PB# 03-07

Robert Minard
(Sub.)

55-1-43.2 & 44

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY
DATE: 5-2-2006

03/07

Map Number 348-06

Section 55 Block 1 Lot 43.2 44

City / Town / Village New Windsor

Title: Murad Robert W.

Dated: 12-13-05 Rev. Filed 5-4-06

Approved by Genaro Argenio

on 5/2/06

Record Owner Robert W. Murad

DONNA L. BENSON
Orange County Clerk

Total $ 20.00
Copies 15.00
$ 35.00

RECORDED/FILED ORANGE COUNTY
BOOK 02006 PAGE 0348
05/04/2006/ 11:05:06
FILE NUMBER 20060049111
RECEIPT#572719 patti

RECEIVED
MAR 14 2006
BUILDING DEPARTMENT

PRIVATE ROADWAY MAINTENANCE AGREEMENT

WITNESSETH:

WHEREAS, Robert W. Minard hereinafter referred to as the "declarant", residing at Route 44-55 Clintondale, N.Y. 12515 is the owner in fee simple of certain parcels (lots)of real property situate in the Town of New Windsor, County of Orange and State of New York (Section/Block/Lot #55-1-43.2 and #55-1-44) and,

WHEREAS, the declarant has made application to the Town of New Windsor Planning Board for a four (4) lot subdivision and lot line revision of vacant lands (Section/Block/Lot #55-1-43.2 and #55-1-44); and,

WHEREAS, the site is accessed by an existing shale drive leading from Shaw Road which is situate upon parcel # 55-1-43.2 and services an existing one (1) family home located on lands now or formerly Christopher J. and Kari Messler (Section/Block/Lot # 55-1-43.1), and the lands of the Declarant; and,

WHEREAS, the Declarant being the fee owner of tax parcels (Section/Block/Lot #55-1-43.2, and #55-1-44) desires to render the existing access with improvements to private road specifications, de jure by memorializing the existing access by and between all of the lots in the four (4) lot subdivision, and the remaining lands of the declarant; and,

WHEREAS, a fifty (50) foot wide right of way currently exists for ingress, and egress to lands of the aforesaid Messler #55-1-43.1 as described in Liber 4558, Page 271, and said existing shaled drive lies within this right of way, and these lands will benefit from the private road improvements, and this owner will <u>not</u> share in the cost of any maintenance as described herein for this private road, but will

be required to repair the road if this owner or his agents, employees, or invitees are negligent and cause damage to this roadway; and,

WHEREAS, the lands of the Declarant aforesaid are more particularly described in deeds recorded in the Office of the Orange County Clerk at Liber 3722 of deeds, at page 21; and,

WHEREAS, the Declarant is desirous of obtaining final approval for said subdivision and lot line revision of the vacant premises aforesaid from the Town of New Windsor pursuant to all applicable laws, rules and regulations, and;

WHEREAS, the Declarant further desires to show and depict the shared private road upon the subdivision map and file said map in the office of the Orange County Clerk following subdivision approval by the Town of New Windsor Planning Board; and,

WHEREAS, the four (4) subdivision lots and declarants remaining lands in question are accessed for ingress and regress by a private right of way which shall be fifty (50) feet in width for about eight hundred (800') feet to the center of a one hundred and twenty (120') foot diameter cul-de-sac and known as Minard Lane and which shall be subject to the joint mutual and common use and benefit of the affected lot owners, occupants and invitees; and,

WHEREAS, no portion of Minard Lane is to be maintained by the Town of New Windsor at this time; and,

WHEREAS, common access to the four (4) subdivision lots and remaining lands of the Declarant runs from Shaw Road which is a town road, maintained by the Town of New Windsor; and,

WHEREAS, the commonly used private road within the fifty (50') foot wide right of way known as Minard Lane, as designed and owned by the declarant will not fully comply with the current specifications of the Town of New Windsor for the construction, dedication and

acceptance of public highways of the town and that accordingly, the expense and responsibility of upkeep, maintenance, snow removal, insurance and improvement will not be assumed by the town as the same must be assumed by the lot owners benefited thereby; and,

WHEREAS, by this agreement the declarant desires to set forth the easement and right of way to provide a means by which the owner(s) of the four (4) lots, and the remaining lands of the Declarant, are the parcels effected thereby will provide the upkeep, maintenance, improvement and snow removal services for Minard Lane; and,

NOW, THEREFORE, the declarant has established the following general plan for the maintenance, repair, use, operation and improvement of such common easement, private roadway, and right of way known as Minard Lane, so as to promote and protect the health, safety and general welfare of all owners of lots now or hereafter served by said facilities, and does hereby establish the following mutual and reciprocal easements, covenants, restrictions and servitudes upon which and subject to which the owners of the above described lots shall use, maintain and repair the roadway facilities and easements herein granted. Each and every one of such easements, covenants, restrictions and servitudes, and all of them, are for the benefit of each of the aforesaid lot owners, or any interest therein, and shall inure to and pass with each of said lots and shall bind the respective successors in interest of the present owners thereof.

1. PREMISES

The declarant is the owner of certain premises as shown on a Map depicting a proposed Subdivision and Lot Line Revision in the Town of New Windsor, County of Orange, and State of New York as shown on a map of survey of lands of Robert W. Minard prepared by A. DIACHISHIN & ASSOCIATES, P.C. Consulting Engineers and Land Surveyors, which Map is

to be filed in the Orange County Clerks Office upon subdivision approval as granted by the Town of New Windsor Planning Board. Said lots are presently and commonly accessed by the private road known as Minard Lane, which said road is not maintained as a public highway. The owner(s) of four (4) subdivision lots and declarant will be responsible for all upkeep, maintenance, improvement, and snow removal so as to provide reasonably safe and passable movement of vehicles for ingress, egress and regress including fire, safety and emergency vehicles under all weather conditions as required for the traveled portion of Minard Lane running to and from the driveways leading to the proposed residences, lots, remaining lands of the declarant and lands now or formerly Messler or other improvements currently or hereafter to be constructed on said parcels; Minard Lane joins Shaw Road, a public highway, which is presently maintained by the Town of New Windsor, all as shown on said Subdivision and Lot Line Revision Map.

2. GRANTS AND PURPOSE OF RIGHT OF WAY AND EASEMENT

It is the intention of the declarant that the lots depicted upon the subdivision Map aforesaid shall have a common fifty (50') foot wide easement and right of way for ingress, egress, and regress over, across and through the parcels as shown on the subdivision Map. The location of said easement and right of way shall be in accordance with the subdivision/lot line revision Map in all manner and Respects.

The reciprocal and mutual easements and right of way herein described are granted to and may be used by the owners of the aforesaid parcels and their successors and assigns, benefited thereby for the following purposes:

A. For the purpose of maintaining, operating, using, improving and repairing a common private road known as Minard Lane for access,

with or without vehicles from Shaw Road to the lots benefited thereby and which are appurtenant thereto; and,

B. For the replacement, repair, operation, protection, improvement and maintenance of common utility lines, and all appurtenances and fixtures ordinary, convenient, and necessary to provide electric, telephone, cable TV, and any other utility services to the parcels.

The easement described above shall also be described in the respective deeds for each lot.

3. MAINTENANCE BY LOT OWNERS

The lot owners shall at all times keep and maintain the private road serving the lot conveyed, the improvements and/or utilities located on the aforesaid easement and right of way serving the lots conveyed unobstructed and in good repair and passable condition, including maintenance and snow removal, clearing, replacing and repairing drainage ditches, culverts, grading, filling in potholes or surfacing the traveled portion and such roadway shall be kept and maintained at all times in such a condition as to permit fire, emergency and safety vehicles to gain free and unobstructed access to all buildings and other structures under all weather conditions.

Specifically, snow shall be removed when the depth reaches 3" or more, potholes shall be filled when the depth exceeds 2", culverts and drainage ditches shall be cleaned when silt has accumulated to a depth of 3".

Nothing herein shall require the lot owner to maintain portions of the private road extending beyond the lots conveyed, or to provide maintenance over private roads other than the roadway serving these lots to the extent it has been incorporated in this Declaration. Each owner of a lot in the four (4) lot subdivision, and the Declarant

sharing the private road accessing from Shaw Road shall contribute an equal share of the cost of such work. Nothing herein shall require any owners of the four (4) subdivided lots to be responsible for additional costs of paving or upgrading the private road beyond the annual expense limitation without the consent of that owner. However, any party damaging the private road by use of heavy equipment or trucks or otherwise shall be solely responsible for correcting such damage. Owners shall be responsible for their agents, employees, or invitees in connection with any such damage by them. No party shall be required to pay the cost of capital improvements other than those that are necessary to provide reasonably safe and passable vehicular access along the roadway. Additionally, the declarant, his successors, or assigns may make capital improvements to upgrade the roadway, at its sole cost and expense, without the consent of the owners of the four (4) lots in this subdivision.

4. MEETING OF LOT OWNERS

The lot owners subject to this declaration may have an annual meeting on ten days notice (or less if the circumstances warrant) to select a manager who shall arrange for the work to be performed, collect the necessary funds from the lot owners, consult with the lot owners, as may be required and notify the lot owners of the next meeting. The elected manager will remain in that position until the next election. Any notice, bill or other communication required under this declaration shall be either A. Personally served, or B. sent to the subdivider and lot owner(s) at the address of the affected lot taken from the most recent tax rolls, unless such address is changed by written notice to each lot owner concerned, in which event the change of address given shall be used for the sending of such notice or communication shall be made by first class mail, properly addressed

and postage prepaid.

5. ENFORCEMENT AND MORTGAGE SUBORDINATION

In the event that any lot owner refuses to contribute his, her, their or its proportionate share in advance, the cost thereof shall be due together with the reasonable attorneys' fees, costs and disbursements of collecting the same. Any action to collect such sum may be filed by a lot owner, the committee, its successors or assigns, or any contractor performing the maintenance work, who may also maintain any necessary legal proceedings in any court of competent jurisdiction. Any litigation relating to this declaration shall be required to be determined in the Courts of New York State with venue in Orange County. Any and all sums which may become due hereunder shall be liens running with the land but shall be and remain subject and subordinate to the lien of any first mortgage now or hereafter held by a lending institution on any of the lots made subject to this declaration.

6. BINDING EFFECT

This declaration shall run with the land and be binding upon and inure to the benefit of the heirs, representatives, successors and assigns of the parties to this declaration and the subsequent lot owners of the aforesaid lots and as depicted upon the Subdivision/Lot Line Revision Map. In the event that any portion, provision or term of this declaration is determined to be unenforceable or invalid by a court of competent jurisdiction, such determination shall not effect the balance of this declaration.

7. AMENDMENT

This declaration may only be amended or modified by a written agreement signed and acknowledged by the owners of at minimum, all of the lots at the time subject to this declaration and contributing a

share of the costs. Any such amendment or modification shall take effect upon its recording in the office of the Orange County Clerk bearing the acknowledged signatures of all of the lot owners or the acknowledged signatures of the duly elected president and secretary of the committee and/or successor association stating that such approval has been duly obtained. Any such amendment or modification shall not terminate the continuing easements in common as to the roadway except upon unanimous consent of the then lot owners.

8. ROADWAY ACCEPTANCE

If at some future time this roadway may become a Town highway if constructed to the proper specifications, and properly dedicated, then this private road maintenance agreement will become null and void.

9. CAPTIONS

The paragraph captions are inserted for convenience and do not limit or affect the contents of this declaration or the paragraphs. This agreement is servable. In the event that any term or provision hereof is finally determined by a court of competent jurisdiction to be invalid, such determination shall not affect the balance of this agreement which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned declarant has duly executed the within declaration this 14 day of March 2006.

Robert W. Minard

Robert W. Minard (Lot #55-1-43.2)

Robert W. Minard

Robert W. Minard (Lot #55-1-44)

STATE OF NEW YORK)

ss.:

COUNTY OF ORANGE)

On the 14th day of March, 2006, before me, the undersigned, personally appeared Robert W. Minard, personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instruments.

