

ZB# 08-05

Peter Moloney

51-1-55.3

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Approved April 28, 2008

Date (Area)

**RETAKE
OF
PREVIOUS
DOCUMENT**

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Approved April 28, 2008

08-05
Moloney, Peter (Area)
4 Sho Hoe Ct. (51-1-55)

1/28/ agenda

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

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION

PLANNING BOARD FILE NUMBER: 07-23

DATE: 10-3-07

APPLICANT:

Peter & Irene Moloney
4 Sho Gee Court
Rock Tavern, NY 12575

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 5-11-07

FOR: SUBDIVISION

LOCATED AT: Sho Gee Court

ZONE: R-1

DESCRIPTION OF EXISTING SITE: SEC: 51 BLOCK: 1 LOT: 55.3

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Area Variance required for both lots for Gross Lot Area.

TOWN OF NEW WINDSOR CODE: **Bulk Tables - Section 300-8**

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

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued

REQUIREMENTS

P.B. # _____

ZONE: **R-1**

USE: **S.F.R.**

	REQUIRED	PROPOSED Lot 1 / Lot 2	VARIANCE REQUESTED Lot 1 / Lot 2
MIN. LOT AREA (Gross)	80,000 s.f.	64811 / 70603	15189 / 9397
MIN. LOT AREA (Net)	48,000 s.f.	62062 / 64115	-
MIN. LOT WIDTH	175 ft.	184 / 202	-
REQUIRED FRONT YARD	45 ft.	102 / 129	-
REQUIRED SIDE YARD	40 ft.	66.6 / 52	-
REQUIRED TOTAL SIDE YARD	80 ft.	161.6 / 170	-
REQUIRED REAR YARD	50 ft.	127 / 101	-
REQUIRED FRONTAGE	70 ft.	90 / 185	-
MAX. BLDG. HT.	35 ft.	Both <35	-
FLOOR AREA RATIO	n/a	-	-
MIN. LIVABLE AREA	1200 s.f.	Both > 1200	-
DEVELOPMENTAL COVERAGE	20 %	12% / 12%	-
O/S PARKING SPACES	2 per res.	2 per res.	-

PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.

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

-----X
In the Matter of the Application of

PETER & IRENE MOLONEY

MEMORANDUM OF
DECISION GRANTING

AREA

CASE # (08-05)
-----X

1. **WHEREAS, KEVIN BRENNAN** representing **PETER MOLONEY**, owner(s) of 4 Sho Gee, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an (**as referred by P.B.**) Request for:

LOT #1	15,189 s.f. Minimum Lot Area (Gross)
LOT #2	9,397 s.f. Minimum Lot Area (Gross)

At Sho Gee Court in an R-1 Zone (51-1-55.3)

WHEREAS, a public hearing was held on April 28, 2008 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant was represented by Kevin Brennan, Attorney on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS no one spoke opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a single residential property located in a neighborhood of residential properties which is being proposed as two single residential lots.

- (b) The proposed vacant lots are consistent in size with the other lots in the area.
- (c) the present lot is used as an illegal dumping ground by neighbors.
- (d) the applicant seeks this subdivision so that these lots can be developed and longer be the scene of the collection of unsightly refuse.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a Request for:

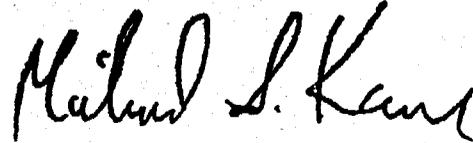
LOT #1	15,189 s.f. Minimum Lot Area (Gross)
LOT #2	9,397 s.f. Minimum Lot Area (Gross)

At Sho Gee Court in an R-1 Zone (51-1-55.3) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: April 28, 2008

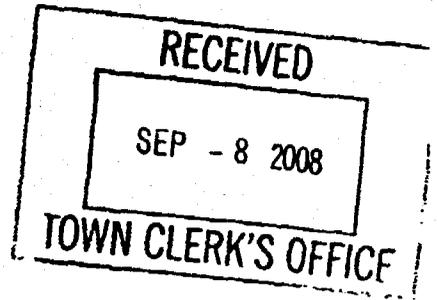


Chairman



TOWN OF NEW WINDSOR

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



REQUEST FOR PUBLIC RECORDS

Date: Elizabeth Moore Sept. 8 2008
Name: Elizabeth Moore
Address: 1792 White Bortman Rd.
Rock Tavern
Phone: (212) 996-1907
Representing: Boran Moore

Please specify:

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

1797 White Bortman Rd
Rock Tavern N.Y.
Jan 30 1998
Planning and Zoning Board
min of meeting.

Documents may not be taken from office

*Called Eliz. Moore 12:10-9/10/08 -
She said she spoke to the owner
of the property and she no longer
needs anything from the file*

cc - ZB fec'y

Mypa

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: JACK FINNEGAN, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: AUGUST 5, 2008
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 153.52 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #08-05

NAME & ADDRESS:

**PETER & IRENE MOLONEY
4 SHO GEE COURT
ROCK TAVERN, NY 12575**

THANK YOU,

MYRA

J.F.08-05-08



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #08-05 TYPE:AREA TELEPHONE: 497-1127

APPLICANT:
PETER & IRENE MOLONEY
4 SHO GEE COURT
ROCK TAVERN, NY 12575

RESIDENTIAL:	\$ 50.00	CHECK # <u>3095</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 3096



<u>DISBURSEMENTS:</u>		MINUTES	ATTORNEY
		<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>5</u>	PAGES	\$ <u>35.00</u>	\$ <u>35.00</u>

LEGAL AD: Publish Date:4-11-08 \$ 13.48

TOTAL: \$ 76.48 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 146.48

AMOUNT DUE: \$ _____

REFUND DUE: \$ 153.52

Cc:

J.F. 08-05-08

PUBLIC HEARINGS:

PETER & IRENE MOLONEY (08-05)

Kevin Brennan, Esq. and Mr. Peter Moloney appeared before the board for this proposal.

MS. LOCEY: Request for lot 1 15,189 square foot minimum lot area gross and lot 2, 9,397 square foot minimum lot area gross.

MR. BRENNAN: Good evening, ladies and gentlemen, my name is Kevin Brennan, 284 Main Street, Cornwall, I'm here with Mr. Moloney, the applicant. We're requesting an area variance, our request is hopefully not considered substantial. The requested area lot 1 would be 81 percent of the required square footage which is 80,000 square feet and the requested area in lot number 2 would be 88 percent of the required square footage. The improvement of the existing property for the benefit of the applicant is not feasible by any other method. He hopes to construct an additional home which will have no adverse affect on the neighborhood and the plans which are very preliminary at this point I should say for the construction would result in the construction of a home within the footprint as shown on the map showing lot 1 and the home would be in keeping with the general standards of the neighborhood. We believe that it would not have an adverse impact or affect on the neighborhood and that in fact the character of the neighborhood would be enhanced by the subdivision and the subsequent construction of a single-family home in keeping with the standards of the neighborhood. And that the benefit to the applicant would greatly outweigh the possible detriment to the health, safety and welfare of the neighborhood. And no undesirable change would result or be produced by the construction of the home on the additional lot if the variance were granted.

MS. LOCEY: After the proposed subdivision, what's the size of those two individual lots as compared to the lots in the neighborhood?

MR. BRENNAN: The lots in the neighborhood are substantially similar, very, very similar. I don't have the precise dimensions, however, of the remaining lots in the subdivision. But I am confident in saying that there is no substantial deviation.

MS. LOCEY: So the existing lot as it currently exists is quite a bit larger than the lots in the area?

MR. BRENNAN: It is certainly larger, I couldn't say substantially so.

MR. MOLONEY: My cousin's place is 1.3 acres and now and I think this is 1.7.

MR. BRENNAN: The existing lot about 1.7 to 1.8 I believe total so again larger but not tremendously larger but certainly larger than the existing other lots.

MS. LOCEY: Does the board have any questions otherwise I thought we'd open it up to the public?

MR. BEDETTI: No questions.

MR. DITTBRENNER: No questions.

MS. LOCEY: Is there anyone here from the public to speak on this application, either for or against? I guess not. So with that, we'll close the public portion of the application. Myra, can you tell me how many letters were sent?

MS. MASON: On April 14, I mailed out 21 addressed envelopes and had no response.

MS. LOCEY: Okay, counsel has reminded me that since there are only three members here that you would need a unanimous decision of this board in order to have the required majority of all five members and if you're not comfortable with that you do have the option of just continuing the public hearing to another date in the near future or you can go forward tonight. Are there any easements where this proposed property line would be drawn?

MR. BRENNAN: No.

MR. KRIEGER: Across the property anywhere?

MR. BRENNAN: I don't believe so, Mr. Krieger. As you well know, we'll be entering into a maintenance agreement with all the other lot owners, this will create a fifth lot if it's approved on the private road and it's not in excess of the permitted numbers of lots.

MR. KRIEGER: Yes, just wanted to make sure that there were no, by creating this lot nothing to force the board will not be enforcing an encroachment on somebody's easement.

MR. MOLONEY: One of the main reasons why I'm here doing this tonight is I'm getting fed up with people coming by at nighttime, dropping garbage in there, beds, dressers, just getting fed up with it.

MR. KRIEGER: So the vacant, its present vacant condition is an invitation to people to use it as a dumping ground?

MR. BRENNAN: Yes.

MR. MOLONEY: You can drive by there and see it, I mean, I'm just getting, I want to try and keep it the way it was but at this stage just getting fed up with

it.

MS. LOCEY: Yes, point well taken, that's an important point as far as the character and the health and safety of the neighborhood that if a subdivision, if the approval of a subdivision will help defray or eliminate that that certainly would be a helpful thing.

MR. DITTBRENNER: Road maintenance agreement part of the homeowner's association or deed restriction?

MR. MOLONEY: We all get together, if there's potholes we get whatever we need to blacktop and we've got our own plows.

MR. DITTBRENNER: Is there a formal deed restriction on each parcel for that road maintenance agreement or is it just a homeowner's--

MR. BRENNAN: It's informal at this time but it will be formalized, that's our intention.

MR. BEDETTI: Is the applicant the resident of one of those?

MR. MOLONEY: Yes.

MR. BEDETTI: Or will be?

MR. BRENNAN: Mr. and Mrs. Moloney live at what would become lot 2 if the subdivision was approved.

MR. BEDETTI: And the other one is?

MR. BRENNAN: This would be a vacant lot, sir.

MR. BEDETTI: Just generally open for sale to anyone, it's not a relative or anything like that?

MR. BRENNAN: No, it's not anticipated.

MR. MOLONEY: No.

MS. LOCEY: How will the undersized lot affect their ability to put a house on it?

