

PB# 93-9

**Mt. Airy Estates
(LLC)**

76-2-39 & 40

P.B. #93-9 Mt. Airy Estates - L.L. Chg.

Tax Map # 76-2-39+40

Approved 5/4/93

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13217
 555 Union Avenue
 New Windsor, NY 12550 3/18 19 93

Received of Shaw Engineering (Knox Release Associates) \$ 50.00
Fifty and 00 DOLLARS
 For PB 93-9 Application Fee 100

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR 6957</u>		<u>50.00</u>

By Pauline M. Townsend
Town Clerk
 Title

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

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13214
 555 Union Avenue
 New Windsor, NY 12550 3/18 19 93

Received of Town Clerk \$ 150.00
One Hundred Fifty 00 DOLLARS
 For Planning Board 93-9 Escrow (Knox Release Associates)

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR 1465</u>		<u>150.00</u>

By John
Capitell
 Title

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

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13303
 555 Union Avenue
 New Windsor, NY 12550 May 4 19 93

Received of Shaw Engineering \$ 100.00
One Hundred and 00 DOLLARS
 For PB #93-9 Approval Fee 100

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR 6998</u>		<u>100.00</u>

By Pauline M. Townsend
Town Clerk
 Title

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

FUND	CODE	AMOUNT
CR 6957		50.00

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

By Pauline M. Townsend
Town Clerk
 Title

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13214
 555 Union Avenue
 New Windsor, NY 12550

Received of Town Clerk 3/8 1993
 \$ 150.00
One Hundred Fifty 00 DOLLARS
 For Planning Board 93-9 Escrow (from Release Associate)

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 1465		150.00

By Hein
Comptroller
 Title

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

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13303
 555 Union Avenue
 New Windsor, NY 12550

Received of Shaw Engineering May 4 1993
 \$ 100.00
One Hundred and 00 DOLLARS
 For P.B. #93-9 Approval Fee 100

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 6998		100.00

By Pauline M. Townsend
Town Clerk
 Title

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

5/4/93
 Eng. fees
~~75.50~~
 75.50



Note: Plans were redated from 5/4/93 to 12/14/93 due to lapse in time while negotiating with the Town for recreation land. Plans were redated so they could be filed in books.

(m)

Tax Map # 76-2-39+40

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#628-2004

06/21/2004

PB 93-9 amended approval See
New Windsor Development Co
Suite 100
570 West Mt. Pleasant Ave.
Livingston, NJ 07039

Received \$ 150.00 for Planning Board Fees, on 06/21/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR

LOT LINE CHANGE FEE SCHEDULE

APPLICATION FEE: \$ 75.00
ESCROW (\$150.00 - \$400.00) \$ _____

APPROVAL FEES:

PRE-PRELIMINARY PLAT APPROVAL \$ 50.00
PRELIMINARY PLAT APPROVAL \$ 50.00
FINAL APPROVAL \$ 50.00

TOTAL APPROVAL FEES:

\$150.00

①
Pd cK107729

CHARGES TO BE DEDUCTED FROM ESCROW:

ESCROW POSTED: \$ _____
PLANNING BOARD ENGINEER FEE \$ 138.60
PLANNING BOARD ATTORNEY FEE \$ 35.00
MINUTES OF MEETINGS \$ 16.50
OTHER \$ -
TOTAL DEDUCTED: \$ 190.10

AMOUNT TO BE RETURNED TO APPLICANT: \$ _____

AMOUNT DUE TOWN OF NEW WINDSOR: \$ 190.10

②
cc
Pd 107730

AS OF: 06/09/2004

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 93- 9

FOR WORK DONE PRIOR TO: 06/09/2004

										-----DOLLARS-----		
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE	
93-9	245662	04/21/04	TIME	MJE	WS MT AIRY L/L W/MM	99.00	0.50	49.50				
93-9	247092	04/27/04	TIME	MJE	MC MT AIRY L/L	99.00	0.50	49.50				
93-9	249955	04/28/04	TIME	MJE	MM Mt Airy LL reapprov	99.00	0.10	9.90				
93-9	247595	05/04/04	TIME	NJE	MC TC/MARVIN RE REAPPRV	99.00	0.30	29.70				
								138.60				
93-9	250527	05/24/04			BILL 04-543					-128.70		
										-128.70		
TASK TOTAL								138.60	0.00	-128.70	9.90	
GRAND TOTAL								138.60	0.00	-128.70	9.90	

Need Minutes



MORRIS ASSOCIATES, P.S., L.L.C.

