

PB# 86-43

**Butterhill Estates
(Section 10)**

37-1-50.12

86-43 BUTTER HILL ESTATES

MARK ✓
 B.F. ✓
 FIRE ✓
 HIGHWAY ✓
 SEWER ✓
 DWG ✓
 O.C. Planning ✓

CHAIRPERSON:

RE MAP # 8585

TOWN NEW WINDSOR
 CITY
 VILLAGE

THE FOLLOWING MAP HAS BEEN FILED IN THE ORANGE COUNTY CLERK'S OFFICE:

TITLE Butter Hill Subdivision sheet 11/2
 DATED 6/17/87
 FILED 11/13/87

APPROVED BY Henry F. Schette ON Nov 13, 1987

Maria W. ...
 ACTING DEPUTY COUNTY CLERK

General Receipt			7794
TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, N. Y. 12550			July 1 1986
Received of	<u>Clara D. ...</u>		\$25.00
	<u>Twenty-five</u>		DOLLARS
For	<u>#86-45 Sub-Division fee (Butterkill)</u>		
DISTRIBUTION			
FUND	CODE	AMOUNT	
<u>Check #1444</u>		<u>25.00</u>	
By <u>Pauline ...</u>			
			Title

General Receipt			9418
TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, N. Y. 12550			Nov. 13 1987

CHAIRPERSON:

RE MAP # 8585

TOWN
 CITY NEW WINDSOR
 VILLAGE

THE FOLLOWING MAP HAS BEEN FILED IN THE ORANGE COUNTY CLERK'S OFFICE:

TITLE Butter Hill Subdivision sheet 11/2
 DATED 6/17/87
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APPROVED BY Henry F. Schutte ON Nov 13, 1987

Maria W. Jones
 Acting Deputy County Clerk
 fee. Indus

General Receipt 7794

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of Claus D. Speras July 1 1986 \$25.00

Twenty-five DOLLARS

For #86-45 Sub-Division fee (Butter Hill)

DISTRIBUTION		
FUND	CODE	AMOUNT
<u>Check #1444</u>		<u>25.00</u>

By Pauline H. Townsend (Sgt)
Town Clerk
Title

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

General Receipt 9418

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of Gordon Development Co., Inc. Nov. 13 1987 \$150.00

One hundred and ~~xx~~ fifty and ~~xx~~ ⁰⁵ DOLLARS

For Planning Bd. Fee #86-43

DISTRIBUTION		
FUND	CODE	AMOUNT

By Pauline H. Townsend
Town Clerk
Title

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

County File No. NWT 15-87N

COUNTY PLANNING REFERRAL

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

Application of Butter Hill Subdivision
for a 41 parcel subdivision - NYS Rt. 94
County Action: Disapproved

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

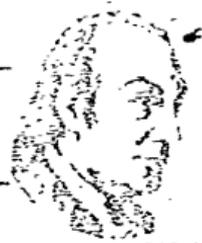
Approved subject to County recommendations

.....
(Date of Local Action)

.....
(Signature of Local Official)

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

George Wythe



Postage

USA

14

**ORANGE COUNTY DEPARTMENT OF PLANNING
AND DEVELOPMENT**

124 Main Street

Goshen, N.Y. 10924

Date 19 August, 19 87

TOWN OF NEW WINDSOR

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

TO McGoey and Hauser Consulting Engineers, P.C. DR.

45 Quassaick Avenue, New Windsor, NY 12550

DATE	CLAIMED	ALLOWED
<u>PROFESSIONAL SERVICES</u>		
Planning Board Engineering		
Butterhill Subdivision Section 10		
11 August 1987; .50 hr.		\$ 20 00
AMOUNT DUE:		\$ 20 00
<i>copy</i>		

ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

TO: Moodna Development Co., Inc.
33 Sweet Briar Rd.
Stamford, CT 06905

The Orange County Department of Health certifies that a realty subdivision map entitled Butter Hill, Section 10 Amended Map, dated August 12, 1986 (latest revision June 17, 1987) located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: +17.87 acres

Number of lots: 41

Water supply: T. New Windsor WD #5

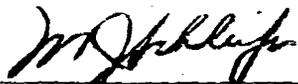
Sewage disposal: T. New Windsor

The owner intends to build houses and sell lots.

Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. THAT the proposed facilities are installed in conformity with said plans.
2. THAT no lot shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. THAT the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. THAT this approval supercedes all previous approvals of this section.

November 2, 1987
Date


M.J. Schaefer, P.E.
Assistant Commissioner



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

TOWN OF NEW WINDSOR
PLANNING BOARD

RECEIVED 8/12/87
DATE

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

Licensed in New York,
New Jersey and Pennsylvania

5 August 1987

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

ATTENTION: HENRY SCHEIBLE, CHAIRMAN

SUBJECT: BUTTERHILL SUBDIVISION SECTION 10
PERFORMANCE BOND ESTIMATE

86-43

Dear Henry:

Please be advised that we are in receipt of a Performance Bond Estimate prepared by Elias D. Grevas, L.S., for Section 10 of Butterhill Subdivision. Further, we have been informed by the Water and Sewer Departments that the sanitary sewer lines and water lines have been installed and tested and with the exception of minor adjustment to valve covers, manhole frames and covers, manhole inverts, etc., this work is complete. The storm drainage systems have also been installed and with the exception of minor corrections to the work, these facilities are complete as well.

We should note that upon review of the itemized breakdown on Page 2 of 2, as attached prepared by Mr. Grevas, we find that the unit prices for the various elements of work do not reflect costs which the Town would incur if, in fact, the Town found it necessary to call the Performance Bond and complete the work. We, therefore, have increased the unit prices and revised the Performance Bond Estimate as follows:

<u>ROADWAY ITEMS</u>	<u>Estimated Cost To Complete Work</u>
1. Excavation and Backfill 90% Complete =	\$ 1,368.00
2. Fine Grading 90% Complete =	\$ 3,363.00
3. R.O.B. Gravel Subbase 80% Complete =	\$ 1,196.00
4. Asphalt Concrete Pavement 0% Complete =	\$ 89,663.00
5. Concrete Curbing 85% Complete =	\$ 12,875.00
6. Street Lights 0% Complete =	\$ 14,400.00
SUBTOTAL =	<u>\$123,305.00</u>

5 August 1987

SANITARY SEWERS

(Uncomplete Items of Work)

1. Adjustment of Manhole Frames and Covers, etc., \$ 3,000.00

WATERMAINS

(Uncompleted Items of Work)

1. Adjustment of Valve Boxes, Hydrant Assemblies,
etc. \$ 1,500.00

STORM DRAINS

(Uncompleted Items of Work)

1. Adjustment of Frames and Grates, Complete
Block Work, etc. \$ 3,000.00

SUBTOTAL =

\$ 7,500.00

TOTAL ESTIMATED COST OF ROADWAY IMPROVEMENTS: \$130,805.00
RECOMMENDED PERFORMANCE BOND AMOUNT: \$131,000.00

As noted above, it would be the recommendation of our office that a Performance Bond in the amount of \$131,000.00 be established for the uncompleted items of work within Section 10.