MR. BABCOCK: Not at all, this was a one acre zone prior to the new zoning of two acres. If you look at the site map you'll see darker area up in the corner that will give you up in this far corner the dark area is this lot you can see that it is substantially larger than the lots around it and the ones that are on Butler Lane to my knowledge I think most of them are one acre lots and you can see how some are bigger and some are smaller and it's the odd shape of the lots which creates the size.

MS. LOCEY: So we just would like to know if you'd like us to go forward or--

MR. BRENNAN: Yes, we certainly would be comfortable with that.

MS. LOCEY: Gentlemen, if you could have a motion?

MR. BEDETTI: I'll make a motion that we grant the request for the subdivision lot 1 and lot 2 the gross minimum lot area variances as requested.

MR. DITTBRENNER: I'll second it.

ROLL CALL

MR. DITTBRENNER	AYE
MR. BEDETTI	AYE
MS. LOCEY	AYE



TH

VA

Invoice

Date	Invoice #
4/22/2008	1356

53600

Bill To	0.00 T
TOWN OF NEW	25.77 +
555 UNION AVE	22.61 +
NEW WINDSOR	40.83 +
	74.36 +
	163.57 T

Zoning

P.O. No.	Terms	Project
MYRA		

Issue Date	Description	Rate	Amount
4/11/2008	LEGAL ADS: PHN - APPEAL NO 08-11 MENKENS 1 AFFIDAVITS	8.29 4.00	8.29 4.00
4/11/2008	LEGAL ADS: APPEAL NO. 08-05 MOLONEY 1 AFFIDAVIT	9.48 4.00	9.48 4.00
Total			\$25.77

RECEIVED
MAY 13 2008
Ey

PLANNING BOARD
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the **TOWN OF NEW WINDSOR**, New York, will hold a Public Hearing on the following Proposition:

Appel No. **08-05**
 Request of **PETER & BEME MCLOONEY**
 for a **VARIANCE** of the Zoning Local Law as Permitted (Referred by ZB.) Request for:

LOT #1 15,189 s.f. Minimum Lot Area (Gross)
LOT #2 9,377 s.f. Minimum Lot Area (Gross)

For proposed substitution at the Gas Court in an R-1 Zone (S1-1-S5.3)
PUBLIC HEARING will take place on **APRIL 28, 2008**
 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
 beginning at 7:30 P.M.

Michael Kama, Chairman

STATE OF NEW YORK

COUNTY OF ORANGE, ss:

Kathleen O'Brien, being duly sworn, disposes and says that she is the Supervisor of the Legal Department of the E.W. Smith Publishing Company, Inc., Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which is annexed is a true copy was published in said newspaper 1 time(s) commencing on the 11th day of April, A.D., 2008 and ending on the 11th day of April, A.D., 2008.

Kathleen O'Brien

Subscribed and shown to before me this 13th day of May, 2008.

Deborah Green

Notary Public of the State of New York
 County of Orange
 My commission expires _____

DEBORAH GREEN
 Notary Public, State of New York
 Qualified in Orange County
 #4984065
 Commission Expires July 15, 2011

Gary Greenwald *
Joanna C. Greenwald **
Joseph G. McKay
Marc R. Leffler ◊
William A. Frank

Erno Poll
Benjamin Greenwald
Jamie C. Greenwald
David L. Gove
Robert E. Noe
Karen M. Alt ◊
Gary H. Forman **
Judith A. Waye
Elizabeth C. Tomson

David A. Brodsky, *Of Counsel*

Also Admitted To Practice In
*MA **NJ ◊CT

GREENWALD LAW OFFICES

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Family Law Center Fax: (845)469-1895
Toll Free: 1-866-GREENWALD
www.GreenwaldLaw.com

Please Reply to Chester Office

May 15, 2008

New York City
570 Lexington Avenue
New York, NY 10022

Sullivan County
138 Sullivan Street
P.O. Box 266
Wurtsboro, NY 12790
(845) 888-2456
Fax: (845) 888-5606

New Jersey
PNC Bank Building
1 Garret Mountain Plaza - 6th Fl.
West Paterson, NJ 07424
(973) 754-0031
Fax: (973) 754-1331

James M. Neylon, *Paralegal*
(1934-1998)
Spencer M. McLaughlin, *Esq.*
(1945-2007)

by certified mail

Michael S. Kane, Chairman
Town of New Windsor Zoning Board of Appeals
555 Union Avenue
New Windsor, New York 12553

by certified mail

Jerry Argenio, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

Re: Brian/Elizabeth Moore with Applications of
Peter/Irene Moloney
Planning Board File # 07-23 (2 lot subdivision)
ZBA File #08-05 (area variance)
Tax Map Sec. 51 Blk 1 Lot 55.3

Dear Honorable Chairmen:

Please be advised that this office has been retained by Brian Moore and Elizabeth Moore in connection with the above referenced matters. Our clients own a home in the Town of New Windsor at Tax Map Sec. 51 Blk. 1 Lot 56 abutting property owned by Peter and Irene Moloney (hereinafter "Applicants") at Tax Map Sec. 51 Blk 1 Lot 55.3 (hereinafter "Applicant's Property"), which is the subject of the above referenced applications.

The above referenced application before the Zoning Board of Appeals sought an area variance reducing the minimum lot size so that the Applicants could proceed with a 2 lot sub-division of that property before the Planning Board.

My clients' concern is that the area variance and 2 lot subdivision proposed by Applicants would detrimentally affect the neighborhood and, in particular, my clients.

The Applicants' plan, which has been submitted to the Planning Board and Zoning Board of Appeals, clearly would result in a substantial and undesirable change in the character of the neighborhood and would allow Applicants to construct a home within approximately 80 feet of my clients' home, which is inconsistent with the existing character and density of the neighborhood.

In fact, Applicants propose constructing a new home on the proposed subdivided lot in such a manner as to maximize the distance from Applicants' residence and to minimize the distance from my clients' residence. While Applicants' proposed new home would be approximately 80 feet from my clients' residence (and the proposed driveway would be even less), Applicants' proposed new home would be over 300 feet from Applicants' residence.

page 2

Re: Moore with Tn. of New Windsor
May 15, 2008

Applicants' proposed new home has been sited nearly as close as possible to the property line adjacent to my clients' residence and nearly as far as possible from the property line adjacent to Applicants' residence, notwithstanding that the proposed lot contains sufficient room to move the proposed new home at least 120 feet farther from my clients' residence and 120 feet closer to Applicants' own residence, while still complying with applicable set-backs.

In sum, Applicants' plan would maximize the impact to my clients' property and would minimize the impact to their own property.

My clients are in the process of making a substantial investment in their property and Applicants' plan would severely impinge upon their privacy and the value of that investment. Since Applicants' property is at a higher grade than my clients' property, the impact of any improvements on Applicants' property will be even more visible and have even more impact on my clients' property.

Zoning Board of Appeals Application

Unfortunately, my clients were out of town when the Zoning Board of Appeals noticed and held a hearing with respect to Applicants' area variance. As a result, my clients were not afforded prior notice of or an opportunity to address the foregoing issues at the Zoning Board hearing on April 28, 2008. Moreover, I understand that none of the other adjacent property owners appeared at that hearing, so that the application was unopposed.

I also understand that the Board voted at its April 28, 2008 meeting to approve the variance without conditions, but that neither the minutes of that meeting or the formal results of the vote have been filed to date.

Clearly, the variance should not have been granted and, at minimum, should have imposed conditions for screening and set-backs to mitigate the impact upon my clients' property in any event.

In light of the foregoing, my clients respectfully request that the Zoning Board of Appeals schedule a re-hearing of Applicant's variance application, pursuant to Town Law §267-a(12). My clients also respectfully request copies of the minutes of the April 28, 2008 meeting and the formal results of the vote on Applicant's variance application after they are filed.

Planning Board Application

I understand that the Planning Board has not voted on Applicants' 2 lot subdivision application and that the application has not been placed on any of the Planning Board agendas through and including May 28, 2008 either. However, my clients would like an opportunity to appear and be heard at the next Planning Board meeting at which the application is placed on the agenda.

In addition, in light of the foregoing, my clients request that the Planning Board schedule Applicants' 2 lot subdivision application for a public hearing.

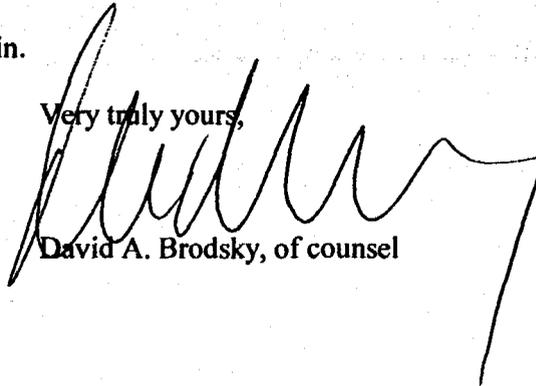
page 2

Re: Moore with Tn. of New Windsor

May 15, 2008

Thank you for your courtesies herein.

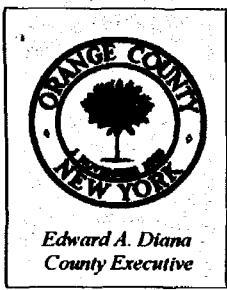
Very truly yours,

A handwritten signature in black ink, appearing to read "David A. Brodsky". The signature is fluid and cursive, with a long horizontal stroke at the end.

David A. Brodsky, of counsel

cc: Brian/Elizabeth Moore, 1797 Little Britain Road, New Windsor, New York 12575
McGoey, Hauser and Edsall, P.C., 33 Airport Center Drive, Suite 202, New Windsor, N.Y. 12553
Kevin Brennan, Esq., 284 Main Street, Cornwall, New York 12518

6/25/08 cc: D.C.
M.E.
K. Brennan



ORANGE COUNTY DEPARTMENT OF PLANNING

DAVID CHURCH, AICP
COMMISSIONER

124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845) 615-3840
FAX: (845) 291-2533

www.orangecountygov.com/planning
planning@orangecountygov.com

**County Reply – Mandatory Review of Local Planning Action
as per NYS General Municipal Law §239-l, m, &n**

Local Referring Board: Town of New Windsor
Applicant: Peter & Irene Moloney
Project Name: Moloney Subdivision
Proposed Action: 2 lot Subdivision
Reason for County Review: Within 500 feet of NYS Route 207
Date of Full Statement: May 23, 2008

Referral ID #: NWT 14-08N
Tax Map #: S: 51 B: 1 L: 55.3
Local File #: 08-05 & 07-23
ZB ft

Comments:

The Department has received the above referenced Subdivision and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. Having no further comments, from a County perspective, the department recommends that the Planning Board proceed with its review process

County Recommendation: Local Determination

Date: June 9, 2008
Prepared by: Todd Cohen


David Church, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.



