

PB# 04-28

**Petro/McPhillips
(LLC)**

7-3-4 & 5

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY

DATE: 11-3-04

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/29/2004

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 4-28
NAME: PETRO - MCPHILLIPS LOT LINE CHANGE PA2004-1009
APPLICANT: JOHN PETRO / MC PHILLIPS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/06/2004	REC. CK. #8527	PAID		150.00	
10/13/2004	P.B. ATTY. FEE	CHG	35.00		
10/13/2004	P.B. MINUTES	CHG	38.50		
12/08/2004	P.B. ENGINEER	CHG	257.40		
12/09/2004	REC. CK. #534	PAID		180.90	
		TOTAL:	330.90	330.90	0.00


1/12/05

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

RECEIPT
#49-2005

01/12/2005

McPhillips, William

Received \$ 150.00 for Planning Board Fees, on 01/12/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB 04.28 approval See

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2005

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 4-28

NAME: PETRO - MCPHILLIPS LOT LINE CHANGE PA2004-1009
APPLICANT: JOHN PETRO / MC PHILLIPS

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/03/2004	PLANS STAMPED	APPROVED
10/13/2004	P.B. APPEARANCE . SUBJECT TO O.C. PLANNING REVIEW AND MARK'S COMMENTS	LA:ND WVE PH APP CON
08/18/2004	WORK SHOP	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2005

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LISTING OF PLANNING BOARD FEES
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PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 4-28

NAME: PETRO - MCPHILLIPS LOT LINE CHANGE PA2004-1009
APPLICANT: JOHN PETRO / MC PHILLIPS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/08/2004	APPROVAL FEE	CHG	150.00		
12/09/2004	REC CK. #535	PAID		150.00	
		TOTAL:	150.00	150.00	0.00



**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
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: JOHN PETRO – WILLIAM McPHILLIPS LOT LINE CHANGE
PROJECT LOCATION: UNION AVENUE
SECTION 7 – BLOCK 3 – LOTS 4 & 5
PROJECT NUMBER: 04-28
DATE: 13 OCTOBER 2004
DESCRIPTION: THE APPLICATION PROPOSES REALIGNMENT OF THE LOT
DIVISION LINE BETWEEN TAX LOTS 4 AND 5. THE McPHILLIPS
LOT (#5) HAS A RESULTANT INCREASE IN AREA.

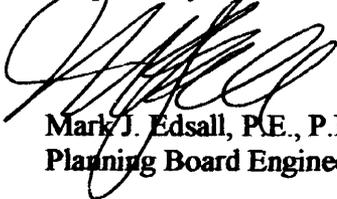
1. The application is very straight forward, although numerous corrections are needed to the plan, as follows:
 - The record owner information indicates that the McPhillips lot is lot 5.12, and the tax map data and application indicate lot 5. Which is correct?
 - The map signature/acknowledgement on the plan is not signed by the two owners. (also see next comment).
 - The planning board secretary should insure that *both* property owners have signed the application.
 - The plan identifies the “lot line to be removed”. The “proposed lot lines” should also be called out.
 - The plan should provide metes and bounds for the existing lot line (being removed). As well, dimensions should be indicated for the width of the strips being transferred.
 - The “required” bulk table is incomplete, as it should include all data. Frontage, Building Height, FAR, Min. Livable Area and Development Coverage are all missing.
 - The “required” lot area value is incorrect.

REGIONAL OFFICES

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

- The “required” lot width value is incorrect.
 - The “required” front yard value is incorrect.
 - The “required” side yard value is incorrect.
 - The “required” total side yard value is incorrect.
 - The “required” rear yard value is incorrect.
 - The bulk table is incomplete. “Provided” values should be provided for each lot as “existing” (pre lot line revision) and “proposed” (post lot line revision). The bulk information must document continued compliance with zoning.
2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
 3. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Section 257-13 (A) of the Subdivision Regulations.
 4. Effective September 1, 2004, the Orange County Planning Department resumed review of all projects and actions that meet the requirements of New York State General Municipal Law (GML 239). Effectively, all projects within 500-foot distance requirements of the State statute (to municipal boundaries; county or state park; county or state highway; county drainage channel or right-of-way; county or state property with a building; or farm operation in an agricultural district) must again be referred to the OCPD for review.