We are hopeful that the above is satisfactory; however, if you should have any questions in this matter, please contact our office.

Very truly yours,

McGOEY and HAUSER
CONSULTING ENGINEERS, P.C.

Richard D. McGoey
Richard D. McGoey, P.E.
Principal

cc: Skip Fayo
Tad Seaman
Lee Lydecker
Elias D. Grevas, L.S.

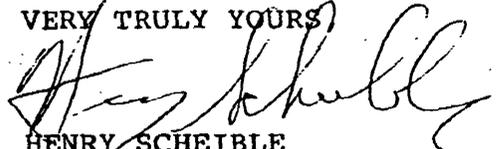
RDMfmd

86-43 ✓

MEMO

TO: ALL MEMBER OF THE TOWN BOARD AND SUPERVISOR PETRO
FROM: HENRY SCHEIBLE, PLANNING BOARD CHAIRMAN
DATE: JULY 29, 1987
RE: BUTTER HILL SECTION 10

AT THE JULY 22nd MEETING, THE PLANNING BOARD RECOMMENDED
THAT THE TOWN BOARD APPROVE A PERFORMANCE BOND FOR BUTTER HILL
SECTION 10 IN THE AMOUNT SPECIFIED BY THE TOWN ENGINEER.

VERY TRULY YOURS,

HENRY SCHEIBLE
PLANNING BOARD CHAIRMAN

HS: sb

86-43

BUILDING INSPECTOR, P.B. ENGINEER,
~~WATER~~, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by

Elias Grevas L.S. for the building or subdivision of

Butterhill - section 10 has been

reviewed by me and is approved ✓

~~disapproved~~

~~If disapproved, please list reason.~~

Please follow same requirements as
previous sections.

HIGHWAY SUPERINTENDENT

Stewart D. Davis

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE



Louis Holmbeck
County Executive

PLANNING BOARD

cc 7/8/87

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

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

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

Referred by Town of New Windsor Planning Brd. D P & D Reference No. NWT 15- 87N
County I.D. No. 37 / 1 / 50.12

Applicant Butter Hill Subdivision

Proposed Action: 41 parcel subdivision

State, County, Inter-Municipal Basis for 239 Review Within 500' of NYS Route 94.

County Effects: As indicated in previous review letters, this type of subdivision design represents an abuse of the cluster provision of Town Law. The design is not creative, the amount of infrastructure needed is similar to conventional development of the site, the open space preserved is not unique nor is the open space designed as one contiguous area. The narrow strips serve no purpose and will not be used by the residents of the subdivision.

Related Reviews and Permits _____

County Action: _____ Local Determination _____ Approved ~~XXXXXXXX~~ Disapproved

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

JUNE 30, 1987
Date

Peter Garrison
Commissioner

Postcard Returned
Date _____

DUGGAN, CROTTY & DUNN, P.C.
ATTORNEYS AT LAW

STEPHEN P. DUGGAN, III
PHILIP A. CROTTY
BRUCE C. DUNN, SR.

R.D. #2
TEMPLE HILL ROAD
NEW WINDSOR, NEW YORK 12550
(914) 562-6500

June 29, 1987

Mr. Henry Scheible, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

PLANNING BOARD

Rec. 7/1/87

RE: BUTTERHILL SUBDIVISION

Dear Mr. Scheibel:

I am sending this letter pursuant to the instructions of Gerritt V. Lydecker who received direction from the Town of New Windsor Planning Board on June 24, 1987.

The following paragraph has been added to deeds and contracts which we shall prepare as of June 25, 1987:

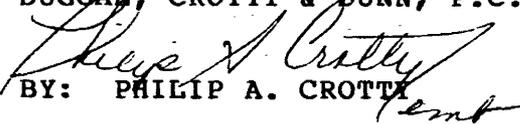
"Provided that the parcel identified as Lot .1 shall not be built upon and shall not be used for the computation of municipal setback requirements. Lot 1 is restricted as an ever-green area".

Please let me know as soon as possible if the Planning Board attorney would prefer a different inscription in the contracts and deeds.

I believe that Moodna Development Co., Inc. has been complying with the intent of the "green area" provision of the original Planning Board approval. Each contract and deed which has been prepared over the past years has conveyed the parcel subject to a filed map reference. The filed map, in turn, has indicated that the so-called "point one" areas are different from the regular lots. Therefore, I believe that the Town Building Inspector has a right to enforce the filed map restrictions and also has a right to deny building permits based on the filed map notations. By taking the deed subject to those filed map restrictions, each homeowner was put "on notice" of the restrictions and must abide by them.

Very truly yours,

DUGGAN, CROTTY & DUNN, P.C.


BY: PHILIP A. CROTTY

PAC/pa

cc: Mr. Henry VanLeuven
Town of New Windsor Planning Board

Mr. Loeb: Mr. John Nelson sends his regards he is in Philadelphia. This is and I am sure the Board will remember, this is an application for a site plan approval of three items on the existing Exxon Terminal on River road a 12 by 15 foot storage building, an above ground tank for additives and a water drawoff system. We have been before you several times we were stopped because of the moratorium which lead to the local law covering above ground tanks. Our tank meets all of those requirements we require a hearing in March and at your meeting in May which I believe everything was acceptable to you and all approvals had been secured except that of fire inspector Mr. Rogers who was either then still in the hospital or recuperating. I understand from your consultants that that approval has not been secured and I would request that site plan approval for those three items be granted.

Mr. Van Leeuwen: Do you have a letter there?

Mr. Scheible: The only one I have is from April 21st.

Mr. Edsall: I know it is in there because I have a copy of it.

Mr. Scheible: We have the aproval by the Bureau of Fire Prevention.

