

PB# 93-8

**Mt. Airy Estates
(LLC)**

64-2-11→14, 34→35, & 48→55

P.B. # 93-8 Mt. Airy Estates L.L. Che.

Tax Map # 64-2- 11 thru 14, 34+35, 48-55

Approved 5/4/93

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

GENERAL RECEIPT

13216

Received of Shaw Engineering (Knox Village Assoc.) 3/18 19 93

50.00

Defty and 00 DOLLARS

For P.B. # 93-8 Application Fee 100

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CK 6958</u>		<u>50.00</u>

By Pauline M. Townsend
Town Clerk
Title

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

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

GENERAL RECEIPT

13213

Received of Town Clerk 3/18 19 93

One Hundred fifty 00 DOLLARS

For Planning Board 93-8 Escrow (Knox Village Associates) 150.00

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CK 1466</u>		<u>150.00</u>

By Wm. [Signature]
Captn
Title

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

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

GENERAL RECEIPT

13302

Received of Shaw Engineering May 4 19 93

One Hundred and 00 DOLLARS

For P.B. # 93-8 Approval Fee 100.00

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CK 6997</u>		<u>100.00</u>

By Pauline M. Townsend
Town Clerk
Title

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



universal
No. F5-15110

*Note: Plan was redated from 5/4/93 to 12-14-93
Because time had lapsed due to negotiations
with the Town for recreation land. Plans were
redated so they could be filed in Hoster.*

(M)

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/01/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-8

NAME: MT. AIRY ESTATES - LOT LINE CHANGE
APPLICANT: MT. AIRY ESTATES, INC.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
03/17/93	L.L. CHG. MINIMUM	PAID		150.00	
03/24/93	P.B. ATTY FEE	CHG	35.00		
03/24/93	P.B. MINUTES	CHG	54.00		
05/04/93	P.B. ENG. FEE	CHG	47.50		
06/01/93	RET. TO APPLICANT	CHG	13.50		
		TOTAL:	150.00	150.00	0.00

*Please issue a check in
the amount of \$13.50 to:*

*Knox Village Associates
2375 Hudson Terr.
Fort Lee, NJ 07024*

Give to Larry 6/2/93

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/01/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 93-8

NAME: MT. AIRY ESTATES - LOT LINE CHANGE
APPLICANT: MT. AIRY ESTATES, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
05/04/93	PLANS STAMPED	APPROVED
03/24/93	P.B. APPEARANCE . RESTRICT FURTHER SUB. OF LOTS TO BE PUT IN DEEDS . LOTS TO BE RESTRICTED ARE TO BE LISTED ON PLAN	LA/ND WAIVE P.H.
03/24/93	P.B. APPEARANCE CON'T	NO OCPD SUBMIT
03/03/93	WORK SESSION APPEARANCE	SUBMIT 2 APPLICATION

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/01/93

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 93-8

NAME: MT. AIRY ESTATES - LOT LINE CHANGE
APPLICANT: MT. AIRY ESTATES, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	03/18/93	MUNICIPAL HIGHWAY	03/25/93	APPROVED
ORIG	03/18/93	MUNICIPAL WATER	03/25/93	APPROVED
ORIG	03/18/93	MUNICIPAL SEWER	/ /	
ORIG	03/18/93	MUNICIPAL SANITARY	/ /	
ORIG	03/18/93	MUNICIPAL FIRE	03/22/93	APPROVED
ORIG	03/18/93	PLANNING BOARD ENGINEER	/ /	

RESULTS OF P.B. MEETING

DATE: March 24, 1993

PROJECT NAME: Mt. Airy Estates

PROJECT NUMBER 93-8

LEAD AGENCY: 3/24/93
^{(M) V (S) D} all eyes

NEGATIVE DEC: 3/24/93
^{(M) L (S) V} all eyes

PUBLIC HEARING: Waived 3/24/93
^{(M) D (S) L} all eyes

DISCUSSION:

Restriction of further subdivision of these lots
is to be put in the deeds
Lots are to be listed on the map that are restricted

SEND TO ORANGE CO. PLANNING: Not to send
^{(M) V (S) D}

DISAPPROVED AND REFERRED TO Z.B.A.: YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED _____ APPROVED CONDITIONALLY 3/24/93

NEED NEW PLANS: YES NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

Changes as above.

MT. AIRY ESTATES LOT LINE CHANGE (93-8) MT. AIRY ROAD

Gregory Shaw, of Shaw Engineering appeared before the representing this proposal.

MR. SHAW: What we have before you tonight are two applications for Mt. Airy Estates.

MR. VAN LEEUWEN: Does this have to do with the Town?

