

PB# 86-58

**Windsor Square
(Sub.)**

35-1-42.1 & 42.2

7/26/91 86-58
Windsor Square Subdivision

Approved

7/26/91

General Receipt

8003

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

8/21 19 86

Received of Clias Grevas \$25.00

Twenty-five 00/100 DOLLARS

For Sub-Division application fee #86#58

| DISTRIBUTION | | |
|--------------|------|--------|
| FUND | CODE | AMOUNT |
| Chk #1522 | | 25.00 |
| | | |

By Pauline G. Townsend
Town Clerk
Title

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

General Receipt

12105

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

July 3, 19 91

Received of Windsor Land Construction Corp. \$3,485.00

Three thousand four hundred eighty five 00/100 DOLLARS

For P.B. #86-58 Eng. Fee \$2,635.00 Appr. Fee \$850.00

| DISTRIBUTION: | | |
|---------------|------|----------|
| FUND | CODE | AMOUNT |
| Check #113 | | 3,485.00 |
| | | |

By Pauline G. Townsend
Town Clerk
Title

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

No. 86-58 July 3 1991

Received from Windsor Land Const. Corp.

Twenty-Eight Thousand Eight Hundred 00/100 Dollars

4% Inspection Fee

\$28,800.00 Thru Membership fee P.B.

5-3-81 Building No. 86-58 July 3 1991
P.D. Eng
Fire Ins

Received from Windsor Land Const. Corp.

00.00

| | |
|-------------|------|
| Check #1522 | 2500 |
| | |

By Pauline J. Townsend
 Title Town Clerk

General Receipt 12105

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

Received of Windsor Land Construction Corp. July 3, 1991 \$ 3,485.00

Three thousand four hundred eighty five and no/100 DOLLARS

For P.B. #86-58 Eng. Fee \$2,635.00 Appr. Fee \$850.00

| FUND | CODE | AMOUNT |
|-------------------|------|----------------|
| <u>Check #113</u> | | <u>3485.00</u> |
| | | |
| | | |

By Pauline J. Townsend
 Title Town Clerk

No. 86-58 July 3 1991
 Received from Windsor Land Const. Corp.
Twenty-Eight Thousand Eight Hundred and no/100 Dollars
4% Inspection Fee
\$28,800.00 Windsor Township for the P.B.

- 5-3-8
- Building
- P.B. Eng.
- Fire Insp.
- Water
- Sewer
- Highway
- D.O.T.
- O.C.H.
- O.C.P.
- D.P.W.

No. 86-58 July 3 1991
 Received from Windsor Land Const. Corp.
Two thousand Two Hundred fifty and no/100 Dollars
Recreation fee for 29 Lots @ \$250.00 ea.
(Windsor Square Subdivision)
\$7,250.00 Windsor Township for the P.B.

General Receipt

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

12143

July 29 1991

Received of Windsor Land Construction Corp. \$ 325.00
Three hundred twenty five and 00/100 DOLLARS

For P.O. # 86-58-Eng. Fees

DISTRIBUTION:

| FUND | CODE | AMOUNT |
|--------------------|------|---------------|
| <u>Check # 115</u> | | <u>325.00</u> |
| | | |
| | | |

By Pauline G Townsend
Town Clerk
Title

**HUNTER
RESEARCH
ASSOCIATES**

Cultural Resource Consultants

714 S. Clinton Ave.
Trenton, NJ 08611
Tel. 609/695-0122

**A PHASE 1 ARCHAEOLOGICAL SURVEY
FOR THE
WINDSOR SQUARE PROPERTY
SECTION 35, BLOCK 1, LOTS 42.1 AND 42.2
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

Prepared for:

**Richard Shulkin
Windsor Square Associates, Inc.
15-150 Old Route 9W
New Windsor, NY 12550**

September 1988

TABLE OF CONTENTS

| | Page |
|--|------|
| 1. INTRODUCTION | 1-1 |
| A. Project Background and Scope-of-Work | 1-1 |
| B. Criteria of Evaluation | 1-4 |
| C. Definition of Terms | 1-5 |
| D. Project Chronology | 1-6 |
| E. Previous Research | 1-6 |
| 2. GEOGRAPHICAL SETTING | 2-1 |
| 3. PREHISTORIC BACKGROUND | 3-1 |
| 4. HISTORICAL BACKGROUND | 4-1 |
| A. The Early Settlement and Colonial Periods | 4-1 |
| B. The Revolutionary Period | 4-2 |
| C. The Post-Revolutionary War Period | 4-5 |
| 5. ARCHAEOLOGICAL FIELD INVESTIGATIONS | 5-1 |
| 6. SITE EVALUATION, ASSESSMENT OF IMPACT AND RECOMMENDATIONS | 6-1 |
| 7. SUMMARY | 7-1 |
| REFERENCES | |
| APPENDICES - | |
| A. Summary of Subsurface Testing | |
| B. Artifact Inventory | |
| C. New York State Historic Archaeological Site Inventory Form | |
| D. List of Contacts | |
| E. List of Repositories Visited or Contacted | |
| F. Resumes | |

LIST OF FIGURES

| | | Page |
|------------|------------------------------------|--------|
| Figure 1.1 | Location of Project Area | 1-2 |
| 1.2 | Detailed Location of Project Area | 1-3 |
| 2.1 | Project Area Soils | 2-4 |
| 4.1 | DeWitt Map of 1783 | 4-4 |
| 4.2 | Sidney Map of 1851 | 4-8 |
| 4.3 | French, Wood and Beers Map of 1859 | 4-9 |
| 4.4 | Hughes Map of 1864 | 4-10 |
| 4.5 | Beers Map of 1875 | 4-11 |
| 4.6 | Beers Map of 1891 | 4-12 |
| 4.7 | Lathrop Map of 1903 | 4-13 |
| 5.1 | Site Plan | pocket |
| 5.2 | Shovel Test 11, Plan View | 5-5 |

LIST OF PLATES

| | | Page |
|-----------|---|------|
| Plate 2.1 | General view of western edge of property looking east | 2-2 |
| 2.2 | General view of western edge of property looking south | 2-2 |
| 2.3 | General view of railroad line along southeastern edge of property | 2-3 |
| 2.4 | General view of northeastern corner of property looking east | 2-3 |
| 5.1 | View of stone wall along western edge of property | 5-2 |

ACKNOWLEDGMENTS

Many individuals have contributed to the completion of this cultural resource survey. Richard Shulkin of Windsor Square Associates has provided funding for these investigations and supplied various project-related materials. Both Mr. Shulkin and Elias Grevas have kindly answered numerous questions concerning the Windsor Square property and given us the benefit of their knowledge of the local area.

Thanks are due to the staff of the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), and specifically to Robert Ewing (OPRHP) and Paul Huey of the Bureau of Historic Sites, who at various times assisted us with their files and discussed the cultural resource issues raised by this project. Beth Wellman of the New York State Museum kindly responded to our request for a search of the museum's prehistoric site files.

Jane Townsend, Site Manager at the New Windsor Cantonment State Historic Site, and members of the National Temple Hill Association (specifically, Donald C. Gordon, Glenn Marshall and Thomas Murray) were responsive to our inquiries concerning the locations of known and suspected Revolutionary War era sites in the project vicinity. Herbert and Sandi Crosbie, members of the Town of New Windsor Historic Parklands Commission, also supplied useful historical information. Thanks are also extended to the staffs of the Newburgh Free Library, the Orange County Genealogical Society, the Orange County Historical Society, the Goshen Public Library and Historical Society, and the deed room of the Orange County Court House.

Background research for this survey was performed by Richard Porter. Field investigations were supervised by Richard Regensburg under the overall direction of Richard Hunter. Robert Hamilton, Geraldine Baldwin and Brian Ludwig worked as field assistants. Drafting and report assembly were performed by Richard Hunter, Richard Porter, Cathe Burrow and Jean Nist-Ferrara. This report has been co-authored by Richard Hunter and Richard Porter.

Richard W. Hunter
Principal Investigator

CHAPTER 1

INTRODUCTION

A. Project Background and Scope-of-Work

The following report describes a Phase 1 archaeological survey carried out in connection with the proposed Windsor Square development, Section 35, Block 1, Lots 42.1 and 42.2, in the Town of New Windsor, Orange County, New York (Figures 1.1 and 1.2). This survey was performed by Hunter Research Associates under contract to Windsor Square Associates of New Windsor, New York in connection with the latter firm's proposed subdivision application to the Town of New Windsor.

Project plans for this 15.87-acre property currently envisage a residential development of 30 single family homes. The subdivision will be serviced by a road loop with access on to N.Y. Route 32 and Leslie Avenue. Provision is made for storm water retention in the eastern corner of the property (Figure 5.1).

In this instance, cultural resource studies were specifically requested in anticipation of municipal and state concerns about the possibility of significant historical archaeological resources being found within the project limits. The project site is located in the general vicinity of the cantonment established by General Washington's American forces during the winter of 1782-83 and it was considered a reasonable possibility that Revolutionary War era archaeological resources might be encountered on the Windsor Square property. The entire property is located within the boundary of the New Windsor Cantonment site as presently listed in the National Register of Historic Places. The New Windsor Cantonment State Historic Site, also contained within the National Register site and the focus of present-day interpretations of the historic events of 1782-83, is located approximately 3,000 feet to the west of the Windsor Square property.

No formal scope-of-work was provided for this survey. The consultant therefore performed a standard Phase 1 archaeological survey comprising background studies (including archival research and informant interviews), a site examination (with subsurface testing), analysis of the assembled data, and preparation of this report. These studies have concentrated chiefly on issues of prehistoric archaeology and historical archaeology. There are no standing buildings on the property; historic architectural issues have therefore not been considered.

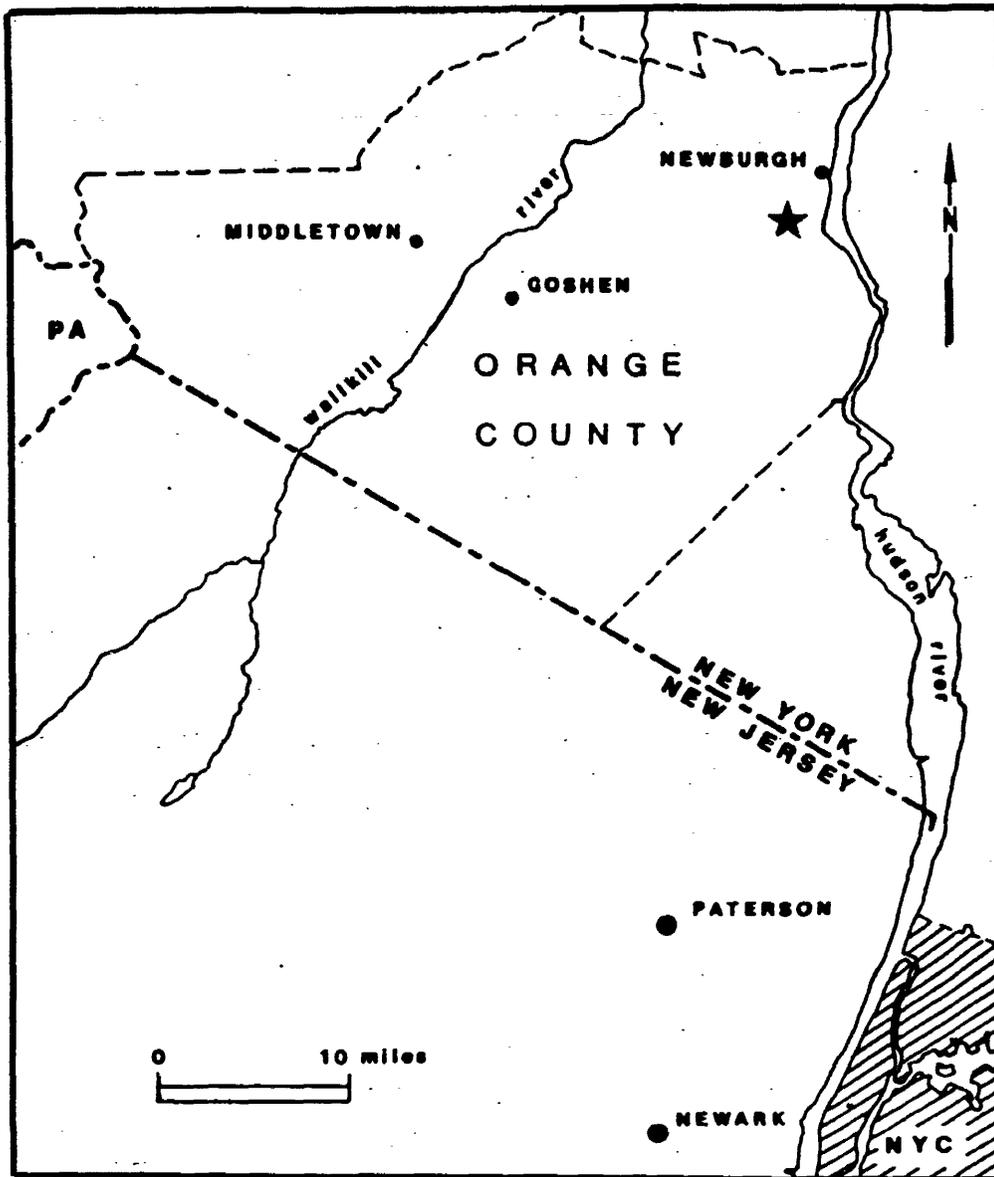


Figure 1.1. Location of Project Area (starred).

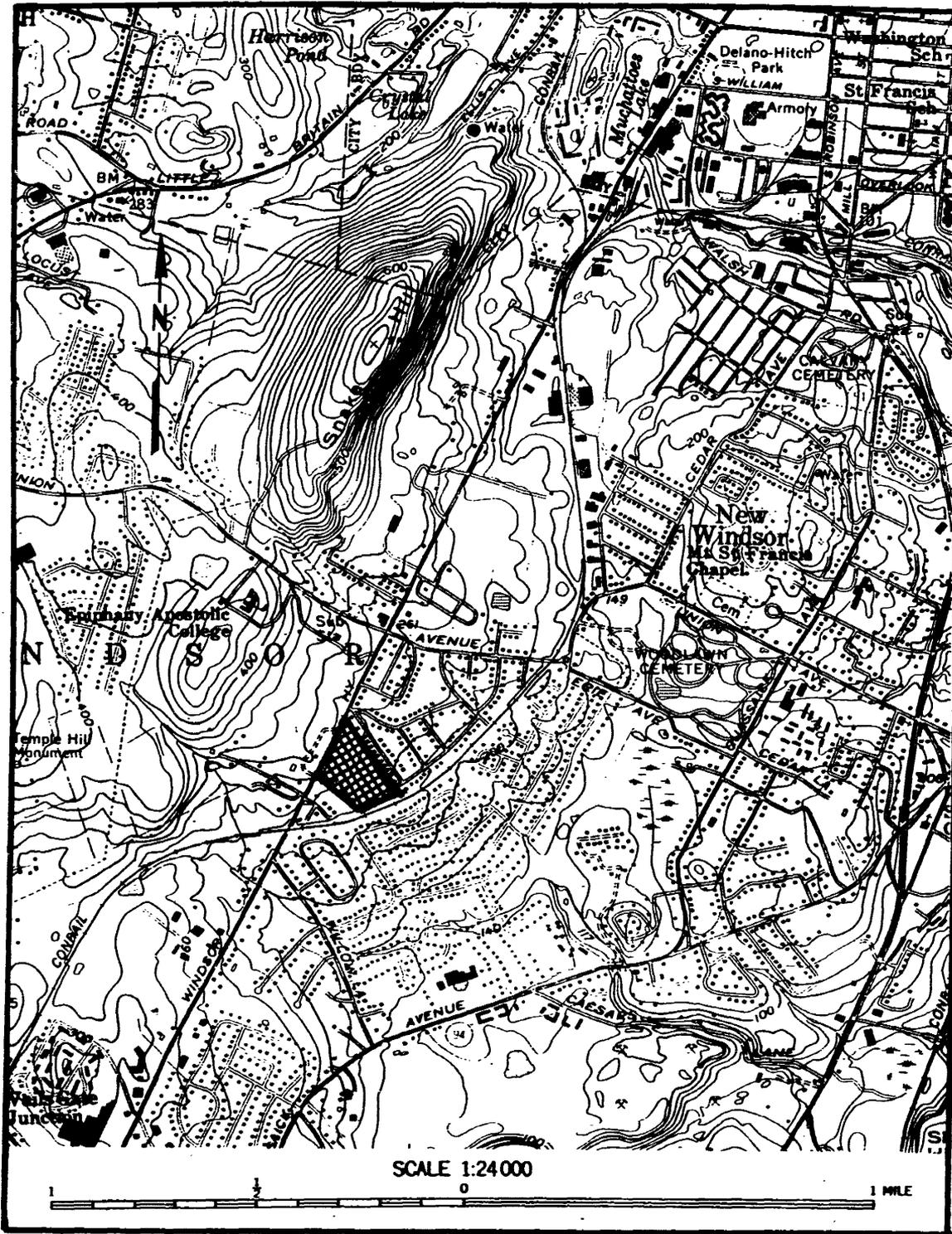


Figure 1.2. Detailed Location of Project Area (outlined).
 Source: USGS Cornwall Quadrangle. 1981.

B. Criteria of Evaluation

The information generated by this survey was considered in terms of the criteria for evaluation outlined by the U.S. Department of the Interior, National Register Program:

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. that have yielded, or may be likely to yield information important in prehistory or history.

Ordinarily, cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or

D. a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

E. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historic significance; or

G. a property achieving significance within the past 50 years if it is of exceptional importance.

C. Definition of Terms

The following definitions are from the Department of the Interior, National Register of Historic Places 36 C.F.R. 63 (Federal Register, Vol. 42, No. 183, Wed. Sept. 21, 1977, pp. 47666-67):

1. A "district" is a geographically definable area, urban or rural, possessing a significant concentration, linkage or continuity of sites, buildings, structures, or objects which are united by past events or aesthetically by plan or physical development. A district may also be comprised of individual elements which are separated geographically but are linked by associations or history.

2. A "site" is the location of a significant event, or prehistoric or historic occupation or activity or a building or structure whether standing, ruined, or vanished where the location itself maintains historical or archaeological value regardless of the value of any existing structures.

3. A "building" is a structure created to shelter any form of human activity such as a house, barn, church, hotel or similar structure. "Buildings" may refer to a historically related complex, such as a courthouse and jail or a house and barn.

4. A "structure" is a work made up of interdependent and interrelated parts in a definite pattern or organization. Constructed by man, it is often an engineering project large in scale.

5. An "object" is a material thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

D. Project Chronology

Written authorization for commencement of work on this project was received on July 5, 1988. Background research was mostly carried out during early July, with the archaeological fieldwork taking place between July 11 and 15. Weather conditions during the fieldwork were fine and very warm, although ground visibility was generally poor because of the summer vegetation. Analysis of research and field data and report preparation were performed between July 15 and September 12, 1988.

E. Previous Research

No detailed archaeological investigations have been specifically directed at the Windsor Square property prior this survey, although a number of cultural resource studies have taken place in the immediate vicinity. The neighboring Epiphany College property (on the opposite [western] side of N.Y. Route 32) has been the subject of two investigations by this firm during the summer of 1988. These studies specifically attempted to locate remains of the 18th-century Cumming House (originally located in the southwestern angle of the Union Avenue/N.Y. Route 32 intersection), the Revolutionary War era encampment of the Second Massachusetts Brigade (which straddled present-day N.Y. Route 32 to the south of Union Avenue) and a poorly documented burial ground believed to have been associated with the cantonment (whose precise site remains uncertain). The 19th-century farm properties and the early 20th-century Epiphany Apostolic College were also researched. No significant Revolutionary War era remains were identified on the Epiphany College property during these investigations.

The site of the New Windsor Cantonment of 1782-83 has been the subject of intense historical and archaeological scrutiny over the years. This scrutiny has generated much useful historical and archaeological data, not only on the present State- and municipal-owned properties where the present-day cantonment-related activities are focused, but also on many nearby privately-owned properties where Revolutionary War era events also took place.

The New Windsor Cantonment State Historic Site is an important repository of historical information and holds copies of many primary archival materials, including maps and views dating from the Revolutionary period (Machin 1778; Pickering 1782; DeWitt 1783; Tarbell 1783). The State of New York, through its Office of Parks, Recreation and Historic Preservation, has sponsored the bulk of the research relating to the cantonment to date. Over the past twelve years, a number of reports on archaeological investigations (Wentworth 1976; Goring 1978; Goring and Dempsey 1978; Fisher 1981; Fisher 1982; Fisher 1983a; Fisher 1983b; Huey 1983; Fisher 1985; Fisher 1986), geophysical and geochemical studies (Bevan 1981; Sopko 1983) and archival research (Brown 1975) have appeared under the auspices of the state government. Some of these studies were stimulated by possible impacts from development, others were more research-oriented in emphasis.

Within the past year, a historical overview of the New Windsor Cantonment has been published (Dempsey 1987). This provides a good general background to the events of the Revolutionary War that took place in the New Windsor vicinity and has been a useful source for this survey. There are also a number of other relevant general texts dealing with the history of Orange County and the New Windsor area, many of them dating from the late 19th century (e.g., Eager 1847; French 1860; Denniston 1863; Beach 1873; Ruttenber and Clark 1881; Ruttenber 1890; Ruttenber 1911).

Historic maps have been a valuable research tool during this survey. In addition to the Revolutionary war maps already noted, there are various other maps dating from the mid-19th century onwards which supply coverage of the project vicinity (Sidney 1851; French et al. 1859; Hughes 1864; Beers 1875; Beers 1891; Lathrop 1903). These have been valuable in tracing the project site's more recent land use history and have given important clues to other cultural resources in the area.

Two other cultural resource studies have been conducted close to the project site. These are an investigation carried out in connection with the proposed improvement of the Union Avenue and Temple Hill Road intersection (Eisenberg et al. n.d.) and a Phase 1 archaeological survey by Hunter Research Associates, as yet unreported, in connection with the proposed Olympia subdivision (Section 2, Block 2, Lot 9; adjacent to the north side of the New Windsor Cantonment State Historic Site and immediately west of the Epiphany College property).

CHAPTER 2

GEOGRAPHICAL SETTING

The Windsor Square property is located roughly two miles southwest of the City of Newburgh and about one-and-a-half miles due west of the Hudson River (Figure 1.1). It is located on the east side of N.Y. Route 32 (Windsor Highway) about 1,500 feet south of Union Avenue (Figure 1.2). N.Y. Route 32 forms the western boundary of the property (Plates 2.1 and 2.2), while its eastern side is bordered by the right-of-way for the Conrail's Newburgh Branch railroad (Plate 2.3). To the north and south are recent residential subdivisions.

The Windsor Square tract itself is trapezoidal-shaped. The perimeter is fairly densely wooded with mixed deciduous growth (mostly maple, oak, cherry, locust and walnut). The interior consists of abandoned fields now overgrown with long grasses, clumps of sumac and locust, and shrubs and bushes. There are also some denser stands of locust, cherry and maple in the central portion of the property along the old field boundaries. There are two gaps in the stone wall along the west side of the property where farm equipment once gained access to the fields. In the far northeastern corner of the property is a mowed field (Plate 2.4).

The project site is located at the eastern edge of the Hudson Mohawk Lowland physiographic province, close to its boundary with the Hudson Highlands (which is a part of the New England Upland physiographic province). The topography of this section of Orange County is gently rolling, with more marked relief to the east adjacent to the Hudson Valley. The geology underlying the project site consists of the Snake Hill Shale of Ordovician age, altered by glacial action and overlaid by glacial and recent deposits (Broughton et al. 1962; Offield 1967; Thompson 1977; Olsson 1981).

The topography of the project site slopes gently down from northwest to southeast. A slight ridge runs from east to west across the west central portion of the property. This landform, which can be seen more clearly in the road bed of N.Y. Route 32 immediately west of the property (Plates 2.1 and 2.2), is significant in relation to the archaeological findings discussed below in Chapter 5. Elevations within the project site range from roughly 274 feet above sea level on the crest of this ridge at the western edge of the property to around 224 feet alongside the railroad easement at the eastern edge of the property (Figure 5.1).



Plate 2.1. General view of western edge of project site, looking east; N.Y. Route 32 in foreground (Photographer: Richard Regensburg, July 1988).



Plate 2.2. General view of western edge of project site, looking south; N.Y. Route 32 in foreground (Photographer: Richard Regensburg, July 1988).



Plate 2.3. General view looking east showing eastern edge of project site and Conrail's Newburgh Branch railroad line (Photographer: Richard Regensburg, July 1988).



Plate 2.4. General view looking east towards northeastern corner of project site, showing mown area (Photographer: Richard Regensburg, July 1988).

There are no natural drainages within the property, the nearest being a creek which rises to the north on the neighboring Epiphany College property and flows generally southwards to the west of the Windsor Square property, entering the Hudson River at the Moodna Creek estuary, immediately north of Cornwall (Figure 1.2).

Soils in the project vicinity belong to the Mardin-Erie association. This group of soils is typically found in upland environments and is characterized as sloping, deep, and moderately well drained to somewhat poorly drained. The Mardin gravelly silt loam (MdB) dominates over the project site (Figure 2.1) (Olsson 1981).

The Windsor Square property is today entirely abandoned and has not been actively farmed for a decade or more. Aerial photographs show that the entire property was under cultivation in the 1970s (Figure 2.1) and was divided into two large fields. There are no standing buildings on the property.

CHAPTER 3

PREHISTORIC BACKGROUND

There are a number of recent publications still in print which deal with the prehistory of the Lower Hudson Valley (e.g., Ritchie and Funk 1973; Funk 1976; Eisenberg 1978; Ritchie 1980). This consultant has also produced overviews of the prehistory of Orange County in the course of recent cultural resource studies in the area (Hunter Research Associates 1986; Hunter Research Associates 1987). As the project site holds little potential for yielding prehistoric resources (see below), the general prehistory of the region will not be recounted here. The reader is referred instead to the sources noted above for pertinent background prehistoric data.

An examination of standard reference sources produced no reports of previously recorded prehistoric sites in the immediate project vicinity (Beauchamp 1900; Parker 1922; Incorporated Orange County Chapter of the New York State Archaeological Association site maps and files; New York State Museum site maps and files; New York State Office of Parks, Recreation and Historic Preservation [OPRHP] site maps and files).

The closest known prehistoric sites, according to OPRHP site maps and files, are located just over a mile away near the confluence of Moodna Creek and the Hudson River. Here a cluster of sites occupy a locale -- well-drained terraces and uplands overlooking a marshy estuary -- that would have been naturally attractive to aboriginal peoples in search of fish and game and wild plants. Major waterways, such as the Hudson and its larger tributaries, were also heavily traveled by prehistoric peoples and, on transportational grounds, one would also expect to find sites of aboriginal activity along river banks and close to confluences. Among the more intensively studied of the Moodna Creek estuary group of sites are the Lafayette Site (A071-15-0022) and the Plum Point Site (A071-15-0023), both of which have received considerable attention from the Orange County Chapter of the New York State Archaeological Association.

A request by the consultant to the New York State Museum for a search of this institution's prehistoric site file for data relating to the project vicinity produced negative results. State museum staff gave this locale a "mixed probability" sensitivity rating for producing prehistoric archaeological data. This assessment was based principally on local physiographic characteristics as evident on the USGS 7.5' series topographic sheets (Figure 1.2). In general terms, a higher than average probability for

prehistoric resources was suggested for areas in the vicinity of streams or swamps. A low probability was suggested for areas of erosional steep slope. Other areas were assigned an average probability of prehistoric use.

The project site in fact contains no areas of marshland and is roughly 1,500 feet from the nearest drainage. There are no extensive terraces or areas of well-drained soils within the project site. On this basis, the consultant believes the project site can more accurately be assigned a low prehistoric sensitivity rating.

CHAPTER 4

HISTORICAL BACKGROUND

The Early Settlement and Colonial Periods

European settlement in the New Windsor section of the Hudson River Valley began in earnest midway through the first half of the 18th century. Prior to this time settlement in the Counties of Ulster and Orange (established in 1683; the project site was originally sited within Ulster) were limited in both scope and duration. Various ethnic groups were represented among the early European arrivals. Dutch settlers migrating northward along the river and Germans fleeing religious and economic difficulties in their homeland were among the first to arrive, followed closely by English, Scottish, and Irish immigrants, many of whom came into the area after residing first in New York City (French 1860: 501, 660; Denniston 1865: 4, 6-9, 11; Thompson 1977: 131-132).

The project site was originally included within the Highlands Precinct of Ulster County, with the name New Windsor (from Windsor, England) first coming into use as a local designation during the 1720s. In 1762 the Precinct of New Windsor was formally created from the Highlands Precinct. The New Windsor economy was dominated by traditional grain-based agriculture throughout the colonial period, and the local landscape was characterized by isolated farmsteads scattered among associated farm fields. This landscape pattern was supplemented by a number of small nucleated settlements, notably the growing village of New Windsor on the river (founded in 1749 and an active landing and ferry center by the time of the American Revolution) and smaller hamlets like Little Britain and Vails Gate. A network of roads developed connecting the region's farms to these hamlets and to the river facilities at New Windsor. The present Union Avenue (formerly known as Little Britain Road) was established during the first half of the 18th century and is one of the two oldest roads in New Windsor (Eager 1847: 608-609; French 1860: 509; Denniston 1863: 9, 45, 48; Ruttenber and Clark 1881: 210-212; Ruttenber 1911: 6-7; Dempsey 1987: 3).

The project site was originally included within an 800-acre tract of land patented to Vincent Matthews in 1720. Matthews was a descendant of an Irish family that had migrated to New York City around 1690. In 1721 he settled in Orange County on one of his many landholdings in the region, and he remained a resident in the area until the time of his death in 1784. In 1724 Matthews sold his New Windsor patent to Thomas Ellison, another prominent local landholder. The wealthy Ellison family had migrated from England to New York City during the 1680s, with Thomas

Ellison being the first of the family to settle in the New Windsor region. He purchased a riverfront property just to the south of the future site of the village of New Windsor and later built the grist mill that was to serve as the focal point for the village of Vails Gate (Ruttenber and Clark 1881: 214; Ruttenber 1911: 17-18, 112-114, 151-152).

The Revolutionary Period

The New Windsor region was a base of American military operations throughout the American Revolution. The Hudson River served as a primary transportation and communication corridor for both the Middle Atlantic and New England states and it was therefore of vital strategic importance throughout the war. The New Windsor region offered excellent riverfront shipping facilities and ferries, notably at the villages of New Windsor and Newburgh. These facilities were supplemented by well-developed local road network that facilitated transport and communications within the area. The topographic barrier formed by the Hudson Highlands to the south (later supplemented by fortifications) gave protection from British incursions from New York City. These geographical factors combined to make the region a suitable location for the observation of British forces to the south and for the effective defense of the Hudson in the event of a northward offensive thrust from New York (Fisher 1983: 15; Dempsey 1987: 5-6).

In the fall of 1777 the British were able to successfully pass the Highlands defenses and move northward up the river above Newburgh. Many Windsor families appear to have left the area at this time, and, despite the quick return of the British to New York City, many local houses apparently remained vacant for much of the duration of the war as future invasions were feared and the continual presence of the American army greatly disrupted domestic life. During the winter of 1780-1781 a detachment of artillery and supporting troops was assigned to quarters in New Windsor, and a small encampment was established on the site of what, two years later, became the hospital of the larger cantonment (sited to the southeast of the project area). The presence of a number of vacant dwellings suitable for officers' quarters and the successful establishment of a small encampment in the area probably contributed to the decision that the main army should pass the winter of 1782-1783 in New Windsor (Dempsey 1987: 7, 22, 37).

Other factors influencing this decision included the local availability of sufficient forage and timber, a supportive local populace (the constant presence of the American army suppressed most Loyalist sentiment in the region), and an already existing supply network. The final selection of the New Windsor area as the site of what was to be the army's last winter encampment was made in the fall of 1782 and General George Washington assigned the responsibility for

specific site selection to Colonel Timothy Pickering, his Quartermaster General. In mid-October Pickering reported his findings to Washington, and at this time he proposed the use of what was to become the army's main encampment site along Silver Stream to the west of the present Temple Hill Road (Fisher 1983a: 15; Dempsey 1987: 5, 10, 29, 38).

At the same time Pickering also proposed a secondary encampment site that he felt could support a single brigade. This site was located in "a wood of William Ellison's" (a descendant of Thomas Ellison) to "the rear of the artillery huts" (which were to be converted to serve as the camp hospital). Pickering went on to state that it "would be convenient to throw the bridge back to the higher parts of it, the front of the wood growing where, in the Spring, the ground is very wet. This wood joins lands of the Joneses [a reference to the heirs of Dr. Evan Jones, owners of the land adjacent to the north side of the Ellison property], where any addition of timber might be procured". This second site became the encampment of the Second Massachusetts Brigade. Washington approved both of Pickering's proposed sites and they were formally announced to the army in the General Orders of October 22nd, 1782 (Dempsey 1987: 39).

The march to the new camp was led by the Massachusetts line, which, in the fall of 1782, represented the Continental Army's (at this time numbering about 8000 men) largest state contingent. Construction began immediately of log huts (to serve as quarters for the rank-and-file, the line, regimental, and brigade officers), guard houses, and various support structures. Pickering again assumed responsibility for the layout and design of the camp. He was also kept busy with the task of finding suitable quarters in local residences for general and staff officers. Hutting was essentially completed by the end of December, and the army settled in for what was to be its last winter encampment. The Second Massachusetts Brigade encampment included 127 huts and was the largest brigade encampment within the cantonment (New Windsor Cantonment State Historic Site Papers; Pickering 1782; Tarbell 1783; New Windsor Cantonment: Master Plan 1980; Dempsey 1987: 39-40, 46-47, 79, 195).

In 1783 Simeon DeWitt, the Continental Army's Geographer-in-Chief, produced a map of the "Winter-Cantonment" which provided a fairly detailed representation of the encampment and the surrounding cultural landscape (Figure 4.1). The main cantonment area was shown straddling Silver Stream (incorrectly indicated as "Beaver Dam") just west of today's Temple Hill Road. The present Union Avenue was shown running west from New Windsor toward the village of Little Britain. Snake Hill, with the Dusenberry (formerly John Haskell) house to the east, was depicted to the north of Union Avenue. The Second Massachusetts Brigade encampment site was shown near the "Cummings" house, about 1,000 to 1,500 feet south of Union

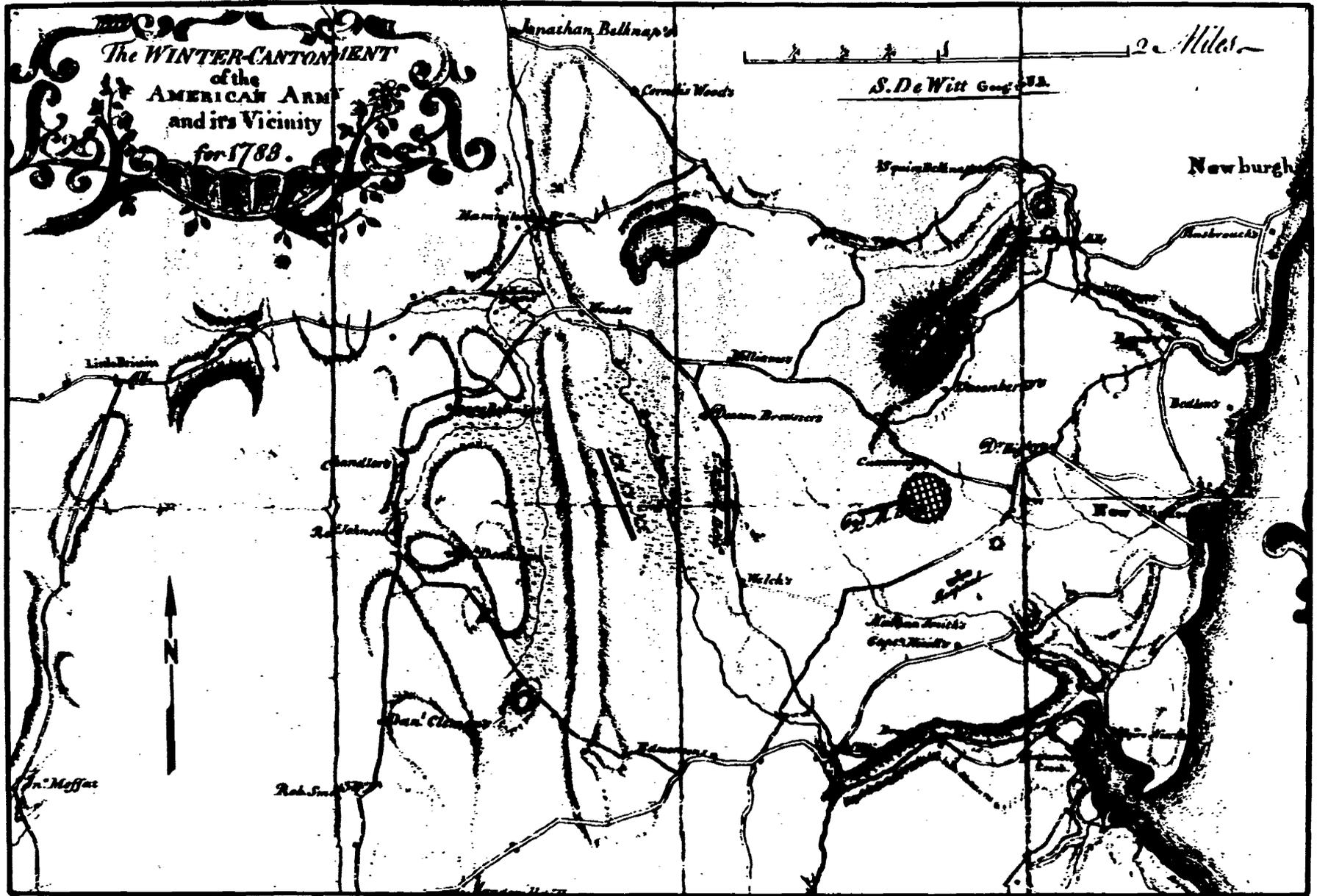


Figure 4.1. DeWitt, Simeon. The Winter-Cantonment of the American Army and its Vicinity for 1783. 1783. Scale 1 1/2 inches: 1 mile. Project area circled.

Avenue and to the northwest of the Hospital (the former artillery camp of 1780-1781). The eastern end of the line of huts built by the Second Massachusetts Brigade appears to have been sited close to the western edge of the current project site.

The well-known "Temple", or "Public Building", was built during January and February (with some finishing work completed in March) of 1783. The famous Newburg Conspiracy, a threatened "rebellion" of the officers corps over the issue of delayed payment by the Continental Congress, was brought to a conclusion after an address given by Washington at the Temple on March 15, 1783. By late March Washington had received word that the much-rumored peace with England had finally been signed (this signing had actually occurred on January 21st), and on April 18th the army was formally notified through the General Orders (Shy 1976: 17; Dempsey 1987: 92, 116, 123, 137, 140, 152, 173).

The abandonment of the New Windsor Cantonment began in early June of 1783 and continued for most of that month. Portions of the Massachusetts line left for home in early June, and the remaining troops were reorganized to prepare for their participation in various peacetime military activities. A large section of the former Second Massachusetts Brigade encampment was abandoned at this time as the bulk of the Massachusetts troops were assigned to huts in the main camp on Temple Hill Road. Only the reorganized Second Massachusetts Regiment was assigned to quarters in the old Second Brigade camp. On June 23rd the entire Massachusetts line left the encampment and marched southward to take up positions in the West Point area. Timothy Pickering was assigned responsibility of remaining in the area to pay off the army's various debts and sell off any remaining government property. The cantonment was dismantled and sold off during the summer and fall of 1783, with nearly all of the nearly 1600 huts and supporting structures being torn down for firewood and framing members (Dempsey 1987: 209-10, 220-1, 232, 240, 244).

The Post-Revolutionary War Period

There was relatively little change in the New Windsor area in the years following the Revolution. In 1798 the former New Windsor and Newburgh Precincts were reorganized as the Towns of New Windsor and Newburgh and removed from Ulster County and annexed to Orange County. During the early 19th century the village of Newburgh began the first in a series of developmental phases that caused it to surpass New Windsor village as the region's primary town and river port. This development included the creation of a number of turnpikes, an activity that successfully linked Newburgh with the surrounding agricultural areas. New Windsor was far less active in the promotion of turnpike projects, but the Snake Hill Turnpike (now Windsor Highway, or N.Y. Route

32), incorporated in 1815, was built to connect the village with the New Windsor-Blooming Grove Turnpike to the south (Eager 1847: 54; French 1860: 501, 660; Denniston 1863: 4, 48; Ruttenber and Clark 1881: 114-115; Ruttenber 1911: 9; Thompson 1977: 154).

The end of the war brought a return to the traditional agricultural economy that had dominated during the colonial period. With the improvements in transportation represented by the turnpike, the steamboat, and, later, the railroad, however, local agricultural pursuits became more specialized and dependent on the urban markets to the south, notably New York City. By the mid-19th century this transition was complete, and dairying became established as the county's primary farming activity, with the production of vegetables, fruits, feed grains and hay also being quite important to the local economy (Eager 1847: 608-9; French 1860: 501; Denniston 1863: 57-60, 64-65; Ruttenber 1911: 4).

Further changes began to affect the region during the mid-19th century with the construction of the Erie Railroad. During the 1830s Newburgh was one of several Hudson River towns vying to reap the economic benefits that would result from being selected as the eastern terminus of this rail line. However, with the selection of Piermont, chosen in part because of its proximity to New York City, the citizens of Newburgh turned their attention to developing alternative rail connections for their town. The end result of this effort was the chartering of the Hudson and Delaware Railroad by the state legislature in 1836. Construction on this new line began immediately, but all work was brought to a halt by the Panic of 1837 and the project was shelved (Ruttenber and Clark 1881: 118-119).

The failure of the Delaware and Hudson caused those seeking rail connections for Newburgh to look again to the powerful Erie Railroad for relief. In 1840 an attempt was made to induce the Erie to finance the construction of a branch line connecting Newburgh with the main line to the south. This proposal was unsuccessful, but a second attempt in 1845 gained a more positive response, and the Erie absorbed the rights and assets of the dormant Delaware and Hudson Railroad and began construction. Financial problems within the Erie threatened this project several times, but money provided by Newburgh at critical junctures enabled the completion of the line in 1850. The Newburgh Branch of the Erie Railroad was important because it provided a connection with the coal fields of Pennsylvania, a factor which contributed to the industrial growth of the Newburgh area during the second half of the 19th century (Ruttenber and Clark 1881: 119-121).

The map of Orange County published in 1851 depicted both the Snake Hill Turnpike (shown as "Newburgh Road") and the "Newburgh Branch Rail Road" running northeast through the Town of New Windsor (Figure 4.2). No structures were shown within the Windsor Square project site, which is located between these two features (now Windsor Highway and Conrail's Newburgh Branch) just to the north of their intersection, and there can be little doubt that it was in use as farm fields during this period. The Windsor Square property was then under the ownership of "J. Caldwell", who also owned a dwelling on the opposite (west) side of the turnpike. By 1859 these properties (including a second dwelling) were held by James Martin (Figure 4.3). The map of New Windsor published in 1864 depicted more fully the relationship between the two houses on the west side of the turnpike and the present project site (Figure 4.4). This 100-acre property, now owned by Samuel B. Caldwell, extended southeastward from the west side of the road to include lands on the southeast side of the rail line. Caldwell maintained his ownership of this parcel until his death in the late 1870s (Figure 4.5), at which time it descended to his widow, Elizabeth Caldwell (Figure 4.6) (D.S. Lawrence & Co's Orange County Directory, for 1878-9 1879).

The New Windsor Cantonment first began to attract attention as a historic site during the mid-19th century. County and town maps published before and after the Civil War commonly noted the location of the main encampment along Silver Stream and the site of the famous "Temple" (Figures 4.2-4.5). "Secondary" portions of the encampment were far less frequently mentioned during the early years of the cantonment's recognition as a historic site. During the latter part of the 19th century, however, the camp of the Second Massachusetts Brigade was also recognized as a site of historic importance. In 1890 it was described by Edward H. Ruttenber, the county's leading historian of the time, as having been in "the south part of the Heron farm" (1890: 92). Later, Ruttenber was somewhat more specific, claiming it was "on the south part of the Heron farm east of the Forge Hill road beside a small stream of water" (1911: 80). In reality this encampment was sited primarily on the properties held by the widow of Samuel B. Caldwell and R.O. Frost, just to the southeast of the Heron property (Figure 4.6). The Windsor Square property remained under the control of Elizabeth Caldwell into the early part of the present century (Figure 4.7). The focus of this property continued to be the two dwellings and associated outbuildings on the west side of the Snake Hill Turnpike. The project site now included a lane that provided access to other properties on the opposite side of the rail line, but its principal usage as farm fields remained unchanged.



Figure 4.2. Sidney, J.C. Map of Orange County. 1851.
 Scale 1 inch: 1 mile. Project area outlined.

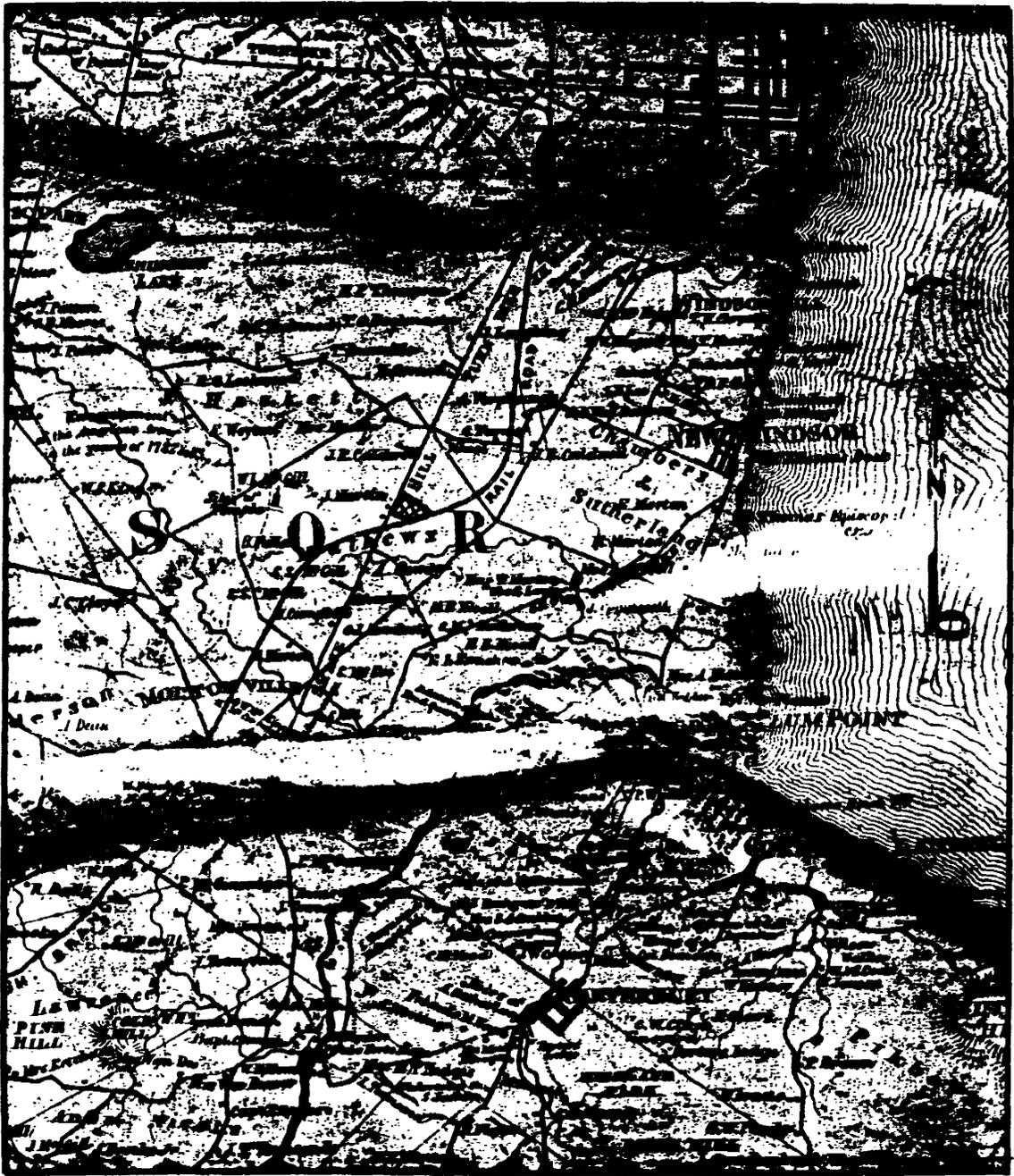


Figure 4.3. French, F.F., W.E. Wood, and S.N. Beers. Map of Orange and Rockland Counties. 1859. Scale 1 inch: 1 mile. Project area outlined.



Figure 4.5. Beers, F.W. County Atlas of Orange. 1875.
Scale 1 inch: 4000 feet. Project area outlined.



Figure 4.6. Beers, F.W. Atlas of the Hudson River Valley from New York City to Troy. 1891. Scale 1 inch: 2000 feet. Project area outlined.

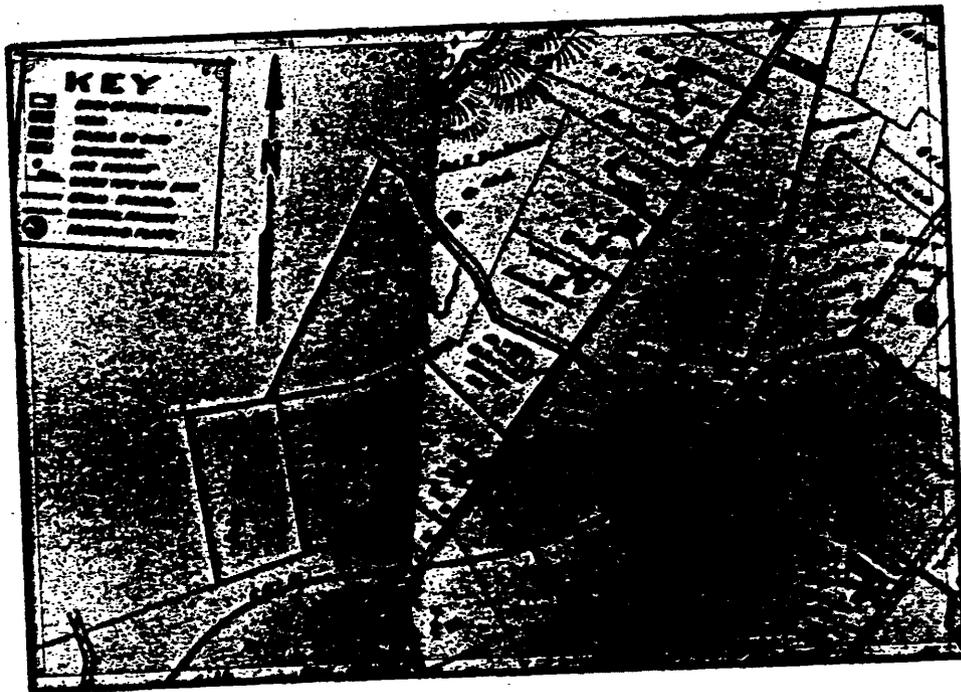


Figure 4.7. Lathrop, J.M. Atlas of Orange County. 1903.
Scale 1 inch: 2000 feet approx.
Project area outlined.

Since the 1930s, following the bicentennial of George Washington's birth, there has been a second, ongoing wave of interest in the history of the New Windsor Cantonment. The National Temple Hill Association was formed in 1933 in response to a movement promoting the reconstruction of the famous Temple. Numerous obstacles were encountered, but after nearly three decades of perseverance a replica of the army's old "Public Building" was completed on the east side of Temple Hill Road. In 1965 a park with the new "Temple" as its primary focus was opened by the Association. In 1967 the ownership of this park was transferred to the State of New York, and this portion of the encampment remains under the control of the State as the New Windsor Cantonment State Historic Site. Portions of the cantonment to the west of Temple Hill Road are now included within a park owned and administered by the Town of New Windsor. In 1972 the entire encampment area (including the current project site) was placed on the National Register of Historic Places.

Those portions of the cantonment under public ownership have been largely protected from the impacts of suburban development, which began to effect the eastern part of New Windsor during the early 1960s. However, other portions of this important Revolutionary War site have been affected by these development pressures, notably the encampment of the Second Massachusetts Brigade, which, on the west side of N.Y. Route 32 (immediately opposite the Windsor Square property), appears to have been partially disturbed by construction activities related to a failed residential development (New York State Historic Trust 1971; New Windsor Cantonment: Master Plan 1980; Dempsey 1987: 1, 255-257).

CHAPTER 5

ARCHAEOLOGICAL FIELD INVESTIGATIONS

Initially, a careful and systematic inspection of the Windsor Square property was carried out. This inspection comprised a visual examination of surface features and recording through field notes and photography. The locations of the principal visible cultural resource elements on the property are shown in Figure 5.1., which is based on a 1":50' topographic map supplied to the consultant by Shaw Engineering, Consulting Engineers.

The most noticeable surface features on the property are the stone walls which define the perimeter of the property (Plate 5.1). A partially robbed northwest-southeast stone wall also divides the property in two. These walls represent field boundaries and were presumably created as the fields were cleared of stone. The southern half of the wall which defines the western edge of the property contains numerous flat, shaped pieces of sandstone. Many of these pieces display percussion scars and roughly dressed edges. A number are also fire-altered. The distribution of these stones (they were only identified along this western edge of the property) is significant in relation to the subsurface testing data discussed below.

The distribution of vegetation types within the property was studied as the age and species of trees, shrubs and flora can sometimes be an important indicator of cultural activity. The oldest trees on the property are found along and adjacent to the stone field walls. Some of these trees, which include oak, cherry, maple and walnut, may date from the time the fields were first established. Elsewhere, the tree growth is noticeably younger (less than 25 years old) and dominated by fast-growing species, such as locust, maple and sumac, that colonize recently abandoned fields.

Except for cultivation there has been little soil disturbance on the property. There are signs of disruption in the two corners of the property on the N.Y. Route 32 frontage where farm equipment gained access to the fields (Figure 5.1).

The second phase of fieldwork involved systematic subsurface testing of the property. In all, a total of 63 one-and-a-half foot square shovel tests were excavated (Figure 5.1). All these tests were excavated into culturally sterile subsoil and all soils were screened through 1/4 inch hardware mesh. Twenty nine shovel tests were excavated along three lines spaced 25 feet apart running parallel to the N.Y. Route 32 frontage. Most of these tests were excavated at 50-foot intervals along these lines. A fourth line of 12 shovel tests was excavated

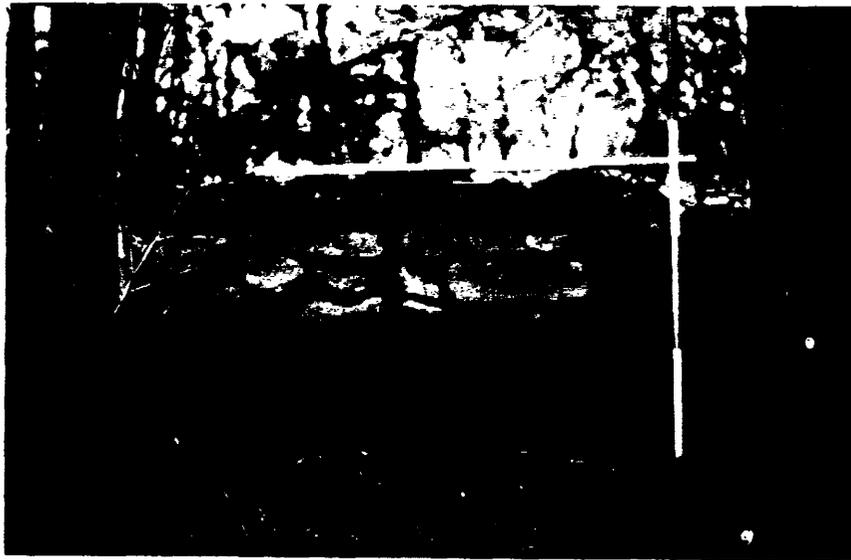


Plate 5.1. View looking southeast showing stone wall along western edge of property; this section of wall contains numerous blocks of rough-dressed and fire-altered stone, possibly re-used from the Revolutionary War era encampment of the Second Massachusetts Brigade (Photographer: Richard Regensburg, July 1988).

parallel to and roughly 200 feet from N.Y. Route 32. Another line of 12 tests was excavated parallel to and 25 feet northeast of the stone field wall that divides the property in two. Finally, another line of ten shovel tests was excavated parallel to and 175 feet northwest of the southeastern boundary of the property.

The stratigraphy in the majority of these shovel tests was homogeneous, consisting of a thin root mat, which overlay a silty and fairly stony loam plowzone, which in turn overlay a subsoil of stonier silty loam. The plowzone appears to be up to 15 to 18 inches thick over much of the site, which is presumably the result of recent cultivation using deep plowing equipment. The plowzone is noticeably less developed around the field edges which conforms with a local resident's comment that the fields were often not cultivated within 50 feet or so of the stone field walls (McDermott 1988: personal communication).

The majority of the shovel tests did not produce cultural materials, although a thin scatter of modern materials appears to exist over the site. The distribution of these modern materials is wholly consistent with the type of scatter patterns one would expect from plowing.

In the southwestern portion of the property, however, within 200 feet of the N.Y. Route 32 frontage, a number of tests produced cultural materials that are believed to represent the remains of the encampment occupied by the Second Massachusetts Brigade in the fall, winter and spring of 1782-83 (Figure 5.1). This portion of the Windsor Square property lies astride a low east-west ridge that extends westwards across N.Y. Route 32 (Plates 2.1 and 2.2). Topographically, this locale is one that seems fairly well-suited for the military encampment that is known to have existed in this vicinity.

Six shovel tests in this area produced materials that are probably related to the encampment. For the most part these items were recovered from the lower portion of the plowzone layer. Although the cultural materials have been dispersed to some degree by plowing, they still appear to retain some distributional integrity.

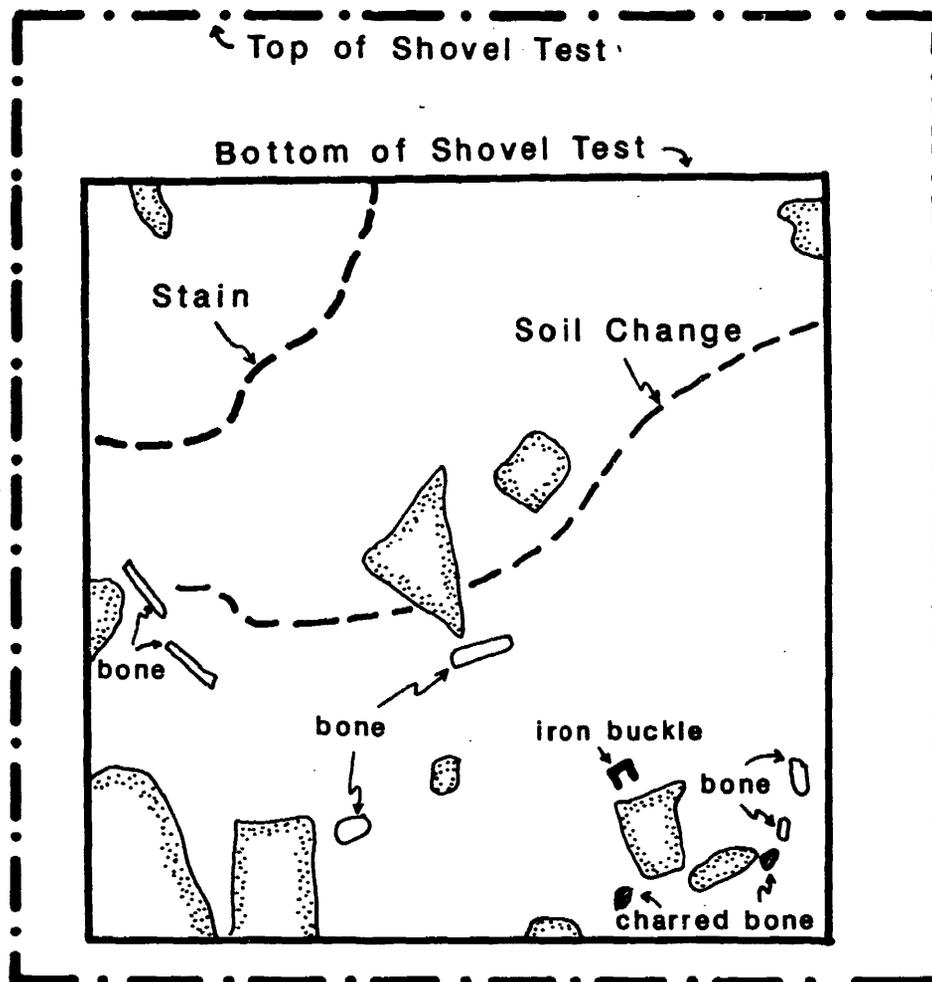
Shovel tests 7, 13 and 15 all produced slag, probably waste from minor industrial or craft-working activity at the camp. Shovel test 9 produced an iron strip (possibly a knife fragment) and brick fragments. The two critical tests were shovel tests 11 and 12, which were both expanded from one-and-a-half feet to two-and-a-half feet square to allow for a better view of subsurface conditions. As a result of these expansions, larger quantities of cultural materials were recovered from these two tests and possible features were identified.

The upper part of shovel test 11 revealed a fairly typical stratigraphic profile, consisting of a thin root mat over a 0.8 foot thick plowzone. Towards the base of the plowzone, however, concentrations of stone (much of it fire-altered), charcoal and charred and uncharred bone were identified (Figure 5.2). Some of these materials lay directly on top of the subsoil (at the southern end of the test), while others were embedded in the top of a pit-like feature that showed up as a distinct soil change. Only the uppermost fill of the pit was removed (to permit its delineation) and the feature remains essentially unexcavated. An iron shoe buckle and a single sherd of redware were also recovered from the plowzone/subsoil interface. The buckle is of standard 18th century type (cf. Neumann and Kravic 1975: 53-54) and may date from the Revolutionary War era. It is believed that the evidence uncovered in shovel test 11 represents the displaced remains of a hearth or chimney of one of the encampment huts.

In shovel test 12, excavated some 25 feet to the east of shovel test 11, the plowzone produced a considerable amount of charcoal and burnt clay. At the plowzone/subsoil interface, a shallow linear stain and a possible posthole were observed, which may related to a Revolutionary War era structural feature. Neither of these features were removed and they await further phase of excavation that can examine them in a broader context.

The final piece of evidence that appears to support the identification of this section of the Windsor Square property as being the site of the Second Massachusetts Brigade encampment is the section of stone wall immediately west of shovel tests 11 and 12. Extending approximately between shovel tests 5 and 15 along the N.Y. Route 32 frontage, the stone field wall includes many large, flat, slab-like pieces of sandstone that have been roughly dressed. A number of these pieces are also fire-altered and resemble the masonry found towards the base of shovel test 11. It is extremely unlikely that stones would have been deliberately prepared in this way for use in a field wall. It would appear that agricultural activity subsequent to the occupation of the Second Massachusetts Brigade encampment involved the clearing of stone from fields in this area. Presumably the masonry ruins of the Revolutionary War era huts (notably wall foundations and hearth and chimney remains) were cleared along with other fieldstone and became incorporated in the field walls.

SHOVEL TEST 11: PLAN VIEW



0 1 2 FT.



Stone

Figure 5.2. Shovel Test 11: Plan View.

CHAPTER 6

SITE EVALUATION, ASSESSMENT OF IMPACT AND RECOMMENDATIONS

A. Prehistoric Resources

There is no record of prehistoric cultural materials ever being found on the Windsor Square property and there are no known prehistoric sites within one mile of the project site. A search of the New York State Museum (NYSM) prehistoric site files resulted in an NYSM opinion, based on the known prehistoric site distribution for the region and a simple assessment of the environment, that the project site possessed a mixed probability for yielding important prehistoric data. The consultant, on the basis of a more detailed consideration of environmental variables (chiefly distance to nearest major drainage and soils), assigns the project site a low prehistoric sensitivity rating. No further prehistoric archaeological study is considered necessary in connection with the proposed development.

B. Historical Period Resources

The preeminent issue in assessing the historical and archaeological significance of the Windsor Square property is the fact that the tract in its entirety is already contained within the area defined as the New Windsor Cantonment in the National Register of Historic Places. Accepted on to the National Register in January of 1972, the cantonment's "prime significance . . . comes from its occupation as the final winter encampment of the Continental Army" during the Revolutionary War. Occupied from November, 1782 until June, 1783, the cantonment was spread over a fairly wide area to the south and west of Newburgh. As expressed in the National Register documentation, "the archaeological potential of the New Windsor Cantonment is great" and is likely "to provide vital data for interpreting the cultural environment in which the Continental Army operated" (Tyrrell and Rennenkampf 1971).

There is one particular element of the cantonment, the encampment of the Second Massachusetts Brigade, that is of concern in relation to the proposed Windsor Square development. Based on the DeWitt map of 1783 (Figure 4.1), the site of this encampment (one of the three principal encampments within the cantonment; the other two lay further to the west), was clearly located in the vicinity of the project site. Indeed, the eastern end of the encampment can be seen as lying extremely close to, if not within, the Windsor Square property. Facing downhill, the line of this camp ran roughly east-west, intersecting present-day N.Y. Route 32 some 1,500 feet south of Union Avenue (Figure 5.1).

Comprising 127 huts, the Second Massachusetts Brigade encampment was the largest of its type within the cantonment. Its likely layout and dimensions of the encampment are fairly clearly spelled out in Colonel Pickering's "Regulations for Hutting" prepared on November 4, 1782 (Dempsey 1987: 46-48). The camp comprised a double line of soldiers huts behind which were arrayed the captains and subalterns huts. Behind these were the huts of field officers. Hut locations for surgeons and mates, the paymaster and musicians were also specified, while the officers' kitchens were either part of the officers huts or freestanding structures a few feet to the rear. Dimensions for the various types of huts and the spacing between the various lines of huts are given by Pickering. One can therefore project that, overall, the camp line was probably around 200 feet in width. In terms of archaeological explorations designed at locating and investigating the camp site, it is important to note that once a few structures have been correctly identified, it should be possible to reconstruct much of the plan of the camp.

The current field investigations have produced reasonable evidence that the encampment of the Second Massachusetts Brigade extended over to the east side of present-day N.Y. Route 32 on to the Windsor Square property. The presence of dressed and fire-altered stones re-used in the western field wall of the property and the recovery of various telltale materials (fire-altered rock, burnt clay, charcoal, slag, calcined bone, brick, redware and an 18th-century shoe buckle) from a group of nearby shovel tests strongly suggests that the eastern end of the encampment has been encountered. The presence of buried features cut into the subsoil in an area where no 19th or 20th century structures are known provides further support for this being part of the encampment site. These remains occupy an area approximately 300 feet from north to south by 200 feet from east to west, immediately adjacent to N.Y. Route 32 (Figure 5.1).

Although this archaeological resource has experienced some plow damage, there is still useful information that can be gathered from this portion of the encampment. The archaeological data is relatively intact at the plowzone/subsoil interface and should be well preserved within features that are cut into the subsoil. It should therefore be possible to extract information concerning the layout and use of the encampment, including the plans of huts and other buildings at the site. The plowzone itself is likely to contain an abundance of Revolutionary War era artifacts, which, with careful analysis, should be able to reveal valuable information on day-to-day activity at the site.