ENGINEERING CONSULTANTS
9 Elks Lane, Poughkeepsie, New York 12601
Tel: (845) 454-3411 Fax: (845) 473-1962
E-Mail: morrisassociates@aol.com

COPY

March 24, 2004

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

Attn: Chairman James Petro, Jr.

**RE: Mt. Airy Estates, Inc.
Lot-Line Change Final Plan
Town of New Windsor
Building Dept. #93-9
MA #200180.07**

Dear Chairman Petro and Planning Board Members:

Attached for your consideration please find ten (10) copies of the previously approved Lot-Line Change Plan for the above project. This project was approved by the Town of New Windsor Planning Board in 1993. The County Clerks Office has no record of the Lot-Line change and requires an updated approval for the map to be re-filed. Therefore it is requested that the Planning Board re-approve this already approved plan. It is requested that item be placed on the on the next available Planning Board agenda for discussion.

If you have any comments or questions, please feel free to contact this office at (845) 454-3411, extension 57.

Very truly yours,

MORRIS ASSOCIATES

Richard Rennia Jr.
Senior Engineer

Encl.
RAR/mo
CC: Mr. Marvin Rosenzweig, w/encl.

Mt, Airy Estates, Inc.
c/o Sarna Enterprises
15 Engle Street
Suite 100
Englewood, NJ 07631

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

February 27, 2004

Ref: #93-9

Dear Board Members:

We are the owners of the property referenced in the above mentioned town file. We are requesting the re-signing of a final plan - lot line change which had already been approved by the New Windsor Planning Board on December 14, 1993.

Unfortunately, and for reasons not quite clear to us since our partner who was intimately involved with the plans passed away, the approved plan was never filed. The County of Orange is requesting a current approval to enable the filing of said map.

Accordingly please re-sign the already approved map so that we can make the proper filings with the County. Thank you for all your cooperation.

Very truly yours,

A handwritten signature in black ink that reads "Mark Sarna". The signature is written in a cursive, flowing style.

Mt. Airy Estates, Inc.
by: Mark Sarna

cc: Joe Rosen

(TA DOCDISK#20-081993.AG)

AGREEMENT as of ~~October~~ ^{November} 3, 1993, by and between MT. AIRY ESTATES, INC., a New York corporation with offices at 2375 Hudson Terrace, Fort Lee, New Jersey, 07024, and the TOWN OF NEW WINDSOR, a municipal corporation located in the County of Orange, State of New York with offices located at 555 Union Avenue, New Windsor, New York, 12553.

WHEREAS, MT. AIRY ESTATES, INC. is the owner of real property located in the Town of New Windsor, State of New York (hereinafter the "Mt. Airy property"); and

WHEREAS, the TOWN OF NEW WINDSOR has previously approved a plan for final subdivision of the Mt. Airy property permitting the development and construction of an initial 404 residential dwellings and related improvements; and

WHEREAS, on May 4, 1993, the TOWN OF NEW WINDSOR PLANNING BOARD adopted a resolution approving the relocation of certain lot lines of the final subdivision of the Mt. Airy property which would permit MT. AIRY ESTATES, INC. to apply for further subdivision approval to create an additional thirteen (13) residential dwelling units and related improvements; and

WHEREAS, the TOWN OF NEW WINDSOR has agreed to create Water District #8 of the Town of New Windsor (hereinafter "W. D. 8") so as to provide all of the proposed residential dwellings in the Mt. Airy property subdivision with access to a municipal water system having adequate capacity and flow; and

WHEREAS, in furtherance of the plan to provide the subdivision, including the additional thirteen (13) residential

dwelling units, with access to a municipal water system of adequate capacity and flow, the Town of New Windsor has obtained all required and necessary permits, licenses and easements needed for the construction and installation of the W. D. #8; and

WHEREAS, it is understood between the parties to this Agreement that the actual construction and installation of W. D. #8 and all costs related thereto will be the responsibility of Mt. Airy Estates, Inc.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

1. The Town of New Windsor will immediately undertake to complete all the necessary steps to legally establish Water District #8 of the Town of New Windsor to include all of the proposed residential dwellings of the Mt. Airy property within the service area of W. D. #8.