Mr. Van Leeuwen: "That the Planning Board of the Town of New Windsor give final approval to the Exxon site plan." Seconded by Mr. Jones.

ROLL CALL: MR. JONES AYE
 MR. REYNS AYE
 MR. MC CARVILLE AYE
 MR. VAN LEEUWEN AYE
 MR. LANDER AYE
 MR. SCHEIBLE AYE

BUTTERNHILL SECTION 10 SUBDIVISION (86-43)

Mr. Lou Grevas came before the Board representing this proposal.

Mr. Grevas: This is the section that is remaining after the conveyance to Saint Helena which was approved by the Board. We have County Health approval for this layout. We have actually started some of the construction in Section 10 water and sewer lines we have submitted to the Town engineer's office a bond estimate. copies of which I will give you now. And we are requesting that this be deemed final and sent to the Town Board for acceptance of the bond in an amount acceptable to the Town engineer.

Mr. Van Leeuwen: I have a question we were getting people coming into the Zoning Board of Appeals wanting to build on these easement lots. Is it being put into the deed now I realize the first part was not being put in the deeds.

Mr. Grevas: I do not prepare the deeds I prepare the description all of my descriptions are broken down into two parts, as regular parcels and open space parcels and they are shown that way on all the maps. Again I do not prepare the documents I can ask Garret whether those open space parel are deeded out is there any notation on that, any restriction placed on them?

Mr. Garret Lydecker: The deeds refer to the maps which have the notations but when this problem came up we had some conversations about putting further additional wordage on the deed but I can't say that has been done but I will check on it.

Mr. Van Leeuwen: When we gave approval to that you were the surveyor for it. There was an agreement between this Board and yourself that those would show up in the deed and I'd like to see them showing up in the deeds or addendums to the deeds and do these people know they cannot build because in ten years the maps are going to get lost and all of a sudden people will be putting sheds they are doing it now.

Mr. Roness: The problem is more involved not so much people wanting to build on them but that the setback lines for the buildings. That is where the problem is coming in people are encroaching in the rear yards thinking that these green space areas are part of their lot and so that the green space area is part of the rear lot of the main parcel.

Mr. Van Leeuwen: When this was done there was an agreement made with this Board and Tippy and myself we were on the Board at that time. And it was an agreement that was supposed to be in the deed because you know what happens to maps they got lost and I find that hasn't been done. And I think that problem should be addressed that would keep a lot of people from coming in here and going to the Zoning Board and asking for permission and going to the building inspector every time they come in he has to look at the map and when it gets lost what is going to happen. One guy will say they did it why can't I. That was the intention of the Board. That is not the agreement we made.

Mr. Grevas: I fully agree I remember that.

Mr. Scheible: Too bad now it has to come to a head when you are down to the last 41 lots. All 41 lots have open space parcels but there are open space land on the map.

Mr. Jones: This is what is giving us the problems, that little space in between.

Mr. Roness: If the note on the map points out that those lots I guess you have it with .1 or open space lots and if you also would say in the notes that the deeds for adjoining parcels will so note then the title company as they are going through and taking a look at the notes on the filed map that will be kind of an extra assurance that the deed description will contain some language to confirm that those open space lots...

Mr. Grevas: I will be happy to add a note to that effect something similar to Windsor Square preliminary plan.

Mr. Roness: Yes.

Mr. Jones: It should be noted on this one I don't care if there are four or fortyone it should be so noted so that they didn't get into any more trouble.

Mr. Van Leeuwen: I think the other part should be straightened out. I am not going to vote until I know what is going on there. We made the agreement and I would like to see the agreement adhered to as far as the Board is concerned.

Mr. Jones: You have this map all layed out all the corner lots, no more coming in, no more variances and all the rest of that garbage?

Mr. Grevas: I learned from my mistakes. I calculated these lots, this is more squared up then if you look at the old plan you will see that.

Mr. Van Leeuwen: I don't want to hold them up but that is something that's got to be addressed. And if it was in the deeds a lot of these people would realize that they have got a problem if they build on it without it being in the deeds I am sorry.

Mr. Jones: It was addressed in the beginning but it was ignored that is no problem of ours.

Mr. Lydecker: All the deeds refer to the 2 parcels separately the sales people are supposed to review with the prospective buyers that is restricted. I can't guarantee every buyer knows that when a person moves in they forget that and ask for something more.

Mr. Van Leeuwen: All the deeds have been appearing in the tax office and do not have any mentioning of the separate parcel.

Mr. Babcock: There is a couple of them that did not say they are a separate parcel how that happens I don't know.

Mr. Grevas: That is something I can't prepare.

Mr. Roncs: I think this can be handled with a note on the map stating that those particular lots are green spaces and a further note that the deeds for the parcel so state that.

Mr. Grevas: The wording on the map is the same as the first 9 sections it says open space to adjoining lot and identifies the parcel number but I think Joe's point is well taken if we put a dark bordered note saying the open space parcel is to remain undeveloped green and shall not be built upon in any manner I think that would highlight it and as Joe said it would make it necessary for the title people to look into the document when they search the title to see if it is the case. Clearing up past deeds though I will refer that back to him that is a pretty difficult situation. I will relate the information and I will put a note on the map with a wording acceptable to Mr. Roncs and whatever the Board wishes.

Mr. Jones: This piece of subdivision gives us something to hold to get the rest of it straightened out. That is the way you feel about it.

Mr. Roncs: It doesn't sound practical to me.

Mr. Mc Carville: Deeds have been accepted and filed.

Mr. Grevas: A letter to everybody with existing parcels is no problem.

Mr. Lydecker: We can send a letter reiterating the fact that the .1 lots are restricted and that their setback is applied to the lot without the .1 the basic building lot which does not include the additional piece of .1. I think most of the people have been told that but they want something they forget that.

Mr. Scheible: Could you put that in a registered letter certified. Return receipt requested.

Mr. Mc Carville: And then we will put the receipts in Mike's office with the file and that will be the end of it.

Mr. Roness: And put a note on the map with respect to this so there won't be any questions on this one.

Mr. Grevas: May I ask we be placed on the next agenda.

Mr. Scheible: We'd like to see the little green stubs please.

Mr. Grevas: Yes, thank you.

WINDSOR ENTERPRISES SITE PLAN (87-22)

Windsor Enterprises requested to be postponed to the next meeting of the Town of New Windsor Planning Board.

