

**PB# 74-37**

**Richard & Jean Mycka**

**57-1-41.2**

Mycka, Richard<sup>74-37</sup> & Jean

never materialized  
Gwen to Town Clerk 8/28/78  
1145am \$22



*Oxford*

**STOCK No. 1153 $\frac{1}{3}$**



**MADE IN U.S.A.**

Date OCT. 1, 1974

Application No. 74-37

**APPLICATION FOR SUBDIVISION APPROVAL**  
Town of New Windsor, 555 Union Avenue, Orange County, N.Y.  
Tel: 565-8808

Application is hereby made for subdivision of lands situated in the Town of New Windsor and described as follows:

1. Name of subdivision RICHARD A. & JEAN MYCKA
2. Location EAST SIDE OF LAKESIDE RD. 170' SOUTH OF BEAVER BROOK DRIVE
3. Acreage 1.2 AC. 4. Number of lots 2 5. Zone RA
6. Name & address of subdivisor RICHARD MYCKA Box 414 Lakeside DRIVE  
R.D. 4 NEWBURGH, N.Y. 12550
7. Name & address of record owner of land RICHARD A. & JEAN MYCKA  
Box 414 LAKESIDE DRIVE, R.D.4 NEWBURGH, N.Y. 12550
8. Present and intended uses Single Family Resident

The undersigned applies for subdivision approval of the above described lands under the rules and procedure of the "Land Subdivision Regulations of the Town of New Windsor" as duly authorized by the Town Board of New Windsor, New York. Upon approval of the Preliminary Layout of said subdivision the applicant agrees to install such utilities as are required and to complete the streets as finally approved by the Planning Board or in lieu of this to post a performance bond as set forth and provided in the "Land Subdivision Regulations". Copies of the Preliminary Layout are hereby attached.

Compliance with requirements shall be the sole responsibility of the applicant or his representative and it is suggested a copy of the Subdivision Regulations be obtained to avoid rejection of the plans. Seven (7) copies of the plans are required.

Fees are due and payable upon submission of the preliminary plans. All checks are to be made payable to the Town of New Windsor.

Signature of applicant Richard A. Mycka

Date SEPT. 30, 1974

Application No. 74-37

**APPLICATION FOR SUBDIVISION APPROVAL**

Town of New Windsor, 555 Union Avenue, Orange County, N.Y.

Tel: 565-8808

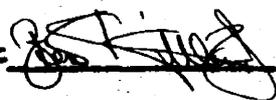
Application is hereby made for subdivision of lands situated in the Town of New Windsor and described as follows:

1. Name of subdivision RICHARD A. & JEAN MYCKA  
DRIVE
2. Location LAKESIDE ~~RD.~~ EAST SIDE
3. Acreage 1.3 AC.
4. Number of lots 2
5. Zone RA
6. Name & address of subdivisor RD 1, LAKESIDE ~~RD.~~ DRIVE NEW WINDSOR  
N.Y. (RICHARD A. & JEAN MYCKA)
7. Name & address of record owner of land RICHARD A. & <sup>JEAN</sup>MYCKA
8. Present and intended uses EXISTING ONE FAMILY REST. /  
SUB-DIVISION INTO ~~TWO~~ TWO LOTS.

The undersigned applies for subdivision approval of the above described lands under the rules and procedure of the "Land Subdivision Regulations of the Town of New Windsor" as duly authorized by the Town Board of New Windsor, New York. Upon approval of the Preliminary Layout of said subdivision the applicant agrees to install such utilities as are required and to complete the streets as finally approved by the Planning Board or in lieu of this to post a performance bond as set forth and provided in the "Land Subdivision Regulations". Copies of the Preliminary Layout are hereby attached.

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Signature of applicant 

BEN KITTLER, JR.

Adopted 10/5/70

# Planning Board Nixes Mycka Subdivision

NEW WINDSOR — The Blooming Grove Operating Corporation and the Richard Mycka subdivision were back before the New Windsor planning board last Wednesday night. But the two fared worse then they had when they appeared before the board at its last meeting December 11.

Blooming Grove was told to come back once more at the board's first February meeting, as yet unset, and the Mycka subdivision was denied.

Mycka wants site plan approval for a minor subdivision, the only kind permitted under the town's present moratorium, of two lots from a one and one quarter acre parcel in the Beaver Lake area of the town on Lakeside drive. There is an existing house on the northern portion of the parcel. Mycka wants to put a second house on

has withstood the runoff from any storm he's seen in the area including a three - inch rain within six hours. Soil erosion, he added, would enable one to gauge any flooding and there is no stone on the creek bank. The banks, he said, are as they were more than seven years ago so there has been no erosion and, thus, no flooding.

Board member Lawrence Jones remained unconvinced and said he has seen the lot in question with water on it many times. The board subsequently denied the subdivision site plan.

But chairman Joseph Loscalzo gave Mycka some consolation.

