

PB# 92-33

Robert Babcock

57-1-96.222

BABCOCK, ROBERT - SUBDIVISION
2 LOTS (STATION ROAD) (YANOSH)

#92-33

Approved
6-1-93

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 12838
 555 Union Avenue
 New Windsor, NY 12550

Received of Robert Babcock Used Cars Aug. 26 19 92 \$ 100.⁰⁰
One Hundred 00 DOLLARS
 For P.B. #92-33 Application Fee 100

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 2072		\$100. ⁰⁰

By Pauline M. Townsend
Town Clerk
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 12837
 555 Union Avenue
 New Windsor, NY 12550

Received of Town Clerk Aug. 26 19 92 \$ 300.⁰⁰
Three Hundred 00 DOLLARS
 For P.B. #92-33 Escrow (Robert Babcock Used Cars) 00

DISTRIBUTION:

FUND	CODE	AMOUNT
CR # 2075		300. ⁰⁰

By Junkin
Comptroller
 Title

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TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13372
 555 Union Avenue
 New Windsor, NY 12550

Received of Robert Babcock June 1 19 93 \$ 260.⁰⁰
Two Hundred Sixty 00 DOLLARS
 For Planning Board #92-33 100

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 6067		260. ⁰⁰

By Pauline M. Townsend
Town Clerk
 Title

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Planning Board
 Town Hall
 555 Union Ave.
 New Windsor, NY 12553

NO. 92-33
May 29 19 93

CR. 2075	100.00

Jason Clark
Title

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

12837

Aug. 26 19 92

Received of Jason Clark \$ 300.⁰⁰/₁₀₀
Three Hundred 00 DOLLARS

For P.B. #92-33 Escrow (Robert Babcock Used Cars)

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR # 2075</u>		<u>300.00</u>

By Jim Sini
Comptroller
Title

© WILLIAMSON LAW BOOK Co., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

13372

June 1 19 93

Received of Robert Babcock \$ 260.⁰⁰/₁₀₀
Two Hundred Sixty 00 DOLLARS

For Planning Board #92-33

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR 6067</u>		<u>260.00</u>

By Pauline G. Townsend
Town Clerk
Title

© WILLIAMSON LAW BOOK Co., VICTOR, N.Y. 14564

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553
NO. 92-33
May 28, 19 93

RECEIVED FROM Robert & Catherine Babcock
One Thousand 00/100 DOLLARS

One Lot @ \$1,000.00 ea. Recreation Fee

Account Total \$ 1,000.00
Amount Paid \$ 1,000.00
Balance Due \$ - 0 -

Jim Comptroller
Murray Mason, Secy to the P.B.

THE EFFICIENCY LINE AN AMPAD PRODUCT

5/31/93
Emj. 258.00

92-33

Map Number 113-93

City []
Town [X] New Windsor
Village []

Section 57 Block 1 Lot 96, 222

Title: Babcock, Robert P. & Catherine J.

Dated: 7-28-92 Rev. Filed 6-28-93

Approved by Carmen R. Dulaldi Jr.

on 6-1-93

Record owner Robert P. & Catherine J.

Babcock
(2 sheets)

MARION S. MURPHY
Orange County Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/08/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 92-33

NAME: BABCOCK, ROBERT & CATHERINE - 2 LOT SUBDIVISION
APPLICANT: BABCOCK, ROBERT & CATHERINE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/01/93	PLANS STAMPED	APPROVED
04/28/93	P.B. APPEARANCE	APPROVED
04/21/93	WORK SESSION APPEARANCE	NEXT AGENDA
01/13/93	P.B. DISCUSSION	NEG. DEC
10/28/92	P.B. APPEARANCE	TO RETURN
09/09/92	P.B. APPEARANCE	WAIVE P.H.: RETURN . MARK TO SEND L.A. COORDINATION LETTERS
08/18/92	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

S OF: 06/01/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

OR PROJECT NUMBER: 92-33

NAME: BABCOCK, ROBERT & CATHERINE - 2 LOT SUBDIVISION
APPLICANT: BABCOCK, ROBERT & CATHERINE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/28/93	APPROVAL FEES	CHG	260.00		
05/28/93	APPROVAL FEES	PAID		260.00	
		TOTAL:	260.00	260.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/01/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 92-33

NAME: BABCOCK, ROBERT & CATHERINE - 2 LOT SUBDIVISION
APPLICANT: BABCOCK, ROBERT & CATHERINE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/25/92	2 LOT SUB. ESCROW	PAID		300.00	
09/09/92	P.B. ATTY. FEE	CHG	35.00		
09/09/92	P.B. MINUTES	CHG	36.00		
10/28/92	P.B. ATTY. FEE	CHG	35.00		
10/28/92	P.B. MINUTES	CHG	13.50		
01/13/93	P.B. MINUTES	CHG	9.00		
04/28/93	P.B. ATTY FEE	CHG	35.00		
04/28/93	P.B. MINUTES	CHG	4.50		
05/12/93	P.B. ENGINEER FEE	CHG	258.00		
05/28/93	BALANCE DUE	PAID		126.00	
		TOTAL:	426.00	426.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/27/93

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 92-33

NAME: BABCOCK, ROBERT & CATHERINE - 2 LOT SUBDIVISION
APPLICANT: BABCOCK, ROBERT & CATHERINE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	08/26/92	MUNICIPAL HIGHWAY	09/18/92	APPROVED
ORIG	08/26/92	MUNICIPAL WATER	08/27/92	APPROVED
ORIG	08/26/92	MUNICIPAL SEWER	10/07/92	SUPERSEDED BY REV1
ORIG	08/26/92	MUNICIPAL SANITARY	10/07/92	SUPERSEDED BY REV1
ORIG	08/26/92	MUNICIPAL FIRE	08/27/92	APPROVED
ORIG	08/26/92	PLANNING BOARD ENGINEER	10/07/92	SUPERSEDED BY REV1
REV1	10/07/92	MUNICIPAL HIGHWAY	/ /	
REV1	10/07/92	MUNICIPAL WATER	10/20/92	APPROVED
REV1	10/07/92	MUNICIPAL SEWER	10/26/92	APPROVED
REV1	10/07/92	MUNICIPAL SANITARY	/ /	
REV1	10/07/92	MUNICIPAL FIRE	10/21/92	APPROVED
REV1	10/07/92	PLANNING BOARD ENGINEER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/27/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 92-33

NAME: BABCOCK, ROBERT & CATHERINE - 2 LOT SUBDIVISION
APPLICANT: BABCOCK, ROBERT & CATHERINE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/21/93	WORK SESSION APPEARANCE	NEXT AGENDA
01/13/93	P.B. DISCUSSION	NEG. DEC
10/28/92	P.B. APPEARANCE	TO RETURN
09/09/92	P.B. APPEARANCE . MARK TO SEND L.A. COORDINATION LETTERS	WAIVE P.H.: RETURN
08/18/92	WORK SESSION APPEARANCE	SUBMIT

SUBDIVISION FEES - TOWN OF NEW WINDSOR

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.....\$ 150.00
BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ 260.00

RECREATION FEES:

LOTS @ \$1000.00 PER LOT.....\$ 1,000.00

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 258.00
PLANNING BOARD ATTORNEY FEES.....\$ 105.00
MINUTES OF MEETINGS.....\$
OTHER.....\$ 126.00 Due T. of N.W.

PERFORMANCE BOND AMOUNT.....\$

5% OF ABOVE AMOUNT.....\$

ESTIMATE OF PRIVATE IMPROVEMENTS: \$

4% OF FIRST \$50,000.00 OF ABOVE:.....\$

2% OF REMAINDER OF ABOVE:.....\$

TOTAL INSPECTION FEE DUE:.....\$

Notified Dan Janosh of fees due 5/17/93 @

RESULTS OF P.B. MEETING

DATE: April 28, 1993

PROJECT NAME: Babcock, Robert PROJECT NUMBER 92-33

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.B.A.: M) ___ S) ___ VOTE:A ___ N _____ YES ___ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) V S) Q VOTE:A 5 N 0 APPROVED: _____

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

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

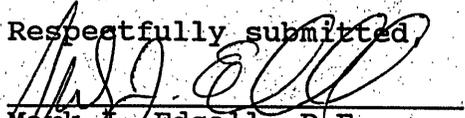
- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: BABCOCK MINOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 96.222
PROJECT NUMBER: 92-33
DATE: 28 APRIL 1993
DESCRIPTION: THE APPLICANTS HAVE SUBMITTED A PLAN FOR THE
SUBDIVISION OF A 97.6 +/- ACRE PARCEL INTO TWO (2)
SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS
PREVIOUSLY REVIEWED AT THE 9 SEPTEMBER 1992 AND
28 OCTOBER 1992 PLANNING BOARD MEETINGS.

1. All previous engineering review comments have been addressed. Until now, the Applicant was awaiting the issuance of a freshwater wetland permit from the NYSDEC. This permit has been issued and a copy is on file with the Planning Board.
2. At this time, I recommend that the Board grant final subdivision approval to this application.

Respectfully submitted,


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

MJEmk

A: BABCOCK.mk

APRIL 28, 1993

28

BABCOCK, ROBERT - SUBDIVISION 92-33

MR. PETRO: Next on the agenda is the Babcock minor subdivision. Mark, will you fill us in on this? I believe we just have to go over some facts and figures here.