2. The Town of New Windsor represents that it has obtained all necessary permits, licenses, easements and other approvals necessary to permit the construction and completion of W. D. #8 to include all of the residential dwellings of the approved subdivision.

3. The Town of New Windsor will deliver to Mt. Airy Estates, Inc. upon the execution of this Agreement a copy of all the necessary permits, licenses and easements needed for the construction of W. D. #8.

4. The Town of New Windsor agrees to take all necessary steps to insure that all of the permits, licenses, easements and approvals referred to in point 2 and 3 above will remain current

and in full force and effect until W. D. #8 is completed, fully operational, and accepted by the Town of New Windsor.

5. The Town of New Windsor agrees with respect to each of the 417 dwellings of the subdivision the Town and/or water district will not charge Mt. Airy Estates, Inc., its successors or assigns, any "tie in" or "hook up" fees to make the initial connection into W. D. #8. A per house "inspection" fee may however be charged.

6. The Town of New Windsor agrees that W. D. #8 is limited in capacity and design and is primarily designed to serve as a municipal water distribution for the dwellings to be constructed on the approved subdivision owned by Mt. Airy Estates, Inc.

7. Given the limited capacity and design of W. D. #8, the Town of New Windsor will not permit any other users or property owners to connect to W. D. #8 prior to the completion of all of the dwellings approved for construction on the property owned by Mt. Airy Estates, Inc. unless Mt. Airy Estates, Inc. agrees that such other user(s) or property owners may connect to W. D. #8. Notwithstanding the provisions of this paragraph 7, Mt. Airy Estates, Inc. agrees that single-family residences now existing on Dean Hill Road and Mt. Airy Road may on an "as needed" basis, tie into W. D. #8 prior to completion of all approved dwellings on property owned by Mt. Airy Estates, Inc.

8. In further settlement of the litigation between the parties hereto, Mr. Airy Estates, Inc. agrees to deed, or cause to be deeded, to the Town of New Windsor, two (2) parcels of land

(one belonging to BDE Development Inc.), containing a total of approximately 55.52 acres of land as more particularly described in deeds attached hereto as Exhibit "A".

9. BDE DEVELOPMENT INC. executes this agreement acknowledging its consent to convey one of the 2 parcels referred to in paragraph 8 to the TOWN.

TOWN OF NEW WINDSOR

(SEAL)

George A. Green
By: George A. Green, Supervisor
MT. ALEX ESTATES, INC.

(SEAL)

[Signature]
By: President
BDE DEVELOPMENT INC.

(SEAL)

[Signature]
By: President

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

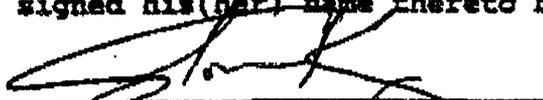
On the 4th day of November, 1993, before me personally appeared GEORGE A. GREEN, to me known, who being by me duly sworn, did depose and say that he resides at 53 Farmstead Road, New Windsor, N. Y. 12553, that he is the Supervisor of the TOWN OF NEW WINDSOR, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed by Order of the Board of said corporation, and that he signed his name thereto by like order.


Notary Public

PAULINE G. TOWNSEND
Notary Public, State of New York
No. 4643692
Appointed in Orange County
My Commission Expires December 31, 1925

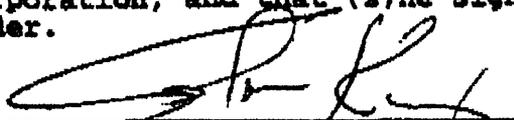
STATE OF NEW YORK)
) SS.:
COUNTY OF)

On this 2 day of November, 1993 before me personally appeared Ben Blumenthal, to me known, who being by me duly sworn, did depose and say that (s)he resides at 237.5 Hudson Terrace, Fort Lee, New Jersey, that (s)he is the President of MT. AIRY ESTATES, INC., the corporation described in and which executed the foregoing instrument; that (s)he knows the seal of said corporation; that it was so affixed by order of the Board of Directors of said corporation, and that (s)he signed his(her) name thereto by like order.


