

PB# 91-7

**Hilltop Estates
(Amended SP)**

35-1-41

Approved
6/19/91

General Receipt

12048

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

Received of New Street Development Corp. \$ 25⁰⁰/100
June 7, 1991

Twenty-five and 00/100 DOLLARS

For P/B Application Fee (P.B # 91-7)

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Cash</u>		
<u>Check #1093</u>		<u>\$25⁰⁰</u>

By Pauline B. Townsend
Town Clerk
Title

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

General Receipt

12047

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

Received of Pauline B. Townsend \$ 750⁰⁰/100
June 7, 1991

Seven hundred Fifty DOLLARS

For Site Plan Error (P.B # 91-7)

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Check #1094</u>		<u>\$750⁰⁰</u>

By Hi
Capital
Title

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

General Receipt

12064

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

Received of Shaw Engineering \$ 100.00
June 19, 1991

One hundred and 00/100 DOLLARS

For Planning Board Approval #91-7 (Street)

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Check #6210</u>		<u>100.00</u>

By Pauline B. Townsend
Town Clerk
Title

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

General Receipt

12047

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

Received of Pauline B. Townsend June 7, 1991
\$ 750⁰⁰/₁₀₀

Seven hundred Fifty ⁰⁰/₁₀₀ DOLLARS

For Site Plan Engraving (P.B. #91-7)

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Check #1094</u>		<u>750⁰⁰/₁₀₀</u>

By [Signature]
Capital
Title

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

General Receipt

12064

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

Received of Shaw Engineering June 19, 1991
One hundred and no/100 \$ 100.00

One hundred and no/100 DOLLARS

For Planning Board Approval #91-7 (Stalltop)

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Check #6210</u>		<u>100.00</u>

By Pauline B. Townsend
Town Clerk
Title

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

Eng 512.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/24/91

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 91-7

NAME: HILLTOP ESTATES, INC. AMENDED SITE PLAN
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
06/07/91	SITE PLAN MINIMUM	PAID		750.00	
06/24/91	P.B. ENGINEER FEE	CHG	512.00		
		TOTAL:	512.00	750.00	-238.00

Please issue a check in the
amount of \$238.00 to:

New Hilltop Dev. Corp.
2135 Center Ave.
Fort Lee, N.J. 07024

Attn: Mr. Howard Goldfarb

Gave to Larry R. 6/24/91 @

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/12/91

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 91-7

NAME: HILLTOP ESTATES, INC. AMENDED SITE PLAN
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG 06/10/91	MUNICIPAL HIGHWAY	/ /	
ORIG 06/10/91	MUNICIPAL WATER	06/11/91	APPROVED
ORIG 06/10/91	MUNICIPAL SEWER	/ /	
ORIG 06/10/91	MUNICIPAL SANITARY . SEE REVIEW SHEET IN FILE FOR DETAILS OF APPROVAL	06/11/91	APPROVED
ORIG 06/10/91	MUNICIPAL FIRE	/ /	
ORIG 06/10/91	PLANNING BOARD ENGINEER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/12/91

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 91-7

NAME: HILLTOP ESTATES, INC. AMENDED SITE PLAN
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/07/91	COMPLETE APPLICATION SUBMITTED	6/12/91 AGENDA
06/04/91	WORK SESSION APPEARANCE	READY TO SUBMIT
05/22/91	P.B. APPEARANCE (DISCUSSION)	SUB. AMENDED APPL.



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

18 June 1991

MEMORANDUM

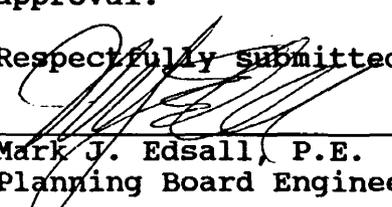
TO: Myra Mason, Planning Board Secretary

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

SUBJECT: HILLTOP PHASE 1 SITE PLAN AMENDMENT
NEW WINDSOR PLANNING BOARD 91-7

Please be advised that I have reviewed the revised plans as prepared by Shaw Engineering for the subject project. These plans are dated 17 June 1991. Based on my review, it is my opinion that the plans comply with the conditional approval as granted by the Planning Board at their 12 June 1991 Planning Board meeting. As such, I see no reason why the site plan amendment plans could not be stamped for approval.

Respectfully submitted,



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

MJEmk

A:6-18-4E.mk

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 10 June 1991

SUBJECT: Hilltop Estates, Inc.; Phase I
Amended Site Plan

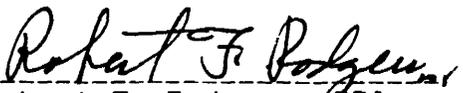
PLANNING BOARD REFERENCE NUMBER: PB-91-7
DATED: 7 June 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-043

A review of the above referenced amended site plan was conducted on 10 June 1991.

This amended site plan is acceptable.

PLANS DATED: 5 June 1991.


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

✓
CC: M.E.

HILLTOP

MR. BABCOCK: What we did was there was a site plan for some box type units, flats laid out approximately 20 by 40 and then there was some townhouses. I'm not sure which ones are what size, some 38 by 40. The layout of the footprint has changed and the building has grown. One of the applicants are here. He knew that I was going to discuss it tonight so I am not sure. We didn't do a complete calculation. Some where 20 to 30 foot larger buildings.

MR. MC CARVILLE: That's a modification of the site plan. They'll have to come back in.

MR. VAN LEEUWEN: Got to come back in if he wants to do it, it changes the whole scenerio of the buildings.

MR. MC CARVILLE: You have to take a look at the spacing.

MR. VAN LEEUWEN: Fire protection and you have 60 foot between the buildings, correct?

MR. BABCOCK: I don't know what the numbers are, Hank, to be honest with you. I didn't sit down with it that much to figure out that.

MR. VAN LEEUWEN: You should have 60 feet between the buildings.

MR. BABCOCK: I don't know whether you have, we have that.

MR. EDSALL: Could we maybe just get the basis for the decision? We have had this happen before? Would it be accurate in saying that if the exterior limits of the building as shown on the plan were not exceeded, i.e. the building changed, configuration as far as the face of the building but remains within the footprint that was approved there was not a problem.