MR. EDSALL: The applicant's surveyor was here but had to leave for a problem, a conflict with another meeting. It was a very simple issue. The Board had gone through their entire review and the only outstanding issue was the issuance of a fresh water wetlands permit from the D.E.C.. We have a copy of that permit and as well the D.E.C. requested that one note be added to the plan relative to soil erosion control. So, the Chairman felt that there was no problem with the applicant's consultant explaining that status and he did have to leave.

MR. VAN LEEUWEN: You put it on here, item five.

MR. EDSALL: Note five added. We have the permit. Everything else was completed.

MR. PETRO: We need a motion to approve the Babcock properties addition.

MR. VAN LEEUWEN: So moved.

MR. PETRO: Being we have the motion --

MR. DUBALDI: Second.

MR. PETRO: Motion was made for Robert Babcock subdivision Station Road. Any further discussion from the Board members? If not, roll call.

MR. VAN LEEUWEN: Aye.

MR. DUBALDI: Aye.

MR. LANDER: Aye.

MR. PETRO: Aye.

DEC PERMIT NUMBER 3-3348-00143/00001-0
FACILITY/PROGRAM NUMBER(s) FW# MB-57



PERMIT

Under the Environmental Conservation Law (ECL)

EFFECTIVE DATE APRIL 5, 1993
EXPIRATION DATE September 30, 1994

TYPE OF PERMIT (Check All Applicable Boxes)

 New
 Renewal
 Modification
 Permit to Construct
 Permit to Operate

<input type="checkbox"/> Article 15, Title 5: Protection of Water	<input type="checkbox"/> Article 17, Titles 7, 8: SPDES	<input type="checkbox"/> Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
<input type="checkbox"/> Article 15, Title 15: Water Supply	<input type="checkbox"/> Article 19: Air Pollution Control	<input type="checkbox"/> Article 34: Coastal Erosion Management
<input type="checkbox"/> Article 15, Title 15: Water Transport	<input type="checkbox"/> Article 23, Title 27: Mined Land Reclamation	<input type="checkbox"/> Article 36: Floodplain Management
<input type="checkbox"/> Article 15, Title 15: Long Island Wells	<input checked="" type="checkbox"/> Article 24: Freshwater Wetlands	<input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control
<input type="checkbox"/> Article 15, Title 27: Wild, Scenic & Recreational Rivers	<input type="checkbox"/> Article 25: Tidal Wetlands	<input type="checkbox"/> Other _____
<input type="checkbox"/> 6NYCRR 608: Water Quality Certification	<input type="checkbox"/> Article 27, Title 7; 6NYCRR 360: Solid Waste Management	

PERMIT ISSUED TO Robert & Catherine Babcock		TELEPHONE NUMBER (914) 562-3476
ADDRESS OF PERMITTEE PO Box 537 Temple Hill Rd., Vails Gate NY 12584		
CONTACT PERSON FOR PERMITTED WORK Daniel Yanosh		TELEPHONE NUMBER (914) 361-4700
NAME AND ADDRESS OF PROJECT/FACILITY East side of Station Rd., 1200 feet north of railroad crossing.		
LOCATION OF PROJECT/FACILITY		
COUNTY Orange	TOWN New Windsor	WATERCOURSE/WETLAND NO. FW# MB-57
NYTM COORDINATES E: 572.5 N: 4589.8		
DESCRIPTION OF AUTHORIZED ACTIVITY Placement of fill in freshwater wetland MB-57 for the construction of 65 feet of a 12 foot wide driveway to provide access to a proposed single family house. 400 feet of the driveway will cross the 100 foot adjacent area of the wetland. A pond will be created in the 100 foot adjacent area. All work shall be done in accordance with plans titled "Two Lot Subdivision", sheets 1 & 2, dated July 28, 1992, last revised November 3, 1992, by Daniel P. Yanosh.		

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (See Reverse Side) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR Alexander F. Ciesluk, Jr.	ADDRESS 21 South Putt Corners Rd., New Paltz NY 12561	MJG
AUTHORIZED SIGNATURE <i>Alexander F. Ciesluk, Jr.</i>	Date 4/5/93	Page 1 of 4

GENERAL CONDITIONS

Inspections

1. The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3). A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site. Failure to produce a copy of the permit upon request by a Department representative is in violation of this permit.

Permit Changes and Renewals

2. The Department reserves the right to modify, suspend or revoke this permit when:
 - a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
 - b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
 - c) new material information is discovered; or
 - d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.
3. The permittee must submit a separate written application to the Department for renewal, modification or transfer to this permit. Such application must include any forms, fees or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.
4. The permittee must submit a renewal application at least:
 - a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
 - b) 30 days before expiration of all other permit types.
5. Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Other Legal Obligations of Permittee

6. The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature and by whomever suffered, arising out of the project described in this permit and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from this project.
7. This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.
8. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required for this project.

9. That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
10. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.
11. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, New York State Office of General Services or local government which may be required.
12. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
13. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.
14. There shall be no unreasonable interference with navigation by the work herein authorized.
15. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.
16. If granted under Article 36, this permit does not signify in any way that the project will be free from flooding.
17. If granted under 6NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.
18. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.

Such approved plans were prepared by see page 1
 _____ on _____.

SPECIAL CONDITIONS

- ◆ The permittee or a representative shall contact by telephone, the Division of Law Enforcement in New Paltz (914) 255-5453 48 hours prior to the commencement of any portion of the project authorized herein.
- ◆ The permittee shall require that any contractor, project engineer, or other person responsible for the overall supervision of this project reads, understands and complies with this permit, including all special conditions to prevent environmental degradation.
- ◆ For Article 15, Protection of Waters permits, the permittee or an authorized representative shall notify the Department by mailing the attached form at least 48 hours prior to the commencement of any portion of the project authorized herein.

Continued on next page...

DEC PERMIT NUMBER 3-3348-00143/00001-0	
PROGRAM NUMBER FW# MB-57	Page 3 of 4

SPECIAL CONDITIONS
For Article 24 (Freshwater Wetlands)

1. Work shall be done in accordance with the approved plans. Any modification to these plans that will affect Freshwater Wetland MB-57 or the adjacent 100 foot buffer area must be approved by the Department prior to being undertaken.
2. Within one week after commencement of work authorized by this permit, the Permittee shall notify the Department's Regional Supervising Wildlife Biologist, 21 South Putt Corners Road, New Paltz, NY 12561, in writing that this work has begun.
3. **EROSION CONTROL:** Prior to commencement of the activities authorized herein, the permittee shall install silt fencing and/or continuous staked hay bales along the limits-of-disturbance as shown on the plans or drawings referenced in this permit, or along the freshwater wetland or adjacent area boundary as delineated by DEC staff and represented on the referenced plans, whichever is farthest from the wetland proper.

These erosion control devices shall be maintained (and hay bales periodically replaced) for the duration of the authorized activity to prevent any silt or sediment from entering the freshwater wetland or its adjacent area. They shall remain in place until the disturbed area is fully stabilized with vegetation following which the hay bales and the accumulated silt or sediment shall be completely removed from the site.

Removal must be complete prior to the expiration date of this permit.

4. For both of the lots in the subdivision the deed for each such property shall contain a notice as written below:

"For as long as any portion of the property described in this deed is subject to regulation under Article 24 (the Freshwater Wetlands Act) of the Environmental Conservation Law of the State of New York (ECL), there shall be no construction, grading, filling, excavating, clearing or other regulated activity as defined by Article 24 of the Environmental Conservation Law on this property within the wetland area or 100 foot control areas as shown on the Final Subdivision Plat at any time without having first secured the necessary permission and permit required pursuant to the above noted Article 24. This restriction shall bind the Grantee's, their successors and assigns and shall be expressly set forth in all subsequent deed to this property".

If requested by the Department, the permittee shall submit a copy of the deed of the first sale for an affected lot to the Regional Permit Administrator in the New Paltz Office within 30 days of receipt of the request.

STATE ENVIRONMENTAL QUALITY REVIEW

Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action with the Town of New Windsor Planning Board designated as the lead agency. It has been determined that the project will not have a significant effect on the environment.

Distribution

L. Kolts
R. Wood
Law Enforcement
ACOE, NY District

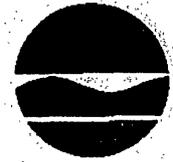
DEC PERMIT NUMBER

3-3348-00143/00001-0

PROGRAM NUMBER

FW# MB-57

New York State Department of Environmental Conservation
Division of Regulatory Affairs
21 South Putt Corners Rd., New Paltz, NY 12561-1696
Telephone: (914) 255-3121



Thomas C. Jorling
Commissioner

IMPORTANT NOTICE TO ALL PERMITTEES

The permit you requested is enclosed. Please read it carefully and note the special conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action.

If the permit is associated with a project that will entail construction of new pollution control facilities or modifications to existing facilities, plan approval for the system design will be required from the appropriate departmental office or delegated local health department.

Please note the expiration date of the permit. Applications for permit renewal should be made well in advance of the expiration date. For specific instructions contact the office below.

IMPORTANT:

The following numbers pertain to this permit and should be retained for your records:

DEC PERMIT NO: 3-3348-00143/00001-0

PROGRAM ID NO: FW# MB-57

These numbers should be referenced on all correspondence related to this permit, and on any future applications for permits associated with this facility/project area.

If you have any questions on the extent of work authorized or your obligations under the permit, please contact the staff person indicated below.