RESULTS OF Z.B.A. MEETING OF: April 28, 2008

PROJECT: Peter & Irene Moloney ZBA # 08-05
P.B.# _____

USE VARIANCE:

<p>LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____</p> <p>VOLPE _____ BEDETTI _____ LOCEY _____ TORPEY _____ KANE _____ CARRIED: Y _____ N _____</p> <p>PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____</p> <p>VOLPE _____ BEDETTI _____ LOCEY _____ TORPEY _____ KANE _____ CARRIED: Y _____ N _____</p>	<p>NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____</p> <p>VOLPE _____ BEDETTI _____ LOCEY _____ TORPEY _____ KANE _____ CARRIED: Y _____ N _____</p> <p>APPROVED: M) _____ S) _____ VOTE: A _____ N _____</p> <p>VOLPE _____ BEDETTI _____ LOCEY _____ TORPEY _____ KANE _____ CARRIED: Y _____ N _____</p>
--	---

ALL VARIANCES - PRELIMINARY APPEARANCE:
SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

VOLPE _____
BEDETTI _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓
VARIANCE APPROVED: M) B S) D VOTE: A 3 N 0.

Dittbrenner ~~VOLPE~~ A
BEDETTI A
LOCEY A
~~TORPEY~~ _____
~~KANE~~ _____

CARRIED: Y ✓ N _____.

21 mailings -

No easements

AGENDA DATE: April 28, 2008



1763

TOWN OF NEW WINDSOR

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

cc: P/B
ZBA

RECEIVED

MAY 15 2008

TOWN CLERK'S OFFICE

REQUEST FOR PUBLIC RECORDS

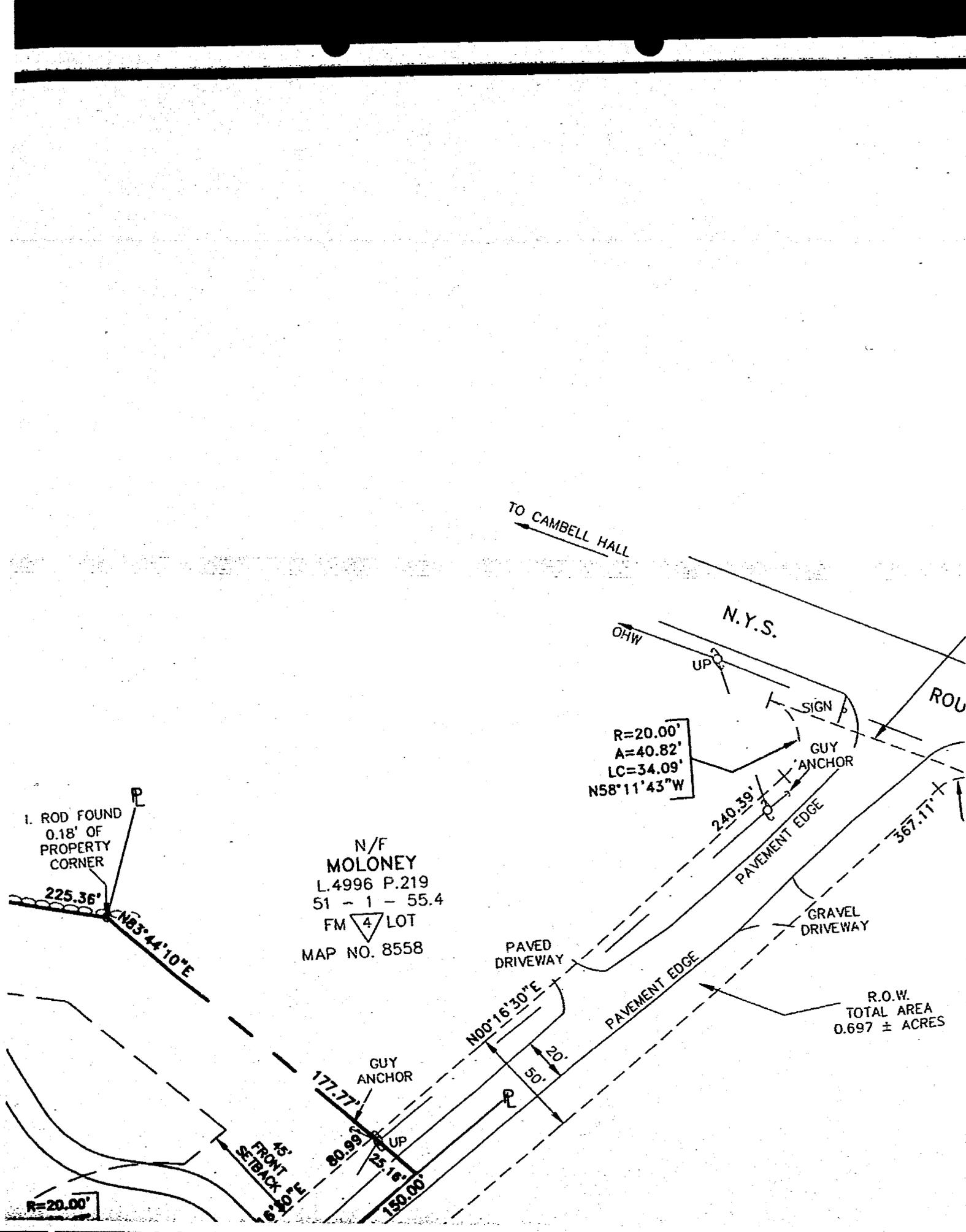
Date: 5/15/08
Name: David Brodsky / Greenwald Law Office
Address: 99 Brookside Ave.
Chester, N.Y. 10918
Phone: (845) 469-4900
Representing: Brian Moore

Please specify:

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

ZBA file for variance submitted by
Peter / Irene Mohoney (File # 08-05)
PI Bd file for 2 lot subd submitted by
Peter / Irene Mohoney (File 07-23)

Documents may not be taken from office



TO CAMBELL HALL

N.Y.S.

OHW

UP

ROU

SIGN

GUY ANCHOR

R=20.00'
A=40.82'
LC=34.09'
N58°11'43"W

240.39'

PAVEMENT EDGE

367.11'

GRAVEL DRIVEWAY

R.O.W.
TOTAL AREA
0.697 ± ACRES

N/F
MOLONEY
L.4996 P.219
51 - 1 - 55.4
FM 4 LOT
MAP NO. 8558

I. ROD FOUND
0.18' OF
PROPERTY
CORNER

225.36'

N83°44'10"E

PAVED DRIVEWAY

N00°16'30"E

GUY ANCHOR

177.77'

45'
FRONT
SETBACK

80.99'

150.00'

R=20.00'

Myra



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office J. Todd Wiley, Assessor

February 8, 2008

Peter & Irene Moloney
4 Sho Gee Court
Rock Tavern, NY 12575

Re: 51-1-55.3

ZBA#: 08-05 ²¹
(~~08~~) PB#:

Dear Mr. & Mrs. Moloney:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/td
Attachments

cc: Myra Mason, ZBA

57-1-54.1

Garrett M. & Erin E. Blake
1771 Little Britain Road
Rock Tavern, NY 12575

51-1-55.1

Thomas E. Marks
106 Sarah Wells Trail
Campbell, NY 10916

Brian & Elizabeth Moore
1797 Little Britain Road
Rock Tavern, NY 12575

51-1-105

George & Kathleen Zubalsky
7 Hampton Court
Rock Tavern, NY 12575

52-1-99.4, 52-1-99.1

Denis A. Butler
21 Butler Lane
Rock Tavern, NY 12575

52-1-97

Robert & Margaret Ann Glavotsky
55 Liberty Drive
Rock Tavern, NY 12575

52-1-99.3

James & Staci O'Hanlon
19 Butler Lane
Rock Tavern, NY 12575

51-1-54.21

Patrick Allen & Karol Palmer
1767 Little Britain Road
Rock Tavern, NY 12575

51-1-55.2

Mitchell & Jennifer Rudzinski
3 Sho Gee Court
Rock Tavern, NY 12575

51-1-106.3

James & Kimberly Sgandurra
46 Hampton Court
Rock Tavern, NY 12575

51-1-104

Louis & Admarie Contini
5 Hampton Court
Rock Tavern, NY 12575

52-1-98

Edward & Colette Green
63 Liberty Drive
Rock Tavern, NY 12575

52-1-93

Gregory & Debra Payne
39 Liberty Drive
Rock Tavern, NY 12575

52-1-95

Julia DeFeo
680 Beattie Road
Rock Tavern, NY 12575

51-1-106.4

Andrew & Kim Ogonowski
42 Hampton Court
Rock Tavern, NY 12575

51-1-55.4

Edmund & Winifred Moloney
2 Sho Gee Court
Rock Tavern, NY 12575

51-1-106.1

Stacey Cornelius
9 Hampton Court
Rock Tavern, NY 12575

51-1-106.2

David Smaha & Lisa Bohlen
11 Hampton Court
Rock Tavern, NY 12575

52-1-96

Reeshie & Tajwattie Parmesar
47 Liberty Drive
Rock Tavern, NY 12575

52-1-99.2

Charles & Brenda Wright
11 Butler Lane
Rock Tavern, NY 12575

52-1-3.22

Frederick Lange
1733 Little Britain Road
Rock Tavern, NY 12575

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (08-05)

Request of PETER & IRENE MOLONEY

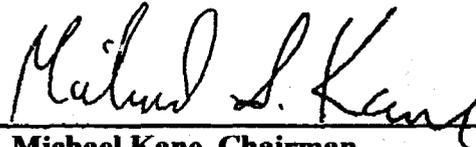
for a VARIANCE of the Zoning Local Law to Permit:

(Referred by P.B.) Request for:

LOT #1	15,189 s.f. Minimum Lot Area (Gross)
LOT #2	9,397 s.f. Minimum Lot Area (Gross)

For proposed subdivision at Sho Gee Court in an R-1 Zone (51-1-55.3)

PUBLIC HEARING will take place on APRIL 28, 2008
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.


Michael Kane, Chairman

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

RECEIPT
#105-2008

02/25/2008

Moloney, Peter

Received \$ 20.00 for Assessors List, on 02/25/2008. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

January 28, 2008

11

PETER & IRENE MOLONEY (08-05)

MR. KANE: Request for lot #1 15,189 square foot minimum lot area, lot #2, 9,397 square foot minimum lot area at Sho Gee Court.

Kevin Brennan, Esq. appeared before the board for this proposal.

MR. BRENNAN: Good evening, my name is Kevin Brennan, I'm here on behalf of Mr. and Mrs. Moloney, my clients. Mr. and Mrs. Moloney have owned this property for about seven years and they seek to create this second lot. Both lots would then be below the minimum standard and that's why we're here for a gross lot area variance request. They propose to erect a four bedroom dwelling on what would become lot 2 if the request was to be granted. And the soil testing results that were conducted show that the lot could sustain a subsurface sewage disposal system so the lot would be self-sustaining as far as water and sewer is concerned.