ANDERSON SUBDIVISION (87-24)

Mr. Anderson came before the Board representing this proposal.

Mr. Anderson: Right now as the property sits now my father has one lot and there is an existing dwelling there with a garage there and we'd propose to bring this lot in half and I believe that is 32,670 square feet and we want to make two lots and they both fall within the 3/4 acres necessary for a lot and we'd have enough building area to put another house and we'd like to build another house there in which I might live.

Mr. Van Leeuwen: What kind of terrain is it sloping?

Mr. Anderson: Yes towards the road, towards Reilly Road. It is right next to the Town of New Windsor water supply. Now we had taken into consideration the fact that this distance right here is a way for the road, is a certain distance here in line here is taken so the Town can use it for the road and we were still able to get the approved lot size.

Mr. Scheible: Would you make a little note to tell Mr. Kennedy to put topo on here so we know exactly how steep is this we don't know we have to go out there and check to see.

Mr. Van Leeuwen: It is not that steep.

Mr. Mc Carville: Ask him to put that and the existing well on there this should be lot 1 where is the existing well?

Mr. Scheible: It is under review and I'd like to go out and take a drive and see what the terrain is like.

Mr. Anderson: I'd like to know if you can request to get on the agenda.

18 June 1987

BUTTER HILL - SECTION 10 (AMENDED)COST IMPROVEMENT - BOND ESTIMATE

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
A. <u>SANITARY SEWER ITEMS</u>				
NOTE: This item currently approximately 60% complete: all materials delivered to Site: Estimate reflects work items to be done.				
1.	8" PVC San. Sewer Main	345 LF	\$ 12.00	\$ 4140.
2.	Precast Concrete Manholes	2 ea.	825.00	1650.
3.	Connection to Existg "	1 ea.	1000.00	1000.
4.	4" Lateral, wyes, hse conns	8 ea.	180.00	1440.
5.	Testing	L.S.	500.00	500.
				~~~~~
Subtotal:				8730.
<b>B. <u>WATER LINE ITEMS</u></b>				
NOTE: This item currently approximately 85% complete: all materials delivered to Site: Estimate reflects work items to be done.				
1.	8" PVC Water Main	345 LF	7.00	2415.
2.	Hydrant & Valve Assm's	1 ea.	300.00	300.
3.	3/4" Copper Hse Svc.	8 ea.	130.00	1040.
4.	Testing *	L.S.	500.00	500.
				~~~~~
Subtotal:				4255.
C. <u>STORM DRAINAGE ITEMS</u>				
NOTE: This item currently approximately 75% complete: all materials delivered to Site: Estimate reflects work items to be done.				
1.	18" CMP	332 LF	7.50	2490.
2.	Precast Concrete Catch Basin (w/Fr. & Grate)	3 ea.	250.00	750.
				~~~~~
Subtotal:				3240.



**MOODNA DEVELOPMENT COMPANY, INC.**  
BUTTER HILL PROPERTIES  
P.O. BOX 4203  
BUTTER HILL DRIVE  
NEW WINDSOR, NEW YORK 12550  
(914) 561-3552

TOWN OF NEW WINDSOR  
PLANNING BOARD  
RECEIVED *vp*  
DATE 2-18-87

February 18, 1987

Town Of New Windsor  
555 Union Avenue  
New Windsor, New York 12550  
Attn: Planning Board

Re: Preliminary approval, Revised Section 10

Dear Chairman:

On July 2, 1986 at a regular meeting of the New Windsor Planning Board, Moodna Development Co., Inc. was given preliminary approval of revised Section 10 subject to review and approval by Orange County Health. We received this approval on February 13, 1987.

Enclosed please find a copy of the signed drawings and a copy of the Certificate of approval of Realty Subdivision Plans dated February 13, 1987.

We forward this information for the record.

Very truly yours,



Leigh K. Lydecker, Jr., P.E.  
Moodna Development Company, Inc.

ORANGE COUNTY DEPARTMENT OF HEALTH  
Division of Environmental Health

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

TO: Moodna Development Co., Inc.  
33 Sweet Briar Rd.  
Stamford, CT 06905

The Orange County Department of Health certifies that a realty subdivision map entitled Butter Hill, Section 10 Amended Map, dated August 12, 1986 (latest revision February 11, 1987) located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total are: +17.87 acres                      Number of lots: 41

Water supply: T. New Windsor WD#5

Sewage disposal: T. New Windsor

The owner intends to build houses and sell lots.

Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. THAT the proposed facilities are installed in conformity with said plans.
2. THAT no lot shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. THAT the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.

February 13, 1987  
Date

  
M.J. Schleifer, P.E.  
Assistant Commissioner

TOWN OF NEW WINDSOR  
PLANNING BOARD  
RECEIVED *vp.*  
DATE 2-19-87

T. Planning Board

PLANNING BOARD  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, NY 12550

(This is a two-sided form)

Date Received 6/11/86  
Preapplication Approval _____  
Preliminary Approval _____  
Final Approval ✓  
Fees Paid 25⁰⁰

86-43

APPLICATION FOR SUBDIVISION APPROVAL

Date: 11 June 1986

1. Name of subdivision BUTTER HILL SUBDIVISION, SECTION 10 AMENDED MAP
2. Name of applicant MOODNA DEVELOPMENT CO., INC. Phone (914) 561-3552  
Address 33 SWEET BRINE ROAD, STAMFORD, CONN. 06905  
(Street No. & Name) (Post Office) (State) (Zip Code)
3. Owner of record Applicant Phone _____  
Address _____  
(Street No. & Name) (Post Office) (State) (Zip Code)
4. Land Surveyor ELIAS D. GREVAS, L.S. Phone (914) 562-8667  
Address 33 QUASSAICK AVE., NEW WINDSOR, N.Y. 12550  
(Street No. & Name) (Post Office) (State) (Zip Code)
5. Attorney _____ Phone _____  
Address _____  
(Street No. & Name) (Post Office) (State) (Zip Code)
6. Subdivision location: On the North side of Forge Hill Road  
(Street)  
2700 ± feet East of Route 94  
(direction)
7. Total Acreage 17.87 ± Ac zone *R-4 Number of Lots 41
8. Tax map designation: Section 37 Lot(s) 50.12, Block 1
9. Has this property, or any portion of the property, previously been subdivided Yes.  
If yes, when 1986; by whom MOODNA DEV. CO., INC.
10. Has the Zoning Board of Appeals granted any variance concerning this property No.  
If yes, list case No. and Name _____

* Cluster Plan under Sect 281, N.Y.S. Town Law

List all contiguous holdings in the same ownership.

