

PB# 91-17

JAMES PETRO JR.

SBL 3-1-27

PIRO, JAMES JR. (SUBDIVISION) 491-17
RT. 207 (2 LOTS) (GREVAS & HILDRETH)

Appeared

11-5-91

General Receipt

12161

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

August 8, 1991

Received of James R. Petro, Jr. \$ 25⁰⁰/₁₀₀

Twenty-five and 00/100 DOLLARS

For Planning Board Application Fee (#91-17)

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 2328		\$ 25 ⁰⁰

By Pauline N. Townsend

Town Clerk
Title

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

General Receipt

12162

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

August 8, 1991

Received of Pauline N. Townsend Town Clerk \$ 800⁰⁰/₁₀₀

Eight Hundred and 00/100 DOLLARS

For Planning Board (#91-17) Encrow

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 2329		\$ 800 ⁰⁰

By Julia Costello
Title

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

General Receipt

12298

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

October 21, 1991

Received of James R. Petro Jr. \$ 410.00

Four Hundred Ten and 00/100 DOLLARS

For Planning Board Approval Fees # 91-17

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 2352		410.00

By Pauline N. Townsend
Town Clerk
Title

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

Planning Board
Town Hall

10 91-17

Town Clerk
Title

General Receipt

12162

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

August 8, 1991

Received of Pauline D. Townsend Town Clerk \$ 800⁰⁰/₁₀₀

Eight Hundred and 00/100 DOLLARS

For Planning Board (#91-17) Expenses

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 2329		800 ⁰⁰

By [Signature]
Castelli
Title

General Receipt

12298

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

October 21, 1991

Received of James R. Petro Jr. \$ 410.00

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For Planning Board Approval Fees # 91-17

DISTRIBUTION:

FUND	CODE	AMOUNT
Ch # 2352		410.00

By Pauline D. Townsend
Town Clerk
Title

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12550

NO. 91-17

October 21, 1991

RECEIVED FROM James R. Petro, Jr.

One Thousand 00/100 DOLLARS

One Lot @ \$1,000.00 / lot recreation fee

Account Total \$ 1,000.00

Amount Paid \$ 1,000.00

Balance Due \$ - 0 -

Mural L. Mason, Sec'y
for the P.B.

91-17

Map Number 10382

City []
Town [X] NEW WINDSOR
Village []

Section 3 Block 1 Lot 27

JR.
JAMES R. PETRO, ~~XX~~

Title: _____

Dated: 8-6-91 Filed 11-6-91

Approved by CARL E. SCHIEFER

on 11-5-91

Record Owner NEWBURGH SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS

*TAX EXEMPT.

1 SHEET

MARION S. MURPHY
Orange County Clerk

County File No. NWT 29 91 N

COUNTY PLANNING REFERRAL

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

Application of James R. Petro
for a 2 lot Subdivision - Northside of Rte. 207 (1,400' West of Union Ave.)
County Action: Local Determination

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

.....
(Date of Local Action)

.....
(Signature of Local Official)

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



**ORANGE COUNTY DEPARTMENT OF PLANNING
AND DEVELOPMENT**

124 Main Street

Goshen, N.Y. 10924

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/31/91

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 91-17

NAME: JAMES R. PETRO, JR. - COMMERCIAL SUBDIVISION
APPLICANT: PETRO, JAMES R. JR.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/08/91	2 COMM. LOTS @\$400.	PAID		800.00	
10/25/91	P.B. ENGINEER FEE	CHG	172.50		
10/16/91	P.B. MINUTES	CHG	9.00		
		TOTAL:	181.50	800.00	-618.50

Please issue a check in the
amount of \$618.50 To:

James R. Petro, Jr.

He will pick up check @

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ ^{Prior to 10/1/91} 25.00 ~~50.00~~

ESCROW:
RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$ _____
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

2 LOTS @ 400.00 (FIRST 4 LOTS).....\$ 800.00
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ 800.00 Pd 8/8/91

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
PRELIMINARY PLAT APPROVAL\$ 100.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 110.00
FINAL PLAT SECTION FEE.....\$ 150.00
BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 410.00

RECREATION FEES:

1 LOTS @ \$1000.00 PER LOT.....\$ 1,000.00

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 172.50
PLANNING BOARD ATTORNEY FEES.....\$ -
MINUTES OF MEETINGS.....\$ 9.00
OTHER.....\$ _____

PERFORMANCE BOND AMOUNT.....\$ _____

5% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

4% OF FIRST \$50,000.00 OF ABOVE:.....\$ _____

2% OF REMAINDER OF ABOVE:.....\$ _____

TOTAL INSPECTION FEE DUE:.....\$ _____

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/11/91

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 91-17

NAME: JAMES R. PETRO, JR. - COMMERCIAL SUBDIVISION

APPLICANT: PETRO, JAMES R. JR.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/05/91	PLANS SIGNED APPROVED	APPROVED
10/16/91	P.B. APPEARANCE	APPROVED
09/25/91	P.B. APPEARANCE	TO RETURN
08/28/91	P.B. APPEARANCE	WAIVE P.H. - RETURN
08/06/91	WORK SESSION APPEARANCE	CHANGES: SUBMIT . CHANGES MADE TO PLAN AND APPLICATION SUBMITTED FOR REVIEW