MR. KANE: It would be a well?

MR. BRENNAN: Yes, I believe the existing home is on what's described as lot 1 on the map and serviced by a well and septic. There's a private road maintenance agreement which would need to be amended but I believe it's been determined that the addition or the creation of an additional lot would not create too many lots for the private road, there are two lots currently.

MR. KANE: How many other homes are on the cul-de-sac?

MR. BRENNAN: I believe there's only one at present.

MR. KANE: And the only variances you would need in the building of the home would be the minimum lot area?

MR. BRENNAN: Yes, sir, the lot area variance is all

we're going to have to seek.

MS. LOCEY: Is there an existing house?

MR. BRENNAN: Yes, there is, on what's described as lot 1 on the map that two story dwelling with paved driveway.

MR. KANE: What size house are they proposing to build on this lot?

MR. BRENNAN: I don't have very specific information about that other than what's shown on the map so I haven't seen any plans for the home, I'm not even sure they've gotten that far in their plan.

MR. KANE: I think that might be something we might want to see for consideration on this.

MR. BRENNAN: Certainly.

MS. LOCEY: Is there an existing stone wall where the proposed property line is?

MR. BRENNAN: Yes, there is and that kind of gave them the idea to use that stone wall as the kind of a natural boundary line between the lots, what would become a second lot.

MR. BEDETTI: These lots are subdivided or are you in the process of subdividing them?

MR. KANE: That's what they're here for. There's only one lot now, yes?

MR. BRENNAN: The map shows lots one and two but there's only one lot presently.

MR. BABCOCK: Mr. Chairman, as you know, this was part of the zone change, this area used to be 43,560 which

January 28, 2008

13

would be one acre and part of the zone change raised the requirements from that to 80,000 square feet. I'm not sure when, this subdivision is fairly new, I don't know when.

MR. KANE: And both proposed lots are going to be 64 and 70,000 square feet?

MR. BABCOCK: Yes, it looks like the lots would comply with the neighboring lots quite well, it's actually a large lot compared to all the other lots around it.

MR. BRENNAN: That's my understanding.

MR. BEDETTI: So all the setbacks based on this, looks like all the setbacks would be met?

MR. BABCOCK: Yeah, the only thing that they don't meet is the lot area, the size of the lot.

MR. KANE: Any further questions at this point from the board? Just again for the public hearing I'd be interested in the size of the home that we're looking to place on there.

MR. BRENNAN: Yes, sir.

MS. LOCEY: It does say four bedroom.

MR. BRENNAN: Yes, it will be a substantial home.

MR. KRIEGER: But what it doesn't say with the information which you need is the, what the outside dimensions are.

MR. BABCOCK: That's finished floor elevation, Andy, it doesn't have a square footage on the house. We don't ask for square footage of the house, the bedroom counts are what we need for the calculations in our septic systems, that's the only reason we ask that and if

January 28, 2008

14

they're going to sell the lot they may or may not because the buildable area is there, they could build a 5,000 square foot house or they could build a 2,000 square foot house.

MR. KANE: And it's not going to hurt the developmental coverage?

MR. BABCOCK: No, they would be within zoning doing that.

MR. BRENNAN: Still I'm sure we can come up with and will come up with approximate plans absolutely for the public hearing.

MR. KANE: Okay, I'll accept a motion.

MR. BEDETTI: I'll make a motion that we schedule a public hearing for the Moloney proposal 8-05 for request for a variance.

MS. LOCEY: I'll second the motion.

ROLL CALL

MR. BEDETTI	AYE
MS. LOCEY	AYE
MR. KANE	AYE

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

RECEIPT
#72-2008

02/05/2008

A, Moloney Peter #2BA-08-05

Received \$ 50.00 for Zoning Board Fees, on 02/05/2008. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

LANC & TULLY
ENGINEERING AND SURVEYING, P.C.

November 26, 2007

Mr. Peter Moloney
4 Sho Gee Court
Rock Tavern, NY 12575

RE: Sho Gee Court Property
Town of New Windsor, Orange Co., NY
Tax Parcel # 51-1-55.3

Dear Mr. Moloney,

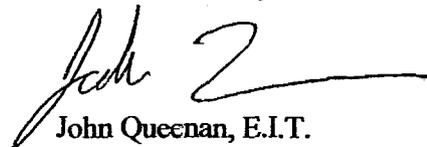
Please let this letter serve as a summary of the soil testing results that were conducted on the property on November 20, 2007 with the Town of New Windsor Planning Board Engineer's office. The results of the tests were acceptable for the design and approval of a subsurface sewage disposal system on Lot 2 as per current Orange County Health Department Standards. The results are attached to this letter and will be utilized to design the proposed system.

All other engineering comments received at the September 12, 2007 Planning Board meeting shall be addressed once the application has been through the Zoning Board of Appeals process and receives a favorable decision for the subdivision's required area variances. Once the process with the Zoning Board of Appeals is completed, I would ask that you notify our office depending on the outcome to either proceed with the Planning Board or close the project.

If you require any further information or have any additional questions please do not hesitate to contact our office.

Very truly yours,

LANC & TULLY, P.C.


John Queenan, E.I.T.
Project Manager

CC: Kevin Brennan, Esq.
JQ/jvq
Enc.

LANC & TULLY, P.C.
P. O. Box 687 Goshen, NY 10924
(845)294-3700

DEEP HOLE TEST DATA

Project: Moloney Date: 11/20/07
Location: New Windsor Job No.: 050.104
Done By: CM / OH Sheet: 1 of 1

Lot No.	Soil Test No.	Color	Depth	Soil Characteristics	Comments (GW, BR)
2	11/20/07-A		0-4" 4"-24" 24"-76"	Topsoil Silt loam Silt loam w/ Trace Clay	NO BR No Mottling Seepage @ 76"
2	11/20/07-B		0-5" 5"-24" 24"-36" 36"-78"	Topsoil Silt loam Clay loam Silty loam w/ cobbles Traces of Clay	No BR No Mottling Seepage @ 78"



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

December , 2007 Application Type: Use Variance Area Variance
Date Sign Variance Interpretation

I. **Owner Information:** e-mail address: _____
Moloney, Peter/Irene Phone Number: (845) 497-1127
(Name) Fax Number: () _____
4 Sho Gee Court, Rock Tavern, New York 12575
(Address)

II. **Applicant:** e-mail address: _____
Peter Moloney Phone Number: (845) 497-1127
(Name) Fax Number: () _____
4 Sho Gee Court, Rock Tavern, New York 12575
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: () _____
(Name) Fax Number: () _____
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) 294-3700
John Queenan, E.I.T. Fax Number: (845) 294-8609
Lanc & Tully Engineering and Surveying, P.C.
(Name)
P.O. Box 687, Route 207, Goshen, New York 10924
(Address)

V. **Property Information:**
Zone: R-1 Property Address in Question: _____
Lot Size: _____ Tax Map Number: Section 51 Block 1 Lot 55.3
a. Is pending sale or lease subject to ZBA approval of this Application? _____
b. When was property purchased by present owner? _____
c. Has property been subdivided previously? _____ If so, When: _____
d. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? _____

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>		<u>Variance Request</u>	
		<u>Lot #1</u>	<u>Lot #2</u>	<u>Lot #1</u>	<u>Lot #2</u>
Min. Lot Area	80,000 sq. ft.	64,811± sq. ft.	70,603 sq. ft.	64,811± sq. ft.	70,603 sq. ft.
Min. Lot Width					
Reqd. Front Yd.					
Reqd. Side Yd.					
Reqd. Rear Yd.					
Reqd. St Front*					
Max. Bldg. Hgt.					
Min. Floor Area*					
Dev. Coverage*					
Floor Area Ration**					
Parking Area					

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

- IX. **In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS SPECIFICALLY:

1. Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; a second lot can not feasibly be created at the premises as currently configured.
2. Whether the requested area variance is substantial; No: the requested area (lot #1) is 81% of the required square footage and the requested area (lot #2) is 88% of the required square footage.
3. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; the proposed variance will not have an adverse effect or impact: the additional lot shall be self sustaining (well/septic); the character of the neighborhood shall be enhanced, total assessed value shall increase.
4. Whether the alleged difficulty was self-created. No.

**After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The benefit to the applicant if the variance is granted shall greatly outweigh the possible detriment to the health, safety and welfare of the neighborhood and no undesirable change will be produced in the character of the neighborhood nor will a detriment to nearby properties be created by the granting of this variance.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

PROJECT I.D. NUMBER

617.21

SEQR

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 Moloney, Peter/Irene	2. PROJECT NAME Moloney Subdivision
3. PROJECT LOCATION: Municipality <u>New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Southwest side of Sho Gee Court 3.109 ± acres	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Proposed two (2) lot subdivision	
7. AMOUNT OF LAND AFFECTED: Initially <u>3.109</u> acres Ultimately <u>3.109</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly Lot area less then mininum required	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals Town of New Windsor Zoning Board of Appeals	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>PETER MOLONEY</u>	Date: <u>12/2/87</u>
Signature: <u>Peter Moloney</u>	

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

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
See Preliminary Subdivison Plan

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Need 4 Copies* Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
- One in the amount of \$ 300.00 or 500.00 (escrow)
- One in the amount of \$ 50.00 or 150.00 (application fee)
- One in the amount of \$ 25.00 (Public Hearing List Deposit)
- Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

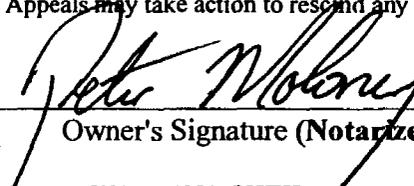
) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

12th day of December 2007



 Owner's Signature (Notarized)
 PETER MOLONEY

 Owner's Name (Please Print)



 Signature and Stamp of Notary

KEVIN V. BRENNAN
 Notary Public, State of New York
 No. 4637828
 Qualified in Orange County
 Commission Expires August 31, 2010

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Peter Moloney, deposes and says that he resides
(OWNER)

at 4 Sho Gee Court, Rock Tavern, NY 12575 in the County of Orange
(OWNER'S ADDRESS)

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

(Sec. 51 Block 1 Lot 55.3)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Lanc & Tully, Engineering & Surveying, P.C.
P.O. Box 687, Route 207, Goshen, New York 10924

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

to make the foregoing application as described therein.