Molly Gallagher
Division of Regulatory Affairs
Region 3



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

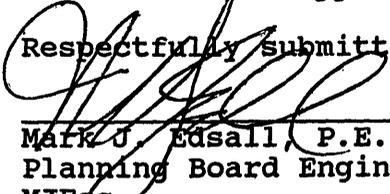
- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: BABCOCK MINOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57 - BLOCK 1 - LOT 96.222
PROJECT NUMBER: 92-33
DATE: 28 OCTOBER 1992
DESCRIPTION: THE APPLICANTS HAVE SUBMITTED A PLAN FOR THE
SUBDIVISION OF A 97.6 +/- ACRE PARCEL INTO TWO (2)
SINGLE FAMILY RESIDENTIAL LOTS. THE PLAN WAS
PREVIOUSLY REVIEWED AT THE 9 SEPTEMBER 1992
PLANNING BOARD MEETING.

1. The Applicant's Surveyor has responded to the review comments provided at the previous meeting. As part of this response, a driveway profile has been provided and, based on same, it appears that the driveway grading will not negatively effect the proposed sanitary area.
2. As previously noted, a freshwater wetland permit will be required for this subdivision. I have received a copy of a Lead Agency Coordination request from the Division of Regulatory Affairs of NYSDEC dated 2 September 1992. I contacted the representative from the Department and have confirmed their recommendation that the New Windsor Planning Board be Lead Agency for this action. In line with same, it is my recommendation that the Board assume that position by resolution.
3. 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.
4. Until further response is received from the New York State Department of Environmental Conservation, I do not recommend that the Board consider a determination of significance, nor take action of approval for this subdivision.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEss
A:babcock.ss

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NOTICE OF COMPLETE APPLICATION

APPLICANT:

ROBERT & CATHERINE BABCOCK
PO BOX 537 TEMPLE HILL RD
VAILS GATE, NY 12584

Date: 01/22/93

APPLICATION ID: 3-3348-00143/00001-0

PERMITS APPLIED FOR:

1 ARTICLE 24: FRESHWATER WETLANDS

PROJECT IS LOCATED IN NEW WINDSOR IN ORANGE COUNTY.

PROJECT DESCRIPTION:

PLACEMENT OF FILL IN FRESHWATER WETLAND MB-57 (CLASS II) FOR THE CONSTRUCTION OF A DRIVEWAY ASSOCIATED WITH A TWO LOT SUB-DIVISION OF 97.6 ACRES. APPROXIMATELY 65 FEET OF A 12 FOOT WIDE DRIVEWAY WILL CROSS THE WETLAND AND 400 FEET OF THE DRIVEWAY WILL CROSS THROUGH THE 100 FOOT ADJACENT AREA IN ORDER TO PROVIDE ACCESS TO A PROPOSED SINGLE FAMILY HOME. TO MITIGATE THE IMPACT ON THE WETLAND, A 35 BY 65 FOOT POND IS PROPOSED TO BE CREATED IN THE 100 FOOT ADJACENT AREA. THE PROJECT IS LOCATED ON STATION ROAD IN NEW WINDSOR.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION:

SEQR - 3A Project is an unlisted action and will not have a significant impact on the environment. A negative declaration is on file. A coordinated review was performed.

SEQR LEAD AGENCY TOWN OF NEW WINDSOR

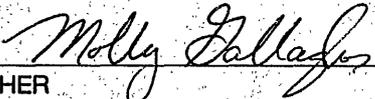
STATE HISTORIC PRESERVATION ACT (SHPA) DETERMINATION:

SHPA - 1 Cultural resource lists and map have been checked. No registered, eligible or inventoried archaeological sites or historic structures were identified at the project location. No further review in accordance with SHPA is required.

AVAILABILITY FOR PUBLIC COMMENT:

Comments on this project must be submitted in writing to the Contact Person no later than 02/19/93

CONTACT PERSON:


MOLLY J GALLAGHER
21 SOUTH PUTT CORNERS RD
NEW PALTZ, NY 12561
(914) 255-3121

TO THE APPLICANT:

1. **THIS IS NOT A PERMIT**
2. This is to advise you that your application is complete and a review has commenced. Additional information may be requested from you at a future date, if deemed necessary, in order to reach a decision on your application.
3. Your project is classified MAJOR. Accordingly, a decision will be made within 90 days of the date of this Notice. If a public hearing is necessary, you will be notified within 60 days and the hearing will commence within 90 days of the date of this notice. If a hearing is held, the final decision will be made within 60 days after the hearing is completed.
4. Publication of this Notice in a newspaper is required. Consult the accompanying Instructions for Newspaper Publication.

CC: Chief Executive Officer

Environmental Notice Bulletin, Room 509, 60 Wolf Road, Albany, N.Y. 12233-4500
File

DAN YANOSH, LS

TEL No. 914-361-4722

Jan 7, 93 17:58 No.003 P.01

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NOTICE OF INCOMPLETE APPLICATION - THIS IS NOT A PERMIT

APPLICANT: ROBERT & CATHERINE BABCOCK PO BOX 537 TEMPLE HILL RD VAILS GATE, NY 12584	OWNER ID NUMBER: 42298
APPLICATION ID: 3-3348-00143/00001-0	BATCH NUMBER: 136692
PERMITS APPLIED FOR: 1 ARTICLE 24: FRESHWATER WETLANDS	
FACILITY/PROJECT: BABCOCK PROPERTY	
PROJECT IS LOCATED IN NEW WINDSOR IN ORANGE COUNTY.	
Your Application for Permit is Incomplete, the Following Items are Required:	
Additional Information: AS I DISCUSSED PREVIOUSLY WITH YOUR CONSULTANT, I HAVE BEEN INFORMED BY THE TOWN OF NEW WINDSOR THAT THEY INTEND TO INITIATE A COORDINATED REVIEW UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT. YOUR APPLICATION WILL REMAIN INCOMPLETE UNTIL THIS PROCESS RESULTS IN EITHER A NEGATIVE DECLARATION OR A DRAFT ENVIRONMENTAL IMPACT STATEMENT. CC: D. YANOSH	
NO FURTHER ACTION CAN BE TAKEN UNTIL ALL OF THESE MATERIALS ARE RECEIVED	
CONTACT PERSON: MOLLY J GALLAGHER NYS DEPT OF ENVIRONMENTAL CONSERVATION DIVISION OF REGULATORY AFFAIRS REGION 3 NEW PALTZ 21 SOUTH PUTT CORNERS RD NEW PALTZ NEW YORK 12561	SIGNATURE: <u>Molly J Gallagher</u> DATE: 12/00/02 1-5-93 TELEPHONE NUMBER: 914-255-3121



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

15 January 1993

New York State Department of
Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561

ATTENTION: MOLLY GALLAGHER

SUBJECT: BABCOCK MINOR SUBDIVISION
MHE PROJECT NO. 87-56
NEW WINDSOR PLANNING BOARD NO. 92-33

Dear Ms. Gallagher:

Pursuant to receipt of a copy of your notice dated 1-5-93, to the subject Applicants, the New Windsor Planning Board, at their regular meeting of 13 January 1993, reviewed the subject application, more specifically with regard to the potential environmental impacts of the project. After a review of the project, the Planning Board, by resolution, adopted a Negative Declaration for the project. A copy of the resolution, as adopted by the Planning Board, is on record at the Planning office. A copy is available, if you so desire.

If you require any additional information regarding this project, please do not hesitate to contact the undersigned.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD


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

MJEmk

cc: NWPB File No. 92-33
Daniel Yanosh, L.S., Project Surveyor

A:GALLAGH.mk



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

13 January 1993

MEMORANDUM

TO: Town of New Windsor Planning Board

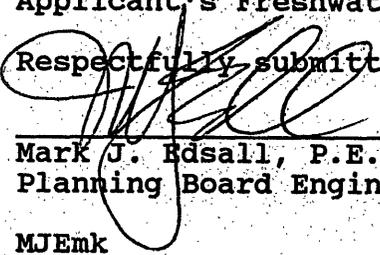
FROM: Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT: BABCOCK SUBDIVISION
NEW WINDSOR PLANNING BOARD NO. 92-33

Attached hereto, please find a notice issued by the New York State Department of Environmental Conservation to Robert and Catherine Babcock, relative to the pending subdivision application before the Board.

At this time, it is appropriate that the Planning Board review the proposed project and make a determination regarding environmental significance, if possible. If a Negative Declaration is adopted by the Board, by resolution, a copy of the resolution should be forwarded to Molly Gallagher of the NYSDEC, such that the processing of the Applicant's Freshwater Wetlands Permit can proceed.

Respectfully submitted,


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

MJEmk

A:1-13-E.mk

DISCUSSIONBABCOCK (92-33)

MR. EDSALL: I'm not here on behalf of the applicant. I'm here on behalf of New Windsor Planning Board to coordinate with the DEC on a SEQRA review. This is the Robert P. and Cathrine J. Babcock Subdivision that you are in the process of reviewing, it's on Station Road, 2 lot subdivision, 2 lot minor subdivision, this is the one where they are breaking off the parcel at the corner of the property and it accesses across State wetlands. The board is in the process of reviewing it and as part of the SEQRA review process whenever there's an outside agency that has to issue a permit, it's a coordinated review, the board has taken lead agency. DEC concurred with your taking lead agency. They are in the process of reviewing this application for fresh water wetlands permit crossing this very end portion of their State wetlands. They issued and it's attached to your comments a memo to the Babcocks saying that in effect, they cannot go any further with their application to the DEC until this board makes a SEQRA determination. Obviously, you reviewed this subdivision several times. I'm not aware of any concerns other than the fact that they are crossing the wetlands. DEC appears to not have any concern about that. They are prepared to process the application and very may well give approval. What they need is you to decide if there's any other problems, if not, consider a negative dec.