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/15/91

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 91-17

NAME: JAMES R. PETRO, JR. - COMMERCIAL SUBDIVISION

APPLICANT: PETRO, JAMES R. JR.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	08/08/91	MUNICIPAL HIGHWAY	/ /	
ORIG	08/08/91	MUNICIPAL WATER	08/12/91	APPROVED
ORIG	08/08/91	MUNICIPAL SEWER	/ /	
ORIG	08/08/91	MUNICIPAL SANITARY	08/12/91	APPROVED
ORIG	08/08/91	MUNICIPAL FIRE	08/13/91	APPROVED
ORIG	08/08/91	PLANNING BOARD ENGINEER	/ /	
ORIG	08/29/91	O.C. PLANNING DEPT.	09/10/91	LOCAL DETERM.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

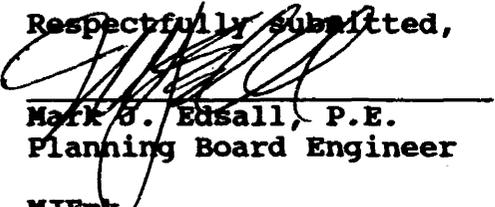
- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: WINDSOR ENTERPRISES (PETRO) MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 207
SECTION 3-BLOCK 1- LOT 27
PROJECT NUMBER: 91-17
DATE: 16 OCTOBER 1991
DESCRIPTION: THE APPLICATION INVOLVES THE MINOR SUBDIVISION OF
THE EXISTING 17.69 +/- ACRE PARCEL INTO TWO (2)
NON-RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 28 AUGUST 1991 AND
25 SEPTEMBER 1991 PLANNING BOARD MEETINGS.

1. As noted in my 25 September 1991 review comment sheet, no further engineering information was required, to my knowledge. The only outstanding items were a response from NYSDOT and the Orange County Planning Department. If these responses have been received, I am aware of no reason why the application could not be considered for final approval.
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.

Respectfully submitted,


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

MJEmk

A:WINDSOE3.mk

JAMES PETRO SUBDIVISION (91-17) ROUTE 207

William Hildreth, L.S. of Grevas and Hildreth came before the Board representing this proposal.

MR. PETRO: Before you start, I'd like to make an announcement that obviously I have an interest in this property and we're subdividing it for the A.S.P.C.A. and I want to withdraw from any participation.

MR. HILDRETH: As Mr. Petro stated, this is a subdivision for which he's the applicant. Property is owned by the Newburgh S.P.C.A. We're subdividing an acre and a quarter just under an acre and a quarter out of the remaining lands that were leftover after the lot line change. That lot line change was done back in December, that's when it was approved. We have sufficient remaining lands.

MR. VAN LEEUWEN: Can I ask you a question? Mr. Petro is building this, how come the A.S.P.C.A. is not doing the work now?

MR. HILDRETH: I have a proxy submitted with the application from the S.P.C.A.

MR. VAN LEEUWEN: Okay.

MR. HILDRETH: That authorizes that.

MR. VAN LEEUWEN: I understand, no problem.

MR. HILDRETH: Mr. Petro is in contract, contract vendee. There's enough remaining lands to still comply with the zoning requirements for the kennel or the S.P.C.A. This particular lot that we are proposing here in the corner will comply with all bulk requirements in the NC zone, columns A6 through A16. There's several other things permitted in this zone that require many, many acres. It also will comply with and those are permitted uses and it also complies with the special use for a gasoline filling station. It's 200 feet deep and has 237 plus feet on the frontage.

MR. MC CARVILLE: What's the unpaved parking area service? That's on that property?

MR. HILDRETH: This is right next door to, not a convenient lot but it's that kind of a, when they built their parking lot, they encroached a little bit.

MR. VAN LEEUWEN: That's fenced off now?

MR. HILDRETH: Exactly, part of the work we did as part of the A.S.P.C.A., they built that fence. There's a fence there.

MR. VAN LEEUWEN: Which is probably not --

MR. HILDRETH: When we did the survey, they realized that the parking lot spilled over and they wanted to stake their claim.

MR. MC CARVILLE: The purpose of that boxed area on the lower left hand corner of the lot --

MR. HILDRETH: That's part of the right-of-way. I can only summarize that it was acquired by the State because you can see there's a catch basin and a 12 inch pipe that's dry.

MR. VAN LEEUWEN: I know where that pipe is too.

MR. HILDRETH: But that jog, I can only assume was acquired by the State.

MR. VAN LEEUWEN: All this water comes down this way.

MR. HILDRETH: You can see another here around that wall there, that's a little more significant there.