Date: December 12, 2007

Sworn to before me this:
12th day of December, 2007

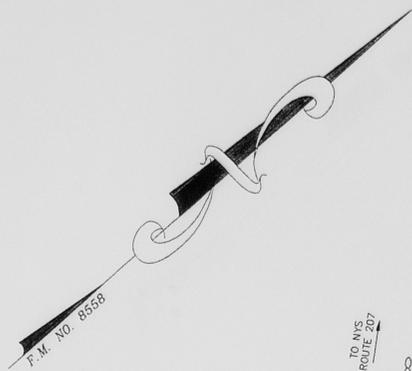
** Peter Moloney
Owner's Signature (MUST BE NOTARIZED)
PETER MOLONEY

Applicant's Signature (If different than owner)

[Signature]
Signature and Stamp of Notary
KEVIN V. BRENNAN
Notary Public, State of New York
No. 4637823
Qualified in Orange County
Commission Expires August 31, 2010
Representative's Signature

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

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



LOCATION PLAN
1 INCH = 2000 FEET

GENERAL NOTES:

- TAX MAP DESIGNATION: 51 - 1 - 55.3
- TOTAL AREA: 3.109± ACRES
- NUMBER OF PROPOSED LOTS : 2 RESIDENTIAL LOTS
- ZONING DISTRICT: R-1 DISTRICT - TOWN OF NEW WINDSOR
- LOTS TO BE SERVICED BY INDIVIDUAL WELL AND SEPTIC SYSTEM.
- PROPOSED TWO LOT SUBDIVISION REQUIRES VARIANCE FROM THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS FOR GROSS LOT AREA.
- NET LOT AREAS CALCULATED WITHOUT INCLUDING THE DEDICATED RIGHT OF WAY AREA FOR SHO GEE COURT.
- CURRENT NMI AND N.Y.S. DEC WETLAND MAPPING AS PROVIDED BY THE ORANGE COUNTY WATER AUTHORITY DOES NOT INDICATE THE PRESENCE OF REGULATED WETLANDS WITHIN THE BOUNDARY OF THE PROPERTY.
- THE MAINTENANCE AGREEMENT FOR SHO GEE COURT SHALL BE REVISED TO INCLUDE PROPOSED LOT #2 AND SHALL BE FILED WITH THE ORANGE COUNTY CLERK'S OFFICE AND THE TOWN OF NEW WINDSOR CLERK'S OFFICE PRIOR TO ISSUANCE OF A BUILDING PERMIT.

SURVEY NOTES:

- THIS SURVEY IS SUBJECT TO ANY FINDINGS OF A TITLE SEARCH.
- SUBSURFACE STRUCTURES AND UTILITIES NOT VISIBLE AT THE TIME OF SURVEY HAVE NOT BEEN SHOWN.
- REFERENCES:
 MAP ENTITLED "SUBDIVISION LANDS FOR EDITH MANNONI & JERRY CAIAZZO, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK," DATED NOVEMBER 7, 1985, LAST REVISED JULY 10, 1987, AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON OCTOBER 28, 1987, AS MAP NO. 8558.

 MAP ENTITLED "SUBDIVISION PLAN FOR HAMPTON COURT, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK," DATED JUNE 14, 1993, LAST REVISED JANUARY 8, 1995, PREPARED BY LANC & TULLY, ENGINEERING AND SURVEYING, P.C.

 MAP ENTITLED "SUBDIVISION PLAN FOR MARKS, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK," DATED JANUARY 17, 1995, LAST REVISED MAY 8, 1995 AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON MAY 3, 1995, AS MAP NO. 67-95.
- TOPOGRAPHY SHOWN IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED BY LANC & TULLY ENGINEERING AND SURVEY, P.C., WITH COUNTERS BASED ON AN APPROXIMATE U.S.G.S. DATUM.

**TABLE OF ZONING REQUIREMENTS
TOWN OF NEW WINDSOR - R-1 DISTRICT
(RURAL RESIDENTIAL)**

	REQUIRED	PROVIDED LOT #1	PROVIDED LOT #2
MINIMUM			
LOT AREA (GROSS)	80,000 SQ. FT.	64,811± SQ. FT.*	70,603± SQ. FT.*
LOT AREA (NET)	N/A	62,058± SQ. FT.**	64,113± SQ. FT.**
LOT WIDTH	175 FT.	184 FT.	202 FT.
FRONT YARD DEPTH	45 FT.	102 FT.	122 FT.
SIDE YARD	40 FT.	66.6 FT.	53 FT.
BOTH SIDE YARDS	80 FT.	161.6 FT.	173 FT.
REAR YARD	50 FT.	127 FT.	102 FT.
STREET FRONTAGE	70 FT.	90 FT.	185 FT.
LIVABLE FLOOR AREA	1,200 SQ. FT.	1,200± SQ. FT.	1,200± SQ. FT.
MAXIMUM			
BUILDING HEIGHT	35 FT.	35 FT.	35 FT.
DEVELOPMENTAL COVERAGE	20%	12%	12%

*--VARIANCE REQUIRED TO BE GRANTED BY THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS FOR GROSS LOT AREA FOR BOTH LOT 1 & LOT 2.
 **-- NET LOT AREA HAS BEEN CALCULATED WITH THE SUBTRACTION OF THE AREA FOR THE RIGHT OF WAY OF SHO GEE COURT

GRAPHIC SCALE



CERTIFICATION:

I HEREBY CERTIFY TO THE PARTIES OF INTEREST LISTED BELOW THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL FIELD SURVEY COMPLETED ON SEPTEMBER 13, 2005.

PETER MOLONEY
IRENE MOLONEY

RODNEY C. KNOWLTON, L.S.
NEW YORK STATE LICENSE NO. 50276

GRAPHIC SCALE



RECORD OWNER/APPLICANT:

PETER MOLONEY
IRENE MOLONEY
4 SHO GEE CT,
ROCK TAVERN NY 12575
L. 5351 P. 129
51 - 1 - 55.3
FM 4/7 LOT
MAP NO. 8558

AREA:
3.109 ± AC

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ENGINEERING AND SURVEYING, P.C.

P.O. Box 887, Rt. 207
Goshen, N.Y. 10924
(845) 284-3700

PRELIMINARY SUBDIVISION PLAN
PREPARED FOR

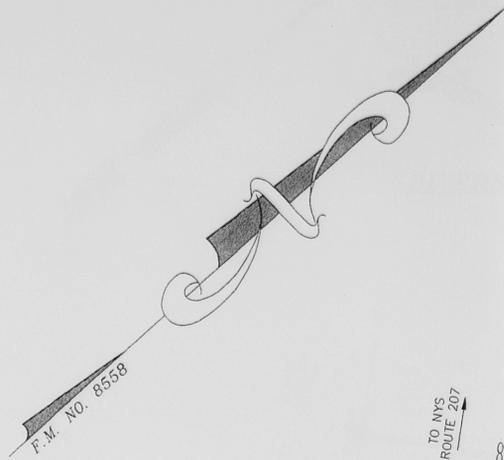
MOLONEY

TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Drawn By: AC Checked By: AC Scale: 1" = 50' Tax Map No.: 51 - 1 - 55.3

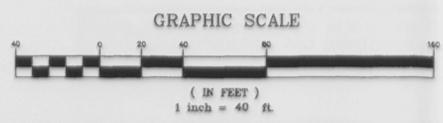
Date: MARCH 15, 2006
Revision: OCTOBER 23, 2006
JUNE 18, 2007
DECEMBER 19, 2007

CAD File: MOLONEY SUB DWG
Project: SUBDIVISION
Sheet No.: 1 OF 4
Drawing No.: A - 05 - 0104 - 01



LEGEND:

	EXISTING PROPERTY LINE
	EXISTING CONTOURS MINOR/MAJOR
	EXISTING EASEMENT PRIVATE ROAD BOUNDARY
	PROPOSED PROPERTY LINE
	PROPOSED RIGHT OF WAY
	PROPOSED BUILDING SETBACK
	PROPOSED CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED DRAINAGE EASEMENT
	PROPOSED EDGE OF PAVEMENT
	PROPOSED DRIVEWAY
	PROPOSED SEPTIC LATERALS



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**GRADING AND UTILITY PLAN
PREPARED FOR**

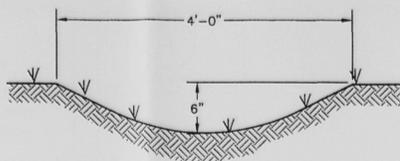
MOLONEY

TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

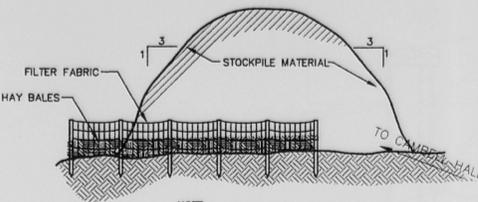
Date: MARCH 15, 2006
Revisions: OCTOBER 23, 2006
JUNE 18, 2007
DECEMBER 15, 2007

Drawn By: AC
Checked By:
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Drawing No.: A-05-0104-02