Maria Stampone
Notary Public

MARIA STAMPONE
Notary Public State of New York
No. 01ST5082387
Qualified in Orange County
Commission Expires July 28, 2009

DRAFT
PRIVATE ROADWAY MAINTENANCE AGREEMENT

WITNESSETH

WHEREAS, Robert W. Minard hereinafter referred to as the "declarant", residing at Route 44-55 Clintondale, N.Y. 12515 is the owner in fee simple of certain parcels (lots)of real property situate in the Town of New Windsor, County of Orange and State of New York (Section/Block/Lot #55-1-43.2 and #55-1-44) and,

WHEREAS, the declarant has made application to the Town of New Windsor Planning Board for a four (4) lot subdivision and lot line revision of vacant lands (Section/Block/Lot #55-1-43.2 and #55-1-44), and;

WHEREAS, the site is accessed by an existing shaled drive leading from Shaw Road which is situate upon parcel # 55-1-43.2 and services an existing one (1) family home located on lands now or formerly Christopher J. and Kari Messler (Section/Block/Lot # 55-1-43.1), and the lands of the Declarant, and;

WHEREAS, the Declarant being the fee owner of tax parcels (Section/Block/Lot #55-1-43.2, and #55-1-44) desires to render the existing access with improvements to private road specifications, de jure by memorializing the existing access by and between all of the lots in the four (4) lot subdivision, and the remaining lands of the declarant, and;

WHEREAS, a fifty (50) foot wide right of way currently exists for ingress, and egress to lands of the aforesaid Messler #55-1-43.1 as described in Liber 4558, Page 271, and said existing shaled drive

lies within this right of way, and these lands will benefit from the private road improvements, and this owner will not share in the cost of any maintenance as described herein for this private road, but will be required to repair the road if this owner or his agents, employees, or invitees are negligent and cause damage to this roadway, and;

WHEREAS, the lands of the Declarant aforesaid are more particularly described in deeds recorded in the Office of the Orange County Clerk at Liber 3722 of deeds, at page 21, and;

WHEREAS, the Declarant is desirous of obtaining final approval for said subdivision and lot line revision of the vacant premises aforesaid from the Town of New Windsor pursuant to all applicable laws, rules and regulations, and;

WHEREAS, the Declarant further desires to show and depict the shared private road upon the subdivision map and file said map in the office of the Orange County Clerk following subdivision approval by the Town of New Windsor Planning Board, and;

WHEREAS, the four (4) subdivision lots and declarants remaining lands in question are accessed for ingress and regress by a private right of way which shall be fifty (50) feet in width for about eight hundred (800') feet to the center of a one hundred and twenty (120') foot diameter cul-de-sac and known as Minard Lane and which shall be subject to the joint mutual and common use and benefit of the affected lot owners, occupants and invitees, and;

WHEREAS, no portion of Minard Lane is to be maintained by the Town of New Windsor at this time, but it is contemplated that the same may hereinafter be maintained, by the Town of New Windsor if constructed to the proper specification and properly dedicated in the future; and,

WHEREAS, common access to the four (4) subdivision lots and remaining lands of the Declarant runs from Shaw Road which is a town road, maintained by the Town of New Windsor, and;

WHEREAS, the commonly used private road within the fifty (50') foot wide right of way known as Minard Lane, as designed and owned by the declarant will not fully comply with the current specifications of the Town of New Windsor for the construction, dedication and acceptance of public highways of the town and that accordingly, the expense and responsibility of upkeep, maintenance, snow removal, insurance and improvement will not be assumed by the town as the same must be assumed by the lot owners benefited thereby, and;

WHEREAS, by this agreement the declarant desires to set forth the easement and right of way to provide a means by which the owner(s) of the four (4) lots, and the remaining lands of the Declarant, are the parcels effected thereby will provide the upkeep, maintenance, improvement and snow removal services for Minard Lane; and,

NOW, THEREFORE, the declarant has established the following general plan for the maintenance, repair, use, operation and improvement of such common easement, private roadway, and right of way

known as Minard Lane, so as to promote and protect the health, safety and general welfare of all owners of lots now or hereafter served by said facilities, and does hereby establish the following mutual and reciprocal easements, covenants, restrictions and servitudes upon which and subject to which the owners of the above described lots shall use, maintain and repair the roadway facilities and easements herein granted. Each and every one of such easements, covenants, restrictions and servitudes, and all of them, are for the benefit of each of the aforesaid lot owners, or any interest therein, and shall inure to and pass with each of said lots and shall bind the respective successors in interest of the present owners thereof.

1. PREMISES

The declarant is the owner of certain premises as shown on a Map depicting a proposed Subdivision and Lot Line Revision in the Town of New Windsor, County of Orange, and State of New York as shown on a map of survey of lands of Robert W. Minard prepared by A. DIACHISHIN & ASSOCIATES, P.C. Consulting Engineers and Land Surveyors, which Map is to be filed in the Orange County Clerks Office upon subdivision approval as granted by the Town of New Windsor Planning Board. Said lots are presently and commonly accessed by the private road known as Minard Lane, which said road is not maintained by as a public highway. The owner(s) of four (4) subdivision lots and declarant will be responsible for all upkeep, maintenance, improvement, and snow removal so as to provide reasonably safe and passable movement of vehicles for ingress, egress and regress including fire, safety and emergency vehicles under all weather conditions as required for the traveled

portion of Minard Lane running to and from the driveways leading to the proposed residences, lots, remaining lands of the declarant and lands now or formerly Messler or other improvements currently or hereafter to be constructed on said parcels; Minard Lane joins Shaw Road, a public highway, which is presently maintained by the Town of New Windsor, all as shown on said Subdivision and Lot Line Revision Map.

2. GRANTS AND PURPOSE OF RIGHT OF WAY AND EASEMENT

It is the intention of the declarant that the lots depicted upon the subdivision Map aforesaid shall have a common fifty (50') foot wide easement and right of way for ingress, egress, and regress over, across and through the parcels as shown on the subdivision Map. The location of said easement and right of way shall be in accordance with the subdivision/lot line revision Map in all manner and Respects.

The reciprocal and mutual easements and right of way herein described are granted to and may be used by the owners of the aforesaid parcels and their successors and assigns, benefited thereby for the following purposes:

A. For the purpose of maintaining, operating, using, improving and repairing a common private road known as Minard Lane for access, with or without vehicles from Shaw Road to the lots benefited thereby and which are appurtenant thereto; and,

B. For the replacement, repair, operation, protection, improvement and maintenance of common utility lines, and all

appurtenances and fixtures ordinary, convenient, and necessary to provide electric, telephone, cable TV, and any other utility services to the parcels.

MAINTENANCE BY LOT OWNERS

The lot owners shall at all times keep and maintain the private road serving the lot conveyed, the improvements and/or utilities located on the aforesaid easement and right of way serving the lots conveyed unobstructed and in good repair and passable condition, including maintenance and snow removal, clearing, replacing and repairing drainage ditches, culverts, grading, filling in potholes or surfacing the traveled portion and such roadway shall be kept and maintained at all times in such a condition as to permit fire, emergency and safety vehicles to gain free and unobstructed access to all buildings and other structures under all weather conditions. Nothing herein shall require the lot owner to maintain portions of the private road extending beyond the lots conveyed, or to provide maintenance over private roads other than the roadway serving these lots to the extent it has been incorporated in this Declaration. Each owner of a lot in the four (4) lot subdivision, and the Declarant sharing the private road accessing from Shaw Road shall contribute an equal share of the cost of such work. Nothing herein shall require any owners of the four (4) subdivided lots to be responsible for additional costs of paving or upgrading the private road beyond the annual expense limitation without the consent of that owner. However, any party damaging the private road by use of heavy equipment or trucks or otherwise shall be solely responsible for correcting such damage. Owners shall be responsible for their agents, employees, or

invitees in connection with any such damage by them. No party shall be required to pay the cost of capital improvements other than those that are necessary to provide reasonably safe and passable vehicular access along the roadway. Additionally, the declarant, his successors, or assigns may make capital improvements to upgrade the roadway without the consent of the owners of the four (4) lots in this subdivision.

4. MEETING OF LOT OWNERS

The lot owners subject to this declaration may, but are not required to, have a meeting on reasonable notice to select a committee of persons who shall arrange for the work to be performed, collect the necessary funds from the lot owners, consult with the lot owners, as may be required and notify the lot owners of the next meeting. Any notice, bill or other communication required under this declaration shall be either A. Personally served, or B. sent to the subdivider and lot owner(s) at the address of the affected lot taken from the most recent tax rolls, unless such address is changed by written notice to each lot owner concerned, in which event the change of address given shall be used for the sending of such notice or communication shall be made by registered or certified mail, properly addressed and postage prepaid.

5. WAIVER OF LIABILITY

To the extent legally permissible, each lot owner who is a party to this declaration for his, her or itself and to the extent applicable, their families, guests, agents, employees and invitees, agree that the owners of the lots over which the fifty (50') right of

way pass and the subdivision and lot line revision applicant and the town and their respective agents, officers and employees and the other lot owners, their heirs, successors, representatives and assigns shall not be held liable for any claim for property damage or personal injury arising out of the design or condition of the roadway or any act or omission relating thereto including but not limited to its construction, maintenance, upkeep, repair, snow removal and sanding. Any such liabilities to third parties shall be borne as between the lot owners in the same proportion as they bear the cost and expense of the upkeep, maintenance and repair of the roadway. However, this shall not release any lot owner or other party from liability arising out of his, her, their or its own negligence or willful acts. The lot owners may, if they so desire, obtain liability or other insurances as they may deem appropriate to protect against risk of loss or claims.

6. ENFORCEMENT AND MORTGAGE SUBORDINATION

In the event that any lot owner refuses to contribute his, her, their or its proportionate share in advance, the cost thereof shall be due together with the reasonable attorneys' fees, costs and disbursements of collecting the same. Any action to collect such sum may be filed by a lot owner, the committee or its successors or assigns who may also maintain any necessary legal proceedings in any court of competent jurisdiction. Any litigation relating to this declaration shall be required to be determined in the Courts of New York State with venue in Orange County. Any and all sums which may become due hereunder shall be liens running with the land but shall be and remain subject and subordinate to the lien of any first mortgage now or hereafter held by a lending institution on any of the lots made

subject to this declaration.

7. BINDING EFFECT

This declaration shall run with the land and be binding upon and inure to the benefit of the heirs, representatives, successors and assigns of the parties to this declaration and the subsequent lot owners of the aforesaid lots and as depicted upon the Subdivision/Lot Line Revision Map. In the event that any portion, provision or term of this declaration is determined to be unenforceable or invalid by a court of competent jurisdiction, such determination shall not effect the balance of this declaration.

8. AMENDMENT

This declaration may only be amended or modified by a written agreement signed and acknowledged by the owners of at minimum, all of the lots at the time subject to this declaration and contributing a share of the costs. Any such amendment or modification shall take effect upon its recording in the office of the Orange County Clerk bearing the acknowledged signatures of all of the lot owners or the acknowledged signatures of the duly elected president and secretary of the committee and/or successor association stating that such approval has been duly obtained. Any such amendment or modification shall not terminate the continuing easements in common as to the roadway except upon unanimous consent of the then lot owners.

9. ROADWAY ACCEPTANCE

It is the intention of the parties hereto that the roadway known as Minard Lane shall remain private road at this time, and the Town of New Windsor shall have no liability for the care and maintenance of the same. At some future time this roadway may become a Town highway if constructed to the proper specifications, and properly dedicated, and this private road maintenance agreement will become null and void.

10. CAPTIONS

The paragraph captions are inserted for convenience and do not limit or effect the contents of this declaration or the paragraphs. This agreement is servable. In the event that any term or provision hereof is finally determined by a court of competent jurisdiction to be invalid, such determination shall not effect the balance of this agreement which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned declarant has duly executed the within declaration this ___ day of _____ 2005.

_____

Robert W. Minard (Lot #55-1-43.2)

_____

Robert W. Minard (Lot #55-1-44)

STATE OF NEW YORK)

COUNTY OF ORANGE) ss.

On the _____ day of _____, 2005, before me, the undersigned, personally appeared Robert W. Minard, personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instruments.

_____

Notary Public

Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4630
Fax: (845) 563-4692
E-Mail: pcrotty@town.new-windsor.ny.us

Attorney for the Town

November 14, 2005

Robert J. James, PE LS
a. diachishin and associates pc
Consulting Engineers & Land Surveyors
Napanoch, NY 12458

Re: Shaw Road – Private Road Maintenance Agreement

Dear Mr. James:

I have received the above-referenced agreement. Since private roads are not subject to municipal dedication, it is not my policy to comment or approve such agreements.