MR. MC CARVILLE: That's correct.

MR. EDSALL: If there was a minor extension within a foot or two, which is a scaling accuracy of a plan, there would not be a problem but what you're saying is 28 foot is a significant difference?

MR. VAN LEEUWEN: That's a problem, sir.

MR. EDSALL: Just so it's on the record. We have had a number of people come in with this.

MR. SCHIEFER: Sir, you wanted to make a comment?

MR. MICHAEL LANDAN: If it's possible. We have two different sized buildings. We have got the townhouses which this came up yesterday because the plans were sent in. There didn't seem to be a problem. The actual footprints are actually, the architect sent in a letter late last night to my attorney, Jim Loeb, fortunately for me can't be here this evening and this all is about 5 o'clock this evening and we asked Mr. Edsall if we could have the opportunity to approach the Planning Board.

The actual footprint of the townhouse building is slightly smaller than the original footprint and that happens to be the 1 foot on either side wider than the original plan. The problem is with the flats. The flats instead of 40 by 30, per flat unit, we made it an average of slightly wider but thinner. The reason we did that is because the original design which I only got involved with the project a few months ago, the original design was designed 5, 6, 4, 6 years ago and the market conditions have changed and we want to offer people a better product, something that looks nicer, something that will be, New Windsor will be proud of. We want to build something that will sell well.

MR. SCHIEFER: I agree with everything you're saying and what I have seen I think it's an improvement. However, it's a major change and now you should come back when you make changes. We have had other applicants that have minor changes that come back and get approval. I see no reason why I am going to change my vote and from what I see, it's an improvement. However, it's a change and based on that, you're going to have to come back.

MR. LANDAN: One of the things was that the architect that designed the units was the same man that designed the original units.

MR. VAN LEEUWEN: Then he should know he couldn't do that. You can't change the site plan and not come back to the Board.

MR. LANDAN: What they actually did was he made sure all the road setbacks and all the differences between the buildings didn't change or have changed it to a very minor degree. The actual physical size of the

building, I think Mark Edsall and Mr. Babcock had actually got a letter from him which was sent to Jim Loeb yesterday, last night so the footprints are actually smaller. It falls within the requirements of setbacks from buildings so what I would like if possible, the townhouse buildings are basically the same, maybe a 50 foot difference. The problem is really with the flats so what I would like to do is understand the Board's problems. What I'd like to offer is that we'll set a new layout for the townhouse, for the flats, for the two buildings which we have the foundations because of this confusion and subject-to the Building Inspector, Mr. Edsall seeing that there's no conflict with the existing zoning requirements of the distances between the setback from the road and the distance between the other buildings, they'll have the Building Inspector will be able to give his approval and he can give us the approval for the townhouse building to start working on straight away which is in fact falls within the original box.

MR. SCHIEFER: Let me ask Mr. Babcock do you want to make that decision or--

MR. BABCOCK: Definitely not.

MR. SCHIEFER: I just asked Mr. Babcock would he be willing to assume that responsibility and his answer was no. He wants the Planning Board to make it.

MR. VAN LEEUWEN: He can't make that decision. You are going to have to come back, sir.

MR. MC CARVILLE: Reflecting on history, this is how that project got in trouble the first time and it started out with a very simple thing. We don't want that to happen again.

MR. LANDAN: I understand I have to do--

MR. KRIEGER: History of the project goes far beyond the last owner.

MR. LANDAN: I understand that, something I'm going to be battling against.

MR. VAN LEEUWEN: There were houses there.

MR. SCHIEFER: You're not going to be battling against the past. We just mentioned that it's happened there. I see no problem. I see a delay, I understand you're not wanting it but I see no way around it.

MR. LANDAN: Can't we build the townhouses which are the same?

MR. BABCOCK: They are not the same.

MR. VAN LEEUWEN: They are not the same either.

MR. SCHIEFER: If they are the same, the Building Inspector will make that decision. If he says they are not the same, I am not going to ask him to make the approval that it meets any requirements. Then, you're going to have to come back. If he says they are the same, I have no problem.

MR. LANDAN: They are very, very minor differences. This all happened, I didn't get a chance.

MR. EDSALL: The sheet that was sent in was a sketch overlaying the proposed or revised configuration to the old configuration. That's not a site plan. That has nothing to do with the site plan. What this Board is saying they want a revised site plan so we can review that you meet the zoning itself, not for the architect to determine if you meet the zoning. The Board has to say yes, you have to get Mr. Shaw and I believe he prepared the plan.

MR. LANDAN: He did. I also couldn't reach him this evening.

MR. EDSALL: To revise the plan and note which buildings were revised.

MR. BABCOCK: If you want to revise any other ones, do that now.

MR. EDSALL: We'd rather not do this building by building for the whole job.

MR. SCHIEFER: I see no way around coming back unless the Building Inspector says that there are no changes. Otherwise, it will have to come back.

MR. BABCOCK: My job is to make sure that what was approved is exactly what is out there. There's nothing out there that's exactly what was approved so I'm not going to.

MR. SCHIEFER: If it was 6 or 12 inches.

MR. EDSALL: Twenty-eight (28) feet.

MR. SCHIEFER: Twenty-eight (28) feet is a major change, the way I see it.

MR. EDSALL: People have come back in for 3 feet.

MR. LANDAN: Whatever the Board wants, we'll do, just that we'd like to get going.

MR. MC CARVILLE: Make that new plan and come back in.

MR. SCHIEFER: As I said, from what I've seen, I agree with what you are doing and I think it's an improvement but I still say it's a major change and you do have to come back.

MR. EDSALL: I'd have the architect look over all of the site plan and anything he believes has to be revised for the current market have the whole site plan updated. That way, they can deal with it as a single unit.

Being that there was no further business to come before the Board a motion was made to adjourn the meeting by Mr. VanLeeuwen seconded by Mr. McCarville and approved by the Board.

Respectfully submitted;



FRANCES SULLIVAN

Stenographer

6-12-91

HILLTOP AMENDED SITE PLAN (91-7) ROUTE 32

Mr. Gregory Shaw of Shaw Engineering came before the Board representing this proposal.

