PB# 90-18

TWIN ARCH SUBDIVISION

55-1-24

TWIN ARCH SUBDIVISION (33 LOTS) #90-18
(COPPOLA) (TWIN ARCH RD.)

Approved 3-15-96

General Receipt

11311

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

April 16 19 90

Received of Herman and Mina Fuchs $ 25.00

Twenty-five and 00/100 DOLLARS

For Planning Board Application Fee # 90-18

DISTRIBUTION

FUND	CODE	AMOUNT
CE # 112		25.00

By Pauline G. Townsend as Town Clerk

Title

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

General Receipt

11312

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

April 16 19 90

Received of Pauline G. Townsend Town Clerk $ $2775.00

Two Thousand Seven Hundred Seventy-five 00/100 DOLLARS

For Herman Fuchs Planning Board 33 lot Subdivision #90-18 Fee

DISTRIBUTION

FUND	CODE	AMOUNT
CE # 113		$2775.00

By [illegible]

Cap Truly

Title

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

S1644-4W-CL Triplicate

255

DATE 2-26-96

RECEIVED FROM Herman & Mina Fuchs

RECEIPT NUMBER 90-18

1

Twenty - five & 00/100 DOLLARS

For Planning Board Application Fee # 90-18

DISTRIBUTION

FUND	CODE	AMOUNT
Ck # 112		25.00

By Pauline G. Townsend as Town Clerk

Title

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

General Receipt

11312

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

April 16 1990

Received of Pauline G. Townsend Town Clerk $ 2775.00

Two Thousand Seven Hundred Seventy-five & 00/100 DOLLARS

For Herman Fuchs Planning Board 33 Lot Subdivision #90-18 Fee

DISTRIBUTION

FUND	CODE	AMOUNT
CK # 113		$2775.00

By [illegible]

Comptroller

Title

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

RECEIPT

NUMBER 90-18

DATE 2-26-96

RECEIVED FROM Herman & Mira Fuchs

Address 40 Doral Ct - New City, N.Y.

Four Thousand 00/60 DOLLARS $4000.00

FOR Recreation fee of $500.00 per lot for 8 lots

ACCOUNT			HOW PAID		
BEGINNING BALANCE	4000	00	CASH		
AMOUNT PAID	4000	00	CHECK #	3490	
BALANCE DUE	-0-		MONEY ORDER		

By [illegible] 3/6/96 Myra Mason, Secy to the P.B.

Town Clerk

Title

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553

Wilson-Jones • Carbonless • S1642-4W-CL Duplicate • S1644-4W-CL Triplicate
MADE IN U.S.A.
© Wilson-Jones, 1989

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

FAX # 426-2200

Twenty Five & 00/100 DOLLARS

For Planning Board Application Fee #90-18

DISTRIBUTION

FUND	CODE	AMOUNT
CB# 112		25.00

By Pauline G. Townsend

Town Clerk

Title

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

General Receipt

11312

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

April 16 1990

Received of Pauline G. Townsend Town Clerk $2775.00

Two Thousand Seven Hundred Seventy-five & 00/100 DOLLARS

For Herman Fuchs Planning Board 33 lot Subdivision #90-18 Fee

DISTRIBUTION

FUND	CODE	AMOUNT
CB# 113		$2775.00

By

Cert Truly

Title

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

RECEIPT

NUMBER 90-18

DATE 2-26-96

RECEIVED FROM Herman & Mira Fuchs

Address 40 Doral Ct New City, N.Y. 10956

Two Thousand Nine Hundred Seventy Three 60/100 DOLLARS $2,973.60

FOR 4% of Performance Bond of $74,340.00 - Public Improvements Inspection fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE	2973 60	CASH	
AMOUNT PAID	2973 60	CHECK #	3491
BALANCE DUE	- 0 -	MONEY ORDER	

BY Myra Mason, Secy to the P.B. 3/6/96

Town Clerk

Title

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553

MADE IN U.S.A.
© WilsonJones, 1989

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FAX # 426-2200

DOLLARS

For Planning Board application Fee # 90-18

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 112		25.00

By Pauline G. Townsend as Town Clerk

Title

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

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

General Receipt

11312

April 16 1990

Received of Pauline G. Townsend Town Clerk $ $2775.00

Two Thousand Seven Hundred Seventy-five 00/100 DOLLARS

For Herman Fuchs Planning Board 33 lot Subdivision #90-18 Fee

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 113		$2775.00

By

Title

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

Planning Hall
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553

MADE IN U.S.A.
© WilsonJones, 1989

RECEIPT

DATE 2-26-96

NUMBER 90-18

RECEIVED FROM Herman & Mira Fuchs

Address 40 Doral Ct. New City, N.Y. 10956

Five Hundred Twenty Six 06/100 DOLLARS $526.06

FOR 2% of Performance bond of $26,303.00 - Private Improvements Inspection fee

ACCOUNT			HOW PAID		
BEGINNING BALANCE	526	06	CASH		
AMOUNT PAID	526	06	CHECK #	3492	
BALANCE DUE	-0-		MONEY ORDER		

3/6/96

BY Myra Mason, Secy to the P.B.

Town Clerk

Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

FAX # 426-2200

Twenty Five & 00/100 DOLLARS

For Planning Board application Fee # 90-18

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 112		25.00

By Pauline G. Townsend as Town Clerk
Title

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

General Receipt

11312

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

April 16 1990

Received of Pauline G. Townsend Town Clerk $ $2775.00

Two Thousand Seven Hundred Seventy-five 00/100 DOLLARS

For Herman Fuchs Planning Board 33 Lot Subdivision #90-18 Fee

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 113		$2775.00

By [illegible]
Comptroller
Title

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

GENERAL RECEIPT

15341

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

March 6 1996

Received of Herman Fuchs $ 390.00

Three Hundred Ninety and 00/100 DOLLARS

For Planning Board #90-18

DISTRIBUTION:

FUND	CODE	AMOUNT
CR. 3489		390.00

By Dorothy Hansen as Town Clerk
Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

FAX # 426-2200

x 204

SION (33 LOTS) #90-18
CH RD.)

Chg 4634.00
Chg 4686.00
11/28/95
41288.00

universal
No. F5-15112

Fuchs

90-18

Map Number 48-96

City [ ]
Town [x]
Village [ ] New Windsor

Section 55 Block 1 Lot 2431

Title: Gigi River Park
(10 sheets)

Dated: May 11, 1995 (Revised) Filed March 18, 1996

Approved by Edward C. Stent Jr. (Secretary)

on March 15, 1996

Record Owner Fuchs, Herman and Mina Lee

JOAN A. MACCHI
Orange County Clerk

ESCROW AGREEMENT
AND ONE-YEAR MAINTENANCE BOND

Date: January 6, 2000
Premises: Phyllis Lane - Section Block Lot
Project: Rick-Lynn Enterprises,Inc. f/k/a Fuchs Subdiv. a/k/a Twin Arch Subdiv. a/k/a Fox River Park Subdiv.

The undersigned developer hereby places in escrow with the Comptroller of the Town of New Windsor and its assignees, a cash bond (check), of which a copy is attached, the sum of $7,343, to be held in escrow to secure that the following work is satisfactorily completed on or before the 6th day of January, 2001.

No release of these escrow funds will be effected until the following conditions have been met:

Satisfactory condition of Phyllis Lane, as determined by Town of New Windsor Engineer and Highway Superintendent.

Contractor shall remedy any defects due to faulty materials or workmanship, and pay for any damage to other work resulting therefrom, which shall appear within a period of one (1) year from the date of acceptance of the work provided for in the contract, then this obligation to be void, otherwise to remain in full force and effect.

In the event that the aforementioned work is not satisfactorily competed by the date above, the Town of New Windsor or its designee is hereby authorized and empowered to immediately use and spend any and all of the escrow funds, at its sole discretion, in order to complete the items.

In the event the escrowed funds are not sufficient to complete the work, the Developer shall remit any required funds as requested by the Town of New Windsor upon 10 days notice by certified mail to address below.

Upon completion of all of the work described above, and upon Inspection and acceptance by Town Highway Superintendent, Town Building Inspector, or Engineer for the Town, any escrow balance remaining will be released, without interest, to the developer.

Notwithstanding the above, the Town of New Windsor may apply any balance due to past due real estate taxes on the project.

The undersigned developer, by signing this agreement, consents to all of its terms and further consents, agrees, authorizes and empowers the Town of New Windsor or its agents to enter the premises herein described for the purpose of completing the work and/or repairs described in this agreement.

No building permits or certificates of occupancy shall be issued if Developer is in default of this Agreement.

RICK-LYNN ENTERPRISES, INC.

By:_____

Town of New Windsor

By:
555 Union Avenue
New Windsor, N. Y. 12553

INTER-OFFICE CORRESPONDENCE

TO: MYRA MASON

FROM: PHIL

SUBJECT: RICK-LYNN ENTERPRISES, INC. w/ TNW
FORMERLY FUCHS SUBDIVISION – PHYLLIS LANE

DATE: DECEMBER 28, 1999

This memo follows our meeting on December 2, 1999. At this that time we discussed the cash bond which Lou Tedaldi said that he has on file for the above-referenced subdivision.

Tedaldi came to my office on November 24, 1999 and reported that there is such a bond in the amount of $16,000 or $18,000 on file in Town Hall.

Pat checked with Larry Reis and he informed this office that there is a $16,300 bond posted for Fox River Estates dated 2/6/98. The Town officials have reported that a bond in the amount of $7,343 is required. That matter will be part of the Town Board resolution concerning the dedication of Phyllis Lane which will be considered at the 01/05/2000 Town Board meeting.

I am asking the Town Comptroller to cut a refund check back to Rick-Lynn Enterprises, Inc. in the amount of $8,866 which I will turn over to them at the time of the closing.

PAC

pac/pab
cc: Comptroller Reis

INTER-OFFICE CORRESPONDENCE (Revised)

TO: MYRA MASON

FROM: PHIL

SUBJECT: RICK-LYNN ENTERPRISES, INC. w/ TNW
FORMERLY FUCHS SUBDIVISION – PHYLLIS LANE

DATE: DECEMBER 28, 1999

This memo follows our meeting on December 2, 1999. At this that time we discussed the cash bond which Lou Tedaldi said that he has on file for the above-referenced subdivision.

Tedaldi came to my office on November 24, 1999 and reported that there is such a bond in the amount of $16,000 or $18,000 on file in Town Hall.

Pat checked with Larry Reis and he informed this office that there is a $16,300 bond posted for Fox River Estates dated 2/6/98. The Town officials have reported that a bond in the amount of $7,434 is required. That matter will be part of the Town Board resolution concerning the dedication of Phyllis Lane which will be considered at the 01/05/2000 Town Board meeting.

I am asking the Town Comptroller to cut a refund check back to Rick-Lynn Enterprises, Inc. in the amount of $8,866 which I will turn over to them at the time of the closing.

PAC

pac/pab
cc: Comptroller Reis

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/15/96

LISTING OF PLANNING BOARD **ACTIONS**

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

FOR PROJECT NUMBER: 90-18
NAME: TWIN ARCH SUBDIVISION
APPLICANT: FUCHS, HERMAN

--DATE--	MEETING-PURPOSE----------	ACTION-TAKEN--------
03/15/96	PLANS STAMPED	APPROVED
12/27/95	REQ. FOR 90 DAY EXT. FINAL APP	GRANTED 2ND EXTENSN
	. GRANTED SECOND 90 DAY	EXTENSION - EXPIRES 4-6-96
12/13/95	REQUEST FOR 90 DAY EXT.	GRANTED
	. GRANTED FIRST 90 DAY EXT. - EXPIRES 1-7-96	
04/12/95	P.B. APPEARANCE	APPR. COND.
	. MARKS COMMENTS - REC.	AGREEMENT - BOND-SCREENING-DEDICATION
03/08/95	P.B. APPEARANCE (DISCUSSION)	RESOLVE PARCEL #9
	. RESOLVE PARCEL #9 W/TOWN ENGINEEL & T. ATTORNEY	
03/08/95	P.B. APPEARANCE-DISC. CON'T	WAIVE DEADLINES
03/01/95	WORK SESSION APPEARANCE	ON AGENDA - DISCUSS
11/03/92	WORK SESSION APPEARANCE	RET TO WS AFTER APPR
	. RETURN TO WORK SHOP AFTER OUTSIDE AGENCY APPROVALS	
10/14/92	P.B. APPEARANCE (PUBLIC HEAR)	ND/REVISE:RET TO WS
10/14/92	P.B. APPEARANCE (CON'T)	CLOSE PH;PRELIM APPR
08/12/92	P.B. APPEARANCE	TO RETURN:SET P.H.
06/24/92	P.B. APPEARANCE	DISCUSSION ONLY
04/08/92	P.B. APPEARANCE	TO RETURN
02/04/92	WORK SESSION APPEARANCE	RETURN
10/16/91	P.B. APPEARANCE	L.A. - TO RETURN
09/18/91	SITE VISIT SCHEDULED	SITE VISIT COMPLETE
07/24/91	P.B. APPEARANCE	SITE VISIT REQUIRED
	. AFTER SITE VISIT - APPLICANT TO RETURN TO PLANNING BOARD	
06/04/91	WORK SESSION APPEARANCE	CORRECT:SUBMIT PLANS

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/15/96

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 90-18
NAME: TWIN ARCH SUBDIVISION
APPLICANT: FUCHS, HERMAN

--DATE--	MEETING-PURPOSE----------	ACTION-TAKEN--------
05/23/90	P.B. APPEARANCE	TO RETURN
04/25/90	P.B. APPEARANCE	NO SHOW

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/15/96

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 90-18
NAME: TWIN ARCH SUBDIVISION
APPLICANT: FUCHS, HERMAN

	DATE-SENT	AGENCY----------	DATE-RECD	RESPONSE----------
REV1	05/17/90	MUNICIPAL SEWER	05/16/90	APPROVED
REV1	05/17/90	MUNICIPAL SANITARY . NO INFORMATION REGARDING WASTE DISPOSAL	05/17/90	DISAPPROVED
REV1	05/17/90	MUNICIPAL FIRE	05/21/90	APPROVED
REV1	05/17/90	PLANNING BOARD ENGINEER	06/28/91	SUPERSEDED BY REV2
REV1	05/17/90	O.C. PLANNING DEPT. . SEE REVIEW SHEET IN FILE FOR DETAILS OF APPROVAL	06/18/90	APPROVED
ORIG	04/16/90	MUNICIPAL HIGHWAY	05/17/90	SUPERSEDED BY REV1
ORIG	04/16/90	MUNICIPAL WATER	04/17/90	APPROVED
ORIG	04/16/90	MUNICIPAL SEWER	05/17/90	SUPERSEDED BY REV1
ORIG	04/16/90	MUNICIPAL SANITARY . NO INFORMATION REGARDING SEPTIC WASTE DISPOSAL	04/17/90	DISAPPROVED
ORIG	04/16/90	MUNICIPAL FIRE	04/19/90	APPROVED
ORIG	04/16/90	PLANNING BOARD ENGINEER	05/17/90	SUPERSEDED BY REV1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/15/96

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 90-18
NAME: TWIN ARCH SUBDIVISION
APPLICANT: FUCHS, HERMAN

	DATE-SENT	AGENCY----------	DATE-RECD	RESPONSE----------
REV4	07/24/92	MUNICIPAL HIGHWAY	12/08/92	APPROVED
REV4	07/24/92	MUNICIPAL WATER	07/30/92	APPROVED
REV4	07/24/92	MUNICIPAL SEWER	/ /	
REV4	07/24/92	MUNICIPAL SANITARY	/ /	
REV4	07/24/92	MUNICIPAL FIRE	07/30/92	APPROVED
REV4	07/24/92	PLANNING BOARD ENGINEER	/ /	
REV3	03/30/92	MUNICIPAL HIGHWAY	07/24/92	SUPERSEDED BY REV4
REV3	03/30/92	MUNICIPAL WATER	03/30/92	APPROVED
REV3	03/30/92	MUNICIPAL SEWER	07/24/92	SUPERSEDED BY REV4
REV3	03/30/92	MUNICIPAL SANITARY	07/24/92	SUPERSEDED BY REV4
REV3	03/30/92	MUNICIPAL FIRE	03/31/92	APPROVED
REV3	03/30/92	PLANNING BOARD ENGINEER	07/24/92	SUPERSEDED BY REV4
REV2	06/28/91	MUNICIPAL HIGHWAY	07/19/91	DISAPPROVED
		. SEE REVIEW SHEET IN FILE: NO CUL-DE-SACS AND NEED DRAINAGE		
REV2	06/28/91	MUNICIPAL WATER	07/02/91	APPROVED
REV2	06/28/91	MUNICIPAL SEWER	07/02/91	APPROVED
REV2	06/28/91	MUNICIPAL SANITARY	07/09/91	DISAPPROVED
		. MAP DOES NOT INDICATE PERCOLATIONS OF EACH LOT		
REV2	06/28/91	MUNICIPAL FIRE	07/01/91	APPROVED
REV2	06/28/91	PLANNING BOARD ENGINEER	03/30/92	SUPERSEDED BY REV3
REV1	05/17/90	MUNICIPAL HIGHWAY	05/17/90	DISAPPROVED
		. TOO MANY CUL-DE-SACS - DON'T SEE ANY DRAINAGE		
REV1	05/17/90	MUNICIPAL WATER	05/18/90	APPROVED

MEMO

TO: RICHARD D. MC GOEY, P.E., ENGINEER FOR THE TOWN
MARK J. EDSALL, P.E., ENGINEER FOR THE TOWN.
LARRY REIS, COMPTROLLER
PATRICIA BARNHART, SECRETARY TO THE ATTORNEY

FROM: PHILIP CROTTY, ATTORNEY FOR THE TOWN

SUBJECT: FOX RIVER SUBDIVISION (P.B. #90-18)
HERMAN FUCHS, APPLICANT

DATE: FEBRUARY 27, 1996

I am enclosing a copy of the Letter of Credit which has been received from Chemical Bank for the above referenced project.

The Letter of Credit expires on February 14, 1997.

Please mark your calendars well in advance so that if we must call the bond, there is plenty of time to do so.

I suggest you calendar a review of this matter for December 15, 1996.

Philip Crotty,
Attorney for the Town

CHEMICAL

Chemical Bank
Trade Services Group
P.O. Box 44, Church Street Station
New York, N.Y. 10008
Cable Address: Chemical New York

1996 DATE: FEBRUARY 23, 1996
C NO.: T-252833

MAIL TO

Advising Bank

********** DIRECT **********

APPLICANT:
HERMAN FUCHS
40 DORAL COURT
NEW CITY,NY 10956-5534

Beneficiary

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

AMOUNT: USD 91,483.00
(NINETY ONE THOUSAND FOUR
HUNDRED EIGHTY THREE AND 00/100
UNITED STATES DOLLARS)

WE HEREBY ESTABLISH THIS IRREVOCABLE LETTER OF CREDIT NO. T-252833 IN YOUR FAVOR FOR THE ACCOUNT OF HERMAN FUCHS FOR AN AGGREGATE AMOUNT NOT TO EXCEED NINETY ONE THOUSAND FOUR HUNDRED EIGHT THREE AND 00/100 UNITED STATES DOLLARS ($91,483.00) AND EXPIRING AT OUR COUNTERS IN NEW YORK WITH OUR CLOSE OF BUSINESS ON FEBRUARY 14, 1997.

THIS LETTER OF CREDIT IS AVAILABLE WITH CHEMICAL BANK, NEW YORK AGAINST PRESENTATION OF YOUR DRAFT AT SIGHT DRAWN ON CHEMICAL BANK, NEW YORK WHEN ACCOMPANIED BY THE DOCUMENTS INDICATED HEREIN.

BENEFICIARY'S DATED STATEMENT PURPORTEDLY SIGNED BY ONE OF ITS OFFICIALS READING: "THE AMOUNT OF THIS DRAWING USD..... UNDER CHEMICAL BANK LETTER OF CREDIT NUMBER T-252833 REPRESENTS FUNDS DUE US AS HERMAN FUCHS OR HIS SUCCESSORS OR ASSIGNS HAS NOT COMPLETED INSTALLATION OR MAINTENANCE OF PUBLIC AND PRIVATE IMPROVEMENTS IN THE FOX RIVER PARK SUBDIVISION AS APPROVED BY THE TOWN OF NEW WINDSOR PLANNING BOARD."

THE ORIGINAL OF THIS LETTER OF CREDIT MUST ACCOMPANY ANY DRAWINGS MADE HEREUNDER.

ONLY ONE DRAWING IS PERMITTED UNDER THIS LETTER OF CREDIT.

DRAFTS DRAWN UNDER THIS LETTER OF CREDIT MUST BEAR THE CLAUSE: "DRAWN UNDER CHEMICAL BANK IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER T-252833".

ALL CORRESPONDENCE AND ANY DRAWINGS PRESENTED IN CONNECTION WITH THIS LETTER OF CREDIT MUST ONLY BE PRESENTED TO US AT CHEMICAL BANK, 55 WATER STREET, 17TH FLOOR, ROOM 1709, NEW YORK, NEW YORK 10041, ATTENTION: STANDBY LETTER OF CREDIT DEPARTMENT. CUSTOMER INQUIRY NUMBERS ARE (212) 638-3473 AND (212) 639-3321.

WE ENGAGE WITH YOU THAT ALL DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WILL BE DULY HONORED UPON DELIVERY OF SPECIFIED DOCUMENTS IF PRESENTED AT THIS OFFICE ON OR BEFORE THE EXPIRY DATE.

THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1993 REVISION) INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500.

T-252833- -001-L1-01-

Roshdy S. Boutros
Authorized Signature

PREVIOUS

DOCUMENT

IN POOR

ORIGINAL

CONDITION

AGREEMENT

THIS AGREEMENT, made this 8TH day of May, 1995, by and between HERMAN FUCHS and MINA FUCHS, residing at 640 Chestnut Ridge Road, Spring Valley, New York (hereinafter known as "FUCHS") and the TOWN OF NEW WINDSOR, a Municipal Corporation of the State of New York, by its Planning Board (hereinafter known as "the BOARD").

WITNESSETH

WHEREAS, FUCHS has applied to the BOARD for approval of a major subdivision of lands bordering on Twin Arch Road in the Town of New Windsor under application No. 90-18 and

WHEREAS, the parties hereto wish to memorialize the promises and representations of FUCHS made in consideration of granting of approval of the aforesaid Subdivision.

NOW, THEREFORE, in consideration of the promises and mutual covenants hereinafter contained, the parties hereto for themselves, their heirs, successors and assigns do mutually agree as follows:

1. No structure for either dwelling purposes or any other purposes permitted under the zoning ordinance shall be erected on the premises known and designated as Lot Number 9 (said lot being more particularly described in Schedule A annexed) on the Subdivision Map entitled Fox River Park Subdivision by Scott T. Kartiganer, P.E. dated May 16, 1991 and last revised on April 24, 1995, and intended to be filed simultaneously with the recording of this Agreement, unless and until such lot shall have a septic system design approved by the Orange County Health Department. At that time, approval shall be obtained from the BOARD to change its designation from Agricultural to Residential use.

2. No further subdivision of said Lot Number 9 shall be made without the prior approval of the BOARD. It is fully understood by both FUCHS and the Town that FUCHS, their heirs, assigns or transferees, intends to develop Lot 9 for residential use in the future and that this document or the subdivision map does not in any way limit FUCHS from this residential development right.

3. FUCHS, their heirs, assigns or transferees shall not dump debris nor engage in filling of said Lot Number 9 without the prior approval of the BOARD.

4. If FUCHS, their heirs, assigns or transferees or any corporation or entity owned in whole or in part by FUCHS, or in which FUCHS shall have any interest, shall sell, transfer, devise or otherwise alienate all or any portion of the premises which are subject of this agreement, then and in that event, the terms and conditions of this Agreement and the terms of any Subdivision approval or any amendment thereto, shall be incorporated into the

contract(s), deed(s) or any other document(s) made or executed in connection with the transfer of said Lot Number 9.

5. Should it become necessary for the Town or BOARD to institute an action to enforce the terms of this Agreement the Town or BOARD, as the case may be, shall be entitled to recover its reasonable counsel fees and costs in connection therewith.

6. This Agreement shall be binding upon the heirs, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals.

HERMAN FUCHS

MINA FUCHS

TOWN OF NEW WINDSOR ~~and~~
~~TOWN OF NEW WINDSOR PLANNING BOARD~~
~~[illegible]~~
~~[illegible]~~
By: George J. Meyers, Supervisor

Reviewed and Consented to by
Town of New Windsor Planning Board

By: Andrew S. Krieger, Esq.
Planning Board Attorney - 2/29/96.

STATE OF NEW YORK)
) SS.
COUNTY OF ~~ORANGE~~ Rockland)

On this 8th day of May, 1995, before me personally came HERMAN FUCHS, to me known to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

HARRIET L. SLATER
Notary Public, State of New York
No. 4987164
Qualified in Rockland County
Commission Expires October 7, 1995

Harriet L. Slater
NOTARY PUBLIC

STATE OF NEW YORK)
) SS.
COUNTY OF ~~ORANGE~~ Rockland)

On this 8th day of May, 1995, before me personally came MINA FUCHS, to me known to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that she executed the same.

HARRIET L. SLATER
Notary Public, State of New York
No. 4987164
Qualified in Rockland County
Commission Expires October 7, 1995

Harriet L. Slater
NOTARY PUBLIC

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

On this 7th day of Mar., 1996, before me personally came George J. Meyers, to me known, who being by me duly sworn, did depose and say that he resides in the Town of New Windsor, New York; that he is the Supervisor of the Town of New Windsor, a municipal corporation described herein and who executed the above instrument in his capacity as Supervisor and acknowledged that he executed the same by authority of a majority vote of said BOARD, at a meeting duly called, quorum being present throughout.

Deborah Green
NOTARY PUBLIC

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997

Hand Delivered May 12 95

SCOTT KARTIGANER, P.E.

CIVIL/ENVIRONMENTAL ENGINEERING & PLANNING

- 565 Newfield St. #7, Middletown, CT 06457
- 555 Blooming Grove Tpk., New Windsor, NY 12553
  (914)562-4391 (203)346-6610

w/5 copies
plus mylar.

April 26, 1995

Orange County Health Dept.
124 Main Street (1887 Building)
Goshen, NY 10924-2199

Attn: Greg Moore, Sr, Public Health Engineer

Subject: Fox River Park Subdivision/ Twin Arch Road Property

Dear Mr. Moore:

Please be notified that there has been three minor non-health department related modifications to the OCHD approved plans for the subject property. These changes are conditionally required as a part of the project's final approval received from the Town of New Windsor on 12 April 1995.

These modifications are as follows:

1. Increase cul-de-sac diameter on Bruce Lane to 60 feet from 50 feet. Sheets changed are 1,2 and 3.
2. Remove note 4 on "private road notes" on sheet 1.
3. Include easements and ROWs on sheet 2.

We are returning the OCHD stamped plans dated 2 February 1995. Please re-stamp the attached plans and mylars with the same date as per my conversation with the department today. If there are any questions please do not hesitate to contact me at your earliest convenience at (914)563-4391 or (203)346-6610. Thank-you in advance for this courtesy.

Very truly yours;

Scott Kartiganer, P.E.

cc/ Herman Fuchs
90004-A/
Fuchl495.doc

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

Office
Passaic (Route 9W
Windsor York 125
(914) 562-86

Bi
50 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

3/4/96

Myra
Submitted plans look OK

4 March 1996

MEMORANDUM FOR RECORD

SUBJECT: FOX RIVER SUBDIVISION
NEW WINDSOR PLANNING BOARD NO. 90-18

Reference is made to the memorandum from Richard McGoey dated 15 August 1995 with regard to the subject project. Pursuant to review of this memorandum, the following should be noted:

1. With regard to Dick's concern regarding the cut in the area of Station 27+00and 29+00 on Phyllis Lane, the location of the sanitary disposal systems for Lots 2 and 3 are approximately 150' from the road right-of-way. As such, more than adequate distance exists to perform grading for the roadway, without effect on the sanitary systems, in the locations as approved by the Orange County Department of Health.

2. The public road dedication for Phyllis Lane is not part of Lot (Parcel) 9. The discrepancy appears to be based on a drafting error with regard to depicting the road metes and bounds.

3. The length of arc for the portion of the Phyllis Lane cul-de-sac (frontage of Lot 3) does present an inconsistency between Sheets 2 versus Sheets 1 and 4. The correct distance (103.28 or 104.29') should be indicated.

4. There is a discrepancy between the northerly property line distance for Lot 8 as indicated on Sheet 2 versus Sheet 1 and 3. The correct dimension (either 182.89 or 182.92) should be indicated.

5. The removal of Note 4 on Sheet 1 is acceptable.

The corrections noted above should be accomplished before the plans are filed. In line with same, on the afternoon of 1 March 1996 I contacted Scott Kartiganer to bring these required corrections to his attention. He indicated that he would review same and contact me first thing the following week.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:3-4-E.mk

Licensed in New York, New Jersey and Pennsylvania

Entered in Computer 12/11/95

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MAJOR SUBDIVISION FEES:

APPLICATION FEE.....$ ~~100.00~~

ESCROW:
RESIDENTIAL:
___ LOTS @ 150.00 (FIRST 4 LOTS).....$
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....$
COMMERCIAL:
___ LOTS @ 400.00 (FIRST 4 LOTS).....$
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....$

TOTAL ESCROW DUE....$

* *

APPROVAL FEES MAJOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....$ 100.00
PRELIMINARY PLAT APPROVAL (150.00 OR 15.00/LOT).....$ 150.00
FINAL PLAT APPROVAL ($100.00 + $5.00/LOT).....$ 140.00
FINAL PLAT SECTION FEE.....$ ~~100.00~~
BULK LAND TRANSFER...($100.00).....$ —

TOTAL SUBDIVISION APPROVAL FEES.....$ 390.00 (A)

* *

RECREATION FEES:

8 LOTS @ $ 500.00 PER LOT.....$ 4,000.00 (B)

* *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....$
PLANNING BOARD ATTORNEY FEES.....$
MINUTES OF MEETINGS.....$
OTHER.....$

* *

PERFORMANCE BOND AMOUNT.....$ 65,180.00 (C)
4% OF ~~ABOVE~~ Total Bond AMOUNT..(74,340.00).....$ 2,973.60 (D)

ESTIMATE OF PRIVATE IMPROVEMENTS: $ 26,303.00 (E)

2% OF APPROVED COST ESTIMATE .....$ 526.06 (F)

2/26/96: Cupan, I gave the amounts to Mr. Fucks

2/27/96 Checks received

2/1/96

ANDREW S. KRIEGER
ATTORNEY AT LAW
219 QUASSAICK AVENUE
SQUIRE SHOPPING CENTER, SUITE 3
NEW WINDSOR, NEW YORK 12553
(914) 562 2333

Rec'd. TA office 1/31/96

January 29, 1996

Sample of L. of C. only

McGoey, Hauser & Edsall
Consulting Engineers, P.C.
45 Quassaick Avenue
New Windsor, NY 12553

Attn: Mark J. Edsall, P.E.

Re: Windsor Crest
MHE Job 87-55/T93-2

Dear Mark:

With respect to a reduction of the letter of credit on the above referenced matter, I believe that this is a matter that should be addressed to the Town Attorney.

The letter of credit is issued in favor of the Town, not the Planning Board. If the letter of credit would have to be collected upon or acted upon in any way the Town would have to do it, again, not the Planning Board. If there is to be a reduction in the letter of credit, the procedures and reduced documents would have to be acceptable to the Town. In short, once the site plan has been approved, the Planning Board's work is done and it is the Town's interest which is at stake. Under cover of a copy of this letter I am forwarding the materials you sent me directly to Mr. Crotty.

Thank you.

Very truly yours,

ANDREW S. KRIEGER

ASK:mmt
cc: Phillip A. Crotty, Esq.
Town Attorney, Town of New Windsor
w/encl.
George J. Meyers, Town Supervisor
Larry Reis, Town Comptroller
Michael Babcock, Town Building Inspector
James Petro, Planning Board Chairman

MHE PC
McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640

☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

Samples

11 January 1996

Andrew Krieger, Esq.
219 Quassaick Avenue
New Windsor, New York 12553

SUBJECT: WINDSOR CREST CONDOMINIUM PROJECT
NEW HILLTOP DEVELOPMENT CORP.
PROJECT IRREVOCABLE LETTER OF CREDIT
MHE JOB NO. 87-55/T93-2

Dear Andy:

Attached hereto, please find a letter dated 27 December 1995 from Michael Gervis, representing New Hilltop Development Corp. As you will note in his letter, he is requested a reduction in the Letter of Credit based on their completion of the storm drainage improvements on Margo Street, which was a component included in the Letter of Credit issued to the Town of New Windsor.

Please be advised that it is our opinion that the drainage improvements on Margo Street have been completed in an acceptable fashion. I have contacted Supervisor Meyers, who concurs with this position. Based on same, it is my recommendation that the Planning Board accept a reduction in the Irrevocable Letter of Credit, with such reduction being an amount of $10,000.00.

Myra Mason has provided me with a copy of the Irrevocable Letter of Credit. A copy is attached hereto for your convenience. Your attention is directed to the work referenced under

"Statement C" in the Letter of Credit, which involves this off-site drainage work. It is our position that the work referenced under "Statement C" has been satisfactorily completed.

I request that you contact Michael Gervis directly to arrange for the necessary steps in accomplishing the reduction.

Very truly yours,

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

Mark J. Edsall

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

MJEmk
Encl.as

cc: George J. Meyers, Town Supervisor
Larry Reis, Town Comptroller
Michael Babcock, Town Building Inspector
James Petro, Planning Board Chairman

Samples

A:KRIEGE.mk

MICHAEL GERVIS
ATTORNEY AT LAW
305 BROADWAY
NEW YORK, N.Y. 10007

TEL. (212) 571-2181

FAX (212) 393-1189

December 27, 1995

McGoey, Hauser and Edsall
Consulting Engineers P.C.
45 Quassaick Avenue
New Windsor, N. Y. 12553

Att: Mark J. Edsall, P.E.

Re: Windsor Crest Condominium Project

Dear Mark,

You no doubt recall that in 1993, New Hilltop Development Corp. presented to the Town of New Windsor a Letter of Credit in the sum of $49,000.00 This sum included an amount of "at least" $10,000.00 for storm drainage and piping on Margo Street (off-site).

This work was satisfactorily completed and in the circumstances, kindly use your good offices to have the Planning Board authorize the reduction of the Letter of Credit by an appropriate amount.

Best wishes to you for a healthy and happy New York.

Regards.

Michael Gervis

Sample

MEMORANDUM

TO: TOWN OF NEW WINDSOR TOWN BOARD

FROM: NEW WINDSOR PLANNING BOARD

SUBJECT: RECEIVE & FILE LETTER OF CREDIT FOR:

WINDSOR CREST CONDOMINIUMS (P.B. FILE #92-42)
WINDSOR HIGHWAY
TOWN OF NEW WINDSOR, NY

DATE: NOVEMBER 15, 1993

Please find attached a "Letter of Credit" for Windsor Crest Condominiums in the amount of $49,000.00, naming as beneficiary the Town of New Windsor, to be received and filed by the Town Clerk of the Town of New Windsor.

Please note the expiration date for subject document, as specified in "Amendment #2", is November 1, 1996.

We hope the above information is satisfactory for processing this document and if you should have any questions in the interim, please contact our office.

Very truly yours,

Myra Mason

Myra Mason, Secretary to the P.B.

MLM:mlm

cc: Pauline Townsend, Town Clerk - w/attachment
Larry Reis, Comptroller - w/attachment
Mark Edsall, P.E., P.B. Engineer - w/attachment
Andrew Kreiger, Atty. for the P.B. - w/attachment
P.B. File #92-42

CHEMICAL

Chemical Bank
Trade Services Group
P.O. Box 44, Church Street Station
New York, N.Y. 10008
Cable Address: Chemical New York

ISSUE DATE: SEPTEMBER 24, 1993
L/C NO.: T-218343

Advising Bank

********** DIRECT **********

APPLICANT:
NEW HILLTOP DEVELOPMENT CORP.
16 EAST 34TH STREET 16TH FLOOR
NEW YORK N.Y. 10016

Beneficiary

TOWN OF NEW WINDSOR PLANNING BOARD
555 UNION AVENUE
NEW WINDSOR, N.Y. 12550

AMOUNT: USD 42,800.00
(FORTY TWO THOUSAND EIGHT HUNDRED AND 00/100 UNITED STATES DOLLARS)

WE HEREBY ESTABLISH THIS IRREVOCABLE LETTER OF CREDIT NO. T-218343 IN YOUR FAVOR FOR AN AGGREGATE AMOUNT NOT TO EXCEED THE AMOUNT INDICATED ABOVE, EXPIRING AT OUR COUNTERS IN NEW YORK WITH OUR CLOSE OF BUSINESS ON NOVEMBER 01, 1994.

THIS LETTER OF CREDIT IS AVAILABLE WITH CHEMICAL BANK, NEW YORK AGAINST PRESENTATION OF YOUR DRAFT AT SIGHT DRAWN ON CHEMICAL BANK, NEW YORK WHEN ACCOMPANIED BY THE DOCUMENTS INDICATED HEREIN.

STATEMENT A.

BENEFICIARY'S DATED STATEMENT PURPORTEDLY SIGNED BY ONE OF ITS OFFICIALS READING: "THE AMOUNT OF THIS DRAWING USD..... UNDER CHEMICAL BANK LETTER OF CREDIT NUMBER T-218343 REPRESENTS FUNDS DUE US AS NEW HILLTOP DEVELOPMENT CORP. HAS NOT COMPLETED THE INSTALLATION OF 775 L.F. OF CONCRETE CURBING AND SIDEWALK (4 FEET WIDE) ON WINDSOR HIGHWAY. WE FURTHER CERTIFY THAT THE AMOUNT OF THE ACCOMPANYING DRAFT REPRESENTS THE AMOUNT REQUIRED TO COMPLETE THE UNFINISHED WORK LESS ANY AMOUNTS ALREADY EXPENDED, IF ANY, TO COMPLETE SUCH WORK."

AND/OR

STATEMENT B.

BENEFICIARY'S DATED STATEMENT PURPORTEDLY SIGNED BY ONE OF ITS OFFICIALS READING: "THE AMOUNT OF THIS DRAWING USD..... UNDER CHEMICAL BANK LETTER OF CREDIT NUMBER T-218343 REPRESENTS FUNDS DUE US AS NEW HILLTOP DEVELOPMENT CORP. HAS NOT COMPLETED THE REMOVAL OF EXISTING MACADAM BINDER AND R.O.B. GRAVEL AT THE NORTH ENTRANCE ONTO WINDSOR HIGHWAY RECRADE EXISTING SUBASE, AND INSTALL NEW 8" COURSE OF R.O.B. GRAVEL AND 4" COURSE OF MACADAM BINDER. WE FURTHER CERTIFY THAT THE AMOUNT OF THE ACCOMPANYING DRAFT REPRESENTS THE AMOUNT REQUIRED TO COMPLETE THE UNFINISHED WORK LESS ANY AMOUNTS ALREADY EXPENDED, IF ANY, TO COMPLETE SUCH WORK."

AND/OR

-CONTINUED-

Authorized Signature

T-218343-- -001-L1-01-02-01

Provisions applicable to this credit
This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision.) International Chamber of Commerce Publication No. 400

CHEMICAL

Chemical Bank
Trade Services Group
P.O. Box 44, Church Street Station
New York, N.Y. 10008
Cable Address: Chemical New York

ISSUE DATE: SEPTEMBER 24, 1993
NO.: T-218343

Advising Bank

********** DIRECT **********

APPLICANT:
NEW HILLTOP DEVELOPMENT CORP.
16 EAST 34TH STREET 16TH FLOOR
NEW YORK N.Y. 10016

Beneficiary

TOWN OF NEW WINDSOR PLANNING BOARD
555 UNION AVENUE
NEW WINDSOR, N.Y. 12550

AMOUNT: USD 42,800.00
(FORTY TWO THOUSAND EIGHT HUNDRED AND 00/100 UNITED STATES DOLLARS)

STATEMENT C.

BENEFICIARY'S DATED STATEMENT PURPORTEDLY SIGNED BY ONE OF ITS OFFICIALS READING: "THE AMOUNT OF THIS DRAWING USD..... UNDER CHEMICAL BANK LETTER OF CREDIT NUMBER T-218343 REPRESENTS FUNDS DUE US AS NEW HILLTOP DEVELOPMENT CORP. HAS NOT COMPLETED THE INSTALLING OF STORM DRAINAGE PIPING AND CATCH BASINS ON MARGO STREET INCLUDING RESTORATION OF DISTURBED SURFACES. WE FURTHER CERTIFY THAT THE AMOUNT OF THE ACCOMPANYING DRAFT REPRESENTS THE AMOUNT REQUIRED TO COMPLETE THE UNFINISHED WORK LESS ANY AMOUNTS ALREADY EXPENDED, IF ANY, TO COMPLETE SUCH WORK."

DRAWINGS UTILIZING STATEMENT A SHALL NOT EXCEED AN AGGREGATE AMOUNT OF USD24,800.00.

DRAWINGS UTILIZING STATEMENT B SHALL NOT EXCEED AN AGGREGATE AMOUNT OF USD8,000.00.

DRAWINGS UTILIZING STATEMENT C SHALL NOT EXCEED AN AGGREGATE AMOUNT OF USD10,000.00

PLEASE DIRECT ALL CORRESPONDENCE IN CONNECTION WITH THIS LETTER OF CREDIT TO THE ATTENTION OF THE STANDBY LETTER OF CREDIT DEPARTMENT, 55 WATER STREET, 17TH FLOOR, ROOM 1708, NEW YORK, NEW YORK 10041. CUSTOMER INQUIRY NUMBERS (212) 638-3473 AND (212) 638-3321.

WE HEREBY ISSUE THIS DOCUMENTARY CREDIT IN YOUR FAVOR. IT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1983 REVISION INTERNATIONAL CHAMBER OF COMMERCE, PARIS, FRANCE PUBLICATION NO. 400) AND ENGAGES US IN ACCORDANCE WITH THE TERMS THEREOF. THE NUMBER AND THE DATE OF OUR CREDIT AND THE NAME OF OUR BANK MUST BE QUOTED ON ALL DRAFTS REQUIRED. IF THE CREDIT IS AVAILABLE BY NEGOTIATION, EACH PRESENTATION MUST BE NOTED ON THE REVERSE OF THIS ADVICE BY THE BANK WHERE THE CREDIT IS AVAILABLE.

Samples

Authorized Signature

T-218343- -001-L1-01-02-01

Provisions applicable to this credit
This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision.) International Chamber of Commerce Publication No. 400

Chemical Bank
Trade Services Group
P.O. Box 44, Church Street Station
New York, N.Y. 10008
Cable Address: Chemical New York

OCTOBER 22, 1993
LC NO.: T-219343
AMENDMENT NO: 1

Advising Bank

********** DIRECT **********

APPLICANT:
NEW HILLTOP DEVELOPMENT CORP.
14 EAST 44TH STREET 15TH FLOOR
NEW YORK N.Y. 10016

Beneficiary

TOWN OF NEW WINDSOR PLANNING BOARD
555 UNION AVENUE
NEW WINDSOR, N.Y. 12550

IN ACCORDANCE WITH INSTRUCTIONS RECEIVED, THE ABOVE-REFERENCED LETTER OF CREDIT HAS BEEN AMENDED AS FOLLOWS:

1 - LETTER OF CREDIT AMOUNT IS INCREASED BY USD 6,200.00 (SIX THOUSAND TWO HUNDRED AND 00/100 UNITED STATES DOLLARS).

THE AGGREGATE AMOUNT AVAILABLE UNDER THIS LETTER OF CREDIT SHALL NOT EXCEED USD49,000.00.

THE PARAGRAPH READING "DRAWINGS UTILIZING STATEMENT A SHALL NOT EXCEED AN AGGREGATE AMOUNT OF USD34,800.00." IS HEREBY AMENDED TO INCREASED BY USD6,200.00 TO AN AGGREGATE AMOUNT OF USD41,000.00.