Notary Public

SOLOMON KURZ
NOTARY PUBLIC State of New York
No. 41 - 4683123
Qualified in Queens County
Certificate Filed in Bronx County
Commission Expires July 31, 1994
STATE OF NEW YORK)
) SS.:
COUNTY OF)

On this 2 day of November, 1993 before me personally came Ben Blumenthal, to me known, who being by me duly sworn, did depose and say that (s)he resides at 237.5 Hudson Terrace, Fort Lee, New Jersey; that (s)he is the President of BDE DEVELOPMENT INC., the corporation described in and which executed the foregoing instrument; that (s)he knows the seal of said corporation; that it was so affixed by order of the Board of Directors of said corporation, and that (s)he signed his (her) name thereto by like order.


Notary Public

SOLOMON KURZ
NOTARY PUBLIC State of New York
No. 41 - 4683123
Qualified in Queens County
Certificate Filed in Bronx County
Commission Expires July 31, 1994
(TA DOCUMENT 20-081993.ACK)



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

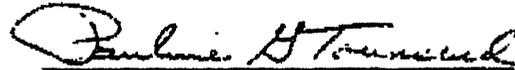
Pauline G. Townsend
TOWN CLERK

CLERK'S CERTIFICATE

I, PAULINE G. TOWNSEND, Town Clerk of the Town of New Windsor in the County of Orange, State of New York, HEREBY CERTIFY that the attached extract of the minutes has been compared by me with the minutes of the Town Board of the Town of New Windsor in the County of Orange, State of New York, held on the 3rd day of November, 1993, and the same is a true and correct transcript therefrom and of the whole thereof so far as the same relates to the subject matter referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town, this 4th day of November, 1993.

Town Seal


 PAULINE G. TOWNSEND, TOWN CLERK
 Town of New Windsor

Motion by Councilmen Spignardo, seconded by Councilwoman Fiedelholz that the Town Board of the Town of New Windsor authorize Supervisor Green to execute an Agreement with MT. AIRY ESTATES, INC., BDE DEVELOPMENT, INC. and TOWN OF NEW WINDSOR, said agreement sets the standards for establishing Water District #8 construction, installation and costs related thereto.

Roll Call: All Ayes

Motion Carried: 5-0

New Subdivision

Major Sub (14 Lots)

Need D.O.H? - water + Realty
sub.

" D.E.C. ? for Sewer
Water Moratorium?

4/28 Regular item

(App #93-9
Reapproval)

Need 4 more copies

MT. AIRY ESTATES LOT LINE CHANGE (93-9)

MR. PETRO: Proposed reapproval of the lot line change previously granted and not filed with the county.

MR. EDSALL: The applicant's representative, in the interest of saving a lot of gas, I told him it wasn't worth driving up here from New Jersey for this. In all honesty, this is something that's made sense back in 1993 and it still makes sense now. They're taking one large lot, eliminating it and then splitting that area among all the adjoining lots so the net result is we're making, losing one lot and increasing the size of all the lots around it.

MR. ARGENIO: This is not done?

MR. EDSALL: It was approved back on March 24, 1993 and somebody messed up, they didn't file the plan so with my recommendation that you approve it again tonight, charge the reapproval fee and do what should have been done back in '93 which it was their mistake, not ours.

MR. PETRO: Motion for lead agency.

