

**PB# 05-34**

**David's Advance**

**57-1-33.2 & 33.4**

05-34 David's Advance (Blythe)  
Jackson Ave. (Cuomo)

TOWN OF NEW WINDSOR  
PLANNING BOARD  
APPROVED COPY

DATE: 9-25-06

PB# 05-34

David's Advance  
(Blythe)

\* See Additional  
maps \*

# 190-07  
Map Number \_\_\_\_\_ City \_\_\_\_\_  
Section 1 Block 1 Lot 25.1 Town Cornwall  
Village New Windsor 57-1-33.2  
Various

Title: Blythe

Dated: 3-6-07 Rev. Filed 3-27-07

Approved by Neil Nonesky - Cornwall 3/23/07

on Gerry Argenio - (3-12-07)

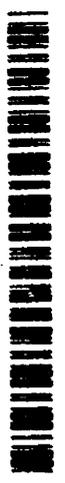
Record Owner Blythe Mura + Michael

DONNA L. BENSON  
Orange County Clerk

Total \$ 80.00  
Signid - 15.00  
\$ 95.00

05-34

RECORDED/FILED ORANGE COUNTY  
BOOK 02007 PAGE 0190  
03/27/2007 16:09:29  
FILE NUMBER 20070032677  
RECEIPT#711674 patti



REGULAR ITEMS:

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BLYTHE SUBDIVISION (05-34)

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MR. ARGENIO: Under regular items, Blythe subdivision. Project proposes lot line change in New Windsor to align to a new proposed private road and has two proposed lots in Cornwall using the private road separate application to that board. The application was previously reviewed at the 30 November, 2005 planning board meeting, 14 June, 2006 planning board meeting. Guys, this is a pretty simple one and the reason they're here is because somebody other than them made a mistake, there was a survey error and it's not a big deal. If you can give us your name and who you are.

MR. SHAW: My name is Gregory Shaw from Shaw Engineering, I'm here representing the Blythe subdivision and I'm here asking for reapproval of subdivision of two lots here in the Town of New Windsor. During construction it was revealed as you had said the previous approval plans did not accurately represent what was physically in the field. That being said, this new submission we had to move the road and we reconfigured both of our lots, the previous submission our lots had sewage disposal systems, the submission now shows that both residences have pump stations and are tied into the Bethlehem Road town sewer system. This subdivision currently is in Cornwall and New Windsor we have already gone to Cornwall for their reapproval and we're asking for the same.

MR. ARGENIO: And you received it?

MR. SHAW: Yes.

MR. ARGENIO: You look vaguely familiar from somebody who I know. Mark, this is, give it to us in two

sentences compressed.

MR. EDSALL: Long sentences?

MR. ARGENIO: Compressed and condensed, there's a mistake on the original subdivision plan, the road went right through a lake or pond?

MR. EDSALL: There was some problems, the bottom line is they have reconfigured it, they have done this in a fashion that conforms with New Windsor and Cornwall zoning laws, they have moved things around to accommodate the pond and reconfigured the road, the road still complies with Cornwall standards which is the source of the road comes off the Cornwall side.

MR. ARGENIO: That's the standard we would apply?

MR. EDSALL: Yes. I reviewed it with the fire inspector, he's okay with that, he says it looks fine. The only changes of any substance besides the rearrangement are the addition of the sewer by an outside user agreement and that's being finalized at this point and secondly, the fact that the interior left lot on the new Windsor side is now accessing off the private road. So the only correction to be made is to give that a street number under 911 from the private road. Other than that, Cornwall's already approved it, I think it's okay for reapproval.

MR. ARGENIO: What do we do?

MR. EDSALL: I suggest that you on the record indicate that you have already reviewed it under SEQRA, that the board previously reached a negative dec on June 14, 2006, there's no new zoning or new information that would negate those determinations and just grant another conditional final approval and let it move forward.

MR. ARGENIO: Do you guys have any exception with that? It's pretty straightforward. I'll have a motion that we acknowledge and adopt for the record what Mark just stated.

MR. GALLAGHER: So moved.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board adopt and acknowledge the statement that Mark just made. I'll have a roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE

MR. ARGENIO: If nobody takes exception, I'll accept a motion for reapproval of the Blythe subdivision.

MR. MINUTA: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board reapprove the Blythe subdivision on Jackson Avenue. No further discussion, roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE

**OUTSIDE SEWER USER AGREEMENT  
AND EASEMENT**

**AGREEMENT AND EASEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2006 by and between **MICHAEL D. BLYTHE and MIRA BLYTHE**, residing at 320 Jackson Avenue, New Windsor, New York 12553, hereinafter referred to as "**OWNER**" and **TOWN OF NEW WINDSOR**, a municipal corporation having its principal office at 555 Union Avenue, New Windsor, New York 12553, hereinafter referred to as "**TOWN**".

**WITNESSETH:**

**WHEREAS, OWNER** owns lands in the Town of New Windsor, **Section 57, Block 1, Lot 35.2** and **Section 57, Block 1, Lot 33.4**, and lands set in the Town of Cornwall **Section 1, Block 1, Lot 25**, and has the right to enter the Town of New Windsor sewer system for the purpose of connecting and obtaining sewer service; and **OWNER** is requesting permission to hookup to the Town of New Windsor municipal sewer system; and

**WHEREAS**, the owner has requested an Outside User Agreement to connect to the Town of New Windsor sewer system; and

**WHEREAS**, by Resolution of the Town Board of The Town of New Windsor of July 5, 2006, the Supervisor has been authorized to execute the same subject to the approval of the document by the Town Engineer; and

**WHEREAS**, the owner has contracted to purchase and shall purchase sewer capacity from Moodna Creek Development, Ltd., as per the Sewer Allocation Flow Assignment prepared by the Town Engineer of the Town of New Windsor, with such flow to be allocated pro rata to the Town of New Windsor and Town of Cornwall allocations; and

**WHEREAS**, the **OWNER** has received conditional final approval from the Town of New Windsor for a lot line change as well as conditional final approval from the Town of Cornwall for a minor subdivision (making the Cornwall Lot two separate tax lots for a total of 4 lots within both Towns), and municipal sewer service is shown and thereby required as a condition of the Planning Board approvals; and

**WHEREAS**, the engineering design provides for privately owned individual pumping stations and force mains, and a common receiving manhole and connection pipe to the Town of New Windsor sewer collection system; and

**WHEREAS**, the engineering design is acceptable to the Engineer for the Planning Board of the Town of New Windsor and has been approved by both Planning Boards; and

**WHEREAS**, the individual lot owners will be individually responsible for their associated pumping station and force main, and have a maintenance agreement for the receiving manhole and connection pipe (with the Town having no maintenance responsibility for any portion of the improvements to be installed).

**NOW, THEREFORE, IT IS AGREED:**

1. **OWNER** and his successors, assigns grantees and transferees shall be authorized to hook into the New Windsor municipal sewer system at a point designated by the **TOWN** to serve not more than 4 single family houses with a connection as further described hereinabove and all work performed to be in compliance with all applicable Town of New Windsor standards, with the **OWNER** to pay the **TOWN** such improvement fees as applicable such that periodic inspections can be performed of the work being constructed.

2. This instrument shall be an easement and shall permit such periodic inspections as deemed necessary by the **TOWN** personnel or contractors retained by the **TOWN** during the time of the construction of the work, or thereafter if the **TOWN** determines the need to perform future inspections to determine compliance of the system with **TOWN** guidelines. The **OWNER** and his successors, assigns shall not obstruct the location of the line or hide or cover it with unauthorized material.

3. The **OWNER** shall be responsible for costs, purchase, installation, and placement of the entire system described herein, subject to the review and approval of the Engineer for the **TOWN**.

4. The **OWNER** and his successors, assigns (to wit the individual lot owners) shall own and be responsible for all maintenance and repair of the entire system described hereinabove following installation and acceptance by the **TOWN**.

5. The individual lot owners shall contract with a suitable plumbing contractor to make such repairs in the event of mechanical failure or malfunction in the operation of the individual pumping stations, and such property owners are hereby advised that repairs to the pumping stations and/or the low pressure force mains are not the responsibility of the Town of New Windsor Sanitation Department.

6. The Town of New Windsor Sanitation Inspector shall inspect and approve the installation of the pumping stations, low pressure force mains, receiving manhole and the connection to the municipal sewer system prior to backfilling excavation.

7. Only normal household wastes shall be permitted to be discharged to the sewer. Damages to any portion of the **TOWN** collection system caused by the introduction of chemicals, objects or foreign material shall be repaired at the cost of the **OWNER**.

8. In consideration for the service that will be provided by the **TOWN, OWNER** hereby agrees to pay bonding costs and operation and maintenance costs at the same rate as other users within **Sewer District #23**.

9. **TOWN** will forward quarterly utility bills to **OWNER**, his successors, assigns, grantees, and transferees for bond indebtedness, operation and maintenance as for other users receiving service from the municipal sewer system. All O & M bills will be paid in accordance with the payment schedule set forth on the utility bill. If bills are not paid as required, **TOWN**, has the right to terminate service to the delinquent lot, and also the right to commence legal action for payment.

10. All expenses for the hook up into the municipal sewer system including all tap fees or any other charges required by the **TOWN** shall be paid by **OWNER**.

11. This instrument shall be recorded in the Orange County Clerk's Office and run with the land and be referenced in each subsequent deed to the 4 individual lots and bind the **OWNER**, his successors, assigns, grantees, and transferees.

TOWN OF NEW WINDSOR

BY: George A. Green  
GEORGE A. GREEN, SUPERVISOR

Michael D. Blythe  
MICHAEL D. BLYTHE, OWNER

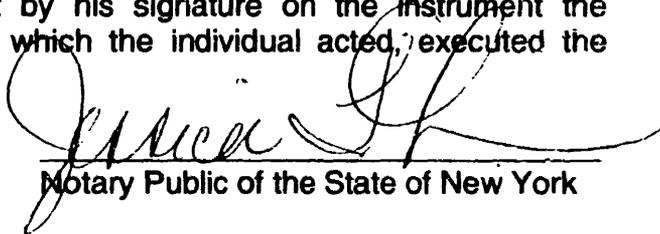
Mira Blythe  
MIRA BLYTHE, OWNER

Authorized by Town of New Windsor  
Town Board Resolution dated: JULY 5, 2006

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

On this 19<sup>th</sup> day of March, 200~~6~~<sup>7</sup>, before me the undersigned personally appeared GEORGE A. GREEN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument the individual or person upon behalf of which the individual acted, executed the instrument.

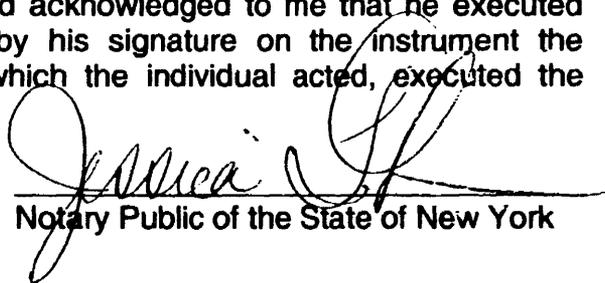
Jessica T. Marina  
Notary Public, State of New York  
No. 01MA5016619  
Qualified in Orange County  
Commission Expires Aug. 16, 2009

  
Notary Public of the State of New York

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

On this 19<sup>th</sup> day of March, 200~~6~~<sup>7</sup>, before me the undersigned personally appeared Michael D. Blythe, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument the individual or person upon behalf of which the individual acted, executed the instrument.

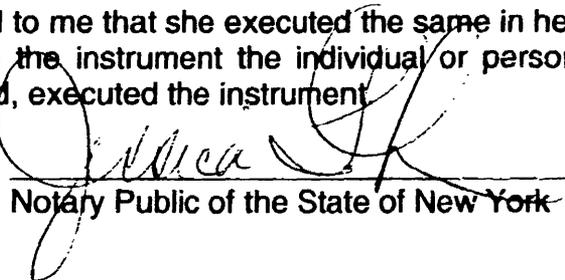
Jessica T. Marina  
Notary Public, State of New York  
No. 01MA5016619  
Qualified in Orange County  
Commission Expires Aug. 16, 2009

  
Notary Public of the State of New York

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

On this 19<sup>th</sup> day of March, 200~~6~~<sup>7</sup>, before me the undersigned personally appeared Mira Blythe, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument the individual or person upon behalf of which the individual acted, executed the instrument.