MR. SHAW: In the litigation between Mt. Airy and the Town of New Windsor the court order was that Mt. Airy deed off to the Town of New Windsor 51 1/2 acres of land. That 51 1/2 acres of land was originally intended to be this parcel and this parcel. In addition to that, there was a 4.1 acre parcel of land which was to be dedicated for recreational purposes, totally independent of the court order. We have three parcels that are before you for discussion.

MR. VAN LEEUWEN: I thought it was 53 acres?

MR. SHAW: 51 1/2.

MR. VAN LEEUWEN: I know you're not a liar but I'll take your word for it, go ahead.

MR. SHAW: We came across a deed or a survey on this parcel which is designated on the tax map as 33 acres, was really 41 acres so that is an extra 8 acres of land kicking around that came under discussion. Everything that I am presenting before you tonight I presented before the Town Board. So, what we did is we made a proposal to the Town Board for us to retain ownership to 8 acres of lands, the question was where. Again 51 1/2 acres is what we're obligated to give you, we being Mt. Airy Estates. What we will be looking in on is the zeroing of this piece. What we're proposing is a lot line change where Mt. Airy Estates will maintain ownership of a piece of land here and when you take the balance which is this parcel plus the 41 acres, you have the cumulative of the 51 1/2 acres plus the 4.1 acre parcel for recreational purposes. And if I am losing you, I'll be happy to go over it again. This is the parcel as it presently sits, the 4.1 for

recreational purposes, the parcel of land which is attached to the New Windsor was originally supposed to get both along with the 33 acres, the 33 is now 41. This is the lot line change before you where Mt. Airy will now maintain ownership of the 8 acres of land which is surplus from the parcel down below to the south.

MR. VAN LEEUWEN: Is he going to give that over for recreation or going to make a subdivision?

MR. SHAW: This will come before you at a future date for a subdivision. What New Windsor will take over ownership will be the 41 acre parcel below that parcel right here which I've heard that it would be for a Town park. That is just what I hear on the street, I can't confirm it. When you take all the acreage together between each parcel it equates to the original 3 pieces, that being this parcel, 18.5, with the 4.1 acre parcel and it is the 41 acre parcel.

MR. VAN LEEUWEN: The 4.1 parcel is what you want to add back on, right, or am I confused?

MR. SHAW: You're close. What we're doing we're giving New Windsor 8 extra acres here and we're taking it back here of which part of it is the recreation parcel. We're taking the piece of the recreational parcel and piece conveyed to New Windsor via the court order.

MR. VAN LEEUWEN: What are they going to give for recreation besides 51 1/2 acres?

MR. SHAW: I should have went through the math. New Windsor is intending to get 4.1 acre parcel, 18.5 acre parcel and a 33 acre parcel, add those numbers up, that is what New Windsor is supposed to get of which 51 1/2 acres was through the court order.

MR. VAN LEEUWEN: On that map right there where is the new subdivision I have here in front of me located?

MR. SHAW: It's in this area right here.

MR. PETRO: You're suggesting that it is not to be

subdivided, comment number one?

MR. LANDER: I don't think he's on to that map yet.

MR. SHAW: The proposal before you tonight has nothing to do with the subdivision that is an application which is going to come before you at a later date and it's going to stand on its own merits in accordance with present zoning, not zoning when Mt. Airy was originally created. That is a separate issue. This is not more than a lot line realignment taking this lot line and moving it over in this fashion so this will now be the new lot line and instead of New Windsor taking possession of this piece and this piece because we now have to pull 8 acres back because of the excess acreage down below, they'll now be obtaining this.

MR. VAN LEEUWEN: Just give us the 8 acres too, you won't have to pay taxes on it.

MR. EDSALL: Just for the record I think what's confusing everybody is the approach Greg's taking in his presentation, he's reversed 4 and 5 on your agenda, he's doing item 5 first.

MR. VAN LEEUWEN: Take the other 8, add it to the 51 acres now we have 59 1/2 acres and I think that is--

MR. DUBALDI: How did you lose 8 acres?

MR. SHAW: What happened very simply is when they were in court and they were setting up the acreage of the parcel they looked at the tax map and this tax map indicated that this parcel was 33 acres but Ben had in his survey which was done 15 years ago that showed it to be a 51 acres.

MR. DUBALDI: Who did the survey?

MR. SHAW: A reputable outfit. We did some preliminary calculations on the tax maps and they were in error, the tax maps were in error. This was scaled out to be 33 acres in relation it was really 41 acres but again numerically via the court order, they had the 33 acres piece and 18 1/2 piece for the 51 1/2 and add

4.1 to it, should give you 55.6 acres and that is what New Windsor will be getting with this piece and the balance of this piece here which is part of the 18.5.

MR. VAN LEEUWEN: The 41 acre piece on the bottom of the map where is the road frontage for that?

MR. SHAW: That is this road here.

