – 563-4630 (o) or 562-7107 (h)

APPROVED

H-Z DEVELOPMENT PARTNERS (HELMER)

Mr. Jay Cappolo and Ms. Helmer appeared before the board for this proposal.

MR. NUGENT: Request for 8.56 lot width variance after subdividing lots in Gateway Development on Wembly Road in PI zone. You're going to do the presentation. So there's no one in the audience other than that?

MR. CAPPOLA: I'm the agent.

MR. NUGENT: You're going to make the presentation?

MR. CAPPOLA: I will.

MR. NUGENT: Let the record show there's no one in the audience for this. You're on.

MR. CAPPOLA: Okay, we're requesting a variance for the distance at the setback on a lot that's being subdivided in the Gateway Industrial Park, was a previously approved large lot building was put on it on Wembly Road. This is the residual of the lot. The area exceeds the permissible area, but at the time the lot was developed, the setback was different I believe when it was originally developed and approved, it was taken at the building line and the setback was a hundred feet, now the setback is 50 feet. So we ended up approximately 9 feet short because of the change in the setbacks and our request is for an approval based on the eight foot, 8.56.

MR. KANE: Can you show us?

MR. NUGENT: What lot are we discussing, number 2?

MS. HELMER: Yes.

MR. CAPPOLA: That's correct, that's the gas people.

MS. BARNHART: Just for the record here on October 22, we sent out 10 addressed envelopes with the notices to adjacent property owners.

MR. TORLEY: This was a lot that was conforming to the code and you subdivided but the code has changed and now it doesn't?

MR. CAPPOLA: This is from a larger lot of 5 plus acres.

MS. HELMER: Originally subdivided, you're correct, and it was changed.

MR. TORLEY: After that?

MS. HELMER: Right, because we had to put some drainage lines between Mt. Ellis Paper that the town wanted so we lost some footage when we did that.

MR. NUGENT: Fifteen foot drainage easement?

MR. CAPPOLA: And back originally the front yard was 100 foot, now it's 50 foot.

MR. REIS: Jay, what's to the north of this lot, what's right in front?

MR. CAPPOLA: That's Scenic Techniques, Theater Technology. And then the buildings to the rear is owned by your family.

MS. HELMER: Air Products is owned by us, we lease the building out to Air Products, Mt. Ellis is on the next corner over and the rest of the land is vacant land which we own.

MR. REIS: Do you have an intended use for the property?

MR. CAPPOLA: We have an interested buyer, yes.

MR. REIS: May we ask at this time what that use is?

MR. CAPPOLA: The use is going to be for a use that will not require a variance, it's for a small distribution, he's presently in Stewart Airport and wants a building of his own.

MR. REIS: Thank you.

MR. CAPPOLA: And he wants to be near the airport.

MS. HELMER: I believe they are going to build all the way in the back of the lot.

MR. CAPPOLA: We're not going to come to the front yard.

MR. KANE: The 8.56, that's a correct number?

MR. BABCOCK: Yes.

MS. HELMER: Yes.

MR. CAPPOLA: That's correct, yeah.

MR. BABCOCK: Mr. Chairman, part of the law that changed was the definition of lot width, it's now measured at the front yard setback. The front yard setback, when this lot was created, was 100 feet and as you go back in the lot, it would get much wider. Now the front yard setback is 50 feet which pushed that out which created the lot width problem.

MR. NUGENT: Okay. I have no further questions. Anybody have any further questions?

MR. TORLEY: Absolutely inverse of the self-created hardship.

MR. CAPPOLA: Yeah.

MR. TORLEY: Entertain a motion?

MR. NUGENT: Yes.

MR. TORLEY: I move we grant H-Z Development their requested variance.

MR. REIS: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. KANE	AYE
MR. REIS	AYE
MR. NUGENT	AYE

GATEWAY INDUSTRIAL PARK

Mr. Jay Cappola and Ms. Carrie Helmer appeared before the board for this proposal.

MR. CAPPOLA: My name is Jay Cappola. I represent a transaction happening on Bill Helmer's land, Gateway Industrial Park, Carrie Helmer is right here and the reason to come in front of the board tonight is I hope we wouldn't be penalized for something that happened today. We were at a workshop on the 15th with Mark Edsall and Mr. Rogers and the plans were reviewed and this is a subdivision of a 2 lot, 2 acre residual piece of the Air Products property on Gateway Industrial Park. What happened was Mr. Edsall in reviewing it was quite familiar with it cause it was presented before and there was zoning changes and we request a variance for the front yard, back when this was originally submitted.

MS. HELMER: You take the measurement back from the lot so they changed that and we need a variance of 8 1/2 feet now.

MR. TORLEY: You had a previously issued variance?

MR. CAPPOLA: No, no.

MR. TORLEY: It didn't require a variance.

MR. CAPPOLA: Let me explain what happened. What happened was he wanted the drawings brought in and he got the paperwork to your office so that we would be on the agenda. On Friday, I brought in all the drawings, in fact, I saw Mike and the secretary or Myra wasn't there. Mark Edsall came in today and reviewed the drawings. Well, Myra wasn't there again today so the drawings were not in his mailbox, they were sitting on her desk, so he didn't review them. Now, without that review and referral, Pat couldn't put us on the agenda, so I don't feel that was our fault and that's why I imposed to come here and ask that we be heard.

MR. TORLEY: Are we, I'll ask our attorney this, since this is in essence in the nature of a preliminary.

I'll put quotations around preliminary hearing, they'd be requesting a public hearing, they can only get a public hearing upon a referral from some agency, the building inspector, et cetera?

MR. KRIEGER: In other words, if they had a referral, could they go right to the public hearing and consider this a preliminary, yes.

MR. TORLEY: So this is not legally required that they have such a denial before they show up here for a preliminary.

MR. KRIEGER: No, it's not, as long as it's before the public.

MR. TORLEY: I have no objection, so you have a piece of property that now requires because of the change in the zoning code required 8 1/2 foot front yard variance.

MS. HELMER: Right?

MR. CAPPOLA: There's one other aspect, just so you know it, we probably wouldn't be here if you had a meeting on what date, Pat, it's a holiday, so you wouldn't be having a meeting.

MS. BARNHART: Columbus Day.

MR. CAPPOLA: We could have waited till then but we're pushing a little too far.

MR. KANE: I have no problem.