"We have to go with our engineer's report unless you can prove otherwise," he said. "What you can do is make a detailed study and somehow convince the board there would be no problem here.

review and that the firm must also receive the permission of the State Department of Environmental Conservation (DEC) for the relocation of a stream on the property.

A representative of Blooming Grove Operating Corporation told the board last Wednesday that the DEC had informed him that it had any objections to the stream relocation.

The United States Soil Conservation Service branch in Middletown had given Blooming Grove some recommendations. It suggested installing a culvert for the stream to pass through in the middle lot for driveway access, a move the service said would minimize stream relocation.

Engineer Kessler, in a letter to the board dated January 1, said the parcel in question is in an RA zone. Regulations for that zone he added, permit a

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the southern portion.

Consulting engineer Bernard Kessler of Spring Valley formerly the board's engineer until town engineer Paul Cuomo took over, had advised the board during its December meeting that the property should not be developed. A stream running through the parcel, he said, has a capacity of only 400 cubic feet per second (CFS). The normal criteria for development, he added, is that a stream must be able to handle the runoff from a 25 year frequency storm. In the case of the Lakeside drive property, that would be from 1,200 to 3,000 CFS. Even a ten year frequency storm would generate from 800 to 2,000 CFS, too much for the stream to handle without extensive flooding.

Kartiganer Associates of New Windsor, consulting engineers for all the town's sewer districts, has recommended the criteria of a 100 year frequency storm for development in the Beaver Lake area of the town.

But a representative of Mycka sais that the stream

Contact the county and see if they are concerned with having a septic system so close to a stream."

Blooming Grove Operating Corporation made out slightly better. That firm is seeking sketch plan approval for a three - lot subdivision on a portion of the Tallman Estates. During the December meeting, the board had told the firm its application must first go to the engineer for

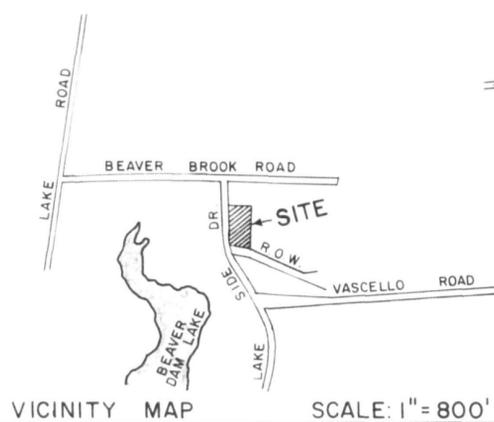
minor subdivision in the zone with the bulk requirements of an RB zone. But the regulation should not apply in this case, he said. Blooming Grove should go to the town zoning board of appeals (ZBA) for a variance, he concluded.

If the regulation did apply, Blooming Grove could develop the parcel with the bulk regulations of an RB zone. If the regulation does not apply, the firm would need 40,000 square foot lots and it only has 36,000. Thus, Kessler's recommendation to go to the ZBA for a variance.

Kessler also stated that the leach fields shown on the sketch map are of unsuitable soil for such purposes. On this basis, Kessler continued, he recommended denial of approval for the sketch plan on the basis of the leaching fields, the fact that the entire area is in a drainage area and because no size is given for the septic systems.

The Blooming - Grove representative objected and said that Kessler had reviewed the wrong sketch plan. He added that he was

(Continued on Page 2)