Archaeologically speaking, the zone to the rear of the main line of huts is also potentially of great interest. It would be in this area that evidence of refuse deposits, privy pits (frequently repositories of artifacts and sources of information on diet), work areas and secondary structures is most likely to be found. This judgment is based on evidence from other encampments of the same era, such as the one at Pluckemin, near Somerville, New Jersey. All in all, these archaeological remains of the Second Massachusetts Brigade encampment are likely to supply the sort of critical historical information anticipated in the National Register documentation.

Under the present Windsor Square project plans, the construction of single family homes on Lots 1, 29 and 30 and the construction of the Windsor Square Drive access on to N.Y. Route 32 will effectively destroy all archaeological remains associated with the eastern end of the Second Massachusetts Brigade encampment. Utilities installation is also likely to impact this archaeological resource.

In the context of the current site plan, one of two courses of action is recommended. From an ideal archaeological standpoint, avoidance of the archaeologically sensitive zone is preferred, but only if protection of the resource can be assured in perpetuity. Preservation in place would entail excluding the affected three residential lots from the development plan, rerouting Windsor Square Drive and utilities, and taking whatever precautions might be necessary to protect this area from looters. From a practical point of view, preservation could be very difficult to achieve. Once the location of these archaeological deposits becomes known, which seems virtually inevitable, illicit digging for prized Revolutionary War era artifacts will soon follow and the integrity of the resource will be severely jeopardized.

In this particular instance, this consultant believes that the second course of action -- mitigation of impact via a carefully planned program of data recovery -- is preferable. A Phase 2 archaeological survey is not recommended as the significance of the resource is not in question (it is already listed on the National Register of Historic Places) and the boundary of the archaeologically sensitive zone has been adequately delineated by the Phase 1 survey. It seems reasonable to proceed directly to a mitigation-level study.

Data recovery should begin with manual devegetation of the 300 by 200-foot area of interest. This same area should then be plowed and disked to a depth of between six and nine inches to bring a fresh supply of archaeological materials to the surface zone. After allowing for a period of rain to wash soil from artifacts at the ground surface, the site should be systematically examined on foot. Artifacts should be gathered and provenience information recorded. This

activity should assist the planning of excavation strategy by identifying "hot spots" where concentrations of certain types of cultural materials exist. For example, clusters of building materials may signify the sites of huts. Concentrations of bone and other food refuse may signify the sites of pits or eating and cooking areas.

Surface collection of materials within the plowzone should be followed by controlled excavation of an agreed-upon proportion of the archaeological deposits of concern. Consideration could be given to mechanical removal of the uppermost six to nine inches of soil as plow disturbance has already occurred to this depth. The excavation emphasis should be on the plowzone/subsoil interface and on features embedded in the subsoil. Investigation of these deposits should be carried out using manual excavation techniques. As there is probably minimal stratigraphy on the site, "open area" excavation techniques, which aim for maximum horizontal exposure at all times, should be preferred over the excavation of discrete five-by-five foot units. An overall site grid and running profiles across stratigraphically critical portions of the site should still, of course, be applied. All excavated soil should be screened through quarter-inch hardware mesh. Samples should be retrieved for geochemical, botanical and zoological analyses, if important information of this sort is anticipated. Provision should also be made for conservation of significant artifacts such as coins, military buttons and other hardware.

The end product of the mitigation study should be a project report written to currently acceptable professional archaeological standards. This document should accompany an adequately catalogued and conserved assemblage of cultural materials from the site. If agreeable to the property owner, the latter materials should be lodged with a local repository (perhaps the New Windsor Cantonment State Historic Site or the Temple Hill Association).

As part of the mitigation effort, some supplementary historical research directed at the Second Massachusetts Brigade encampment is also recommended. Efforts should be made to locate and examine other relevant contemporary documents such as brigade order books and the papers of general officers. These materials may produce additional information on the physical layout of the camp and be of assistance during fieldwork.

Aside from the remains of the encampment of the Second Massachusetts Brigade, there are no other significant historical archaeological resources relating issues present on the Windsor Square property.

CHAPTER 7

SUMMARY

This Phase 1 archaeological survey of the Windsor Square property has been based on background research, a site inspection and subsurface testing. A critical factor in this survey has been the fact that the Windsor Square property is wholly contained within the New Windsor Cantonment as presently defined in the National Register of Historic Places.

There are no known prehistoric resources within or close to the project site. Based on an assessment of environmental variables and known prehistoric site locations, the property has a low probability of yielding prehistoric cultural materials. No further prehistoric investigations are recommended.

The survey has located buried remains of what is believed to be the eastern end of the Second Massachusetts Brigade encampment, one of the principal elements of the New Windsor Cantonment of 1782-83. These remains occupy a 300 by 200-foot area adjacent to the western edge of the property. Subsurface testing produced historic artifacts and probable features related to this Revolutionary War era encampment. This resource possesses sufficient archaeological integrity and research potential to contribute significantly to the cantonment as defined in the National Register of Historic Places.

Under the present project plans, construction of three single family homes (Lots 1, 29 and 30) and a section of the main access road into the proposed residential development will adversely affect this archaeological resource. Recommendations are included for either avoidance of this resource or mitigation of impact through archaeological data recovery. In this instance, the latter course of action is preferred and broad guidelines are presented for a program of data recovery.

BIBLIOGRAPHY

- Beauchamp, William M.
1900 Aboriginal Occupation of New York. Bulletin of the New York State Museum 32 (7).
- Beers, F.W.
1875 County Atlas of Orange. Andreas Baskin & Burr, Chicago.
- Beers, F.W.
1891 Atlas of the Hudson River Valley from New York City to Troy. Watson & Co., New York.
- Bevan, Bruce
1981 A Geophysical Survey at New Windsor Cantonment, Town of Vails Gate, Orange County, New York. On file, New York State Office of Parks, Recreation and Historic Prservation, Albany:
- Broughton, J.G., D.W. Fisher, Y.W. Isachsen, T.W. Field and L.V. Rickard
1962 The Geology of New York State. Map and Chart Series, No.5., New York State Museum and Science Service, Albany.
- Brown, T. Robins
1975 Atwood-McGill House at New Windsor Cantonment State Historic Site. On File, New York State Office of Parks, Recreation and Historic Preservation. Albany.
- Dempsey, Janet
1987 Washington's Last Cantonment: "High Time for a Peace". Library Research Associates, Monroe.
- Denniston, Goldsmith
1863 Survey of Orange County. C. Van Benthuisen, Albany.
- DeWitt, Simeon
1783 The Winter-Cantonment of the American Army and its Vicinity for 1783. Copy of original on file, New York Historical Society, New York.
- /D.S. Lawrence & Co's Orange County Directory, for 1878-9/
1879 D.S. Lawrence & Co., Newburgh.
- Eager, Samuel W.
1847 An Outline History of Orange County. S.T. Callahan, Newburgh.

- Eisenberg, Leonard
1978 Paleo-Indian Settlement Pattern in the Hudson
and Delaware River Drainages. Occasional
Publications in Northeastern Anthropology 4.
- Eisenberg, Leonard et.al.
n.d Cultural Resources Survey Report, Union Avenue
Corridor, Newburgh/New Windsor. On file, New York
State Office of Parks, Recreation and Historic
Preservation, Albany..
- Fisher, Charles L.
1981 Archaeological Investigations at New Windsor
Cantonment State Historic Site, Orange County,
New York. On file, New York State Office Parks
Recreation and Historic Preservation, Albany.
- Fisher, Charles L.
1982 Archaeological Reconnaissance Survey in the Area
of the 1st Massachusetts Brigade, New Windsor
Cantonment, Orange County, New York. On file, New
State Office of Parks, Recreation and Historic
Preservation, Albany.
- Fisher, Charles L.
1983a Archaeology at New Windsor Cantonment:
Construction and Social Reproduction at a
Revolutionary War Encampment. Northeast
Historical Archaeology 12.
- Fisher, Charles L.
1983b Report on the 1982 Field Season of Archaeological
Survey in the Area of the 1st Massachusetts
Brigade, New Windsor Cantonment, Orange County,
New York. On file, New York State Office of
Parks, Recreation and Historic Preservation,
Albany.
- Fisher, Charles L.
1985 Report on the 1984 Field Season of Archaeological
Survey in the Area of the 1st Massachusetts
Brigade, New Windsor Cantonment, Orange County,
New York. On file, New York State Office of Parks,
Recreation and Historic Preservation, Albany.
- Fisher, Charles L.
1986 Material Objects, Ideology, and Everyday Life:
Archaeology of the Continental Soldier at the New
Windsor Cantonment. On file, New York State Office
of Parks, Recreation and Historic Preservation,
Albany.

- French, F.F., W.E. Wood, and S.N. Beers
1859 May of Orange and Rockland Counties. Corey and
Bachman, Philadelphia.
- French, J.H.
1860 Gazetteer of the State of New York. R. Pearsall
Smith, Syracuse.
- Funk, Robert E.
1976 Recent Contributions to Hudson Valley Prehistory.
New York State Museum Memoir 22.
- Goring, Richard
1978 Archaeological Testing of a Portion of the New
Windsor Cantonment State Historic Site, Vails Gate,
New York, 1974. On file, New York State Office of
Parks, Recreation and Historic Preservation,
Albany.
- Goring, Richard, and Janet Dempsey
1978 Archaeological Testing at the John Haskell Site,
Orange County, New York. On file, New York State
Office of Parks, Recreation and Historic
Preservation, Albany.
- Huey, Paul R.
1983 Introduction to Symposium on Archaeology of the
Revolutionary War Period. Northeast Historical
Archaeology 12.
- Hughes, James
1864 Farm Map of the Town of New Windsor and Part of
Cornwall. James Hughes, Philadelphia.
- Hunter Research Associates
1986 A Phase 1 Archaeological Survey at the Orange
County Sanitary Landfill Site, Town of Goshen,
Orange County, New York. On file, New York State
Office of Parks, Recreation and Historic
Preservation, Albany.
- Hunter Research Associates
1987 A Phase 1 Archaeological Survey of a 21.9-Acre
Sand and Gravel Mining Site, Al Turi Landfill,
Town of Goshen, Orange County, New York. On file,
New York State Office of Parks, Recreation and
Historic Preservation, Albany.
- Incorporated Orange County Chapter, New York State
Archaeological Association
Site Maps and Files, Middletown.

- Lathrop, J.M.
1903 Atlas of Orange County. A.H. Mueller & Company,
Philadelphia.
- Machin, Thomas
1778 May of Hudson's River through the High Lands. Copy
of original on file, Cornell University Library,
Ithaca.
- Neumann, George C., and Frank J. Kravic
1975 Collectors Illustrated Encyclopedia of the
American Revolution. Castle Books, Secaucus.
- New Windsor Cantonment: Master Plan
1980 New York State Parks and Recreation, Albany.
- New Windsor Cantonment State Historic Site Papers
On file, New Windsor Cantonment State Historic
Site, New Windsor.
- New Windsor Historic Commission Papers
On File, New Windsor Historic Commission, New
Windsor.
- New York State Museum
Site Maps and Files, Albany.
- New York State Office of Parks, Recreation and Historic
Preservation (Historic Preservation Field Services Bureau)
Site Maps and Files, Albany.
- Offield, Terry W.
1967 Bedrock Geology of the Goshen-Greenwood Lake
Area, N.Y. Map and Chart Series No.9., New York
State Museum and Science Service, Albany.
- Olsson, Karl S.
1981 Soil Survey of Orange County. U.S. Department
of Agriculture, Soil Conservation Service in
cooperation with Cornell University Agricultural
Experiment Station.
- Parish & Weiner Inc.
1988 Preliminary Concept Site Plan. March 28, 1988.
Parish & Weiner Inc., Tarrytown.
- Parker, Arthur C.
1922 The Archaeological History of New York.
New York State Museum Bulletin 235-238.
- Pickering, Timothy
1782 Plan & Disposition proposed for the huts of the
winter following 1782.

- Ritchie, William A.
1980 The Archaeology of New York State (revised edition). Harbor Hill Books, Harrison.
- Ritchie, William A., and Robert E. Funk
1973 Aboriginal Settlement Patterns in the Northeast. New York State Museum and Science Service Memoir 20.
- Ruttenber, Edward M.
1890 Catalogue of Manuscripts and Relics in Washington's Head-Quarters, Newburgh, N.Y. Journal Printing House and Book Bindery, Newburgh.
- Ruttenber, Edward M.
1911 History of the Town of New Windsor. The Historical Society of Newburgh Bay and the Highlands, Newburgh.
- Ruttenber, E.M.; and L.M. Clark
1881 History of Orange County. Everts & Peck, Philadelphia.
- Shy, John
1976 A People Numerous and Armed: Reflections on the Military struggle for American Independence. Oxford University Press, London.
- Sidney, J.C.
1851 Map of Orange County. Newell S. Brown, Newburgh.
- Sopko, Joseph
1983 Geophysical and Soil Chemical Investigations at New Windsor Cantonment. Northeast Historical Archaeology 12.
- Tarbell, William
1783 Copy of an Original View of the Encampment of the Massachusetts Soldiers During the Last Year of the Revolutionary War.
- Thompson, John H. (editor)
1977 Geography of New York State. Syracuse University Press, Syracuse.
- Tyrrell, William G. and Lenore M. Rennenkampf
1971 New Windsor Cantonment. National Register of Historic Places Inventory-Nomination Form. On file, New York State Office of Parks, Recreation and Historic Preservation, Albany.

Wentworth, Dennis L.

1976 Analysis of Artifacts from the McGill House Sewer Line, New Windsor Cantonment State Historic Site, Town of New Windsor, Orange County, New York. On file, New York State Office of Parks, Recreation and Historic Preservation, Albany.

APPENDIX A
SUMMARY OF SUBSURFACE TESTING

APPENDIX A. SUMMARY OF SUBSURFACE TESTING: SHOVEL TESTS

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|--|---------------|---|
| 1 | 1.10' | 0-0.10' | leaf mold/root mat | 10YR 3/2 | - |
| | | 0.10-1.10' | very dry silty loam with cobbles (topsoil) | 10YR 4/3 | - |
| 2 | 1.10' | 0-0.10' | leaves and root mat | 10YR 3/2 | - |
| | | 0.10-0.50' | silty loam with rocks and cobbles | 10YR 4/3 | - |
| | | 0.50-1.10' | very dry silty loam with rocks and cobbles | 10YR 4/4 | - |
| 3 | 1.20' | 0-0.10' | leaf mold and root mat | 10YR 4/5 | - |
| | | 0.10-1.20' | silty loam with stones and cobbles | 10YR 4/6 | - |
| 4 | 1.10' | 0-0.10' | root mat and leaves | 10YR 3/2 | - |
| | | 0.10-0.80' | silty loam with stones and cobbles | 10YR 4/3 | - |
| | | 0.80-1.10' | silty loam with cobbles | 10YR 4/6 | - |
| 5 | 1.20' | 0-0.10' | leaf mold and root mat | 10YR 3/2 | - |
| | | 0.10-0.80' | moist silty loam with stones | 10YR 4/3 | - |
| | | 0.80-1.20' | moist silty sandy loam | 10YR 5/4 | - |
| 6 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | stones and cobbles | 10YR 4/3 | - |
| | | 0.70-1.10' | silty loam with stones and cobbles | 10YR 4/4 | *glass; *charcoal; *coal; *slate; *slag |
| 7 | 1.10' | 0-0.10' | root mat with silty clay loam | 10YR 4/4 | metal; |
| | | 0.10-1.10' | silty clayey loam with stones | 10YR 4/6 | metal; bone; slate |
| 8 | 1.10' | 0-0.70' | silty loam with few pebbles | 10YR 4/3 | - |
| | | 0.70-1.10' | silty sandy loam with stones | 10YR 5/4 | - |
| 9 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | silty loam with stones and cobbles | 10YR 4/3 | *brick; metal |
| | | 0.80-1.10' | silty loam with stones and cobbles | | |

* Discarded in field

APPENDIX A. (cont.)

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|---|---------------|--|
| 10 | 1.30' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-1.00' | silty loam with pebbles | 10YR 4/3 | - |
| | | 1.00-1.30' | sandy loam with stones and cobbles | 10YR 4/6 | - |
| 11 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.90' | silty loam with pebbles and cobbles | 10YR 4/3 | *charcoal; bone; fire-cracked rocks |
| | | 0.90-1.10' | silty loam with pebbles | 10YR 4/6 | ceramic; metal; charcoal; bone; fire cracked rocks |
| 12 | 1.20' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.80' | silty loam with pebbles and cobbles (plowzone) | 10YR 4/4 | charcoal; burnt clay |
| | | 0.80-1.20' | silty loam with pebbles (subsoil) | 10YR 5/4 | - |
| 13 | 1.20' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.00' | silty loam with pebbles and cobbles | 10YR 4/4 | *slag |
| | | 1.00-1.20' | silty loam with pebbles and cobbles | 10YR 5/4 | - |
| 14 | 1.60' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.20' | sandy silt with pebbles and cobbles | 10YR 4/3 | - |
| | | 1.20-1.60' | silty loam with pebbles and cobbles | 10YR 5/4 | - |
| 15 | 1.20' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.10' | sandy silty loam with pebbles and cobbles | 10YR 5/4 | *charcoal; *burned clay |
| | | 1.10-1.20' | silty loam with pebbles | 10YR 6/6 | - |
| 16 | 1.10' | 0-0.10' | root mat | 10YR 3/3 | - |
| | | 0.10-1.00' | sandy silt loam with pebbles and cobbles | 10YR 4/3 | - |
| 17 | 1.00' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.70' | silty loam with pebbles (plowzone) | 10YR 5/4 | - |
| | | 0.70-1.00' | silty loam with cobbles (subsoil) | 10YR 6/4 | - |
| 18 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.80' | clayey loam with pebbles and cobbles (plowzone) | 10YR 3/3 | - |
| | | 0.80-1.10' | clayey loam with pebbles (subsoil) | 10YR 4/4 | - |

* Discarded in field

APPENDIX A. (cont.)

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|--|---------------|--------------------|
| 19 | 1.40' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | silty clay with pebbles and cobbles (plowzone) | 10YR 3/3 | - |
| | | 0.80-1.40' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/4 | - |
| 20 | 1.00' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.90 | clayey silt with stones (plowzone) | 10YR 3/2 | - |
| | | 0.90-1.00' | silty loam with stones (subsoil) | 10YR 4/4 | - |
| 21 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.00' | silty sandy loam with pebbles (plowzone) | 10YR 4/3 | - |
| | | 1.00-1.10' | silty sandy loam with pebbles (subsoil) | 10YR 5/4 | - |
| 22 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | silty loam with pebbles and stones (plowzone) | 10YR 4/4 | - |
| | | 0.70-1.10' | silty loam with pebbles and cobbles | 10YR 5/4 | - |
| 23 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | silty loam with pebbles and stones (plowzone) | 10YR 4/4 | - |
| | | 0.70-1.10' | silty loam with pebbles and stones (subsoil) | 10YR 5/4 | - |
| 24 | 1.30' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-1.00' | silty loam with stones (plowzone) | 10YR 4/3 | chert |
| | | 1.00-1.30' | silty loam with pebbles (subsoil) | 10YR 5/6 | - |
| 25 | 1.20' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.90' | silty loam with pebbles and cobbles (plowzone) | 10YR 4/3 | - |
| | | 0.90-1.20' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/4 | - |
| 26 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | silty loam with pebbles and cobbles (plowzone) | 10YR 5/3 | - |
| | | 0.70-1.10' | silty loam with pebbles and cobbles (subsoil) | 10YR 6/4 | - |

* Discarded in field

APPENDIX A. (cont.)

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|--|---------------|--------------------|
| 27 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | dry silty loam with stones (plowzone) | 10YR 4/4 | flake |
| | | 0.70-1.10' | dry silty loam with pebbles and cobbles (subsoil) | 10YR 4/3 | - |
| 28 | 1.20' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80 | silty sandy loam with pebbles and cobbles (plowzone) | 10YR 3/3 | - |
| | | 0.80-1.20' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/6 | - |
| 29 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.60' | silty loam with pebbles and cobbles (plowzone) | 10YR 4/3 | - |
| | | 0.60-1.10' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/4 | - |
| 30 | 1.00' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | silty loam with pebbles and cobbles (plowzone) | 10YR 4/3 | - |
| | | 0.80-1.00' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/4 | - |
| 31 | 1.00' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | silty loam with pebbles (plowzone) | 10YR 4/3 | - |
| | | 0.70-1.00' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/4 | - |
| 32 | 1.20' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-1.00' | loam with pebbles and cobbles (plowzone) | 10YR 5/3 | - |
| | | 1.00-1.20' | silty loam with pebbles and cobbles (subsoil) | 10YR 6/4 | - |
| 33 | 1.00' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.70' | loam with pebbles and cobbles (plowzone) | 10YR 4/4 | - |
| | | 0.70-1.00' | silty loam with pebbles and cobbles (subsoil) | 10YR 5/4 | - |
| 34 | 1.20' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | loam with pebbles (plowzone) | 10YR 3/3 | - |
| | | 0.80-1.20' | silty loam (subsoil) | 10YR 4/6 | - |

* Discarded in field

APPENDIX A. (cont.)

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|--|---------------|--------------------|
| 35 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.90' | loam (plowzone) | 10YR 3/2 | - |
| | | 0.90-1.10' | silty loam (subsoil) | 10YR 5/6 | - |
| 36 | 1.00' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.40' | loam with pebbles and cobbles (plowzone) | 10YR 4/3 | *coal |
| | | 0.40-1.00' | silty loam with pebbles and rocks (subsoil) | 10YR 5/6 | - |
| 37 | 1.00' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-1.00' | loam with pebbles and cobbles (plowzone) | 10YR 4/3 | - |
| 38 | 1.20' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | loam with pebbles and cobbles (plowzone) | 10YR 3/3 | - |
| | | 0.70-1.20' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/6 | - |
| 39 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.70' | loam with pebbles and rocks (plowzone) | 10YR 3/3 | - |
| | | 0.70-1.10' | silty loam with pebbles and rocks (subsoil) | 10YR 4/6 | - |
| 40 | 1.40' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | silty loam with pebbles and cobbles (plowzone) | 10YR 3/3 | - |
| | | 0.70-1.40' | silty loam with pebbles and cobbles (subsoil) | 10YR 4/6 | - |
| 41 | 1.20' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.00' | silty loam with rocks (plowzone) | 10YR 3/3 | - |
| | | 1.00-1.20' | silty loam with pebbles (subsoil) | 10YR 5/6 | - |
| 42 | 1.20' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | loam with pebbles and rocks (plowzone) | 10YR 4/4 | - |
| | | 0.80-1.20' | silty sandy loam | 10YR 5/4 | - |
| 43 | 1.10' | 0-0.80' | root mat with pebbles and cobbles (plowzone) | 10YR 4/3 | - |
| | | 0.80-1.10' | silty loam with pebbles and rocks | 10YR 5/4 | - |

* Discarded in field

APPENDIX A. (cont.)

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|--|---------------|--------------------|
| 44 | 1.0' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | silty loam pebbles (plowzone) | 10YR 4/3 | - |
| | | 0.70-1.00' | silty loam with pebbles (subsoil) | 10YR 5/4 | - |
| 45 | 1.10 | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.90' | silty loam with pebbles (plowzone) | 10YR 4/3 | brick |
| | | 0.90-1.10' | silty loam with pebbles | 10YR 5/4 | - |
| 46 | 1.00' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.50' | sandy loam with pebbles | 10YR 3/3 | - |
| | | 0.50-1.00' | sandy loam with pebbles and cobbles | 10YR 5/4 | - |
| 47 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | sandy loam with pebbles and cobbles | 10YR 4/4 | - |
| | | 0.70-1.10' | sandy loam with cobbles | 10YR 4/6 | - |
| 48 | 1.00' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.60' | silty sandy loam | 10YR 4/4 | - |
| | | 0.60-1.00' | silty sandy loam | 10YR 5/4 | - |
| 49 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.80' | silty sandy loam with pebbles | 10YR 4/4 | - |
| | | 0.80-1.10' | silty sandy loam with pebbles | 10YR 5/6 | - |
| 50 | 1.30' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | silty sandy loam with pebbles | 10YR 4/4 | - |
| | | 0.80-1.30' | silty sandy loam with pebbles | 10YR 5/4 | - |
| 51 | 1.20' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.00' | silty loam with pebbles and rocks | 10YR 4/4 | - |
| | | 1.00-1.20' | silty loam with pebbles and rocks | 10YR 5/4 | - |
| 52 | 1.20' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.00' | silty loam with pebbles and stones | 10YR 4/4 | - |
| | | 1.00-1.20' | silty loam with pebbles and cobbles | 10YR 5/4 | - |

* Discarded in field

APPENDIX A. (cont.)

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|--|---------------|--------------------|
| 53 | 1.10' | 0-0.80' | silty loam with pebbles and cobbles | 10YR 4/4 | *coal |
| | | 0.80-1.00' | silty loam | 10YR 5/6 | - |
| 54 | 1.10' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.70' | silty loam with pebbles and cobbles | 10YR 4/4 | - |
| | | 0.70-1.10' | silty loam with pebbles and cobbles | 10Yr 5/4 | - |
| 55 | 1.60' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-1.20' | silty loam with pebbles and cobbles | 10YR 4/4 | metal; slag |
| | | 1.20-1.60' | silty loam with pebbles and rocks | 10YR 5/4 | - |
| 56 | 1.20' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-1.10' | silty sandy loam with pebbles | 10YR 4/4 | - |
| | | 1.10-1.20' | silty sandy loam with pebbles and rocks | 10YR 5/4 | - |
| 57 | 1.30' | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-1.00' | silty sandy loam with pebbles and rocks | 10YR 4/4 | - |
| | | 1.00-1.30' | silty sandy loam with pebbles | 10YR 5/4 | - |
| 58 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80 | silty loam with pebbles and cobbles | 10YR 4/4 | - |
| | | 0.80-1.10' | silty loam with pebbles and cobbles | 10YR 5/4 | - |
| 59 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | sandy silty loam with pebbles (plowzone) | 10YR 4/4 | - |
| | | 0.80-1.10' | sandy silty loam with pebbles (subsoil) | 10YR 5/4 | - |
| 60 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | sandy silty loam with pebbles (plowzone) | 10YR 4/4 | - |
| | | 0.80-1.10' | sandy silty loam with pebbles (subsoil) | 10YR 5/4 | - |

* Discarded in field

APPENDIX A. (cont.)

| ST# | Exc. Depth | Layer | Soil Description | Munsell Color | Cultural Materials |
|-----|------------|------------|------------------------------------|---------------|--------------------|
| 61 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | silty loam with pebbles (plowzone) | 10YR 4/4 | - |
| | | 0.80-1.10' | silty loam with pebbles (subsoil) | 10YR 5/6 | *ceramic |
| 62 | 1.10' | 0-0.20' | root mat | 10YR 3/2 | - |
| | | 0.20-0.80' | silty loam with pebbles (plowzone) | 10YR 4/4 | ceramic; *bone |
| | | 0.80-1.10' | silty loam with pebbles (subsoil) | 10YR 5/6 | - |
| 63 | 1.10 | 0-0.10' | root mat | 10YR 3/2 | - |
| | | 0.10-0.80' | dry silt | 10YR 4/4 | - |
| | | 0.80-1.10' | dry silt | 10YR 5/6 | - |

* Discarded in field

APPENDIX B
ARTIFACT INVENTORY

APPENDIX B. ARTIFACT INVENTORY

ST# 6, Layer 3:
Glass - glass fragments*
Organic - coal*, charcoal*, burnt slag*, slate*

ST# 7, Layer 2:
Metal - 1 2" cut nail with a machine formed head
Organic - slag

ST# 9, Layer 2:
Ceramic - brick fragments*
Metal - iron strip (possible knife handle)

ST# 11, Layer 2:
Organic - 9 fragments crushed bone

ST# 11, Layer 3:
Ceramic - 1 fragment redware, unglazed
Metal - 1 iron buckle, 1 1/2" x 1 3/4"
Organic - 6 fragments charcoal, c.43 fragments charred bone;

ST# 11, Layer 2, Extension:
Ceramic - 1 red brick fragment
Organic - 2 coal fragments; 1 bone fragment calcified, probably a large mammal
Lithic - 6 fire cracked rocks, possibly historic

ST# 11, Layer 3, Extension:
Organic - 2 bone fragments, burnt, probably a large mammal, mend as one.
Lithic - 2 fire cracked rocks, possibly historic

ST# 12, Layer 2:
Organic - 24 fragments charcoal, 4 fragments burnt clay

ST# 13, Layer 2:
Organic - slag*

ST# 15, Layer 2:
Organic - slag*

ST# 24, Layer 2:
Lithic - 1 black chert blocky flake

ST# 27, Layer 2:
Lithic - 1 black chert tertiary flake

ST# 36, Layer 2:
Organic - coal*

* discarded in field

ST# 45, Layer 2:
Ceramic -

10 brick fragments

ST# 55, Layer 2:
Metal -
Organic -

1 3" cut nail with a machine formed head
slag

ST# 61, Layer 3:
Ceramic -

1 sherd 20th century white hotel ware*

ST# 62, Layer 2:
Ceramic -

1 ironstone china sherd with blue transfer printed
decoration.

* Discarded in field

APPENDIX C

NEW YORK STATE HISTORIC ARCHAEOLOGICAL SITE
INVENTORY FORM

NEW YORK STATE HISTORIC ARCHAEOLOGICAL SITE INVENTORY FORM

For Office Use Only--Site Identifier _____

Project Identifier _____

Date 9/12/88Your Name Richard W. HunterPhone (609) 695-0122Address 714 S. Clinton AvenueTrenton, NJ 08611

Zip _____

Organization (if any) Hunter Research Associates1. Site Identifier(s) Second Massachusetts Brigade Encampment2. County Orange One of following: City _____
Township New Windsor
Incorporated Village _____
Unincorporated Village or
Hamlet _____3. Present Owner Windsor Square Associates, Inc.Address 15-150 Old Rte 9WNew WindsorZip NY 12550

4. Site Description (check all appropriate categories):

Structure/site

Superstructure: complete partial collapsed not evident Foundation: above below (ground level) not evident Structural subdivisions apparent Only surface traces visible Buried traces detected

List construction materials (be as specific as possible):

roughly dressed and fire-altered stone; hardware; charred bone; charcoal; slag

Grounds

 Under cultivation Sustaining erosion Woodland Upland Never cultivated Previously cultivated Floodplain PasturelandSoil Drainage: excellent good fair poor Slope: flat gentle moderate steep Distance to nearest water from structure (approx.) 2000 feetElevation: 270 feet asl

5. Site Investigation (append additional sheets, if necessary):

Surface--date(s) _____

 Site Map (Submit with form*) CollectionSubsurface--date(s) July 1988 (see report)Testing: shovely coring other _____ unit size 1.5 x 1.5'no. of units 63 (Submit plan of units with form*)Excavation: unit size _____ no. of units _____
(Submit plan of units with form*)

* Submission should be 8 1/2" x 11", if feasible

Investigator Hunter Research Associates

Manuscript or published report(s) (reference fully):

A Phase 1 Archaeological Survey for the Windsor Square Property, Section 35, Block 1,
Lots 42.1 and 42.2, Town of New Windsor, Orange County, New YorkPresent repository of materials Hunter Research Associates

6. Site inventory:

- a. date constructed or occupation period 1782-83
- b. previous owners, if known
- c. modifications, if known

(append additional sheets, if necessary)

7. Site documentation (append additional sheets, if necessary):

a. Historic map references

- 1) Name DeWitt Date 1783 Source NY State Archives
Present location of original, if known _____
- 2) Name _____ Date _____ Source _____
Present location of original, if known _____

b. Representation in existing photography

- 1) Photo date _____ Where located _____
- 2) Photo date _____ Where located _____

c. Primary and secondary source documentation (reference fully)
see report

d. Persons with memory of site:

- 1) Name _____ Address _____
- 2) Name _____ Address _____

8. List of material remains other than those used in construction (be as specific as possible in identifying object and material):

18th century shoe buckle; redware

If prehistoric materials are evident, check here and fill out prehistoric site form. _____

9. Map References: Map or maps showing exact location and extent of site must accompany this form and must be identified by source and date. Keep this submission to 8½"x11", if feasible.

USGS 7½ Minute Series Quad. Name Cornwall

For Office Use Only--UTM Coordinates _____

10. Photography (optional for environmental impact survey):

Please submit a 5"x7" black and white print(s) showing the current state of the site. Provide a label for the print(s) on a separate sheet.

see report

APPENDIX D
LIST OF CONTACTS

APPENDIX D

LIST OF CONTACTS

Richard Shulkin
New Windsor

Elias D. Grevas
New Windsor

Robert Ewing
New York State Office of Parks, Recreation and
Historic Preservation, Albany

Paul Huey
New York State Office of Parks, Recreation and
Historic Preservation (Bureau of Historic Sites)
Pebbles Island, Cohoes

Beth Wellman
New York State Museum, Albany

E. Jane Townsend, Site Manager
New Windsor Cantonment State Historic Site, New Windsor

Donald C. Gordon, Glenn Marshall and Thomas Murray
National Temple Hill Association, New Windsor

Herbert and Sandi Crosbie
Town of New Windsor Historic Parklands Commission,
New Windsor

Michelle Figliomeni
Orange County Historical Society

Joan Chernoff
Local History Room, Newburgh Free Library, Newburgh

APPENDIX E

LIST OF REPOSITORIES VISITED OR CONTACTED

APPENDIX E

LIST OF REPOSITORIES VISITED OR CONTACTED

New York State Office of Parks, Recreation and
Historic Preservation (Bureau of Field Services),
Albany

New York State Office of Parks, Recreation and
Historic Preservation (Bureau of Historic Sites),
Peebles Island

New York State Museum, Albany

Orange County Historical Society, Harriman

Orange County Genealogical Society, Goshen

Orange County Court House, Goshen

New Windsor Cantonment State Historic Site, New Windsor

National Temple Hill Association, New Windsor

Goshen Public Library and Historical Society, Goshen

Newburgh Free Public Library

APPENDIX F

RESUMES

**HUNTER
RESEARCH
ASSOCIATES**

Cultural Resource Consultants

714 S. Clinton Ave.
Trenton, NJ 08611
Tel. 609/695-0122

RICHARD W. HUNTER
Archaeologist, MA, SOPA

Education

Ph.D candidate, Geography, Rutgers University, New Brunswick,
New Jersey, 1984

M.A., Archaeological Science, Bradford University, Bradford,
England, 1975

B.A., Archaeology and Geography, Birmingham University,
Birmingham, England, 1973

Experience

1986- Principal, Hunter Research Associates,
Cultural Resource Consultants, Trenton, N.J.

Proprietor of firm providing survey, excavation,
evaluation, and report preparation services,
specializing in historical and industrial archaeological
resources in the Northeastern United States, and
projects requiring cultural resources impact assessment
and mitigation.

1983-1986 Vice-President/Archaeologist, Heritage Studies, Inc.,
Princeton, N.J.

Principal in charge of archaeological projects.
Responsibilities included:

- Survey, excavation, analysis, and reports
- Client solicitation, negotiation, and liaison
- Project planning, budgeting, and scheduling
- Recruitment and supervision of personnel

1981-1983 Principal Archaeologist, Cultural Resource Group,
Louis Berger & Associates, Inc., East Orange, N.J.

Directed historical and industrial archaeological work
on major cultural resource surveys and mitigation
projects in the Mid-Atlantic region. Primary
responsibility for report preparation and editing.

1979-1981 Archaeological Consultant, Hopewell, N.J.

1978-1981 Adjunct Assistant Professor, Department of Classics
and Archaeology, Douglass College, Rutgers
University, N.J.

1978-1979 Research Editor, Arete Publishing Company, Princeton, N.J., preparing archaeological, anthropological, and geographical encyclopedia entries (Academic American Encyclopedia, 1980).

1974-1977 Archaeological Field Officer, Northampton Development Corporation, Northampton, U.K.

Supervised archaeological salvage projects executed prior to development of the medieval town of Northampton (pop. 230,000). Experience included:

- Monitoring of construction activity
- Supervision of large scale urban excavations
- Processing of stratigraphic data and artifacts
- Preparation of publication materials

1969-1970 Research Assistant, Department of Planning and Transportation, Greater London Council

Publications

"The Demise of Traditional Pottery Manufacture on Sourland Mountain, New Jersey, during the Industrial Revolution." Ch. 13 in Domestic Potters of the Northeastern United States, 1625-1850. Studies in Historical Archaeology, Academic Press, 1985.

"Scientific Aids in Pottery Fabric Analysis." In Medieval Pottery, Processing and Publication. Department of the Environment, U.K. Government, 1983.

Excavations at St. Peter's Street, Northampton, 1973-74. Northampton Development Corp., 1979. John Williams, senior author.

"Excavations at Thorplands, Northampton, 1970 and 1974." Northamptonshire Archaeology 12, 97-154, 1977.

"Architectural Restoration, Archaeology and Archival Research at Glencairn: An Approach to Colonial Architecture in Central New Jersey." Proceedings of the 11th Annual Symposium of the New Jersey Historical Commission. Clifford Zink, co-author. Forthcoming.

Professional Affiliations

Society of Professional Archeologists (accredited 1979)
New Jersey State Review Board (Member, 1983-present)
Society for Historical Archaeology
Society for Industrial Archaeology
Society for Post-Medieval Archaeology
Vernacular Architecture Forum
Council for Northeast Historical Archaeology
Archaeological Society of New Jersey

**HUNTER
RESEARCH
ASSOCIATES**

Cultural Resource Consultants

714 S. Clinton Ave.
Trenton, NJ 08611
Tel. 609/695-0122

RICHARD L. PORTER
Historian, MA

Education

M.A., American History, Rutgers College, Rutgers University,
New Brunswick, N.J., 1981

B.A., History, Muhlenberg College, Allentown, PA., 1975

Experience

- 1986- Historian, Hunter Research Associates,
Trenton, N.J.
Technical and managerial responsibilities for historical
research components of all projects. Participation in:
- Archival and cartographic research
 - Oral historical research
 - Project planning and scheduling
 - Report preparation and historical writing
- 1983-1986 Historian, Heritage Studies, Inc.,
Princeton, N.J.
- Responsible for historical research and writing on
archaeological and architectural history projects in the
Northeastern United States.
- 1981- Archival Technician, Bureau of Archives and Records
Management, Archives Section, Department of State, State
of New Jersey.
- Supervise weekend services offered by the State Archives
and provide professional assistance to members of the
public engaged in historical and genealogical research.
- 1981-1983 Senior Historian, Cultural Resource Group,
Louis Berger & Associates, Inc.,
East Orange, N.J.
- Directed all historical research on major cultural
resource surveys and mitigation projects in the
Mid-Atlantic region. Primary responsibility for all
historical sections of reports with additional writing
and editing responsibilities for other report
components.

1979-1981 Historical Consultant, Morristown, N.J.

Worked with various firms and individuals providing full range of historical research and writing for cultural resource surveys, architectural surveys, preservation plans, and National and State Register nominations.

1977-1979 Historian/Archaeologist, Rutgers Archaeological Survey Office, Rutgers University, New Brunswick, N.J.

Conducted historical research and writing and participated in archaeological fieldwork for numerous cultural resource surveys and mitigation projects. Major projects included: the survey and excavation of Raritan Landing, Piscataway Township, Middlesex County, N.J.; cultural resource surveys for the proposed Raritan Confluence Force Main, Pumping Station, and Reservoir in Somerset and Hunterdon Counties, N.J.; the cultural resource survey for Route I-195 in Howell Township, Monmouth County, N.J.

Professional Affiliations

Society for Historical Archaeology
Society for Industrial Archaeology
Council for Northeast Historical Archaeology
New Jersey Historical Society
Archaeological Society of New Jersey

Awards

Phi Alpha Theta

**HUNTER
RESEARCH
ASSOCIATES**

Cultural Resource Consultants

714 S. Clinton Ave.
Trenton, NJ 08611
Tel. 609/695-0122

RICHARD A. REGENSBURG
Archaeologist, BA

Education

B.A., Environmental Sciences, Stockton State College, Pomona, N.J.,
1976

Experience

1986- Archaeologist, Hunter Research Associates,
Trenton, N.J.

Technical and managerial responsibilities for field and laboratory components of archaeological projects. Specific expertise in New Jersey and Eastern United States prehistory. Participation in:

- Survey, excavation, analysis, and reports
- Preparation of proposals
- Recruitment and supervision of personnel

1984-1986 Archaeologist/Field Director, Heritage Studies, Inc.
Princeton, N.J.

Directed fieldwork and laboratory analysis for archaeological projects in the Northeastern United States.

1981-1983 Superintendent of Parks and Recreation,
Atlantic County, N.J.

Directed the day-to-day operation of the Estell Manor and Weymouth county parks. Responsible for public education, and prehistoric and historic research at these parks. Performed cultural resource evaluations and preliminary environmental impact studies for proposed landfill sites in Atlantic County.

1975-1982 Adjunct Instructor, Stockton State College,
Pomona, N.J.

- 1980 Environmental Specialist, Division of Public Health,
Atlantic County, N.J.
- Consultant, New Jersey Office of the Public Advocate
(research and cartographic studies of municipal housing
densities and land uses).
- 1970-1980 Archaeological Consultant, Hammonton, N.J.
- Provided archaeological consultation, survey, excavation
and report preparation services to state, municipal and
private clients for environmental impact assessments.
- 1977-1979 Field Director/Laboratory Supervisor,
Rutgers Archaeological Survey Office,
Rutgers University, New Brunswick, NJ
- Supervised fieldwork and laboratory analysis on numerous
cultural resource surveys and mitigation projects.
Major projects included: the survey of Raritan Landing,
Piscataway Township, Middlesex County, N.J. prior to
sewer construction; the survey for Route I-195 in Howell
Township, Monmouth County, N.J.; the survey for the
Manasquan River Reservoir, Monmouth County, N.J.
- 1972-1974 Assistant Archaeologist,
Research Laboratory of Anthropology,
University of North Carolina, Chapel Hill, N.C.
- 1969-1970 Assistant to the State Archaeologist,
State of Delaware, Dover, DE

Publications

"Evidence of Indian settlement in the Pine Barrens." In
Proceedings and Papers of the First Research Conference on the New
Jersey Pine Barrens, ed. John W. Sinton. 1979.

"Prehistoric Archaeology." In A Plan for a Pinelands Preserve.
Rutgers University Press. 1978.

"The Savich Farm Site: A Preliminary Report." Bulletin of the
Massachusetts Archaeological Society 32. 1971.

Professional Affiliations

Archaeological Society of New Jersey (executive board member)
Atlantic County Historical Society

Awards

Stockton Scholars Award, 1976

**HUNTER
RESEARCH
ASSOCIATES**

Cultural Resource Consultants

714 S. Clinton Ave.
Trenton, NJ 08611
Tel. 609/695-0122

WILLIAM B. LIEBEKNECHT
Laboratory Supervisor, BA

Education

B.A., Anthropology, Beloit College, Beloit, Wisconsin, 1984

Experience

1987- Laboratory Supervisor
Hunter Research Associates, Trenton, N.J.

Technical and supervisory responsibilities for
laboratory operations. Participation in:

- artifact processing and analysis
- prehistoric and historic ceramic analysis
- artifact collections research
- preparation of artifact inventories and reports
- computerization of artifact data
- supervision of laboratory personnel
- field survey and excavation

1985-1988 Laboratory Supervisor and Field Assistant
Research & Archaeological Management, Inc. (RAM)
Highland Park, N.J.

Supervised analyses of artifact assemblages from
various cultural resource projects in the
Northeast.

1984-1985 Research and Field Assistant
Historic Sites Research, Princeton, N.J.

Publications

"The Fort Elfsborg Spoon," Bulletin of the Archaeological Society
of New Jersey, 1986, No. 40, 45-46.

Professional Affiliations

Eastern States Archaeological Federation
Archaeological Society of New Jersey
Archaeological Society of New York
Wisconsin State Archaeological Society
Society for Pennsylvania Archaeology
New Jersey Historical Society
Archaeological Society of Connecticut

86-58

Map Number 10291

Section 35 Block 1 Lot 42.1
42.2 City Town Village

N. Windsor

Title: Windsor Square Sub

Dated: Rev 9-21-89 Filed 7-31-91

Approved by Ronald Landes

on 7-26-91

Record Owner Windsor Square Assoc, Inc

3 Sheets

MARION S. MURPHY
Orange County Clerk

Approximate
Eng. fee \$2650.00

4% \$28,800.00

SUBDIVISION FEES:

| | |
|-------------------------------------|---------------|
| PRE-PRELIMINARY PLAT: | \$100.00 |
| PRELIMINARY PLAT: | 100.00 |
| FINAL PLAT: (\$100.00 + \$5.00/LOT) | <u>250.00</u> |
| FINAL PLAT SECTION FEE: | <u>150.00</u> |

TOTAL: \$600.00

Re-approval \$250.00
\$850.00

ENGINEER FEE: TO BE DEDUCTED FROM ESCROW

RECREATION FEE:

29 LOTS @ \$250.00 PER LOT: \$7250.00

Shaw Engineering

Consulting Engineers

744 Broadway
P. O. Box 2569
Newburgh, New York 12550
(914) 561-3695

December 11, 1995

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

Att: Mark Edsall, P.E., Planning Board Engineer

Re: Stormwater Detention Pond
Windsor Square Subdivision

Dear Mark:

Pursuant to our inspection of the above referenced detention pond on December 5, I have reviewed the Stormwater Management Calculations that are dated April 17, 1989 and that were prepared by Engineering Technologies, Inc. I have also reviewed the as-built survey information of the pond as obtained by Grevas & Hildreth, P.C in July of 1995. The purpose of these reviews was insure that the constructed pond fulfills the intent of the design documents that was approved by the New Windsor Planning Board.

Prior to my analysis of the constructed pond, I would like to point out that the Stormwater Management Calculations for the Windsor Square reflect a 45% reduction in stormwater flows after development as compared to the flows generated by the site in its pre-developed condition. Also, during the construction of the subject subdivision the developer installed an 18-inch off-site storm drain line along Garden Street. This line was installed at the request of the Town of New Windsor and was above and beyond the improvements required by the Planning Board at the time of approval. Both the reduction in stormwater flows and the ability to convey increased stormwater off-site provide a substantial factor of safety in mitigating Windsor Square's stormwater flows, recognizing that the primary mitigation measure is the subject detention pond.

Based upon my review of the as-built survey data, I can state that the constructed stormwater detention pond fulfills the intent of the design documents with the exception of the recommended improvements presented below. In general terms the pond's surface area, depth, and volume are consistent with the design documents that were approved by the Town of New Windsor. As you are aware a field change was implemented that increased the slope of the pond's bottom for the purpose of eliminating possible pockets of standing water. While this change slightly reduced the storage capacity of the pond, this reduction is well within the factor of safety discussed above.

As we noted during our inspection, the following items need to be completed by the developer:

1. installation additional rip-rap at the flared end section (inlet to the pond), and at the outlet control structure
2. increasing the width of the weir to the required 4 feet dimension

I have also investigated your concern regarding the possible ramifications should the existing 4-inch orifice become blocked with debris due to lack of maintenance. Our calculations indicate that at the pond's maximum water depth, the 4-inch orifice will release stormwater at a maximum rate of 0.7 CFS. At an orifice diameter of 6-inches, the maximum discharge would be 1.6 CFS, a negligible increase. Based upon these discharge rates, we concur with you that increasing the orifice to 6-inches in diameter would minimize the potential of the blocking of the pond's outlet while not significantly increasing the pond's discharge rate.

Finally, I have investigated whether the 4 foot wide weir would pass the maximum flow of 22.8 CFS should the orifice become ineffective due to debris. As we discussed, the conveyance of the maximum flow by the weir is necessary otherwise the earth berm could be breached. The as built survey data indicates that 0.33 feet of clearance presently exists between weir and the underside of the structure cover. This clearance is not sufficient to discharge the maximum flow, and in order to do so the clearance would have to be increased to 1.5 feet.

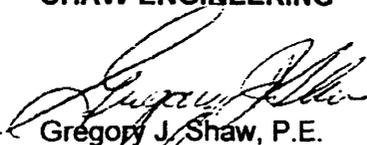
In summary I will recommend to my client to perform the following work:

1. additional rip-rap at pond inlet and outlet
2. modify the weir width to 4 feet
3. increase orifice to 6-inches in diameter
4. raise the structure cover to provide 1.5 feet of vertical clearance

It is my understanding that upon completion of this work your office will represent to the Town of New Windsor that the constructed detention pond is satisfactory to your office. If you are not in agreement with any of the above, please call this office at your convenience.

Very truly yours,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: Gerry Kreisberg, Windsor Land Development Corp.

August 6, 1991

To The Town Planning Board of New Windsor,

We the residents of the Garden St., Harth Dr. and

Leslie Ave. area request more consideration on the

Retention Pond for the Windsor Square Subdivision.

As residents of the area for many years we know how

- this particular area retains water 3/4 of the year.

We are concerned that it is going to be a pond and a

breeding ground for insects. We are concerned also

because it is going to be 4 feet deep with no fence

around it. We are not trying to start trouble We

are trying to prevent it for the safety of our

CHILDREN.

Mrs. John Hibbons 255 Garden St.
New Windsor, N.Y.
Mrs. Roslyn Paspeck 253 Garden St
New Windsor, N.Y.
George J. Hibbons 255 Garden St.
New Windsor, NY 12553
John G. Hibbons 255 Garden St.
New Windsor, NY 12553
Patricia L. Lavina 257 Garden St.
New Windsor, N.Y. 12553
Charles K. Lavina 257 Garden St, New Windsor, NY 12553
Linda R. Lavina 221 LESLIE AVE, NEW WINDSOR
Mary W. McEbe. 223 LESLIE AVE, NEW WINDSOR
Charles J. McCabe 223 LESLIE AVE, NEW WINDSOR
Linda M. Corbett 227 Leslie Ave New Windsor NY.
Elizabeth Sisti 229 Leslie Ave, New Windsor NY
John P. Langth 231 LESLIE AVE New Windsor N.Y.
Catherine H. Hurey 238 LESLIE AVE New Windsor
cc: PAF
Katherine Pitts 239 Leslie Ave. all who signed
Francis Allen Pitts 239 Leslie Ave., New Windsor, N.Y.
Michael Long 225 Leslie Ave New Windsor, N.Y.
Phyllis L'Etienne 221 Leslie Ave New Windsor, NY
Mrs. John Pollock 251 Garden St. New Windsor, NY
John J. Pollock 251 Garden St. New Windsor, NY

Page 2 of Retention Pond

~~James V. Badetti~~ - 57 Harth Drive New Windsor, Md.
Barbara Twomey 233 Leslie Ave New Windsor
Kevin Twomey 233 Leslie Ave New Windsor
~~Ellen Dooker~~ 235 GARDEN ST.
~~JOHN out CHURCH TOWN~~ 222 FRANK ST
Mrs Zeger 228 Garden St
Matthew Furry 233 GARDEN ST
Angela Davidson 239 Garden St.
Jack Davidson 239 Garden St.
Kevin Corbett 51 Harth One

WINDSOR SQUARE

86-58

MR. PETRO: Let's ago across the street now, detention pond, have you talked with the builder there?

MR. EDSALL: Yes, Windsor Crest.

MR. BABCOCK: Windsor Square.

MR. EDSALL: Windsor Square project we have met with Scotty and we met in the field then we met during a heavy storm with his son, we've identified two sources of the problem. They've indicated that they'll have a plan from Greg Shaw as to exactly what has to be finished with the basin. They are going to start working on it next week and they'll follow through and they hope to have every bit of the work done with the basin and interception swale along the stone wall against the Leslie Street residents, have all that completed by your next meeting.

MR. LANDER: Now, refresh my memory, was that retention basin supposed to be in operation before that build-out was done?

MR. PETRO: Nope.

MR. EDSALL: I think there was deadlines. They didn't have a deadline but when we brought to their attention the fact that we were having problems, their comment was it doesn't matter if we agreed to a deadline, if you are having a problem, we'll work on it now so--

MR. LANDER: Now, is the retention basin still in their plans?

MR. BABCOCK: Yes.

MR. EDSALL: They are agreeable. They have no argument with doing it now rather than later and Greg Shaw has agreed to prepare necessary plan for details of what has to be done to finish it. I'd hope that the first August meeting I can come back and tell you that they are done.

MR. LANDER: Was there some drainage and paving supposed to be done in coordination with that retention basin?

MR. EDSALL: Off-site in the Planning Board's approval of Windsor Square there were no off-site improvements. However, after the approval after the stamped plan was filed, after all the bonds were posted, the Highway Superintendent indicated his believe that the pipe needed to be replaced. So effectively out of the goodness of the developer's heart, that is really all it can be, they improved the storm water all the way down to Garden Drive.

MR. PETRO: I went there and I saw it, it's done except one thing, the water is not getting into the manholes, only because the final top coat isn't done and the water is not being directed to the manholes. It does go into the last one because it has nowhere else to go but the silt is getting down there, they can easily remedy that with just a little direction.

MR. EDSALL: They are working on that.

MR. PETRO: They did a nice job, just got to get the water in.

July 13, 1994

88

MR. EDSALL: Restoration work on the sewer phase is going to be done by the Highway Department, that was part of the agreement they would donate the pipe installation, the town would do the surface restoration. That has not occurred yet.

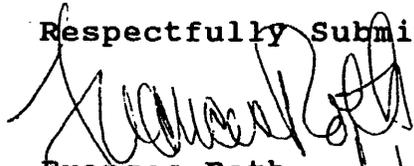
MR. DUBALDI: I make a motion we adjourn.

MR. LANDER: I seond it.

ROLL CALL

| | |
|-------------|-----|
| MR. LANDER | AYE |
| MR. DUBALDI | AYE |
| MR. PETRO | AYE |

Respectfully Submitted By:


Frances Roth
Stenographer

8/2/94

Shaw Engineering

Consulting Engineers

744 Broadway
P. O. Box 2569
Newburgh, New York 12550
(914) 561-3695

July 18, 1994

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

Att: ² Mark Edsall, P.E., Planning Board Engineer

Re: Stormwater Detention Pond
Windsor Square Subdivision

Dear Mark:

Please consider this correspondence an update to our site inspection of July 6 regarding the stormwater detention pond at Windsor Square Subdivision.

On July 14 Kingsley Homes commenced the finalization of the construction of the detention pond. I inspected the pond on the following day, July 15, and offer the following status report:

1. earth was being placed between the roadway curbing and the top of the pond
2. earth was being placed immediately north of the pond to create a planting berm
- 3.- evergreen trees and flowering trees were being planted within the northerly planting berm
4. a temporary stormwater diversion ditch was installed along the northerly property line to protect the lots along Leslie Avenue

Robert Scott of Kingsley Homes, who was present during my site visit, stated that he will complete the work on the exterior of the pond within the next week. Prior to finalizing the interior of the pond, Mr. Scott will need a sketch from this office indicating the pond's final grades and the location of the low level swale. This sketch will be prepared upon receipt of the as-built survey information of the pond's inlet and outlet piping which is being obtained by Bill Hildreth.

July 18, 1994

While Robert Scott would like to complete the interior of the pond immediately following the pond's exterior, he expressed concern that the pond's bottom was too wet. If this is the case, the finalization of the pond's interior may have to be postponed until September, usually the driest month of the year. This decision will be made at the time the sketch is complete.

If you have any questions regarding the above, please call at your convenience.

Very truly yours,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Robert Scott, Kingsley Homes
William Hildreth, L.S.

RESULTS OF P.B. MEETING

DATE: June 22, 1994

PROJECT NAME: Wardson Square Homeowners PROJECT NUMBER Discussion

LEAD AGENCY: _____ * NEGATIVE DEC: _____

M) ___ S) ___ VOTE: A ___ N ___ * M) ___ S) ___ VOTE: A ___ N ___

CARRIED: YES _____ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) ___ S) ___ VOTE: A ___ N ___

WAIVED: YES _____ NO _____

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

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

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Tom Vick spoke regarding removing the detention pond and making a park.

Mark to talk to developer re: detention pond completion date
Jim & Mike to work on runoff

May need to bring developer to next meeting (check w/mark)



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # _____

WORK SESSION DATE: 15 JUNE 94 APPLICANT RESUB. REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____

PROJECT NAME: Windsor Square

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: group

MUNIC REPS PRESENT: BLDG INSP. 12 bldgs.
 FIRE INSP. 12 b
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Group of people (most names on back)
want to discuss detention basin
 1. new lots want it deleted - explain P/B
review SEVRA etc & why it most likely can't
be deleted
 2. Concern when will it be done.
 3. Many non-related negative comments re P/B
 4. want speed bump on T/Road.

SET AS DISCUSSION @ MTG

4MJE91 pbwsform

**RETAKE
OF
PREVIOUS
DOCUMENT**

RESULTS OF P.B. MEETING

DATE: June 22, 1994

PROJECT NAME: Wardour Square Homeowner PROJECT NUMBER Discussion

LEAD AGENCY: _____ * NEGATIVE DEC: _____

M) ___ S) ___ VOTE: A ___ N ___ * M) ___ S) ___ VOTE: A ___ N ___

CARRIED: YES _____ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) ___ S) ___ VOTE: A ___ N ___

WAIVED: YES _____ NO _____

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

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

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Tom Vick spoke regarding removing the detention pond and making a park.

Mark to talk to developer Re: detention pond completion date
Jim & Mike to work on runoff

May need to bring developer to next meeting (-check w/Mark)

Robert Scott 221-3929



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # _____

WORK SESSION DATE: 15 JUNE 94 APPLICANT RESUB. REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____

PROJECT NAME: Windsor Square

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: group

MUNIC REPS PRESENT: BLDG INSP. 12 bldg.
 FIRE INSP. 126
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Group of people (most names on back)
want to discuss detention basin
1. New lot want it deleted - explain P/B review, SEVRA etc & why it most likely can't be deleted
 2. Concern when will it be done.
 3. Many non-related negative comments re P/B
 4. Want speed bump on Troad.

SET AS DISCUSSION @ MTG

4MJ91 pbwsform

Chuck FAROINO

Pat FAROINO old

Judy & John Furbans . Harden St. - old -

BRECK BEYOND GARDEN ST NEW

Don Naputjan . New development

TOM VICK NEW GARDEN STREET

WINDSOR SQUARE

MR. PETRO: We have Windsor Square subdivision represented by?

MR. TOM VICK: The builder is not here but I'll speak for the development.

MR. PETRO: Your name?

MR. VICK: Tom Vick. We have people here from the development and also from the old development that adjoins the retention pond and our concern is the detention pond at the bottom of hill within the development, we're hoping there'd be a member of the King's Construction here to discuss that with us.

MR. PETRO: What happens with the detention pond somebody told me they wanted to remove the detention pond and do something with it.

MR. VICK: Deal was that Scotty, the builder, put an additional piping down there, drainage to alleviate the detention pond which we thought as a development we could make that into a more or less a grassy area, a park area or baseball field, like it used to be before they built it. That is what it was previous to this detention pond. It has now become a swamp, mosquito infested area which is very bad and what we're trying to do is do something different. My understanding with Scotty was that they put that through the Supervisor, Highway Superintendent, that they put extra drainage in there to eliminate that pond and Mark is telling me that is not so that the existing drainage that you folks have now going underneath the railroad tracks to the next development down is not sufficient to carry the water, is that correct?

MR. PETRO: That is correct.

MR. VICK: Our concern is that the folks next to us, they are starting to get mosquitoes and smells and everything else from the pond. What we want to do now, what are we going to do about the pond and what can we do?

MR. PETRO: Everybody would be in agreement that any time a detention pond is not needed is better for everybody concerned but I think as far as that development is concerned, Mark, you can help me along, that detention pond was part of the approved plan for the development and therefore part of the drainage plan so we would have to have some sort of a drainage study to indeed find out if the water for that drainage pond is going to be diverted somewhere else. Other than saying that the bigger pipes be put in, I happen to know for a fact that the pipe underneath the railroad tracks is major problems down through that whole area, lot of which is coming off Windsor Crest and going down through there now is not big enough to start with. And it's twofold, one there's a right angle turn up there pretty close to 32 and secondly is once it gets to the railroad tracks is the second problem to go under the tracks. Mark, can you shed any light on this?

MR. EDSALL: I agree with you a hundred percent. There's a lot of problems with drainage in that area. The detention basin was required because of the public comment and designed by the applicant showing that if the basin was not in, it would impact the adjoining properties. Not only the people on Garden but below Garden, the fact that it would discharge rather rapidly and then cross the Con Rail tracks and increase the flow through that area where they right now are in terrible shape and we just don't have an answer at this point below the railroad tracks. So I agree with you there's a problem. It was put in for a purpose, the increasing of the pipe size from the new subdivision down Garden near the box culvert that crosses the railroad tracks is a definite improvement, it was not part of the original subdivision plan. And in my mind, was not required to eliminate the basin but rather to address some concerns that the Highway Department had and that was done voluntarily over and above the requirements of the subdivision. The outlet structure that is part of the basin is still going in so the throttling effect is still proposed. In other words, it doesn't matter if you increase the pipes on the other side of the throttling device, the throttling device still functions to hold the water back.

MR. DUBALDI: Is the parking a hundred percent at this point?

MR. EDSALL: It's not complete, I agree with the people, it's like many other projects in the Town of New Windsor, they are not complete. In my mind, if the pond is completed correctly, and they go as far as to put a center swale in with stone, some of what we have convinced Windsor Crest to do and they landscape it, shouldn't have the mosquito problems.

MR. DUBALDI: When are they looking to be done?

MR. EDSALL: I have not been able to get an answer as of yet. I got a verbal answer from Scotty, the developer, that he was going to landscape it in a higher quality than what the subdivision plan required that he would do a very nice job. I tend to believe it cause anyone who gives the Town a \$20,000 gift of a drainage system without a gun to his head has to be reasonably responsible and honest. So I would think he's going to do it. If the board wants to have him come in to a meeting and establish a timeframe, that might be something you can do.

MR. PETRO: Are the residents that live there now, are you totally against the retention pond and want to do something else there or are you just saying it's not up to par?

MR. VICK: We'd like to do something else there in the future when you folks do improve the other water, we're not rushing that kind of thing but the folks behind us have a problem.

MR. JOHN GIBBONS: I live on Garden Street adjacent to. I have about 4 inches of silt in my front yard today from the rain last night. They do not have any bales of hay to keep the loose soil from running down their street into Garden Street and it's starting to fill that drain, that 18 inch drain that they put in has got four inches of silt in the bottom.

MR. PETRO: Do something about that tomorrow, make a

couple calls.

MR. GIBBONS: All the storm drains should have bales of hay around it where the street comes out on and to Garden. I've got cedar chips in my front yard. I asked them if they wanted them back.

MR. PETRO: That can be a DEC problem.

MR. GIBBONS: I thought it was because I see the State puts bales of hay.

MR. PETRO: We'll get in touch with Mr. Fayo, who will get down there immediately and get it straightened out. Because if not, we can notify the DEC.

MR. GIBBONS: You have the silt going into the storm drains and you have got three inches of silt.

MR. PETRO: Most of that is coming from the detention pond problem not being done and working properly so you are compounding the problem.

MR. DONALD NAPOLITANI: We're willing to accept the retention pond until we can either change it later on down the road but we're looking for some kind of set time as to when it's actually going to be working properly or maintained so that it looks halfway decent and doesn't create all the problems that it is creating.

MR. PETRO: Mark, the Planning Board Engineer, is going to talk with the developer tomorrow, we're going to try to get him here to get an actual schedule set up when it will be completed and how it's going to be completed and obviously has to be done to the agreement that is already set forth with the original Planning Board approval. He's talking about even upgrading from that point so let's see what he has to offer. I think what we have to do here with the retention pond, it's in the future right now, it would be hard for anyone to discuss where we can eliminate the ponds or do something other than that, so there's nowhere for the water to go. So why would we even talk about let's do something different in the future. If you see any

other piping, there are some plans to go through the development, not yours, but the one adjacent down to the tracks, and what was the new pipes that were installed, the guy said he put in new piping coming out of the new into the--

MR. EDSALL: On Garden?

MR. NAPOLITANI: Right, what actual benefit was that? Did that benefit anything or just--

MR. EDSALL: It was a desire on behalf of the Town to have that improvement and the Highway Superintendent successfully convinced Scotty that he should do it.

MR. NAPOLITANI: If we can convince Scotty to improve the piping going from the end of the retention pond to the tracks to the other development.

MR. EDSALL: You're talking from the railroad tracks down to what we all call the the Warmer Swamp, one section was bid and the bids were rejected to cross one street and pick up the large diameter arch pipes, was someplace around \$125,000 and that was less than 50 feet of improvements. You're talking major, a major drainage problem in that area. It's not something that the Town is ignoring. We're trying to long term come up with some solutions but to protect the residents down below until the improvements are in. Every single project that is in this area is being required to mitigate whatever increase in drainage they may create from the development. That is why Windsor Square has a basin not to protect really yours but protect those downstream, Windsor Crest, Epiphany, all the developments have them, until we can solve the problems downhill.

MR. NAPOLITANI: Big difference from what, from their retention pond looks like compared to ours.

MR. VICK: What about the mosquito problem?

MR. NAPOLITANI: And Windsor Crest did a nice job.

MR. EDSALL: Windsor Crest is not even close to being

done. Again, I think we should talk to the developer again, it's a homeowner association created such that you can effectively all own that property and maintain it in a good form rather than have it be an abandoned piece of property which will become overgrown.

MR. VICK: Is there any other residential development in the Town of New Windsor that has a homeowner's association responsible for retention pond?

MR. DUBALDI: Windsor Crest.

MR. VICK: That is a condo development.

MR. EDSALL: It's a very similar situation.

MR. VICK: Residential development, not condo development.

MR. EDSALL: The Town of New Windsor Planning Board had presented before it a plan and the applicant was told solve the problem, either create an improvement district and let the Town maintain it, create a homeowner association or improve the drainage so you don't need it and they chose option B, which was HOA because the town did not believe that there was a benefit in creating an improvement district for 30 lots.

MR. NAPOLITANI: So, is the homeowner's association, when do they have to take responsibility for this?

MR. EDSALL: Homeowner's association are subject to the review of the Attorney General's office, the perspectus that created it had to go through the Attorney General's office. The Planning Board attorney at the time told them they had to go to the Attorney General's office, the Town of New Windsor has no jurisdiction over the homeowner's association. If your attorney or the attorney on the other side who sold the property to you did not disclose that there was a homeowner's association, you have a legitimate complaint to the State, not Town of New Windsor.

MR. VICK: I agree with that.

MR. EDSALL: Can you disband it at the time of the elimination of the basin occurs? You can sell the lot, build a house on it and that is profit but you probably can't do that until the drainage is improved. It's a major project.

MR. PETRO: I think what Mark just addressed really when the development is done and gone that it is your responsibility as a homeowner's association to take care of the basin.

MR. NAPOLITANI: That is my question so we're not responsible till the last house is built and he's finished?

MR. PETRO: That is correct.

MR. EDSALL: In the prospectus, it should tell you when you begin to take responsibility for that. We know when we take responsibility for the roads when they are dedicated.

MR. PETRO: To further go along with that, the Planning Board still has the jurisdiction over the site plan at this time which we're going to act upon.

MR. EDSALL: Subdivision.

MR. PETRO: And go down there and find out when it's going to be complete. Maybe we have to have him in here at the next meeting, come up with a schedule and to address the mosquito problem and everything else that we're talking about and see what we can do to get this thing done correctly before they have to take it over.

MR. EDSALL: I'll make an effort to get some kind of commitment out of Scotty. He made a commitment on the drainage and he, within reason, held to the schedule. So I think we'll try to pin him down again on this, try to push him.