Very truly yours,

Philip A. Crotty
Attorney for the Town of New Windsor

PAC

Cc: Myra Mason, Planning Board Secretary

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/09/2006

LISTING OF PLANNING BOARD**ACTIONS**

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

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	MEETING-PURPOSE----------	ACTION-TAKEN--------
05/02/2006	PLANS STAMPED	APPROVED
03/24/2004	P.B. APPEARANCE - PUBLIC HEA . ADDRESS MARKS COMMENTS - ADD SITE DISTANCE ON PLAN - NO . PUBLIC COMMENT	CLOSED PH: RETURN
03/26/2003	P.B. APPEARANCE . ADDRESS MARK'S COMMENTS - COMPLETE SANITARY WORK - COME TO . WORK SHOP THEN SCHEDULE PH	LA: SCHED PH
03/05/2003	WORK SHOP APPEARANCE	SUBMIT

International Division
20 Cabot Road
Medford, MA 02155 USA
888 868.0212 tel
SWIFT: CTZIUS33 TELEX 211047 CTZINTL

STANDBY LETTER OF CREDIT INVOICE

NEW WINDSOR FARM, LLC
AND/OR ROBERT MINARD
14 CATHERINE COURT
CHESTER, NY 10918

APRIL 26, 2006

RE: IRREVOCABLE STANDBY LETTER OF CREDIT: S903365
CREDIT AMOUNT: USD 91,200.00 USD
BENEFICIARY: TOWN OF NEW WINDSOR

COMMISSION FEES ON THE ABOVE LETTER OF CREDIT ARE NOW DUE FOR 366 DAYS IN ADVANCE FOR A BILLING PERIOD STARTING ON APRIL 26, 2006 THROUGH APRIL 20, 2007.

FEE ON THE ABOVE BALANCE
AT % 1.500000000.....USD 1,390.80

OTHER CHARGES AT THIS TIME ARE AS FOLLOWS:

STANDBY ISSUANCE FEE	300.00
DOMESTIC COURIER FEE	25.00
STANDBY BILL FOR COMMISSION FEE	50.00

TOTAL COMMISSIONS AND CHARGES.....USD 1,765.80

PAYMENT IS DUE UPON RECEIPT OF THIS INVOICE.

+----------+

OUR PAYMENT INSTRUCTIONS ARE AS FOLLOWS:
PLEASE REMIT PROCEEDS TO US FOR CREDIT TO OUR CITIZENS BANK OF RHODE ISLAND, INTERNATIONAL OPERATIONS ACCOUNT NUMBER 1101012800 VIA FED WIRE ABA ROUTING NUMBER 011500120 UNDER ADVICE TO US, QUOTING OUR REFERENCE NUMBER.

====== OR =======

PLEASE REMIT YOUR CHECK PAYABLE TO CITIZENS BANK, 20 CABOT ROAD, MAIL STOP MMF470, MEDFORD, MA 02155 U.S.A., QUOTING OUR REFERENCE NUMBER AS LISTED ABOVE.

+----------+

PLEASE ADDRESS ANY INQUIRIES OR CORRESPONDENCE TO ATTN: MICHAEL DOUGAN, INTERNATIONAL DEPT., QUOTING OUR REFERENCE NO: S903365
BY PHONE: (781) 655-4877, BY FAX: (781) 391-8701
BY SWIFT: CTZIUS33, BY TELEX: 211047 CTZINTL

THIS COMPUTER GENERATED ADVICE REQUIRES NO MANUAL SIGNATURE.

International Division
20 Cabot Road
Medford, MA 02155 USA
888 868.0212 tel
SWIFT: CTZIUS33 TELEX 211047 CTZINTL

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER S903365

ISSUING BANK:
CITIZENS BANK, N.A.
INTERNATIONAL DEPARTMENT
20 CABOT ROAD, M/S MMF470
MEDFORD, MA 02155 U.S.A.

PLACE AND DATE OF ISSUE:
MEDFORD, MA
APRIL 26, 2006

PLACE AND DATE OF EXPIRY:
AT OUR COUNTERS
APRIL 25, 2008

BENEFICIARY:
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553

APPLICANT:
NEW WINDSOR FARM, LLC
AND/OR ROBERT MINARD
14 CATHERINE COURT
CHESTER, NY 10918

UP TO AN AGGREGATE AMOUNT THEREOF: USD 91,200.00

PARTIAL DRAWINGS: PARTIAL DRAWINGS ARE ALLOWED

CREDIT AVAILABLE WITH:
CITIZENS BANK, N.A.
INTERNATIONAL DEPARTMENT
20 CABOT ROAD, M/S MMF470
MEDFORD, MA 02155 U.S.A.

AGAINST PRESENTATION OF DOCUMENTS AS DETAILED HEREIN.

DRAFTS: AT SIGHT

DRAWN ON:CITIZENS BANK, N.A.

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER S903365 IN YOUR FAVOR FOR THE ACCOUNT OF NEW WINDSOR FARM, LLC FOR AN AMOUNT UP TO NINETY-ONE THOUSAND TWO HUNDRED AND 00/100 U.S. DOLLARS (USD 91,200.00) AVAILABLE BY YOUR SIGHT DRAFT(S) DRAWN ON CITIZENS BANK, N.A. AND ACCOMPANIED BY THE FOLLOWING DOCUMENTS:

1. THE ORIGINAL OF THIS LETTER OF CREDIT AND ALL AMENDMENTS

CONTINUED ON NEXT PAGE

International Division
20 Cabot Road
Medford, MA 02155 USA
888 868.0212 tel
SWIFT: CTZIUS33 TELEX 211047 CTZINTL

THERETO, IF ANY.

2. BENEFICIARY'S STATEMENT, PURPORTEDLY SIGNED BY AN AUTHORTIZED OFFICIAL OF THE TOWN OF NEW WINDSOR, STATING THAT:

"NEW WINDSOR FARM, LLC AND/OR ROBERT MINARD HAS FAILED TO PERFORM THE WORK AS REQUIRED BY PLANS APPROVED BY THE NEW WINDSOR PLANNING BOARD NO. 03-07."

EACH DRAFT MUST BEAR UPON ITS FACE THE CLAUSE "DRAWN UNDER CITIZENS BANK, N.A. LETTER OF CREDIT NO. S903365 DATED APRIL 26, 2006".

WE HEREBY AGREE WITH THE BENEFICIARY THAT DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS LETTER OF CREDIT WILL BE DULY HONORED IF PRESENTED TO OUR OFFICE AT 20 CABOT ROAD, MAIL STOP: MMF470, MEDFORD, MA 02155 ON OR BEFORE THE EXPIRATION DATE, OR ANY AUTOMATICALLY EXTENDED EXPIRATION DATE.

PARTIAL DRAWINGS ARE PERMITTED. IN THE EVENT OF A PARTIAL DRAWING, THE STATED AMOUNT OF THIS IRREVOCABLE STANDBY LETTER OF CREDIT SHALL BE AUTOMATICALLY REDUCED BY THE AMOUNT OF SUCH PARTIAL DRAW, AND THE BALANCE SHALL BE SUBJECT TO FURTHER DRAW(S).

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED AUTOMATICALLY EXTEDNED WITHOUT AMENDMENT, FOR AN ADDITIONAL PERIOD OF ONE YEAR FROM THE PRESENT OR EACH FUTURE EXPIRATION DATE, UNLESS AT LEAST THIRTY (30) DAYS PRIOR TO SUCH DATE, WE NOTIFY YOU IN WRITING BY REGISTERED MAIL OR OVERNIGHT COURIER SERVICE AT THE ABOVE ADDRESS, THAT WE ELECT NOT TO EXTEND THIS LETTER OF CREDIT FOR SUCH ADDITIONAL PERIOD AND SUCH NOTICE SHALL BE EFFECTIVE UPON DISPATCH.

UPON YOUR RECEIPT OF SUCH NOTICE, YOU MAY DRAW ON US BY YOUR DRAFT AT SIGHT FOR THE AMOUNT THEN AVAILABLE BALANCE WITHIN EXPIRATION DATE, AND STATEMENT IS NOT REQUIRED.

THIS LETTER OF CREDIT SETS FORTH IN FULL THE TERMS OF OUR UNDERTAKING, AND SUCH UNDERTAKING SHALL NOT IN ANY WAY BE MODIFIED, AMENDED OR AMPLIFIED BY REFERENCE TO ANY DOCUMENT, INSTRUMENT OR AGREEMENT REFERRED TO HEREIN OR TO WHICH THIS LETTER OF CREDIT RELATES, AND ANY SUCH REFERENCE SHALL NOT BE DEEMED TO INCORPORATE HEREIN BY REFERENCE ANY DOCUMENT,

CONTINUED ON NEXT PAGE

International Division
20 Cabot Road
Medford, MA 02155 USA
888 868.0212 tel
SWIFT: CTZIUS33 TELEX 211047 CTZINTL

INSTRUMENT OR AGREEMENT.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE "UNIFORM CUSTOMS AND PRACTICES FOR DOCUMENTARY CREDITS (1993 REVISION) INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500".

PLEASE ADDRESS ANY INQUIRIES OR CORRESPONDENCE TO ATTN: MICHAEL DOUGAN, INTERNATIONAL DEPT., QUOTING OUR REFERENCE NO: S903365
BY PHONE: (781) 655-4877, BY FAX: (781) 391-8701
BY SWIFT: CTZIUS33, BY TELEX: 211047 CTZINTL

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

	DATE-SENT	ACTION----------	DATE-RECD	RESPONSE----------
ORIG	03/18/2003	EAF SUBMITTED	03/18/2003	WITH APPLICA
ORIG	03/18/2003	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	03/18/2003	LEAD AGENCY DECLARED	03/26/2003	TOOK LA
ORIG	03/18/2003	DECLARATION (POS/NEG)	10/12/2005	DECL NEG DEC
ORIG	03/18/2003	SCHEDULE PUBLIC HEARING	03/26/2003	SCHED PH
ORIG	03/18/2003	PUBLIC HEARING HELD . NO PUBLIC COMMENT	03/24/2004	CLOSED PH
ORIG	03/18/2003	WAIVE PUBLIC HEARING	/ /	
ORIG	03/18/2003	PRELIMINARY APPROVAL	/ /	
ORIG	03/18/2003		/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/18/2003	REC. CK. #1913 - SUBDIVIS	PAID		600.00	
03/18/2003	REC. CK. #1915 - LL CHG	PAID		150.00	
03/26/2003	P.B. ATTY. FEE	CHG	35.00		
03/26/2003	P.B. MINUTES	CHG	16.50		
03/24/2004	P.B. ATTY. FEE	CHG	35.00		
03/24/2004	P.B. MINUTES	CHG	42.00		
10/12/2005	P.B. ATTY. FEE	CHG	35.00		
10/12/2005	P.B. MINUTES	CHG	16.50		
11/09/2005	P.B. ATTY. FEE	CHG	35.00		
11/09/2005	P.B. MINUTES	CHG	11.00		
02/14/2006	P.B. ENGINEER	CHG	1189.20		
03/22/2006	REC. CK. #2632	PAID		665.20	
			---	---	---
		TOTAL:	1415.20	1415.20	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/27/2006	APPROVAL FEES	CHG	370.00		
03/22/2006	REC. CK. #2631	PAID		370.00	
		TOTAL:	370.00	370.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/27/2006	4 LOT REC. FEE	CHG	8000.00		
03/22/2006	REC. CK. #2633	PAID		8000.00	
			---	---	---
		TOTAL:	8000.00	8000.00	0.00

629-1452

Town of New Windsor

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

OFFICE OF THE PLANNING BOARD

February 28, 2006

A. Diachishin and Associates, p.c.
Consulting Engineers & Land Surveyors
Napanoch, NY 12458

ATTN: ROBERT JAMES, P.E.

SUBJECT: ROBERT MINARD SUBDIVISION P.B. #03-07

Dear Mr. James:

Please find attached printouts of fees due for subject project.

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

Check #1 – Approval Fee.....$	370.00
Check #2 – Amount over escrow posted.....$	665.20
Check #3 - Recreation fee .....$	8,000.00
Check #4 - Inspection fee (4% of cost est. $91,200.00.....$	3,648.00

Please be aware a bond in the amount of $91,200.00 must be posted OR the work outlined in that bond estimate must be complete prior to the plans being signed approved.