MR. LANDER: DEC is going to be telling them how to construct whatever they are going-

MR. EDSALL: Yes, they'll have full authority on the manner in which this is constructed and maintain its proper construction, as well if they encroach in some way that is not acceptable, DEC is going to go to write the violation, we don't. Bottom line is they have to come back to you anyway for their approvals. This is purely a coordination.

MR. PETRO: From a planning engineer standpoint, you don't see any problems with it?

MR. EDSALL: No. Matter of fact, I would recommend that you adopt a negative dec and we'll issue.

MR. PETRO: Motion?

MR. SCHIEFER: I make motion we declare negative dec on SEQRA.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that we declare negative dec for the Babcock subdivision application 92-33. Is there any further discussion from the board members?

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. VAN LEEUWEN: I make a motion we adjourn the meeting.

MR. SCHIEFER: I'll second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:


Frances Roth
Stenographer



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

New York State Dept. of Environmental Conservation
Region 3
21 South Putt Corners Road
New Paltz, NY 12561

ATTENTION: MS. MOLLY GALLAGHER

SUBJECT: BABCOCK SUBDIVISION - OUR FILE #92-33
STATION ROAD - TOWN OF NEW WINDSOR

Dear Ms. Gallagher::

As Secretary to the New Windsor Planning Board, I certify that the enclosed is a true copy of the resolution as adopted by the New Windsor Planning Board at the regular meeting of January 13, 1993.

If you should have any questions, please feel free to contact me.

Very truly yours,

Myra L. Mason
Myra L. Mason, Secretary to
the New Windsor Planning Board

MLM

RESULTS OF P.B. MEETING

DATE: September 9, 1992

PROJECT NAME: Robert Babcock Sub.

PROJECT NUMBER 92-33

LEAD AGENCY: _____

NEGATIVE DEC: _____

PUBLIC HEARING: Waived 9/9/92

DISCUSSION:

Coordination
Mark to send letter to D.E.C. re: Lead Agency

to Return

SEND TO ORANGE CO. PLANNING: _____

DISAPPROVED AND REFERRED TO Z.B.A.: YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED _____ APPROVED CONDITIONALLY _____

NEED NEW PLANS: YES _____ NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

Daniel P. Yanosh

92 - 33

LICENSED LAND SURVEYOR

Route 302, P.O. Box 320
Circleville, N.Y. 10919

Daniel P. Yanosh, L.L.S.
Kevin J. Wild, L.L.S.

Tel: 914-361-4700
Fax: 914-361-4722
Tel: 914-457-9376

October 6, 1992

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

RE: Babcock Subdivision
Station Road

Dear Mr. Edsall:

In referenced to the above subdivision and your comment letter dated September 9, 1992, I offer the following comments:

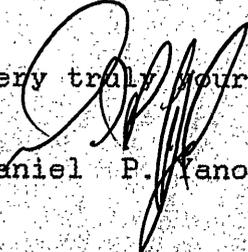
1. The project and its potential development of the remainder of the property was discussed at the last planning board meeting.

Per your request, an approximate wetland location has been added to the overall deed plot shown on sheet 1.

2. The DEC has been sent plans and an application is being progressed for a permit for the construction of the proposed driveway for Lot 1. We have also been in contact with an Army Corps of Engineers representative, Mr. Brian Orzel regarding the wetlands. It will not be necessary to obtain a permit from them so long as we do not disturb more than one (1) acre. Erosion control details and notes for the driveway construction have been included on the revised plans.
3. A driveway profile has been added to the revised plans to show the cut and fill locations as requested.
4. The location map has been revised to utilize the Town tax map as a base reference per your request.
5. The sheet 2 detail sheet has been included and the "Standard Notes" regarding the septic system have been added.

If you have any questions regarding this project, please feel free to contact my office.

Very truly yours,


Daniel P. Yanosh, L.L.S.

BABCOCK, ROBERT SUBDIVISION (92-33) Station Road

Dan Yanosh came before the board representing this proposal.

MR. YANOSH: This is 96.6 plus or minus piece of property on Station Road, existing us a house, couple barns and a shed. It was previously subdivided a few years ago. There sons, both live up in the northerly corner, Kenneth and Paul, they are proposing to subdivide 3.38 acres of land from the southerly portion, the property has 125 foot of road frontage per the code. We've done perc and deep test pits on the lot. Lot proposal is for a 4 bedroom house, something has been added on since the work session was he was going to put up a garage, Mr. Babcock has some antique cars and whatever, he' 'd like to store them up in his garage. We contacted DEC, they came out and mapped the, flagged the wetlands area in front of the property. They were flagged July 8 and we located them July 24. Plan presented to DEC came back signed by Mr. Coltz. We also have an application to cross the wetlands area to the DEC. We got a response from the DEC the other day, Molly Gallagher is the one who is going to be in charge. The additional information that they required since we're crossing the wetlands area they'd like to see a little mitigation if possible or if we can't mitigate--

MR. VAN LEEUWEN: They want you to create some more wetlands, right, two for one.

MR. YANOSH: If we can't do that, tell them we can't do it for some unreasonable hardship when I was out with Lance doing it, we talked about the mitigation. He said you'll, all you have to do is dig me a pond, hole a couple feet deep, dig me a place where the fish can grow, ducks can come in and land, clear an area out. They have no problem with that. They'd love to see a little pond on that site.

MR. VAN LEEUWEN: I got 60 acres of wetlands, okay, I've got an application in front of them for seven

years trying to put a pond in, I still don't have the okay yet.

MR. YANOSH: This site here you can walk, I mean Lance and I were out there in July and we've had pretty wet spring and summer, we walked right across the area with no problem at all. Where I showed the 15 inch culvert you can walk across it, you can drive a vehicle across it, it's so dry and low I don't know why but that is the way it is. It's connected to a wetlands to the south, to the north a little bit further the 268 foot line there's a little bit of standing water you can walk through, get your feet wet. Isn't much at all. I'm going to talk to Mr. and Mrs. Babcock about the mitigation. We sent back saying no we'd like to leave it this way here and do it this way, see what they say or possibly go in with a machine, dig it out couple feet deep twice the size, 87 square yards, Class 2 fresh water wetlands and we're infringing on 493 square yards of 100 foot buffer so I think it's a two for one with the wetlands so we have to create a pond, maybe 200 square yards in size. Possibly, we can work with them on this so that is no problem at all.

MR. YANOSH: My biggest problem we got a letter today, did you ever see DEC sending to Army Corp?

MR. VAN LEEUWEN: To go to the Army Corp, too?

MR. YANOSH: DEC sent this plan to Army Corp for the determination on the wetlands. I got a letter from--

MR. PETRO: Do you have anything, another map that shows the wetlands on there? There's no--probably should be on this plan. I wouldn't even have known there was wetlands if we didn't start talking about all this.

MR. VAN LEEUWEN: Hundred foot buffer to the driveway.

MR. BABCOCK: Our town road goes through the buffer zone.

MR. YANOSH: This is the location of it right here. A lot of the middle of the property is wetlands.

MR. VAN LEEUWEN: I know the site.

MR. YANOSH: It's an open field where the house is going to be built, surrounded by the wetlands on the two sides and woods in the back and some more fields back further.

MR. PETRO: Have you been to the workshop with this?

MR. YANOSH: Yeah, I have been to a workshop.

MR. YANOSH: It's funny we get letter from the Army Corp of Engineers with the guy's name but there's no phone number to call.

MR. KRIEGER: That would make it easy if he gave you the phone number.

MR. YANOSH: If you want me to, I've done DEC wetlands before, I've located them, flagged them, had them on subdivisions. This is the first time it ever went. I had two of them just recently, one in Goshen and this one here and both letters came back to me today.

MR. PETRO: Can you get a letter off to the DEC stating that we do intend on taking lead agency?

MR. EDSALL: Okay.

MR. PETRO: See if they have any objection to that.

MR. EDSALL: I would--

MR. VAN LEEUWEN: I make a motion we take lead agency.

MR. EDSALL: I would amend that to say that you declare your intention to take the position.

MR. VAN LEEUWEN: I'll withdraw my motion. What's the perc here?

MR. YANOSH: We had 19 minute and 23 minute perc, page 2 has the perc information.

MR. PETRO: Does Paul have any intentions of doing anything else with the rest of the property or remaining piece of property at this time?

MR. YANOSH: If somebody wants to buy it from him.

MR. PETRO: Any future use at all? Any idea what he intends on doing?

MR. YANOSH: Nope.

MR. PETRO: Lot number one he wants to build a garage, is that the intent for now?

MR. YANOSH: No, house and garage, yes.

MR. PETRO: Mark, do you have any further comments on this?

MR. EDSALL: My only suggestion just so that it makes it easier for you to review, I know they flagged the area down near the lot. It may be of benefit to again depict on the deed, plot where the wetlands are located so that for the purpose, you've got a very large parcel here. And there's obviously a potential for future subdivision. It may be worthwhile to understand at that point that you are not occupying the only access to the property or creating a situation that multiple wetlands permit will be needed if there's further development.

MR. YANOSH: I can take this map here and blow it up and put it on there but every time I've talked to Lance, he says take this, he says you can probably take this and throw it out because it's a guide. I got in trouble. I didn't really get in trouble, my client got in trouble in Goshen because we took the wetlands map, she went in, cleared some land, Neil Watts from the DEC came down and said he looked at this map and says, no, you're okay, you can clear. Do what you want to do. Maybe a neighbor made a complaint, Lance came down, said they are in violation because their guy looked at the map and said it's okay.