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

Sample

Authorized Signature

T-219343- -003-A1-01-02-01

Provisions applicable to this credit

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision.) International Chamber of Commerce Publication No. 400

CHEMICAL

Chemical Bank
Trade Services Group
P.O. Box 44, Church Street Station
New York, N.Y. 10008
Cable Address: Chemical New York

OCTOBER 22, 1993
L NO.: T-218343
AMENDMENT NO: 2

Advising Bank

********** DIRECT **********

APPLICANT:
NEW HILLTOP DEVELOPMENT CORP.
14 EAST 24TH STREET 14TH FLOOR
NEW YORK N.Y. 10016

Beneficiary

TOWN OF NEW WINDSOR PLANNING BOARD
555 UNION AVENUE
NEW WINDSOR, N.Y. 12550

IN ACCORDANCE WITH INSTRUCTIONS RECEIVED, THE ABOVE-REFERENCED LETTER OF CREDIT HAS BEEN AMENDED AS FOLLOWS:

1 - THE EXPIRATION DATE IS EXTENDED TO NOVEMBER 01, 1996.

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

Samples

Authorized Signature

T-218343- -000-A1-01-01-01

Provisions applicable to this credit

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision.) International Chamber of Commerce Publication No. 400

Chemical Bank
Trade Services Group
P.O. Box 44, Church Street Station
New York, N.Y. 10008
Cable Address: Chemical New York

L/C NO.: T-218343
AMENDMENT NO: 3

Advising Bank

********** DIRECT **********

APPLICANT:
NEW HILLTOP DEVELOPMENT CORP.
15 EAST 34TH STREET 14TH FLOOR
NEW YORK N.Y. 10016

Beneficiary

TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12550

IN ACCORDANCE WITH INSTRUCTIONS RECEIVED, THE ABOVE-REFERENCED LETTER OF CREDIT HAS BEEN AMENDED AS FOLLOWS:

1 - BENEFICIARY'S NAME AND ADDRESS ARE CORRECTED TO READ AS INDICATED ABOVE.

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

Samples

Authorized Signature

T-219343- -006-A1-01-02-91

Provisions applicable to this credit
This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision.) International Chamber of Commerce Publication No. 400

Chemical Bank
Trade Services Group
P.O. Box 44, Church Street Station
New York, N.Y. 10008
Cable Address: Chemical New York

L/C NO.: I-219343
AMENDMENT NO: 3

Advising Bank

**********DIRECT**********

APPLICANT:
NEW HILLTOP DEVELOPMENT CORP.
14 EAST 38TH STREET 14TH FLOOR
NEW YORK N.Y. 10016

Beneficiary

TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12550

IN ACCORDANCE WITH INSTRUCTIONS IN 5/15/93, THE ABOVE-REFERENCED LETTER OF CREDIT HAS BEEN AMENDED AS FOLLOWS:

1 - BENEFICIARY'S NAME AND ADDRESS ARE CORRECTED TO READ AS INDICATED ABOVE.

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

File Hold 22 Day.

This page attached for the signature of approval of Andrew Krieger, Atty. Only.

Received verbal approval by phone from Mark Edsall on 11/15/93.

R Clem

Authorized Signature

I-219343- -03-A:-01-02-01

Provisions applicable to this credit
This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision) International Chamber of Commerce Publication No. 400

PREVIOUS

DOCUMENTS

IN POOR

ORIGINAL

CONDITION

P.B. #90-18 Approval fee

426-2800

MINA FUCHS
HERMAN FUCHS
40 DORAL COURT
NEW CITY, NY 10956

50-235 665
219
443671738

3489

Feb. 26, 1996

PAY TO THE ORDER OF Town of New Windsor $ 390 00/100

three hundred ninety DOLLARS

THE BANK OF NEW YORK
301 Chestnut Ridge Road
Chestnut Ridge, NY 10977

MEMO Approval fees
Ref. for 1-lot subdivision

⑆021902352⑆ ⑈443671738⑈ 3489

P.B. #90-18 Recreation fees

MINA FUCHS 426-2800
HERMAN FUCHS
40 DORAL COURT
NEW CITY, NY 10956

50-235 665
219
443671738

3490

Feb. 26, 1996

PAY TO THE ORDER OF Town of New Windsor $ 4,000 00/100

four thousand & 00/100 DOLLARS

THE BANK OF NEW YORK
301 Chestnut Ridge Road
Chestnut Ridge, NY 10977

MEMO Parkland Fee
Ref. for 1-lot subdivision

⑆021902352⑆ ⑈443671738⑈ 3490

P.B. #90-18 4% Inspection fee (Public Improvements)

MINA FUCHS 426-2800
HERMAN FUCHS
40 DORAL COURT
NEW CITY, NY 10956

50-235 665
219
443671738

3491

Feb. 26, 1996

PAY TO THE ORDER OF Town of New Windsor $2,973 60/100

two thousand nine hundred seventy three & 60/100 DOLLARS

THE BANK OF NEW YORK
301 Chestnut Ridge Road
Chestnut Ridge, NY 10977

MEMO Inspection fees
Re. for 1-lot subdivision

⑆021902352⑆ ⑈443671738⑈ 3491

P.B. #90-18 2% Inspection fee (Private Improvements)

MINA FUCHS 426-2800
HERMAN FUCHS
40 DORAL COURT
NEW CITY, NY 10956

50-235 665
219
443671738

3492

Feb. 26, 1996

PAY TO THE ORDER OF Town of New Windsor $ 526 06/100

five hundred twenty six & 06/100 DOLLARS

THE BANK OF NEW YORK
301 Chestnut Ridge Road
Chestnut Ridge, NY 10977

MEMO Inspection fees

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1765

FAX MEMO

TO: Mr. Herman Fuchs

ATTN:

FAX NUMBER: 426-2200

NUMBER OF PAGES (INCLUDING COVER SHEET)

FROM: Myra - Planning Board

DATE SENT: 12-28-95 TIME SENT:

MESSAGE: Mr. Fuchs,

Your second and final 90 day extension was granted at the 12-27-95 P.B. meeting.

This extension expires on 4-6-96.

TELEPHONE OR FAX ACKNOWLEDGEMENT OF THIS TRANSMISSION IS REQUESTED:

YES ✓ NO

INTER-OFFICE CORRESPONDENCE

TO: PLANNING BOARD

FROM: ATTORNEY'S OFFICE

SUBJECT: FOX RIVER PARK SUBDIVISION
PROPOSED DEDICATION OF PHYLLIS LANE

DATE: OCTOBER 19, 1995

Under date of August 16, 1995, this office received documentation from Joseph P. Rones, Esq. concerning the proposed dedication of PHYLLIS LANE in the Fox River Park Subdivision. On the same subject, the Town Board at its meeting of October 18, 1995 established a performance bond and engineering review fee submitted by the developer of this project.

This office will hold in the file the above documentation until such time as the Town Engineer and Superintendent of Highways informs us by memo that the above roadway meets the town specifications and that same is ready for dedication.

Pat Barnhart

cc: Joseph P. Rones, Esq.
Richard D. McGoey, P. E.

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1765

FAX MEMO

TO: Mr. Herman Fuchs

ATTN:

FAX NUMBER: 426-2200

NUMBER OF PAGES (INCLUDING COVER SHEET)

FROM: Myra Mason - Planning Board

DATE SENT: 12-11-95 TIME SENT: 12-11-95

MESSAGE: Dear Mr. Fuchs,
Re: Fox River Sub. (90-18)
Please note - the fees due are as I gave them to you on Friday, 12/8/95.

There was enough left in escrow to cover the engineering fees.

If you have any questions, please contact me at 563-4615.

Myra

TELEPHONE OR FAX ACKNOWLEDGEMENT OF THIS TRANSMISSION IS REQUESTED:

YES _____ NO ✓

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1763

August 15, 1995

Mr. Scott Kartiganer, P.E.
555 Blooming Grove Tpk.
New Windsor, NY 12553

SUBJECT: FOX RIVER PARK SUBDIVISION
PUBLIC AND PRIVATE ROAD PERFORMANCE BONDS

Dear Mr. Kartiganer:

Please be advised that the undersigned of our office has performed a review of the Fox River Park Subdivision construction cost estimates for both Phyllis Lane, a public road, and Bruce Lane, a private road. In line with our review, we would like to offer the following comments and recommendations:

PHYLLIS LANE:

1. It appears that you are deducting the item referred to as clearing, grading and subbase. Please provide our office with a letter indicating that, based on your field survey, the work under this item has been completed in accordance with the approved plans. This should include the necessary excavation to depths approximating 15' in accordance with the profiles shown on sheet 7 of 10.

2. The itemized cost breakdown does not include the double surface treatment required for the pavement area shoulders and swales. We have estimated this to approximate 2,500 s.y. @ $5.00/s.y. or an additional $12,500.00.

3. Based on our review of the subdivision plans, it appears that Phyllis Lane will be part of Lot #9. The subdivision plans should show Phyllis Lane as a separate parcel which will be offered for dedication as a public road.

BRUCE LANE:

1. Please explain why the quantities shown for Bruce Lane are less that the quantities identified for Phyllis Lane. Bruce Lane is 100' longer than Phyllis Lane and is to be constructed to the same rural road standards as Phyllis Lane.

Upon receipt of a revised cost estimate and response to the above questions, our office will continue our review, after which, a recommendation will be made for bond amounts. If you should have any questions in the interim, please contact our office.

Very truly yours,

Richard D. McGoey, P.E.

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

RDM:mlm

cc: James R. Petro, Jr. - P.B. Chairman
Mark Edsall, P.E. - P.B. Engineer

KARTIGANER
ASSOCIATES, P.C.
CONSULTING ENGINEERS

555 BLOOMING GROVE TURNPIKE • NEW WINDSOR, NY 12553-7896 • (914) 562-4391

March 23, 1995

Andrew Krieger, Esq.
215 Quassiack Ave.
New Windsor, N.Y. 12553

Subject: Fox River Park Subdivision

Dear Mr. Krieger:

Per our telephone conversation of even date and your request this letter will certify that it is my professional opinion that an area labeled Parcel 9 of the subject project is usable as zoned and may be used at some time in the future.

Please place this project as it is currently approved by the Orange County Health Department onto the next available planning board agenda for action by the board. Thank-you for this courtesy.

Very Truly Yours;

Scott Kartiganer, P.E.

CC Herman Fuchs
New Windsor Planning Board

3/27/95 @

PLANNING BOARD FILE NUMBER: 90-18

MEMORANDUM FOR FILE

DATE: 11-13-95

On this date: Spoke to Scott Kastiganer - Told him bond & fees have to be paid on both Private & Public roads

Also told him his approvals are due to expire - write a letter asking for 90 day extension -

Informed him that he needs to ask for another 90 day extension sometime prior to 1-4-96 before it expires

PLANNING BOARD FILE NUMBER: 90-18

MEMORANDUM FOR FILE

DATE: 8-22-95

On this date: I call Mr. Fuchs and let him know that a letter was sent to Scott Kartigener asking for revisions to the cost estimate. (426-2800 X204)

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1763

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, DECEMBER 13, 1995 - 7:30 P.M.

TENTATIVE AGENDA

Call to Order
Roll Call

~~5. Silver Stream Mobile Home Park - Annual Review~~

REGULAR ITEMS:

LEAD AGENCY + NEG DEC.
WAIVE P/H - APPROVED SUBJECT TO NEG DEC
SET UP FOR P/H
NEED A LETTER FROM TOWN CLERK'S OFFICE ABOUT ROAD
GO TO ZBA
GO TO ZBA
LEAD AGENCY
SET UP FOR P/H

1. (95-24) DORI ASSOCIATES SITE PLAN - Rt. 9W (Barger)
2. (95-26) ARGENIO SUBDIVISION - Station Rd. (Powell)
3. (95-33) LUJAN SUBDIVISION - McNary Lane (Caldiero)
4. (95-34) INSUL-SASH SITE PLAN - Rt. 300 (Witfield)
5. (95-35) MANS, CLARENCE SITE PLAN - Rt. 94 (Cuomo)
6. (95-36) SLADEWSKI/RUSSELL/SPECHT LOT LINE CHANGE Lake Road (Whitaker)

DISCUSSION:

~~7. PRICE CHOPPER - Rt. 300 & Rt. 94 Location~~

CORRESPONDENCE:

APPROVED
8. C & R ENTERPRISES - Request for 6 month extension of preliminary approval

APPROVED
9. FOX RIVER SUB. - (90-18) Request for 90 Day extension of final approval

Adjournment

(NEXT MEETING - DECEMBER 27, 1995)

REGULAR ITEMS:

FOX RIVER SUBDIVISION (90-18) TWIN ARCH ROAD

Scott Kartiganer and Joseph Rones, Esq. appeared before the board for this proposal.

MR. KARTIGANER: On March 17, after the last Planning Board meeting, I sent a letter to the board including a copy of the 12 August 1992 minutes of the board regarding the Fox River Project as well as the agreement developed between Mr. Joe Rones as counsel for Fox River Park and Mr. Krieger, as a Planning Board attorney, regarding the disposition of parcel number 9, it's this large parcel right here. At said meeting, page 13 of the minutes, it was understood that this agreement would be recorded and that the Planning Board attorney and the board was satisfied with the document and concerns regarding this parcel number 9. Subsequent to this meeting on October 14, public hearing was held and plan was granted preliminary approval. Project proceeded to the Orange County Health Department where approval of the project was granted February 16, 1995. I have a copy of the October 14, 1992 minutes for your review, if you don't have any in front of you. I had submitted the information to the board so that it may recall that the issues regarding parcel number 9 were resolved to the satisfaction of the board and should not be revisited. Additionally, I spoken to Andy, who after having reviewed the minutes also had recollected that the issue had been resolved. Any modification to the plan other than that is approved by the Orange County Health Department would entail delays and additional cost to the applicant as well as delaying marketability of the project passed the summer-spring season. So, therefore, it is our request that the plan be accepted as is. We're here tonight to respectfully request that the project be granted final approval. I have also here in attendance the owner of the property, Mr. Fuchs and Mr. Rones, who had negotiated the agreement on lot 9 with Mr. Krieger. Should also be noted that the lots on the plan have the appropriate 911 addresses which were discussed with Bob Rogers. I would also like to clarify at this time is that in October of '92, lot 5,

this was lot 5 on the preliminary plan, was originally noted for the future subdivision into two lots, one of these required fill area. At that time, we were not going to proceed with the fill area because of the cost. Due to the earth work required for the Orange County Health Department full completion of the sanitary fill area was installed and we did get Health Department approval on same. Therefore, you'll see referenced in the agreement there is the actual document agreement between the town referred to as lot 8 and that is currently parcel 9 which can be changed easily. And that would be modified in the final executed agreement with the town. If there are any questions or clarifications, I am open to discussion at this time.

MR. VAN LEEUWEN: I would like to know what that agreement is all about.

MR. KRIEGER: Okay, if I may, let me talk about that. The reasoning that this agreement proposes to handle this differently than the usual or the sometimes even countered attachment procedure is that in those subdivisions, a parcel is created that would otherwise be a buildable lot which is not intended to be built upon. It has been the custom and practice of this board to require that that parcel which is not intended to be used, be attached to another parcel so as to ensure its maintenance and ensure that it won't be, I won't say insured but make it much more unlikely that it would be taken by the county for taxes. That is not the case here. In this particular development, the owner intends at some future time to develop lot number 9 and therefore, it isn't and unused or a lot intended to be unused. And I don't think that the board has the, under those circumstances, has the right to require that it be attached to another lot. I was, however, when I reviewed the agreement and was reminded of the work that had gone into it and the negotiations that went back and forth, I was concerned that lot number 9 and as Mr. Kartiganer points out, it was designated as lot 8 in the agreement. So the agreement would have to be amended to that effect but it is lot 9, that it was in fact a buildable lot. I understand that the regulations of the Health Department are such

now that it is not possible for a developer to merely locate a house or sanitary system on the lot by drawing that, they actually require that it be, that we require that it be built.

MR. VAN LEEUWEN: The only thing what I am concerned with is what I keep bringing up is how can we prevent this from going up for taxes and the county owning it?

MR. DUBALDI: How do we know this is a buildable lot?

MR. VAN LEEUWEN: What kind of a guarantee can we get that that will not go back to the County to haunt us.

MR. KRIEGER: Well, it is the position, as I understand it, the developer, that it is intended to be built on that it is a buildable lot and I had--

MR. VAN LEEUWEN: Andy, what guarantee do we have that he is going to do that?

MR. KRIEGER: That he is going to build on it, absolutely none, but you never have any guarantee that anybody is going to do anything specific with their property, nor do you have a guarantee that somebody is going to pay their taxes and it will never go to the County. The concern with respect to the lots that were not intended to be built on is that at that point you knew that it wasn't going to be developed so the likelihood of that being taken by the county was great, we don't deal with guarantees one way or another but we can deal with the likelihood in this case is great if the owner here intends to build upon this lot and the likelihood is not great cause he would be losing a valuable piece of property.

MR. PETRO: What guarantee does the Planning Board of the Town of New Windsor ever have that any contractor or any subdivision on the remaining lot, do we have that they are going to--anybody can let it go for taxes at any time, any lot. This obviously seems to be more in line with that.

MR. VAN LEEUWEN: You got to understand one thing, this is not a useable lot, this is not a useable lot I

talked about.

MR. PETRO: Don't we have a plot of a house and sanitary system on the remaining lot?

MR. KRIEGER: Under the Health Division, Health Department regulations, you can't simply put a plot and a location there, you have to actually build it.

MR. EDSALL: This lot was unable to support a sanitary system so the Health Department at this time is not approving it so.

MR. KARTIGANER: It's not able to support or we haven't done an extensive testing as required possibly to find like some odd shaped lot in here for inground system, okay, but for a fill system, that is not an issue. We can put a fill system just like we put in this other lot but what the Health Department requires you to do is to put in a fill system. I used to be able to design a fill system, show that all you need is a couple foot, a couple feet of soil in enough area and you can put a fill system in. But what they require you to do at this time they are not accepting a design fill system. The only thing that they are accepting is if you actually put in the dirt, let it sit there for six months, things like that, which is what we did over here on this lot here and that can be done on this lot and what we had and that is what you know we had discussed at the last meeting and also as far as buildable site, I mean I am reiterating some of the stuff we had gone over in '92, there's a stream here that in the worse case or in like a very, very observable case, there's always the case of for putting in a Health Department approved system, even if it needed a SPEDES agreement.

MR. VAN LEEUWEN: That is too expensive to develop this land with a SPEDES permit.

MR. RONES: If I can just interject. At the time we were reviewing this, Andy was devising this agreement, one of the problems was that the county had, the rules, how they were going to handle fill systems was in flux and so it was not really clear at that time that if an

inground system couldn't be put in here that the county would permit a fill system to be built on this lot and that I believe was the discussion at the time. And the reason why it was thought that that lot might be unbuildable under any circumstances but here you have the proof positive that the county did in fact approve a fill system for one of the approved lots in this very subdivision. So I really don't see that is a realistic concern.

MR. VAN LEEUWEN: I do, sorry Joe, I have walked the property, you probably have not walked the property. I know what land is all about and I foresee one thing, okay, we're asking for trouble and I told Mr. Kartiganer before unless as far as I am concerned I am only one member, unless I see something that can be documented that that will not happen then I'll go for it, otherwise, I will not.

MR. RONES: But it's impossible to show on any lot including the lots that have these systems designed for them that they are going to be developed at any time in the future. You don't know what the marketability of any of this is going to be. I mean here you have how many acres is this residual parcel, Scott?

MR. KARTIGANER: 35.

MR. RONES: You have got 35 acres.

MR. PETRO: How much out of the 35 acres is wetlands?

MR. RONES: Well, there is a--

MR. KARTIGANER: This is, there is a substantial part.

MR. PETRO: Quarter or a third.

MR. KARTIGANER: Right over here at this point, the most likely location, in fact we even had shown where the road and shown where the proposed thoroughfare would go right where the stone walls are is from this area up the hill from this area down if it's more the wet areas here there may be some area that is back here but it's fairly impractical. In fact, our original

plans had shown we came in with some road system going through this area, shown some a few percs of where we had put some fill systems in some of the sketch plans. Basically impractical and what we had decided to do was tried to go for more of a cluster type project. I don't know if it is going to be practical in the future or the economics in this area increases to that point but that is still at this stage of our planning that is our intentions.

MR. DUBALDI: Just explain to me why can't you show a buildable lot?

MR. KARTIGANER: If we wanted to show this area as buildable lot, we would have to put, it would probably be a fill system we'd have to put in. The cost would be $10,000 for a theoretical exercise.

MR. DUBALDI: You're saying in the future it's not going to be that you're saying it's going to be something different.

MR. KARTIGANER: In the future, like where we showed this road system here, this could be a cluster project or in the future, we may say economically, it's not worth it going through here, we'll put a line here, make one, two lots.

MR. DUBALDI: For the time, why can't you attach this larger lot to a smaller lot, then down the road when you are ready to subdivide.

MR. RONES: Because you sell it to yourself, for example, that smaller lot you can't come five years from now and say Mr. Dubaldi, by the way, we'd like that other 35 acres now.

MR. VAN LEEUWEN: You can break it up into 5 acre lots.

MR. RONES: Well, let me say this, this subdivision has already received preliminary subdivision approval. There's been nothing that has occurred between that time and today that is of any negative consequence to this subdivision and in reliance on the preliminary subdivision approval, several tens of thousands of

dollars were spent in additional engineering installing the fill system and getting all of these approvals here, this is not any small thing and that is the reason for getting preliminary subdivision approval so before any landowner goes out and makes that investment in time and money, engineering and with the county and everything else, in attempting to get these approvals, they know that he has the approval of the Planning Board.

MR. VAN LEEUWEN: Joe, but this was brought up from the very, very beginning because I brought it up.

MR. RONES: You may have brought it up.

MR. VAN LEEUWEN: Still unresolved.

MR. RONES: It is revolved, it's revolved to the extent that the Planning Board decided and the minutes reflect that an agreement, that this lot would not be developed unless it got Planning Board approval.

MR. VAN LEEUWEN: You're putting words in my mouth, it isn't working.

MR. RONES: That is the words that are in the minutes of the Planning Board and I was here, too, and I remember it distinctly.

MR. PETRO: Let's not hash out the old stuff anyway.

MR. RONES: It's been approved.

MR. PETRO: Let me go over a couple things, lot number 8 we talked Mr. Kartiganer last time if we retain the entire parcel on lot number 8, he said he'd talk with the owners or yourself and get back to us, evidently the owners don't want to do that, they want to give up lot number 8 and I understand lot number 8 is worth X number of dollars and it goes in with the plan.

MR. KARTIGANER: Also the fact that we'd have to go to the Health Department and everything else and we're restarting this whole ball game all over again.

MR. RONES: It took two years to get through the Health Department, this subdivision has been approved by the Health Department.

MR. PETRO: The owners in the future do plan on building and developing the remaining parcel, that is their intent?

MR. RONES: They don't intend to throw away 35 acres.

MR. PETRO: I know that. Your thinking is not going to be exactly what I am thinking but hear me out anyway.

MR. VAN LEEUWEN: I am only one person.

MR. PETRO: I want to go over this a little bit. We now have how many acres, 49 plus acres at this time. They are planning on building 8 homes on this lot and to me, it seems that you have 8 homes that are going to be built and put up and the rateables on these 8 homes are still worth more to the town than on the vacant 49 acre parcel, I say in that after the 8 homes are there, and everything is going fine, the remaining 35 acres at some point does not get on or comes off the tax roll and the county winds up with it. We're still farther ahead with the 8 homes and the 8 rateables and the 8 lots certainly is going to be worth more than as it stands now. And let's remember what's remaining, the remaining 35 acres looks to me is at least 1/3 wetlands, so no matter what it's worthless, so what are we trying to accomplish by holding this property for the future development, I'd rather have the 8 homes and get it going, get the roads in there and get the rateables, get everybody paying taxes.

MR. VAN LEEUWEN: Jimmy, you got to understand one thing if a house is built and has two children and if it's assessed in the neighborhood of let's say $190,000, you're not breaking even, it's costing the town will break even but the school districts won't.

MR. PETRO: Well, I don't know about that, I don't know if somebody's paying 6 or $7,000 a year on taxes whether or not that is not covering their kids in school or not but to me, it still seems like we're

moving in the right direction and what's there already the wetlands and the non-rateable property to me when the assessor goes out and looks at it, it's not worth anything anyway.

MR. DUBALDI: Why can't we get tax dollars on the land and make them attach it to the lots that they are subdividing at this time?

MR. RONES: Say that again.

MR. DUBALDI: Why can't we put this land together with the other properties that you are subdividing at this time, why can't you attach some to each lot?

MR. RONES: Because we don't want to give up the value because they want to develop this lot in the future. It's going to cost a ton of money to do that and we'd like to make some money of off what we have got here before we throw it into this property here.

MR. DUBALDI: What guarantee do we have that that is what your intentions are in the future?

MR. RONES: You don't have any whatsoever, you don't have any whatsoever, like you don't have it on any lot, any rateable piece of land in the town currently.

MR. PETRO: Whether or not they draw a house and sanitary system on any remaining lots you can have a 200 acre parcel and subdivide it into remaining parcels and on the remaining parcel you show a house and sanitary, they can give that up anyway.

MR. DUBALDI: So you are asking us to approve a lot which we do not know if we can build on it at this time?

MR. PETRO: But we never know if they are going to build.

MR. KRIEGER: Here's the, as I see it, you have got apples and oranges. If you are asking will they build on it in the future, you have no guarantees. If you are asking can they build it in the future, which is a

question that concerns--

MR. PETRO: He's already said yes.

MR. KRIEGER: He's said yes. Now the question is whether or not in the opinion of the board that is feasible and obviously, Mr. Van Leeuwen feels it is not feasible and can build if it's really two-fold, is it physically possible and is it economically feasible?

MR. VAN LEEUWEN: If I owned it, I would do exactly what they are doing, okay, because I'll tell you something, it's not feasible to build on the rest of the land, it costs too much money.

MR. PETRO: Yeah, but the, let's back up one more minute here, if they had six months free time to do whatever they wanted to do is go out there and build the sanitary system, this fill system and have it in place, plot a house and now they have everything that we can possibly require, they'd have it plotted on the map. They are not, they don't want to wait or can't wait the six months, you have to build it now for the Health Department.

MR. RONES: They have been paying taxes for two years, they have been paying Mr. Kartiganer and myself for two years and they have been paying taxes to the town, county, state and school district and it's about time that they be permitted to subdivide it because there's no law of the town, the state, the county or anything else that is violated by any part of this subdivision. They have the absolute right to subdivide it and it's already been approved.

MR. PETRO: Except for the one fact that you don't have the house and sanitary system plotted on lot number 9.

MR. RONES: But there is nothing in the ordinance or any law that requires that that lot be approved for any particular kind of development before it is cut off from any other piece.

MR. PETRO: You're saying--

MR. RONES: The lot satisfies the bulk zoning requirements of the town and that there is no other rule or regulation that requires that this lot have the approved system.

MR. PETRO: Why do we always have to plot the house and sanitary?

MR. EDSALL: I respect Mr. Rones' opinion, if you are willing to consider parcel 9 as an agricultural lot which is allowed in that zone.

MR. RONES: That is the reason, Mr. Edsall just hit it on the head, let me just pick up.

MR. EDSALL: Mr. Chairman, can I finish. But, if the board is willing to say that it is going to be a single family lot then I disagree with Mr. Rones since Orange County Local Law Number One says you must by law show the disposal system so Mr. Rones, there is a law that applies to that. So the bottom line is--

MR. RONES: The bottom line is exactly what this is addressed to.

MR. EDSALL: So I would, so the thrust here is you have reached an agreement, you know I am not in favor of creating these type of lots but there was an agreement reached and I recognize that I wasn't familiar with the details till they were pointed out what was discussed.

MR. PETRO: When was this agreement reached?

MR. EDSALL: As long as you protect the potential that this lot doesn't come back to the town as a building lot so the building inspector doesn't have to deal with it, you can go through with the agreement you have already reached, that is what you have to be careful about.

MR. PETRO: But they can come back with a subdivision.

MR. EDSALL: They can keep it and the record as an agricultural lot and never build on it and it has to be deed restricted until the point they can show it can be

used for something else.

MR. PETRO: I don't see the problem.

MR. EDSALL: I would never recommend you do it again but it's something that we had back at the point this agreement was reached, we hadn't reached a resolution as to how we'd handle these.

MR. PETRO: They received preliminary approval.

MR. EDSALL: I am not necessarily saying that if you came in today that would be the right solution but it was resolved back then.

MR. RONES: That is exactly what this agreement is all about, it says that the lot is an agricultural lot, it does not get residential approval until this board and the County Health Department say so and it provides for in the event that the owner violates that agreement, it even provides that the town is entitled to attorney's fees if it has to enforce it. So, Mr. Krieger went the extra mile to ensure that the specific concern, the possible loophole was buttoned up with respect to this property, so there's just no way that it is going to be considered anything but agricultural land until some other arrangement for it is approved by this board.

MR. DUBALDI: Can I see a copy of the agreement?

MR. STENT: Mr. Chairman, they gave preliminary approval, why don't we address the issues brought before us by our engineer, Mark Edsall, and I don't think personally there is a reason to come back to this.

MR. PETRO: I am in agreement with you and Mr. Van Leeuwen I believe is not in agreement and I don't know about Carmen.

MR. VAN LEEUWEN: I brought this up before preliminary approval, no matter what Mr. Rones said that is brought up, somebody goes back and looks in the minutes, they'll see exactly what's going to happen with the parcel but I am only one person, again.

MR. PETRO: Let me ask you, either Joe or Scott, why didn't we take the other course of action, actually build the fill sanitary system and plot a house and show it as a building lot?

MR. RONES: Money. It was presented to the board that based on the economic circumstances concerning the development of this parcel, that the expense now of putting in, of actually installing the fill system in that parcel was not something that the developer wanted to undertake and that it was necessary to finance the development of that remaining parcel by marketing these other 8 pieces.

MR. KARTIGANER: At that time, in fact, that is the reason why we have the proposed future road located in here, if we clustered anything at that time, we would be putting in a cluster, we'd go for a cluster, SPEDES permit.

MR. VAN LEEUWEN: We gave him a 4 lot subdivision at one time on those lots, four or five years ago.

MR. EDSALL: I think also there was a discussion that although they could put the fill system in and possibly spend the money their long term intent if they go ahead with developing this lot wouldn't be consistent with the fill system they put in which meant if they threw $10,000 in, they'd be throwing it away, they put it in to prove the point and throw it away, as I recall, but I can understand why they propose what they did and I believe that is why the board looked at that as a unique case and why they authorized the discussions for the agreement.

MR. RONES: There's really no detriment to the town whatsoever, I mean, as you pointed out yourself, Mr. Chairman, I mean you're going to be getting a much improved rateable situation here by the development of these lots and this area here, first of all, it's a significant amount of acreage, even though a great part of it is wet and I really don't think it's in the cards to believe that Mr. Stanley Fuchs is going to be tossing this area away and the plan for developing that

area has been incorporated into this subdivision, so I think so it's only an improvement.

MR. PETRO: Mr. Van Leeuwen does have a good point, it could wind up being tossed out.

MR. VAN LEEUWEN: That is my only problem with the subdivision.

MR. RONES: If it's tossed out, somebody is going to pick up a heck of a bargain.

MR. PETRO: They do have preliminary approval, we have reviewed it, I don't know how you voted on preliminary approval which I guess is not that important. Your point is well taken, I think we should review the other points and see what we have.

MR. EDSALL: Can I ask Andy a question? Andy, a question on the agreement that you have reached as far as the deed restriction, is that something that is going to clearly state that they can not obtain a building permit unless they subsequently go back to the Health Department?

MR. KRIEGER: As long as they can't obtain a building permit, as long as it's agricultural.

MR. EDSALL: Then to change it from agricultural, they'd have to--

MR. KRIEGER: Get permission from this board before they go to the building permit, they have to come here first.

MR. PETRO: So, if they come here, they build the systems at this point and it's a whole new review.

MR. EDSALL: That is the biggest concern we have as far as putting the town in an uncomfortable position. If it does go for tax sale or just gets sold as a lot that somebody would try to build on it.

MR. KRIEGER: That, by the way, the tax sale aspect that was one of the reasons for putting the

agricultural parcel designation on the map, theoretically, if someone wants to develop it, they should search the records and should find the agreement. And of course, it's binding on them, but sometimes that doesn't happen, sometimes they go as far as the map and as a matter of fact, they don't get, everybody forgets about it, they come into the town and they say here it is. By putting this on the map, it means that as soon as they discover the map, they discover the restriction and that prevents a surprise in the building inspector's office.

MR. STENT: Is that restriction going to be attached to the separate deed as well?

MR. KRIEGER: It's going to be on the deed, it's on the, as you see it designated on the map, yeah, because you have to have the deed for the remaining parcel 9, right?

MR. RONES: Yes.

MR. KRIEGER: So it would be--

MR. RONES: We have provided for the terms of the agreement would be incorporated into the contracts, deeds or any other documents made or executed in connection with the transfer of parcel 9. That was in paragraph 4 of the agreement.

MR. PETRO: I don't want to belabor it and I know it's important but I want to move along to me, it seems like a 50-50 shot and I am for the construction. So we're going to just move along with some of the other points on Mark's list, have you seen Mark's list?

MR. EDSALL: The other comments, to be very candid with you, are items that have to be cleaned up on the final plan that needs to be submitted.

MR. PETRO: There's quite a few of them and they are looking for final approval, I don't normally like to see so many outstanding items.

MR. EDSALL: There's only five, the other comments are

procedural that I know that they've gotten Orange County Department of Health approval, I just want to remind them when they submit the plans to this board has that plan has to bear that stamp.

MR. PETRO: Our last review was in '92 but--

MR. KARTIGANER: He has seen it and the plans that you got with the submittal have the 911 numbers.

MR. DUBALDI: What other approvals has this plan gotten?

MR. PETRO: I have those here.

MR. EDSALL: What other approvals or items?

MR. PETRO: Fire approval on 7/30/92 and highway approval on 7/24/92 revised, okay, on 7/24/92, 12/8/92 also we had a public hearing on this on 10/14/92.

MR. EDSALL: On my comment 4, my records show that you had a negative dec on October 14, '92, I just wanted to confirm.

MR. PETRO: Took lead agency on 10/16/92.

MR. EDSALL: Other items are normal procedural items.

MR. PETRO: What's the note number 4, I only see the one note that is the federal wetlands boundary that doesn't seem like the one you're talking about. The above-mentioned private road shall be approved of the specifications required by the Town of New Windsor Planning Board and dedicated to the Town subject to the approval of the future developments of lot number 9.

MR. EDSALL: Well, I thought the wording was somewhat confusing in the fact that it appeared that it was a mandate that you had to do it and I don't know that there is any guarantee that the town would want to take it.

MR. PETRO: We don't want anything subject to the approval of lot number 9, that is the one that is in

question.

MR. BABCOCK: What they are trying to say is they'll bring that private road to a town road specifications before they develop 9.

MR. EDSALL: I don't think it's necessary to reiterate that the Town Law says before you can dedicate you have to bring it up, we can do without note 4, it serves no benefit.

MR. KARTIGANER: We were required at one time to put that note in.

MR. EDSALL: It may just be the wording that bothers me but if it is needed, I think it is probably better off removed for the final plan. But that again is minor.

MR. PETRO: Mark, SEQRA review process was completed?

MR. EDSALL: Yes. Did Bob get back to you on the 911, Scott, did he get a separate plan in and respond to you on that?

MR. KARTIGANER: Yes, in fact the plan that you have in this is the most recent has 911 addresss.

MR. PETRO: Those names on the roads, Phyllis and Bruce, have both been okayed?

MR. KARTIGANER: Yes.

MR. DUBALDI: So there's the 3 subject-tos, right, Mr. Chairman?

MR. VAN LEEUWEN: Well, I think you have got to deal with SEQRA first. I make a motion.

MR. PETRO: We did that, there's nothing that is not done.

MR. EDSALL: You could actually make it subject to the outstanding items on my comments, which are such things as the offers of dedication, bond estimates.

MR. PETRO: Well, only because you can clean up a lot of this through yourself and with Mr. Kartiganer.

MR. KRIEGER: And subject to the execution and recording of that agreement and the deeds.

MR. STENT: Ready for a motion?

MR. PETRO: Well, before we make a motion, I just want to go back to our first item, I know I hate bringing it back up again but I want to make sure that the members are on the same general--if not, let's get it out before we make a motion. I don't want to get halfway through. Henry, you're still sticking to your guns?

MR. VAN LEEUWEN: Yes, sir, I am.

MR. PETRO: Carmen, do you have any input on it?

MR. DUBALDI: I don't like creating a lot that according to the plan is not buildable at the time but under the circumstances--

MR. PETRO: Circumstances being they have preliminary, they have gone through and they do have the agreement.

MR. DUBALDI: Yes.

MR. PETRO: You just reviewed the agreement.

MR. DUBALDI: Ahuh.

MR. PETRO: Okay, is there any other outstanding issues? And we're going to make it subject to Mark's comments and the agreement being recorded.

MR. KRIEGER: And the agreement being executed and recorded and the agreement being amended so that lot 8 as it appears in the agreement is designated lot 9.

MR. PETRO: Number 2C, the Planning Board previously discussed with the applicant the possibility of planting screening on the west side of Twin Arch Road and if I remember this correctly, maybe we had someone here at the public hearing brought up when the cars

come out, he's concerned about the lights going across the street and there was going to be some screening there. Can you show some on the plan?

MR. KARTIGANER: On the final one, we'll put a few trees.

MR. PETRO: Applicant agrees some screening will be put in place.

MR. EDSALL: Subject to the property owner, it will be an offer, cause I guess who knows if they want it.

MR. KARTIGANER: I just want to point out you put some trees, most of the times when we go in front of the road superintendent, they want us to take the trees down.

MR. EDSALL: Well, it would have to be on the private property is what I am saying.

MR. KARTIGANER: A few on these private lots over here.

MR. EDSALL: If they care to have them, if they don't--

MR. KARTIGANER: That is what it would be.

MR. PETRO: It would make good neighbors and I think it's a good idea anyway, 8 houses there. That is the last of what I see here, I think you know the bond estimate again we're not going to go over each one, just according to Mark's comments. So, with all that, any other discussion? If not, I'll entertain a motion.

MR. STENT: I make a motion that we approve the Fox River Park Subdivision subject to the engineer's remarks and the agreement being recorded, being executed by all parties and recorded not later than simultaneously with the recording of this map.

MR. PETRO: Anything to add?

MR. EDSALL: No.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Fox River Park Subdivision formally Twin Arch Fuchs Subdivision on Route 207 and Twin Arch Road, with the subject-tos that have been read in previously. Is there any further discussion from the board members? If not. Roll call.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. STENT	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
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25 July 1995

MEMORANDUM

TO: Myra Mason, Planning Board Secretary

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

SUBJECT: FOX RIVER PARK MAJOR SUBDIVISION
(AKA FUCHS SUBDIVISION)
NEW WINDSOR PLANNING BOARD NO. 90-18

I have reviewed the information package submitted by Scott Kartiganer, P.E., received by our office on 21 June 1995. My comments are as follows:

1. The plans submitted, with your handwritten date of 6/2/95, appear to address the various comments in my 12 April 1995 review comment sheet.

Gave to B. Rodgers 7/25/95.

2. You should verify that the "911 plan", Sheet 5 of 10, has been reviewed and approved by the Town Fire Inspector.

7/25/95 Sent Copy of Private Rd Est. to Mark Gave Public Rd. Est. to Dick McGoey

3. As acknowledged on Sheet 1 of the drawings, a Private Road Performance Bond is required. I see no calculation for this Bond, nor any indication that the Bond or other guarantee instrument has been submitted to the Planning Board Attorney for review and acceptance.

Gave to A. Krieger 7/26/95

4. Attached to my package is an agreement prepared for signature of the Planning Board Chairman. This agreement is between the property owner and the Town of New Windsor. This agreement should be reviewed by the Planning Board Attorney prior to execution by the Planning Board Chairman.

5. As referenced in my 12 April 1995 comments, the Applicant should submit the descriptions and Offers of Dedication to the Town Attorney for review. I am unaware if this has been accomplished.

25 July 1995

6. As referenced in my 12 April 1995 Review Comment sheet, the Public Improvement Bond Estimate must be submitted to the Town Engineer for review, with subsequent approval of the amount by the Town Board. I have a copy of the Estimate in my package; however, I am unaware if the Town Engineer has reviewed this Estimate, or whether the Town Board has acted on same.

As indicated above, it is my observation that the plans have been revised to address my previous Technical Review Comments. As such, the other items are all procedural items requiring action by various persons. If you are able to verify that all of the other procedural requirements have been accomplished, including those referenced above, I believe the plan would be ready for stamp of approval. If this is the case, you can contact my office for the fees related to the 90-18 application.

Respectfully submitted,

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

MJEmk

A:7-25-E.mk

FOX RIVER SUBDIVISION - REQUEST 90 DAY EXTENSION OF FINAL APPROVAL (90-18)

MR. PETRO: Request for 90 day extension of final approval and I have a letter here by Scott Kartiganer. Dear Planning Board: Please be notified that the finalization of the administrative requirements for the above approved subdivision as required to meet town conditions for stamping of same are taking longer than anticipated and we are working to meet these conditions. Request 90 days from the expiration date of 31 December, 1995. Thanking you in advance for this courtesy.

MR. DUBALDI: Didn't we give an extension of this already?

MR. EDSALL: Myra, first 90 day extension, when does that expire?

MS. MASON: I don't know the exact date but this brings us up to the current status.

MR. EDSALL: They had 180 to start off with and they took a first 90 and now they are looking for a second.

MR. BABCOCK: This is Twin Arch Road.

MR. EDSALL: They should understand this is the last extension by law that you can obtain.

MR. PETRO: So I think if someone makes a motion to deny it, that they should be notified that it's their final 90 days in the letter that is being sent, is there a reason for denial, are you serious?

MR. VAN LEEUWEN: Definitely and you know what my reason is, the back parcel we're going to wind up paying taxes on.

MR. PETRO: I think we're passed that point, we did give them--

MR. VAN LEEUWEN: Everybody can vote the way they want to.

MR. PETRO: If we don't give them the 90 day, we have to at least give them a reason for that and do you want to state in a letter that we feel that? I don't think so.

MR. KRIEGER: I'm not sure you have to give them a reason.

MR. PETRO: Just no, we're not granting it?

MR. DUBALDI: I make a motion we grant 90 day extension.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the Fox River subdivision request for 90 day extension be approved. Is there any further discussion from the board members? If not, roll call.

MR. STENT: Just make sure it's been advised it's the last one.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. STENT	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

FOX RIVER SUBDIVISION -(90-18) REQUEST FOR 90 DAY EXTENSION OF FINAL APPROVAL

MR. PETRO: Request for 90 day extension of final approval. This is addressed to the planning board. Please be notified that the finalization of the administrative requirements for the approved subdivision as required to meet town conditions for stamping of same are taking longer than anticipated. We are diligently working to meet these conditions. We're requesting that the active status of the project be continued for another 90 days from even date, whatever that means. Thank you in advance for this courtesy.

MR. EDSALL: This is their first request for a 90 day extension from the original, from whatever day it expired, it would be 90 days from there.

MR. VAN LEEUWEN: Where was that?

MR. BABCOCK: Twin Arch Road.

MR. EDSALL: Fuchs subdivision.

MR. PETRO: Would you like to make a motion?

MR. STENT: I make a motion to approve their request for 90 day extension of final approval.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant 90 day extension from even date for Fox River subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

CLEAN EARTH

MR. PETRO: Just state your name, please.

MS. KATHY MC PARLAND: Kathy, K-A-T-H-Y, McParland, M-C-P-A-R-L-A-N-D, Birchwood Drive. I'd like to know if the board has been approached formally or informally by any representative of Clean Earth of New York for a reconsideration of their permits?

MR. PETRO: Absolutely not.

MR. STENT: I move we adjourn.

MR. DUBALDI: Second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

Respectfully Submitted By:

Frances Roth
Stenographer

MOE
McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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MICHAEL D. McGOEY, P.E.
STEPHEN J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

21 November 1995

MEMORANDUM

TO: Myra Mason, Planning Board Secretary

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

SUBJECT: FOX RIVER PARK SUBDIVISION (FUCHS)
NEW WINDSOR PLANNING BOARD NO. 90-18

Reference is made to your fax transmittal to me of 21 November 1995 with attached letter from Scott Mangipane dated 15 November 1995 and detailed private road construction cost estimate.

Please be advised that the construction cost estimate for the private road is acceptable and in line with prudently developed costs for such construction. As per Section 307-9(A) of the Town Water Specifications, the Applicant should be required to submit a performance Bond to guarantee the private road construction. As well, the appropriate inspection fee should be paid.

With regard to Mr. Mangipane's letter, please forward a copy of same to Planning Board Chairman Fusco requesting that he contact me to discuss the clarification included in this letter.

If you have any questions regarding the above, please do not hesitate to contact me.