Upon receipt of these checks and ten (10) sets of plans with mylar, I will have them stamped and signed approved. **I will also need a complete copy of the Private Road Maintenance Agreement as it was approved by the Planning Board Attorney.**

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

Very truly yours,

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

MLM

Sent 2-28-06

PB #03-07 approval Fee

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

RECEIPT
#248-2006

03/27/2006

Robert, Minard

Received $ 370.00 for Planning Board Fees, on 03/27/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/27/2006

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/18/2003	REC. CK. #1913 - SUBDIVIS	PAID		600.00	
03/18/2003	REC. CK. #1915 - LL CHG	PAID		150.00	
03/26/2003	P.B. ATTY. FEE	CHG	35.00		
03/26/2003	P.B. MINUTES	CHG	16.50		
03/24/2004	P.B. ATTY. FEE	CHG	35.00		
03/24/2004	P.B. MINUTES	CHG	42.00		
10/12/2005	P.B. ATTY. FEE	CHG	35.00		
10/12/2005	P.B. MINUTES	CHG	16.50		
11/09/2005	P.B. ATTY. FEE	CHG	35.00		
11/09/2005	P.B. MINUTES	CHG	11.00		
02/14/2006	P.B. ENGINEER	CHG	1189.20		
03/22/2006	REC. CK. #2632	PAID		665.20	
		TOTAL:	1415.20	1415.20	0.00

3/28/06

L.R. 3/27/06

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/27/2006

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/27/2006	4 LOT REC. FEE	CHG	8000.00		
03/22/2006	REC. CK. #2633	PAID		8000.00	
		TOTAL:	8000.00	8000.00	0.00

fran
3/28/06

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/27/2006

LISTING OF PLANNING BOARD **FEES**
4% FEE

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/27/2006	4% OF COST EST 91200.00	CHG	3648.00		
03/22/2006	REC. CK. #1022	PAID		3648.00	
		TOTAL:	3648.00	3648.00	0.00

3/28/06

Myra Mason

From: mje [mje@mhepc.com]
Sent: Wednesday, January 11, 2006 2:16 PM
To: NW - Myra Mason
Subject: Minard Closeout - 03-07

Myra

I reviewed the file. Status of items as follows:

Private Road Bond - The amount is acceptable. $91,200. Inspection fee will be based on this amount; however, since they propose to have inspections done as if it will be a town road in the future, it is based on the public improvement fee percentage. If this is still 4%, the fee would be $3648. It is my understanding they must put up the bond BEFORE the plan is stamped.
Please verify with Mike Babcock. If this is the case, do you have the actual bond and has the attorney approved the form?

Private Road Maint Agmt - Was forwarded to Andy Krieger early December. Has he OKed it ?

Everything else was ok with this application.

Can I send my final time printout or are either of the items above still open?

mark

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

3/27/06 Asked Mike Blythe if L.O.C. OK - he will let me know

TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEE SCHEDULE

APPLICATION FEE: $ 75.00

ESCROW:
RESIDENTIAL:
_____ LOTS @ $200.00 EACH LOT (FIRST FOUR LOTS) $_____
_____ LOTS @ $100.00 EACH LOT OVER FOUR LOTS $_____

COMMERCIAL:
_____ LOTS @ $500.00 EACH LOT (FIRST FOUR LOTS) $_____
_____ LOTS @ $200.00 EACH LOT OVER FOUR LOTS $_____

TOTAL ESCROW DUE: $_____

APPROVAL FEES:

PRE-PRELIMINARY PLAT APPROVAL $ 100.00
PRELIMINARY PLAT APPROVAL $ 150.00
FINAL PLAT APPROVAL FEE ($100.00 + $5.00/LOT) $ 120.00
FINAL PLAT SECTION FEE $ ~~100.00~~

TOTAL APPROVAL FEES: $ 370.00

RECREATION FEES:

4 LOTS @ ~~$1,500.00~~ 2,000.00 / LOT $ 8,000.00

TO BE DEDUCTED FROM ESCROW: ESCROW POSTED: $_____

P.B. ENGINEER FEE $_____
P.B. ATTY. FEE $_____
MINUTES OF MEETING $_____
OTHER $_____
TOTAL DEDUCTION: $_____

REFUND: $_____
AMOUNT DUE: $_____

PERFORMANCE BOND AMOUNT $_____

INSPECTION FEE:
2% PRIVATE IMPROVEMENTS $_____
4% PUBLIC IMPROVEMENTS $_____

REGULAR ITEMS:

ROBERT MINARD SUBDIVISION (03-07)

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

MR. PETRO: Proposed 4 lot residential subdivision. Application proposes subdivision of 13.5 acre parcel into four single family residential lots with a remainder of lot 44 being conveyed to lot 43.2 as a lot line change. Plan was previously reviewed at the 26 March, 2003, 24 March, 2004 planning board meetings. Property is in R-1 zone district of the Town, required bulk information is correct for the zone and use. The bulk table provided values still require some corrections which needs to be included in the final plans. Submitted sanitary designs are fine, previous private road detail is acceptable as previously corrected and then some procedural items. Why don't you show us what you're doing here and we'll move on.

MR. JAMES: We have a four lot residential subdivision off of Shaw Road with a private road about 800 feet long to access the four lots. It's an existing apple orchard. Each of the lots will have its own individual well and individual sewer system. We have completed the septic design which will be shallow absorption trenches. We have added since we were here last we added some drainage detailing at the site entrance and revised the road profile. I met with Mr. Kroll today and seemed to be satisfied with the entrance details that we prepared and that's about it.

MR. PETRO: Mark, can you find out if we did a negative dec on this or not?

MR. EDSALL: I didn't have a record of one noted. My file indicates that you took lead agency on March 26 and nothing since then.

MR. PETRO: Did we waive public hearing?

MR. EDSALL: No, there was a public hearing held on back in March as well.

MR. PETRO: 911 street numbers, address numbers were issued but you have to put them on the map here, they have to be shown on the map per lot.

MR. JAMES: Sight distances as shown.

MR. PETRO: You said you met with highway today?

MR. JAMES: Yes.

MR. PETRO: We're looking to see if he sent anything over today, if not, we'll have to get to that. Nothing on negative dec?

MR. BABCOCK: No.

MR. PETRO: Applicant will be required to submit a private road completion bond as per the Town's specifications. Do you have a copy of Mark's comments? You probably should take it with you.

MR. EDSALL: Here you go.

MR. PETRO: Draft copy of the private road agreement, okay, what I think we'll do is entertain a motion for negative dec.

MR. ARGENIO: I'll make a motion that we declare a negative dec for the SEQRA process for the Robert Minard subdivision.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the

New Windsor Planning Board declare a negative dec on the Robert Minard subdivision and lot line change. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. MINUTA	AYE
MR. MASON	AYE
MR. KARNAVEZOS	AYE
MR. AREGNIO	AYE
MR. PETRO	AYE

MR. PETRO: I think if you take this list that Mark has, clear those few items up, number 1, number 2, we need to have an approval from Highway which I don't have here, I know that you verbally met and there's not a problem but we need to have it on file, take care of these couple of items that appear, 911 street address just implement them on the map and the other ones are self-explanatory. We'll set you up next time, frankly, I think you'll be done at the next meeting. Thank you.

MR. BABCOCK: Is there a name?

MR. JAMES: Minard Lane.

MR. EDSALL: You have to correct the location plan up on the left, still has, looks like it might have the wrong name.

MR. JAMES: That's right.

MR. ARGENIO: Where Mark?

MR. EDSALL: The location map shows the private road as Shaw Lane, they wouldn't approve that because of the conflict with Shaw Road.

MR. JAMES: Thank you.

November 9, 2005

ROBERT MINARD SUBDIVISION

MR. PETRO: Next is Robert Minard Subdivision on Shaw Road. Proposed four lot residential subdivision. The application proposes subdivision of the 13.5-acre parcel into four single family residential lots. The remainder of lot 44 will be conveyed to lot 43.2 as a lot line change. The plan was previously reviewed at the 26 March 2003, 24 March 2004, and 12 October 2005 Planning Board meetings. R1 zone. The required bulk information and the plan is correct for the zoning use. The bulk table has been corrected. Each lot complies with the minimum requirements for the zone. Sanitary designs and the private road detail were previously reviewed and found acceptable. Conditions of approval should include, Mark, why don't you go over those.

MR. EDSALL: The private road completion bond which I received from Myra tonight. So we'll review that. Also the maintenance declaration. I see a copy. I'm not sure if Phil's received a copy.

MS. MASON: He's going to.

MR. EDSALL: So we will wait to hear from the attorney on that. And fees. Everything else has been resolved.

MR. PETRO: We could do those as conditional final.

MR. EDSALL: I would think so.

MR. PETRO: Any of the Board members have any problems with anything? I have fire approval on 11/9/2005. Highway approval on 9/27/2005.

MR. EDSALL: Jim, under comment four I did have one correction to the detail, I think it's the applicant's intent somewhere down the road to upgrade the private road to a Town road. It mistakenly indicates that Town roads have four inches of pavement, it's actually five. So I'm just suggesting that be corrected. And if they do in fact intend to construct the subsurface work so that it could be converted to a Town road, they need to arrange to have the proper inspections done. Can't

do it after it's built. So just let us know.

MR. ARGENIO: I'd like to make a motion for final approval for Robert Minard Subdivision lot line change subject to Mark's comments in a summary and the comment he just made about the changing of the pavement thickness and the inspections for the subsurface of the road.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to Robert Minard Subdivision lot line change on Shaw Road subject to the comments that were just read in. Any further comments from the Board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. MASON	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOAR[illegible]Chargeable to Applicant) CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 3- 7

FOR WORK DONE PRIOR TO: 02/14/2006

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION---------	RATE	HRS.	DOLLARS TIME	EXP.	BILLED	BALANCE
3-7	269400	08/03/05				BILL 05-1042					-108.90	
											-108.90	
3-7	277734	10/12/05	TIME	MJE	MC	MINARD SUB SHAW RD	99.00	0.50	49.50			
3-7	281087	11/08/05	TIME	MJE	MR	MINARD SUB	99.00	0.50	49.50			
3-7	280187	11/09/05	TIME	MJE	MM	Minard APPL	99.00	0.10	9.90			
									108.90			
3-7	283102	12/02/05				BILL 05-1703					-148.50	
											-148.50	
3-7	288164	01/11/06	TIME	MJE	MC	MINARD SUB CLOSEOUT	115.00	0.50	57.50			
							TASK TOTAL		1189.20		-1131.70	
										0.00		57.50
							GRAND TOTAL		1189.20		-1131.70	
										0.00		57.50

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOAR[illegible]hargeable to Applicant) CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 3- 7

FOR WORK DONE PRIOR TO: 02/14/2006

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION---------	RATE	HRS.	TIME	EXP.	DOLLARS BILLED	BALANCE
3-7	194085	02/19/03	TIME	MJE	WS	MINARD SUB	95.00	0.40	38.00			
3-7	194480	03/05/03	TIME	MJE	WS	MINARD SUB 6-LOT	95.00	0.40	38.00			
3-7	196170	03/26/03	TIME	MJE	MC	MINARD SUB	95.00	0.50	47.50			

									123.50			
3-7	197598	04/16/03				BILL 03-483					-123.50	

											-123.50	
3-7	206683	08/20/03	TIME	MJE	WS	MINARD SUB	95.00	0.40	38.00			

									38.00			
3-7	209166	10/01/03				BILL 03-1187					-38.00	

											-38.00	
3-7	219028	02/04/04	TIME	MJE	WS	MINARD SUBDIVISION	99.00	0.40	39.60			
3-7	223616	03/23/04	TIME	MJE	MC	MINARD SUB	99.00	0.70	69.30			
3-7	225319	04/21/04	TIME	MJE	WS	MINARD SUB	99.00	0.40	39.60			

									148.50			
3-7	225793	04/28/04				BILL 04-459					-148.50	

											-148.50	
3-7	231797	06/22/04	TIME	BMM	FI	MINARD PERCS	99.00	2.50	247.50			
3-7	231873	06/28/04	TIME	MJE	MC	DISC SDSs MINARD	99.00	0.30	29.70			
3-7	232323	06/29/04	TIME	BMM	FI	MINARD PERCS	99.00	2.50	247.50			
3-7	234842	07/28/04	TIME	MJE	MC	TC/BOB JAMES/MINARD	99.00	0.40	39.60			

									564.30			
3-7	234845	08/04/04				BILL 04-852 8/4/04					-564.30	

											-564.30	
3-7	255075	03/16/05	TIME	MJE	WS	ROBERT MINARD	99.00	0.40	39.60			
3-7	267657	07/11/05	TIME	BMM	MR	MINARD PERC RVW	99.00	0.50	49.50			
3-7	267338	07/15/05	TIME	MJE	MC	MINARD W/BM	99.00	0.20	19.80			
3-7	271089	08/17/05	TIME	MJE	WS	MINARD SUB	99.00	0.40	39.60			

									148.50			

a. diachishin and associates, p.c.

CONSULTING ENGINEERS & LAND SURVEYORS
NAPANOCH, NEW YORK 12458
PHONE: 845-647-6514
FAX: 845-647-6644

October 18, 2005

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, N.Y. 12553
Attn: Myra Mason

Re: Cost estimate for Private Road bond, Minard Lane in the subdivision for lands of Robert Minard at Shaw Road

The following is a preliminary cost estimate for Private Road Construction. Approximately 800 lf private road with standard dimension cul-de-sac.