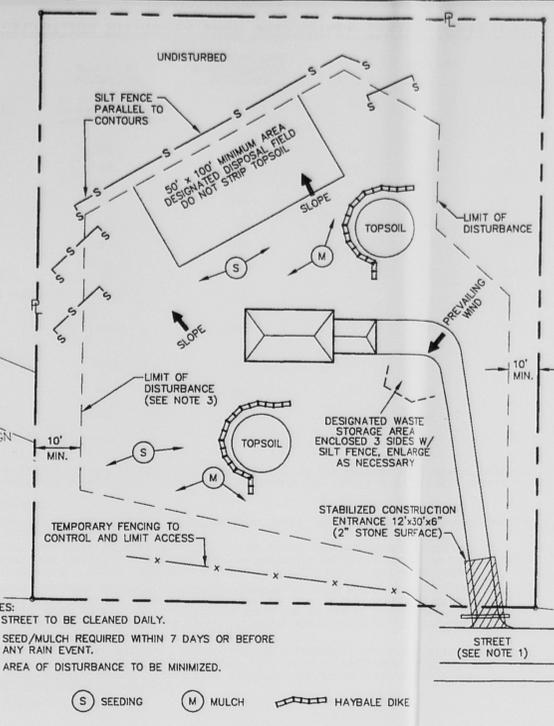
DIVERSION SWALE DETAIL
NOT TO SCALE



TYPICAL STOCKPILE DETAIL
NOT TO SCALE



TYPICAL LOT EROSION AND SEDIMENT CONTROL PRACTICES
NOT TO SCALE



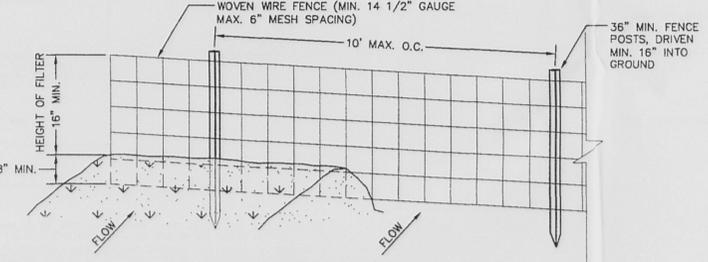
- SEDIMENT AND EROSION CONTROL NOTES AND CONSTRUCTION SEQUENCING**
- CONSTRUCT STABILIZED CONSTRUCTION ENTRANCES AT ALL DRIVEWAY LOCATIONS WHERE SHOWN ON THE PLAN.
 - INSTALL SEDIMENT BARRIERS/SWALES/DITCHES/DIKES AT DOWN SLOPE AREAS FROM ALL PROPOSED GRADING OPERATIONS, AND INSTALL OTHER SEDIMENTATION AND EROSION CONTROL STRUCTURES OR MEASURES AS SHOWN ON THE DRAWINGS.
 - LAND DISTURBANCE SHALL BE LIMITED TO ONLY THAT AREA NECESSARY FOR DEVELOPMENT; NO MORE THAN FIVE (5) ACRES OF UNPROTECTED SOIL SHALL BE DISTURBED AT ONE TIME. PREVIOUS EARTHWORK SHALL BE STABILIZED AS SPECIFIED BEFORE ADDITIONAL AREA IS EXPOSED.
 - CLEAR EXISTING TREES AND VEGETATION FROM AREAS TO BE EXCAVATED OR FILLED, THEN STRIP AND STOCKPILE TOPSOIL FROM ALL AREAS TO BE DISTURBED. SEED STOCKPILED TOPSOIL WITH TEMPORARY RYEGRASS COVER AS SPECIFIED BELOW (SEE NOTE 7), AND ERECT A SILT FENCE AROUND THE STOCKPILE.
 - PROTECT ALL TREES WHICH ARE TO REMAIN AND WHICH ARE IN OR NEAR CONSTRUCTION AREAS AS DIRECTED IN THE FIELD WITH SNOW FENCING PLACED AROUND THE TREE TRUNK, PLACE SNOW FENCING AT THE DRIPLINE SURROUNDING TREES, IF POSSIBLE, OR TO MAINTAIN A MINIMUM DIAMETER OF 10 FEET AROUND TREES. WHERE FENCING MUST BE PLACED CLOSER THAN THE DRIP LINE, PLACE 4 INCHES OF WOOD CHIPS OVER ROOT ZONE TO EXTEND TO THE DRIP LINE. MAINTAIN THIS WOOD CHIP PROTECTION FOR THE DURATION OF CONSTRUCTION.
 - INSTALL SEDIMENT BARRIERS AROUND ALL STORM DRAIN INLETS, OR MODIFY SEDIMENT CONTROL MEASURES INSTALLED IN #2 ABOVE AND MAINTAIN UNTIL ALL DISTURBED AREAS ARE STABILIZED WITH VEGETATION AND ALL PAVEMENTS ARE PAVED WITH A BASE COURSE.
 - SEED ALL DISTURBED AREAS WHICH WILL REMAIN UNDISTURBED FOR A PERIOD OF 14 DAYS OR MORE AND WHICH WILL NOT BE UNDER CONSTRUCTION WITHIN 14 DAYS WITH TEMPORARY RYEGRASS COVER, AS FOLLOWS (METHOD OF SEEDING IS OPTIONAL):
 - LOOSEN SEEDBED BY DISCING TO A 4" DEPTH.
 - SEED WITH 6 LBS PER ACRE PERENNIAL OR ANNUAL RYEGRASS.
 - MULCH WITH 100-200 BALES PER ACRE OF BLOWN AND CHOPPED BOUND IN PLACE WITH 2000 LBS PER ACRE CELLULOSE FIBER MULCH, AND WITH AN APPROVED TACKIFIER BINDER.
 - IF CONSTRUCTION IS SUSPENDED OR COMPLETED, ALL DISTURBED AREAS SHALL BE SEED AND MULCHED IMMEDIATELY. ALL SLOPES STEEPER THAN ONE ON THREE (V/H) AND PERIMETER TRENCHES AND TRAP EMBANKMENTS SHALL, ON COMPLETION, BE IMMEDIATELY STABILIZED WITH TEMPORARY SEEDING AND MULCHING.
 - AFTER COMPLETION OF SITE CONSTRUCTION, FINE GRADE AND SPREAD TOPSOIL ON ALL LAWN AREAS AND SEED WITH PERMANENT LAWN MIX AS FOLLOWS:
 - LIME TOPSOIL TO PH 6.0.
 - FERTILIZE WITH 20 LBS PER 1000 SQ. FT. OF 5-10-10, 50% WATER SOLUBLE NITROGEN FERTILIZER.
 - SEED WITH 5 LBS PER 1000 SQ. FT. OF THE FOLLOWING MIXTURE, OR OTHER MIXTURE APPROVED BY THE LANDSCAPE ARCHITECT: 40% JAMESTOWN CHEWINGS FESCUE, 40% BARON KENTUCKY BLUEGRASS AND 20% YORKTOWN PERENNIAL RYEGRASS.
 - MULCH AS DESCRIBED FOR TEMPORARY SEEDING (NOTE 8 ABOVE).
 - FERTILIZE 4 WEEKS AFTER GERMINATION WITH 10 LBS 20-10-10 FERTILIZER PER 1000 SQ. FT.
 - DURING THE PROGRESS OF CONSTRUCTION, MAINTAIN ALL SEDIMENT TRAPS, BARRIERS, AND FILTERS AS NECESSARY TO PREVENT THEIR BEING CLOGGED UP WITH SEDIMENT.
 - AFTER PAVEMENTS ARE INSTALLED AND PERMANENT VEGETATIVE COVER AND PLANTINGS ARE ESTABLISHED, REMOVE SEDIMENT BARRIERS AND SEED THOSE DISTURBED AREAS.
 - MAINTAIN ALL SEEDED AND PLANTED AREAS TO INSURE A VIABLE STABILIZED VEGETATIVE COVER.
 - STRUCTURAL MEASURES MUST BE MAINTAINED TO BE EFFECTIVE. IN GENERAL, THESE MEASURES MUST BE PERIODICALLY INSPECTED TO INSURE STRUCTURAL INTEGRITY, TO DETECT VANDALISM DAMAGE, AND FOR CLEANING AND REPAIR WHENEVER NECESSARY.
 - DURING CONSTRUCTION, ALL STRUCTURES SHOULD BE INSPECTED WEEKLY AND AFTER EVERY RAIN. REMOVE ACCUMULATED SEDIMENT AND STOCKPILE AND STABILIZE IN AN AREA NOT SUBJECT TO FURTHER EROSION.
 - AFTER CONSTRUCTION IS COMPLETED, PERMANENT SEDIMENT OR EROSION CONTROL STRUCTURES SHOULD BE INSPECTED AT LEAST SEMI-ANNUALLY AND AFTER EVERY RAIN.

- NOTES:**
- STREET TO BE CLEANED DAILY.
 - SEED/MULCH REQUIRED WITHIN 7 DAYS OR BEFORE ANY RAIN EVENT.
 - AREA OF DISTURBANCE TO BE MINIMIZED.

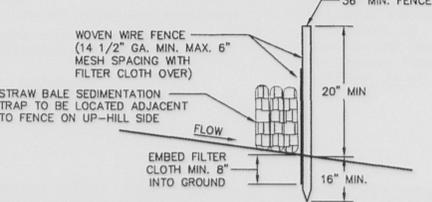


- VEGETATIVE STABILIZATION**
- ALL VEGETATIVE PLANTING ON AREAS WHICH HAVE BEEN DISTURBED AND ARE FINISH GRADED SHALL BE INSPECTED AFTER EACH RAIN EVENT. PLANTING (OR SEEDING) SHALL BE MAINTAINED IN A VIABLE CONDITION TO STABILIZE THE SOIL AND TO PREVENT SOIL EROSION. RESTORE ALL SITE PLANTING AND/OR SEEDING WHICH HAS BEEN DAMAGED TO A VIABLE CONDITION.
 - IF VEGETATIVE STABILIZATION HAS BEEN DAMAGED FROM STORM WATER EROSION, CORRECT UPSTREAM CONDITIONS WHICH CAUSED THE EROSION. CHECK DAMS MAY BE REQUIRED IN DRAINAGE WAYS, AND STONE OUTFALL APRONS MAY BE REQUIRED TO BE REPAIRED AT STORM WATER OUTLETS.

- LEGEND:**
- EXISTING PROPERTY LINE
 - EXISTING CONTOURS MINOR/MAJOR
 - EXISTING EASEMENT PRIVATE ROAD BOUNDARY
 - PROPOSED PROPERTY LINE
 - PROPOSED RIGHT OF WAY
 - PROPOSED BUILDING SETBACK
 - PROPOSED CONTOUR MAJOR
 - PROPOSED CONTOUR MINOR
 - PROPOSED EDGE OF PAVEMENT
 - PROPOSED DRIVEWAY
 - PROPOSED SEPTIC LATERALS
 - PROPOSED SILT FENCING
 - PROPOSED LIMITS OF DISTURBANCE
 - PROPOSED TEMPORARY DIVERSION SWALE

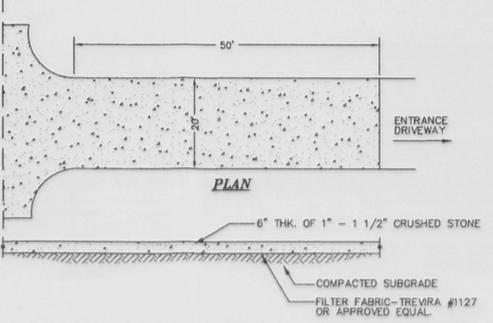


PERSPECTIVE VIEW



SILTATION FENCE
NOT TO SCALE

TWO WORKING DAYS BEFORE YOU DIG CALL
1-800-962-7962
UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION



SECTION
NOTE: ENTRANCE SHALL BE MAINTAINED AS CONDITIONS DEMAND TO PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS OF WAY.

STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE

ALL SEDIMENTATION STRUCTURES WILL BE INSPECTED AND MAINTAINED ON A REGULAR BASIS. A CRUSHED STONE, VEHICLE WHEEL-CLEANING BLANKET WILL BE INSTALLED WHENEVER A CONSTRUCTION ACCESS ROAD INTERSECTS ANY PAVED ROADWAY. SAID BLANKET WILL BE COMPOSED OF 6" DEPTH OF 1"-1 1/2" CRUSHED STONE, WILL BE AT LEAST 30' X 100' AND SHOULD BE PLACED ON COMPACTED SUB-GRADE AND SHALL BE MAINTAINED. ALL DRIVEWAYS MUST BE STABILIZED WITH 1" - 1 1/2" CRUSHED STONE OR SUB-BASE PRIOR TO HOME CONSTRUCTION. PAVED ROADWAYS MUST BE KEPT CLEAN AT ALL TIMES.