Jessica T. Marina  
Notary Public, State of New York  
No. 01MA5016619  
Qualified in Orange County  
Commission Expires Aug. 16, 2009

  
Notary Public of the State of New York

**TOWN BOARD MEETING**  
**WEDNESDAY, JULY 5, 2006; 7:00 P.M.**

**SANITATION DEPARTMENT**

**GENERAL**

**#6 On Agenda: Motion - Authorize Transfer From Parkland Funds To General Fund  
 - Mt. Airy Park Recreation Center**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the transfer of \$50,000.00 from the Parkland Fund to the General Fund.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#7 On Agenda: Motion - Authorize Reduction in Performance Bond - Fox Meadows  
 Subdivision (Planning Board Project #01-51)**

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the reduction of the performance bond for the Fox Meadows Major Subdivision (Planning Board Project 01-51) from \$688,950.00 to \$158,885.00 as recommended by McGoey, Hauser and Edsall Consulting Engineers, P.C. via correspondence dated June 15, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#8 On Agenda: Motion - Approve Outside User Agreement - David's Advance  
 Subdivision - Sewer District #23**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Supervisor to execute an Outside User Agreement with Michael and Mira Blythe as owners and developers of David's Advance Subdivision in the Towns of New Windsor and Cornwall, to provide New Windsor sewer service to that subdivision containing Town of New Windsor SBL 57-1-33.2 & SBL 57-1-33.4 and Town of Cornwall SBL 1-1-25 as presently or hereinafter configured and that said Outside User Agreement be approved by the Engineer for the Town of New Windsor and the Town of Cornwall.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#9 On Agenda: Motion - Authorize Increase Of Hours Of Town Attorney And Modify  
 Position From Independent Contractor To Full-Time Department  
 Head Position**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following resolution:

**WHEREAS**, at the January 11, 2006 Town Board meeting, a motion was carried appointing Michael Blythe as Town Attorney to represent the Town of New Windsor in legal matters at an annual salary of \$75,000.00, for sixteen hours worked per week, and \$125.00 per hour for each additional hour worked; payable in equal monthly amounts upon submission of a voucher for the year 2006, commencing January 1, 2006; and

**WHEREAS**, it has come to the attention of the Town Board that each week since his appointment, it has been necessary for Town Attorney Blythe to work in excess of the appointed sixteen hours in order to fulfill his duties; and

**WHEREAS**, the Town Board desires to increase the hours of Town Attorney to a full-time position defined as thirty-two hours worked per week at an annual salary of \$110,000.00 for the year 2006, commencing immediately; and

**WHEREAS**, the position of Town Attorney has historically been one of an independent contractor; and



**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:** BLYTHE (DAVID'S ADVANCE) LOT LINE CHANGE  
**PROJECT LOCATION:** JACKSON AVENUE (AT TOWN LINE)  
SECTION 57 - BLOCK 1 - LOT 33.2 & 33.4  
**PROJECT NUMBER:** 05-34  
**DATE:** 14 FEBRUARY 2007  
**DESCRIPTION:** THE PROJECT PROPOSES A LOT LINE CHANGE IN NEW WINDSOR TO ALIGN TO A NEW (PROPOSED) PRIVATE ROAD, AND HAS TWO PROPOSED LOTS IN CORNWALL USING THE PRIVATE ROAD (SEPARATE APPLICATION TO THAT BOARD). THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 30 NOVEMBER 2005 AND 14 JUNE 2006 PLANNING BOARD MEETINGS.

1. The property is located in the R-1 zoning district of the town. This application was before the Planning Board during 2005 and received approval during June 2006. During the stakeout for construction, inconsistencies in the plan were of enough impact that the applicant caused the preparation of new subdivision plans based on a new (and presumably more accurate) survey of the site. These new plans are before the Board seeking a new approval with corrected plans.
2. As with the prior plan, the lot line change (and subdivision in Cornwall) is supported by a private road, which starts in the Town of Cornwall and extends into the Town of New Windsor. The only change of any significance is that the applicant has obtained permission to tie all the lots into the Town of New Windsor sanitary sewer collection system, eliminating the need for on-site sanitary disposal systems. Each residence is now provided with an ejector pump station for this purpose.
3. *These revised plans have already received a new approval from the Town of Cornwall.* Any approval from this Board should be subject to the same conditions of approval previously applied. *The only additional correction needed is a revision to the 911 addressing due to both NW lots now utilizing the Private Road.*

Respectfully Submitted,

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

MJE/st

**REGIONAL OFFICES**

• 111 WHEATFIELD DRIVE - SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/22/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 5-34  
NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317  
APPLICANT: MICHAEL & MIRA BLYTHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/28/2005	REC. CK. #2248	PAID		200.00	
11/30/2005	P.B. ATTY. FEE	CHG	35.00		
11/30/2005	P.B. MINUTES	CHG	38.50		
06/14/2006	P.B. ATTY. FEE	CHG	35.00		
06/14/2006	P.B. MINUTES	CHG	42.00		
09/21/2006	P.B. ENG. FEE	CHG	617.10		
09/21/2006	REC. CK. #1007	PAID		567.60	
		TOTAL:	767.60	767.60	0.00

  
9/22/06

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

**RECEIPT**  
**#765-2006**

09/22/2006

Blythe, Michael  
22 Bethlehem Road  
New Windsor, NY 12553

Received \$ 150.00 for Planning Board Fees, on 09/22/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

PB # ~~06-37~~  
05-34

05/34  
Map Number 896-000 City Cornwall  
Section 1 Block 1 Lot 25 Town New Windsor  
57 33.2 + 33.4  
Title: Blythe, Mira + Michael  
Dated: 9/16/2006 Filed 9/28/2006  
Approved by Genaro Argenio / Neil Novesky c.  
on 9/25/2006 / 9/5/06  
Record Owner Blythe, Mira + Michael

DONNA L. BENSON  
Orange County Clerk

4 sheets = \$ 40  
+ 6 extra 18  
\$ 58 total

RECORDED/FILED ORANGE COUNTY  
BOOK 02006 PAGE 0896  
09/28/2006/ 16:29:26  
FILE NUMBER 20060105457  
RECEIPT#637302 djk

R.B. # 05-34



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/12/2006

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 5-34

NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317  
APPLICANT: MICHAEL & MIRA BLYTHE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
09/25/2006	PLANS STAMPED	APPROVED
06/14/2006	P.B. APPEARANCE . NEED PRIVATE ROAD MAINTENANCE AGREEMENT - TO BE APPROVED BY . ANDY	WVE PH; APPR COND
11/30/2005	P.B. APPEARANCE . CORNWALL TO BE LEAD AGENCY - SEND TO O.C. PLANNING - ADDRESS . MARK'S COMMENTS AND RETURN TO WORK SHOP	SEND TO OC PLANNING
10/19/2005	WORK SHOP	SUBMIT
09/07/2005	WORK SHOP	RET TO WS
08/17/2005	WORK SHOP	RET TO WS
05/18/2005	WORK SHOP	RET TO WS

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/12/2006

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 5-34

NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317

APPLICANT: MICHAEL & MIRA BLYTHE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	11/28/2005	EAF SUBMITTED	11/28/2005	WITH APPLIC
ORIG	11/28/2005	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	11/28/2005	LEAD AGENCY DECLARED . CORNWALL TO BE LEAD AGENCY	11/30/2005	CORNWALL
ORIG	11/28/2005	DECLARATION (POS/NEG) . CONCUR WITH CORNWALL - NEG DEC	06/14/2006	CONCUR
ORIG	11/28/2005	SCHEDULE PUBLIC HEARING	/ /	
ORIG	11/28/2005	PUBLIC HEARING HELD	/ /	
ORIG	11/28/2005	WAIVE PUBLIC HEARING	06/14/2006	WAIVED PH
ORIG	11/28/2005	PRELIMINARY APPROVAL	/ /	
ORIG	11/28/2005		/ /	
ORIG	11/28/2005	LEAD AGENCY LETTER SENT	/ /	

**PRIVATE ROAD MAINTENANCE AGREEMENT**

Declaration dated the 31<sup>st</sup> day of July, 2006, is intended to refer to a subdivision in the Towns of New Windsor, and the Town of Cornwall, County of Orange, State of New York, subdivision by Michael & Mira Blythe, whose office is located at 320 Jackson Ave., New Windsor, N.Y. 12553, County of Orange, State of New York into two (2) lots, and whereas same in Cornwall two (2) lots.

WHEREAS, there is or will be a private road extending from Jackson Ave. to the boundaries of the aforesaid lots, as more particularly described in schedule A attached hereto and by reference incorporated herein; and

WHEREAS, these lots will gain access from Jackson Ave. to the driveways of each respective lot by the use of the private road, and

WHEREAS, Michael and Mira Blythe are now the owner in fee simple absolute of all the property shown on the aforesaid subdivision plat or have authority from the owner of any lot on said plat to encumber the aforesaid real property, and

WHEREAS, it is the intention of the undersigned to file this declaration and make the provisions of this declaration binding upon the lot owners set forth above and any other lot owners that may eventually use the private road it is hereby declared as follows:

1. Michael and Mira Blythe will refer to this declaration in the deeds conveying title to lots of the aforesaid subdivision, will make all such deeds subject to this declaration and will cause future owners of the aforesaid lots to assume the obligations hereunder upon acceptance of title to the respective lots.
2. The owners of the respective lots shall meet at least annually on notice to be sent by first class mail to the last address for each lot owner as that address appears on the tax rolls of the Town of New Windsor and the Town of Cornwall, all such notices to be sent by the sitting manager. At that meeting the owners will determine what maintenance shall be done on the road for the coming year. The owners shall also agree on a method of determining when contractors shall be requested to perform maintenance on the private road, remove snow or apply sand when now or ice conditions warrant.

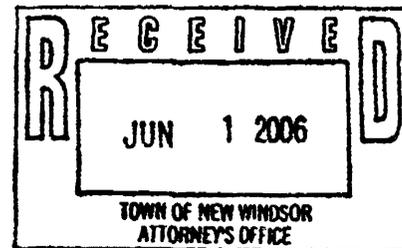
ORIGINAL RECORDED  
FILED  
JUL 11 AM 11:32  
CLERK OF COURTS  
NEW YORK COUNTY

3. All decisions for the improvement and/or maintenance of the private road shall be made by unanimous vote of the lot owners present at the meeting at which the vote is taken.
4. The owner of the subdivision as set forth on the approved plat shall have the responsibility of arranging for and chairing the first meeting of lot owners. This individual shall be referred to as "manager". The lot owners shall thereafter annually elect an individual as the manager. Notwithstanding anything to the contrary in this agreement, the last designated or elected manager shall continue to serve as such until a successor is elected even if such service is for more than one year.
5. Each lot owner shall be responsible for one (1) vote concerning any maintenance or repair performed to or on the private road. Each lot owner shall be responsible for the proportion of the expense that his vote has to the entire number of votes eligible to be cast which sum shall be referred to as the lot owners "proportionate share".
6. The manager of the road shall receive notification of any sums that may be due and owing for the repair and maintenance of the road. Upon receipt of such notification, bill or invoice the manager shall immediately notify, in the manner set forth above, the respective lot owners of the total amount of the notification, bill or invoice and each lot owner's proportionate share of the expense. Within fifteen (15) days of this notification, the respective lot owners shall forthwith deliver a check, made payable to vendor or contractor who performed or will perform the work. Said check shall be sent to the manager who in turn shall contribute his or her share of the expense and forward all checks to the contractor or vendor.
7. Upon receipt of a deed to a subdivision lot each lot owner shall immediately become liable for his or her proportionate share of the obligation pursuant to this agreement.
8. In the event one of the lot owners fails to forward his or her proportionate share of the expense within fifteen (15) days as set forth above, the manager shall be authorized to forward to the contractor or vendor all checks or sums received, together with a statement setting forth the proportionate share that remains unpaid and the lot owner responsible therefore. The lot owner who has not paid his or her proportionate share shall be liable to the contractor or vendor for such share and shall subject his or her real property including but not limited to the subdivision lot in question to the lien of the vendor or contractor all as if he or she had executed the contract for or authorized the performance of the work. Each owner of a lot in the aforesaid subdivision by accepting a deed to any lot in the subdivision does hereby consent to and accept the conditions and terms of the this declaration; does hereby consent to, accept and agree to be bound by the conditions and terms of this declaration and the acts of the manager in carrying

out his or her duties under the terms of this declaration and hereby agrees that the aforesaid acts shall be considered to be done by the manager as an agent of the aforesaid lot owner and the aforesaid lot owner consents to his or her actions and agrees to be bound by them.