ITEM / DESCRIPTION	ESTIMATED COST
1. Construction stakeout	$3,000
2. Clearing and Grubbing (30,000 s.f.±)	$3,000
3. Strip Topsoil (500 c.y.±)	$1,000
4. Site Grading: Cuts - 1,600 c.y.±	$3,200
Fills - 50 c.y.±	$100
5. Road Sub-base: 15" N.Y.S.D.O.T. 304-2.02, Type 4 (includes: material, trucking, placement, and compaction) 1,700 c.y.± Note: The normal depth of sub-base for the future conversion of Private Road to Rural Street is 12". A 15" layer will be installed to bring the roadway closer to the final future grade. The width of the sub-base is to be 30' wide for conversion to future Rural Street. The thickness of the final oil and chip for the private road will be about 3"-4" less than the required paving thickness for the future Rural Street.	$51,000
6. Oil and Chip paving: Double application 0.5 gallons/s.y. oil emulsion with 3/8" diameter stone for each application. 3,000 s.y.±	$24,000

7. Catch Basin with frame and grate	$1,800
8. Storm sewers: 15" dia. (driveways included), 200 lf ±	$3,600
9. Flared End Sections	
15" dia., (1)	$100
10. Road signage	$400
TOTAL COST ESTIMATE	$91,200

Very truly yours,

A. DIACHISHIN & ASSOCIATES, P.C.

Robert J. James, P.E., L.S.

minard1costest.plb

RESULTS OF P.B. MEETING OF: November 9, 2005

PROJECT: Robert Minard Sub P.B. # 03-07

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y_____N____
TAKE LEAD AGENCY: Y____N____

M)___S)____VOTE: A____N____
CARRIED: Y_____N____

NEGATIVE DEC:

M)___S)____VOTE: A____N____
CARRIED: Y_____N____

PUBLIC HEARING: WAIVED:_____ CLOSED:_____

M) _____ S)_____ VOTE: A____N____ SCHEDULE P.H.: Y_____N____

SEND TO O.C. PLANNING: Y____
SEND TO DEPT. OF TRANSPORTATION: Y____

REFER TO Z.B.A.: M)____ S)____ VOTE: A____N____

RETURN TO WORK SHOP: Y___N____

APPROVAL:

M) A S) S VOTE: A 5 N 0 APPROVED: 11-9-05

NEED NEW PLANS: Y____N____

CONDITIONS – NOTES:

Bond to approve Maintenance Agreement
Road fees paid
Cost Est - given to Mark 11-9-05
Mark Comments
Pavement Thickness

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
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MJE@MHEPC.COM

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME:	ROBERT MINARD SUBDIVISION & LOT LINE CHANGE
PROJECT LOCATION:	SHAW ROAD SECTION 55 – BLOCK 1 – LOT 43.2 & 44
PROJECT NUMBER:	03-07
DATE:	9 NOVEMBER 2005
DESCRIPTION:	THE APPLICATION PROPOSES SUBDIVISION OF THE 13.5 +/- ACRE PARCEL (LOT 44) INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL LOTS, WITH THE REMAINDER OF LOT 44 BEING CONVEYED TO LOT 43.2 AS A LOT LINE CHANGE. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 26 MARCH 2003, 24 MARCH 2004 AND 12 OCTOBER 2005 PLANNING BOARD MEETINGS

1. The property is located in the R-1 zoning district of the town. The "required" bulk information on the plan is correct for the zone and use. The bulk table has been corrected. Each lot complies with the minimum requirements for the zone.

2. Sanitary designs and the private road detail were previously reviewed and found acceptable.

3. Conditions of approval should include:

   - The applicant will be required to submit a Private Road Completion Bond per the requirements of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.

   - The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Town Attorney for review.

   - Payment of all applicable fees.

4. The note above the private road detail indicates that the applicant intends, at some time in the future, to upgrade this road to a Town road. The applicant is advised that they will be required to comply with the Town Street Specification in effect at the time the upgrade is proposed.

Further, the applicant will be required to schedule inspections in a manner consistent with a Town Roadway, including proof-rolling of subgrade, and any other applicable requirements. Inspection fees for this portion of the work will be based on a Town Road. Coordinating same will be the responsibility of the developer.

With regard to the note, same should be corrected to indicate 5" pavement thickness.

Respectfully Submitted,

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

MJE/st
NW03-07-09Nov05.doc

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/09/2005

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

	DATE-SENT	AGENCY----------	DATE-RECD	RESPONSE----------
REV3	11/09/2005	MUNICIPAL HIGHWAY	09/27/2005	APPROVED
REV3	11/09/2005	MUNICIPAL WATER	/ /	
REV3	11/09/2005	MUNICIPAL SEWER	/ /	
REV3	11/09/2005	MUNICIPAL FIRE	11/09/2005	APPROVED
REV3	11/09/2005	NYSDOT	/ /	
REV3	11/09/2005	E 911	11/09/2005	APPROVED
REV2	09/05/2005	MUNICIPAL HIGHWAY	11/09/2005	SUPERSEDED BY REV3
REV2	09/05/2005	MUNICIPAL WATER	11/09/2005	SUPERSEDED BY REV3
REV2	09/05/2005	MUNICIPAL SEWER	11/09/2005	SUPERSEDED BY REV3
REV2	09/05/2005	MUNICIPAL FIRE	11/09/2005	SUPERSEDED BY REV3
REV2	09/05/2005	NYSDOT	11/09/2005	SUPERSEDED BY REV3
REV1	03/18/2004	MUNICIPAL HIGHWAY	03/24/2004	DISAPPROVED
		. NEED SITE DISTANCE CALCULATIONS AND DRAINAGE PLAN		
REV1	03/18/2004	MUNICIPAL FIRE	03/24/2004	DISAPPROVED
		. NEED STREET NAME ON ALL PLATS - THREE COPIES OF SUBDIVISION		
		. PLAT SHOWING STREET, PARCEL SIZE AND ESTIMATED DRIVEWAY		
		. LOCATION SHALL BE PROVIDED TO THE E-911 COORDINATOR FOR		
		. NUMBERING. ONCE NUMBERS ARE ASSIGNED, THEY SHALL BE PLACED		
		. ON ALL SUBDIVISION MAPS.		
ORIG	03/18/2003	MUNICIPAL HIGHWAY	09/05/2005	SUPERSEDED BY REV2
ORIG	03/18/2003	MUNICIPAL WATER	03/24/2003	APPROVED
ORIG	03/18/2003	MUNICIPAL SEWER	09/05/2005	SUPERSEDED BY REV2
ORIG	03/18/2003	MUNICIPAL FIRE	03/18/2003	APPROVED
ORIG	03/18/2003	NYSDOT	09/05/2005	SUPERSEDED BY REV2

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/09/2005

LISTING OF PLANNING BOARD**ACTIONS**

STAGE:

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

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE-- MEETING-PURPOSE----------ACTION-TAKEN--------

03/24/2004 P.B. APPEARANCE - PUBLIC HEA CLOSED PH: RETURN
. ADDRESS MARKS COMMENTS - ADD SITE DISTANCE ON PLAN - NO
. PUBLIC COMMENT

03/26/2003 P.B. APPEARANCE LA: SCHED PH
. ADDRESS MARK'S COMMENTS - COMPLETE SANITARY WORK - COME TO
. WORK SHOP THEN SCHEDULE PH

03/05/2003 WORK SHOP APPEARANCE SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/09/2005

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

	DATE-SENT	ACTION----------	DATE-RECD	RESPONSE----------
ORIG	03/18/2003	EAF SUBMITTED	03/18/2003	WITH APPLICA
ORIG	03/18/2003	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	03/18/2003	LEAD AGENCY DECLARED	03/26/2003	TOOK LA
ORIG	03/18/2003	DECLARATION (POS/NEG)	10/12/2005	DECL NEG DEC
ORIG	03/18/2003	SCHEDULE PUBLIC HEARING	03/26/2003	SCHED PH
ORIG	03/18/2003	PUBLIC HEARING HELD . NO PUBLIC COMMENT	03/24/2004	CLOSED PH
ORIG	03/18/2003	WAIVE PUBLIC HEARING	/ /	
ORIG	03/18/2003	PRELIMINARY APPROVAL	/ /	
ORIG	03/18/2003		/ /	

Town of New Windsor

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OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: HIGHWAY DEPARTMENT

P.B. FILE #**03-07** DATE RECEIVED: **09-05-05** TAX MAP **#55-1-43.2 & 44**

PLEASE RETURN COMPLETED FORM TO MYRA BY: A.S.A.P. TO BE ON AGENDA FOR THE 9-28-05 PLANNING BOARD MEETING.

RECEIVED
SEP 22 2005
N.W. HIGHWAY DEPT.

THE MAPS AND/OR PLANS FOR:

ROBERT MINARD SUBDIVISION
Applicant or Project Name

SITE PLAN _____, SUBDIVISION **XXX**, LOT LINE CHANGE _____, SPECIAL PERMIT _____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☑ APPROVED:

Notes:

☐ DISAPPROVED:

Notes:

Signature: Henry Kroll (MVZ) 9/27/05
Reviewed by date

Town of New Windsor

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

OFFICE OF THE PLANNING BOARD

RECEIVED
SEP 23 2005
TOWN OF NEW WINDSOR
FIRE INSPECTOR OFFICE

PROJECT REVIEW SHEET

TO: E 911 COORDINATOR

P.B. FILE #**03-07** DATE RECEIVED: **09-05-05** TAX MAP #**55-1-43.2 & 44**

PLEASE RETURN COMPLETED FORM TO MYRA BY: A.S.A.P. TO BE ON AGENDA FOR THE 9-28-05 PLANNING BOARD MEETING.

THE MAPS AND/OR PLANS FOR:

ROBERT MINARD SUBDIVISION
Applicant or Project Name

SITE PLAN ____, SUBDIVISION **XXX**, LOT LINE CHANGE ____, SPECIAL PERMIT ____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☐ APPROVED:

Notes:

☒ DISAPPROVED:

Notes: (1) Approved Street name Minard Lane a private Road Shall be placed on All Plats. (2) Three copies of the Subdivision Plat Showing Street, parcel Size + Estmate driveway location Shall be provided for the E-911 Coordinator for numbering. Once E911 numbers are assigned, they shall be placed on All Subdivision maps

Signature: [signature] 9/23/05
Reviewed by date

Town of New Windsor

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Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

RECEIVED
SEP 13 2005
TOWN OF NEW WINDSOR
FIRE INSPECTOR OFFICE

PROJECT REVIEW SHEET

TO: FIRE INSPECTOR

P.B. FILE #**03-07** DATE RECEIVED: **09-05-05** TAX MAP **#55-1-43.2 & 44**

PLEASE RETURN COMPLETED FORM TO MYRA BY: A.S.A.P. TO BE ON AGENDA FOR THE 9-28-05 PLANNING BOARD MEETING.

THE MAPS AND/OR PLANS FOR:

ROBERT MINARD SUBDIVISION
Applicant or Project Name

SITE PLAN ____, SUBDIVISION **XXX**, LOT LINE CHANGE ____, SPECIAL PERMIT ____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes:

☐ DISAPPROVED:

Notes:

Signature: 9/22/05
Reviewed by date

RESULTS OF P.B. MEETING OF: March 24, 2004

PROJECT: Robt Minard Sub. P.B. # 03-07

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y____ N____
TAKE LEAD AGENCY: Y____ N____

M)____ S)____ VOTE: A____ N____
CARRIED: Y____ N____

NEGATIVE DEC:

M)____ S)____ VOTE: A 5 N____
CARRIED: Y X N____

PUBLIC HEARING: WAIVED:____ CLOSED: ✓

M) A S) L VOTE: A 5 N 0 SCHEDULE P.H.: Y____ N____

SEND TO O.C. PLANNING: Y____
SEND TO DEPT. OF TRANSPORTATION: Y____

REFER TO Z.B.A.: M)____ S)____ VOTE: A____ N____

RETURN TO WORK SHOP: Y____ N____

APPROVAL:

M)____ S)____ VOTE: A____ N____ APPROVED: ____

NEED NEW PLANS: Y____ N____

CONDITIONS – NOTES:

Mark's Comments of 3/24/04
Add site distance on plan
No Public Comment

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

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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor **P/B APP. NO.:** 03 - 07

WORK SESSION DATE: Aug 17, 2005 **PROJECT:** NEW ____ OLD X

REAPPEARANCE AT W/S REQUESTED: No **RESUB. REQ'D:** new plans

PROJECT NAME: Minard Subdiv

REPRESENTATIVES PRESENT: Mike Walker / Robt Minard / Robt James LS

MUNICIPAL REPS PRESENT:

BLDG INSP.	____	FIRE INSP.	____
ENGINEER	X	PLANNER	____
P/B CHMN	____	OTHER	____

ITEMS DISCUSSED:

- shallow SSS - tests done for that type?
- HK approved. dis sight dist + drainage
- FD road name w/ street #'s
- Private Road.
- verify H/H held.