THIS EROSION CONTROL PLAN SHALL BE USED FOR EROSION CONTROL METHODS AND LOCATIONS ONLY. DO NOT USE THIS PLAN FOR BUILDING, PAVED AREA, UTILITY LOCATIONS, ETC.

THE OWNER IS ASSIGNED THE RESPONSIBILITY FOR THE CONSTRUCTION AND MAINTENANCE OF THE MEASURES AS DETAILED ON THIS PLAN

F.M. NO. 8558



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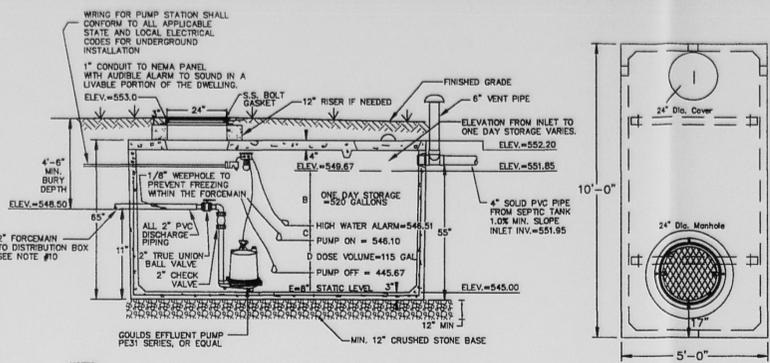
SEDIMENT & EROSION CONTROL PLAN AND DETAILS PREPARED FOR

MOLONEY

TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

DATE: MARCH 15, 2006
REVISIONS: OCTOBER 23, 2006; JUNE 18, 2007; DECEMBER 19, 2007

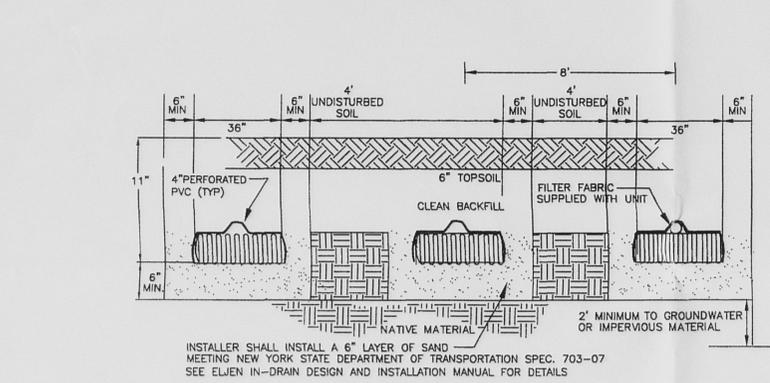
SCALE: 1" = 40'



SPECIFICATIONS
 Concrete Min. Strength: 4,000 psi at 28 days
 Reinforcement: #3 Rebar, 6x6x10/10 W/M
 Air Entrainment: 5%
 Construction Joint: Butyl Rubber Sealant
 Pipe Connection: Polylok Seal (patented)
 Weight = varies
 Load Rating: 300 psf

- NOTES:**
- CONCRETE PRECAST PUMP CHAMBER BY WOODARD'S CONCRETE PRODUCTS, INC., BULLVILLE, N.Y. OR EQUAL.
 - PRECAST CHAMBER TO MEET H-20 LOADING SPECIFICATIONS.
 - CONTROL PANEL TO BE AUTOMATED CONTROL SYSTEMS SP11 NEMA 1 ENCLOSURE OR EQUAL.
 - ELECTRICAL EQUIPMENT IN WELLS OR IN ENCLOSED SPACES WHERE EXPLOSIVE GASES MAY ACCUMULATE SHALL COMPLY WITH THE NATIONAL ELECTRICAL CODE FOR CLASS 1, DIVISION 1, GROUPS C AND D LOCATIONS. THERE SHALL BE NO ELECTRICAL SPICES, JUNCTION BOXES OR CONNECTIONS OF ANY KIND IN SEWAGE WET WELLS OF ANY RIG RATING.
 - ALL JOINTS SHALL BE CAULKED.
 - AN ASPHALTIC SEAL SHALL BE APPLIED BETWEEN CONTACT SURFACES OF BASE AND RISER SECTIONS, WHERE APPLICABLE.
 - THE REQUIRED DOSE VOLUME = 115 GALLONS
 - ALL COVERS SHALL BE LOCKABLE AND WATER TIGHT.
 - ALL VEC REQUIREMENTS SHALL BE MET FOR THE PUMP STATION ELECTRICAL COMPONENTS.
 - THE FORCE MAIN MUST MAINTAIN A POSITIVE SLOPE BACK TO THE PUMP STATION TO ALLOW THE EFFLUENT TO DRAIN BACK INTO THE PUMP CHAMBER AFTER EACH PUMPING CYCLE.

PRECAST PUMP CHAMBER TANK (1,250 GAL.)
 NOT TO SCALE



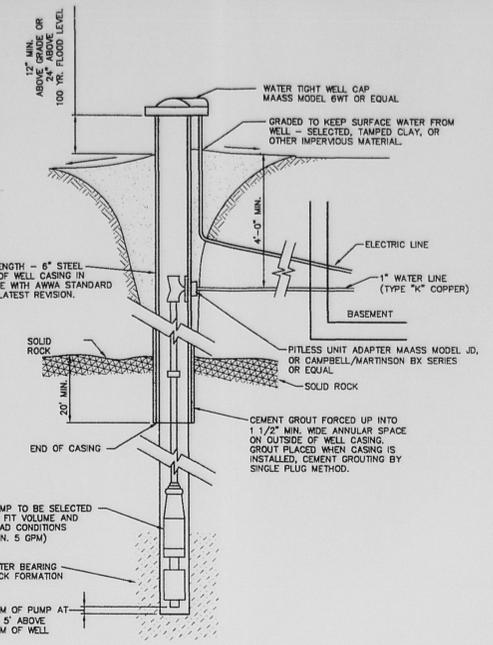
NEW YORK STATE D.O.T. CONCRETE SAND SPEC. 703-07

SIEVE SIZE	PERCENT PASSING BY WEIGHT	
	MINIMUM	MAXIMUM
3/8 INCH	90	100
NO. 4	100	100
NO. 8	75	100
NO. 16	50	85
NO. 30	25	60
NO. 50	10	30
NO. 100	1	10
NO. 200 (WET)	0	3

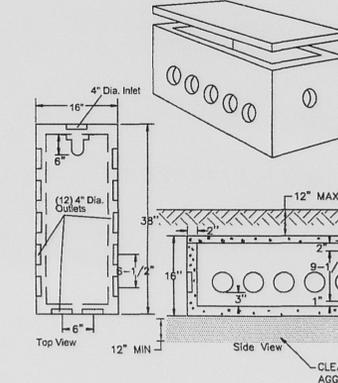
NOTES:

- DO NOT INSTALL TRENCHES IN WET SOIL.
- RAKE SIDES AND BOTTOM OF TRENCH PRIOR TO PLACING GRAVEL/CONCRETE SAND.
- END OF ALL DISTRIBUTION PIPES MUST BE PLUGGED.
- TRENCHES TO BE INSTALLED PARALLEL WITH EXISTING CONTOURS WITH SPACING OF ABSORPTION TRENCHES TO BE A MINIMUM OF 8 FEET ON CENTER WITH A MINIMUM OF 4 FEET OF UNDISTURBED SOIL BETWEEN TRENCHES.
- ALL TRENCHES ARE TO HAVE IDENTICAL NUMBER OF ELJEN UNITS.
- NO SYSTEM IS TO BE CONSTRUCTED ON GROUND WITH A SLOPE IN EXCESS OF 15%.
- THE TRENCH BOTTOM SHALL BE FLAT, PERFORATED PIPE SLOPE SHALL BE LEVEL OR NEARLY LEVEL.
- ALL PIPE PERFORATIONS MUST FACE DOWN.

TYPICAL ELJEN TRENCH CROSS SECTION
 NOT TO SCALE



TYPICAL WELL DETAIL
 NOT TO SCALE
 MINIMUM 5 GPM WELL YIELD

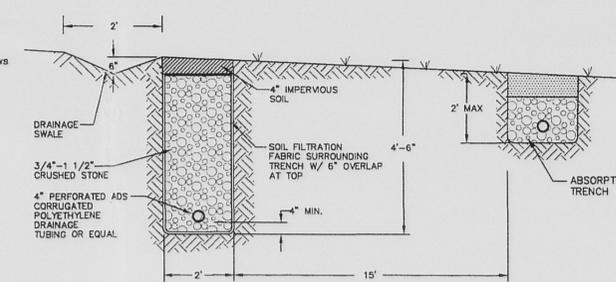


SPECIFICATIONS

Concrete Min. Strength: 4,000 psi at 28 days	REINFORCEMENT: Fiber, 10ga. wire mesh	Air Entrainment: 5%	Construction Joint: Butyl Rubber Sealant	Pipe Connection: Polylok Seal (patented)	Load Rating: 300 psf	Weight = 325 lbs
PRECAST DISTRIBUTION BOXES MODEL DB-12/12 OUTLETS W/BAFFLE			Woodard's Concrete Products, Inc. 629 Lybolt Road, Bullville, NY 10915 (845) 361-3471 / Fax 361-1050			

CENTRAL DISTRIBUTION BOX
 NOT TO SCALE

- NOTES:**
- PIPE JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL OR EQUAL.
 - 4" OUTLET PIPES LEAVE BOX AT SAME ELEVATION ON A SLOPE OF 1/8" PER FOOT MIN. TO ABSORPTION AREA.
 - PRECAST DISTRIBUTION BOX BY WOODARD'S CONCRETE PRODUCTS, INC. NO. DB-12 OR EQUAL.
 - CONCRETE TO BE A MINIMUM STRENGTH OF 4,000 PSI AT 28 DAYS.
 - FLOW EQUALIZERS ARE REQUIRED FOR ALL OUTLETS IN USE.
 - ALL OUTLETS MUST BE USED IN A MANNER THAT WILL ALLOW ACCESS TO THE EXPANSION AREA WITHOUT DISTURBING EXISTING PIPING.
 - AN INLET BAFFLE IS REQUIRED TO BE INSTALLED WITH THE DISTRIBUTION BOX.