Respectfully submitted,

Mark J. Edsall, P.E.
Principal

MJE/sh

cc: File

PREVIOUS

DOCUMENT

IN POOR

ORIGINAL

CONDITION

SCOTT KARTIGANER, P.E.

CIVIL/ENVIRONMENTAL ENGINEERING & PLANNING

- 565 Newfield St. #7, Middletown, CT 06457
- 555 Blooming Grove Tpk., New Windsor, NY 12553
  (914)562-4391 (203)346-6610

November 15, 1995

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

Subject: Fox River Park Subdivision/ Twin Arch Road Property

Dear Planning Board:

For purposes of clarification please be notified at this time that the developer of the subject project, Mr. Fuchs, intends to develop the property sequentially as follows:

1. Develop the lots not requiring public and private roads or improvements.

2. Develop the private road Bruce Lane per Town private road specifications with a 18' road width and oil and chip treatment. Subbase will be suitable shale to be placed to the depth of 15" (to meet Town public road requirements in future). Drainage improvements at Twin arch road will be installed. Develop the lots along the private road.

3. Develop the public road Phyllis Lane and the lots along same.

You are requested to notify us at your earliest convenience if you take any exception to the above plan.

A construction cost estimate is attached for the proposed improvements to the private road Bruce Lane. Please review this estimate and notify us if it is acceptable for the bonding of the road.

If there are any questions please do not hesitate to contact me at your earliest convenience at (914)563-4391 or (203)346-6610.

Very truly yours;

Scott Kartiganer, P.E.

cc/ Herman Fuchs
Fu1195-1.doc

Fox River Park Subdivision

File: FUCHEST1.wks

Construction Cost Estimate

Roadway (Bruce Lane)- Private Road

18' wide private road with oil and chip over 15" shale/ Drainage improvements installed on Twin Arch Road and swales provided along road. 541 ft long. Clear & grade full 50' width.

Item	Quantity	Units	Unit Price	Amount	
15" Shale foundation Course	541	C.Y.	$20.00	$10,820	
Oil & Chip Surface Treatment	1,082	S.Y.	$6.50	$7,033	
Street Signs	2	EA	$125.00	$250	
				$18,103	
Storm Water System					
Catch Basins	3	EA	$1,300.00	$3,900	
Steel End Sections	1	EA	$1,300.00	$1,300	
18" Pipe	120	L.F.	$25.00	$3,000	
				$8,200	
Net Total					**$26,303**

MEMORANDUM

TO: PATRICIA BARNHART, SECRETARY TO THE ATTORNEY

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

DATE: SEPTEMBER 19, 1995

SUBJECT: PHYLLIS LANE - FUCHS (FOX RIVER PARK SUBDIVISION)
ROADWAY DEDICATION

Dear Pat:

In response to your memo of 28 August, 1995, please be advised that the undersigned of our office has performed a field review of the roadway referred to as Phyllis Lane being offered for roadway dedication. Please be advised that the roadway is not ready for dedication.

Based on our field review, although some rough grading has been completed, you would need no less than a four-wheel drive vehicle to gain access to the roadway. For this reason, we do not understand why Mr. Rones is requesting dedication at this time.

Further, be advised that we have received a request from Scott Kartiganer, Engineer for Fuchs, requesting a small reduction in the performance bond being held for Phyllis Lane. This request is presently under review by our office.

We would suggest that you contact Mr. Rones to clarify his request for dedication. It is quite possible that Mr. Rones is simply attempting to file with the Town of New Windsor and offer of dedication which would only be accepted upon final completion of the road at some future date.

Please advise our office if you are in need of any additional assistance.

RDM:mlm

cc: George J. Meyers, Supervisor
James R. Petro, Jr. - P.B. Chairman
Mark Edsall, P.E. - P.B. Engineer

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1763

September 12, 1995

Mr. Scott Kartiganer, P.E.
555 Blooming Grove Turnpike
New Windsor, NY 12553

SUBJECT: FOX RIVER PARK SUBDIVISION
PERFORMANCE BOND

Dear Mr. Kartiganer:

We are in receipt of your revised cost estimates for the Fox River Park Subdivision dated 29 August, 1995. In line with our review, we found the need for your office to perform several corrections to the cost estimates, including the following:

1. The total of the storm water system under Phyllis Lane in the amount of $6,350.00 is incorrect. The addition of the three (3) items of work should equal $12,850.00.

2. It appears that the storm drainage work outlined under Bruce Lane should have been shown under Phyllis Lane and vice versa. Therefore, the Bruce Lane storm drainage system total should equal $12,850.00 and Phyllis Lane should equal $13,950.00.

3. Our letter of 15 August, 1995 requested that you include in your itemized breakdown the double surface treatment of oil & chip. The estimate utilized for both Bruce Lane and Phyllis Lane in your letter of 29 August is incorrect. You have estimated 1,500 square yards for Bruce Lane and 1,100 square yards for Phyllis Lane. The numbers should equal 2,600 square yards and 2,100 square yards respectively. Please check your calculations and do not forget to include the oil & chip required for the paved shoulder and swale which requires, therefore, a total roadway width of 42' to be surfaced with oil & chip.

Please correct the cost estimates submitted checking your numbers carefully so that we can avoid further delay in our recommendation for approval of the bond amount. If you should have any questions in the interim, please contact our office.

Very truly yours,

Richard D. McGoey, P.E.

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

RDM:mlm

cc: James Petro, Jr. - P.B. Chairman
Mark Edsall, P.E. - P.B. Engineer
Herman Fuchs - Applicant

Joseph G. Rampe
County Executive

DEPARTMENT OF HEALTH

Maxcy J. Smith, M.D.
Acting Commissioner of Health
124 Main Street
Goshen, New York 10924-2199
TEL (914) 294-7961

February 16, 1995

Herman & Mina Fuchs
c/o 240 Chestnut Ridge Road
POB 322
Spring Valley, NY 10977

Re:
Approval of plans for:
Fox River Park
Realty Subdivision
T. New Windsor

Dear Sir & Madam:

Plans entitled Fox River Park, prepared by Scott Kartiganer, P.E., and dated May 16, 1991, latest revision December 28, 1994, are approved.

Our Certificate of Approval is enclosed. The approved plans are being returned to the engineer for transmittal to you.

Very truly yours,

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

MJS/aje

cc: Engineer
O.C. Planning Dept.
File

enc.

ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

TO: Herman & Mina Fuchs
c/o 240 Chestnut Ridge Rd.
POB 322
Spring Valley, NY 10977

The Orange County Department of Health certifies that a realty subdivision map entitled Fox River Park, dated May 16, 1991, latest revision December 28, 1994 located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

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

Total area: 14.38 acres Number of lots: 8

Water supply: Individual wells

Sewage disposal: Individual sewage disposal systems

The owner intends to build on some lots and sell others without buildings.

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

1. THAT the proposed facilities are installed in conformity with said plans.

2. THAT no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.

3. THAT the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.

4. THAT the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.

5. THAT the sanitary facilities on these lots shall be inspected for compliance with the approved plans at the time of construction by a licensed professional engineer and written certification to that effect shall be submitted to this Department and the local Building Code Enforcement Officer prior to occupancy.

6. THAT individual wells and sewage treatment systems shall no longer be constructed or used for household domestic purposes when public facilities become available. Connection to the public sewerage system is required within one year of the system becoming available.

7. THAT plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.

8. THAT the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

February 16, 1995
Date

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

SCOTT KARTIGANER, P.E.

CIVIL/ENVIRONMENTAL ENGINEERING & PLANNING

- 565 Newfield St. #7, Middletown, CT 06457
- 555 Blooming Grove Tpk., New Windsor, NY 12553
  (914)562-4391 (203)346-6610

April 26, 1995

Ed ~~Trotman~~ TRAUTMANN
165 ~~Twinarch Road~~ TWIN ARCH ROAD
~~New Windsor, NY 12553~~ ROCK TAVERN, NY 12575

Subject: Fox River Park Subdivision/ Twin Arch Road Property

Dear Mr. ~~Trotman~~: TRAUTMANN

Please be notified that the subject project has received final approval from the Town of New Windsor on 12 April 1995.

Per your concern at the preliminary public hearing and as a gesture of goodwill we would like to offer you 3 white pines or their equavalent for you to plant on your property at the time of subdivision road construction.

Please notify me if you would like to accept these plant by endorsing a copy of this letter below and returnin to my office. If an endorsed copy of this letter is not received within 10 days then it will be assumed that you are not interested in the plans. If there are any questions please do not hesitate to contact me at your earliest convenience at (914)563-4391 or (203)346-6610..

Very truly yours;

Scott Kartiganer, P.E.

Endorsed by:

Ed Trautmann Date 5/22/95

cc/ Herman Fuchs
Mark Edsall
90004-A/
Fuchl495.doc

WE WOULD LIKE TO CONSIDER ALTERNATE TO THE PROPOSED WHITE PINES. PLEASE LET US KNOW HOW TO PROCEED.

THANKS FOR REMEMBERING YOUR PROMISE.

SINCERELY,

Ed Trautmann

SCOTT KARTIGANER, P.E.

CIVIL/ENVIRONMENTAL ENGINEERING & PLANNING
555 Blooming Grove Tpk.
New Windsor, NY 12553

May 31, 1995

Town of New Windsor
555 Union Ave.
New Windsor, NY 12553

Subject: Fox River Park Subdivision

Attn: Mark Edsall

Dear Mark:

Please find attached 3 blueline and one set of mylar plans for the subject Fox River Park Subdivision per the conditions of the 12 April 1995 final approval on the project. The plans have been restamped by the Orange County Health Department. The following modifications have been made or information attached:

A) The private road cul-de-sac diameter has been increased to 120'.
B) Note No. 4 on sheet 1 has been deleted.
C) Trautmann has accepted offer of landscaping (letter attached).
D) Modification as required for dedications were placed on survey plans.
E) Public improvement bond estimate is attached.
F) Agreement between Town and Fuchs on parcel 9 is attached for signature (survey description will be forwarded shortly for attachment)

The offer of dedication for the public road will come directly from Mr. Fuch's attorney to your office. Please contact me if there are any questions. When executed by the Town please forward 2 sets of blueline plans and the mylar set of plans to my office for filing at the Orange county clerk's office.

Very truely yours;

Scott Kartiganer, P.E.

cc Herman Fuchs
Joe Rhones, esq

531fuch.doc

INTER-OFFICE CORRESPONDENCE

TO: Myra Mason; Planning Board Secretary

FROM: Town Fire Inspector

DATE: 27 July 1995

SUBJECT: **Fox River Subdivision**

Planning Board Reference Number: PB-90-18

I have reviewed the above referenced subject subdivision plan with regard to the E-911 numbering sequence.

The numbers indicated on sheet 5 of 10 were assigned by this writer for E-911, and indicated on the plan by Scott Kartiganer, P.E.

Robert F. Rodgers, C.C.A.
Fire Inspector

RFR/mvz

Fox River Park Subdivision

Construction Cost Estimate

Item	Quantity	Units	Unit Price	Amount	
Roadway (Phyllis Lane)- Public Road					
Clear, grade, & Subbase	29,400	S.F.	$0.40	$11,760	
15" Shale foundation Course	1,361	C.Y.	$20.00	$27,220	
3" Penetration Macadem Pavement	77	TONS	$60.00	$4,620	
Street Signs	2	EA	$125.00	$250	
Concrete Monuments	6	EA	$100.00	$600	
				$44,450	
Storm Water System					
Catch Basins	3	EA	$1,300.00	$3,900	
Steel End Sections	1	EA	$1,300.00	$1,300	
18" Pipe	350	L.F.	$25.00	$8,750	
				$13,950	
Subtotal					$58,400
Inprovements in place (Clear, grade, & Subbase)					$11,760
Subtotal Net remaining					$46,640
Roadway (Bruce Lane)- Private Road					
Clear, grade, & Subbase	21,500	S.F.	$0.40	$8,600	
15" Shale foundation Course	972	C.Y.	$20.00	$19,440	
4" Asphalt Binder Course	55	TONS	$60.00	$3,300	
Street Signs	2	EA	$125.00	$250	
Concrete Monuments	8	EA	$100.00	$800	
				$32,390	
Storm Water System					
Catch Basins	5	EA	$1,300.00	$6,500	
Steel End Sections	2	EA	$1,300.00	$2,600	
18" Pipe	150	L.F.	$25.00	$3,750	
				$6,350	
Subtotal					$38,740
Inprovements in place (Clear, grade, & Subbase)					$8,600
Subtotal Net remaining					$30,140

Public Rd. Estimate →

Estimate **$97,140**

$76,780

Estimate less inprovements to date

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

REVIEW NAME:	FOX RIVER PARK SUBDIVISION (FORMERLY TWIN ARCH/FUCHS SUBDIVISION)
PROJECT LOCATION:	TWIN ARCH ROAD AND ROUTE 207 SECTION 55-BLOCK 1-LOT 24
PROJECT NUMBER:	90-18
DATE:	12 APRIL 1995
DESCRIPTION:	THE APPLICATION INVOLVES THE MAJOR SUBDIVISION OF THE 49 +/- ACRE PARCEL INTO NINE (9) LOTS, EIGHT (8) OF WHICH ARE SINGLE-FAMILY RESIDENTIAL LOTS, WITH THE LAST PARCEL AN AGRICULTURAL PARCEL. THE APPLICATION WAS MOST RECENTLY DISCUSSED AT THE 8 MARCH 1995 PLANNING BOARD MEETING.

1. The Applicant has submitted final plans for the major subdivision and is requesting final approval from the Board.

   The first issue which must be resolved is acceptance of the ninth lot as an agricultural parcel. As the Applicant's Engineer's transmittal letter indicates, the Board previously discussed with the Applicant's Attorney the concept of deed restricting "Parcel 9" as an agricultural parcel. The Board should review this aspect with the Planning Board Attorney and determine if the proposed scheme is acceptable.

2. If the Board is willing to consider this project for final approval, I suggest that the following items either be addressed or be made conditions of approval:

   a. The private road cul-de-sac should be 100' pavement diameter with 120' private road right-of-way, as per the Private Road Specifications.

   b. I am concerned with regard to Private Road Note No. 4 on Sheet 1. I suggest that this note be eliminated.

REVIEW NAME:	FOX RIVER PARK SUBDIVISION (FORMERLY TWIN ARCH/FUCHS SUBDIVISION)
PROJECT LOCATION:	TWIN ARCH ROAD AND ROUTE 207 SECTION 55-BLOCK 1-LOT 24
PROJECT NUMBER:	90-18
DATE:	12 APRIL 1995

c. The Planning Board previously discussed, with the Applicant, the possibility of planting screening on the west side of Twin Arch Road, opposite the northerly proposed road (Phyllis Lane). The Board should determine if this is still a requirement.

d. The private road right-of-way should be indicated on Sheet 2, the Surveyor's Subdivision Plan. As well, the limits of the Town Road Offer of Dedication and the associated drainage easement should be indicated for Phyllis Lane.

e. A "911 Plan" was included in the final drawings. Has this plan been reviewed and approved by the Town Fire Inspector?

3. The plans have, to my understanding, been reviewed and approved by the Orange County Department of Health. The plans submitted for stamp of approval should include the approval stamp of the Health Department for the pertinent sheets.

4. Prior to taking final approval action, the Board should verify that the SEQRA review process was completed.

5. The Applicant should be directed to submit a **Public Improvement Bond Estimate** to the Town Engineer for review.

6. The Applicant should submit the descriptions and **Offers of Dedication** to the Planning Board Engineer and Town Attorney for review.

7. The Planning Board should require that a **bond** estimate be submitted for this **Subdivision** in accordance with Paragraph A(3)(j) of Chapter 19 of the Town Code.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:FOXRIV.mk

RESULTS OF P.B. MEETING

DATE: April 12, 1995

PROJECT NAME: Fox River Sub. PROJECT NUMBER 90-18

* *

LEAD AGENCY:

M)__ S)__ VOTE:A_____N_____

CARRIED: YES_____NO_____

NEGATIVE DEC:

M)__ S)__ VOTE:A_____N_____

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 S) VOTE:A 3 N 1 (Van Leeuwen) APPR. CONDITIONALLY: 4/12/95

NEED NEW PLANS: YES_____ NO_____

DISCUSSION/APPROVAL CONDITIONS:

Check w/B. Rodgers if he approved the 911 Plan

Sub. to outstanding items in Mark's comments

Recording agreement + executing (Lot 8 in Agreement 4/5 [illegible])

Bond

Screening on Plan

Offers of Dedication

SCOTT KARTIGANER, P.E.

CIVIL/ENVIRONMENTAL ENGINEERING & PLANNING

- 872 Westfield Street, Middletown, CT 06457
- 555 Blooming Grove Tpk., New Windsor, NY 12553
  (914)562-4391 (203)346-6610

March 17, 1995

Town of New Windsor Planning Board
555 Union Ave.
New Windsor, N.Y. 12553

Attn: James Petro, Planning Board Chairman

Subject: Fox River Park Subdivision

Dear Mr. Petro and Planning Board:

Please find attached a copy of the 12 August 1992 minutes of the planning board regarding the subject project as well as an agreement developed between Mr. Joe Rones as Council for Fox River Park (Mr. Fuchs) and Mr. Kreiger as the planning board attorney regarding the disposition of parcel 9. At said meeting, page 13 of the minutes, it was understood that this agreement would be recorded and that the planning board attorney and the board was satisfied with the document resolving your concerns regarding parcel 9. Subsequent to this meeting the public hearing was held and the plan was granted preliminary approval. The project proceed to the Orange County Health Department (OCHD) where approval of the project was granted February 16, 1995.

I have submitted the attached information to the board so that it may recall that the issues regarding parcel 9 were resolved to the satisfaction of the board and should not be revisited. Any modification to the plan other than that as approved by the OCHD would entail extensive delays and substantial additional costs to Mr. Fuchs as well as delaying the marketability of the project. It is our request that the plan be accepted as is.

In consideration of the above we respectively request that the project be place on the next planning board agenda for final approval of the project. If there are any questions please do not hesitate to contact me at your earliest convenience.

Very truly yours;

Scott Kartiganer, P.E.

CC: Herman Fuchs
Supervisor Town of New Windsor
Joe Rones, Esq.
Andy Kreiger

A-90004-A
Fuch395.doc

MR. KRIEGER: Yes, I have reviewed it. The central problem with what we are talking about I don't see any way in which to require or bind the present owner in the future to which is what you're talking about to pay your taxes. And that is as I understand it that in essence is the concern if they don't it goes to the county. But, I don't know of any way to require them to do so. However, if I think it's the proposal here if this agreement is recorded and that is what it is designed to do, it's recordable form, all it needs is to be required that it be recorded before final approval. Anybody that takes even if they do let it go would take it subject to what is on the record, in terms of the restrictions so then it wouldn't matter what it was and it's not really a concern of the Planning Board if it's Fuchs or whether it is somebody else.

MR. PETRO: At this time, I'll tell you what if you're satisfied with it as Planning Board Attorney, then let's go on to something else. If you say that it does cover in essence what it's supposed to be doing, we'll go with it, okay?

MR. KRIEGER: From my review of it, so far, I think it does.

MR. VanLEEUWEN: Well, it covers it, it's got to come back to the Planning Board, that's no problem but that's my primary concern. It's been my concern from the beginning and it still is my concern.

MR. PETRO: Any other comments from the Board members other than the public hearing at this time because we are going to get to that?

MR. VanLEEUWEN: I'll make a motion that we set this up for a public hearing.

MR. DUBALDI: I'll second it.

MR. PETRO: Motion has been made and seconded for Fox Run Subdivision for a public hearing. Any further discussion from any other Members of the Board? If not, roll call.

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Petro	Aye

MR. PETRO: Okay, through Mark's office and Mike, we'll get a notice of when the public hearing will be and we'll see you then.

MR. KARTIGANER: Do we have comments from Mark?

MR. PETRO: Not really, nothing that we didn't do so--

MR. KARTIGANER: Good, thank you.

File: Fuchs

FINKELSTEIN, LEVINE, GITTELSOHN AND TETENBAUM
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GEORGE M. LEVY
KENNETH L. OLIVER
DUNCAN W. CLARK
SAUL W. STRENGER (NY & NJ BAR)
RONALD ROSENKRANZ
ANDREW M. MAURIELLO
EDWARD D. KAPLAN, P.C.
COUNSEL EMERITI

ROBERT J. CANERA (NY & NJ BAR)
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JOEL A. REBACK
STEVEN LIM
STEVEN A. KIMMEL
WILLIAM L. DE PROSPO
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ELEANOR L. POLIMENI
JOSEPH P. PETRIZZO
BRUCE M. STERN (NY & NJ BAR)
STEVEN H. COHEN
JONATHAN FAIRBANKS
DAVID F. EVERETT (NY & FLA BAR)
LUIS A. RIVERA
FRANCIS NAVARRA
NEIL S. DAVIS
ANDREW J. GENNA
FRANK J. VEITH, JR.
ANDREW G. FINKELSTEIN

July 2, 1992

REFER TO OUR FILE # 33939

Mr. Herman Fuchs
640 Chestnut Ridge Road
Post Office Box 322
Spring Valley, New York 10977

RE: Subdivision

Dear Mr. Fuchs:

The issues concerning the balance parcel were resolved at the June 24 Planning Board meeting and are reflected on the proposed agreement enclosed for your review.

We expect that a revised subdivision map, environmental assessment form, wetlands study and other engineering issues will be submitted by your consultants at a planning board work session during July. We hope to be on the regular meeting agenda shortly thereafter so that a public hearing can be scheduled for Preliminary Subdivision Approval.

Very truly yours,

FINKELSTEIN, LEVINE,
GITTELSOHN AND TETENBAUM

BY:
JOSEPH P. RONES

JPR:mmf

cc: A. Coppola
S. Kartiganger
A. Krieger

Per Myra on 7-30-92, the next P.B. meeting is 8/11. Agenda for that not made up yet. She will call me when it gets made up if FUCHS isn't.

"Discussion"

RESULTS OF P.B. MEETING

DATE: March 8, 1995

PROJECT NAME: Fox River Sub. PROJECT NUMBER 90-18

* *

LEAD AGENCY:

M)__ S)__ VOTE:A_____N_____

CARRIED: YES_____NO_____

NEGATIVE DEC:

M)__ S)__ VOTE:A_____N_____

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:

Must resolve the remaining parcel #9
w/ Town Engineer & Town Atty.

Phyllis Public Rd
Bruce Private Rd
Waive Deadlines

DISCUSSION

FOX RIVER SUBDIVISION (90-18) TWIN ARCH ROAD

Scott Kartiganer appeared before the board for this proposal.

MR. PETRO: Scott, why are we here?

MR. KARTIGANER: We're here cause I want to try and finalize this subdivision. We have health department approval on the project and also we went to workshop meeting with Mark and he voiced some concerns on it. So what we're here tonight for is to resolve any issues if any required to get the approval on this project. The biggest concern has been always the concern of this what's labeled parcel number 9. It's with the note that this area shall remain agricultural parcel as it is a parcel not for residential use at the time of this project and has not been approved by Orange County Health Department. As you recall, we brought this in front of the board. We had a deed restriction hammered out with the town attorney, we did all that.

MR. VAN LEEUWEN: I'm the one that started it because I don't want--

MR. KARTIGANER: We have showed the board that this is a viable parcel. It's going to be, we want to develop it in the future, show some other plans showed where the wetlands are, where some of the wet areas are that this other area is buildable. I think members of the board went out to the site. In fact, we even have proposed road, the design of the roadways were designed for future development of that also. So basically, we even have the 911 numbers on this plan. The way the Health Department worded our letter of approval they gave us approval for all these lots, lots 1 through 8 are approved for water and sewer and the concern is what I'd like to do is to be able to discuss this and I want to bring this project back to the board with the 911 numbers, which is really the only item as I see it that is left outstanding to be able to get final approval.

MR. VAN LEEUWEN: What do you want to do with the big piece of land, how many acres do we got there?

MR. KARTIGANER: This parcel here is 3.72 acres.

MR. VAN LEEUWEN: We got, there's no way you can build a house on that parcel. When we approve a subdivision, everybody, every parcel can be built on and my concern is again I'll bring it up to you, you know, I brought it up before that this does not wind up going up for tax sale because they feel it's useless so you must, as far as I'm concerned, you must be able to put a house on that parcel.

MR. DUBALDI: What's the problem? Maybe I'm missing something. What's the problem of putting a buildable house on parcel 9?

MR. KARTIGANER: Well, one you can't put a buildable house.

MR. DUBALDI: Why?

MR. KARTIGANER: The problem is the extensive cost that you have to go through to put for the subdivision approval. At one time, I used to be able to come into the Health Department, show like a fill system, you know, we have adequate depth, little bit of depth, but it's adequate for a fill system, install the system or design a system and then the homeowner, whoever buys the property has a designed system in there. What we have with the Health Department, what you have to do is install basically all the fill on the systems, reason why it took us so long to come back, let it sit for six months, go back again, redo tests.

MR. VAN LEEUWEN: Then the county will approve it.

MR. KARTIGANER: It's an extensive cost for the landowner.

MR. EDSALL: I think what we have here is the case again where there are 8 building lots being created by the county's approval and they have created a ninth item which they call a parcel, which is not for

building purposes. And this board by the local regulations really can't create a lot that has no purpose, either has to be a building lot which is a classification in the code or if you so desire to deed restrict it and have them agree that it is an agricultural parcel, that is an option. I don't know if that is going to prevent it from going up for tax sale cause it could just as easily happen with that scenario. On the plan, it says remain agricultural parcel, to my knowledge, it's currently not approved as an agricultural parcel nor is it deed restricted and an agricultural parcel what you're saying you want to propose it as an agricultural parcel?

MR. KARTIGANER: That is what we had is an agricultural parcel, we went through and made that.

MR. EDSALL: I had indicated there is no deed restriction currently that makes any part of this total property an agricultural parcel at this time.

MR. KARTIGANER: Yeah, not with the original deed but we worked out some language and I think it's in the file.

MR. EDSALL: That is your proposal. The board has two choices, either going to have to see it as being agricultural which would mean it's not a building lot and you have got that scenario where it could go up for tax sale because it can't be developed as a house lot or it's going to have to be absorbed into one of the other lots.

MR. DUBALDI: Why can't you make it part of lot 8?

MR. VAN LEEUWEN: That is what makes me think it's going to go up for tax sales because he doesn't make this one lot, he's trying to get out what he can get out and run. I'm not saying he's doing that but it looks to me on paper what he is trying to do.

MR. DUBALDI: Why can't you make it part of any lot?

MR. KARTIGANER: If you attach it to any lot, it makes that that we attach it to a non-salable lot, I mean.

If I cut it down here because it's small here, it would be clearly intentional.

MR. DUBALDI: Are you planning on future subdivision of this property?

MR. KARTIGANER: Yes.

MR. DUBALDI: Therefore, it does make it a salable lot because there is the possibility of further subdivision and further economic development of the property so how can you tell me that it is not buildable.

MR. VAN LEEUWEN: I have been on this site twice, three times there's nothing but rock outcroppings and everything else, they are going to have to spend a bundle of money. Ron has been there also, he's one of the older members of the board, spend a bundle of money and it's almost not worth it what they are going to have to do to it unless the lots go to 75, 80 because it's going to cost 30 just to put a fill system in.

MR. STENT: Do you have access to the land off the private road? Is there any way to get in?

MR. KARTIGANER: Yeah, there is in fact we cut those both those cul-de-sacs, I mean the land is very pretty land.

MR. VAN LEEUWEN: But it's very difficult to build on it.

MR. KARTIGANER: That is why we showed that as instead of going and putting in some sort of system, it would be some sort of cluster kind of design that we would do and it would be central.

MR. VAN LEEUWEN: I'm going to be very honest with you, I told you before it ain't going to fly.

MR. PETRO: You know what we're going in a circle, Scott, let me ask you what do you want to do?

MR. KARTIGANER: What we want to do, you know, in essence a certain level where Mark is right when it

goes to Orange County, this parcel is going to be divided into 9 parcels, as 9 tax parcels, that is the only way that I can see that can be done and we're in essence we're asking for approval for the project as that is ideally what I'd like to have done. What the Orange County Health Department did put in as a matter of record on the approval is that this parcel and they reference this in their approvals that no lot or remaining lands which refers clearly to this shall be subdivided without plans for such re-subdivision being filed with and approved by the Orange County Health Department so that the onus of the review for the Health Department approval, whether somebody buys this as a tax sale or whatever it's going to, they still have to get their approvals through the Orange County Health Department for their lots. So yes, they'll build it whether they build it if in the case that it goes to the tax sale, it as buildable parcel and it is clearly a buildable parcel. The only thing that is different about this is it doesn't have a designed water and sewer system on the site.

MR. PETRO: You show a through road.

MR. KARTIGANER: That is shown for the future, that is how we designed the layout of this road.

MR. EDSALL: I don't agree that it is a buildable parcel, if it was demonstrated that it was a buildable parcel, it would be lot number 9, not lot parcel number 9, not for development. The board has no choice but to take the position that the County Health Department has told you that this lot cannot support a house that it is unsalable until there is subsequent approvals that is the only position you can take. Although it's possible someone could be convinced differently later at that point the County Health Department has told you that it is not for residential purposes, there is no way to develop it, based on the current testing that has been done on the lot, you really can't take any other position. Otherwise, when six months, nine months, ten years whatever someone comes in, asks for a building permit, they are going to expect to get one.

MR. PETRO: We can not create a non-buildable lot so

we're back to--

MR. EDSALL: Other than for a specific use such as for agricultural.

MR. PETRO: How about a park and each homeowner is going to have to pay a portion of the property.

MR. VAN LEEUWEN: We've suggested that already. That has already been talked and discussed and worked out. I suggest what you do, guys, take a look at lot number 3, see that odd way to get the frontage.

MR. BABCOCK: Flag lot.

MR. VAN LEEUWEN: Take that lot, incorporate the remaining piece of land into lot 3 and as far as I'm concerned, you have no problems. That is the only way I'll approve it.

MR. DUBALDI: Or give some of it to a few different lots.

MR. VAN LEEUWEN: You can do that too.

MR. LANDER: What Scott's saying it becomes unsellable that way.

MR. KARTIGANER: If anything Mark had a suggestion and I really don't want to do that because we had gone through a lot of these issues about what to do and how to restrict that one parcel number 9, we have gone through a whole process, I mean the issues are what we can do here is lot 8, put a dotted line there, it becomes part of lot 9, parcel 9 becomes part of lot 8 becomes one large parcel, the landowner can't sell that parcel to somebody else because he wants to develop that parcel. The remaining portion which is lot number 9.

MR. VAN LEEUWEN: There's ways to get around that, Scott, you're going to have to find a way. I can't sit here and vote against our own laws, that I can't do. I don't think anybody else can do it either. You're in a tough position, that has been the cliffhanger on this

project from day one.

MR. KARTIGANER: The issue in what we had talked about basically was the legal issue when we were discussing it is that if this lot can be usable and that was where the issue was and that is why we designated it and we went through and found a way and that is what we had thought was resolved the usable can be interpreted as agricultural and it's a large parcel.

MR. VAN LEEUWEN: I'm not going to sit here and create a liability for the town of New Windsor that I pay taxes.

MR. PETRO: I think we have gone around and around, Scott, I would suggest getting together with Mark or coming up with an idea, I don't know what to tell you.

MR. KARTIGANER: All right, well, going to the other one because if we put what I would look like to do is not have to go back to the Health Department and to call this, you know, mark this as a dashed line, this has Health Department approval and incorporate this parcel 9 as part of lot 8 at this time Mark had a technique by doing that.

MR. VAN LEEUWEN: I'd rather see you take lot number 3 because that is a crazy angle as it is. This one here is not great but it's not as bad as this one here.

MR. KARTIGANER: It's up to the owner. The constraint here is this is a pretty wet are, we have to cross a stream so probably this one as far as what we want to do is get some lots so we can sell them.

MR. EDSALL: The possibility what I think what's being discussed here is that the line between lot 8 and parcel 9 be dashed and then lot 8 consists of two different parcels, one would describe the piece that is now lot 8, the second parcel in that deed would be the large what's now parcel 9 and then include in the deed a restriction on parcel 9 that it could not be developed until such time that is approved by the Planning Board and approved by Orange County Department of Health. That way, that piece of that lot is

restricted and because it's described separately as two different descriptions in one deed, it would facilitate them selling it in the future at least clarifying which part is what.

MR. KRIEGER: Yes, can it be done, the answer is yes. Two parcel descriptions in one deed does not however create a subdivision.

MR. EDSALL: Absolutely, I'm trying not to--

MR. KRIEGER: When I say it's easier, it may be easier but it isn't done.

MR. EDSALL: What I am saying it would make it clear as to which part can be developed and which part can't and by having the descriptions clear at this point, it would facilitate the future application but they still have to come for another subdivision, they still cannot sell it separately.

MR. VAN LEEUWEN: I'm suggesting you work it out between the town engineer and town attorney and come back to us.

MR. PETRO: I agree with Henry. This is under discussion.

MR. DUBALDI: I have a question. Which road is private road and which is the town road?

MR. KARTIGANER: Private road is this one right here.

MR. BABCOCK: Phyllis is public and Bruce is private.

MR. PETRO: Work it out with Andy and Mark, come back with a viable idea.

MR. EDSALL: This might be a worthwhile time to request a waiver for the deadlines, given the fact it took them so long to get back to us. We just want to make sure that we're not required to make a decision tonight.

MR. VAN LEEUWEN: You go along with another waiver tonight?

MR. KRIEGER: Same explanation as before.

MR. VAN LEEUWEN: Otherwise, bring it back and we'll vote.

MR. KARTIGANER: We'll take the waiver.

MR. PETRO: So stated for the minutes.

FOX RIVER PARK SUBDIVISION (FORMERLY TWIN ARCH SUB.) (90-18) TWIN ARCH ROAD

MR. PETRO: Public hearing, Fox River Subdivision.

Mr. Scott Kartiganer, Mr. Anthony Coppola and Bruce Stern, Esq. appeared before the board representing this proposal.

MR. KARTIGANER: Bruce Stern, also from the attorney's office is sitting in for Joe Rones from Finkelstein's in case there's any questions. Project proposed is to subdivide overall 49 acre parcel into 8 parcels of which 7 are building lots at this time. Each of these lots would be serviced by on-site water and sanitary facilities per the option of the owner. Lot 8 shall remain under a zoning district and shall not be built upon until approval is granted by the Orange County Health Department. This lot is going to be suitable for a future development. Lot #5 as discussed earlier is also suitable for future subdivision and the 2 lots with one of the lots we would anticipate would require fill-type sanitary systems. All the lots proposed are for inground sanitary type systems and wells. Roads proposed are for one to be a public road and the other to be a private road. Both roads will be constructed to Town of New Windsor public road specifications. This is rural type road spec. These roads are to be named Bruce Lane and Phillis Lane. They are designed to be connected and planned for in the future subdivision of the remainder of the property designating the lot number 8. That is as far as we can present.

MR. PETRO: Municiple fire has been approved 7/30/92. Highway I do not see highway.

MR. SCHIEFER: I'm wondering because of the diameter of the cul-de-sacs, I know they are temporary.

MR. PETRO: No response from highway at this time.

MR. KARTIGANER: They are 60 feet.

MR. SCHIEFER: I see 50.

MR. KARTIGANER: That is the paved surface right-of-way is 50 feet.

MR. SCHIEFER: Then there's no problem.

MR. PETRO: Mark, I don't see anything from Fayo.

MR. EDSALL: No. I was just looking. I don't see anything from the highway super.

MR. PETRO: On this particular application, there was some talk about something being set up on lot number 8 with regards to keeping it as agricultural, I believe.

MR. KARTIGANER: That was actually deed restriction that was a--

MR. COPPOLA: It's a deed restriction. I'm sorry, not a deed restriction.

MR. KARTIGANER: Filed document.

MR. PETRO: I think I'd like to see it also on the site plan somewhere or is it?

MR. KARTIGANER: What we have had decided and this was at the last meeting, in fact we would be able to take care of everything with the document that had been passed back and forth between Andy and Joe and just leaving in this note that goes on here, just leaving in the agricultural district.

MR. PETRO: Is that satisfactory?

MR. KRIEGER: Yes, draft was satisfactory, wasn't finalized and signed. Any approval should be subject to that but the terms of the agreement have been worked out already.

MR. COPPOLA: When is that excuted?

MR. KRIEGER: It hasn't been executed.

MR. COPPOLA: When should it be, when we file the maps?

MR. KRIEGER: It should be executed before the maps are approved because once the Planning Board acts to approve the maps, they have no avenue but to go back and see whether it's been done afterwards.

MR. COPPOLA: Before we were to get final approval?

MR. KRIEGER: Yeah, before they get stamped.

MR. PETRO: You have ample time to get that finalized?
MR. COPPOLA: We'll work on it.

MR. PETRO: Anyone have any comments?

MR. LANDER: Scott, go over lot 5 again, did you say--

MR. KARTIGANER: Lot 5 can be further subdivided, that one when we did the perc test on it and all of the lots here are for inground sanitary systems. To further subdivide this, we'd have to do a fill system which is what he cares not to do at this time but just want to let it be known that it can be and it's sized as such.

MR. PETRO: Scott, has Fred Fayo seen this? Why is there no remarks here?

MR. KARTIGANER: He has seen this. In fact, some of his comments were pertaining, we wanted to have both of them as it is, we have gone back and forth several times as far as what the road is going to be, either private road, public road, both private both.

MR. PETRO: We're showing plan here tonight for a public hearing that does not have approval from the highway superintendent. To me, that seems like it's in reverse. We're going to go ahead with it, in case he doesn't have a problem with it.

MR. KARTIGANER: It's been in front of him for a while. In fact actually part of it was we had to show how we were going to connect this road in the future and that is on one of the plans, actually showing in fact even on the plan we're showing how it could be connected.

MR. PETRO: They are so straightforward to start with. Mark, nothing wrong with the radius in the cul-de-sacs?

MR. EDSALL: Skip, depending upon the route and what equipment is on the snow plowing route, he may ask for larger or smaller cul-de-sac diameter so we'd leave that final decision to him but that is a minor modification, if that needed to be made. By smaller, I mean the minimum in the code. He sometimes asks for larger.

MR. PETRO: He has named the streets and other assignments of the lot numbers. I don't believe this might not be going back to the workshop.

MR. EDSALL: It needs to only because it fell in the gap when the 911 procedures had not been adopted. They'll need to meet with Bob Rogers to get that issue resolved.

MR. PETRO: Or would have been done at the last meeting.

MR. EDSALL: At the last workshop, right at this point, we have a procedure in place that when applicants come to the workshop, we can fill them in on--

MR. PETRO: How far from 207, is this more than 500 feet or less? Looks like it's less.

MR. COPPOLA: On the road itself more.

MR. KARTIGANER: Yeah, as the crow flies, it's less but by the time this is a fairly windy road, Twin Arch Road to get to 207 it's a--

MR. EDSALL: I believe this went to planning back in '90.

MR. KARTIGANER: Yeah.

MR. PETRO: This exact plan we have changed the roads a number of times. I don't know if it was this plan that was reviewed.

MR. KARTIGANER: These road locations have been the same since the inception.

MR. PETRO: I have 6/18/90, I don't have a problem with it, if you don't. At this time, if we don't have anything major, we'll open it up to the public, see what input they have. If anyone is here to speak on the Fox River Park Subdivision, please come forward. All the letters have gone out to a number, we have 26 addressed envelopes were mailed out on September 28, 1992, and again it was before notary public and they have gone out. So come forward, state your name.

JOYCE JOANLANNE: My name is Joyce Joanlanne. I have a summer residence that is behind this development.

MR. PETRO: Show us on the map so we can see what you're talking about.

MRS. JOANLANNE: I'm over here. What my interest in it is this section here, I think it's lot number 8, am I correct? Are you telling me that you are going to be able to build homes in this area later on?

MR. KARTIGANER: He is going to propose to build homes there.

MRS. JOANLANNE: All the way up to my property line?

MR. KARTIGANER: He'll build back here at some time, we don't have it designed at this time.

MRS. JOANLANNE: Is this land suitable for building? When I went to the your office, I was trying to understand whether the land was suitable and the reason I ask this is because I have a manmade pond that has an inlet and outlet that goes through my property and goes behind somewhere back here, I don't know exactly where. My greatest fear is that if he builds, my outlet is no longer going to go anywhere and going to flood me back.

MR. PETRO: At the time the application is made in the future, if that man does come in for an application to build homes there, he'd have to go through a complete

due process again and at that time, the engineer and everyone involved, Planning Board, all agencies would be involved and the land would have to be suitable or he wouldn't be able to build there. So there's certainly no permission now. He cannot build there.

MRS. JOANLANNE: From any understanding, I'm sorry, he's just allowed to build in this area here and--

MR. PETRO: That is correct.

MRS. JOANLANNE: If he decides to change that in other words I would have to be renotified again?

MR. PETRO: Definitely, sure.

MRS. JOANLANNE: Is there any way of knowing if there's federally protected areas where he wouldn't be allowed to build?

MR. PETRO: I don't know if any of this falls into that category.

MR. SCHIEFER: There are wetlands there.

MR. KARTIGANER: Yeah, there is. In fact we did wetlands study on a portion of the property where it effected this lot. We didn't proceed on the overall site. I can guarantee you that there's areas that are going to be proposed effected in this area. In fact, there's a stream that goes through.

MR. PETRO: They have to stay 100 feet away from any of those areas. You have a buffer zone before you even get to that area.

MRS. JOANLANNE: That is where I am because it goes behind. I have other friends that have the stream somehow goes all the way passed Beattie Road up through us and like I said, we have an inlet and an outlet, I'd hate to get flooded.

MR. COPPOLA: We won't even be allowed because we have an agreement with this, deed agreement, we won't be allowed to build one single family lot on that now at

this time so that would be a--

MR. PETRO: Complete due process, you'd be notified another public hearing strictly for that application.

MRS. JOANLANNE: And the road that you are going to have would be just this here so far as--

MR. KARTIGANER: Right, this is the extent of the roads we're going to build just this cul-de-sac and this cul-de-sac.

MR. EDSALL: Just two clarifications. If it was a minor subdivision, there's not a mandatory public hearing so I don't want to have it in the record we're obliging a future board to guarantee that there will be notification though obviously the public notice of the meeting, it's a public meeting, but if it's a minor subdivision, odds are they are going to have it.

MRS. JOANLANNE: What's a minor subdivision?

MR. EDSALL: Four lots or less in the Town of New Windsor, if they are proposing to break it into four lots there isn't a mandatory public hearing. The board has the option to waive the public hearing. I'm not saying they will or won't. I don't want to have it in the record that we're obliging any future board to guarantee there's going to be a public notice, if it's federal wetlands, the hundred foot buffer doesn't apply. This may not have fresh water wetlands under State statute but we know there's federal. Totally different set of regulations but they are protected areas. They are protected. Matter of fact, federal government has a lot more money to protect them. We have identified areas but the areas that we're not proposing to develop now haven't been evaluated, they would be on a future application.

MRS. JOANLANNE: Thank you.

MICHAEL JOANLANNE: We couldn't tell which lot it was, lot number 8?

MR. PETRO: The big lot on the bottom.

MR. JOANLANNE: Because I couldn't see the map from over there.

MR. KARTIGANER: It's approximately 35 acres.

MR. PETRO: Orange County Planning has been back for local determination. Recommendation from Orange County Planning are stream disturbance permits will be required, whenever possible, all lots should have access to internal roads, landscape plan should be submitted, soil erosion control plans and drainage plans should be submitted to the soil conversion service for their review, that is from the County and that is dated June 15, 1990. Anyone else here for this application?

MARY WASHINGTON: Rock Tavern, next to that property. This 35 acre lot that you are saying that is 35 acres, you can put a heck of a lot of homes. It's an acre limit that you have to have. What's the limit?

MR. COPPOLA: We can't build anything on that lot right now.

MRS. WASHINGTON: Eventually you will be, let's face it.

MR. PETRO: You have to deduct the wetlands out.

MRS. WASHINGTON: Face it, that is your purpose. Where is your outlet for the road?

MR. KARTIGANER: Our two outlets would be--

MRS. WASHINGTON: Still going to be on Twin Arch Road or up my lane?

MR. KARTIGANER: No, both up Twin Arch Road.

MRS. WASHINGTON: That is what I wanted to know.

MR. PETRO: Any other comments? .

LARRY TORLEY: My question was really on this lot 8, I

believe it is, you folks are the expert, is it sufficient restriction just to have it on the plan or I would like to hear what the agreement you're discussing was, Andy, is that too long to read it in the record?

MR. PETRO: Basic outline but approximately what it is going to say?

MR. TORLEY: We get maps sometimes and you know something scrolled on the map.