STND CHECKLIST:

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

PROJECT TYPE

SITE PLAN
SPEC PERMIT
L L CHG.
(SUBDIVISION)
OTHER

PROJECT STATUS:

ZBA Referral: ____ Y X N

Ready For Meeting X Y ____ N

Recommended Mtg Date next avail

WorksessionForm.doc 9-02 MJE

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.
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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor **P/B APP. NO.:** 03 - 07

WORK SESSION DATE: 16 March 2005 **PROJECT:** NEW ____ OLD X

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

PROJECT NAME: Minard Subdiv.

REPRESENTATIVES PRESENT: Mr. Minard + Bob James

MUNICIPAL REPS PRESENT:

BLDG INSP.	____	FIRE INSP.	____
ENGINEER	X	PLANNER	____
P/B CHMN	____	OTHER	____

ITEMS DISCUSSED:

- done w/ P/a
- need to do shallow percs.
- will call Brendan for witness
- 911 numbering.

STND CHECKLIST:

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

PROJECT TYPE

SITE PLAN
SPEC PERMIT
L L CHG.
SUBDIVISION
OTHER

PROJECT STATUS:

ZBA Referral: ____ Y ____ N
Ready For Meeting ____ Y ____ N
Recommended Mtg Date ____

ROBERT MINARD SUBDIVISION 03-07

MR. PETRO: Application proposes subdivision of 13.5 acre parcel into 4 single family residential lots, with the remainder of the lot 44 being conveyed to lot 43.2 is a lot line change, the lot 43.2 is going to become a very large lot is what you're saying?

MR. JAMES: Right.

MR. PETRO: Plan was previously reviewed at the 26 March, 2003 3 planning board meeting. The application is here tonight for a public hearing, it's an R-1 zone district, required bulk information is correct for the zone and use. Some corrections are needed however each lot appears to comply with the minimum requirements. Mark, you'll have to go over with the applicant when you say, however, you can explain how much, we don't need to do that now because it's going to probably be housekeeping unless it's something you want to talk about. Sanitary designs are shown on the plan. I have no record of the soils testing or being witnessed, once this is performed, I will review the submitted designs. What's your name, sir?

MR. JAMES: Bob James.

MR. PETRO: Mr. James, have you done any designs?

MR. JAMES: Yes, all the testing has been done.

MR. PETRO: Do you have anything for Mr. Edsall to review?

MR. JAMES: I can send you perc and deep soil information. It should be on the plan.

MR. EDSALL: You weren't aware that the board does require and it might have occurred since your last appearance back in March that the perc tests have to be

witnessed.

MR. JAMES: All of them, what about deep holes?

MR. EDSALL: Both.

MR. PETRO: What's the separation for well and septic on this?

MR. EDSALL: It's 200 if the well's downgrade of the septic.

MR. PETRO: You just went a hundred feet?

MR. JAMES: Yes.

MR. PETRO: For the private road details some revisions are needed, the ditch note should change the soil from none rip-rap to less than 5 percent outlet of the drainage through, the town road should be approved through the highway superintendent. Again, we have disapproved from highway and fire so we'll get to that in a few minutes.

MR. LANDER: What are we doing with lot 43.1?

MR. PETRO: That land is going to be conveyed.

MR. JAMES: No, 43.1 is a separate tax lot.

MR. PETRO: You're going to do a lot line change to add the remaining lands of this?

MR. JAMES: 43.1 is a separate owner, different owner and they have a right-of-way over the current lands there, you'll see lands of--

MR. LANDER: So again how does that work, the road is longer than 800 feet?

MR. EDSALL: Eight hundred to the center line of the cul-de-sac.

MR. ARGENIO: What about lot 43.1?

MR. JAMES: That's been there in for quite a while.

MR. PETRO: We're going to treat it as a driveway from the cul-de-sac to that lot, correct?

MR. EDSALL: Yes.

MR. SCHLESINGER: The who owns that driveway.

MR. JAMES: The owner of the farm, Minard owns the land, they have a right-of-way, they already have a right-of-way that runs all the way to Shaw Road.

MR. JAMES: The owner of both sides there would be MInard driveway's in the easement.

MR. PETRO: Let me just go over this quickly and I'm going to open it up to the public. Highway needs sight distance calculations and drainage plan, it's that simple and again, you heard me tell the fella before you he wants to see actual sight distance on the map and the fire needs street names on all parts, three copies of subdivision plot showing street parcel size, estimated driveway location shall be provided to the E-911 coordination for numbering, once the numbers are assigned, they should be placed on all subdivision maps. So you have both of those outside agencies here to take care of.

MR. JAMES: Right.

MR. PETRO: Okay, again, this is a public hearing. On the 9th day of March, 2004, 20 addressed envelopes containing the public hearing notice were mailed out.

MR. JAMES: One got returned.

MR. PETRO: Make that 19, so someone would like to speak for or against this application, be recognized by the Chair, come forward, state your name and address and your concern. Anyone want to talk? Motion to close the public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Robert Minard subdivision and lot line change on Shaw Road. Is there any further discussion? If not, roll call.

ROLL CALL

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

MR. PETRO: I will open it up to the board for any further discussion, as per the 911 policy of the Town, the project will require the assessment of the street name, we already went over that with the fire.

MR. JAMES: Minard Lane will work for them if there's no duplication and I'm going to give them a couple other names.

MR. PETRO: You can coordinate with this if they say that's fine, that's fine with us, we don't contradict what they say because they have the map to see if there's any duplication. Mark, do you have anything else at this time that we need to do?

MR. EDSALL: No.

MR. PETRO: I would suggest that you get a copy of Mark's comments.

MR. BABCOCK: He does.

MR. PETRO: Correct those and pretty much you're on your way. Thank you.

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: ROBERT MINARD SUBDIVISION & LOT LINE CHANGE
PROJECT LOCATION: SHAW ROAD
SECTION 55 – BLOCK 1 – LOT 43.2 & 44
PROJECT NUMBER: 03-07
DATE: 24 MARCH 2004
DESCRIPTION: THE APPLICATION PROPOSES SUBDIVISION OF THE 13.5 +/- ACRE PARCEL (LOT 44) INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL LOTS, WITH THE REMAINDER OF LOT 44 BEING CONVEYED TO LOT 43.2 AS A LOT LINE CHANGE. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 26 MARCH 2003 PLANNING BOARD MEETING. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The property is located in the R-1 zoning district of the town. The "required" bulk information on the plan is correct for the zone and use. The bulk table has been expanded to indicate "provided" values for each lot. Some corrections are needed; however, each lot appears to comply with the minimum requirements.

2. Sanitary designs are shown on the plan. I have no record of the soils testing being witnessed. Once this is performed, we will review the submitted designs.

3. For the private road detail some revisions are needed, as follows:

   - The ditch note should change the slope for non-rip-raped swales to less than 5%.

   - Outlet of drainage toward the Town Road must be approved by the Highway Superintendent.

4. As per the 911 Policy of the Town, this project will require the assignment of a street name and 911 address numbering. This should be submitted to the Fire Inspector for review and approval.

Respectfully Submitted,

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

MJE/st
NW03-07-24Mar04.doc

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.
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Writer's E-mail Address:
mje@mhepc.com

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor **P/B APP. NO.:** 03-07

WORK SESSION DATE: 21 April 2004 **PROJECT:** NEW _____ OLD _____

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

PROJECT NAME: Minard Subdiv.

REPRESENTATIVES PRESENT: Bob James.

MUNICIPAL REPS PRESENT:

BLDG INSP.		FIRE INSP.	
ENGINEER	X	PLANNER	
P/B CHMN		OTHER	

ITEMS DISCUSSED:

- need perc - witnessed
- show culvert 15"
- HDPE w/ 12" cover
- sight distance.
- 911 number.
- P/H closed? (3/24/04) ck

STND CHECKLIST:

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

PROJECT TYPE

SITE PLAN
SPEC PERMIT
L L CHG.
SUBDIVISION
OTHER

PROJECT STATUS:
ZBA Referral: ____Y ____N
Ready For Meeting ____Y ____N
Recommended Mtg Date _____

WorksessionForm.doc 9-02 MJE

4. As per the 911 Policy of the Town, this project will require the assignment of a street name and 911 address numbering. This should be submitted to the Fire Inspector for review and approval.

Respectfully Submitted,

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

MJE/st
NW03-07-24Mar04.doc

Town of New Windsor

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

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: HIGHWAY DEPARTMENT

P.B. FILE #**03-07** DATE RECEIVED: **03-18-2004**

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

THE MAPS AND/OR PLANS FOR:

MINARD SUBDIVISION
Applicant or Project Name

SITE PLAN _____, SUBDIVISION **XXX**, LOT LINE CHANGE _____,
SPECIAL PERMIT _____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☐ APPROVED:

Notes:_____

☑ DISAPPROVED:

Notes: NEED SITE DISTANCE CALCULATIONS AND DRAINAGE PLAN

Signature: Henry J Kroll 3/24/04
Reviewed by date

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
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NEW WINDSOR, NEW YORK 12553

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

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

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: ROBERT MINARD SUBDIVISION & LOT LINE CHANGE
PROJECT LOCATION: SHAW ROAD
SECTION 55 – BLOCK 1 – LOT 43.2 & 44
PROJECT NUMBER: 03-07
DATE: 12 OCTOBER 2005
DESCRIPTION: THE APPLICATION PROPOSES SUBDIVISION OF THE 13.5 +/- ACRE PARCEL (LOT 44) INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL LOTS, WITH THE REMAINDER OF LOT 44 BEING CONVEYED TO LOT 43.2 AS A LOT LINE CHANGE. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 26 MARCH 2003 AND 24 MARCH 2004 PLANNING BOARD MEETINGS

1. The property is located in the R-1 zoning district of the town. The "required" bulk information on the plan is correct for the zone and use. The bulk table (provided values) still require some corrections. These should be included on the final plans submitted. The lots comply with all minimum requirements.

2. Sanitary designs are shown on the plan. Representatives of our office previously witnessed the testing and the indicated results are consistent with the data indicated. We take no exception to the designs as depicted on the plans.

3. The private road detail was previously corrected and is acceptable.

4. Some procedural items should be verified:

   - An approval from the Highway Superintendent should be on file, specifically due to the proposed outlet of drainage toward the Town Road and sight distance.

   - We should verify status of SEQRA. If a negative declaration was not issued, I recommend the Board consider on at this time.

- I am aware that 911 street address numbers were issued. These are supposed to be depicted on the subdivision plat.

- The applicant will be required to submit a Private Road Completion Bond per the requirements of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.

- The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Town Attorney for review.

5. The applicant is reminded that if they intend to upgrade to a Town Road at some time in the future, they must arrange for inspections of the subgrade and subbase to Town Road standards as part of the Private Road construction, and pay fees consistent with the equivalent Town Road construction.

Respectfully Submitted,

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

MJE/st
NW03-07-12Oct05.doc

PLANNING BOARD: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK

----------X

In the Matter of the Application for Subdivision for:

ROBERT MINARD P. B. #03-07

Applicant

AFFIDAVIT OF
SERVICE
BY MAIL

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the **9TH** day of MARCH, 20004, I compared the 20 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for site plan/subdivision/special permit/lot line change approval and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra Mason
Myra L. Mason, Secretary

10th day of March, 2004

Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on **MARCH 24, 2004** at 7:30 P.M. on the approval of the proposed Subdivision for

ROBERT MINARD 03-07

Located at **SHAW ROAD** (Tax Map #Section **55**, Block **1**, Lot **43.2 & 44**) .

Map of the proposed project is on file and may be inspected at the **Planning Board Office**, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public Hearing.