MR. SCHIEFER: If your applicant, I just want to make one comment. We wouldn't have been doing this before any changes were made. We apologize for holding you up, but I just hope you understand. We visited this site also. We saw what had been done.

MR. SHAW: What I submitted to the Board was an amended site plan for Phase I. The amendment to the site plan is a result of minor changes to the site plan where certain buildings were increased in their dimensions. The tennis court which the Board had approved subsequent to the Phase I approval is now reflected on that plan and I believe the general sense is this plan was generated primarily as a result of new footprints, the new building sizes and what I have done is I've incorporated as much information on Phase I as I possibly could. I submitted a letter to the Board explaining exactly what changed on this plan from the approved drawing and what did not. What did not was the roads, the grading of the roads, the curbing, the sidewalks, the water system, sewer system, storm water system, future pump station locations, parking area, none of that has changed. That's identical. What was changed was the sizes of the buildings and I'll get into exactly how much they changed and grading around them and that's primarily it. None of the infrastructure has changed. This is a result of just the architect coming up with a little better layout of the architecture of his buildings and this footprint reflected it.

If you would turn to drawing 2 on this set, I have tried to simplify it. What I generated is both the new footprint of the architectural units, which is shown in solid lines on the original approved plan shown in dotted lines. Perfect example over here, these are townhouse units. This is the length of the proposed building from this point to this point. The original building went from this line to this dotted line so you can see it increased slightly here over the entire length of the building.

MR. SCHIEFER: You keep saying lightly, let's go to the lower left hand corner.

MR. SHAW: Those are flats. Flats are next. That's

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what the drawings increased a little bit, substantially larger than the townhouses.

MR. VAN LEEUWEN: The reason why I asked the question is I look at these buildings and I see here a couple of feet here but here we got the first one is quite larger.

MR. SCHIEFER: That's why I asked him to identify the changes.

MR. SHAW: The approved drawing for the flats were a width of 30 feet wide. If you look at the typical detail up in the corner of the first drawing, you'll see that they vary in width from 38 feet to 41 feet. Again, these are actual dimensions. Now, based on the architectural drawings so with the flats, they have increased substantially from 30 feet to 38 feet, 41 feet and that's per unit. In this particular site, we have three units so you have picked up three times eight, three times eleven, 33 feet overall. But, it all works, the grading works and again, none of the infrastructure has changed, just the overall length of the buildings have changed.

MR. LANDER: Do we get more units?

MR. SHAW: No more units, none of the side yards have changed. Again, that's why on the second drawing, I laid the approved footprint with the amended footprint so you could see the difference with respect to side yards or any other location.

MR. MC CARVILLE: Community building is the same as it was?

MR. SHAW: Community building is enlarged also.

MR. VAN LEEUWEN: What's the difference between 13, 14 and 15, the distance here, it's got to be 60 feet.

MR. SHAW: That's approximately 30 feet.

MR. VAN LEEUWEN: Shouldn't it be 60 feet, Mike, between the buildings according to town codes or am I off?

MR. SHAW: I think it's building height.

MR. MC CARVILLE: We'll check that while you're going ahead.

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MR. MC CARVILLE: how much bigger did the community building get? It looks pretty much the same.

MR. SHAW: Let me look at drawing 2 because I don't want to mislead the Board. Okay, drawing 2 does not reflect the original community building. Okay, so it does not reflect it at all. You would have to go to the approved drawing of Phase I and if I remember correctly, it was approximately 24 and this project here is probably an increase, all right, but it is not substantially larger. I think maybe the pool got 10 feet larger. I think it was 42 now it's 50.

MR. MC CARVILLE: This whole plan grew.

MR. VAN LEEUWEN: Everything is growing in this plan.

MR. SHAW: That's what happens when you get architects involved.

MR. VAN LEEUWEN: Blame it on the architects.

MR. SHAW: There's no architects here.

MR. SCHIEFER: They're justifying the cost per unit.

MR. PETRO: Still two bedroom unit, two is still a two, three is still a three?

MR. SHAW: None of that has changed. The number of parking spaces has not changed. Where they park has not changed. Sidewalks have not changed. The only thing that's changed is the dimensions of the units, and the grading around them to meet the conditions of those particular units.

MR. LANDER: What about side yards?

MR. PETRO: We're checking on that now on some of them which are smaller.

MR. SHAW: It would be side yard to here, this is where it would be.

MR. VAN LEEUWEN: That's what we're worried about.

MR. SHAW: Separation between buildings.

MR. VAN LEEUWEN: Yes.

MR. MC CARVILLE: I have your answer on building height. I hope you're ready. No structure shall be closer to

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an adjacent building than the height of the higher building wall. The distance between buildings shall be such that the northern most building shall receive sun at the lowest window elevation of a dwelling unit for 46 weeks per year. It's a sun angle computation.

MR. SHAW: Thirty (30) feet, I told you.

MR. VAN LEEUWEN: I think the buildings got to be 60 feet apart.

MR. SHAW: Not original buildings weren't 60 feet apart. Again, this is the original building line and this is the original building line.

MR. PETRO: What are the heights of these buildings?

MR. VAN LEEUWEN: Two-story, probably 26 feet.

MR. SHAW: Correct.

MR. PETRO: So then according to what we have just heard --

MR. VAN LEEUWEN: That has to do with the sun and all that. That's where you're getting confused.

MR. DUBALDI: What's the distance between 13 and 14 and 15?

MR. SHAW: That's about 30 feet. I've held 30 feet between the building.

MR. VAN LEEUWEN: As long as that's what it says in the code, I have no problem with it but I don't want you to get to a point where all the building are off and somebody says well, wait a minute, the buildings aren't far enough apart to meet fire code.

MR. SHAW: Correct me if I'm wrong but I believe that if this Board approves this plan, that this is the plan from which they build from and this is to what you're going to hold them responsible for is that drawing. The question is, is this drawing acceptable with the town ordinance and that is what Mr. Babcock is going to be determining for us.

MR. SCHIEFER: Let me read one thing. Number 3 based on the information presented, I'm aware of no concerns with regard to that amendment. The engineer is telling us it conforms to everything. That's the way I interpret everything.