MR. KRIEGER: No, it's part of a note on this note on the map is part of a three part step designed to effect this. The other step is to put a note in the deed so that it goes along with the chain of title and the third step is to have a separate agreement filed which in pertinent part states that there will be no development of lot 8 unless there's a septic system designed and approved by the Health Department and approval is obtained from this board to change it from just to residential use, if those agreements were not in place, and they simply operated according to the law, as unvarnished as it exists. Now, they might not have to get approval, they want to put a single house there, for instance from their board. They might not have to, whether they have to get septic approval depends on the, would depend on the existing rules and regulations of the Orange County Health Department. This agreement in effect says no matter what those regulations are you still have to go back and get that approval. And the reason for them are two fold. Number one, it gives the Planning Board an opportunity to have a forum and to have a review for just such questions as have been raised now. So, that it doesn't slide by without review and the question of the suitability of the lands and so forth, will also be reviewed by the Health Department because if the land is unsuitable for building, it's going to be in the first instance unsuitable for septic system and they are the ones that are going to have to review it. So those systems are in place to make sure that if there's any further development here they cannot do it without because this is a sensitive piece of property, without seeking approval, actually two different kinds of approval.

MR. TORLEY: And these agreements that would go with the deed would follow in the event of abandonment and tax sale?

MR. KRIEGER: That is part of the agreement, yes.

MR. TORLEY: We're aware of what happens when things go to tax sales.

MR. PETRO: Hank was very concerned about it.

MR. TORLEY: The other question I have just to make sure I can't tell from the scales, if Fred requests a larger cul-de-sac diameter, will that maintain all the lots over the one acre for zoning? If he expands the cul-de-sac diameter, we don't lose area of some of these lots.

MR. PETRO: Looks like both of them could come out of lot 8.

MR. KARTIGANER: Smallest lot we have is 1.14 acres.

MR. TORLEY: Want to make sure you don't have to come back to us. With the proviso that you are putting in primarly for protecting the wetland and blockage of even a minor subdivision without coming back to the Planning Board, I would have no objection. I would request as a member of the public that you put in the file that when this does eventually come back for the Planning Board, even if it's a minor subdivision, that it go to a public hearing. I know you're not required for that for the minor subdivision and you don't want to bind a future board but I'd like the record to know that someone from the public would like to make sure it does get a public hearing.

MR. PETRO: I think you have just read that into the minutes, thank you. Anyone else here for the public hearing.

ED TROTMAN: 165 Twin Arch. I live right across from one of the roads that is coming out, am I too late to beef about that? I get, I'm going to get headlights

right in my living room every day somebody pulls up and down that road.

MR. BABCOCK: Are you the owner of the property?

MR. TROTMAN: Yes, sir.

MR. BABCOCK: What's your name?

MR. TROTMAN: Ed Trotman.

MR. LANDER: Can you show which one is yours?

MR. TROTMAN: I bought it from--

MR. BABCOCK: It doesn't matter--

MR. TROTMAN: I don't know if I have got a right to complain about that but something that bothers me I look out and I see two orange posts straight out of my living room, I know those two orange posts are going to turn into two white headlights.

MR. PETRO: Andy do you want to answer that question? I don't know of any restrictions that the New Windsor Planning Board could restrict a property owner, I don't know if there's any statutes for headights or I'm not blowing your problem off but specifically, no.

MR. TROTMAN: That is what I am here to find out if I am allowed to complain.

MR. BABCOCK: We can ask the applicant to look in to see if there's some type of way to protect being that I don't know whether there is but if there's some way of planting some shrubberies somewhere.

MR. LANDER: Well, the only way you can do that, Mike, is by planting shrubbery on his property.

MR. BABCOCK: We're not asking the applicant to do that. We're asking the applicant to look tonight and if the applicant feels if he could do that then they can work that out.

MR. LANDER: Scott, can the road be shifted down?

MR. KARTIGANER: I really, our control mostly if it's anything, are the sanitary systems on this site and we're really, it's tight as it is trying to fit the wells and the sanitary systems and everything else in fact after this we're taking it to the Health Department.

MR. PETRO: Your house is sitting approximately level must be down a little bit, it's downhill.

MR. TROTMAN: It's first floor, it's pretty level.

MR. LANDER: Ron, we have asked in the past for the applicant you know to provide some type of screening for situations similar to this, so the headlights won't shine.

MR. SCHIEFER: The applicant can't do it on his property, has to do it on the person that is objecting.

MR. LANDER: Right, that is the same thing happened on Bull Road so why don't we look into that?

MR. PETRO: Scott, can you check with the applicant to see if indeed maybe you can put some shrubbery. It would have to go on your property, obviously.

MR. TROTMAN: I don't care, you know.

MR. PETRO: Maybe four or five, five foot pines, I don't know what kind of growth to put there to block it off. I know mums won't do it. At some point, you'd have recourse. Any other people here want to speak on this?

MR. TORLEY: Could you indicate on the map where you put the perc test holes on these lots?

MR. BABCOCK: They are on there.

MR. EDSALL: P.T. for perc test.

MR. PETRO: Any other questions for the board or the

applicant? If not, at this time, I'd like to close the public hearing, if I can have a motion to do so and turn it back to the board.

MR. SCHIEFER: Make a motion we close the public hearing.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded to close the public hearing on the Fox River Park Subdivision. Any further discussion? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Do we want to discuss anything?

MR. LANDER: Only problem we have with lot number 8 we've seen this quite a few times, I'd like to make a motion to declare negative dec.

MR. DUBALDI: I'll second the motion.

MR. PETRO: Motion has been made and seconded to declare neg dec on Fox River Park Subdivision. Is there any further discussion from the board members?

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: New Windsor Planning Board would require that a bond estimate be required in accordance with Paragraph A(3)(j) of Chapter 19 of the Town Code. Work that out with Mark Edsall and his office.

MR. EDSALL: Since one road now is a, as we discussed

it, flip flopped, a couple different ways to go to be a public road, we not only need estimate for A(3)(j), we need public improvement bond estimate. Again, they can be done when you come back prior to final.

MR. PETRO: You have to do one more workshop for the numbering of the lots for the 911 so at that workshop, I think you can work everything out with Mark. I would suggest immediately getting a set of these plans to the Highway Department so we can get his approval or disapproval and know how we stand on it.

MR. KARTIGANER: We've given some sets, we'll send him another set.

MR. PETRO: Whatever needs to be done to get some input back to us. We can't do anything or act on anything until I have something. We have nothing. Matter of fact, the last one is disapproved, that is what I have is disapproved.

MR. KARTIGANER: He doesn't like I mean that was his bone, he's just not too fond of having two roads going in there, that is his basic disapproval.

MR. PETRO: We have gone awful far to get to this point without having the highway superintendent's approval, we've set up a public hearing without approval from the Highway Department which I don't understand too much, cul-de-sacs, don't see any drainage. Have you addressed drainage? Is there any on-site or off-site drainage at all?

MR. KARTIGANER: There's a--

MR. PETRO: Mark, have you seen the drainage plan for this? That is one thing that should be looked into to keep him happy. I'd make a note of that.

MR. EDSALL: For the roadway?

MR. PETRO: Yes,

MR. EDSALL: Obviously, your next step that you are looking for is you're going to the Health Department,

correct?

MR. KARTIGANER: Yes.

MR. EDSALL: The review of the Health Department could effect the location of the roads, sanitary systems, whatever else, depending on their findings. I have no problem with them going to the Health Department and coming back and doing the catch basins and whatever else is needed. Because Health Department is going to decide where the development can occur.

MR. COPPOLA: How can we nail down the Highway Department or the chief to make sure he responds or get his comments on what's the best way to do it?

MR. BABCOCK: Basically, call him and make an appointment, show him the map, go over it with him and get him to write us and make a review sheet.

MR. COPPOLA: He'd be willing to set an appointment?

MR. BABCOCK: Sure.

MR. KARTIGANER: This thing hasn't changed, this thing has been like this since first day we came into the board.

MR. BABCOCK: It's not the issue whether it changed. What we need is something from him saying that he has no objection where the entrances off the roads are, this one here we're not changing.

MR. PETRO: I don't have any indication of anything anywhere that those roads are good in that spot.

MR. LANDER: The only thing you have is disapproval if nothing is changed then he still has a disapproval to this plan so if nothing is changed so until we get something from him, we'll have to wait.

MR. KARTIGANER: Part of the reason he changed it we had two public roads coming to it and he didn't want to take two public road cul-de-sacs. We changed one to a private road and it would stay as a private road until

we make a connection.

MR. PETRO: We're going to take Mark's advice, we're going to do that exactly. We're going to go probably if the rest of the board goes along with it, I don't see any other major problems, preliminary approval and sent to the Health Department. Let's get back their input. In the meantime, I would suggest that some applicant or yourself see Mr. Fayo and get to work on it, you know, there's going to be, I don't foresee a major problem.

MR. COPPOLA: When were his comments dated, is that this past year?

MR. PETRO: Last one I have from him where there's an actual comment, 5/17/90.

MR. EDSALL: I've got a disapproval in July of '91.

MR. PETRO: I have other disapprovals but it all reverts back to too many cul-de-sacs, don't see any drainage.

MR. EDSALL: No reason why concurrent with your Health Department application, you can't work with Mr. Fayo to get that resolved.

MR. PETRO: Motion, if there's no other discussion, to give these gentlemen, the applicant, preliminary approval so he can get them sent there, get him sent to the Orange County Health Department.

MR. SCHIEFER: That is required to get it to the Health Department? I hate to give preliminary approval. We don't have one of the department's approvals.

MR. PETRO: I agree with you. I'm doing it strictly on Mark's comments that it's okay. I don't understand why they are not here or why it hasn't been done because the application has been going since 4/16/90.

MR. EDSALL: If you give them preliminary approval before they can ask for final, they have got to react to whatever Skip needs for acceptable Town road specs.

MR. PETRO: Also sending a message to Skip, we don't have any problems with the roads, we don't see any problems, we can look at it that way.

MR. EDSALL: I believe we can get it resolved.

MR. LANDER: I make a motion that we grant preliminary approval to the Fox River Subdivision.

MR. SCHIEFER: Mark, do you think you'll be able to solve the issue of the highway department?

MR. EDSALL: I believe so.

MR. SCHIEFER: I'll second it.

MR. PETRO: Motion has been made to give approval to Fox River.

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

SCOTT KARTIGANER, P.E.

CIVIL/ENVIRONMENTAL ENGINEERING & PLANNING

- 565 Newfield St. #7, Middletown, CT 06457
- 555 Blooming Grove Tpk., New Windsor, NY 12553
  (914)562-4391 (203)346-6610

June 27, 1994

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

Subject: Fox River Park Subdivision/ Twin Arch Road Property

Dear Planning Board:

Please be notified that the improvements to the subject property as required to meet OCHD conditions for the on site sanitary system application on the proposed lots are taking longer than anticipated. We are diligently working to meet these conditions.

We are requesting that the active status of the project be continued for an additional 6 months from even date. Thank-you in advance for this courtesy.

Very truly yours;

Scott Kartiganer, P.E.

(N) Y
(S) L

cc/ Herman Fuchs
90004-A/
Fuchsl.doc

4 ayes
0 nays
1 yr as of 6/1/94

ANDREW S. KRIEGER
ATTORNEY AT LAW
219 QUASSAICK AVENUE
SQUIRE SHOPPING CENTER, SUITE 3
NEW WINDSOR, NEW YORK 12553
(914) 562-2333

August 2, 1994

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

Attn: Myra Mason

Re: Kartiganer

Dear Myra:

At the last Planning Board meeting the Planning Board received a request from Scott Kartiganer for an extension of preliminary sub-division approval. This request was received after six months had already expired and the Planning Board referred the matter to me to render an opinion as to whether the Planning Board could grant an extension of approval not withstanding the fact that it was requested more than six months after the approval.

According to New York State Town Law Section 276, an applicant is required to submit a plat for final approval within six months of the time it received approval of the preliminary plat or the Planning Board may revoke the preliminary approval. Unlike other situations in this case the Planning Board has discretion to grant or not an extension of preliminary approval even if the application is made after six months. On the expiration of the six month period of time the Planning Board may decide at any time to revoke the preliminary approval but this would require an affirmative act of the Planning Board. If the Planning Board decides not to revoke that preliminary approval it remains in force.

In short, even though the application in this case was made after the expiration of the six month period of time, since the Planning Board had not acted to revoke the preliminary approval it is still in effect and the Planning Board may , but it does not have to, agree to extend the preliminary approval time. The time period of such an extension is also within the discretion of the Planning Board and need not be any set time such as six months.

Please bring this and the other letters enclosed to the attention to the members of the Planning Board and especially to the attention of the Chairman.

Thank you.

Very truly yours,

ANDREW S.KRIEGER

ASK:mmt

CORRESPONDENCE

FOX RIVER

MR. PETRO: Fox River subdivision, under correspondence, extension of approval.

MR. BABCOCK: Twin Arch Road, the loop that went in there.

MR. KRIEGER: The extension of preliminary approval on a subdivision, if I remember correctly, it had expired. Now, unlike the other situations this is the way it works with preliminary approval an a subdivision. After preliminary has existed for six months, the Planning Board may at any time after that decide to close down the application. If they don't do anything, if it, if it doesn't do anything and the applicant may apply for an extension. Even though the two six months has expired and applicant is waiting after that six months expiration runs the risk that the Planning Board will jump in and terminate it before they have a chance to apply. But if they are lucky and it hasn't been terminated, they can apply. The Planning Board may or may not in its discretion grant an extension and they are not limited to six months. They may grant more or less. In this particular case, this applicant was fortunate in that the Planning Board took no action with respect to this. So they may get an extension, they may on the otherhand may look and say whoa, well, now that you have brought it to our attention.

MR. PETRO: You're telling us that we can vote any way that we like, correct?

MR. KRIEGER: Exactly.

MR. PETRO: We have a letter from Fox River subdivision for extension of the six month preliminary which we can give as many as we want in preliminary.

MR. KRIEGER: It need not be six months.

MR. LANDER: This is the first extension.

MR. PETRO: I'm not aware of that. Mark, do you know?

MR. EDSALL: I'm not quite sure. I don't have that file with me.

MR. VAN LEEUWEN: I'll so move. We have always given six month extension, I don't see--

MR. LANDER: Ron second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant six month extension for Fox River subdivision commencing at the date of the of the last expiration or from this date?

MR. DUBALDI: Expiration

MRS. MASON: It's going to be expired again. It's going to catch up.

MR. VAN LEEUWEN: Give him a year, I'll amend.

MR. PETRO: Motion has been restated for one year extension.

MR. LANDER: Does he have to pay for it?

MR. VAN LEEUWEN: No. We charge enough fees in this town.

MR. PETRO: Why don't we make it as of June 1, 1994 one year extension. Is everyone in agreement?

MR. VAN LEEUWEN: No problem.

MR. KRIEGER: Starting June 1, 1994.

ROLL CALL

MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

FOX RIVER PARK SUBDIVISION 90-18

MR. PETRO: Mark, I want to go over, this is correspondence from Scott Kartiganer. Town of New Windsor Planning Board, please be noted that the improvements to the subject property is required to meet OCHD conditions for the on-site sanitary application and the proposed lots are taking longer than anticipated, we are working to meet these conditions. We are requesting that the active status of the property be continued for additional six months from the date above. Thank you in advance for your courtesy. Scott Kartiganer. This is for Fox River Park subdivision, Twin Arch Road property.

MR. EDSALL: It's my understanding that that application had a preliminary approval that expired quite a long time ago. So I think you should refer to to the attorney to determine if you can give an extension to something that expired probably two years ago.

MR. PETRO: It is true, we can give as many six month extensions we can give.

MR. EDSALL: The question becomes can you extend something that expired? I don't want to touch that one. That is the attorney's territory.

MR. PETRO: Why don't you review that. Let's not do it now. Review that.

MR. KRIEGER: I can't do it now anyway.

MR. PETRO: We'll come up with an answer and get in touch with them.

#90-18

COUNTY OF ORANGE

Department of Health

124 MAIN STREET (1887 BUILDING), GOSHEN, NEW YORK 10924-2199
TEL: (914) 294-7961

Joseph Rampe
County Executive

Sally Faith Dorfman, M.D., MSHSA
Commissioner of Health

February 4, 1994

Scott Kartiganer, P.E.
535 Blooming Grove Turnpike
New Windsor, NY 12553

Re:
Fox River Subdivision
T. New Windsor

Dear Mr. Kartiganer:

During a joint site inspection with this office on December 3, 1993, it was noted that a significant amount of earthwork was being undertaken on this project. The modified designs of the sewage disposal systems are significantly different than those proposed in the original submission. Substantial revision of the plans for this project will be required. Resubmission of these plans must include a clear description of the earthwork performed on each lot.

During the aforementioned site inspection, a representative of this office witnessed percolation tests on lots 3,6, and 7 and deep test pits on lots 1,4,6, and 7. Satisfactory conditions were noted on each lot, although relocation of facilities on lot 7 was required. Due to the changes in the design of the proposed systems, additional soil tests will be required by this office. A representative will wish to witness percolation tests on lots 1,5A, and 5B as a minimum. More tests may be required, depending on the information provided in the resubmission of this project. This office will not witness any additional soil tests until after we have completed our review of the resubmission.

This office grants your request for a time extension on this project through August of 1994.

Very truly yours,

Greg A. Moore

Greg A. Moore, P.E.
Sr. Public Health Engineer

GAM/WSO/aje
cc: Herman Fucas
T. New Windsor
File

90-18

SCOTT KARTIGANER, P.E.
555 Blooming Grove Tpk.
New Windsor, N.Y. 12553
(914) 562-4391

28 January, 1994

Orange County Department of Health
Orange County Building
Main Street
Goshen, N.Y. 10924

ATTENTION: Greg Moore P.E.

SUBJECT: Health Dept. Permitting ; Fox River Subdivision/ New Windsor

Dear Mr. Moore:

As per our tel-con of 24 Jan 1994 I am requesting that the OCHD application period be extended 6 months for the subject project due to weather delay in finalizing the required health dept related field work. This letter will also be forwarded to the Town of New Windsor requesting their concurrent extension of preliminary approvals and to keep the board abreast of the project.

Additionally we would request some written verification of the OCHD site visit to memorialize the observation of the successful field testing for sanitary fields on the project.

If there are any questions, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

Scott T. Kartiganer, P.E.

cc: Herman Fuchs
Town of New Windsor

STK:lmm
Encl. a/s

di 159
FUCHDOH.doc

RECEIVED FEB - 1 1994

KARTIGANER
ASSOCIATES, P.C.
CONSULTING ENGINEERS

555 BLOOMING GROVE TURNPIKE • NEWBURGH, NY 12550-7896 • (914) 562 - 4391

18 November 1993

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

ATTENTION: JAMES PETRO, PLANNING BOARD CHAIRMAN

SUBJECT: FOX RIVER PARK SUBDIVISION
TWIN ARCH ROAD
NEW WINDSOR, NEW YORK

INFORMATIONAL LETTER

Dear Mr. Petro & Board:

This letter will serve as notification that we are continuing to work on the SUBJECT project. The extended time period is due to the process of specific Health Department regulations.

If there are any questions, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

Scott T. Kartiganer, P.E.
Project Manager

STK:lmd

cc: Mr. A.J. Coppola
Mr. Herman Fuchs

NWPB1118.LTR
di 154

11-27-93

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

March 4, 1993

FOR PROFESSIONAL SERVICES RENDERED

Re: Twin Arch Subdivision 90-18

12-23 receive and review proposed agreement
tc and letter to J. Rones, Esq.

Time .6 x $100.00 $60.00

KARTIGANER
ASSOCIATES, P.C.
CONSULTING ENGINEERS

555 BLOOMING GROVE TURNPIKE • NEWBURGH, NY 12550-7896 • (914) 562 - 4391

23 February 1993

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

ATTENTION: JAMES PETRO, PLANNING BOARD CHAIRMAN

SUBJECT: FOX RIVER PARK SUBDIVISION
TWIN ARCH ROAD
NEW WINDSOR, NEW YORK

INFORMATIONAL LETTER

Dear Mr. Petro & Board:

I am writing this letter just to inform you that we will have some equipment at the site per the requirements of the Orange County Health Department for the testing and preparation of sanitary systems. Some rough access road work will be done also along the areas of the proposed cul-de-sacs and future road.

If there are any questions, please do not hesitate to contact me at your earliest convenience. Work is anticipated to begin in the next several weeks.

Very truly yours,

KARTIGANER ASSOCIATES, P.C.

Scott T. Kartiganer /gm

Scott T. Kartiganer, P.E.
Project Manager

STK:lmd

cc: Mr. A.J. Coppola
Mr. Herman Fuchs

NWPB0223.LTR
di 154

TOWN OF NEW WINDSOR
TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 389 Mares Hill Rd DR.
New Windsor, NY 12550

DATE			CLAIMED		ALLOWED	
6/4/92		Planning Board Meeting			75	00
		Misc - 2			9	00
		Windsor Heights - 1			4	50
	✓	AHFS - 3			13	50
	✓	Fox River - 17			76	50
	✓	Dantas - 14			63	00
	✓	Park, Fly & Drive - 21			94	50
	✓	Bernhardt - 2			9	00
	✓	Windsor Counseling - 4			18	00
	✓	N.W. Business Park - 4			18	00
		Hogan - 6			27	00
		Ross - 1 / Windsor Fire House - 2			4.50 / 9.00	
		Washington Green - 1 / Hilltop - 6 / Foxland -	2		4.50 / 27.00 / 9.00	
					$462.00	

RESULTS OF P.B. MEETING

DATE: October 14, 1992

PROJECT NAME: Fox River Sub. PROJECT NUMBER 90-18

LEAD AGENCY: _____ NEGATIVE DEC: 10-14-92

PUBLIC HEARING: 10/14/92

DISCUSSION:

Agreement should be executed before maps are stamped
Need names of streets on plan
Close public Hearing 10/14/92
Need Bond Estimate
Preliminary Approval - 10-14-92

SEND TO ORANGE CO. PLANNING: _____

DISAPPROVED AND REFERRED TO Z.B.A.: YES_____ NO_____

RETURN TO WORK SHOP: YES ✓ NO_____

APPROVED _____ APPROVED CONDITIONALLY_____

NEED NEW PLANS: YES_____ NO_____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

Need review by Skip - need something on drainage after they go to Health Dept.

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

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME:	FOX RIVER PARK SUBDIVISION (FORMERLY TWIN ARCH/FUCHS SUBDIVISION)
PROJECT LOCATION:	TWIN ARCH ROAD AND ROUTE 207
PROJECT NUMBER:	90-18
DATE:	14 OCTOBER 1992
DESCRIPTION:	THE APPLICANTS HAVE SUBMITTED A PLAN FOR THE MAJOR SUBDIVISION OF A 68.2 +/- ACRE PARCEL INTO EIGHT (8) TOTAL LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 24 JULY 1991, 16 OCTOBER 1991, 8 APRIL 1992 AND 12 AUGUST 1992 PLANNING BOARD MEETINGS.

1. The latest plan which I reviewed was received by the Board on 24 July 1992 for consideration at the 12 August 1992 Planning Board meeting. At that time, I noted that the Applicant had responded to all previous engineering comments and indicated that the plan/application was adequate for review at a Public Hearing.

   At this meeting, any concerns identified by the public can be reviewed by the Board; I can make a further review of same, if deemed necessary by the Board.

2. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.

3. The Planning Board should require that a bond estimate be submitted for this Subdivision in accordance with Paragraph A(3)(j) of Chapter 19 of the Town Code.

4. As per the 911 policy/procedures adopted by the Town, this project will require assignment of street names and numbering during the Planning Board review process (details can be discussed at next Technical Workshop).

5. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:FOX2.mk

PLANNING BOARD : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK
----------x
In the Matter of Application for ~~Site Plan~~/Subdivision of
Fox Run Subdivision (formerly Lucas Arch Subdivision), #90-18
Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

----------x

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

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

That I am not a party to the action, am over 18 years of age and reside at 350 Bethlehem Road, New Windsor, NY 12553.

On September 28, 1992, I compared the 26 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

Sworn to before me this

28th day of September, 1992

Cheryl L. Canfield
Notary Public

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
4881654
Commission Expires December 29, 1992

AFFIMAIL.PLB - DISC#1 P.B.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on October 14, 1992 at 7:30 P.M. on the approval of the proposed Subdivision (Subdivision of Lands)* [redacted]* OF Fox Run Subdivision (formerly Twin Arch Subdivision) located at Twin Arch Rd, s/b/l: 55-1-24.31

Map of the (Subdivision of Lands) [redacted]* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: 9/28/92

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

NOTES TO APPLICANT:

1). *Select Applicable Item.

2). A completed copy of this Notice must be approved prior to publication in The Sentinel.

3). The cost and responsibility for publication of this Notice is fully the Applicants.

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1763

August 31, 1992

Fuchs, Herman & Mina Lee
c/o 640 Chestnut Ridge Rd.
P.O. Box 322
Spring Valley, NY 10977

Re: Tax Map Parcel: 55-1-24.31

Dear Mr. & Mrs. Fuchs:

According to our records, the attached is a list of all properties contiguous to the above referenced property.

The charge for this service is $35.00, minus your deposit of $25.00. Please remit the balance of $10.00 to the Town Clerk's office.

Sincerely,

Leslie Cook (CD)

Leslie Cook
SOLE ASSESSOR

LC/cad
Attachments
cc: Myra Mason

Colony Farm Patrnership
Twin Arch Rd.
Rock Tavern, NY 12575

Garvey, John J. & Eileen J.
RD 1 Box 156
Monroe, NY 10950

Frank, Milton & Norma
6 Lincoln Dale Acres
Washingtonville, NY 10992

MTA
Stewart Airport
New Windsor, NY 12553

Martin, Robert L. & Ethel M.
Box 65, Route 207
Rock Tavern, NY 12575

CBC Management Inc.
44 Verdin Dr.
New City, NY 10956

George Green
James Petro
Mark Edsall
Pauline Townsend
Andrew Krieger
} 5

21 List
5 Official
26 Envelopes

Marino, Carlo J.
Twin Arch Rd.
Rock Tavern, NY 12575

Nespoli, Ralph
Twin Arch Rd.
Rock Tavern, NY 12575

Comulada, Ralph Jr. & Samantha S.
Twin Arch Rd.
Rock Tavern, NY 12575

Browne, John Joseph & Margaret June
RD 1 Box 341B, Twin Arch Rd.
Rock Tavern, NY 12575

West, Richard H. & Genevieve
Twin Arch Rd.
Rock Tavern, NY 12575

Moses, Steven R. & Marks, Beth S.
Twin Arch Rd.
Rock Tavern, NY 12575

Trautmann, Edward S.
Twin Arch Rd.
Rock Tavern, NY 12575

Geffon, Michael & Lorraine
Twin Arch Rd.
Rock Tavern, NY 12575

Butler, Gregory & Jane
158 Twin Arch Rd.
Rock Tavern, NY 12575

Brischoux, Philip & Eileen
51 Twin Arch Rd.
Rock Tavern, NY 12575

Kubenik, Michael J. & Mary
2221 Cross Bronx Expressway
Bronx, NY 10462

Jezik, Michael & Louise & Henry & Margaret & Roche, Mary
2 Gersten Dr.
Croton-on-Hudson, NY 10520

Jezik, Henry & Margaret
3512 29th Street
Astoria Long Island, NY 11106

Hornacek, Agnes & Joyce Ellen
23-25 127 St.
College Point, NY 11356

Washington, Mary B. & William A.
Route 207
Rock Tavern, NY 12575

RESULTS OF P.B. MEETING

DATE: 8/12/92

PROJECT NAME: Fox Run Sub.

PROJECT NUMBER 90-18

LEAD AGENCY:

NEGATIVE DEC:

PUBLIC HEARING: yes (8-12-92)

DISCUSSION:

Submitted an agreement - Discussion Re: Road Specs.

SEND TO ORANGE CO. PLANNING:

DISAPPROVED AND REFERRED TO Z.B.A.: YES NO

RETURN TO WORK SHOP: YES NO ✓

APPROVED APPROVED CONDITIONALLY

NEED NEW PLANS: YES NO

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL:

FOX RUN SUBDIVISION (FORMERLY TWIN ARCH SUBDIVISION (90-18) TWIN ARCH ROAD

Drew Kartiganer and Joseph Rones, Esq. came before the Board representing this proposal.

MR. PETRO: Was that name changed because of New Windsor problem with the Police Department or was it done from the builder?

MR. KARTIGANER: Builder, developer.

MR. PETRO: Wasn't duplication of anything like that?

MR. KARTIGANER: No.

MR. DUBALDI: We have Fox Run, Fox River, Fox Farm, Fox Wood; so, we have four foxes.

MR. PETRO: Your last Planning Board appearance there was a no show.

MR. KARTIGANER: The last agenda we made we had it on was cause the last meeting we went to was for a discussing what to do with lot #8.

MR. PETRO: Okay, go ahead.

MR. KARTIGANER: Since the last meeting, we have addressed the comments of the engineer, Mark Edsall, submitted a new long form EAF, per his request and I believe took care of the legal requirements of Joe Rones and Andy Krieger. Those were the outstanding items, major outstanding items that needed to take place. At this time, we are requesting completion of this plan so that we can go to the public hearing preliminary approvals.

MR. PETRO: Mr. Kartiganer, I remember last time we discussed at length about lot #8 as the agricultural lot. We were going to have something written either on the plans someone's going to help me with that, to insure that the lot wasn't going to put up for taxes and let go. How did we address that.

MR. KARTIGANER: Right, well what we did the note that we did have on the plan was agreed upon after the last

meeting. That note was fine but the way this is being taken care of is with a Joe can maybe answer this better.

MR. RONES: I have the latest draft of that perhaps Mr. Krieger can review and there's one for the Chairman.

MR. PETRO: I'll let Andy take care of it as long as it's, I'm not going to read it because I probably won't understand all of it.

MR. RONES: Well, it's pretty straight forward in a nutshell.

MR. PETRO: Covers what I just discussed?

MR. KARTIGANER: That was the whole purpose of it.

MR. RONES: It a restriction against development or further subdivision pending approval of the Planning Board.

MR. PETRO: Fine.

MR. KARTIGANER: Those were the major items. The other major item, I'm sorry just to bring that up, is that one was a designated one road as a public road, the other road as a private road. The road called Phyllis Lane is going to be designated as a public road. The one designated as Bruce Lane on the southern end of the subdivision will be designated as a private road.

MR. PETRO: It is my understanding that the road on the southern end will be built to town specs in the event that the road should ever be looped, this other road will have already been built to town specs. Is that correct or not, is it going to be built to private road specs?

MR. KARTIGANER: Well, it's going to be the sub-bases are going to be built to public road specification, they will probably won't put in the, the courses are required for the public.

MR. PETRO: Do you have a road detail on the plan?

MR. KARTIGANER: Yes.

MR. LANDER: Shows private road specifications, rural street specification, I'm just reading it now, 15 inches run-a-bank gravel.

MR. KARTIGANER: Yeah, they are both the same 15 inches.

MR. LANDER: We have 8 inches of crushed shale or graded gravel in the private roads so that's going to have to be changed to 15 inches and that will be the only change on there because your base is going to have to be equivalent to the rural street specifications because then you can put your pavement on top of that.

MR. PETRO: You can address that right because the bottom line is you're here to get a public hearing scheduled.

MR. KARTIGANER: Right.

MR. LANDER: The only other problem we have width of the street is going to be the same, no?

MR. KARTIGANER: See, the right-of-way width is the same.

MR. LANDER: Right, just your pavement is not going to be -- yeah, all right, you'll be all right, you're 18 feet from the center line, that's wrong, should be 18 feet across.

MR. BABCOCK: Mr. Chairman, we discussed with the applicant that if this road is to be looped, he'll have to whatever has to be done, will have to be done to bring up to town road specs.

MR. PETRO: That is a good idea now if you're going to do the sub-base, to get it up to town specs.

MR. VanLEEUWEN: You have to put the sub-base to town specs otherwise you have to tear it out. I'm just sitting here reading this agreement. Gentlemen, it really doesn't cover what I'm afraid of. And you know what I'm afraid of, this things is going to wind up going to the county.

MR. PETRO: Did you have a chance to review it?

MR. KRIEGER: Yes, I have reviewed it. The central problem with what we are talking about I don't see any way in which to require or bind the present owner in the future to which is what you're talking about to pay your taxes. And that is as I understand it that in essence is the concern if they don't it goes to the county. But, I don't know of any way to require them to do so. However, if I think it's the proposal here if this agreement is recorded and that is what it is designed to do, it's recordable form, all it needs is to be required that it be recorded before final approval. Anybody that takes even if they do let it go would take it subject to what is on the record, in terms of the restrictions so then it wouldn't matter what it was and it's not really a concern of the Planning Board if it's Fuchs or whether it is somebody else.

MR. PETRO: At this time, I'll tell you what if you're satisfied with it as Planning Board Attorney, then let's go on to something else. If you say that it does cover in essence what it's supposed to be doing, we'll go with it, okay?

MR. KRIEGER: From my review of it, so far, I think it does.

MR. VanLEEUWEN: Well, it covers it, it's got to come back to the Planning Board, that's no problem but that's my primary concern. It's been my concern from the beginning and it still is my concern.

MR. PETRO: Any other comments from the Board members other than the public hearing at this time because we are going to get to that?

MR. VanLEEUWEN: I'll make a motion that we set this up for a public hearing.

MR. DUBALDI: I'll second it.

MR. PETRO: Motion has been made and seconded for Fox Run Subdivision for a public hearing. Any further discussion from any other Members of the Board? If not, roll call.

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Petro	Aye

MR. PETRO: Okay, through Mark's office and Mike, we'll get a notice of when the public hearing will be and we'll see you then.

MR. KARTIGANER: Do we have comments from Mark?

MR. PETRO: Not really, nothing that we didn't do so--

MR. KARTIGANER: Good, thank you.

Date ....., 19.....

TOWN OF NEW WINDSOR

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

TO Frances Roth 359 Moores Hill Rd DR.
New Windsor, NY 12553

DATE			CLAIMED		ALLOWED	
8/12/92		Planning Board Meeting	75	00		
		Misc - 9	✓ 40	50		
		Windsor Enterprises - 1	✓ 4	50		
		Mt. St. Joseph - 2	✓ 9	00		
	✓	N.W. Golf Club - 5	✓ 22	50		
	✓	Fox Run - 5	✓ 22	50		
12-30	✓	Stewart's - 7	✓ 31	50		
12-31	✓	AHFS - 4	✓ 18	00		
[illegible]	✓	Korngold - 8	✓ 36	00		
12-11	✓	Path, Drive and Fly - 23	✓ 103	50		
		Superior Auto - 5	✓ 22	50		
		Weedlawn - 1	✓ 4	50		
		Blossom Heights - 1	✓ 4	50		
				394.50		

TWIN ARCH SUBDIVISION (90-18) TWIN ARCH ROAD

Joseph Rones, Esq. came before the Board representing this proposal along with Drew Kartiganer and Mr. Cappola.

MR. PETRO: This has been reviewed by fire and it was approved on 3-31-92.

MR. VAN LEEUWEN: I still have the same problem I did before unless that's being rectified.

MR. RONES: I don't want to dissuade you from discussing whatever that problem is but --

MR. VAN LEEUWEN: That is exactly what you're trying to do.

MR. RONES: But the reason that or the principle reason that I'm involved with this part is that there was some concerns that is identified as Item Number 5 in Mark Edsall's comments dated April 8, 1992 and it has to do --

MR. VAN LEEUWEN: Can you read those comments?

MR. RONES: With regard to the proposed balance parcel, identified as Lot Number 9 on this plan same is indicated as to remain "an agricultural parcel as it presently is designated". It's my recommendation that the current status and the future deed restrictions be reviewed by the Planning Board Attorney.

So, pursuant to that note, I met with Andrew Krieger middle of last month and we had a discussion about this balance parcel and we came to some conclusions that to make a long story short, really weren't satisfactory to the subdivider. But, aside from the conclusions that we reached, we discussed a number of possibilities, one of which was to create an agreement between the Planning Board and the subdivider that could be filed in the County Clerk's's Office because I understand there's some reluctance or fear that the balance parcel which is shaded in yellow there if it's not developed might just be let go for taxes, be taken over at a tax sale by the county, be picked up by somebody and be developed in some way. That is contrary to the Health

Department regulations.

MR. VAN LEEUWEN: That is exactly my fear.

MR. RONES: Okay, so there are two ways of dealing with that. One is to put notes on the map which and they are not necessarily alternatives both can be done and the other is to create an agreement that can be filed in the County Clerk's Office so I prepared an agreement and I submitted it to Mr. Krieger for his review and the problem between Andrew and I isn't so much a problem between Andrew and I as we are not just sure and we want to make sure that we get directions from the Board and a consensus from the Board as to what they want. So, my understanding is that the concern is this balance parcel not be developed until such time as a septic system is approved by the Orange County Health Department for one thing and for another thing, that it not be further subdivided without approval of the Planning Board. So --

MR. VAN LEEUWEN: That is not what my concern is. And I'm saying myself, okay, I know what this land looks like in the back, I have been back here, it's going to be a tough piece to use. What my concern is he's taking the best land out and I can't knock the man for that and he might not be doing this on purpose, I have no idea, I can't sit here and read his mind but it would look like to me that that piece would eventually they are taking the best lots out and they are going to walk away and let it go back to the county and that is something if you can show me a way or show me myself a way and I'm only one member that that will not be done and it's acceptable to me that I have no problem with the rest of the subdivision. But you were on this Board for quite a number of years and you know it's happened to us before.

MR. RONES: WEll, that I don't know but I mean there's nothing that can really guarantee that any piece of property whether it has certain features or doesn't have certain features is not going to become the victim of some economic problem and the other as the case may be isn't going to pay his taxes, the county will own it and they may sell it in the future. I don't think anything --

MR. VAN LEEUWEN: He can figure that very easily, he

can take and cut it up into three or four lots, design septics on it and run it through the County Health Department.

MR. KARTIGANER: The reason is we had shown earlier when we were starting to do this project that the second phase we could come in and we had already shown a proposed layout of a number of clustered lots, what our intent was is to on the second phase that we had shown this in front of the Board it was a while ago was to come in with a I forgot how many more --

MR. CAPPOLA: About 18.

MR. KARTIGANER: Another 18 lots under the cluster provision of Town Law, not a variance.

MR. VAN LEEUWEN: You're not going to get 18 lots, you're not going to get 14, you're not going to get 10 lots out of that piece. I just want to protect this town, that's what I'm here for, no other reason that we don't pay the taxes on this piece.

MR. KARTIGANER: What I'm saying is that that portion that is shown and you had walked it but what we're doing in the first phase of this is try to get some single family lots out of it so that the subdivider and proceed, get some income to pay for the second phase of this project which is quite a bit more intention, he's talking about a sanitary system and whatnot. The portion that is reserved, the portion that is above this stone wall here is all buildable property and the intent at a future time was to preserve this and see if we could do a cluster project instead of running a road here, building some lots to do as a cluster project.

MR. PETRO: The better piece of the --

MR. KARTIGANER: Even on this plan we're showing and that was part of where we did the cul-de-sac, we're actually showing at the request of the Board approximate location of where the future road is going to go in.

MR. PETRO: I have a question, why is the New Windsor Planning Board at this time questioning what is going to happen with the balance of this property and I'm asking because I want to know, is it because it's wet?

With other applicants, we don't normally say well what would happen with the rest of your property when you are developing only part of it.

MR. VAN LEEUWEN: Can I answer that question for you? Let's you and I take a walk back there and I won't have to say a word to you.

MR. PETRO: The property is very wet and not usable for anything?

MR. VAN LEEUWEN: It's nothing but rock, believe me Mr. Chairman what I think before we move any further, let's go out on there and take a look, walk in the back and I won't have to say a word to you. Matter of fact, I won't even go.

MR. PETRO: Here's the point I'm making. If the applicant wants to come in with this many lots on that piece of property, what reasoning do we have to question what will happen with the remaining piece of that property, if indeed he wanted to let it go for taxes.

MR. VAN LEEUWEN: Town of New Windsor taxpayers have to pick up the tab, that's not what we're here for.

MR. KRIEGER: I asked for this matter to be put on for discussion. I think the nub of the complaint here is that they put a map on here that says Lot Number 9, the whole thing that includes the proposed new road and the proposed subdivisions as well as this area down in the bottom designated as wet and rock, it says this area shall remain an agricultural parcel as it's presently designated. Well, my problem is that I can't, the note is misleading. It seems to indicate that the whole thing is going to remain forever wild, if you will and yet at the same time the Board is hearing discussion about future subdivision.

MR. VAN LEEUWEN: It's zoned agricultural one acre is the zoning and that is why he left that. I have no problem with the note.

MR. KRIEGER: My first concern --

MR. VAN LEEUWEN: I have built a lot of houses in my time, 35 or 40 and there's a lot of places you're not

going to get a house in there.

MR. PETRO: Whatever reasoning they come back say somebody does pick this up at a sale or whatever happens to this remaining Lot Number 9, they are going to have to come before this Board and we are going to have to approve this.

MR. KRIEGER: Unless they want to build one house on the whole thing.

MR. BABCOCK: We have had some past problems, Mr. Chairman, with lots and we used to have the developer put on not for building purposes at this time and I can tell you that every lot that had that note on it has a house on it right now. And so on and so forth, if this is an agricultural lot, it clearly cannot even have one house on it, they are not designing a system for this lot, if they wanted to put one house, they have to design a system right now what they want to do is leave the lot so it's not buildable whatsoever not even one house so the thing is here is that typically there is times where the Planning Board would ask that this lot be tied in with one of the other lots, this is a way of doing it, what they are proposing. Either it could be tied in with one of the other lots.

MR. PETRO: In what fashion?

MR. BABCOCK: Make it part of the Lot 8 that's a buildable lot.

MR. RONES: Then we can't sell Lot 8.

MR. BABCOCK: Right, when they come back they further subdivide out Lot 8. I'm not saying you're doing something wrong. We have handled it where you have an agricultural lot where it's not a building lot whatsoever and it's up to the Board.

MR. KARTIGANER: The crux of our problems is the Orange County, the new regulations for the Orange County Health Department in essence and this is something that we have done on Lot 5, Lot 5 and we put this in the minutes of the Board is that it's going to be, this will be a future, this is under Mark's suggestion, it's going to be looking to subdivide this at a later time. The problem is with the fill system, it would be a fill

system, a fill system by the Orange County Department of Health basically you have to build a system under the new regulations, you have to invest the money before you get approval. The second phase that the property that is over here we can show a fill system in here somewhere, go through that exercise we'll be doing a $10,000 exercise designing a fill system and that is not the intent which we have shown you before, you had requested. What we are looking at is the possibility of doing with the remainder of the parcel, which we had shown and this is how the future road got located and shown, we are going to look to come in with a cluster at another date and to make us go through like a $10,000 exercise to put on a fill system for that lot we are trying to do everything that we can get away without it, what can I say about the value of the property.

MR. VAN LEEUWEN: That is not my problem. My problem is one thing and I said it right off the bat and I'm only one person, these guys all have their own votes, how can we protect that this piece doesn't go to the town, that's what I'm going to say is going to happen due to the lay of the land, if this was normal land, I'd never question it because I know what land is worth, we all know what land is worth. But, I also know what this is worth.

MR. PETRO: How about solving the problem with the road if they put money into the road, if they connect the loop.

MR. RONES: If I can suggest, I think the land from a tax point of view or a marketing point of view is worth more separated out even though any development is of course subject to Health Department and Planning Board review or at least Health Department review if it's just going to be one single lot then if it's attached to these other lots, I mean if it's so rocky and unsuitable, it's attached to any of these lots it isn't going to produce anything in the way of revenue for the town or the county or the school district anyhow.

MR. PETRO: It would attach it something that has some value, would have value on the building lots.

MR. RONES: These building lots are already going to have that.

MR. PETRO: If you attach it to one of the lots that is what you were saying before.

MR. BABCOCK: We have done that in the past, what happens is that you have a lot out there, I'm not quite sure what size it is without that plan in front of you and knowing the conditions of that plan that lot could receive a building permit. It's a lot, it's one acre zoning, if somebody was to come in and get a permit so it's a caution that you have to be careful with. You know, and you've down it, I think it's been done both ways.

MR. RONES: That is a different question and but that is something that we are willing and able to address by way of an agreement which if it's broken provides for attorney's fees to the town and gives neighboring properties the right to enforce it. That in fact won't be developed until a septic design is approved by the Orange County Health Department.