MS. BARNHART: We don't have any referral, we don't know what you're asking for, that's the problem. You can't advertise in the paper, you can't do anything, go forward with this without that.

MR. TORLEY: Please correct me if I'm wrong, we can have a, make a request for public hearing on a front yard variance and the exact number can be filled in before you get it, it's always bugged me, we keep losing all our meetings to holidays.

MS. BARNHART: The point of it us we need something, how are you going to advertise without something, you have to have some numbers.

MR. BABCOCK: Lot width is required 150.

MS. HELMER: And we have 141.

MR. BABCOCK: They have 141.44, so they need a variance of 8.56.

MR. TORLEY: That's the only variance required for the lot.

MR. BABCOCK: Lot width definition now is measured at the building setback.

MR. TORLEY: This is the only variance required for that lot, not that there is--

MR. BABCOCK: This lot was created by the planning board and met all the conditions when it was created. I don't know whether they had a tenant at the time or try to get, now they have a tenant to build a building and the rules have changed based on the lot width, lots didn't change, lot didn't change, nothing changed that's their problem.

MR. TORLEY: All right.

MR. KANE: Looking for 8.56.

MR. TORLEY: Entertain a motion to set the applicants up for a public hearing based on 8.56.

MR. REIS: Where is this lot?

MS. HELMER: It's right next to Mt. Ellis Paper.

MR. CAPPOLA: It's backed by Air Products building.

MS. HELMER: Which we own Air Products building.

MS. BARNHART: Do you have a section, block and lot

number?

MR. BABCOCK: We'll send you the paperwork. Section 4, Block 3, lot 17.1.

MR. TORLEY: And since you're not the owners of the property, is that correct?

MR. CAPPOLA: She's the daughter of William Helmer.

MS. HELMER: I'm a, I handle all his properties.

MR. TORLEY: Then I would entertain a motion regarding this application.

MR. REIS: Make a motion that we set up the applicant for a public hearing for and the requested variance.

MR. MCDONALD: Second it.

ROLL CALL

MR. MCDONALD	AYE
MR. KANE	AYE
MR. REIS	AYE
MR. TORLEY	AYE

MS. BARNHART: Let's get some paperwork.

MR. TORLEY: Motion to adjourn?

MR. MCDONALD: So moved.

MR. REIS: Second it.

ROLL CALL

MR. MCDONALD	AYE
MR. KANE	AYE
MR. REIS	AYE

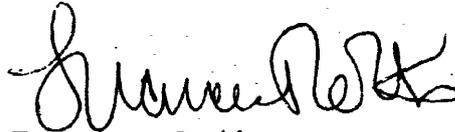
September 1999

45

MR. TORLEY

AYE

Respectfully Submitted By:

A handwritten signature in cursive script, appearing to read 'Frances Roth', written in black ink.

Frances Roth
Stenographer

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

2 20A11899
Approved

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 91-16

DATE: 9-28-99

APPLICANT: WILLIAM HELMER
GREY BEECH LANE
PAMONA, NY, 10970

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED _____

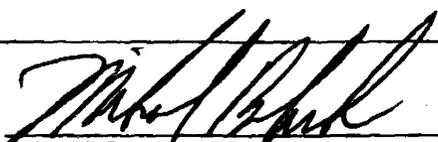
FOR (SUBDIVISION - SITE PLAN) _____

LOCATED AT WEMBLY ROAD _____

ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 4 BLOCK: 3 LOT: 17.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS: MIN LOT WIDTH


MICHAEL BABCOCK,
BUILDING INSPECTOR

REQUIREMENTSPROPOSED OR
AVAILABLEVARIANCE
REQUESTZONE PI USE _____

MIN. LOT AREA _____

MIN. LOT WIDTH _____

REQ'D FRONT YD _____

REQ'D SIDE YD. _____

REQ'D TOTAL SIDE YD. _____

REQ'D REAR YD. _____

REQ'D FRONTAGE _____

MAX. BLDG. HT. _____

FLOOR AREA RATIO _____

MIN. LIVABLE AREA _____

DEV. COVERAGE _____%

O/S PARKING SPACES _____

150 FT141.44 FT8.56 FT

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 91-16

DATE: 1 MAY 98

APPLICANT: WILLIAM F. HELMER

27 ROUTE 210

STONY POINT NY 10980

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED JULY 19 1991

FOR (SUBDIVISION - ~~SITE PLAN~~)

LOCATED AT WEMBLEY ROAD

ZONE P.I.

DESCRIPTION OF EXISTING SITE: SEC: 4 BLOCK: 3 LOT: 17.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

LDT WIDTH VARIANCE REQUIRED


MARK J. GOSSALL P.E. for
MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE	<u>PI</u>	USE	<u>A-2</u>
MIN. LOT AREA	<u>80 000 SF</u>	<u>88461 SF</u>	<u>—</u>
MIN. LOT WIDTH	<u>200 Ft</u>	<u>165.03</u>	<u>34.97 FT</u>
REQ'D FRONT YD	<u>100</u>	<i>AS REQUIRED</i>	<u>—</u>
REQ'D SIDE YD.	<u>50</u>		<u>—</u>
REQ'D TOTAL SIDE YD.	<u>110</u>		<u>—</u>
REQ'D REAR YD.	<u>50</u>		<u>—</u>
REQ'D FRONTAGE	<u>N/A</u>		<u>—</u>
MAX. BLDG. HT.	<u>4" NULL</u>		<u>—</u>
FLOOR AREA RATIO	<u>0.2</u>		<u>—</u>
MIN. LIVABLE AREA	<u>4/A</u>		<u>—</u>
DEV. COVERAGE	<u>7/A</u> %		<u>—</u> %
O/S PARKING SPACES	<u>NOT DET.</u>		<u>—</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
 (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

POSSIBLE ZBA REFERRALS:

HELMER SUBDIVISION (91-16) WEMBLY ROAD

Mr. William Helmer appeared before the board for this proposal.

MR. PETRO: Is this something brand new?

MR. HELMER: No, this is 1992, it's a clean up item from when Air Products was built, we had a subdivision that wasn't filed because of the drainage problem and I guess Mark can explain it to you better than I can. I think between then and now, the zoning law on frontage changed.

MR. EDSALL: It's actually the manner in which lot width is measured. It's now measured at the front yard setback rather than being at the setback or at the building line, that option of measuring at the building line has been eliminated and as a result of that, one of the lots in this proposed subdivision is not complying with the current law so he needs a variance.