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MR. VAN LEEUWEN: Then he's on the hook and we're off.

MR. MC CARVILLE: I make a motion we assume lead agency.

MR. VAN LEEUWEN: I'll second it.

MR. MC CARVILLE: Specifically to cover the amended site plan.

MR. SCHIEFER: That's why I said site plan amendment, that's exactly the reason I said that.

MR. PETRO: I just wanted to make for the record, I do own my residence, my property does adjoin this property and it should have no bearing on my judgment and anything to do with this particular phase of this project. My property line and this one are the same.

MR. VAN LEEUWEN: I'd like him to put something as long as, to tie this into the motion as long as it meets all the town requirements.

MR. MC CARVILLE: I won't put that in the motion.

MR. SCHIEFER: The engineer has already made the statement.

MR. EDSALL: You're taking lead agency.

MR. VAN LEEUWEN: No, we're voting to approve. So, I'm sorry, I'll back off.

MR. SCHIEFER: Lead agency.

ROLL CALL:

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

MR. SCHIEFER: Determine type of action.

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

MR. DUBALDI: I'll second it.

MR. SCHIEFER: This is for Hilltop Phase I Site Plan

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Amendment.

MR. EDSALL: Can you just put in the, for the record, that the letter for the applicant outlining that the changes in this plan are minor in nature relative to building footprints and some adjustment to sizes and there's not an increase in unit count and that other than those minor changes, it complies with the plan that's already been approved by the Board.

MR. SCHIEFER: You have just put it into the record.

MR. LANDER: I think minor should be struck.

MR. VAN LEEUWEN: I have two comments. One of them was we were going to get sidewalks, which I do not see addressed here. The other thing that I'd like to address here tonight is that the streets down below, you got all flooded out because the detention ponds are not working yet. I don't want to see this project get to far out of hand, okay, and the people down below have a lot of complaints. Why don't we get the retention ponds done before we go any further, get the model up but get the retention pond done. We all know Greg and you have been around here a long time. We have a serious drainage problem down through there. And that should be addressed now.

MR. SHAW: I agree. The berm wasn't complete. They left an area for it to drain into the State system. You got a heavy rainfall, more water went into the State system than what was supposed to have.

MR. VAN LEEUWEN: That's not fair to the people that are here.

MR. SHAW: I'm not disagreeing with you. I think the pond should be fixed.

MR. VAN LEEUWEN: I think the pond should be fixed before we go any further on this thing.

MR. SCHIEFER: Are you suggesting that finish the model before he does anymore after that to finish the retention pond or are you suggesting finish the retention pond before any further work.

MR. VAN LEEUWEN: I don't mind him working on the model but I want the retention pond done. I don't want to see the people down there flooded out.

MR. EDSALL: Can I ask a question on what the status

of the drainage is? Are the catch basins in, as of yet?

MR. SHAW: In our road system, yes. The outlet control structures are not in.

MR. EDSALL: You're picking up the drainage but the outlet structure is deficient and you have put in some soil sedimentation control measures to make sure that erosion materials don't end up -- they didn't address the volume of water that came down during the heavy rainfall 2 weeks ago, didn't do the job. I think what I'm trying to do is protect the drainage system of the State so we don't hear from the State because we're not doing our job.

MR. VAN LEEUWEN: We did that once.

MR. EDSALL: What I think we'll put on the record for the applicant they are responsible for soil erosion and sediment control measures during construction which apparently has not fully been done during the beginning of construction.

MR. VAN LEEUWEN: Nothing has been done.

MR. LANDER: What's the big hole in the road, this road right here, the one in Phase II?

MR. SHAW: What that is is for a vault for the water system. That's going to house a valve which when this project ultimately gets connected into Sky-Lom and that's tied into the Snake Hill tank, this will be an automatic valve that should be a large demand for fire flow east of Windsor Highway, you'll now feed from the Snake Hill tank through Sky-Lom, through Epiphany, into the transmission main through that valve and supply east of Windsor Highway. That's the purpose of the valve and the vault and the vault is not in yet so what they have done is left the hole so when the concrete vault does come in, they'll just slip it in the ground and hook it up.

MR. VAN LEEUWEN: These roads are supposed to be put in to town specs.

MR. SHAW: Correct.

MR. VAN LEEUWEN: That blacktop that's there today?

MR. SHAW: No, that's temporary.

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MR. VAN LEEUWEN: I'm glad you said that. There's nothing under it but dirt.

MR. SHAW: Absolutely. That's temporary.

MR. VAN LEEUWEN: I think we should table this motion, Mr. Chairman.

MR. MC CARVILLE: Let's understand the motion. We have a motion on the floor to declare a negative declaration.

MR. VAN LEEUWEN: Let's go with the negative declaration.

ROLL CALL:

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

MR. SCHIEFER: He's coming to us for a site plan approval, Are you going to ask him to proceed with certain parts of this?

MR. VAN LEEUWEN: I don't mind as far as I'm concerned, I'm only one member, Mr. Chairman, okay, he can go ahead with the model but I don't think the people downstream should suffer because he didn't do the right thing with the holding ponds.

MR. SCHIEFER: I completely agree with what you're saying. He's already gone on record as --

MR. SHAW: To do this. However, can you hold up a site plan approval until this is in, this is part of the site plan.

MR. MC CARVILLE: I don't agree with holding up the site plan.

MR. PETRO: I think it's up to Mike Babcock.

MR. MC CARVILLE: If the motion is off, let's look at it another way. If it's, if we get the applicant to confirm that within x number of days, the retention pond will be corrected so that it will not discharge, we approve the site plan and then get Mike to monitor it.

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MR. KRIEGER: Then you have enforcement problem. Suppose the applicant doesn't comply.

MR. PETRO: Stop work order, 20 days.

MR. SCHIEFER: He did it before.

MR. VAN LEEUWEN: How many building permits does he have now?

MR. BABCOCK: He's got foundation permits for two buildings.

MR. SCHIEFER: He can go ahead and finish those and then before you give him anything else, make sure the retention pond is working so we don't get a repeat of what we had last week.