MR. KARTIGANER: The only reason that the only way that property would become invaluable have no value if you can't put a sanitary system on there. I think we are all agreed on that.

MR. PETRO: If you can't --

MR. KARTIGANER: If you can't put a sanitary system there, even the stream is there, one of the reasons we are going to go through and you have outfall, suitable stream that goes there, we have done this on a number of properties putting in a sand filter, it's a buildable lot even at is without doing any, we have done some perc tests on there originally, some deep tests, there's places where we can get a fill system. There's places where we can get a regular standard system but it's over on the rear of the property. It's going to be, you know, quite a expense to do it but just on the straight forward if we can get a system in there, you can get --

MR. PETRO: Is this the main reason you're here to talk about this?

MR. RONES: Yes, Lot Number 9, Item 5.

MR. PETRO: Let me poll the Board. Ron, what do you think about this?

MR. LANDER: I agree with you, we haven't asked in the past what is going to happen, we asked if they had any plans, they came in with the road, the cluster and everything else way back in the beginning and it was our design saying no, leave it agricultural designated and put a cul-de-sac at each end, don't put the road through because it was going to be in phase 2, the road I have no problem with leaving it just the way it is. Lot 9 as it stands right now, if it does go, if they do abandon it goes to the tax sale, well that's none of our problem.

MR. DUBALDI: How much of Lot 9 is usable?

MR. PETRO: From the stone wall up obviously would be good which is the top portion there.

MR. DUBALDI: You don't think the outcrops are going to be a problem?

MR. PETRO: I think today you can probably put a septic design most anywhere, especially with streams all over the property, I mean for drainage, I don't know. All I know if I owned it, I could figure out some way to do something on there.

MR. EDSALL: Just a comment on I guess it's Lot 9, I don't have a plan that's the larger parcel.

MR. RONES: Right, Lot 9.

MR. EDSALL: The intent to create it as an agricultural lot such that a sanitary design would not be necessary is both Department of Health issue and it's a town zoning issue. We have done this for other applicants where it's a large enough lot, the zoning does permit retaining it as an agricultural classified lot. To change it from that to a building lot is not only county approval, if it involves alternative sanitary systems but I believe it's a town issue for zoning because you're changing your approval. So, whatever you agreement you come in and I have no objection for the agricultural designation for that lot, we have done that with other applicants as long as it's clearly noted on the plan, clearly noted in agreement and I

would say even referred to as an restrictive covenant in the deed as long as there is a lot of red flags so we don't have another problem where if it does goes up for tax sale and what has happened is it's been purchased with the thought that it could be a residential lot and it's not. I think you have got to flag it good enough and put in a bail out that if you obtain an approval from the county and you obtain an approval from the Planning Board it can be changed to a residential lot.

MR. RONES: Well, the specific language that we propose is no structure for either dwelling purposes or any other purposes permitted under the zoning ordinance shall be erected on premises known as, designated as Lot Number 9 et cetera unless and until such lot shall have a septic system design approved by the Orange County Health Department.

MR. EDSALL: But I would say also an approval is obtained from the Town Planning Board because you are in fact changing it from an agricultural lot to a residential lot and there may be other issues. If that is the case, I really don't see any reason we are protecting it, we can do everything we can possibly to do.

MR. KRIEGER: Normally if you had one building, you wouldn't normally need Planning Board approval so it's an additional safeguard.

MR. EDSALL: And my concern is that there may be different bulk requirements when they look to change the use between agricultural and residential. There may be other requirements for driveway slopes, other conditions, we don't know that now.

MR. SCHIEFER: I tend to agree with Mark. I can't see how we can put any further restrictions on it if they agree to that kind of an agreement, they have got to do this before they try to change it, I don't think we should permit the developer.

MR. VAN LEEUWEN: That is not my concern. My concern is that it goes up for tax sale, that bothers me, that is the only concern I have for the whole thing and another thing he doesn't anywhere here that I can see what the perc test results are.

MR. RONES: We have to come in again with among other things the Long Form FAF.

MR. PETRO: They are here strictly under discussion.

MR. RONES: We are just trying to clear this issue up. We know there are some other concerns that the Board has the wetlands issues.

MR. PETRO: We are not advancing forward on anything other than other issues.

MR. KRIEGER: If I may, Mr. Chairman, Joe just touched on it, the wetlands issue both State and Federal, if this, my understanding it's not known now that if this property or any part of it is designated as a Federal wetland or is part of a State wetland which I understand that it is not, is designated as a part of a Federal wetlands that is going to change rather dramatically the situation that we were discussing about before because then neither the applicant nor any purchaser, any subsequent tax sale if such a thing would happen they would be barred by it, as designation as a wetland.

MR. RONES: There are portions of it that might be but as far as what is under consideration at the moment, the primary indication that we have and that is why we are not going forward with it but since it's brought up that the areas are considerably less than an acre, nothing in what could be a Federally designated wetland is going to be disturbed by the development and that is what the issue is, not whether there is a wetland touching any of these lots.

MR. PETRO: So, if there's, it doesn't apply.

MR. RONES: Right.

MR. KARTIGANER: We have done under request the first phase was to stay pretty far away from anything that was wetlands.

MR. VAN LEEUWEN: On the left side of the property, it's all wetlands.

MR. EDSALL: We discussed that, I believe, at the

workshops and other telephone calls, the balance parcel, the agricultural lot encompasses the areas that they believe potentially could be identified as Federal wetlands, the fact that it's being designated agricultural and no construction it will protect that status. When they come back to convert it whatever Federal wetland status you have in place that's when we have to look at it, they are changing, they may get better or they may get worse. We should look at it when they ask to change from nondeveloped agricultural to something else so it doesn't pose a problem as long as we are protecting it now and we look at it again in the future.

MR. PETRO: When they come back to the workshop, Mark, you have a handle on how we are going to handle Lot Number 9 in comment Number 5?

MR. EDSALL: Joe and Andy are going to work out the details of what agreement.

MR. KRIEGER: Yes, we will have a proposed agreement with the Board's permission after we work out a draft that we are going to ask the Board to look at before it is executed just to make sure that it addresses the concerns.

MR. PETRO: Add Planning Board approval to your notes.

MR. RONES: Yes.

MR. VAN LEEUWEN: Everybody knows my comment.

MR. RONES: There are just a couple of little points that Mr. Kartiganer wanted to raise concerning some names and things here so if --

MR. KARTIGANER: Next time we're going to try and submit it as suitable for preliminary inclusive of all your comments. One we did the wetlands, the Federal wetlands, the only one that was affected under this phase was Lot Number 7, we wanted to, we're looking at the next submittal we'll look at changing the name of the subdivision to Fox River Subdivision, if there's not any objection.

MR. PETRO: From what?

MR. KARTIGANER: Fuches or Twin Arch, the Board was concerned that there's a duplicate.

MR. PETRO: What is the name again?

MR. RONES: Fox River.

MR. VAN LEEUWEN: I think you should change the Fox, leave the Fox end of it, we have got a couple of foxes running around town already.

MR. BABCOCK: Is this the name of the road?

MR. RONES: No, just the subdivision.

MR. BABCOCK: We have got Windsor Crest, Windsor Hills.

MR. SCHIEFER: It's not an address so who cares?

MR. EDSALL: Whatever the 911 coordinator has asked whatever name is going to be utilized in the marketing and signage for the development is maintained through the approval process so that there's not one name in his files and another on the plans and then another name on the signs so that when they call in for an emergency no one knows where the heck the place is so if there is going to be a name change, we should have that on the plan and circulated for 911. So, if they are going to change it do it now or don't do it at all.

MR. KARTIGANER: That is what we want to do.

MR. EDSALL: So, they don't like duplicates so Hank's right.

MR. SCHIEFER: I have no problem.

MR. KARTIGANER: Northerly Road, just so that we can get an agreement this is the layout that we want to put in of the subdivision.

MR. VAN LEEUWEN: What is your plans for the remaining piece? Are there plans?

MR. KARTIGANER: We have, I'll bring it in and show you.

MR. VAN LEEUWEN: Okay.

MR. RONES: As long as you agree that we are not going to be hung up in this.

MR. VAN LEEUWEN: I don't agree to not go, you know me quite well.

MR. RONES: We don't want to get involved in the development of the balance parcel because this is just a big concept.

MR. VAN LEEUWEN: What I was going to ask you if you were, there's about a 4 1/2, 5 acre piece maybe 6 acre piece in there to the right side why don't you cluster that.

MR. KARTIGANER: That is what we want to do.

MR. VAN LEEUWEN: I didn't hear that.

MR. KARTIGANER: And keep the rest as open space.

MR. VAN LEEUWEN: I want you to tie the rest of the land up in such a way that people do not dump on that.

MR. KARTIGANER: Well, we'll absolutely do that. If in fact we discuss that as a homeowner's association or something along those lines. The northerly road we're looking at naming the road Phyllis Lane, should we make any submittals?

MR. PETRO: Do it at the workshop.

MR. KARTIGANER: Then that is it then, thank you.

MR. RONES: Thank you, gentlemen.

KARTIGANER
ASSOCIATES, P.C.
CONSULTING ENGINEERS

555 BLOOMING GROVE TURNPIKE • NEWBURGH, NY 12550-7896 • (914) 562 - 4391

7/23/92

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

ATTENTION: PLANNING BOARD SECRETARY

SUBJECT: FOX RUN SUBDIVISION FORMERLY TWIN ARCH SUBDIVISION,
FUCHS KA PROJECT NO. 90004.00
TOWN OF NEW WINDSOR PROJECT NO. 90-18

Dear Planning Board:

Please find attached seven (7) sets of revised plans as per the comments of the previous meeting as well as an updated Environmental Assessment Form. Modifications of these plans have included the following:

1. Bulk table rates for development coverage have been revised as requested.

2. Bulk table now includes maximum building height value.

3. The net area calculation has been revised. Also taken out the net area calculation is wetlands . Lot no.7 is additionally less private road easement and area under water. Lot no.6 is less private road easement..

4. Standard private road notes for the Town of New Windsor are on the plan.

5. The lot numbers have been revised to 1 through 8 as per the recommendation on the Engineer's comments No. 2 of April 8, 1992.

6. One road has been revised to a public road and the other road remains a private road. Both roads are named and have been modified per comment No. 3 of the aforementioned engineering comments.

7. Regarding federal wetlands, the boundary has been placed on the plan as they effect the proposed lots no.7. The balance parcel No. 8 has been reviewed between the Owner's attorney and the Town's attorney and should be close to being resolved as to the Town's

requested deed restrictions.

8. A revised Proxy Statement has been forwarded to the Town indicating Kartiganer Associates, P.C. in the proxy.

At this time we are requesting that the Planning Board schedule a required Public Hearing in accordance with paragraph 4 of the Subdivision Regulations and as enumerated on comment No. 10 of Mr. Edsall's comment sheet of 8 April, and as well we are requesting preliminary approval of the submitted subdivision.

Very truly yours,

KARTIGANER ASSOCIATES, P.C.

Scott T. Kartiganer, P.E.
Vice President

STK:lmm
Encl. a/s

cc: Herman Fuchs
A. J. Coppola

di 154
nwplboar.ltr

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**
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(914) 562-8640

☐ **Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: TWIN ARCH (FUCHS) SUBDIVISION
PROJECT LOCATION: TWIN ARCH ROAD AND ROUTE 207
PROJECT NUMBER: 90-18
DATE: 8 APRIL 1992
DESCRIPTION: THE APPLICANTS HAVE SUBMITTED A PLAN FOR THE MAJOR SUBDIVISION OF A 68.2 +/- ACRE PARCEL INTO EIGHT (8) TOTAL LOTS. SEVEN OF THESE LOTS WILL BE SINGLE-FAMILY RESIDENTIAL LOTS WITH THE BALANCE PARCEL (LOT) BEING PROPOSED FOR "AGRICULTURAL" PURPOSES. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 24 JULY 1991 AND 16 OCTOBER 1991 PLANNING BOARD MEETINGS.

1. Previous comment sheets have identified necessary corrections, which have <u>not</u> been addressed on these latest plans submitted. These items include the following:

   a. Bulk table value for development coverage is incorrect.

   b. Bulk table does not include maximum building height value.

   c. Net area calculation is incorrect (should not be restricted to the subtraction of private road easements only). A complete evaluation, as per the Town code, is necessary.

   d. The plan should include the standard private road notes of the Town.

2. The plan indicates numbering for Lots 1 through 7, and a Lot 9. It is my recommendation that the numbering be corrected, so as not to skip a numbered Lot 8.

3. Pursuant to the recent legal determination that the Town code prohibits the existence of two (2) private roads within a single subdivision, the Board may wish to discuss whether one of these cul-de-sac roadways should be proposed as a Town road.

   With regard to the remaining zoning compliance for the proposed subdivision, it is questioned whether proposed Lot 3 complies with minimum street frontage requirements and lot width requirements. This should be further discussed.

PROJECT NAME: TWIN ARCH (FUCHS) SUBDIVISION
PROJECT LOCATION: TWIN ARCH ROAD AND ROUTE 207
PROJECT NUMBER: 90-18
DATE: 8 APRIL 1992

4. At the Technical Work Session on 4 February 1992, the Applicant's consultant was advised to make a review with regard to the possible existence of Federal wetlands on this site. As of this date, I have not received such an evaluation.

   As well, I have not received a copy of a Full Environmental Assessment Form, as requested by the Board at the 24 July 1991 Planning Board meeting. The status of this item should be further discussed.

   Notwithstanding the fact that the Board has assumed the position of Lead Agency under SEQRA at their 16 October 1991 meeting, to date, insufficient information has been submitted, such that the Board can consider a determination of significance. The Applicant should be advised of this status and the Board's inability to take SEQRA action until the necessary and sufficient information is submitted.

5. With regard to the proposed "balance parcel" (identified as Lot 9 on this plan), same is indicated as to remain "an agricultural parcel as it presently is designated". It is my recommendation that the current status and the future deed restrictions be reviewed by the Planning Board Attorney.

6. As previously noted, this application must be forwarded to the Orange County Department of Health for Realty Subdivision approval, following preliminary approval.

7. A review of the typical sanitary disposal detail sheet and the soils information on Sheet 3 have not been made, since this aspect of the subdivision is the sole jurisdiction of the Orange County Department of Health.

8. Sheet 3 of the subdivision plans depicts the rural street specification. Does this indicate that northerly road is to be a Town road? In either case, a detail of the private road should be submitted, since the southerly road is "called out" on the plan as a private road. This detail has been previously requested.

9. The Board should review the file information to verify that the current proxy statement authorizes Kartiganer Associates to represent the Applicant. If not, it may be advisable to request an updated proxy.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: TWIN ARCH (FUCHS) SUBDIVISION
PROJECT LOCATION: TWIN ARCH ROAD AND ROUTE 207
PROJECT NUMBER: 90-18
DATE: 8 APRIL 1992

10. Once the more important basic issues are resolved, the Board should consider scheduling the required Public Hearing, in accordance with paragraph 4 of the Subdivision Regulations.

11. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

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

MJEmk

A:TWIN.mk

Date ....., 19.....

TOWN OF NEW WINDSOR

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

TO Frances Roth 389 Moores Hill Rd DR.
New Windsor, NY 12553

DATE				CLAIMED		ALLOWED	
6/24/92		Planning Board Meeting		75	00		
		Misc. 7	[illegible]				
12-11		Mans - 1	4.00				
1-22		Blooming Grove Operating - 5	22.50				
[illegible]-19		Carpet Mill - 5 pgs	36.00				
[illegible]-18		Tein Arch - 13	[illegible]				
		Gateway 3	[illegible]	144	00		
				219	00		

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1763

RECEIVED
JUN 25 1992
McGoey, Hauser & Edsall
Consulting Engineers, P.C.

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, JUNE 24, 1992 - 7:30 P.M.

TENTATIVE AGENDA

Call to Order
Roll Call
Approval of Minutes Dated: 05/13/92 & 4/22/92 APPROVED

REGULAR ITEMS:

TO RETURN TO WORKSHOP

1. Blooming Grove Operating Subdivision (91-22) Toleman Road (Zimmerman)

LEAD AGENCY
GIVE P/H
NEG. DEC.
APPROVED SUBJECT TO

2. Carpet Mill Outlet Site Plan (92-19) Rt. 32 (Esposito)
PAVING - O.C.P.D. - VARIANCES ON PLAN'S - MARK NEW PLANS FULLY ENCLOSED DUMPSTER

Correspondence

Discussion:

TO RETURN

3. Twin Arch Subdivision (90-18) Twin Arch Road

Adjournment

(NEXT MEETING - JULY 8, 1992)

DISCUSSION:

Twin Arch Subdivision: Cancelled by applicant.

FINKELSTEIN, LEVINE, GITTELSOHN AND TETENBAUM
COUNSELLORS AT LAW
436 ROBINSON AVENUE AT I-84, NEWBURGH, NEW YORK 12550
(914) 562-0203
FAX (914) 562-3492

HOWARD S. FINKELSTEIN, P.C.
JULES P. LEVINE, P.C. (NY & FL BAR)
MICHAEL D. GITTELSOHN, P.C.
ELLIOT S. TETENBAUM, P.C.
GEORGE M. LEVY
KENNETH L. OLIVER
DUNCAN W. CLARK
SAUL W. STRENGER (NY & NJ BAR)
RONALD ROSENKRANZ
ANDREW M. MAURIELLO
EDWARD D. KAPLAN, P.C.
COUNSEL EMERITI

ROBERT J. CAMERA (NY & NJ BAR)
GERARD J. MARINO
JOSEPH P. RONES (NY & FL BAR)
JOHN J. TACKACH
JOEL A. REBACK
STEVEN LIM
STEVEN A. KIMMEL
WILLIAM L. DE PROSPO
MARK S. PRUZAN (NY & CT BAR)
GEORGE A. KOHL, 2ND (NY & MA BAR)
JOSEPH J. TOCK
ELEANOR L. POLIMENI
JOSEPH P. PETRIZZO
BRUCE M. STERN (NY & NJ BAR)
STEVEN H. COHEN
JONATHAN FAIRBANKS
DAVID F. EVERETT (NY & FLA BAR)
LUIS A. RIVERA
FRANCIS NAVARRA
NEIL S. DAVIS
ANDREW J. GENNA
FRANK J. VEITH, JR.
ANDREW G. FINKELSTEIN

June 4, 1992

REFER TO OUR FILE # RE33939

Mr. Scott Kartiganer
555 Blooming Grove Turnpike
Newburgh, New York 12550

Re: Fuchs Subdivision

Dear Mr. Kartiganer:

The New Windsor Planning Board meeting for discussion on the restriction of the balance parcel has been moved from June 10th, 1992 to June 24th, 1992 to enable all parties to attend.

Very truly yours,

FINKELSTEIN, LEVINE,
GITTELSOHN AND TETENBAUM

BY:
JOSEPH P. RONES

JPR/kas
cc: Herman Fuchs
Anthony Coppola
Andrew Kreiger
New Windsor Planning Board

ANDREW S. KRIEGER
ATTORNEY AT LAW
219 QUASSAICK AVENUE
SQUIRE SHOPPING CENTER, SUITE 3
NEW WINDSOR, NEW YORK 12553
(914) 562 2333

May 26, 1992

Finkelstein, Levine, Gittelsohn and Tetenbaum, Esqs.
436 Robinson Avenue
Newburgh, New York 12550

Attn: Joseph P. Rones, Esq.

Re: Fuchs (Twin Arch) Subdivision
RE 33939

Dear Mr. Rones:

The proposed agreement which you forwarded to me under cover of your letter dated May 20, 1992 seems to be at variance with what we had discussed in our meeting.

I will have this matter placed on the Planning Board agenda for discussion and I will discuss this matter with the Planning Board.

Thank you.

Very truly yours,

ANDREW S. KRIEGER

ASK:mmt
cc: New Windsor Planning Board
Myra: Please put this on the agenda for discussion as soon as possible.

ASK

KARTIGANER
ASSOCIATES, P.C.
CONSULTING ENGINEERS

555 BLOOMING GROVE TURNPIKE • NEWBURGH, NY 12550-7896 • (914) 562 - 4391

23 March 1992

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

ATTENTION: PLANNING BOARD SECRETARY

SUBJECT: TWIN ARCH SUBDIVISION (FUCHS SUBDIVISION)

PLANNING BOARD SUBMITTAL

Dear Planning Board:

Please find attached seven (7) plans of the proposed Subdivision Plat for the lands of Herman & Nina Fuchs which is comprised of 48.857 acres.

This plan reflects, as best to our understanding, the comments received at the workshop meeting with Mark Edsall and prior comments by the Board. All lots will have in-ground sanitary systems with the exception of lot No. 9 which shall remain agricultural at this time.

We are requesting preliminary approval to progress this application through the Health Department. If there are any questions, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

KARTIGANER ASSOCIATES, P.C.

Scott Kartiganer

Scott T. Kartiganer, P.E.
Vice President

STK:lmm
Encl. a/s

cc: w/encl: Herman Fuchs

di 154
nwplboar.ltr

Date November 19, 1991

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Andrew S. Krieger, Esq. DR.

219 Quassaick Avenue, New Windsor, New York 12553

Re: Twin Arch Subdivision 90-18

DATE			CLAIMED		ALLOWED	
10-16-91		Planning Board Meeting				
		.2 x $100.00	20	00		
		11/19/91				

10/28/91

TOWN OF NEW WINDSOR

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

TO Frances Sullivan 389 Moores Hill Rd DR.
New Windsor, NY 12553

DATE			CLAIMED		ALLOWED	
10/16/91		Planning Board Meeting	75	00		
		Windsor Heights. 3pgs	13	50		
	✓	Mobil Oil 90-50 22pgs	99	00		
	✓	Twin Arch 7 pgs	31	00		
	✓	Mobil/Plotkin 4 pgs	18	00		
	✓	Weake 4 pgs	18	00		
	✓	Petro 2 pgs	9	00		
	✓	Catanzaro 5 pgs	22	50		
		Kelly Motors 4 pgs	18	00		
		Berkhardt 2 pgs	9	00		
		Misc. 2 pgs	9	00		
			322	50		

TWIN ARCH SUBDIVISION (90-18) TWIN ARCH ROAD

Mr. Scott Kartiganer came before the Board representing this proposal.

MR. KARTIGANER: This is a continuation from the last meeting we were together. This is the Twin Arch Subdivision. From the last meeting, the Board had requested to come out and take a look at the proposed entrances to these initially would be private roads as they related to this first phase of the subdivision. Right now, we are really looking for just to come in and make, this 1, 2, 3, 4, 5, 6, 8 single family lots, on-site water.

MR. VAN LEEUWEN: Then you're going to extend the roads?

MR. KARTIGANER: At a future time, when the rest of the property is developed, that would be extended.

MR. MC CARVILLE: These would both be private roads?

MR. KARTIGANER: At this time, they would be temporary private roads. We had discussed at the last meeting we would be building the road grades, sub-bases, sub-base materials up to town specs giving full right-of-way. It was --

MR. VAN LEEUWEN: The right-of-way part of it is wrong. The right-of-way for a private of road has to come right down the center of the road. Each property owns 25 feet of that road.

MR. KARTIGANER: Okay, this property, sir, this is owned by someone else. This is currently owned by someone else. This is a 50 foot strip we have. This piece of property here goes along with this piece of property.

MR. VAN LEEUWEN: Okay, thank you.

MR. DUBALDI: You're saying lot 2 or where are we?

MR. KARTIGANER: This lot right here, we're talking about lot 7.

MR. MC CARVILLE: Lot 7 owns the private road?

MR. DUBALDI: And that will be transferred over to the town?

MR. KARTIGANER: Will be transferred over.

MR. SCHIEFER: For the time being, we're addressing it as a private road.

MR. PETRO: Mark, what was the matter with Mr. Fayo?

MR. EDSALL: Well, obviously we have to explain to him at that point they are just proposing private roads. It is clear if they wanted to dedicate it, he does not want it because it's two more cul-de-sacs for him. But, I think if we get a hold of Skip, we can explain to him or at least make the applicant go on record indicating that when they care to proceed further with the subdivision, they'll be connecting the roads so they are not creating any cul-de-sacs that was Skip's concern.

MR. VAN LEEUWEN: Maybe a note to that effect should be put on the map.

MR. KARTIGANER: We have no problems with putting notes.

MR. PETRO: There's no way that you can loop these roads now?

MR. KARTIGANER: At this time, the two, as we discussed, the development of the rest of the property is subject to, is uncertain.

MR. PETRO: You don't know the configuration of what you're going to do there?

MR. KARTIGANER: Right. Initially, we are looking at two ways, this is the one we already showed in conceptually possibly a clustered leaving a large natural area which we discussed in some detail. That's leaving a large natural area where there's some stream using more of a smaller clustered layout as opposed to --

MR. VAN LEEUWEN: That's okay if you have got water and

sewer but --

MR. KARTIGANER: Well, that would be those items would have to be addressed. Whatever and that's why it involves a lot more work. As far as the entrance is what we wanted to do in a way we laid it all out. This would work for both if it was continued as a single family subdivision towards the rear portion of the property.

MR. PETRO: Now, in the future when somebody comes in and wanted two more lots, or three more, what's the maximum, six off a private or five?

MR. KRIEGER: Four and two.

MR. PETRO: So, you'll have two here on the main and there's already two back here so conceivably they can put two more off that cul-de-sac at some point?

MR. MC CARVILLE: They can put more than two because the two on the road --

MR. PETRO: Oh, okay, there's two over here too, okay, right here so these two can go with this and these two can go with this road.

MR. KARTIGANER: This is not a road.

MR. PETRO: Then there's two.

MR. VAN LEEUWEN: Here's the road, right here.

MR. PETRO: There's two that would be on the private road so only two more.

MR. MC CARVILLE: Because you don't count the two on the road.

MR. PETRO: No, I know there's four.

MR. VAN LEEUWEN: There's six on a private road.

MR. KARTIGANER: Realistically, you have two.

MR. PETRO: You have two here on the road, you still have these two already there on the private road so they can put two more here if they want.

MR. MC CARVILLE: Six on a private road, why couldn't they put four more?

MR. VAN LEEUWEN: No, you have two that you have, you can put six maximum, two on the road and four on the private road, no more than four and the road can't be anymore than 800 feet long.

MR. SCHIEFER: Any other questions of Mr. Kartiganer?

MR. LANDER: Yes. Scott, can you tell me what these are right here, these blocks that you have down here in lot 9?

MR. KARTIGANER: These are locations of deep test pits which are shown up in the upper right hand corner and the box is the approximate location of the sanitary systems.

MR. LANDER: That's for lot 9 then?

MR. KARTIGANER: Right, we were requested to show one for overall lot 9 because it was a separate lot.

MR. LANDER: I saw them up here, okay.

MR. SCHIEFER: Scott, right now you haven't made any decisions what you're going to do with the other lots because if you do, we have some questions but I don't think you're ready for that.

MR. KARTIGANER: Not really. My client really wants to proceed and go with the first phase.

MR. MC CARVILLE: Just remind him to subtract the wetlands when he calculates.

MR. KARTIGANER: That's what we have done. We have the wetlands subtracted and the slopes.

MR. VAN LEEUWEN: I suggest you get together with the Highway Superintendent and our engineer but then I do want to see a letter in the file that Skippy approves of that because the Highway Superintendent approves it because those two roads are going to be turned over to the town and if he doesn't approve it, you people will not be able to go any further here. You follow me?

MR. KARTIGANER: Sure.

MR. MC CARVILLE: That can be --

MR. VAN LEEUWEN: If he has a letter now, that he approves it, then you're safe for the rest of it.

MR. SCHIEFER: Letter from Mr. Fayo.

MR. VAN LEEUWEN: That he'll go along with that.

MR. MC CARVILLE: And the road specs attached as part of the submittal.

MR. KARTIGANER: We wanted to get sketch plan approval and go onto the next stage.

MR. SCHIEFER: Any other questions, gentlemen?

MR. EDSALL: Obviously, if your intent to extend the road, connect it and dedicate it at that time so your detail for the private road cannot be the standard private road detail. You have got to put in the sub-base of the town road, have it inspected or at least material reviewed by the Highway Super and the engineering office so that it's on record that the right sub-base went in. Otherwise, you don't have to do otherwise what Skip Fayo will have you doing is test pits, borings every 25 feet to prove what went in after the fact.

MR. KARTIGANER: That was discussed at the first meeting.

MR. EDSALL: Just so we got that in the record, we discussed that at the workshop. Also, following up and Mr. Petro's question, the second half of Mr. Fayo's concern was with regard to storm water drainage. Obviously, the rain doesn't know if it's a private road or a town road so it's going to run down the road. And what he's concerned about I would assume is given the slope of the road it will discharge onto the town road, Twin Arch Road so there's got to be some drainage provisions to collect it and properly dispose of the storm water.

MR. KARTIGANER: Just to show shortly to the town just

the nature of this property, you were out there, it comes up a slight slope but the predominant area of the property slopes down toward the wet area so we are not really dealing with a lot of drainage. Nothing that would, in fact, everything would not be underground drainage.

MR. SCHIEFER: Might be a good idea to address that with Skip.

MR. EDSALL: Not a lot of roadway that discharges towards the town road but if it's not collected, it could be a hazard in winter conditions.

MR. SCHIEFER: Anything else? We're not going to take any further action on this this evening, right?

MR. KARTIGANER: You can't address it as --

MR. EDSALL: How about taking lead agency.

MR. VAN LEEUWEN: Yes, I so move to take lead agency.

MR. MC CARVILLE: I'll second it.

ROLL CALL:

Mr. Petro	Aye
Mr. VanLeeuwen	Aye
Mr. McCarville	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. MC CARVILLE: Do you have perc tests on this?

MR. KARTIGANER: We have done deep tests and various perc tests.

MR. VAN LEEUWEN: We'd like to know the perc tests.

MR. KARTIGANER: Perc tests in the area has perced well.

MR. VAN LEEUWEN: I'd like to have the minutes on the map. How many minutes and how many feet you need for four and three bedroom?

MR. KARTIGANER: Usually, well, we have done, you know, several preliminaries as far as the site plan if we can get a little bit better handle if this is being close to sketch plan approval, we'll go through and do it in quite a bit of detail.

MR. SCHIEFER: Thank you.

KARTIGANER
ASSOCIATES, P.C.
CONSULTING ENGINEERS

555 BLOOMING GROVE TURNPIKE • NEWBURGH, NY 12550-7896 • (914) 562 - 4391

19 August 1991

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

ATTENTION: CARL SCHEIFER, PLANNING BOARD CHAIRMAN

SUBJECT: FUCHS SUBDIVISION
TWIN ARCH ROAD
NEW WINDSOR, NEW YORK

Dear Mr. Scheifer:

Pursuant to the Planning Board request, our office has had the two entrance roadways staked out for a walk through with the Board.

Please advise this office of the selected date and time the Board wishes to conduct their site walk through so our office can accompany you.

Should you have any questions, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

KARTIGANER ASSOCIATES, P.C.

Michael R. Cain

Michael R. Cain, P.E.
Project Manager

MRC:hs
cc: Mr. A.J. Coppola
Mr. Herman Fuchs

NWPB0807.LTR
di 154

Notified Mike Cain 9/12/91 of site visit on 9/18/91 @ 6:00.
(m)

90- 18

JUN 27 1991

KARTIGANER ASSOCIATES, P.C.
CONSULTING ENGINEERS

555 BLOOMING GROVE TURNPIKE • NEWBURGH, NY 12550-7896 • (914) 562 - 4391

26 June 1991

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

ATTENTION: PLANNING BOARD SECRETARY

SUBJECT: FUCHS SUBDIVISION
KA JOB NO. 90004.00

Dear Board:

Please find attached fourteen (14) plans of the proposed Subdivision Plat for the lands of Herman & Nina Fuchs which is comprised of 48.857 acres.

We would like to request preliminary approval on the plan to subdivide the parcel into nine lots so that we may proceed with the necessary applications to the Orange County Department of Health. This plan reflects, as best to our understanding, the comments received at the 4 June 1991 workshop meeting with the Town Engineer.

Very truly yours,

KARTIGANER ASSOCIATES, P.C.

Scott Kartiganer

Scott T. Kartiganer, P.E.
Vice President

STK:lmm
Encl. a/s

di 154
nwplboar.ltr

Rev. 2

cc: w/encl: A. J. Cappola
Herman Fuchs

NYS Lic. No. 018849

• Design
• Construction Management

Anthony J. Coppola
Architect
6 Diamond Court, Newburgh, N.Y. 12550
914-561-3559

May 16, 1990

Planning Board
Town of New Windsor
555 Union Ave.
New Windsor, N.Y. 12550

Re: Twin Arch Subdivision
Twin Arch Rd. and Route 207
Project #90-18

Dear Mr. Chairman:

We would like to address the planning board review comments by Mark J. Edsall, PE, dated 4/25/90.

Item 1A: All lots will have a net area of 1 acre. We are in the process of locating the stream for our preliminary plat.

1B: The frontage for lots #6, 7, and 8, has been changed to greater than 70 ft. Lot #18 will have a minimum of 70 ft. of frontage.

1C: Lot #7 has been changed from a "flag lot" configuration to a lot with approximately 100 ft. of frontage.

1D: This plan presented to the planning board is only a "sketch plan", at a very large scale (1" = 200'). We are aware of the difficult nature of the site, but we meet all of the minimum requirements for each lot.

2: At this scale we cannot adequately determine spacing for the sanitary systems and wells. Soil tests will be

cc: M.E.
C.S.

MAY 16 1990

preformed once we have started our preliminary plat.

3: We are aware of the numerous bedrock outcroppings on site. Road profiles will be detailed at a later stage.

4: The single lot (#33) north of the railroad bed is not a separate deed parcel. At this time we are not proposing a further subdivision of this lot at a later date.

6: We are not asking for highway access (NYSDOT) from Route 207 for lot #33, as part of this subdivision application. Submittals to the Orange County Department of Health, and the Orange County Planning Department will be made at a later date.

7: We are currently in the process of completing our boundry and topographic survey. We will also be starting our preliminary plat soon. Until such time we cannot adequately address your comments regarding this site.

We would like to request conceptual approval of our subdivision sketch plan for our next meeting. We would also like to be included on the agenda for the planning board meeting for 5/23/90. At that time we can also address other concerns the board may have regarding our application.

Very Truly Yours,

Anthony J, Coppola, RA

cc: M. Cain - Kartiganer
H. Fuchs

MHE PC
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 # 90 - 18

WORK SESSION DATE: 3 Nov 92 APPLICANT RESUB. REQUIRED: later

REAPPEARANCE AT W/S REQUESTED: after agency approvals

PROJECT NAME: Fox Lver Fuchs

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: Scott K

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

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- disc 911 & provide policy sheet
- road - 110' paved 120 ROW ? SKIP
- shrubs -
- agricult district → Andy K.
- 2 estimates W/I & private

4MJE91 pbwsform

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

90-18

1763

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

The maps and plans for the Site Approval For Rowe Park Subdivision _____ as submitted by _____ for the building or subdivision of _____ has been reviewed by me and is approved ✓ _____, disapproved _____.

If disapproved, please list reason _____

_____

_____

_____

_____

12/8/92
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 90 - 18

WORK SESSION DATE: 1 MAR 95 APPLICANT RESUB. REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____ _____

PROJECT NAME: Fox River

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: Scott K.

MUNIC REPS PRESENT: BLDG INSP. GM
FIRE INSP. Rick
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) Ron C

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Submit deed for property?
- O/C DOH approved 8 lots + 1 parcel (with no use)
- Andy R.
  Lot 8 Parcel 1 →
  Lot 8 Parcel 2 →
  1 house only can be built on parcel 1
  parcel 2 must remain under until approved by OCDOH & P/B
- coord all w/ FI

4MJE91 pbwsform

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 30 July 1992

SUBJECT: Fox River Park Subdivision

PLANNING BOARD REFERENCE NUMBER: PB-90-18
DATED: 24 July 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-041

A reveiw of the above referenced subject subdivision was conducted on 30 July 1992.

This subdivision plan is approved.

PLANS DATED: 8 July 1992; Revision 2.

Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

7-30-92

90- 18

JUL 2 4 1992

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Kartigner assoc. for the building or subdivision of

Fox River Park Sub. has been

reviewed by me and is approved ✓,

~~disapproved~~ _____.

~~If disapproved~~, please list reason _____

There is no town water in this area.

_____
HIGHWAY SUPERINTENDENT

Steve D. [illegible]
WATER SUPERINTENDENT

_____
SANITARY SUPERINTENDENT

_____
DATE

2-20-92

MAR 2 3 1992

90- 18

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

subdivision _____ as submitted by

Kaltigener Assoc. for the building or subdivision of

Fuchs Subdivision _____ has been

reviewed by me and is approved ✓ _____,

~~disapproved~~ _____.

~~If disapproved, please list~~ reason

There is no town water in this area.

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

cc: M.E.

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD

FROM: TOWN FIRE INSPECTOR

DATE: 31 MARCH 1992

SUBJECT: FUCHS SUBDIVISION

PLANNING BOARD REFERENCE NUMBER: PB-90-018

DATED: 23 MARCH 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-021

A REVIEW OF THE ABOVE REFERENCED SUBJECT SUBDIVISION PLAN WAS CONDUCTED ON 31 MARCH 1992.

THIS SUBDIVISION PLAN IS ACCEPTABLE.

PLAN DATED: 20 MARCH 1992

ROBERT F. RODGERS: CCA

cc: M.E.

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # ___ - ___

WORK SESSION DATE: 4 FEB 92 APPLICANT RESUB. REQUIRED:

REAPPEARANCE AT W/S REQUESTED: ___ ___

PROJECT NAME: Twin Arch (Fuchs)

PROJECT STATUS: NEW ___ OLD ___

REPRESENTATIVE PRESENT: Scott K / Anthony

MUNIC REPS PRESENT: BLDG INSP. ___
FIRE INSP. ___
ENGINEER X
PLANNER ___
P/B CHMN. ___
OTHER (Specify) ___

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Fed wetlands
- ck P/R notes - bring in deed
  OCDOH?
- Andy K - re Agricultural -
  ck 15%

4MJES1 pbwsform

Licensed in New York, New Jersey and Pennsylvania

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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WILLIAM J. HAUSER, P.E.
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME:	TWIN ARCH (FUCHS) SUBDIVISION
PROJECT LOCATION:	TWIN ARCH ROAD AND ROUTE 207
PROJECT NUMBER:	90-18
DATE:	16 OCTOBER 1991
DESCRIPTION:	THE APPLICANTS HAVE SUBMITTED A PLAN FOR THE MAJOR SUBDIVISION OF A 68.2 +/- ACRE PARCEL INTO NINE (9) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 24 JULY 1991 PLANNING BOARD MEETING.

1. At the 24 July 1991 Planning Board meeting, the Planning Board determined that a field review was appropriate relative to this application.

   At this time, it is my understanding that such visit was held by the Board Members. The observations and concerns (if any) of the Board should be discussed with the Applicant, at this meeting.

2. The Applicant should be made aware of the disapproval received from the Highway Superintendent, relative to this application.

3. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

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

MJEmk

A:TWIN2.mk

90- 18

JUN 27 1991

Rev. 2

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, ~~FIRE INSPECTOR~~, SANITARY INSP. D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision Tuchs as submitted by

Kartiganer for the building or subdivision of

_____ has been

reviewed by me and is approved _____,

disapproved ✓.

If disapproved, please list reason Do away with the two Cul-de-sac's and run road through. Too many Cul-de-sacs in town all ready. Would like to see drainage plan for run off.

Fred Fagg Jr.
HIGHWAY SUPERINTENDENT

_____
WATER SUPERINTENDENT

_____
SANITARY SUPERINTENDENT

7/19/91
DATE

✓
cc: M.E.
Kartiganer - Spoke to Chris 7/24/91 (m)

90- 18

JUN 27 1991

Rev. 2

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP. D.O.T., O.C.H., O.C.P., D.P.W., WATER, [redacted], HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision _____ ✓ _____ as submitted by

_____ for the building or subdivision of

FUCHS _____ ✓ _____ has been

reviewed by me and is approved _____ ✓ _____,

disapproved _____.

If disapproved, please list reason _____

_____

_____

_____

_____

_____
HIGHWAY SUPERINTENDENT

_____
WATER SUPERINTENDENT

_____
SANITARY SUPERINTENDENT

7-2-91
DATE

cc: M.E.

7-2-91

90- 18

JUN 27 1991

Rev. 2

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP. D.O.T., O.C.H., O.C.P., D.P.W., [redacted], SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Kent Gaer Assoc. for the building or subdivision of

Fuchs Subdivision has been

reviewed by me and is approved ✓,

~~disapproved~~ _____.

~~If disapproved~~, please list reason _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓

cc: M.E.

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 1 July 1991

SUBJECT: Fuchs Subdivision

PLANNING BOARD REFERENCE NUMBER: PB-90-18
DATED: 27 June 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-052

A review of the above referenced subject subdivision plan was conducted on 1 July 1991.

This subdivision plan is acceptable.

PLANS DATED: 16 May 1991.

Robert F. Rodgers

Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

cc: M.E.

90- 18

JUN 27 1991

Rev. 2.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision ✓ _____ as submitted by
Kartiganer Eng. _____ for the building or subdivision of
Fuchs Sub-division _____ has been
reviewed by me and is approved _____,
disapproved ✓ _____.

If disapproved, please list reason _____
Submitted map does not indicate percolations of each lot.

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman D. Masten Jr
SANITARY ~~SUPERINTENDENT~~

July 9, 1991
DATE

✓
cc: M.E.

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 90-18

WORK SESSION DATE: 4 June 1991

APPLICANT RESUB. REQUIRED: Yes - new plans

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Twin Arch. (Fuchs)

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: Scott K; Anthony Coppola.

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

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

+ Phased - P/R now -
1) dashed for P/R ease (ownership)
2) turnaround

+ Future 1) possible cluster
2) HOA sewer coll pub up Multiflow / SPDES
3) show amenities on common lands -
4) adjust lot size

see 6119

revised plans

Need ~~[illegible]~~ - next avail agenda

4MJE91 pbwsform

Licensed in New York, New Jersey and Pennsylvania

TWIN ARCH SUBDIVISION (90-18) TWIN ARCH ROAD & ROUTE 207

Mr. Anthony Cappola came before the Board representing this proposal.

MR. CAPPOLA: My name is Anthony Cappola and basically we are on the agenda two weeks ago but we missed the meeting. I know the engineer reviewed our sketch plan and he sent us a letter which we replied to and we also sent a letter to the Planning Board regarding his comments.

Basically tonight we'd like to ask for conceptual approval based on our sketch plan.

MR. VAN LEEUWEN: I think we have to go out and take a look at it because there is alot of rock outcroppings there.

MR. CAPPOLA: We know it is a difficult site right now we are in the process of getting perimeter survey and topo together and as soon as that is settled within the next couple of weeks, we are going to start to get into the engineering.

MR. VAN LEEUWEN: I think I'd like to see you have perc tests done here before we go any further because I tell you something, I don't think you are going to be able to fit this many lots. If you can, good luck but I don't think you are going to get them on.

MR. CAPPOLA: I realize it is going to be a difficult lot.

MR. VAN LEEUWEN: I advise you to get the perc test done on the site and find out how many lots you can actually get.

MR. SCHIEFER: Let me ask a question. Is this far enough to go out or get more information in?

MR. VAN LEEUWEN: I think we should get some perc tests first. We approved three or four lots and we had, they had trouble getting perc at that time on account of the rock outcroppings and I suggest that they get some perc tests done out there first and then we will go out and take a look because it is nothing but rock out there believe me and I hope they can get 26 lots out of it but are they all full acre lots?

MR. CAPPOLA: One (1) acre lots.

MR. VAN LEEUWEN: How many square feet are these lots?

MR. CAPPOLA: Between 1 and 1 1/2 acres.

MR. VAN LEEUWEN: They are all over 44,000 square feet?

MR. CAPPOLA: Right.

MR. SOUKUP: I didn't get your comments which you said you're giving us another copy of. There are a couple of lots here 12, 13, 14 with the stream through the middle that probably even if you got perc, you couldn't layout well and septic on them.

MR. EDSALL: I apologize, they didn't include them. Comment #1a from the 25th was concerned about meeting the net acreage requirements because of the stream and my comment #2 from the 25th of April indicates the question of separation of the sanitary system not only to themselves and wells but also to that stream.

MR. SOUKUP: I think it would be very difficult to give conceptual approval because frankly including the rock problem, the stream problem is going to give you area problems on the lots and it is going to give you separation problems between the septics and the streams for the health department so you really need to do a little more investigation and come back with a modified layout that may have a better chance of conforming than what we have here tonight.