MR. DUBALDI: What Mark is saying we want to make sure

September 9, 1992

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we're not doing anything on this property.

MR. EDSALL: If you don't feel comfortable doing that.

MR. YANOSH: I don't know how much of a benefit it's going to be.

MR. EDSALL: Question is, is there a long Station Road for the total parcel just for our own understanding, what percentage value is wetlands.

MR. VAN LEEUWEN: Little bit I know about wetlands, it's not all wet, I'd say maybe less than half.

MR. YANOSH: Probably.

MR. VAN LEEUWEN: He's got other lands that he can cross.

MR. EDSALL: Basically what you're saying is that the wettest area is down towards this corner, so you're really not creating any problems.

MR. VAN LEEUWEN: I'd say you're not creating any problems. We can take a visit and take a look but I know where the property is.

MR. EDSALL: As long as the people who are familiar with it feel comfortable with it, I'll withdraw the request as long as we're not creating a situation on a large parcel.

MR. PETRO: We're only using 126 feet.

MR. YANOSH: I can put this on.

MR. EDSALL: Other than that, it's a very straightforward minor subdivision. You could probably--

MR. VAN LEEUWEN: This was a dairy farm for years.

MR. EDSALL: You're making a site visit.

MR. VAN LEEUWEN: I don't think we have to.

MR. PETRO: I don't think we need a site visit.

MR. EDSALL: You can go as far as to make some decisions for a public hearing.

MR. VAN LEEUWEN: I don't think we need a public hearing.

MR. PETRO: I don't think we need a public hearing.

MR. LANDER: No.

MR. BABCOCK: Make that in the form of a motion.

MR. VAN LEEUWEN: I make a motion we waive the public hearing, Mr. Chairman.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that we waive public hearing on the Babcock Minor Subdivision. Any further discussion from the board members?

ROLL CALL

MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE

MR. PETRO: You have quite a bit of work to do yet, the perc test is shown here or deep tests.

MR. VAN LEEUWEN: They look all right, they show between 17 and 19 minutes.

MR. PETRO: All acceptable, Mark, no problems with that?

MR. EDSALL: I don't see any problem.

MR. PETRO: Permit from the DEC for what now, for the driveway to go across the wetlands?

September 9, 1992

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MR. EDSALL: Fresh water wetlands permit and they may need a nationwide permit from--

MR. VAN LEEUWEN: That can take forever.

MR. EDSALL: Procedural, once we get lead agency out of the way.

MR. PETRO: Let's get the lead agency first. In the meantime, they can receive a permit and we'll have it in order.

MR. EDSALL: Dan has responded to all of my requests at the workshop so plan is complete, other than resolving the SEQRA.

MR. VAN LEEUWEN: What does he want to put up the garage first?

MR. YANOSH: House first and then the garage.

MR. VAN LEEUWEN: You said he has some cars to store there so.

MR. YANOSH: He has a shop down here at the five corners.

MR. VAN LEEUWEN: Whereabouts?

MR. BABCOCK: Right next to Kelly Motors.

MR. YANOSH: I've done some Army Corp stuff any they've really wanted you to go out and map it yourself, the wetlands, you send them a copy of the map and then they, the guys here in the federal building look at it. They might take a site visit to see if you mapped it correctly or not. You're allowed to fill up to an acre of Army Corp wetlands by getting minor permit. There is a catch 22 in the whole procedure. It's really crazy.

MR. VAN LEEUWEN: Depends who you get. If you get with the girls, you got problems. If you get the guys, it's not so bad.

September 9, 1992

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MR. PETRO: Work on getting DEC, New York State DEC permit. In the meantime, we'll get a letter out to the DEC to see if they'll take lead agency and at that point, I don't think we need, just schedule you for another. Once we hear back that we can take lead agency, we'll schedule it again for another Planning Board meeting.

MR. YANOSH: You have to give that a month wait for lead agency.

MR. EDSALL: 30 days unless they respond in time and they have been fairly responsive.

MR. VAN LEEUWEN: Personally, I don't see any problem.

MR. PETRO: I don't think any members have a problem, just a matter of procedure.

Date 9/17/92, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Frances Both 389 Moors Hill Rd DR.
New Windsor Ny 12553

DATE		CLAIMED	ALLOWED
9/9/92	Planning Board Meeting	75 00	
	Misc 1	✓ 4 50	
5-30	✓ Stewart's - 9	✓ 40 50	
7-31	✓ C & H - 7	✓ 31 50	
1-22	✓ Blooming Grove Operating - 8	✓ 36 00	
2-33	Barbados - 8	✓ 36 00	
5-34	✓ Anthony's - 4	✓ 18 00	
		<hr/>	
		✓ 241 50	



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: BABCOCK MINOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 96.222
PROJECT NUMBER: 92-33
DATE: 9 SEPTEMBER 1992
DESCRIPTION: THE APPLICANTS HAVE SUBMITTED A PLAN FOR THE
SUBDIVISION OF A 97.6 +/- ACRE PARCEL INTO TWO (2)
SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS
REVIEWED ON A CONCEPT BASIS ONLY.

1. The application involves the creation of a relatively small lot at the southwest corner of the property. The majority of the existing property will remain as part of the existing building lot. The Planning Board may wish to review, in general, the potential development of the balance of the property.

Since portions of the lot are designated wetlands, this will affect the overall development and access to the lot. It may be helpful to have the approximate wetland location depicted on the "200 scale" overall deed plot.

2. As can be concluded from the plan, a freshwater wetland permit will be required for the construction proposed for access to Lot 1. Details of this construction should be included on the plans, as same effects the driveway slope and lot development.
3. A proposed profile for the driveway should be provided for Lot 1, such that cut and fill locations can be reviewed. Such earthwork may have an effect on the proposed sanitary system.
4. It may be helpful for the Board if the location map utilized the Town tax maps as a base reference.
5. A detailed review has not been made of the sanitary system detail sheet, Sheet 2 of the drawings. It is noted, however, that this sheet does not include the "Standard Notes", as required by the Town.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: BABCOCK MINOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 96.222
PROJECT NUMBER: 92-33
DATE: 9 SEPTEMBER 1992

6. It is my understanding at this time that the only "outside" agency for which approval will be necessary is the NYSDEC for the wetlands permit. As such, I recommend that the Board issue a letter to the DEC declaring their intent to assume the position of Lead Agency.
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 F. Edsall, P.E.
Planning Board Engineer

MJEmk

A: BABCOCK.mk

P.B. # 92-33 ESCROW

562-8472
ROBERT BABCOCK USED CARS INC.
P.O. BOX 537, TEMPLE HILL RD.
VAILS GATE, NY 12584

2075

8/25 1992 29-1/213

PAY TO THE ORDER OF

Town of New Windsor

Three Hundred ~~and no~~

\$ 300.⁰⁰/_{xx}

DOLLARS

NORSTAR BANK
OF UPSTATE NY Vails Gate Office
Vails Gate, NY 12584-0218

FOR

[Signature] sec

⑈002075⑈ ⑆021300019⑆ 522 1001259⑈

P.B. # 92-33 application fee

562-3472
ROBERT BABCOCK USED CARS INC.
P.O. BOX 537, TEMPLE HILL RD.
VAILS GATE, NY 12584

2072

8/24 1992 29-1/213

PAY TO THE ORDER OF

Town of New Windsor

\$ 100.⁰⁰/_{xx}

DOLLARS

NORSTAR BANK
OF UPSTATE NY Vails Gate Office
Vails Gate, NY 12584-0218

FOR app fee

[Signature] sec

⑈002072⑈ ⑆021300019⑆ 522 1001259⑈



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 92 - 33

DATE PLAN RECEIVED: OCT - 6 1992

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

R. & C. BABCOCK has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

[Signature] 10.26.92
SANITARY SUPERINTENDENT DATE

✓
CC: M.E.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 92 - 33

DATE PLAN RECEIVED: OCT - 6 1992

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

[Signature] 10/22/92
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 92-33

DATE PLAN RECEIVED: OCT - 6 1992

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Victor A. Erikson P.E. for the building or subdivision of
Robt. P + Catherine J. Bebeck has been

reviewed by me and is approved

disapproved _____.

If disapproved, please list reason _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT _____ DATE _____

Steve D. D.O. - 10-20-92
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____

CC: M.E.

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 21 October 1992
SUBJECT: R & C Babcock Subdivision

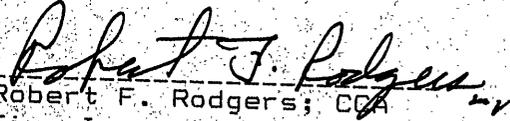
PLANNING BOARD REFERENCE NUMBER: PB-92-33
DATED: 6 October 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-063

A review of the above referenced subject two (2) lot subdivision was made on 21 October 1992.

This subdivision plan is approved.

PLANS DATED: 18 September 1992; Revision 2.


Robert F. Rodgers, CCA
Fire Inspector

RFR:mr
Att.

CC: M. E.