MR. EDSALL: How much work is involved in not getting the system final but providing the level of protection, a weeks work, a months work?

MR. SHAW: The way I view it, is if those ponds aren't 100% complete in volume, okay, so they can't detain 50 year storm, only a 25 year, a 15 year storm, they are still a valuable volume that will mitigate any rain flow that we are going to most likely see in the next six weeks.

MR. SCHIEFER: We saw it last week.

MR. SHAW: What is missing is the outlet control chambers, which is the structure, which regulates on constriction the amount of flow that comes out of the pond into the State system. Right now, they are not there, okay, so to get the ponds to the point where they are functional to take care of the next six months worth of rain, just got to take the structures and put them in the ground to get to the volume that you need to meet the approved design drawings. Now, that could be, you know, substantially more work but I don't know if we, they did that.

MR. EDSALL: Let's assume that we don't need full capacity but need to mitigate some of the normal rain flow occurrences, all you need is the outlet structure, a week to two weeks to construct that?

MR. SHAW: I'd say two weeks to have them precast. They are precast structures.

MR. EDSALL: You can make a condition of approval that

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one permit be issued and they are agreeing to proceed immediately and have it completed within two weeks.

MR. SCHIEFER: I'd rather, I'd like to make conditional on having them installed rather than set a time limit on it.

MR. MC CARVILLE: Sure, it's --

MR. BABCOCK: When this is in, whether in other words, when the pond is functional to the level we accept it, then we'll issue more permits. Until then, all we can proceed with is the two that he's already started, which are the models.

MR. EDSALL: They are only foundation permits. You're saying you don't want him to get a building permit.

MR. SCHIEFER: No, proceed with the building permit on those two units, none beyond that. That's the way I interpret everything that's been said here. I don't want to put a time limit, don't give him anything more until that's done. If it takes a week, fine. If it takes a month, tough, it take a month but I want that pond working. I don't want a repeat of last week where we had people complaining that water is coming over the road.

MR. VAN LEEUWEN: That's not fair to the other people. Is that acceptable to you?

MR. BABCOCK: I cannot give him a permit, any more permits for anything until this plan is stamped.

MR. SCHIEFER: What I'm saying we're not going to say partway we're going to approve this plan but before we do, we want the applicant to agree he'll proceed no further with construction until that's functional. That's what I was saying before I challenge how you can't approve so much and not the rest. We are approving the site plan but the sequence of construction you have control over and when the pond is functional, let him go finish those two buildings. They are the models but not beyond that until that and I think Mark can be the judge of whether or not that pond is functional.

MR. BABCOCK: Truthfully, we can do that. I don't know that I have the power to tell him he can't have another permit until that's in.

MR. SCHIEFER: Right now, he's agreeing to that.

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MR. VAN LEEUWEN: Are you agreeing to that?

MR. SHAW: Yes.

MR. SCHIEFER: Our approval is based on that. Greg says yes, he'll do it so I know you don't have the power but before he gives us that agreement, we're not going to approve it. That's the way I see it.

MR. MC CARVILLE: Any site that is a hazard which that would be if it wasn't completed, would be deemed unsafe and you could put a stop work order.

MR. BABCOCK: Still doesn't stop anybody from applying for permits and receiving them.

MR. EDSALL: Why don't we have them add on the plan a sequence of construction for the amended site plan showing the first items in the sequence as being the construction of the ponds and the two model units, that way it's on the plan. It's the sequence that he's agreed to. We've got SEQRA hooked that if he fails to follow the sequence, the negative dec could be theoretically invalidated and the approval is no good.

MR. SCHIEFER: Mike, do you have any problem?

MR. BABCOCK: No, then it's on the site plan and he has to do it.

MR. EDSALL: Keep in mind that the correct sequencing of the job is a SEQRA function and if you violate the SEQRA, your approval goes down the tubes.

MR. LANDER: So they have to --

MR. VAN LEEUWEN: I make a motion to approve subject to the following, that we just mentioned.

MR. EDSALL: You've got two other procedural items.

MR. MC CARVILLE: Waive the public hearing, make a motion to waive the public hearing on the amended site plan.

MR. DUBALDI: I'll second it.

MR. SCHIEFER: Motion has been made and seconded we waive the public hearing on this amended site plan.

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ROLL CALL:

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

MR. EDSALL: For the record, as you have in the past, just so that there's something noted that this is only an amendment and that the overall site plan had to go to Orange County Planning Department as well, the driveway, the roadway cuts went to the Orange County or New York State Department of Transportation. Obviously, the roads aren't changing so there's no need to reapply to DOT. Number 2, with the Planning Department, they have reviewed it and I believe, as you have in the past, you can determine that these are changes that are relative on the overall project, minor, and there would be no need to resubmit this to the Planning Department.

MR. SCHIEFER: We don't need a motion, just reading it into the minutes.

MR. EDSALL: You should make a motion on the Planning Department.

MR. LANDER: So moved.

MR. VAN LEEUWEN: I'll second it.

MR. SCHIEFER: Motion has been made and seconded that there is no need to submit this to the State Planning Department because of the minor change of the overall change.

ROLL CALL:

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

MR. SCHIEFER: I'll entertain a motion to approve this subject to the sequence of construction that Mr. Shaw agreed to.

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MR. VAN LEEUWEN: I'll make that motion.

MR. MC CARVILLE: Which will be put onto the map.

MR. LANDER: Which is the pond gets fixed first, then construction.

MR. SCHIEFER: The models can be completed, the two foundations can be completed then the pond will be fixed before any further building permits of any type are issued and sidewalks have to be added on 32.

MR. EDSALL: I have heard a couple different versions. Are you going to allow them to get the building permits for the two foundations they have and then concurrent with that, finish the pond?

MR. SCHIEFER: Yes.

MR. EDSALL: That's just not foundation permits, that's building permits.

MR. SCHIEFER: Finish the models.

MR. EDSALL: They'll build the two model buildings and concurrent with that, make the ponds functional.

MR. LANDER: I want the pond functional.

MR. SCHIEFER: Whether it's concurrent or not is really irrelevant before any further building permits are issued, they'll have that completed.