MR. VAN LEEUWEN: You've got 1, 2, 3 dead ends, highway department--

MR. CAPPOLA: This is not part of our subdivision, neither is that, that is.

MR. VAN LEEUWEN: This isn't either?

MR. CAPPOLA: That is, this portion above Twin Arch is not our subdivision.

MR. VAN LEEUWEN: Whose subdivision is that, that is on the other side?

MR. BABCOCK: That is an existing one.

MR. SCHIEFER: Gentlemen, any other questions or recommendations?

MR. CAPPOLA: I just wanted to continue and let the Board know how we wanted to proceed because basically up to this point, the idea of this plan was just to get the Board's opinion as to the layout of the roads and the general concept of the subdivision. It was not to say this lot is to small, this lot cannot be perced, those questions we know are going to, can't be answered at this stage with this plan. And like I said, we are in the process of surveying the property right now and those questions are going to be answered in the next coming months.

MR. VAN LEEUWEN: We can't give concept to this, what the plan

is asking for we can't do because we don't know what the perc tests are.

MR. SCHIEFER: So far I am hearing the Planning Board would like more information before they are ready to give conceptual approval.

MR. DUBALDI: I think we should visit it.

MR. SCHIEFER: Before we go that far, get some more of the basic information.

MR. VAN LEEUWEN: Perc should be done.

MR. SOUKUP: If you have no percs, you are premature for a sketch plan. You should have some feel for whether the lots are feasible at the small sizes you are putting them because the terrain is tough and the soils are worse now.

MR. CAPPOLA: Again, I was under the--

MR. EDSALL: I don't know if you have dealt with this Board many times in the past but characteristically they usually give the sketch or concept approval hand-in-hand with preliminary that is their usual operation and that is probably why some other Boards may give concept approvals, they prefer getting more information.

MR. SCHIEFER: By the time, we give preliminary that is far from final but we want to go along with the thing as is. There may-be some details, there is some gross details missing not saying they are not there, we just don't have them. Until we give conceptual approval, we'd like some more information. I think that goes for the site visit as well. We will definitely go there but let's get as much information.

MR. CAPPOLA: Any comments outside of the engineering comments?

MR. SCHIEFER: Any other comments on this?

MR. VAN LEEUWEN: I have stated mine.

MR. MC CARVILLE: I have one question here. Where is the access proposed to lot 33?

MR. CAPPOLA: That is a question right now lot 33 is going to be proposed to be 20 acres. That probably is not going to change. We have to request a DOT access or State access from--

MR. EDSALL: You are showing as lot 33, does that currently exist as a separate lot or is that part of this parcel now?

MR. CAPPOLA: It is the same parcel, 68 acres.

MR. EDSALL: You'd have to have DOT review as part of this Board's review. They may require you to pin down the actual location for your access now. I am not sure what they will require.

MR. CAPPOLA: That application would be part of this.

MR. EDSALL: You could coordinate with them directly around preliminary time before the public hearing is held.

MR. EDSALL: Even though this lot might be in the same ownership or else even on the same deed, it is two separate pieces of property as it is right now because there is a privately owned piece of property inbetween there so if it is going to be created as a lot right now the way it stands, I'd say it's okay but it's going to be created as a lot so you are going to have to show a design and the whole works just as if you wanted to build.

MR. EDSALL: The other comment which Mike brought up as we were discussing the plan you may want to remove these other cul-de-sacs on the west side that aren't part of your project, remove the lot lines that aren't part of your project because the highway superintendent was under the impression that those lots are part of the subdivision. He was against the three cul-de-sacs being created when two of the three are there you should remove that information so it is not confusing.

MR. CAPPOLA: I work for myself, I am an architect.

MR. VAN LEEUWEN: What firm?

MR. CAPPOLA: Although I should state we have an engineer and the engineer is Kartiganer they are going to be preparing the engineering drawings.

MR. SCHIEFER: Any other comments, gentlemen?

MR. LANDER: Then this is a separate lot by its number even though it is on one deed he is going to have to get it subdivided?

MR. DUBALDI: Who owns the middle?

MR. BABCOCK: Congelosi. Just for your knowledge right now I have a building permit application for a lot if you see the lot right behind the lot 1 toward the railroad track, there is a lot that is long and narrow and then it shows the zig zag across and the guy owns the other lot across that road too, across the guy's driveway that is a real mess right now trying to get him a

building permit on that.

MR. VAN LEEUWEN: How wide is that lot?

MR. BABCOCK: Well, he has got enough room to meet all of the setbacks as far as the, putting the house on. The problem is he doesn't have enough road frontage and lot area because he is counting the two lots and since they are two separate lots divided by another piece of property, typically you can't combine those two lots and say you own this one. Typically you can say you own a lot in New Windsor and Cornwall and you have enough, you can't do that.

MR. DUBALDI: Are you referring to the corner lot or are you referring to the one off 207?

MR. BABCOCK: I am talking about it is one deed two parcels and one deed, it is really this piece right behind lot #1.

MR. SCHIEFER: Let's get more information in.

MR. VAN LEEUWEN: Let's get some perc tests also.

90-18

orange county

MARY McPHILLIPS
County Executive

Department of Planning
& Development
124 Main Street
Goshen, New York 10924
(914) 294-5151

PETER GARRISON Commissioner
VINCENT HAMMOND Deputy Commi.

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

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

Referred by Town of New Windsor Planning Board **D P & D Reference No.** ~~NWT 19-90N~~
County I.D. No. 55 / 1 / 24

Applicant Herman & Mina Fuchs Route 207 & Twin Arch Road

Proposed Action: Residential Subdivision (33 lots)

State, County, Inter-Municipal Basis for 239 Review within 500 feet of Route 207

Comments: ~~The Board should consider requiring a cluster subdivision plan for this property.~~ The site is environmentally sensitive. As presently designed, much of the natural features will be jeopardized. The overall development pattern for Route 207 is resulting in "surburban sprawl."

* Stream disturbance permits will be required.

* ~~What are the future development plans for Lot #33?~~

* ~~Whenever possible, all lots should have access to the internal roads.~~

* ~~A landscape plan should be submitted.~~

* ~~Soil erosion control plans and drainage plans should be submitted to the Soil Conservation Service for their review.~~

Related Reviews and Permits

County Action: Local Determination _____ **Disapproved** _____ **Approved** XXXXXX

Approved subject to the following modifications and/or conditions:

June 15, 1990
Date

Peter Garrison
Commissioner
(w per CM)

6-18-90 cc: M.E.

MAY 16 1990

90- 18
Rev. 1

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

Anthony Coppola for the building or subdivision of

Lands of Fuchs has been

reviewed by me and is approved _____,

disapproved ✓.

If disapproved, please list reason

No information regarding waste disposal

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lumon R. Martemjr

SANITARY SUPERINTENDENT

May 17, 1990

DATE

cc: M.E.

MAY 16 1990

Rev. 1

90- 18

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Anthony J Caggola for the building or subdivision of

Ho Fuchs - Twin Arch o 207 has been

reviewed by me and is approved ✓,

~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

There is no town water in this area,

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

CC: M.E.

FUCHS2.PB

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 21 May 1990

SUBJECT: H. Fuchs Sketch Plan

PLANNING BOARD REFERENCE NUMBER: PB-90-048
DATED: 16 May 1990

FIRE PREVENTION REFERENCE NUMBER: FPS-90-049

A review of the above referenced subdivision sketch plan was conducted on 18 May 1990.

This subdivision sketch plan is approved.

PLANS DATED: 16 May 1990, Revision 1.

Robert F. Rodgers

Robert F. Rodgers; CCA
Fire Inspector

RR:mr
Att.

CC: M.E.

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 90-18

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date _____

☐ City, Town or Village Board ☒ Planning Board ☐ Zoning Board

2. Owner: Name Herman Fuchs

Address 40 Doral Ct. - New City, NY 10956

3. Applicant*: Name _____

Address _____

* If Applicant is owner, leave blank

4. Location of Site: Rt. 207 & Twin Arch Rd.
(street or highway, plus nearest intersection)

Tax Map Identification: Section 55 Block 1 Lot 24

Present Zoning District R-1 Size of Parcel 68.23 Acres

5. Type of Review:

Special Permit: _____

Variance: Use _____

Area _____

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units 33 Lots

Site Plan: Use _____

5-17-90
Date

Myra Mason, Secretary for the Planning Board
Signature and Title

Rev. 1

90- 18

MAY 16 1990

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision ✓ as submitted by

_____ for the building or subdivision of

H. Fuchs has been

reviewed by me and is approved ✓,

disapproved _____.

If disapproved, please list reason _____

_____

_____

_____

_____

_____
HIGHWAY SUPERINTENDENT

_____
WATER SUPERINTENDENT

John P. Eyt
SANITARY SUPERINTENDENT

9-4-90
DATE

✓
cc: M.E.

90 - 18
MAY 16 1990
Rev. 1

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, **HIGHWAY**, REVIEW FORM:

The maps and plans for the Site Approval _____ Subdivision H. Fuchs as submitted by _____ for the building or subdivision of _____ has been reviewed by me and is approved _____, disapproved ✓.

If disapproved, please list reason Too many Cul de sacs don't see any drainage

Fred Fayah
HIGHWAY SUPERINTENDENT

_____
WATER SUPERINTENDENT

_____
SANITARY SUPERINTENDENT

May 17, 1990
DATE

cc: M.E.

90-18

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

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN OF New Windsor P/B # ____ - ____

WORK SESSION DATE: 3-6-90 APPLICANT RESUB. REQUIRED: yes

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Herman Fuchs

PROJECT STATUS: NEW ✓ OLD ____

REPRESENTATIVE PRESENT: Anthony Coppola & Herman Fuchs

TOWN REPS PRESENT:
BLDG INSP. ✓
FIRE INSP. ____
ENGINEER ____
PLANNER ____
P/B CHMN. ____
OTHER (Specify) ____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Previously C.B.C. Management
Put notes on the plan

Escrow 4 @ 150.00 29 @ 75.00

3MJE89

APR 1 1 1990

90- 18

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, [redacted] D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval_____ Subdivision ✓ _____ as submitted by Anthony J Coppola for the building or subdivision of H. Fuchs has been reviewed by me and is approved_____, disapproved ✓ _____.

If disapproved, please list reason_____

No information regarding Septic waste disposal

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman D. Masten Jr

SANITARY SUPERINTENDENT

April 17, 1990

DATE

✓ cc: M.E.

APR 1 1 1990

90- 18

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, [redacted], REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision H. Fuchs as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved _____,

disapproved ✓.

If disapproved, please list reason Too many Cul de sac's don't see any thing for drainage.

Fred Zagar Jr.
HIGHWAY SUPERINTENDENT

_____
WATER SUPERINTENDENT

_____
SANITARY SUPERINTENDENT

May 17 1990
DATE

✓
cc: M.E.

APR 1 1 1990

90- 18

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., WATER, [redacted] HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision ✓ as submitted by

_____ for the building or subdivision of

H. FUCHS has been

reviewed by me and is approved ✓,

disapproved _____.

If disapproved, please list reason _____

_____

_____

_____

_____

_____
HIGHWAY SUPERINTENDENT

_____
WATER SUPERINTENDENT

John P. Egan
SANITARY SUPERINTENDENT

5-18-90
DATE

✓
CC: M.E.

90- 18

APR 1 1 1990

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., [redacted] SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Anthony J. Caffola for the building or subdivision of

H. Fuchs _____ has been

reviewed by me and is approved ✓ _____,

~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

There is no town water in this area.

_____

_____

_____

HIGHWAY SUPERINTENDENT

Steve D'Ado

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

cc: M.E.

FUCHS.PB

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 19 April 1990

SUBJECT: H. Fuchs Sketch Plan

PLANNING BOARD REFERENCE NUMBER: PB-90-18
DATED: 11 April 1990

FIRE PREVENTION REFERENCE NUMBER: FPS-90-032

A review of the above subject sketch plan was conducted on 19 April 1990.

This sketch plan is found acceptable.

PLANS DATED: 5 April 1990

Robert F. Rodgers mr.
Robert F. Rodgers; CCA
Fire Inspector

RR:mr
Att.

cc: M.E.

APR 1 1 1990

90- 18

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

(This is a two-sided form)

Date Received_____
Meeting Date_____
Public Hearing_____
Action Date_____
Fees Paid_____

APPLICATION FOR SITE PLAN, LOT-LINE CHANGE
OR SUBDIVISION PLAN APPROVAL

1. Name of Project Twin Arch Subdivision

2. Name of Applicant Mr. H. Fuchs Phone 914-426-2800

Address 40 Doral Court, New City New York 10956
(Street No. & Name) (Post Office) (State) (Zip)

3. Owner of Record Same as applicant Phone_____

Address_____
(Street No. & Name) (Post Office) (State) (Zip)

*4. Person Preparing Plan Anthony Coppola Phone 914-561-3559

Address 6 Diamond Court Newburgh New York 12550
(Street No. & Name) (Post Office) (State) (Zip)

5. Attorney_____ Phone_____

Address_____
(Street No. & Name) (Post Office) (State) (Zip)

6. Location: On the East side of Twin Arch Road
(Street)

_____ feet _____
(Direction)

of _____
(Street)

7. Acreage of Parcel 68.23A 8. Zoning District R1(1B)

9. Tax Map Designation: Section 55 Block 1 Lot 24

10. This application is for 33 lot subdivision

11. Has the Zoning Board of Appeals granted any variance or a special permit concerning this property? No

APR 11, 1990

90- 18

If so, list Case No. and Name _____

_____

12. List all contiguous holdings in the same ownership NA
Section _____ Block _____ 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.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE
SS.:
STATE OF NEW YORK

_____ being duly sworn, deposes and says that he resides at _____ in the County of _____ and State of _____ and that he is (the owner in fee) of _____
(Official Title)
of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

6 day of April 1990

_____
(Owner's Signature)

_____
(Applicant's Signature)

_____
(Title)

_____
Notary Public

MORRIS FOGEL
Notary Public, State of New York
No. 44-1261950
Qualified in Rockland County
Certificate Filed in Rockland County
Commission Expires March 30, 1992

REV. 3-87

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Herman Fuchs, deposes and says that he

resides at 40 Doral Court, New City, New York 10956
(Owner's Address)

in the County of Rockland

and State of New York

and that he is the owner in fee of New Windsor Parcel Section 55, Block 1, Lot 24

which is the premises described in the foregoing application and

that he has authorized Kartiganer Associates, P.C.

to make the foregoing application as described therein.

Date: May 18, 1992

(Owner's Signature)

Elaine Goodentz

(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.

APR 1 1 1990

90- 18

TOWN OF NEW WINDSOR PLANNING BOARD

MINOR SUBDIVISION CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. ✓ Environmental Assessment Statement

*2. ✓ Proxy Statement

3. ✓ Application Fees

4. ✓ Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. ✓ Name and address of Applicant.

*2. ✓ Name and address of Owner.

3. ✓ Subdivision name and location.

4. ✓ Tax Map Data (Section-Block-Lot).

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

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

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

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

9. ✓ Scale the plat is drawn to and North Arrow.

10. ✓ Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.

11. ✓ ~~Surveyor's~~ Architect certification.

12. ✓ ~~Surveyor's~~ Architect's seal and signature.

*If applicable.

13. _____ Name of adjoining owners.

14. ✓ Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.

*15. _____ Flood land boundaries.

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

17. _____ Final metes and bounds.

18. _____ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical centerline of the street.

19. _____ Include existing or proposed easements.

20. _____ Right-of-Way widths.

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

22. _____ Lot area (in square feet for each lot less than 2 acres).

23. ✓ Number the lots including residual lot.

24. ✓ Show any existing waterways.

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

26. _____ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.

27. _____ Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).

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

*If applicable.

29. _____ Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.

30. _____ Provide "septic" system design notes as required by the Town of New Windsor.

31. _____ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.

32. _____ Indicate percentage and direction of grade.

33. _____ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.

34. _____ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.

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

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

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: _____
Licensed Professional

Date: 4/8/90

90- 18

APR 1 1 1990

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Mr. Herman Fuchs, deposes and says that he resides at 40 Doral Court, New City, New York 10956
(Owner's Address)

in the County of Rockland

and State of New York

and that he is the owner in fee of 68.23 A east of Twin Arch Rd.

which is the premises described in the foregoing application and that he has authorized Anthony J. Coppola, R.A. & Michael R. Cain, P.E. to make the foregoing application as described therein.

Date: April 6, 1990

(Owner's Signature)

(Witness' Signature)

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 unmeasureable. 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 magitude 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

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

cc: M.E.

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 ~~Fuchs Subdivision~~ Fox Run Subdivision (Formally Twin Arch Sub.)		
LOCATION OF ACTION (Include Street Address, Municipality and County) Twin Arch Road, Town of New Windsor, Orange County, New York 12553		
NAME OF APPLICANT/SPONSOR Mr. Herman Fuchs	BUSINESS TELEPHONE (914) 426-2800	
ADDRESS 40 Doral Court		
CITY/PO New City	STATE NY	ZIP CODE 10956
NAME OF OWNER (If different) same as above	BUSINESS TELEPHONE ( )	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION Subdivision of 48.9+/- acres of land into 8 single-family building lots and a remainder lot of 36.4+/- acres.		

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 un-developed land

2. Total acreage of project area: 48.9 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	28+ acres	25+/- acres
Forested	20+ acres	19+/- 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	0.2+/- acres	0.2+/- acres
Unvegetated (Rock, earth or fill)	0.5+/- acres	0.5+/- acres
Roads, buildings and other paved surfaces	-- acres	1.1+/- acres
Other (Indicate type) lawns, landscaping	-- acres	5.0+/- acres

3. What is predominant soil type(s) on project site? RSB, Ma, Wd
   a. Soil drainage: ☒Well drained 80 % of site ☐Moderately well drained ____ % of site ☒Poorly drained 20 % 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? NA acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☒Yes ☐No
   a. What is depth to bedrock? 0'-8'+ (in feet)

5. Approximate percentage of proposed project site with slopes: ☐0-10% _____ % ☐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? from (in feet) 2'3" to 8'+

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: un-named tributary; stream index #H89-20-1-2
a. Name of Stream and name of River to which it is tributary Otterkill

16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name NA 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 0 acres.
b. Project acreage to be developed: 12.5 acres initially; 20.0 acres ultimately.
c. Project acreage to remain undeveloped 28.9 acres.
d. Length of project, in miles: NA (If appropriate)
e. If the project is an expansion, indicate percent of expansion proposed NA %;
f. Number of off-street parking spaces existing -- ; proposed 16 .
g. Maximum vehicular trips generated per hour 22 (upon completion of project)?
h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	8			
Ultimately	31			

i. Dimensions (in feet) of typical proposed structure 35' height; 30' width; 50' length.
j. Linear feet of frontage along a public thoroughfare project will occupy is? 1,085 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? -- 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, landscaping areas

   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? 6+/- 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 _____ months, (including demolition).

7. If multi-phased:

   a. Total number of phases anticipated 2 (number).

   b. Anticipated date of commencement phase 1 April month 1993 year, (including demolition).

   c. Approximate completion date of final phase April month 1995 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 30; after project is complete ---.

10. Number of jobs eliminated by this project None.

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 Septic Systems

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 1.0 tons Phase I

    b. If yes, will an existing solid waste facility be used? ☒Yes ☐No

    c. If yes, give name Orange County Landfill; location Goshen, New York

    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) electric

22. If water supply is from wells, indicate pumping capacity 5 gallons/minute. individual wells

23. Total anticipated water usage per day 3,600 gallons/day.

24. Does project involve Local, State or Federal funding? ☐Yes ☒No

    If Yes, explain _____

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	☐Yes	☒No		
City, Town, Village Planning Board	☒Yes	☐No	Subdivision approval	
City, Town Zoning Board	☐Yes	☒No		
City, County Health Department	☒Yes	☐No	Subdivision approval	
Other Local Agencies	☐Yes	☒No		
Other Regional Agencies	☒Yes	☐No	Orange Co. Planning	
State Agencies	☐Yes	☒No		
Federal Agencies	☐Yes	☒No		

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 restrictive covenant

2. What is the zoning classification(s)of the site? Rural Residential (R-1)
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
   33-1 Acre Building Lots
4. What is the proposed zoning of the site? NA
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
   NA
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 ¼ mile radius of proposed action?
   Rural Residential
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒Yes ☐No
9. If the proposed action is the subdivision of land, how many lots are proposed? 9
   a. What is the minimum lot size proposed? ~~57,110~~ 1.4 Ac SF
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.

Applicant/Sponsor Name Herman Fuchs / owner Date 20 July 92

Signature [illegible] PE Title V.P.

Rep. For Herman Fuchs

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

617.21
Appendix A
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 unmeasureable. 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 magitude 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

_____
Name of Action

_____
Name of Lead Agency

_____ _____
Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer

_____ _____
Signature of Responsible Officer in Lead Agency | Signature of Preparer (If different from responsible officer)

_____
Date

APR 1 1 1990

PART 1—PROJECT INFORMATION 90- 18

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 Twin Arch Subdivision		
LOCATION OF ACTION (Include Street Address, Municipality and County) Twin Arch Road, Town of New Windsor, Orange County, New York 12553		
NAME OF APPLICANT/SPONSOR Mr. Herman Fuchs	BUSINESS TELEPHONE (914) 426-2800	
ADDRESS 40 Doral Court		
CITY/PO New City	STATE NY	ZIP CODE 10956
NAME OF OWNER (If different) Same as above	BUSINESS TELEPHONE ( )	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION Subdivision of 68.23± acres of land into 33 single-family lots		

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 un-developed land

2. Total acreage of project area: 68.23± acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	28± acres	6± acres
Forested	20± acres	3± 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	acres	14± acres
Other (Indicate type) lawns, landscaping	20± acres	45± acres

3. What is predominant soil type(s) on project site? RSB, Ma, Wd
   a. Soil drainage: ☒Well drained 80 % of site ☐Moderately well drained % of site ☒Poorly drained 20 % 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? NA acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☒Yes ☐No
   a. What is depth to bedrock? 0-4 (in feet)

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5. Approximate percentage of proposed project site with slopes: ☒0-10% 95 % ☒10-15% 5 %
☐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? <4 (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: un-named tributary; stream index #H89-20-1-2
a. Name of Stream and name of River to which it is tributary Otterkill

16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name NA 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 - acres.
b. Project acreage to be developed: 68.28 acres initially; 68.28 acres ultimately.
c. Project acreage to remain undeveloped 0 acres.
d. Length of project, in miles: NA (If appropriate)
e. If the project is an expansion, indicate percent of expansion proposed NA %;
f. Number of off-street parking spaces existing -; proposed 66.
g. Maximum vehicular trips generated per hour 32 (upon completion of project)?
h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	33			
Ultimately	33			

i. Dimensions (in feet) of largest proposed structure - height; - width; - length.
j. Linear feet of frontage along a public thoroughfare project will occupy is? 1,085 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? - 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, landscaping areas
   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? 39 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 _____ months, (including demolition).

7. If multi-phased:
   a. Total number of phases anticipated 3 (number).
   b. Anticipated date of commencement phase 1 3 month 1992 year, (including demolition).
   c. Approximate completion date of final phase 3 month 1995 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 30; after project is complete -.

10. Number of jobs eliminated by this project None.

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 Septic systems

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 7.5 tons
   b. If yes, will an existing solid waste facility be used? ☒Yes ☐No
   c. If yes, give name Orange County Landfill; location Goshen, NY
   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) electric

22. If water supply is from wells, indicate pumping capacity 5 gallons/minute. individual wells

23. Total anticipated water usage per day ~~12,000~~ gallons/day.

24. Does project involve Local, State or Federal funding? ☐Yes ☒No
   If Yes, explain _____

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25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	☐Yes	☒No		
City, Town, Village Planning Board	☒Yes	☐No	Subdivision approval	
City, Town Zoning Board	☐Yes	☒No		
City, County Health Department	☒Yes	☐No	Well & septic designs	
Other Local Agencies	☐Yes	☒No		
Other Regional Agencies	☒Yes	☐No	Orange Co. Planning	
State Agencies	☒Yes	☐No	NYSDEC - Stream Distrub.	
Federal Agencies	☐Yes	☒No		

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 restrictive covenant

2. What is the zoning classification(s)of the site? Rural Residential (R-1)
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
4. What is the proposed zoning of the site? NA
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
   NA
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 ¼ mile radius of proposed action?
   Rural Residential
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒Yes ☐No
9. If the proposed action is the subdivision of land, how many lots are proposed? 33
   a. What is the minimum lot size proposed? 43,560 SF
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.

Applicant/Sponsor Name HERMAN FUCHS Date 4/6/90

Signature [signature] Title —

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

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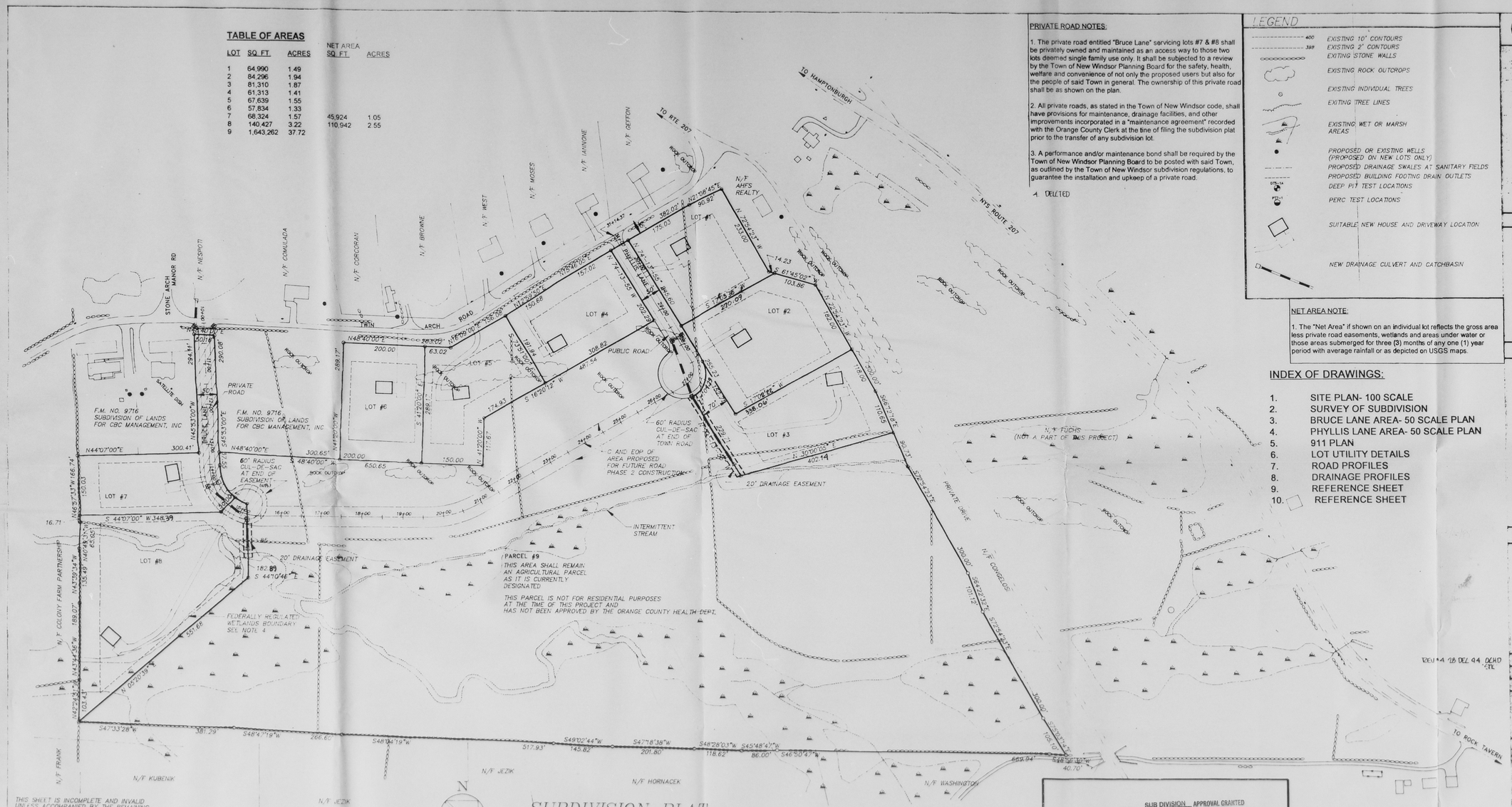
TABLE OF AREAS

LOT	SQ FT	ACRES	NET AREA SQ FT	NET AREA ACRES
1	64,990	1.49		
2	84,296	1.94		
3	81,310	1.87		
4	61,313	1.41		
5	67,639	1.55		
6	57,834	1.33		
7	68,324	1.57	45,924	1.05
8	140,427	3.22	110,942	2.55
9	1,643,262	37.72		



SUBDIVISION PLAT

SCALE: 1 IN. = 100 FT.

THIS SHEET IS INCOMPLETE AND INVALID UNLESS ACCOMPANIED BY THE REMAINING SHEETS OF THIS PLAN SET

REPRODUCTION OF THIS DOCUMENT IN WHOLE OR IN PART IS PROHIBITED EXCEPT WITH THE PERMISSION OF THE OFFICE OF ORIGIN.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.

PRIVATE ROAD NOTES:

1. The private road entitled "Bruce Lane" servicing lots #7 & #8 shall be privately owned and maintained as an access way to those two lots deemed single family use only. It shall be subjected to a review by the Town of New Windsor Planning Board for the safety, health, welfare and convenience of not only the proposed users but also for the people of said Town in general. The ownership of this private road shall be as shown on the plan.

2. All private roads, as stated in the Town of New Windsor code, shall have provisions for maintenance, drainage facilities, and other improvements incorporated in a "maintenance agreement" recorded with the Orange County Clerk at the tine of filing the subdivision plat prior to the transfer of any subdivision lot.

3. A performance and/or maintenance bond shall be required by the Town of New Windsor Planning Board to be posted with said Town, as outlined by the Town of New Windsor subdivision regulations, to guarantee the installation and upkeep of a private road.

4. DELETED

LEGEND

- 400 — EXISTING 10' CONTOURS
- 398 — EXISTING 2' CONTOURS
- EXITING STONE WALLS
- EXISTING ROCK OUTCROPS
- EXISTING INDIVIDUAL TREES
- EXITING TREE LINES
- EXISTING WET OR MARSH AREAS
- PROPOSED OR EXISTING WELLS (PROPOSED ON NEW LOTS ONLY)
- PROPOSED DRAINAGE SWALES AT SANITARY FIELDS
- PROPOSED BUILDING FOOTING DRAIN OUTLETS
- DEEP PIT TEST LOCATIONS
- PERC TEST LOCATIONS
- SUITABLE NEW HOUSE AND DRIVEWAY LOCATION
- NEW DRAINAGE CULVERT AND CATCHBASIN

NET AREA NOTE:

1. The "Net Area" if shown on an individual lot reflects the gross area less private road easements, wetlands and areas under water or those areas submerged for three (3) months of any one (1) year period with average rainfall or as depicted on USGS maps.

INDEX OF DRAWINGS:

1. SITE PLAN- 100 SCALE
2. SURVEY OF SUBDIVISION
3. BRUCE LANE AREA- 50 SCALE PLAN
4. PHYLLIS LANE AREA- 50 SCALE PLAN
5. 911 PLAN
6. LOT UTILITY DETAILS
7. ROAD PROFILES
8. DRAINAGE PROFILES
9. REFERENCE SHEET
10. REFERENCE SHEET

AREA MAP

SCALE: 1 IN. = 400'

SITE INFORMATION

LOCATION: TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

OWNER/APPLICANT: HERMAN AND MINA FUCHS, C/O 640 CHESTNUT RIDGE RD., P.O. BOX 322, SPRING VALLEY, N.Y. 10977

TAX MAP DATA: SECTION 55, BLOCK 1, LOT 24

LOT AREA: 2128217± SF (49± AC)

ZONING DISTRICT: R-1 USE 6

PERMITTED USES: SINGLE FAMILY DETACHED DWELLINGS

BULK REGULATIONS

DISTRICT R-1

ITEM	REQUIRED	PROVIDED (MIN.)
PROPERTY AREA	43560 SF MIN.	61528 ± SF
DEVELOPEMENT COVERAGE	10% MAX.	1.9% MAX.
LIVABLE FLOOR AREA	1200 S.F.	1200 ± SF
WIDTH	125 FT.	125 ± FT.
FRONT YARD	45 FT.	45 ± FT.
SIDE YARD	20 FT.	20 ± FT.
TOTAL SIDE YARDS	40 FT.	40 ± FT.
REAR YARD	50 FT.	50 ± FT.
REQ. STREET FRONTAGE	70 FT.	70 ± FT.
MAX. BLDG. HIEGHT	35 FT.	35 ± FT.

NOTES:

1. BOUNDARY & TOPOGRAPHICAL SURVEY INFORMATION BASED UPON MAPS PREPARED BY DENNIS E. WALDEN, LAND SURVEYOR, LICENSE NO. 47555 INCLUDING THE LOCATION OF PERC & DEEP TESTS.
2. TAX LOT DATA AND ADJOINING OWNERS ARE IN ACCORDANCE WITH THE TAX ASSESSMENT MAP AND ROLLS RESPECTIVELY OF THE TOWN OF NEW WINDSOR.
3. THE PREMISES SHOWN ARE SUBJECT TO ANY EASEMENTS AND ENCUMBRANCES OF RECORD AND ANY STATE OF FACTS AN ACCURATE, UP TO DATE, ABSTRACT OF TITLE MAY SHOW.
4. FEDERALLY REGULATED WETLANDS BOUNDARY DELINEATED BY DAVID WASHBURN, REFERENCE PROJECT REPORT FILE: A92-122 DATED 25 MAY 1992

REV.	DR.	CK.	DATE	DESCRIPTION
3	STK	STK	20 JULY 1994	GENERAL REVISIONS
2	WSO	STK	8 JULY 1992	GENERAL REVISIONS
1				

DEL'd 18 DEC 94 DCHD STK

SCOTT KARTIGANER, P.E.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391 FAX: 914-562-4395

FOX RIVER PARK SUBDIVISION

TWIN ARCH ROAD NEW WINDSOR, ORANGE CO., N.Y.

SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON MAR 15 1996 BY EDWARD STENT, SECRETARY

ENGINEER'S CERTIFICATION:

THE PROPOSED SEWAGE DISPOSAL SYSTEMS AND WATER SUPPLY SYSTEMS SHOWN ARE DESIGNED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS ESTABLISHED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR RESIDENTIAL LOTS. THE DESIGNS ARE BASED ON ACTUAL SOIL AND SITE CONDITIONS FOUND UPON THE LOTS AT THE DESIGN LOCATION AT THE TIME OF DESIGN.

STATE OF NEW YORK — SCOTT KARTIGANER — LICENSED PROFESSIONAL ENGINEER

SITE PLAN

SCALE : 1 IN.=100' SHEET: 1 OF: 10
DATE : 16 MAY 1991
DWG. NO.: SP-1
DRAWN : STK JOB NO : 90004.00
CHECKED : STK FILE NO. : 900045K/PARCEL

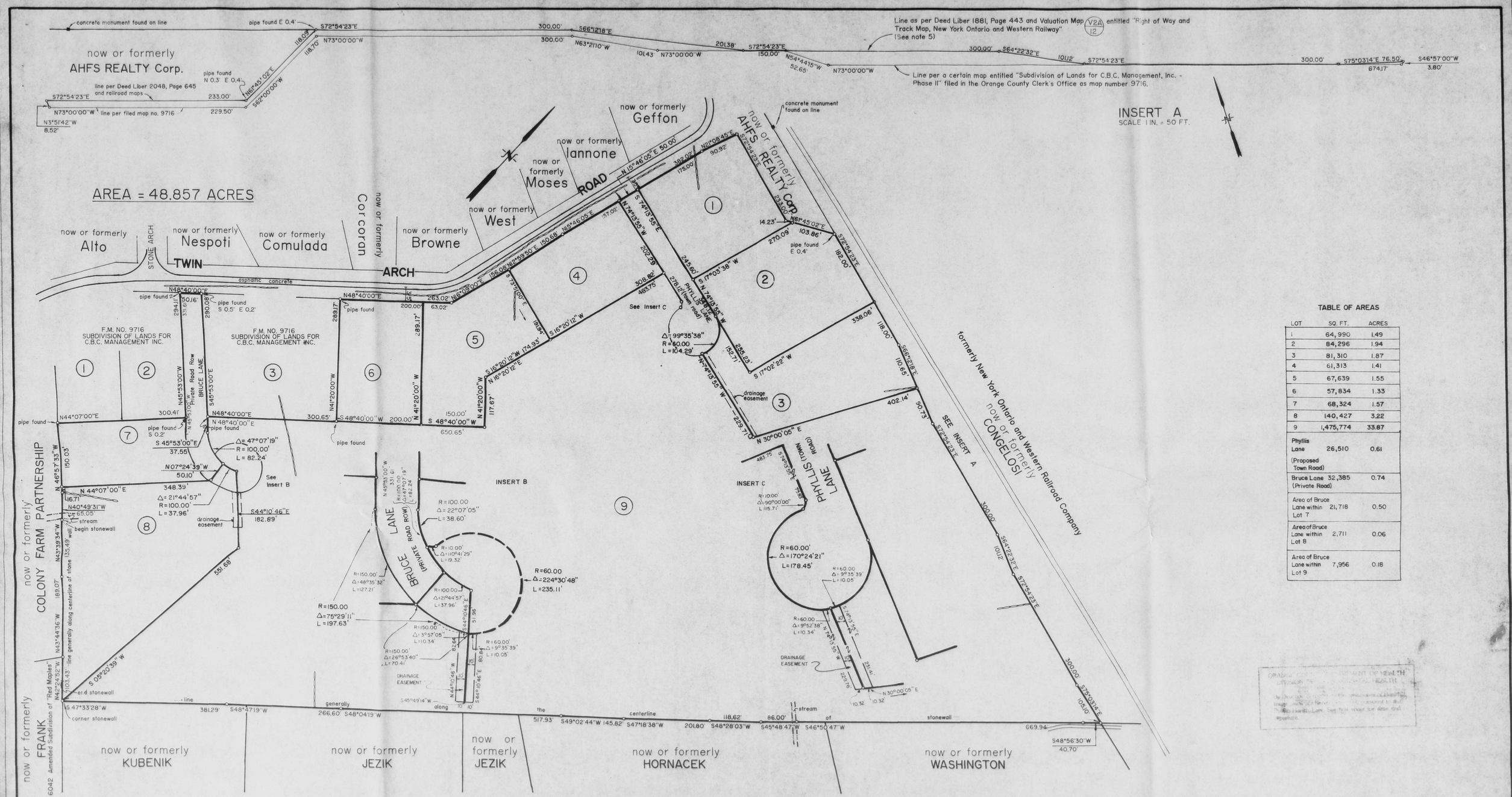


TABLE OF AREAS

LOT	SQ. FT.	ACRES
1	64,990	1.49
2	84,296	1.94
3	81,310	1.87
4	61,313	1.41
5	67,639	1.55
6	57,834	1.33
7	68,324	1.57
8	140,427	3.22
9	1,475,774	33.87
Phyllis Lane (Proposed Town Road)	26,510	0.61
Bruce Lane (Private Road)	32,385	0.74
Area of Bruce Lane within Lot 7	21,718	0.50
Area of Bruce Lane within Lot 8	2,711	0.06
Area of Bruce Lane within Lot 9	7,956	0.18

NOTES

1. The parcel shown hereon is a portion of land described in Deed Liber 2192, Page 407 and also generally as shown and delineated as Lot 4 on a certain map entitled " Subdivision of Lands for C.B.C. Management, Inc. Phase II", filed as map number 9716, both recorded in the Orange County Clerk's Office.
2. Surveyed as per record filed maps, unrecorded maps, record descriptions and existing monumentation.
3. Granting and reserving any easements and/or right of ways.
4. The road line along Twin Arch Road has been established as being thirty five (35) feet from the existing centerline of Twin Arch Road.
5. The northerly line of the parcel shown hereon, along lands formerly of the New York Ontario and Western Railway and now or formerly Anthony F. Congelosi Jr., has been established based on Deed Liber 1881, Page 443, Valuation Map V2A 12 entitled "Right of Way and Track Map, New York Ontario and Western Railway Company, Station VS 577+10 to Station VS 629+90" dated June 30, 1916, latest revision January 1957, and existing monumentation.

The location of any subsurface easements, right of ways, encroachments and/or improvements, if any exist, are not certified or shown hereon.

Any alterations or additions to this survey is a Violation of Section 7209 of the New York State Education Law, except as per Section 7209 Sub-division 2.

All certifications hereon are valid for this map and copies thereof only if said map or copies bear the impressed seal of the surveyor whose signature appears hereon.

Dennis E. Walden, Land Surveyor
7-11 Beekman St., Beacon, N.Y. (914) 831-8196

I hereby certify that the survey shown hereon is based on an actual field survey completed on JUNE 29, 1990 and that this map was completed on AUGUST 10, 1994

Certified only to:
HERMAN FUCHS
MINA LEE FUCHS

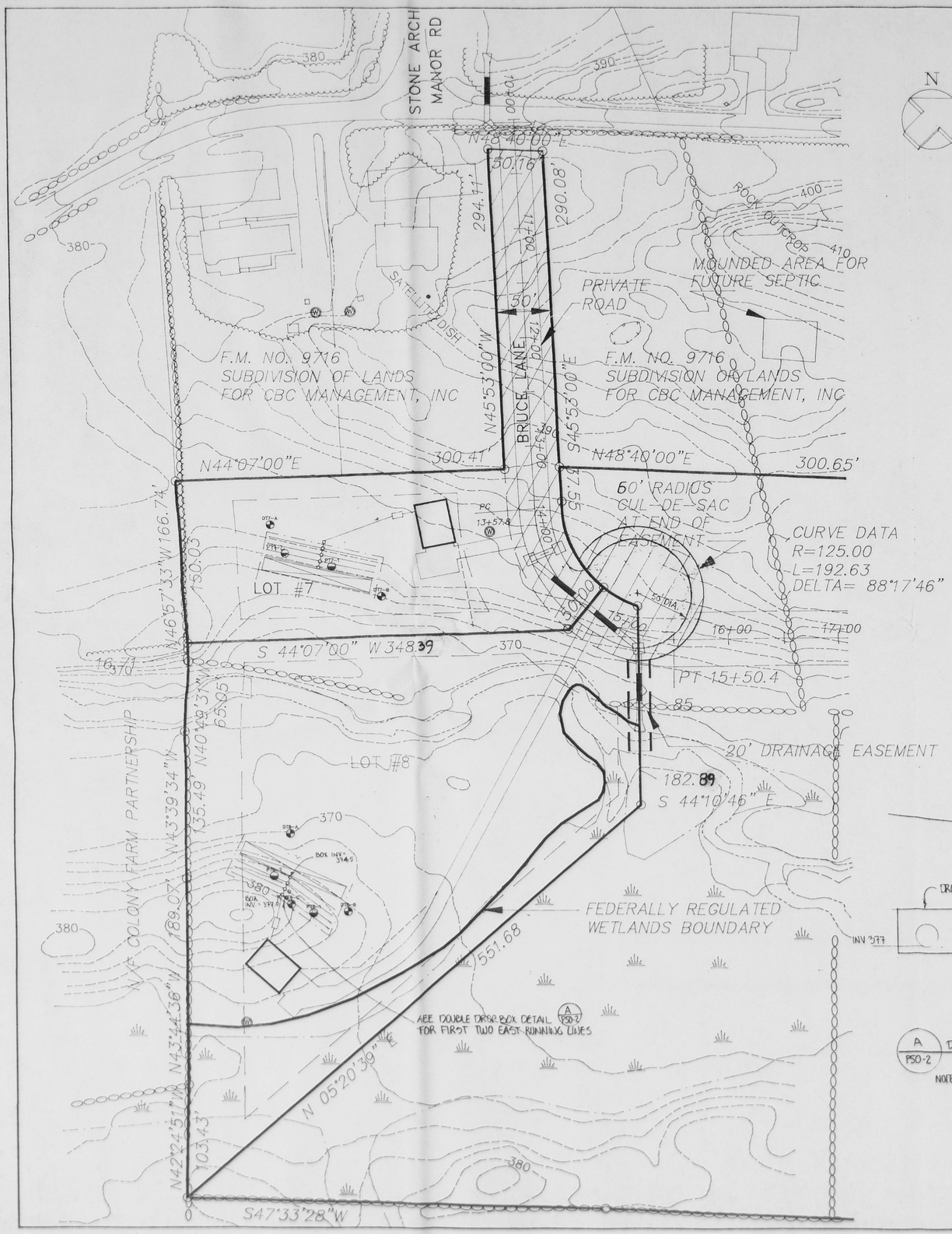
By: Dennis E. Walden
Dennis E. Walden N.Y. State Lic. N° 49555

SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR 15 1996
BY EDWARD STENT, SECRETARY

SUBDIVISION OF
FOX RIVER PARK
PREPARED FOR
HERMAN FUCHS & MINA LEE FUCHS
SITUATE IN THE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK
SCALE 1 IN. = 100 FT.
AUGUST 10, 1994
REVISED: MAY 11, 1995

SHEET 2 of 10

1652



50 SCALE PLAN
BRUCE LANE AREA

N

50 0 25 50 100 200

SCALE: 1IN. = 50 FT.