MR. MC CARVILLE: Mike, does that billboard that's on the property of the next door fall within our guidance, our zoning law?

MR. SCHIEFER: Whose billboard is that?

MR. HILDRETH: It's on the S.P.C.A. property. I don't know who pays rent for it or who owns it.

MR. BABCOCK: That's been there as long as I can remember. It's probably a nonconforming situation. I really never checked it.

MR. HILDRETH: It does not lie on the proposed new subdivided lot. It remains on S.P.C.A.

MR. VAN LEEUWEN: It has been there as long as I have been in New Windsor, I know that.

MR. SCHIEFER: Do you have any idea what the applicant plans to put on this lot?

MR. HILDRETH: No, I don't, whatever it is, it would have to come before the Planning Board.

MR. SCHIEFER: You mentioned several things that are possible.

MR. HILDRETH: There's nothing that could be done on this that doesn't require site plan approval by the Planning Board anyway.

MR. SCHIEFER: I recognize that.

MR. HILDRETH: Water and sewer are available.

MR. VAN LEEUWEN: I got a question for you. Do you know that this fellow with the trailer park cleaned all that up?

MR. HILDRETH: Yes, I do. You'll be seeing a plan on that, you'll be seeing a plan on that in a while.

MR. MC CARVILLE: Portion of Silver Stream is on this as well, Silver Stream is on the upper --

MR. HILDRETH: Yes.

MR. MC CARVILLE: Are they identified wetlands at all?

MR. HILDRETH: No, it's not on the DEC wetlands and doesn't even show up on the flood plain.

MR. MC CARVILLE: I can't believe that.

MR. HILDRETH: That was brought out when we did the lot line change work.

MR. DUBALDI: I make a motion we take lead agency.

MR. VAN LEEUWEN: I'll second it.

MR. SCHIEFER: Motion has been made and seconded we take lead agency on the Petro Minor Subdivision on Route 207. Any discussion?

ROLL CALL:

Mr. VanLeeuwen Aye
Mr. McCarville Aye
Mr. Dubaldi Aye
Mr. Schiefer Aye

MR. VAN LEEUWEN: I make a motion we waive the public hearing.

MR. DUBALDI: I'll second it.

ROLL CALL:

Mr. VanLeeuwen Aye
Mr. McCarville Aye
Mr. Dubaldi Aye
Mr. Schiefer Aye

MR. SCHIEFER: Let me make one comment. I know it's inappropriate but we have been advised that all lands around Stewart we are going to have to consider the height of the buildings if they are in the flight path in the future.

MR. HILDRETH: Would that fall under the site plan?

MR. SCHIEFER: Yes. In other words, you can't put a highrise.

MR. HILDRETH: I'm aware of that.

MR. SCHIEFER: Anything that shows up around Stewart or in the path in the future, we're going to have to address it. I don't expect a highrise there.

MR. HILDRETH: Is that going to require letter to Stewart or is that something --

MR. SCHIEFER: We are going to have to have an application made out and go into Stewart for approval.

I have seen some of the applications here.

MR. HILDRETH: They are maps that are pretty interesting to look at.

MR. SCHIEFER: There are maps and new things come up.

MR. VAN LEEUWEN: Got to go to county, 500 feet from the highway so it has got to go to the county.

MR. EDSALL: Just transmit a copy to Don Green to see if he has any comments. Obviously, he'll understand that it needs a site plan approval, if anything happens to the new lot.

MR. HILDRETH: And Myra will handle it?

MR. EDSALL: Myra for the County Planning.

MR. HILDRETH: You want to clear up negative declaration or wait?

MR. MC CARVILLE: Let's wait.

MR. SCHIEFER: We just had another one like that.

MR. VAN LEEUWEN: Let's wait.

WINDSOR ENTERPRISES:

Elias Grevas, L.S. of Grevas and Hildreth came before the Board representing this proposal.

BY MR. PETRO: I want to take myself out of this discussion obviously because I am the owner of the property, future owner, contract vendee.

BY MR. MC CARVILLE: The applicant as it stands owns the total parcel, right?

BY MR. GREVAS: The NSPCA owns the whole piece. My applicant is contract vendee for what's shown as lot number two, the 1.24 acre site.

BY MR. MC CARVILLE: Now, Mr. Chairman, I have one comment that I have a concern on pertaining to the billboard located on the property line in the front would be on the southerly corner on the new lot one. In my opinion, the billboard should be removed because it's going to be an obstruction to traffic coming from westerly direction.

BY MR. GREVAS: If I may speak to that, I believe that was brought up earlier. We contacted the NSPCA. They informed us that the sign was owned by Poughkeepsie Advertising and the land on which the sign sits is leased by the NSPCA. They cannot seem to find a copy of the lease. This is David Towers, their attorney and but that they did not seem to voice any strong objection about removing it. The problem is of course that my applicant is not involved with the billboard. However, the NSPCA and they are still the owners of the property, so if you wish to make that a condition for the future discussion because of this moment, the attorney is trying to locate the lease to find out what the terms are and how they can go about getting a sign out there.