MR. PETRO: Could be three years from now.

MR. SCHIEFER: That judgment is going to come from you to Mike. Are those ponds functional? They don't have to be concurrent. If he wants to do it six months from now, no further building permits.

MR. EDSALL: Just for the record, they'll be functional but until all the improvements are fully completed, that the system will not be operating as designed. We are going to get as much capacity and as much function up front.

MR. SCHIEFER: Understand?

MR. BABCOCK: And sidewalks.

MR. SCHIEFER: And sidewalks. Greg, any problem with

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the sidewalks?

MR. SHAW: No. The Board made that point clear months ago.

MR. PETRO: Mike wants to know if the sidewalks have to be done?

MR. EDSALL: They'll be added on the plan.

MR. LANDER: There's a problem with those ponds right now?

MR. SCHIEFER: Yes.

MR. LANDER: Why don't we have those ponds corrected so that the people like yourself who live down that way won't have the same flooding problem.

MR. SCHIEFER: I'm told they'll be corrected before they get any additional building permits.

MR. LANDER: Could be six months from now.

MR. SCHIEFER: Fine, they won't get any building permits.

MR. LANDER: But they are still building the two buildings they got stopped on.

MR. VAN LEEUWEN: Go ahead and finish the two buildings but no more building permits until the holding ponds are completed and functional.

MR. LANDER: I think they should be fixed now because the taxpayers are down there getting flooded. I say do it.

MR. VAN LEEUWEN: Nobody wanted to go along with me so --

MR. LANDER: I say fix them.

MR. SHAW: I'll make it very clear to the applicant how the Board feels about the ponds and how imperative it is they become functional immediately.

MR. VAN LEEUWEN: Who is the builder? Who actually is the owner of record today?

MR. SHAW: New Hilltop Development Corporation.

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MR. SCHIEFER: Who is that?

MR. VAN LEEUWEN: Who owns it is what I want to know or don't you want to tell us that?

MR. BABCOCK: I have his name in my office.

MR. EDSALL: Mike Landau.

MR. VAN LEEUWEN: Who's behind him though?

MR. EDSALL: I don't know.

MR. MC CARVILLE: Hire an investigator.

MR. VAN LEEUWEN: I always like to know who I'm doing business with.

MR. SCHIEFER: Any other further questions, discussion on this before we vote on the motion?

MR. MC CARVILLE: Yes, there is. I have a tendency to agree with Mr. Landër in the position that if something was to happen between now and the time these buildings are competed and the project is all of a sudden left there in an unfinished state as the previous project was, then the Town of New Windsor is stuck repairing a retention pond. I think perhaps maybe rather than getting hung up on timeframes, bonded and approve the project.

MR. EDSALL: A bond won't do you any good until -- if you want immediate action, tell them fine, finish the foundations. If you want the building permits, finish the pond.

MR. LANDER: I would say that if they want to go ahead and they want to start putting those buildings up, the bulldozer is not going to build those buildings. It's going to move dirt around and they can put the outlets in. I didn't see what the big problem is. Let them do it at the same time. You don't have to wait till it's in, do it at the same time the bulldozers are going to move the dirt.

MR. SCHIEFER: I'm assuming he's going to do it as fast as he can.

MR. PETRO: Bottom line is we still have to make an approval on the site plan even have him work on the ponds. I can't buy a piece of property and go start building retention ponds.

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MR. SCHIEFER: We have to approve the overall site plan but as a condition of that approval, we are asking the applicant to put the ponds in now. I'm hearing two versions here. One of them he can complete the model and no further building or he can only complete the foundation and not complete the models. Do you want him to complete the retention pond?

MR. KRIEGER: He can't, he can complete the permits.

MR. BABCOCK: They are completed, they are done.

MR. PETRO: Next step would be to do the ponds anyway. That's it.

MR. SCHIEFER: Do we allow him to complete the two buildings? Does Mike give him a building permit to complete the rest of the buildings, those two, the models? That's what I've been saying all along.

MR. LANDER: I say they can start the building when they start the ponds. Ponds have to be finished before another permit is issued. See what I'm saying?

MR. SCHIEFER: Before another permit for another building?

MR. MC CARVILLE: I make a motion that we approve the Hilltop Site Plan subject to completion of the building of the retention ponds to the satisfaction and performance of our engineer, prior to issuing permits for other than the two models.

MR. SCHIEFER: That's the way I understood.

MR. VAN LEEUWEN: I'll second that motion.

MR. SCHIEFER: That's not what Ron said.

MR. MC CARVILLE: Your own motion, Ron.

MR. LANDER: He doesn't want anymore work being done. period, unless they do the ponds. All I say is they can do the work but do the ponds at the same time.

MR. MC CARVILLE: That's just what I said.

MR. LANDER: You didn't say that. You said before another permit is issued.

MR. BABCOCK: What Ron is saying, the way I'm understanding Ron is that they can go ahead and

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build these two buildings and not do any work on the retention pond because they don't have to do the work on the retention pond until they request the next building permit.

MR. MC CARVILLE: They can run the bulldozers in circles all day long.

MR. BABCOCK: Like Mark said, if it's a weeks work, they'll get it done in a week, if they don't have permits.

MR. EDSALL: That's the only way you're going to get it done quick, guaranteed they may have the greatest intention but the only way you have to be assured is that.

MR. MC CARVILLE: I amend my motion that we approve the Hilltop. I'll try it one more time. Ron, you'll get a turn. That we approve the Hilltop Site Plan subject to the completion of the retention ponds.

MR. EDSALL: How about making them functional.

MR. MC CARVILLE: Completion to a functional state period before any building permits are issued.

MR. EDSALL: And the addition of the sidewalks on 32.

MR. PETRO: On behalf of the person before the Board, what if it takes three weeks to finish these, what if they have to make the casts, whatever has to be cast and it takes three weeks. They're missing the best part of the time of the year for building. We're holding them up for three weeks.

MR. MC CARVILLE: They should have thought of that before. If you're going to build a project, you know you need a precast, you're going to wait until you get the project built until you order it? I don't think so.

MR. PETRO: Just a matter of point.