MR. SCHLESINGER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Mt. Airy Estates lot line change on Mt. Airy Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. MASON	AYE
MR. SCHLESINGER	AYE

ROLL CALL

MR. ARGENIO	AYE
MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

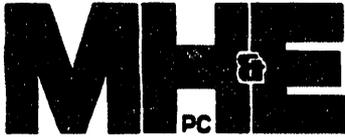
MR. ARGENIO: I'll make that motion for final approval for the lot line change for Mt. Airy Estates.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Mt. Airy Estates lot line change off Mt. Airy Road. Any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE



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

RICHARD D. MCGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232
e-mail: mheny@mhepc.com

Writer's e-mail address:
mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MT. AIRY ESTATES LOT LINE CHANGE
PROJECT LOCATION: OFF MT. AIRY ROAD
SECTION 64 – BLOCK 2 – LOTS 11-14, 34, 35, 48-55.
PROJECT NUMBER: 93-9
DATE: 28 APRIL 2004
DESCRIPTION: SEE BELOW

1. This application was originally reviewed during March 1993 and received final approval on 3-24-93. Apparently, the plan was never filed and they are requesting re-approval.
2. The application was an improvement then (1993), and it is an improvement now. Lot 64-2-35 (the largest of the lots) is being eliminated, with its land area being split among all the other lots. Each of the other existing non-conforming lots is being reconfigured, and in all cases becoming more conforming.
3. The Planning Board should assume the position of Lead Agency under the SEQRA review process. I recommend a negative declaration for this application.
4. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
5. Based on the above, I recommend the plan be re-approved, subject to payment of applicable fees.

Respectfully Submitted,

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

MJE/st
NW93-09-28Apr04.doc

REGIONAL OFFICES

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/01/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-9

NAME: MT. AIRY ESTATES, INC. - L.L. 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	9.00		
05/04/93	P.B. ENG. FEE	CHG	75.50		
06/01/93	RET. TO APPLICANT	CHG	30.50		
		TOTAL:	150.00	150.00	0.00

*Please issue a check
in the amount of \$ 30.50 to:*

*Knox Village Associates
2375 Hudson Terrace
Fort Lee, N.J. 07024*

Have 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: 93-9

NAME: MT. AIRY ESTATES, INC. - L.L. CHANGE
APPLICANT: MT. AIRY ESTATES, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
05/04/93	PLANS STAMPED	APPROVED
03/24/93	P.B. APPEARANCE . RECEIVED APPROVAL	LA/ND WVE PH:APPROVE
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: 93-9

NAME: MT. AIRY ESTATES, INC. - L.L. 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 93-9

(M) V (S) D

(M) D (S) V

LEAD AGENCY: 3/24/93 All Eyes

NEGATIVE DEC: 3/24/93 All Eyes

(M) D (S) L

PUBLIC HEARING: 3/24/93 All Eyes

DISCUSSION:

SEND TO ORANGE CO. PLANNING: _____

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

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED 3/24/93 All Eyes APPROVED CONDITIONALLY _____

NEED NEW PLANS: YES _____ NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

MT. AIRY ESTATES LOT LINE CHANGE (93-9) MT. AIRY ROAD

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

MR. PETRO: Next application 93-9 Mt. Airy Estates lot line change. Where do you want to start on this one?

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

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare lead agency for the Mt. Airy Estates lot line change project number 93-9.

ROLL CALL

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

MR. DUBALDI: Make a motion we waive public hearing.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing on Mt. Airy Estates lot line change lot number 93-9.

ROLL CALL

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

MR. LANDER: Make a motion we declare negative dec.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded New Windsor Planning Board declare negative dec on Mt. Airy

March 24, 1993

36

Estates lot line change project number 93-9.

ROLL CALL

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

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

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant approval to Mt. Airy Estates project number 93-9 no subject to's, this is clean as a whistle.

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**

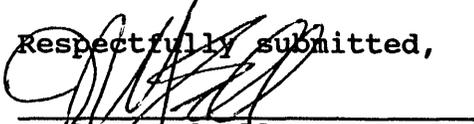
PROJECT NAME: MOUNT AIRY ESTATES LOT LINE CHANGE
PROJECT LOCATION: MOUNT AIRY ROAD
SECTION 76-BLOCK 2-LOTS 39 AND 40
PROJECT NUMBER: 93-9
DATE: 24 MARCH 1993
DESCRIPTION: THE APPLICATION INVOLVES A LOT LINE CHANGE BETWEEN TWO EXISTING UNDEVELOPED LOTS.