Respectfully Submitted,



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

MJE/st
NW04-28-13Oct04.doc

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/06/2004

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 4-28
NAME: PETRO - MCPHILLIPS LOT LINE CHANGE PA2004-1009
APPLICANT: JOHN PETRO / MC PHILLIPS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/06/2004	REC. CK. #8527	PAID		150.00	
		TOTAL:	0.00	150.00	-150.00

[Handwritten signature]
10/6/04

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

RECEIPT
#1024-2004

10/07/2004

Petro, John & martha #04-28

Received \$ 50.00 for Planning Board Fees, on 10/07/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



**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: mhenry@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.: 04-28¹⁰⁻³

WORK SESSION DATE: 18 Aug 2004

PROJECT: NEW OLD

REAPPEARANCE AT W/S REQUESTED: no

RESUB. REQ'D: Full App

PROJECT NAME: Petro/McPhillips Y/C Change

REPRESENTATIVES PRESENT: John Petro/Bill McPhillips

MUNICIPAL REPS PRESENT:
BLDG INSP. _____
ENGINEER
P/B CHMN _____

FIRE INSP. _____
PLANNER _____
OTHER _____

ITEMS DISCUSSED:

STND CHECKLIST: PROJECT TYPE

Simple two piece lot line change (swap)

DRAINAGE _____ SITE PLAN
DUMPSTER _____ SPEC PERMIT
SCREENING _____ L L CHG.
LIGHTING _____ SUBDIVISION
(Streetlights)
LANDSCAPING _____ OTHER
BLACKTOP _____
ROADWAYS _____
APPROVAL BOX _____

- plan needs revisions per Mark p.

PROJECT STATUS:
ZBA Referral: Y N
Ready For Meeting Y N

- need bulk table - no apparent variances needed.

Recommended Mtg Date next avail after plan

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. 7 Block 3 Lot 4
AND SEC 7 Block 3 LOT 5

BUILDING DEPARTMENT PERMIT NUMBER PA PA2004-1009

1. Name of Project _____

2. Owner of Record JOHN A PETRO Phone 561-6519

Address: 8 PARK HILL DR NEW WINDSOR NY 12553
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant JOHN A PETRO Phone _____

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

4. Person Preparing Plan PATRICK T KENNEDY Phone _____

Address: 5 RIVERVIEW AV. NEW WINDSOR NY 12553
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

Address _____
(Street Name & Number) (Post Office) (State) (Zip)

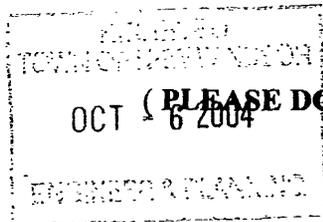
6. Person to be notified to appear at Planning Board meeting:

JOHN A PETRO 561-6519 _____
(Name) (Phone) (fax)

7. Project Location: On the SOUTH side of UNION AV.
(Direction) (Street)

8. Project Data: Acreage 40X500' Zone RES. School Dist. NB9

PAGE 1 OF 2



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

04-28

9. Is this property within an Agricultural District containing a farm 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 Agricultural Data Statement.**

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) _____

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:

4th DAY OF October 2004

John A Petro
(OWNER'S SIGNATURE)

(AGENT'S SIGNATURE)

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME050024
Qualified in Orange County
Commission Expires 10/30/2006

Jennifer Mead
NOTARY PUBLIC

JOHN A PETRO
Please Print Agent's Name as Signed

TOWN USE ONLY:

TOWN OF ORANGE
OCT - 6 2004
DATE APPLICATION RECEIVED

04-28

APPLICATION NUMBER

AGENT/OWNER PROXY STATEMENT
(professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

William M McPhillips, deposes and says that he resides
(OWNER)

at 481 UNION AVE in the County of ORANGE
(OWNER'S ADDRESS)

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

(Sec. 7 Block 3 Lot 5.12)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he designates:

John A Petro
(Agent Name & Address)

8 PARK HILL DR NW 12553

(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, WHICH EVER IS SOONER.**

SWORN BEFORE ME THIS:

7th DAY OF October 2007

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984055
Commission Expires July 15, 2009

** William M McPhillips
Owner's Signature (MUST BE NOTARIZED)

John A Petro
Agent's Signature (If Applicable)