BY MR. SCHIEFER: What is NSPCA?

BY MR. GREVAS: National Society for the Prevention of Cruelty to Animals.

BY MR. VAN LEEUWEN: I agree that we should state in there that when the lease is expired that they get rid of the billboard.

BY MR. MC CARVILLE: They don't have 100 year lease.

BY MR. DUBALDI: What if it's a 99 year lease?

BY MR. GREVAS: We don't know. Poughkeepsie Advertising makes monthly or yearly payments, whatever it is.

BY MR. MC CARVILLE: The people that are doing the subdivision, although Petro is the applicant, they gave him proxies so they have a vested interest in seeing this thing fly, so I think it's, as far as I'm concerned it should be a condition of the approval.

BY MR. GREVAS: I don't think any of us are in disagreement on the fact that the billboard should go, including the Society for the Prevention of Cruelty of Animals. I must say that now we have got an internal problem with the NSPCA on they have a lease and depending on the terms of the lease, you know, I don't know, it might be a 99 year lease for all we know, when it started is important.

BY MR. KRIEGER: If the SPCA can't find their copy of the lease, is it fair to assume that Poughkeepsie Advertising has a problem?

BY MR. GREVAS: That's what Mr. Towers office --

BY MR. KRIEGER: If Poughkeepsie Advertising was advised that the New Windsor Planning Board seemed to have a consensus strongly in favor of removing the sign, might that not delay Poughkeepsie Advertising in producing a copy of its lease?

BY MR. SCHIEFER: If there's a copy of the lease found, then we can ask the owner to just take it down.

BY MR. BABCOCK: I have something here that maybe we'll let Mr. Krieger read. And I think this could solve the whole problem that we are having here.

BY MR. MC CARVILLE: Remember this billboard was probably there before zoning.

BY MR. BABCOCK: Well, it doesn't matter.

BY MR. GREVAS: But still there's a provision.

BY Mr. SCHIEFER: Let's hear our astute attorney's legal opinion.

BY MR. KRIEGER: Okay, I'm now reading from section 48-27 subsection A, subsection 3 in any nonresidential district any billboard and the sign not of the permitted type but greater than the maximum permitted size may be continued for two years following the effective date of this local law or the date on which such sign was previously nonconforming, by virtue of prior zoning regulations. Provided that after the expiration of that per such nonconforming sign shall be made conforming.

BY MR. MC CARVILLE: That tells us that that's conforming.

BY MR. VAN LEEUWEN: Five by five sign is conforming.

BY MR. SCHIEFER: How big is this?

BY MR. VAN LEEUWEN: Ten by 30.

BY MR. SCHIEFER: Within two years it comes down.

BY MR. GREVAS: Two years long passed.

BY MR. KRIEGER: The statute was not drafted in as clear a fashion as a person might want, but I would say that the best interpretation of that statute is that the sign can be removed based on the facts that are now before the Board.

BY MR. SCHIEFER: And who can ask Poughkeepsie Advertising?

BY MR. GREVAS: Based on this ordinance to remove that sign. As landlord owner I think in this instance, should if they want to see the subdivision go through, I mean that's my opinion.

BY MR. KRIEGER: If the landowner were to notify the Poughkeepsie Advertising and that under the section which I have just quoted they are authorized to have the sign removed, they will remove the sign. I think it's fairly certain that if Poughkeepsie Advertising has some objections they are going to voice the

objections and then if there's a dispute, it can be handled.

BY MR. VAN LEEUWEN: Why don't you write them one of your very, very special letters?

BY MR. SCHIEFER: I just asked who should do it and I heard two people say the land owner.

BY MR. VAN LEEUWEN: Andy should do it, he can speak for the Town.

BY MR. KRIEGER: I'll be happy --

BY MR. MC CARVILLE: The applicant.

BY MR. VAN LEEUWEN: Send a copy to the applicant and copy to Poughkeepsie and within two years it's against the law for it to be there.

BY MR. SCHIEFER: Andy said he is willing to do it, if Andy's willing to do it, I have no problem. I just didn't want to put a burden on him.

BY MR. MC CARVILLE: The reason this has become an issue is simply because of its position prior to this. It wasn't really a factor. You had no traffic.

BY MR. VAN LEEUWEN: Site distance if he ever wants to do anything with the property.

BY MR. MC CARVILLE: Now's your chance to get it done. You won't have it down the road.

BY MR. SCHIEFER: Andy will do that, thank you. Any other comments, gentlemen?

BY MR. VAN LEEUWEN: I make a motion we declare negative declaration.

BY MR. DUBALDI: I'll second it.

BY MR. KRIEGER: If you would, Lou, have your client give to you and you can give to me an address for Poughkeepsie Advertising.

BY MR. GREVAS: I'll see if I have it with me.