SUBSURFACE SANITARY SYSTEM DESIGN TABLE (file: 90004-A/SANPERC DOC)

Lot No.	Hole No.	Date Field Testing	Stabilized Percolation Rate (min)	Design Percolation Rate (min)	No. of Bed-rooms	LF Field Required (includes capacity for Softener)	LF Provided	Min. Suitable Ele. for FF w/Respect to Septic	Cl Sewer Elevation from house	Invert @ first distribution box in field	Footing Drain Outlet Elevation
						33'					
1	1**	12/3/93	55	46-60	3	433+~~28~~ = 470		416	414	408.5	408
	2	11/15/91	7			~~458~~ 466	Install 10	lines at ~~36'~~ 47			
	A***	12/6/94	16								
2	1**	12/3/93	20	16-20	4	372+25 =	400	420	418	410.5	411
	2	11/18/91	5			397	Install 10	lines at 40'			
3	1*	12/3/93	7	16-20	4	372+25 =	400	412	410	406	398
	2	11/18/91	18			397	Install 8	lines at 50			
						33	470				
4	1**	12/3/93	55	46-60	3	433+~~28~~ =	~~380~~	412	410	408.5	401
	2	11/18/91	21			~~458~~ 466	Install 10	lines at ~~36'~~ 47			
	A***	12/6/94	34								
5	1**	12/3/93	11	21-30	3	325+25 =	400	415	413	406.5	404
	2	11/19/91	10			350	Install 10	lines at 40			
		NOTE:	install	gravel	trench	to a	depth of	30" below	top of	trench	
	A,B+C	*** - SEE NOTE/LOT #5 USE PERC. RATE 21-30									
6	1	11/19/91	7								
	2	11/19/91	11								
	3*	12/3/93	11			325+25 =	400	411	409	397	401
	A	12/6/94	25	21-30	3	350	Install 8	lines at 50			
7	1*	12/3/93	20	16-20	4	372+25 =	400	382	380	377	372
	2	11/19/91	12			397	Install 8	lines at 50'			
						33					
8	1*	12/3/93	19	31-45	3	390+~~26~~ =	424	382	380	377	371
	2	11/19/91	32			~~385~~ 423	Install 8	lines at 55'			

* Indicates tests performed 12/3/93 and witnessed by a representative of the OCHD. Lots 3,7 & 8.
** Indicates tests performed 12/3/93 and not witnessed by a representative of the OCHD. Lots 2,5
(Note: some percolation tests for in 1993 have a higher stabilized percolation rate which is attributed to the compaction of soil during the process of achieving positive drainage away from the fields)

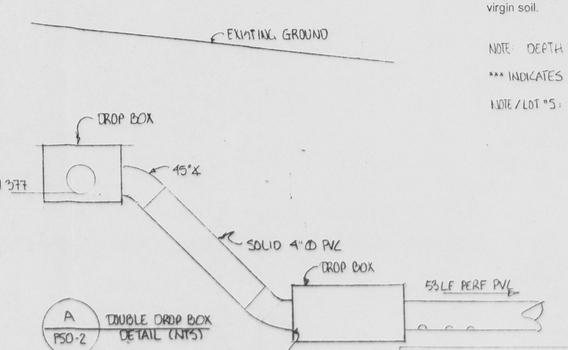
Note: Some grading has been performed in the areas of lots 1,2,3,4,5,6 and 7. No earthwork was done on lot 8. Lots 1,2,3,4,6 & 7 required work so that positive drainage away from the fields is clearly achieved. Up to 12" of material was added to field areas and the existing topsoil was not removed. Lot 5 was filled with material in excess of 12" in some areas but not more than 24 " as required to get adequate depths to bedrock. These areas were completed by May 1993 and allowed to settle for a period in excess of 6 months while experiencing several freeze thaw cycles.

For lot 5 all grading was extended to existing ground around the perimeter of the field substantially in excess of the 3 on 1 slope and 10' from trench walls as required by the OCHD under the requirements for a Shallow Absorption Trench detail making the existing ground the "impervious soil". Trenches are specified to extend a minimum depth of 30" into the field for this lot to assure a 6" minimum penetration into virgin soil.

NOTE: DEPTH OF HOLES DUG FOR PERC. TESTS WERE 25" ± 2"

*** INDICATES TESTS PERFORMED 12/6/94 & WITNESSED BY A REP. OF THE OCHD LOTS 1,2,4,5 & 6

NOTE/LOT #5: 3 TESTS WERE PERFORMED ON THE LOT 12/6/94 WITH RESULTS FOR 'A' OF 60 MIN 'B' OF 10 MIN. & 'C' OF 18 MIN. IT IS BELIEVED THAT PERC 'A' IS AN ANOMALY AND PER DISCUSSION WITH THE OCHD. THE DESIGN RATE TO BE USED IS 21-30



A / PSO-2 DOUBLE DROP BOX DETAIL (NTS)

NOTE: INSTALLATION DETAILS FOR BOXES + LINE SEE SHEET D-1

THIS SHEET IS INCOMPLETE AND INVALID UNLESS ACCOMPANIED BY THE REMAINING SHEETS OF THIS PLAN SET.

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SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR 15 1995
BY EDWARD STENTZ
SECRETARY

REV	DR	CK	DATE	DESCRIPTION
2	AL	AL	4.14.95	REVISED CUL-DE-SAC SIZE TO 60'
1	AL	AL	2.1.95	MOD. 3,5,6,8 ON TABLE, LOT #8

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CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391

TWIN ARCH ROAD — TOWN OF NEW WINDSOR

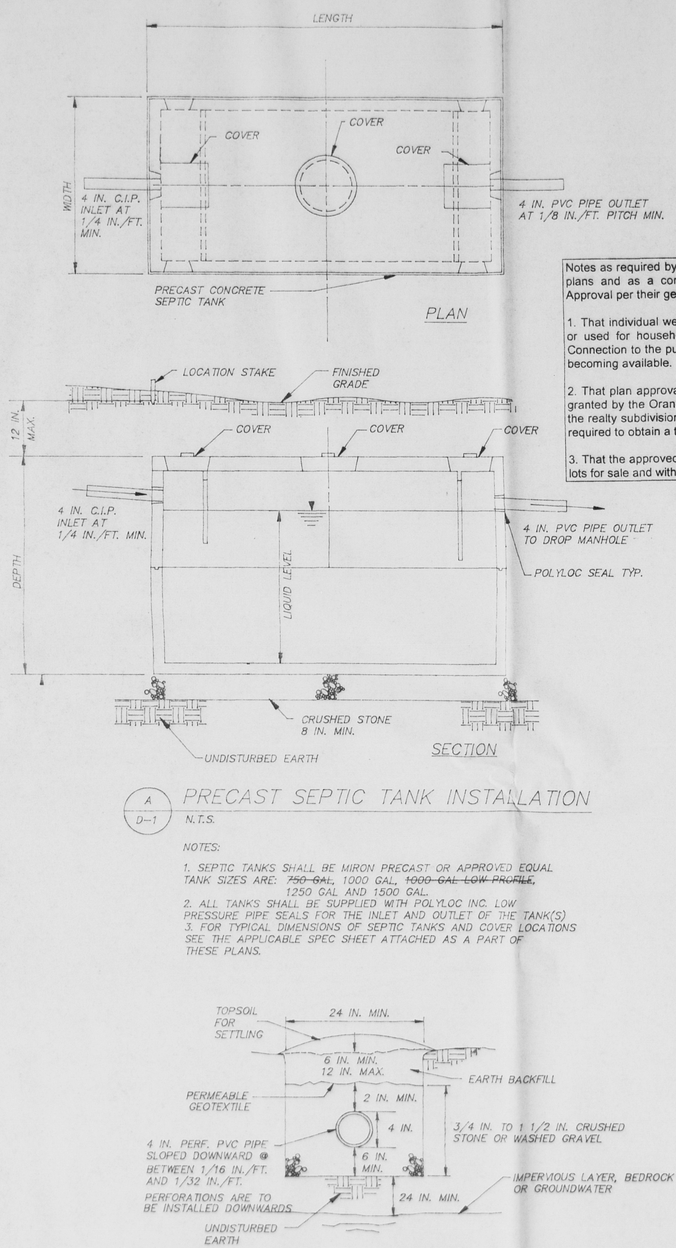
FOX RIVER PARK SUBDIVISION

ORANGE COUNTY — NEW YORK

STATE OF NEW YORK · SCOTT KARTIGANER · LICENSED PROFESSIONAL ENGINEER · NO. 065090

50 SCALE PLAN BRUCE LANE AREA

SCALE : AS SHOWN — SHEET: 3 OF: 10
DATE : 20 JULY 1994
DWG. NO.: PSO-2
DRAWN : SK — FILE NO.: conb
CHECKED : STK — JOB NO : SK90004



A / D-1 PRECAST SEPTIC TANK INSTALLATION

N.T.S.

NOTES:

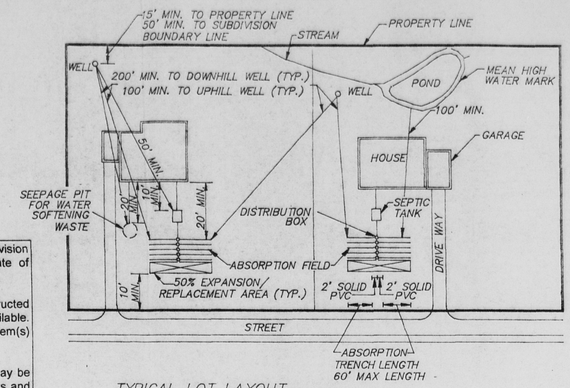
1. SEPTIC TANKS SHALL BE MIRON PRECAST OR APPROVED EQUAL TANK SIZES ARE: ~~750 GAL~~, 1000 GAL, ~~1000 GAL LOW PROFILE~~, 1250 GAL AND 1500 GAL.
2. ALL TANKS SHALL BE SUPPLIED WITH POLYLOC INC. LOW PRESSURE PIPE SEALS FOR THE INLET AND OUTLET OF THE TANK(S)
3. FOR TYPICAL DIMENSIONS OF SEPTIC TANKS AND COVER LOCATIONS SEE THE APPLICABLE SPEC SHEET ATTACHED AS A PART OF THESE PLANS.

Notes as required by the NY State Dept. of Health to be included on realty subdivision plans and as a condition of the Orange County Health Department Certificate of Approval per their general letter of 1/19/1994 (Re: CSFP 601).

1. That individual wells and sewage treatment systems shall no longer be constructed or used for household domestic purposes when public facilities become available. Connection to the public sewerage system is required within one year of the system(s) becoming available.

2. That plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Health Department based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.

3. That the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.



E / D-1 TYPICAL LOT LAYOUT

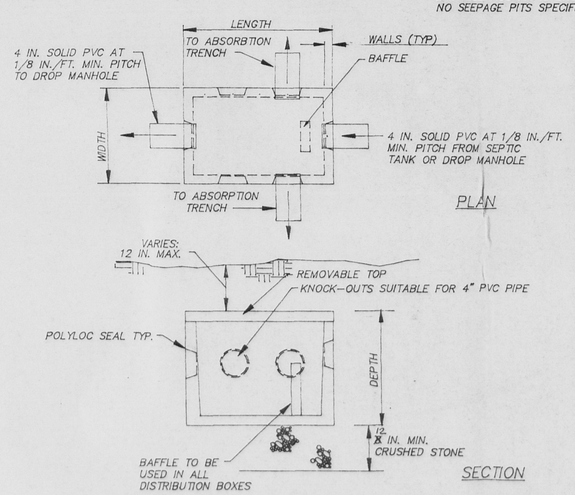
INCLUDING ONSITE SANITARY IMPROVEMENTS, RELATIVE LOCATIONS OF CONSTRUCTION AND SETBACKS

N.T.S.

NOTES:

1. A 2'LENGTH OF SOLID PVC SHALL BE INSTALLED BETWEEN THE DISTRIBUTION BOXES AND THE LATERALS. THE TRENCH AROUND THIS LENGTH OF PIPE SHALL BE BACKFILLED WITH A RELATIVELY IMPERMEABLE SOIL. THE EXISTING SOIL MAY BE USED SUBJECT TO ACCEPTANCE BY THE ENGINEER IN THE FIELD.

2. A SEEPAGE PIT IS SHOWN FOR RELATIVE SETBACK PURPOSES ONLY. THERE ARE NO SEEPAGE PITS SPECIFED AS PART OF THIS PROJECT.



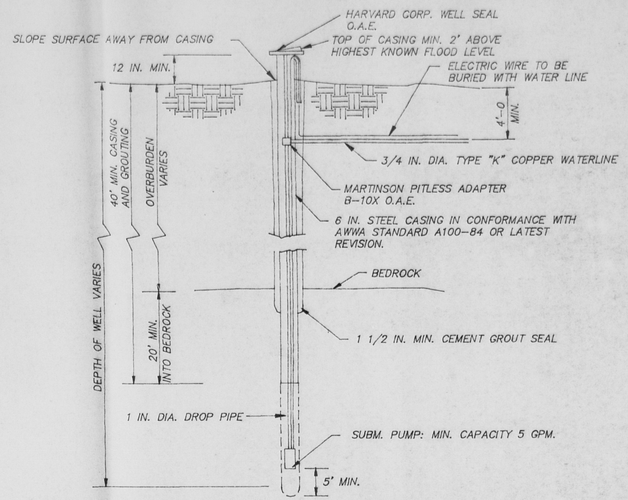
C / D-1 PRECAST DISTRIBUTION BOX INSTALLATION

N.T.S.

NOTES:

WOODARD'S

1. DISTRIBUTION BOXES SHALL BE ~~MIRON~~ PRECAST OR APPROVED EQUAL ACCEPTABLE BOXES ARE A ~~DIST. BX. 3 AND A 5 HOLE BOX~~ DB-6DB
UNUSED OUTLETS SHALL REMAIN SEALED
2. ALL BOXES SHALL BE SUPPLIED WITH POLYLAC INC. LOW PRESSURE PIPE SEALS FOR THE INLET AND OUTLETS OF THE BOXES
3. FOR TYPICAL DIMENSIONS OF THE BOXES SEE THE APPLICABLE CATALOG CUTS ATTACHED AS A PART OF THESE PLANS.
4. CONCRETE BRICKS GROUTED IN PLACE ARE TO BE USED TO CONSTRUCT BAFFLE



F / D-1 WELL SUPPLY DETAIL

N.T.S.

NOTES:

1. WELL TO HAVE MIN. OF 10 IN. DRILL HOLE.
2. MIN. WELL YIELD IS 5 GPM.

Sanitary System Design General Notes:

file:90004-A/OCHNOTE1.doc

1. Project design is for 130 GPD per bedroom.

2. Waterless toilet (e.g. composter) with new standard features is not acceptable for new construction.

3. Sanitary system designs are based upon the slowest percolation rate found in the area of the system.

4. Distribution box outlets shall be installed level by the contractor at the time of construction.

5. The sanitary facilities (including well, septic system and any water treatment facilities) shall be inspected and certified by a NYS licensed design professional. A copy of the certification must be received by the Orange County Health Department (OCHD) and the local Code Enforcement Officer prior to occupancy.

6. The contractor shall demonstrate to the design professional (at the time of construction) that the installation of the system meets the requirements for a "certification of construction compliance" to the Orange County Health Department and the local Code Enforcement Officer including, but not limited to, *that all joints have been sealed and tested for watertightness and the septic tank has been installed in accordance with Appendix 75-A of the OCHD policy and standards and with the tank manufacture's instructions*

7. The contractor shall notify the design professional (at the time of construction) a minimum of 7 working days in advance for a site appointment for all necessary observations and testing prior to backfilling construction.

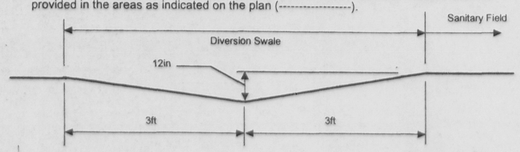
8. No lot or remaining lands are to be further subdivided without Orange County Health Department review and approval.

9. The design and location of the sanitary facilities (well and septic system) shall not be changed.

10. There is no regrading allowed in the area of the adsorption field.

11. Heavy equipment shall be kept off of the area of the sewage disposal system field except for the actual construction of the field. There shall be no unnecessary movement of construction equipment in the area of the proposed field before, during or after construction.

12. Final site grading (outside area of sewage disposal system fields) shall be made to divert surface waters from sewage disposal system fields. Diversion swales shall be provided in the areas as indicated on the plan (----------).



13. Septic tanks

A. Four bedroom units are to have a 1250 gallon minimum sized tank installed. Three bedroom units are to have a 1000 gallon minimum sized tank installed.

B. Septic tanks for lots are designed without providing for the installation of garbage grinders. If a garbage grinder is going to be installed or is reasonably anticipated in the future by the developer of the individual lots at the time of construction then the overall septic tank capacity shall be increased a minimum of 250 gallons. This added capacity shall be provided by the installation of two tanks in series connected by a 4 inch diameter cast iron pipe. The first tank shall account for a minimum of 60% of the design volume. (for example- one 1500 gallon tank and a 1000 gallon tanks in series)

C. All joints shall be sealed and tested for watertightness and the tank shall be installed in accordance with Appendix 75-A and the tank manufacture's instructions.

14. All pipe joints shall be sealed with asphaltic material or equivalent watertight compound.

15. Outlet pipes from distribution box to distributor laterals shall be sloped 1/8 in/ft minimum. The slope of all outlet pipes shall be equal for the first 10 feet from the distribution box.

16. No roof or footing drains shall be discharged into the sewage disposal system

17. All trees must be removed from the sewage disposal system fields.

18. No driveways, roadways or parking areas shall be constructed over any portion of the sanitary disposal system.

19. No component, or part of any sewage disposal system shall be located or maintained within 100 ft of any spring, reservoir, brook, marsh or any other body of water.

20. All laterals for each lot shall be approximately equal in length.

21. Maximum ground slope in the sewage disposal system fields shall not exceed 15%.

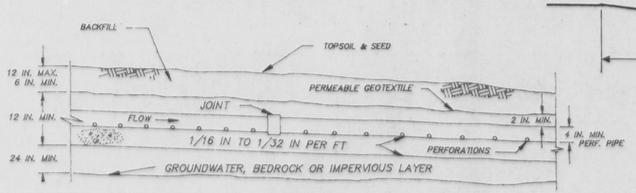
ORANGE COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
By Direction of the State Commissioner of Health, these plans are hereby approved pursuant to the Public Health Law. See final signed for details and exceptions.

B / D-1 ABSORPTION TRENCH DETAIL

N.T.S.

NOTES:

1. TRENCHES ARE NOT TO BE INSTALLED IN WET SOIL.
2. SIDES AND BOTTOM OF TRENCH ARE TO BE RAKED PRIOR TO PLACEMENT OF GRAVEL.
3. ENDS OF DISTRIBUTION PIPES TO BE PLUGGED.
4. MIN. 4" UNDISTURBED SOIL BETWEEN TRENCHES.



D / D-1 TRENCH PROFILE

N.T.S.

SPACING OF ABSORPTION TRENCHES 6 FT O.C. (MIN.)

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SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR 15 1996
BY EDWARD STERT, SECRETARY

REV	DR	CK	DATE	DESCRIPTION
1	SK	SK	7.1.95	12" FROM 8" DETAIL C-D-1

SCOTT KARTIGANER, P.E.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391

TWIN ARCH ROAD — TOWN OF NEW WINDSOR

FOX RIVER PARK SUBDIVISION

ORANGE COUNTY — NEW YORK

STATE OF NEW YORK · SCOTT KARTIGANER · NO. 066291 · LICENSED PROFESSIONAL ENGINEER

LOT UTILITY DETAILS

SCALE : AS SHOWN
DATE : 20 JULY 1994
DWG. NO.: D-1
DRAWN : SK
CHECKED : STK

SHEET: 6 OF: 10
FILE NO.: D-11
JOB NO : SK90004

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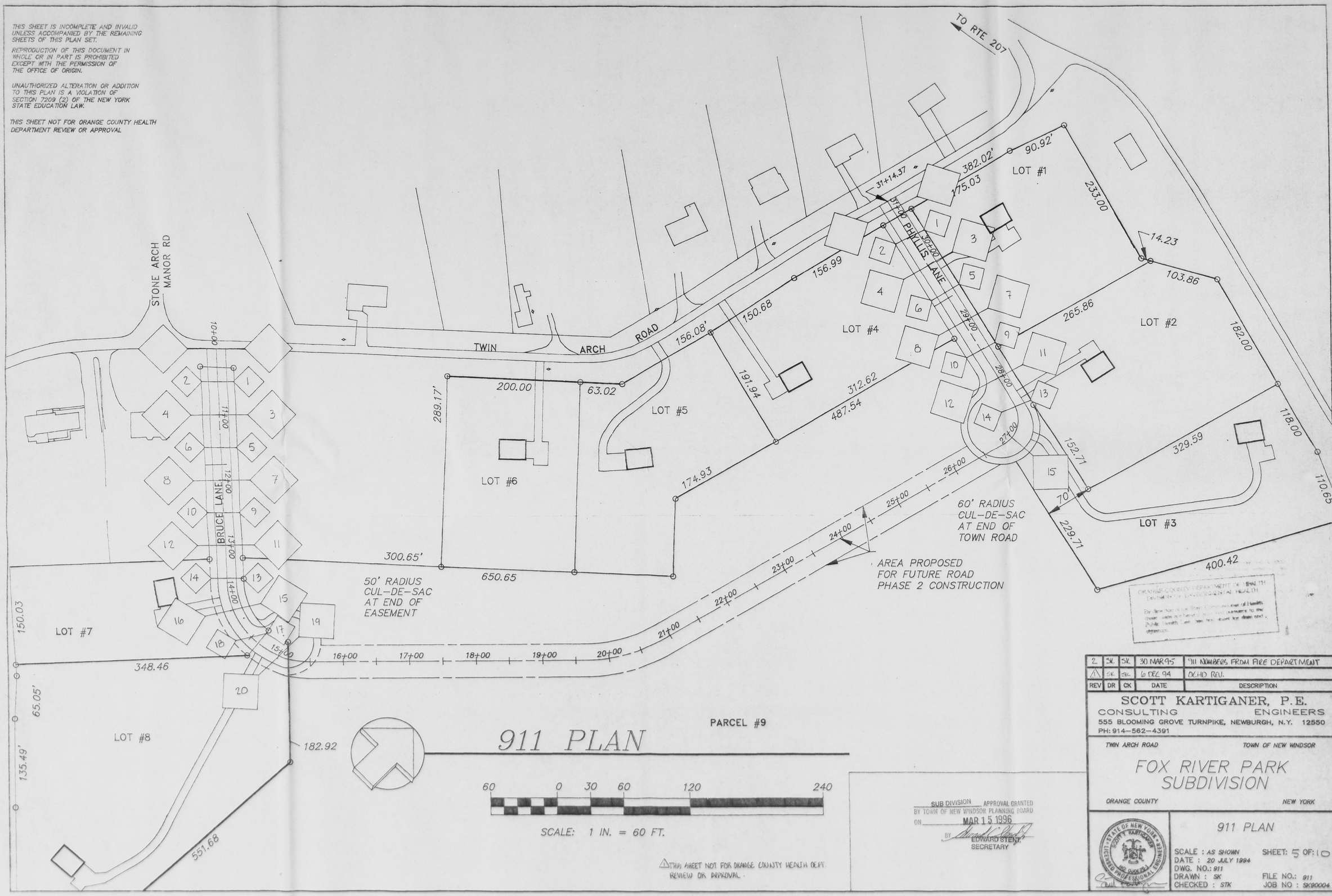
THIS SHEET NOT FOR ORANGE COUNTY HEALTH DEPARTMENT REVIEW OR APPROVAL



⚠ THIS SHEET NOT FOR ORANGE COUNTY HEALTH DEPT. REVIEW OR APPROVAL.

SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON MAR 15 1996 BY EDWARD STENT, SECRETARY

REV	DR	CK	DATE	DESCRIPTION
2	SK	SK	30 MAR 95	911 NUMBERS FROM FIRE DEPARTMENT
1	SK	SK	6 DEC 94	DCHD REV.

SCOTT KARTIGANER, P.E.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391

TWIN ARCH ROAD — TOWN OF NEW WINDSOR

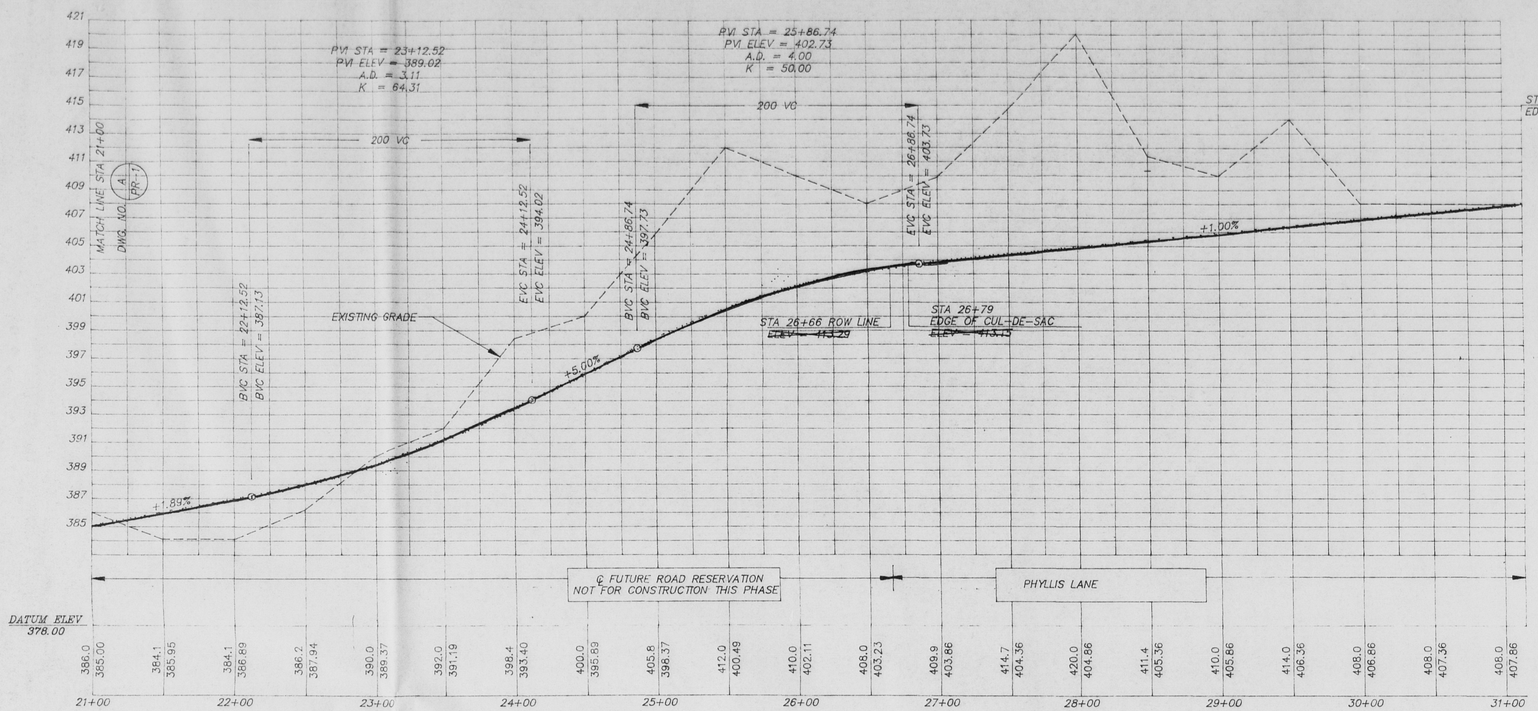
FOX RIVER PARK SUBDIVISION

ORANGE COUNTY — NEW YORK

911 PLAN

SCALE : AS SHOWN
DATE : 20 JULY 1994
DWG. NO.: 911
DRAWN : SK
CHECKED : STK

SHEET: 5 OF: 10
FILE NO.: 911
JOB NO : SK90004

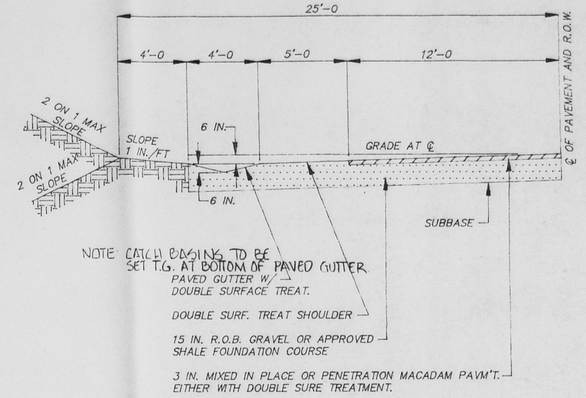


℄ PROFILE – ROAD 'A' CON'T.
INCLUDING PHYLLIS LANE

B / PR-1 SCALE: HORIZONTAL – 1 IN. = 50 FT.
VERTICAL – 1 IN. = 5 FT.

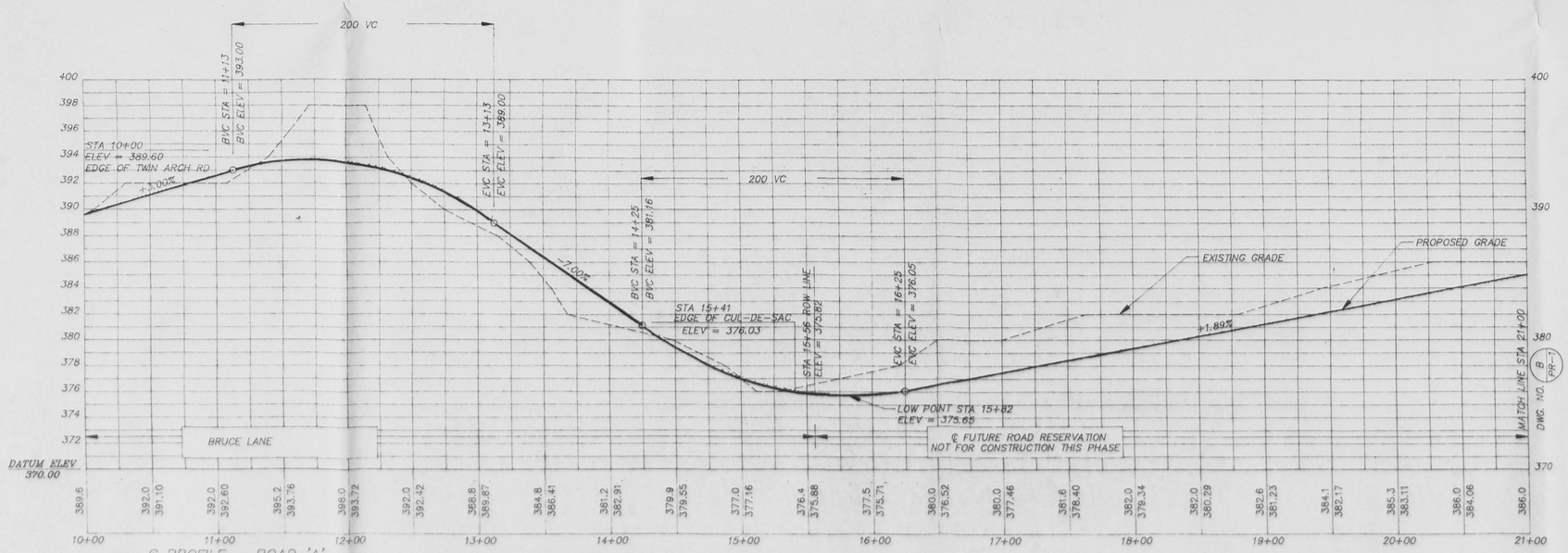
NOTES:

1. ALL OF STREET SHALL BE GRADED TO THE RIGHT OF WAY LINES
2. ALL TREES TO BE REMOVED WITHIN THE RIGHT OF WAY LINES.



C / PR-1 RURAL STREET SPECIFICATION
SCALE: 1/4 IN. = 1'-0

NOTE: PRIVATE ROADS SHALL BE CONSTRUCTED TO MEET RURAL ROAD SPECIFICATIONS



℄ PROFILE – ROAD 'A'
INCLUDING BRUCE LANE

A / PR-1 SCALE: HORIZONTAL – 1 IN. = 50 FT.
VERTICAL – 1 IN. = 5 FT.

SUB DIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR 15 1996
BY EDWARD STENT, SECRETARY

REV	DR	CK	DATE	DESCRIPTION

SCOTT KARTIGANER, P.E.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391

TWIN ARCH ROAD — TOWN OF NEW WINDSOR

FOX RIVER PARK SUBDIVISION

ORANGE COUNTY — NEW YORK

STATE OF NEW YORK · SCOTT KARTIGANER · LICENSED PROFESSIONAL ENGINEER · NO. 060904

ROAD PROFILES

SCALE : AS SHOWN — SHEET: 7 OF: 10
DATE : 20 JULY 1994
DWG. NO.: P-1
DRAWN : SK — FILE NO.: PR-11
CHECKED : STK — JOB NO : SK90004

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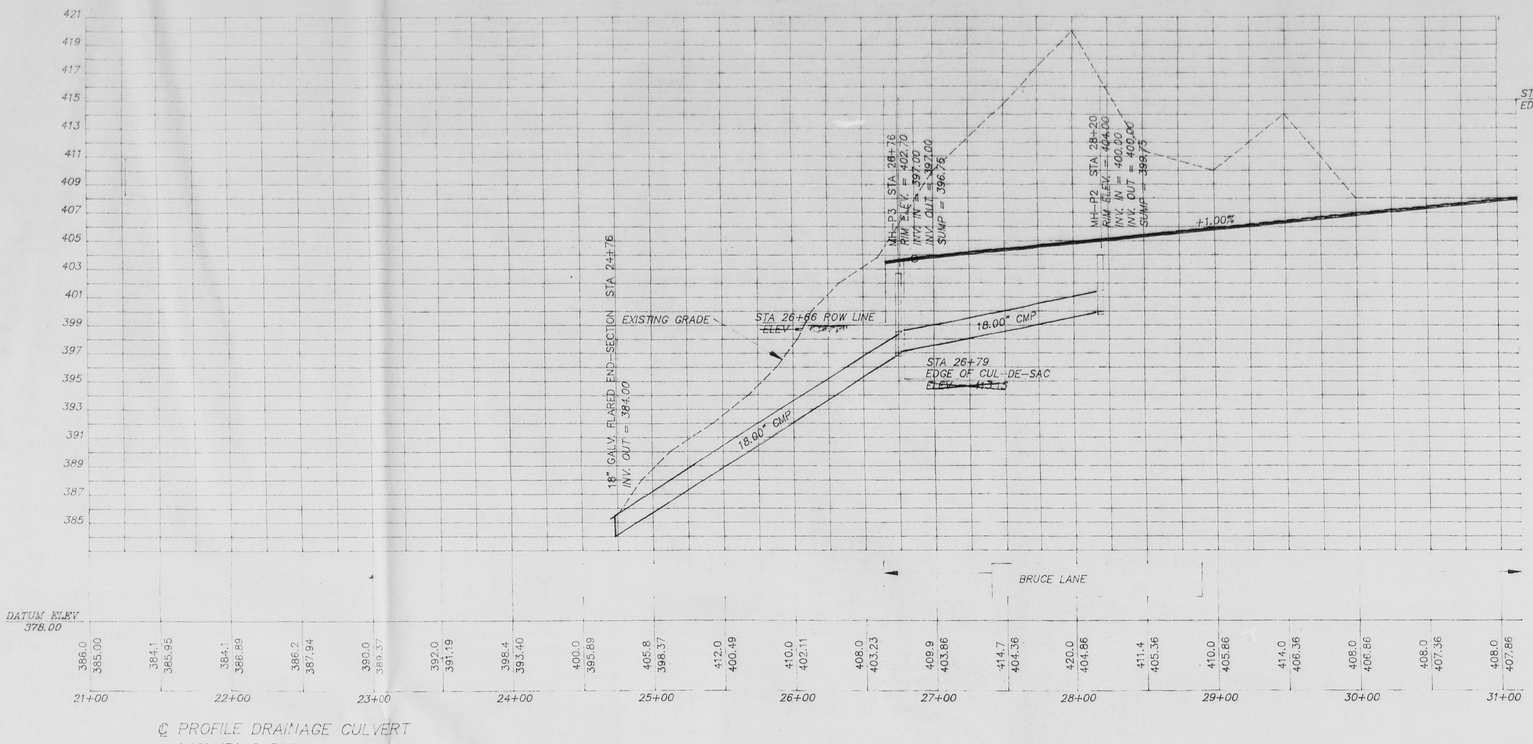
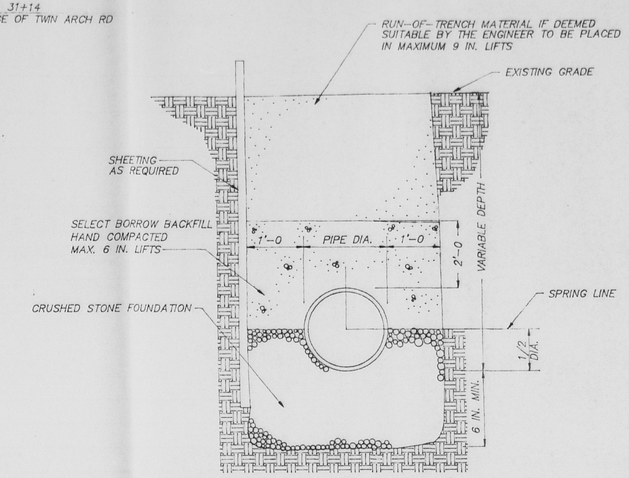


℄ PROFILE DRAINAGE CULVERT
INCLUDING PHYLLIS LANE

B / PR-22

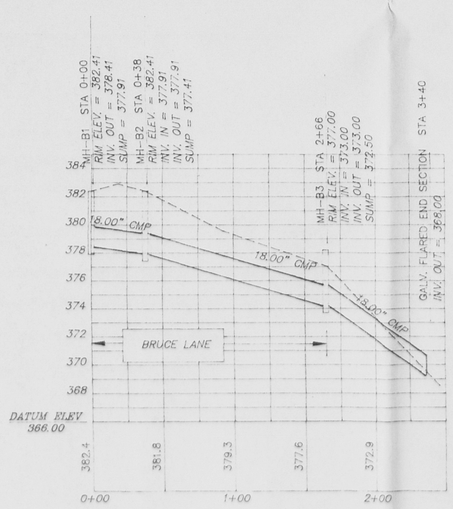
SCALE: HORIZONTAL – 1 IN. = 50 FT.
VERTICAL – 1 IN. = 5 FT.



D / PR-22 EXCAVATION & BACKFILL DETAIL

N.T.S.

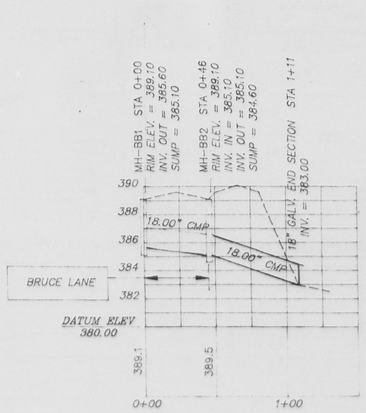
NOTE: SHEETING REQUIRED WHERE DEPTH OF EXCAVATION EXCEEDS 5' OR AS DIRECTED BY THE ENGINEER.



℄ PROFILE DRAINAGE CULVERT
INCLUDING BRUCE LANE

A / PR-22

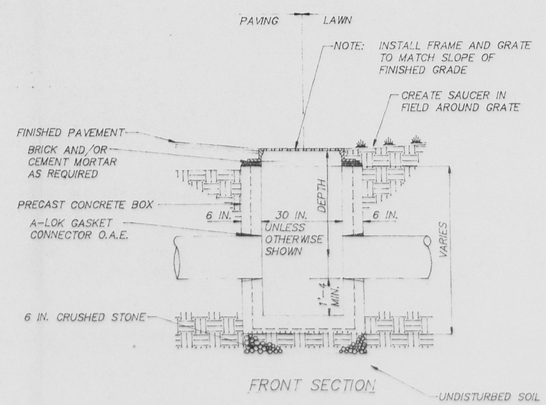
SCALE: HORIZONTAL – 1 IN. = 50 FT.
VERTICAL – 1 IN. = 5 FT.



℄ PROFILE DRAINAGE CULVERT
UNDER TWIN ARCH ROAD

C / PR-22

SCALE: HORIZONTAL – 1 IN. = 50 FT.
VERTICAL – 1 IN. = 5 FT.

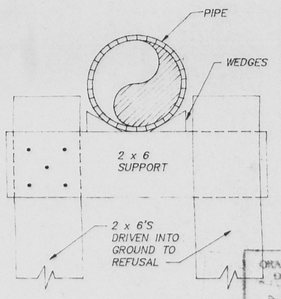


FRONT SECTION

E / PR-22 TYPICAL CATCH BASIN

N.T.S.

NOTE:
SHALL MEET THE REQUIREMENTS OF THE N.Y.S.D.O.T. SPEC. 706.04. CATCH BASIN TYPE "A" UNLESS OTHERWISE SHOWN ON PLAN.



F / PR-22 SADDLE PILES

N.T.S.

ORANGE COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

[illegible]

REV	DR	CK	DATE	DESCRIPTION

SCOTT KARTIGANER, P.E.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391

TWIN ARCH ROAD — TOWN OF NEW WINDSOR

FOX RIVER PARK SUBDIVISION

ORANGE COUNTY — NEW YORK

STATE OF NEW YORK · SCOTT KARTIGANER · 041 080828 · LICENSED PROFESSIONAL ENGINEER

DRAINAGE PROFILES AND DETAILS

SCALE : AS SHOWN — SHEET: 8 OF: 10
DATE : 20 JULY 1994
DWG. NO.: PR-22
DRAWN : SK — FILE NO.: PR-22
CHECKED : STK — JOB NO : SK90004

SUB DIVISION APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR 15 1996
BY EDWARD STENT
SECRETARY

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Water Softening

(90004-A\ watersof.doc)

A. A water softening system may be installed at the homeowner's option if excessive hardness is present. The water softening unit would be model No. AS-32P or AS-48P by Watersoft or an approved equal. The backwash shall discharge to the septic field as shown on the plan. ~~The backwash shall discharge to the seepage pit as shown on the plan.~~

Note: As per Appendix 75-A Section 75-A.3 (b) 3 of the OCHD design policy and standards the additional water softener water recharge and backwash wastes may be added to the bedroom flow (in the design of the sanitary system).

B. As required by the Orange County Health Department the homeowner is notified that softening will increase sodium levels in the water 46mg/l for each 100mg/l of hardness removed.

C. Should a water softening system be installed an air gap shall be required in the interior plumbing between the water softener backwash discharge line and the line to the seepage pit. The air gap shall be at a minimum twice (2X) the diameter of the backwash discharge line.

Calculations for the Estimation of additional Septic Field Capacity for the Water Softener Discharge

Assumptions:

Make calculations for water with a total hardness of 300mg/l.

Note: Highest value tested for total hardness in wells sampled in the proximity of the property was 220 mg/l. Water is generally considered hard if the water exceeds 150 mg/l total hardness.

Assuming an average family size a SEARS KENMORE 42-34845 / 42-34855 _ or equal would be suitable to treat the water. The 42-34845 has a capacity of 29,500 grains/regeneration and the 42-34855 - 38,600 grains/regeneration . Due to design considerations an 42-34855 or equal would be used for a 4 bedroom house and an 42-34845 for a 3 bedroom house.

29500 grains/regeneration = 1685 gallons/regeneration
17.5 grains/gallon

38600 grains/regeneration = 2205 gallons/regeneration
17.5 grains/gallon

Estimated water use for a 3 bedroom house is 390 to 450 gallons/day.
Estimated water use for a 4 bedroom house is 520 to 600 gallons/day.