Section _____ Block(s) _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed. IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

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

I, ELIAS D. GREVAS (Agent for Applicant) hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

  
_____  
Mailing Address 33 QUASSACK AVE  
NEW WINDSOR, N.Y. 12550

SWORN to before me this

17th day of June, 1986

Ruth J. Eaton  
_____  
NOTARY PUBLIC

RUTH J. EATON  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires Oct 31, 1988  
~~March 30, 19~~  
Reg. No. 4673512

APPENDIX B

SHORT ENVIRONMENTAL ASSESSMENT FORM

INSTRUCTIONS:

(a) In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies, research or other investigations will be undertaken.

(b) If any question has been answered Yes the project may be significant and a completed Environmental Assessment Form is necessary.

(c) If all questions have been answered No it is likely that this project is not significant.

(d) Environmental Assessment

- 1. Will project result in a large physical change to the project site or physically alter more than 10 acres of land?
2. Will there be a major change to any unique or unusual land form found on the site?
3. Will project alter or have a large effect on an existing body of water?
4. Will project have a potentially large impact on groundwater quality?
5. Will project significantly effect drainage flow on adjacent sites?
6. Will project affect any threatened or endangered plant or animal species?
7. Will project result in a major adverse effect on air quality?
8. Will project have a major effect on visual character of the community or scenic views or vistas known to be important to the community?
9. Will project adversely impact any site or structure of historic, pre-historic, or paleontological importance or any site designated as a critical environmental area by a local agency?
10. Will project have a major effect on existing or future recreational opportunities?
11. Will project result in major traffic problems or cause a major effect to existing transportation systems?
12. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation?
13. Will project have any impact on public health or safety?
14. Will project affect the existing community by directly causing a growth in permanent population of more than 5 percent over a one-year period or have a major negative effect on the character of the community or neighborhood?
15. Is there public controversy concerning the project?

PREPARER'S SIGNATURE: [Signature] TITLE: [Signature]
REPRESENTING: [Signature] DATE: [Signature]
9/1/78

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval _____  
Subdivision ✓ _____ as submitted by  
E. Greaves for the building or subdivision of  
Butter Hill Section 10 has been  
reviewed by me and is approved ✓  
disapproved _____.

If disapproved, please list reason.

✓ Fred Jago, Jr. M.D.  
HIGHWAY SUPERINTENDENT

_____  
WATER SUPERINTENDENT

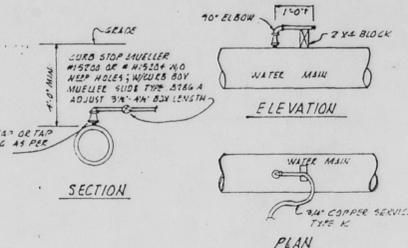
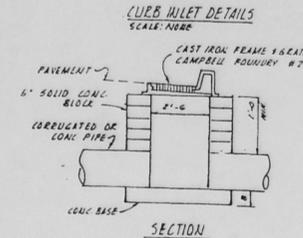
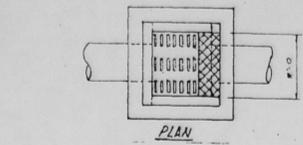
_____  
SANITARY SUPERINTENDENT

7/22/86

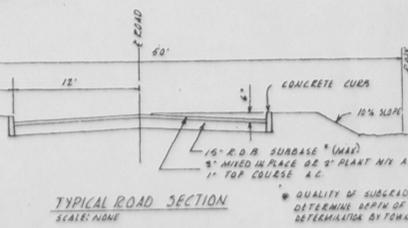
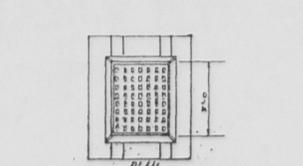
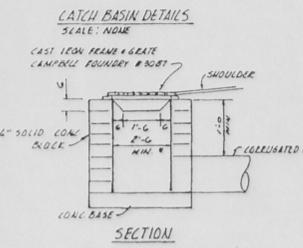
_____  
DATE

TABLE FOR LOTS WEST OF SHAKER COURT

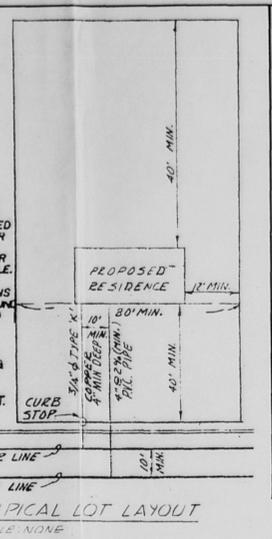
L1	S47°05'43"W	40.28'	C1	S15°05'05"W	7.5	68.03
L2	N85°07'38"E	20.00'	C2	N14°42'50"	5.0	70.9
L3	S54°52'18"W	27.92'	C3	N84°45'18"	50	80
L4	N85°07'38"E	21.50'	C4	N84°45'18"	50	80
L5	S85°07'38"E	20.00'	C5	N14°42'50"	50	70.9
L6	N85°07'38"E	46.30'	C6	N77°05'58"	35.5	42
L7	N57°00'52"E	58.62'	C7	S12°28'42"	335	72.76
L8	S04°22'22"E	46.74'	C8	S12°18'52"	335	72
L9	S75°43'38"E	80.18'	C9	S09°38'07"	535	56.34
L10	S04°22'22"E	55.45'	C10	S32°47'40"	150	80.86
L11	N07°38'00"W	76.61'	C11	S13°39'11"	150	117.51
L12	S88°54'49"E	80.70'	C12	S14°48'37"	90	57.1
L13	S36°42'17"W	51.75'	C13	S05°08'00"	50	44.45
L14	S53°17'35"E	58.15'	C14	S05°08'00"	50	44.45
L15	S88°54'49"E	2.49'	C15	S33°28'49"	50	28.22
L16	N88°54'49"E	63.18'	C16	S14°48'37"	200	76.13
L17	N72°08'00"E	32.03'	C17	S19°06'00"	200	66.67
L18	S72°08'00"E	50.00'	C18	S13°41'40"	200	47.8
L19	N14°45'00"W	43.80'				
L20	N14°45'00"W	25.00'				
L21	S77°48'07"E	64.44'				
L22	S03°54'37"W	34.43'				
L23	S59°41'22"E	35.53'				
L24	S23°00'17"W	28.92'				
L25	N53°17'43"W	22.64'				
L26	S36°42'17"W	20.78'				
L27	S36°42'17"W	30.28'				
L28	S59°41'22"E	13.57'				
L29	S48°46'03"E	71.85'				
L30	S36°42'17"W	27.38'				
L31	S36°42'17"W	22.14'				