92-33

AUG 25 1992

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 Robert & Catherine Babcock as submitted by
Erikson for the building or subdivision of _____
_____ has been
reviewed by me and is approved
disapproved _____

If disapproved, please list reason _____

Fred Frydell
HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

9/18/92
DATE

New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561-1696
(914) 255-5453



Thomas C. Jorling
Commissioner

Date: Sept. 2, 1992

Town of New Windsor
Town Hall, 555 Union Ave.
New Windsor, NY 12550
Attn: Town Supervisor

Re: LEAD AGENCY COORDINATION REQUEST

The purpose of this request is to determine under Article 8 (State Environmental Quality Review - SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617 the following:

1. your jurisdiction in the action described on the attached SEQR coordination data sheet,
2. your interest in assuming the responsibilities of lead agency; and
3. issues of concern which you believe should be evaluated.

I have enclosed a copy of the permit application and a completed Environmental Assessment Form to assist you in responding.

The lead agency will determine the need for an environmental impact statement (EIS) on this project. If you have an interest in being lead agency, please contact this office within 30 days of the date of this letter. If no response is received, it will be assumed that your agency has no interest in being lead agency.

Please feel free to contact this office for further information or discussion.

Sincerely,

Molly Gallagher

Division of Regulatory Affairs
Region 3

Attachment

Distribution:

~~Town of New Windsor Planning Board~~

SEQR COORDINATION DATA SHEET

Project Name: Babcock Subdivision

Project Location: Station Rd

DEC Project No.: 3-3348-143/1-0

DEC Permits: Freshwater Wetlands

SEQR Classification: [] Type I Unlisted

DEC Contact Person:

21 South Putt Corners Road
New Paltz, NY 12561-1696
(914) 255-5453

Region 3

DEC Position:

[] DEC has no objection to your agency assuming lead agency status for this action.

[] DEC wishes to assume lead agency status for this action.

Other. (See comments below)

Comments (optional):

DEC believes that the New Windsor Planning Board is the appropriate lead agency for this action.

9-2-92
Date

Molly Gallagher
Division of Regulatory Affairs

8-7-92

92-33

AUG 25 1992

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

Victor H. Erikson PE Cs for the building or subdivision of

Robert P. & Catherine J. Babcock _____ has been

reviewed by me and is approved

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT

Stan D. Davis

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 27 August 1992
SUBJECT: Robert & Catherine Babcock Subdivision

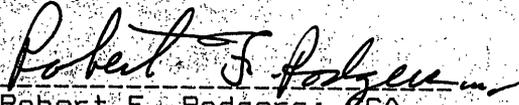
PLANNING BOARD REFERENCE NUMBER: PB-92-33
DATED: 25 August 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-051

A review of the above referenced subject subdivision plan was conducted on 27 August 1992.

This subdivision plan is acceptable.

PLANS DATED: 20 August 1992; Revision 1.


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.



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

1-3

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # -

WORK SESSION DATE: 18 Aug 1992 APPLICANT RESUB. REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Robt & Cath Babcock

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Dan Y

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

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

State Rd.

Bulk-add Ht, Dist Csg, EWA.

125 width

Locatn: Map Tax map-

Plan @ DEC - needs permit MB-57 encroachment

Show MAC SDS on plan change to 4BR

Sight dist -

next avail agenda

after app.

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 TWO LOT SUBDIVISION, LANDS OF ROBERT P. & CATHERINE J. BABCOCK
2. Name of Applicant ROBERT & CATHERINE BABCOCK Phone 562-3476²
Address Temple Hill Road P.O. Box 537 Vails Gate, NY 12584
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record same as above Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Daniel P. Yanosh, L Phone 361-4700
Address Route 302 P.O. Box 320 Circleville, NY 10919
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Dan Yanosh Phone 361-4700
(Name)
7. Location: On the Easterly side of Station Road
77,500± feet south (Street)
(Direction)
of NYS Route 207 aka Little Britian Road
(Street)
8. Acreage of Parcel 97.6± 9. Zoning District R-1
10. Tax Map Designation: Section 57 Block 1 Lot 96.222
11. This application is for a 2 Lot Subdivision 3.04± acre parcel
to be subdivided off parent parcel.

LEROY A. LANGER
County Clerk
Office of the County Clerk
Columbia County, NY
12501

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
STATE OF NEW YORK

SS.:

_____ being duly sworn, deposes and says that he resides at _____ in the County of _____ and State of _____ and that he is (the owner in fee) of _____

(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ 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

* 18TH day of AUGUST 1982

x Robert Babcock
(Owner's Signature)

(Applicant's Signature)

x Leroy A. Langer
Notary Public

(Title)

LEROY A. LANGER
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1994
Reg. No. 7424590

PROJECT I.D. NUMBER

617.21

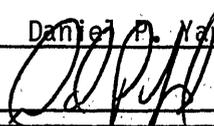
Appendix C

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 ROBERT P. & CATHERINE J. BABCOCK	2. PROJECT NAME TWO LOT SUBDIVISION, LANDS OF BOBCOCK
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Approximately 7,500 feet south of the intersection of NYS Route 207 aka Little Britian Road on the Easterly side of Station Road	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: We propose to subdivide one 3.04± acre parcel off a 97.6± acre parcel.	
7. AMOUNT OF LAND AFFECTED: Initially <u>97.6</u> acres Ultimately <u>97.6</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals D.E.C. WETLANDS	
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: <u>Daniel P. Mahosh</u>	Date: <u>8-6-92</u>
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

OVER

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) _____

_____ Date _____

TOWN OF NEW WINDSOR PLANNING BOARD

MINOR SUBDIVISION CHECKLIST

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

- 1. X Environmental Assessment Statement
- *2. X Proxy Statement
- 3. X Application Fees
- 4. X 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. X Name and address of Applicant.
- *2. X Name and address of Owner.
- 3. X Subdivision name and location.
- 4. X Tax Map Data (Section-Block-Lot).
- 5. X Location Map at a scale of 1" = 2,000 ft.
- 6. X Zoning table showing what is required in the particular zone and what applicant is proposing.
- 7. X Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
- 8. X Date of plat preparation and/or date of any plat revisions.
- 9. X Scale the plat is drawn to and North Arrow.
- 10. X Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
- 11. X Surveyor's certification.
- 12. X Surveyor's seal and signature.

*If applicable.

X

- 13. X Name of adjoining owners.
- 14. X Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. Flood land boundaries.
- 16. X 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. X Final metes and bounds.
- 18. X 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. N/A Include existing or proposed easements.
- 20. N/A Right-of-Way widths.
- 21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
- 22. X Lot area (in square feet for each lot less than 2 acres).
- 23. X Number the lots including residual lot.
- 24. X Show any existing waterways.
- *25. N/A 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. X Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
- 27. X Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
- 28. X NONE Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

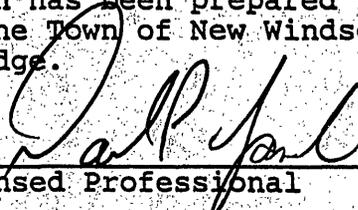
*If applicable.

29. X 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. X Provide "septic" system design notes as required by the Town of New Windsor.
31. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. X Indicate percentage and direction of grade.
33. X Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. X 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. N/A 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: 
Licensed Professional

Date: 8/19/92

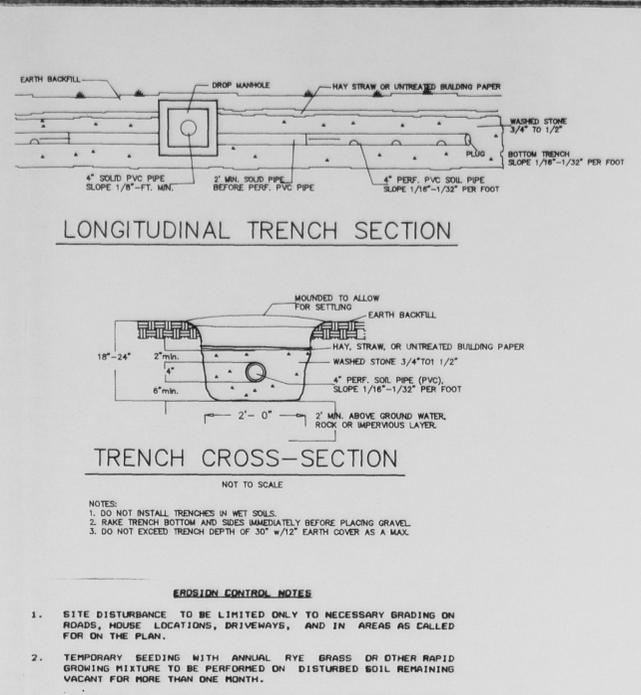
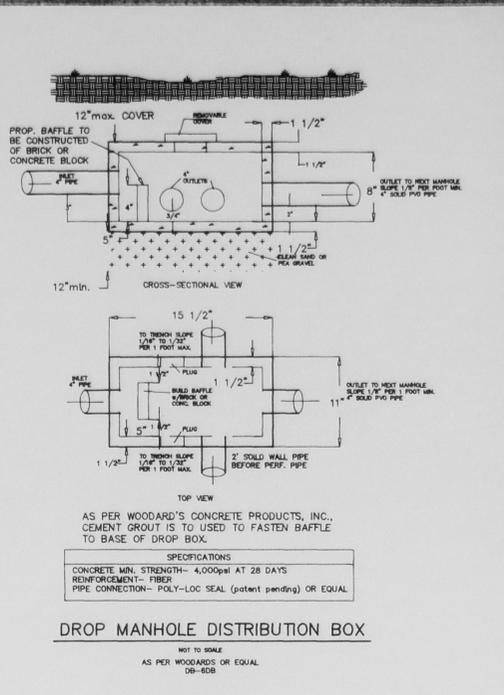
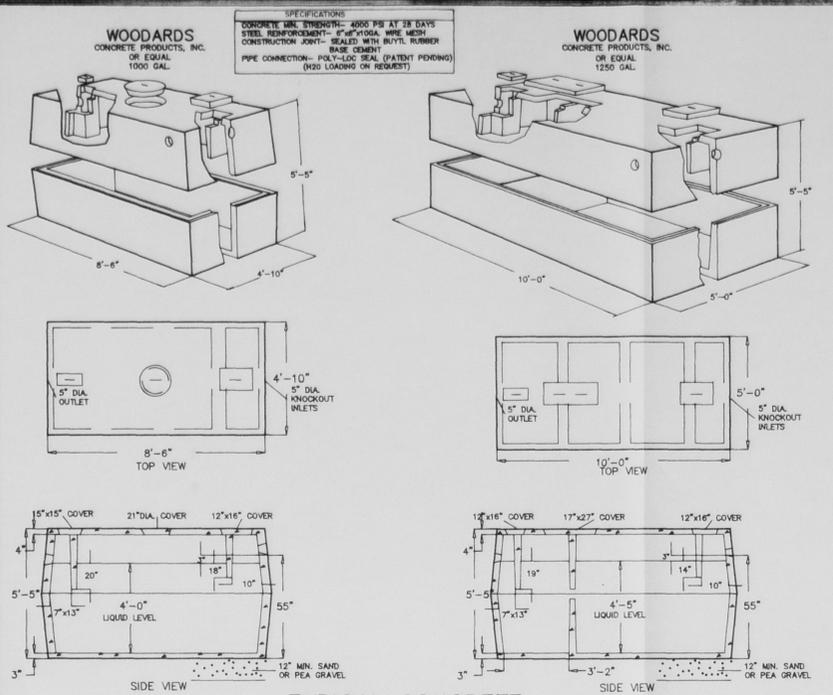
PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Robert Babcock, deposes and says that he
resides at P.O. Box 537, Temple Hill Road, Vails Gate, N.Y.
(Owner's Address)
in the County of Orange
and State of New York
and that he is the owner in fee of Tax Lot Section 57, Block 1,
Lot 96.222 Station Road
which is the premises described in the foregoing application and
that he has authorized Daniel P. Yanosh L.L.S.
to make the foregoing application as described therein.