MR. LANDER: Lot 2.

MR. HELMER: Lot number 2, lot originally that was okay but now it isn't and due to the delay in getting this filed, Mark had suggested I have to go to the ZBA.

MR. PETRO: Strictly for the front yard?

MR. HELMER: Yeah.

MR. EDSALL: Lot width.

MR. HELMER: Lot width requirement 150 now is it?

MR. EDSALL: I don't believe the requirement has changed, just the way that it is measured.

MR. LANDER: 200 is the lot width.

MR. HELMER: We were setting the building back because it's 312 in the back but now regardless of where you

set the building, I guess it has to go before you can build anything on it, is that right, I'm not quite sure myself.

MR. PETRO: Well, as far as I'm concerned, let's have a motion.

MR. LANDER: Make a motion we approve the Helmer Air Products minor subdivision.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Helmer Air Products minor subdivision on Wembly Road, also known as Gateway Industrial Park. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor Zoning board for your necessary variances. Once you have received those variances and they are applied to your maps, you'll be put back on the agenda to come back to this board and we'll review it at that time.

MR. HELMER: Is there any possibility from the planning board or from the engineer for an explanation to the zoning board as to what it is?

MR. PETRO: It's already read into the minutes, they do read the minutes. What will happen is if there's any questions, they'll call or contact Mr. Edsall.

MR. BABCOCK: We'll send them a referral letter.

MR. KRIEGER: Mr. Babcock and myself will be present.

MR. PETRO: They are at the same meetings.

MR. EDSALL: It would be good for the minutes to reflect that they are very near approval and there were some, as Mr. Helmer indicated, some environmental issues that needed to be straightened out. So if those problems had not arisen and the effort was not made to solve the drainage problems, he could have very easily had the approval years ago and it wouldn't be a problem. So I think they should understand he was that close.

MR. PETRO: But what you're saying is that the applicant held it up really not the town's fault.

MR. EDSALL: What I am saying is that it was not a result of a zoning problem back then, it was a result of a problem of drainage that was and attempted to be solved and if that drainage problem hadn't existed in the area, these lots would have been approved.

MR. KRIEGER: In other words, what he is saying it's no one's fault.

MR. EDSALL: If it hadn't been for that unrelated issue being not a zoning issue but an environmental issue, we wouldn't even be here now, it would be approved.

MR. PETRO: Go to the zoning board, I'm sure we'll see you back here, it shouldn't be a problem.

MR. HELMER: Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

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 Branch Office
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Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 91-16

WORK SESSION DATE: 15 Sept 1999 APPLICANT RESUB. REQUIRED:

REAPPEARANCE AT W/S REQUESTED: No
PROJECT NAME: Helmer new plan for ZBA ref.

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Jay Capolla/Kerry Helmer

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP.
ENGINEER
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Review needed for variance?
new bulk data
they need surveyor to work out

CLOSING STATUS

- Set for agenda
- possible agenda item
- Discussion item for agenda
- ZBA referral on agenda

pbwsform 10MJE98



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

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

13 January 1998

Helmer-Cronin Construction, Inc.
27 Route 210
Stony Point, New York 10980

ATTENTION: WILLIAM F. HELMER

SUBJECT: AIR PRODUCTS MINOR SUBDIVISION
NEW WINDSOR PLANNING BOARD NO. 91-16

Dear Bill:

On this date I attempted to complete the Planning Board referral form to the Zoning Board of Appeals in connection with the subject application before the Planning Board. In doing so, I was checking the scaled lot width for Lot 2 as depicted on the subdivision plan prepared by Patrick Kennedy, L.S. At that time I noted a significant discrepancy between the scaled lot width (measured at front yard setback line) and the lot width as indicated on the bulk table. Specifically, the width scales approximately 185' and 165' is noted.

Following same, I attempted to verify other dimensions shown on the plan to verify that the 1"=100' scale noted is correct. At that time, it was noted that several of the other dimensions shown on the plan would also appear to have questionable length distances. As an example, some of these numbers are:

117.83' on plan scales 140' +/-
312.04' on plan scales 330' +/-
382.00' on plan scales 395' +/-
238.05' on plan scales 255' +/-
250.94' on plan scales 260' +/-

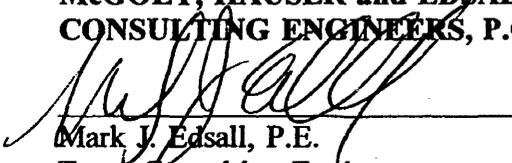
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As noted above, I have concern as to a possible error having been made on the plan as submitted. It would be very undesirable to go through the appeal process working with an incorrect number.

Please have the plan checked and submit a verified plan to us, such that we can complete the ZBA referral. If you have any questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours,

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



Mark J. Edsall, P.E.
Town Consulting Engineer

MJEmk

cc: Town Planning Board

A:Helmer.mk



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

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

14 October 1997

Helmer Cronin Construction, Inc.
27 Route 210
Stony Point, New York 10980

ATTENTION: WILLIAM F. HELMER, PRESIDENT

SUBJECT: AIR PRODUCTS MINOR SUBDIVISION
WEMBLEY ROAD - T/NEW WINDSOR
NEW WINDSOR P.B. NO. 91-16

Dear Bill:

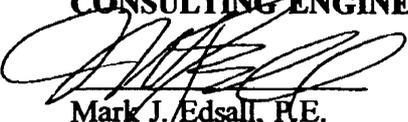
I have received your letter dated 13 October 1997 regarding the subject application before the Planning Board.

The information in your letter is generally accurate and correct, although one important fact is not indicated. It is necessary that the minor subdivision plan, prepared by Patrick Kennedy, L.S., be corrected to reflect the actual lot width for Lots 1 and 2, based on the current code definition. The values shown on the latest plans submitted are not correct based on the current code. It is not possible for us to determine this value ourselves, it is necessary that the licensed Surveyor do so. As such, until we receive a corrected plan, it is impossible to determine what variance is required, and make the referral discussed at the 13 August 1997 Planning Board meeting. It is unfortunate that you have lost two (2) months due to this confusion, although same may be understandable given the fact that the application sent dormant for six (6) years prior to the activity at the most recent meeting.