MR. SCHIEFER: My concern is they can finish the two buildings and no further building permits, finish them until the pond is complete. Mr. Lander's opinion is no further construction until the ponds are ready, are functional.

MR. KRIEGER: Functional or complete?

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MR. SCHIEFER: Functional.

MR. DUBALDI: I agree with Mr. Lander.

MR. PETRO: I'm in agreement with you.

MR. VAN LEEUWEN: I'm in agreement with you.

MR. MC CARVILLE: I agree with Lander.

MR. SCHIEFER: Three to three.

MR. LANDER: We have a solution, put a time limit on it, all right. They can go ahead and then start their construction on their buildings, the framework, that pond has to be completed in two weeks.

MR. SCHIEFER: Is that acceptable, weather permitting?

MR. BABCOCK: I don't think I can enforce that.

MR. KRIEGER: If you want to do that, why don't you say he can have the building permits and the two models but he can't have a C.O.

MR. MC CARVILLE: Model, you don't need a C.O.

MR. SHAW: You have the ultimate hammer. Phase II has not been approved. We are going to come back to you in the future with our hat in our hand and we'd like to have friends on the other side of the table.

MR. SCHIEFER: You want to build a whole Phase I before you finish the pond? On, at an impasse what are we going to do?

MR. LANDER: Two (2) weeks, you can get it built in two weeks, right?

MR. SCHIEFER: Put it in the form of a motion.

MR. SHAW: They are going to have to.

MR. LANDER: I make a motion that they can continue construction, we approve the site plan based on the fact that they can continue construction on the two foundations and they have building permits for that but the retention pond has to be functional.

MR. SHAW: There's one that's not functional but I can't attest.

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MR. LANDER: Both ponds have to be functional on or before July 1st and sidewalks have to be added.

MR. DUBALDI: I'll second it.

MR. MC CARVILLE: Sidewalks would have to be added to the plan before it's submitted before approval.

MR. SHAW: Yes.

ROLL CALL:

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

91-7

Orig.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, ~~SEWERY INSPE.~~
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
Shaw Engineering for the building or subdivision of
Hilltop Estates has been
reviewed by me and is approved
disapproved _____.

If disapproved, please list reason _____

- Provide for main sewer line by Engineer for the town.
- Provide permits for each individually owned apartment.
- Provide for inspection by town for each lateral to main sewer line

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman D. Mastom Jr

~~SEWERY SUPERINTENDENT~~

June 11, 1991

DATE

✓
cc: M.E

C-16-91

JUN 7 - 1981
91-7
Orig.

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

Draw Eng _____ for the building or subdivision of
Hilltop Est Inc. _____ has been

reviewed by me and is approved

disapproved _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

Sam D. [Signature]
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

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.

- 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**

new

TOWN/VILLAGE OF New Windsor P/B # _____

WORK SESSION DATE: 4 June 1991

APPLICANT RESUB.
REQUIRED: Yes - final plan

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Hilltop Am.

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: Greg; Lisa; Mike L

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

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- | | |
|---------------------------|--------------------------|
| <u>road - curb grates</u> | <u>- bldgs footprint</u> |
| <u>- parking</u> | <u>- finish grading</u> |
| <u>- set backer</u> | <u>- community bldg.</u> |
| <u>- ret facin</u> | <u>- pool size ↑</u> |
| <u>- all util</u> | <u>- add tennis</u> |
| <u>- slw</u> | |
| <u>- # units</u> | |

Note All other OK

ascrow 750

Schedule for 6/12/91 meeting

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, SUBDIVISION PLAN,
 OR LOT LINE CHANGE APPROVAL

1. Name of Project Hilltop Estates, Inc. (Amended Site Plan).
2. Name of Applicant New Hilltop Development Corp. Phone 201-592-0006
 Address 2135 Center Avenue, Fort Lee, N.J. 07024
 (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 Gregory J. Shaw, P.E. Phone 914-561-3695
 Address 744 Broadway, Newburgh, N.Y. 12550
 (Street No. & Name) (Post Office) (State) (Zip)
5. Attorney James Loeb Phone 914-565-1100
 Address One Corwin Court, P.O.Box 1479, Newburgh, N.Y. 12550
 (Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Gregory J. Shaw, P.E. Phone 914-561-3695
 (Name)
7. Location: On the West side of NYS Rt. 32
1100 feet South (Street)
 (Direction)
 of Union Avenue
 (Street)
8. Acreage of Parcel 24.01 9. Zoning District R-5
10. Tax Map Designation: Section 35 Block 1 Lot 41
11. This application is for Amended Site Plan Approval of Phase I

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 N/A
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 that five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ~~ORANGE~~ ^{BERGEN}

STATE OF NEW ~~YORK~~ ^{JERSEY} SS.: FORT LEE

_____ 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

4th day of June 1989

Howard Goldfarb
Notary Public

[Signature]
(Owner's Signature)

[Signature]
(Applicant's Signature)

PRESIDENT
(Title)

HOWARD GOLDFARB
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 22, 1994

PROJECT I.D. NUMBER

617.21

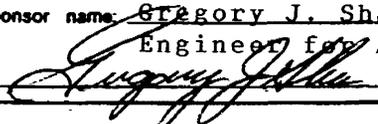
Appendix C

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 New Hilltop Development Corp.	2. PROJECT NAME Hilltop Estates, Inc.
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) On the west side of NYS Route 32, approximately 1100 feet south of Union Avenue.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Project is the amendment of the approved Phase I site plan. Changes to the site plan are: larger community building and pool; addition of tennis courts; and the building footprints. All other details and improvements from Drawings 2 of 12 through 12 of 12, Phase I, Hilltop Estates, Inc., are still in effect.	
7. AMOUNT OF LAND AFFECTED: Initially <u>9.45</u> acres Ultimately <u>24.01</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 checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: Project is within the R-5 Residential Zone and is in the vicinity of the R-4, Residential, PI Planned Industrial, NC Neighborhood Commercial; C Commercial, and OLI Office and Light Industrial Zones.	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval Site Plan Approval from Town of New Windsor Planning Board.	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amended Site Plan Approval is Required	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Gregory J. Shaw, P.E.</u> Engineer for Applicant	Date: <u>June 5, 1991</u>
Signature: 	

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

OVER

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

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes No

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

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

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

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

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

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

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

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

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If Yes, explain briefly

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

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

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

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

Town of New Windsor Planning Board

Name of Lead Agency

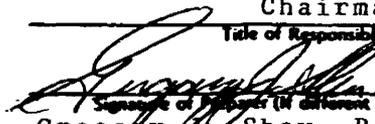
Carl Schiefer

Print or Type Name of Responsible Officer in Lead Agency

Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency



Signature of Reporter (if different from responsible officer)

Gregory A. Shaw, P.E.