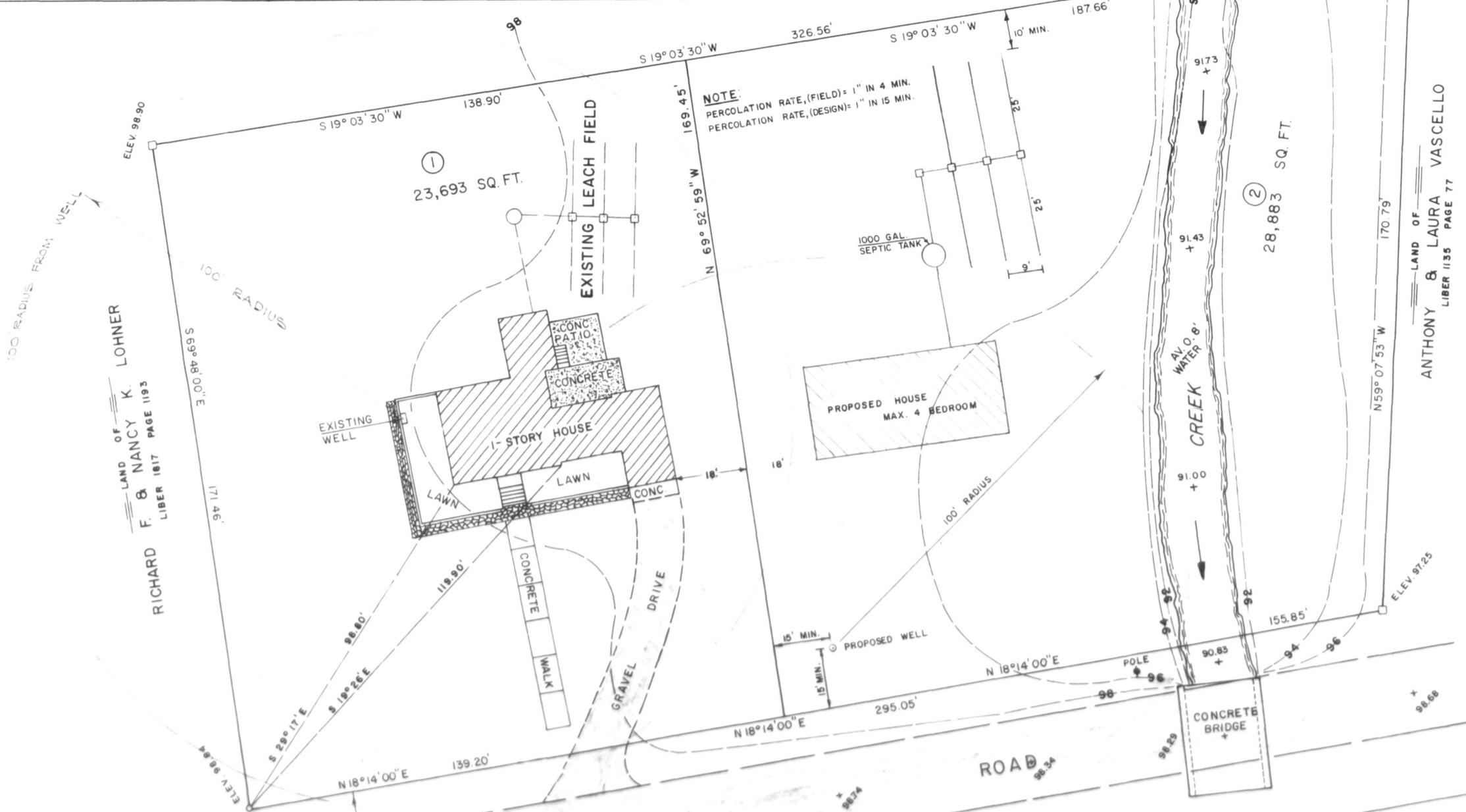
VICINITY MAP SCALE: 1" = 800'

**ZONE RA**

NOTE 2: PAGE 4836, IN THE CASE OF A MINOR SUBDIVISION IN AN RA DISTRICT, THE PLANNING BOARD MAY APPROVE THE SAME IF IT CORRESPONDS WITH THE BULK REGULATIONS FOR AN RB DISTRICT (ADDED 9/1/71).

- (1) MINIMUM LOT SIZE 20,000 SQ. FT.
- (2) " " WIDTH 100 FT.
- (3) " " DEPTH 150 FT.
- (4) " " FRONT YARD 40 FT.
- (5) " " ONE SIDE YARD 18 FT.
- (6) " " BOTH SIDE YARDS 40 FT.
- (7) " " REAR YARD 45 FT.
- (8) " " LIVABLE FLOOR AREA 1,000 SQ. FT.

LAND OF SOPHIA & JOSEPH JR. TURK  
LIBER 1132 PAGE 446



NOTE:  
PERCOLATION RATE, (FIELD) = 1" IN 4 MIN.  
PERCOLATION RATE, (DESIGN) = 1" IN 15 MIN.

I hereby certify to  
RICHARD A MYCKA, JEAN MYCKA

this survey is accurate and correct  
By *[Signature]*  
BEN KITTLER, JR. NY PLS 45691  
82 COHECTON TPK (ROUTE 17K)  
NEWBURGH, N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.

Copies of this survey map not bearing the Land Surveyors embossed seal shall not be considered to be a valid true copy.

Certifications indicated herein shall run only to the person for whom the survey is prepared and on his behalf to the title company, governmental agency and lending institution listed herein. Certifications are not transferable to additional institutions or subsequent owners.



TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

| REVISIONS | SURVEY FOR              | DRAWN                     | DESIGNED         | CHECKED |
|-----------|-------------------------|---------------------------|------------------|---------|
|           | RICHARD A. & JEAN MYCKA | B. L. W.                  |                  |         |
|           |                         | EXAMINED                  |                  |         |
|           |                         | APPROVED                  |                  |         |
|           |                         | B. K., JR.                |                  |         |
|           |                         | FILE NO.                  | TAX MAP          |         |
|           |                         | SECT. 57, BL. 1, LOT 41.2 |                  |         |
|           | SCALE                   | DATE                      | DRAWING NUMBER   |         |
|           | 1" = 20'                | SEPT. 20, 1974            | BOOK 11, PAGE 38 |         |