MR. PETRO: Try to resolve three things. One, it does become homeowner's little puppy to take care of after

the builder's gone. Number two, as far as eliminating the detention pond, that is really down the road quite a ways because we need somewhere for the water to go and at this point, we couldn't do it if we wanted to because it has physically nowhere to go. Number 3, the construction of the detention pond, mosquitoes, everything else we're going to address that before the next meeting and if you want, anyone want to call and talk to Myra and find out if he's going to be on the agenda or find out through Mark's office what the outcome is.

MR. NAPOLITANI: They are even using it as a garbage dump, they are dumping all the excess stuff left over from the development in the end of the detention ponds, which is just adding to the problem.

MR. PETRO: Until it's done and the site plan review is bonded, right?

MR. BABCOCK: Yes.

MR. PETRO: We still have some weight to put on the builder to try and get this done correctly.

MR. NAPOLITANI: Is there a time limit?

MR. PETRO: There's no time limit on the exact site plan improvements until the end of the project is done, the subdivision is done, he can still say well, we're working on it as far as we know at this point.

MR. EDSALL: We'll try to get a commitment out of him.

MR. VICK: How does that come over to turn from Scott to homeowner's association? Who's in charge of the homeowner's association? How does that happen?

MR. NAPOLITANI: It's not a New Windsor thing.

MR. VICK: Does that piece of property have a deed?

MR. EDSALL: That property is going to be deeded to the homeowner's association, each one of you would own a piece of it.

MR. VICK: Almost like a closing.

MR. EDSALL: I would assume so. There's got to be properties conveyed.

MR. KRIEGER: Well, the problem is the deed only has to be signed by the person conveying.

MR. VICK: Who would be the conveyee?

MR. KRIEGER: Homeowners would be the conveyees but it is an area exclusively controlled by the Attorney General.

MR. NAPOLITANI: In essence, he could drag out the completion of this retention pond till he's finished with the development, is that what we're saying they really wanted to do?

MR. EDSALL: He could but we're not going to--

MR. BABCOCK: We're not going to let him.

MR. EDSALL: He's been cooperative in the past.

MR. PETRO: We'll check the silt problem.

MR. EDSALL: When it's finished, it should be in a form that is mowable and keep it as a finished area.

MR. NAPOLITANI: We have a problem with getting him to complete houses to sell, let alone complete something that is just going to sit there and not benefit him.

MR. EDSALL: We'll apply some pressure, ask him to help us out.

MR. NAPOLITANI: Thank you.

Planning Board

82

REGULAR TOWN BOARD AND WATER BOARD MEETING
WED., JULY 17, 1991; 7:30 P.M.
NEW WINDSOR TOWN HALL
NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Green, Councilman Heft, Councilwoman Fiedelholtz, Councilman Spignardo, Councilwoman Siano.

OTHER OFFICIALS PRESENT: Town Attorney Seaman, Comptroller Reis, Police Chief Koury.

Supervisor Green called to order the Regular Town Board and Water Board Meeting and presided over same.

TAPE 1, SIDE A, TAPE #110

#1 On Agenda - Minutes

Motion by Councilman Spignardo, seconded by Councilwoman Siano that the Town Board of the Town of New Windsor approve the Minutes of the PUBLIC HEARING regarding LOCAL LAW #3-1991 - ZONING MAP CHANGE and the Regular Town Board and Water Board Meeting, both held on June 19, 1991, and the Special Town Board Meeting held on July 2, 1991, as per the copies posted on the Town Clerk's Bulletin Board in the Town Hall and same distributed to each of the Town Board Members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

NONE

HIGHWAY DEPARTMENT

#2 On Agenda - Receive and File-Bond #WF00016282-Windsor Square
Subdivision

Hearing no objection, the Town Board of the Town of New Windsor receive and file Bond #WF00016282 in the sum of \$372,105.00 from Louis Ritter Agency, said bond being posted for the completion of construction of all roadway improvements incidental to the construction of WINDSOR SQUARE SUBDIVISION.

WATER DEPARTMENT

#3 On Agenda - Receive and File-Bond #WF00016284-Windsor Square
Subdivision

Hearing no objection, the Town Board of the Town of New Windsor receive and file Bond #WF00016284 in the sum of \$347,895.00 from Louis Ritter Agency, said bond being posted for the completion of construction of all water distribution systems, sanitary sewer and storm water system improvements incidental to the construction of WINDSOR SQUARE SUBDIVISION.

SANITATION DEPARTMENT

NONE

GENERAL

#4 On Agenda - Motion-Advertise for fuel oil bids.

Motion by Councilwoman Siano, seconded by Councilman Spignardo that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise calling for Fuel Oil Bids for the 1991-1992 heating season for the heating of all Town Buildings which are heated by fuel oil. Said bids to be received and publicly opened on August 15, 1991, at 3:00 P.M. at the Town Hall, 555 Union Avenue, New Windsor, New York. Also, that the Town Board reserves the right to accept or reject any and/or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

REGULAR TOWN BOARD AND WATER BOARD MEETING
WED., JULY 17, 1991

Sheet 2

#5 On Agenda - Motion-Authorize issuance of solicitor's permit

Motion by Councilwoman Fiedelholtz, seconded by Councilwoman Siano that the Town Board of the Town of New Windsor approve the application for a Solicitor's Permit submitted by Suzanne Pritchett and Patricia Schoonmaker, of Newburgh, New York, to sell hot and cold food and beverages at the Big Saver Station located on Route 207, New Windsor, New York, and that they obtain a permit from the Town Clerk's office.

Roll Call: Councilwoman Siano, aye; Councilman Spignardo, aye;
Councilwoman Fiedelholtz, aye; Councilman Heft, aye;
Supervisor Green, nay.

Motion Carried: 4-1

#6 On Agenda - Receive and File-Easement-Suburban Homes of Orange County, Inc. with the Town of New Windsor
Section 58, Block 6, Lot 8

Hearing no objection, the Town Board of the Town of New Windsor receive and file the following easement:

SUBURBAN HOMES OF ORANGE COUNTY, INC. to TOWN OF NEW WINDSOR
Easement - Liber 3449 - page 216 on May 30, 1991

#7 On Agenda - Receive and File-Final Report-Town of New Windsor Records Inventory

Hearing no objections, the Town board of the Town of New Windsor receive and file the final report of the Town of New Windsor Records Inventory, as submitted by Pauline G. Townsend, Records Officer.

#8 On Agenda - Receive and File-Easement for drainage-Purpura, Frances
to TNW-Section 62, Block 9, Lot 25

Hearing no objection, the Town Board of the Town of New Windsor receive
and file the following easement:

PURPURA, FRANCES to TOWN OF NEW WINDSOR
Easement - Liber 3454 - page 220 on June 10, 1991

#9 On Agenda - Motion-Authorization for publication of legal ad - Notice
of Availability - NW Landfill RI/FS Report

Motion by Councilman Spignardo, seconded by Councilwoman Fiedelholz that
the Town Board of the Town of New Windsor authorize the Town Clerk to
advertise according to law, a notice which advises of the availability
for review of the NEW WINDSOR LANDFILL REMEDIAL INVESTIGATION AND
FEASIBILITY STUDY REPORT.

Roll Call: All Ayes

Motion Carried: 5-0

#10 On Agenda - Receive and File-Petition of Zoning Change/Fee-Fox Hill
Assoc.-Section 54, Block 1, Lot 2

Hearing no objection, the Town Board of the Town of New Windsor receive
and file Petition for Zoning Change of FOX HILL ASSOCIATES, said petition
being accompanied by a fee in the sum of \$810.00 for the property pres-
ently zoned R-1, which is proposed to be changed to R-5 and refer same
to Planning Board for review.

#11 On Agenda - OFFICIALS REPORTS

Hearing no objections, the following reports were received, recorded and
filed with the Town Clerk:

Social Service Director's report for the month of May, 1991.

Fire Prevention report for the month of May, 1991.

Historic Parklands report for the month of June, 1991.

Recreation Director's report for the month of June, 1991.

Town Justice Suttlehan's report for the month of June, 1991.

REGULAR TOWN BOARD AND WATER BOARD MEETING
WED., JULY 17, 1991

Sheet 3

Town Justice Thorpe's report for the month of June, 1991.
Tax Receiver's report (Water/Sewer/Garbage) for the month of June, 1991.
Police report for the month of May, 1991.
Town Clerk's report for the month of June, 1991.
New Windsor Volunteer Ambulance Corps report for the month of June, 1991.
Water Superintendent's report for the month of April, 1991.
Water Superintendent's report for the month of May, 1991
Building Inspector's report for the month of June, 1991.

#12 On Agenda - PUBLIC FORUM

Hearing no one wishing to speak, Supervisor Green entertained a motion to close the Public Forum Portion of the Agenda.

Motion by Councilman Heft, seconded by Councilwoman Fiedelholtz that the Town Board of the Town of New Windsor close the Public Forum Portion of the Meeting.

Roll Call: All Ayes

Motion Carried: 5-0

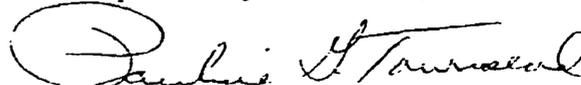
#13 on Agenda - ADJOURN

Motion by Councilman Heft, seconded by Councilwoman Fiedelholtz that the Town Board of the Town of New Windsor adjourn the Regular Town Board and Water Board Meeting at 7:50 P.M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,



PAULINE G. TOWNSEND
TOWN CLERK

To: The Planning Board of the Town of New Windsor

Subject: Windsor Square Subdivision Retention pond

As a taxpayer of the town of New Windsor I feel it

is my right to request the planning board to visit the site that has been approved to remain next to my home.

I think it is only fair to say that my neighbors will have trees to look at and we will have a bug infested swamp that will decrease the value of our home.

Being a taxpayer we expect to be given the same consideration as our neighbors.

I know that any of you on the planning board would not want to live near or around anything like this.

A bug infested slime hole

Sincerely

Mr. & Mrs. Charles Favaris

257 Garden St.

New Windsor

July 31, 1992

MAKE COMMENT
8/12 Meeting

August 12, 1992

62

DISCUSSION

MR. PETRO: We met with Mr. Green and we looked at the drainage problem down on 32 and I think as a Planning Board that we are going to have to take into consideration more of site drainage problems which we did, which you took to my attention tonight with Mr. Manns. And I think we all have to be conscious of that.

MR. VanLEEuwEN: Can I make a suggestion, Jimmy, next time we have a site visit meeting, you and I know exactly what we discussed with Skippy, why don't we take the whole Planning Board down there, maybe I don't know if Mike knows the details, I don't know if Mark knows.

MR. BABCOCK: I spent two days there myself.

MR. VanLEEuwEN: Drainage on Leslie Avenue and Parkway Drive.

MR. EDSALL: Out of the Windsor Square?

MR. VanLEEuwEN: Out of Windsor Square and across the street.

MR. EDSALL: That plan is being prepared right now.

SUPERVISOR GREEN: And out of Windsor Crest.

MR. PETRO: I want to make the Board members --

MR. VanLEEuwEN: I have known what the problem --

MR. PETRO: We have to be more conscious of off-site drainage.

MR. VanLEEuwEN: If we show the other members what is going on and we go into the second phase for Hilltop and we need some money for the drainage then --

MR. EDSALL: If I could just throw in one comment, you have got a condo project that is well underway that effectively has zero drainage protection because the improvements are nonfunctional. The basin is not having any storm water directed to it so effectively it

might as well not be there. I think we have to be a little more careful to demand that certain improvements be made before the first, second or third unit is completed. So as the development continues, the protection is there already. Right now, the storm water system is totally inoperable and that gentlemen --

SUPERVISOR GREEN: Hopefully we have addressed that, Mark, and that is temporarily resolved through the use of some berms and swales in there. But, you know the problem is deeper than that. Our system simply cannot hold more off-site drainage. You know that is one specific area. You have to look at that one specific area. However, the same condition exists town-wide, it's not limited to Windsor Crest or Windsor Square, the Route 32 area, the whole drainage basin from Snake Hill or Jim's property going east to the Hudson River has to be addressed. You know Ron and I lived there all our lives just about, you know, and we know what it used to be. We know what it is today. I'm hard pressed to be convinced that the detention basin is effective in holding back or maintaining the same amount of flow into the system as before the ground was covered with nonimpermeable surface.

MR. VanLEEuwEN: It will work if it operates but they are not doing anything.

SUPERVISOR GREEN: Impermeable, it's not nonpermeable, it's impermeable.

MR. VanLEEuwEN: Nothing in Hill Crest is working. This Board has spent more hours, more time on this Hill Crest situation. You have spent more time, Mark has spent more time.

SUPERVISOR GREEN: Hill Crest is the most obvious, I mean it's the glaring example at this point. Ephiphany will be the next glaring example at this point.

MR. PETRO: There was a binder.

SUPERVISOR GREEN: I heard there was too on the building.

MR. BABCOCK: I don't know whether the Board remembers back when Phase II came in they were told that they

should talk to Mark Edsall and make sure that their retention ponds or detention ponds were completely 100 percent done. I'm not aware that they are at this point in time and I really think that we should have Mark or his firm --

MR. EDSALL: They are not done. We verify they are not done.

MR. BABCOCK: According to the plan, I think there was supposed to be some upgrade that crossed 32 on the size of the piping. I don't remember them going across 32 so maybe Mark or somebody from his firm should check into that and I'll be more than happy to let him know what we discussed on-site.

MR. PETRO: Mark, check on the retention ponds, let us know the status of how far completed they are.

MR. EDSALL: We can get a report. I have spoken with Greg Shaw several times. The problem here is that, Hank you have a good memory for dates, it was at least a year if not quite a bit more than that that they assured us that they would give that their number one attention and the basins would be completed.

MR. BABCOCK: There's no grates, like a grate on the overflows.

MR. EDSALL: There's no safety for children falling into the outlet structure.

MR. VanLEEuwEN: The pipes aren't flowing in there yet.

SUPERVISOR GREEN: If I may, Ron, Mike, myself and Councilman Spignardo were there within an hour after a very heavy rainstorm, a rainstorm that was put out so much water that the tops of the curbs had sedimentation deposited on them. We observed the detention basins themselves and if there was a half an inch of water in there at one end there was a lot. The basins are not effective. As part of the site plan approval, this Board, you know, should be considering the fact that the drainage systems are installed and effective prior to the first building permits being issued or the first C.O.s.

MR. VanLEEuwEN: That is the, why it was supposed to

have been done or originally.

SUPERVISOR GREEN: The downstream drainage in this particular case we have 15 inch running into within I believe it was 13 inch all the way down Margo Street runs into one 13-inch pipe. Common sense tells you that that can't happen. The drainage on Margo Street has been in place for what, Ron, maybe 30, 35 years that drainage has been there it's been effectual. Why should the taxpayers of the Town of New Windsor have to install new drainage to accommodate a new development, that's not our responsibility.

MR. LANDER: Can I just say something though, what you just said, why has the State of New York worked on the drainage along Route 32 on the west side of the highway since Washington Green was built out there. Why has that happened? They have been working on that, those ditches, just put riprap in there at the cost to the taxpayers of New York State and why because there's more water coming off Washington Green property.

SUPERVISOR GREEN: Exact example, Ron, two years ago you and I stood in the middle of Route 32 with water running up over our ankles because the detention basin at Washington Green didn't work. We don't learn our lesson. We must address off-site drainage, it's not the taxpayer's responsibility. It's the responsibility of the developer.

MR. PETRO: Let's keep that in mind when further site plans come in.

MR. LANDER: We see more and more of it now.

MR. PETRO: Getting more and more built up.

SUPERVISOR GREEN: And another thing with Windsor Crest, they never addressed any of their sedimentation protection runoff, they have done nothing.

MR. VanLEEuwEN: Hill Crest doesn't know how to do that.

MR. EDSALL: Costs money.

SUPERVISOR GREEN: There's several problems with that development but it points out with what Fox Wood's

going to do to Ceasar's Lane. What is he going to come back and tell this Board when his bridge washes away?

MR. VanLEEUEWEN: Fox Wood and I said and it's in the minutes somewhere that that one wetland area should be a large holding area and George, it does work if it's set up right.

SUPERVISOR GREEN: It works if the downstream drainage works. Nothing works unless what I'm telling you is that no matter what you're going to put more water out. If it's nothing more than what is running off the streets and missing the catch basins, there's more water than what's coming out.

MR. VanLEEUEWEN: Why do you think Casey Manns has the problem, why do you think Tom Pendergast has the problem up at Stewart? They have got a holding pond, it's got three pipes that are so big it doesn't retain the water so they put boards in front of them to retain the water. That's what he told me this afternoon.

MR. EDSALL: Just something a little explanation --

SUPERVISOR GREEN: Mr. McGuinnis doesn't believe they are causing a problem.

MR. EDSALL: You can have staged outlets, many basins are designed for a 50-year storm, they would retain anything for a 20 or 15-year storm sure you create the area and then you don't create anymore water, no more water falls out of the sky because you paved the ground. It just gets downstream quicker so the whole intent is to slow it down and release it at the same rate. If you design for a 50-year storm and then you don't address a staged outlet, any storm less than 50 is going to have no effect, it's going to run. Right now, they have been asking for staged outlets. They are expensive as hell to set up, makes the basins larger, it's to stage them so you'll retain 5 or 10, 15-year storms rather than just the massive storms, retaining massive storms which I'm not sure what the State did in their design is ineffectual unless you have a 50-year storm. The basins will work but obviously if you don't build them the way the design is built up.

MR. VanLEEUEWEN: You can't hold --

MR. LANDER: You have to buy 2 by 4's, it's not expensive.

MR. PETRO: Received another letter from Mrs. Favino which is down by Windsor Garden to the Planning Board subject Windsor Square Subdivision Retention Pond. As a taxpayer in the Town of New Windsor, I feel it's my right to request Planning Board visit the site that has been approved and is next to my home. It's only fair to say the neighbors will have trees to look at and we'll have bug infested swamp which will decrease the value of my home. Being a taxpayer, I know that any of you on the Planning Board would not want to live near or around anything like this, a bug infested slime hole. So evidently, there's -- did you approve a retention pond down there?

MR. VanLEEUWEN: Yes, I was one of those birds that did it.

MR. EDSALL: When we met with the applicant, he wasn't aware of the details of the wording in that letter but I was aware there was a concern Mrs. Favino called me. I asked the applicant if he would insure when they do the grading that they create as they create the sides of the basin, create those as landscaping berms so they can address that unsightly problem and insure that the basin is sloped so that it completes drains after a storm. The intent is not to hold the water.

SUPERVISOR GREEN: Perhaps I can refresh the Board's memory, it was represented to the Town Board that the appearance of the drainage basin or the retention pond or whatever the detention pond whatever you're going to call it in this case would be nothing more than a large grassy area with a slight depression in it. I visited, Jim, you were with me, I visited that site like three times in the past two weeks.

MR. PETRO: You're in touch with this lady?

MR. EDSALL: I have already answered her and I have asked the applicant to insure it's a very shallow basin, the developer went to great lengths to go with a very shallow basin. It only has two foot of water at the maximum storm.

August 12, 1992

68

SUPERVISOR GREEN: She's right, it's a slime hole.



Louis Heimbech
County Executive

**Department of Planning
& Development**

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

Peter Garrison, Commissioner
Richard S. DeTerk, Deputy Commissioner

February 26, 1987

Mr. Henry Reynolds, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, N.Y., 12550

Re: Windsor Square, Robert Kolinsky
N.Y.S. Highway Route 32
Our File No. NWT 32-86N

TOWN OF NEW WINDSOR
PLANNING BOARD

RECEIVED *VP*
DATE 3-2-87

Dear Mr. Reynolds:

We have reviewed the sketch plan submitted and offer the following comments for your consideration.

1. The most significant aspect presented in the 31 parcel submission is the use of the clustering provision of Town Law to decrease parcel sizes. The purpose of clustering development is to encourage flexibility in design, to facilitate the most economic provision of infrastructure and to preserve unique and ecologically sensitive areas. Typically, the open space preserved is one large contiguous area which is often used for recreation purpose by residents of the development. After reviewing the aforementioned, it is apparent that the proposed sketch plan does not conform to the intended purpose of the clustering provision. The design of the subdivision and the amount of infrastructure needed is similar to the conventional development of the parcel, the open space preserved is not unique nor is it designed as one large contiguous open area. The narrow strips preserved serve no purpose and will not be utilized by a majority of the residents. Therefore, we suggest that the subdivision be redesigned to conform to the minimum lot area required in the R-4 zone.

2. Because of the size of the subdivision, the degree of site disturbance due to construction related activities will likely be significant. We recommend that the applicant show in detail the erosion control measures that will be implemented, and that such measures be reviewed by the Soil Conservation Service.

3. As much mature vegetation as possible should be preserved throughout the site. Mature vegetation not only improves aesthetic quality but also decreases erosion, provides shade, helps screen out noise and air-impurities as well as increases the economic value of homes. All trees over 8" in. diameter should be depicted on the plan and preserved.

Cont...

H. Reyns

4. A road profile and cross-section should be required and reviewed by the Town Engineer to ensure that it is constructed to town specifications.

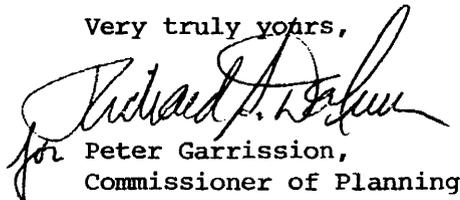
5. For your information, the estimated number of vehicular trips generated per parcel is 10, amounting to 310 additional trips cumulatively.

6. Orange County Health Department review and approval is required.

We offer these comments and recommendations to not only circumvent foreseeable problems, but also to improve the quality of the subdivision for future residents as well as the town.

If there are any questions, please don't hesitate to call.

Very truly yours,


for Peter Garrission,
Commissioner of Planning
& Development

Reviewed by Fred H. Budde
Fred H. Budde
Planner

& Grevas
Hildreth, P.C. LAND SURVEYORS
33 QUASSAICK AVENUE, NEW WINDSOR, NEW YORK 12553
TELEPHONE: (914) 562-8667

LAND SURVEYS
SUBDIVISIONS
SITE PLANNING
LOCATION SURVEYS

25 July 1991

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

Att: Mr. Carl Schiefer, Chairman

SUBJECT: WINDSOR SQUARE SUBDIVISION, ROUTE 32; TREE PRESERVATION

Dear Mr. Schiefer:

Following discussions with our client, the Contractor chosen to perform the public improvements on the site and as stated at the Public Hearing held for this project in May of 1987, please be advised that there is no intention of removing the large oak tree along the northern boundary of this site during the construction process.

Since we believe that the Conditions imposed during the granting of Final Approval by the Planning Board have been met, we hereby request that the plans currently on file at Town Hall be stamped for Final Approval.

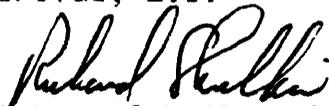
If there should be any further questions concerning this matter, please do not hesitate to contact this office.

Very truly yours



Elias D. Grevas, L.S.

EDG/bg



cc: Mr. Richard Schulkin, Windsor Square Associates
EZE Construction, Att: Mr. Larry Palone

MEMORANDUM FOR FILE

TO: WINDSOR SQUARE SUBDIVISION FILE

FROM: RICHARD D. MC GOEY, P.E.,
ENGINEER FOR THE TOWN

DATE: JULY 9, 1991

ON THIS DATE I REVIEWED THE MAPS, PLAN SHEETS 1 THRU 3 OF 3 SUBMITTED FOR SIGNATURE BY THE APPLICANT FOR SUBJECT PROJECT, LAST REVISED 21 SEPTEMBER, 1989. AFTER A REVIEW OF MARK EDSALL'S LETTER OF 31 JANUARY, 1990 OUTLINING THE REQUIREMENTS AND CORRECTIONS NECESSARY PRIOR TO FINAL SIGNATURE, I CONTACTED GREG SHAW AND DISCUSSED THE VARIOUS ISSUES WHICH HAVE NOT BEEN RESOLVED IN ACCORDANCE WITH MR. EDSALL'S LETTER INCLUDING THE FOLLOWING:

1. THE NEED FOR A NOTE ON THE PLAN INDICATING THAT THE LIVEABLE SQUARE FOOTAGE SHALL EQUAL 1500 S.F. AND THAT THIS NOTE FURTHER INDICATE THAT THE 1500 S.F. REQUIREMENT WILL BE PART OF A DEED COVENANT.
2. THE H.O.A. DOCUMENTS HAVE NOT BEEN SUBMITTED TO THE TOWN ATTORNEY FOR REVIEW.
3. THE NOTE FORMALLY ON SHEET 10 WITH RESPECT TO THE DRIVEWAY ACCESS HAS NOT BEEN REVISED TO REQUIRE A DEED RESTRICTION.
4. THE DESCRIPTIONS AND OFFERS OF DEDICATION HAVE NOT BEEN SUBMITTED.

I REQUESTED THAT MR. SHAW WAIT UNTIL MARK EDSALL RETURNS FROM VACATION PRIOR TO REQUESTING THAT THE TOWN CONSIDER SIGNATURES ON THESE PLANS. I FURTHER NOTED THAT THE APPROVED SET OF PLANS BEFORE THE PLANNING BOARD HAD 10 SHEETS, THE PRESENT SET OF PLANS BEING REQUESTED FOR SIGNATURE ONLY INCLUDE 3 SHEETS. ACCEPTABILITY OF THIS MUST BE REVIEWED BY MARK EDSALL.

IN ADDITION, I NOTED THAT NO REVISION DATES APPEAR ON THE REVISED SHEETS 1, 2 AND 3 OF 3, HOWEVER, NOTES HAVE BEEN REVISED AND ADDITIONAL REVISIONS ARE REQUIRED IN ACCORDANCE WITH MR. EDSALL'S LETTER OF JANUARY 1990. MR. SHAW INDICATED THAT HE WOULD PREFER NOT TO CHANGE THE REVISION DATE IN LIGHT OF THE HEALTH DEPT. STAMP. I INFORMED MR. SHAW THAT THIS WOULD HAVE TO BE DISCUSSED WITH MR. EDSALL.

CC: MARK EDSALL, P.E.
MICHAEL BABCOCK, BUILDING INSPECTOR

BY MR. PAGANO: Mr. Chairman, Mr. Mark Edsall's comments is that this is going to be a four stage project. I'd like to next meeting, one of the main functions to address the bond issues for the completion of work so that each stage is completed before the next stage begins.

BY MR. SCHIEFER: We are talking about preliminary approval, we are just at this point. We don't have preliminary approval.

BY MR. DI NARDO: I don't think we will have it for the next meeting, but very shortly what we are in the process of preparing is a staging plan which would deal with the public improvements issues that you talked about.

BY MR. GREVAS: Here are the maps. My son just delivered them. They won't be stamped in by Myra.

BY MR. SCHIEFER: Mike, do you want to bring these in formally?

BY MR. BABCOCK: I will make sure that Myra stamps them in.

WINDSOR SQUARE SUBDIVISION: Mr. Elias Grevas, L.S. came before the Board presenting the proposal along with Mr. Richard Shulkin and MR. Robert Kolinsky.

BY MR. GREVAS: Since the last meeting, we have appeared before the Zoning Board of Appeals and received variances on lots 6 and 7 under the town's new regulations requiring easement areas be deducted from the lots. We have also, Mr. Shaw and myself have revised the plans in accordance with Mr. Edsall's comments and the Planning Board's comments at the last meeting and we are prepared to, this evening, to request final approval.

BY MR. VANLEEUWEN: We had a public hearing, right?

BY MR. SCHIEFER: Yes, we have had a public hearing.

BY MR. EDSALL: The Board granted preliminary approval on May 11, 1988. You already made a negative declaration on April 26th of 1989 so SEQRA has been closed out, so those two items you have taken care of.

BY MR. SCHIEFER: From an engineering point of view, there is no objection. Your last comment --

BY MR. EDSALL: My last comment under item number two are purely procedural and should just be taken care of before I stamp the plan.

BY MR. VANLEEUVEN: This thing has been laying around for quite some time. I make a motion we approve it.

BY MR. MCCARVILLE: I have one concern and that is that the character of the houses somewhat conform with what is in this area.

BY MR. VANLEEUVEN: I agree with that.

BY MR. MCCARVILLE: I don't know how we can go about doing that.

BY MR. GREVAS: Mr. Shulkin, a couple of the members here are concerned about the character of the homes in the subdivision and that they reflect the character of the neighborhood. Do you have any objection? I don't know how we can do it, but we will ask the owner if he has any objection to the comments. Do you have any objection to that comment or concern?

BY MR. VANLEEUVEN: What kind of houses are you going to be building? Are you going to be building these houses yourself?

BY MR. SHULKIN: The developer probably will not build the houses. They will be sold off in bulk or individually.

BY MR. MCCARVILLE: Would you have any objection to a comment being added stating no modulars which would be out of the character in the housing in the area?

BY MR. KOLINSKY: I have built modulars on Forest Road in the Town of Newburgh, 2400 square foot. I don't think anybody objected to them, certainly the houses that are available right now are running \$120,000 or \$130,000. My modulars have run over \$200,000 and I don't think you'd have any problem with them.

BY MR. VANLEEUVEN: What we are trying to ask --

BY MR. SHULKIN: Are you trying to keep away from the cheap character house -- how about square footage?

BY MR. VANLEEUVEN: Just keep it in with the rest of the houses in the neighborhood.

BY MR. MCCARVILLE: 1800 square foot.

BY MR. VANLEEUEWEN: No modulars.

BY MR. GREVAS: What would be a number?

BY MR. MCCARVILLE: 1800.

BY MR. SCHIEFER: I have seen some beautiful modulars.

BY MR. SOUKUP: If you put a note saying no modulars, the state will overrule because it is against the law. You can do it but if anybody wants to contest.

BY MR. KOLINSKY: If anybody wants to go on Prospect Road and see the modulars.

BY MR. SOUKUP: How about increasing the minimum square footage above the ordinance minimum?

BY MR. VANLEEUEWEN: 2200 square feet.

BY MR. SOUKUP: Minimum in the ordinance is 1,000, go to 14 or 13.

BY MR. RONES: They were just saying 1800.

BY MR. SCHIEFER: What does the developer feel would be a good minimum?

BY MR. SHULKIN: Even if you went to bi-levels with unfinished downstairs and you went 44 by 28, 44 by 28 is what is 1232, that is with an unfinished downstairs. If you finished, you are going to be well over 1600. If you finish the downstairs, you'd have 1,000. If you are trying to get away from a real crackerbox which is what I think you are trying to do, am I right?

BY MR. MCCARVILLE: Yes.

BY MR. SHULKIN: I would say 1250 maybe.

BY MR. VANLEEUEWEN: That is small, that is way too small. That is a God damn apartment.

BY MR. KOLINSKY: The subdivision as you know is set up with water and sewer. The lots are going to be sold at roughly

\$50,000 a lot to the homeowners. I don't really see a house going for 1200 or 1300 square foot on a \$50,000 lot, gentlemen. I have no problem with 1500 whatsoever.

BY MR. VANLEEUVEN: 1800 square feet is nothing great.

BY MR. RONES: Liveable for area.

BY MR. SOUKUP: I would say 15 is a good safeguard. We have 1,000 in the ordinance.

BY MR. VANLEEUVEN: We have apartments, two bedrooms, that are 1500 square foot.

BY MR. SOUKUP: 1500 square foot on a \$50,000 lot you are talking a \$200,000 home.

BY MR. SHULKIN: Do you have a minimum in Butterhill?

BY MR. SOUKUP: There is a minimum in the ordinance.

BY MR. SCHIEFER: Mike, do you have a comment?

BY MR. BABCOCK: I have a problem with things like this. I mean I understand what the Board is trying to do. When somebody comes in to me and asks for a building permit, and they meet every bit of zoning and criteria that is required by the Town of New Windsor, and I tell them they can't have a permit because they have to build a bigger house, that is where I get in a lot of trouble.

BY MR. SCHIEFER: Joe, do you have any comments?

BY MR. RONES: If you have notes on the filed map for restrictions in a deed, if this is placed on it at the behest of the Planning Board and with the agreement of the developer, then there shouldn't be a problem.

BY MR. BABCOCK: What I am saying, if we are sitting here talking about it and we come up with a number tonight and we say they have to build a house of 1800 square feet and that is pretty much the end of it --

BY MR. VANLEEUVEN: 1800 feet or more.

BY MR. SCHIEFER: If it is on the drawing or if it is in the deed, you still have problems?

BY MR. GREVAS: I think --

BY MR. SCHIEFER: If it is verbal, I can understand your concern but if it is in writing.

BY MR. RONES: I understand what Mike is saying.

BY MR. BABCOCK: It is very hard, what you have is at least five or six different zones in the town. Now that you have different lot areas, different size setbacks, different size houses that have to be built and when you pick out a single individual subdivision in the middle of one and make different criteria on that, it is impossible to follow all that criteria. That is the trouble. It is tough to remember that the Planning Board said Windsor Square, the houses have to be 1800 square feet.

BY MR. SCHIEFER: I don't want you to remember anything. Now what we are trying to do is there any other way we can do it?

BY MR. BABCOCK: I think it really should be in the deeds.

BY MR. RONES: If you put these notes on the map, you are going to create where it isn't so much or just Mike that is necessarily policing it, but there is also going to be a bank that is policing it because they are not going to finance the construction that is going to be in violation of the note on the filed map. It is going to make them feel uncomfortable, so while it is possible that somebody might fall through the cracks and build a house for cash and certain parties that might scrutinize this thing might not otherwise do it, it does provide a certain safeguard to put the note on. It is not necessarily an assurance that somebody is not going to violate the rule, but there is a likelihood that it is going to be followed based on the way business is done under present conditions.

BY MR. GREVAS: Might I suggest 1500 square feet? Are you satisfied with that?

BY MR. KOLINSKY: You are better than me, go ahead.

BY MR. SCHIEFER: I am trying to resolve this. Is this acceptable, should we do it? I like the idea and I am getting Mr. Rones' opinion, we can do it legally and probably catch 95 percent of the people that are going to develop. Mr. Babcock is concerned how is he going to enforce it.

BY MR. BABCOCK: If you put a typical sized bi-level there,

anybody builds and finish the basement, you have met the criteria that you guys are going to do. I don't know what is going to be accomplished by saying that.

BY MR. SHULKIN: If you put up a bi-level and you don't or do finish the downstairs, the house is going to look the same from the outside. If you are trying to sell this market, the market is a price market. A lot of people will buy a bi-level not finish the downstairs and six years later, save up the money and do it themselves and you have met the criteria, but from the outside the house looks the same. That is why I was suggesting the 1300, that would give you a normal 38 by 28 house bi-level. That is probably what they are going to be, bi-levels or colonials from the outside. It is not going to make a damn bit of difference if they finish the inside or not. This 18 foot figure, even though I agree if you finish the downstairs, you are going to have --

BY MR. VANLEEUEWEN: I will settle for 15. I want to get out of here sometime tonight.

BY MR. KOLINSKY: Why don't we say 12 or 1300 on a single floor.

BY MR. SCHIEFER: Then if you only build one floor --

BY MR. GREVAS: What about a ranch?

BY MR. VANLEEUEWEN: I like it at 18 but I will settle for 15.

BY MR. SCHIEFER: 1500, no objections to that? Minimum 1500 square feet of living space, that will be put on the -- and also requesting in the deeds.

BY MR. GREVAS: Yes, and that will be part of the note.

BY MR. SOUKUP: I have one other questions. Unfortunately, I wasn't here at the time of the hearing, but on the retention on the storm water retention area, it is noted to be conveyed to the Windsor Square Homeowner's Association for maintenance of storm water and it is noted as not being a building lot which are good protection. What I don't know and maybe the applicant will enlighten me, if there is work needed to be done, how does the town guarantee that the work is done by the Homeowner's Association five years from now?

BY MR. GREVAS: The only thing I can tell you, Vince, is that the town attorney will be receiving documentation from the

developer's attorney, if he hasn't already, on the type of, or on the setting up of the H.O.A. As Mark points out, there are a couple of other concerns. For example, this receives water from a system that is going to be dedicated to the town, yet it enters private property. When it leaves this it goes back into public rights of way, general easements. All I am saying is bottom line is that is an item that I think should be addressed by the attorneys on who is going to not only maintain but also who is going to reconstruct if necessary. I think they'd be part of the maintenance. We are not talking about something here that had to be --

BY MR. SOUKUP: Could be a washout, could be a wall or basin that needs repair.

BY MR. GREVAS: That is one of the --

BY MR. SOUKUP: Could be a couple thousand dollars and to get a number of homeowners to kick in a small share at any given time could be difficult.

BY MR. GREVAS: It is not going to be a homeowner's group, it is going to be an H.O.A. formed under the laws of the State of New York.

BY MR. SOUKUP: Solely and significantly for the purposes of retention basin?

BY MR. GREVAS: Strictly for that and that is originally we did that, I think, way back in the beginning as part of one of the lots and when that lot would be responsible for the maintenance and that became burdensome so we decided to go that route and those are items that have to be in the formation of the H.O.A.

BY MR. SOUKUP: I would suggest that the attorney bless the document before the map is signed and filed.

BY MR. EDSALL: Just to bring up to speed some of the things that happened quite a while ago since we started in '87 on this job, this problem of the maintenance of the retention basin was bounced around between Tad Seaman, the supervisor, Joe had written some opinions on it. I had sent some memos basically itemizing all these type problems and it was even considered at one point for being a drainage district, a separate district just this area, so we have quite a good list of concerns and that is why I have made comment D, 2D, I think that that whole thing has to be incorporated into a filed

agreement on exactly how it is going to be controlled, so Tad Seaman, I believe is going to be working on that.

BY MR. SOUKUP: The district concept is being used by the Town of Montgomery and they have one in place already.

BY MR. EDSALL: The district was rejected by the Town Board.

BY MR. GREVAS: We thought it was a great idea, the town didn't.

BY MR. SOUKUP: I think in the long run it is the best idea.

BY MR. MCCARVILLE: I will revise my motion to approve Windsor Square subdivision subject to the note being added to the 1,500 square footage minimum living space on the lots and the attorney's review and acceptance of the homeowner's association for the purpose of maintaining the drainage basin.

BY MR. PAGANO: Also can we include the bond issue that has to be addressed?

BY MR. VANLEEUVEN: That is automatic.

BY MR. PAGANO: Okay.

BY MR. SOUKUP: Why don't you just list the engineers comments?

BY MR. MCCARVILLE: And subject to the engineer's comments.

BY MR. PAGANO: I will second it.

BY MR. SCHIEFER: Any discussion?

BY MR. LANDER: We discussed one item, correct me if I am wrong, something along residences here, open space, was that, where did we leave that?

BY MR. GREVAS: That is dead. The Town Board turned it down.

BY MR. VANLEEUVEN: Town Board didn't want to maintain it.

BY MR. SCHIEFER: Motion before us made and seconded that we give final approval, subject to the two conditions itemized on the Windsor Square subdivision. Any further discussion? If not, I will ask for a vote.

ROLL CALL:

McCarville: Aye.
VanLeeuwen: Aye.
Pagano: Aye.
Soukup: Abstain, because I did not participate in the earlier meetings.
Lander: Aye.
Schiefer: Aye.

SCOGNAMIGLIO SUBDIVISION: Mr. Paul Cuomo came before the Board presenting the proposal.

BY MR. CUOMO: This subdivision has been before you before. We did some -- we went to the workshops and we decided it was before we did the road on the other side and we condensed to two lots, total of three lot subdivision, and we took the road there on the other side for which allows us to get more room for our septic and so forth. The septic are drawn on another map. The engineering design drawn on a second map and the first map has the outlines that you would have filed in Goshen for subdivision.

BY MR. VANLEEUVEN: I make a motion that we take lead agency.

BY MR. PAGANO: I will second that lead agency in reference to the Scognamiglio subdivision.

ROLL CALL:

McCarville: Aye.
VanLeeuwen: Aye.
Pagano: Aye.
Soukup: Aye.
Lander: Aye.
Schiefer: Aye.

BY MR. MCCARVILLE: I make a motion that we declare a negative declaration.

BY MR. VANLEEUVEN: I will second that.

ROLL CALL:

McCarville: Aye.
VanLeeuwen: Aye.
Pagano: Aye.
Soukup: Aye.

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

Main Office
 45 Quassaick Ave. (Route 9W)
 New Windsor, New York 12550
 (914) 562-8640

Branch Office
 400 Broad Street
 Millford, Pennsylvania 18337
 (717) 296-2765
 (914) 856-5600

*Discussed
 w/ Greg Stone
 on 9 July 91
 Told him to
 wait for discussion
 w/ Mark Edsall*

31 January 1990

MEMORANDUM

TO: Carl Schiefer, Chairman, Planning Board
 Daniel McCarville, Secretary, Planning Board

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

SUBJECT: WINDSOR SQUARE SUBDIVISION APPROVAL (86-58)

As you are aware, the Planning Board, at its regular meeting of 8 November 1989, granted conditional final approval to the subject subdivision. Three (3) conditions of approval were imposed, relative to the minimum size of the proposed residences, the controls regarding the retention basin and compliance with this Engineer's comments. For purposes of enumeration, the following items should be addressed prior to the plans being stamped:

1. The Board voted to require that the minimum "living space" of all residences in the subdivision be 1,500 square feet. The Town Code provides for a clear definition of livable floor area, which is the item of the zoning bulk tables which the Board was referring to. I am in receipt of a copy of a letter from Lou Grevas dated 22 January 1990 which proposes certain wording for the 1,500 square foot requirement. It is my opinion that this note, as proposed by Lou Grevas, does not conform with the Board's motion, nor the Town Code/Bulk Table terminology. Further, the note does not reflect the Board's requirement that the restriction be included in all deeds of record. As such, I recommend that the note be revised to refer to 1,500 square foot of minimum livable floor area and specifically state that this restriction will be included in all deeds of record.

*2 July 91
 This has not
 been provided*

*No Revision Date on Sub. Plan. Formerly sheet 10 of 10 now 1 of 3
 Also work 13 revised*

Sheet 2 of 3 revised formerly sheet 1 of 3 & work 1 revised

sheet 3 of 3 revised formerly sheet 2 of 3 note 1 revised

January 1990.

New Windsor Planning Board

MEMORANDUM

-2-

2. The subdivision includes a privately owned stormwater retention area. This area will be owned by a Homeowner's Association (HOA), duly formed in accordance with the laws of the State of New York. The Planning Board required that the agreement between the Town and the HOA concerning discharge of a stormwater through the private basin be reviewed by the Town Attorney. As such, it is my recommendation that the applicant be required to coordinate this matter directly with the Town Attorney, J. Tad Seaman, such that a draft agreement between the Town and the Homeowner's Association can be prepared.

3. A recommended public improvements performance bond amount has been established at \$720,000.00 and a fee associated with the work is required in the amount of \$28,800.00. It should be verified that the Town Board has accepted this bond amount, the bond has been posted, and the fee has been paid in the indicated amount.

Also, it should be decided by the Town Board if sidewalks will also be required, and if so, the bond amount should be increased to \$760,000 and the fee increased to \$30,400 based on 1,000 sq. yd. of sidewalk being installed.

4. My 8 November 1989 comments, which were made part of the Conditions of Approval, required the following items:

a. The note on sheet 10 to restrict driveway access points should require such restriction in the deeds of record.

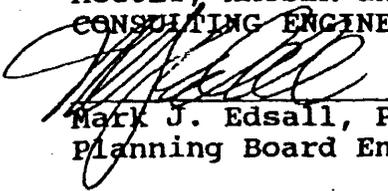
Not
Noted

b. The applicant should submit the descriptions and the offers of dedication regarding the proposed roadways.

Once the items referenced above have all been accomplished in an acceptable form, it is my opinion that the plan could be stamped final approved by the Planning Board Secretary or Chairman.

Respectfully submitted,

MCGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.


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

MJEmk

cc: George A. Green, Town Supervisor
J. Tad Seaman, Esq. Town Attorney
Michael Babcock, Building Inspector
Andrew Kreiger, Esq., Planning Board Attorney
Grevas & Hildreth, Project Surveyors

WESTCHESTER FIRE INSURANCE COMPANY

518 Stuyvesant Avenue
P.O. Box 615
Lyndhurst, N.J. 07071-9836

Re-Executed
Revised Description
BOND NO. WF-00016284

\$ 347,895.00

KNOWN ALL MEN BY THESE PRESENTS: That we, the undersigned Mark I. Ritter and Robert K. Scott as Principal, and Westchester Fire Insurance Company, a corporation of the State of New York and authorized to do business in the State of New York, as Surety, are hereby held and firmly bound unto the Town of New Windsor as Obligee, in the penal sum of Three Hundred Forty Seven Thousand Eight Hundred Ninety Five and no/100 (\$ 347,895.00) Dollars for the payment of which, well and truly to be made we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

WHEREAS, it is proposed to make certain the completion of construction of all water distribution system, sanitary sewer system and storm water system improvements set forth in Shaw Engineering's letter dated 12/13/89 being constructed in a subdivision known as Windsor Square, Route 32, Town of Windsor.

WHEREAS, the Town of New Windsor has approved said plan upon the execution and delivery of this bond.

NOW, THEREFORE, the condition of this obligation is such that if the above bounden Principal shall construct the improvements shown above, and complete said work to satisfaction of the Town of New Windsor and in accordance with the present standard specifications of the Town of New Windsor therefore, then this obligation shall be void, otherwise the same remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

Signed, sealed and dated this 28th day of June, 1991
Bond effective from 06/20/91 to 06/20/93.

Mark I. Ritter and Robert K. Scott

Principal

Lawrence Ritter
Witness

BY Robert K. Scott

Westchester Fire Insurance Company

Surety

Alice M. Ventresca
Witness

BY Alice M. Ventresca
Alice M. Ventresca Attorney-in-Fact

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2589
Newburgh, New York 12550
(914) 581-3895

December 13, 1989

WINDSOR SQUARE SUBDIVISION

CONSTRUCTION ESTIMATE

| ITEM | QUANTITY | UNIT PRICE | AMOUNT |
|-------------------------------------|-------------|----------------|-------------------------------|
| <u>Roadway</u> | | | |
| Clear, Grade, & Subbase | 82,640 S.F. | \$ 0.40 | \$ 33,056 |
| 8" Graded Gravel Foundation Course | 2,050 C.Y. | \$ 17.20 | \$ 35,260 41,000 |
| 4" Asphalt Binder Course | 2,050 Tons | \$ 60 | \$ 123,000 |
| 2" Asphalt Wearing Course | 1,025 Tons | \$ 60 | \$ 61,500 |
| Concrete Curbing | 4,678 L.F. | \$ 12.15 | \$ 56,736 70,170 |
| N.Y.S Route 32 Entrance | 1 | L.S. | \$ 10,000 |
| Street Signs | 4 | \$ 125 | \$ 500 |
| Concrete Monuments | 25 | \$ 100 | \$ 2,500 |
| Rough Grading Of Individual Lots | 1 | L.S. | \$ 15,000 30,000 |
| | | | \$ 336,542 371,726 |
| <u>Water Distribution System</u> | | | |
| 8-Inch Mainline | 2,410 L.F. | \$ 25.40 | \$ 60,250 96,400 |
| Wet Tap | 2 | \$ 3,500 | \$ 7,000 |
| Valves | 8 | \$ 800 | \$ 6,400 |
| Fittings | 13 | \$ 350 | \$ 4,550 |
| Hydrant Assemblies | 5 | \$ 1,600 | \$ 8,000 |
| House Services (25 Ft. Long) | 30 | \$ 300 | \$ 9,000 |
| Concrete Encasement | 3 CY. | \$ 200 | \$ 600 |
| | | | \$ 95,800 131,950 |
| <u>Sanitary Sewer System</u> | | | |
| 8-Inch Mainline | 2,030 L.F. | \$ 25.40 | \$ 50,750 81,200 |
| Manholes | 14 | \$ 1,300 1,500 | \$ 18,200 21,000 |
| House Services (25 Ft. Long) | 30 | \$ 350 | \$ 10,500 |
| | | | \$ 79,450 112,700 |
| <u>Storm Water System</u> | | | |
| Catch Basins | 21 | \$ 1,300 | \$ 27,300 |
| Flushing Basins | 3 | \$ 1,300 | \$ 3,900 |
| 15-Inch Pipe | 1,874 L.F. | \$ 20.25 | \$ 37,480 46,850 |
| 18-Inch Pipe | 75 L.F. | \$ 25.30 | \$ 1,875 2,250 |
| 24-Inch Pipe | 59 L.F. | \$ 30.35 | \$ 1,770 2,065 |
| 24-Inch Steel End Section w/Rip Rap | 1 | \$ 500 | \$ 500 |
| Detention Pond* | 1 | L.S. | \$ 20,000 |
| | | | \$ 92,525 102,865 |

CONSTRUCTION ESTIMATE TOTAL

~~\$ 604,317~~
\$ 719,241

* This item also includes clear & grubbing, outlet control structure, and surface restoration.

RECOMMENDED PERFORMANCE BOND: \$ 720,000
ENGINEERING REVIEW & ADMINISTRATIVE FEE @ 4%: \$ 28,800

ACKNOWLEDGEMENT OF SURETY

WF-00016284

State of New Jersey }
County of Bergen } ss.

On 06/28/1991, before me personally came Alice M. Ventresca to me known, who, being by me duly sworn, did depose and say that she is an attorney-in-fact of Westchester Fire Insurance Company the corporation described in and which executed the within instrument; that she knows the corporate seal of said corporation; that the seal affixed to the within instrument is such corporate seal, and that she signed the said instrument and affixed the said seal as Attorney-in-Fact by authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

ADEL M. BLAND
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DECEMBER 18, 1993

My commission expires _____

Adel M. Bland
Notary Public

WESTCHESTER FIRE INSURANCE COMPANY
NEW YORK, NEW YORK

STATEMENT AS OF DECEMBER 31, 1990

| ASSETS | | LIABILITIES AND SURPLUS | |
|---|--------------------------------|---------------------------------------|-------------------------------|
| Bonds | \$1,067,806,624 | Losses and Adjustment Expenses | \$1,015,634,133 |
| Stocks: | | Taxes and Expenses | 25,744,321 |
| Preferred | \$ 3,023,408 | Unearned Premiums | 164,857,794 |
| Common | <u>304,062,506</u> 307,085,914 | Other Liabilities | 74,491,275 |
| Real Estate | 7,930,414 | Capital | \$ 2,500,000 |
| Cash and Bank Deposits | 21,200,474 | Paid in and Contributed Surplus | 130,160,715 |
| Short Term Investments | 41,394,931 | Other Surplus | <u>181,315,027</u> |
| Other Invested Assets | 3,847,425 | Surplus to Policyholders | 313,975,742 |
| Premium Balances Receivable | 104,468,380 | | |
| Equities and Deposits in Pools and Associations | 4,520,980 | | |
| Other Assets | <u>36,448,123</u> | | |
| Total Admitted Assets | <u>\$1,594,703,265</u> | Total Liabilities and Surplus | <u>\$1,594,703,265</u> |

Bonds and Stocks are valued in accordance with the basis adopted by the National Association of Insurance Commissioners.

Securities carried at \$150,594,169 in the above statement are deposited as required by law.

STATE OF NEW JERSEY }
COUNTY OF MORRIS } SS:

GEORGE J. RACHMIEL, Senior Vice President & Treasurer and MICHAEL A. SANDRI, Vice President of the Westchester Fire Insurance Company being duly sworn, each for himself deposes and says that they are the above described officers of the said Company and that on the 31st day of December, 1990 the Company was actually possessed of the assets set forth in the foregoing statement and that such assets were available for the payment of losses and claims and held for the protection of its policyholders and creditors, except as hereinbefore indicated, and that the foregoing statement is a correct exhibit of such assets and liabilities of the said Company on the 31st day of December, 1990 according to the best of their information, knowledge and belief, respectively.

George J. Rachmiel
Senior Vice President & Treasurer

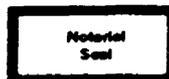
Michael A. Sandri
Vice President



Sworn to an Subscribed before me this 25th day of April, 1990.

Cynthia Jo Stehli

CYNTHIA JO STEHLI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Dec. 13, 1993



POWER OF ATTORNEY
WESTCHESTER FIRE INSURANCE COMPANY
PRINCIPAL OFFICE, NEW YORK, N.Y.

KNOW ALL MEN BY THESE PRESENTS: That the WESTCHESTER FIRE INSURANCE COMPANY a Corporation duly organized and existing under the laws of the State of New York, and having its administrative offices in the Township of Morris, New Jersey, has made, constituted and appointed, and does by these presents make, constitute and appoint Robert A. Nicosia, Richard L. Quackenbush, Margaret A. Nicosia, Richard Ingram, Michelle Nicosia, and Alice M. Ventresca of Lyndhurst, New Jersey, each

its true and lawful Agent(s) and Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver: Any and all bonds and undertakings

and to bind the Corporation thereby as fully and to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Corporation at its offices in Morris Township, New Jersey in their own proper persons.

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the Westchester Fire Insurance Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 3rd day of April, 1991.



Attest:

WESTCHESTER FIRE INSURANCE COMPANY

John K. Stewart
Assistant Secretary
John K. Stewart

Richard A. Annese
Vice President
Richard A. Annese

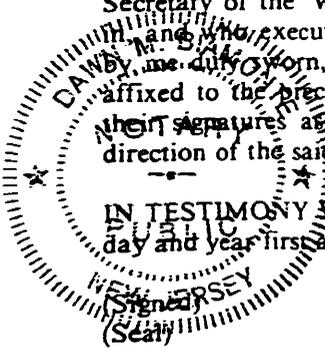
STATE OF NEW JERSEY)
COUNTY OF MORRIS) ss.:

On this 3rd day of April, 1991, before the subscriber, a duly qualified Notary Public of the State of New Jersey, came the above-mentioned Vice President and Assistant Secretary of the Westchester Fire Insurance Company, to me personally known to be the officers described above, and who executed the preceding instrument, and they acknowledged the execution of the same, and being by me duly sworn, deposed and said, that they are the officers of said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal at the Township of Morris, the 3rd day and year first above written.

DAWN M. BIANMONTE
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JULY 25, 1993

Dawn M. Bianmonco
Notary Public



This Power of Attorney is granted pursuant to Article IV of the By-Laws of the WESTCHESTER FIRE INSURANCE COMPANY as now in full force and effect.

ARTICLE IV Execution of Instruments. "The Chairman of the Board, Vice-Chairman of the Board, President, or any Vice-President, in conjunction with the Secretary, or any Secretary, if more than one shall be appointed by the Board, or an Assistant Secretary, shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation."

This Power of Attorney is signed and sealed under and by the authority of Article III, Section 9 of the By-Laws of the WESTCHESTER FIRE INSURANCE COMPANY as now in full force and effect.

ARTICLE III Section 9 Facsimile Signatures. "The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed facsimile, lithographed, or otherwise produced . . . The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued."

CERTIFICATE

State of New Jersey
County of Morris

I, the undersigned, Assistant Secretary of the WESTCHESTER FIRE INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing POWER OF ATTORNEY remains in full force and effect and has not been revoked and furthermore that the above quoted abstracts of Article IV and Article III, Section 9 of the By-Laws of the Corporation are now in full force and effect.

Signed and sealed at the Township of Morris, New Jersey dated _____ 28th _____

day of June _____, 19 91 .

By Herbert H. Linder
Assistant Secretary
Herbert H. Linder

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



1763

December 26, 1989

Town of New Windsor Town Board
555 Union Avenue
New Windsor, NY 12553

ATTENTION: GEORGE GREEN, SUPERVISOR

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

ATTENTION: CARL SCHIEFER, CHAIRMAN

SUBJECT: WINDSOR SQUARE SUBDIVISION PERFORMANCE BOND

Dear Mr. Green & Mr. Schiefer:

Please be advised that we are in receipt of a request from Shaw Engineering dated 13 December 1989 including a construction estimate for the purpose of establishing a performance bond. In line with our review of the enclosed estimate dated 13 December 1989 from Mr. Shaw, please be advised of the following:

As can be seen from the marked up copy of the enclosed construction cost estimate prepared by Shaw Engineering, we have revised various unit prices to reflect payment of prevailing wage by the Town of New Windsor in the event the developer defaults on the completion of the public improvements. The revised construction cost estimate is, therefore, equal to \$719,241.00.

On the basis of the above, it would be the recommendation of our office that a performance bond be established in the amount of \$720,000.00. In addition, an engineering review and administration fee of 4% should be deposited with the Town Clerk in the amount of \$28,800.00.

Further be advised, that the above estimate does not include the cost for sidewalks or street trees. The Planning Board should, therefore, be satisfied that the site improvements are not a requirement of subdivision approval or, otherwise, cost should be included in the above for trees and sidewalks.

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

Very truly yours,

Richard D. McGoey, P.E.
Richard D. McGoey, P.E.,
Engineer for the Town

RDM:mlm

cc: Mark Edsall, P.E., Planning Board Engineer
Richard Shulkin
Shaw Engineering

Shaw Engineering

Consulting Engineers

744 Broadway
 P.O. Box 2569
 Newburgh, New York 12550
 (914) 561-3695

December 13, 1989

WINDSOR SQUARE SUBDIVISION

CONSTRUCTION ESTIMATE

| <u>ITEM</u> | <u>QUANTITY</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> |
|-------------------------------------|-----------------|---------------------------|-------------------------------|
| <u>Roadway</u> | | | |
| Clear, Grade, & Subbase | 82,640 S.F. | \$ 0.40 | \$ 33,056 |
| 8" Graded Gravel Foundation Course | 2,050 C.Y. | \$ 17 20 | \$ 34,850 41,000 |
| 4" Asphalt Binder Course | 2,050 Tons | \$ 60 | \$ 123,000 |
| 2" Asphalt Wearing Course | 1,025 Tons | \$ 60 | \$ 61,500 |
| Concrete Curbing | 4,678 L.F. | \$ 12 15 | \$ 56,136 70,170 |
| N.Y.S Route 32 Entrance | 1 | L.S. | \$ 10,000 |
| Street Signs | 4 | \$ 125 | \$ 500 |
| Concrete Monuments | 25 | \$ 100 | \$ 2,500 |
| Rough Grading Of Individual Lots | 1 | L.S. | \$ 15,000 30,000 |
| | | | \$ 336,542 371,726 |
| <u>Water Distribution System</u> | | | |
| 8-Inch Mainline | 2,410 L.F. | \$ 25 40 | \$ 60,250 76,400 |
| Wet Tap | 2 | \$ 3,500 | \$ 7,000 |
| Valves | 8 | \$ 800 | \$ 6,400 |
| Fittings | 13 | \$ 350 | \$ 4,550 |
| Hydrant Assemblies | 5 | \$ 1,600 | \$ 8,000 |
| House Services (25 Ft. Long) | 30 | \$ 300 | \$ 9,000 |
| Concrete Encasement | 3 CY. | \$ 200 | \$ 600 |
| | | | \$ 95,800 131,950 |
| <u>Sanitary Sewer System</u> | | | |
| 8-Inch Mainline | 2,030 L.F. | \$ 25 40 | \$ 50,750 81,200 |
| Manholes | 14 | \$ 1,300 1,500 | \$ 18,200 21,000 |
| House Services (25 Ft. Long) | 30 | \$ 350 | \$ 10,500 |
| | | | \$ 79,450 112,700 |
| <u>Storm Water System</u> | | | |
| Catch Basins | 21 | \$ 1,300 | \$ 27,300 |
| Flushing Basins | 3 | \$ 1,300 | \$ 3,900 |
| 15-Inch Pipe | 1,874 L.F. | \$ 20 25 | \$ 37,480 46,850 |
| 18-Inch Pipe | 75 L.F. | \$ 25 30 | \$ 1,875 2,250 |
| 24-Inch Pipe | 59 L.F. | \$ 30 35 | \$ 1,770 2,065 |
| 24-Inch Steel End Section w/Rip Rap | 1 | \$ 500 | \$ 500 |
| Detention Pond* | 1 | L.S. | \$ 20,000 |
| | | | \$ 92,525 102,865 |

CONSTRUCTION ESTIMATE TOTAL

\$ ~~604,317~~
 \$ 719,241

* This item also includes clear & grubbing, outlet control structure, and surface restoration.

RECOMMENDED PERFORMANCE BOND: \$ 720,000
 ENGINEERING REVIEW & ADMINISTRATIVE FEE @ 4%: \$ 28,800

State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE – Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Windsor Square Subdivision

Name of Action

Town of New Windsor Planning Board

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)
Gregory J. Shaw, P.E.

Date

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

| | | | |
|---|--|---|--------------------------|
| NAME OF ACTION Windsor Square Subdivision | | | |
| LOCATION OF ACTION (Include Street Address, Municipality and County) East Side of Windsor Highway, Town of New Windsor, Orange County | | | |
| NAME OF APPLICANT/SPONSOR Windsor Square Associates Inc. | | BUSINESS TELEPHONE (914) 564-1710 | |
| ADDRESS 54-150 Old Route 9W | | | |
| CITY/PO New Windsor | | STATE N.Y. | ZIP CODE 12550 |
| NAME OF OWNER (if different) | | BUSINESS TELEPHONE () | |
| ADDRESS | | | |
| CITY/PO | | STATE | ZIP CODE |
| DESCRIPTION OF ACTION Thirty (30)-Lot Single Family Residential Subdivision on 15.87 [±] Acre Site. | | | |

Please Complete Each Question— Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 15.87[±] acres.

| APPROXIMATE ACREAGE | PRESENTLY | AFTER COMPLETION |
|---|--------------------------------|-------------------------------|
| Meadow or Brushland (Non-agricultural) | <u>15.87[±]</u> acres | <u>0[±]</u> acres |
| Forested | _____ acres | _____ acres |
| Agricultural (Includes orchards, cropland, pasture, etc.) | _____ acres | _____ acres |
| Wetland (Freshwater or tidal as per Articles 24, 25 of ECL) | _____ acres | _____ acres |
| Water Surface Area | _____ acres | _____ acres |
| Unvegetated (Rock, earth or fill) | _____ acres | _____ acres |
| Roads, buildings and other paved surfaces | <u>0</u> acres | <u>3.5[±]</u> acres |
| Other (Indicate type) <u>Lawns</u> | <u>0</u> acres | <u>12.4[±]</u> acres |

3. What is predominant soil type(s) on project site? Glacial Till
- a. Soil drainage: Well drained _____ % of site Moderately well drained 100 % of site
 Poorly drained _____ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? N/A (in feet)

5. Approximate percentage of proposed project site with slopes. 0-10% 100 % 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? N/A (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: N/A
 a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name N/A b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)

- a. Total contiguous acreage owned or controlled by project sponsor 15.87[±] acres.
- b. Project acreage to be developed: 15.87[±] acres initially; 15.87[±] acres ultimately
- c. Project acreage to remain undeveloped 0 acres.
- d. Length of project, in miles: N/A (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed N/A %;
- f. Number of off-street parking spaces existing 0; proposed 60.
- g. Maximum vehicular trips generated per hour 36 (upon completion of project)? I.T.E. Trip Generation
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|-------------------|-------------------|-------------------|
| Initially | <u>30</u> | <u> </u> | <u> </u> | <u> </u> |
| Ultimately | <u>30</u> | <u> </u> | <u> </u> | <u> </u> |
- i. Dimensions (in feet) of largest proposed structure 35 height; 30 width; 70 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 880 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed? Lawns, Road Slopes
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 3.5± acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
 Yes No
6. If single phase project: Anticipated period of construction 36 months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated _____ (number).
- b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
- c. Approximate completion date of final phase _____ month _____ year.
- d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 50; after project is complete 0.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
- b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
- a. If yes, what is the amount per month 5± tons
- b. If yes, will an existing solid waste facility be used? Yes No
- c. If yes, give name Orange County Landfill; location New Hampton, N.Y.
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
- e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
- a. If yes, what is the anticipated rate of disposal? _____ tons/month.
- b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) Fuel oil, Electricity and Natural Gas for domestic purposes.
22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.
23. Total anticipated water usage per day 13,500 gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

25. Approvals Required:

Type

Submittal Date

| | | | |
|---|---|----------------------------------|------------------------|
| City, <u>Town</u> , Village <u>Board</u> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Homeowners Association</u> | _____ |
| City, <u>Town</u> , Village <u>Planning Board</u> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Subdivision Approval</u> | <u>8/88</u> |
| City, <u>Town</u> <u>Zoning Board</u> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Area Variance</u> | _____ |
| City, <u>County</u> <u>Health Department</u> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Water Supply, Subdivision</u> | <u>6/88 & 3/89</u> |
| Other Local Agencies | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____ |
| Other Regional Agencies (S.H.P.O.) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Archaeological Study</u> | <u>10/88</u> |
| State Agencies (N.Y.S.D.E.C.) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Sewage Collection System</u> | <u>10/88</u> |
| Federal Agencies (N.Y.S.D.O.T) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Highway Work Permit</u> | <u>10/88</u> |

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
2. What is the zoning classification(s) of the site? R-4, (Suburban Residential)
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
30 Single-Family Homes
4. What is the proposed zoning of the site? N/A
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
N/A
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
Single-Family Residential
8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No
9. If the proposed action is the subdivision of land, how many lots are proposed? 30
 a. What is the minimum lot size proposed? 15,000 S.F.
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Rev. August 8, 1989
 Rev. April 20, 1989

Applicant/Sponsor Name Windsor Square Associates Inc. Date June 2, 1988

Signature Gregory J. Shaw Title Consulting Engineer for Project
 Gregory J. Shaw, P.E.

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

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
 NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) NO YES

- Specific land forms: _____

| 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change |
|-------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON WATER

Will proposed action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- No • Developable area of site contains a protected water body.
- No • Dredging more than 100 cubic yards of material from channel of a protected stream.
- No • Extension of utility distribution facilities through a protected water body
- No • Construction in a designated freshwater or tidal wetland.
- Other impacts: _____

4. Will proposed action affect any non-protected existing or new body of water? NO YES

Examples that would apply to column 2

- No • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- No • Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: _____

5. Will Proposed Action affect surface or groundwater quality or quantity? NO YES

Examples that would apply to column 2

- No • Proposed Action will require a discharge permit.
- No • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- No • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- No • Construction or operation causing any contamination of a water supply system.
- No • Proposed Action will adversely affect groundwater.
- No • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- No • Proposed Action would use water in excess of 20,000 gallons per day.
- No • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- No • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons
- No • Proposed Action will allow residential uses in areas without water and/or sewer services
- No • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts: _____

6. Will proposed action alter drainage flow or patterns, or surface water runoff? NO YES

Examples that would apply to column 2

- No • Proposed Action would change flood water flows.

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change | |
|--|-------------------------------|-----------------------------|--|-----------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

- No • Construction activity would excavate or compact the soil profile of agricultural land.
- No • The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land
- No • The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)
- Other impacts: _____

IMPACT ON AESTHETIC RESOURCES

11. Will proposed action affect aesthetic resources? NO YES
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

Examples that would apply to column 2

- No • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- No • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- No • Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? NO YES

Examples that would apply to column 2

- Yes • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Yes • Any impact to an archaeological site or fossil bed located within the project site.
- Yes • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory
- Other impacts: Refer to Phase 1 Archaeological Survey, and Mitigation Measures.