TYPICAL WATER SERVICE DETAILS  
SCALE: NONE



TYPICAL ROAD SECTION  
SCALE: NONE

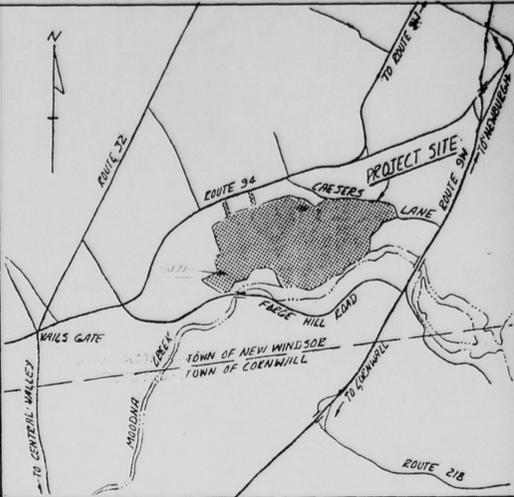


TYPICAL LOT LAYOUT  
SCALE: NONE

NOTES  
 a) A VERTICAL SEPARATION OF EIGHTEEN INCHES EDGE TO EDGE SHALL BE MAINTAINED BETWEEN WATER & SEWER LINES. WATER LINES ARE TO BE HIGHER THAN SEWER LINES WHEREVER POSSIBLE.  
 b) CELLAR OR FOOTING DRAINS SHALL DISCHARGE TO UNKOWN SURFACE, NOT CONNECTED TO SEWER LATERALS OR MAINS.  
 c) DRIVEWAYS MAY BE CONSTRUCTED OVER WATER & SEWER LATERALS ONLY WHERE THE DEPTH OF COVER EXCEEDS FOUR FT.

LEGEND:  
 UTILITY EASEMENT LIMITS  
 SECTION BOUNDARY  
 WATERLINE & SHUT OFF VALVE  
 SANITARY SEWER LINE & MANHOLE  
 EXISTING SANITARY SEWER  
 HYDRANT  
 LOT NUMBERS  
 OPEN SPACE TO ADJOINING LOT  
 STORM DRAINAGE  
 LAMPPOST/LUMINAIRE

"L.S.E." NOTES  
 1. L.S.E. on each lot denotes the LOWEST SEWERABLE ELEVATION for a house sewer lateral, based on existing and proposed sanitary sewer elevations & grades.  
 2. The L.S.E. shown was calculated on the basis of a 4' front yard setback; setbacks greater than 40' will result in higher L.S.E.s at the rate of .02'/ft.



LOCATION PLAN  
SCALE: 1"=2000'

- NOTES
- Being a proposed subdivision of lands shown on the Town of New Windsor Tax Maps as being in Section 27, Block 1, Lot 50.12.
  - Also being a proposed subdivision of Section 10, Butter Hill Subdivision, as shown on a plan having received Final Approval from the Town of New Windsor Planning Board on 26 April 1978, and filed in the office of the Town Clerk of the Town of New Windsor.
  - TOTAL PARCEL AREA: 17.82± Acres
  - NUMBER OF LOTS: 41
  - PROPERTY ZONE: R-4 (Cluster Plan under Section 281 of the N.Y.S. Town Law Approved)
  - APPLICANT: Moodna Development Co., Inc. 33 Sweet Briar Road Stamford, Ct. 06905
  - Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the New York State Education Law.

TABLE FOR LOTS EAST OF SHAKER CT.; ST. HELENA PARCEL

No.	Bearing	Distance	No.	Bearing	Distance	
L1	S142°51'33"W	30.99'	C1	S5°32'58"	75	46.53
L2	S142°51'33"W	30.23'	C2	S89°58'50"	50	78.54
L3	N78°22'08"W	51.95'	C3	S07°00'00"	50	78.54
L4	N60°02'48"W	28.62'	C4	S07°00'00"	50	78.54
L5	N34°29'56"E	70.00'	C5	S53°32'58"	75	46.53
L6	N07°31'53"W	35.44'	C6	S53°32'58"	125	175.56
L7	S142°51'33"W	35.65'	C7	S132°55'56"	245	68.81
L8	N74°53'23"E	10.04'	C8	S201°32'28"	245	100.6
L9	S75°31'34"E	10.00'	C9	S75°31'34"E	245	38.4
L10	S75°31'34"E	10.00'	C10	S75°31'34"E	125	38.84
L11	S75°29'56"E	10.00'	C11	S75°31'34"E	60	125
L12	S75°29'56"E	9.76'	C12	S65°37'01"	125	14.44
L13	S53°17'43"E	10.60'				
L14	S14°30'00"W	54.24'				
L15	N36°42'17"E	28.54'				
L16	S53°17'43"E	10.60'				
L17	S13°50'29"W	51.80'				
L18	N68°43'39"W	10.72'				
L19	S14°28'42"W	35.95'				
L20	S15°32'11"W	32.30'				
L21	N88°57'07"W	10.20'				
L22	S14°29'28"W	69.28'				
L23	N04°52'22"W	51.20'				
L24	S14°28'16"W	87.70'				
L25	S88°07'39"W	10.60'				
L26	S55°07'36"W	10.60'				
L27	N04°52'22"W	38.13'				
L28	S53°38'49"W	12.82'				
L31	N42°54'17"W	46.82'				
L32	N47°08'43"E	70.59'				
L33	N42°54'17"W	32.58'				
L34	S54°49'01"W	85.18'				
L35	N42°54'17"W	20.00'				

I HEREBY CERTIFY THAT THIS PLAN RESULTED FROM AN ACTUAL FIELD SURVEY OF THE INDICATED PREMISES COMPLETED ON 15 MARCH 1974 PERFORMED IN ACCORDANCE WITH THE CODE OF PRACTICE ADOPTED BY THE N.Y.S. ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC. AND IS TO THE BEST OF MY KNOWLEDGE AND BELIEF, CORRECT.