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ROLL CALL:

Mr. Van Leeuwen: Aye.

Mr. McCarville: Aye.

Mr. lander: Aye.

Mr. Dubaldi: Aye.

Mr. Schiefer; Aye.

BY MR. VAN LEEUWEN: I make a motion to approve this subject to the sign being removed, response from the New York State DOT, response from the Orange County Planning Department.

BY MR. GREVAS: Did we receive a response? I thought we got one from the Planning Department.

BY MR. VAN LEEUWEN: They shouldn't have any problem with it.

BY MR. SCHIEFER: I don't know. Mark made the comment here.

BY MR. MC CARVILLE: Orange County Planning says local determination 9/10/91. Fire department approval and there's nothing in here from DOT>

BY MR. GREVAS: That's right. After the last meeting we sent the plan to DOT. Monday I find out that's not quote proper procedure, unquote. It has to come from the town.

BY MR. SCHIEFER: So there's no approval from the DOT.

BY MR. DUBALDI: I second the motion.

BY MR. MC CARVILLE: You don't need DOT approval for a subdivision.

BY MR. GREVAS: Just that they have no objection. There's no site plan proposed here. We don't know where the driveway is going to go.

BY MR. MC CARVILLE: You don't need DOT approval for

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the subdivision.

BY MR. BABCOCK: If there's a site plan proposed for this then we'll send it for DOT for a curb cut.

BY MR. VAN LEEUWEN: I'll withdraw that part of my motion.

BY MR. DUBALDI: And I'll withdraw that part of my second.

BY MR. SCHIEFER: Repeat your motion.

BY MR. VAN LEEUWEN: I make a motion subject to the sign being removed for approval subject to the sign being removed.

BY MR. DUBALDI: I'll second.

BY MR. KRIEGER: If I may, before you vote on it, bearing in mind that the statute hear says that it has to be made conforming so if they choose to make their billboard conforming --

BY MR. MC CARVILLE: That's why I say we stay away from the letters, we let the applicant and Lou handle it with whoever they have to. They are the folks that want a subdivision. They are the folks that want to sell the piece of property. If they want to sell it, I guarantee you they'll find a way to get the billboard down.

BY MR. VAN LEEUWEN: I've got a quick way, take a chain saw to it, four poles.

BY MR. MC CARVILLE: I don't think we should be writing any letters on behalf of the Planning Board.

BY MR. VAN LEEUWEN: Wait a minute, he's acting on behalf to the town because according to the town ordinance, it's illegal.

BY MR. MC CARVILLE: That's a thin thread, I see your point.

BY MR. KRIEGER: I would perhaps as a compromise I would suggest this. The applicant in the first instance tried to work it out with Poughkeepsie, whoever they are, and if that fails and they need, in

order to achieve the subject to and they need some support, let me so at that point if they need support I'll be willing to provide the support that I can.

BY MR. SCHIEFER: Is that acceptable to you?

BY MR. GREVAS: Yes.

BY MR. SCHIEFER: Quote the section of the town law, tell them that they are going to have to do it and if there's any flack, we'll get Andy involved.

BY MR. MC CARVILLE: Makes obstruction of traffic, too. If they come back and say they have got a two years lease, we'll have to take it under consideration.

BY MR. GREVAS: As I say --

BY MR. KRIEGER: I would suggest you have to confer with the town because if some action were taken about it and I don't say that that's the proper agency, but by the building inspector, it's the town that would subject itself to, you know, it's the town that would be a party to any legal action that ensued, so not the Planning Board.

BY MR. SCHIEFER: Let's leave it that way. The applicant will make an attempt to get rid of the sign at the very least, make it conforming. If that doesn't succeed.

BY MR. VAN LEEUWEN: What I would do is this. Why don't I withdraw the motion and hold onto this for the time being?

BY MR. GREVAS: That would mean another visit here.

BY MR. SCHIEFER: If the sign I the only issue --

BY MR. GREVAS: Can we handle it through either Mike confirming that the sign is down before he'll go along with presenting the plan for stamping or through Andy Krieger, that would be a subject to. How about if we leave the motion subject to ad if they are unable to accomplish the subject to, they'll have to come in and seek a modification and removal of the subject to.

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BY MR. BABCOCK: Right now it's subject to, we'll not let Ron stamp the plan unless it's removed. If they can't remove the sign, they are going to have to come back here and demonstrate why they can't remove it.

BY MR. SCHIEFER: I think the motion is fine the way you made it. The only difference --

BY MR. VAN LEEUWEN: I'm withdrawing my motion.

BY MR. SCHIEFER: Motion has been withdrawn.

BY MR. MC CARVILLE: I think let Lou take the whole thing back and discuss it with the applicant.

BY MR. SCHIEFER: There's no motion on the floor.

BY MR. MC CARVILLE: Is the second withdrawn?

BY MR. KRIEGER: Doesn't matter.