1. Lot 40 of this application is to be dedicated to the Town of New Windsor. Other lots within the overall major subdivision are also to be dedicated, in accordance with an agreement between the developer and Town. This application adjusts the Lot 40 area, so as to result in a total dedication in accordance with the agreement.

Inasmuch as this action is subject to the approval of the Town Board, I have requested that a copy of this plan be forwarded to the Town Supervisor. Prior to any action being taken on this application, it should be confirmed that the proposed lot line change conforms to the Town Board's requirements.

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.
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:MTAIRY.mk

MEMORANDUM

TO: GEORGE GREEN, SUPERVISOR
FROM: TOWN OF NEW WINDSOR PLANNING BOARD
DATE: MARCH 22, 1993
SUBJECT: LOT LINE CHANGE FOR MT. AIRY ESTATES
PLANNING BOARD #93-9

Attached, please find a copy of the proposed lot line change for Mt. Airy Estates for your review. Please be aware this proposal is on the Planning Board agenda for March 24, 1993.

Mark Edsall has questioned whether the Town should maintain a right-of-way to "J" street.

If you should have any questions in this matter, please contact our office.



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: 93-9

DATE PLAN RECEIVED: MAR 17 1993

The maps and plans for the Site Approval _____
Subdivision Mt. Ariz. Estates, Inc. as submitted by
Grewas for the building or subdivision of
_____ 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



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 - 9

DATE PLAN RECEIVED: MAR 17 1993

The maps and plans for the Site Approval _____

Subdivision Mt. Airy Estate Plan as submitted by
_____ for the building or subdivision of

_____ has been

reviewed by me and is approved

disapproved

If disapproved, please list reason _____

Gold Guyone 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.

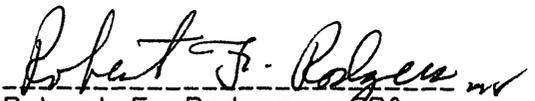
PLANNING BOARD REFERENCE NUMBER: PB-93-9
DATED: 17 March 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-014

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

This lot line change is approved.

PLANS DATED: 24 February 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 # _____

WORK SESSION DATE: 3 MAR 93

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____

PROJECT NAME: Mt Airy Estates 4c changes

PROJECT STATUS: NEW OLD _____

REPRESENTATIVE PRESENT: Greg Shaw

MUNIC REPS PRESENT:

BLDG INSP.	<u>DWSP</u>
FIRE INSP.	<u>X</u>
ENGINEER	<u>X</u>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	<u>Ron L</u>

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

* WILL BE TWO SEPARATE APPLICATIONS

* excess \$150 each.

MAR 17 1988

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

Lot Line Change

1. Name of Project 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 west side of Mount Airy Road
(Street)

2,800 feet southeast
(Direction)

of Bethlehem Road
(Street)

8. Acreage of Parcel 8.09 Ac & 14.62 Ac 9. Zoning District R3

10. Tax Map Designation: Section 76 Block 2 Lot 39 & 40

11. This application is for Lot Line Change

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 198

[Signature]
(Owner's Signature)

[Signature]
(Applicant's Signature)

[Signature]
Notary Public

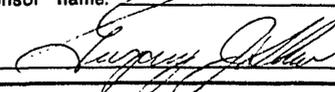
Notary Public, State of New York
No. 99921
Qualified in Orange County
Term Expires NOV 94

See
(Title)

PROJECT I.D. NUMBER

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

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

<p>1. APPLICANT /SPONSOR Mount Airy Estates, Inc.</p>	<p>2. PROJECT NAME Lot Line Change, Mount Airy Estates Inc.</p>
<p>3. PROJECT LOCATION: Municipality <u>Town of New Windsor</u> County <u>Orange</u></p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) West side of Mount Airy Road, 2800 L.F. southeast of intersection with Bethlehem Road.</p>	
<p>5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration</p>	
<p>6. DESCRIBE PROJECT BRIEFLY: Lot line change between two lots where the final lot areas will be 8.09 Ac and 14.62 Ac.</p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <u>22.71</u> acres Ultimately <u>22.71</u> acres</p>	
<p>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</p>	
<p>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:</p>	
<p>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</p>	
<p>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</p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p>	
<p>Applicant/sponsor name: <u>Mount Airy Estates, Inc.</u></p>	<p>Date: <u>March 12, 1993</u></p>
<p>Signature: <u></u></p>	