- 9. Notwithstanding anything to the contrary herein, and unless otherwise agreed by the lot owners in writing, it is hereby declared that in the event the accumulation of snow on the private road exceeds two (2) inches in depth as the average depth, the manager shall engage a vendor or contractor to remove the snow from the traveled portion of the road and from the right of way without further authorization from the lot owners. In such event, the manager will notify each of the lot owners of his or her proportionate share of the aforesaid expense and the said lot owners and each of them shall send a check for the proportionate share to the manager who shall then pay for such work all as if a meeting had been held and in the same manner as is set forth above and such snow removal had been unanimously approved. Notwithstanding anything to the contrary contained herein, the road shall always be maintained so as to be passable by ordinary passenger vehicles, school busses, refuse collection vehicles and emergency vehicles. Any holes or depressions in the surface of the road exceeding three (3) inches in depth shall be repaired and the road shall be graded and/or asphalt or similar material should be added to the road when the difference in elevation of all portions of the traveled area of the road exceeds six (6) inches.
- 10. All lot owners agree that the road shall always be maintained so as to be passable by emergency vehicles and ordinary passenger vehicles. This standard shall include repair of any "potholes" that exceed three (3) inches in depth and shall require grading the road when the difference in elevation of all portions of the traveled area exceeds six (6) inches. Additionally, any improvements or conditions affecting the road as required by the Planning Board's approval of the subdivision and as set forth or depicted on the subdivision map shall always be maintained.
- 11. Each lot owner hereby agrees to indemnify and hold the other lot owners harmless from any and all liability for injury or damage when such injury or damage shall result from, arise out of or be attributable to any maintenance or repair conducted pursuant to this agreement.
- 12. Each lot owner shall have an easement for ingress and egress over said Private Roadway in its entirety, and such easement shall cover family members, invitees, contractors, grantees, transferees, heirs, successors and assigns.
- 13. Each lot owner and his heirs, successors and assigns hereby reserves the right to grant easements to utility companies for the purpose of providing utility service to his lot and other

**Richard DeKay**  
**Land Surveyor**  
 P.O. Box 313  
 4 Dyer Lane  
 Cornwall, New York 12518  
 (845) 534-8127  
 Fax: 534-4370



May 30, 2006

**Meter and bounds description of David's Road**

All that certain strip, piece or parcel of land situate partly in the Town of Cornwall and partly in the Town of New Windsor and lying on the easterly side or line of Jackson Avenue (a town road) and being more accurately bounded and described as follows:

Beginning at a point marking the easterly line or side of Jackson Avenue (a town road), said point of beginning being referenced South 5-16-46 East - 19.00 feet along the easterly line of Jackson Avenue from a concrete monument (found) marking the division line between the Town of Cornwall on the south and the Town of New Windsor on the north; thence from the above described point of beginning North 84-43-14 East - 116.26 feet to a point where the Cornwall (on the south) and New Windsor (on the north) town lines intersect the northerly line of David's Road; thence North 84-43-14 East - 72.18 feet to a point of curve; thence on a curve to the left, having a radius of 25.00 feet for a length of 25.41 feet to a point of reverse curvature; thence on a curve to the right, having a radius of 70.00 feet for a length of 192.45 feet to a point marking the intersection of the aforementioned town lines of New Windsor on the north and Cornwall on the south; thence continuing on the said radius of 70.00 feet for a length of 169.77 feet to a point of reverse curvature; thence on a curve to the left, having a radius of 25.00 feet for a length of 25.41 feet to a point of tangency; thence South 84-43-14 West - 188.44 feet to a point on the easterly side or line of Jackson Avenue; thence along the easterly line of Jackson Avenue North 5-16-46 West - 50.00 feet to the point and place of beginning.

Containing in area 25,503 square feet or 0.585 plus or minus acres.

Said Road is that same parcel located on the lands of Blythe, Cornwall Section 1, Block 1, Lot 25 and New Windsor Section 57, Block 1, Lots 33.2 and 33.4 as depicted on subdivision map #896-06 filed in the Orange County Clerk's Office on the 28th day of September, 2006.

lots in the subdivision to grant easements for the benefit of the subdivision and the individual lots.

- 14. Each lot owner hereby irrevocably offers for dedication to the Town of New Windsor, Orange County, New York or the Town of Cornwall that area within the fifty foot right-of-way of the private road known as David's Road as indicated on the filed map, said irrevocable offer of dedication to become effective at such time in the future as the then lot owners and the Town of New Windsor and or Town of Cornwall agree to accept dedication of David's Road as a public highway of the Town of New Windsor and or Town of Cornwall, pursuant to the Towns' laws and regulations.
- 15. Wherever in this declaration a word occurs in the singular it shall be deemed to be in the singular or plural as the sense demands.
- 16. Wherever in this declaration a word occurs in the masculine gender it shall be deemed in the masculine or feminine gender as the sense demand.

BY: 

BY: 

Acknowledgment

STATE OF New York )  
 ) SS.:  
COUNTY OF Orange )

On the 29<sup>th</sup> day of September in the year 2006, before me, the undersigned, personally appeared Michael D. Blythe, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Jessica T. Marina  
(signature and office of individual taking acknowledgment)

Jessica T. Marina  
Notary Public, State of New York  
No. 01MA5016619  
Qualified in Orange County  
Commission Expires Aug. 16, 2009

Acknowledgment

STATE OF New York )  
 ) SS.:  
COUNTY OF Orange )

On the 29<sup>th</sup> day of September in the year 2006, before me, the undersigned, personally appeared Mirae Blythe, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Jessica T. Marina  
(signature and office of individual taking acknowledgment)

Jessica T. Marina  
Notary Public, State of New York  
No. 01MA5016619  
Qualified in Orange County  
Commission Expires Aug. 16, 2009

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/22/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**APPROVAL**

FOR PROJECT NUMBER: 5-34  
NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317  
APPLICANT: MICHAEL & MIRA BLYTHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/21/2006	LL CHG APPROVAL FEE	CHG	150.00		
09/21/2006	REC. CK. #1006	PAID		150.00	
		TOTAL:	150.00	150.00	0.00



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE PLANNING BOARD

January 21, 2006

Michael Blythe  
320 Jackson Avenue  
New Windsor, NY 12553

SUBJECT: DAVID'S ADVANCE - P.B. #05-34

Dear Michael:

Please find attached printouts of fees due for subject project.

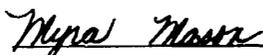
Please submit payments in separate checks, payable to the Town of New Windsor, as follows:

Check #1 – Approval Fee.....	\$	150.00
Check #2 – amount over escrow posted.....	\$	567.60

Upon receipt of these checks, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

  
\_\_\_\_\_  
Myra L. Mason, Secretary To The  
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/21/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 5-34  
NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317  
APPLICANT: MICHAEL & MIRA BLYTHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/28/2005	REC. CK. #2248	PAID		200.00	
11/30/2005	P.B. ATTY. FEE	CHG	35.00		
11/30/2005	P.B. MINUTES	CHG	38.50		
06/14/2006	P.B. ATTY. FEE	CHG	35.00		
06/14/2006	P.B. MINUTES	CHG	42.00		
09/21/2006	P.B. ENG. FEE	CHG	617.10		
		TOTAL:	767.60	200.00	567.60

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/21/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 5-34  
NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317  
APPLICANT: MICHAEL & MIRA BLYTHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/21/2006	LL CHG APPROVAL FEE	CHG	150.00		
		TOTAL:	150.00	0.00	150.00

AS OF: 09/15/2006

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 5- 34

FOR WORK DONE PRIOR TO: 09/15/2006

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	EXP.	DOLLARS-----	
											BILLED	BALANCE
5-34	261230	05/18/05	TIME	MJE	WS	BLYTNE SUB	99.00	0.40	39.60			
5-34	270770	08/17/05	TIME	MJE	WS	DAVIDS ADVANCE/BLYTH	99.00	0.40	39.60			
5-34	273042	09/07/05	TIME	MJE	WS	BLYTNE LL	99.00	0.40	39.60			
5-34	277937	10/19/05	TIME	MJE	WS	BLYTNE SUB (L/L)	99.00	0.40	39.60			
5-34	283218	11/29/05	TIME	MJE	MC	BLYTNE REVIEW	99.00	0.80	79.20			
									237.60			
5-34	284313	12/16/05				BILL 05-1815						-237.60
												-237.60
5-34	292177	02/14/06	TIME	MJE	MR	DAVIDS ADVANCE RVW	115.00	0.50	57.50			
5-34	292181	02/14/06	TIME	MJE	MC	DAVIDS ADVANC/BLYTNE	115.00	0.30	34.50			
									92.00			
5-34	296898	03/23/06				BILL 06-763						-92.00
												-92.00
5-34	299388	04/03/06	TIME	MJE	MC	LA RESP LTR-CORN PB	115.00	0.40	46.00			
5-34	299400	04/05/06	TIME	MJE	WS	BLYTNE SUB	115.00	0.50	57.50			
									103.50			
5-34	300493	04/13/06				BILL 06-960						-103.50
												-103.50
5-34	306350	05/17/06	TIME	MJE	WS	DAVIDS ADVANCE	115.00	0.40	46.00			
5-34	311102	06/12/06	TIME	MJE	MR	BLYTNE SUBDIV	115.00	0.40	46.00			
5-34	310171	06/14/06	TIME	MJE	MR	Blythe Cond Sub APPL	115.00	0.10	11.50			
5-34	311119	06/14/06	TIME	MJE	MR	BLYTNE SUBDIV	115.00	0.40	46.00			
									149.50			
5-34	312938	06/27/06				BILL 06-1524						-149.50
												-149.50
5-34	320431	08/09/06	TIME	MJE	MC	BLYTNE FLOW MEMO-TWN	115.00	0.30	34.50			
									617.10			
						TASK TOTAL			617.10			-582.60
										0.00		34.50
						GRAND TOTAL			617.10			-582.60
										0.00		34.50

T/C 05-07

### Construction Cost Estimate For Roadway - David's Advance

Category	Item	Unit Cost PerFoot	Quantity	Cost
Site	Roadway Construction - 350 linear feet * Two Course of Bituminous Concrete: Consisting of a 2" Base Course (class 1) and a 2" surface course (class 2)  * 3" or 3/4" Processed Stone  * 18" min. of Bank Run Gravel or 12" min. of 1 1/4" processed stone	\$ 135.00	350	\$ 47,250.00
<b>Sub Total \$</b>				<b>47,250.00</b>

$250 \times 24 = 667 \text{ sy}$   
 $\$ 100 = 872 \text{ sy}$   
 approx  $1540 \text{ sy} @ \$12/\text{sy} = \$18,480$   
 2 cb's @  $\$2700 \text{ ea} = \$5,400$   
 95 LF 18" HDPE @  $\$40/\text{LF} = \$3,800$   
 1 FLS @  $\$350 = \$350$   


---

**\$ 28,030**

Total Cost Estimate **\$ 47,250.00**

*DN* 1/29/06

REGULAR ITEMS:

---

MICHAEL\_BLYTHE\_LOT\_LINE\_CHANGE\_(05-34)

---

Mr. Michael Blythe appeared before the board for this proposal.