MR. SHAW: Can I go to the other application, might as well get both of them on the table. The parcel that we're talking about is right here. Now you can pull out the correct map. This parcel is proposed for dedication for recreational purposes, this subdivision was approved back in 1971, 1972.

MR. VAN LEEUWEN: When I first got on the board, I was on the board a couple years back about 1970, '71, correct.

MR. SHAW: They reflected the standards of that era with the topo that was reflected on the plan really wasn't that accurate. To make a long story short there's really nothing you can do with this land. It has over 200 horizontal feet about a 50 foot drop. We don't want to make lots out of it, the Town of New Windsor says we don't want that land, that what do we want it for we can't do anything of any recreational benefit, you keep it. The developer's saying I don't want it, what can I do with it? So, we felt the most appropriate use would be to give it to the adjacent lots. We're not creating any lots, we're taking the existing lots that are surrounding it and elongating them.

MR. VAN LEEUWEN: How many acres is that?

MR. EDSALL: Is that the 5.6?

MR. VAN LEEUWEN: About 8 acres.

MR. SHAW: 11.3 acres.

MR. VAN LEEUWEN: Swap you that for the 8 acres.

MR. DUBALDI: Nobody lives in these lots currently.

MR. SHAW: Paper subdivision.

MR. VAN LEEUWEN: I was on the board a year that is when Ben Blumenfeld owns the subdivision that is when it was done and things were a lot simpler in those days.

MR. DUBALDI: What if the court knew that this lot was actually smaller?

MR. KRIEGER: The board should be aware I can't render an opinion as to what this court order says until I see it. I'm not disagreeing with anything that Mr. Shaw says about the court order because I have never seen.

MR. SHAW: I can make an attempt, that may be more readily accessible through New Windsor, they were certainly part of it.

MR. EDSALL: It might be worthwhile just to note that before Greg would take the step to come here obviously from the Planning Board workshop, we sent them to the Town Board. He has been before the Town Board, George Green asked that I attend that meeting as well. Greg made the same presentation. As a matter of fact, when it came to this particular recreation area that could be used I guess as a ski slope, I had suggested to the board if you don't want the liability and you don't want the property, add it to the adjoining property and prohibit those from being subdivided. That is where I made the comment about no further subdivision. So these two actions the Town Board is aware of and the Town Board obviously is the one who is dealing with the court order and they have agreed to it and I met with George today to confirm that these two plans are acceptable and are consistent with what the board agreed to and he's agreed. So the Town Board effectively has endorsed both of these changes.

MR. SHAW: The reason for that is simple, they want the deeds. Once this is filed, then Mt. Airy is in a position to convey to New Windsor 51.5 acres which New Windsor has been waiting for.

MR. EDSALL: The only suggestion they had come up with in the interim and I met with George today and he concurred is that we place on the record a comment that when and if they do return to subdivide the portion that Greg is pointing to off of J Street, as in the letter J, that we're going to request that they provide the 25 foot strip to access that recreational parcel to the right such that the residents eventually that develop this or live in this complex have access to the recreational parcel without having to go outside and then go out onto Mt. Airy or trespass.

MR. SHAW: Just to expand on that, again this configuration being the J Street which is a paper street at this time, once the lot line realignment comes into play, then this is the 8 acre piece, this is a proposed layout certainly not cast in stone but we felt was appropriate which we generate 13 lots as per current zoning on the 8 acres and again this would be the Town parkland what have you and access would have to be provided from J Street through a lot to the Town owned property. So what Mark is saying providing access, he's talking maybe about a 25 foot swath through here which would be owned by New Windsor. New Windsor would have control over it so people that wanted to access the park could do so.

MR. VAN LEEUWEN: How about having 2 of those, one off the circle to get into it or near the turn around and one on the other end so you have two entrances 25 feet each.

MR. SHAW: This application isn't before you so we'll take it under review.

MR. VAN LEEUWEN: You don't realize what we're doing that is a paper street, there's no other access to that property off any road of any kind.

MR. EDSALL: It fronts on Mount Airy, the whole length of that is all Mt. Airy Road.

MR. SHAW: That is substantial frontage.

MR. VAN LEEUWEN: Okay.

MR. SHAW: If we have the room, I'll do it. I just wouldn't want to commit yes, we'll do it and we end up losing a lot over it.

MR. VAN LEEUWEN: Then you lose a lot. Let me tell you something, these people have gained it for years when this was subdivided and the plan was rammed through, I remember when it was done, I wouldn't go into the details you don't want me to because I was here and I was out voted. But that piece of land should never have been given for recreation because that is crap.

MR. SHAW: It just took us 20 years to figure it out. What I am here for tonight to declare yourselves lead agency, make an environmental determination and grant lot line realignment approval.

MR. PETRO: Which application are we doing, #5?

MR. EDSALL: Do them in order.

MR. PETRO: We're on #4.

MR. EDSALL: Application number 93-8.