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

Examples that would apply to column 2 NO YES

- No • The permanent foreclosure of a future recreational opportunity.
- No • A major reduction of an open space important to the community.
- Other impacts: _____

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change |
|--|-------------------------------------|-------------------------------------|---|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**IMPACT ON GROWTH AND CHARACTER
OF COMMUNITY OR NEIGHBORHOOD**

18. Will proposed action affect the character of the existing community?
 NO YES

Examples that would apply to column 2

- No • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- No • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project
- No • Proposed action will conflict with officially adopted plans or goals
- No • Proposed action will cause a change in the density of land use.
- No • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- No • Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- No • Proposed Action will set an important precedent for future projects.
- No • Proposed Action will create or eliminate employment.
- Other impacts: _____

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change |
|--|-------------------------------------|-----------------------------------|--|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?
 NO YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or
If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

617.21
Appendix B
State Environmental Quality Review
Visual EAF Addendum

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

| Visibility | Distance Between Project and Resource (in Miles) | | | | |
|---|---|--------------------------|--------------------------|--------------------------|--------------------------|
| | 0-1/4 | 1/4-1/2 | 1/2-3 | 3-5 | 5+ |
| 1. Would the project be visible from: | | | | | |
| • A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • A site or structure listed on the National or State Registers of Historic Places? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • State Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • The State Forest Preserve? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • National Wildlife Refuges and state game refuges? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • National Natural Landmarks and other outstanding natural features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • National Park Service lands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Rivers designated as National or State Wild, Scenic or Recreational? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • A site, area, lake, reservoir or highway designated as scenic? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Municipal park, or designated open space? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • County road? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Local road? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons) | | | | | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| 3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible? | | | | | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |

DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

| | Within | |
|-------------------------|--------------------------|--------------------------|
| | *1/4 mile | *1 mile |
| Essentially undeveloped | <input type="checkbox"/> | <input type="checkbox"/> |
| Forested | <input type="checkbox"/> | <input type="checkbox"/> |
| Agricultural | <input type="checkbox"/> | <input type="checkbox"/> |
| Suburban residential | <input type="checkbox"/> | <input type="checkbox"/> |
| Industrial | <input type="checkbox"/> | <input type="checkbox"/> |
| Commercial | <input type="checkbox"/> | <input type="checkbox"/> |
| Urban | <input type="checkbox"/> | <input type="checkbox"/> |
| River, Lake, Pond | <input type="checkbox"/> | <input type="checkbox"/> |
| Cliffs, Overlooks | <input type="checkbox"/> | <input type="checkbox"/> |
| Designated Open Space | <input type="checkbox"/> | <input type="checkbox"/> |
| Flat | <input type="checkbox"/> | <input type="checkbox"/> |
| Hilly | <input type="checkbox"/> | <input type="checkbox"/> |
| Mountainous | <input type="checkbox"/> | <input type="checkbox"/> |
| Other | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE: add attachments as needed

5. Are there visually similar projects within:

- *1/2 mile Yes No
- *1 miles Yes No
- *2 miles Yes No
- *3 miles Yes No

* Distance from project site are provided for assistance. Substitute other distances as appropriate.

EXPOSURE

6. The annual number of viewers likely to observe the proposed project is _____.

NOTE: When user data is unavailable or unknown, use best estimate.

CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is

| Activity | FREQUENCY | | | |
|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | Daily | Weekly | Holidays/ Weekends | Seasonally |
| Travel to and from work | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Involved in recreational activities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Routine travel by residents | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| At a residence | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| At worksite | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

4-24-91

CORRESPONDENCE: WINDSOR SQUARE SUBDIVISION (86-58)
ROUTE 32

Mr. Gregory Shaw from Shaw Engineering and Mr. Shulkin came before the Board representing this proposal.

MR. EDSALL: There is a letter requesting a 90 day extension of final approval for the Windsor Square Subdivision and you will note that what occurred was they had received final approval initially they went through two extensions and then they reappeared before the Board and received a second final approval on October 10th, 1990. They since received an extension which in turn expired on April 8th. However, there was correspondence in the file requesting an extension which you are now entertaining.

MR. MC CARVILLE: Didn't we have a discussion on this last meeting?

MR. SHAW: No. If you want, I can put it up. It's a 30 lot subdivision on Windsor Highway directly across from Hilltop. It has one entrance on Windsor Highway.

MR. SCHIEFER: What are you asking for, extension?

MR. SHAW: What I'm asking for is a 90 day extension. With me tonight is Mr. Shulkin, who is the developer of the project and he is in the position to tell the Board that he expects to have the bond posted the fees paid and the platt filed within 60 days. He's that close to commencing construction and what we are asking for is a 90 day extension.

MR. MC CARVILLE: I have no problem with it.

MR. SCHIEFER: I have no problem. What about legality, how many of these extensions can we give?

MR. EDSALL: They only have one more after this. They don't--

MR. VAN LEEUWEN: Then have four.

MR. EDSALL: No, they have two separate final approvals. This Board was kind enough to grant the second one.

THIS MEETING IS DEDICATED TO THE MEMORY OF JOHN PAGANO

4-24-91

MR. KRIEGER: They get three on the second final approval.

MR. EDSALL: No, it's a separate approval. When you get a conditional final approval, they have 180 days to comply. Then, they received the 90 day extension then they get one more 90 day extension.

MR. SCHIEFER: Any questions?

MR. MC CARVILLE: I make a motion that we grant a 90 day extension to the Windsor Square Subdivision.

MR. LANDER: I will second it.

ROLL CALL:

| | |
|----------------|-----|
| Mr. Lander | Aye |
| Mr. Dubaldi | Aye |
| Mr. Schiefer | Aye |
| Mr. McCarville | Aye |

MR. EDSALL: Just for the record, the 90 days starts on the date that the original 180 days expired, which was April 8th so it runs from April 8th.

Mr. Edsall: I have reviewed the minutes in between and that is the way the minutes report.

Mr. Van Leeuwen: I think he's got to get together with Skip Fayo and we need a letter from Fayo. If I remember correctly, when we approved the four lot subdivision he was supposed to take care of the drainage and what the Town required that was to be the conditions of approval and that hasn't been done. That was the condition of the approval. Before I was to approve this, I would want all that work done period.

Mr. Kennedy: Whether or not we were going to go to the property line or go down another 200 feet to Cross Street, we all agreed he was going to do the grading up to pavement and Skippy was going to do the pavement. Skippy hasn't done the drainage and he hasn't even been ready to do anything on Cross. On Jay, he's trying to get Fayo to do something also.

Mr. Scheible: I think your party and Mr. Fayo should get together and get this resolved. We can't add to any more problems here. That is what we'd be doing here this evening. If we haven't accomplished what was supposed to have been accomplished up to this point, why add any more problems to it. I want to get it resolved one step at a time and if we give an approval of this this evening, we are jumping over--we are putting the cart before the horse. In otherwords--

Mr. Van Leeuwen: If we give approval to this they can say to heck with you.

Mr. Scheible: That is exactly right, until I see completed what was agreed upon, both by Mr. Fayo and by your party not until that time do I thin we should go any further.

Mr. Kennedy: We are caught up in the garbage with the Town because Fayo hasn't agreed.

Mr. Van Leeuwen: Get together with Fayo.

Mr. Scheible: That is not a Planning Board problem.

Mr. Kennedy: It is Town problem and you are representing the Town at this point.

Mr. Edsall: Maybe we can ask-- I will give Pat a copy of the comments. The applicant should provide the Town with the approved plans for the sewer and water, a copy of them because if you are proposing for dedication, you have to give us a copy. Mr. Kennedy gave me and I will pass it onto the Town, copies of the approved water plans from the Orange County Health Department and he will be getting me the sewer and also a copy of the Realty Subdivision approval letter.

WINDSOR SQUARE SUBDIVISION - SEQRA DETERMINATION (86-58)

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

Mr. Grevas: At the last meeting, we discussed the night we got preliminary approval and we discussed the conditional negative declaration with two conditions on it. One being storm drainage and one being archelological.

Everybody, I think, agreed on it but there was no motion made. It was just discussed. We needed a motion to submit the plans to the Department of Environmental Conservation. So it is just a housecleaning chore that we ask.

Mr. Edsall: This is a conditional negative declaration that is going to come back to the Board.

Mr. Van Leeuwen: As long as the Town can provide the services needed.

Mr. Grevas: I have to tell you this. Unless the Town can't we won't get approval and be back for final. DEC controls sanitary end of it and Health Department has the water end of it.

Mr. Edsall: Can we add into the motion you request part of the long form that's been done, the information on these four items be included as an attachment to the long form EAF which is the procedure so we can avoid a DEIS; unless it becomes necessary some time down the road which I am sure we will find out.

Mr. Van Leeuwen: I make a motion that the Board adopt a conditional negative declaration providing that the Town of New Windsor can supply the services needed for the project, specifically water, sewer, storm water and archeological services with regard to Windsor Square Subdivision.

Mr. Schiefer: I will second that.

ROLL CALL

| | |
|-----------------|-----|
| MR. LANDER | AYE |
| MR. JONES | AYE |
| MR. MC CARVILLE | AYE |
| MR. VAN LEEUWEN | AYE |
| MR. SCHIEFER | AYE |
| MR. SCHEIBLE | AYE |

ZONE CHANGE RECOMMENDATION - ROUTE 207

Mr. Scheible: Lester Clark is here this evening and he requested representation when he heard we were going to discuss the zone change for the present Shefner property which is located on Route 207 opposite the old furniture market, the piece of property which neighbors Washington Lake and is 55 acres, if I am not mistaken.

Mr. Clark: Slightly less.

Mr. Scheible: So, Lester, give us a little presentation.

Mr. Clark: Thank you for letting me say a few words. My partner, Mr. Christner (phonetic) is here. The Shefner property is an interesting and very significant piece of property in the Town, I think. Our relationship began with it 15 months ago when in the thought of purchasing it for its intended use. We found that it was under process of total condemnation by the City of Newburgh. We entered into an agreement with Mrs. Shefner, nevertheless and we thought perhaps that we could work out something where everybody would benefit, everybody being the City of Newburgh, Town of New Windsor and the developer. Namely that we

WINDSOR SQUARE

Mr. Edsall: You all remember Windsor Square, fine project off Route 32. The Board decided after looking at the, what they felt were environmental concerns, decided to make a conditional negative declaration. The form of the negative declaration, the conditional negative declaration has not been accepted by the New York State Department of Environmental Conservation Bureau of Environmental Analysis. The people who run the SEQR process. I had a number of long discussions with them, mainly because the process is rather new, I was a little surprised they didn't like the form of it because they accepted the previous ones. Evidently, they have had enough law suits where they are getting smarter also. To make a long story short, the four concerns were sewer, water, storm water, and archeological. It is their opinion that if you have a mechanism in your site plan ordinance or your subdivision ordinance which in this case is subdivision, to require certain items to be done that it is not appropriate that you are taking those items to a conditional negative declaration. You should cover that under your own town law. In other words, if there isn't enough sewer capacity available, don't approve the project period. If there isn't enough water available, don't approve the project. If you want storm water worked on, mitigation work on-site retainage, have it on the plans or don't approve the project. As far as the archeological study goes, wait until you get a formal report. If you feel the report says there is not a problem, fine, approve it. If you think it is a problem, positive dec it and call for a DEIS. They are telling you that you should withdraw the C.N.D., get some more information. It screwed up the entire SEQR time frame now so we have to do something. I recommend that you withdraw the conditional negative dec.

Mr. VanLeeuwen: I make a motion that we withdraw the conditional negative declaration with regard to Windsor Square.

Mr. McCarville: I will second that motion.

ROLL CALL:

| | |
|----------------|-----|
| Mr. VanLeeuwen | Aye |
| Mr. Lander | Aye |
| Mr. Pagano | Aye |
| Mr. Soukup | Aye |
| Mr. McCarville | Aye |

Mr. Babcock: I'd like to say one quick thing. I was, I happened to be with the highway superintendent and we were discussing some of the projects and he was telling me some of the problems and I said why don't we get together and we will do some reviews on that. He told me that he really didn't bother sending any reviews to the Planning Board anymore because the Planning Board doesn't listen to what he says anyway so I told him that I would, if he would review plans, I would make sure that his review comments got read by the Planning Board.

Mr. VanLeeuwen: He has asked for 110 foot cul-de-sac and we only give him 100.

Mr. Babcock: Just to give you a little background on it, Windsor Square, there is about a 6 to 8 inch culvert pipe that runs underneath the railroad tracks there that takes all the drainage from Windsor Square. It is a tremendous problem right now and there is no development. Oakwood Center, where we are talking about where this parking is on the corner of Oakwood and 94 is nothing but a great big pond when it rains. That is where we really need to have his review. Also, no drainage, no preparation of drainage to get water from Oakwood Terrace down 94 to where its got to go. And, that is one thing that we need, Oakwood Commercial Center to do before we approve a project. Myself, I am not aware of it. Mark was not aware of it and it definitely will be a problem.

Mr. Edsall: In follow-up on the culvert dimensions, to be very candid if the law calls for 100 foot and someone other than the Town Board wants to change it to 110, I don't think this Board is the Board to impose requirements above the law. If we get repetitive requests, we should bounce it back to the highway department, send a memo to the Town Board and have them change the law. I will say it right now, the Town Board is the only one that can change the town law subdivision regulations, local law in this town, therefore, to change the town local law, you have to go to the Town Board. We should make changes in the law if they are necessary.

Mr. Babcock: One thing I wanted to say if it says 100 feet and if you want to ask a developer and tell him we are having a problem turning our trucks around because we have wing plows and he wants to put in a cul-de-sac of 110 feet until we get laws changed, there is not a problem there.

Mr. Soukup: If he refuses, we can't make him.

Mr. Babcock: Right but I don't think anybody has a problem with 10 feet. The highway superintendent has to sign his name for the dedication. If he can't turn his trucks around, I don't think he is going to be happy to sign his name. So, for 10 feet, we are only asking for 10 feet.

Mr. VanLeeuwen: We have to work with him.

Mr. Edsall: It is George Greens intent to, every three months or whenever these joint Board meetings are, to each and every suggestion from those meetings enacted if it is found appropriate by the following meeting that is why we are working very hard to take all the ones that you suggested from the last meeting, get them in final form and adopt them so it does not seem like we are not making any progress.

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)
 TASK: 86- 58

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

| TASK-NO | REC | --DATE-- | TRAN | EMPL | ACT | DESCRIPTION----- | RATE | HRS. | TIME | -----DOLLARS----- | | |
|---------|-------|----------|------|------|-----|---------------------------|-------|------|--------|-------------------|--------|---------|
| | | | | | | | | | | EXP. | BILLED | BALANCE |
| 86-58 | 261 | 01/11/87 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | | | |
| 86-58 | 262 | 01/11/87 | TIME | FMD | CL | WINDSOR SQUARE | 17.00 | 0.50 | 8.50 | | | |
| 86-58 | 314 | 03/29/87 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | | | |
| 86-58 | 393 | 04/05/87 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | | | |
| 86-58 | 770 | 04/20/87 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | | | |
| 86-58 | 5449 | 01/14/88 | TIME | MJE | MC | WINDSOR SQ SUBD | 40.00 | 0.40 | 16.00 | | | |
| 86-58 | 8432 | 05/04/88 | TIME | MJE | MC | WINDSOR SQ. SUB | 40.00 | 1.50 | 60.00 | | | |
| 86-58 | 8878 | 05/09/88 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.30 | 12.00 | | | |
| 86-58 | 8879 | 05/10/88 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.80 | 32.00 | | | |
| 86-58 | 8641 | 05/11/88 | TIME | CAD | CL | WINDSOR SQUARE SUB | 17.00 | 0.50 | 8.50 | | | |
| 86-58 | 8881 | 05/11/88 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.80 | 32.00 | | | |
| 86-58 | 9275 | 05/19/88 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.20 | 8.00 | | | |
| 86-58 | 9421 | 05/27/88 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 1.00 | 40.00 | | | |
| 86-58 | 9708 | 05/31/88 | TIME | EJ | CL | WINDSOR SQ SUB | 17.00 | 1.00 | 17.00 | | | |
| 86-58 | 9709 | 05/31/88 | TIME | EJ | CL | MEMO/WINDSOR SQ SUB | 17.00 | 1.00 | 17.00 | | | |
| 86-58 | 9582 | 06/01/88 | TIME | MJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | | | |
| 86-58 | 9764 | 06/02/88 | TIME | EJ | CL | WINDSOR SQUARE | 17.00 | 1.00 | 17.00 | | | |
| 86-58 | 9765 | 06/02/88 | TIME | EJ | CL | MEMO/WINDSOR SQUARE | 17.00 | 0.50 | 8.50 | | | |
| 86-58 | 9766 | 06/03/88 | TIME | EJ | CL | WINDSOR SQ/NYS PARKS | 17.00 | 1.00 | 17.00 | | | |
| 86-58 | 10296 | 06/09/88 | TIME | RDM | AA | WASH SQ NYSDEC | 40.00 | 1.00 | 40.00 | | | |
| 86-58 | 10614 | 06/22/88 | TIME | RDM | SU | WASHINGTON SQ | 40.00 | 1.00 | 40.00 | | | |
| 86-58 | 10645 | 06/27/88 | TIME | RDM | MC | WINDSOR SQ SPDES | 40.00 | 1.00 | 40.00 | | | |
| 86-58 | 10765 | 06/28/88 | TIME | NJE | CL | WINDSOR SQUARE | 17.00 | 1.00 | 17.00 | | | |
| 86-58 | 11237 | 07/15/88 | TIME | MJE | MC | WINDSOR SQ | 40.00 | 0.20 | 8.00 | | | |
| 86-58 | 11406 | 07/19/88 | TIME | MJE | MC | WINDSOR SQ | 40.00 | 0.40 | 16.00 | | | |
| 86-58 | 12392 | 07/20/88 | TIME | NJE | CL | WIND SQ | 17.00 | 1.00 | 17.00 | | | |
| 86-58 | 12391 | 08/12/88 | TIME | MJE | MC | WIND SQ | 40.00 | 0.50 | 20.00 | | | |
| | | | | | | | | | 591.50 | | | |
| 86-58 | 12395 | 08/17/88 | | | | BILL Wind Sq Partial bill | | | | | | -591.50 |
| | | | | | | | | | | | | -591.50 |
| 86-58 | 16173 | 11/02/88 | TIME | MJE | MC | WIND SQ | 40.00 | 0.50 | 20.00 | | | |
| 86-58 | 16174 | 11/07/88 | TIME | MJE | MC | WIND SQ | 40.00 | 0.50 | 20.00 | | | |
| 86-58 | 16181 | 11/07/88 | TIME | NJE | CL | WIND SQ | 17.00 | 0.50 | 8.50 | | | |
| 86-58 | 16180 | 11/11/88 | TIME | MJE | MC | WIND SQ | 40.00 | 0.20 | 8.00 | | | |
| 86-58 | 17290 | 11/21/88 | TIME | MJE | MC | WINDSOR SQ | 40.00 | 0.50 | 20.00 | | | |
| | | | | | | | | | 668.00 | | | |
| 86-58 | 18450 | 12/19/88 | | | | BILL PARTIAL | | | | | | -76.50 |
| | | | | | | | | | | | | -668.00 |
| 86-58 | 20240 | 01/23/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 2.30 | 138.00 | | | |
| 86-58 | 20155 | 01/24/89 | TIME | NJE | CL | WINDSOR SQUARE | 19.00 | 0.50 | 9.50 | | | |
| 86-58 | 20251 | 01/24/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 86- 58

| TASK-NO | REC | --DATE-- | TRAN | EMPL | ACT | DESCRIPTION----- | RATE | HRS. | TIME | -----DOLLARS----- | | |
|---------|-------|----------|------|------|-----|-------------------|-------|------|---------|-------------------|--------|----------|
| | | | | | | | | | | EXP. | BILLED | BALANCE |
| 86-58 | 20159 | 01/25/89 | TIME | NJE | CL | WINDSOR SQUARE | 19.00 | 1.50 | 28.50 | | | |
| 86-58 | 20254 | 01/25/89 | TIME | NJE | MC | WINDSOR SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 20258 | 01/26/89 | TIME | NJE | MC | WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 20311 | 02/06/89 | TIME | NJE | MC | WIND SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 20328 | 02/06/89 | TIME | NJE | MC | WINDSOR SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 20312 | 02/07/89 | TIME | NJE | MC | WIND SQ | 60.00 | 1.00 | 60.00 | | | |
| 86-58 | 20329 | 02/07/89 | TIME | NJE | MC | DUPLICATE ENTRY | 60.00 | 0.00 | 0.00 | | | |
| 86-58 | 20313 | 02/08/89 | TIME | NJE | MC | WIND SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 20331 | 02/08/89 | TIME | NJE | MC | WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 20315 | 02/09/89 | TIME | NJE | MC | WIND SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 20333 | 02/09/89 | TIME | NJE | MC | DUPLICATE ENTRY | 60.00 | 0.00 | 0.00 | | | |
| 86-58 | 21475 | 02/09/89 | TIME | EJ | CL | WINDSOR SQ | 19.00 | 0.50 | 9.50 | | | |
| 86-58 | 20318 | 02/10/89 | TIME | MJE | MC | WIND SQ | 60.00 | 1.00 | 60.00 | | | |
| 86-58 | 20336 | 02/10/89 | TIME | MJE | MC | DUPLICATE ENTRY | 60.00 | 0.00 | 0.00 | | | |
| 86-58 | 21476 | 02/10/89 | TIME | EJ | CL | | 19.00 | 0.20 | 3.80 | | | |
| 86-58 | 21246 | 02/15/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.70 | 42.00 | | | |
| 86-58 | 21250 | 02/16/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.20 | 12.00 | | | |
| 86-58 | 21417 | 02/16/89 | TIME | LSB | CL | WIND SQ | 19.00 | 0.80 | 15.20 | | | |
| 86-58 | 21252 | 02/17/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.10 | 6.00 | | | |
| 86-58 | 21801 | 02/21/89 | TIME | EJ | CL | MEMO/SEQRA REV | 19.00 | 0.50 | 9.50 | | | |
| 86-58 | 21729 | 02/22/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.20 | 12.00 | | | |
| 86-58 | 21803 | 02/23/89 | TIME | EJ | CL | MEMO/SEQUA REVIEW | 19.00 | 0.30 | 5.70 | | | |
| | | | | | | | | | ----- | | | |
| | | | | | | | | | 1559.70 | | | |
| 86-58 | 22026 | 02/28/89 | | | | BILL inv 89 172 | | | | | | -891.70 |
| | | | | | | | | | ----- | | | |
| | | | | | | | | | | | | -1559.70 |
| 86-58 | 22892 | 03/15/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.30 | 18.00 | | | |
| 86-58 | 23471 | 03/15/89 | TIME | EJ | CL | WINDSOR SQ | 19.00 | 0.20 | 3.80 | | | |
| 86-58 | 22894 | 03/16/89 | TIME | MJE | MC | WINDSOR SQUARE | 60.00 | 0.70 | 42.00 | | | |
| 86-58 | 23474 | 03/16/89 | TIME | EJ | CL | WINDSOR SQ | 19.00 | 0.30 | 5.70 | | | |
| 86-58 | 25225 | 04/20/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.30 | 18.00 | | | |
| 86-58 | 25567 | 04/24/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 3.50 | 210.00 | | | |
| 86-58 | 25586 | 04/25/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 25880 | 04/25/89 | TIME | NJE | CL | WINDSOR SQUARE | 19.00 | 1.00 | 19.00 | | | |
| 86-58 | 25596 | 04/26/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 26370 | 05/04/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.30 | 18.00 | | | |
| | | | | | | | | | ----- | | | |
| | | | | | | | | | 1954.20 | | | |
| 86-58 | 26163 | 05/10/89 | | | | BILL inv89 263 | | | | | | -376.50 |
| | | | | | | | | | ----- | | | |
| | | | | | | | | | | | | -1936.20 |
| 86-58 | 28276 | 06/08/89 | TIME | MJE | MC | WINDSOR SQ | 60.00 | 0.20 | 12.00 | | | |
| 86-58 | 28830 | 06/13/89 | TIME | MJE | MC | WINDSOR SQ ZBA | 60.00 | 0.30 | 18.00 | | | |
| 86-58 | 28838 | 06/15/89 | TIME | MJE | MC | WINDSOR SQ ZBA | 60.00 | 0.50 | 30.00 | | | |

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 86- 58

| TASK-NO | REC | --DATE-- | TRAN | EMPL | ACT DESCRIPTION----- | RATE | HRS. | TIME | -----DOLLARS----- | | |
|-------------|-------|----------|------|------|----------------------|-------|------|---------|-------------------|----------|---------|
| | | | | | | | | | EXP. | BILLED | BALANCE |
| 86-58 | 29313 | 06/20/89 | TIME | MJE | MC WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 29998 | 06/26/89 | TIME | MJE | MC WINDSOR SQ | 60.00 | 0.20 | 12.00 | | | |
| TASK TOTAL | | | | | | | | 2056.20 | 0.00 | -1936.20 | 120.00 |
| GRAND TOTAL | | | | | | | | 2056.20 | 0.00 | -1936.20 | 120.00 |

& Grevas
Hildreth, P.C. LAND SURVEYORS
33 QUASSAICK AVENUE, NEW WINDSOR, NEW YORK 12550
TELEPHONE: (914) 562-8667

LAND SURVEYS
SUBDIVISIONS
SITE PLANNING
LOCATION SURVEYS

22 January 1990

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

Att: Mr. Carl Schieffer, Chairman

SUBJECT: WINDSOR SQUARE SUBDIVISION, ROUTE 32

Dear Mr. Schieffer:

Reference is made to the Planning Board's grant of Final Approval for the Subject Subdivision. As you will recall, one of the conditions of approval was the placement of a note on the plan concerning the square footage of the houses to be constructed on the lots in the subdivision.

After some deliberation, the Subdivider has requested that we submit the following language to you and the Town's consultants for review prior to placement on the map. The proposed note is as follows:

"Residences to be constructed within this Subdivision shall have a minimum square footage of enclosed space, excluding garages, of 1,500 square feet."

We believe this note provides for an acceptable "footprint" of the homes to be constructed, and addresses the Planning Board's concerns expressed at the meeting. If this note is acceptable to the Board and its consultants, please advise us, and we will place it on the plan.

If you should have any comments or questions, please do not hesitate to contact this office.

Very truly yours,



Elias D. Grevas, L.S.

EDG/cmg

cc Mr. Mark Edsall, P.E. Planning Board Engineer
Mr. Andrew Krieger, Esq, Planning Board Attorney
Mr. Micheal Babcock, Town of New Windsor Building Inspector
Windsor Square Associates

PUBLIC HEARING - WINDSOR SQUARE SUBDIVISION (ARCHAEOLOGICAL) 86-58

Mr. Elias Grevas and Joel Hanig came before the Board representing this proposal.

Mr. Grevas: I have the Affidavit of Mailing, Affidavit of Publication and return receipts.

Mr. Schiefer: Mark, go ahead, you wanted to make a statement because of what we did at the last meeting.

Mr. Edsall: As the Board likely remembers during the execution of the SEQR process, the Board determined that they felt that a conditioned negative declaration was appropriate for this project. Following that, it was decided that there would be a public hearing held for the purpose of discussing the archaeological concerns. Since that notice was sent and the finding circulated, the DEC has advised us that they feel that the condition negative declaration that was determined was not appropriate for this project and that the Board should reconsider their action. At the previous meeting the Board rescinded the conditional negative declaration and determined that the concerns would be addressed as part of the site or subdivision review process.

Mr. Schiefer: Were you aware of this, Lou?

Mr. Grevas: Yes.

Mr. Edsall: Lou and I have discussed this so what I think you might want to do and Joe, maybe you can give us a little additional guidance, I would think that we'd want to continue with the public hearing, take whatever information we can and gather the concerns from whoever may be here to help us out for gathering this information regarding the archaeological significance but we should advise everyone that in fact the conditional negative declaration has been rescinded and the notice that was put in the paper is now not appropriate since in fact the Board is now, should consider it a Type I action and should go through the procedures associated with a Type I action. The DEC has advised me that since it is near a registered historical site, we must consider it a Type I action and proceed in that regard.

Mr. Ronas: Can I have a copy of the letter, Mark, when you get a chance, the DEC letter.

Mr. Edsall: Okay, DEC sent back the determination, they put one of their inform letters on it.

Mr. Grevas: I didn't see that. Basically, it is going to be a very short presentation. We have all seen the subdivision plan and this is the plan that was included in the archaeological report Phase 1 Study that was done for the site showing the disturbed areas. We are here not just to gather information as the Planning Board's--on what concerns there are based on the study we have. The study was

sent to the State back in October and again notified of the existence of the report and copies sent to them at the last reporting time so other than that, we are just here to see what the comments are on what the report contains.

Mr. Schiefer: Before I open it to the public, have you two gone over the responses.

Mr. Pagano: One is missing, Joe Ronos.

Mr. Schiefer: You did not respond to this. They said there is one name missing on the adjacent land owners.

Mr. Ronos: I am not the one who signs the certified receipts at the office. I do recall getting the mail though. I am here anyway.

Mr. Schiefer: I'd like to open this to the general public for comments on the archaeological aspect of this subdivision.

Mr. Soukup: Did you ever get a response from the State, a review or comments or anything at all.

Mr. Grevas: Nothing, not a word since October.

Mr. Jones: Nothing with regard to the disturbed land or anything else, just go right ahead and dig everything up and that is it.

Mr. Grevas: As I said, we sent two copies of the report up to Albany in October, the 3rd, asking what the next step was, what mitigation efforts we had to make and so forth. We haven't heard a word.

Mr. Jones: The only thing I can figure that the State Department for Parks and Lands didn't get their budgets and they are not working hard. That is all.

Mr. Grevas: We have got them working on the Tanner Site Plan. They were at the meeting, the people from Bear Mountain.

Mr. Jones: If they don't care, I don't care either.

Mr. Grevas: At this point, what I'd like to say is I'd like to get on with the subdivision.

Mr. VanLeeuwen: I make a motion that we close the public hearing.

Mr. Soukup: I will second that motion.

ROLL CALL:

| | |
|----------------|-----|
| Mr. VanLeeuwen | Aye |
| Mr. Pagano | Aye |
| Mr. Lander | Aye |
| Mr. Jones | Aye |
| Mr. Soukup | Aye |
| Mr. Schiefer | Aye |

Mr. Schiefer: Any further discussion on this.

Mr. Grevas: What is our next step, Mark, can you advise me what the next step would be on the Planning Board's part.

Mr. Edsall: Well, there are the four concerns, obviously, now the archaeological concerns, evidently, the notified involved agencies and other potential concerned person or persons evidently don't have anymore information for us. I think the Board should reconsider or at least review their position as far as if they feel that any further action is required for archaeological studies. There is a study done and there is a recommendation and I think the Board should review that and take a position as far as the archaeological and historical significance. The three remaining items, the question was raised as far as the availability of sewer and water and how the storm drainage will be handled. I would say that on, in that regard, I will just have to get together with Lou and if the Board can give us some idea on what they want as far as submittals.

Mr. Grevas: The water and sewer, the County Health Department is going to tell us whether or not they are going to allow us to continue on water and the DEC with sewer and I understand that the plans have been submitted to both agencies. As far as storm drainage goes, there was some preliminary calculations done on the retention area down in the back. The final calculations would come in with the final plan and quite frankly those are addressable items in the final subdivision approval process so that leaves basically the archaeological as you know the other item and the other item we feel has been addressed by the Phase 1 study, what it said and the lack of any further information.

Mr. Soukup: Unfortunately, the lack of a response does not leave you off the hook. You still have to get response and approval from them, right.

Mr. Edsall: The fact that they haven't answered doesn't allow us to do anymore until they do answer it.

Mr. Grevas: We have to start the process.

Mr. Soukup: They have to answer. You have to get an answer.

Mr. Edsall: Being that it is a Type I action, I think what we have to go obviously, Joe, can guide us through the proper notification, we have to make that, that has been determined as a Type I action and again solicit any responses regarding projects, the sewer and water. There are other agencies that are going to review that.

Mr. Grevas: Greg Shaw who is handling the engineering, told me we have approval on the water and sewer. The County Health Department is now winding up the subdivision approval process so we have approval on both the water and the sewer. I will send you copies of those approvals.

Mr. Pagano: So, the main thing is the drainage.

Mr. Grevas: Yes and that is an item for Mark to address during the-- we usually do that when we come in for the final.

Mr. Joel Hanig: Since I came in late during this, I just wanted to clarify a couple of things in my mind first that this Board at some point in time declare itself lead agency on this particular project and normally when there is a declaration of lead agency, there is also declaration of what type of action we are dealing with. Did that happen at some point in time.

Mr. Edsall: The Board sent out a letter requesting coordination of lead agency position to see if any other agencies were interested in that position. They weren't. The Board did take lead agency.

Mr. Hanig: When did that happen.

Mr. Edsall: I don't know.

Mr. Hanig: Normally, when that happens, there is also a declaration as to the type of action you have whether it is a Type I or Type II.

Mr. Edsall: It was determined as being an unlisted action just because of the wording under the section for the unlisted action.

Mr. Roncs: This letter here, excuse me for interrupting you, Mark, really does not, the comments of the DEC doesn't really say that it is a Type I action. It just says that the negative declaration was based on the results of the further studies.

Mr. Edsall: Keep in mind that I had at least two hours worth of conversations following that notice and those items were brought to my attention that they felt it should be a Type I and explained-- the form letter was very sketchy and almost unuseable.

Mr. Roncs: Another problem is that we sent out, by Mark, this notice of determination of nonsignificance that among the agencies that this was forwarded to was the State Office of Parks, Recreation and Historic Preservation with a copy of the Phase 1 archaeological survey and I know that as far as I know, there hasn't been any response. I know Lou tried to make telephone contact with these people. I've tried to make telephone contact with these people and it was just impossible to get a hold of anybody who had any interest in discussing this with us.

Mr. Hanig: There was a response.

Mr. Roncs: The only response we got a response from Palisade Inter-State Parks Commission. I didn't have a response however from the State Historic Preservation.

Mr. Hanig: DEC did not respond.

Mr. Ronces: What position does Palisades Park Commission have?

Mr. Hanig: They monitor the Cantonment. That is basically the only agency that they basically gave a no response letter. Their letter, we received your report that you let us know what you are going to do. I don't know of any requirement that there be a response from any State agency in order for the Board to proceed as long as they have received notices of the application. At this point in time, the Board really can't go very much further until they have made a decision on it. We were somewhat satisfied with the conditional negative declaration that was made before and we were simply waiting for the 30 day time period to run before getting to the next stage of the Board review process.

Mr. Edsall: Where that doesn't work is the 30 day time period does not start until it has been published in the environmental news bulletin. They refused to publish it because the negative declaration is not consistent for the intent under the law for a negative declaration. That is why the Board rescinded it so we can go through it as a Type I action which is a proper classification.

Mr. Hanig: Why do you feel it is a proper classification?

Mr. Edsall: Because the unlisted listing had a reference to the historical sites and there was a comment in parenthesis that said unless the action or the design is to protect or some wording as far as anything archaeological findings or materials, the DEC in my conversations following their form letter to me said that the wording of that, although not clear, is intended to mean that if you have a historical site and the work you are doing is to preserve the site, if the Cantonment was putting in sidewalks or painting the building, replacing the windows with similar type windows--

Mr. Hanig: Then that is a Type II.

Mr. Edsall: It is unlisted. I differ with you only because I talked to the attorneys from the State DEC and that is what they advised me. I'd recommend to the Board that you follow the DEC's attorneys recommendations. In fact, I explained to them exactly what this project is and the conditions that the Board has and he said what the proper classification is Type I since it is a registered historical area and the Board should just review the concerns and make a positive or negative declaration through the Type I chain of events.

Mr. Grevas: If it is, no matter what type the action is, if the Board feels all of the items have been met, they can issue a negative declaration without any conditions which causes the problems.

Mr. Edsall: They feel that the concerns of the Board should be addressed as part of the subdivision review. If you classify it as a Type I, take care of all the concerns and you in fact find that there are no environmental significant effects from this project that we have before us, just make a negative declaration, simple as that.

Mr. Hanig: Just for clarification, my understanding, the fact that there is a negative declaration still does not preclude the Board as part of that negative declaration from adding a mitigation measure to the negative declaration.

Mr. Ronas: Generally, mitigation measures for all sorts of circumstances or impacts if you will, are part of any subdivision or site plan review and but it maybe that as the subdivision process goes along, it may just be determined that there are no significant adverse environmental impacts.

Mr. Schiefer: Mr. VanLeeuwen, do you have any comments.

Mr. VanLeeuwen: Can I ask you what your position is?

Mr. Hanig: I am the attorney for the applicant.

Mr. VanLeeuwen: Well, could you make a phone call to Mr. Hauser and get the information.

Mr. Hanig: Sure.

Mr. VanLeeuwen: I appreciate that. Thank you.

Mr. Grevas: What is the next step as I say we have water and sewer approvals from the DEC.

Mr. Pagano: Are they on file?

Mr. Grevas: Greg will give you copies. Then, I'd request then I will get the copies within the coming--

Mr. Greg Shaw: For both the water and sewer main extensions, the former applicant was the Town of New Windsor or they were the ones who got the approval for the project. Therefore, all correspondence is addressed to the Town of New Windsor or should be in this building, may not be in the Planning Board's file but the applicant was New Windsor and the correspondence was directed to the town.

Mr. Grevas: In order to make sure we get all the paperwork together, the only thing I'd request then, obviously, we are not going to come to a decision, could I request a definite spot on the next agenda to get all these paperwork items cleared up, Mr. Chairman.

Mr. Schiefer: I will try to get you on as soon as I can. We are going to have a meeting next week. We are going to invite you to attend this meeting for a method of setting up an agenda and if it is not contrary to our findings at that time, we will see if we can get you on, okay Mike.

Mr. Babcock: Fine.

Mr. Schiefer: We are going to follow your recommendations on that.

WINDSOR SQUARE ASSOCIATES

MR. SCHIEFER: I have a letter stating:

"...We hereby request a six (6) month extension of the conditional final approval given for this project on 8th November, 1989 in order to complete the process of obtaining a public improvements bond..."

This is from Elias Grevas.

MR. MC CARVILLE: I make a motion that we grant Windsor Square a six (6) month extension.

MR. VAN LEEUWEN: I will second that.

ROLL CALL:

Mr. McCarville Aye

Mr. VanLeeuwen Aye

Mr. Soukup Aye -- But I'd like to go on record that State law only provides one extension of final approval and this is it so they may not be able to come back for another.

Mr. Dubaldi Aye

Mr. Lander Aye -- Because they can't obtain this bond they want an extension?

MR. SCHIEFER: Yes.

ROLL CALL (CONT'D):

Mr. Schiefer Aye

Being that there was no further business to come before the Board a motion was made to adjourn the meeting by Mr. McCarville seconded by Mr. VanLeeuwen and approved by the Board.

Respectfully Submitted;



FRANCES SULLIVAN
Stenographer

NEW WINDSOR ZONING BOARD OF APPEALS

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

DECISION GRANTING
AREA VARIANCE

WINDSOR SQUARE ASSOCIATES
% ROBERT KOLINSKY

#89-40.
-----X

WHEREAS, WINDSOR SQUARE ASSOCIATES, a partnership, located at 19 Barrie Drive, Spring Valley, N. Y. 10977, has made application before the Zoning Board of Appeals for area variances, i.e. Lot #6 - 512 s.f. and Lot #7 - 2,943 s.f. regarding the subdivision located on the east side of Windsor Highway (Route 32) in an R-4 zone; and

WHEREAS, a public hearing was held on the 14th day of August, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by its agent, Elias D. Grevas, L. S. of Grevas and Hildreth, P. C.; and

WHEREAS, the application was opposed by several area residents who expressed concerns regarding poor drainage and about the subdivision itself as preliminarily approved by the Planning Board.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the bulk regulations with regard to lot area on two lots of an approved subdivision after deduction of the easement areas.

3. The evidence shows that this subdivision received preliminary approval from the Town of New Windsor Planning Board on 5/11/88 for lots which exceeded the 15,000 sq. ft. minimum lot area requirement. Subsequent to this preliminary approval the town adopted Local Law No. 4 of 1989 which changed the definition of lot area by excluding from the computation all land contained within an easement area. Due to this change in definition, the lot area of Lots 6 and 7 was reduced to less than the 15,000 sq. ft. minimum lot area. The applicant elected to apply for an area variance on these two lots rather than

redrawing the plans for the subdivision and resubmitting to the Health Department.

4. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable lot area would be required in order to allow the proposed construction which otherwise conforms to the bulk regulations contained in the R-4 zone and rejection of the same would cause practical difficulty to Applicant since the relief sought by Applicant is not substantial in relation to the required bulk regulations.

5. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

6. The requested variance will produce no effect on the population density or governmental facilities.

7. The other feasible method available to Applicant, i.e. redrawing the plans, appears to be excessively burdensome since it was a change in the law following the Planning Board's preliminary approval which revised the undersize lot area for Lots 6 and 7. The burden to the Applicant of pursuing this alternate procedure constitutes a showing of practical difficulty.

8. The interest of justice would be served by allowing the the granting of the requested variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT two lot area variances, i.e. Lot #6-512 s.f. and Lot #7-2,943 s.f. sought by Applicant in accordance site plan filed with the Building Inspector and presented at the public hearing and dated February 1, 1989.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 11, 1989.


Chairman

(ZBA DISK#5-053085.FD)



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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

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

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

Licensed in New York,
New Jersey and Pennsylvania

28 September 1989

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

ATTENTION: CARL SCHIEFER, PLANNING BOARD CHAIRMAN

**SUBJECT: DRAINAGE REVIEW FOR WINDSOR SQUARE SUBDIVISION 86-58
TOWN OF NEW WINDSOR**

Dear Mr. Schiefer:

Our office has reviewed a drainage report by ENTEC Engineers dated 17 April 1989 for the subject project. The report, as submitted, appears to adequately address our previous drainage concerns. Therefore, we take no exception to the proposed drainage system as outlined in the report and shown on the plans.

Respectfully submitted,

**McGOEY, HAUSER AND EDSALL
CONSULTING ENGINEERS, P.C.**

**Kurt J. Matscherz
Project Engineer**

KJMlsb

**cc: Mark J. Edsall, P.E.
Greg Shaw, P.E.**

IOC.PB
WINDSOR SQUARE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 25 October 1989

SUBJECT: Windsor Square Subdivision

PLANNING BOARD REFERENCE NUMBER: PB-86-58
DATED: 2/1/89

FIRE PREVENTION REFERENCE NUMBER: FPS-89-092
FB-88-24
FB-87-04

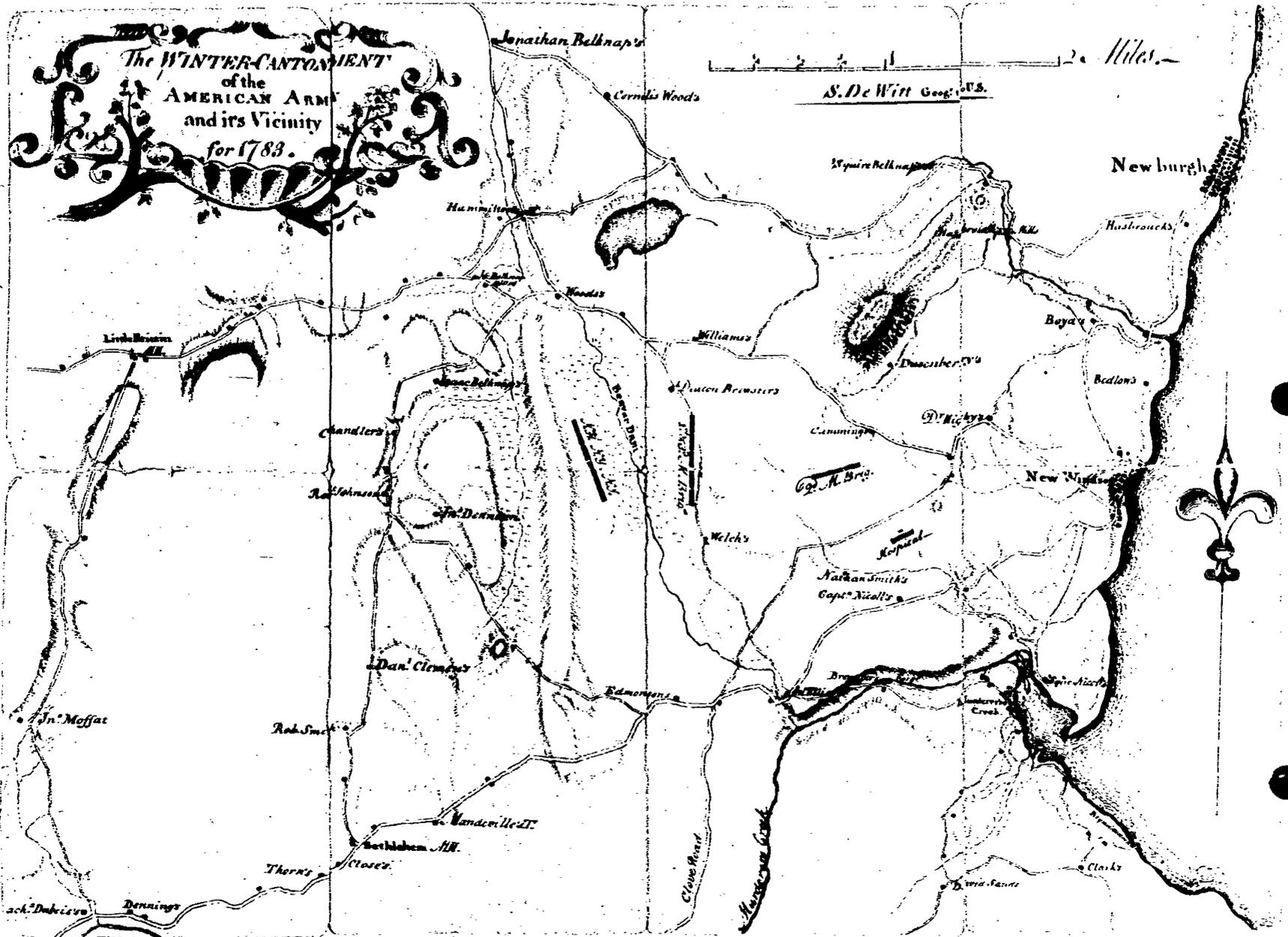
The above referenced site plan is found to be acceptable.

PLANS DATED: 2/1/89
Revised: 6/26/89


John McDonald
Fire Inspector

JM:mr
Att.

CC:M.E.



The Winter-Cantonment of the American Army and its Vicinity for 1783, by Simeon DeWitt. From the Erskine-DeWitt Maps. Courtesy of The New-York Historical Society, New York City.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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

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

9 February 1989

Grevas and Hildreth, P.C.
33 Quassaick Avenue
New Windsor, NY 12550

ATTENTION: ELIAS D. GREVAS, L.S.

SUBJECT: WINDSOR SQUARE SUBDIVISION (786-507);
TOWN OF NEW WINDSOR, NEW YORK

Dear Lou:

As we discussed recently, the New York State Department of Environmental Conservation has made a review of the Notice of Determination of Non-significance (Conditioned Negative Declaration) as issued by the Town of New Windsor Planning Board, through our office. That Department's Bureau of Environmental Analysis has determined that the CND filed is not consistent with the provisions of SEQRA and have requested that we review the determination for its appropriateness.

In subsequent telephone conversations with representatives of the Bureau of Environmental Analysis, it appears that the design measures which will be required to make the application acceptable for subdivision approval need not be included in a Conditioned Negative Declaration, but rather should be included in the plans for the project, so as to make the project "approvable".

In line with the above, please be advised that, at the regular Planning Board Meeting held on 8 February 1989, the Planning Board, by resolution, rescinded their previous resolution for a Conditioned Negative Declaration, made at the 27 July 1988 meeting. The Planning Board intends to make a further review of the project to determine those areas where additional information is needed and, at such time that they feel all information has been submitted and an evaluation of same has been made, make a determination of environmental significance with regard to the project.

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

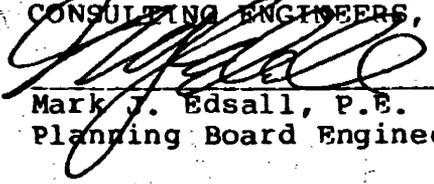
Licensed in New York,
New Jersey and Pennsylvania

9 February 1989

So, as to advise all involved agencies and interested parties of this action, it is necessary that you forward copies of this letter to the parties on the mailing list for the previously distributed Conditioned Negative Declaration. Should you have any questions concerning the above, please do not hesitate to contact the undersigned.

Very truly yours,

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.



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

MJEemj

cc: Carl Scheifer, Chairman Planning Board
Michael Babcock, Building Inspector
Joseph Rones, Esq., Planning Board Attorney ✓

grevas

ZONING BOARD OF APPEALS
August 14, 1989

081489.ZBA-DISK#5

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of July 10, 1989 meeting as written.

PRELIMINARY MEETING:

SET UP FOR
PUBLIC HEARING

1. DOLAN, RAYMOND - Request for 9 ft. rear yard variance to construct deck at 103 Shaker Court North in CL zone.

SET UP FOR

PUBLIC HEARING

2. MAZZIOTTI, PAUL - Request for 10 ft. rear yard variance to construct deck on Oak Hill Drive (off Bull Rd.) in R-1 zone.

PUBLIC HEARING:

APP

3. SUBURBAN HOMES OF ORANGE COUNTY/SHADY GROVE ASSOC. - Request for 4.56 ft. rear yard variance to obtain C. O. on Wagner Drive in R-1 zone. Present: Ed Biagini. *OK*

APP

4. SCHOONMAKER HOMES, INC. - Request for 2.55 ft. front yard variance for construction of single family residence at Shaker Court North. Present: Elias D. Grevas, Esq.

APP

5. ~~ROBINSON/WINDSOR SQUARE~~ - Request for two (2) lot area variances, i.e. Lot #6-512 s.f. and Lot. #7-2,948 s.f. for property located on Route 32, 1,000 ft. north of Willow Lane in R-4 zone. Matter referred by Planning Board. Present: Elias D. Grevas, L. S.

APP

6. KARNAVEZOS, THOMAS - Request for 7,787 s.f. lot area to construct single family residence on west side of Mt. Airy Road in R-3 zone. *OK*

APP

7. JOLLIE, EDWARD - Request for 6 ft. 2 in. sideyard variance to construct addition to garage located at 38 Harth Drive in an R-4 zone.

*

*

*

FORMAL DECISIONS: (1) COMIC STRIP CLUB, INC. APP
(2) HOGAN, DANIEL J. APP
(3) KINSLER, DENNIS APP

Pat - 565-8550 (o)
562-7107 (h)

KOLINSKY/WINDSOR SQUARE

Elias D. Grevas, L.S., came before the Board representing this proposal.

Mr. Skopin: This is a request for two lot area variances, i.e. lot #6, 512 square feet and lot #7, 2,948 square feet for property located on Route 32, 1,000 feet north of Willow Lane in an R-4 zone. Matter referred by the Planning Board.

Mr. Grevas: This is the assessor's list and the return receipts. This is going to take you some time. They are all in the file, all that were sent out. They were all sent out.

Mrs. Barnhardt: We have 118 on the list.

Mr. Skopin: We have not counted the others. Before we begin, we are putting the map up of this particular item. If anybody would like to take a look at it, we have a copy here which you can take a look at before we start.

Mr. Grevas: I have some additional copies on the table.

Mr. Skopin: Mr. Grevas will now make his presentation so we can then discuss this. The Board will then discuss it and then we will open it to the public so hold your questions until then.

Mr. Grevas: This project which consists of 30 single family residential lots received preliminary approval from the Town of New Windsor Planning Board on the 11th of May, 1988. Due to topographic condition on the site, it was necessary to provide easements through lots 6 and 7 to serve the lots up on the cul-de-sac with sewer and storm drainage from the cul-de-sac area down to Windsor Square Drive and therefore on out. Following preliminary approval by the Planning Board, plans were submitted to the State Department of Health, Department of Environmental Conservation for the necessary approvals for the water and sewer construction and archaeological concerns and held the project up until earlier this year when the site was investigated for archaeological artifacts relative to the Cantonment across the street. Those concerns have been addressed and the project is now ready for final approval by the Planning Board. However, in April of this year, the Town Board enacted Local Law #4 amending Chapter #48 of the zoning law in this amendment defines a lot as that area which is not covered by easements. So, we had two lots, one of 15,197 square feet and one of 15,854 square feet but they had easements on the, on them, which brought the lot areas down. Therefore, the Planning Board referred us to the Zoning Board of Appeals for relief from that provision of the law. The amount of the area variance requested for lot 6 is 512 square feet and for lot 7, 2,948 square feet. Now that leaves for lot 6 an area of 14,408 square feet and for lot 7, 12,057 square feet. Now the alternative to doing this was resubmitting the plans, redrawing them and sending them to all the health agencies. However, after we analyzed the area surrounding the property and discovered that our lowest lot size

at 12,057 square feet was indeed larger than the average of the lots around it already, we decided to apply for the variance under the practical difficulty, since it is a bulk variance. That is basically it.

Mr. Fenwick: As far as these easements go, you are not going to see anything? This isn't a ditch, this is a pipe that is running under the ground?

Mr. Grevas: That is correct. There is an 18 inch storm drain and an 8 inch sewer line both under the ground, will be lawned over and as it turns out they are inside the setback areas for lots anyway.

Mr. J. Babcock: When you go to build a house on these, will you naturally--you can't build on the easements so there is enough room to build the house on that without encroaching on the easement?

Mr. Grevas: Correct, on each of the lots on the subdivision map, all 30 lots you will see there is a dashed line that indicates the buildable area on each lot in accordance with the ordinance and as a matter of fact, lot 7 has a larger buildable area than some of the other lots because of its shape.

Mr. J. Babcock: And the layout man for the contractor will ensure that he build within those dotted areas, correct? He won't come back later for a variance?

Mr. Grevas: That is one of the reasons for putting it back on the map.

Mr. Torley: He better not come back for a variance.

Mr. Grevas: Depends on who stakes them out and who builds them.

Mr. Bivona: Make him layout the house first like they do in the Town of Newburgh.

Mr. Skopin: Are we all set?

Mr. Fenwick: Yes.

Mr. Skopin: I will open this to the public. The same rules apply, only understand that the only thing in front of the Board at this point is what is happening to lots 6 and 7 not the overall development. The overall development is in the hands of the Planning Board. Now, the only thing that concerns us is what is happening to lots 6 and 7. If you would please raise your hand, stand up and state your name and address and then make your statement.

Francis Allen Pitts: I live at 239 Leslie Avenue, New Windsor and I got a few questions and also a couple of statements. Approximately a year, maybe a year and a half ago, we were called here and a chart was put up on the board there outlining the lot behind my house which

would be about 12 1/2 acres and at that time, we were told they were going to be deluxe homes, there'd only be 13 homes on that entire project. This is what we were told. I talked to the developer right here in this meeting and he publically stated that the house which they had which would be behind my house and also behind Mrs. Alexander's.

Mr. Skopin: Does this have anything to do with the lot 6 and 7?

Mr. Pitts: Yes, it does. That is why I am here.

Mr. Skopin: Just a moment. We are here as members of a Board, the Zoning Board. The one thing we will not accept is anger and pointed fingers at us. You understand?

Mr. Pitts: You allowed him to have his say, allow me.

Mr. Skopin: Only as far as what is happening to lot 6 and lot 7.

Mr. Pitts: That is what I'm talking about.

Mr. Skopin: Fine, continue.

Mr. Pitts: The lot directly behind Mrs. Alexander and behind my house, I was assured by the developer that a woman had already signified that she wanted that lot and she was willing to pay \$225,000 to have her house put there. Now, for a hundred foot lot, I don't think a person is going to spend that kind of money. I think we were misled in the beginning because now you have more than 15 homes, right?

Mr. Skopin: Yes.

Mr. Grevas: Yes, there is 30 homes here and there always were in fact it was 31.

Mr. Pitts: We were told 13 deluxe homes.

Mr. Grevas: 31 was on the original plan. We actually dropped one.

Mr. Pitts: It showed--

Mr. Bivona: We have nothing to do with that.

Mr. Skopin: That is a Planning Board matter. If you had that kind of thing to do then you have to go to the Planning Board and argue it out with them. The only thing that we are concerned with and the only thing in front of the Board at this moment are lot 6 and 7.

Mr. Pitts: I agree. However, I am talking about the original plan which the Planning Board evidently approved and what I'm getting at is this, if the original plan is going to be changed, then the Planning Board should let us know and you should vote this thing down tonight.

Mr. Skopin: Thank you, sir. Anyone else?

Mary Miller: I live at 39 Harth Drive. I am the secretary of Willow Acres Homeowners Association. When I excavated for my poll in 1963, I struck water at 7 1/2 feet. I am concerned with the drainage on lots 6 and 7 seeing as I live on the other side of the railroad tracks which was proposed development. In the past week because of the storms, we had very very large turrents of water in the gutter. The gutter is eroded. Maybe Mr. Grevas can assure us about the drainage problems for lot 6 and lot 7.

Mr. Grevas: Lot 6 and 7 don't have a drainage problem but they do have drainage easements through them which feed the storm water retention area down in the southeasterly corner of the subdivision. The drainage system comes from the cul-de-sac area, comes down to Windsor Square Drive and discharges to the storm water retention area right here.

Mrs. Miller: Is that adjacent to the railroad tracks?

Mr. Grevas: Yes, it is and the engineer for the Town of New Windsor has reviewed our engineer's proposal, our engineer is Greg Shaw who has designed a retention basin in such a manner as it collects water and holds back the flow at the same rate as it presently exits the site and that has been reviewed by the Town of New Windsor Engineer. It is in the process of review and we can't get final until it is reviewed.

Mr. McDermott: I live on Windsor Highway. What is going to happen to the property down on the bottom with all this water. We already have a problem down there, you know, the last piece of property at the corner drainage. Water down there collects now, it is terrible. Right down here there is a problem down here at this end of the property all through here now all the water we have geysers down there, looks like old smokey half the time when the water comes up through there.

Mr. Grevas: As I said before, we have a total drainage plan in for review by the town engineer. Without that approval of that drainage system, we can't get final approval but that really has nothing to do with lot 6 and 7.

Mr. McDermott: Are you going to have a retention thing?

Mr. Grevas: No, this is being picked up and brought down to this retention area down in the southeasterly corner of the site. It won't be anything like the one across the street. Those are extremely deep. This one will be about a foot and a half to 2 feet deep from the road elevation.

Mr. McDermott: It is not going to work. You are going to have a problem.,

Mr. Joe Corbett: I live at 227 Leslie Avenue. I don't think we have a question on lot 6 and 7 so much as total drainage for the whole problem maybe you have nothing to do with that. That has to

go to Planning before it would be approved for the total project so we would have the opportunity to come back here and see the plans when they are finished?

Mr. Grevas: Planning Board.

Mr. Corbett: Well, we will be notified.

Mr. Bivona: That is where you have to go if you have any comments about the subdivision. The way it is set up right now, we are only interested in the variances that are before us on 6 and 7. If the variances weren't approved on 6 and 7, variance has nothing to do with stopping a subdivision. You are going to have to go to the Planning Board to air your views on this. All we do is issue variances. We can't do anything about the subdivision. Go to the Planning Board if you have any comments about the subdivision itself.

Mr. Lucia: Has the Planning Board said this must go to public hearing?

Mr. Grevas: We had the public hearing here on the 11th of May, 1988. We submitted the plan for public hearing. These are copies I just found these in the file to verify that there were 30 residential lots at that time.

Mr. Skopin: Yes, I will read this. I am reading from a letter from McGoey & Hauser consulting engineers concerning project #86-58 dated 11 of May, 1988.

The applicant has submitted a plan for the subdivision of a 15.8 plus or minus acre parcel into 30 residential lots. The plan was previously reviewed at 14 January, 1987, 8th of April, 1987 and 22nd of April, 1987 Planning Board meeting. At that time, the plan was forwarded to the Town Board regarding formation of cluster zone. It is my understanding that this proposal was not found acceptable to the Town Board and the subdivision has been returned to the Planning Board for consideration as a standard subdivision arrangement.

And that is signed by Mark J. Edsall, Planning Board Engineer.

Mr. Pitts: Who was it addressed to?

Mr. Skopin: It is addressed to the Town of New Windsor Planning Board.

Mr. Pitts: Okay, so we never knew the residents of New Windsor never knew anything about it?

Mr. Grevas: There was a public hearing, sir, and I still have that information in the file.

Mr. Pitts: What I am asking you people right now is this. You turn this proposition down, let it go back to the Planning Board so that we can be heard.

Mr. Fenwick: That has got nothing to do if we turn it down, it won't effect what the Planning Board has to say at all. Two lots we are talking about, this doesn't effect the scope of the land at all. The worst that could happen, it would go to 30 lots and that would be the end of it.

Mr. Pitts: We were informed that there would be 10 foot buffer zone. I haven't heard anything like that.

Mr. Grevas: 20 foot buffer zone.

Mr. Bivona: You have to go to the Planning Board.

Mr. Pitts: Zoning has to do with the same thing?

Mr. Bivona: No.

Mr. Pitts: All I'm asking for is an explanation and he is not giving it to us and if the explanation which he is giving us doesn't sound to me to be the truth.

Mr. Grevas: Sir, we held a public hearing on that project. We did that back on the 13th of May, 1987.

Mr. Pitts: Do you have proof of that?

Mr. Grevas: Yes, I do. All you have to do is go to the Planning Board secretary and she can open the file for you. I will be glad to go with you and show it to you. That subdivision had a public hearing back in '87. We went to the Town Board as the Chairman just read that report and we went back before the Board on 11 May, 1988 to get preliminary approval as I stated earlier in the meeting.

Mr. Bivona: How were the notices sent out?

Mr. Grevas: Certified mail return receipt requested.

Mr. Skopin: What I'd like to do and I will ask our attorney, the Board's attorney to explain to you what the position of the Zoning Board of Appeals is in this matter so you will understand what our powers are limited to.

Mr. Lucia: Essentially, all your concerns are not being viewed or not being heard with a deaf ear here. The problem is that the Zoning Board of Appeals has a limited function under the law. The applicant is coming in here for two specific lot area variances. He is trying to have two lots approved which are somewhat smaller than are required by the 15,000 square feet requirement because while this project was in flux, the town passed a law changing the definition of the lot area. The excluded from what he originally excluded in that 15,000 plus square feet, the area of the easement that runs down the side of these lots. The lots themselves haven't changed from that proposal that went before the Planning Board. What has changed is the definition by which the town now computes lot area and because that definition changed, he is now under that

15,000 square foot. He comes before the Zoning Board of Appeals for one thing and one thing only and that is seeking variances, asking the Board to say that he can go ahead with these lots even though they are now smaller than 15,000 square feet. The legal standard for the applicant to establish before this Board is something called practical difficulty. The applicant has come in here and is saying he believes there is rather than doing that, he is considering it less difficult to come before us and ask for a variance. You certainly have every right to speak at this public hearing but I think what the Chairman and the Board would like you to try and understand, you must speak to the issue of practical difficulty. If you want to stand up and say I don't think that is difficult, let him go back to the Planning Board, that is your right. But, all these rights raised so far with regards to the number of lots or what you were promised or told, does not speak to the issue before this Board which is the lot area variance. You must come in if you want to say something to oppose this, come in with proof or your opinion as to why there is not practical difficulty here. That is really the only legal issue this Board can consider on this application.

Mr. Pitts: May I have your opinion, isn't it true that if the Zoning Board approves this move tonight, you are aiding and abetting what the Planning Board didn't do by not notifying us of the subsequent meetings when they changed these plans?

Mr. Lucia: I can't speak to that. The Planning Board, I presume, sent out all the notices they are required to send out for this public hearing in May of '88 or '87.

Mr. Grevas: The first public hearing was held in May of 1987.

Mr. Lucia: There is going to be another public hearing, they are bound to send out legal notices for that too, if your name is on the tax rolls and you are within the area required to send out notices, you ought to get a notice.

Mr. Pitts: There was no such thing as lot 6 and 7 at that time.

Mr. Lucia: Mr. Grevas presents a map that seems to indicate otherwise. I have nothing to do with the Planning Board. All I can say is if you have any doubt, come up and look at the file.

Mr. Pitts: I'm asking you to vote it down so it has to go back to the Planning Board.

Mr. Skopin: It has to go back to the Planning Board anyway.

Mr. Lucia: He only has preliminary approval. He must go back for final.

Mr. Pitts: If you don't approve it, then the Planning Board will have to change his mind.

Mr. Fenwick: I can't see what he is going to achieve, other than

the fact that he may change from 31 to 30.

Mr. Grevas: It is 30 now. The hearing was held on the same number of lots.

Mr. Lucia: This is relatively small area involved. You have 600, 512 square feet on one and 2948 square feet on the other. Out of an area this large, he can come back with a proposal with 30 lots, redraw to skim a little bit off a couple lots and come back.

Mr. Pitts: They are not going to be the deluxe homes we were led to believe.

Mr. J. Babcock: I don't understand.

Mr. Torley: It is not the function of the Planning Board to say deluxe homes.

Mr. Pitts: I understand that.

Mr. J. Babcock: I don't think this man is going to spend all this money and put up paper shacks, in this day's economy.

Mrs. Miller: I think most people are unaware that the Sentinel is the official newspaper for New Windsor and if they are looking for the notice in the Evening News, you won't see them. You have to read the Sentinel to see when the Planning Board and the Zoning Board meets and alot of people aren't aware of that.

Steve DeWinter: I live at 228 Leslie Avenue. I am just curious what the road frontage is on lot 6?

Mr. Grevas: Total road frontage actually we have two road frontages, the minimum of which is 127 feet on Windsor Square Drive on the cul-de-sac coming up to the north towards the north, we have 143 feet. That is considered--

Mr. Fenwick: He wanted on 6.

Mr. Grevas: Six (6), excuse me, road frontage is 71.76 feet, excuse me, 74.6 feet so we have 79.22 linear feet of road frontage.

Mr. Skopin: Any other comments? If there are none I will close the public hearing meeting and we will entertain a motion or do we have now further questions?

Mr. DeWinter: I do question the fact that we received a notice, we were on the other side of the highway and possibly we made up the required number and someone over on Leslie or on Hardt or down in that area that is directly adjacent to this project wasn't notified. I think that they should get together and verify.

Mr. Skopin: We did receive 118 returns.

Mrs. DeWinter: I'd like to see the papers that we did attend.

Mr. Grevas: Just to clarify something on that possible, that question, the Zoning Board of Appeals for a variance requires us to notify people within 500 feet of the property for the subdivision application we notify the adjoining properties and those across the street. It doesn't extend out as far so there were fewer people notified of the public hearing but they were all the adjoining property owners and those across the street from the site back in '87.

Mrs. DeWinter: I do wish that I had been notified for the public hearing because at one time, I realized that that property was a drain-off from property on the other side of 32, the project that went defunct and possibly one of the main reasons for this was the fact all of those basements up there filled up with water, the water table is very high in that area and they had a tremendous amount of problems with the water. I hope that they are not going to have the same problems down there and the project they'll be bust as it did on the other side of the highway causing alot of problems for these people.

Mr. Skopin: I will just take one more.

Mr. DeWinter: As far as him saying the Planning Board notified the people living in houses across, I live on Leslie Avenue. We were never notified. Also, at this present time, I am in the process of spending over \$6,000 to have my basement waterproofed.

Mrs. DeWinter: Because of the problems in the area.

Mr. Grevas: What was your name?

Mr. DeWinter: DeWinter.

Mr. Grevas: You are which side?

Mr. DeWinter: 228 Leslie Avenue.

Mr. Grevas: You were notified for this, weren't you?

Mr. DeWinter: Yes.

Mrs. DeWinter: None of my neighbors were notified.

Mr. Grevas: On the north side?

Mrs. DeWinter: On the south side.

Mr. Grevas: Here is the assessor's list for 1987. We have Ropel (phonetic), Burger (phonetic), Philip Shelby, Grace Tatante (phonetic), Michael Bennett, Ann Gibson, William McDermott, Charles Favino, Alexander, Pitts, Harry J and Veronica Furguson, Potts, Hanretta, Livingston, Corbett, Leavy, McCabe and Strange. Those were the names the assessor's office gave us in 1987.