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

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

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

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? 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:
 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 _____ Print or Type Name of Responsible Officer in Lead Agency	Chairman _____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from responsible officer)

 Date

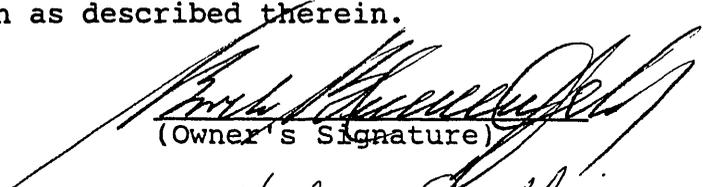
PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Ben Blumenfeld, deposes and says that he
conducts business
resides at 2375 Hudson Terrace, Fort Lee, N.J. 07024
(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 76,
Block 2, Lots 39 and 40.

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)

Helen Coulter
(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. X 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. X 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.

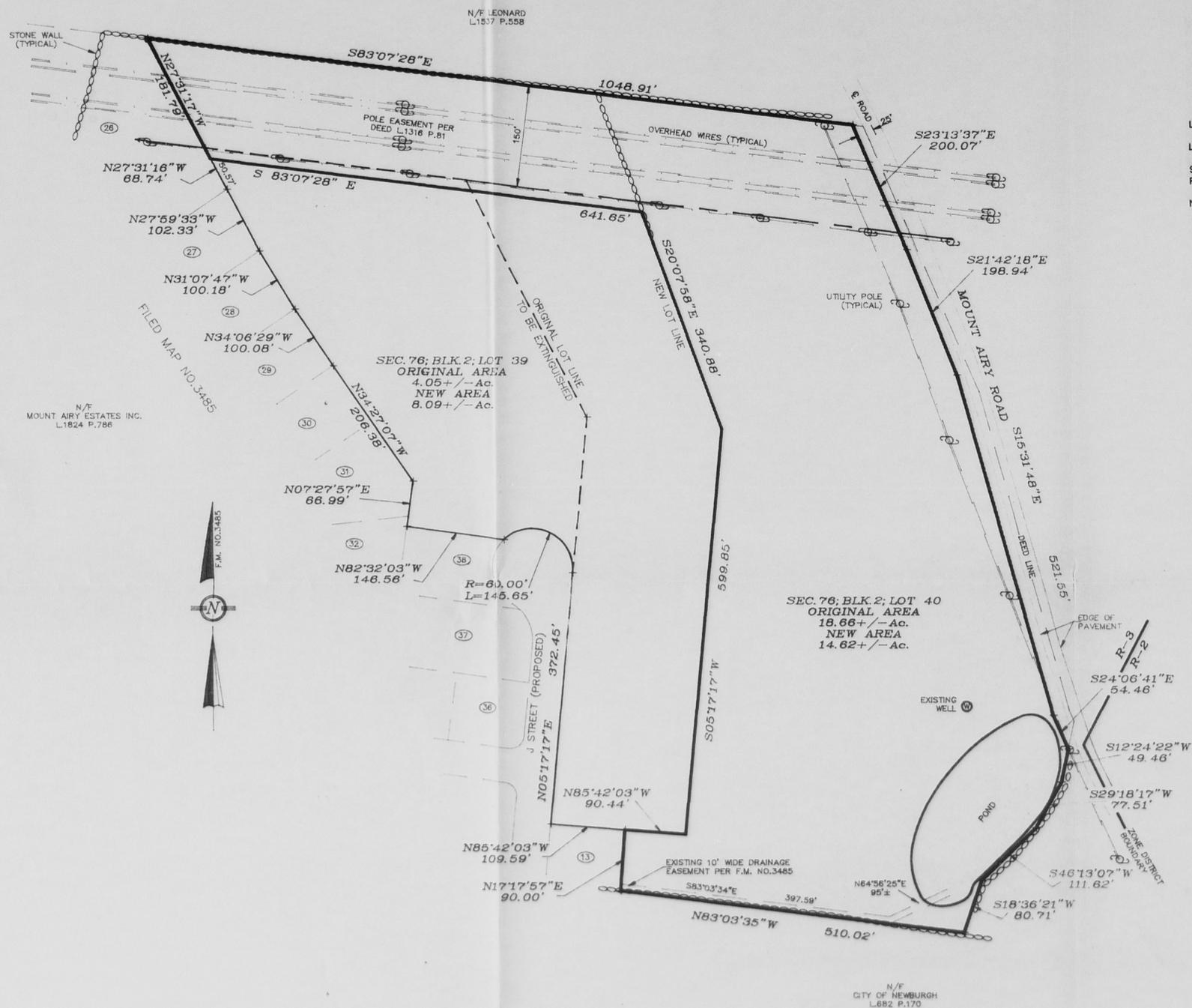
29. N.A. Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. N.A. Provide "septic" system design notes as required by the Town of New Windsor.
31. N.A. Show 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.