TOWN OF NEW WINDSOR

10/28/91

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

TO Frances Sullivan 389 Modres Hill Rd DR.
New Windsor, NY 12553

DATE			CLAIMED	ALL
12/16/91		Planning Board Meeting	75 00	
		Windsor Heights. 3 pgs	13 50	
	✓	Mobil Oil 90-50 22 pgs	99 00	
	✓	Twin Arch 7 pgs	31 00	
	✓	Mobil Plotkin 4 pgs	18 00	
	✓	Wenke 4 pgs	18 00	
	✓	Petro 2 pgs	9 00	
	✓	Catanzaro 5 pgs	22 50	
		Kelly Motors 4 pgs	18 00	
		Bernhardt 2 pgs	9 00	
		Misc. 2 pgs	9 00	
			<u>322 50</u>	

October 16, 1991

41

PETRO, JAMES SUBDIVISION (91-17) ROUTE 207

William Hildreth, L.S. of Grevas & Hildreth came before the Board representing this proposal.

MR. PETRO: For the record, I want to remove myself from this discussion because I am the contract-vendee in this application.

MR. VAN LEEUWEN: We discussed this thing before, okay.

MR. SCHIEFER: Let Mr. Hildreth earn his money.

MR. HILDRETH: I'll be brief. This appeared at the 25th of September meeting and at that time, the outstanding item was Orange County Planning Department. That has since come back for local determination. And DOT review is not required for the subdivision although it would be in the future for site plan so the plan remains unchanged from the last meeting. Just to recap, it's 1.24 acres cut out of the S.P.C.A. property leaves them with a net of 15.61 which exceeds the requirement for burial grounds, I believe the requirement is 10 acres.

MR. VAN LEEUWEN: I make a motion to approve it.

MR. EDSALL: I don't have record of it.

MR. HILDRETH: Do it again then.

MR. VAN LEEUWEN: I make a motion for a negative declaration.

MR. DUBALDI: I'll second it.

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. McCarville	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. VAN LEEUWEN: I make a motion to approve it.

MR. DUBALDI: I'll second it.

MR. MC CARVILLE: Should we go by a public hearing or is that not necessary in this?

MR. VAN LEEUWEN: I'll withdraw that motion and make a motion to waive the public hearing.

MR. EDSALL: You waived that on the 28th of August.

MR. VAN LEEUWEN: My motion still stands.

MR. DUBALDI: My second still stands.

MR. SCHIEFER: Motion has been made we approve Windsor Enterprises Minor Subdivision on Route 207.

MR. EDSALL: The plan says James R. Petro.

MR. VAN LEEUWEN: Windsor Enterprises, James Petro.

MR. SCHIEFER: Well, the name Petro is on the application.

MR. VAN LEEUWEN: He's contract vendee.

MR. MC CARVILLE: Application is James R. Petro, commercial subdivision. Name of project applicant is James R. Petro, Jr.

MR. SCHIEFER: Okay, the plan says James R. Petro, Jr. The application, so you let me rephrase that motion which has been made and seconded to approve the James R. Petro Minor Subdivision on Route 207. This agrees with this and that's what we need.

MR. DUBALDI: I'll second that.

ROLL CALL:

Mr. Lander	Aye
Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 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: PETRO (NSPCA) MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 207
SECTION 3-BLOCK 1-LOT 27
PROJECT NUMBER: 91-17
DATE: 28 AUGUST 1991
DESCRIPTION: THE APPLICANT HAS SUBMITTED A PLAN FOR THE MINOR
SUBDIVISION OF THE EXISTING 17.69 +/- ACRE PARCEL
INTO TWO (2) NON-RESIDENTIAL LOTS. THE PLAN WAS
REVIEWED ON A CONCEPT BASIS.

1. The Applicant has provided bulk table information reflecting the existing use on proposed Lot 1. In addition, the bulk table indicates requirements for Uses A-6 thru A-16 for Lot 2. Each lot appears to comply with the applicable minimum requirements.
2. Given the substantial size of each lot relative to the minimum bulk requirements, as well as the known requirement that Lot 2 must re-appear before the Planning Board for the specific use proposed (with a complete site plan), I am aware of no further detail required on the subdivision plan at this time.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
4. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
5. 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.

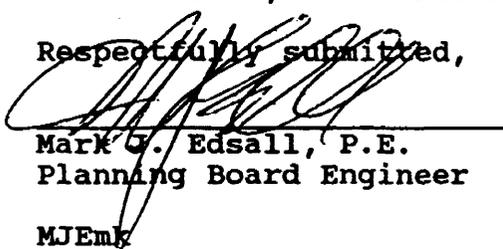
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: PETRO (NSPCA) MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 207
SECTION 3-BLOCK 1-LOT 27
PROJECT NUMBER: 91-17
DATE: 28 AUGUST 1991

6. Submittal of this plan/application to the New York State Department of Transportation and Orange County Planning Department will be required.
7. 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 C. Edsall, P.E.
Planning Board Engineer