Deborah Green
NOTARY PUBLIC

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

PROJECT I.D. NUMBER
PA 2004-1009

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 JOHN A PETRO	2. PROJECT NAME
3. PROJECT LOCATION: Municipality NEW WINDSOR NY County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) ROW, SOUTH OF UNION AV.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: ROW. (LANE)	
7. AMOUNT OF LAND AFFECTED: Initially 40 X 500' acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: JOHN A PETRO	Date: 7-28-04
Signature: John A Petro	

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

OCT - 6 2004
 ENVIRONMENTAL

OVER
1

04-28

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)

OCT - 6 2004
 Date

RECORD OWNERS:

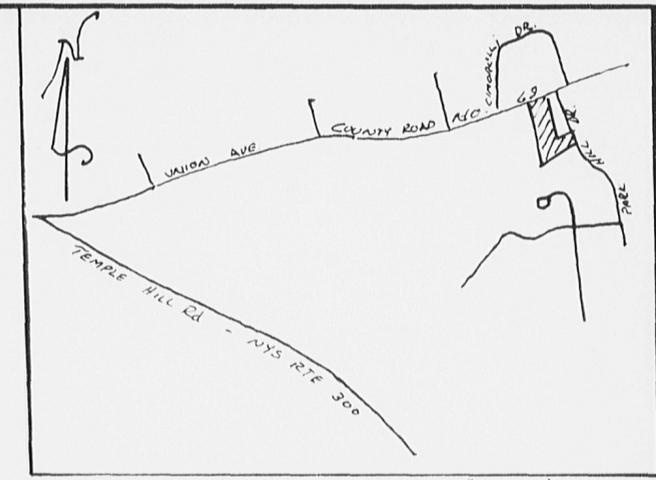
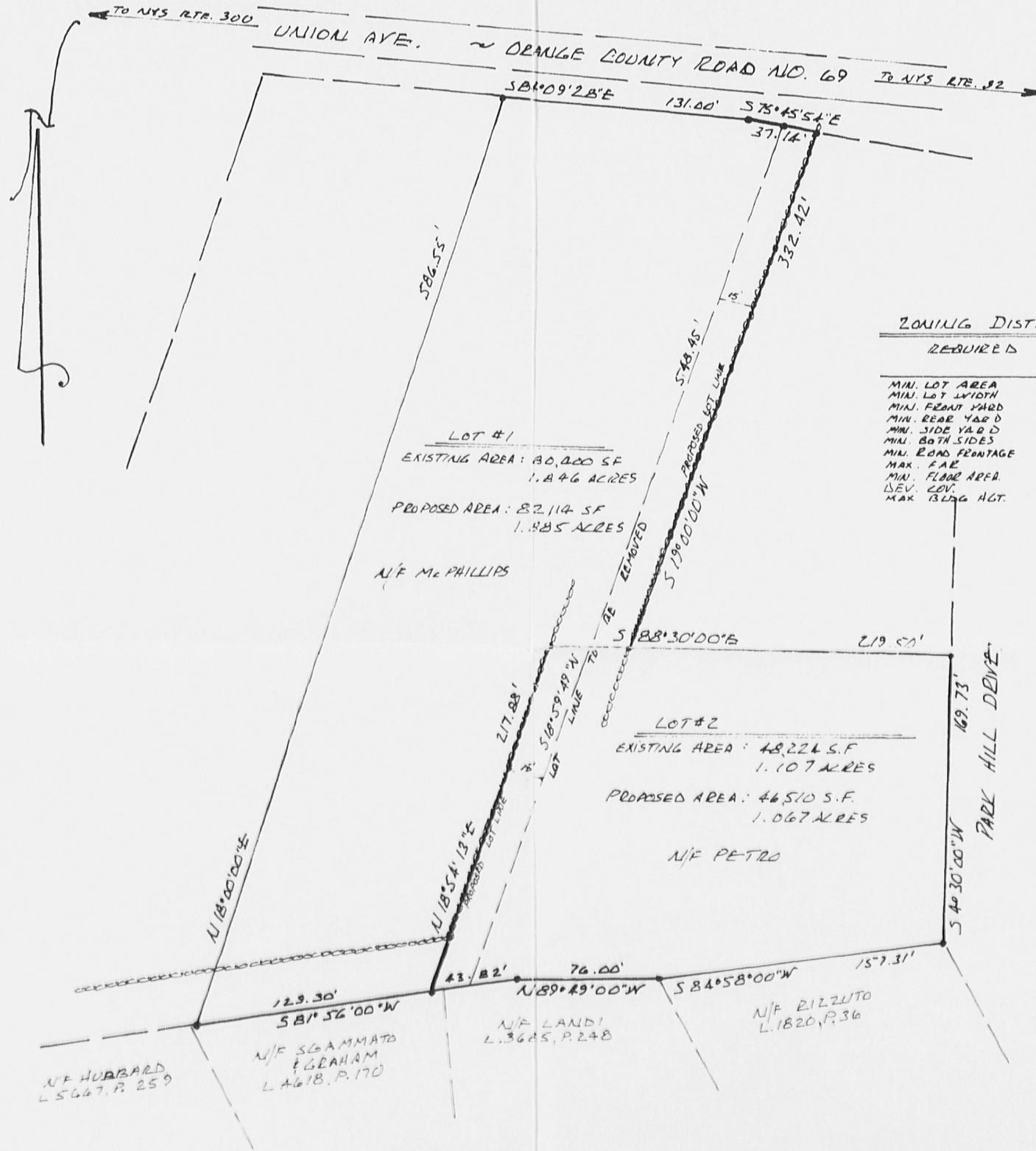
- I. TAX MAP SECTION 7, BLOCK 3, LOT 4
JOHAI PETRO
8 PARK HILL DRIVE
NEW WINDSOR, N.Y. 12553
- II. TAX MAP SECTION 7, BLOCK 3, LOT 5.12
WILLIAM Mc PHILLIPS
481 UNION AVE.
NEW WINDSOR, NY 12553