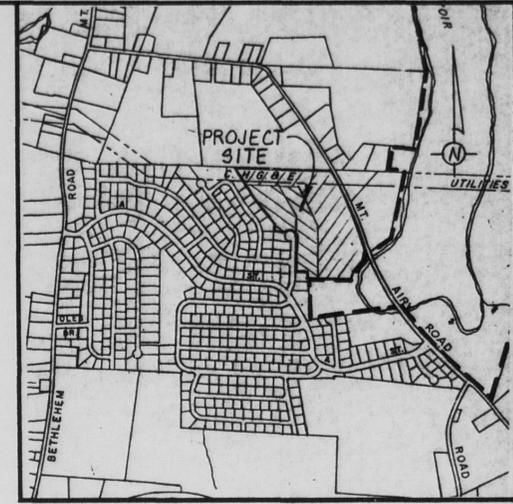
By: William B. Hildreth
 Licensed Professional
 William B. Hildreth, L.S.
 Date: 15 MARCH 1993



**R-3 ZONE
ZONE BULK REQUIREMENTS**

	Required:	Provided (after Lot-Line Change)
	Tax Lot 39	Tax Lot 40
Lot Area:	21,780 S.F.	9.09 Ac / 14.62 Ac
Lot Width:	100'	450' +/- / 1,150' +/-
Street Frontage:	60'	518.1' / 975.0'

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



LOCATION PLAN SCALE: 1"=1000'+/-

NOTES

- Being a Lot-Line Change between lands shown on the Town of New Windsor Tax Maps as Section 76, Block 2, Lot 39 and Section 76, Block 2, Lot 40. Deed of Record: Liber 1824 Page 786.
- PROPERTY OWNER/APPLICANT: Mt. Airy Estates, Inc.
c/o Knox Village
2375 Hudson Terrace
Fort Lee, NJ 07024
- PROPERTY ZONE: R-3
- Boundary information shown hereon resulted from a field survey completed under the supervision of the undersigned on 17 February 1993.
- Unauthorized alteration or addition to this plan is a violation of Section 7209 (2) of the New York State Education Law.

CERTIFICATION

I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 17 February 1993 performed in accordance with the Code of Practice adopted by the N.Y.S. Association of Professional Land Surveyors Inc., and is, to the best of my knowledge and belief, correct.

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



Grevas & Hildreth LAND SURVEYORS P.C.
33 QUASSBAUGH AVENUE, NEW WINDSOR, NEW YORK 12553
TEL: (518) 562-8667

PLAN FOR: **MOUNT AIRY ESTATES, INC.**

REVISIONS: ACAD:BNBLU

DATE	DESCRIPTION	TOWN OF NEW WINDSOR	ORANGE COUNTY	NEW YORK
	Drawn: SRG			
	Checked:			
	Scale: 1"=100'			
	Date: 24 Feb. 1993			
	Job No: 83-006			

LOT-LINE CHANGE FINAL PLAN