MR. BLYTHE: If anyone here is interested in this, I will be glad to make sure the plan is available on my way out. For the benefit of the board, I'm Mike Blythe, I'm the owner of this property with my wife, old Bethlehem Art Gallery site. We're here tonight it's a 10 acre site, it's actually bisected, the property is actually bisected here by the Town line of Cornwall and New Windsor so it's 10 acres roughly about 4 1/2 in Cornwall, 5 1/2 in New Windsor. Because it's already two lots in New Windsor and one lot in Cornwall Cornwall side we're going for a minor subdivision, make it into two lots and on the New Windsor side since it's two lots already we're just going for a lot line change in New Windsor, so lead agency letter was circulated, Cornwall assumed lead agency on it because they were doing the minor subdivision. They have completed their review of the project and on June 5 they gave final approval I think there was some minor conditions, I don't know if Mr. Edsall can address them, and a negative dec was adopted by the planning board in Cornwall and the entire plan was reviewed by Leslie Dotson and Garling Associates. So I'm here tonight as the hopefully at the end of the project asking for final approval, if any reasonable conditions are, the board wishes to put on it, I have no problem with that and this is really now just for a lot line change, the idea just the big picture here is when we purchased the property from the Goulds, it's three lots and we want to make it a total of four lots, but the lot line change is in New Windsor, the actual extra lot will be completely in Cornwall and that's already done and approved.

MR. ARGENIO: Okay.

MR. BLYTHE: The existing property here's Cornwall, these are the two lots in New Windsor and this is just the design's a little on the busy side, but it shows two houses that are in New Windsor, here's the Town line and then two proposed sites in Cornwall.

MR. MINUTA: Just a quick question. Are we subdividing, has this been subdivided to be each parcel being in one town?

MR. BLYTHE: That was one of the other ideas, exactly one of the objectives was to make sure that the Town line now takes care of it, that's exactly correct, so we have two lots which are now completely in Cornwall and two lots that are completely in New Windsor. As a matter of fact, right now the existing house has when it comes down is going to come down cause the Town line actually goes right through the house.

MR. ARGENIO: Cleans things up rather nicely. I was at the workshop for this a few weeks ago. The property's located R-1 zoning district, lot line change does not result in any compliance problems according to Mark's comments. We need to address number 3, I'll read it. Plan is substantially the same as those considered previously and I believe the board determined preliminary public hearing was not necessary. Myra can't seem to locate that paperwork, unless anybody disagrees, I'll accept a motion to waive that public hearing.

MR. VAN LEEUWEN: So moved.

MR. EDSALL: You're going to waive both public hearings, both preliminary and a final?

MR. ARGENIO: Okay, I'll accept a motion to waive both the preliminary and final public hearing.

MR. VAN LEEUWEN: Wait a minute, that's going too fast.

MR. ARGENIO: As somebody mentioned, Cornwall is lead agency on this, I'll accept a motion to that effect unless somebody--

MR. MINUTA: So moved.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board waive both preliminary and final public hearing on the Blythe lot line change on Jackson Avenue. No further discussion, roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: I don't know if anybody has any other questions, this is relatively simple, relatively straightforward, Cornwall is lead agency on this. Mark certainly has a few comments that I'll read in subject to, there's nothing.

MR. EDSALL: Could you just for the record the Town of Cornwall Planning Board as lead agency circulated a negative dec that's on record with the Town of New Windsor.

MR. ARGENIO: Do we need to adopt that?

MR. EDSALL: I don't know that you need to adopt it but acknowledge it and indicate that you concur with their

findings.

MR. ARGENIO: I'll accept a motion to that effect.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board adopt concurrence with the Town of Cornwall's negative dec. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Does anybody have anything else here? I'd like to see this move forward, if there's no further discussion, I'll accept a motion for final approval.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board grant final approval to the Blythe subdivision on Jackson Avenue. No further discussion from the board members, roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. BROWN	AYE

MR. MINUTA            AYE  
MR. VAN LEEUWEN      AYE  
MR. ARGENIO          AYE

MR. ARGENIO: This is subject to Mark's comment number 4, which is as follows:

1. That the Town of New Windsor receive a copy of the street numbering memorandum from the Town of Cornwall Code Enforcement Officer.

2. That the applicant bond the private roadway in a manner prescribed by the Town of Cornwall; however, in on case shall the obligation be less restrictive than the requirements of New Windsor Section 252-27 (A)(8) of the Town Street Specifications. (Planning Board Engineer to coordinate with Cornwall.)

3. That the applicant submits a draft copy of the private road maintenance declaration, in recordable form, for review by the Attorney for the planning boards (agreement should be subject to approval of both towns).

4. That the applicant's engineer correct the plans to provide proper elevations for the drainage system depicted on the plans, and include such information on the private road profile.

5. That note #3 on sheet SD-2 be deleted (the properly worded note is #3 on shed SD-1).

6. That the following notes be added to sheet SD-i as notes #4 and #5:

"4. Within sixty(60) calendar days of the issuance of a certificate of occupancy for New Windsor tax lot 33.2 or 33.4, the owner or owners of the lots shall cause the complete demolition and removal of the existing dwelling depicted hereon, in a manner acceptable to the Building Inspectors of both towns."

"5. Driveways for New Windsor lot 33.4 and lots 1 & 2 in Cornwall shall be to the private road only; no direct access to the town road shall be permitted. A restrictive covenant to this effect shall

June 14, 2006

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be included in the deeds of record."

7. That the Plan calls for the proper abandonment of the well for the existing dwelling.

8. That all fees be paid prior to stamp of approval (inspection fees must be paid prior to start of any construction work).

ROLL CALL

MR. GALLAGHER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	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  
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(845) 567-3100  
e-mail: mhny@mhepc.com

Regional Office  
507 Broad Street  
Millford, Pennsylvania 18337  
(570) 296-2785  
e-mail: mhpa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF: New Windsor P/B APP. NO.: 05-34

WORK SESSION DATE: 17 MAY 06 PROJECT: NEW  OLD

REAPPEARANCE AT W/S REQUESTED: \_\_\_\_\_ RESUB. REQ'D: \_\_\_\_\_

PROJECT NAME: David's Advance (Blythe)

REPRESENTATIVES PRESENT: Pvc/Dave/Blythe

MUNICIPAL REPS PRESENT: BLDG INSP. \_\_\_\_\_ FIRE INSP. \_\_\_\_\_  
ENGINEER  PLANNER \_\_\_\_\_  
P/B CHMN \_\_\_\_\_ OTHER \_\_\_\_\_

ITEMS DISCUSSED:

Bmm ck SDS + well  
2 C/B outlet to Pond.  
Plan + Utility lane.  
add SESE -  
- inlet prot detail  
- silt fence det  
- plan - imp.  
- Mr mantogot Don + Andy

STND CHECKLIST: PROJECT TYPE  
DRAINAGE \_\_\_\_\_ SITE PLAN \_\_\_\_\_  
DUMPSTER \_\_\_\_\_ SPEC PERMIT \_\_\_\_\_  
SCREENING \_\_\_\_\_ L.L. CHG. \_\_\_\_\_  
LIGHTING \_\_\_\_\_ SUBDIVISION \_\_\_\_\_  
(Streetlights) LANDSCAPING \_\_\_\_\_ OTHER \_\_\_\_\_  
BLACKTOP \_\_\_\_\_  
ROADWAYS \_\_\_\_\_  
APPROVAL BOX \_\_\_\_\_

PROJECT STATUS:  
ZBA Referral: \_\_\_\_\_ Y  N  
Ready For Meeting  Y \_\_\_\_\_ N  
Recommended Mtg Date 6-14

Talk to Don re resolving

**Michael D. Blythe, Esq.**

*Attorney at Law*

Admitted to Practice in:  
New York & New Jersey  
Certified Civil Trial in New Jersey

320 Jackson Avenue  
New Windsor, N.Y. 12553  
(845) 913-5094  
Fax (845) 497-3255

New York City Office:  
435 E. 65<sup>th</sup> Street-Suite 6C  
New York, N.Y. 10021  
New Jersey Office:  
46 Mt. Kemble Ave.  
Morristown, N.J. 07960

June 26, 2006

Gary Vinson – Building Inspector  
Town of Cornwall  
183 Main Street  
Cornwall, NY 12518

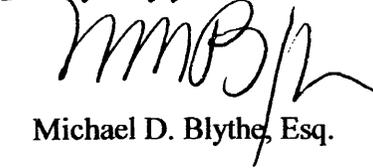
RE: David's Advance  
Cornwall PB #: 2005-07 (SBL 1-1-25)  
New Windsor pb #: 05-34 (SBL 57-1-33.2 & 33.4)

Dear Mr. Vinson,

This letter is in follow up to Mr. Edsall's comments of June 14, 2006 with regard to the above sub-division. Thank you for forwarding the street numbering memorandum to the Town of New Windsor.

Enclosed please find the construction cost estimate for David's Road in the amount of \$47,250.00. Please forward that to Mr. Edsall for a determination of the final number. When I have his response, I will promptly provide you with either a Bond or Letter of Credit. I am in the process of preparing a draft of the private road maintenance declaration which I will forward to Mr. Cordesco and Mr. Krieger for their review and final comments. I have already had Mr. Cuomo's office address Mr. Edsall's comments regarding the elevation for the drainage system, the notes, and the abandonment of the well. Once I have the response on the road maintenance agreement and the bond estimate I will arrange to have the engineer's drawings submitted for final inspection and approval.

Very truly yours,

  
Michael D. Blythe, Esq.

Cc: Mark Edsall – McGoey Hauser & Edsall  
Myra Mason – New Windsor Planning Board

**Construction Cost Estimate For:**  
**Roadway - David's Advance**

<b>Category</b>	<b>Item</b>	<b>Unit Cost PerFoot</b>	<b>Quantity</b>	<b>Cost</b>
<b>Site</b>	<b>Roadway Construction - 350 liner feet</b>	<b>\$ 135.00</b>	<b>350</b>	<b>\$ 47,250.00</b>
	<b>* Two Course of Bituminous Concrete: Consisting of a 2" Base Course (class 1) and a 2" surface course (class 2)</b>			
	<b>* 3" or 3/4" Processed Stone</b>			
	<b>* 15" min. of Bank Run Gravel or 12" min. of 1 1/4" processed stone</b>			
				<b>Sub Total \$ 47,250.00</b>

**Total Cost Estimate \$ 47,250.00**





**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  
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E-MAIL: MHENY@MHEPC.COM

**WRITER'S E-MAIL ADDRESS:**  
MJE@MHEPC.COM

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** BLYTHE (DAVID'S ADVANCE) LOT LINE CHANGE  
**PROJECT LOCATION:** JACKSON AVENUE (AT TOWN LINE)  
SECTION 57 – BLOCK 1 – LOT 33.2 & 33.4  
**PROJECT NUMBER:** 05-34  
**DATE:** 14 JUNE 2006  
**DESCRIPTION:** THE PROJECT PROPOSES A LOT LINE CHANGE IN NEW WINDSOR TO ALIGN TO A NEW (PROPOSED) PRIVATE ROAD, AND HAS TWO PROPOSED LOTS IN CORNWALL USING THE PRIVATE ROAD (SEPARATE APPLICATION TO THAT BOARD). THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 30 NOVEMBER 2005 PLANNING BOARD MEETING.

1. The property is located in the R-1 zoning district of the town. The lot line change does not result in any compliance problems.

As previously noted, lot 33.2 currently has no frontage, and gains access to Bethlehem Road via an existing access right-of-way. The applicant intends to continue this condition, and has (in addition) provided for an access and utility easement from the proposed Private Road for this lot.

2. The Town of Cornwall Planning Board previously indicated their intent to assume the Lead Agency position under the SEQRA review process. This Board concurred with the same. Subsequently, the Cornwall board adopted a Negative Declaration on 6-5-06. I recommend the New Windsor Planning Board concur with this determination, for the record.
3. The plans are substantially the same as those considered at previously, and I believe the Board determined a Preliminary Public Hearing was not necessary (Secretary should confirm). I recommend that the Board waive the Final Public Hearing, as per their discretionary judgement under Section 257-14 (B)(2) of the Town Code.