APPLICANT

JOHAI PETRO
8 PARK HILL DRIVE
NEW WINDSOR, NY 12553

THE OWNERS OF THE ABOVE PROPERTIES
HAVE REVIEWED THIS MAP AND CONCUR
WITH THE INFORMATION SHOWN HEREON.

John Petro
William McPhillips



ZONING DISTRICT: RA

REQUIRED	LOT #1		LOT #2	
	EXISTING	PROPOSED	EXISTING	PROPOSED
MIN. LOT AREA	1.846 ACRES	1.885 ACRES	1.107 ACRES	1.067 ACRES
MIN. LOT WIDTH	125'	170'	175'	175'
MIN. FRONT YARD	64.3'	42.8'	42.8'	42.8'
MIN. REAR YARD	50'	372.1'	103.4'	118.4'
MIN. SIDE YARD	20'	11.0' EXIST.	48.9'	48.4'
MIN. BOTH SIDES	20'	24.0' EXIST.	11.9'	11.9'
MIN. ROAD FRONTAGE	70'	108.14'	169.73'	169.73'
MAX. FAR	4.31%	4.22%	3.873%	3.83%
MIN. FLOOR AREA	3464 SF	3464 SF	1782 SF	1782 SF
DEV. COV.	3.4%	3.3%	4.7%	4.9%
MAX. BLDG HGT.	2.35'	2.35'	2.35'	2.35'

TAX MAP DATA:
SECTION: 7 BLOCK: 3 LOTS: 4 & 5.12

DEED REFERENCES:
PETRO: LIBER 1470, PAGE 17
LIBER 5501, PAGE 112
McPHILLIPS: LIBER 5423, PAGE 92
LIBER 5903, PAGE 347

MAP REFERENCES:
I. PARK HILL SUBDIVISION
MAP # 1758
II. PROPOSED LOT LINE CHANGE
SANDCASTLE HOMES, INC TO McPHILLIPS
III. LOT LINE CHANGE FOR
PETRO • McPHILLIPS • LICHER

PLANNING BOARD APPROVAL

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

NOV - 3 2004

By: *James Petro, Jr., Chairman*
By: *Tom Schaeffer, Secretary*

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A
MAP BEARING A NEW YORK STATE LICENSED
LAND SURVEYOR'S SEAL IS A VIOLATION OF
SECTION 7209 (2) OF THE NEW YORK STATE
EDUCATION LAW.

CERTIFIED TO:
• JOHN PETRO
• WILLIAM McPHILLIPS



Patrick T. Kennedy L.S.
5 RIVERVIEW AVE • NEW WINDSOR • NEW YORK • 12553

SCALE: 1" = 50' APPROVED BY: DRAWN BY:
DATE: SEPT. 20 2004 DATE: REVISED: 10-25-04

Lot Line Change for
JOHAI PETRO and WILLIAM McPHILLIPS

TOWN OF NEW WINDSOR
ORANGE COUNTY • NEW YORK

DRAWING NUMBER
01-2