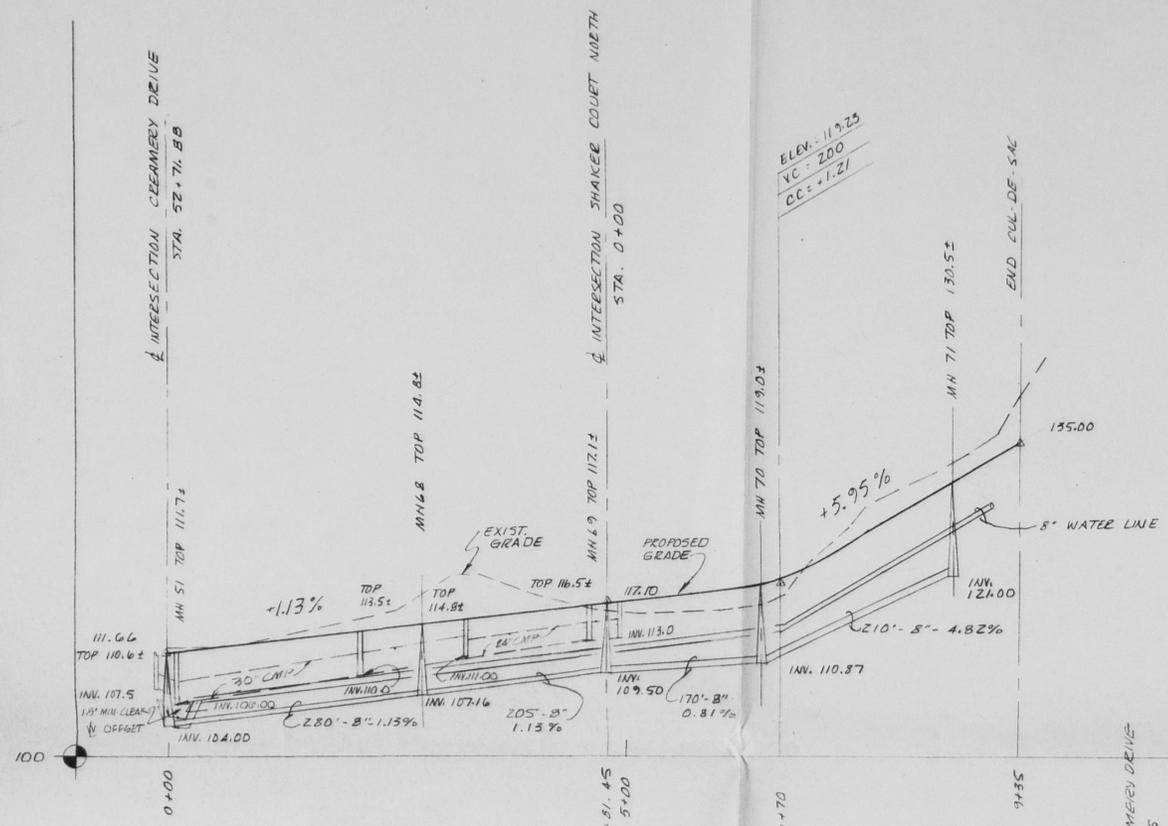
ELIAS D. GREVAS, L.S.  
 LAND SURVEYOR  
 33 QUACKER AVENUE  
 NEW WINDSOR, NEW YORK 12550

PLAN FOR  
**BUTTER HILL SUBDIVISION**  
 TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK

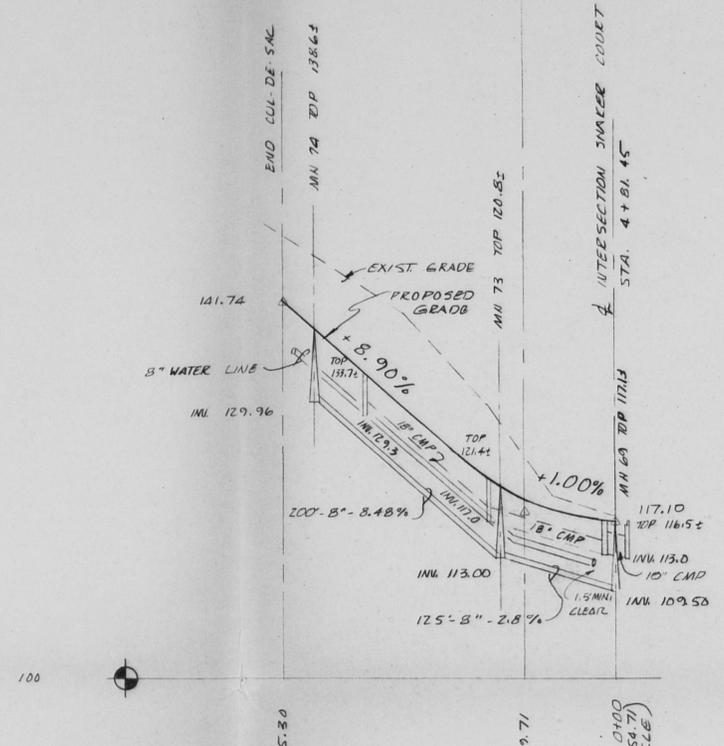
REVISIONS:  
 DATE DESCRIPTION  
 11 FEB 86 ADDED L.S.E. ON LOTS 1, 2 & 3  
 13 MAY 87 GENERAL REVISIONS  
 16 JUL 87 ADDED ST. LIGHTS

TOWN OF NEW WINDSOR  
 Drawn: [Signature]  
 Checked: [Signature]  
 Scale: 1"=60'  
 Date: 12 Aug 1986  
 Job No: 86-233