**REGIONAL OFFICES**

• 111 WHEATFIELD DRIVE – SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

4. If the Board deems it appropriate to grant conditional final approval, I recommend the following conditions, in addition to those outlined by the Planning Board:

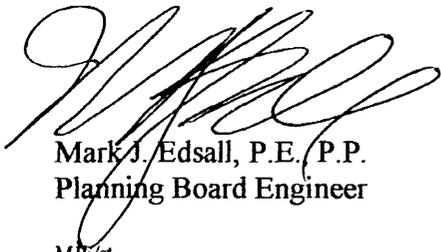
- That the Town of New Windsor receive a copy of the street numbering memorandum from the Town of Cornwall Code Enforcement Officer.
- That the applicant bond the Private Roadway in a manner prescribed by the Town of Cornwall; however, in no case shall the obligation be less restrictive than the requirements of New Windsor Section 252-27 (A) (8) of the Town Street Specifications. (Planning Board Engineer to coordinate with Cornwall).
- That the applicant submits a draft copy of the Private Road Maintenance Declaration, in recordable form, for review by the Attorney for the Planning Boards (agreement should be subject to approval of both Towns).
- That the applicant's engineer correct the plans to provide proper elevations for the drainage system depicted on the plans, and include such information on the Private Road profile.
- That note #3 on sheet SD-2 be deleted (the properly worded note is #3 on sheet SD-1).
- That the following notes be added to sheet SD-1 as notes #4 and #5:

"4. Within sixty (60) calendar days of the issuance of a certificate of occupancy for New Windsor tax lot 33.2 or 33.4, the owner or owners of the lots shall cause the complete demolition and removal of the existing dwelling depicted hereon, in a manner acceptable to the Building Inspectors of both Towns."

5. Driveways for New Windsor lot 33.4 and lots 1 & 2 in Cornwall shall be to the private road only; no direct access to the Town road shall be permitted. A restrictive covenant to this effect shall be included in the deeds of record."

- That the plan call for the proper abandonment of the well for the existing dwelling.
- That all fees be paid prior to stamp of approval (inspection fees must be paid prior to start of any construction work).

Respectfully Submitted,



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

MJE/st  
NW05-34-30Nov05.doc

MICHAEL\_BLYTHE\_LOT\_LINE\_CHANGE\_(05-34)

Mr. Paul Cuomo and Mr. Michael Blythe appeared before the board for this proposal.

MR. PETRO: This project proposes lot line change in New Windsor to a line, to a new proposed private road and has two proposed lots in Cornwall using the private road separate application to that board, the application was reviewed on a concept basis only, it's in the R-1 zone, the plan incorrectly indicates R-3, it's R-1, the bulk table is confusing as it mixes Town of Cornwall regulations with New Windsor's bulk data, separate bulk tables should be prepared for each, Town the New Windsor bulk tables should have the required values indicated plus both existing and proposed values for each lot. So, Paul, why don't you take a copy of Mark's comments because there's a lot more to it, I'm not going to read the whole thing, once a complete and accurate bulk table is provided, we can conform to zoning compliance.

MR. CUOMO: We have comments from Town of Cornwall also, this is a joint thing between Cornwall.

MR. PETRO: Since the project is split on the Town line and the private road and subdivision application are in Cornwall, I recommend the planning board refer to Town of Cornwall Planning Board to be lead agency under the SEQRA review process. So we're going to let Cornwall be the lead agency regarding the private road. I'll request that the Cornwall board take care of the requirements and maintenance declarations and provide a copy to New Windsor for final.

MR. EDSALL: Mr. Chairman, the private road is basically within the Town of Cornwall, so it probably makes sense to have them take care of that, they have the same construction requirements so it's very convenient.

MR. PETRO: Okay, how many lots?

MR. BLYTHE: Two lots in New Windsor, basically what we're doing is taking an east-west lot line and turning it into a north-south, it's not that simple but that's basically what's going on.

MR. PETRO: The two lots in New Windsor, what's the minimum size?

MR. BLYTHE: There's a total of about 5.5 in New Windsor, one lot I believe is going to be 83,000 square feet which is slightly over the 80,000 requirement, the other lot is much larger, I don't have the square footage but it's over three acres.

MR. PETRO: Serviced by private roads off the driveways, off the cul-de-sac.

MR. BLYTHE: That's correct, one of the lots in New Windsor, the one in the top right corner of your drawing is a private right-of-way from Bethlehem Road which will service one lot and one lot only, the other three lots, two in Cornwall, one in New Windsor will be serviced by the private road off Jackson Avenue.

MR. PETRO: Private right-of-way, is that a driveway or private road?

MR. EDSALL: It's a private right-of-way which will be a single driveway and they're proposing to continue that the same, that lot would have no rights to use the private road.

MR. PETRO: So the 800 feet wouldn't have a problem because it's a driveway?

MR. EDSALL: Correct and they have zero frontage now and they're proposing to continue to have zero frontage

so it's--

MR. SCHLESINGER: How does that affect the private road agreement?

MR. EDSALL: That lot would not be part of the private road agreement.

MR. ARGENIO: Who owns the property just to the south?

MR. BLYTHE: South meaning in Cornwall?

MR. ARGENIO: Yes.

MR. BLYTHE: Pat and Susan, I'm drawing a blank on their last name, they're two women that live there together, that's correct.

MR. ARGENIO: Private?

MR. BLYTHE: That's correct and the next lot in Cornwall would be facing Ryan Court just conceptually the driveway on Jackson Avenue right now is directly across from the Farm Hollow Road which is Alan Seidman had six houses developed that Alan Seidman did down there.

MR. PETRO: Well, we're going to go with Mark's comment I guess and have Cornwall be the lead agency, although I still think they should be brought back to this board at some point I'll probably wind up waiving this public hearing.

MR. EDSALL: Yeah, I mean, it's a lot line change, I'll ask that Cornwall advise you of every action they make, if they adopt a negative dec and you don't agree with it for some reason you can always oppose it later on.

MR. PETRO: I think we'd like to see the final plan though, there's two major lots here in New Windsor.

MR. EDSALL: It's got to come back to you for approval, we're just letting them be the lead agency for SEQRA and also do the private road review.

MR. PETRO: The public hearing in Cornwall, will they have a public hearing on this?

MR. EDSALL: They will because their regulations have no provision to waive it.

MR. PETRO: You attend that one?

MR. EDSALL: I do.

MR. PETRO: So you can give us information on that so we'll just table this for now, we're not going to take any action. Who's going to send it to Orange County Planning?

MR. EDSALL: Both of us.

MR. PETRO: Any comments on the layout or anything conceptual here? If not, we're going to let Cornwall do the work.

MR. EDSALL: Could you do the lead agency, can you do that by resolution?

MR. PETRO: Go ahead, Neil.

MR. SCHLESINGER: Make a motion to defer the Town of Cornwall Planning Board to be the lead agency.

MR. ARGENIO: I'll second that.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board refer this to Cornwall and have them be the lead agency for the Blythe lot line change. Any further discussion from the board members?

If not, roll call.

ROLL CALL

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

MR. EDSALL: Mr. Chairman, Mr. Babcock made a good suggestion that if with the applicant's agreement when Cornwall has their public hearing if they would be so kind as to notify the adjoining property owners in New Windsor in their mailing that there's the public hearing occurring which they normally wouldn't do at least that opportunity for them to come to that public hearing would be available.

MR. BLYTHE: That's a great idea.

MR. PETRO: If nobody shows or if they come with just a minor statement of some kind like maybe some screening or something we can save a public hearing.

MR. ARGENIO: Let me ask one question on the notification for the public hearing it's 500 feet, is that right?

MR. BABCOCK: Well, it's only in Cornwall.

MR. ARGENIO: But it's only in that Town.

MR. BABCOCK: So they would not ask for any public hearing notices to be sent to anybody that lives in New Windsor which I think is wrong so that's--

MR. ARGENIO: We had a public hearing for some work we did at one point in time and we were told it was our obligation to by New Windsor it was our obligation to

notify the property owners in the surrounding Town.

MR. BABCOCK: Well we're not even going to know, I mean, they go to the Town of Cornwall assessor's office to get the list, they have no idea who lives in New Windsor.

MR. SCHLESINGER: Would it be inappropriate if we informed the people in New Windsor?

MR. EDSALL: What we'll do is we'll have New Windsor provide a list of names.

MR. ARGENIO: I'm just asking what the procedure is.

MR. EDSALL: We'll provide Cornwall a list of names, ask for them to include it and maybe that will make things more complete.

MR. BLYTHE: If you want to give me a list and I'll provide certified mails to whatever the board requires.

MR. EDSALL: It's easy for me to coordinate.

MR. CUOMO: Paul get a copy?

MR. CUOMO: I've got it.

MR. PETRO: Thank you.

MR. BLYTHE: Just in terms of a little direction here when we come back are we, would we be coming back just for final or would we need to come back for some type of preliminary?

MR. BABCOCK: There's some corrections you have to do on the plan.

MR. BLYTHE: Mr. Cuomo's office has them and I spoke with Dave from his office, they're working on them both

November 30, 2005

17

from Mr. Edsall's office and Mr. Garling, I don't know if you got the Garling comments but we're working on those, I'm just trying to get whether we want to come back for any prelim or come back for final.

MR. EDSALL: When you come back, the board will give you an answer on the public hearing, if there's no issues, they could consider approvals.

MR. PETRO: When you're done with Cornwall, schedule a workshop first, go to a workshop, meet with Mark, if I get his sheet and there's two comments on it or no comments or procedural comments then you would be done.

MR. BLYTHE: I got you, thank you.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/14/2006

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 5-34

NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317

APPLICANT: MICHAEL & MIRA BLYTHE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	06/06/2006	MUNICIPAL HIGHWAY	06/08/2006	APPROVED
REV1	06/06/2006	MUNICIPAL WATER	/ /	
REV1	06/06/2006	MUNICIPAL SEWER	/ /	
REV1	06/06/2006	MUNICIPAL FIRE	06/07/2006	APPROVED
REV1	06/06/2006	NYS DOT	/ /	
ORIG	11/28/2005	MUNICIPAL HIGHWAY	11/30/2005	UNDER REVIEW
ORIG	11/28/2005	MUNICIPAL WATER	06/06/2006	SUPERSEDED BY REV1
ORIG	11/28/2005	MUNICIPAL SEWER	06/06/2006	SUPERSEDED BY REV1
ORIG	11/28/2005	MUNICIPAL FIRE	11/30/2005	APPROVED
ORIG	11/28/2005	NYS DOT	06/06/2006	SUPERSEDED BY REV1

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/14/2006

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 5-34

NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317

APPLICANT: MICHAEL & MIRA BLYTHE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	11/28/2005	EAF SUBMITTED	11/28/2005	WITH APPLIC
ORIG	11/28/2005	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	11/28/2005	LEAD AGENCY DECLARED . CORNWALL TO BE LEAD AGENCY	11/30/2005	CORNWALL
ORIG	11/28/2005	DECLARATION (POS/NEG)	/ /	
ORIG	11/28/2005	SCHEDULE PUBLIC HEARING	/ /	
ORIG	11/28/2005	PUBLIC HEARING HELD	/ /	
ORIG	11/28/2005	WAIVE PUBLIC HEARING	/ /	
ORIG	11/28/2005	PRELIMINARY APPROVAL	/ /	
ORIG	11/28/2005		/ /	
ORIG	11/28/2005	LEAD AGENCY LETTER SENT	/ /	

**FIRE INSPECTOR'S  
INTER-OFFICE CORRESPONDENCE**

**TO: Genaro Argenio, Planning Board Chairman**

**FROM: Kenneth Schermerhorn, Asst. Fire Inspector**

**SUBJECT: PB-05-34  
Michael Blythe Sub.  
SBL: 57-1-33.2 & 33.2**

**DATE: June 7, 2006**

**Fire Prevention Reference Number: FPS-06-023**

**A review of the above referenced Subdivision Plan has been conducted and is acceptable.**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: **HIGHWAY DEPARTMENT**

P.B. FILE #05-34      DATE RECEIVED: 06-05-06      TAX MAP #57-1-33.2 & 33.4

**PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 06-12-06 TO BE ON AGENDA FOR THE 06-14-06 PLANNING BOARD  
MEETING.**

THE MAPS AND/OR PLANS FOR:

**MICHAEL BLYTHE SUBDIVISION**

Applicant or Project Name

**RECEIVED**

JUN 07 2006

**N.W. HIGHWAY DEPT.**

SITE PLAN \_\_\_\_\_, SUBDIVISION XXX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

**APPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Anthony J. [Signature]      6/8/06  
Reviewed by      date



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: E 911 COORDINATOR

P.B. FILE #05-34 DATE RECEIVED: 06-05-06 TAX MAP #57-1-33.2 & 33.4

PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 06-12-06 TO BE ON AGENDA FOR THE 06-14-06 PLANNING BOARD  
MEETING.