Mr. Skopin: I have already closed the meeting. Now, I will leave it up to the Board.

Mr. Fenwick: As far as I'm concerned, I will go along with the practical difficulty. I think it was caused by the town, the lots are still there. They are going to be grassed over. If they were going to be a swale then we'd have a problem. The people that are going to live there, it is an easement through this property, they are not going to leave 20 foot of garbage. They are going to mow it.

Mr. Torley: I understand the neighbor's difficulties and questions regarding the drainage because it is bad over there but that is not in the pervue of the Zoning Board and like Rich said, no one is going to notice these drains from the surface and they are not going to shrink the lot sizes then they otherwise would be so I don't have any problem with it.

Mr. Fenwick: Do you as the Chairman want separate motions or do you want them together?

Mr. Skopin: Perhaps we ought to do separate motions, each piece, I'd like to entertain a motion on lot 6.

Mr. Fenwick: I so move that we grant the variance on lot 6.

Mr. Torley: I will second that motion.

ROLL CALL:

| | |
|-------------|-----|
| Mr. Fenwick | Aye |
| Mr. Babcock | Aye |
| Mr. Bivona | Aye |
| Mr. Torley | Aye |
| Mr. Skopin | Aye |

Mr. Skopin: Take a motion on lot #7?

Mr. Torley: I will move that we approve the variance for lot #7.

Mr. Bivona: I will second that motion.

ROLL CALL:

| | |
|-------------|-----|
| Mr. Torley | Aye |
| Mr. Fenwick | Aye |
| Mr. Babcock | Aye |
| Mr. Bivona | Aye |
| Mr. Skopin | Aye |

Mr. Skopin: I urge all you folks to show up at the Planning Board to voice your objections and your anger to them the same way you

did to us.

Mr. Grevas: Second and fourth Wednesday of every month when we are on the agenda, we probably won't be back on the agenda until second meeting in September.

Mr. M. Babcock: Right.

Mr. Grevas: I would suggest that if you like, you can call my office to find out when it is back on, that is 562-8667 or you can call Mike's office at 565-8802. The Planning Board's secretary's name is Myra. She can tell you whether it is on the agenda.

Mr. Fenwick: I'd like to make a suggestion that the public hearing or the Planning Board doesn't generally have a public hearing forum but the Town Board does and that may be the way to go because if you came to this meeting tonight and you just heard about this piece of property and it had nothing to do with what was on our agenda today, we would not hear you and it would be as easy as that and if you go to the Planning Board and you don't hit there the right night, they are not going to hear you but because there is so much, there is more on their agenda than there is on ours, although tonight is a busy night for us, I'd go that way. If I was really concerned about this which you seem to be, I'd be heading for the Town Board.

Mr. Pitts: My concern is the garbage that we are being fed, not the tooth.

Mr. Bivona: Go to the Town Board, they are the folks, they are your elected officials.

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-54 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TAX: 86-58

TASK-NO REC --DATE-- IRAN EMPL ACT DESCRIPTION----- RATE HRS. TIME EXP. BILLED BALANCE
-----DOLLARS-----

| | | | | | | | | | | |
|-------|-------|----------|------|-----|----|----------------------|-------|------|-------|--|
| 86-58 | 288 | 01/11/87 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | |
| 86-58 | 289 | 01/11/87 | TIME | FND | CL | WINDSOR SQUARE | 17.00 | 0.50 | 8.50 | |
| 86-58 | 354 | 03/29/87 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | |
| 86-58 | 437 | 04/05/87 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | |
| 86-58 | 843 | 04/20/87 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | |
| 86-58 | 6608 | 01/14/88 | TIME | NJE | MC | WINDSOR SQ SUBD | 40.00 | 0.49 | 16.00 | |
| 86-58 | 10489 | 05/04/88 | TIME | NJE | MC | WINDSOR SQ. SUB | 40.00 | 1.50 | 60.00 | |
| 86-58 | 11116 | 05/09/88 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.30 | 12.00 | |
| 86-58 | 11120 | 05/10/88 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.60 | 32.00 | |
| 86-58 | 10790 | 05/11/88 | TIME | CAO | CL | WINDSOR SQUARE SUB | 17.00 | 0.50 | 8.50 | |
| 86-58 | 11125 | 05/11/88 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.80 | 32.00 | |
| 86-58 | 11577 | 05/19/88 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.20 | 8.00 | |
| 86-58 | 11577 | 05/27/88 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 1.00 | 40.00 | |
| 86-58 | 12312 | 05/31/88 | TIME | EV | CL | WINDSOR SQ SUB | 17.00 | 1.00 | 17.00 | |
| 86-58 | 12313 | 05/31/88 | TIME | EV | CL | MEMO/WINDSOR SQ SUB | 17.00 | 1.00 | 17.00 | |
| 86-58 | 12689 | 06/01/88 | TIME | NJE | MC | WINDSOR SQUARE | 40.00 | 0.50 | 20.00 | |
| 86-58 | 12420 | 06/02/88 | TIME | EV | CL | WINDSOR SQUARE | 17.00 | 1.00 | 17.00 | |
| 86-58 | 12421 | 06/02/88 | TIME | EV | CL | MEMO/WINDSOR SQUARE | 17.00 | 0.50 | 8.50 | |
| 86-58 | 12422 | 06/03/88 | TIME | EV | CL | WINDSOR SQ/WYS PARKS | 17.00 | 1.00 | 17.00 | |
| 86-58 | 13178 | 06/09/88 | TIME | ROM | RA | KASH SQ WYSEEC | 40.00 | 1.00 | 40.00 | |
| 86-58 | 13586 | 06/22/88 | TIME | ROM | EU | WASHINGTON SQ | 40.00 | 1.00 | 40.00 | |
| 86-58 | 13628 | 06/27/88 | TIME | ROM | MC | WINDSOR SQ SPDES | 40.00 | 1.00 | 40.00 | |
| 86-58 | 13771 | 06/28/88 | TIME | NJE | CL | WINDSOR SQUARE | 17.00 | 1.00 | 17.00 | |
| 86-58 | 14468 | 07/15/88 | TIME | NJE | MC | WINDSOR SQ | 40.00 | 0.20 | 8.00 | |
| 86-58 | 14702 | 07/19/88 | TIME | NJE | MC | WINDSOR SQ | 40.00 | 0.40 | 16.00 | |
| 86-58 | 16077 | 07/20/88 | TIME | NJE | CL | WIND SQ | 17.00 | 1.00 | 17.00 | |
| 86-58 | 16074 | 08/12/88 | TIME | NJE | MC | WIND SQ | 40.00 | 0.50 | 20.00 | |

86-58 16083 08/17/88 BILL Wind Sq Partial bill 591.50

-591.50

| | | | | | | | | | | |
|-------|-------|----------|------|-----|----|------------|-------|------|-------|--|
| 86-58 | 21250 | 11/02/88 | TIME | NJE | MC | WIND SQ | 40.00 | 0.50 | 20.00 | |
| 86-58 | 21254 | 11/07/88 | TIME | NJE | MC | WIND SQ | 40.00 | 0.50 | 20.00 | |
| 86-58 | 21270 | 11/07/88 | TIME | NJE | CL | WINE SQ | 17.00 | 0.50 | 8.50 | |
| 86-58 | 21267 | 11/11/88 | TIME | NJE | MC | WIND SQ | 40.00 | 0.20 | 8.00 | |
| 86-58 | 22748 | 11/21/88 | TIME | NJE | MC | WINDSOR SQ | 40.00 | 0.50 | 20.00 | |

86-58 24294 12/19/88 BILL PARTIAL 668.00

-668.00

| | | | | | | | | | | |
|-------|-------|----------|------|-----|----|----------------|-------|------|--------|--|
| 86-58 | 26732 | 01/23/89 | TIME | NJE | MC | WINDSOR SQ | 60.00 | 2.30 | 138.00 | |
| 86-58 | 26609 | 01/24/89 | TIME | NJE | CL | WINDSOR SQUARE | 19.00 | 0.50 | 9.50 | |
| 86-58 | 26746 | 01/24/89 | TIME | NJE | MC | WINDSOR SQ | 60.00 | 0.50 | 30.00 | |

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)
 TASK: 86- 58

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

| TASK-NO | REC | --DATE-- | TRAN | ENPL | ACT DESCRIPTION----- | RATE | HRS. | TIME | -----DOLLARS----- | | |
|---------|-------|----------|------|------|----------------------|-------|------|---------|-------------------|----------|---------|
| | | | | | | | | | EXP. | BILLED | BALANCE |
| 86-58 | 26617 | 01/25/89 | TIME | NJE | CL WINDSOR SQUARE | 19.00 | 1.50 | 28.50 | | | |
| 86-58 | 26751 | 01/25/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 26758 | 01/26/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 26842 | 02/06/89 | TIME | NJE | MC WIND SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 26873 | 02/06/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 26845 | 02/07/89 | TIME | NJE | MC WIND SQ | 60.00 | 1.00 | 60.00 | | | |
| 86-58 | 26876 | 02/07/89 | TIME | NJE | MC DUPLICATE ENTRY | 60.00 | 0.00 | 0.00 | | | |
| 86-58 | 26849 | 02/08/89 | TIME | NJE | MC WIND SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 26880 | 02/08/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 26853 | 02/09/89 | TIME | NJE | MC WIND SQ | 60.00 | 1.50 | 90.00 | | | |
| 86-58 | 26884 | 02/09/89 | TIME | NJE | MC DUPLICATE ENTRY | 60.00 | 0.00 | 0.00 | | | |
| 86-58 | 28281 | 02/09/89 | TIME | EJ | CL WINDSOR SQ | 19.00 | 0.50 | 9.50 | | | |
| 86-58 | 26858 | 02/10/89 | TIME | NJE | MC WIND SQ | 60.00 | 1.00 | 60.00 | | | |
| 86-58 | 26889 | 02/10/89 | TIME | NJE | MC DUPLICATE ENTRY | 60.00 | 0.00 | 0.00 | | | |
| 86-58 | 28283 | 02/10/89 | TIME | EJ | CL | 19.00 | 0.20 | 3.80 | | | |
| 86-58 | 27991 | 02/15/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.70 | 42.00 | | | |
| 86-58 | 27997 | 02/16/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.20 | 12.00 | | | |
| 86-58 | 28193 | 02/16/89 | TIME | LSB | CL WIND SQ | 15.00 | 0.80 | 15.20 | | | |
| 86-58 | 28001 | 02/17/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.10 | 6.00 | | | |
| 86-58 | 28705 | 02/21/89 | TIME | EJ | CL MEMO/SEGRA REV | 19.00 | 0.50 | 9.50 | | | |
| 86-58 | 28620 | 02/22/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.20 | 12.00 | | | |
| 86-58 | 28707 | 02/23/89 | TIME | EJ | CL MEMO/SEGRA REVIEW | 19.00 | 0.30 | 5.70 | | | |
| | | | | | | | | 1559.70 | | | |
| 86-58 | 29007 | 02/28/89 | | | BILL inv 89 172 | | | | | -891.70 | |
| | | | | | | | | | | -1559.70 | |
| 86-58 | 30129 | 03/15/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.30 | 18.00 | | | |
| 86-58 | 30843 | 03/15/89 | TIME | EJ | CL WINDSOR SQ | 19.00 | 0.20 | 3.80 | | | |
| 86-58 | 30131 | 03/16/89 | TIME | NJE | MC WINDSOR SQUARE | 60.00 | 0.70 | 42.00 | | | |
| 86-58 | 30849 | 03/16/89 | TIME | EJ | CL WINDSOR SQ | 19.00 | 0.30 | 5.70 | | | |
| 86-58 | 32982 | 04/20/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.30 | 18.00 | | | |
| 86-58 | 33390 | 04/24/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 3.50 | 210.00 | | | |
| 86-58 | 33411 | 04/25/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| 86-58 | 33771 | 04/25/89 | TIME | NJE | CL WINDSOR SQUARE | 19.00 | 1.00 | 19.00 | | | |
| 86-58 | 33424 | 04/26/89 | TIME | NJE | MC WINDSOR SQ | 60.00 | 0.50 | 30.00 | | | |
| | | | | | | | | ===== | ===== | ===== | ===== |
| | | | | | TASK TOTAL | | | 1936.20 | 0.00 | -1559.70 | 376.50 |
| | | | | | | | | ===== | ===== | ===== | ===== |
| | | | | | GRAND TOTAL | | | 1936.20 | 0.00 | -1559.70 | 376.50 |



New York State Office of Parks, Recreation and Historic Preservation

The Governor Nelson A. Rockefeller Empire State Plaza
Agency Building 1, Albany, New York 12238-0001

March 7, 1989

Mr. Mark J. Edsall, P.E.
 Planning Board Engineer
 c/o McGoey, Hauser and Edsall
 Consulting Engineers, P.C.
 45 Quassaick Avenue, Route 9W
 New Windsor, New York 12550

Copies for all members "Class"
New Windsor


Dear Mr. Edsall:

Re: SEQR
 New Windsor Subdivision
 New Windsor, Orange County

The Office of Parks, Recreation and Historic Preservation (OPRHP) has reviewed the Stage 1 Archeological Report provided for the above referenced project. As the state agency responsible for the coordination of the States' Historic Preservation programs, including the encouragement and assistance of local preservation programs, we are pleased to offer comments for your consideration.

Based on our review of this report, it is the opinion of the OPRHP that the investigation conducted has indeed revealed the probable remains of the Second Massachusetts Brigade Encampment, which historically can be linked to the adjacent National Register listed New Windsor Cantonment. If the site area (described in the report as an 300 by 200 foot area adjacent to the western edge of the property) cannot be avoided, the OPRHP recommends that the impact be mitigated through a professional and systematic program of data recovery. We concur with the general approach outlined in the report and will offer additional comments if so desired.

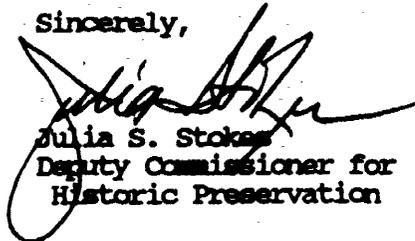
This office would like to acknowledge that all interaction to-date between the consulting archeologist and our staff at the New Windsor Cantonment State Historic Site has been very positive. We encourage this type of interaction to continue and feel that all parties involved will benefit from such cooperation.

Please be aware that if any State Agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any Federal Agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 may require that agency to initiate consultation with the State Historic Preservation Officer (SHPO).

March 7, 1989
Page 2

If you have any questions, please contact our Project Review Unit at
(518) 474-3176.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia S. Stokes", is written over the typed name and title.

Julia S. Stokes
Deputy Commissioner for
Historic Preservation

JSS/RLE:tr
I00288

cc: Alec Ciesluk

Palisades Interstate
Park Commission
Administration Building
Bear Mountain, N.Y. 10911-0427
914-786-2701

Nash Castro
Executive Director



New Windsor Cantonment State Historic Site
Box 207, Vails Gate, N.Y. 12584

May 3, 1989

Mr. Carl E. Schiefer
Head, Planning Board
Town of New Windsor
55 Union Avenue
New Windsor, NY 12550

Dear Mr. Schiefer:

In response to attorney Rones' request, at the April 12th Planning Board meeting, for a recommended course of excavation re: the Windsor Square development, I spoke with our archeologists at the Bureau of Historic Sites, Pebbles Island.

In general, they (Mr. Paul Huey and Mr. Charles Fisher) agree with the excavation procedures outlined by Hunter Research Associates in their report, page 6-3, "A Phase 1 Archeological Survey for the Winter Square Property." (enclosed is the pertinent section of 6-3) with these important exceptions:

- 1.) The plowline should be shallow so that the unplowed area below is not disturbed;
- 2.) The area should be plowed twice, not just once, to be certain that every archeological feature is adequately located;
- 3.) Surface collection should be by hand, again to assure no loss of information/artifacts. (Hunter's report states that "consideration could be given to mechanical removal of the uppermost six to nine inches of soil as plow disturbance has already occurred to this depth." Huey and Fisher strongly recommend that no bulldozer or back-hoe type of action be done to this topsoil area. Rather, this area, too, should be shoveled and sifted in situ for artifact recovery before proceeding to manual excavation of the plowzone/subsoil interface.)

It should be noted that Mr. Huey and Fisher are in total agreement with Hunter's recommendations on manually excavating the plowzone/subsoil interface with a focus on ascertaining features embedded in the subsoil. Since this is a relatively small area (200 x 300 ft.) and considering the (almost) ephemeral nature of Revolutionary War encampment artifacts, "open area" excavation covering the area is preferable to test pit excavations.

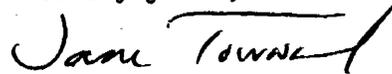
- 1 -

Per Hunter's report, disposition of the artifacts found, a survey report, inventory and photographs should be with a governmental agency, institution or organization that can be responsible for their security, preservation and accessibility to the public and interested researchers. (In any case, New Windsor Cantonment State Historic Site and/or the N.Y. Bureau of Historic Sites would appreciate a copy of the report, inventory list and photographs for its use and research purposes.)

I appreciate your interest and concern in this matter; Hunter's findings of the 2nd Massachusetts Brigade are noteworthy since it is the only known archeological evidence to date and considering the other nearby commercial and residential developments will probably be the only surviving material.

Thank you for your interest.

Sincerely yours,



E. Jane Townsend
Site Manager, New Windsor Cantonment

cc: Paul Huey, Bureau of Historic Sites
Wally Workmaster, Regional Historic Preservation Supervisor
Palisades Interstate Park Commission

Hunter - Archaeological
Survey - Phase I -

Windsor
Square
9/1988

Archaeologically speaking, the zone to the rear of the main line of huts is also potentially of great interest. It would be in this area that evidence of refuse deposits, privy pits (frequently repositories of artifacts and sources of information on diet), work areas and secondary structures is most likely to be found. This judgment is based on evidence from other encampments of the same era, such as the one at Pluckemin, near Somerville, New Jersey. All in all, these archaeological remains of the Second Massachusetts Brigade encampment are likely to supply the sort of critical historical information anticipated in the National Register documentation.

Under the present Windsor Square project plans, the construction of single family homes on Lots 1, 29 and 30 and the construction of the Windsor Square Drive access on to N.Y. Route 32 will effectively destroy all archaeological remains associated with the eastern end of the Second Massachusetts Brigade encampment. Utilities installation is also likely to impact this archaeological resource.

In the context of the current site plan, one of two courses of action is recommended. From an ideal archaeological standpoint, avoidance of the archaeologically sensitive zone is preferred, but only if protection of the resource can be assured in perpetuity. Preservation in place would entail excluding the affected three residential lots from the development plan, rerouting Windsor Square Drive and utilities, and taking whatever precautions might be necessary to protect this area from looters. From a practical point of view, preservation could be very difficult to achieve. Once the location of these archaeological deposits becomes known, which seems virtually inevitable, illicit digging for prized Revolutionary War era artifacts will soon follow and the integrity of the resource will be severely jeopardized.

In this particular instance, this consultant believes that the second course of action -- mitigation of impact via a carefully planned program of data recovery -- is preferable. A Phase 2 archaeological survey is not recommended as the significance of the resource is not in question (it is already listed on the National Register of Historic Places) and the boundary of the archaeologically sensitive zone has been adequately delineated by the Phase 1 survey. It seems reasonable to proceed directly to a mitigation-level study.

Data recovery should begin with manual devegetation of the 50 by 200-foot area of interest. This same area should then be plowed and disked to a depth of between six and nine inches to bring a fresh supply of archaeological materials to the surface zone. After allowing for a period of rain to wash soil from artifacts at the ground surface, the site should be systematically examined on foot. Artifacts should be gathered and provenience information recorded. This

activity should assist the planning of excavation strategy by identifying "hot spots" where concentrations of certain types of cultural materials exist. For example, clusters of building materials may signify the sites of huts. Concentrations of bone and other food refuse may signify the sites of pits or eating and cooking areas.

Surface collection of materials within the plowzone should be followed by controlled excavation of an agreed-upon proportion of the archaeological deposits of concern. Consideration could be given to mechanical removal of the uppermost six to nine inches of soil as plow disturbance has already occurred to this depth. The excavation emphasis should be on the plowzone/subsoil interface and on features embedded in the subsoil. Investigation of these deposits should be carried out using manual excavation techniques. As there is probably minimal stratigraphy on the site, "open area" excavation techniques, which aim for maximum horizontal exposure at all times, should be preferred over the excavation of discrete five-by-five foot units. An overall site grid and running profiles across stratigraphically critical portions of the site should still, of course, be applied. All excavated soil should be screened through quarter-inch hardware mesh. Samples should be retrieved for geochemical, botanical and zoological analyses, if important information of this sort is anticipated. Provision should also be made for conservation of significant artifacts such as coins, military buttons and other hardware.

The end product of the mitigation study should be a project report written to currently acceptable professional archaeological standards. This document should accompany an adequately catalogued and conserved assemblage of cultural materials from the site. If agreeable to the property owner, the latter materials should be lodged with a local repository (perhaps the New Windsor Cantonment State Historic Site or the Temple Hill Association).

As part of the mitigation effort, some supplementary historical research directed at the Second Massachusetts Brigade encampment is also recommended. Efforts should be made to locate and examine other relevant contemporary documents such as brigade order books and the papers of general officers. These materials may produce additional information on the physical layout of the camp and be of assistance during fieldwork.

Aside from the remains of the encampment of the Second Massachusetts Brigade, there are no other significant historical archaeological resources relating issues present on the Windsor Square property.

TOWN OF NEW WINDSOR
PLANNING BOARD MEETING

APRIL 26, 1989

MEMBERS PRESENT: CARL SCHIEFER, CHAIRMAN
DAN MC CARVILLE
RON LANDER
LAWRENCE JONES
VINCE SOUKUP
HENRY VAN LEEUWEN

ABSENT: JOHN PAGANO

ALSO PRESENT: MICHAEL BABCOCK, BUILDING INSPECTOR
MARK EDSALL, P.E., PLANNING BOARD ENGINEER
JOSEPH RONES, ESQ., PLANNING BOARD ATTORNEY

MINUTES:

Mr. Jones: I make a motion that we approve the March 22nd, 1989 minutes.

Mr. McCarville: I will second that motion.

ROLL CALL:

| | |
|----------------|-----|
| Mr. McCarville | Aye |
| Mr. VanLeeuwen | Aye |
| Mr. Soukup | Aye |
| Mr. Jones | Aye |
| Mr. Lander | Aye |
| Mr. Schiefer | Aye |

WINDSOR SQUARE SUBDIVISION (86-58) ROUTE 32:

Elias Grevas, L.S. and Gregory Shaw of Shaw Engineering came before the Board representing this proposal.

Mr. Schiefer: The drawings that you have handed out, Mark has seen in its present form.

Mr. Shaw: Correct.

Mr. Grevas: As you may recall over our many visits, the Planning Board back in January issued a conditional negative declaration under the SEQR law on this project listing four items of concern,

first being the archaeological aspect of the property which was addressed by a study prepared by Hunter Associates, the water and sewer which are the next two items which have since been approved by the County Department Health and the New York State Department of Environmental Conservation and storm water drainage which has been designed and submitted to Mark Edsall. We have agreed to mitigate the archaeological aspects of the site by one of the methods shown in the report by sectionalizing the project from the south/southeast end leaving the area of concern untouched except for plowing, allowing it to rain on the site then inviting the historians to come in and look for artifacts in that layer. That was one of the mitigating effects which we understand was found acceptable by the Parks and Recreation. We have discussed the project with Mark, Mr. Shaw has prepared the calculations of storm water detention area which is shown on the plan that he just passed out to you and we understand that because of recent changes in town law that there are two lots that now have to have the easement areas deducted from them which will require a variance from the Zoning Board of Appeals. At this point, we would like to ask for the following, #1, a negative declaration under the SEQR process since I think we have covered all of the items except for some technical questions that Mark still has and I think I have gone over them all with Mark and most of them are nuts and bolts items with the exception of the easement business on the two lots, 6 and 7 and the requirement for the variance for that and the storm water detention area which I believe is also fairly minor as far as clearing up some calculations. Most of those items on there, such as the street name change because it is shown two different ways. We will change it to whatever the street sign say.

Mr. McCarville: How about the lands of McDermott?

Mr. Grevas: That is down on the southeast corner. I don't recall that as being discussed at the Planning Board meetings but we do have the area on those two lots down there so if the Board and Mr. McDermott and the developer can all get together, we can put an easement down through there, an easement for a sewer line. It will be down right in this area between lots 24 and 25. It also, Mark also points out in his comments that we have to request an extension of the preliminary approval this evening and we would like to ask for a referral to the Zoning Board of Appeals to get us before that Board to straighten out that easement business.

Mr. VanLeeuwen: I'd like to make a motion that we refer--

Mr. Soukup: Where to we stand with SEQR. There is a question in Mark's letter of no evidence of lead agency.

Mr. Edsall: There was alot of work done towards taking lead agency but unfortunately, I don't think the minutes reflect, I am sure they accurately reflect what happened but there was so many changes going on as to the approach towards SEQR, I just want the Board to affirm or confirm its lead agency position tonight. I

wasn't able to find a true record in the minutes that it was taken although there was a negative declaration or conditional negative declaration issued, I wasn't able to confirm we took lead agency. It wouldn't hurt even if we ended up doing it twice.

Mr. VanLeeuwen: I make a motion that we take lead agency status with regard to Windsor Square Subdivision 86-58.

Mr. McCarville: I will second that motion.

ROLL CALL:

| | |
|----------------|-----|
| Mr. McCarville | Aye |
| Mr. VanLeeuwen | Aye |
| Mr. Soukup | Aye |
| Mr. Jones | Aye |
| Mr. Lander | Aye |
| Mr. Schiefer | Aye |

Mr. Schiefer: Now, the negative declaration you say it was a conditional negative declaration.

Mr. Edsall: Initially we went with a conditional negative declaration. The problem that ensued from that was that the State DEC Attorney felt that the conditions that the Board imposed were within their jurisdiction as part of the Planning Board as far as approval conditions. Therefore, they didn't feel they were necessary as part of a conditional negative declaration. They'd rather see you address them as part of the approval and make a negative declaration if that is appropriate.

Mr. Schiefer: Any comments on making a negative declaration, any discussion either yes or no.

Mr. VanLeeuwen: I move that we make a negative declaration with regard to the Windsor Square Subdivision 86-58.

Mr. Jones: I will second that motion.

Mr. Schiefer: Mark, you feel--

Mr. Edsall: The minor comments I have are formalities as far as getting the paperwork straight. I have no objection to it.

ROLL CALL:

| | |
|----------------|-----|
| Mr. McCarville | Aye |
| Mr. VanLeeuwen | Aye |
| Mr. Soukup | Aye |
| Mr. Jones | Aye |
| Mr. Lander | Aye |
| Mr. Schiefer | Aye |

Mr. VanLeeuwen: I make a motion that we extend the preliminary approval for another 6 months with regard to Windsor Square Subdivision 86-58.

Mr. Schiefer: Do you have any objection to extending that preliminary, you are requesting it.

Mr. Grevas: Yes.

Mr. McCarville: I will second that motion.

ROLL CALL:

| | |
|----------------|-----|
| Mr. McCarville | Aye |
| Mr. VanLeeuwen | Aye |
| Mr. Soukup | Aye |
| Mr. Jones | Aye |
| Mr. Lander | Aye |
| Mr. Schiefer | Aye |

Mr. Edsall: Just a comment about the length of my items. The primary reason why there is such an extensive list of comments, we had such a complete and very presentable set of plans, normally we don't get something in this form, usually we don't know the details of what is proposed. They gave us information about adjustments to be made so these are very minor comments relative to the project although they are long, all together they are very minor as far as details which don't warrant holding up anything that you want to do. The only item which is a problem is the variance for lot 6 and 7 which is only a result of the fact that the definition of lot area has changed.

Mr. Soukup: The area is that tight that the lots don't work with the easement cut out.

Mr. Grevas: Yes.

Mr. Schiefer: They need a variance.

Mr. Babcock: There was a discussion before about an easement to the other properties. If there is an easement put in there, then there is going to have to probably be a variance for that lot also.

Mr. Edsall: They have enough easement that if the easement is provided, it is unfortunate but the only lots that have easements through them are two of the smallest lots, if they had been somewhat larger, it wouldn't have been a problem.

Mr. Grevas: That was caused by, we did start this layout as a cluster plan which went down after several months in the planning process. Number 2, the request by the Highway Superintendent that we enlarge the diameter of the cul-de-sac which we have done above the ordinance and the fact that the law changed on us, we have to have some grade restriction on getting the sewer out of there so that is why we had to put the easement where we put it. That is what caused the shortage in the areas.

Mr. VanLeeuwen: I make a motion that we approve the subdivision of Windsor Square 86-58 Route 32.

Mr. Lander: I will second that motion.

ROLL CALL:

| | |
|----------------|----|
| Mr. McCarville | No |
| Mr. VanLeeuwen | No |
| Mr. Soukup | No |
| Mr. Jones | No |
| Mr. Lander | No |
| Mr. Schiefer | No |

Mr. Grevas: May I just ask that in that letter of referral, if the Board would consider making that a positive referral, in other words, that you can find no problem with that referral or something of that nature to grease the skids a little bit, keep this project going, is that possible.

Mr. Schiefer: Do you think it will grease the skids.

Mr. Grevas: I am not sure.

Mr. VanLeeuwen: I make a motion that we recommend to the Zoning Board of Appeals that they give the variance on the two lots favorable consideration.

Mr. Jones: I will second that motion.

ROLL CALL:

| | |
|----------------|---------|
| Mr. McCarville | Abstain |
| Mr. VanLeeuwen | Aye |
| Mr. Soukup | Aye |
| Mr. Jones | Aye |
| Mr. Lander | Aye |
| Mr. Schiefer | Aye |

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

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 86-58

DATE: 19 JUNE 1989

APPLICANT: ROBERT KOLINSKY
19 BARRIE DRIVE
SPRING VALLEY N.Y. 10977

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 11 AUGUST 1986

FOR (SUBDIVISION - ~~SITE PLAN~~)

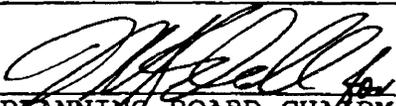
LOCATED AT RT 32 1000 FT NORTH OF
WILLOW LANE ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 42.1 & 42.2

VACANT LOT AS LOCATED ABOVE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

INSUFFICIENT LOT AREA FOR LOTS 6 & 7


PLANNING BOARD CHAIRMAN

Requirements

Min. Lot Area 15,000 SF
Min. Lot Width 100 FT
Reqd Front Yd. 35 FT
Reqd. Side Yd. 15-30 FT
Reqd. Rear Yd. 40 FT
Reqd. Street
Frontage* 60 FT
Max. Bldg. Hgt. 35 FT
Min. Floor Area* 1000 SF
Dev. Coverage* 30 %
Floor Area Ratio** N-A

LOT 6/LOT 7

Proposed or
Available

Variance
Request

14488 / 12057

512 / 2943

~~AS
REQUIRED~~

~~NOT
REQUESTED~~

* Residential Districts only

** Non-residential Districts only

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914-565-8550)
TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS

CC: M. EDNALL & E GREVAS
ZONING BOARD

Mr. Richard Shulkin

54-150 Old Rt 9W Plum Point Estates

New Windsor N Y

Dear Sir:

This is in answer to your questions about the Hunter Research Associates report on the property planned for development as Windsor Square on rt 32 just north of the Lionel Bridge.

The survey as I read it does report on finding some 18th C. artifacts as well as soot stained stones in fences. I can find no statement of the finding of any hut foundations laid in a linear pattern. The artifacts mentioned could easily have been carried from the actual site of the 2nd Mass. Brigade to the west. The stones in the fences could have been moved by farmers in later years from across the highway. There is no evidence of actual occupation of the site by the troops.

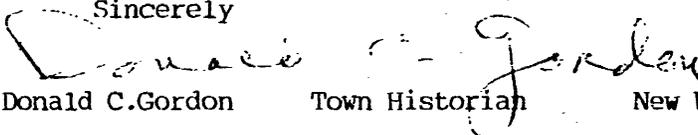
The National Register records state the camp was known to be to the west of 9W. The town had no input in this designation so we do not know just how this statement was arrived at. It has always ^{been} assumed no huts crossed the line of rt 32 but not until recent years has any search been made.

I have done considerable work and supervision of excavations looking for buildings built by the troops in 1782/3. In most cases large stones are found just below the surface and in a regular pattern. Also in association with the site there have been hundreds of shards, gun parts, buttons etc. etc. found below the living spaces.

This matter seems to come down to the question that there is no indication this land to the east of 32 was the site of occupation by the Brigade but near enough to be where the rubbish was buried. The usual concern has been for the actual space where these people lived thru the winter and not for any land beyond the hut lines.

I trust I may have been helpful in sorting things out for us all.

Sincerely


Donald C. Gordon

Town Historian

New Windsor N Y

562-6397

Jan. 20 1989

DONALD C. GORDON

- NATIONAL TEMPLE HILL ASSN.
- NEW WINDSOR HISTORIC COMMISSION
- HISTORIAN -- TOWN OF NEW WINDSOR
- ORANGE COUNTY HISTORICAL SOCIETY

815 BLOOMING GROVE TPK.
NEW WINDSOR, N.Y. 12550

4-12-89

WINDSOR SQUARE - SUBDIVISION (86-58) ROUTE 32

Mr. Pagano: This item on our agenda has been cancelled for this evening.

Jane Townsend: I live at Box 903, Vails Gate and I would like to enter into the minutes a letter of March 7th signed by Julius Stokes (phonetic), Deputy Commissioner for Historic Preservation and this is regarding the Windsor Square property. Thank you.

Mr. Roncs: Please have that circulated to the Board members.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE (Conditioned Negative Declaration)

Page 1 of 3

Project Name: Windsor Square Subdivision
NW P/B Project #: 86-58
25 January 1989

Lead Agency:

Town of New Windsor Planning Board
Carl Schiefer, Chairman
555 Union Avenue
New Windsor, New York 12550

Contact Person: Mark J. Edsall, P.E., Planning Board Engineer
c/o McGoey, Hauser and Edsall
Consulting Engineers, P.C.
45 Quassaick Avenue (Route 9W)
New Windsor, New York 12550
(914) 562-8640

SEQRA Status: Unlisted Action

Purpose of Notice: This notice is issued pursuant to Part 617 of the Implementing Regulations pertaining to Article B (State Environmental Quality Review Act) of the Environmental Conservation Law. The Planning Board of the Town of New Windsor, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a draft environmental impact statement will not be prepared.

Summary of Action: Project under review by Town Planning Board. Preliminary Subdivision Approval granted 11 May 1988. Project proposed is a thirty (30) lot residential subdivision on a 15.87 acre parcel. The site is located on property designated as Section 35, Block 1, Lots 42.1 and 42.2 of the Tax Maps of New Windsor. The project location is on the east side of New York State Route 32 (Windsor Highway) approximately 1500 feet south of Union Avenue (CR 69).

3

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
(Conditioned Negative Declaration)

Page 2 of 3

Project Name: Windsor Square Subdivision
NW P/B Project #: 86-58
25 January 1989

Reasons Supporting Determination: Submittal Plans and information were prepared and modified in response to the comments of the Planning Board review. The review resulted in four (4) areas of concern; ability to provide the Town services of central sewer, central water and stormwater control. In addition, archaeological/historical concern was indicated based on the site's proximity to the New Windsor Cantonment, presently defined in the National Register of Historic Places. The Applicant has proposed on-site stormwater retention to mitigate the effect of development of the property and related increased drainage intensity downstream of the site. The Applicant has currently prepared a Phase I archaeological survey for the property, and has submitted same to the Planning Board. The means to address the archaeological/historical concerns are noted therein. Central sewer and water availability will be further reviewed by submittal of the proposed municipal systems, and their subsequent review by the Orange County Department of Health and New York State Department of Environmental Conservation.

Conditions of Declaration: By Resolution of the Town of New Windsor Planning Board on 27 July 1988, a conditioned negative declaration was made with regard to the project, with the conditions being the adequate mitigation of the four (4) concerns noted hereinabove.

Scheduled Review of Project: The thirty (30) day public comment period hereby commences on the date of this notice. All comments regarding the project should be directed to the contact person noted above. The Planning Board has scheduled a public hearing for discussion of the archaeological/historical concerns for their 22 February 1989 regular meeting (7:30 p.m. at Town Hall). Copies of the archaeological survey have been directed to the agencies involved with that aspect of the project, as noted on the circulation listing hereto attached. The survey may also be reviewed at the offices of the Town Planning Board.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, CONTACT THE CONTACT PERSON INDICATED HEREINABOVE.

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
(Conditioned Negative Declaration)

Page 3 of 3

Project Name: Windsor Square Subdivision
NW P/B Project #: 86-58
25 January 1989

COPIES OF THIS NOTICE ARE BEING SENT TO THE FOLLOWING BY CERTIFIED MAIL:

- ✓ Commissioner, Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Department of Environmental Conservation, Cultural Research Section
Room 440, 50 Wolf Road, Albany, New York 12233
- ✓ New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, New York 12561
- ✓ Supervisor George Green, Town of New Windsor Town Hall
555 Union Avenue, New Windsor, New York 12550
- ✓ Windsor Square Associates, Inc.
15-150 Old Route 9W
New Windsor, New York 12550
- ✓ New York State Department of Transportation
4 Burnet Boulevard, Poughkeepsie, New York 12601
- ✓ Orange County Department of Planning
124 Main Street, Goshen, New York 10924
- ✓ New York State Office of Parks, Recreation and Historic Preservation
Governor Nelson A. Rockefeller Center, Agency Building #1
Albany, New York 12238
Attention: David S. Gillespie, Director of Field Services Bureau
(With copy of Phase I Archaeological Survey)
- ✓ Orange County Department of Health
124 Main Street, Goshen, New York 10924
- ✓ Pauline Townsend, Town Clerk
Town of New Windsor, Town Hall,
555 Union Avenue, New Windsor, NY 12550
- X/10 ✓ Joseph P. Rones, Esq., Planning Board Attorney
436 Route 9W, Newburgh, New York 12550
- ✓ New Windsor Historical Committee
c/o Glenn Marshall
Town of New Windsor, Town Hall
555 Union Avenue
New Windsor, New York 12550
(With copy of Phase I Archaeological Survey)

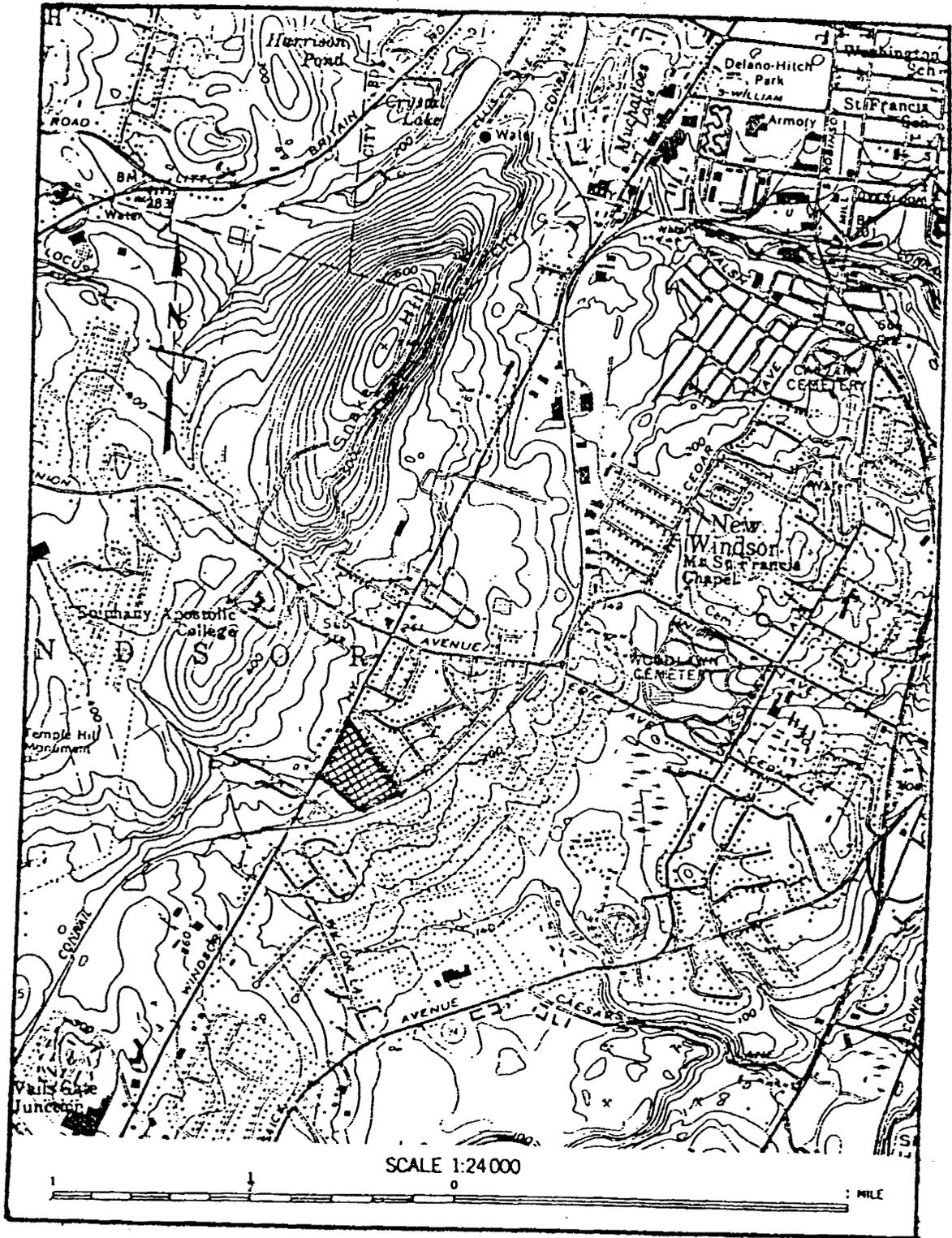


Figure 1.2. Detailed Location of Project Area (outlined).
 Source: USGS Cornwall Quadrangle, 1981.

WINDSOR SQUARE SUBDIVISION - RT. 32 (86-58)

Mr. Elias Grevas, L.S., came before the Board representing this proposal.

Mr. Grevas: The reasons for coming before you tonight is that we have got our ducks in a row to get everything out to all of the agencies. I believe Mark has written a letter to that effect. We'd like to set up the public hearing date for the 22nd of February. In conjunction with that, I do have a letter written to the client from the town historian which you may want to put with your archaeological study. It is in response to that study and I would ask that when Mark sends that out, that this go with it, just as a point of information as a response by that person. That is all, just asking for the hearing date.

Mr. Schiefer: Mike, does that sound like we can put that on the February 22nd agenda for a public hearing on this.

Mr. Edsall: I'd recommend that you specifically call it a public hearing and I believe Joe that would be appropriate to call it a public hearing under the SEQR review process for input concerning conditions of the negative declaration. If you are going to have a meeting, it might be beneficial and it is within the 30 day comment period specified for the process of the condition of the negative dec and we can at least make some progress and comply with the law. According to my calander, our meeting would be the 22nd. I have prepared a notice of the termination of nonsignificance for the conditional negative dec. It has been reviewed by the Planning Board Attorney, having found one typo on it, which we will correct, I'd request the Board direct the applicant to make the mailings to all the certified mailings in the back and then just supply the Board with the receipts and the green cards when they are, when the receipt is acknowledged.

Mr. Grevas: I have a copy of that, fine. What about an advertisement in the paper.

Mr. Edsall: Joe?

Mr. Rones: There is a legal notice that should be in the paper.

Mr. Grevas: Can I bounce it off both of you gentlemen, the format is unusual.

Mr. Rones: Right.

Mr. Grevas: Thank you.

Mr. Schiefer: We will put you on the agenda.

Mr. Soukup: Do we have to send specific notices to other agencies that we are giving lead agency.

1-25-89

Mr. Edsall: There is a list of involved agencies and a list of mandatory mailings.

Minutes of P.B. meeting 12-14-88

WINDSOR SQUARE

Mr. Ronas: While Mr. Grevas is still up here, I have had some calls over the last, and some conversations over the last two weeks with him and Joel Hanig (phonetic), the attorney for the Windsor Square project and I understand you have been given some additional copies of the historical report and just to keep the process moving along, I believe something that we didn't do the last time they were here would be to schedule a public hearing and maybe in the context of the public hearing, what, if anything, should be done about the potential artifacts that might be on the site could be talked about in the context of the public hearing too but it would just help the developer move along with his proposal and his move along with our agenda if we would authorize a public hearing on that.

Mr. Scheible: Mark, do you have from the notes that we made out our last meeting, we have some other public hearings set up in the near future.

Mr. Edsall: Maybe what you might want to do is wait until the next--

Mr. Scheible: We will be setting one up.

Mr. Grevas: Is there an advertisement procedure, who'd handle that, the applicant or the town in the advertisement in the newspaper.

Mr. Ronas: You would handle that and Mike Babcock has the formats and whatnot for you.

Mr. Grevas: Any other notifications besides the publication, it is not the same as a subdivision application is it where we have to notify the adjoiners.

Mr. Edsall: Is this for SEQOR.

Mr. Grevas: No, it is part of SEQOR but it is the archaeological study.

Mr. Edsall: A public hearing for which portion.

Mr. Roncs: Public hearing on the SEQOR and the site plan. The recommendation is that the public hearing be combined.

Mr. Edsall: What I can give Lou is the same format we have been using for the notification of the agencies, we circulate to whatever ones you want to. Whatever ones you want to add is fine as far as the legal ad. It would be a combined legal ad for the site plan and SEQOR.

Mr. Grevas: We already had the hearing on the preliminary subdivision.

Mr. Roncs: You already had the hearing on the subdivision.

Mr. Edsall: Just a SEQOR.

Mr. Grevas: As far as I know, it is to settle the question on the archaeological because we have the plans submitted to DEC and County Health but we have to settle that question on archaeological.

8009820



Permit Fee \$ 150.00
 Ins. Fee \$ 2.50
 Total Received \$ 152.50
 Check or M.O. No.134
 Liability Insurance
 Policy No. N/A
 Disability Benefit Coverage
 Policy No. N/A

Permit No. 08-88-9820
 Est. Compl. Date 12/31/89

HIGHWAY WORK PERMIT

SH No. 9033
 Deposit Rec. for \$ 1500.00
 Check or M.O. No. 135
 Dated 10/16/88

Permittee: WINDSOR SQUARE ASSOC., INC.
 15-150 OLD ROUTE 9W
 NEW WINDSOR, NY 12550

Charge to Bond No. (\$ 0.00)
 or Undertaking on File
 Workmen's Compensation
 Policy No. N/A

As a condition of this permit, permittee agrees that the proposed development of the real property to which access is provided pursuant to the terms hereof, and all future development of such property, shall be planned and designed so that the access provided herein shall be the only necessary access from the State Highway(s) and that permittee shall not by sale, lease or other business arrangement create any condition whereby other access to or from the State Highway(s) becomes necessary.

Under A HIGHWAY ENTRANCE ONTO ROUTE 32 IN THE TOWN OF NEW WINDSOR. ENTRANCE WIDTH=30 FEET INCLUDING AMENDMENTS INDICATED IN RED.
 ALL DISTURBED AREAS WITHIN STATE ROW ARE TO BE TOPSOILED, SEEDED AND MULCHED. NO TREES WITHIN THE STATE ROW OVER 6" DBH ARE TO BE REMOVED WITHOUT PRIOR PERMISSION FROM THIS OFFICE.

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. IN ADDITION, ANYBODY WORKING IN THE RIGHT OF WAY IS REQUIRED TO WEAR A HARD HAT AND A REFLECTIVE SAFETY VEST.

County — ORANGE Municipality — NEW WINDSOR Route # — 32

as set forth and represented in the attached application at the particular location or area, or over the routes as stated therein, if required; and pursuant to the conditions and regulations whether, general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit.

Dated at Poughkeepsie, N.Y.
 Date Signed 01/05/89

Commissioner of Transportation

By MICHAEL J. MIGNOGNA

M J Mignogna

IMPORTANT

This permit, with application and drawing (or copies thereof) attached shall be placed in the hands of the contractor before any work begins.

[Handwritten signature]

NOTICE: Before work is started and upon its completion, the permittee absolutely must notify the Resident Engineer,
DONALD F. FULLAN 1127 DICKSON STREET
(914)562-4020 NEWBURGH, NEW YORK 12550

UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED AND SIGNED BY THE PERMITTEE AND DELIVERED TO THE RESIDENT ENGINEER.

Work authorized by this Permit was completed on (Date) _____

Refund of deposit or return of bond or reduction of amount charged against bond or deposit on file for this permit whichever is appropriate, is requested:

Date _____

PERMITTEE

AUTHORIZED AGENT (IF ANY)

Upon acceptance of work performed as satisfactorily completed, the Resident Engineer will sign the following and forward to the Regional Office.

Work authorized by this Permit has been satisfactorily completed and is accepted. **(Reverse side of this form must be completed).**

Date _____

RESIDENT ENGINEER

The Regional Office will forward this form to the Main Office with the appropriate box checked.

To : HIGHWAY PERMIT SECTION:

- Refund of Deposit on this Permit is authorized.
- Return of Bond furnished for this Permit is authorized.
- Amount charged against Blanket Bond for this permit may be cancelled.
- Retain Bond for future permits.

Date _____

REGIONAL TRAFFIC ENGINEER

The issuing authority reserves the right to suspend or revoke this permit, at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

Upon completion of the work within the state highway right-of-way, authorized by the work permit, the person, firm, corporation, municipality, or state department agency and his or its successors in interest, shall be for maintenance and repair of such work as set forth in the terms and conditions of the work permit.

INSPECTION REPORT

For each Highway Work Permit issued, inspections will be performed. The following report must be completed for each site visit, indicating the date, inspector and hours spent on inspection. If the total inspection time exceeds 4 hours, then a FIN 12 (PERMIT INSPECTION COST RECORD FOR DEPARTMENT SERVICES) IS REQUIRED.

INSPECTION REPORT

| HOURS WORKED BY DATE | | | | | | | | | | | HOURS | |
|--------------------------------|------|--|--|--|--|--|--|--|--|--|---------|----------|
| Name | Date | | | | | | | | | | Regular | Overtime |
| | R | | | | | | | | | | | |
| | O | | | | | | | | | | | |
| Name | Date | | | | | | | | | | Regular | Overtime |
| | R | | | | | | | | | | | |
| | O | | | | | | | | | | | |
| Name | Date | | | | | | | | | | Regular | Overtime |
| | R | | | | | | | | | | | |
| | O | | | | | | | | | | | |
| R = Regular Time, O = Overtime | | | | | | | | | | | | |

INSTRUCTIONS:

1. NAME: Name of inspector.
2. DATE: Day inspected.
3. R: The number of Regular hours spent on inspection for that day.
4. O: The number of Overtime hours spent on inspection for that day.

**STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK**

Application is hereby made for a highway work permit

Highway Work Permit No. 888-

Name Windsor Square Assoc., Inc.

Effective Date 9820

Address 15 - 150 Old Route 9W

City New Windsor State N.Y. Zip 12550

RETURN PERMIT TO: (If different from above)

Name Shaw Engineering

RETURN OF DEPOSIT/BOND TO:
(COMPLETE ONLY IF DIFFERENT FROM PERMITTEE)

Name _____

Address 744 Broadway P.O. Box 2569

Address _____

City Newburgh State N.Y. Zip 12550

City _____ State _____ Zip _____

1. Requested duration from November 1 19 88 thru December 31 19 89, to apply to the operations(s) checked below:

2. Protective Liability Insurance covered by Policy No. N/A; expires on _____ 19 _____

3. Workers' Compensation Insurance Policy No. N/A expiring _____

4. Disability Benefits Coverage Policy No. N/A

NOV 29 1988

| CHECK TYPE OF OPERATION | Permit Fee | Show Ins. Fee in Amt. or PERM 17 or Undertaking on file | Total Amount of Fee and / or Insurance | Guarantee Deposit Amount and / or Bond | Check or Bond Number |
|---|------------|---|--|--|----------------------|
| <input type="checkbox"/> 4 Single job - Permit issued for each job | | | | | |
| <input checked="" type="checkbox"/> a. Driveway or roadway | | \$ 2.50 | 152.50 | \$1,500 | Check |
| <input type="checkbox"/> Residential | \$ 15 | | | | |
| <input checked="" type="checkbox"/> Commercial - Minor | 150 | | | | 135 |
| <input type="checkbox"/> Commercial - Major | 500 | | | | |
| <input checked="" type="checkbox"/> Subdivision Street | 300 | | 134 | | 10/16/88 |
| <input type="checkbox"/> Temporary access road or street | 25 | | | | |
| <input type="checkbox"/> b. Improvement | | | | | |
| <input type="checkbox"/> Residential | 15 | | | | |
| <input type="checkbox"/> Commercial | 25 | | | | |
| Check additional description below: | | | | | |
| <input type="checkbox"/> Install sidewalk, curb paving, stabilized shoulder, drainage, etc. | | | | | |
| <input type="checkbox"/> Grade, seed, improve land contour, clear land of brush, etc. | | | | | |
| <input type="checkbox"/> Resurface existing roadway or driveway | | | | | |
| <input type="checkbox"/> c. Tree Work | | | | | |
| <input type="checkbox"/> Residential | 15 | | | | |
| <input type="checkbox"/> Commercial (not required for pruning if utility has annual maintenance permit) | 25 | | | | |
| Check additional description below: | | | | | |
| <input type="checkbox"/> Removal or planting | | | | | |
| <input type="checkbox"/> Pruning, applying chemicals to stumps, etc. | | | | | |
| <input type="checkbox"/> d. Miscellaneous Construction | | | | | |
| <input type="checkbox"/> Beautifying ROW - (for Civic Groups only) | NC | | | | |
| <input type="checkbox"/> Temporary signs, banners, Christmas decorations | 25 | | | | |
| <input type="checkbox"/> Traffic control signals | 500 | | | | |
| <input type="checkbox"/> Warning and entrance signs | 25 | | | | |
| <input type="checkbox"/> 5. Encroachments caused by D.O.T. acquisition of property | 25 | | | | |
| <input type="checkbox"/> 6. Compulsory permit required when work performed at the request of D.O.T. | | | | | |
| <input type="checkbox"/> a. Building demolition or moving requested by D.O.T. | | | | | |
| <input type="checkbox"/> Demolition | NC | | | | |
| <input type="checkbox"/> Moving | NC | | | | |
| <input type="checkbox"/> b. Improvement to meet Department standards | NC | | | | |

RESPONSIBILITIES OF PERMITTEE

1. PROTECTIVE LIABILITY INSURANCE COVERAGE

Permittee must have protective liability insurance coverage in accordance with Department requirements. (See Certificate of Protective Liability Insurance for Permits on State Highways Form PERM 17)

Expiration of, or lack of, liability insurance automatically terminates the permit. Insurance coverage may be provided by furnishing the Department with one of the following:

- a. A Certificate of Protective Liability Insurance for Permits on State Highways (Form PERM 17, NYSDOT).
- b. A \$2.50 remittance (check drawn on a New York State Bank or Certified) for coverage under the Departmental Blanket Policy.
- c. Undertakings are limited to Public Service Corporations and government units. They must be executed through an insurance/bonding company and are subject to approval by NYSDOT Office of Legal Affairs.

2. COMPENSATION INSURANCE AND DISABILITY COVERAGE

The applicant is required to have compensation insurance and disability coverage as noted in the provisions of the Worker's Compensation Law and Acts amendatory thereof for the entire period of the permit, or the permit is invalid.

3. NOTIFICATIONS

Notify Commissioner, through Regional Office, one week prior to commencing work, except emergency work by public service utilities which should be reported the next work day.

Work must start within 30 days from date of permit.

Notify area gas distributors 72 hours prior to any blasting.

Notify utility companies with facilities in work areas (permission must be obtained before doing work affecting utilities' facilities) before starting work in accordance with Industrial Code 53.

Notify Department of Transportation at conclusion of work and return original copy of permit to Resident Engineer.

Annual Maintenance Permit Notifications:

Notify by telephone the Regional or Resident Engineer's office, one week in advance, each time regular maintenance work is to be performed. In emergencies, notification by telephone should be made the next work day.

4. SITE CARE AND RESTORATION

An Undertaking a bond or certified check in an amount designated by the Department of Transportation may be required by the Regional Office, before a permit is issued, to guarantee restoration of the site to its original condition. If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the permittee's guarantee deposit at the conclusion of the work.

The permittee is responsible for traffic protection and maintenance including adequate use of signs and barriers during work and evening hours. Anyone working within the R.O.W. will wear an orange vest and hard hat.

No unnecessary obstruction is to be left on the pavement or the right-of-way or in such a position as to block warning signs or between work hours.

No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the right-of-way.

All falsework must be removed and all excavations must be filled in and restored to the satisfaction of the Regional Maintenance Engineer.

5. COSTS INCURRED BY ISSUANCE OF THIS PERMIT

All costs beyond the limits of the protective liability insurance, surety deposits, etc., are the responsibility of the permittee.

The State shall be held free of any costs incurred by the issuance of this permits, direct or indirect.

6. SUBMITTING WORK PLANS

The applicant will submit work plans and/or a map as required by the Department. This shall include such details as measurements of driveways with relation to nearest property corner, positions of guys supporting poles and a schedule of the number of poles and feet of excavation necessary for completion of the work on the State right-of-way. A description of the proposed method of construction will be included.

Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the permittee.

Driveway plans should be prepared in accordance with the POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.

The permittee must coordinate his work with any state construction being conducted.

A plan detailing how the permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed.

All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES."

8. COST OF INSPECTION AND SUPERVISION

Prior to issuance of the Highway Work Permit, the permittee will be required to sign a SUPERVISION AND INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50) agreeing to the payment of inspection and supervision charges for Department employees. Supervision and inspection charges will be based on number of work days.

NOTE: Work day is determined on basis of minimum of four (4) hours of inspection.

9. SCOPE

a. Areas Covered

Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for their own jurisdiction.)

b. Legal

The privilege granted by the permit does not authorize any infringement of federal, state or local laws or regulations, is limited to the extent of the authority of this Department in the premises and is transferable and assignable only with the written consent of the Commissioner of Transportation.

c. Commissioner's Reservation

The Commissioner of Transportation reserves the right to modify fees and to revoke or annul the permit at any time, at his discretion without a hearing or the necessity of showing cause.

d. Locations

Work locations must be approved by the Department.

e. Maintenance

Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.

10. COMPLETION OF PROJECT

Upon completion of the work within the state highway right-of-way authorized by the work permit, the person and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.

Name Windsor Square Assoc., Inc.

Application is hereby made for a highway work permit

Highway Work Permit No. 888

Effective Date 1/1/85

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT APPLICATION FOR NON-QUALITY WORK

PERM 33e (1/1/85)

PREPARE 3 COPIES

Palisades Interstate
Park Commission
Administration Building
Bear Mountain, N.Y. 10911-0427
914-786-2701

Nash Castro
Executive Director



New Windsor Cantonment State Historic Site
Box 207, Vail's Gate, N.Y. 12584

December 19, 1988

Mr. Henry Scheible
Head, Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, N.Y. 12550

Dear Mr. Scheible:

I have just received a copy of the "Phase I Archeological Survey for the New Windsor Square Property" (September 1988) prepared by Hunter Research Associates.

Their investigation shows archeological remnants of the 2nd Mass. Regiment that was encamped here in 1782-83 on one portion of the 15-acre Schulkin property proposed for development. This is within the area of the National Register.

Chapter 6 of the report (portions enclosed) evaluates their findings and recommends either 1) preserving the resources in situ or 2) recovering the resources prior to development/construction.

Could you advise me as to what course of action the Planning Board or the Town Council will take regarding this property?

Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "E. Jane Townsend".

E. Jane Townsend

Site Manager, New Windsor Cantonment
State Historic Site
(phone 561-1765)



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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

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

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

Licensed in New York,
New Jersey and Pennsylvania

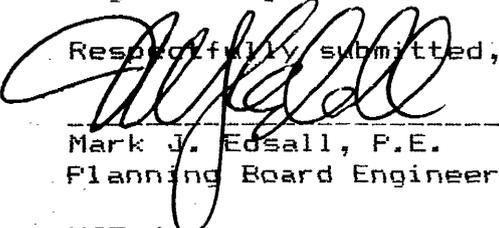
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Windsor Square Subdivision
PROJECT LOCATION: Route 32
PROJECT NUMBER: 86-58
DATE: 9 November 1988

1. The Applicant has requested an appearance before the Board to review the status of the project and, more specifically, review the archeological aspects of the SEQRA evaluation.

2. At this time, I have not made an updated review of the project, nor am I aware of any revised plans being submitted. After the Applicant's Representative has advised the Board of the latest status and further appearances are scheduled with the Planning Board, the engineering review will continue.

Respectfully submitted,



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

MJEnje

square

WINDSOR SQUARE - (ARCHEOLOGICAL DISCUSSION)

Mr. Elias Grevas and Joel Hanig, Esq. came before the Board representing this proposal.

Mr. Grevas: The purpose for coming here tonight is to basically two reasons. Number one, bring the Planning Board up to speed on where we are. As you know, the last meeting you approved an extension because the project is into the local and State Health Agencies. Secondly, we have received a copy of the archeological report which I gave to you I believe a couple of meetings ago and we are here before the Board to find out when the next step has to be taken. We have with us our client, the project attorney, Mr. Hanig. They are outside. May I have a second to yell at them.

Mr. Scheible: Sure.

Mr. Gevas: Mr. Hanig is the project attorney. Mr. Schulkin (phonetic) you know and we brought Don Gordon with us concerning the archeological report for this project. So, I'd like to ask the project attorney to address the Board concerning where we are.

Mr. Hanig: It is my understanding this Board has already granted Preliminary Approval to the subdivision and what remains is the resolution of a question of the histroical significance of certain portions of the particular site. I have certainly been brought into this subdivision application a little bit late but what I have asked for the engineer to do is basically put this back on the agenda of this Board so we can receive some guidance from the Board. The applicant had cause to be done an examination of the site for historical significance and I believe that there was filed a report or Hunter Research Associates that did the excavation in the portion of the site that was outlined on the map. It is to the left hand side of the map in the vicinity of Route 32 where the proposed entrance road is going, from that location to the subdivision. The engineer also did send to DEC, a copy of the report from Hunter Associates and to the best of my knowledge, DEC has not responded, at least to us. Is that right.

Mr. Grevas: That is correct.

Mr. Hanig: There has been no response to DEC with respect to that report. We have talked to the Town Historian who is present here tonight and just in my preliminary conversations with the Town Historian and he can perhaps correct me, he says that the site is perhaps on the other side of Route 32 maybe of much greater historical significance than that particular location. I had read Hunter Associates report and while I am certainly not an archeologist, it does not appear that Hunter Associates made any startling findings

on this particular site if anything that they deemed to be of extremely historical significance. What appears is that they did find some things what we thought were fireplace remains. I, of course, would leave it up to the Planning Board to determine exactly what it was that was found. The problem that we are having to get some guidance from the Planning Board which is basically the lead agency so this application, as to what steps they would like to see the applicant take with respect to this particular site. The applicant, based upon Hunter Associates, does feel that first of all, the site is historically significant enough to warrant this Board to order full excavation of the site for archeological research. But, they are certainly willing to listen to the Board in terms of the Board having discussions as to any further work to be done within reason on the site. This is not a very large subdivision and while obviously there may be some other peices of property that may be much more historically significant and where the Board could reasonably require a very large dollar outlay for site investigation, my client does not feel that it would be economically proper for the Board to order a full fledged excavation of this particular area based upon what Hunter found. We are going to have to take the lead from the Planning Board. I think that perhaps obviously that the Planning Board will look for guidance to its own Town Historian for what the Town Historian feels may be of any significance on the site. But, we feel that if there is something that can be done that perhaps it should not hold up final approval of the subdivision. Then, it can be a mitigation measure that is taken into consideration with the final approval. For example, for the applicant to be allowed to go forward on the subdivision except for this particular area until such time as that area has been further examined and the result brought back before the Planning Board at a later date to retain jurisdiction with respect to that particular geographic location in the subdivision. We are basically looking for the lead agency guidance on this particular matter and we feel you are the only agency that can, in fact, give that guidance on the application before it. It is basically a type one action only because of this issue and we think we have done what the Board required in terms of the investigation or initial investigation and now the Board has to take hold of the issue and resolve it a little bit for us.

Mr. Jones: Who did these tests that is on here now.

Mr. Hanig: Hunter Associates.

Mr. Pagano: I'm not familiar with who they are.

Mr. Hanig: The report would have been filed with the Board. It is a very thick report by Hunter Research Associates. It was an archeological survey for this particular location.

Mr. Grevas: A couple of meetings ago, I handed it to the Chairman.

Mr. Hanig: This is my copy but I know the Board does have a copy. The applicant did spend a good--

Mr. VanLeeuwen: I think what really should be done here, I think

The Board members should have an opportunity to read it and be a little more familiar with it because I'm a little stunned. I didn't even know that this was going on.

Mr. Roncs: I received a copy of this report at least a month ago, probably two months ago and I don't have it with me tonight but my recollection is that the consultant felt that there was quite a bit in the way of artifacts in this area that they had turned a few up, a few interesting items up just by shoveling around there and he was suggesting that there would be some steps taken to further survey and excavate and try to dig up and preserve whatever remains of the encampment there might be. Since that is the only--I mean we'd be happy to hear from the historian I am sure but that is the only expert opinion that we have on it right now. I think perhaps we might, you know, maybe on behalf of the applicant, have some measures in mind that you might propose. I know you are thinking of the cost and what not. Has there been any contact with the Cantonment as far as them doing any study or excavation.

Mr. Grevas: Let me step back here a little bit because Joel wasn't in on the project from the beginning. At the onset, there has been a plaque in front of the property saying this was the site of the hospital of the Cantonment. At the time of the public hearing, somebody asked the question so we undertook to find out whether or not there was any historical significance on the site. And the client engaged the services of this archeologist to find out. As it turns out, the hospital site was never in question. It is well away from this. During his dig, he did find some artifacts now its been a little while since I have read the report, there was talk of mitigation efforts to mitigate the impact on those, on the area in which he found the artifacts. One of the things we did was when we received that, on the 3rd of October, we sent it to the Palisades Interstate Park Commission, two copies, one for them and one for the State Historic Preservation Office because I had spoken to someone up there. She said we will handle the sending so I sent them two copies and that is the last I heard. One of the things on--in our cover letter when we sent the report as a mitigation measure that we offered was as Mr. Hanig, the client informed me and the attorney just pointed out was a method of sectionalization. We have two point of ingress and egress. We can start on the lower end while any additional excavation was being done here. As you can see from this map which is part of the report, this is basically the area in question. Now, the significance of what he found there is what we were talking to Don about, Mr. Gordon, because we really don't know. Again, none of us, I think here--

Mr. Roncs: Belt buckles and things like that.

Mr. Hanig: It is a small section of the whole report and I can read it for the Board. Page 5-3 and 5-4 it says here the majority of the shovel test did not produce cultural materials although a thin scatter of materials appears to have existed over the site. Distribution is consistent with a type of scatter pattern one would expect from plowing in the southwestern portion of the property within 200

feet of Route 32 frontage. A number of tests produced cultural materials that are believed to have represented the remains of the encampment in the full winter and spring of 1782 to '83. This portion of the Windsor Square property lies east/west ridge that extends westward across New York 32. Topographically, this location is one that seems well suited for the military encampment known to have existed here. Number 6 shovel test produced materials that are related to the encampment. These items were recovered from the lower portion of the plow zone layer although the cultural materials have been dispersed by plowing, they still appear to retain some distributional integrity. Shovel test 7, 13 and 14 produced slag, probably was from minor craft working activity at the camp. Shovel test 9 produced iron strip possibly a knife fragment and brick fragments. The two critical tests were 11 and 12 which were both expanded from one and a half feet to two and a half feet to allow for the view of subsurface conditions. Results of the expansion was larger quantities of cultural materials which were recovered and possible features were identified. I believe that what he is referring to is these two, 11 and 12 which is right here within a driveway area.