MR. VAN LEEUWEN: I make a motion we declare lead agency.

MR. PETRO: We have a motion made and seconded that the New Windsor Planning Board declare lead agency for Mt. Airy Estates Inc. lot line change on project number 93-8. Is there any further comments from the board members?

MR. EDSALL: Put in the minutes just a short description this is the one that eliminates steep slope portion and adds and divides it and adds it to the adjoining lots located between proposed Panarama Drive and G Street.

MR. VAN LEEUWEN: Which are paper streets.

MR. EDSALL: Correct.

MR. DUBALDI: I'll second it.

ROLL CALL

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

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. VAN LEEUWEN: I'll second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec on Mt. Airy project number 93-8.

ROLL CALL

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

MR. VAN LEEUWEN: We should put in a restriction against any further subdivision in there.

MR. EDSALL: I think we have two to discuss, Greg, if you can point at the lots.

MR. VAN LEEUWEN: One piece that was originally to be given to the Town the junk piece which is given to the Town as parklands okay, no further subdivision.

MR. PETRO: That is the wrong one.

MR. EDSALL: The lot that the Town was going to get once you approve the lot line change doesn't exist so you can't restrict something that doesn't exist from future subdivision. What you have to restrict all the individual residential lots that just picked up some additional lands from trying to subdivide off into the

two pieces the decent part and the cliff so what I am saying what you should be looking doing all the involved lots that just picked up area should be restricted from further subdivision and they are all, they are numbered--

MR. BABCOCK: 30 Through 37.

MR. PETRO: What size?

MR. EDSALL: Some of them are double what the original lot is.

MR. PETRO: They are going to be 12.

MR. BABCOCK: No, 42,000.

MR. EDSALL: Existing lot 30 was only 24,000 and change now it's 57,700, we want it.

MR. SHAW: There's a note on the plan none of the newly configured lots shown here are to be further subdivided, it's in a box at the top of the plan.

MR. EDSALL: That restriction should be included in the deeds.

MR. VAN LEEUWEN: It should be in the deeds, we had problems in Butterhill Estates.

MR. SHAW: If you want it in the deeds.

MR. VAN LEEUWEN: Yes, we do.

MR. SHAW: That we're further restricted.

MR. PETRO: I think it's good for the buyer of the lot, it's very plain for them to see.

MR. EDSALL: The other restriction that we talked about at the Town Board workshop lots 30 through 37 although they now have frontage on both Panarama and G Street, if a driveway was constructed off G it would obviously not meet any of the current requirements so those 4 lots should also contain deed restrictions that allow

them access only from Panarama, they cannot develop any access to G Street.

MR. PETRO: Greg, you've got to make a change to the box you have up there that says none of the newly configured.

MR. SHAW: You'd like that phrased.

MR. KRIEGER: None of the lots shown on this can be subdivided. The problem here you can't tell what's newly, this map standing alone, you can't tell what are the newly configured lots.

MR. SHAW: What we'll do to further clarify it is we'll list each and every lot number so there are other lots on here, other than those which are part of this subdivision so we'll list all those lots so this way it's very clear.

MR. PETRO: Orange County Planning Department, Gentlemen?

MR. VAN LEEUWEN: Also that lots 30 to 33 cannot have access on G Street.

MR. SHAW: Correct, I have that already.

MR. PETRO: Submittal to Orange County Planning Department is optional, board should make a determination.

MR. DUBALDI: I don't think it's necessary.

MR. VAN LEEUWEN: We'd only open up a formal can of worms. I'll make a motion to that effect.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board on Mt. Airy Estates Inc. lot line change project number 93-8 should not be sent to Orange County Planning Department due to the fact it's an amended site plan.

MR. VAN LEEUWEN: It's not in the requirements because you have to be within 500 feet of a State and County road.

MR. EDSALL: I put it in there only because it's optional but I didn't think it's within 500 now anyway. On all applications, you have the option of sending it so on this one, you're saying no, we're not going to do it's, there's no form saying you're not going to.

MR. PETRO: Due you to Mark's comments. That is as far as we can go with 93-8. Do we have anything to add on this particular application?

MR. SHAW: Approval possibly?

MR. EDSALL: You've made the SEQRA.

MR. BABCOCK: Just subject to some changes to the--

MR. EDSALL: I'd waive the public hearing.

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

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded New Windsor Planning Board waive public hearing on Mt. Airy Estates Inc. Section 93-8.

ROLL CALL

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

MR. PETRO: Motion to approve?

MR. BABCOCK: Subject to the notes on the plan, Mr. Chairman.

MR. SHAW: Two notes.

March 24, 1993

34

MR. VAN LEEUWEN: I make a motion to approve subject to the notes being on the plan.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded New Windsor Planning Board grant approval to Mt. Airy Estates lot line change project 93-8 subject to all the aforesaid notes being added to the plan.