THE MAPS AND/OR PLANS FOR:

### MICHAEL BLYTHE SUBDIVISION

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XXX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: E911 Addressing Completed by Town of  
Cornwall - Large percentage of  
project in Cornwall

DISAPPROVED:

Notes: ~~E911 numbering to be changed to match Orange~~  
~~County E911 Addressing Protocol.~~

Signature: John Donald 6/8/06  
Reviewed by \_\_\_\_\_ date \_\_\_\_\_

**NEGATIVE DECLARATION**  
**DAVID'S ADVANCE LOT LINE CHANGE AND MINOR SUBDIVISION**  
**TOWN OF CORNWALL PLANNING BOARD, COUNTY OF ORANGE**

Please take notice that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617.7(d), the Town of Cornwall Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, having circulated notice of its intent to potentially Involved Agencies on March 6, 2006, along with the Short EAF and other project information, and having received no objections within 30 days thereof. The Town of Cornwall Planning Board is following Coordinated Review procedures.

**Name of Project: David's Advance Lot Line Change and Minor Subdivision**

**Action Type: Unlisted Action, Coordinated Review**

**Location: Town of Cornwall and Town of New Windsor, County of Orange**

**Location: east side of Jackson Avenue at Town of New Windsor line**

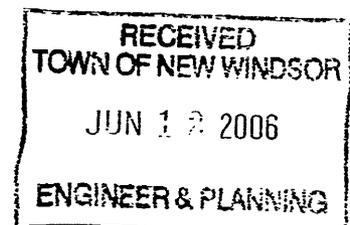
**Zoning District: SLR B Residential in Cornwall, R-3 in New Windsor**

**Tax Map Parcels: Section 1, Block 1, Lot 25 in the Town of Cornwall,  
Section 57, Block 1, Lots 33.2 and 33.4 in New Windsor**

**Summary of Action:**

The action involves a request for a residential minor subdivision approval in the Town of Cornwall, and a minor subdivision/lot line change in the Town of New Windsor, for the former Bethlehem Art Gallery property and an adjoining vacant ODA parcel in the Town of New Windsor. The matter requires approval from both the Town of New Windsor and the Town of Cornwall Planning Boards. The site consists of 10.03 acres of residential land, comprised of one 4.48 acre tax map parcel in the Town of Cornwall and two adjoining tax map parcels of 2.98 and 2.57 acres in the Town of New Windsor. The former Bethlehem Art Gallery property is currently used solely as a residence, and this dwelling actually straddles the town boundary, so that the existing dwelling occupies both tax lot 1-1-25 in the Town of Cornwall and 57-1-33.4 in the Town of New Windsor. The application is to demolish the existing structure and to subdivide the property using a private road, creating two new residential lots in the Town of Cornwall, and to revise the lot lines between the parcels in New Windsor. This application would result in four building lots being created out of three tax map parcels. Three of the four building lots would have frontage on a private road proposed to be built as part of the subdivision. The remaining lot would continue to be an approved ODA lot in the Town of New Windsor. The private road would access Jackson Avenue in the Town of Cornwall, though the private road itself would cross the town lines.

**Reasons Supporting the Negative Declaration:**



Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting subdivision approval to this lot line change and minor 2-lot subdivision.

With respect to traffic patterns, traffic safety and emergency access, three out of the four lots are to be served by a private road to be constructed in the area of the existing driveway to Jackson Avenue. Sight distance is sufficient at this location, and the area roads have sufficient capacity to service the one additional lot that is being added by virtue of this action (3 parcels into 4 lots). One lot will be using a previously planned narrow accessway to Bethlehem Road, although said lot will also have the option of connecting to the proposed private road, as an easement providing for both access and cable, telephone and electric connection from the private road has been provided on the plans. A private road maintenance agreement will be provided for.

With respect to water resources, the lots will be served by individual wells and sanitary systems. It will be required that the existing well for the house on the site, which building actually crosses the municipal boundary, will be closed in accordance with Health Department requirements when the house is demolished, and the existing septic tank removed. The subdivision/lot line change plans show new well and sanitary system locations and on-site designs for each of the four building lots. Site soils are suitable for the proposed new septic systems, with perc tests having been completed and witnessed by the town engineer's representatives for the Towns of Cornwall and New Windsor. The disposal systems are designed in accordance with Health Department standards, therefore no water pollution problems would be anticipated. The on-site septic systems recharge the bulk of the treated wastewater to groundwater, so that no problems with well water adequacy would be expected.

With respect to surface water drainage and flooding, the site is not located within a floodplain; though a small pond lies in the New Windsor portion of the site. The pond is not proposed to be disturbed in any way according to the plans. The private road will be designed to ensure that no drainage from the site flows directly onto Jackson Avenue, and the Town of New Windsor has authority over the single driveway to Bethlehem Road to ensure that the driveway does not drain directly onto that road.

With respect to grading and land disturbance, very limited clearing of vegetation will be needed to complete the private road and construct new dwellings and appurtenances, but this will be minor and does not involve significantly important vegetation, since most of the site is maintained as yard area for the existing house that is to be demolished. Because the area has been actively maintained as a yard for many years, it does not constitute a significant habitat area for flora or fauna.

The plans will comply with all currently existing zoning requirements and municipal plans for both the Towns of Cornwall and New Windsor, so there are no significant harmful impacts in this regard. The plans will also provide that the existing building, which currently straddles both municipal lines and tax parcel lines, will be removed and the demolition material properly disposed before any building permits are issued for the site. This requirement will apply in addition to the construction of the private road.

Neither solid waste generation, energy consumption, nor public service demands would be significant or excessive for the residential lots within this proposed subdivision. No other potentially significant harmful environmental impacts are identified.

**Date of Adoption of Negative Declaration: June 5, 2006**

**Agency Address: Town of Cornwall Planning Board**

**Town Hall – 183 Main Street**

**Cornwall, New York 12518**

**Tel.(845) 534-9429**

**Contact Person: Neil Novesky, Planning Board Chairman**

**Agencies to receive this Declaration:**

**Involved Agencies:**

**Town of New Windsor Planning Board**

**555 Union Avenue**

**New Windsor, New York 12553**

**Interested Agencies:**

**Orange County Department of Planning**

**124 Main Street**

**Goshen, NY 10924**





**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)

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**WRITER'S E-MAIL ADDRESS:**  
MJE@MHEPC.COM

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** BLYTHE (DAVID'S ADVANCE) LOT LINE CHANGE  
**PROJECT LOCATION:** JACKSON AVENUE (AT TOWN LINE)  
SECTION 57 – BLOCK 1 – LOT 33.2 & 33.4  
**PROJECT NUMBER:** 05-34  
**DATE:** 30 NOVEMBER 2005  
**DESCRIPTION:** THE PROJECT PROPOSES A LOT LINE CHANGE IN NEW WINDSOR TO ALIGN TO A NEW (PROPOSED) PRIVATE ROAD, AND HAS TWO PROPOSED LOTS IN CORNWALL USING THE PRIVATE ROAD (SEPARATE APPLICATION TO THAT BOARD). THE APPLICATION WAS REVIEWED ON A CONCEPT BASIS.

1. The property is located in the R-1 zoning district of the town (the plan incorrectly indicates R-3). The bulk table is confusing as it mixes Town of Cornwall regulations with New Windsor bulk data. Separate bulk tables should be prepared for each town. The New Windsor bulk table should have the required values indicated, plus both existing and proposed values for each lot.

The board should note that lot 33.2 currently has no frontage, and gains access to Bethlehem Road via an existing access right-of-way. The applicant intends to continue this condition, as lot 33.2 is not proposed to utilize the private road. It will continue to have 0 road frontage, and continue the pre-existing non-conforming condition. I have no problem with this; however, I suggest the applicant properly document the right-of-way on the plan, and also provide related information to the Planning Board file.

Once a complete and accurate bulk table is provided, we can confirm zoning compliance.

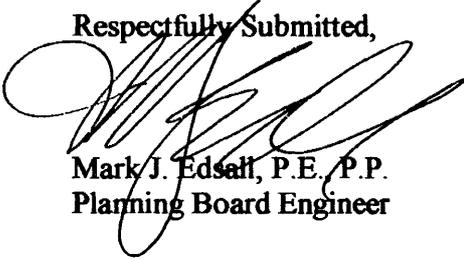
2. Since the project is "split" by the Town line, and the private road and subdivision application are in Cornwall, I recommend the Planning Board defer to the Town of Cornwall Planning Board to be Lead Agency under the SEQRA review process.

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

3. Regarding the Private Road, I will request that the Cornwall Board take care of the requirements and Maintenance Declarations, and provide a copy to New Windsor for file.
4. Soils data needs correction to match field records. We will verify the data and design compliance on the revised plan submitted.
5. 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 Section 257-13 (A) of the Subdivision Regulations.
6. This project is within a 500-foot distance from the Town Line and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239). Unless the Board objects, I will make this referral once corrected plans are submitted.
7. For clarity, since the application is a combination of a lot line change in New Windsor, and a minor subdivision in Cornwall, the title block should be appropriately revised.

Respectfully Submitted,



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

MJE/st  
NW05-34-30Nov05.doc

**NOTICE OF INTENT TO DECLARE LEAD AGENCY  
DAVID'S ADVANCE (BLYTHE) MINOR SUBDIVISION  
TOWN OF CORNWALL PLANNING BOARD, COUNTY OF ORANGE**

Please take notice that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617.6, the Town of Cornwall Planning Board has resolved to seek Lead Agency status for purposes of Coordinated Review of the project named below:

**Name of Project: David's Advance (Blythe) Subdivision**

**Action Type: Unlisted Action**

**Location: Town of Cornwall and Town of New Windsor, County of Orange  
(former Bethlehem Art Gallery Property)**

**Location: east side of Jackson Avenue at Town of New Windsor line**

**Zoning District: SLR B Residential in Cornwall, R-3 in New Windsor**

**Tax Map Parcels: Section 1, Block 1, Lot 25 in the Town of Cornwall,  
Section 57, Block 1, Lots 33.2 and 33.4 in New Windsor**

**Summary of Action:**

The action involves a request for a residential minor subdivision approval in the Town of Cornwall, and a minor subdivision/lot line change in the Town of New Windsor, for the former Bethlehem Art Gallery property and an adjoining vacant ODA parcel in the Town of New Windsor. The matter requires approval from both the Town of New Windsor and the Town of Cornwall Planning Boards. The site consists of 10.03 acres of residential land, comprised of one 4.48 acre tax map parcel in the Town of Cornwall and two adjoining tax map parcels of 2.98 and 2.57 acres in the Town of New Windsor. The former Bethlehem Art Gallery property is currently used solely as a residence, and this dwelling actually straddles the town boundary, so that the existing dwelling occupies both tax lot 1-1-25 in the Town of Cornwall and 57-1-33.4 in the Town of New Windsor. The application is to demolish the existing structure and to subdivide the property using a private road, creating two new residential lots in the Town of Cornwall, and to revise the lot lines between the parcels in New Windsor. This application would result in four building lots being created out of three tax map parcels. Three of the four building lots would have frontage on a private road proposed to be built as part of the subdivision. The remaining lot would continue to be an approved ODA lot in the Town of New Windsor. The private road would access Jackson Avenue in the Town of Cornwall, though the private road itself would cross the town lines.