Mr. Scheible: Right going through the road.

Mr. Hanig: As a result of these expansions, larger quantities of cultural material were recovered and possible features were identified. The upper part of the shovel test revealed a fairly typical stratigraphic profile consisting of a thin root mat over a .8 foot thick--the base of the zone concentrations of stone much of it fire altered charcoal and charred and uncharred bone were identified. Some of these materials lay directly on top of the subsoil while others were imbedded in the top of the pit like feature with--most fill of the pit was removed and the feature remains unexcavated. Iron shoe buckle and a single shirt of red were recovered from the subsoil. The buckle is of standard 18th century type and may date from the Revolutionary War. It is believed that the evidence uncovered in 11 represents displayed remains of hearth and chimney. Shovel test 12 excavated some 25 feet to the east of shovel test 11, the plow zone produced a considerable amount of charcoal and burnt clay at the below zone subsoil. A post-hole was observed which may be related to Revolutionary War structure. Many of these features were removed awaiting further phases of excavation. Then, it refers to a final piece of evidence that appears to support identification of this section of the Windsor Square property as being the site of the Second Encampment. Section of stonewall immediately west of shovel test 11 and 12 extending between 5 and 15 along near New York State Route 32. The stonewall includes many large flat slab like pieces of sandstone that have been roughly dressed. A number of these pieces are fire altered, extremely unlike that of stones which would have been deliberately prepared in this way for use in a field wall. It would appear that cultural activity subsequent to the abdication of Massachusetts Brigade involved the clearing of stones in this area, presumably the masonry ruins of the Revolutionary War Era huts not absolutely wall foundations and hearths and chimney remains were cleared and become incorporated within the field walls. That is what he found which is why we basically felt that the items that were found, I mean on a--well, we will leave it up to the Board to really determine whether or not on a scale of 1 to 12 whether

this site is a 1 or a 10 in terms of the significance to be attached to it because I know that I am sure the Board has other projects that have come before it.

Mr. Scheible: I think at this time, I'd like to ask Mr. Gordon if he has any input.

Mr. Gordon: It is very difficult to interpret somebody else's work, one archeologist won't always second the work of others. I am primarily asked to come into it to interpret and help them know the scale of the reference to the rest of the sites. This was an important camp area. It was earlier used for several winters where the site along 300 were just one winter camps. We have excavated over the years on some of the town lands and found hundreds and hundreds of artifacts in just the size of one building. So, concentrations where they lived is very heavy. That has been our experience. We did that twenty some years ago. This is one the present Town Park lines. To interpret what the archeologist has said, I am not qualified as being--this if for the Planning Board to judge. The archeologist uses the usual terms. They have a good team and they know their business but they qualify every segment they make where as it is believed that a and so on. It is very difficult because this was a camp that was built on the surface and not going for deep foundations. They laid their--just like some as you go down one stone to get below the frost line but built for one or two year use so it is hard to even identify the exact site of the building until you find one or two. Then, you can find them all as we did.

Mr. Scheible: Where do the facts come from. They say this was the possible hospital site.

Mr. Gordon: That is located on the copy of the map that was with a report which shows that that area, the Schoonmaker people developed many many years ago back in the middle '50's.

Mr. Jones: Did they find anything down there?

Mr. Gordon: Nobody looked. That was before we were in control of the situation.

Mr. Grevas: That is in the Schoonmaker development off Willow Lane.

Mr. Gordon: We have so many, we have saved that, we can save this. It is very hard to come up with all those sharp answers that you want.

Mr. Roness: Might it be useful to excavate this a bit further.

Mr. Gordon: Well, it could be done. I mean it isn't useful to-- collect artifacts would be one purpose, the other would be to try to identify the locations of the buildings and I think a question like that, a person by the name of Chuck Fisher with the State who has excavated for some seasons knows a lot more about that more than I. I am not an archeologist. I try and relate the facts for other uses in New Windsor.

Mr. Roness: Is Mr. Fisher with the State office of Historic Preservation?

Mr. Gordon: Yes. He worked under Paul Heuy (phonetic) in this area but he is the one that knows about the relationship and might know of the concentration of the artifacts. This collection of artifacts is not a heavy concentration. It could have been a perimeter site. I don't know. We have maps showing the old roads. We have maps showing where these camps were. And, it shows where the hospital was but the camp is very close if not into the middle of or just over to the edge of, to the east side of 32 but it is a negotiable fact.

Mr. Jones: Where are these maps now?

Mr. Gordon: Well, we have a copy of it here. If you'd like to see it, this map was done by the United States Army in 1783 and that shows the second--that shows the hospital, here's the Vails Gate, see a Road would have gone up here to New Windsor. Extend that road to Doctor Higbey's (phonetic) to this part of Newburgh and you go right close to that.

Mr. VanLeeuwen: I think that we should mull this over in our minds and sit down and have a discussion amongst ourselves.

Mr. Roness: Maybe it got lost between the cracks at the State Historic Preservation office, apparently, somebody from that office or Palisades Park Cantonment should have an opportunity to put in their two cents and let us know how they feel about it.

Mr. Grevas: I just wanted to give a name to whom I sent the information. If you want to take it down it is Mr. Michael Cinquino, Archeological Consultant with the Department of Environmental Conservation, Cultural Research Section, Room 440, 50 Wolf Road, Albany, New York, 12223.

Mr. Roness: Would you give me a call at the office Lou and maybe we can get a hold of him.

Mr. Grevas: Yes, when I spoke to him as I said before, he wanted two copies and he'd hand carry one to the State Historical Preservation Office. I did that on the 3rd of October.

Mr. Hanig: There was a request for an immediate response and he never responded.

Mr. Grevas: As I said, that wasn't the first contact. That is when I sent in the report. We had been discussing with him for some time.

Mr. Roness: Lou, the impression I get and I haven't looked at that archeologist report for quite some time but when I did read it it effected alot more of the property in this area than you have cordoned off here.

Mr. Grevas: No, that is why it is outlined on this map. As I said,

Mr. Gordon pointed out that is right on the edge of that encampment area, the road was built right through the middle of it, I mean 32 was, so we asked Mr. Cinquino that it would be necessary to inform the Town of New Windsor or the Planning Board of the progress being made and we'd appreciate a reply at your earliest convenience. If you do call them at least he will know why because I already brought it up.

Mr. Hanig: I think I would--

Mr. Scheible: Would you like to drop him a little note.

Mr. Roness: I think I will call him. A note is going to take another month and a half.

Mr. Hanig: I'd like to make a request to the Planning Board that perhaps this being what appears to me to be the remaining issue on the subdivision, maybe I am wrong, but that is what I've been told by the engineer that perhaps a public hearing would not be out of order to be on notice to all of the State Agencies and the Local Historical groups to try and put the issue to rest and to give whatever input you need and then if nobody shows up for that hearing, then maybe they are just not interested, just is not very much interest in that particular location and the Board has to okay accordingly. We feel that we have done what would generally be required of an applicant on a site such as this and at this point, there is really nothing further we can do without having the decision made by the Board.

Mr. Roness: I am surprised that nobody from the Cantonment is here. They are usually, they usually give us quite a bit of input.

Mr. Scheible: What are your feelings of setting this up for public hearing.

Mr. VanLeeuwen: I'd like to discuss it amongst ourselves.

Mr. Hanig: The historian had contacted the Cantonment people and got whatever information he could from them relating to this particular location. They didn't have much to give.

Mr. Scheible: Maybe we are able to discuss it a little bit further before the night is over and we will discuss it amongst the Board members and we will let you know exactly how our discussion went this evening.

Mr. Roness: Has there been any discussion with the people at the Cantonment about making this area for some period of time available to them to excavate.

Mr. Grevas: Not directly to Palisades down in Bear Mountain as was pointed out, Mr. Hunter contacted them for the research records to start for his opening study. At that point, when we went to the head office in Albany and in that letter, we said that we'd had realized that Hunter talked about mitigation affects and we were willing to work with that to the point of sectionalizing the project construction

so the area could be left alone until somebody studied it. Other question is if it has to be studied, who pays for it. We are talking about an area fairly small but the intensity of the study even in a small area like that is very expensive so it is a question now is the specific question we ask, who is going to pay for such a study and that is one of the questions that hasn't been answered amongst others.

Mr. Hanig: I know that myself, I would not like at this point to lose track of this particular project and I'd ask that the Planning Board could keep the matter on its agenda so that perhaps some action can be taken at the next Planning Board meeting with respect to the application.

Mr. Scheible: I can't see any--

Mr. Gordon: Some years ago, I had a call from the Supervisor of the Five States, John Lovell (phonetic). He was concerned about the Commons that was then being developed on the west side and he came to me and said, why don't you get in there and check out and see if they are on part of the camp grounds. I said, John that is your job. You are working for the State of New York. He said, we don't want any part of that. He said as a local historian, you should do it as far as the State goes, I haven't got the time to give to it. And, they told me over the years that they are that their main concern is right on the land they own and their participation--

Mr. Scheible: Do you feel they'd have the same feelings with this piece right here since they had that feeling with the Commons. I can see the Commons being that much closer to the site.

Mr. Gordon: The basic part of that camp is on Art Maharay's property. It is near the stream. They had to have the brook for water but you go in there and see some evidence of buildings were along the stream on Art's land.

Mr. Ronas: Isn't it possible to have--has it been done or is there a kind of thing sometimes these projects have some professional supervision of some of the excavation. For example, in the road area so that as the ground is being turned over, somebody can be looking at it to see if there is anything significant that could be retrieved.

Mr. Gordon: I don't know if that works. You have a person that knows what they are doing and pay him day by day, whether they don't find anything.

Mr. Grevas: The worst part of that job, I have been involved in some sewer projects when the EPA required that kind of work and it was always a flop because you have got a backhoe that is digging a trench 3 feet wide and every bucket he takes out is gone like that and if a fellow is looking with a microscope at every spec of dirt that came out, it didn't work. Whatever has to be done has to be done and get out of the way so we can get in there and build. As it effects the street, we are talking about 200 feet. That is it but the point is if there is something there that has to be saved, let's find out about it, let's mitigate it and get on with it. That

is what we are saying, whatever has to be done has to be done, providing they don't want that piece of dirt lifted out and carried to Washington.

Mr. Scheible: How far down, Mr. Gordon, are they worried about. They search a certain point and they just want to skim off the top.

Mr. Gordon: They are talking about the plow line. I have excavated partly on the State site of the Cantonment, 110 foot log cabin we built and you could find textures of paths that these people walked on were still there. As you worked in there, you can sense that this is the real thing but it is a very difficult thing to put one against the other and compare. It is a study and it has to be done very carefully but we have again there is a fairly good sized camp and then there is alot more area along 300. So, if this were the only camp in the town, it would become much more important than this is because it is one of several areas where they camped but we don't like to--

Mr. Scheible: It seems these guys had a hard time holding onto their belt buckles.

Mr. Hanig: We don't feel that further investigation of the site is something that has to hold up the subdivision approval because in any event, whoever is going to do the investigation can certainly, would certainly be able to do it next spring and the developer is certainly not going to get to that point in construction. We think that approval can take place. It allows mitigation measures, whatever the Board feels is going to be required. Once it is identified as to who is actually going to do this investigation.

Mr. Scheible: We are going to have a little discussion amongst the Board members and we will notify Lou as to the decision about this discussion and how we are going to proceed from here.

Mr. Hanig: Okay, thank you.

GENERAL

| | | | |
|---|-------------------------------------|--|--|
| 6. Type of Ownership: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Commercial <input type="checkbox"/> 68 Private - Other <input type="checkbox"/> 1 Authority <input type="checkbox"/> 30 Interstate <input type="checkbox"/> Industrial <input type="checkbox"/> 9 Water Works Corp. <input type="checkbox"/> Private - Institutional <input type="checkbox"/> 19 Federal <input type="checkbox"/> 40 International <input type="checkbox"/> 26 Board of Education <input type="checkbox"/> 20 State <input type="checkbox"/> 18 Indian Reservation | | | |
| 7. Estimated Total Cost \$93,000 | 8. Population Served 135+ | 9. Drainage Basin Hudson River | |
| 10. Federal Aid Involved? <input type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No | | 11. WSA Project? <input type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No | |

SOURCE N/A

| | | |
|---|-------------------------|---|
| 12. <input type="checkbox"/> Surface Name _____ Class _____ <input type="checkbox"/> Ground Name _____ Class _____ | | 13. Est. Source Development Cost |
| 14. Safe yield: GPD | 15. Description: | |

TREATMENT N/A

| | | | |
|---|---|---|----------------------|
| 16. Type of Treatment <input type="checkbox"/> 1 Aeration <input type="checkbox"/> 5 Clarifiers <input type="checkbox"/> 9 Fluoridation <input type="checkbox"/> 2 Microstrainers <input type="checkbox"/> 6 Filtration <input type="checkbox"/> 10 Softening <input type="checkbox"/> 3 Mixing <input type="checkbox"/> 7 Iron Removal <input type="checkbox"/> 11 Corrosion Control <input type="checkbox"/> 4 Sedimentation <input type="checkbox"/> 8 Chlorination <input type="checkbox"/> 12 Other | | | |
| 17. Name of Treatment Works | 18. Max. Treatment Capacity GPD | 19. Grade of Plant Operator Req. | 20. Est. Cost |
| Description: | | | |

DISTRIBUTION

| | | |
|---|--|---|
| 22. Type of Project <input type="checkbox"/> 1 Cross Connection <input checked="" type="checkbox"/> 3 Transmission <input type="checkbox"/> 2 Interconnection <input type="checkbox"/> 4 Fire Pump Cl. | 23. Type of Storage Elevated <u>N/A</u> Gals. Underground _____ Gals. | 24. Est. Distribution Cost \$93,000 |
| 25. Anticipated Distribution System Demand: Avg. <u>13,500</u> GPD Max. <u>27,000</u> GPD | | 26. Designed for fire flow? <input checked="" type="checkbox"/> 1 Yes <input type="checkbox"/> 2 No |
| 27. Description: Installation of +2,400 L.F. of 8" D.I. watermain including two interconnections with the existing water system to service 30, new single family dwelling units. | | |

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, NOVEMBER 10, 1982 7:30 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN HENRY VAN LEEUWEN, LAWRENCE JONES,
ERNEST SPIGNARDO, PHILIP INFANTE, CARL
SCHIEFER, HENRY REYNS AND HENRY SCHEIBLE

OTHERS PRESENT: PLANNING BOARD ATTORNEY - PHILIP CROTTY JR.
PLANNING BOARD SECRETARY -SHIRLEY HASSDENTEUFEL

tape 258

Chairman Van Leeuwen called the meeting to order promptly
at 7:30 P.M. and presided over same.

#1 on the Agenda:

Palmerico Brothers subdivision
Jackson Avenue
represented by Vincent and O Palmerico

Mr. Palmerico: We made changes. The road comes in on Jackson
Avenue.

Chairman Van Leeuwen pointed to several lots on the map and asked
about them. The Board checked the property a few weeks ago.

Mr. Infante: What about Town Specs?

Chairman Van Leeuwen stated there should be a 50 ft. right-away.
If the Homeowners want the Town to take over.
Ted Buhl has a 50 ft. right-away

Mr. Reynolds asked about the 6.4 lot. How do they get in?

Mr. Palmerico explained this.

Mr. Scheible: None of the lots are land locked.

Mr. Spignardo: What is he lacking on the map?

Chairman Van Leeuwen: Lots not to be subdivided and road information.
This will have a Public Hearing. Mr. Palmerico, you will need to
have a Public Hearing. We can make it the 8th of December.
Let our secretary know if you will be ready.

#2 on the Agenda: Sun Oil (Vapor Handling System)
River Road
Mr. Clark, Field Engineer

Mr. Clark: I am representing Sun Oil. We request permission to
use a Gasoline Vapor Handling System. We must put these in New
York State this year.

November 10, 1982

page 2.

Mr. Jones asked who comes to monitor this?

Mr. Clark: Our own people. The state has us put a recording on it, they can stop at any time and read it.

Chairman Van Leeuwen asked if that was just above the terminal.

Mr. Clark replied, yes. Mr. Clark explained the modification of stack and how any liquid gas would go in the pipe.
The slab is 9x26

Mr. Reynolds asked how high?

Mr. Clark replied 10 ft. high.

Mr. Reynolds asked how high the stack was.

Mr. Clark replied 10 ft.

Mr. Scheible asked if any other Gas Company had these. Who comes to inspect these?

Mr. Clark: The New York State Dept. of Conservation. We have a mandated date of January 31, 1983. We are shooting to January 10th. You asked if anyone else had this. Yes, Exxon.

Mr. Reynolds: Will this be permanent?

Mr. Clark: Yes, eventually throughout the Country. Inspectors could stop at any time.

Mr. Reynolds: Is this like refining?

Mr. Clark: No.

Mr. Reynolds: Do these have to be certified by the Fire Inspector?

Chairman Van Leeuwen: The Fire Inspector, Fire Bureau and the Planning Board Engineer, also.

Mr. Scheible asked if anyone beside Sun Oil and Exxon were doing it.

Mr. Clark: Eventually everyone.

Mr. Reynolds: Does everyone come under this?

Mr. Clark: Almost everyone.

Mr. Schiefer: What is the approximate cost for this?

Mr. Clark: \$100,000 and for Exxon - \$175,000.

Mr. Reynolds: Who does the checking of the vapors?

Mr. Clark: When the E.P.A. inspects they check vapors. We don't like spending all this money. This came about because of the Clean Air Act.

Motion by Mr. Spignardo seconded by Mr. Jones that the Planning Board of the Town of New Windsor send the application of Sun Oil to the Planning Board Engineer, the Fire Inspector, and the Fire Code Bureau for their review and comments.

Roll call: all ayes, no nays (7 ayes, no nays.) Motion carried.

Mr. Clark: We would like to get started with this as soon as possible.

Chairman Van Leeuwen: We will meet on November 25th. Two weeks from tonight. We will place this on the agenda.

#3 on the agenda: Joseph Licari Site Plan
located on Union Avenue just off Temple Hill Rd.
represented by Mr. Elias Grevas

Mr. Grevas: Mr. Licari went to the ZBA and was approved.

Chairman Van Leeuwen: What about the back piece? (pointing)

Mr. Grevas: There was to have been something but the Zoning Board of Appeals said no.

Mr. Jones: This is on a County Road.

Mr. Spignardo: How will they accomodate the the cars? What is to prevent them from driving through?

Chairman Van Leeuwen: What about a barricade? Or a fence.

Mr. Licari: I would like space for delivery.

Mr. Grevas: We could put a fence up. What would the Board say to that?

Chairman Van Leeuwen: Fine.

Mr. Licari: agreed that a fence could be put up.

Mr. Grevas: Mr. Licari would like to put the footings up while we are working with you.

Chairman Van Leeuwen: This site plan will have to go to: Orange County Planning Board, County Highway Department and the Planning Board Engineer.

Mr. Grevas stated that this was in a PI Zone and he had used minimum requirements.

Discussion followed.

Motion by Mr. Jones seconded by Mr. Schiefer that the Planning Board of Town of New Windsor send the Site Plan of Joseph Licari to the Planning Board Engineer, Orange County Planning Board and the Orange County Highway Department.

Roll call: All ayes, no nays. (7 ayes, no nays.) Motion carried.

Mr. Grevas: Mr. Licari would like to put the footings in. Would this be possible?

Chairman Van Leeuwen: The man would like to put his footings in. Can we leave it so that if cleared with the Engineer Mr. Cuomo? I will speak to Paul about this.

Mr. Grevas: Anything on the ground is really not above the ground.

Chairman Van Leeuwen polled the Board.

The Board agreed that after Planning Board Engineer Cuomo looked at the Licari Site Plan and he talked to the Chairman of the Planning Board if everything was in order this could be done.

#4 on the Agenda:

Husted & Townsend Sit4 Plan
Riley Road
represented by Elias Grevas

Chairman Van Leeuwen: A few of the Board members went out to see this..

Mr. Spignardo: What were their findings?

Mr. Jones: The old trailer was moved to the back.

Mr. Grevas: Lot #1 as of today trailer was moved. We did have a drainage problem so I met with Mr. Fayo and Mr. Cuomo.

Mr. Infante: There should be a Public Hearing.

Mr. Grevas: We had one with the Zoning Board of Appeals. People are aware of what is happening. People have been stopping in.

Mr. Infante: Why are you using strip pads?

Mr. Husted: The Building Inspector had suggested it.

Mr. Scheible: What does the specs say about the foundation? There has to be a certain amount of weight resting on this.

Mr. Husted: They weigh 21,000. They are peered. They sit up on top of the pad.

Mr. Grevas: There is no heave.

Mr. Infante: What do our specs call for.

Mr. Husted: Every mobile home must have a patio, wrought iron railing, skirt. We have shingled roof with shutters. Two parking places. We have a very stringent set of rules.

Someone asked if park was open for used trailers.

Mr. Husted: All new ones.

Mr. Infante asked if peers were below frost line.

Mr. Grevas: No they are not.

Mr. Infante: What are specs for under mobile homes?

Mr. Grevas: I believe either.



COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

Department of Health

124 MAIN STREET
COSHEN, NEW YORK 10924 TEL: 914-294-7961

file

Walter O. Latzko
President, Board of Health

86-58

August 18, 1988

Shaw Engineering
POB 2569, 744 Broadway
Newburgh, NY 12550

Re:
W.M. Ext. to serve
Windsor Square Subdivision
T. New Windsor

Gentlemen:

We have reviewed the application and plans for the above mentioned project.

Attached are our comments based on technical review for your consideration.

We are retaining one copy of the application, plans, specifications and engineer's report for our files and returning the application and the balance of the submission to you.

These comments are minor in nature and the engineer should revise the plans and resubmit as soon as possible so that the Department can expedite approval of this project.

In accordance with this Department's policy, failure to respond to this technical review within ninety (90) days will be considered sufficient reason for disapproval of this application.

Very truly yours,

Greg A. Moore

Greg A. Moore, P.E.
Sr. Public Health Engineer

GAM/ELS/aje *Eja*

cc: Applicant
File

COMMENTS BASED ON TECHNICAL REVIEW

Project: W.M. Ext. to serve Windsor Square, T. New Windsor
Date of Submission: June 30, 1988
Date of Review: August 17, 1988

1. The consumption data for this project, on line 14 of the application is incorrect. It appears that all data is off by a factor of 10. Please correct.
2. The following comments refer to the watermain profile for line W1:
 - a. Station 2+05: The invert of the water line at the 15" storm drain crossing appears to be incorrect. Please revise.
 - b. Station 14+47: The invert of the 15" storm drain does not correspond with the inverts of the catch basins shown on the plans. Please check.
3. The plans submitted for approval should be numbered consecutively. Please number each print consecutively and indicate the total number of sheets in the set. This may be done with magic marker so as not to interfere with the engineer's numbering system.
4. Specifications; Section 1.10, line f: The reference to AWWA Standard C601 should be deleted. The current standard for disinfecting watermains is AWWA Standard C651. This should be changed in our office to avoid making more copies of the specifications.
5. The concrete encasement detail should clearly indicate that the encasement will extend a minimum of 10' from the edge of the crossing.
6. In the future, please use ground level when computing all pressures in the system.
7. The 22½° elbow at station 7+72 should be relocated in order to center one full length of watermain under the crossing of the 15" storm sewer.

The foregoing comments are based on a review of the application, engineer's report, plans and other engineering data submitted. We have attempted to make this review as complete as possible; however, it must be appreciated that any new submission depending upon the nature of any revisions may require further review and comments.

cc: File/Applicant

GAM/ELS/aje *aje*

Dated: August 18, 1988

**TOWN OF NEW WINDSOR PLANNING BOARD
TRACKING SHEET**

PROJECT NAME: Windsor Square Subdivision
 PROJECT NO. : 86-58
 TYPE OF PROJECT: Subdivision Site Plan _____
 Lot Line Change _____ Other (Describe) _____

| <u>TOWN DEPARTMENT REVIEWS:</u> | Date App'd | Date Not App'd | Not Required |
|---------------------------------|---------------|----------------|--------------|
| Planning Board Engineer | _____ | <u>5-17-88</u> | _____ |
| Highway | _____ | _____ | _____ |
| Bu#.Fire Prev. | _____ | _____ | _____ |
| Sewer | _____ | _____ | _____ |
| Water | <u>5-6-88</u> | _____ | _____ |
| Flood | _____ | _____ | _____ |

OUTSIDE DEPT./AGENCY REVIEWS:

| | | | |
|-----------------|----------------|---|-------|
| DOT | _____ | <u>5/11/88 Highway Work Permit required</u> | _____ |
| DEC | _____ | _____ | _____ |
| O/C PLANNING | _____ | _____ | _____ |
| O/C HEALTH | <u>5-11-88</u> | _____ | _____ |
| NYSDOH | _____ | _____ | _____ |
| OTHER (SPECIFY) | _____ | _____ | _____ |

SEOR: Lead Agency Action _____
 Determination _____
 EAF Short _____ Long _____ Submitted _____ Accepted _____
 Proxy: Filed _____ Representative _____

PUBLIC HEARING: Held (DATE) _____ Waived* _____
 Other _____
 (* Minor Subdivision and Site Plans only.)

TIME SEQUENCING:
(SUBDIVISIONS)

Sketch Plan Date _____ + 30 days = Action Date _____
 Preliminary P/H Date _____ + 45 days = Action Date _____
 Preliminary App'l Date _____ + 6 months = Final Resub. Date _____
 Final Plan Date _____ + 45 days = Final App'l Date _____

TIME SEQUENCING:
(SITE PLANS)

Presubmission Conf. Date _____ + 6 months = Submittal Date _____
 First Meeting Date _____ + 90 days = Final App'l Date _____



COUNTY OF ORANGE
LOUIS HEIMBACH, COUNTY EXECUTIVE

Department of Public Works

ROUTE 17-M P.O. BOX 509
GOSHEN, NEW YORK 10924
TEL: Office 294-7951 - Garage 294-9115

LOUIS J. CASCINO, P.E.
Commissioner

June 10, 1988

Office of the Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

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

Re: Response to Lead Agency
SEQR
Windsor Square Subdivision
P/B REF. NO. 86-58

Dear Mr. Edsall:

Kindly be advised that the Orange County Department of Public Works, after having reviewed the referenced proposal, under the provisions of Part 617 of the ECL, as submitted to our agency by your Board on May 31, 1988, has no comments relative to the same with respect to the impact or affect upon Local County Roads.

Therefore, we hereby refer the matter back to the lead agency for further evaluation and determination.

Very truly yours,

LOUIS J. CASCINO, P.E.
Commissioner

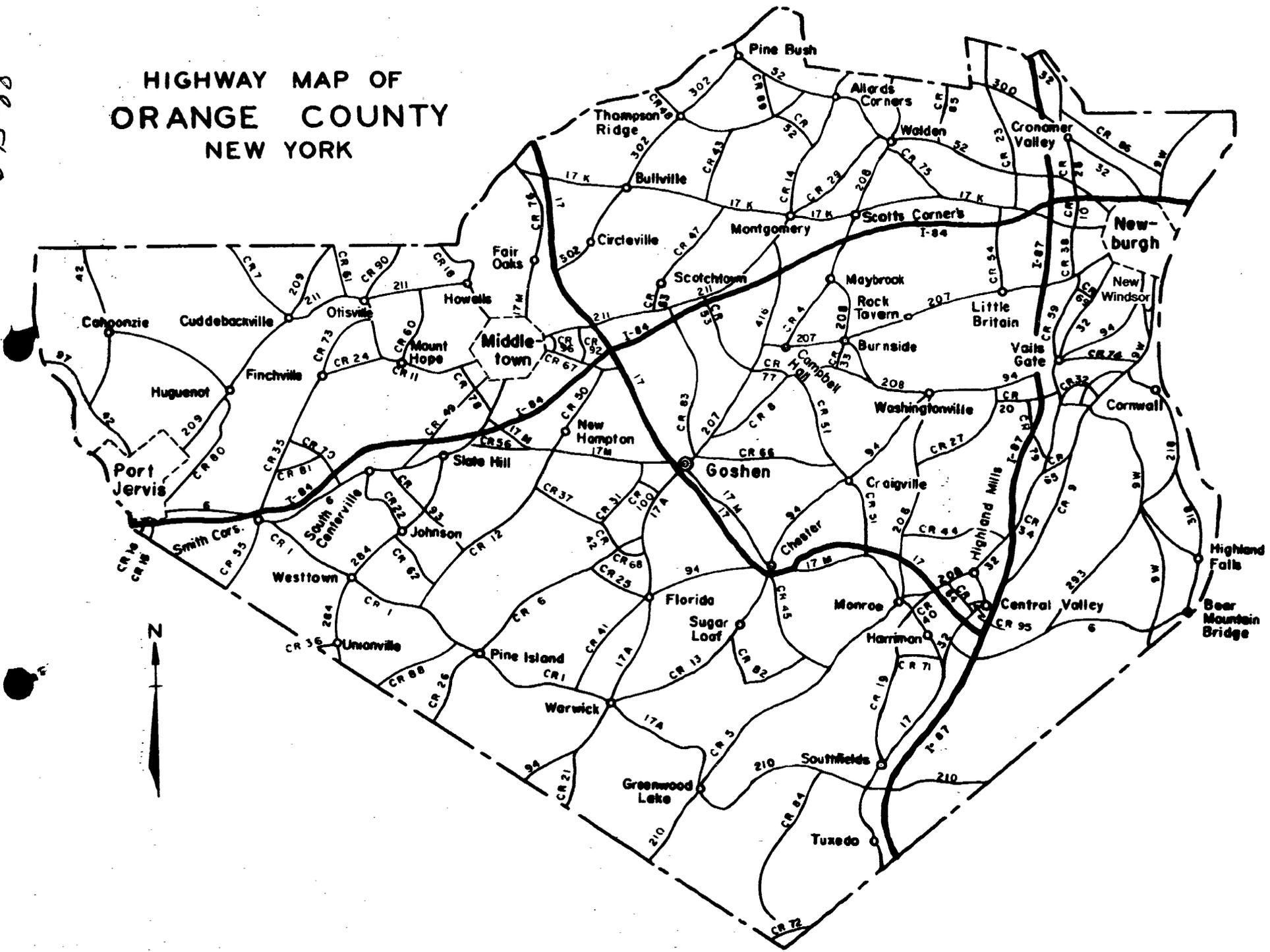
By:

William E. Duggan
William E. Duggan
Senior Engineer

LJC/WED/lj1

88-51-9

HIGHWAY MAP OF ORANGE COUNTY NEW YORK





TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

1763

31 May 1988

New York State Office of Parks
Recreation and Historic Preservation
Governor Nelson A. Rockefeller
Agency Building 1
Albany, New York 12238

ATTENTION: DAVID S. GILLESPIE, DIRECTOR OF FIELD SERVICES BUREAU

SUBJECT: WINDSOR SQUARE MAJOR SUBDIVISION
TOWN OF NEW WINDSOR, (P/B REF. NO. 86-58)

Gentlemen:

The Town of New Windsor Planning Board has had placed before it an Application for a Major Subdivision located off NYS Route 32, west of Union Avenue, within the Town of New Windsor. This Application involves the construction of thirty (30) residential lots having access by a proposed Town Road off NYS Route 32 and Garden Avenue (a Town Road). This letter is written as a Request for Lead Agency Coordination as required under Part 617 of the Environmental Conservation Law. Additional copies of this letter are being forwarded to other involved or interested agencies or organizations of which we are aware.

A letter of response with regard to your interest in the position of Lead Agency as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA review process, sent to the Town of New Windsor Planning Board, would be most appreciated. Should no other Agency or Group desire the Lead Agency position, it is the Town of New Windsor Planning Board's desire to assume such role. Should the Planning Board fail to receive a response requesting Lead Agency within 30 days of this letter, it will be understood that you do not have an interest in the Lead Agency position.

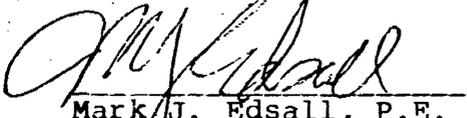
A copy of the Environmental Assessment Form as prepared by, or in behalf of the developer or Subdivider, and submitted to this Board, is enclosed for your reference. In addition, a location Map is enclosed.

31 May 1988

Your attention in this matter will be most appreciated. Should you have any questions concerning the Project, please do not hesitate to contact this office at 914-565-8807 or the undersigned at 914-562-8640.

Very truly yours,

TOWN OF NEW WINDSOR
PLANNING BOARD


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

MJEemj

cc: Henry Scheible, Chairman, Town Planning Board ✓
Orange County Department of Planning
Orange County Department of Health
Orange County Department of Public Works
New York State Department of Transportation
New York State Department of Environmental Conservation
Planning Board File (86-58)

squaresub.emj

86-58



COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

Department of Health

124 MAIN STREET
GOSHEN, NEW YORK 10924 TEL: 914-294-7961

Walter O. Latzko
President, Board of Health

June 8, 1988

RE: Windsor Square Subdivision
Town of New Windsor

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

Gentlemen:

This department has no objection to your Board assuming Lead Agency Status for this project.

We will expect to review and approve the plans for the water main extension and the realty subdivision prior to your granting a final approval.

Very truly yours,


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

MJS:dlb

cc: File

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

Mr. Gregory Shaw came before the Board, also.

Mr. Grevas: As you might recall back in May, 1987, we had a public hearing at which time we received preliminary approval on a cluster layout of 31 lots. Following that, we appeared at the town workshop meeting with the Town Board and asked for a cluster layout. In writing, we were informed on March 3rd that the Town Board did not want the cluster layout. So we have prepared a standard layout of 30 lots, road pattern is the same, cul-de-sac shaped, it's a little different and the retention area is bigger. We are asking for preliminary approval on this plan. We feel we had held a public hearing on a greater

number of lots sometime ago and there is really no change in the plan except that this is a standard layout, not a cluster.

Mr. Schiefer: The cul-de-sac is 90 foot and the new requirement is 110.

Mr. Grevas: 90 feet of paving, 110 is the right of way width.

Mr. Edsall: It is 100 paved.

Mr. Grevas: Outstanding item that we are aware of is if you recall, there was some concern over the location of the cemetery, the Revolutionary War cemetery on the site. We have been in contact with archeologists on that score. We'd like to ask for a conditional negative declaration so he can do his study while the County Health Department does their thing in approving the project. Of course, it has to go to County Health.

Mr. Scheible: I am looking at one of these comments, Number 5, per a discussion with the Bureau of Fire Prevention, it is recommended that the short road and associated cul-de-sac be given a separate road name for the subdivision.

Mr. Lander: Who owns the ponds?

Mr. Grevas: That is under discussion with the Town Board. There are several alternatives. The one proposed by Jim Loeb is to form a drainage district of just this subdivision so that all of the property owners will be assessed for the maintenance of the pond. That is something that has been done successfully in other areas and has been proposed for this project. The other alternative is homeowners association. The other one is to offer for dedication to the town. So the idea about forming a drainage district of just this subdivision, they will have a taxable entity so they can get the money for maintenance purposes.

Mr. Ronces: I received a memo from Supervisor Greene in the mail this morning asking for some justification on the drainage district concept. I think that is an issue that will have to be ironed out between now and final approval as to exactly what the structure for maintaining the drainage facility will be.

Mr. Grevas: The overall concept of the drainage district, is that what you are talking about.

Mr. Ronces: There is apparently some difference of opinion.

Mr. Edsall: He has reservations regarding the creating of a

special district.

Mr. Scheible: Since we had a public hearing on this, since it is coming in under a new plan that was under the cluster, right?

Mr. Grevas: That is correct.

Mr. Scheible: Do we have to go through another public hearing since the original one was for cluster?

Mr. Ronas: I wouldn't think so. You have gone down in scale.

Mr. Edsall: Weren't both plans discussed at the public hearing?

Mr. Grevas: Yes.

Mr. Edsall: There was no restriction as to what the public could review.

Mr. Scheible: Okay. The DOT told us they wouldn't accept a 34 foot road coming out onto a state highway.

Mr. Grevas: We are showing the one currently in effect. Hopefully, by the time we get the final, that will be all ironed out.

Mr. Scheible: You are looking at preliminary?

Mr. Grevas: Yes. We have to request the conditional negative declaration on the SEQR process so we can continue with the archeological study.

Mr. Schiefer: I make a motion that the Planning Board of the Town of New Windsor give preliminary approval to the Windsor Square Site Plan.

Mr. Jones: I will second that.

ROLL CALL:

| | |
|-----------------|-----|
| MR. LANDER | AYE |
| MR. JONES | AYE |
| MR. PAGANO | AYE |
| MR. MC CARVILLE | AYE |
| MR. VAN LEEUWEN | AYE |
| MR. SCHIEFER | AYE |
| MR. SCHEIBLE | AYE |

Mr. Edsall: I am not quite sure that you have taken lead agency yet. So you may want to do that. I recommend that if you do make an official negative that you add in drainage. We will send out lead agency coordination letters.



**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

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

Licensed in New York,
New Jersey and Pennsylvania

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: WINDSOR SQUARE SUBDIVISION
PROJECT LOCATION: ROUTE 32 (EAST SIDE)
PROJECT NUMBER: 86-58
DATED: 11 MAY 1988

1. The applicant has submitted a plan for the subdivision of a 15.8 +/- acre parcel into thirty (30) residential lots. The plan was previously reviewed at the 14 January 1987, 8 April 1987 and 22 April 1987 Planning Board meetings. At that time the plan was forwarded to the Town Board regarding formation of a Cluster Zone. It is my understanding that this proposal was not found acceptable to the Town Board and the subdivision has been returned to the Planning Board for consideration as a Standard Subdivision arrangement.
2. The general layout of the proposed subdivision appears acceptable and appears to comply with the minimum zoning bulk requirements, with the exception of Lot 6 which may have a problem regarding lot width compliance.
3. The ownership of the stormwater retention area property should be discussed and the means of ownership and maintenance must be resolved in a manner acceptable to the Town Board and Town Attorney.
4. Although the site development plans indicate that the driveways for Lots 1, 2, 3, 28, 29 and 30 all will have access from internal roadways and not from Windsor Square Drive or Route 32, it is my recommendation that a restriction for same be referenced on the plan, as previously discussed.
5. Per a discussion with the Bureau of Fire Prevention, it is recommended that the short road and associated cul-de-sac be given a separate road name for this subdivision.

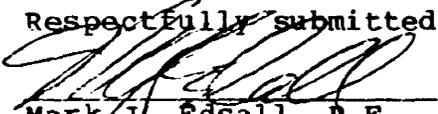
11 May 1988

6. With regard to the submitted utility plan, a preliminary review has been made and I provide the following comments regarding same:

- a. Valves must be provided on all sides of tees or crosses.
- b. A hydrant must be provided at the intersection of Windsor Square Drive and Route 32.
- c. The Sewer Dept. should verify that no capacity problems exist with the sewer at Leslie Avenue.
- d. The pavement surface of the cul-de-sac must be minimum of 100 foot diameter, per Section 6-B(14) of the Subdivision Regulations of the Town Code.
- e. The outlet conditions and impact of the discharge of the stormwater retention area should be further reviewed.

7. The remainder of the subdivision plan sheets which include profiles and details, appear acceptable for preliminary approval. It is recommended that the Planning Board consider granting this project preliminary approval such that submittals to the New York State Department of Environmental Conservation, Orange County Department of Health and New York State Department of Transportation can be made by the applicant. The procedure for this submittal can be further discussed between the Planning Board Engineer and Applicant's Engineer.

Respectfully submitted,


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

MJEcao
Win.cao



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
4 BURNETT BOULEVARD
POUGHKEEPSIE, N.Y. 12603

ALBERT E. DICKSON
REGIONAL DIRECTOR

FRANKLIN E. WHITE
COMMISSIONER

Date: June 7, 1988

To: Mark Edsall, P.E.

Town of New Windsor Planning Board

555 Union Avenue

New Windsor, New York 12550

Re: Windsor Square
Environmental Assessment
Orange County

✓ This department has no objection to the Planning Board
of the Town of New Windsor being the lead agency
for this action.

✓ We have reviewed the Environmental Assessment Form (EAF) and find
the estimated number of vehicular trips to be reasonable.

If a draft environmental impact statement is prepared for the proposed
project, please forward one to us for review.

✓ Please be aware that a state highway work permit will be required
for any curb cuts onto Route 32. Application and final site plan
should be forwarded to this department's local residency office, as
soon as possible, to initiate the review process.

Other: _____

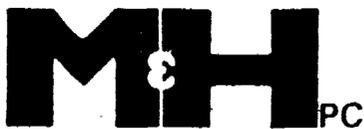
Very truly yours,

DOUGLAS G. DRUCHUNAS
Civil Engineer II (Planning)

By Joanne Decker

Joanne Decker
Civil Engineer I (Planning)

DGD:JD:ak



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

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

Licensed in New York,
New Jersey and Pennsylvania

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

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

MEMORANDUM

TO: GEORGE A. GREEN, SUPERVISOR
FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER
SUBJECT: WINDSOR SQUARE SUBDIVISION (P/B #86-58)
DRAINAGE FACILITY ALTERNATIVES
DATE: 31 MAY 1988

Pursuant to receipt of your memorandum dated 9 May 1988 and a review of the letters dated 29 April 1988 and 2 May 1988 from Mr. James Loeb, I have the following comments for your consideration:

1. The Subdivision Plan proposed appears to have the variety of normal considerations for a Planning Board and Engineering review. The only item of long-term concern would be the ownership and maintenance of any drainage facilities on site, primarily since the facilities include a stormwater retention area.
2. The most important considerations in a retention basin are the proper design of the facility to avoid construction having too great a water retention depth and the long-term maintenance of the facility such that same remains in a safe condition, does not provide a nuisance to the residents and such that same remains functional during storm situations.
3. It is my opinion that the best alternative for a stormwater retention facility is the case where the Town has no ownership, involvement or maintenance responsibilities for same. This would be accomplished by a single ownership of the involved parcel or a shared ownership by a homeowners group. The individual ownership is not preferable since this results in a significant burden on a single lot owner. As a result, the preferable condition is for ownership by a Homeowner's Association, as would normally be the case when a cluster subdivision is selected.
4. Inasmuch as the cluster alternative was deemed unacceptable by the Town Board, it is my opinion that the alternative of Town ownership with the creation of a drainage district consisting of the benefited properties is the next best alternative.

MEMORANDUM

TO: GEORGE A. GREEN, SUPERVISOR
FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER
SUBJECT: WINDSOR SQUARE SUBDIVISION (P/B #86-58)
DRAINAGE FACILITY ALTERNATIVES
DATE: 31 MAY 1988

-2-

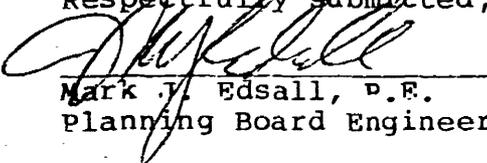
With the district having all financial responsibilities for the maintenance of the stormwater facility, no further burden will be placed on the remaining residents of the Town of New Windsor.

5. It is recommended that the responsibilities for each property in the district be clearly listed as a restriction in each deed (if only by reference) such that there will be no question at any time in the future that the responsibilities for maintenance for this drainage facility are tied to each individual property in the district. This being a legal function, I am sure Jim Loeb and Tad Seaman can arrange such documentation.

6. It will be my recommendation that the Planning Board of the Town of New Windsor require that a complete Engineering Drainage Study be required. The Study will be required to demonstrate that the development, with its drainage facilities and retention basin, will not result in a worse drainage condition downstream of this project and will ideally better the situation. This requirement for a Study could also be a condition of a Town Board approval.

I am hopeful that the above will assist you your evaluation of the request from the Windsor Square developers for construction of the drainage facilities to be dedicated to the Town. Should you have any questions concerning the above, please do not hesitate to contact the undersigned.

Respectfully submitted,


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

MJEemj

cc: Tad Seaman, Town Attorney
Joseph Rones, Planning Board Attorney
Michael Babcock, Building Inspector
Planning Board File No. 86.58

square2.emj



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

May 27, 1988

1763

Mr. George Green
Town Supervisor
555 Union Avenue
New Windsor, N.Y. 12550

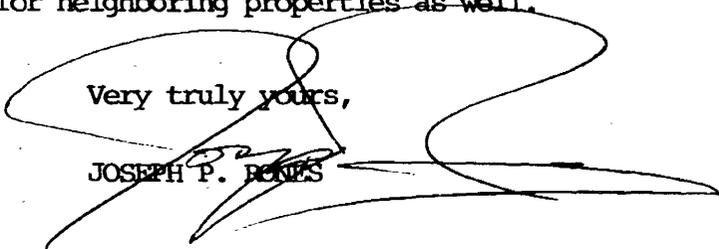
RE: Windsor Square Drainage Facilities

Dear Supervisor Green:

In response to your memo of May 9, 1988, the problem which Mr. Loeb seeks to address is the inability of some Homeowner's Associations to enforce collection of fees and perform maintenance for common utilities.

Since the drainage facilities will be important to the health and safety not only the subdivision residents, but to abutting owners, Town maintenance of these facilities was suggested. Of course, this is a policy decision which the Town Board should determine. Additionally, since the taxing power and remedies of the municipality are generally easier to enforce than private agreements, the creation of special districts is one remedy to insure the continued maintenance of facilities that have an impact not only for this subdivision, but for neighboring properties as well.

Very truly yours,


JOSEPH P. JONES

cc: Mark Edsall
J. Tad Seaman
Henry Scheible



COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

Department of Health

124 MAIN STREET
GOSHEN, NEW YORK 10924 TEL: 914-294-7961

Walter O. Latzko
President, Board of Health

May 11, 1988

RE: Windsor Square Subdivision
Town of New Windsor

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

Gentlemen:

We have reviewed this site plan and find it satisfactory.

Plans for the sewer extension must be approved by the New York State Department of Environmental Conservation.

Plans for the water main extension and the realty subdivision must be reviewed and approved by this department prior to your Board issuing its final approval.

Very truly yours,

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

MJS:dlb

cc: File

5-3-88

Windsor Square

86-58

BUILDING INSPECTOR, P.B. ENGINEER, FIRE INSPECTOR, D.O.T. O.C.H. O.C.P.
WATER, SEWER, HIGHWAY REVIEW FORM: D. P. W.

The maps and plans for the Site Approval _____
Subdivision Windsor Square as submitted by
Shaw for the building or subdivision of
_____ has been
reviewed by me and is approved _____
disapproved _____

If disapproved, please list reason.

Drainage should be upgraded through Glenn Dale
and Schoonmaker Blvd. No away with retention area
because there breeding places for insects and snakes, & rats.

Fred Fay Jr. (M.F.)
HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

5/17/88
DATE

5-3-88

REC'D. R4

MAY 05, 1988

Windsor Square 86-58

BUILDING INSPECTOR, P.B. ENGINEER, FIRE INSPECTOR, ~~REDACTED~~ O.C.H. O.C.P.
WATER, SEWER, HIGHWAY REVIEWS FORM: ~~REDACTED~~

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved _____
disapproved _____.

If disapproved, please list reason.

High way work Permit Required

Don Deane

HIGHWAY SUPERINTENDENT

W. G. S. D. D. T.

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

5/11/88

DATE



Louis Heimbech
County Executive

**Department of Planning
& Development**

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

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

May 19, 1988

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

Re: Major Subdivision, Windsor Square
NYS Rt. 32
Our File No. NWT 24-88 N

Dear Mr. Scheible:

We have reviewed the plan submitted and have inspected the area proposed for the 30-lot subdivision. We have found the plan to be consistent with "proper planning principles." The development of the internal road is good, and the lot configurations generally adhere with the zoning requirements. Therefore, in accordance with Section 239, paragraphs l and n of the General Municipal Law, the Orange County Department of Planning & Development recommends approval for the Windsor Square Subdivision.

If you have any questions, please don't hesitate to call.

Sincerely,

Peter Garrison
Commissioner of
Planning & Development

Reviewed by:

Cheryl Mergo
Planner

CM:cmd

INTER-OFFICE CORRESPONDENCE

TO: New Windsor Planning Board
FROM: Town Fire Inspector
DATE: 5 May 1988
SUBJECT: Windsor Square Subdivision
PB-86-58 FB-88-24
FB-87-04-Disapproval

The above referenced subject site plan was received by this writer on 4 May 1988, and reviewed this date.

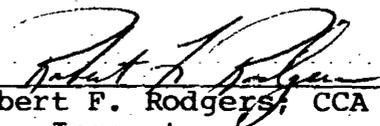
Site plan reviewed was dated 15 March 1988 and prepared by Elias D. Grevas, L.S.

The utility plan (Sheet S-2) reviewed was dated 29 April 1988 and prepared by Shaw Engineering; Consulting Engineers.

The site plan and utility plan are found to be acceptable, and have been filed with this department.

I would like to point out that the street name of Garden Avenue should read GARDEN STREET, if it is to be a continuation of the roadway which is already in existence.

Thank you for your time.


Robert F. Rodgers, CCA
Fire Inspector

cc: Shaw Engineering

5-3-88

Windsor Square

86-58

BUILDING INSPECTOR, P.B. ENGINEER, FIRE INSPECTOR, D.O.T. O.C.H. O.C.P.
WATER, ~~SEWER~~, HIGHWAY REVISION FORM: D. P. W.

The maps and plans for the Site Approval

Subdivision _____ as submitted by

V. J. Grewas for the building or subdivision of

Windsor Square has been

reviewed by me and is approved

disapproved _____

If disapproved, please list reason.

Contractor must provide for proper permits and
arrange with Town Engineer for the testing of
line prior to connecting to sewer line

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

J. J. [Signature]
SANITARY SUPERINTENDENT

May 6, 1988

DATE

5-3-88

Windsor Square

86-58

BUILDING INSPECTOR, P.B. ENGINEER, FIRE INSPECTOR, D.O.T. O.C.H. O.C.P.
SEWER, HIGHWAY REVIEW FORM: D. P. W.

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Windsor Square for the building or subdivision of
Windsor Square has been
reviewed by me and is approved _____
disapproved _____.

~~If disapproved, please list reason.~~

Water is available in this area.

HIGHWAY SUPERINTENDENT

Steve D. D...
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

86-58

cc: PB.

RE: AUTHORIZATION FOR CLUSTERED SUBDIVISION-
WINDSOR SQUARE SUBDIVISION

TOWN OF NEW WINDSOR
PLANNING BOARD

MOTION BY COUNCIL _____

RECEIVED 8/5/87

SECONDED BY COUNCIL _____

DATE

That the Town Board of the Town of New Windsor adopt the following Resolution:

WHEREAS, the Town Board has reviewed a certain clustered subdivision entitled WINDSOR SQUARE SUBDIVISION dated October 27, 1986 containing 31 building lots for single family homes; and

WHEREAS, the developer has petitioned the Town Board to approve a clustered type subdivision.

It is hereby RESOLVED:

1. The Town Board hereby authorizes a cluster type subdivision known as WINDSOR SQUARE SUBDIVISION pursuant to a plat dated October 27, 1986, last revised on _____, containing 31 building lots shown on the New Windsor Tax Map as Section 35 Block 1 Lots 42.1 & 42.2 under the following terms and conditions:

(a) A homeowners association shall be formed and approved by the Attorney General of the State of New York.

(b) The green areas, including the buffer zone, water retention area and any other real property or improvements that are to be for the use and benefit of all homeowners within the subdivision except for municipal services and utilities shall be placed under the jurisdiction of the homeowners association.

(c) The developer shall cause the interest in all common areas to be determined and apportioned between all the lots within the subdivision. The developer shall cause the Assessor to add the percentage of assessed value of the common areas to the respective building lots within the subdivision. The common area shall not have a separate assessment to cause any taxes to be generated for the common areas.

(d) The homeowners association shall be developed in such a manner so as to allow for the administration and control of the common areas including the ability to establish rules and regulations for the use of the common areas, a budget for the operational costs of improving and maintaining the common areas, means of levying the assessments according to the percentage of interest of each of the building lots within the subdivision, and provisions authorizing unpaid assessments to become liens on the respective building lots.

(e) The developer shall cause the storm water retention basin to be developed in such a manner that the basin will be functional for recreational purposes when the said basin is not being used for retention of storm water. The homeowners association shall

be responsible for maintenance of all grounds within the common area and shall maintain the retention basin in such a manner as to be neat, orderly, functional and satisfactory for the collection of storm water and release of storm water into the storm drain system of the Town of New Windsor.

2. The Town of New Windsor shall be granted an easement for ingress and egress to enter upon the properties within WINDSOR SQUARE SUBDIVISION for the purpose of emergency service for maintaining the storm water retention basin. In the event the homeowners association fails to maintain the retention basin in a manner appropriate for proper operation of the catch basin, the Town of New Windsor shall be authorized to enter upon the said grounds and repair or maintain the basin to allow for its proper function and charge the cost of any repair or maintenance to the homeowners association.

3. The developer shall cause the setback restrictions for each lot within the subdivision to be shown and clearly marked on the subdivision plat so as to become part of the recorded plat document.

4. The subdivision shall provide for a green area buffer zone between the railroad tracks and the balance of the subdivision.

5. The developer shall comply with all provisions of Section 281 of the Town Law.

6. The Planning Board of the Town of New Windsor shall hold a public hearing in conjunction with final approval of the subdivision plat to hear all comments from all members of the public concerning clustering of this subdivision.

7. Upon filing of the final plat in the Office of the Orange County Clerk, the Planning Board shall file a copy of same with the Town Clerk in order that she make the appropriate notations and references thereto on the Town Official Zoning Map in accordance with Section 281 of Town Law.

8. The Planning Board shall establish such other requirements or restrictions as may be deemed necessary to provide for the orderly development of WINDSOR SQUARE SUBDIVISION consistent with the best interests of the Town of New Windsor.

ROLL CALL:

MOTION CARRIED:

Town Board Meeting: 08/12/87

(TA DD #12-062487.WSS)

~~WINDSOR~~
WINDSOR SQUARE

WINDSOR
SQUARE

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

The maps and plans for the Site Approval _____
Subdivision Windsor Square as submitted by
Grevas for the building or subdivision of
_____ has been
reviewed by me and is approved _____,
disapproved ✓.

If disapproved, please list reason.

*In proper drainage will flood people
on lower end of Garden St. which is already
a problem. Storm Water Retention Basin will
be a breeding place for mosquitos and will fill
up with ~~sand~~ dirt. Pipe between lots #5 #6 and
#7 should run down the highway with Catch Basins
in their proper place on each side of Colde sac.*

*Lot #16 #17 and #18 pipe should
run up road further with
proper Catch Basins. All
Catch basins must be of pre-
Cast Concrete. See Catch
Basin or pipe missing near
lot #11. Pipe should be
upgraded from Garden St to
Birchwood St.*

HIGHWAY SUPERINTENDENT

Fred Fay, Jr. (M.D.)

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

9/17/87
DATE

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, N.Y. on 13 MAY 1987, at 7:45 P.M. on the approval of the proposed Subdivision for WINDSOR SQUARE, Windsor Highway (Route 32) located on the east side of Windsor Highway (Route 32) 1200'± north of Willow Lane.

A Map of the proposed subdivision is on file and may be inspected at the Town Clerk's Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: 28 April 1987

By order of

TOWN OF NEW WINDSOR PLANNING BOARD
Henry Scheible
Chairman

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



March 27, 1987

1763

Mr. Elias Grevas
33 Quassaick Avenue
New Windsor, NY 12550

Re: 35-1-42.1 & 35-1-42.2 Windsor Square Associates Inc.

Dear Mr. Grevas:

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

The charge for this service is \$45.00, minus your deposit of \$25.00. Please remit same to the Town Clerk, Town of New Windsor, NY.

Very truly yours,

Christian E. Jahrling /po
CHRISTIAN E. JAHLING, 100
SOLE ASSESSOR

CEJ/cp
Attachments

X Roppelt, Kunigunde
& Schatz, Frederick
28-31 43rd St.
Long Island City, NY 11103

X The Commons at Windsor Homeowners Association Inc.
c/o Berger & Kramer
225 Broadway
New York, NY 10007

X Sheiby, Philip
1796 E. 8th St.
Brooklyn, NY 11201

X Coutant, Grace W.
& Harrison, Donna M.
233 Windsor Highway
New Windsor, NY 12550

X Bennett, Michael T.
& Eleanor R. Bennett
239 Windsor Highway
New Windsor, NY 12550

X Gibson, Ann M.
241 Windsor Highway
New Windsor, NY 12550

X McDermott, William J.
& Eleanor M.
245-A Windsor Highway
New Windsor, NY 12550

X Consolidated Rail Corp.
6 Penn Center Plaza
Philadelphia, PA 19103

X Favino, Charles
257 Garden St.
New Windsor, NY 12550

X Manthey, Frank A.J. & Josephine
205 Windsor Highway
New Windsor, NY 12550

X Pitts, Alexander & Allana K.
241 Leslie Ave.
New Windsor, NY 12550

X Pitts, Francis Allen
& Katherine F.
239 Leslie Ave.
New Windsor, NY 12550

X Ferguson, Harry J. & Veronica
237 Leslie Ave.
New Windsor, NY 12550

James, Paul
X & Greathouse, Gladys
235 Leslie Ave.
New Windsor, NY 12550

X Potts, Frederick M. Jr.
& Margaret E.
233 Leslie Ave.
New Windsor, NY 12550

d Hanretta, John Thomas
231 Leslie Ave.
New Windsor, NY 12550

X Livingston, Jamie E.
229 Leslie Ave.
New Windsor, NY 12550

X Corbett, Joseph & Linda
227 Leslie Ave.
New Windsor, NY 12550

X Levy, Michael & Mary E.
225 Leslie Ave.
New Windsor, NY 12550

X McCabe, C. James & Mary W.
223 Leslie Ave.
New Windsor, NY 12550

X L'Estrange, William F. & Mary M.
221 Leslie Ave.
New Windsor, NY 12550

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, N.Y. on 22 April, 1987 at 7:45 P.M. on approval of the proposed Subdivision for Windsor Sqaure, Windsor Highway (Route 32) located on the east side of Windsor Highway (Route 32) 1200'+ north of Willow Lane.

A Map of the proposed subdivision is on file and may be inspected at the Town Clerk's Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: 7 April 1987

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD  
Henry Scheible  
Chairman

TOWN OF NEW WINDSOR PLANNING BOARD

TOWN HALL, UNION AVENUE, NEW WINDSOR, NEW YORK

MAY 13, 1987

BOARD MEMBERS PRESENT: HENRY SCHEIBLE  
LAWRENCE JONES  
HENRY MC CARVILLE  
RON LANDER  
HENRY REYNS  
HENRY VAN LEEUWEN  
CARL SCHIEFER

OTHERS PRESENT: JOSEPH RONES, PLANNING BOARD ATTORNEY  
MARK EDSALL, PLANNING BOARD ENGINEER  
MICHAEL BABCOCK, BUILDING INSPECTOR  
FRANCES ROTH, SECRETARY

Mr. Scheible called the regular meeting to order.

Mr. Scheible asked if there were any additions or corrections to last month's minutes. Mr. Jones: "That the Planning Board of the Town of New Windsor approve the minutes of the April 22, 1987 meeting." Seconded by Mr. Schiefer and approved by the Board.

Roll Call: All Ayes.

Mr. Van Leeuwen: "That the Planning Board of the Town of New Windsor approved by the minutes of the April 8, 1987 meeting." Seconded by Mr. Reyns and approved by the Board.

Roll Call: All Ayes

~~WINDSOR ZONING SUBDIVISION - PUBLIC HEARINGS~~

Mr. Lou Grevas came before the Board representing this proposal. He presented the Affidavit of Mailing, return receipts, all of which were returned and Affidavit of Publication.

Mr. Grevas: This is the public hearing, we didn't open it last meeting, it is not a continuation. The property located on the east side of Windsor Highway approximately 1,200 feet north of Willow Lane. The land is in an R4 zoning district and we are proposing to subdivide 31 single family residential lots gaining access to 32 or Windsor Highway at this point coming through the subdivision exiting on Garden Avenue. Although the R4 zoning district requires 15,000 square feet what we are proposing here is a cluster layout or open area development plan that is permitted under state law and requires permission by the Town Board. The reason for the hearing this evening is to request

preliminary approval and possible recommendation from the Planning Board to the Town Board for cluster application; the reason for cluster application is to retain green space along 32' particularly 50 feet in depth and along the northerly and southerly property lines, the minimum depth of 20 feet and area in the rear as a retention area which would also be left the perimeter of which would be left green space. Normally drainage would be handled by the retention area we'd be picking up the drainage through the subdivision retaining at this point so that we can discharge the same amount of water that leaves the site now in the same timeframe because of drainage problems downstream. The property is served by Town water and sewer and the proposed lot sizes are 12,500 square feet with a minimum lot width of 75 linear feet front yard set back of 30 side yard 12 feet and 24 feet rear yard 30 feet and minimum street frontage of 45 feet. Basically that is my presentation Mr. Chairman and I'd be ready to answer any questions.

Mr. Schiefer: Do you have a copy of the engineer's comments on this proposal? Water drainage is the same amount that comes off now will be handled with the construction, will it be the same amount or more?

Mr. Grevas: The purpose of the retention basin is to retain the difference between the existing storm water flow on the site to slow it down let it out at a controlled rate. The same amount of water will come through but quicker because of the paving and lawn areas and roofs so the point is that the increase is the same concentration where it presently leaves the property. The purpose of the retention area is to slow that flow down and let it out at a controlled rate what is going through the pipe now will not be increased in cubic feet per second.

Mr. Schiefer: Do we have any engineer's comments from Mr. Edsall?

Mr. Grevas: There was a preliminary report submitted by Shaw Engineering who had the calculations on that retention area. I believe there is a copy on file.

Mr. Ronas: Who is going to own that?

Mr. Grevas: The retention area we have that we haven't fully decided whether the Town will own it and maintain it or whether homeowner's association will. We will offer it to the Town if they are interested.

Mr. Van Leeuwen: I think there is a mistake here did we change the law as far as people have to be notified within five hundred feet or nearest neighbors?

Mr. Grevas: Five hundred feet for ZBA matters on public hearings for subdivisions it is the perimeter and those across the street.

Mr. Van Leeuwen: OK. I just wanted to clarify that in case we are making a mistake.

Mr. Scheible: I asked that question before also.

Mr. Grevas: Mr. Ronas can check me I am sure he can correct when we apply to the Town Board for the cluster application there will be another public hearing.

Mr. Ronas: That is correct. Lou, we have been having some difficulty in the Zoning Board with similar cluster layouts where homeowners, first of all

homeowners are claiming when they come before the Zoning Board that they weren't aware that they owned this green strip behind them in another development where something like that was done and so I think something should be developed to avoid that problem in the future and the other problem is that when you have the sub-standard smaller lot sizes that you are allowed under cluster development once the people get their house they need room for their pool or deck or something of that sort and they are running into side or rear yard violations because this green space lot is considered to be a separate lot so they get their side yard or rear yards are measured from the line it is causing a lot of problems people are coming in they don't have a hardship but it is creating a lot of unnecessary business for the Zoning Board of Appeals.

Mr. Grevas: The first question I am familiar with the subdivision you are referring to since I designed it back in '77 the open space parcel was intended to be conveyed with the adjoining lot intended to be conveyed. The difference here is that there will be a deed reference required and a filing note required on the subdivision plan which is on the map here notes 1 and 2. The notes are as follows, all open space parcels shown are to remain undeveloped, no fences or structures of any kind to be constructed, existing vegetation is to remain, only dead or fallen trees shall be removed no storage or dumping is permitted. That note presented a possibility of enforcement problems so that leads to the second note open space agreement shall be prepared outlining the above described restrictions and any others imposed by the developer. This shall be filed in the Orange County Clerk's office and made part of the deed of transfer for each of the lots having open space parcels adjoining that is our attempt to settle the question of open space parcel to make sure it is public notice, make sure it is on the map and gets into a deed in the form of an open space agreement similar to an open space agreement on a roadway if all of the homeowners or parties to the agreement that there would be some policing amongst themselves. The other item with the bulk regulations is a point well taken in that the rear yards in that subdivision were 40 feet you will notice in this one they are 30 feet and enlarged the width by additional five feet. When the subdivision you are referring to was approved the minimum lot width was 80, rear yard and front were 40 here we have reduced those to 30 and 30 the rear and front and increased the lot width. What happened in the subdivision as the years go by since 1977 people are building bigger and bigger houses started out a house was 44 feet now they are up to 55 so the idea was to open that up. The other problem that has arisen recently is that rear decks on properties were not considered up until about 3 months ago by the building inspector as being a portion of the structure which requires the same setback as the structure, there is no specific delineation in the zoning ordinance for a deck as an example and that is one of the things that over the years there have been decks put on and all of a sudden they have become a rear yard set back we have reduced both front yard and rear yard setbacks and enlarged the lot width to accommodate enlarged houses.

Mr. Van Leeuwen: One of the problems is in this particular subdivision that was never conveyed in deeds and the agreement with the Planning Board was that it was to appear in every deed so when it didn't appear in the deed when the title people were there they didn't advise them it only showed up on the map and the way the whole thing is operating it is only on the map the people are being told they cannot build there but there is nothing in the deed restricting them from building.

Mr. Mc Carville: Is that 30 foot from the .1 lot line or from the furthest?

Mr. Grevas: This parcel is a separately deeded one so the setback would be measured from this line nothing can be constructed in the open space parcel to me it means that is a division line.

Mr. Van Leeuwen: You are going to have separate deeds on each one of the pieces?

Mr. Grevas: Separate descriptions in the same deeds. That is the way we have done it it is called lot 4 parcel 4.1.

Mr. Van Leeuwen: If you had it that way how come that never showed up in the deeds?

Mr. Grevas: All I do is prepare metes and bounds, descriptions this is lot 4 and parcel 4.1. I am not an attorney I don't prepare the covenants and restrictions that go into the deeds all I provide is the metes and bounds but they are listed as lot number and parcel number in all my descriptions all my maps.

Mr. Francis Pitts: 239 Leslie Avenue, I have some questions. Who is going to enforce that? As each question comes up I'd like to get some kind of answer we are talking about the open space part of the that is going to be towards my property who is going to enforce non-building or non-use of the open space?

Mr. Roncs: That is I don't think the cops are going to have very much to do with it that is going to be a deed restriction and up to the neighbors.

Mr. Pitts: Who is going to stop the people?

Mr. Van Leeuwen: The building inspector.

Mr. Roncs: It is going to basically be up to the neighbors to police that.

Mr. Pitts: Me, to police it?

Mr. Roncs: As far as finding out to determine whether there is a violation.

Mr. Pitts: When I find the violation who do I go to?

Mr. Roncs: The building inspector.

Mr. Pitts: But the house is already completed, now we are talking about two or three years down the road.

Mr. Babcock: The lots are small you would never be able to build a house on them.

Mr. Pitts: What is going to stop the person from putting a swimming pool on it?

Mr. Roncs: He needs a building permit to build these things.

Mr. Pitts: Above ground you don't need a building permit.

Mr. Babcock: Yes, you do.

Mr. Grevas: Since 1974.

Mr. Van Leeuwen: That gives you a little buffer between yours and the next house and the same thing on 32 it created a buffer from the road.

Mr. Pitts: If you had an open area adjacent to your property behind you 20 feet between your property and the wall, lets say it is 41 what would you do with that 20 feet wouldn't you use it?

Mr. Van Leeuwen: I wouldn't personally I wouldn't.

Mr. Pitts: You'd let it grow?