MJEmk

A: PETRO.mk

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. 91-17

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date _____

City, Town or Village Board Planning Board Zoning Board

2. Owner: Name Newburgh Society for the Prevention of Cruelty to Animals
Address 564 Little Britain Road - New Windsor, N.Y. 12553

3. Applicant*: Name Petro, James R. Jr.
Address P.O. Box 928, Vails Gate, N.Y. 12584

* If Applicant is owner, leave blank

4. Location of Site: North Side of Rt. 207 (1,400' West of Union Ave.)
(street or highway, plus nearest intersection)

Tax Map Identification: Section 3 Block 1 Lot 27

Present Zoning District NC Size of Parcel 17.69 Acres

5. Type of Review:

Special Permit: _____

Variance: Use _____

Area _____

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units Two Lots

Site Plan: Use _____

8/29/91
Date

Mychal Mason, Secy for the P.B.
Signature and Title

8-12-91

AUG - 8 1991

91-17
ORIG.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INC
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

Grevas Hibbard for the building or subdivision of

James R. Petro has been

reviewed by me and is approved L

~~disapproved~~ _____

~~If disapproved, please list reason~~

There is no town water in this area

HIGHWAY SUPERINTENDENT

Steve D. De

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

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

Grevas & Hildreth _____ for the building or subdivision of

James R. Petro Jr _____ has been

reviewed by me and is approved ✓ _____,

disapproved _____.

If disapproved, please list reason _____

Sewer line is available in this area.

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

~~Sanitary Superintendent~~
Lynn M. Masten Jr

August 12, 1991
DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 13 August 1991
SUBJECT: James R. Petro, Sr., Subdivision

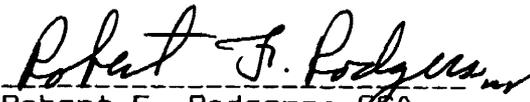
PLANNING BOARD REFERENCE NUMBER: PB-91-17
DATED: 7 August 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-061

A review of the above referenced subject subdivision was conducted on 13 August 1991.

This subdivision is acceptable.

PLANS DATED: 6 August 1991.


Robert F. Rodgers; CA
Fire Inspector

RFR:mr
Att.

✓
CC: N.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

new

TOWN/VILLAGE OF New Windsor P/B # _____

WORK SESSION DATE: 6 August '90 APPLICANT RESUB. REQUIRED: _____

REAPPEARANCE AT W/S REQUESTED: ~~Yes~~ No

PROJECT NAME: SPCA w/ Petro ~~Sub~~ new plans

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: WBH

MUNIC REPS PRESENT:

BLDG INSP.	<u>(W)</u>
FIRE INSP.	<u>Rob</u>
ENGINEER	<u>X</u>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	_____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

NC - B9

show 6-16 uses in bulk table

getting DOT

- easement for drainage -

Next avail agenda

after plans

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? NO

If so, list Case No. and Name N/A

13. List all contiguous holdings in the same ownership NONE
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

JAMES R. PETRO, JR. being duly sworn, deposes and says that he resides at P.O. BOX 928 VAILS GATE N.Y. in the County of ORANGE and State of _____ and that he is (~~the owner in fee~~) of APPLICANT
(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized GWAS & HUDRETH, L.S., P.C. 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

(SEE PROXY STATEMENTS)
(Owner's Signature)

7th day of August 1991 James R. Petro, Jr.
(Applicant's Signature)

Ruth J. Eaton
Notary Public

APPLICANT
(Title)

RUTH J. EATON
Notary Public, State of New York
Qualified in Orange County
No. 4673512
Commission Expires October 31, 1992

AUG - 7 1991

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

NEWBURGH SOCIETY FOR THE PREVENTION
 OF CRUELTY TO ANIMALS _____, deposes and says that he
 resides at 564 LITTLE BRITAIN ROAD
 (Owner's Address)

in the County of ORANGE
 and State of NEW YORK

and that he is the owner in fee of _____
TAX MAP SECTION 3 BLOCK 1 LOT 27

which is the premises described in the foregoing application and
 that he has authorized GREAS & HEDRETH, L.S., P.C.
 to make the foregoing application as described therein.

Date: 7/30/91

[Signature]
 (Owner's Signature)

[Signature]
 (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.

AUG - 7 1991

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

NEWBURGH SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS, deposes and says that he
resides at 564 LITTLE BRITAIN ROAD
(Owner's Address)

in the County of ORANGE

and State of NEW YORK

and that he is the owner in fee of

TAX MAP SECTION 3 BLOCK 1 LOT 27

which is the premises described in the foregoing application and
that he has authorized JAMES R. PETRO, JR.

to make the foregoing application as described therein.

Date: 7/30/91

John A. O. ...
(Owner's Signature)

David E. ...
(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.

AUG - 7 1991

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 Statements (2)
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 certification.
12. Surveyor's seal and signature.

*If applicable.