The Town of Cornwall Planning Board believes that this application would benefit from coordinated review procedures, and has opted to seek Lead Agency status for purposes of SEQR review.

If any Involved Agency objects to the designation of the Town of Cornwall Planning Board as Lead Agency for purposes of SEQR review, then that Agency should respond in writing to the contact person within 30 days of receipt of this notice. If the Town of Cornwall Planning Board receives written consent to its intention to serve as Lead Agency, or if it receives no response within 30 days, then the Town of Cornwall Planning Board will consider there to be no objection and will act as Lead Agency for purposes of Coordinated SEQR Review in compliance with 6NYCRR Part 617. The list of Involved Agencies set forth below has been identified after a duly diligent search for all relevant permit-granting agencies.

**Date of Intent to Seek Lead Agency Resolution: March 6, 2006**

**Date of Mailing: March 13, 2006**

**Agency Address: Town of Cornwall Planning Board**

**Town Hall – 183 Main Street**

**Cornwall, New York 12518**

**Tel.(845) 534-9429**

**Contact Person: Neil Novesky, Planning Board Chairman**

**Attachment: Short EAF Part I, photocopy of site location map excerpted from the subdivision plan**

**Involved and Interested Agencies to receive this mailing and relevant SEQR documentation:**

**Involved Agencies:**

**Town of New Windsor Planning Board**

**555 Union Avenue**

**New Windsor, New York 12553**

**Interested Agencies:**

**Orange County Department of Planning**

**124 Main Street**

**Goshen, NY 10924**

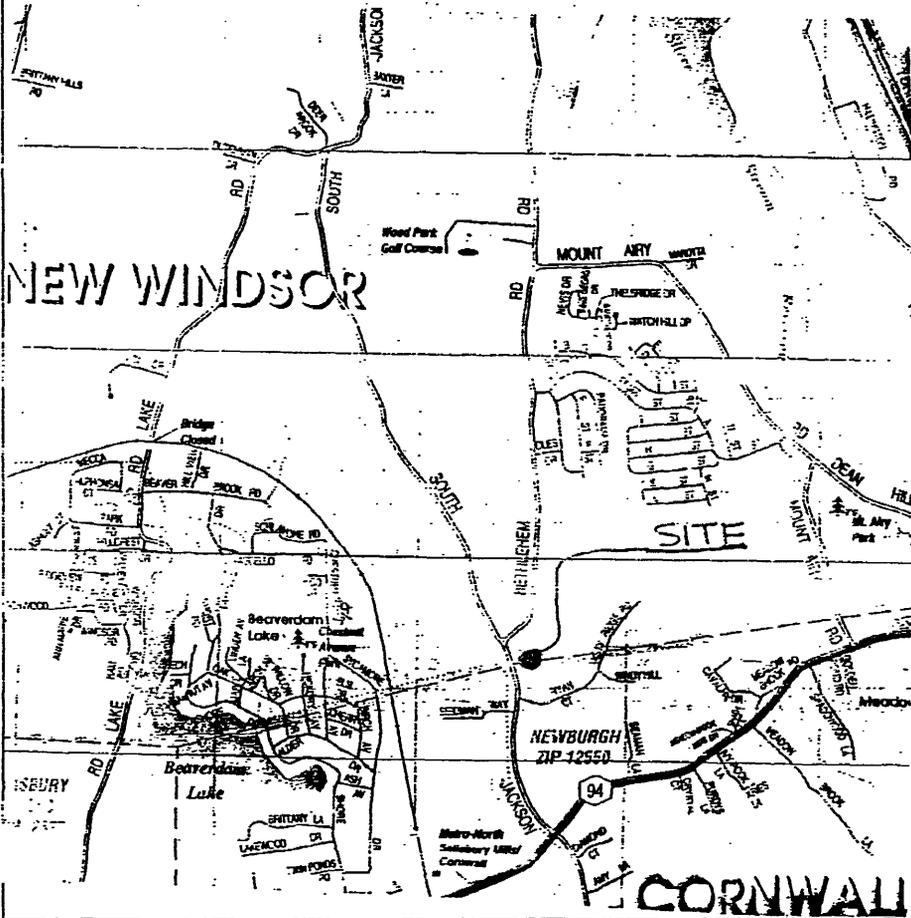
LOT: 33.2

SED

2. FT.

Q. FT.

2. FT.



### LOCATION MAP

### OWNER & APPLICANT:

MIRA & MICHAEL BLYTHE  
 320 JACKSON AVENUE  
 NEW WINDSOR, NEW YORK 12553

### TOWN CERTIFICATION

I HEREBY CERTIFY TO THE TOWN OF CORNWALL THAT THE SEWERAGE SYSTEM DEPICTED ON THIS PLAT HAS BEEN DESIGNED IN ACCORDANCE WITH THE NEW YORK STATE PUBLIC HEALTH LAW AND ALL REGULATIONS PROMULGATED THEREUNDER.

NOTE:  
 THIS PLAN IS COPYRIGHTED  
 UNAUTHORIZED ALTERATION  
 TO THIS PLAN IS A VIOLATION  
 OF SECTION 7209(2) OF THE  
 NEW YORK STATE EDUCATION  
 LAW.


DATE	ISSUANCE	B
------	----------	---


2-20-06	WORKSHOP COMMENTS	P
---------	-------------------	---

2-08-06	ENGINEER'S COMMENTS	P
---------	---------------------	---

10-17-05	WORKSHOP COMMENTS	PV
----------	-------------------	----

DATE	REVISIONS	B
------	-----------	---

**ERRING**  
 7. 12553 (914) 567-0063

**CONDITIONS**

05-34



**COUNTY OF ORANGE**

**DEPARTMENT OF PLANNING**

**EDWARD A. DIANA**  
COUNTY EXECUTIVE

124 MAIN STREET  
GOSHEN, NEW YORK 10924-2124  
TEL: (845)291-2318 FAX: (845)291-2533  
www.orangecountygov.com/planning

**DAVID CHURCH, A.I.C.P.**  
COMMISSIONER

**ORANGE COUNTY DEPARTMENT OF PLANNING**  
**239 L, M OR N REPORT**

**This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.**

**Referred by:** New Windsor Planning Board

**Reference/County ID No.:** NWT21-05N  
**Tax Parcel ID:** 57-1-33.2 & 33.4

**Applicant:** Michael & Mira Blythe

**Proposed Action:** Minor Subdivision:

**Reason for Review:** Within 500' Municipal Boundary

**Date of Full Statement:** November 22, 2005

**Comments:**

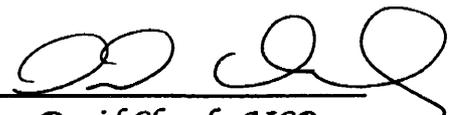
The Department has received the above application for a 2-lot subdivision, and site plan, and offers the following;

- The proposed project, as well as the proposed road, lies both in the Town of New Windsor and the Town of Cornwall. For the purposes of snow removal, emergency access, and issues of maintenance, the road should be under only one municipal jurisdiction.
- The proposed tax lot (57-1-33.2) would be extending an already non-conforming use, and continues to require a very long right of way to gain access to the property. All parcels located within this subdivision should have access to the road.

**County Recommendation:** Local Determination

**\*Approved subject to the following modifications and/or conditions:**

**Date:** December 15, 2005



**David Church, AICP**  
**Commissioner of Planning**

**"IMPORTANT NOTE: As per NYS General Municipal Law 239-m(6), within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning."**

12/20/05  
CC: M.E.

# ORANGE COUNTY DEPARTMENT OF PLANNING

124 Main Street  
Goshen, NY 10924-2124

## APPLICATION FOR MANDATORY COUNTY REVIEW OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 05-34 (Please include this number on any correspondence)

1. Municipality Town of New Windsor Public Hearing Date: not set

City, Town or Village Board \_\_\_\_\_ Planning Board  Zoning Board \_\_\_\_\_

2. Owner: Name: Michael & Mira Blythe  
Address: 320 Jackson Avenue, New Windsor, NY

3. Applicant \* Name: same  
Address: \_\_\_\_\_

**\*If applicant is owner, leave blank**

4. Location of Site: Jackson Ave & Bethlehem Road  
(Street or highway, plus nearest intersection)

Tax Map Identification: Section: 57 Block: 1 Lot: 33.2 & 33.4

Present Zoning District: R-1 Size of Parcel: (two existing) Acres

5. Type of Review:

### Special Permit

Zone Change: From = To: =

Zoning Amendment: To Section \_\_\_\_\_

\*\*Subdivision: Number of Lots/Units Lot Line Change betw/ 2 lots

\*\*\*Site Plan: Use \_\_\_\_\_

Date: 12-1-05

Signature & Title: Mark J. Edsall, P.E.  
**Mark J. Edsall, P.E.,**  
**Planning Board Engineer**

*Sent 12/1/05*

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/30/2005

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 5-34

NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317

APPLICANT: MICHAEL & MIRA BLYTHE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	11/28/2005	MUNICIPAL HIGHWAY	11/30/2005	UNDER REVIEW
ORIG	11/28/2005	MUNICIPAL WATER	/ /	
ORIG	11/28/2005	MUNICIPAL SEWER	/ /	
ORIG	11/28/2005	MUNICIPAL FIRE	11/30/2005	APPROVED
ORIG	11/28/2005	NYS DOT	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/28/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 5-34  
NAME: DAVID'S ADVANCE (BLYTHE) PA2005-317  
APPLICANT: MICHAEL & MIRA BLYTHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/28/2005	REC. CK. #2248	PAID		200.00	
		TOTAL:	0.00	200.00	-200.00

*Ben*  
11/28/05

P.B. # 05-34 Application fee

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

**RECEIPT**  
**#1119-2005**

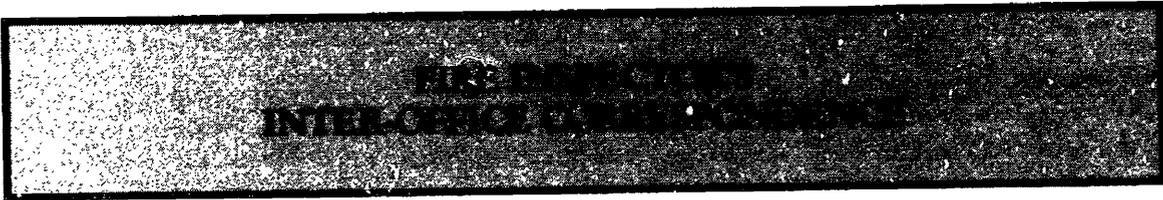
11/28/2005

Blythe, Michael  
22 Bethlehem Road  
New Windsor, NY 12553

Received \$ 75.00 for Planning Board Fees, on 11/28/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



**TO:** James Petro, Planning Board Chairman

**FROM:** Kenneth Schermerhorn, Asst. Fire Inspector (KS)

**SUBJECT:** PB-05-34  
David's Advance  
SBL: 57-1-33.4

**DATE:** November 30, 2005

**Fire Prevention Reference Number: FPS-05-040**

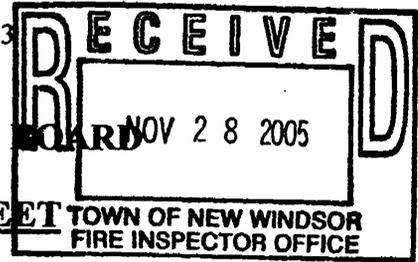
A review of the above referenced lot line change has been conducted and is acceptable.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD



PROJECT REVIEW SHEET TOWN OF NEW WINDSOR  
FIRE INSPECTOR OFFICE

TO: FIRE INSPECTOR

P.B. FILE #05-34 DATE RECEIVED: 11-28-05 TAX MAP #57-1-33.4

PLEASE RETURN COMPLETED FORM TO MYRA  
BY: A.S.A.P. TO BE ON AGENDA FOR THE 11-30-05 PLANNING BOARD  
MEETING.