ROLL CALL

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



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

- 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: MOUNT AIRY ESTATES, INC. LOT LINE CHANGE
PROJECT LOCATION: BETHLEHEM ROAD/MOUNT AIRY ROAD
SECTION 64-BLOCK 2-LOT 35
PROJECT NUMBER: 93-8
DATE: 24 MARCH 1993
DESCRIPTION: THE APPLICATION INVOLVES EXTINGUISHING THE SUBJECT
TAX LOT, WITH SAME BEING ATTACHED TO ADJOINING
RESIDENTIAL (UNDEVELOPED) LOTS.

1. The Mount Airy Estates major subdivision included several parcels proposed for dedication to the Town of New Windsor. One such parcel is the subject tax parcel. The Town Board has determined that they do not desire dedication of this parcel; as such, it has been recommended that the parcel be divided and incorporated into the adjoining residential lots.

This lot line plan appears to comply with the Town Board's desire; however, certain restrictions should be noted (as follows):

- a. A restriction against further subdivision should be addressed.
 - b. Restrictions regarding access to Lots 30, 31, 32 and 33 should be discussed.
2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
 3. Submittal of this lot line application to the Orange County Planning Department is optional; the Board should make a determination if such a submittal will be required.

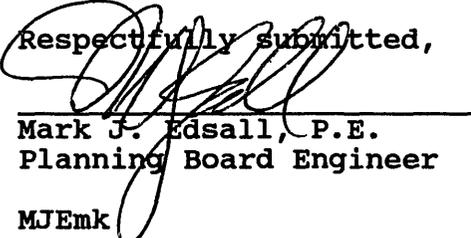
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: MOUNT AIRY ESTATES, INC. LOT LINE CHANGE
PROJECT LOCATION: BETHLEHEM ROAD/MOUNT AIRY ROAD
SECTION 64-BLOCK 2-LOT 35
PROJECT NUMBER: 93-8
DATE: 24 MARCH 1993

4. 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.
5. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



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

MJEmk

A:MTAIRYI.mk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 8

DATE PLAN RECEIVED: MAR 17 1993

The maps and plans for the Site Approval _____
Subdivision Mt. Airy Estate as submitted by
Greas for the building or subdivision of
_____ has been
reviewed by me and is approved
disapproved _____.

If disapproved, please list reason _____

Burt [Signature] 3/25/93
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 8

DATE PLAN RECEIVED: MAR 17 1993

The maps and plans for the Site Approval _____
Subdivision Mc-Airy Estate as submitted by
_____ for the building or subdivision of
Shiras has been
reviewed by me and is approved ✓,
disapproved _____.

If disapproved, please list reason _____

[Signature] 3/25/93
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 22 March 1993
SUBJECT: Mount Airy Estates, Inc.

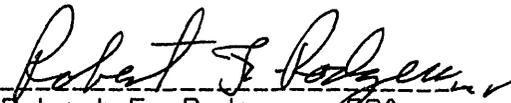
PLANNING BOARD REFERENCE NUMBER: PB-93-8
DATED: 17 March 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-013

A review of the above referenced subject lot line change was conducted on 22 March 1993.

This lot line change is acceptable.

PLANS DATED: 5 March 1993.


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

✓
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
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3
93 - 8
93 - 9

TOWN/VILLAGE OF New Windsor

P/B # 93 - 9

WORK SESSION DATE: 3 MAR 93

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____

PROJECT NAME: Mt Airy Estates Yr changes

PROJECT STATUS: NEW OLD _____

REPRESENTATIVE PRESENT: Greg Shaw

MUNIC REPS PRESENT:

BLDG INSP.	<u>DWS</u>
FIRE INSP.	<input checked="" type="checkbox"/>
ENGINEER	<input checked="" type="checkbox"/>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	<u>Ron L</u>

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

* WILL BE TWO SEPARATE APPLICATIONS

* each \$150 each.

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 Lot Line Change
Mount Airy Estates, Inc.
2. Name of Applicant Mt. Airy Estates Inc Phone _____
Address 2375 Hudson Terrace, Fort Lee, N.J. 07024
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Same Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan William B. Hildreth Phone 562-8667
Address 33 Quassaick Ave., New Windsor, N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney N.A. Phone _____
Address _____
(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 561-3695
(Name,
7. Location: On the East side of Panorama Drive (Prop.)
within the unimproved Mount Airy Estates (Street)
feet Subdivision located
between Mt. Airy Road & Bethlehem Road (Direction)
of _____
(Street)
8. Acreage of ^{Lots} Parcel 11.36 Acres 9. Zoning District R3
10. Tax Map Designation: Section 64 Block 2 Lot 11-14, 34-35, 48-55
11. This application is for Lot line change to extinguish Tax Map
Section 64, Block 2, Lot 35