Date

Shaw Engineering

Consulting Engineers

June 7, 1991

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

Chairman Carl E. Schiefer and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Phase I - Hilltop Estates

Gentlemen:

We have transmitted to you on this date revised drawings of above referenced project for the purpose of amending your previously granted Site Plan Approval. To assist your Board in reviewing this application we have presented below those items which have, and have not been revised from the approved drawings.

The following have been revised from the Approved Site Plan:

- the dimensions of the residential units
- the grading adjacent to the residential units
- the dimensions of the community building and pool
- the incorporation of the tennis court which was recently approved by your Planning Board

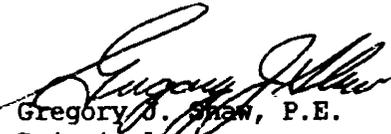
The following have not been revised from the Approved Site Plan:

- number and locations of the residential units
- roads locations and elevations
- parking areas
- sidewalks
- water system
- sewer system
- storm drainage system
- detention ponds
- signage, landscaping, and fencing

We trust the above summary is helpful in your review of this application.

Respectfully submitted,

SHAW ENGINEERING


Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: Mr. James Loeb
Mr. Michael Landau

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|---|--|
| 1. <u>X</u> Site Plan Title | 29. <u>X</u> Curbing Locations |
| 2. <u>N/A</u> Applicant's Name(s) | 30. <u>N/A</u> Curbing Through Section |
| 3. <u>N/A</u> Applicant's Address(es) | 31. <u>X</u> Catch Basin Locations |
| 4. <u>X</u> Site Plan Preparer's Name | 32. <u>N/A</u> Catch Basin Through Section |
| 5. <u>X</u> Site Plan Preparer's Address | 33. <u>N/A</u> Storm Drainage |
| 6. <u>X</u> Drawing Date | 34. <u>N/A</u> Refuse Storage |
| 7. <u>X</u> Revision Dates | 35. <u>N/A</u> Other Outdoor Storage |
| 8. <u>N/A</u> AREA MAP INSET | 36. <u>N/A</u> Water Supply |
| 9. <u>N/A</u> Site Designation | 37. <u>N/A</u> Sanitary Disposal Sys. |
| 10. <u>N/A</u> Properties Within 500 Feet of Site | 38. <u>X</u> Fire Hydrants |
| 11. <u>N/A</u> Property Owners (Item #10) | 39. <u>X</u> Building Locations |
| 12. <u>N/A</u> PLOT PLAN | 40. <u>X</u> Building Setbacks |
| 13. <u>X</u> Scale (1" = 50' or lesser) | 41. <u>N/A</u> Front Building Elevations |
| 14. <u>N/A</u> Metes and Bounds | 42. <u>X</u> Divisions of Occupancy |
| 15. <u>N/A</u> Zoning Designation | 43. <u>N/A</u> Sign Details |
| 16. <u>X</u> North Arrow | 44. <u>N/A</u> BULK TABLE INSET |
| 17. <u>N/A</u> Abutting Property Owners | 45. <u>N/A</u> Property Area (Nearest 100 sq. ft.) |
| 18. <u>N/A</u> Existing Building Locations | 46. <u>N/A</u> Building Coverage (sq. ft.) |
| 19. <u>N/A</u> Existing Paved Areas | 47. <u>N/A</u> Building Coverage (% of Total Area) |
| 20. <u>N/A</u> Existing Vegetation | 48. <u>N/A</u> Pavement Coverage (Sq. Ft.) |
| 21. <u>N/A</u> Existing Access & Egress | 49. <u>N/A</u> Pavement Coverage (% of Total Area) |
| <u>PROPOSED IMPROVEMENTS</u> | |
| 22. <u>N/A</u> Landscaping | 50. <u>N/A</u> Open Space (Sq. Ft.) |
| 23. <u>N/A</u> Exterior Lighting | 51. <u>N/A</u> Open Space (% of Total Area) |
| 24. <u>N/A</u> Screening | 52. <u>N/A</u> No. of Parking Spaces Proposed. |
| 25. <u>X</u> Access & Egress | 53. <u>N/A</u> No. of Parking Required. |
| 26. <u>X</u> Parking Areas | |
| 27. <u>N/A</u> Loading Areas | |
| 28. <u>N/A</u> Paving Details (Items 25-27) | |

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 Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

N/A: Indicates Not Applicable to this submission. All other improvements and details listed on this check list and included in Drawings 2 of 12 through 12 of 12, Phase I, Hilltop Estates are still in effect.

By: [Signature]
Licensed Professional

Date: June 5, 1991

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Michael Landau, President of
New Hilltop Development Corp., deposes and says that ^{the corporation} he
conducts business
resides at 2135 Center Avenue, Fort Lee
(Owner's Address)

in the County of Bergen

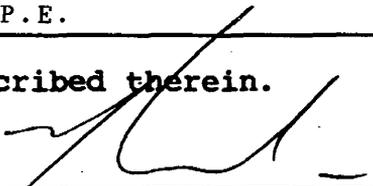
and State of New Jersey

the corporation
and that he is the owner in fee of _____

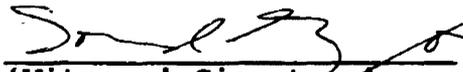
Section 35 Block 1 Lot 41

which is the premises described in the foregoing application and
that he has authorized Gregory J. Shaw, P.E.
to make the foregoing application as described therein.

Date: June 5, 1991



(Owner's Signature)



(Witness' Signature)