Upon receipt of the corrected plan, we will make the necessary referral to the ZBA. If you have any questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours,

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


Mark J. Edsall, P.E.
Planning Board Engineer
MJE:sh

cc: George J. Meyers, Town Supervisor
James Petro, Planning Board Chairman

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a:cronin.sh

27 Route 210
Stony Point, N.Y. 10980
Tel (914) 942-1330
Fax (914) 942-1165



HELMER-CRONIN CONSTRUCTION, INC.
GENERAL CONTRACTORS

October 13, 1997

Mr. Mark Edsall, P.E.
McGoey, Hauser & Edsall
45 Quassaick Avenue
New Windsor, New York 12553

Re: Air Products Minor Subdivision
Wembly Road
Gateway Industrial Park
Section 4, Block 3, Lot 17.1

Dear Mark:

On August 13, 1997 we appeared before the Town of New Windsor planning board to obtain approval of the subject minor subdivision. This approval was turned down because the Town has apparently changed the method of determining lot width.

We were advised that we would be referred to the Zoning Board for their approval and then we could return to the planning board for final approval.

Two months have now passed since the planning board meeting and we stopped in to see Myra to try and find out what was going on, since we did not received any instructions or correspondence from the Town. When she opened the file she said it was held up because new/or updated drawings have to be submitted. When you and I last talked at the time of the meeting required prior to going to the Planning Board, you had advised that the drawings were sufficient to go before the Zoning Board. After the Zoning Board you would advise what changes, if any, were required.

Two months have gone by and we would appreciate your advise on what we need to do to obtain this approval.

Very truly yours,
Helmer-Cronin Construction, Inc.

William F. Helmer
President

c.c. George J. Meyers, Supervisor
Myra (Planning Board)



RESULTS OF P.E. MEETING

August 13, 1997

DATE: July 23, 1997 ← NO SHOW

PROJECT NAME: Helmer Sub PROJECT NUMBER 91-16

LEAD AGENCY: NEGATIVE DEC:

M) S) VOTE: A N M) S) VOTE: A N

CARRIED: YES NO CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.E.A.: M) (N) S) (X) VOTE: A 0 N 5 YES (X) NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Need variance for lot width



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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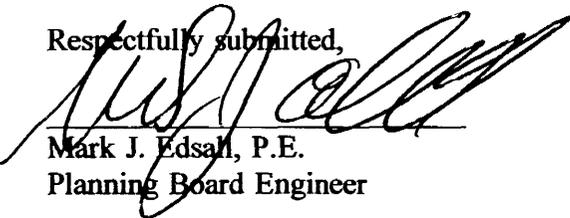
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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: HELMER (AIR PRODUCTS) MINOR SUBDIVISION
PROJECT LOCATION: WEMBLEY ROAD (GATEWAY INDUSTRIAL PARK)
SECTION 4-BLOCK 3-LOT 17.1
PROJECT NUMBER: 91-16
DATE: 23 JULY 1997
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF AN
EXISTING 5.57 +/- ACRE PARCEL INTO TWO (2)
COMMERCIAL LOTS. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 28 AUGUST 1991 PLANNING BOARD
MEETING.

1. This application has been inactive for several years. The Planning Board previously assumed the position of Lead Agency under SEQRA, but has not yet made a determination of significance. The Planning Board also waived the Public Hearing requirement.
2. The subdivision layout, as submitted, previously met the bulk requirements for the PI Zoning District of the Town. As a result of a change in the definition of lot width, proposed Lot 2 now requires a variance for lot width (current definition requires measurement at the front yard setback, rather than the previous ability to optionally measure width at the building line). As such, it is my recommendation that this application be referred to the Zoning Board of Appeals for necessary variance(s).

Respectfully submitted,



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

MJEmk

A:HELMER2.mk

POSSIBLE Z.B.A. REFERRALS:

HELMER SUBDIVISION (91-16) WEMBLY ROAD

MR. BABCOCK: He's not here, Mr. Chairman.

MR. PETRO: No one's here, just note that the applicant isn't here and we'll get back to him, he should show up before the end of the meeting.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # 91-16
 WORK SESSION DATE: 16 July 1997 APPLICANT RESUB. REQUIRED: No
 REAPPEARANCE AT W/S REQUESTED: No
 PROJECT NAME: Helmer (Air Products)
 PROJECT STATUS: NEW _____ OLD X
 REPRESENTATIVE PRESENT: Bill H.
 MUNIC REPS PRESENT: BLDG INSP. and
 FIRE INSP. X
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

need variance now for lot width

7/23 agenda for ZBA referral

HELMER SUBDIVISION (91-16) WEMBLY ROAD

Mr. William Helmer came before the Board representing this proposal.

MR. HELMER: Okay, this is just a two lot subdivision of the parcel that Air Products is building on, they're building on the lot #1, which is 3.506 acres which you have recently approved a site plan on it. That leaves lot #2 with 2.031 acres.

MR. VAN LEEUWEN: What you want to do is cut 2.31 acres off?

MR. HELMER: Yes, that's one lot now. The whole 5.537 acres. And we are cutting it just about in half to make it two lots.

MR. SCHIEFER: Bill, there is an approved site plan on lot 1?

MR. HELMER: There is.

MR. SCHIEFER: By cutting this second lot off, does that break any zoning regulations that you're aware of?

MR. HELMER: The only question was this, was discussed, I think when you approved the Mt. Ellis Paper Company that there might be an exception on the frontage depending upon the use. I think Mike might know or Mark.

MR. SCHIEFER: My concern is lot 1 where you have an approved site plan.

MR. HELMER: There is no --

MR. SCHIEFER: And you don't have the site plan being proposed for lot 2 so that will be a separate issue.

MR. HELMER: That's correct.

MR. SCHIEFER: I want to make sure that we're not breaking any of the subdivision regulations, zoning regulations.

MR. HELMER: As far as I'm concerned, no, you're not.

MR. SCHIEFER: Any problems with what he's saying?

MR. EDSALL: My comment #2 it's not a problem just be aware as I note in comment #2, the current definition for lot width is a multiple choice affair. You can measure your lot width at the front yard setback or at the building line. That's one of the items that the Planning Board has recommended to the Town Board that they revise to only allow it at the front yard setback. That's something to correct. Flag lots, obviously, this is not a flag lot. The only way this property, lot 2 will meet the bulk requirements is if you take full advantage of that and measure at the building face, which will effect the site plan that's proposed for the lot 2. They will not be able to build at the minimum front yard setback so you have 100 feet, it will have to be greater.