1685 gallons/regeneration = aprox. 4 days required for regen. for 3 Bedroom
450 gallons/day

2205 gallons/regeneration = aprox. 4 days required for regen. for 4 Bedroom
600 gallons/day

The regeneration uses 30 gallons of water.

30 gallons / 4 days = 7.5 gallons/ day avg.

(46-60) - PEAK RATE

Assuming worse case percolation rates of 0.45 gpd/sf the required additional area of adsorption is as follows:

30 gallons/ day avg. = 66 sf
0.45 gpd/sf

FOR PEAK RATE	APP. RATE	ADDITIONAL AREA REQ
31-45	0.30	60 SF (30LF)
21-30	0.41	49.5 SF (25LF)
16-20	0.30	42.5 SF (21LF)
11-15	0.30	37.5 SF (19LF)

For a 2 foot wide trench the required additional length of field would be :

66 / 2 = 33 If of additional field required for a 3 bedroom home or a 4 bedroom home

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SEARS

SPECIAL PURCHASE GREAT PRICE! ANNUAL PRICE DROP! PROMOTION ONLY

Kenmore... AMERICA'S BEST WATER SOFTENER VALUE!

Special Purchase...Great Price! All the same great features as the Kenmore SST, DIR and Genius

PLUS Plus our most popular installation accessories and Water Softener Cleaner to maintain efficiency and extend the life of your softener.

REDESIGNED WITH YOU IN MIND . . . CONTEMPORARY, FUNCTIONAL STYLING • CONVENIENT SINGLE TANK CONSTRUCTION
LARGE SALT STORAGE CAPACITY • SOLID STATE ELECTRONICS FOR DEPENDABLE PERFORMANCE

#234835 **Kenmore** SST

- 7 Day Solid State Timer Control.
- Our Good Capacity—22,900 grains of hardness total capacity.
- Our Good Efficiency—4,500 grains of hardness removed per pound of salt.
- Our Good Iron Reduction—3 PPM clear water iron.
- .60 Cubic Foot Of Resin.
- "Vacation" Setting—Keeps softener from recharging while you are away.
- "Recharge Now" Option—Allows for immediate recharge during unusually high water usage.
- Super Capacitor—Protects time setting and programs for 6 hours during power loss; no batteries needed.

#234845 **Kenmore** DIR

- Demand Initiated Regeneration.
- Easy to program.
- Efficient—Recharges only when needed based on actual water usage. Saves water, salt and $$$!
- Our Better Capacity—29,500 grains of hardness total capacity.
- Our Better Efficiency—5,000 grains of hardness removed per pound of salt.
- Our Better Iron Reduction—5 PPM clear water iron.
- .77 Cubic Foot Of Resin.
- "Recharge Now" Option—Allows for immediate recharge during unusually high water usage.
- Super Capacitor—Protects time setting and programs for 6 hours during power loss; no batteries needed.

#234855 **The Kenmore** OUR BEST WATER SOFTENER EVER! Genius

- Demand Initiated Regeneration And Enhanced Demand Electronics—Includes exclusive 3-segment, multi-feature display.
- Exclusive Salt Monitor System—Reminds you to add salt.
- Water Monitor System—Keeps track of water usage and even detects small plumbing leaks.
- Convenient Tank Light—Turns itself off if you forget.
- Our Most Efficient Softener—Recharges only when needed based on actual water usage. Saves water, salt and $$$!
- Our Best Capacity—38,600 grains of hardness total capacity. Largest capacity ever available in a single tank softener.
- Our Best Efficiency—5,225 grains of hardness removed per pound of salt.
- Our Best Iron Reduction—8 PPM clear water iron.
- 1.0 cubic Foot Of Resin.
- "Recharge Tonight/Recharge Now" Option—Allows for immediate recharge during unusually high water usage.
- Super Capacitor—Protects time setting for 24 hours during power loss; programs and data are maintained permanently. No batteries needed.

All units have an adjustable recharge time and 24-Volt Power Transformer.

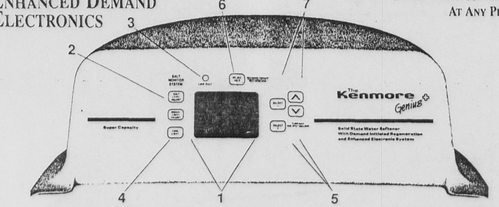
PLUS

#234426 Water Softener Cleaner
#23437 By-Pass Valve
#23433 Drain Tubing
#23441 Installation Kit For Sweat Soldering

FREE WATER ANALYSIS—
CALL OUR SEARS WATER LINE
1-800-426-9345
PROFESSIONAL INSTALLATION
WARRANTY
NATIONWIDE SERVICE

THE KENMORE GENIUS ENHANCED DEMAND ELECTRONICS

YOU CAN'T FIND THESE FEATURES ON ANY OTHER WATER SOFTENER... AT ANY PRICE!



1 **Exclusive State Of The Art 3-Segment, Lighted Display**—All new control panel allows you flexibility and ease in programming. It tracks your salt and water usage and can detect even small leaks in your plumbing system. Retains settings even during power outages.
2 **Exclusive Salt Monitor System**—Adjustable, simply enter level when you add salt. The salt monitor tracks your usage and displays the current salt level.
3 **Low Salt Indicator**—Low salt light lets you know when you are running low. Helps prevent loss of soft water to your home.
4 **Convenient Tank Light**—Allows you to easily see inside the tank and set salt level.
5 **Water Use Monitor System**—You receive the highest salt and water efficiencies because of our adaptive algorithm program. It gathers and maintains water usage and patterns to predict the softeners regeneration needs. It knows when to regenerate, how much salt to use and how much water. In fact, the longer the unit is in use, the smarter . . . more efficient . . . it gets, because it learns more about your water habits! Display either flow rate (can help detect plumbing leaks) or average daily soft water use.
6 **Recharge Tonight/Recharge Now Features For Times Of Exceptionally Heavy Water Use**—Unexpected guests? Lots of laundry after a vacation? This feature allows you to compensate for the unexpected and assures continuous soft water with just a touch of a button.
7 **Easy To Program Electronic Touch Controls**—A few touches of buttons and your softener is programmed and ready to begin supplying soft water to your home.

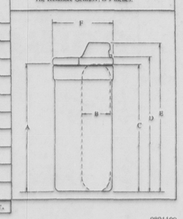
KENMORE WATER SOFTENERS QUICK FACTS AND DIMENSIONS CHART

Kenmore Solid State Automatic Water Softeners— MODEL NAME AND NUMBER	SST 34835	DIR 34845	GENIUS 34855
TYPE	Single Tank	Single Tank	Single Tank
CONTROLLER	Solid State Timer	Electronic Demand Initiated Regeneration	Enhanced Electronic Demand Initiated Regeneration
MAXIMUM HARDNESS REMOVAL/GALLON	70 GPG	90 GPG	110 GPG
MAXIMUM CAPACITY (Grains of Hardness Removed)	22,900	29,500	38,600
MAXIMUM SALT EFFICIENCY (Grains of Hardness Removed per Pound of Salt)	4,500	5,000	5,225
CLEAR WATER IRON REMOVAL Maximum Parts Per Million (PPM)	3.0	5.0	8.0
HIGH CAPACITY RESIN (cu. ft.)	.60	.77	1.0
SALT STORAGE CAPACITY (lbs.)	200	200	200
SHIPPING WEIGHT (lbs.)	80	90	100
WATER PRESSURE LIMITS (PSI)	20-120	20-120	20-120
MAX. WATER TEMP. (F°)	120	120	120
ELECTRICAL RATINGS	24V 60Hz	24V 60Hz	24V 60Hz
WARRANTY — Parts & Service	1	1	1
WARRANTY — Electronics	1	1	3
WARRANTY — Resin & Brine Tank	10	10	10
RATED SERVICE FLOW (gal./min.)	8	8	9

All include: By-Pass Valve, Sweat Installation Kit, Drain Tubing and Water Softener Cleaner.

DIMENSIONS	INCHES	CM
A. Salt Tank Height	40 1/4	102.2
*B. Resin Tank Diameter (nominal)	8	20.3
C. Resin Tank Height (nominal)	40	101.6
D. Inlet-Outlet Height	41 1/2	105.4
Distance Between Inlet Outlet Center Lines	3 3/8	8.6
E. Overall Height	46	116.8
F. Length	19 1/2	49.5
F. Width	16 1/2	41.9

*The Resin Tank Diameter for the 42-34855, The Kenmore Genius+, is 9 inches.



9/94 PRINTED IN U.S.A. 0801109

DEEP TEST PIT TEST RESULTS TABLE

Lot No.	Hole No.	Date Field Testing	Soil Layer 1	Soil Layer 2	Soil Layer 3	Depth to Rock/clay impervious	Depth to groundwater
1	A*	12/3/93	Silty loam topsoil 0'-0-2'-0	Varying amounts of clay gravel & silt. Some heavy clays-no distinct layers. 2'-0 to 5'-6		N/A	Water seepage At 5'-6
	B	4/29/91	Med. brown sandy loam 0'-0 to 5'-4			5'-4 Rock	N/A
2	A	4/29/91	Light brown silty sand loam 0'-0 to 7'-0			N/A	N/A
	AA**	12/3/93	Varying amounts of gravel & silt. Some heavy clays- no distinct layers. 0'-0 to 5'-0	Gravel loam 5'-0 to 8'-0		N/A	Water seepage At 5'-0
3	3A	4/29/91	Brown silty sand 0'-0 to 5'-6			5'-6 Rock	N/A
	3B	4/29/91	Hummus topsoil 0'-0 to 0'-6	Silty clay loam 1'-0 to 3'-0	Gravelly loam 3'-0 to 6'-0	6'-0 Rock	N/A
4	4A	4/29/91	Silty Sand 0'-0 to 5'-8			5'-8 Rock	N/A
	4B	4/29/91	Hummus topsoil 0'-0 to 0'-2	Clay loam 0'-2 to 2'-3	Sandy loam 2'-3 to 6'-8	6'-8 Rock	N/A
	4AA*	12/3/93	Silty loam topsoil 0'-0 to 2'-0	Gravelly silty sand loam 2'-0 to 5'-0 Large clay pocket outside edge of hole 2'-0 to 4'-0	Sand loam 5'-0 to 8'-0	N/A	N/A
5	A**	12/3/93	Gravelly silt/sand loam 0'-0 to 6'-0			N/A	N/A
	B**	12/3/93	Gravelly silt/sand loam 0'-0 to 6'-0			N/A	N/A
6	A	4/29/91	Sandy silt loam 0'-0 to 8'-0			N/A	N/A
	B	4/29/91	Topsoil 0'-0 to 0'-4	Sandy loam 0'-4 to 3'-9	Sandy gravel 3'-9 to 8'-0	N/A	N/A
	C**	12/3/93	Gravelly silt/sand loam 0'-0 to 6'-0			N/A	N/A
7	A	4/29/91	Sandy loam 0'-0 to 8'-6			N/A	N/A
	B*	12/3/93	Gravelly silt/sand loam 0'-0 to 6'-0			N/A	N/A
8	A*	12/3/93	Topsoil 0'-0 to 0'-7	Silt loam 0'-7 to 2'-6	Silty sand and shale 2'-6 to 3'-4 mottled silt loam at 3'-4	N/A	Seepage @ 3'-4
	B*	12/3/93	Topsoil 0'-0 to 0'-6	Silt loam- 0'-0 to 4'-0 some mottling at 2'-6	Gravel with some shale 4'-0 to 6'-6	N/A	4'-6
	C*	12/3/93	Topsoil 0'-0 to 0'-6	Silt loam- some gravel and shale 0'-0 to 4'-0	Gravel with some fines 4'-0 to 7'-0	N/A	N/A

* Indicates tests performed 12/3/93 and witnessed by a representative of the OCHD. Lots 1,4,7& 8.
** Indicates tests performed 12/3/93 and not witnessed by a representative of the OCHD. Lots 2,5 & 6.

SUB DIVISION APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR 15 1996
BY EDWARD STENT, SECRETARY

REV	DR	CK	DATE	DESCRIPTION
1	SK	SK	12/7/94	OCHD REV.

SCOTT KARTIGANER, P.E.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391

TWIN ARCH ROAD — TOWN OF NEW WINDSOR

FOX RIVER PARK SUBDIVISION

ORANGE COUNTY — NEW YORK

STATE OF NEW YORK · SCOTT KARTIGANER · NO. 060873 · LICENSED PROFESSIONAL ENGINEER

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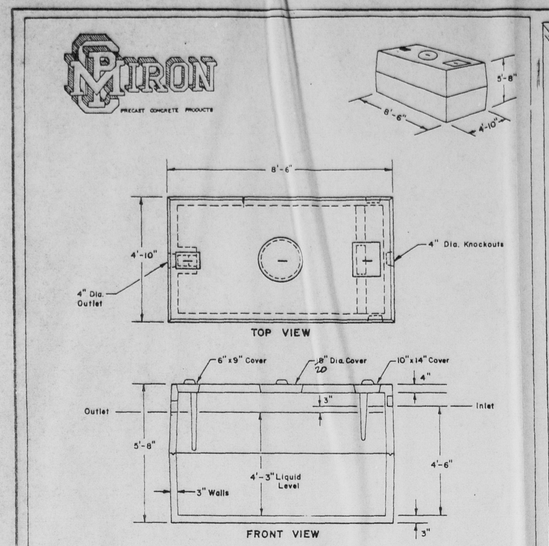
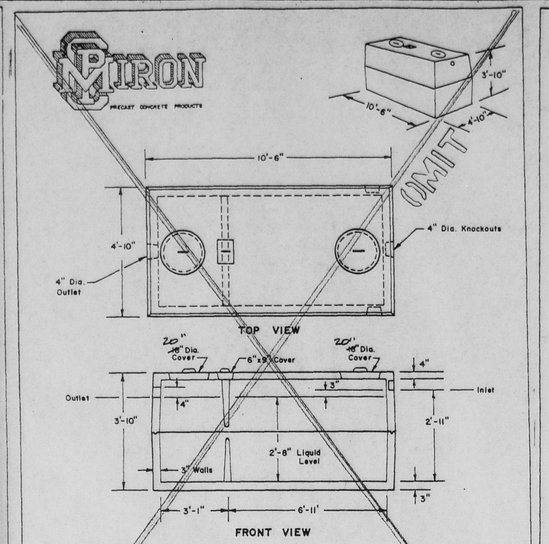


MIRON PRECAST CONCRETE PRODUCTS

SPECIFICATIONS :

Concrete Strength : 5,000 P.S.I. 28 Days
Construction Joints Sealed With 3/4" Butyl
Steel Reinforcement : 6"x 6"x 10 ga. steel wire mesh
Air Entrained Concrete

1,000 GALLON SEPTIC TANK

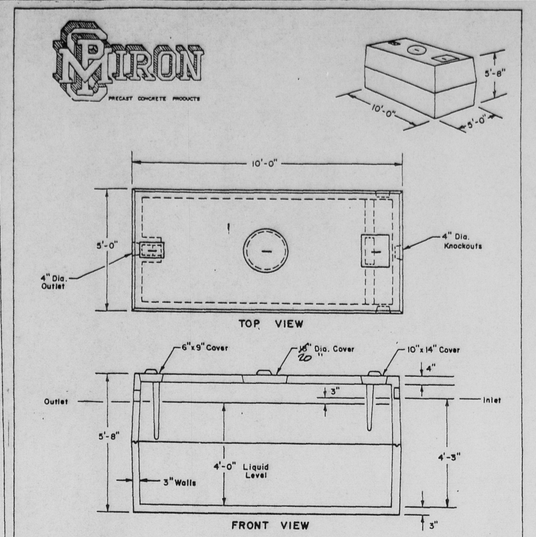


MIRON PRECAST CONCRETE PRODUCTS

SPECIFICATIONS :

Concrete Strength : 5,000 P.S.I. 28 Days
Construction Joints Sealed With 3/4" Butyl
Steel Reinforcement : 6"x 6"x 10 ga. steel wire mesh
Air Entrained Concrete

1,000 GALLON LOW PROFILE SEPTIC TANK

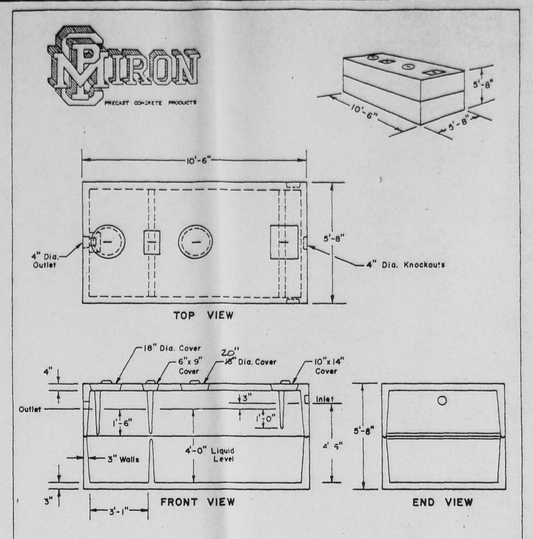


MIRON PRECAST CONCRETE PRODUCTS

SPECIFICATIONS :

Concrete Strength : 5,000 P.S.I. 28 Days
Construction Joints Sealed With 3/4" Butyl
Steel Reinforcement : 6"x 6"x 10 ga. steel wire mesh
Air Entrained Concrete

1,250 GALLON SEPTIC TANK

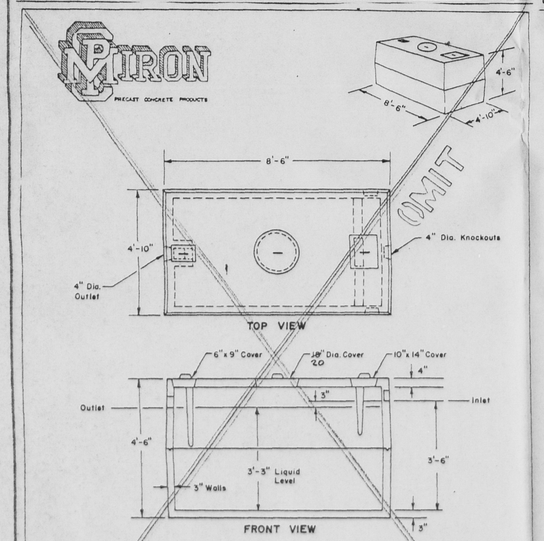


MIRON PRECAST CONCRETE PRODUCTS

SPECIFICATIONS :

Concrete Strength : 5,000 P.S.I. 28 Days
Construction Joints Sealed With 3/4" Butyl
Steel Reinforcement : 6"x 6"x 10 ga. steel wire mesh
Air Entrained Concrete

1,500 GALLON SEPTIC TANK



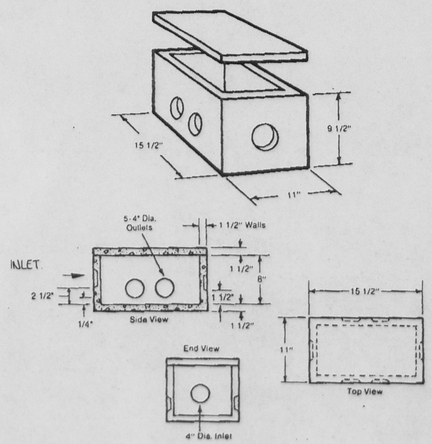
MIRON PRECAST CONCRETE PRODUCTS

SPECIFICATIONS :

Concrete Strength : 5,000 P.S.I. 28 Days
Construction Joints Sealed With 3/4" Butyl
Steel Reinforcement : 6"x 6"x 10 ga. steel wire mesh
Air Entrained Concrete

750 GALLON SEPTIC TANK

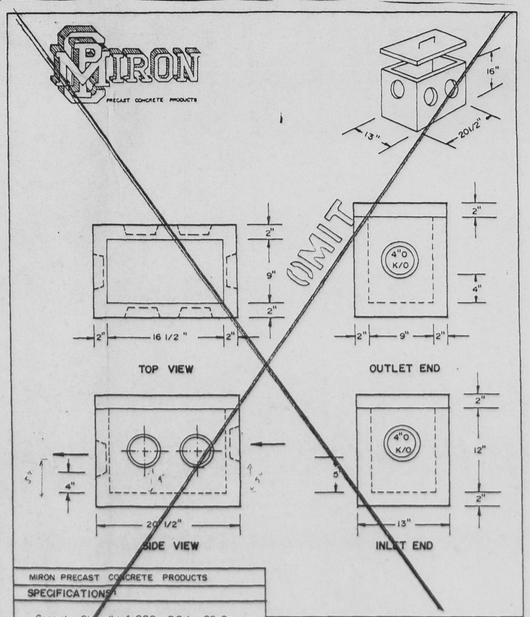
PRECAST DROP BOXES
DB-6DB



SPECIFICATIONS

- **Concrete Minimum Strength** - 4,000 PSI at 28 days
- **Reinforcement** - Fiber
- **Pipe Connection** - Poly-loc seal (patent pending)

WOODARD'S
CONCRETE PRODUCTS, INC.



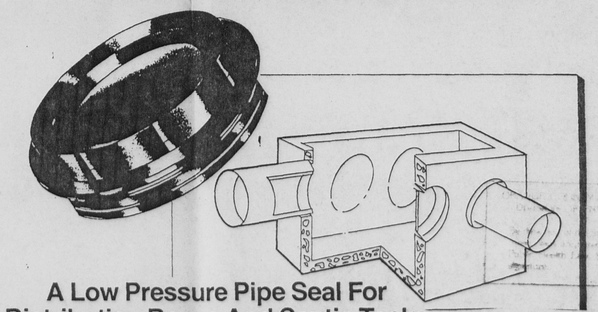
MIRON PRECAST CONCRETE PRODUCTS

SPECIFICATIONS

Concrete Strength: 4,000 P.S.I. 28 Days
Steel Reinforcement: 6"x 6"x 10 ga. steel wire mesh
Air Entrained Concrete

6" HOLE DISTRIBUTION BOX

POLYLOK™



A Low Pressure Pipe Seal For Distribution Boxes And Septic Tanks

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ON MAR 15 1996
BY EDWARD STENT
SECRETARY

REV	DR	CK	DATE	DESCRIPTION
1	SK	SK	12-7-94	OCHD REV - NEW DROP BOX

SCOTT KARTIGANER, P.E.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391

TWIN ARCH ROAD — TOWN OF NEW WINDSOR

FOX RIVER PARK SUBDIVISION

ORANGE COUNTY — NEW YORK

STATE OF NEW YORK · SCOTT KARTIGANER · NO. 040828 · LICENSED PROFESSIONAL ENGINEER

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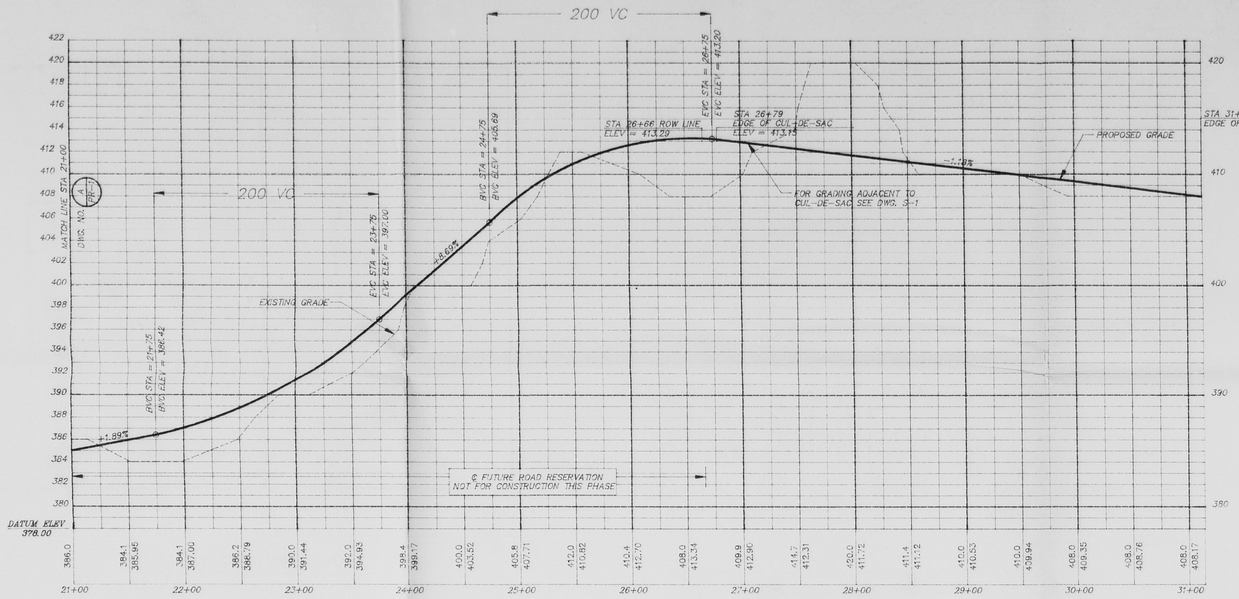
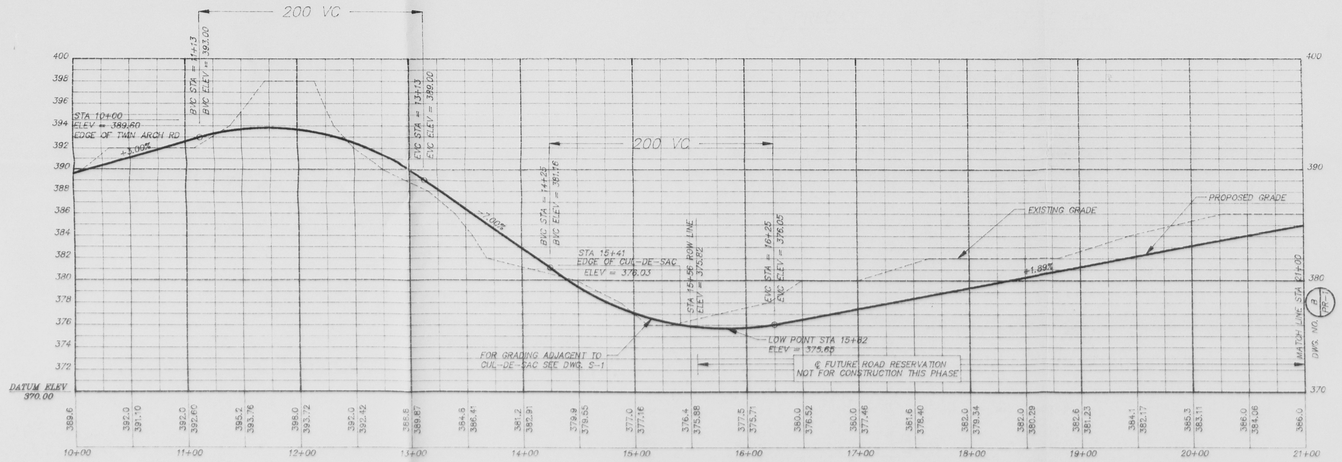
TO HAMPTONBURGH
TO RTE 207
N.Y. ROUTE 207
TO ROCK TAVERN
STONE ARCH MANOR RD
N/F NESPOTT
N/F ADAMS
N/F CIRCURAN
N/F BROWNE
N/F WEST
N/F MOSES
N/F CLAFONE
N/F GAFFON
N/F AHF'S REALTY
N/F FUCHS
N/F KUBENIK
N/F JEZIK
N/F HORNACEK
N/F WASHINGTON
N/F PRIM
TWIN ARCH ROAD
BRUCE LANE
PRIVATE ROAD
PRIVATE WALK
PUBLIC ROAD SEE DETAIL
F.M. NO. 876 SUBDIVISION OF LANDS FOR 28C MANAGEMENT, INC
LOT #1 AREA=75416.5 SF OR 1.732 AC
LOT #2 AREA=82526.8 SF OR 1.894 AC
LOT #3 AREA=87730.35 SF OR 2.01 AC
LOT #4 AREA=61528.5 SF OR 1.41± AC
LOT #5 OR 2.833 AC
LOT #6 NET AREA=52986.8 SF OR 1.2165 AC
LOT #7 NET AREA=1700000.5 SF OR 1.6 AC
LOT #8 AREA=1,578,906.0± SF OR 36.25 AC THIS AREA SHALL REMAIN AN AGRICULTURAL PARCEL AS IT IS CURRENTLY DESIGNATED
50' RADIUS CUL DE SAC
INTERMITTENT STREAM
FEDERALLY REGULATED WETLANDS BOUNDARY SEE NOTE 4
N.Y.S. DEC. WETLANDS BOUNDARY
N 44°01'00"E
N 48°41'00"E
S 47°33'25"W
S 48°47'19"W
S 46°50'47"W
S 45°48'47"W
S 48°02'44"W
S 48°28'20"W
S 48°28'38"W
N 46°50'10"W
N 48°41'19"W
N 44°01'00"E
N 48°41'00"E
N 47°33'25"E
N 48°47'19"E
N 46°50'47"E
N 45°48'47"E
N 48°02'44"E
N 48°28'20"E
N 48°28'38"E
N 46°50'10"E
N 48°41'19"E



9 PR-1 ℄ PROFILE – ROAD 'A' CON'T.

SCALE: HORIZONTAL – 1 IN. = 50 FT.
VERTICAL – 1 IN. = 5 FT.



A PR-1 ℄ PROFILE – ROAD 'A'

SCALE: HORIZONTAL – 1 IN. = 50 FT.
VERTICAL – 1 IN. = 5 FT.

DEEP PIT TEST RESULTS

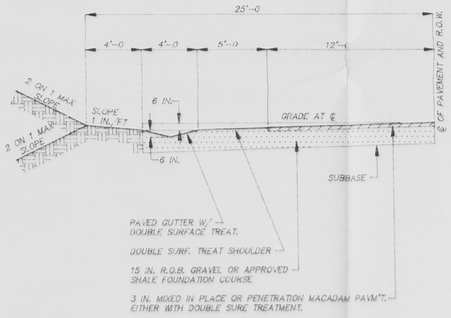
LOT #	TEST HOLE	LAYER 1	LAYER 2	LAYER 3	ROCK	GROUND WATER
1	1A	MED. BROWN SANDY LOAM 0'–0 TO 8'–6			6'–6	6'–4
	1B	MED. BROWN SANDY LOAM 0'–0 TO 5'–4			5'–4	N/A
2	2A	LIGHT BROWN SILTY SAND LOAM 0'–0 TO 7'–0			N/A	N/A
	2B	TOPSOIL 0'–0 TO 1'–0	SILTY CLAY LOAM 1'–0 TO 3'–0	BROWN GRAVEL LOAM 3'–0 TO 5'–6	5'–6	N/A
3	3A	BROWN SILTY SAND 0'–0 TO 5'–6			5'–6	N/A
	3B	HUMMUS TOPSOIL 0'–0 TO 0'–6	SILTY CLAY LOAM 1'–0 TO 3'–0	GRAVELLY LOAM 3'–0 TO 6'–0	6'–0	N/A
4	4A	SILTY SAND 0'–0 5'–8			5'–8	N/A
	4B	HUMMUS TOPSOIL 0'–0 TO 0'–2	CLAY LOAM 0'–2 TO 2'–3	SANDY LOAM 2'–3 TO 6'–8	6'–8	N/A
5	5A	SANDY SILT LOAM 0'–0 TO 8'–0			N/A	N/A
	5B	TOPSOIL 0'–0 TO 0'–4	SANDY LOAM 0'–4 TO 3'–9	SANDY GRAVEL 3'–9 TO 8'–0	N/A	N/A
6	6A	SANDY LOAM 0'–0 TO 8'–6			N/A	N/A
	6B	TOPSOIL 0'–0 TO 0'–2	BROWN GRAVEL LOAM 0'–2 TO 8'–0		N/A	N/A
7	7A	SANDY LOAM 0'–0 TO 8'–6			N/A	6'–0
	7B	TOPSOIL 0'–0 TO 0'–2	0'–2 TO 4'–3		4'–3	N/A

SEPTIC SYSTEM DESIGN DATA

LOT #	HOLE #	STABILIZED PERC RATE	DESIGN PERC RATE	# OF BEDROOMS	LF REQ'D	LF PROVIDED
1	1 2	6 MIN. 7 MIN.	11–15 MIN.	4	375	375
2	1 2	5 MIN. 5 MIN.	11–15 MIN.	4	325	350
3	1 2	18 MIN. 13 MIN.	16–20 MIN.	3	279	300
4	1 2	21 MIN. 9 MIN.	21–30 MIN.	4	433	440
5	1 2	7 MIN. 11 MIN.	16–20 MIN.	4	372	380
6	1 2	8 MIN. 10 MIN.	16–20 MIN.	4	372	384
7	1 2	12 MIN. 32 MIN.	31–45 MIN.	3	390	400

NOTES:

1. ALL OF STREET SHALL BE GRADED TO THE RIGHT OF WAY LINES
2. ALL TREES TO BE REMOVED WITHIN THE RIGHT OF WAY LINES.

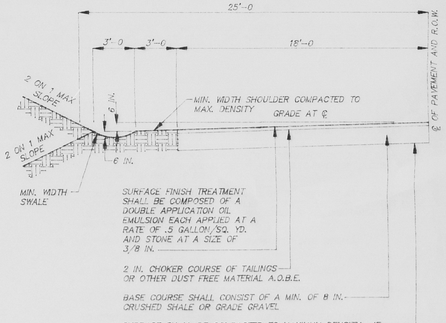


NOTES:

1. ALL OF STREET SHALL BE GRADED TO THE RIGHT OF WAY LINES
2. ALL TREES TO BE REMOVED WITHIN THE RIGHT OF WAY LINES.

C PR-1 RURAL STREET SPECIFICATION

SCALE: 1/4 IN. = 1'–0



D PR-1 PRIVATE ROAD SPECIFICATION

SCALE: 1/4 IN. = 1'–0

REV	DR	CK	DATE	DESCRIPTION

KARTIGANER ASSOCIATES, P.C.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391 FAX: 914-562-4395

FOX RIVER PARK SUBDIVISION

TWIN ARCH ROAD NEW WINDSOR, ORANGE CO., N.Y.

ROAD PROFILES

SCALE : 1 IN.=50'
DATE : 9 DEC 1991
DWG. NO.: PR-1
DRAWN : KAH
CHECKED : SJK

SHEET: OF:

JOB NO : W0004.00

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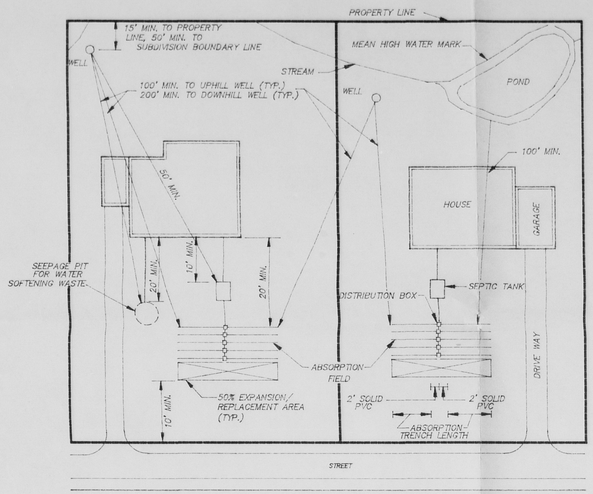
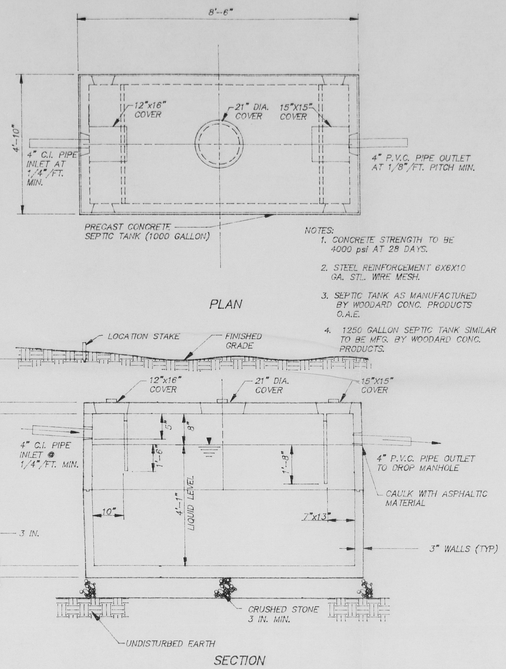


A / D-1 TYPICAL LOT LAYOUT

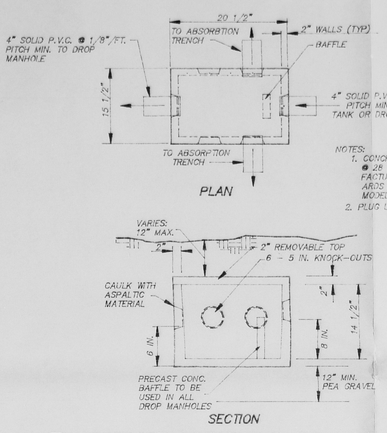
N.T.S.



NOTES:
1. CONCRETE STRENGTH TO BE 4000 psi AT 28 DAYS.
2. STEEL REINFORCEMENT 6X6X10 GA. ST.. WIRE MESH.
3. SEPTIC TANK AS MANUFACTURED BY WOODARD CONC. PRODUCTS O.A.E.
4. 1250 GALLON SEPTIC TANK SIMILAR TO BE MFG. BY WOODARD CONC. PRODUCTS.

B / D-1 PRECAST 1000 GALLON SEPTIC TANK

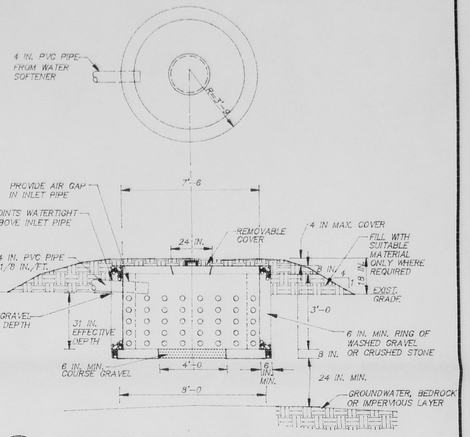
N.T.S.



NOTES:
1. CONCRETE - 4000 psi @ 28 DAYS. AS MANUFACTURED BY WOODARDS CONC. PROD. MODEL DB-6, O.A.E.
2. PLUG UNUSED OUTLETS

C / D-1 PRECAST DISTRIBUTION BOX - 3 OUTLET

N.T.S.

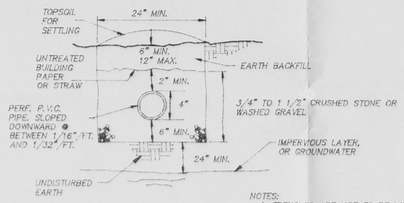


D / D-1 PRECAST SEEPAGE PIT DETAIL

N.T.S.

USE BINGHAMTON PRECAST & SUPPLY LEACHING PIT, O.A.E.

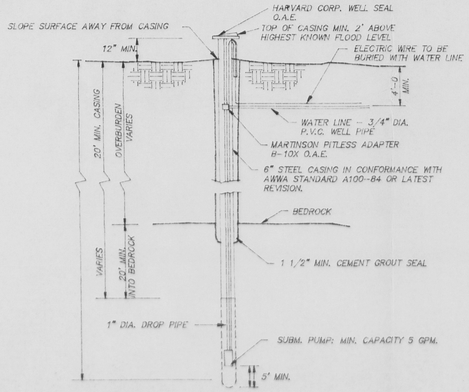
NOTE :
AN AIR GAP MUST BE PROVIDED IN THE INTERIOR PLUMBING BETWEEN THE WATER SOFTENER BACKWASH DISCHARGE LINE AND THE LINE TO THE SEEPAGE PIT. THE AIR GAP MUST BE AT LEAST TWICE THE DIAMETER OF THE BACKWASH DISCHARGE LINE.



NOTES:
1. TRENCHES ARE NOT TO BE INSTALLED IN WET SOIL.
2. SIDES AND BOTTOM OF TRENCH ARE TO BE RAKED PRIOR TO PLACEMENT OF GRAVEL.
3. ENDS OF DISTRIBUTION PIPES TO BE PLUGGED.
4. MIN. 4' UNDISTURBED SOIL BETWEEN TRENCHES.

E / D-1 ABSORPTION TRENCH DETAIL

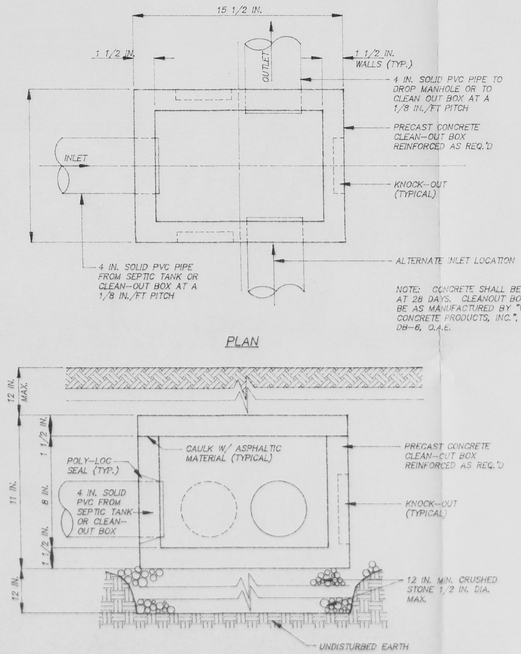
N.T.S.



F / D-1 WELL SUPPLY DETAIL

N.T.S.

NOTES:
1. WELL TO HAVE MIN. OF 10" DRILL HOLE
2. MIN. WELL YIELD IS 5 GPM.



NOTE: CONCRETE SHALL BE 4000 PSI AT 28 DAYS. CLEANOUT BOX SHALL BE AS MANUFACTURED BY "WOODARDS CONCRETE PRODUCTS, INC.", MODEL # DB-6, O.A.E.

G / D-1 TYPICAL CLEAN-OUT BOX DETAIL

SCALE 3 IN.= 1'-0

NOTES :

1. ALL PIPE JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL OR EQUIVALENT WATERTIGHT COMPOUND.
2. OUTLET PIPES FROM DISTRIBUTION BOX TO DISTRIBUTOR LATERALS TO BE SLOPED 1/8 IN./FT. MIN. THE SLOPE OF ALL OUTLET PIPES SHOULD BE EQUAL FOR THE FIRST 10 FT.
3. DESIGN FOR WATER SOFTENING SYSTEM IS TO BE PROVIDED AT HOMEOWNER'S OPTION IF EXCESSIVE HARDNESS IS PRESENT. WATER SOFTENING UNIT IS MODEL AS-32P BY WATERSOFT, INC. O.A.E. BACKWASH SHALL DISCHARGE TO SEEPAGE PIT AS SHOWN ON PLAN SHEET.
4. NO ROOF OR FOOTING DRAINS TO BE DISCHARGED INTO SEWAGE DISPOSAL SYSTEMS.
5. ALL TREES MUST BE REMOVED FROM THE TILE FIELD AREAS.
6. NO DRIVEWAYS, ROADWAYS OR PARKING AREAS SHALL BE CONSTRUCTED OVER ANY PORTION OF THE SANITARY DISPOSAL SYSTEM.
7. NO COMPONENT PART OF ANY SEWAGE DISPOSAL SYSTEM SHALL BE LOCATED OR MAINTAINED WITHIN 100 FT. OF ANY SPRING, RESERVOIR, BROOK, MARSH OR ANY OTHER BODY OF WATER.
8. ALL LATERALS FOR A LOT SHOULD BE APPROXIMATELY EQUAL IN LENGTH.
9. MAXIMUM GROUND SLOPE IN TILE FIELD AREA SHALL NOT EXCEED 15%
10. BAFFLING OF OUTLETS TO MAINTAIN A HYDRAULICALLY BALANCED SYSTEM WILL BE DONE AT CONSTRUCTION.

REV	DR	CK	DATE	DESCRIPTION
1	MSO	STK	8 JULY 1992	REVISED SUBDIVISION TITLE

KARTIGANER ASSOCIATES, P.C.
CONSULTING ENGINEERS
555 BLOOMING GROVE TURNPIKE, NEWBURGH, N.Y. 12550
PH: 914-562-4391 FAX: 914-562-4395

FOX RIVER PARK SUBDIVISION

TWIN ARCH ROAD NEW WINDSOR, ORANGE CO., NY

SANITARY SEWER DETAILS

SCALE : AS SHOWN SHEET: 1 OF:
DATE : 5 DECEMBER 1991
DWG. NO.: D-1
DRAWN : MSO
CHECKED : MRC JOB NO : 90004.00

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