Mr. Van Leeuwen: I might clean it up and plant some trees.

Mr. Pitts: There is an example in the situation I have in Newburgh parking lot of Norstar Bank over on the south side of Ann Street, Norstar Bank this is a parking lot there is a buffer zone and it is trash in there but if the people who live in the house there wanted to use the property there is nothing going to stop them. And I really think I agree with the open space but I disagree with allowing somebody to put a swimming pool which would be against the stone wall of the property.

Mr. Van Leeuwen: We have to depend on the neighbors they make phone calls to the Building Inspector.

Mr. Pitts: I can see where the building inspector will be busy.

Mr. Grevas: I'd like to address if I may the alternatives to what we are proposing here in still providing a buffer the alternative to dividing this piece up and conveying to the adjoining lots were common ownership by all the owners. These lot lines would not project through this would be all one parcel actually two parcels and all of the homeowners would own them that is one we rejected. That reason is if this fellow here has a couple kids who like to ride bikes and decide they want to play in the green space nobody can stop them. The second way they could have done it was to deed it to the Town. Now the Town certainly doesn't need 20 foot wide strips or any additional parks scattered all over the town so the idea was to try and convey these to people so we'd have direct property ownership because if you don't when you have a town strip or piece of vacant land that is not in use what happens other people come in and dump on it, grass, leaves and so forth in that space in fact some areas I have seen refrigerators and couches. The point here is we deed it to this party number 1 he has a restriction he can't build and he has a vested right in making sure nobody else uses the property as dumping grounds and notes on the plans and the open space agreement include that he can't use it as dumping grounds either those are the alternatives to open space providing the buffer we requested of the Planning Board some direction on whether or not we can go this way a standard layout of 31 lots. The lot number is the same. The difference is the open space and this is the plan we would prefer to build, our clients would prefer to build but if the cluster resolution is not successful we will be building standard layouts 15,000 square foot lots within the parcel.

Mr. Bob Pospiech: I'd like to talk about the retention pond. Why do we need retention pond and why can't the Town have the developers go into a regulation

drainage system.

Mr. Grevas: First off the drainage system basically goes over the tracks and there is some problem further west which hopefully is being addressed in other projects from this point down through the woods and pond area and on down to Moodna Creek and there are several restrictions in the culvert system many including along Ceasar's Lane coming down on the northerly side of Ceasars down to where it goes under Ceasar's and comes down to Moodna the system down stream can't handle any more water in the quick solution. The idea since we are developing the property we cannot discharge any more at this point in cubic feet per second than is already going out here or this system out here will become even more overloaded. The point we are putting in a retention area to slow down that flow this retention area is designed on a 50 year storm and what happens is when it rains hard this will fill up to a depth maximum of 1.9 feet and the it will bleed out over the next day or two until it is dry most of the time this will be a grassed lawn with a depression in it similar to somebody's back yard that floods over every time it rains.

Mr. Pospiech: My problem why doesn't the Town take care of it and take the water off the property.

Mr. Grevas: Because the Town, what we are talking about is hundreds and hundreds of thousands of dollars for improvements downstream all the way down to Moodna that the Town has had several drainage studies done, the earliest in 1975 and the point was then that all those systems coming all the way from Moodna had to be enlarged and there are some places where he can't do it without conflicting with water lines so the idea is to hold it back so we don't add to the already existing problem and I am sure people in the Schoonmaker subdivision will tell you when it rains they have some problems.

Mr. Pospiech: I asked a question of him can I ask the question of the Board isn't the Town doing anything we have had water problems on Garden Street now it looks like we are going to have more problems.

Mr. Scheible: That is a question I'd like to answer but you are going to have to address the Town Board that is not a Planning Board decision.

Mr. Pospiech: Don't you make suggestions to the Town Board?

Mr. Scheible: We make suggestions upon suggestions. Mr. Edsall may be can help out he is our engineer and also the Town Board's engineer.

Mr. Edsall: It is not a situation that has been ignored by the Town Board you are aware that probably a year ago we put out a project to bid on Hudson Drive area because of the multitude of conflicts because of the sewer and water line the project came in for very short section at well over \$100,000. It was an inordinant amount of money we are trying to figure out how to solve the problem and not to create more problems downstream there are areas if we approve it at Hudson downstream they will find there themselves that problem with additional residences, the Town Board is aware of it at this point how it is being handled the entire drainage study we referred to is being preoritized so we can start looking and improving all the areas that have problems.

Mr. Pospiech: To the retention pond you have one at Continental Manor off Temple Hill Road and there is always water there I don't know if you have

noticed that it is behind the condos.

Mr. Van Leeuwen: There is no retention pond there. It is not by the Planning Board.

Mr. Pospiech: The pond wasn't there naturally. I just assumed it was retention basin.

Mr. Van Leeuwen: I was here when that was approved and there was no retention pond required.

Mr. Scheible: Along the railroad tracks.

Mr. Pospiech: Yes, 40 feet long and 15 feet wide.

Mr. Scheible: That is an area this will have to be cleaned up by the developers before they pack up and leave the area.

Mr. Pospiech: I am worried about children with the ponds. But coming off this Continental Manor this is a lot of water there and something like this might have to be fixed for safety of the Town.

Mr. Babcock: He is referring to the Commons the retention ponds across the street instead of Continental Manor.

Mr. Grevas: I think he is talking about Temple Hill Road. I have seen that I think what happened there as they are moving down their fill areas that were naturally wet and confining it by the time they get to the other end that will have to be taken care of.

Mr. Pospiech: I assumed it was retention pond I am sorry. One more question. They have exit and entrance to Route 32 now my understanding is New York State has approved this already?

Mr. Grevas: No, they have not approved but they know about it we have to get a highway work permit.

Mr. Pospiech: What happens if they don't get it. If they don't allow them to have entrance and exit of 32 the only entrance would be Garden Street.

Mr. Scheible: It is not feasible they will deny him because you own a piece of property they can't deny you an entrance and exit on that.

Mr. Grevas: They can tell you how and where but they can't deny access because when they acquired the land they had not restricted access back in '56.

Mr. Pitts. I heard the term cluster homes could we have a further explanation of what your description is?

Mr. Grevas: The idea is this is strictly single family detached and I want to make that very clear none of these units will be attached to each other in any way, shape or form. The word cluster means that you first take the property and lay it out the with a standard layout and find out how many lots you can get with standard zoning in this case 31 and we have given plans to the Planning Board to show yes we can get 31 lots then you take the same number of lots

reduce the individual lot size down to create your green spaces but you don't increase the density and that is where the word cluster comes from but again these are single family detached houses, side yard, rear yard setbacks no attached housing units proposed on the site.

Mr. Pitts: According to the map you have 31 spaces so there will be 31 individual homes?

Mr. Grevas: Yes.

Mr. Pitts: In looking at the map I see some of the lots are triangular in the upper lefthand corner. Are those people going to be able to get out to the street?

Mr. Grevas: There is 50 feet.

Mr. Pitts: They are going to have a drive coming down to the street?

Mr. Grevas: This dimension from this point to this point 50 feet along the property line.

Mr. Pitts: And then the rear of the property would be about four hundred feet.

Mr. Grevas: It is drawn to scale this is 108 feet this is 143 feet this is 154 feet.

Mr. Pitts: May I show you what I am talking about?

Mr. Grevas: Yes.

Mr. Pitts: There is any change in the zoning for R1?

Mr. Grevas: No, there is a change in the zoning size of the lots square footage we are asking for reduction from 15,000 to 12,500 and some of the setback requirements and again I say that this Planning Board can only recommend that to the Town Board as far as the lot size goes the lot size requirement in the zone is 15,000 we are proposing 12,500.

Mr. Pitts: Approximate cost of these homes with 180 foot rear line at today's prices, 50 foot entrance to the lot that would mean a good size home in the neighborhood of 55 feet approximately.

Mr. Grevas: I am given to understand the price range we are talking about our client tells us they are probably in the range of \$230 or \$250,000.

Mr. Pitts: There is another question I have with this development now we have running down Leslie Avenue a stone wall and it is a real old prior to the Revolutionary time, the base is about 12 feet and it comes up it is not laid in like you'd see in Westchester. Are those stone walls going to be disturbed or bothered in any way?

Mr. Grevas: In the first place is that the one you are speaking about this wall here and this wall over here, they are boundaries and they are adjacent to this green strip they will not be disturbed and just as I am a surveyor I hate it when they disturb the walls because this is a boundary.

Mr. Pitts: My boundary stakes are in the walls I think you even used them.

Mr. Grevas: We had that stone wall not to be disturbed at the last meeting in the hall we were talking to a woman right here there is a large white oak tree 3 feet south of the wall that is not to be disturbed. We are not talking anything within 20 feet of the wall.

Mr. Pitts: That is about 400 years old.

Mr. Grevas: My client has said no way would we touch that.

Elaine Alexander Pitts: That white oak, distance around was 12' 6" as you can see it is just over the stone wall on the other side of the property estimated age well over 250 years and very, very living I can attest to all the leaves my father and I rake. I am Elaine Alexander 241 Leslie Avenue. I am also on the New Windsor Historical Committee the DeWitt maps 1782 and 783 there are several versions of them and 2 of the ones I have the seen the reproduction of show the hospital for the Cantonment somewhere in the general vicinity of that field and or the Schoonmaker Development. I would like to know has any archeological research been done on the field because I know as a child I played on that field and I know of several corpses of trees and rock piles which could very well have been foundations and this is my question has there been any research and if not why not because we know what the history is in our town.

Mr. Mc Carville: That hospital cropped up on the other lot here.

Mr. Reynolds: This is a public hearing here and we get the information from you people so we can go ahead and make a decision so these are things we appreciate.

Mr. Scheible: I appreciate your input.

Ms. Alexander: I am very much aware of Sloop Hill, Town of New Windsor Park Lands opposite that site and I have been very active up there this particular location for the hospital we don't have any original hospital or Cantonment area that has not been touched, what has happened is developments have come through with bulldozers and heavy equipment within New Windsor and it is possible the artifacts are only six inches under the surface that field has been farmed so perhaps they have been disturbed and put down two feet maximum but they are still there and I'd like to have some information on that.

Mr. Scheible: If you can supply us with more information with maps that would be greatly appreciated.

Ms. Alexander: Yes.

Mr. Grevas: Mr. DeWitt he had a lot of maps through the area and where they had the problem is on the maps that the scaling was different on individual pieces of property he was accurate in roads and water courses but when it comes to actual scaling between points and trying to figure out where a particular thing was that was different.

Ms. Alexander: The reason for this my particular question is obviously yes I know the scale of the maps are inaccurate which also leads to say that we haven't found the actual hospital site in New Windsor or with all the

construction that has been going on and I am concerned about that in that field as I said as a child I have played there and if any property which adjoins it has been found hand-forged latch hook and cannon ball including flint and this was off my property and if it is on there it is on the other property too.

Pat Favino: I live on 257 Garden Street right next to the retention pond. Children are known to be walking through there I have two children I am wondering how deep is the gully between the grass or whatever.

Mr. Scheible: 1.9 feet.

Mr. Grevas: That is the depth of depression if it rains hard enough to fill it up I will be surprised that is a working depth at a 50 year storm and I don't know what the runoff time is I think it is about a day and a half so that is the maximum 1.9 feet.

Mrs. Favino: The children are used to playing in there.

Mr. Mc Carville: That will be graded and re-seed as part of the proposal.

Mrs. Favino: I was concerned about a big ditch that the kids will fall into.

Mr. Grevas: It is wide and long so we will not get a big depression and depth is 1.9 feet.

Kathrine Pitts: Children can drown in a foot of water that needs to be fenced in.

Mrs. Alexander: Last meeting I believe I thought I heard that the green space attached to my property on the other side was to be ten feet and now I heard 20 feet and I'd like a clarification on that.

Mr. Grevas: It is 20 feet.

Ms. Alexander: Thank you.

Mr. Van Leeuwen: I make a motion to close the public hearing. Seconded by Mr. Mc Carville and approved by the Board.

|            |                 |     |
|------------|-----------------|-----|
| Roll Call: | MR. JONES       | AYE |
|            | MR. REYNS       | AYE |
|            | MR. VAN LEEUWEN | AYE |
|            | MR. MC CARVILLE | AYE |
|            | MR. LANDER      | AYE |
|            | MR. SCHIEFER    | AYE |
|            | MR. SCHEIBLE    | AYE |

Mr. Schiefer: There will be another public hearing when this goes before the Town Board correct?

Mr. Ronas: Yes.

Mr. Pitts: On behalf of myself, thank you for giving me the opportunity to speak.

Mr. Scheible: On behalf of the Board we appreciate you people coming in and giving us your input. We are glad to see people come out and give us a hand.

Mr. Rones: I would suggest assuming for the sake of argument we are making a resolution to the Town Board we might suggest to them since they are the agency with approval and authority that perhaps they be the ones to be the lead agency and carry out the SEQR process for this project to whatever extent they deem advisable. And then Mrs. Alexander in order to help the Town evaluate this it might behoove you to, when the public hearing comes before the Town Board to come with some concrete information and maps and things of that sort so that the likelihood of artifacts and archeological significance of this site can be better understood and evaluated.

Ms. Alexander: Will I be notified individually of this Town Board meeting and topic under discussion at least time enough in advance so I can get materials together.

Mr. Grevas: I will make it a point to contact you. The Town Board will hold a public hearing you will be notified then by same method you were here but I understand the situation with the archives and the maps so if I can get copies of those I'd appreciate it because they are handy.

Mr. Rones: This is not obviously a Type 1 action it is really unlisted action most likely and so it really is not required necessarily unless you can show something unique about this site that the Town Board requires some very detailed environmental review.

Ms. Alexander: I am not trying to stop the project.

Mr. Rones: It won't stop it but if it is important to evaluate the archeological significance in your view you should bring some more information so the Town Board can get full appreciation of what the issues are.

Mr. Grevas: I would like to ask for that recommendation again to the Town Board so we can get the ball rolling with that. Thank you.

#### STARR HOMES SUBDIVISION (86-73)

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

Mr. Grevas: As you will recall with the last meeting with the Planning Board regarding this site we were proposing 4 lots because we were at 3.39 acres on the site there was determined it had to go to the Zoning Board of Appeals, the Board was concerned about configuration of lot lines and the developer has since decided to divide the property into three lots which are shown here, one of the lots which will become one of the lots has a house on it right now under construction that would be what will be the lot number 1.

Mr. Van Leeuwen: Who is the owners of this?

Mr. Grevas: Star Homes, the fellows name is Peters.

Mr. Scheible: Owner's names, name of applicant is Frank Dupona owner of record application care of Frank Dupona.

# Shaw Engineering

Consulting Engineers

P.O. Box 2569  
744 Broadway  
Newburgh, New York 12550  
(914) 561-3695

March 18, 1987

Elias D. Grevas, L.S.  
33 Quassaick Avenue  
New Windsor, New York 12550

Re: Windsor Square Subdivision  
Route 32, New Windsor

Dear Mr. Grevas:

Pursuant to your request, we are taking this opportunity to summarize the design parameters utilized by this office in the design of the retention pond of the above referenced project. The information presented below should not be considered our final drainage report as this document will be prepared in detail prior to Final Subdivision Approval by the Town of New Windsor Planning Board.

The subject parcel presently consists of 15.8 acres, all of which drains in an easterly direction. Utilizing a time of concentration of 24 minutes and a rainfall intensity of 4.2 inches per hour, the site in its existing vegetated state will generate 19.9 cfs of stormwater in a storm frequency of 25 years.

Development of the subject parcel will change the permeability of its ground surface. We estimate that of the 15.8 acres, 3.0 acres will be road, roof and driveway surfaces, and the remaining 12.8 acres will be existing tree growth and grass. Upon development of the project we anticipate a time of concentration of 15 minutes which will result in a rainfall intensity of 5.3 inches per hour. The maximum runoff from the developed site computes at 34.6 cfs, again for a 25 year storm.

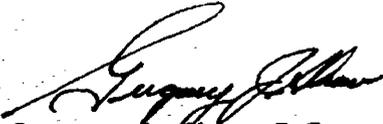
Working with the theory of zero increase in storm water runoff after construction, we have limited the outfall of the retention pond to the above mentioned 19.9 cfs. In order to accomplish this storm water runoff reduction, a retention pond of 27,000 c.f. will be required. The approximate dimensions of the pond are indicated on the Preliminary Subdivision Plat and a working depth of 1.9 feet will be required.

March 18, 1987

Again, we will be preparing our final drainage report prior to Final Subdivision Approval. Should additional information be required of this office prior to that time, please contact this writer at your convenience.

Very truly yours,

SHAW ENGINEERING



Gregory J. Shaw, P.E.  
Principal

GJS:mmv  
Enclosure

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

This is a two-sided form) 86-58

Received \_\_\_\_\_  
Preapplication Approval \_\_\_\_\_  
Preliminary Approval \_\_\_\_\_  
Final Approval \_\_\_\_\_  
Fees Paid 12500.00

APPLICATION FOR SUBDIVISION APPROVAL

Date: 11 Aug 1980

1. Name of subdivision WINDSOR SQUARE
2. Name of applicant Robert Kolinsky Phone \_\_\_\_\_  
Address 19 Barrie Dr, Spring Valley, N.Y. 10977  
(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 Phone (914) 562-8607  
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 East side of Route 32, Windsor Highway  
(Street)  
1000± feet North of Willow Lane  
(direction)
7. Total Acreage 16± Ac Zone R-4 Number of Lots 31
8. Tax map designation: Section 35 Lot(s) 42.1 & 42.2, Block 1
9. Has this property, or any portion of the property, previously been subdivided No.  
If yes, when \_\_\_\_\_; by whom \_\_\_\_\_.
10. Has the Zoning Board of Appeals granted any variance concerning this property No.  
If yes, list case No. and Name \_\_\_\_\_.

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. GROVAS, hereby depose and say that  
AS Agent for Applicant  
all the above statements and the statements contained in the papers submitted herewith are true.

[Signature]  
Mailing Address 33 Passaic Ave  
New Windsor, N.Y. 12550

SWORN to before me this

13<sup>th</sup> day of August, 1986

[Signature]  
NOTARY PUBLIC

RUTH J. EATON  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires Oct 31, 88  
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? Yes No
2. Will there be a major change to any unique or unusual land form found on the site? Yes No
3. Will project alter or have a large effect on an existing body of water? Yes No
4. Will project have a potentially large impact on groundwater quality? Yes No
5. Will project significantly effect drainage flow on adjacent sites? Yes No
6. Will project affect any threatened or endangered plant or animal species? Yes No
7. Will project result in a major adverse effect on air quality? Yes No
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? Yes No
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? Yes No
10. Will project have a major effect on existing or future recreational opportunities? Yes No
11. Will project result in major traffic problems or cause a major effect to existing transportation systems? Yes No
12. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation? Yes No
13. Will project have any impact on public health or safety? Yes No
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? Yes No
15. Is there public controversy concerning the project? Yes No

PREPARER'S SIGNATURE: [Signature]

TITLE: Land Surveyor

REPRESENTING: Windsor Square

DATE: 13 Aug 1986



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
112 DICKSON STREET  
NEWBURGH, NY 12550

Albert E. Dickson  
Regional Director

Franklin E. White  
Commissioner

January 12, 1987

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

RE: Windsor Square  
Route 32, S.H. 9033

Dear Chairman:

We have reviewed this matter and please find our comments checked below:

- A Highway Work Permit will be required
- No objection
- Need additional information  Traffic Study
- Drainage Study
- To be reviewed by Regional Office
- Does not affect N.Y. State Dept. of Transportation

ADDITIONAL COMMENTS: New Town Road should be moved to north 230 ft. +- to improve sight distance.

Very truly yours,

*D. Greene*

Donald Greene  
C.E. I Permits  
Orange County

DG/dn



**Louis Helmbach**  
County Executive

**Department of Planning  
& Development**

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

**Peter Garrison, Commissioner**  
**Richard S. DeTurk, Deputy Commissioner**

September 5, 1986

Mr. Henry Reynolds, Chairman  
Town of New Windsor Planning Board  
Box 281, Beatty Rd  
Rock Tavern, N.Y. 12575

Re: Major Subdivision, Windsor Square  
NYS 32  
Our File No. NWT 32-86N

Dear Mr. Reynolds:

A substantial degree of information normally required pursuant to major subdivision plat review is missing from the referenced 31 lot subdivision application. Such aspects as sewer and water lines, soil characteristics, storm water drainage facilities, erosion control methods, topography, mature vegetation, house and drive locations, road grade profiles and construction detail, etc. should be depicted on the subdivision plan.

When the aforementioned information is included, we will consider the application complete, review it and render a decision in accordance with Section 239 paragraphs 1 and n of the General Municipal Law.

Sincerely,

Fred H. Budde  
Planner

FHB:oor



ELIAS D. GREVAS, L.S.  
LAND SURVEYOR  
33 QUASSAICK AVENUE  
NEW WINDSOR, NEW YORK 12550  
(914) 562-8667

*Received Aug 15, 1986  
N.W. Planning Board*

LAND SURVEYS  
SUBDIVISIONS  
SITE PLANNING  
LOCATION SURVEYS

*attachment #1*

11 August 1986

Supervisor & Town Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, N.Y. 12550

Att: Mr. John A. Petro, Supervisor

SUBJECT: WINDSOR SQUARE; PROPOSED "CLUSTER" SUBDIVISION, ROUTE 32

Dear Supervisor Petro:

As you may recall, this parcel was previously the subject of a request for a "Commercial Zone" along the frontage, at the suggestion of the Planning Board, subsequently presented as a "Mini" Planned Unit Development.

Since the latter project required either a change in Zoning or a Variance, our client has decided to withdraw that plan, and submit a single-family residential subdivision for review by the Planning Board. As part of the application, a request for a "Cluster" subdivision, under Section 281 of the Town Law, is being considered. This is due to our awareness that there is a drainage problem in the area, and that some reduction in the developed area would cause fewer problems downstream.

We are proposing a storm water retention basin for the project with either the standard layout or the cluster plan, and the size of the basin would be dependant upon the increase in runoff after construction.

We are requesting, by copy of this letter, that the Planning Board review the submittal and advise you accordingly. We are enclosing a copy of each of the Standard and Cluster layouts for the Town Board's discussions. If you should wish further clarification at a meeting, please do not hesitate to contact this office.

Very truly yours

Elias D. Grevas, L.S.

cc: Mr. Henry Reys, Chairman, Planning Board  
Mr. Robert Kolinski



ELIAS D. GREVAS, L.S.  
LAND SURVEYOR  
33 QUASSAICK AVENUE  
NEW WINDSOR, NEW YORK 12550  
(914) 562-8667

LAND SURVEYS  
SUBDIVISIONS  
SITE PLANNING  
LOCATION SURVEYS

*Planning Board  
received  
3/14/86 ph.*

13 March 1986

Supervisor & Town Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, N.Y. 12550

Att: Mr. John A. Petro, Supervisor

Subject: Windsor Square (formerly Linder Property), Route 32;  
proposed Planned Unit Development.

Dear Mr. Petro:

As you may recall, we had previously, informally, requested a proposed Zoning Change to provide a Neighborhood Commercial strip along the frontage of this property. That request was referred to the Planning Board, and was a subject of discussion at a Planning Board Meeting.

At that meeting, the Planning Board suggested that a Mini - P.U.D." would be a better method of development of this site, even though we do not have the necessary fifty (50) acres normally required for such a plan.

As a result of this suggestion, we have prepared a Sketch Plan, showing a proposed Planned Unit Development, utilizing the center of the site for Commercial and Professional office uses, and the perimeter of that area for Residential housing. As can be seen on the enclosed plans, we have "mixed" the housing by type, and are proposing units that would meet or exceed the rear-yard setback requirements to provide separation from existing residential development in the area.

We are taking the liberty of sending copies of this plan to the Planning Board for their comments, and would be happy to meet with either or both Boards to discuss this matter, at your convenience.

Very truly yours,

Elias D. Grevas, L.S.

cc: Town of New Windsor Planning Board  
Mr. Robert Kolinsky

encl/as  
LG/ms

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by  
Robt. Kolinski for the building or subdivision of  
Windsor Square has been  
reviewed by me and is approved   
~~disapproved~~ \_\_\_\_\_.

~~If disapproved, please list reason.~~

There is an existing 12" water main located  
on Rt. 32 (Windsor Highway) facing property -

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

Steve Bidio  
\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by  
ELLAS Grivas, L.S. for the building or subdivision of  
Windsor Square has been  
reviewed by me and is approved \_\_\_\_\_,  
disapproved \_\_\_\_\_.

If disapproved, please list reason.

- 1.) No information regarding sewer line.
  - A. Shall Require "AIR TEST" on main Sewer lines before any house connections are made.
  - B. Shall require a performance bond.
  - C. shall require proper permits and inspections of house Internals

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Lyman D. Masten Jr.  
SANITARY SUPERINTENDENT

8/25/86  
DATE



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

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

Licensed in New York,  
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: Windsor Square Subdivision  
PROJECT LOCATION: East side of Route 32  
NW #: 86-58  
22 April 1987

- 1). The Applicant has submitted a Thirty-One (31) lot subdivision of a 15.9 +/- acre parcel on the east side of Route 32, south of Union Avenue. The Plan has been prepared as a "cluster development" as per the direction of the Planning Board.
- 2). The Board should consider requiring that the Applicant indicate that the driveways for Lot 31 and Lot 1 access from Garden Avenue extension and the cul-de-sac, respectively. (Rather than onto the main access road off Route 32).
- 3). The Board may wish to review, with the Applicant's representative, the traffic control signs to be placed and the intended traffic patterns.
- 4). The Board should make a formal determination regarding the acceptability of the proposed lot requirements for the cluster layout.
- 5). The subdivision plans will require submittal to the New York State Department of Environmental Conservation and the Orange County Department of Health for the sewer main extension and water main extension, respectively.
- 6). Application to the New York State Department of Transportation will be required for the roadway onto Route 32.
- 7). With regard to the water distribution system proposed, an additional hydrant should be placed at the intersection of Windsor Square and Route 32. In addition, a system separation valve should be placed on the main at approximately Station 6+00 of Garden Avenue.

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: Windsor Square Subdivision  
PROJECT LOCATION: East side of Route 32  
NW #: 86-58  
22 April 1987

Page 2

8). The Applicant should clarify the intent for placement of sewer laterals for Lot's 30, 31, 1, 2 and 3 since each of these lots does not have the sewer main running along its limits. As such, it appears that laterals will be significantly long in length and connection to manholes may be intended. Acceptability of same should be coordinated with the Sewer Department and the Engineer.

9). Regarding the on-site stormwater collection facilities and the proposed stormwater retention basin, a more complete drainage report should be submitted by a professional engineer, with such report including "at minimum" calculations for upstream, on-site and downstream drainage courses, capacities and conclusions as to the effects of the development. Details of the retention basin should be provided. Clarification should be made as to the responsibility for maintenance of the retention basin.

10). The typical road section as shown on sheet 2 of the plans does not conform to the suburban street specifications and detail of the Town Code.

11). Upon approval of the cluster lot requirements, the plan should include metes and bounds for all internal lot lines.

12). The Plan should include the Record Owner as well as the Applicant as indicated.

Respectfully submitted,

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

MJEnjE

TOWN OF NEW WINDSOR PLANNING BOARD

TOWN HALL, UNION AVENUE, NEW WINDSOR, NEW YORK

APRIL 22, 1987

BOARD MEMBERS PRESENT: HENRY SCHEIBLE  
LAWRENCE JONES  
HENRY MC CARVILLE  
RON LANDER  
HENRY REYNS  
HENRY VAN LEEUWEN  
CARL SCHIEFER

OTHERS PRESENT: JOSEPH RONES, PLANNING BOARD ATTORNEY  
MARK EDALL, PLANNING BOARD ENGINEER  
FRANCES ROTH, SECRETARY

Mr. Scheible called the regular meeting to order.

Mr. Scheible asked if there were any additions or corrections to last month's minutes. Mr. Reyns: "That the Planning Board of the Town of New Windsor table the approval of last month's minutes until the next meeting." Seconded by Mr. Jones and approved by the Board.

Roll Call: All Ayes

PUBLIC HEARING - WINDSOR SQUARE SUBDIVISION (86-58)

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

Mr. Grevas: In getting my informatin together for the meeting tonight I noticed I did not have an Affidavit of Publication for the hearing. I delivered the form to the newspaper on the 7th of April and I do not know if it was published. I would ask the Board's indulgence if I can continue with the hearing since we did notify 21 people and instead of closing the hearing continue it and advertise if necessary agsin I know it was not in the April 19th issue that is the one it should have been in.

Mr. Rones: It would be up to the Planning Board there is the possibility that it will be necessary to have another public hearing or the continued public hearing in which basically the same information might be presented because those people not only who were within the required radius of the project but anyone else in the Town of course is entitled to come and be heard and that is the object of publishing the notice in the newspaper. It would really be a matter of discretion with the Board as to whether to allow the presentation but of course it would be necessary to continue the public hearing and have the possibility of the applicant being available to make the presentation again if people interested in the proposal were to appear at the subsequent meeting.

Mr. Grevas: My only concern is we did notify 21 people and if as many people made the trip tonight I'd hate to have them come for nought that is the only reason for my request.

Mr. Scheible: Are you willing to accept the fact there may possibly be another public hearing?

Mr. Grevas: Yes.

Mr. Scheible: Since these people have showed up here tonight I think we should go on with the public hearing as so stated tonight.

Mr. Grevas: Thank you.

Mr. Scheible: Is that in agreement with the Board?

Mr. Reynolds: No.

Mr. Scheible: We may have to call this a public hearing informational meeting.

Mr. Grevas: We could start the public hearing instead of closing it continue it until a future date. I can't even advertise for your next meeting because the paper is issued again tomorrow and I have to do it two weeks before.

Mr. Jones: I think we should have the whole thing all in one night not two nights.

Mr. Reynolds: I'd hate to say no but I think for the benefit of those people who are not here and those that would be here at the next meeting we might have some information that they wouldn't get and so therefore I think that it is best to have it all at one meeting. So I am saying one meeting.

Mr. Scheible: Postpone?

Mr. Mc Carville: Either way.

Mr. Lander: Future date.

Mr. Scheible: I feel sorry for all the people who have showed up here tonight.

Mr. Grevas: I will make myself available after the next item out in the front of the building to answer any questions people might have in case there is anybody here on the meeting. Shall I leave these mailings here with the Board these are the notices and this is the assessor's list.

Mr. Scheible: Yes, we will put these on record.

Mr. Ronas: You are going to need the list.

Mr. Grevas: I have a copy. As I said I did not discover until getting ready this evening that had not been published and I delivered it myself. I took it down there on the 7th and I didn't notice it wasn't in the paper. Thank you.

Mr. Scheible: For all those that are here for the public hearing regarding

Windsor Square Subdivision tonight be it whoever's fault it may be that the ad did not appear in the newspaper in the New Windsor Sentinel so therefore we are going to postpone tonight's public hearing until future notice. We cannot have the public hearing until said notice does appear in the newspaper. So there will be an announcement in the Sentinel within the next week.

Mr. Grevas: It has to be put in next month.

Mr. Scheible: With the time and date the public hearing will be held I want to thank you each for taking your time and showing up if you have any questions regarding Windsor Square Subdivision Mr. Grevas will be available in the hallway in about ten or fifteen minutes to answer any questions you may have. Thank you very much for showing up.

PLEASANT ACRES NURSERY SITE PLAN (87-5)

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

Mr. Grevas: The day after our last meeting Mr. Green met with Mr. Williams on the site and requested that the drive position be moved to the south. We complied with that request and made some other minor revisions requested by Mr. Green and the application has been submitted we ran into another snag the State does not want us to complete the construction of the access because the State is getting ready to do some work on 32. But they will issue the permit. I have a letter from Mr. Green it is being reviewed by the regional office since it does have to do with construction on 32 they are sending it to Poughkeepsie for review. Since we already have access onto 32 and since the application has been made to the DOT and since there are no objections we have met all the requirements requested we are asking for final approval.

Mr. Scheible: You say that the plan has been approved, this entrance has been approved?

Mr. Grevas: Yes, there is a letter from Don Green. This has been brought back in because they moved it from the center of the drive.

Mr. Scheible: This is the same map we approved at the former meeting just that the curb cut has been changed?

Mr. Reyns: What was their reasoning for moving the drive?

Mr. Grevas: They wanted to line up more with Hillside Drive they wanted it to be opposite Hillside Drive. I didn't agree with that but you don't argue with the State if you want a permit.

Mr. Mc Carville: "That the Planning Board of the Town of New Windsor approve the site plan of Pleasant Acres Nursery map dated April 13, 1987." Seconded by Mr. Lander and approved by the Board.

|            |                 |     |
|------------|-----------------|-----|
| Roll Call: | Mr. Jones       | Aye |
|            | Mr. Reyns       | Aye |
|            | Mr. Mc Carville | Aye |
|            | Mr. Lander      | Aye |
|            | Mr. Van Leeuwen | Aye |

Mr. Scheible: I think this is going to need on-site inspection for sure.

Mr. Reynolds: The front lot on 207 I think somehow that can be redesigned because this is not going to look good at all.

Mr. Bauer: It conforms to the zoning.

Mr. Reynolds: I am sure it does I am talking about good planning not zoning.

Mr. Mc Carville: I have a problem with 21, I don't like the property line in the back. That should run directly across to the corner of number 20.

Mr. Bauer: We have done the topo and boundary in the field.

Mr. Scheible: I believe we cannot give approval due to the engineer's report and I believe that we should have an on-site inspection, walking it. If that is the feeling of the Board.

Mr. Mc Carville: Yes.

Mr. Jones: Yes.

Mr. Reynolds: Yes.

Mr. Scheible: We are going to set up a meeting date within the next two weeks where we will take an on-site inspection before we go any further with the subject.

Mr. Bauer: There is a time constraint with the contract.

Mr. Scheible: We have heard that before we are going to have to go by the correct procedure and first thing we are going to do is inspect the piece of property. We will be in touch with you when you will be next on the agenda.

WINDSOR SQUARE SUBDIVISION (86-58) Apr. 8 - 1987

Mr. Grevas came before the Board representing this proposal.

Mr. Grevas: Our last meeting based on the comments which were made there I have added a note to the plan there are two sheets in that set I have added a note to the plan based on that meeting and on Mr. Babcock's meeting I had with him concerning that item about the open space. If you recall this subdivision we submitted a standard layout which will put up on the Board also sometime ago we also have prepared a cluster layout which I have taken a few minutes to color it in so it would be a little more evident. We have submitted the plans and the profiles preparatory to a public hearing as my understanding that we are preparing to do a public hearing on the 22nd and that the reason you wanted to see the plan tonight was to go over any last minutes details to get back to this. This is the standard layout 15,000 square foot lots, 31 lots. This is the cluster plan as we discussed some months ago to provide a buffer strip basically along 32, 50 foot minimum in width wider at the corners approximately 20 feet wide along here. Those of you who might know the property know there is not too much in the way of growth here in the way of trees most of the trees are

along the perimeter and along the rear bed there are some. This the old Erie Line that goes up in the back of Devitts. This is the access from 32 and the access to Garden Avenue through the subdivision. The proposal consists of 12,000 square foot lots the proposed cluster requirements are here. The most important thing we discussed is how we treat the open space. At the last meeting we said we are concerned about what happens to the space our proposal is to attach it to each individual lot rather than give it to a home owners association for various reasons. In order to do that some questions came up regarding maintenance of that space what is being done in the space what can't be done and how it is applied because the building inspector's office shouldn't be saddled with that kind of responsibility. In reply to that I came up with an idea of coming up to an open space agreement which would be filed in the County Clerk's Office and each deed of record outlining the restriction and any other imposed by the developer and it would be on each open space parcel and each lot that has an open space parcel attached to it. I have said all open space parcels to be remained undeveloped no fences or structures constructed thereon. Existing vegetation is to remain in place shall not be disturbed only dead or fallen trees to be removed and no storage or dumping should be permitted. I request of you that this is a cluster plan it has to go to the Town Board this is a standard layout we are prepared to go either way we are not saving much in the way of roads because you want this road to go out to Garden Avenue and I think the Board feels this was more desirable plan than that one because of the buffering situation.

Mr. Scheible: What is the road width?

Mr. Grevas: 34 feet curb to curb.

Mr. Mc Carville: Have you looked at taking this ledge coming out to 32 pushing it up and eliminating turn about there?

Mr. Grevas: Yes I have looked at it the problem there is the best spot to come out on to 32 sight distance wise this is the high point. This breaks off here.

Mr. Mc Carville: You can't loop it up to the circle?

Mr. Grevas: I could but the property has an odd shape here and as soon as I started to do that I created another thing here that I can't handle. This works out the best. As I say we are prepared to go to public hearing on this plan or if the Board desires we can go with a standard layout.

Mr. Mc Carville: I like the connection to Garden myself.

Mr. Jones: We were there and looked at that and the part that I don't like I can't see catching all the water all this property going to the retention pond and going out to the railroad that is carrying it quite a bit now I would rather see a storm drain going down Garden to the big sewer they have an opening to take care of it.

Mr. Grevas: Basically all the water goes to the same place. This subdivision this is the high point what we are picking up is only what is coming down the road and on these lots there. This basin is only 1.9 feet deep just under two feet and it won't be one of those deep pits and the idea is to hold down the quantity of water coming out at any given time to what is already going out there. There won't be an increase in the flow this is being retained and

letting it out at the same flow it is now. The preliminary calculations were given to Mark and done by Greg Shaw.

Mr. Jones: Suppose Conrail was to see the overflow and say they don't want the flow there?

Mr. Grevas: It is already there this swale goes down and to the culvert along the edge of the railroad bed in a ditch. This is an empty lot you are going to have water coming off the roofs and drives and it is going to come there.

Mr. Jones: They are liable to come up and holler about it then what?

Mr. Grevas: The amount of water is the same the difference is when it hits the point it gets there faster because we have roads and roofs so the idea is to put this in to slow it down so when it comes out here it is the same rate it is going out.

Mr. Scheible: I went there Saturday late afternoon and I couldn't believe I though it would be a river going down along the railroad and it wasn't.

Mr. Mc Carville: I wouldn't believe it either.

Mr. Grevas: This property now doesn't pick up anything off 32 because it goes this way and this water goes in this area here. This is all grass now. When this gets covered up we have to make provisions for it to keep from going out at the same rate. My question to you which plan do you want at the public hearing, standard layout or cluster and are you satisfied with this concept on the open space parcel?

Mr. Jones: I'd like to see open space controlled.

Mr. Grevas: That happens when it is under common ownership because if it is owned by this party then he controls it and the point is if he starts dumping on it we are hoping that the other property owners because of the agreement on file can say to him that is not permitted you have to so. I am particularly concerned about structures being built.

Mr. Mc Carville: Your point about people dumping in the buffer areas is true.

Mr. Grevas: The buffer strip should be left along entirely because this is already on the stone walls on the site, there are trees, there are some meadows, grass but that is it I'd like it left completely alone. Let it be a brush lot.

Mr. Scheible: It sounds good but in reality it never works. I am just casting my vote.

Mr. Grevas: This came up to the Planning Board several months ago and this is how we were told how to go.

Mr. Mc Carville: You maintain the retention basins with the other plan?

Mr. Grevas: Yes. When we put the road in it will be on the right hand side. Basically in the same place. The buffer comes about by the difference in the lot size.

Mr. Mc Carville: I like it plus the buffer area.

Mr. Reynolds: So do I.

Mr. Jones: Having a buffer area in this a note should be on the deed.

Mr. Grevas: It will not only be filed in the County Clerk's office but made a part of the deed and transfer.

Mr. Edsall: I think Mr. Rones can tell me if I am misinterpreting it Mike and I have been looking at paragraph 3823 which goes into cluster open space they want common areas which are to be owned and maintained by a home owners association. Their intent is it will be maintained by a group I don't see any provision here whatsoever what the individually owned sections are parcels provided? That is what would help solve the problem of maintaining and keeping it clean.

Mr. Grevas: I disagree because what happens when this becomes common space that nobody cares. I am disagreeing with that that is all. The point that if it is common space anybody has the right to traverse from one end to the other this way they don't.

Mr. Edsall: What would they do if it is common area? They'll do what?

Mr. Grevas: Kids with motorbikes and so forth. That is the kind of thing I'd like to prevent.

Mr. Edsall: My other question on that layout who by your arrangement is responsible for the maintenance of the retention areas?

Mr. Grevas: That is open for discussion I can do it on lot 21 because it is adjoining. We can give it to the Town for maintenance we can make that as a home owner association because that is a different situation.

Mr. Scheible: Who maintains this area is that up to the Town to maintain it? The retention area.

Mr. Grevas: Same thing it could go either to home owners association or into the district or in this instance as part of this lot. Even there we can make a part of that lot or have the Town maintain it.

Mr. Rones: I think it is best for the Town to maintain it. For everything health, safety and welfare that is who should be maintaining it.

Mr. Grevas: I tend to agree with it.

Mr. Rones: As to the form of ownership assuming there is a felling to go back towards cluster or something similar the ordinance for cluster says does provide for a home owner's arrangement. Or such arrangement as the Town might approve so it could be for a home owners association or whatever. The open space it could be as Lou proposed also it is just a question of what everybody thinks is best for the particular spot.

Mr. Mc Carville: How deep will the retention area be?

Mr. Grevas: 1.9 feet.

Mr. Jones: I like the cluster owned by the property owner.

Mr. Reynolds: Yes.

Mr. McCarville: Cluster plan.

Mr. Lander: Cluster.

Mr. Scheible: I stand alone then.

Mr. Ronas: On the control of the green space the ordinance says such that the Town Board and Town attorney shall approve so I think you have got to run that past Tad Seaman.

Mr. Grevas: Thank you.

JEN MOTEL INC. ((87-4))

Mr. Patrick Kennedy came before the Board representing this proposal.

Mr. Scheible: The only disapproval I see in here is from the Fire Prevention Board it is felt the inner circle is too small for fire fitting apparatus should a fire get out of control it would be impossible to remove fire apparatus.

Mr. Kennedy: This is the existing Fonte's Motel Route 9W just north of the intersection with River Road. The existing units are these units here with an attached office area existing swimming pool and the units here we are proposing 15 units along this here and 6 with this inner drive 25 feet wide going around and using the existing entrances onto 9W now the Fire Bureau says I would assume because of the shape of it swinging fire apparatus around we'd have to modify the shape of that. I'd have to go to Bobby on what he feels is proper.

Mr. Mc Carville: You are proposing 15 units here and there is an existing structure that is going to be taken out and expanding the drive to go around and out.

Mr. Scheible: There seems to be major problems here in the engineer's report. I will read it for the record. The third one is the most important.

Mr. Reynolds: In view of the remarks here should we go ahead I don't think there is any use in reviewing this.

Mr. Scheible: Not until these questions are answered. I don't think this is anything we can review tonight this is a lot of defining here. So we will just shelve this for right now.

Mr. Kennedy: Thank you.

PLEASANT ACRES SITE PLAN (87-5)

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



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

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

Licensed in New York,  
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

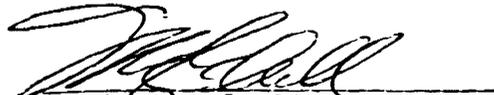
PROJECT NAME: Windsor Square Subdivision  
PROJECT LOCATION: East Side of Route 32 (South of Union Avenue)  
NW #: 86-58  
8 April 1987

1). The Applicant has submitted a Thirty One (31) Lot Subdivision of a 15.9 +/- acre parcel on the east side of Route 32. The Plan was laid out as a "cluster development". The Plan was reviewed as Preliminary Plan Submittal.

2). I have reviewed the letter dated 26 February 1987 from the Orange County Department of Planning and Development and tend to, in light of the many problem areas recently identified with cluster type developments, agree with their contention that the development of a cluster type arrangement for this subdivision serves no benefit over a standard R-4 zoned development. The Board may wish to discuss the pro's and con's of developing the lot as a cluster or standard arrangement.

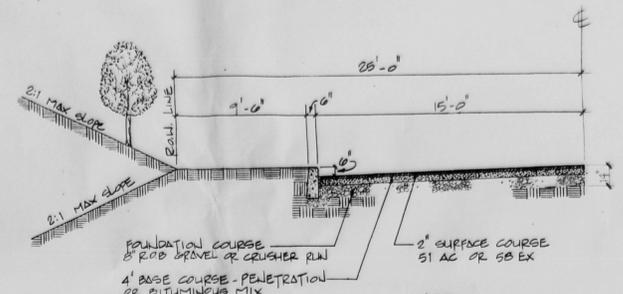
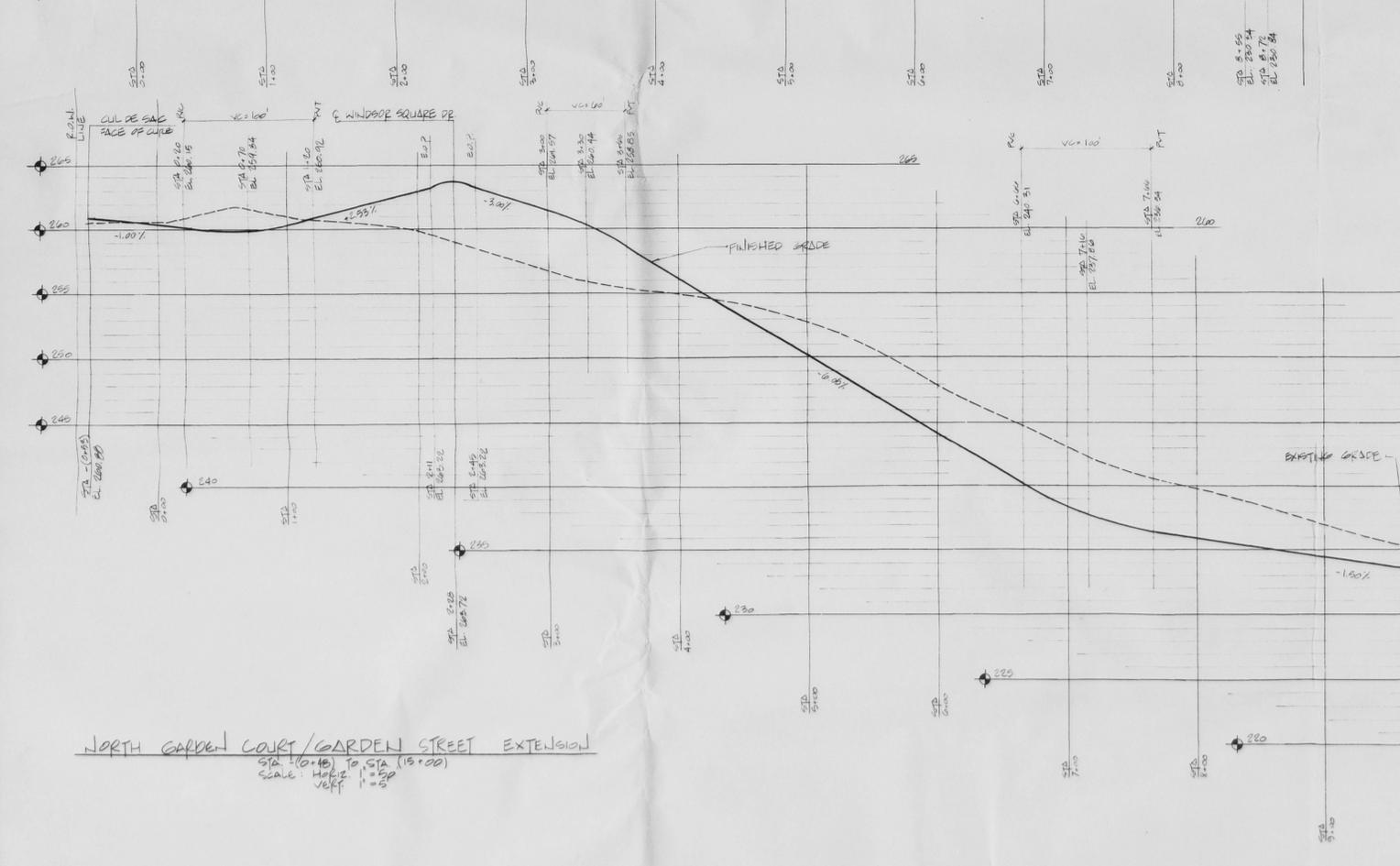
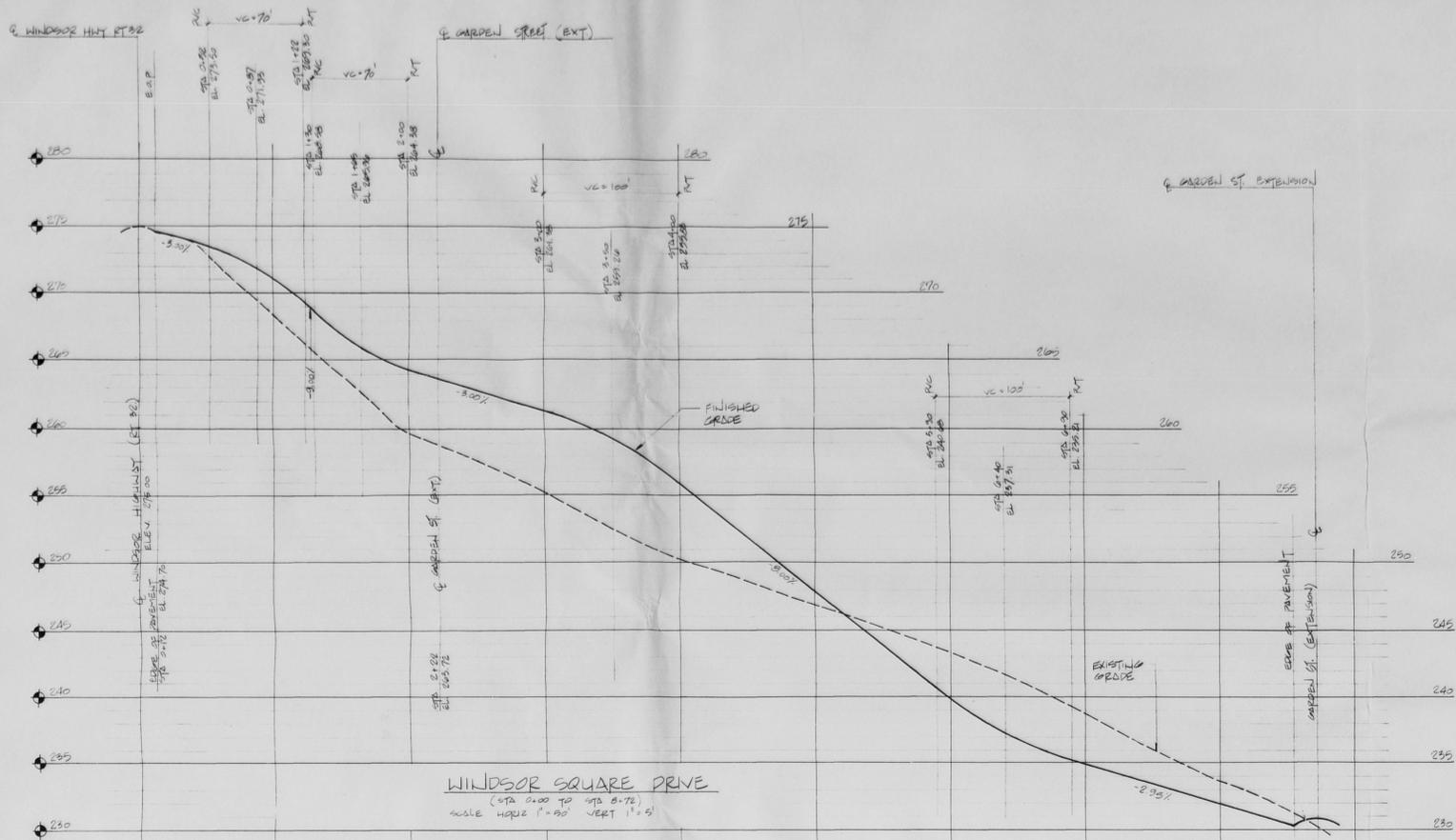
3). Receipt of a letter dated 18 March 1987 from Shaw Engineering with regard to the proposed storm water control facilities is acknowledged; prior to final approval submittal of calculations for upstream, on-site and downstream drainage courses, capacities and conclusions as to the effects of the development must be submitted; such report to be signed and sealed by a licensed professional engineer.

Respectfully submitted,

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

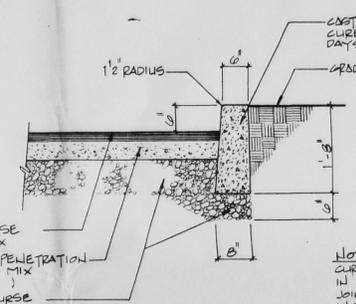
MJEnjE





NOTE:  
ALL TREES TO BE REMOVED WITHIN RIGHT OF WAY LINE.  
ALL OF STREET TO BE GRADED TO RIGHT OF WAY LINE.

SUBURBAN STREET SPECIFICATION  
SCALE 1/4" = 1'-0"



NOTE:  
CURB SHALL BE CAST IN PLACE WITH EXPANSION JOINTS OF 3/16" CELLULOSE OR SIMILAR MATERIAL WHICH SHALL BE PLACED AT 10' INTERVALS.

TYPICAL PAVEMENT/CURB DETAIL  
SCALE 3/4" = 1'-0"

SUB DIVISION \_\_\_\_\_ APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON **JUL 26 1991** BY *Ronald Lander* RONALD LANDER SECRETARY

NOTE: DRAWINGS ARE INVALID UNLESS THEY CONTAIN ALL DRAWING NUMBERS 1 OF 10 THROUGH 10 OF 10.

**Shaw Engineering**  
Consulting Engineers  
744 Broadway  
Newburgh N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

| ISSUE | REVISION                     | DATE    |
|-------|------------------------------|---------|
| 5     | PER TOWN ENGINEER'S COMMENTS | 6-26-81 |
| 4     | NO REVISION                  | 3-6-81  |
| 3     | NO REVISION                  | 7-30-80 |
| 2     | NO REVISION                  | 8-22-80 |
| 1     | N.A.                         | 4-29-80 |

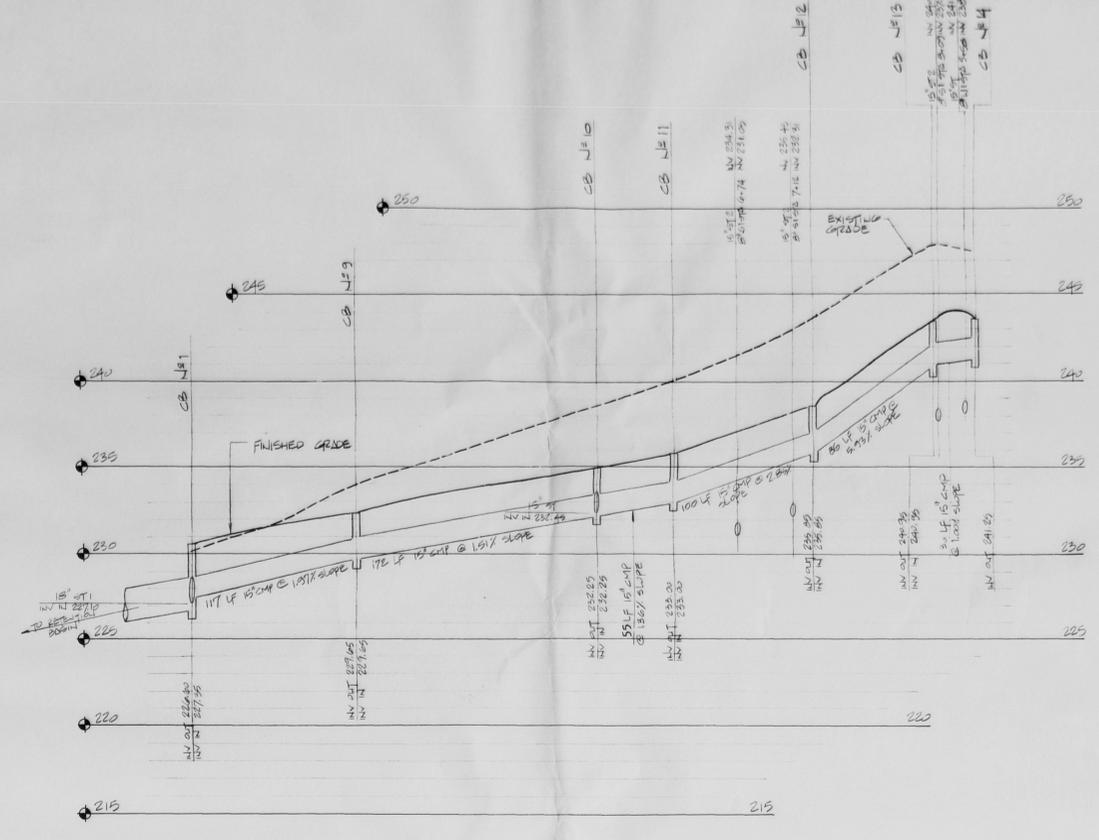
Drawn By: *[Signature]*  
Checked By: *[Signature]*  
Scale: AS SHOWN  
Date: 4-29-88

Drawing: ROAD PROFILE/PAVEMENT DETAIL  
Project: WINDSOR SQUARE  
ROUTE 92 NEW WINDSOR N.Y.

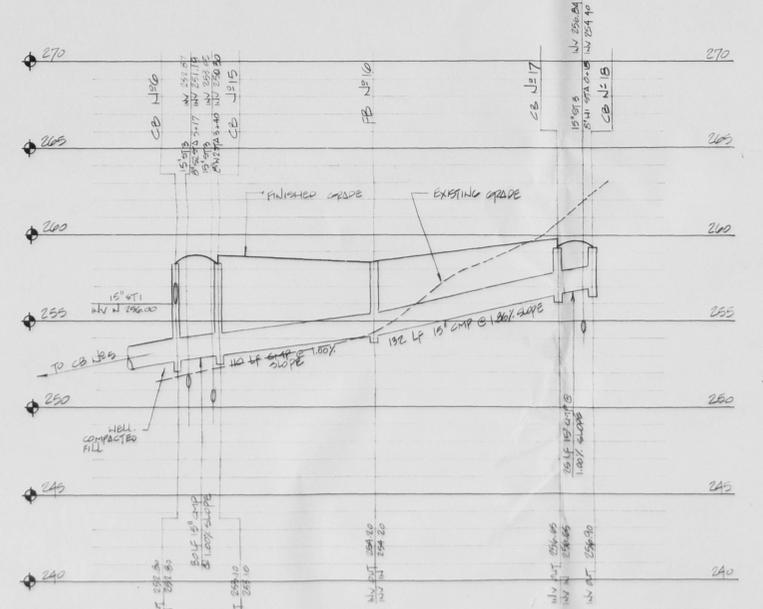
**3 OF 10**  
Project No 8104



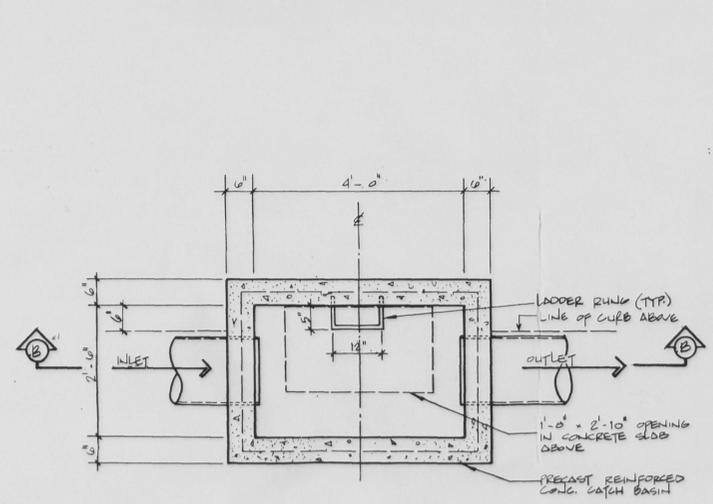
STORM SEWER PROFILE - LINE ST 1



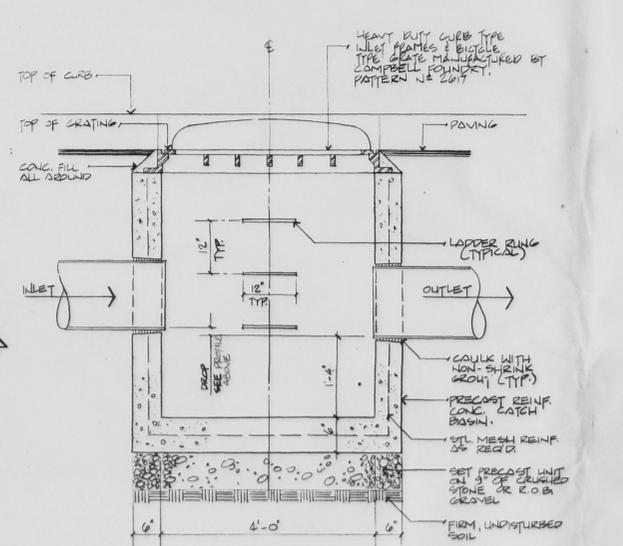
STORM SEWER PROFILE - LINE ST 2



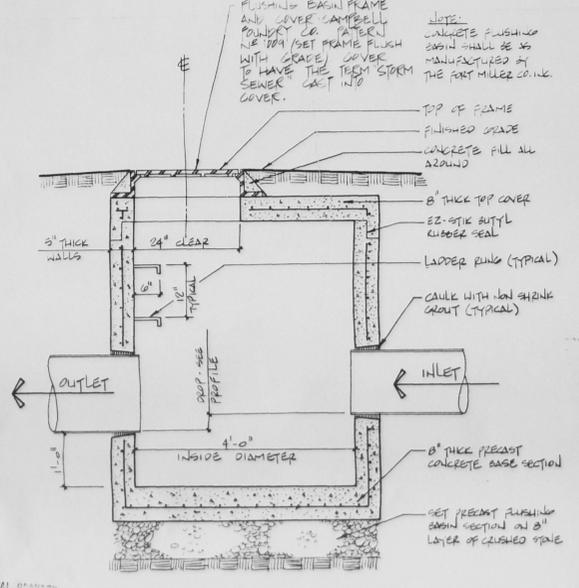
STORM SEWER PROFILE - LINE ST 3



A PLAN  
SCALE 3/16" = 1'-0"  
CURB CATCH BASIN



B SECTION  
SCALE 1/4" = 1'-0"  
CURB CATCH BASIN



TYPICAL FLUSHING BASIN  
NOT TO SCALE

SUB DIVISION APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON JUL 26 1991  
BY RONALD LINDER  
SECRETARY

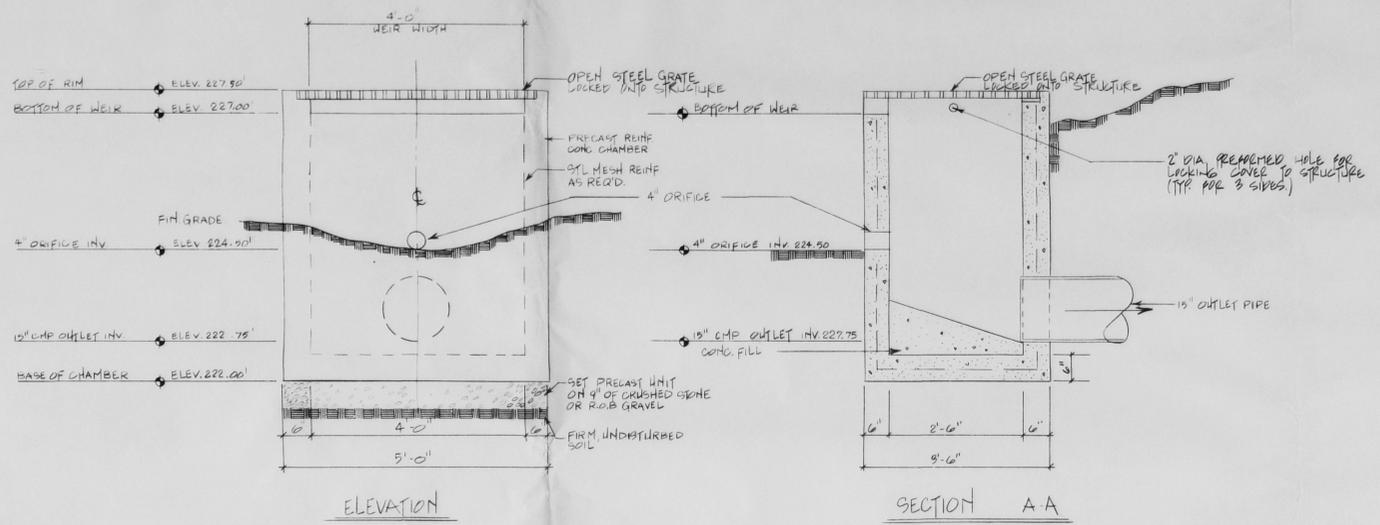
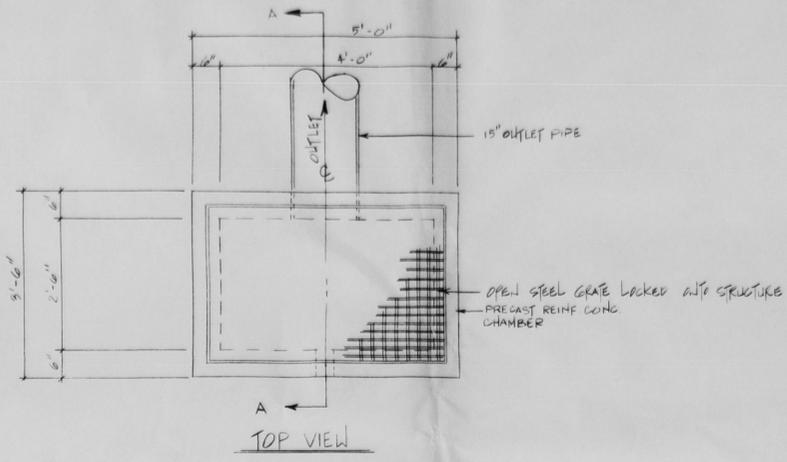
**Shaw Engineering**  
Consulting Engineers  
744 Broadway  
Newburgh N.Y. 12550

**Note**  
Drawings are invalid unless they contain all drawings 1 of 10 through 10 of 10.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.  
COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

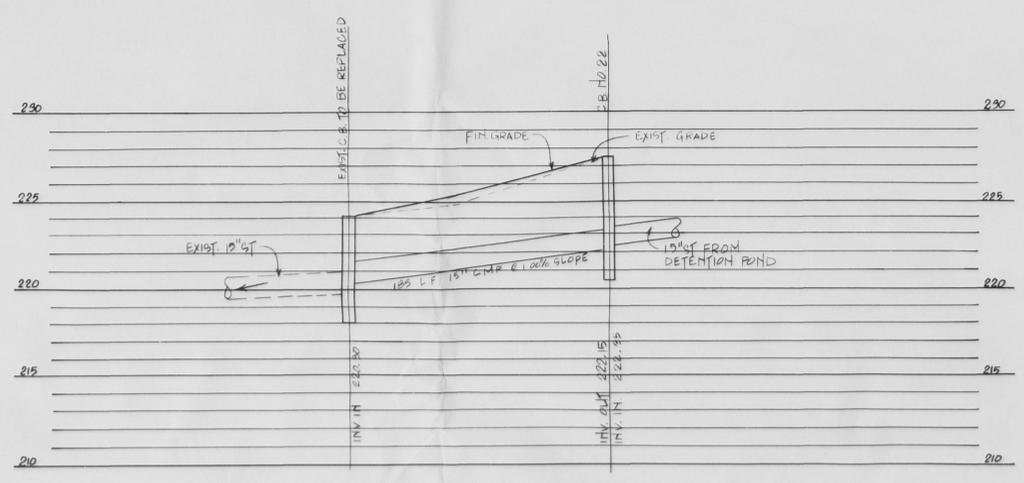
|      |                              |         |
|------|------------------------------|---------|
| 5    | PER TOWN ENGINEER'S COMMENTS | 6-26-89 |
| 4    | NO REVISION                  | 3-6-89  |
| 3    | NO REVISION                  | 9-30-88 |
| 2    | NO REVISION                  | 8-22-88 |
| 1    | N/A                          | 4-29-88 |
| DATE | REVISION                     | DATE    |

Drawn By: *GL*  
Checked By: *STF*  
Scale: *VERT 1" = 4'*  
Date: *4-29-88*  
Drawing: *STORM SEWER PROFILES AND CONSTRUCTION DETAILS*  
Project: *WINDSOR SQUARE*  
Sheet: *4 OF 10*  
Project No: *8700*

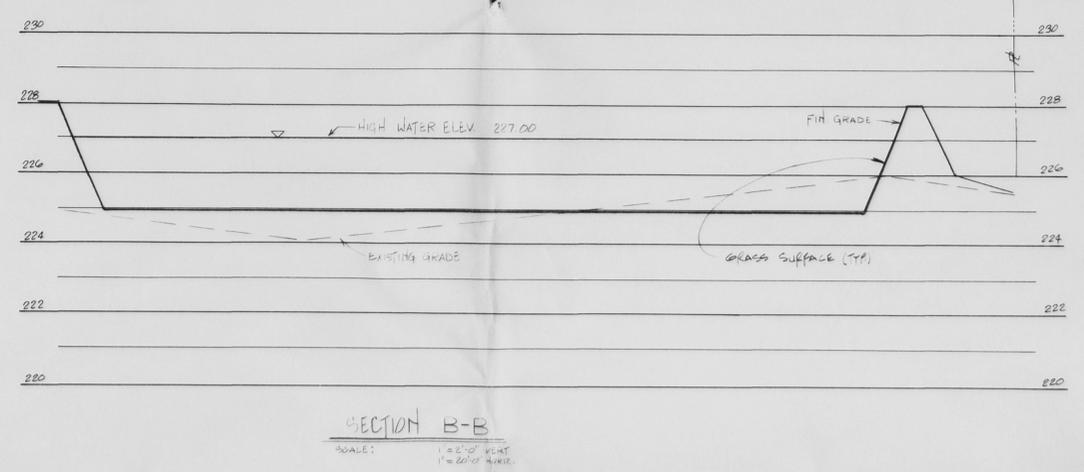
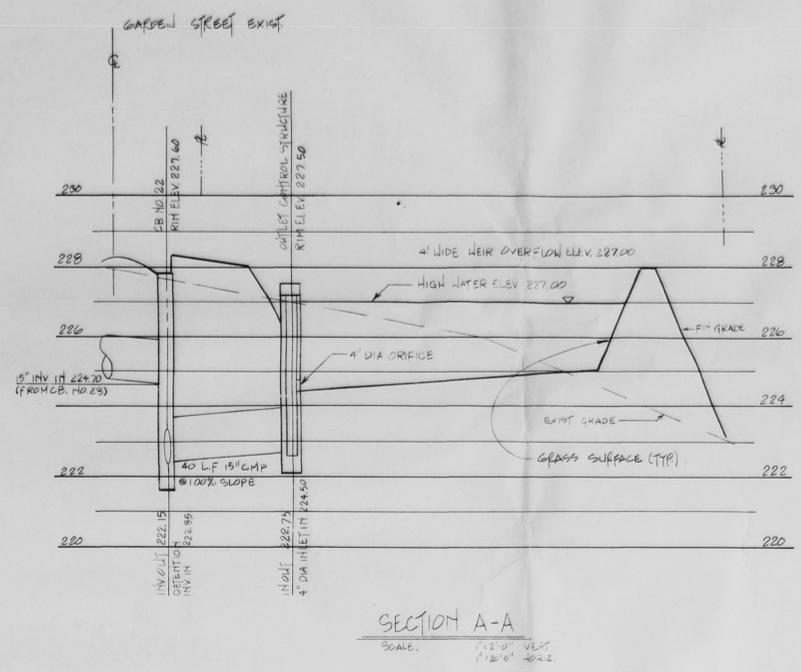


OUTLET CONTROL STRUCTURE

SCALE: 3/4" = 1'-0"



DETECTION POND OUTFALL PIPING



DETECTION POND SECTIONS

SCALE: AS NOTED

SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON JULY 26 1991 BY RONALD LANDER SECRETARY

NOTE: DRAWINGS ARE INVALID UNLESS THEY CONTAIN ALL DRAWINGS 1 OF 12 THROUGH 12 OF 12.