MR. HELMER: 125 or 130?

MR. EDSALL: It will have to increase so that there's at the face of the building a width of 200 feet. So, that will control the development of lot 2 so Bill will have to be very careful with who ever he markets this lot to. They must be aware that they are restricted how they can develop the lot.

MR. HELMER: We already have a client that's interested in this lot as it is and they understand that but we'll have to come in.

MR. SCHIEFER: When they come in with the site plan, if we find something like that, it's going to raise havoc.

MR. PETRO: Mr. Helmer, I note on this front lot there was a lot of drainage problems and it was taken care of, some of those drainage problems. You go through this second lot that you're going to develop.

MR. HELMER: That's correct, Freedom Road Realty has dumped their drainage now there's a 30 inch pipe ending on the frontage, as you can see it on this lot. What we plan to do is extend that storm drainage to through this lot to the drainage easement and that drainage will follow, then the drainage easement.

MR. PETRO: That will require an easement through the

property, will it be in the deed?

MR. HELMER: No, it will be something that I have got to work on with the town because I don't know the status of the line that already been run there. What right they had to do it and how. So, well, we'll have to work that out with the town.

MR. PETRO: Reason I'm asking somebody buys this lot, we don't pipe through there, I don't care what you said.

MR. HELMER: No, not to be subject to probably having a catch basin at each property line or something to establish that. It will be internal drainage within the property. But, since that lot, that line coming from Freedom Road Realty wasn't put there by us, as a matter of fact it's in bad shape that's something that we're going to have to discuss as part of our drainage problem when that lot is developed.

MR. VAN LEEUWEN: When are we going to come up with a drainage plan?

MR. HELMER: Greg Shaw is here tonight. We have it substantially complete and matter of fact, we have already started putting rip-rap on the site that should be by the next meeting approved.

MR. SCHIEFER: I hope so because now as we keep developing this everything is subject to and we are getting a little -- I have heard comments from the Board members we are getting tired of the same subject in this area so if Greg can complete that site plan for his drainage soon, we'd like to see it.

MR. SHAW: The ball is in my court, not Mr. Helmer. I'm about 80% done and I'll wrap it up.

MR. SCHIEFER: We are getting a little tired of it.

MR. MC CARVILLE: I make a motion the New Windsor Planning Board take lead agency position in the William Helmer two lot subdivision dated July 1st, 1991.

MR. VAN LEEUWEN: I'll second it.

ROLL CALL:

Mr. Petro Aye
Mr. VanLeeuwen Aye
Mr. McCarville Aye
Mr. Dubaldi Aye
Mr. Schiefer Aye

MR. MC CARVILLE: I make a motion that we do away with the public hearing.

MR. PETRO: I'll second it.

MR. SCHIEFER: Motion that we waive the public hearing.

ROLL CALL:

Mr. Petro Aye
Mr. VanLeeuwen Aye
Mr. McCarville Aye
Mr. Dubaldi Aye
Mr. Schiefer Aye

MR. DUBALDI: I make a motion that we declare a negative declaration.

MR. MC CARVILLE: Let's wait and see what the drainage study looks like.

MR. DUBALDI: I'll withdraw my motion.

MR. SCHIEFER: It's starting, Bill, I don't want to this happen.

MR. HELMER: What's that?

MR. SCHIEFER: They don't want to go any further without the drainage study.

MR. VAN LEEUWEN: We have got to get the drainage study.

MR. HELMER: It's pretty much complete.

MR. SCHIEFER: I'm just making the comment. I knew this was going to happen.

MR. HELMER: We can't finance Air Products then, that's our problem. I guess, I thought we discussed when you approved the site plan that that's outside of the drainage problem and has no significance whatsoever on the main drainage problem, which is this main line over here and coming this way and doesn't contribute to the drainage problem at all. I'm only trying to develop this one lot. Before we --

MR. VAN LEEUWEN: Can I say something to you, when are we going to see the drainage map and when is it going to be done?

MR. HELMER: Greg, what do we got, another week? I'm glad he's here.

MR. VAN LEEUWEN: You've got to understand this thing has been hanging in the wind for a year and a half, two years.

MR. HELMER: That's not Greg's fault.

MR. VAN LEEUWEN: We're getting complaints as individual Board members.

MR. SHAW: It will be submitted to Mark within two weeks.

MR. SCHIEFER: Now, you're hearing the Board reluctant to make an approval on something which would otherwise go. I knew this was going to happen. I didn't know it was going to be tonight.

MR. HELMER: We already had Ecolochem approved, we have aborted that and that one really contributed to drainage problems. This site does not at all.

MR. VAN LEEUWEN: Even if we gave you a subject to, you wouldn't get the map signed until we got the drainage thing solved.

MR. HELMER: That's correct but if you give it subject to, we don't have to go through this all again, the drainage study has to satisfy your engineer.

MR. SCHIEFER: Is that the only objection because if that's the only problem, now subject to.

MR. VAN LEEUWEN: Can I say something? I'd like to see a business coming into this town but whenever problems that have been playing around a long time, we have to get it finished up. I'll make a motion to approve, subject to.

MR. SCHIEFER: Subject to our, us approving the drainage and our town engineer approving the drainage. I was just going to say to the official approval of the drainage study which Mr. Helmer is going to submit.

MR. PETRO: I have a question though, how can we declare a negative declaration if we haven't seen a drainage study? We don't know that it has no effect on anything.

MR. MC CARVILLE: You're right, Jim.

MR. PETRO: How can we do that?

MR. MC CARVILLE: That doesn't mean we can't approve it without it.

MR. KRIEGER: Can't approve it without a negative declaration. You have to approve the SEQRA process.

MR. DUBALDI: Does this have to go to Orange County Planning?

MR. VAN LEEUWEN: Yes, it should.

MR. EDSALL: It's within 500 foot of the State highway. By General Municipal Law, it must go.

MR. HELMER: We have already had this one lot over there and they said they weren't interested. We have a letter on file.

MR. SCHIEFER: Making that second lot technically if it's within 500 feet, it reads any changes within 500 feet of the State road have to go to the Orange County Planning.

MR. VAN LEEUWEN: If it's within 500 feet, we have no choice.