Date: MARCH 5, 2004

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman

Town of New Windsor

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

Assessor's Office

February 20, 2004

Robert J. James, P.E. L.S.
Napanoch, NY 12458

Re : 55-1-43.2 & 55-1-44 Robert Minard PB#03-07

Dear Mr. James :

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

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

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

Sincerely,

J. Todd Wiley IAO

J. Todd Wiley, IAO
Sole Assessor

JTW/lrd
Attachments

CC: Myra Mason, PB

52-1-37
Washingtonville Soccer Club Inc.
PO Box 24
Washingtonville, NY 10992

52-1-39
Livaina Rasmussen
Joan Anne Calister
94 Shaw Road
Rock Tavern, NY 12575

52-1-41.1
Edwin & Sylvia Carlson
102 Shaw Road
Rock Tavern, NY 12575

52-1-42.1
Highview Estates of Orange County Inc.
PO Box 286
Salisbury Mills, NY 12577

52-1-42.2
Angelo & Amy Romeo
112 Shaw Road
Rock Tavern, NY 12575

52-1-43
Iole Zavoli
564 Metropolitan Avenue
Brooklyn, NY 11211

52-1-44.2
Nicholas Jones
1679 Little Britian Road
Rock Tavern, NY 12575

55-1-32.1
Raymond & Carolynn Mulligan
387 Old Museum Road
Monroe, NY 10950

55-1-34
R & C Mulligan Corporation
508 Beattie Road
Rock Tavern, NY 12575

55-1-42.4
Beattie R. Associates, LLC
119 Rockland Center #150
Nanuet, NY 10954

55-1-43.1
Christopher & Kari Messler
81 Shaw Road
Rock Tavern, NY 12575

55-1-45.1
Alfred & Mary Ann Meola
PO Box 31
Rock Tavern, NY 12575

55-1-45.21
Christopher & Gloria Whitford
14 Feitsma Lane
Rock Tavern, NY 12575

55-1-45.221
Edward & Amy Surdyka
8 Feitsma Lane
Rock Tavern, NY 12575

55-1-45.222
Leslie & Michael Steup
10 Feitsma Lane
Rock Tavern, NY 12575

55-1-45.23
Gilbert & Catherine Lester
12 Feitsma Lane
Rock Tavern, NY 12575

55-1-46
Marilyn DeLeon
6 Feitsma Lane
Rock Tavern, NY 12575

55-1-47
Mark & Claudette Katz
4 Feitsma Lane
Rock Tavern, NY 12575

55-1-60
Diana & Margaret Duskin
PO Box 268
Washingtonville, NY 10992

56-1-40
Robert & Sylvia Mangold
155 Bull Road
Washingtonville, NY 10992

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

RECEIPT
#171-2004

02/20/2004

James, Robert

Received $ 10.00 for Assessors List, on 02/20/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

CHECKED BY MYRA: 2/18/04 OK

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: **02-18-2004** PROJECT NUMBER: ZBA# ____ P.B. # **03-07**

APPLICANT NAME: **ROBERT MINARD**

PERSON TO NOTIFY TO PICK UP LIST:

ROBERT J. JAMES, P.E., L.S.
NAPANOCH, NY 12458

TELEPHONE: **647-6514**

TAX MAP NUMBER:
SEC. **55** BLOCK **1** LOT **43.2**
SEC. **55** BLOCK **1** LOT **44**
SEC. ____ BLOCK ____ LOT ____

PROPERTY LOCATION: **SHAW ROAD**
NEW WINDSOR

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: **XXX**

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

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) ____

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

❖ ❖

NEW WINDSOR ZONING BOARD ____

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT ____

❖ ❖

AMOUNT OF DEPOSIT: **25.00** CHECK NUMBER: **14271**

TOTAL CHARGES: _____

RESULTS OF P.B. MEETING OF: March 26, 2003

PROJECT: Robert Minard Subdivision P.B. # 03-07

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y____ N____
TAKE LEAD AGENCY: Y ✓ N____

M) K S) A VOTE: A 5 N 0
CARRIED: Y ✓ N____

NEGATIVE DEC:

M)___ S)___ VOTE: A___ N___
CARRIED: Y___ N___

PUBLIC HEARING: WAIVED: No CLOSED:___

M) A S) B VOTE: A 5 N 0 SCHEDULE P.H.: Y ✓ N___

SEND TO O.C. PLANNING: Y___
SEND TO DEPT. OF TRANSPORTATION: Y___

REFER TO Z.B.A.: M)___ S)___ VOTE: A___ N___

RETURN TO WORK SHOP: Y___ N___

APPROVAL:

M)___ S)___ VOTE: A___ N___ APPROVED: ___

NEED NEW PLANS: Y___ N___

CONDITIONS – NOTES:

Address Mark's Comments
Get sanitary work done - Work shop - Then P.H.

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

RECEIPT
#268-2003

03/18/2003

Minard, Robert
P O Box 65
Clintondale, NY 12515

Received $ 50.00 for Planning Board Fees, on 03/18/2003. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

03-07 SD application fee

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

RECEIPT
#267-2003

03/18/2003

Minard, Robert
P O Box 65
Clintondale, NY 12515

Received $ 50.00 for Planning Board Fees, on 03/18/2003. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB # 03-07 LL application fee

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/18/2003

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-7
NAME: ROBERT W. MINARD SUB & L.L. CHG
APPLICANT: MINARD, ROBERT

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/18/2003	REC. CK. #1913 - SUBDIVIS	PAID		600.00	
03/18/2003	REC. CK. #1915 - LL CHG	PAID		150.00	
		TOTAL:	0.00	750.00	-750.00

3/18/03

P.B. #03-07 L.L. Chg Application fee

ROBERT W. MINARD
P.O. BOX 65, RT. 44 55 PH. 845-883-6217
CLINTONDALE, NY 12515

1914

Date 3-13-03

50-693/219
323

Pay to the Order of — Town of New Windsor — $ 50.00/100

Fifty-dollars and 00/100 Dollars

KeyBank National Association
Marlboro, New York 12542
1-800-KEY2YOU

Key Privilege

For Lot line change

Robert W. Minard

⑆021906934⑆ 3230005997⑈ 1914

P.B. #03-07 Subdivision Application fee

ROBERT W. MINARD
P.O. BOX 65, RT. 44 55 PH. 845-883-6217
CLINTONDALE, NY 12515

1912

Date 3-13-03

50-693/219
323

Pay to the Order of — Town of New Windsor — $ 50.00/100

Fifty-dollars and 00/100 Dollars

KeyBank National Association
Marlboro, New York 12542
1-800-KEY2YOU

Key Privilege

For Subdivision

Robert W. Minard

⑆021906934⑆ 3230005997⑈ 1912

P.B. #03-07 Subdivision Escrow

ROBERT W. MINARD
P.O. BOX 65, RT. 44 55 PH. 845-883-6217
CLINTONDALE, NY 12515

1913

Date 3-13-03

50-693/219
323

Pay to the Order of — Town of New Windsor — $ 600.00/100

Six Hundred dollars and 00/100 Dollars

KeyBank National Association
Marlboro, New York 12542
1-800-KEY2YOU

Key Privilege

For Subdivision

Robert W. Minard

⑆021906934⑆ 3230005997⑈ 1913

P.B. #03-07 L.L. Chg Escrow

ROBERT W. MINARD
P.O. BOX 65, RT. 44 55 PH. 845-883-6217
CLINTONDALE, NY 12515

1915

Date 3-13-03

50-693/219
323

Pay to the Order of — Town of New Windsor — $ 150.00/100

One Hundred-fifty dollars and 00/100 Dollars

KeyBank National Association
Marlboro, New York 12542
1-800-KEY2YOU

Key Privilege

For Lot line change

Robert W. Minard

⑆021906934⑆ 3230005997⑈ 1915

03-07

FIRE INSPECTOR'S
INTER-OFFICE CORRESPONDENCE

TO: James Petro, Planning Board Chairman

FROM: John McDonald, Fire Inspector

SUBJECT: Robert Minard Subdivision
PB 03-07

DATE: March 24, 2004

Fire Prevention Reference Number: FPS-04-013

The above referenced plans were reviewed and found to be unacceptable for the following reasons:

1) Approved street name of Minard Lane a private road shall be placed on all plats.

2) Three copies of the subdivision plat showing street, parcel size and estimated driveway location shall be provided to the E-911 Coordinator for numbering. Once E-911 numbers are assigned, they shall be placed on all subdivision maps.

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: Robert Minard Subdivision

DATE: 18 March 2003

Planning Board Reference Number: PB-03-07
Dated: 18 March 2003
Fire Prevention Reference Number: FPS-03-12

A review of the above referenced subdivision plan was conducted on 18 March 2003.

This subdivision plan at this time is acceptable.

Plans Dated: 3 March 2003, Revision 1

Robert F. Rodgers

Town of New Windsor

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

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: _____ **FIRE INSPECTOR,** **XX** **WATER DEPT.,**
_____ **SEWER DEPT.,** _____ **HIGHWAY DEPT.**

P.B. FILE #**03-07** DATE RECEIVED: **03-18-03**

PLEASE RETURN COMPLETED FORM TO **MYRA** BY: **03-24-03**

THE MAPS AND/OR PLANS FOR:

ROBERT MINARD SUBDIVISION
Applicant or Project Name

SITE PLAN _____, SUBDIVISION **XX**, LOT LINE CHANGE _____,
SPECIAL PERMIT _____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☑ APPROVED:

Notes: There is no town water in this area.

☐ ~~DISAPPROVED~~:

Notes: _____

RECEIVED
TOWN OF NEW WINDSOR
MAR 2 4 2003
ENGINEER & PLANNING

Signature: [signature] 3-24-03
Reviewed by: Date

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

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

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

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

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/ VILLAGE OF: New Windsor **P/B APP. NO.:** ____ - ____

WORK SESSION DATE: 19 Feb 2003 **PROJECT:** NEW X OLD ____

REAPPEARANCE AT W/S REQUESTED: Yes **RESUB. REQ'D:** Full Later

PROJECT NAME: Minard

REPRESENTATIVES PRESENT: Bob James.

MUNICIPAL REPS PRESENT:

BLDG INSP.	____	FIRE INSP.	Bob.
ENGINEER	X	PLANNER	____
P/B CHMN	____	OTHER	____

ITEMS DISCUSSED: Shaw Rd.
Robert Minard -
- disc P/L & T/L rights
- disc lot count
- disc possibility to do subdivision right now, so could be upgraded to T/L later.

- he needs to talk to client

STND CHECKLIST:
DRAINAGE ____
DUMPSTER ____
SCREENING ____
LIGHTING (Streetlights) ____
LANDSCAPING ____
BLACKTOP ____
ROADWAYS ____
APPROVAL BOX ____

PROJECT TYPE
SITE PLAN
SPEC PERMIT
L L CHG.
SUBDIVISION
OTHER

PROJECT STATUS:
ZBA Referral: ____Y ____N
Ready For Meeting ____Y ____N
Recommended Mtg Date ____

WorksessionForm.doc 9-02 MJE

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

☐ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 1255
(845) 567-3100
e-mail: mhenv@mhepc.com

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

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

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: NEW WINDSOR **P/B APP. NO.:** 1-3 03-07

WORK SESSION DATE: 5 MAR 03 **PROJECT:** NEW X OLD ____

REAPPEARANCE AT W/S REQUESTED: No **RESUB. REQ'D:** Fall Schmitt,

PROJECT NAME: Robert Minard

REPRESENTATIVES PRESENT: ____

MUNICIPAL REPS PRESENT:

BLDG INSP.	____	FIRE INSP.	Bob Hay
ENGINEER	X	PLANNER	____
P/B CHMN	____	OTHER	____

ITEMS DISCUSSED:

existing 3 lots.
prop 4 lot + ½ change
- fill hills table

STND CHECKLIST:

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

PROJECT TYPE

SITE PLAN
SPEC PERMI
L L CHG.
SUBDIVISIC
OTHER

PROJECT STATUS:

ZBA Referral: ____Y ____N

Ready For Meeting ____Y ____N

Recommended Mtg Date prc 26th

WorksessionForm.doc 9-02 MJE

TOWN OF NEW WINDSOR

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

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ✓ Lot Line Change ✓ Site Plan ____ Special Permit ____

Tax Map Designation: Sec. 55 Block 1 Lot 43.2 & 44

BUILDING DEPARTMENT REFERRAL NUMBER PA2003 - 0067

1. Name of Project SUBDIVISION & LOT LINE REVISION LANDS OF ROBERT W. MINARD

2. Owner of Record ROBERT W. MINARD Phone (845) 883-6217

   Address: RTE 44-55 P.O. BOX CLINTONDALE N.Y. 12515
   (Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant SAME AS OWNER Phone ____

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

4. Person Preparing Plan ROBERT JAMES OF A. DIACHISHIN & ASSOCIATES Phone (845) 647-6514

   Address: MAIN & CLINTON STS. P.O. BOX 369 NAPANOCH NY 12458
   (Street Name & Number) (Post Office) (State) (Zip)

5. Attorney STEVEN TARSHIS Phone (845)-565-1100

   Address P.O. BOX 1479 1 CORWIN COURT NEWBURGH N.Y. 12550
   (Street Name & Number) (Post Office) (State) (Zip)

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

   ROBERT JAMES (845) 647-6514 647-6644
   (Name) (Phone) (fax)

7. Project Location: On the SOUTHWESTERLY side of SHAW ROAD
   (Direction) (Street)

8. Project Data: Acreage 13.5 ± Zone R1 School Dist. WASHINGTONVILLE
   TAX LOT 44

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

03-07

9. Is this property w[illegible]n an Agricultural District containing a[illegible]m operation or within 500 feet of a farm operation located in an Agricultural District? Yes ✓ No ____

***This information can be verified in the Assessor's Office.**
***If you answer yes to question 9, please complete the attached AAgricultural Data Statement.**