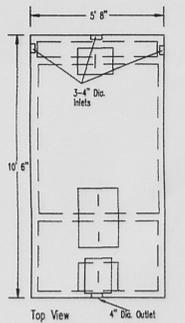
- NOTES:**
- CURTAIN DRAIN TO BE INSTALLED UPHILL AND ALONG THE SIDES OF THE ABSORPTION FIELD WHERE REQUIRED AS SHOWN ON THESE PLANS.
 - PLACE SOIL FILTRATION FABRIC ALONG BOTTOM AND SIDES OF TRENCH. BACK FILL WITH CRUSHED STONE OVERLAP SOIL FILTRATION FABRIC OVER CRUSHED STONE BEFORE PLACEMENT OF IMPERVIOUS SOIL.
 - TRANSITION FROM PERFORATED TO SOLID PVC MAY BE MADE ADJACENT TO THE LAST LATERAL INSTALLED.
 - CLEANOUTS TO BE INSTALLED FLUSH WITH FINISHED GRADE AT LOCATIONS SHOWN ON PLAN.
 - END OF SOLID PVC CURTAIN DRAIN OUTLET TO BE SCREENED.
 - SWALES AND CURTAIN DRAIN DISCHARGES TO BE DIRECTED AWAY FROM ABSORPTION FIELD.

CURTAIN DRAIN DETAIL
 NOT TO SCALE

REQUIRED SEPARATION DISTANCES FROM WASTEWATER SYSTEM COMPONENTS

SYSTEM COMPONENTS	WELL (f) OR SUCTION LINE	TO STREAM, LAKE WATER COURSE(b), OR WETLAND	DWELLING	PROPERTY LINE	DRAINAGE DITCH(b)(g)
HOUSE SEWER (WATERTIGHT JOINTS)	25' IF CAST IRON OR PVC WITH O-RING JOINTS, 50' OTHERWISE	25'	3'	10'	-
SEPTIC TANK	50'	50'	10'	10'	10'
EFFLUENT LINE TO DISTRIBUTION BOX	50'	50'	10'	10'	10'
DISTRIBUTION BOX	100'	100'	20'	10'	35'
ABSORPTION FIELD	100'(a)	100'	20'	10'	50'
SEEPAGE PIT	150'(a)	100'	20'	10'	50'
DRY WELL (ROOF AND FOOTING)	50'	25'	20'	10'	10'
RAISED OR MOUND SYSTEM (c)	100'(a)	100'	20'	10'	50'
INTERMITTENT SAND FILTER (c)	100'(a)	100'	20'	10'	50'
EVAPOTRANSPIRATION--ABSORPTION SYSTEM (c)	100'(a)	50'	20'	10'	50'
COMPOSTER	50'	50'	20'	10'	10'
SANITARY PRIVY PIT	100'	50'	20'	10'	35'
PRIVY, WATERTIGHT VAULT	50'	50'	20'	10'	10'

- (a) WHEN SEWAGE TREATMENT SYSTEMS ARE LOCATED IN COARSE GRAVEL OR UPGRADE AND IN THE GENERAL PATH OF DRAINAGE TO A WELL, THE CLOSEST PART OF THE TREATMENT SYSTEM SHALL BE AT LEAST 200 FEET AWAY FROM THE WELL.
- (b) MEAN HIGH WATER MARK
- (c) FOR ALL SYSTEMS INVOLVING THE PLACEMENT OF FILL MATERIAL, SEPARATION DISTANCES ARE MEASURED FROM THE TOE OF SLOPE OF THE FILL.
- (d) ANY WATER SERVICE LINE UNDER PRESSURE (I.E., PUBLIC WATER SUPPLY MAIN, HOUSEHOLD SERVICE LINE, WELL TO HOUSEHOLD SERVICE LINE) LOCATED WITHIN TEN FEET OF ANY ABSORPTION FIELD, SEEPAGE PIT OR SANITARY PRIVY SHALL BE INSTALLED INSIDE A LARGER DIAMETER WATER MAIN TO PROTECT THE POTABLE WATER SYSTEM.
- (e) ANY WATER SERVICE LINE UNDER PRESSURE (I.E., PUBLIC WATER SUPPLY MAIN, HOUSEHOLD SERVICE LINE, WELL TO HOUSEHOLD SERVICE LINE) CROSSING A SEWER SHALL BE INSTALLED WITH ONE FULL LENGTH OF WATER MAIN CENTERED ABOVE THE SEWER SO BOTH WATER CONNECTING JOINTS ARE AS FAR AS POSSIBLE FROM THE SEWER. SECTION 8.6 OF THE GUMBRB RECOMMENDED STANDARDS FOR WATER WORKS, SHALL BE FOLLOWED FOR SEPARATION OF THE WATER MAINS, SANITARY SEWERS AND STORM SEWERS.
- (f) THE MINIMUM SEPARATION DISTANCE BETWEEN A SEPTIC TANK AND A COMMUNITY TYPE PUBLIC WATER SUPPLY WELL SHOULD BE 100 FEET. DISTRIBUTION BOXES AND ABSORPTION FACILITIES (E.G., ABSORPTION TRENCHES/BEDS, SEEPAGE PITS, RAISED SYSTEMS, MOUND SYSTEMS, ETC.) SHOULD BE LOCATED AT LEAST 200 FEET FROM COMMUNITY TYPE PUBLIC WATER SUPPLY WELLS.
- (g) RECOMMENDED SEPARATION DISTANCES.



SPECIFICATIONS

Concrete Minimum Strength: 4,000 psi at 28 days	REINFORCEMENT: 6"x6"x10ga. Wire Mesh, #3 Rebar	Air Entrainment: 5%	Construction Joint: Butyl Rubber Sealant	Pipe Connection: Polylok Seal (patented)	Load Rating: 300 psf	Weight = 10,600 lbs
PRECAST SEPTIC TANKS MODEL ST-1500 / 1500 GALLONS			Woodard's Concrete Products, Inc. 629 Lybolt Road, Bullville, NY 10915 (845) 361-3471 / Fax 361-1050			

1,500 GAL. CONCRETE SEPTIC TANK
 NOT TO SCALE

EACH SHEET SHALL BE CONSIDERED INVALID IF NOT ACCOMPANIED BY ALL OTHER SHEETS IN THE SET.

PERCOLATION TEST RESULTS AND SEPTIC SYSTEM DESIGN

A, B - TESTS COMPLETED ON MAY 10, 2006 BY LANC AND TULLY ENGINEERING.
 C, D - TESTS COMPLETED ON NOVEMBER 20, 2007 BY LANC AND TULLY ENGINEERING AND WITNESSED BY TOWN OF NEW WINSOR PLANNING BOARD ENGINEER.

DEPTH OF ALL TESTS	STABILIZED PERC. RATE (MIN./IN.)				DESIGN FLOW: 4 BEDROOM @ 130 GPD = 520 GPD TOTAL DESIGN FLOW: 520 GPD DESIGN PERCOLATION RATE: 31-45 MINUTES/INCH DESIGN APPLICATION RATE: 0.50 GAL/DAY/SQUARE FOOT ABSORPTION FIELD ELJEN TRENCH REQUIRED: 174 LF. (BASED ON 4' WIDE TRENCH) ABSORPTION FIELD TRENCH PROVIDED: 4 LATERALS @ 44 FEET = 176 LINEAR FEET (44 ELJEN UNITS)
	A	B	C	D	
24"	35	18	5	18	

DEEP TEST RESULTS

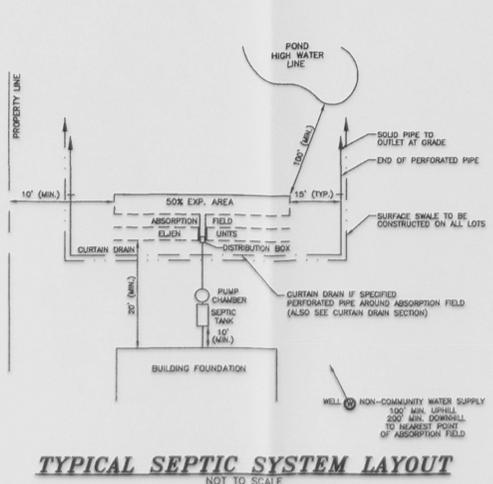
A, B - TESTS COMPLETED ON NOVEMBER 20, 2007 BY LANC AND TULLY ENGINEERING AND WITNESSED BY TOWN OF NEW WINSOR PLANNING BOARD ENGINEER.

GROUND LEVEL	GROUND LEVEL	
	A	B
TOPSOIL	10"	12"
1'	SILT LOAM WITH GRAVEL & COBBLES	SILT LOAM WITH COBBLES
2'	36"	28"
3'	SILT LOAM WITH GRAVEL SOME CLAY	60"
4'	POCKETS & STONES	
5'		
6'	72"	

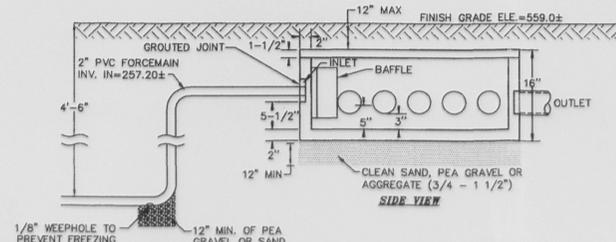
GW SEEPAGE @ 20" NO BEDROCK
 GW @ 70" NO BEDROCK

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TYPICAL SEPTIC SYSTEM LAYOUT
 NOT TO SCALE



FORCE MAIN CONNECTION DETAIL
 NOT TO SCALE

- NOTES:**
- PIPE JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL OR EQUAL.
 - 4" OUTLET PIPES LEAVE BOX AT SAME ELEVATION ON A SLOPE OF 1/8" PER FOOT MIN. TO ABSORPTION AREA.
 - PRECAST DISTRIBUTION BOX BY WOODARD'S CONCRETE PRODUCTS, INC. NO. DB-12 OR EQUAL.
 - CONCRETE TO BE A MINIMUM STRENGTH OF 4,000 PSI AT 28 DAYS.
 - FLOW EQUALIZERS ARE REQUIRED FOR ALL LATERALS.
 - ALL OUTLETS MUST BE USED IN A MANNER THAT WILL ALLOW ACCESS TO THE EXPANSION AREA WITHOUT DISTURBING EXISTING PIPING.
 - AN INLET BAFFLE IS REQUIRED TO BE INSTALLED WITH THE DISTRIBUTION BOX.

LANC & TULLY
 ENGINEERING AND SURVEYING, P.C.

P.O. Box 687, Rt. 207
 Goshen, N.Y. 10924
 (845) 294-3700

SEWAGE DISPOSAL DESIGN AND DETAILS FOR

MOLONEY

TOWN OF NEW WINSOR
 ORANGE COUNTY, NEW YORK

DATE: MARCH 15, 2006
 REVISION: OCTOBER 23, 2006
 JUNE 18, 2007
 DECEMBER 19, 2007

Drawn By: AC
 Checked By: N.T.S.
 Scale: 1" = 10'-0"
 Tax Map No.: 51-1-55.3
 Sheet No.: 4 OF 4
 Drawing No.: A-05-0104-04