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 _____

13. List all contiguous holdings in the same ownership All lots within Section _____ Block _____ Lot(s) Mount Airy Estates

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

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says that he resides at _____ in the County of _____ and State of _____ and that he is (the owner in fee) of _____ (Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

15th day of March 1993

[Signature]
(Owner's Signature)
[Signature]
(Applicant's Signature)

Helen M. Morse
Notary Public
HELEN M. MORSE
Notary Public, State of New York
No. 4669621
Qualified in Orange County
Term Expires No 0: 1994

See
(Title)

PROJECT I.D. NUMBER

617.21

SEQR

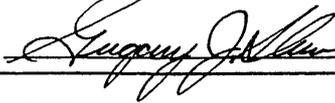
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

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

1. APPLICANT /SPONSOR Mount Airy Estates, Inc.	2. PROJECT NAME Lot Line Change, Mount Airy 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) Lot fronting Panorama Drive (Proposed) within the unimproved Mount Airy Estates Subdivision located between Mt. Airy Road and Bethlehem Road.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: The extinguishing of Tax Map Designation Section 64, Block 2, Lot 35 and attaching portions of that lot to adjacent lots.	
7. AMOUNT OF LAND AFFECTED: Initially <u>11.36</u> acres Ultimately <u>11.36</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 type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Mount Airy Estates, Inc.</u>	Date: <u>March 12, 1993</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

1

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

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD 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:
 No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No

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.
 No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
 No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
 No

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.
 No

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

_____ James Petro _____ Chairman
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

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

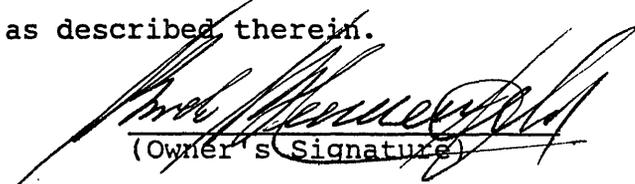
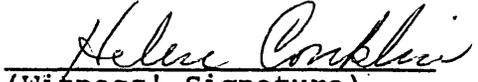
Ben Blumenfeld, deposes and says that he
conducts business 2375 Hudson Terrace, Fort Lee, N.J. 07024
~~resides at~~ (Owner's Address)

in the County of Bergen
and State of New Jersey

and that ^{his corporation} ~~he is~~ the owner in fee of Tax Map Designation Section 64,
Block 2, Lots 11,12,13,14,34,35,48 through 55.

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: March 12, 1993


(Owner's 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.

TOWN OF NEW WINDSOR PLANNING BOARD

MINOR SUBDIVISION CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. X Environmental Assessment Statement
- *2. X Proxy Statement
3. X Application Fees
4. X 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. X Name and address of Applicant.
- *2. X Name and address of Owner.
3. X Subdivision name and location.
4. X Tax Map Data (Section-Block-Lot).
5. X Location Map at a scale of 1" = 2,000 ft.
6. X Zoning table showing what is required in the particular zone and what applicant is proposing.
7. N.A. Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. X Date of plat preparation and/or date of any plat revisions.
9. X Scale the plat is drawn to and North Arrow.
10. X Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. X Surveyor's certification.
12. X Surveyor's seal and signature.

*If applicable.

13. N.A. 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. X Final metes and bounds.
18. N.A. 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. N.A. Include existing or proposed easements.
20. N.A. Right-of-Way widths.
21. N.A. Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. X Lot area (in square feet for each lot less than 2 acres).
23. X Number the lots including residual lot.
24. N.A. 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. N.A. Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. N.A. Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. N.A. Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

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. N.A. Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. N.A. Indicate percentage and direction of grade.
33. X Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. X 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.