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) 4 LOT SUBDIVISION MIN. SIZE 83,342 S.F. RESIDENTIAL LOTS WITH 800 LF PRIVATE ROAD TO CUL-DE-SAC. TO BE CONSTRUCTED OVER AN EXISTING FARM LANE.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes ____ no ✓
12. Has a Special Permit previously been granted for this property? yes ____ no ✓

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

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

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

SWORN BEFORE ME THIS:

11 DAY OF March 2003

Lynn M. LaManna
NOTARY PUBLIC

LYNN M. LaMANNA
Notary Public, State of New York
In and for Ulster County
Commission Expires 7/31/2005

X
(OWNER'S SIGNATURE)

(PROFESSIONAL Rep.)
(AGENT'S SIGNATURE)

ROBERT J. JAMES (PROFESSIONAL Rep.)
Please Print Agent's Name as Signed

SEE PROXY STATEMENT

****

TOWN USE ONLY:

RECEIVED
TOWN OF NEW WINDSOR
MAR 18 2003
ENGINEER & PLANNING

DATE APPLICATION RECEIVED

03-07
APPLICATION NUMBER

AGENT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

ROBERT W. MINARD, deposes and says that he resides
(OWNER)

at ROUTE 44-55 CLINTONDALE, N.Y. 12515 in the County of ULSTER
(OWNER'S ADDRESS)

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

(Sec. 55 Block 1 Lot 43.2)
designation number(Sec. 55 Block 1 Lot 44) which is the premises described in the foregoing application and that he designates:

(Agent Name & Address)

ROBERT J. JAMES OF A. DIACHISHIN & ASSOC. P.O. BOX 369 NAPANOCH, NY 12458
(Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

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

SWORN BEFORE ME THIS:

11th DAY OF March 2003)

Lynn M. LaManna
Notary Public, State of New York
In and for Ulster County
Commission Expires 7/31/2005

Lynn M. LaManna
NOTARY PUBLIC

** Robert W. Minard
Owner's Signature (MUST BE NOTARIZED

Agent's Signature (If Applicable)

Professional Representative's Signature

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

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

RECEIVED
TOWN OF NEW WINDSOR
MAR 18 2003
ENGINEER & PLANNING

03-07

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

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

1. ✓ Name and address of Applicant. NOTE: TBC = TO BE COMPLETED

* 2. ✓ Name and address of Owner.

3. ✓ Subdivision name and location

4. ✓ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**

SAMPLE: 

5. ✓ Tax Map Data (Section, Block & Lot).

6. ✓ Location Map at a scale of 1" = 2,000 ft.

7. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.

8. NA Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.

9. ✓ Date of plat preparation and/or date of any plat revisions.

10. ✓ Scale the plat is drawn to and North arrow.

11. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.

12. TBC Surveyor's certificate. TBC = TO BE COMPLETED UPON FINAL METES & BOUNDS SURVEY (SEE #18)

13. ✓ Surveyor' s seal and signature.

14. ✓ Name of adjoining owners.

15. NA Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.

* 16 NA Flood land boundaries.

17. ✓ A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.

03-07

18. TBC — [illegible]nal metes and bounds. (SEE #12)

19. ✓ — Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.

20. ✓ — Include existing or proposed easements.

21. ✓ — Right-of-way widths.

22. ✓ — Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).

23. ✓ — Lot area (in square feet for each lot less than 2 acres).

24. ✓ — Number the lots including residual lot.

25. ✓ — Show any existing waterways.

*26. ✓ — A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerks Office.

27. ✓ — Applicable note pertaining to owner's review and concurrence with plat together with owners signature.

28. TBC — Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).

29. TBC — Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

30. TBC — Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.

31. TBC — Provide A septic system design notes as required by the Town of New Windsor.

32. ✓ — Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.

33. ✓ — Indicate percentage and direction of grade.

34. NA — Indicate any reference to previous, i.e., file map date, file map number and previous lot number.

35. NA — Indicate location of street or area lighting (if required).

03-07

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

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

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

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

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

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

PREPARER'S ACKNOWLEDGMENT:

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

BY: [signature] P.E. 3/13/03

Licensed Professional — Date

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

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

03-07

14-16-4 (2/87)—Text 12

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 ROBERT W. MINARD / A. DIACHISHIN & ASSOC. ROBERT JAMES

2. PROJECT NAME SUBDIVISION & LOT LINE REVISION LANDS OF ROBERT W. MINARD

3. PROJECT LOCATION:
Municipality TOWN OF NEW WINDSOR County ORANGE

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
ALONG SHAW ROAD, APPROX. 3300' SOUTHEASTERLY FROM THE INTERSECTION WITH BEATTIE ROAD.

5. IS PROPOSED ACTION:
☑ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY: THIS PROJECT IS A 4 LOT SUBDIVISION WITH 800LF PROPOSED PRIVATE ROAD ALONG AN EXISTING FARM ROAD. THE LAND IS CURRENTLY APPLE ORCHARD. A LOT LINE REVISION WILL INCLUDE ABOUT 4.5 ACRES TO BE ADDED TO A CURRENT FARM PARCEL OF 183.3 ACRES (NEW TOTAL ABOUT 188 ACRES).

7. AMOUNT OF LAND AFFECTED:
Initially 13.5 acres Ultimately 13.5 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
☑ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☑ Residential ☐ Industrial ☐ Commercial ☑ Agriculture ☐ Park/Forest/Open space ☐ Other
Describe:

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
☑ Yes ☐ No If yes, list agency(s) and permit/approvals TOWN OF NEW WINDSOR PLANNING BOARD.

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
☐ Yes ☑ No If yes, list agency name and permit/approval

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☑ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: A. DIACHISHIN & ASSOCIATES (ROBERT J. JAMES) Date: 3/13/03

Signature: Robert J. James

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

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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

03-07

ECC/BSA
"XX"

ATTACHMENTS

A. Flood Hazard Area Development Permit Application Form.

B. Certificate of Compliance

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

THIS PROJECT IS NOT IN A FLOOD ZONE.

03-07

FOR OFFICIAL USE ONLY
Permit No. _____
Fee Received _____ Date _____

_____ of _____

_____ County, New York

Permit Application for Development
in
Flood Hazard Areas

A. General instructions page 4 (Applicant to read and sign)

B. For assistance in completing or submittal of this application contact:

_____, Floodplain Administrator,
(Name)

_____
(Address)

_____, NY ( ) _____ - _____.

1. Name and Address of Applicant

ROBERT W MINARD
(First Name) (MI) (Last Name)

Street Address: ROUTE 44-55 — CLINTONDALE

Post Office: P.O. BOX 65 State: NEW YORK Zip Code: 12515

Telephone: (845) 883 - 6217

2. Name and Address of Owner (If Different)

SAME
(First Name) (MI) (Last Name)

Street Address: _____

Post Office: _____ State: _____ Zip Code: _____

Telephone: ( ) _____ - _____

3. Engineer, Architect, Land Surveyor (If Applicable)

ROBERT J JAMES
(First Name) (MI) (Last Name)

Street Address: P.O. BOX 369

Post Office: NAPANOCH State: N.Y. Zip Code: 12458

Telephone: (845) 647 - 6514

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PROJECT LOCATION

Street Address: SHAW ROAD Tax Map No. _____

TOWN OF NEW WINDSOR

Name of, distance and direction from nearest intersection or other landmark

_____

_____

Name of Waterway: NA

PROJECT DESCRIPTION (Check all applicable boxes and see Page 4, Item 3)

Structures	Structure Type
____ New Construction	✓ Residential (1-4 family)
____ Addition	____ Residential (More than 4 family)
____ Alteration	____ Commercial
____ Relocation	____ Industrial
____ Demolition	____ Mobile Home (single lot)
____ Replacement	____ Mobile Home (Park)
	____ Bridge or Culvert

Estimated value of improvements if addition or alteration: _____

Other Development Activities

____ Fill ____ Excavation ____ Mining ____ Drilling ____ Grading

____ Watercourse alteration ____ Water System ____ Sewer System

✓ Subdivision (New) ____ Subdivision (Expansion)

____ Other (Explain)

CERTIFICATION

Application is hereby made for the issuance of a floodplain development permit. The applicant certifies that the above statements are true and agrees that the issuance of the permit is based on the accuracy thereof. False statements made herein are punishable under law. As a condition to the issuance of a permit, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless to the community from suits, actions, damages and costs of every name and description resulting from the said project. Further, the applicant agrees that the issuance of a permit is not to be interpreted as a guarantee of freedom from risk of future flooding. The applicant certifies that the premises, structure, development, etc. will not be utilized or occupied until a Certificate of Compliance has been applied for and received.

3/13/03 Robert W. Minard

Date Signature of Applicant

THIS PROJECT IS NOT IN A

FLOOD ZONE

03-07

_____ of _____
Flood Hazard Development Permit

Administrative Action
Completed by Floodplain Administrator

Proposed project located in ____ "A" zone with elevation
____ "A" zone without elevation
____ Floodway
____ Coastal High Hazard Area (V-Zone)

Base flood elevation at site is _____

Source documents: _____

PLAN REVIEW

Elevation to which lowest floor is to be elevated _____ft. (NGVD)
Elevation to which structure is to be floodproofed _____ft. (NGVD)
Elevation to which compacted fill is to be elevated _____ft. (NGVD)

ACTION

____ Permit is approved, proposed development in compliance with applicable floodplain management standards.

____ Additional information required for review. Specify: (i.e, encroachment analyis)

_____

____ Permit is conditionally granted, conditions attached.

____ Permit is denied. Proposed development not in conformance with applicable floodplain management standards. Explanation attached. A variance, subject to Public Notice and Hearing, is required to continue project.

Signature _____ Date _____
(Permit Issuing Officer)

This permit is valid for a period of one year from the above date of approval.

BUILDING CONSTRUCTION DOCUMENTATION

The certified "As Built" elevation of lowest floor (including basement) of structure is _____ft. NGVD.

Certification of registered professional engineer, land surveyor or other recognized agent, documenting these elevations is attached.

CERTIFICATE OF OCCUPANCY/COMPLIANCE

Certificate of Occupancy and/or Compliance Issued:

Date _____ Signature _____

03-07

_____ of _____

_____ County, New York

Development in Flood Hazard Areas
Instructions

1. Type or print in ink

2. Submit ____ copies of all papers including detailed construction plans and specifications.

3. Furnish plans drawn to scale, showing nature, dimension and elevation of area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically the following is required: (A) NGVD (Mean Sea Level) elevation of lowest floor including basement of all structures; (B) description of alterations to any watercourse; (C) statement of techniques to be employed to meet requirements to anchor structures, use flood resistant materials and construction practices; (D) show new and replacement potable water supply and sewage systems will be constructed to minimize flood damage hazards; (E) Plans for subdivision proposal greater than 50 lots or 5 acres (whichever is least) must provide base flood elevations if they are not available; (F) Additional information as may be necessary for the floodplain administrator to evaluate application.

4. Where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect must develop and/or review strucutral design, specifications, and plans for the construction and certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of the local floodplain management regulations.

5. No work on the project shall be started until a permit has been issued by the floodplain administrator.

6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory compliance.

7. Applicant will provide all required elevation certifications and obtain a certificate of compliance prior to any use or occupancy of any structure or other development.

Applicant's signature Robert L. Minard Date 3/13/03

THIS PROJECT IS NOT IN A FLOOD ZONE.

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CERTIFICATE OF COMPLIANCE
for
FLOODPLAIN DEVELOPMENT

_____ _____ of _____
_____ County, N.Y.
(Applicant shall fill in all pertinent information in Section A including 1 or 2

SECTION A

Premises location _____
_____
_____

Applicant Name, & Address _____
_____

Telephone No. _____

Permit No. _____
Variance No. _____
Date _____

CHECK ONE

New Building _____
Existing Building _____
Other (List) _____

_____

1. I certify that I have completed the above project in accordance with the Community's floodplain management regulations and have met all the requirements which were conditions of my permit. I now request completion of this Certificate of Compliance by the program administrator.

Signed _____

Date _____

2. I certify that I have completed the above project in accordance with conditions of variance number _____, dated _____ to the Community's floodplain management regulations and have met all requirements which were a condition of the variance. I now request completion of this certificate of compliance by the program administrator.

Signed _____

Date _____

SECTION B (Local Administrator will complete, file, and return a copy to the applicant.)

Final Inspection Date _____ by _____

This certifies that the above described floodplain development complies with requirements of Flood Damage Prevention Local Law No. _____, or has a duly granted variance.

Signed _____
(Local Administrator)

Date _____

Supporting Certifications: Floodproofing, elevation, hydraulic analysis, etc; (List).

_____
_____

03-07