Date: August 18, 1992

x Robert Babcock
(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.



DEEP TEST PIT DATA

LOT #1 - TEST #1 - PERFORMED JULY 21, 1992 BY VICTOR H. ERIKSON

DEPTH	SOIL TYPE	WATER SEEPAGE
0 - 12"	TOPSOIL	
12" - 26"	SANDY LOAM	
26" - 5'	FRACTURED SHALE, SANDY LOAM	
5'	TRACES OF CLAY	
6'	WATER SEEPAGE	
6'	NO ROCK LEDGE	

LOT #1 - TEST #2 - PERFORMED JULY 21, 1992 BY VICTOR H. ERIKSON

DEPTH	SOIL TYPE	WATER SEEPAGE
0 - 12"	TOPSOIL	
12" - 26"	SANDY LOAM	
26" - 5'	FRACTURED SHALE, SANDY LOAM	
5'	TRACES OF CLAY	
6'	WATER SEEPAGE	
6'	NO ROCK LEDGE	

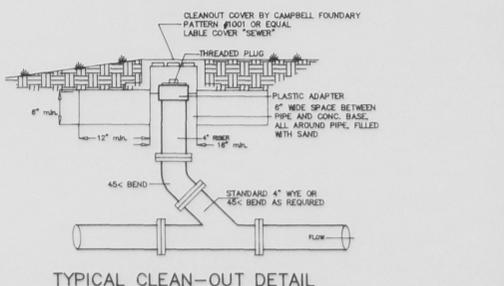
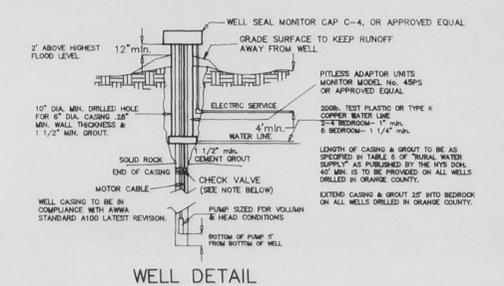
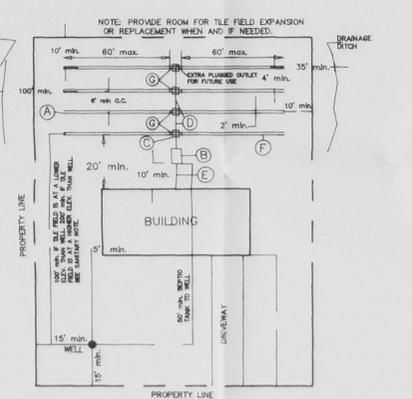
PERCOLATION TEST DATA

OBTAINED JULY 21, 1992 BY VICTOR H. ERIKSON, 24" DEEP HOLES

TEST #	START	STOP	RATE
TEST # 1	10:45	11:02	17 MIN.
	9:58	10:07	9 MIN.
	10:09	10:25	16 MIN.
	10:26	10:43	18 MIN.
10:43	11:02	19 MIN.	
TEST # 2	10:45	11:02	17 MIN.
	11:02	11:21	19 MIN.
	11:22	11:44	22 MIN.
	11:44	12:07	23 MIN.

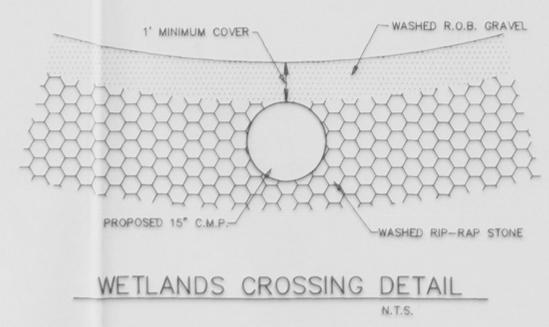
DESIGN RATE 21 - 30 MINUTES
2 BEDROOMS 250 LP REQUIRED
3 BEDROOMS 375 LP REQUIRED
4 BEDROOMS 500 LP REQUIRED

- SANITARY NOTES**
- WELL MUST BE AT LEAST 100' AWAY FROM LOWER ELEV. TILE FIELD AND 200' AWAY FROM HIGHER ELEV. TILE FIELDS.
 - DRIVEWAYS ARE NOT TO BE CONSTRUCTED ON TOP OF TILE DRAIN FIELDS.
 - MINIMUM DISTANCE HOUSE TO TILE FIELD 20'.
 - PIPE FROM HOUSE TO SEPTIC TANK TO BE STRAIGHT, OR ELSE PROVIDE CLEANOUTS AT BENDS.
 - SEPTIC TANK AS SHOWN ON DETAIL.
 - SEPTIC TANK MUST BE 10' MIN. FROM HOUSE.
 - SEPTIC TANK INLET TO BE OPPOSITE OUTLETS.
 - DO NOT GRADE IN AREA TO BE USED FOR TILE DRAIN FIELD.
 - DISCHARGE FOOTING, ROOF, AND CELLAR DRAINAGE AWAY FROM TILE FIELD AND WELL.
 - FOOTING DRAINS WITHIN 25' OF WELL MUST BE WATER TIGHT.
 - CAST IRON PIPES WITHIN 50' OF WELL MUST HAVE LEAD CALKED JOINTS.
 - MINIMUM DISTANCE WELL TO SEWER LINE 50'.
 - INDIVIDUAL WELLS AND SEWAGE DISPOSAL UNITS WILL NO LONGER BE CONSTRUCTED OR USED WHEN PUBLIC FACILITIES BECOME AVAILABLE.
 - NO TILE FIELD TO BE WITHIN 35' OF DRAINAGE DITCH OR WITHIN 100' OF A STREAM, LAKE, OR WATERCOURSE.
 - MINIMUM DISTANCE WELL TO SEPTIC TANK 50'.
 - MINIMUM DISTANCE WELL TO FOUNDATION 5'.
 - MINIMUM DISTANCE BETWEEN THE HOUSE WATER SERVICE AND SEWAGE TO BE 10'.
 - BACKWASH WATER FROM WATER SOFTENER/CONDITIONER, IF REQUIRED, WILL NOT BE DISCHARGED INTO SEPTIC TANK OR TILE FIELD AND SHOULD BE DISCHARGED AT LEAST 250' FROM ANY WELL AND AWAY FROM VEGETATION CONSIDERED OF ANY VALUE. AN AIR GAP MUST BE PROVIDED BETWEEN SOFTENER/CONDITIONER AND WATER LINE. THE PROPOSED SEPTIC SYSTEM HAS NOT BEEN DESIGNED TO ACCEPT BACKWASH WATER.
 - ALL TREES & SHRUBS MUST BE CUT FROM THE TILE FIELD AREAS.
 - THE SEPTIC SYSTEM & WELL SHALL NOT BE RELOCATED UNLESS APPROVED BY THE ORANGE COUNTY DEPARTMENT OF HEALTH.
 - RESERVE SEWAGE SYSTEM ABSORPTION AREA SHALL BE EQUAL TO 50% OF THE SIZE AS HERE DESIGNED.
 - CONTRACTOR SHALL INSPECT THE SEPTIC TANK AFTER THE FIRST YEAR'S OPERATION TO INSURE AGAINST ABNORMAL SLOUG BUILD-UP AS SET FORTH IN TABLE B OF THE N.Y.S. DEPARTMENT OF HEALTH WASTE TREATMENT HANDBOOK.