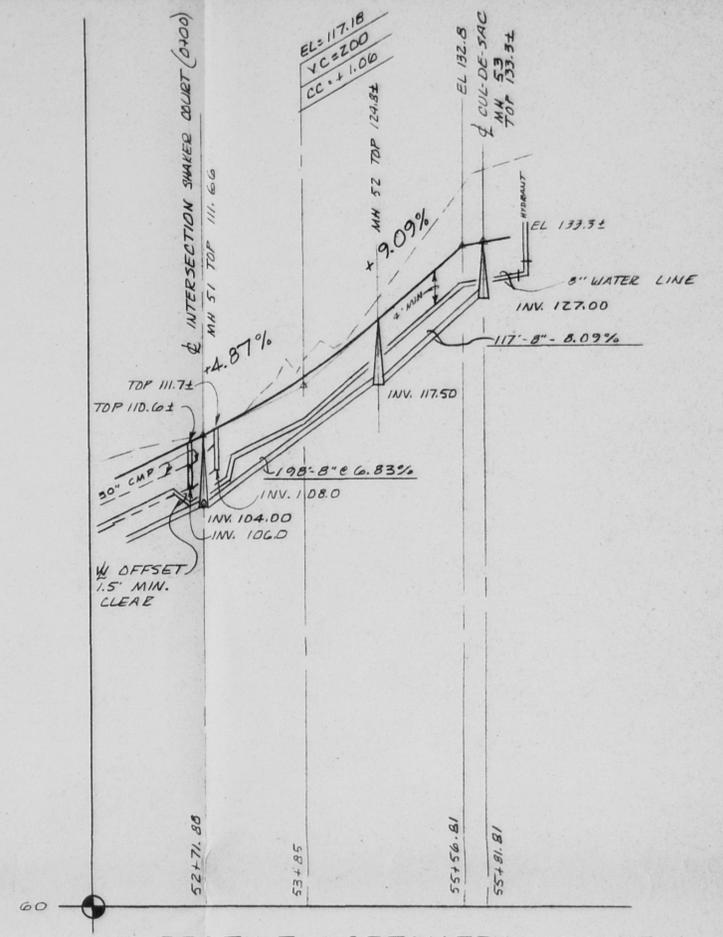
**SECTION 10**  
**AMENDED MAP** SHT 1 OF 2



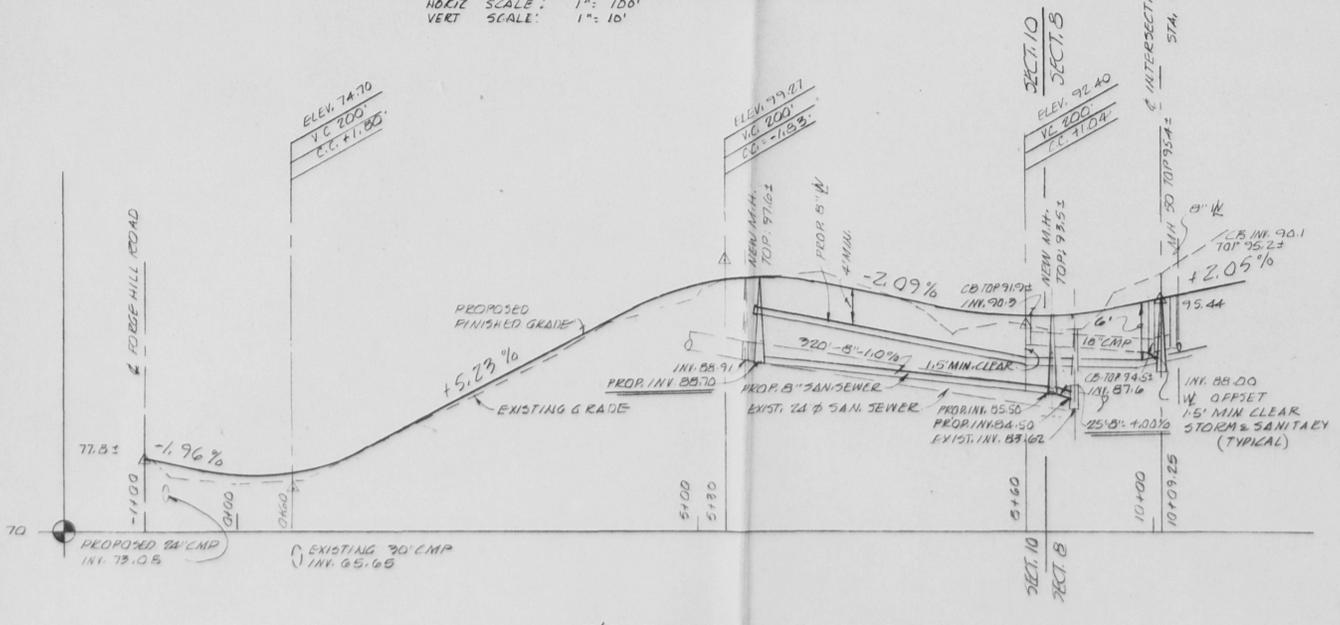
**PROFILE SHAKER COURT**  
(FORMERLY CREAMERY CIRCLE)  
HORIZ SCALE: 1" = 100'  
VERT SCALE: 1" = 10'



**PROFILE SHAKER COURT NORTH**  
(FORMERLY CREAMERY CIRCLE)  
HORIZ SCALE: 1" = 100'  
VERT SCALE: 1" = 10'



**PROFILE CREAMERY DRIVE**  
HORIZ SCALE: 1" = 100'  
VERT SCALE: 1" = 10'



**PROFILE BUTTERNUT DRIVE**  
HORIZ SCALE: 1" = 100'  
VERT SCALE: 1" = 10'

**NOTES:**  
1. PROFILE REVISIONS ARE TO PROFILES SHOWN ON SHEET 2 OF 6 ON THE APPROVED PROFILE SHEETS PREPARED BY KATZGANTER ASSOCIATES, P.C. ENTITLED "ROAD & PROFILES W/ WATER DISTRIBUTION SYSTEM", LAST REVISED 3 APRIL 1970.



PREPARED PURSUANT TO SECT. 1202(b)(1) OF THE N.Y.S. EDUCATION LAW.

*W. J. H. Jones*

<b>ELIAS D. GREVAS, L.S.</b> LAND SURVEYOR 33 QUASSANCE AVENUE NEW WINDSOR, NEW YORK 12550		<b>PLAN FOR:</b> <b>BUTTER HILL SUBDIVISION</b>	
<b>REVISIONS:</b>		TOWN OF NEW WINDSOR    ORANGE COUNTY    NEW YORK	
DATE	DESCRIPTION	Drawn	Checked
2/11/67	ADDED CLEARANCE NOTES -	W. J. H. J.	
	SHAKER COURT (100) & SHAKER COURT NORTH (120)		
3/19/67	GENERAL REVISIONS		
		Scale: As Shown	Date: 12 AUG. 1966
		Job No. 86-233	

**SECTION 10**  
**REVISED PROFILES**  
SHEET 2 OF 2