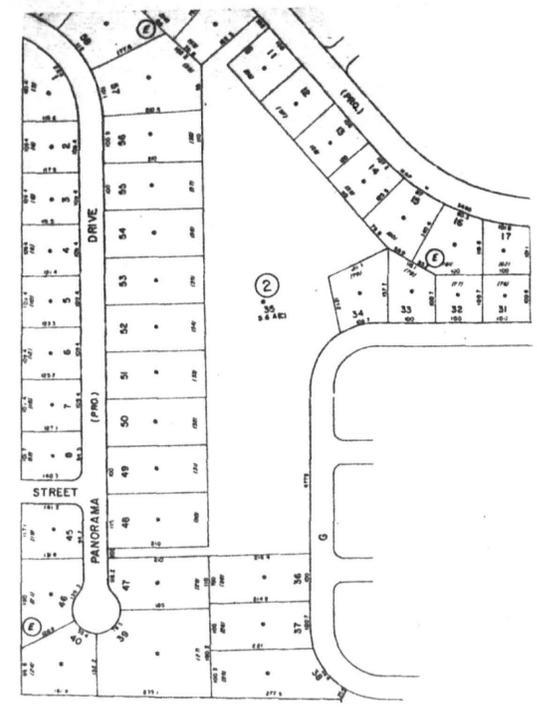
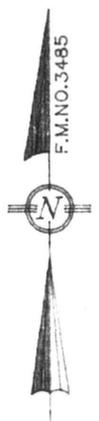
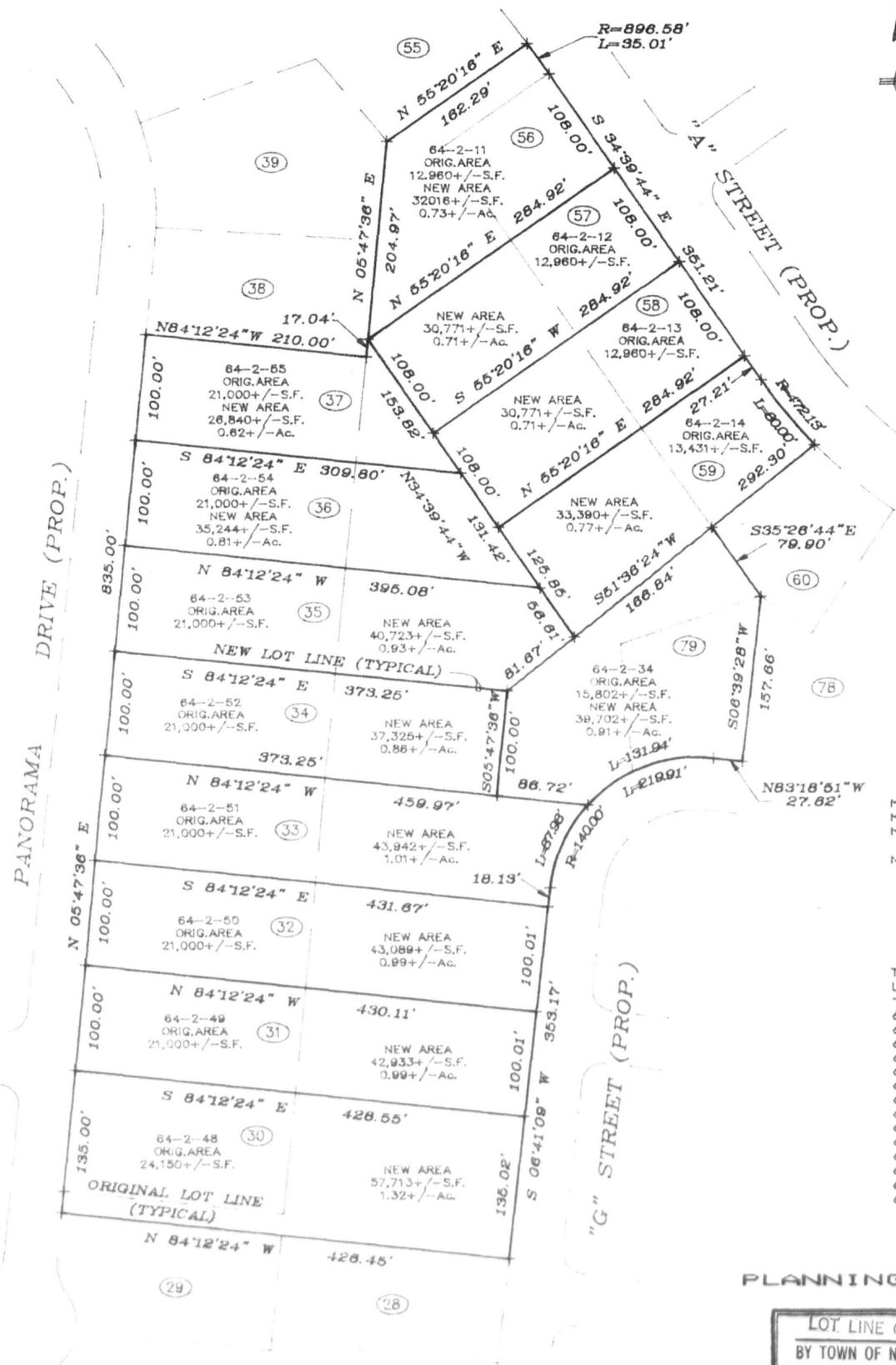
PREPARER'S ACKNOWLEDGEMENT:

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.