- SANITARY SYMBOLS**
- INDICATES PERCOLATION TEST HOLES
 - INDICATES DEEP TEST PIT LOCATION
 - INDICATES WELL LOCATION
 - INDICATES SEPTIC TANK LOCATION
 - INDICATES TILE FIELD LOCATION
 - INDICATES SOIL RESERVED AREA

- Legend for Typical Lot Dimensions:**
- (A) 4" PERFORATED PVC PIPE - SLOPE 1/16" - 1/32" PER FOOT.
 - (B) SEPTIC TANK - AS SHOWN IN DETAIL.
 - (C) DROP MANHOLE DISTRIBUTION BOX AS SHOWN IN DETAIL.
 - (D) 4" PVC PIPE, SDR35 SLOPE 1/8" PER FOOT MIN.
 - (E) HOUSE SEWER 4" CAST IRON, SLOPE 1/4" PER FOOT MIN.
 - (F) TRENCH WIDTH 24".
 - (G) 2" OF SOLID PVC EACH SIDE OF DISTRIBUTION BOX.



SHEET 2 OF 2 NOT TO BE FILED WITHOUT SHEET 1 OF 2

VICTOR H. ERIKSON N.Y.S. P.E., L.S.
ONE EDGEWATER DRIVE, SUITE 2B
MIDDLETOWN, NY 10940

REV. 8-20-92
9-17-92

DANIEL P. YANOSH N.Y.S. L.S.
N.Y.S. ROUTE 302 - P.O. BOX 320
CIRCVILLE, NEW YORK 10919
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DETAILS

LANDS OF:
ROBERT P. & CATHERINE J. BABCOCK

STATION ROAD, TOWN OF NEW WINDSOR,
COUNTY OF ORANGE, STATE OF NEW YORK

2 OF 2

DRAWN BY: V.H.E. CHECKED BY: V.H.E. SCALE: AS NOTED DATE: JULY 28, 1992 JOB#: 92-104D



LOCATION MAP SCALE: 1" = 2,000 FT

SUBDIVISION REGULATIONS

ZONE: R-1 (RURAL RESIDENTIAL)

MINIMUM REQUIREMENTS:	PROVIDED:
LOT AREA	43,560 sq. ft. / 147,219 sq. ft.
LOT WIDTH	125 FEET / 125.0 FEET
FRONT YARD	45 FEET / 395.8 FEET
REAR YARD	50 FEET / 143.1 FEET
SIDE YARD	20 FEET / 79.2 FEET
BOTH SIDES	40 FEET / 237.1 FEET
STREET FRONTAGE	70 FEET / 70.66 FEET
FLOOR AREA	1,200 SQ. FT. / 2,550 SQ. FT.
MAXIMUM ALLOWED:	
BUILDING HEIGHT	35 FEET / 18 FEET
% DEV. COVERAGE	10 % / 1.75 %

THE FRESHWATER WETLAND BOUNDARY AS REPRESENTED ON THESE PLANS ACCURATELY DEPICTS THE LIMITS OF FRESHWATER WETLAND MB-57 AS DELINEATED BY D.E.C. STAFF.

LANCE KOLTS DEC STAFF	DANIEL P. YANOSH, L.L.S. SURVEYOR/ENGINEER
PRINCIPAL WILDLIFE TECH. TITLE	JULY 24, 1992 DATE OF FIELD SURVEY
JULY 8, 1992 DATE FLAGGED	

TAX MAP DESIGNATION: SECTION 57, BLOCK 1, LOT 96.222
DEED REFERENCE: LIBER 2483 PAGE 4
AREA: 97.6 ± ACRES

RECORD OWNER AND SUBDIVIDER:
ROBERT P. & CATHERINE J. BABCOCK
P.O. BOX 537, TEMPLE HILL ROAD,
VALE GATE, NEW YORK 12584

MAP REFERENCE:
A MAP ENTITLED "MINOR SUBDIVISION, DEED PLOT-LANDS OF PAUL & FRIDA BABCOCK, IN THE TOWN OF NEW WINDSOR, COUNTY OF ORANGE, N.Y.", PREPARED BY WILLIAM C. PRICE - SURVEYOR, DATED SEPT. 1981, AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON NOVEMBER 16, 1981, AS MAP NUMBER 5772.

I HEREBY AGREE, UPON BY REVIEW, THAT THIS MAP MEETS MY APPROVAL AND IS CONCURRENT WITH MY INTENT.

OWNER _____ DATE _____

NOTES:

- THE TOPOGRAPHY SHOWN WAS PRODUCED BY FIELD METHODS AND IS REFERENCED TO ASSUMED VERTICAL DATUM TAKEN FROM THE U.S.G.S. MAYBROOK QUADRANGLE.
 - 200 ± SQ. YD. POND TO BE DUG IN WETLANDS AREA. POND TO BE 3' DEEP IN CENTER AND TAPERED TO EXISTING GRADE ON EDGES. EXCAVATED MATERIAL TO BE TAKEN OUT OF WETLANDS AND BUFFER ZONE AREA AND STOCKPILED FOR FUTURE USE. ALL DISTURBED WETLANDS AREAS DUE TO EXCAVATION ARE TO BE RETURNED TO AS NATURAL CONDITIONS AS POSSIBLE.
 - ANY PROPOSED CONSTRUCTION, GRADING, FILLING, EXCAVATING, CLEARING OR OTHER REGULATED ACTIVITY WITHIN THE FRESHWATER WETLAND OR ADJACENT 100 FEET REQUIRES A PERMIT FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER ARTICLE 24 OF THE ENVIRONMENTAL CONSERVATION LAW (FRESHWATER WETLANDS ACT) PRIOR TO COMMENCEMENT OF WORK.
 - ALL SANITARY SEWAGE DISPOSAL SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH NYS DEPARTMENT OF HEALTH STANDARDS AND THE PROVISIONS OF THE PUBLIC HEALTH LAW.
- ALL SANITARY SEWAGE DISPOSAL SYSTEMS SHALL BE DESIGNED BY A NYS LICENSED DESIGN PROFESSIONAL AND APPROVED BY THE TOWN OF NEW WINDSOR BUILDING INSPECTOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE SYSTEM SHALL BE INSPECTED DURING CONSTRUCTION AND CERTIFIED AS TO CONFORMANCE TO DESIGN BY THE DESIGN PROFESSIONAL PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- HAY BALES ARE TO BE PLACED BETWEEN WETLANDS AND PROPOSED POND PRIOR TO EXCAVATION. EXCAVATION TO BE DUG FROM WEST SIDE (WETLANDS) TO THE EAST TO LIMIT SEDIMENT ENTERING WETLANDS AREA. HAY BALES ARE TO REMAIN UNTIL POND FILLS AND ALL SEDIMENT SETTLES.



SCALE: 1" = 50 FEET



DEED PLOT SCALE: 1" = 200 FEET

ENGINEER'S CERTIFICATION:

I HEREBY CERTIFY THAT THE PROPOSED SEWERAGE AND WATER FACILITIES FOR EACH LOT ARE DESIGNED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENT PROMULGATED BY THE NEW YORK STATE DEPARTMENTS OF HEALTH AND ENVIRONMENTAL CONSERVATION FOR RESIDENTIAL LOTS, AND FURTHER THAT SUCH DESIGN IS BASED UPON ACTUAL SOIL AND SITE CONDITIONS FOUND UPON SUCH LOT AT THE DESIGN LOCATION AT THE TIME OF SUCH DESIGN.

THE ACTUAL INSTALLATION OF SUCH SEWERAGE AND WATER FACILITIES SHALL BE IN ACCORDANCE WITH THE DESIGN AND AT THE LOCATION AS SO CERTIFIED ON THIS SUBDIVISION PLAT.

VICTOR H. ERIKSON
N.Y.S. P.E. LIC. # 28696

JULY 28, 1992
CERTIFIED TO:
ROBERT P. BABCOCK, CATHERINE J. BABCOCK,
THE TOWN OF NEW WINDSOR,
TO BE A TRUE SURVEY OF LOT #1, PERFORMED IN THE
FIELD ON JULY 24, 1992, AND THAT IT IS TO THE BEST
OF MY KNOWLEDGE AND BELIEF CORRECT.

DANIEL P. YANOSH, L.L.S.
N.Y.S. LIC. # 48661

PLANNING BOARD APPROVAL BLOCK

SUB DIVISION APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON JUN 1 1993
BY CARMEN R. DUBALDI, JR.
SECRETARY

VICTOR H. ERIKSON N.Y.S. P.E., L.S.
ONE EDGEWATER DRIVE, SUITE 2B
MIDDLETOWN, NY 10940

REV: 8-20-92 11-3-92
9-18-92

DANIEL P. YANOSH N.Y.S. L.S.
N.Y.S. ROUTE 302 - P.O. BOX 320
CIRCLEVILLE, NEW YORK 10919
PHONE #: (914) 361-4700 FAX #: (914) 361-4722

TWO LOT SUBDIVISION (SKETCH PLAN)

LANDS OF:
ROBERT P. & CATHERINE J. BABCOCK

STATION ROAD, TOWN OF NEW WINDSOR,
COUNTY OF ORANGE, STATE OF NEW YORK.

DRAWN BY: MH CHECKED BY: D.P.Y. SCALE: AS NOTED DATE: JULY 28, 1992 JOB#: 92-104

SHEET#
1 OF 2

N.Y.S. P.E. LIC. # 28696