MR. HELMER: Is that submitted by your Secretary of the Planning Board or --

MR. PETRO: Planning Board Secretary.

MR. SCHIEFER: We can accelerate that, we can get that done right away but --

MR. VAN LEEUWEN: And if they don't act on it, then it's 30 days we have to wait 30 days for them to act on it?

MR. EDSALL: Unless they respond earlier which could happen very easily.

MR. SCHIEFER: Normally, it doesn't but in a case like this, it's conceivable. I don't know.

MR. HELMER: I can walk it over to them and get it approved. I have been there three times with the subdivision. They don't care once we get the water line extended, it's an industrial park. They have no reason to do it.

MR. SCHIEFER: Negative declaration and so --

MR. VAN LEEUWEN: We waived the public hearing and we have a negative declaration already.

MR. SCHIEFER: We haven't done that.

MR. MC CARVILLE: We didn't do a negative declaration yet.

MR. PETRO: I think it should be referred to the Orange County Planning Board through the proper channels. We should have the maps here by next meeting, put Mr. Helmer on the next meeting and we'll see the map and at that point, vote for a negative declaration and go from there.

MR. SCHIEFER: You left a big thing out, the drainage plan.

MR. PETRO: We have to see the drainage plan to vote.

MR. EDSALL: We'd need that drainage plan at least a week in advance of when I'd like to have a decision on it. So, if you want a recommendation for the next meeting, we'd ask that we had all the information,

including the routing and easements so that we can give you a complete answer a week before the meeting.

MR. SCHIEFER: He needs it a week before, that's understandable so I'll leave that up to you.

MR. EDSALL: Normal policy is ten days but we have been working --

MR. HELMER: Your engineers have already seen it. We have been into your office at least twice, his office has seen it twice. We have been working with his office doing it.

MR. EDSALL: There's progress.

MR. SCHIEFER: Let's not get into details. We want it submitted and approved and is there any other questions? We have Orange County Planning and the drainage plan because I would like to wrap this thing up if there's anything else, I'd like to address it at this point.

MR. PETRO: No.

MR. SCHIEFER: That's it, Bill, sorry.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: HELMER (AIR PRODUCTS) MINOR SUBDIVISION
PROJECT LOCATION: WEMBLY ROAD (GATEWAY INDUSTRIAL PARK)
SECTION 4-BLOCK 3-LOT 17.1
PROJECT NUMBER: 91-16
DATE: 28 AUGUST 1991
DESCRIPTION: THE APPLICANT HAS SUBMITTED A PLAN FOR A TWO (2)
LOT COMMERCIAL SUBDIVISION OF AN EXISTING 5.57 +/-
ACRE PARCEL IN THE GATEWAY INDUSTRIAL PARK. THE
PLAN WAS REVIEWED ON A CONCEPT BASIS.

1. As a reminder, the Board should note that the lot depicted as Lot 1 was the subject of Application 90-54, the Air Products Inc. site plan (which is currently approved).
2. The bulk information shown on the plan appears correct for Use Group A-2 of the "PI" Zone. Each lot appears to comply with these minimum bulk requirements. Lot 2 can only do so by increasing the front yard setback to a value greater than the minimum 100'. Currently the Town Ordinance does allow measurement of the lot width at this setback line or the building line (since a building is not depicted at this time, we must conclude that the front yard setback will be increased).
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
4. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
5. 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.

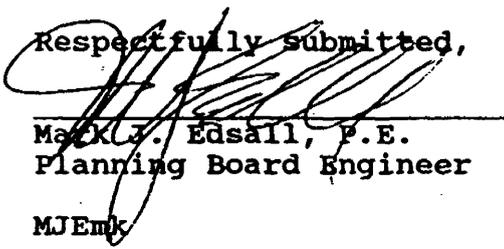
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: HELMER (AIR PRODUCTS) MINOR SUBDIVISION
PROJECT LOCATION: WEMBLY ROAD (GATEWAY INDUSTRIAL PARK)
SECTION 4-BLOCK 3-LOT 17.1
PROJECT NUMBER: 91-16
DATE: 28 AUGUST 1991

6. Submittal of this plan/application to the Orange County Planning Department will be required.
7. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


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

MJEmk

A:HELMER.mk



Leola Helmbeck
County Executive

91-16

Department of Planning
& Development
124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor D P & D Reference No. NWT 30 91 N

County I.D. No. 4 / 3 / 17.1

Applicant William F. Helmer

Proposed Action: A 2 lot subdivision

State, County, Inter-Municipal Basis for 239 Review within 500' of NYS Rte. #300

Comments: There are no significant intercommunity or Countywide concerns to bring to your attention

Related Reviews and Permits _____

County Action: Local Determination XX Disapproved _____ Approved _____

Approved subject to the following modifications and/or conditions: _____

9/10/91

Date

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 91-16

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date _____

City, Town or Village Board Planning Board Zoning Board

2. Owner: Name William F. Helmer

Address 27 Central Drive - Stony Point, NY 10980

3. Applicant*: Name _____

Address _____

* If Applicant is owner, leave blank

4. Location of Site: North Side of Wembley Rd. (350' West of Rt. 300)
(street or highway, plus nearest intersection)

Tax Map Identification: Section 4 Block 3 Lot 17.1

Present Zoning District PI Size of Parcel 5.537 Acres

5. Type of Review:

Special Permit: _____

Variance: Use _____

Area _____

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units 2 Lots

Site Plan: Use _____

8/29/91
Date

Myra Mason, Secy for the P.B.
Signature and Title

7-23-91

JUL 19 1991

91-16

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., ~~WATER~~, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

subdivision _____ as submitted by

Patrick T. Kennedy

for the building or subdivision of

Wm. Helmer

has been

reviewed by me and is approved

~~disapproved~~ _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

[Signature]

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
CC: M.E.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, ~~SEWER~~, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
WILLIAM HELMER has been
reviewed by me and is approved _____
disapproved _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

[Signature]

SANITARY SUPERINTENDENT

7.30.91

DATE

✓
CC:HE.

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 30 July 1991
SUBJECT: Helmer Subdivision

PLANNING BOARD REFERENCE NUMBER: PB-91-16
DATED: 19 July 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-059

A review of the above referenced subject subdivision plan was conducted on 30 July 1991.

This subdivision plan is acceptable.