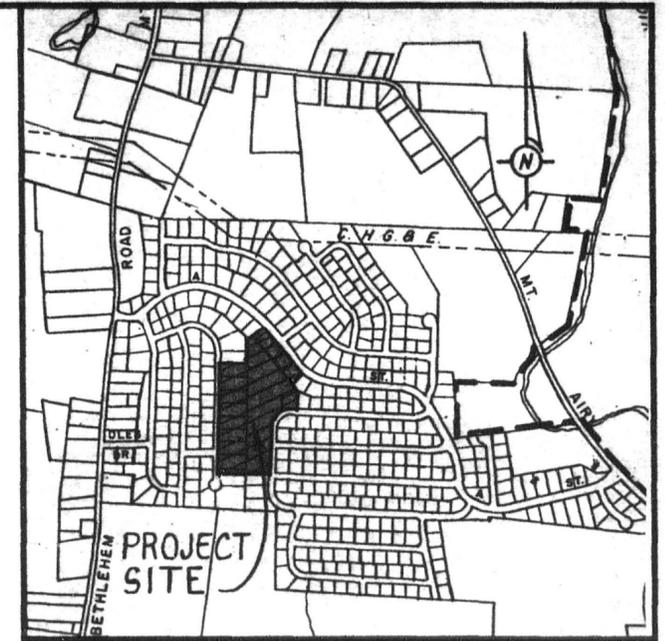
By: William B. Hildreth
 Licensed Professional
 William B. Hildreth, L.S.
 Date: 15 MARCH 1993

MAP NOTES

1. LOT NUMBERS SHOWN THUS (55) REFER TO BLOCK "E" ON FILED MAP NO.3485.
2. NUMBERS SHOWN THUS: 64-2-50 REFER TO TAX MAP SECTION, BLOCK AND LOT.



TAX LOT LOCATION PLAN
NO SCALE



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

NOTES

1. Being a Lot-Line Change which will abolish Tax Map Section 64, Block 2, Lot 35 and attach portions of that Tax Lot to Tax Map Section 64, Block 2, Lots 11, 12, 13, 14, 34, 48, 49, 50, 51, 52, 53, 54, and 55. Deed of Record: Liber 1824 Page 786.
2. PROPERTY OWNER/APPLICANT: Mt. Airy Estates, Inc. c/o Knox Village 2375 Hudson Terrace Fort Lee, NJ 07024
3. PROPERTY ZONE: R-3
4. Boundary information shown hereon was taken from a map entitled "Final Subdivision Plat Mount Airy Estates", said map having been filed in the Orange County Clerk's Office on 20 June 1975 as Map No. 3485.
5. Unauthorized alteration or addition to the plan is a violation of Section 7209 (2) of the New York State Education Law.

R-3 ZONE
ZONE BULK REQUIREMENTS

Minimum Lot Area: 21,780 S.F.
Minimum Lot Width: 100'
Minimum Street Frontage: 60'

NOTE: Parcels shown are currently vacant. All Bulk Requirements related to building construction will be met prior to issuance of a Building Permit.

PROVIDED AFTER LOT-LINE CHANGE

Tax Map Lot No.	Filed Map Block "E" Lot No.	Lot Area	Lot Width	Street Frontage
64-2-11	56	32,016 SF	143.0	143.01
64-2-12	57	30,771 SF	108.0	108.00
64-2-13	58	30,771 SF	108.0	108.00
64-2-14	59	33,390 SF	110'+/-	107.21
64-2-34	79	39,702 SF	200'+/-	159.56
(T O B E E X T I N G U I S H E D)				
64-2-48	30	57,713 SF	135.0	270.02
64-2-49	31	42,933 SF	100.0	200.01
64-2-50	32	43,089 SF	100.0	200.01
64-2-51	33	43,942 SF	100.0	206.11
64-2-52	34	37,325 SF	100.0	100.00
64-2-53	35	40,723 SF	100.0	100.00
64-2-54	36	35,244 SF	100.0	100.00
64-2-55	37	26,840 SF	100.0	100.00

PLANNING BOARD APPROVAL

LOT LINE CHANGE APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON 12-14-93
BY CARMEN R. DUBALDI, JR. SECRETARY
PLANNING BOARD NO. 93-9



CERTIFICATION

I hereby certify that this plan was prepared in accordance with the Code of Practice adopted by the N.Y.S. Association of Professional Land Surveyors Inc., and is, the result of mathematical calculations using information provided on the Filed Map noted hereon and did not result from a field survey performed by the undersigned, and is, to the best of my knowledge and belief, correct.

Grevas & Hildreth LAND SURVEYORS P.C.
33 QUASSACK AVENUE, NEW WINDSOR, NEW YORK 12553
TEL: (814) 562-8667

PLAN FOR: MOUNT AIRY ESTATES, INC.

REVISIONS: ACADS-GLC
DATE: 5/25/93
DESCRIPTION: REVISED PER PLANNING BOARD APPROVAL OF 3/24/93

TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK
Drawn: SRG
Checked: WDH
Scale: 1"=100'
Date: 5 Mar 1993
Job No: 93-006

LOT-LINE CHANGE
FINAL PLAN