13. ✓ Name of adjoining owners.
14. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. N/A Flood land boundaries.
16. N/A 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. N/A 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. N/A 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. NONE PROPOSED 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.

AUG - 7 1991

29. N/A 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. N/A 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. N/A 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: William B. Hildreth
Licensed Professional

Date: 7 AUGUST 1991

PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR JAMES R. PETRO, JR.		2. PROJECT NAME JAMES R. PETRO, JR. COMMERCIAL SUBDIVISION	
3. PROJECT LOCATION: Municipality TOWN OF NEW WINDSOR		County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) NORTH SIDE OF ROUTE 207; 1,400' WEST OF UNION AVENUE TAX MAP SECTION 3 BLOCK 1 LOT 27			
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: TWO LOT MINOR SUBDIVISION OF 17.69 ACRES INTO A 1.24 ACRE PARCEL AND A 16.45 ACRE PARCEL 17.69			
7. AMOUNT OF LAND AFFECTED: Initially <u>17.69</u> acres Ultimately <u>17.69</u> acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input checked="" type="checkbox"/> Other Describe: AIRPORT			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No N/A			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: JAMES R. PETRO, JR.		Date: 7 AUGUST 1991	
X Signature: James R. Petro, Jr.			

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

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

_____ Name of Lead Agency _____

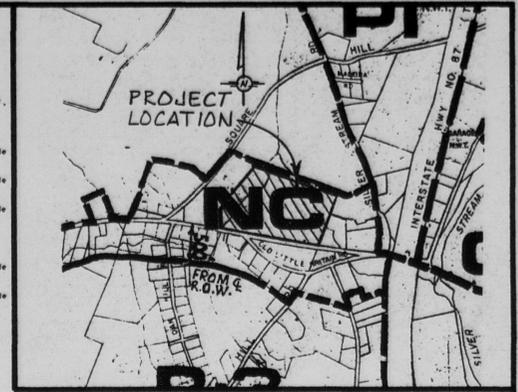
_____ Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer _____

_____ Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from responsible officer) _____

_____ Date _____

ZONE BULK TABLES - NC ZONE

	Required for Use B9	Provided Lot 1	Highest Requirements For Uses A6-A16	Provided Lot 2
Area	10 Acres	15.81 +/- Acres (net)	10,000 S.F.	54,000 +/- S.F.
Lot Width	300'	825' +/-	100'	250' +/-
Front Yard Set Back	100'	190' +/-	40'	To Meet Code
Side Yard Set Back	100'/200'	110' +/- / 590' +/-	15'/35'	To Meet Code
Rear Yard Set Back	15'	520' +/-	15'	To Meet Code
Street Frontage	N/A	688' +/-	N/A	237.73
Max. Bldg. Height	18'	Existing 1 Story	35'	To Meet Code
Floor Area Ratio	N/A		1	To Meet Code
Dev. Coverage	20%	15%	N/A	



LOCATION PLAN 1"=1,000' +/-

ZONE DISTRICT BOUNDARY

ZONE DISTRICT BOUNDARY



NOTES

- Being a proposed subdivision of lands shown on the Town of New Windsor Tax Maps as Section 3, Block 1, Lot 27, said lot having been revised by a lot-line change approved by the Town of New Windsor Planning Board on 12 December 1990.
- This is a commercial subdivision not intended for residential use. Property is served by municipal sewage individual wells.
- DEED OF RECORD: Liber 1171 Page 572
- PROPERTY OWNER: Newburgh Society for the Prevention of Cruelty to Animals, 564 Little Britain Road, New Windsor, N.Y. 12553
- APPLICANT: James R. Petro, Jr., P.O. Box 928, Vails Gate, N.Y. 12584
- PROPERTY ZONE: NC
- TOTAL PARCEL AREA: 17.69 +/- Acres
- NUMBER OF LOTS: 2
- Boundary and topographic information shown hereon resulted from a field survey completed on 27 June 1990 under the supervision of the undersigned.
- Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the New York State Education Law.

SUBDIVISION APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON 11-5-91 BY *Carl C. Schiefer* SECRETARY

CERTIFICATION: I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 27 June 1990 performed in accordance with the Code of Practice adopted by the New York State Association of Professional Land Surveyors, Inc., and is, to the best of my knowledge and belief, correct.

PLANNING BOARD APPROVAL APPROVED BY THE BUREAU OF FIRE PREVENTION TOWN OF NEW WINDSOR, N. Y. DATE: 11-5-91 SIGNATURE: *[Signature]*



Grevas & Hildreth LAND SURVEYORS P.C.
30 QUANBROOK AVENUE, NEW WINDSOR, NEW YORK 12553
TEL: (518) 562-6887

PLAN FOR: **JAMES R. PETRO, Jr.**
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

REVISIONS: ACAD. JIMPTRO
DATE DESCRIPTION

Drawn: SRG
Checked:
Scale: 1"=50'
Date: 8 Aug 1991
Job No: 91-048

FINAL PLAN COMMERCIAL SUBDIVISION