PLANS DATED: 1 July 1991.


Robert F. Rodgers, CCA
Fire Inspector

RFR:mr
Att.

✓
CC: M.E.

JUL 19 1991

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, ~~SANITARY INSP.~~
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Patrick L. Kennedy for the building or subdivision of
William Helmer _____ has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman D. Masten Jr

SANITARY SUPERINTENDENT

July 29, 1991

DATE

CC: M.E.

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project AIR PRODUCTS
2. Name of Applicant William F. Helmer Phone 914-942-1330
Address 27 CENTRAL DRIVE, STONY POINT, N.Y. 10980
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record William F. Helmer Phone 914-942-1330
Address 27 CENTRAL DRIVE, STONY POINT, N.Y. 10980
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan PAT Kennedy Phone _____
Address 219 QUASSAICK AVE NEW WINDSOR, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney Leonard Schwall Phone 914 634-3696
Address 49 Maple Ave, New City, N.Y.
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting William F. Helmer Phone 914-942-1330
(Name)
7. Location: On the RIGHT (North side of WEMBLEY
ROAD - 350 feet WEST (Street)
(Direction)
of TEMPLE Hill ROAD
(Street)
8. Acreage of Parcel 5.537 Acres 9. Zoning District PI
10. Tax Map Designation: Section 4 Block 3 Lot 17.1
11. This application is for A 2 LOT SUBDIVISION

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section None Block — Lot(s) —

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

William F. Helmer being duly sworn, deposes and says that he resides at Great Beech Lane, Pomona in the County of Rockland and State of New York and that he is (the owner in fee) owner
(Official Title)

~~of the Corporation which is the owner~~ in fee of the premises described in the foregoing application and that he has authorized William F. Helmer to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

19th day of July 1989

Karen C. Grube
Notary Public

William F. Helmer
(Owner's Signature)

William F. Helmer
(Applicant's Signature)

Owner
(Title)

KAREN C. GRUBE
Notary Public, State of New York
Qualified in Orange County
No. 4816224
Commission Expires March 30, 1992

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 <i>William F. Helmer</i>	2. PROJECT NAME <i>Air Products</i>
3. PROJECT LOCATION: Municipality <i>New Windsor, NY</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>North Side of Wembley Road approx. 350 WEST OF TEMPLE HILL ROAD</i>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>CONSTRUCTION DISTRIBUTION FACILITY FOR Air Products IN ACCORDANCE WITH Site Plan as submitted</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>5.537</i> acres Ultimately 5.537 <i>3.506</i> 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 type="checkbox"/> Residential <input checked="" 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: <i>William F. Helmer</i>	Date: <i>7/19/91</i>
Signature: <i>William F. Helmer</i>	

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

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

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.127 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 617.87 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

Signature of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Preparer (if different from responsible officer)

Date

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

William F. Helmer, deposes and says that he
resides at Grey Beech Lane Poughkeepsie NY
(Owner's Address)

in the County of Rockland
and State of New York

and that he is the owner in fee of 5.537 Acres in
Gateway Industrial Park

which is the premises described in the foregoing application and
that he has authorized William F. Helmer and/or Pat Kennedy
to make the foregoing application as described therein.

Date: 7/19/91

William F. Helmer
(Owner's Signature)

[Signature]
(Witness' Signature)

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

91-16

TOWN OF NEW WINDSOR PLANNING BOARD

MINOR SUBDIVISION CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. Environmental Assessment Statement
- *2. Proxy Statement
3. Application Fees
4. Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of 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. Tax Map Data (Section-Block-Lot).
5. Location Map at a scale of 1" = 2,000 ft.
6. Zoning table showing what is required in the particular zone and what applicant is proposing.
7. Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. Date of plat preparation and/or date of any plat revisions.
9. Scale the plat is drawn to and North Arrow.
10. Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. Surveyor's certification.
12. Surveyor's seal and signature.

*If applicable.

13. ✓ Name of adjoining owners.
14. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. N/A Flood land boundaries.
16. N/A 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.
17. ✓ Final metes and bounds.
18. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical centerline of the street.
19. ✓ Include existing or proposed easements.
20. ✓ Right-of-Way widths.
21. ✓ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. ✓ Lot area (in square feet for each lot less than 2 acres).
23. ✓ Number the lots including residual lot.
24. ✓ Show any existing waterways.
- *25. ✓ A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. ✓ Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

- 29. N/A Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
- 30. N/A Provide "septic" system design notes as required by the Town of New Windsor.
- 31. ✓ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
- 32. ✓ Indicate percentage and direction of grade.
- 33. ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
- 34. ✓ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
- 35. ✓ Indicate location of street or area lighting (if required).

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 ACKNOWLEDGEMENT:

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]
Licensed Professional

Date: 7/19/91

Zoning District: PI Use A-2

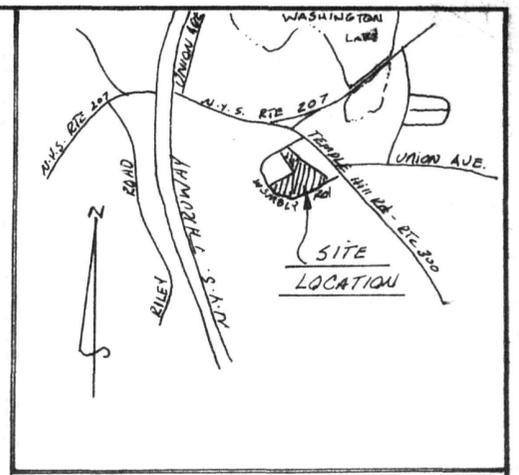
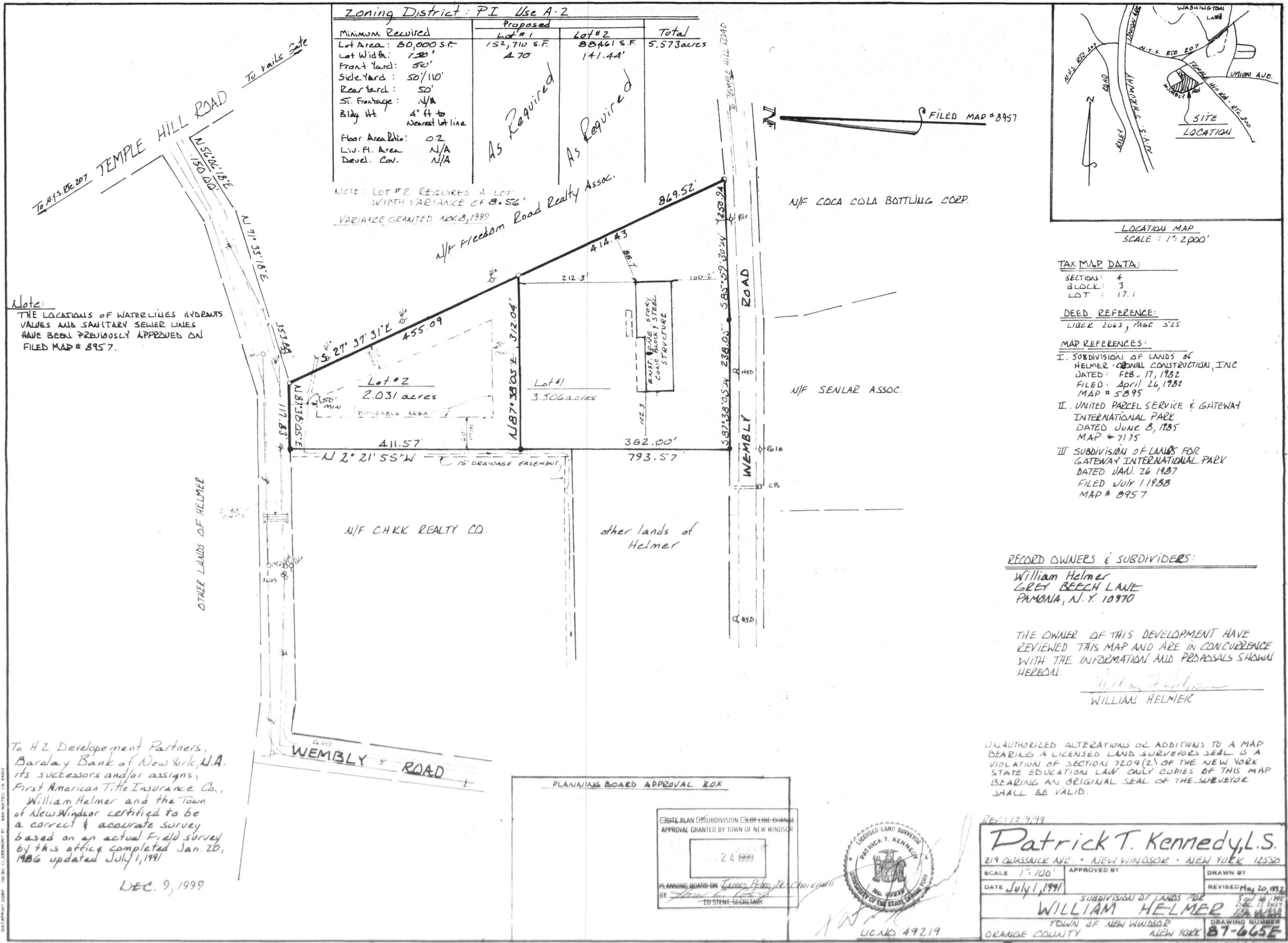
Minimum Required	Proposed		Total
	Lot #1	Lot #2	
Lot Area: 80,000 S.F.	152,710 S.F.	88,461 S.F.	5.573 acres
Lot Width: 150'	470'	141.44'	
Front Yard: 50'			
Side Yard: 50/110'			
Rear Yard: 50'			
St. Frontage: N/A			
Bldg Ht: 4' ft to Nearest lot line			
Floor Area Ratio: 0.2			
Liv. Fl. Area: N/A			
Devel. Cov.: N/A			

As Required

NOTE: LOT #2 REQUIRES A LOT WIDTH VARIANCE OF 8.56'
 VARIANCE GRANTED NOV. 8, 1999
 N/F Freedom Road Realty Assoc.

Note:
 THE LOCATIONS OF WATER LINES HYDANTS VALVES AND SANITARY SEWER LINES HAVE BEEN PREVIOUSLY APPROVED ON FILED MAP # 8957.

To HZ Development Partners, Barclay Bank of New York, N.A. its successors and/or assigns, First American Title Insurance Co., William Helmer and the Town of New Windsor certified to be a correct & accurate survey based on an actual field survey by this office completed Jan. 20, 1986 updated July 1, 1991
 DEC. 9, 1999



- TAX MAP DATA:
 SECTION: 4
 BLOCK: 3
 LOT: 17.1
- DEED REFERENCE:
 LIBER 2043, PAGE 525
- MAP REFERENCES:
 I. SUBDIVISION OF LANDS OF HELMER - CONNELL CONSTRUCTION, INC DATED: FEB. 17, 1982 FILED: April 26, 1982 MAP # 5895
 II. UNITED PARCEL SERVICE & GATEWAY INTERNATIONAL PARK DATED JUNE 8, 1985 MAP # 7175
 III. SUBDIVISION OF LANDS FOR GATEWAY INTERNATIONAL PARK DATED JAN. 26, 1987 FILED JULY 1, 1988 MAP # 8957

RECORD OWNERS & SUBDIVIDERS:
 William Helmer
 GREY BEECH LAKE
 PAMONA, N. Y. 10970

THE OWNER OF THIS DEVELOPMENT HAVE REVIEWED THIS MAP AND ARE IN CONCURRENCE WITH THE INFORMATION AND PROPOSALS SHOWN HEREOF.
 WILLIAM HELMER

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATIONAL LAW. ONLY COPIES OF THIS MAP BEARING AN ORIGINAL SEAL OF THE SURVEYOR SHALL BE VALID.

PLANNING BOARD APPROVAL BOX

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

24 1999

PLANNING BOARD ON: James Polko, Jr. Chairman
 BY: Ed Stent, Secretary



REV: 12/9/99

Patrick T. Kennedy, L.S.
 219 QUASSACK AVE. • NEW WINDSOR • NEW YORK 12550

SCALE 1" = 100' APPROVED BY DRAWN BY
 DATE July 1, 1991 REVISED May 20, 1992

SUBDIVISION OF LANDS FOR
WILLIAM HELMER
 TOWN OF NEW WINDSOR
 ORANGE COUNTY NEW YORK
 DRAWING NUMBER **87-665E**

91-16 RECEIVED JAN 7 1999