**Shaw Engineering**  
Consulting Engineers

744 Broadway Newburgh N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

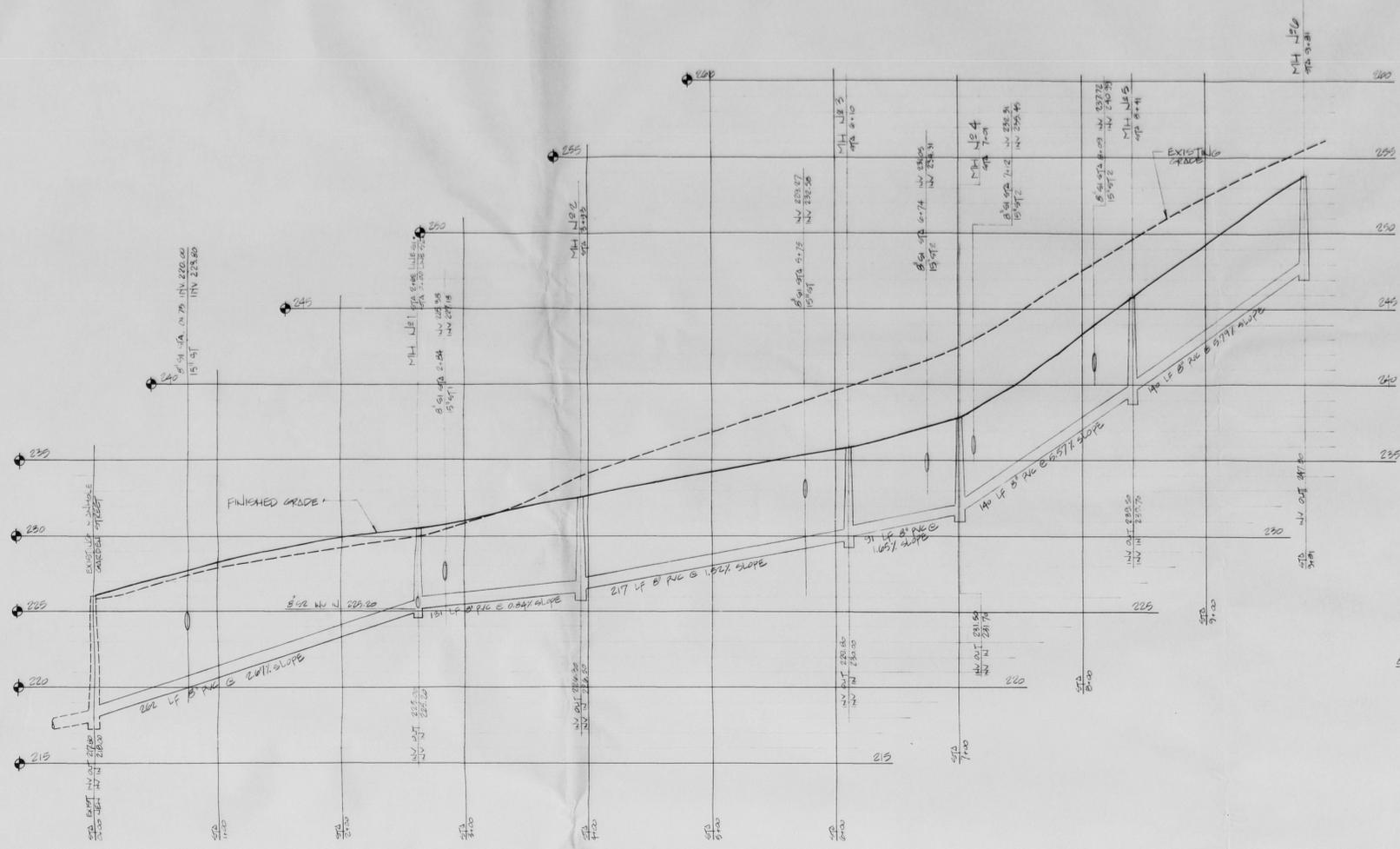
COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

|       |                             |         |
|-------|-----------------------------|---------|
| ISSUE | REVISION                    | DATE    |
| 1-4   | PER TOWN ENGINEERS COMMENTS | 6-20-89 |
|       | NA                          |         |

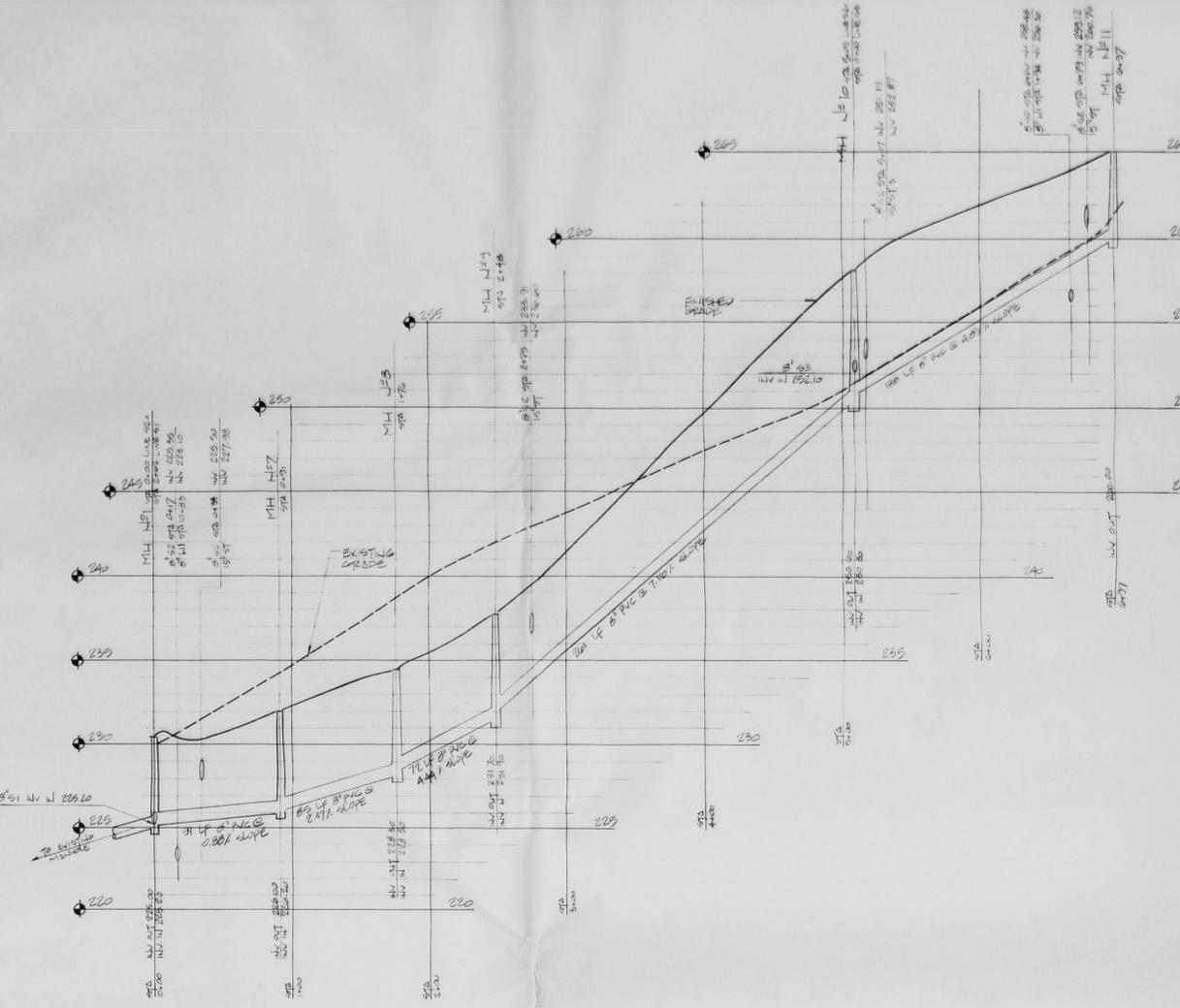
Drawn By: MR  
Checked By: [Signature]  
Scale: AS NOTED  
Date: 4-11-89

Drawing: DETENTION POND DETAILS  
Project: WINDSOR SQUARE  
SHEET 32 TOWN OF NEW WINDSOR N.Y.

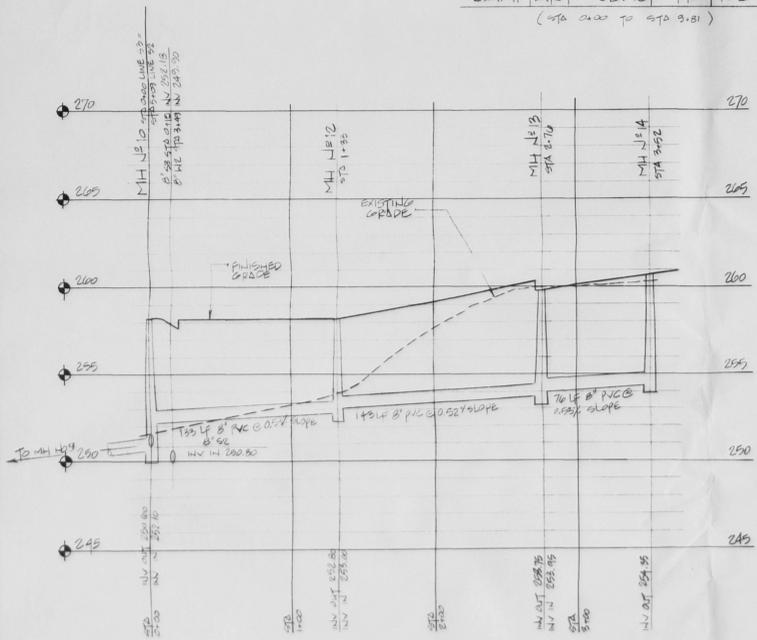
5 OF 10  
Project No. 8100



SANITARY SEWER PROFILE - LINE S1  
(STA 200 TO STA 301)



SANITARY SEWER PROFILE - LINE S2  
(STA 200 TO STA 307)



SANITARY SEWER PROFILE - LINE S3  
(STA 245 TO STA 302)

SUB DIVISION APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON JUL 26 1991  
BY Ronald Lander  
RONALD LANDER  
SECRETARY

**Note**  
DRAWINGS ARE INVALID UNLESS THEY CONTAIN ALL  
DRAWINGS 1 OF 10 THROUGH 10 OF 10.

**Shaw Engineering**  
Consulting Engineers  
744 Broadway Newburgh, N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

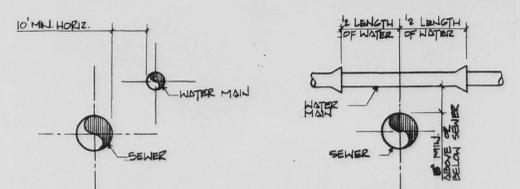
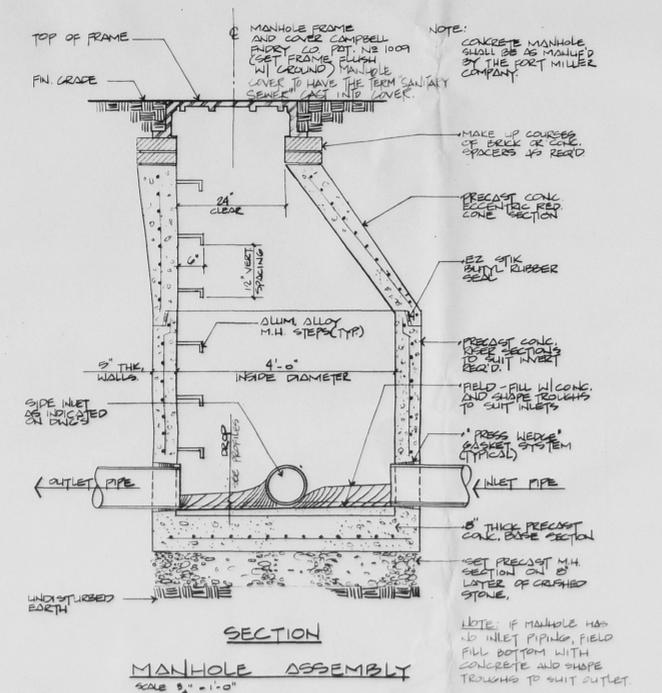
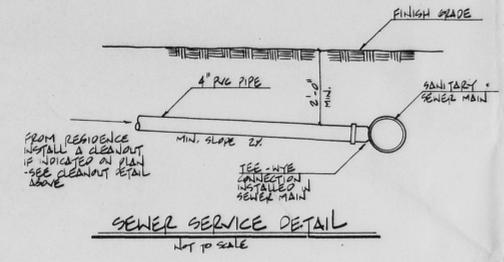
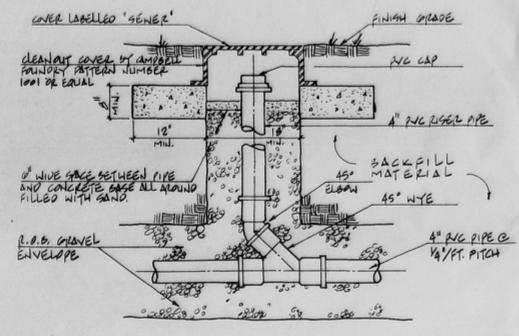
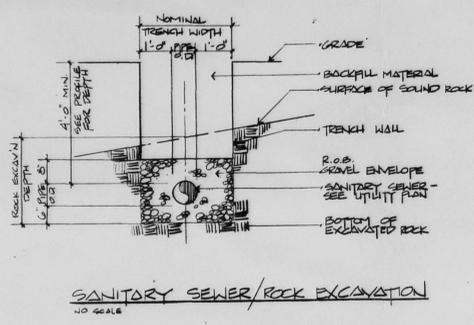
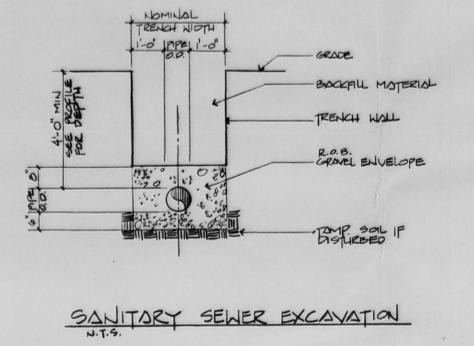
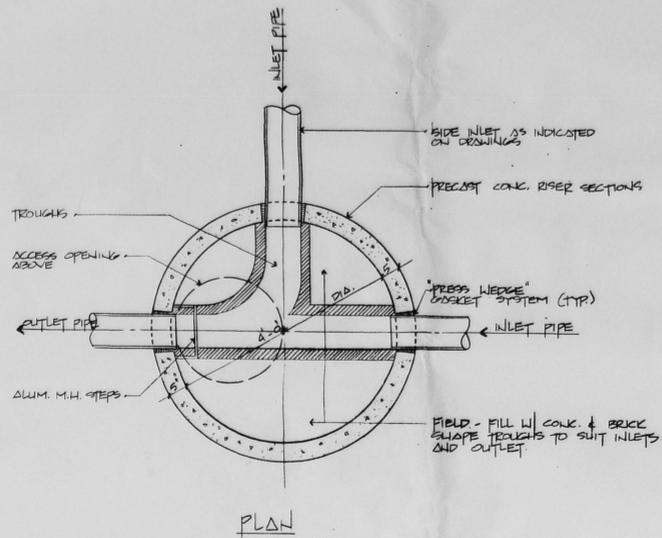
COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

|       |                                      |         |
|-------|--------------------------------------|---------|
| 5     | NO REVISION                          | 6-26-89 |
| 4     | NO REVISION                          | 3-6-89  |
| 3     | PER COMMENTS FROM NYS DEC AT 9-20-88 | 9-30-88 |
| 2     | NO REVISION                          | 8-22-88 |
| 1     | CONVENTIONAL REVISION                | 4-29-88 |
| ISSUE | REVISION                             | DATE    |

Drawn By: STF  
Checked By: STF  
Scale: 1"=4'  
Date: 9-23-87

Drawing: SANITARY SEWER PROFILES  
Project: WINDSOR SQUARE  
DATE: 92 PART OF DEED RECORDING NO. 8746

**6** OF **10**  
Project No. 8746



NOTE: 1 - WATER MAINS CROSSING SEWERS SHALL BE Laid TO PROVIDE A MINIMUM VERTICAL DISTANCE OF 18" BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF THE SEWER AT CROSSINGS. ONE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO THAT JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE.

2 - THE TERM SEWER IS DEFINED AS SANITARY, STORM OR SEWER SERVICE LATERALS.

3 - THE TERM WATER MAINS SHALL ALSO INCLUDE WATER SERVICE LINES.

4 - ANY DEVIATION FROM THE MINIMUM HORIZONTAL AND VERTICAL SEPERATION REQUIREMENTS SHALL BE SPECIFICALLY APPROVED BY THE NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERVATION.

APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON JUL 26 1991  
BY RONALD LANDER  
SECRETARY

NOTE  
DRAWINGS ARE INVALID UNLESS THEY CONTAIN ALL  
1 OF 10 THROUGH 10 OF 10.

**Shaw Engineering**  
Consulting Engineers  
744 Broadway  
Newburgh N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

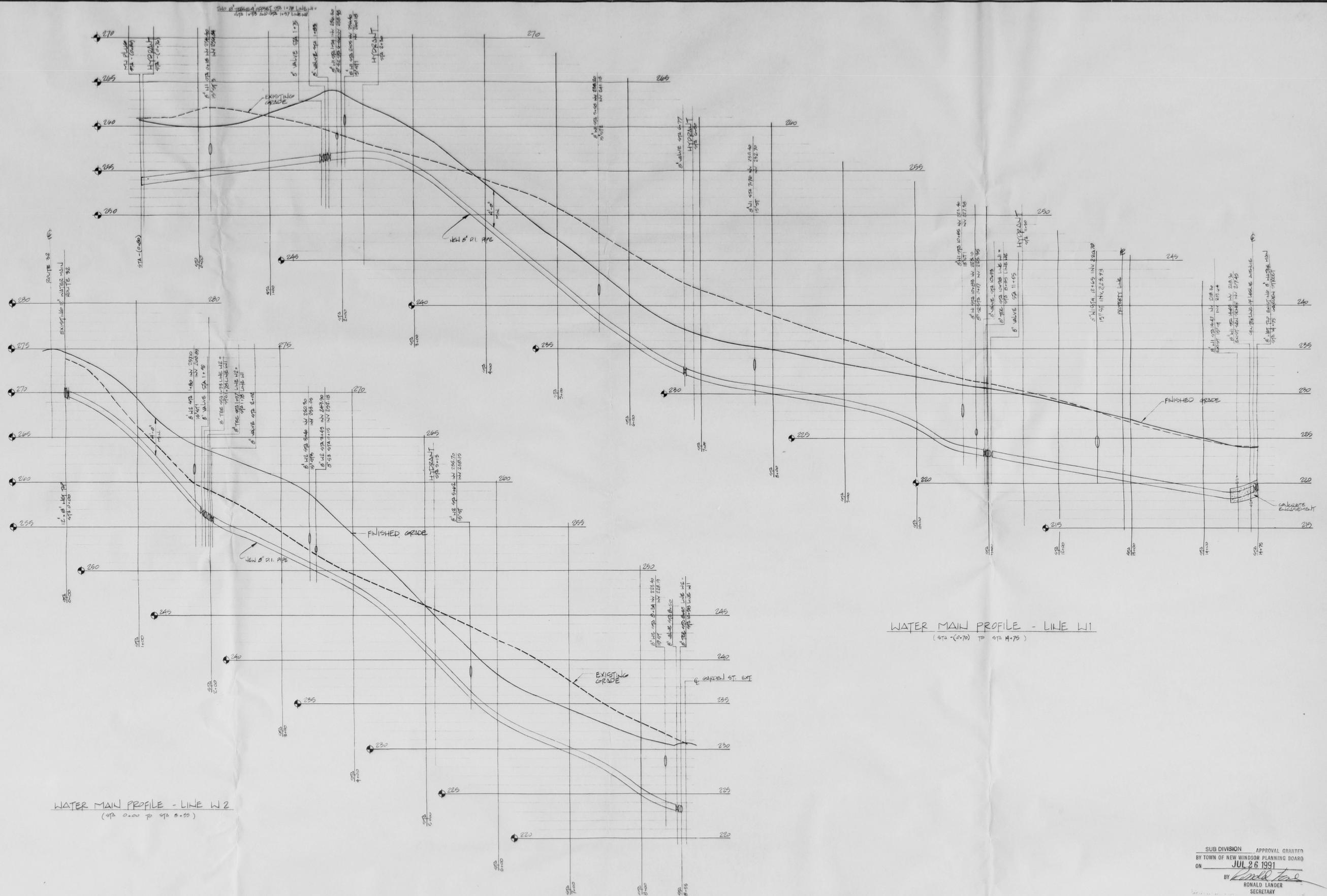
COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

| NO    | REVISION                                  | DATE    |
|-------|-------------------------------------------|---------|
| 5     | PER TOWN ENGINEER'S COMMENTS              | 6-24-89 |
| 4     | NO REVISION                               | 3-6-89  |
| 3     | PER COMMENTS FROM N.Y.S.D.E.C. ON 9-20-88 | 9-30-88 |
| 2     | NO REVISION                               | 8-22-88 |
| 1     | NO REVISION                               | 4-29-88 |
| ISSUE |                                           |         |

Drawn By: *[Signature]*  
Checked By: STF  
Scale: AS NOTED  
Date: 9-28-87

Drawing: SANITARY SEWER DETAILS  
Project: WINDSOR SQUARE  
Route 32  
New Windsor N.Y.

7 OF 10  
Project No: 8706



WATER MAIN PROFILE - LINE W2  
(STA 0+00 TO STA 0+55)

WATER MAIN PROFILE - LINE W1  
(STA 0+70 TO STA 4+75)

SUB DIVISION APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON JUL 26 1991  
BY *Ronald Lander*  
RONALD LANDER  
SECRETARY

**NOTE**  
DRAWINGS ARE INVALID UNLESS THEY CONTAIN ALL  
DRAWINGS 1 OF 10 THROUGH 10 OF 10.

**Shaw Engineering**  
Consulting Engineers  
744 Broadway Newburgh N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

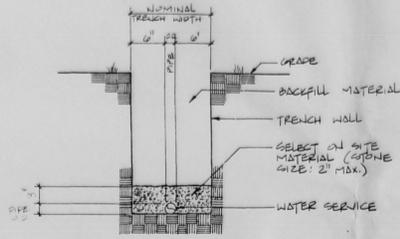
COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

|       |                                       |         |
|-------|---------------------------------------|---------|
| 5     | PER TOWN ENGINEER'S COMMENTS          | 6-26-89 |
| 4     | NO REVISION                           | 3-6-89  |
| 3     | NO REVISION                           | 9-30-88 |
| 2     | PER COMMENTS FROM E.C.H.O. ON 8-18-88 | 8-22-88 |
| 1     | CONVENTIONAL SUBDIVISION              | 4-29-88 |
| ISSUE | REVISION                              | DATE    |

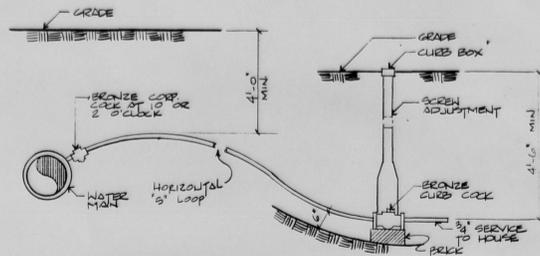
Drawn By: *ly*  
Checked By: *STE*  
Scale:  $\frac{1}{4"} = 1'$   
Date: 9-23-87

Drawing: WATER MAIN PROFILES  
Project: WINDSOR SQUARE  
ROUTE 92 TOWN OF NEW WINDSOR, NY

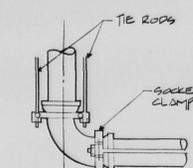
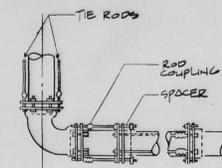
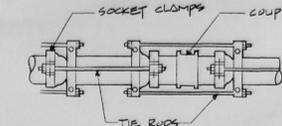
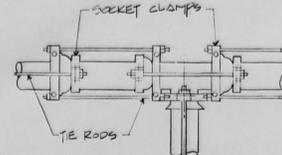
**3** OF **10**  
Project No: 8100



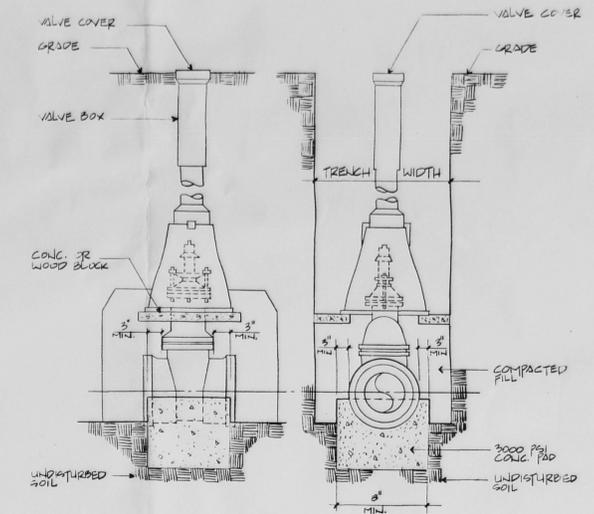
**WATER SERVICE EXCAVATION**  
NOT TO SCALE



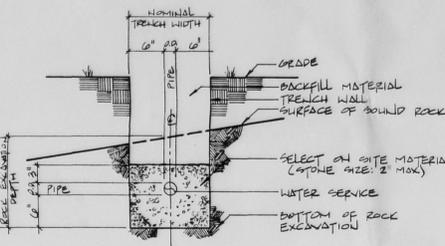
**RESIDENTIAL WATER SERVICE**  
NO SCALE



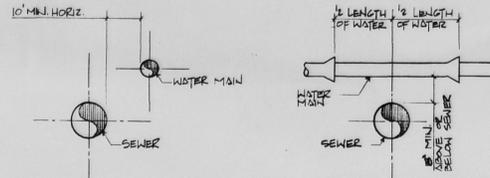
**PIPE HARNESSING**  
NOT TO SCALE



**WATER VALVE INSTALLATION DETAIL**  
NOT TO SCALE

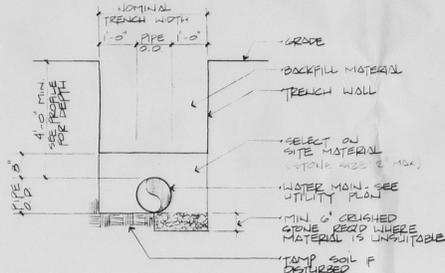


**WATER SERVICE/ROCK EXCAVATION**  
NOT TO SCALE

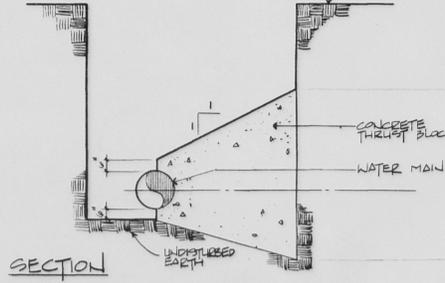
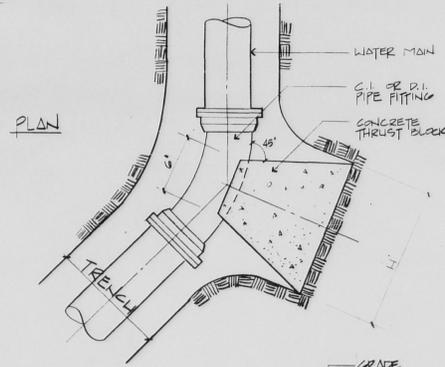


- NOTE:**
- 1-WATER MAINS CROSSING SEWERS SHALL BE LAID TO PROVIDE A MINIMUM VERTICAL DISTANCE OF 18" BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF THE SEWER. AT CROSSINGS, ONE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO THAT JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE.
  - 2-THE TERM SEWER IS DEFINED AS SANITARY, STORM OR SEWER SERVICE LATERALS.
  - 3-THE TERM WATER MAINS SHALL ALSO INCLUDE WATER SERVICE LINES.
  - 4-ANY DEVIATION FROM THE MINIMUM HORIZONTAL AND VERTICAL SEPARATION REQUIREMENTS SHALL BE SPECIFICALLY APPROVED BY THE COUNTY DEPT. OF HEALTH.

**WATER/SEWER SEPARATION**  
NO SCALE

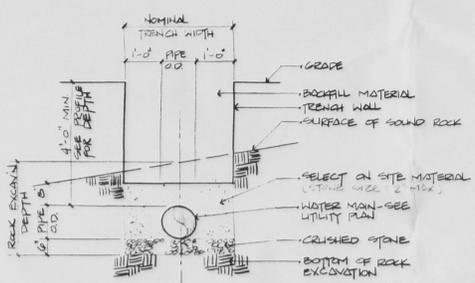


**WATER MAIN EXCAVATION**  
NO SCALE

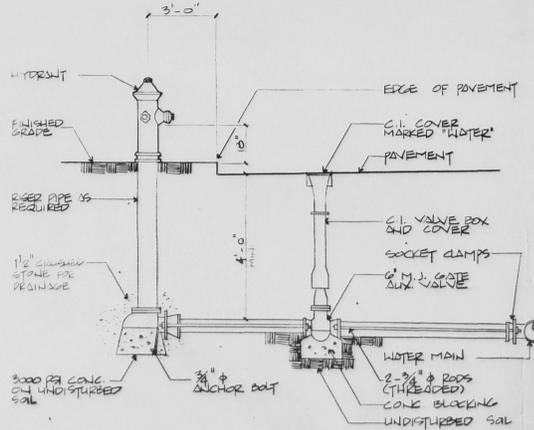


**DETAIL - THRUST BLOCK**  
NO SCALE

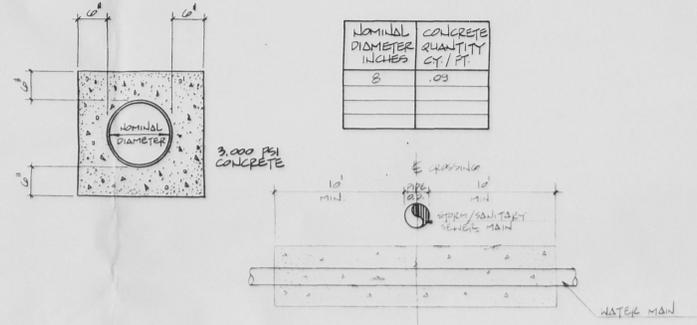
| THRUST BLOCK SCHEDULE |         |               |                           |
|-----------------------|---------|---------------|---------------------------|
| WATER MAIN LINE       | STATION | FITTING       | MIN. BEARING AREA (H x V) |
| W1                    | 0+00    | M.I. PLUG     | 4 SF                      |
|                       | 2+15    | 22" ELBOW     | 4 SF                      |
|                       | 4+30    | "             | 4 SF                      |
|                       | 5+15    | "             | 4 SF                      |
|                       | 6+00    | "             | 4 SF                      |
|                       | 6+30    | 11 1/2" ELBOW | 4 SF                      |
| W2                    | 7+04    | 22" ELBOW     | 4 SF                      |
|                       | 10+00   | TEE           | 4 SF                      |
|                       | 14+75   | WBT TAP       | 4 SF                      |
|                       | 0+00    | WBT TAP       | 4 SF                      |
|                       | 1+15    | TEE           | 4 SF                      |
|                       | 1+37    | TEE           | 4 SF                      |
|                       | 6+30    | 11 1/2" ELBOW | 4 SF                      |
|                       | 6+34    | 22" ELBOW     | 4 SF                      |
|                       | 7+23    | 11 1/2" ELBOW | 4 SF                      |



**WATER MAIN/ROCK EXCAVATION**  
NO SCALE



**HYDRANT INSTALLATION**  
NO SCALE



**CONCRETE ENCASEMENT DETAIL**  
NOT TO SCALE

SUB DIVISION APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON 11/12/91  
BY Ronald Lander  
RONALD LANDER  
SECRETARY

**NOTE**  
DRAWINGS ARE INVALID UNLESS THEY CONTAIN ALL DRAWINGS 1 OF 10 THROUGH 10 OF 10.

**Shaw Engineering**  
Consulting Engineers  
744 Broadway  
Newburgh N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FASCIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

| NO. | REVISION                           | DATE    |
|-----|------------------------------------|---------|
| 5   | NO REVISION                        | 8-22-89 |
| 4   | NO REVISION                        | 9-26-89 |
| 3   | NO REVISION                        | 9-30-89 |
| 2   | PER COMMENTS FROM OWNER ON 8-18-88 | 8-22-88 |
| 1   | NO REVISION                        | 4-29-88 |
|     | REVISION                           | DATE    |

Drawn By: [Signature]  
Checked By: LTF  
Scale: AS SHOWN  
Date: 9-23-87

Drawing:  
WATER MAIN DETAILS  
Project:  
WINDSOR SQUARE  
ROUTE 38 NEW WINDSOR NY

9 OF 10  
Project N 8706



**"PARCEL A"**  
 Not for Residential Purposes; to be conveyed to Windsor Square Homeowners Association for maintenance of stormwater retention area.

No Building Permits or Certificates of Occupancy shall be issued until such time as the Homeowners Association has been formed.

ALL RESIDENCES IN THIS SUBDIVISION SHALL HAVE A MINIMUM OF 1,500 SQ.FT. OF LIVABLE FLOOR AREA. THIS PROVISION SHALL BE MADE PART OF THE DEEDS OF CONVEYANCE FOR EACH LOT.

- NOTES**
- Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 35, Block 1, Lots 42.1 & 42.2.
  - PROPERTY AREA: 15.87 +/- Acres
  - PROPERTY ZONE: R-4
  - APPLICANT: Windsor Square Assoc., Inc., c/o Richard Shulkin, 170 Hill Road, New Windsor, N.Y. 12550
  - PROPOSED USE: Residential Subdivision (Single Family), 30 Lots
  - PROPOSED WATER SUPPLY & SANITARY SEWAGE DISPOSAL: Town of New Windsor
  - Boundary data shown is from field survey completed on 26 March 1989.
  - Topographic data shown hereon is from field survey completed on 14 October 1989. Elevation datum: U.S.G.S.; Contour Interval: two (2) feet.
  - ZONE BULK REQUIREMENTS
- | MINIMUM REQUIRED: | LOT AREA    | LOT WIDTH | FRONT-YARD | SIDE-YARD (S) | REAR YARD | STREET FRONTAGE |
|-------------------|-------------|-----------|------------|---------------|-----------|-----------------|
|                   | 15,000 S.F. | 100'      | 35'        | 15'/30'       | 40'       | 60'             |
- MAXIMUM BUILDING HEIGHT: 35'
  - LIVABLE FLOOR AREA: 1000 S.F.
  - DEVELOPMENT COVERAGE: 30%
  - The Developer irrevocably offers to cede title to the roads and easements shown hereon to the Town of New Windsor.
  - Minimum front-yard offsets shown in excess of the Zone Bulk Requirements shall be used for the applications for Building Permits on the affected lots, and be made a restriction in the deeds of conveyance for the affected lots.
  - Ordination and adoption of alteration to this plan is a violation of Section 7209 (2) the N.Y.S. Education Law.
  - Sheet 10 of 10 invalid unless accompanied by sheets 1 thru 9.
  - Copies from the original of this document without a facsimile of the signature and an original of the stamp or embossed seal of the Land Surveyor and/or the Professional Engineer shall not be considered valid, true copies.
  - The Town of New Windsor Zoning Board of Appeals, in a decision dated 11 Sept. 1989, granted variances to Town of New Windsor Local Law No. 4 of 1989 for lot areas for Lots 6 and 7.

LOTS 3, 2, 1, 30, 29 & 28 SHALL HAVE DRIVEWAY ACCESS TO INTERIOR STREETS ONLY. NO ACCESS WILL BE PERMITTED TO N.Y.S. ROUTE 32 FROM THOSE LOTS.

THIS PROVISION SHALL BE MADE PART OF THE DEEDS OF CONVEYANCE FOR THOSE LOTS

LOT NO. 1 AND LOT NO. 30 SHALL HAVE ACCESS FROM NORTH GARDEN COURT AND GARDEN STREET (EXTENDED) RESPECTIVELY. THIS PROVISION SHALL BE MADE PART OF THE DEEDS OF CONVEYANCE FOR THOSE LOTS.

10 OF 10

PLANNING BOARD APPROVAL

CERTIFICATION  
 I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 26 March 1989 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.

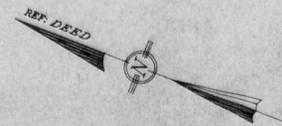
APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON JUL 26 1991  
 BY RONALD LANDER SECRETARY



**EAG** ELLIAS D. GREVAS, L.S.  
 LAND SURVEYOR  
 23 QUACKENBUSH AVENUE  
 NEW WINDSOR, NEW YORK 12550

| REVISIONS: | DATE | DESCRIPTION                 |
|------------|------|-----------------------------|
| 3-8-89     | 10   | REVISION                    |
| 8-20-89    |      | REVISED STREET NAMES        |
| 9-21-89    |      | ADDED NOTES, REV. LOT AREAS |

**WINDSOR SQUARE SUBDIVISION**  
 SUBDIVISION PLAN  
 TOWN OF NEW WINDSOR  
 ORANGE COUNTY NEW YORK  
 SCALE: 1"=50' JOB NO. 86-014 I FEB. 1989



**\*PARCEL A\***  
 Not for Residential Purposes to be conveyed to Windsor Square Homeowners Association for maintenance of stormwater retention area.

No Building Permits or Certificates of Occupancy shall be issued until such time as the Homeowners Association has been formed.

ALL RESIDENCES IN THIS SUBDIVISION SHALL HAVE A MINIMUM OF 1,500 SQ.FT. OF LIVABLE FLOOR AREA. THIS PROVISION SHALL BE MADE PART OF THE DEEDS OF CONVEYANCE FOR EACH LOT.

LOTS 3, 2, 1, 30, 29 & 28 SHALL HAVE DRIVEWAY ACCESS TO INTERIOR STREETS ONLY. NO ACCESS WILL BE PERMITTED TO N.Y.S. ROUTE 32 FROM THOSE LOTS.

THIS PROVISION SHALL BE MADE PART OF THE DEEDS OF CONVEYANCE FOR THOSE LOTS

LOT NO.1 AND LOT NO.30 SHALL HAVE ACCESS FROM NORTH GARDEN COURT AND GARDEN STREET (EXTENDED) RESPECTIVELY. THIS PROVISION SHALL BE MADE PART OF THE DEEDS OF CONVEYANCE FOR THOSE LOTS.

- NOTES**
- Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 35, Block 1, Lots 42.1 & 42.2.
  - PROPERTY AREA: 15.87 +/- Acres
  - PROPERTY ZONE: R-4
  - APPLICANT: Windsor Square Assoc., Inc. c/o Richard Shulkin, 15 - 150 Old Route 9N, New Windsor, N.Y. 12550, Residential Subdivision (Single Family), 30 Lots
  - PROPOSED USE:
  - PROPOSED WATER SUPPLY & SANITARY SEWAGE DISPOSAL: Town of New Windsor
  - Boundary data shown is from field survey completed on 26 March 1986.
  - Topographic data shown hereon is from field survey completed on 16 October 1986. Elevation datum: U.S.G.S.; Contour Interval: two (2) feet.
  - ZONE BULK REQUIREMENTS
- | MINIMUM REQUIRED: | LOT AREA    | LOT WIDTH | FRONT-YARD | SIDE-YARD (S) | REAR-YARD | STREET FRONTAGE |
|-------------------|-------------|-----------|------------|---------------|-----------|-----------------|
|                   | 15,000 S.F. | 100'      | 35'        | 15'/30'       | 40'       | 50'             |
- MAXIMUM BUILDING HEIGHT: 35'
  - LIVABLE FLOOR AREA: 1000 S.F.
  - DEVELOPMENT COVERAGE: 30%
  - The Developer irrevocably offers to cede title to the roads and easements shown hereon to the Town of New Windsor.
  - Minimum Front-Yard offsets shown in excess of the Zone Bulk Requirements shall be used for the Applications for Building Permits on the affected lots, and be made a restriction in the deeds of conveyance for the affected lots.
  - Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) the N.Y.S. Education Law.
  - Drawing 1 of 3 invalid unless accompanied by drawing 2 of 3 and 3 of 3
  - Copies from the original of this document without a fascimile of the signature and an original of the stamp or embossed seal of the Land Surveyor and/or the Professional Engineer shall not be considered valid, true copies.
  - The Town of New Windsor Zoning Board of Appeals, in a decision dated 11 Sept. 1989, granted variances to Town of New Windsor Local Law No. 4 of 1989 for lot areas for Lots 6 and 7.

GRAND COUNTY DEPARTMENT OF HEALTH  
 DIVISION OF ENVIRONMENTAL HEALTH

This is to certify that the original plan submitted to me on 24 March 1989 and the revised plan submitted on 24 March 1989, conform to the provisions of Section 1117 of the Public Health Law.

ASSISTANT COMMISSIONER

1 OF 3

CERTIFICATION  
 I, ELIAS D. GREVAS, L.S., do hereby certify that this plan was prepared from an actual field survey of the indicated premises, completed on 24 March 1989, and conforms to the provisions of the Code of Practice adopted by the N.Y.S. Association of Professional Land Surveyors, Inc., and to the best of my knowledge and belief, correct.

PLANNING BOARD APPROVAL

SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON JUL 26 1991

BY RONALD LANDER SECRETARY



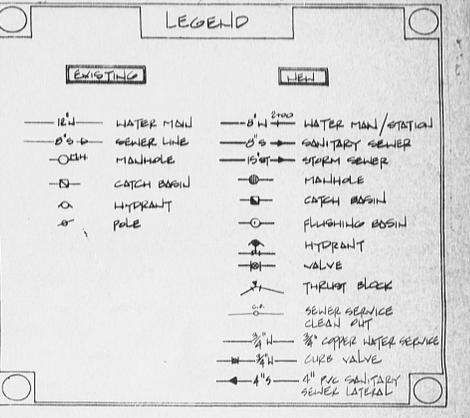
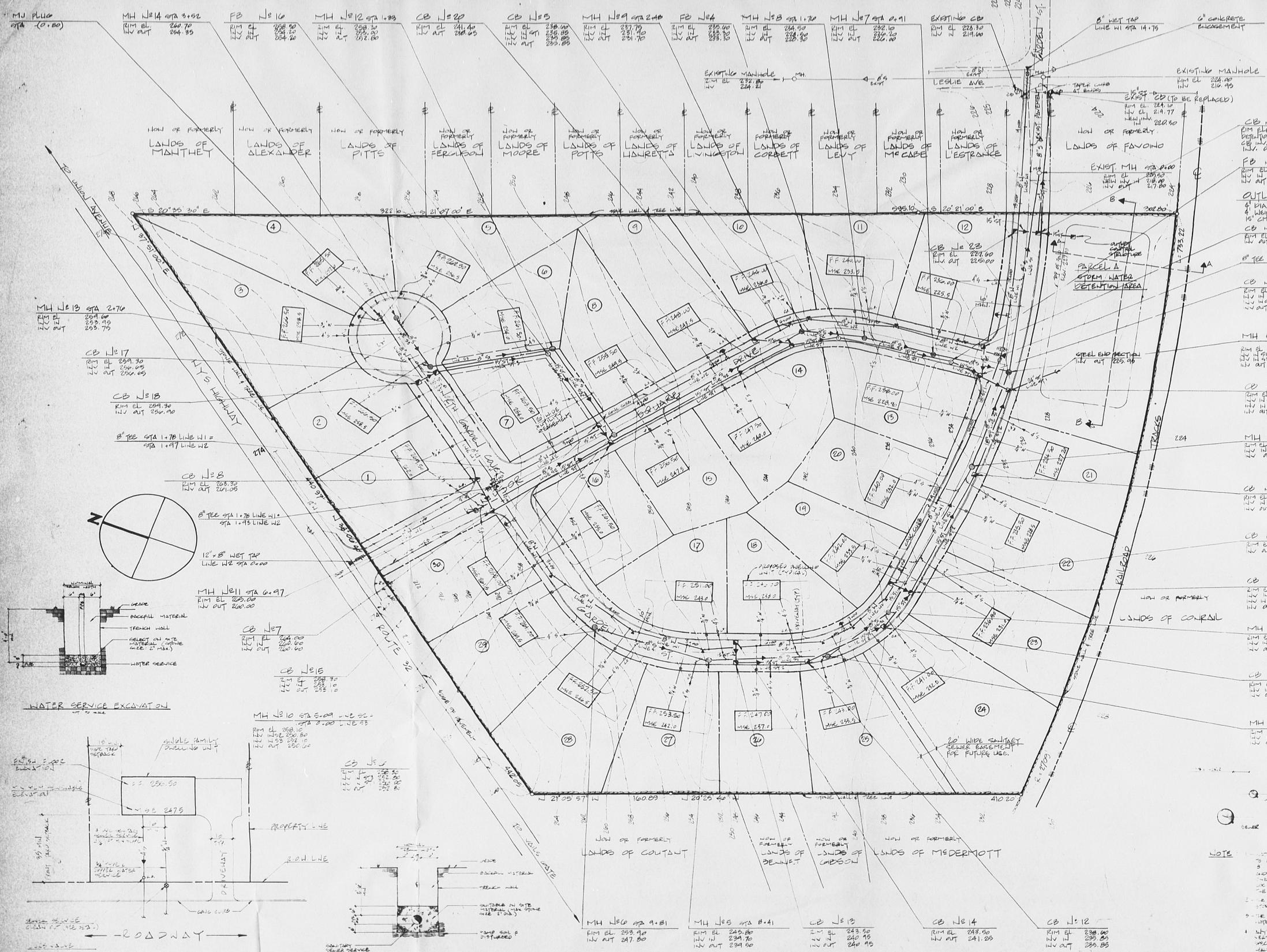
| REVISIONS | DATE                       | DESCRIPTION |
|-----------|----------------------------|-------------|
| 3-6-89    | 1st REVISION               |             |
| 6-30-89   | REVISED STREET NAMES       |             |
| 9-21-89   | ADDED NOTES, NEW LOT AREAS |             |

**WINDSOR SQUARE SUBDIVISION**  
 SUBDIVISION PLAN  
 TOWN OF NEW WINDSOR

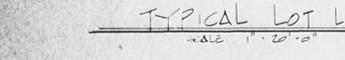
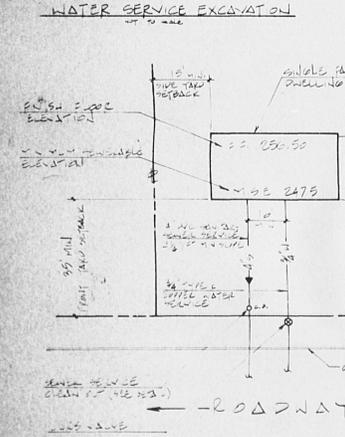
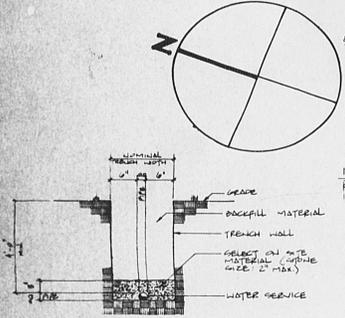
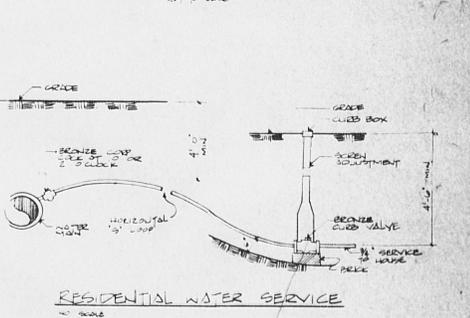
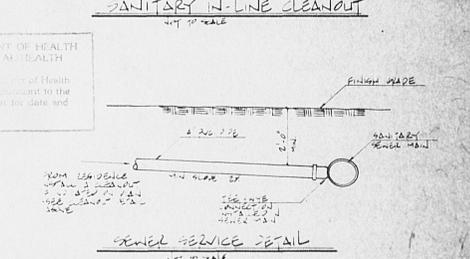
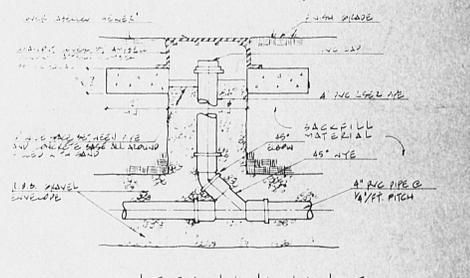
ORANGE COUNTY NEW YORK

SCALE: 1"=50' JOB NO. 86-014 1 FEB. 1989





- NOTES**
1. THE MINIMUM GENERABLE ELEVATION (M.G.E.) INDICATED IS THE LOWEST POSSIBLE WREST ELEVATION OF THE SEWER LATERAL WHERE IT ENTERS THE FOUNDATION WALL OF THE BUILDING. SEWER LATERALS TO BE PITCHED AT A MINIMUM SLOPE OF 2%.
  2. BRACKISH ARE UNLESS INDICATED THAT INCLUDE ALL BRACKISH 1 OF 3 THROUGH 3 OF 5.
  3. SLOPE ROOF AND SLOPE DRAINAGE SHALL NOT BE DISCONNECTED TO SANITARY SEWERS.
  4. THE 4" SANITARY SEWER SERVICE WILL BE OWNED AND MAINTAINED BY THE INDIVIDUAL HOMEOWNER.
  5. THE 3" WATER SERVICE WILL BE OWNED AND MAINTAINED BY THE INDIVIDUAL HOMEOWNER.
  6. COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A SIGNATURE OF THE QUALIFIER AND AN ORIGINAL OF THE STAMP OR IMPROVED SEAL OF THE QUALIFIER AND/OR PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID THESE COPIES.
  7. UNLESS OTHERWISE INDICATED TO THIS DOCUMENT - TAKE EXISTENTIAL L.A.



ORANGE COUNTY DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH

SUB DIVISION APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON JUL 26 1991  
BY *Ronald Lander*  
RONALD LANDER  
SECRETARY

WATER/SEWER SEPARATION

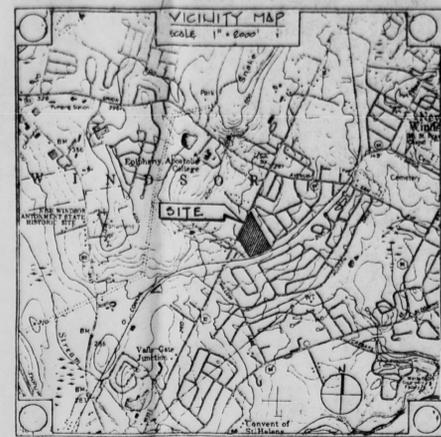
**Shaw Engineering**  
Consulting Engineers  
744 Broadway  
Newburgh, N.Y. 12550

|       |                                 |        |
|-------|---------------------------------|--------|
| 1     | PER O.C.H.D. COMMENTS ON 3-6-89 | 3-6-89 |
| ISSUE | REVISION                        | DATE   |

Drawn By: *Ch*  
Checked By: *Ch*  
Scale: 1" = 50'-0"  
Date: 2-1-89

Drawing: UTILITY PLAN  
Project: WINDSOR SQUARE  
ROUTE 92  
TOWN OF NEW WINDSOR, N.Y.

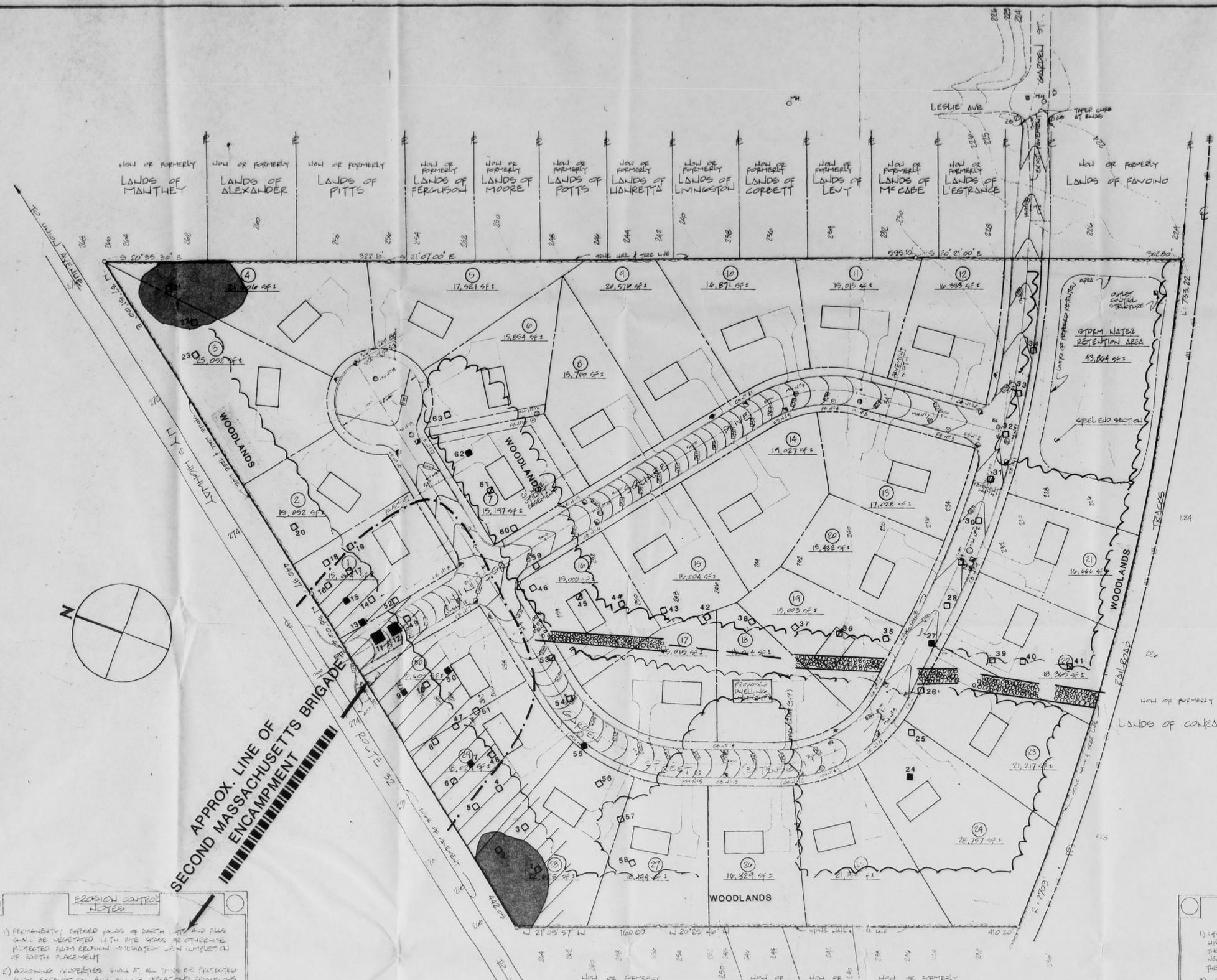
3 OF 3  
Project No: 8706



| ZONING SCHEDULE        |           |                   |
|------------------------|-----------|-------------------|
| DISTRICT               | R4        | REQUIRED PROPOSED |
| LOT AREA               | 15,000 SF | 15,000 SF         |
| LOT WIDTH              | 100 FT    | 100 FT            |
| FRONT YARD             | 35 FT     | 35 FT             |
| SIDE YARD              | 15/30 FT  | 15/30 FT          |
| REAR YARD              | 40 FT     | 40 FT             |
| STREET FRONTAGE        | 60 FT     | 60 FT             |
| LOT COVERAGE           | 30%       | 8%                |
| MAX BLDG HEIGHT        | 35 FT     | 35 FT             |
| MIN LIVABLE FLOOR AREA | 1,000 SF  | 1,000 SF          |

| LEGEND                |                                 |
|-----------------------|---------------------------------|
| EXISTING              | NEW                             |
| — 4' CONTOUR          | — 4' FINI CONTOUR               |
| — BOUNDARY LINE       | — CATCH BASIN                   |
| — LOT LINE            | — FLUSHING BOON                 |
| — PROPERTY LINE       | — MANHOLE                       |
| — CENTER LINE OF ROAD | — HYDRANT                       |
| — 15' WATER MAIN      | — 15" DIA MANHOLE NUMBER        |
| — 12" MANHOLE         | — 24" DIA CATCH BASIN NUMBER    |
| — 18" CATCH BASIN     | — 18" DIA FLUSHING BASIN NUMBER |
| — HYDRANT             | — 18" WATER VALVES              |
| — POE                 | — 4'-0" SPOT ELEVATION          |
|                       | — 4'-0" ROAD STATION            |

| NOTES                                                                                                                                                                    |                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) RECORD OWNER & APPLICANT                                                                                                                                              | WINDSOR SQUARE ASSOC INC. 70 RICHARD SMITHEN 15-150 OLD ROUTE 92 NEW WINDSOR, NY 10950 |
| 2) TAX MAP DESIGNATION:                                                                                                                                                  | SECT 55 BLOCK 1 LOTS 42.1 & 42.2                                                       |
| 3) PROPERTY SIZE:                                                                                                                                                        | 15.87 ACRES                                                                            |
| 4) PROPOSED USE:                                                                                                                                                         | RESIDENTIAL SUBDIVISION (SINGLE FAMILY) 21 LOTS                                        |
| 5) BOUNDARY AND TOPOGRAPHIC DATA SHOWN HEREON WAS OBTAINED FROM A DEEDING ENTITLED "WINDSOR SQUARE SUBDIVISION" PREPARED BY ELIAS D. CREWIS, L.S. AND DATED OCT 17 1926. |                                                                                        |
| 6) PER METES AND BOUNDS AND AREAS OF ALL LOTS, REFER TO DEEDING ENTITLED "WINDSOR SQUARE SUBDIVISION" PREPARED BY ELIAS D. CREWIS, L.S. AND DATED MARCH 15, 1926.        |                                                                                        |



| SITE DEVELOPMENT NOTES                                                                                                                                                                                                                                                                                                                                                                       |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) UPON COMPLETION OF THE ROADWAY IMPROVEMENTS, AND UPON ACCEPTANCE OF SAME BY THE TOWN OF NEW WINDSOR THE DEVELOPER SHALL OFFER FOR DELATON TO THE TOWN OF NEW WINDSOR THE SECT 55 BLOCK 1 AS PRESENTED ON THE SUBDIVISION PLAT.                                                                                                                                                            |  |
| 2) UPON INSTALLATION OF THE SANITARY SEWER AND STORM SEWER UTILITIES WITHIN THE PLATT EASEMENT, AND UPON RESTORATION OF THE EASEMENT SURFACES, THE DEVELOPER SHALL OFFER FOR DELATON TO THE TOWN OF NEW WINDSOR THE UTILITY EASEMENT, AS DESCRIBED ON THE ARCHONICAL PLAT, NO STRUCTURES, FENCES, OR OTHER PLANT OR ANIMAL STRUCTURES SHALL BE PLACED IN, OR BUILT IN SAID UTILITY EASEMENT. |  |
| 3) ANY LOT IN THE SUBDIVISION SHALL HAVE THE RIGHT TO DISCHARGE SURFACE WATER ACROSS ANY OTHER LOTS IN THIS SUBDIVISION TO THE STORM WATER SYSTEM.                                                                                                                                                                                                                                           |  |
| 4) ALL EMBANKMENTS HAVING A SLOPE OF 1 VERTICAL TO 3 HORIZONTAL, OR GREATER, SHALL BE STABILIZED WITH GRASS SEED AND EYE GRASS, A SHALL BE SEED.                                                                                                                                                                                                                                             |  |

| EROSION CONTROL NOTES                                                                                                                                                                                                                                                                                                              |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) PERMANENTLY EXPOSED MASS OF EARTH CUTS AND FILLS SHALL BE VEGETATED WITH EYE GRASS OR OTHERWISE PROTECTED FROM EROSION IMMEDIATELY UPON COMPLETION OF EARTH PLACEMENT.                                                                                                                                                          |  |
| 2) ADJOINING PROPERTIES SHALL AT ALL TIMES BE PROTECTED FROM EXCAVATION AND FILLING OPERATIONS. PROVISIONS SHALL BE MADE FOR MINIMIZING THE SOIL AREA TO BE DISTRIBUTED, DELIVERED, SCALPED, OR GRADED AT THE TIME.                                                                                                                |  |
| 3) INTERCEPTOR OVERSILL CHAINS AND 4" EYE BEAMS SHALL BE INSTALLED TO PREVENT STORMWATER FROM CONCENTRATING AND ERODING THE FACE OF EARTH CUTS.                                                                                                                                                                                    |  |
| 4) FOR TEMPORARY SEEDING, FERTILIZER SHALL BE APPLIED AT A RATE OF 40 LBS/ACRE, SHALL BE 10% OF EYE-VENT TREATMENT. AS PER SOILS SHALL BE LINED TO A 1% OF EYE OR HIGHER. EYE GRASS SHALL BE PLANTED AT A RATE OF 10 LBS/ACRE, MUST CONSIST OF UNICUTTED SEEDS OR MAY BE APPLIED AT 20 LBS/ACRE PER ACRE SECURE WITH MESH NETTING. |  |
| 5) EXISTING PAVEMENT AND FILLABLE FINE-TEXTURED SOILS SHALL BE STRIPPED AND STABILIZED FROM THE AREAS TO BE EXCAVATED. TOPSOIL SHALL BE SPREAD IN ALL DISTURBED AREAS.                                                                                                                                                             |  |

| KEY |                                               |
|-----|-----------------------------------------------|
| ■   | Enlarged shovel tests with historic artifacts |
| ■   | Shovel tests with historic artifacts          |
| □   | Shovel tests with modern artifacts only       |
| □   | Shovel tests with no artifacts                |
| —   | Stone wall                                    |
| —   | Site limits                                   |
| —   | Plowed area (historic)                        |
| —   | Disturbed area                                |

**Shaw Engineering**  
Consulting Engineers  
744 Broadway Newburgh N.Y. 12550

**WINDSOR SQUARE, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
**PHASE 1 ARCHAEOLOGICAL SURVEY**  
**FIGURE 5.1. SITE PLAN**

|            |                          |          |                |
|------------|--------------------------|----------|----------------|
| Drawn By   | CLY                      | Drawing  | SITE PLAN      |
| Checked By | STF                      | Project  | WINDSOR SQUARE |
| Scale      | 1" = 50'-0"              | Date     | 4-23-81        |
| Issue      | CONVENTIONAL SUBDIVISION | Revision | 4-29-83        |

|                           |         |       |    |            |      |
|---------------------------|---------|-------|----|------------|------|
| Date                      | 4-23-81 | Route | 92 | Project No | 8706 |
| TOWN OF NEW WINDSOR, N.Y. |         |       |    |            |      |