THE MAPS AND/OR PLANS FOR:

*REC'd 11am 11/29*  
*(KGS)*

DAVID'S ADVANCE (BLYTHE)

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION \_\_\_\_\_, LOT LINE CHANGE XXX,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISAPPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: *Yvonne S. Lebl* 11/30/05  
Reviewed by date



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

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WILLIAM J. HAUSER, P.E. (NY & NJ)  
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JAMES M. FARR, P.E. (NY & PA)

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e-mail: mhapa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

100-3

TOWN/VILLAGE OF: New Windsor

P/B APP. NO.: 05-34

WORK SESSION DATE: 19 Oct 05

PROJECT: NEW X OLD     

REAPPEARANCE AT W/S REQUESTED: No

RESUB. REQ'D: Full App

PROJECT NAME: Blythe Sub.

REPRESENTATIVES PRESENT: Mike Blythe / PVC

MUNICIPAL REPS PRESENT:  
BLDG INSP. \_\_\_\_\_  
ENGINEER X  
P/B CHMN \_\_\_\_\_

FIRE INSP. \_\_\_\_\_  
PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

**ITEMS DISCUSSED:**

- call exist + prop. lot #'s must be exit tax #'s
- flip culdesac to 7a re net.
- bulk 4 columns.
- BMM perc's X4 (need done)

**STND CHECKLIST:      PROJECT TYPE**

- DRAINAGE \_\_\_\_\_
  - DUMPSTER \_\_\_\_\_
  - SCREENING \_\_\_\_\_
  - LIGHTING \_\_\_\_\_
  - (Streetlights)
  - LANDSCAPING \_\_\_\_\_
  - BLACKTOP \_\_\_\_\_
  - ROADWAYS \_\_\_\_\_
  - APPROVAL BOX \_\_\_\_\_
- PROJECT TYPE**
- SITE PLAN
  - SPEC PERMIT
  - L L CHG.
  - SUBDIVISION
  - OTHER

**PROJECT STATUS:**  
ZBA Referral:    Y X N

Ready For Meeting    Y X N

Recommended Mtg Date \_\_\_\_\_



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

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WILLIAM J. HAUSER, P.E. (NY & NJ)  
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JAMES M. FARR, P.E. (NY & PA)

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e-mail: mhpa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN / VILLAGE OF: New Windsor

P/B APP. NO.:

<sup>100-3</sup>  
**05-34**

WORK SESSION DATE: Aug 17, 2005

PROJECT: NEW \_\_\_\_\_ OLD X

REAPPEARANCE AT W/S REQUESTED: NO

RESUB. REQ'D: Full YL App

PROJECT NAME: Blythe YL

REPRESENTATIVES PRESENT: MIRA + Mike Blythe

MUNICIPAL REPS PRESENT:  
BLDG INSP. \_\_\_\_\_  
ENGINEER X  
P/B CHMN \_\_\_\_\_

FIRE INSP. \_\_\_\_\_  
PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

ITEMS DISCUSSED:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ gent disc \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ now just simple lot \_\_\_\_\_

\_\_\_\_\_ line \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STND CHECKLIST: PROJECT TYPE

DRAINAGE \_\_\_\_\_  
DUMPSTER \_\_\_\_\_  
SCREENING \_\_\_\_\_  
LIGHTING \_\_\_\_\_  
(Streetlights) \_\_\_\_\_  
LANDSCAPING \_\_\_\_\_  
BLACKTOP \_\_\_\_\_  
ROADWAYS \_\_\_\_\_  
APPROVAL BOX \_\_\_\_\_

SITE PLAN  
SPEC PERMIT  
LL CHG.  
SUBDIVISION  
OTHER

PROJECT STATUS:  
ZBA Referral: Y \_\_\_\_\_ N

Ready For Meeting X Y \_\_\_\_\_ N

Recommended Mtg Date next  
avail



**McGOEY, HAUSER and EDSALL  
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WILLIAM J. HAUSER, P.E. (NY & PA)  
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Writer's E-mail Address:  
mje@mhepc.com

*T/C Thru Dual  
APP*

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF: New Windsor  
WORK SESSION DATE: 7 Sept 05  
REAPPEARANCE AT W/S REQUESTED: YES  
PROJECT NAME: Blythe St.  
REPRESENTATIVES PRESENT: \_\_\_\_\_

P/B APP. NO.: 05-34  
PROJECT: NEW X OLD \_\_\_\_\_  
RESUB. REQ'D: \_\_\_\_\_

MUNICIPAL REPS PRESENT: BLDG INSP. \_\_\_\_\_  
ENGINEER X  
P/B CHMN \_\_\_\_\_

FIRE INSP. \_\_\_\_\_  
PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

ITEMS DISCUSSED:

- Key plan show all 4 town lots
- add bulk tables 1 each town
- = exit lot. 33.4 prop 33.4  
3.3.2 prop 33.2
- net areas different
- double Approval Box
- show entire road
- show P/R site dist
- add note that all lots exc.  
3.3.2 access via P/R
- P/R complete details + profile
- add topo + grading.

STND CHECKLIST:

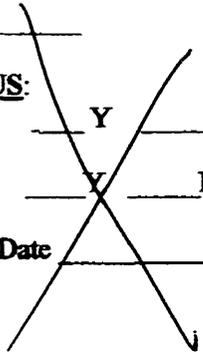
- DRAINAGE \_\_\_\_\_
- DUMPSTER \_\_\_\_\_
- SCREENING \_\_\_\_\_
- LIGHTING \_\_\_\_\_  
(Streetlights)
- LANDSCAPING \_\_\_\_\_
- BLACKTOP \_\_\_\_\_
- ROADWAYS \_\_\_\_\_
- APPROVAL BOX \_\_\_\_\_

PROJECT TYPE

- SITE PLAN
- SPEC PERMIT
- L L CHG.
- SUBDIVISION
- OTHER

PROJECT STATUS:

ZBA Referral: Y \_\_\_\_\_ N  
Ready For Meeting Y \_\_\_\_\_ N  
Recommended Mtg Date \_\_\_\_\_





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mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

100-3

TOWN/VILLAGE OF: New Windsor P/B APP. NO.: 05-34

WORK SESSION DATE: 5-18-05 PROJECT: NEW  OLD

REAPPEARANCE AT W/S REQUESTED: Yes RESUB. REQ'D: Yes later

PROJECT NAME: Blythe Rd.

REPRESENTATIVES PRESENT: Michael Blythe / Dick McKay

MUNICIPAL REPS PRESENT:  
BLDG INSP. \_\_\_\_\_ FIRE INSP. \_\_\_\_\_  
ENGINEER  PLANNER \_\_\_\_\_  
P/B CHMN  OTHER \_\_\_\_\_

**ITEMS DISCUSSED:**

① 57-1-33.2 B/P issue only -  
see Mike D.  
② gas line on red line  
that crosses town line  
redesigning in anticipation  
of the zoning change  
- Ok w/ JP to have lot  
span town line - must  
be deed restricted.

**STND CHECKLIST:**

DRAINAGE \_\_\_\_\_  
DUMPSTER \_\_\_\_\_  
SCREENING \_\_\_\_\_  
LIGHTING \_\_\_\_\_  
(Streetlights)  
LANDSCAPING \_\_\_\_\_  
BLACKTOP \_\_\_\_\_  
ROADWAYS \_\_\_\_\_  
APPROVAL BOX \_\_\_\_\_

**PROJECT  
TYPE**

SITE PLAN  
SPEC PERMIT  
L L CHG.  
SUBDIVISION  
OTHER

**PROJECT STATUS:**

ZBA Referral:  Y  N  
Ready For Meeting  Y  N  
Recommended Mtg Date \_\_\_\_\_

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change  Site Plan \_\_\_\_\_ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 57 Block 1 Lot 33.4

### BUILDING DEPARTMENT PERMIT NUMBER PA 2005 - 317

1. Name of Project DAVID'S ADVANCE Call 913-6094

2. Owner of Record Michael / MIRA Blythe Phone 845-497-3255

Address: 320 Jackson Ave. New Windsor NY 12553  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant same Phone \_\_\_\_\_

Address: \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Cuomo Engineering Phone 567-1177

Address: \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney Michael D. Blythe Esq Phone 845-913-6094

Address 320 Jackson Ave. New Windsor NY 12553  
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:  
Michael / MIRA Blythe 497-3255 497-3255  
(Name) (Phone) (fax)

7. Project Location: On the EAST side of Jackson Ave  
(Direction) (Street)

8. Project Data: Acreage 5.5 (approx) Zone R-3 School Dist. Cornwall

RECEIVED  
TOWN OF NEW WINDSOR (PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)  
NOV 23 2005

05-341

9. Is this property within Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No

**\*This information can be verified in the Assessor's Office.**

**\*If you answer yes to question 9, please complete the attached Agricultural Data Statement.**

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) \_\_\_\_\_  
Lot line change - no net change

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no

**IF THIS APPLICATION IS SIGNED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.**

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

25<sup>th</sup> DAY OF October 2005

  
\_\_\_\_\_  
(OWNER'S SIGNATURE)

\_\_\_\_\_  
(AGENT'S SIGNATURE)

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006



Please Print Agent's Name as Signed

NOTARY PUBLIC

TOWN USE ONLY:

NOV 2 8 2005

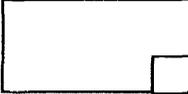
05-34

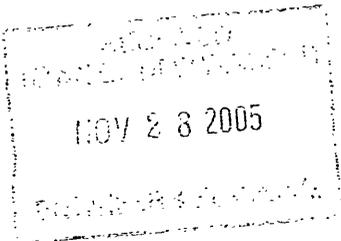
DATE APPLICATION RECEIVED

APPLICATION NUMBER

**TOWN OF NEW WINDSOR PLANNING BOARD  
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. ✓ Name and address of Applicant.
  - \* 2. ✓ Name and address of Owner.
  3. ✓ Subdivision name and location
  4. ✓ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**
- SAMPLE:** 
5. ✓ Tax Map Data (Section, Block & Lot).
  6. ✓ Location Map at a scale of 1" = 2,000 ft.
  7. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
  8. \_\_\_\_\_ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
  9. ✓ Date of plat preparation and/or date of any plat revisions.
  10. ✓ Scale the plat is drawn to and North arrow.
  11. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
  12. \_\_\_\_\_ Surveyor's certificate.
  13. \_\_\_\_\_ Surveyor's seal and signature.
  14. \_\_\_\_\_ Name of adjoining owners.
  15. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
  - \* 16. \_\_\_\_\_ Flood land boundaries.
  17. ✓ 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.



18. \_\_\_\_\_ Final notes and bounds.
19.  Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20.  Include existing or proposed easements.
21.  Right-of-way widths.
22. \_\_\_\_\_ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23.  Lot area (in square feet for each lot less than 2 acres).
24.  Number the lots including residual lot.
25. \_\_\_\_\_ Show any existing waterways.
- \*26. \_\_\_\_\_ 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.
27. \_\_\_\_\_ Applicable note pertaining to owner's review and concurrence with plat together with owners signature.
28. \_\_\_\_\_ Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. \_\_\_\_\_ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30.  Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31.  Provide A septic system design notes as required by the Town of New Windsor.
32.  Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. \_\_\_\_\_ Indicate percentage and direction of grade.
34. \_\_\_\_\_ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. \_\_\_\_\_ Indicate location of street or area lighting (if required).

NOV 28 2005

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

- 36. \_\_\_\_\_ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
- 37. \_\_\_\_\_ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

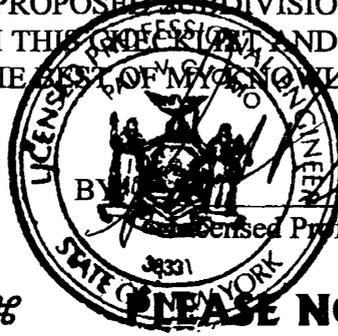
Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

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 ACKNOWLEDGMENT:**

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE



*[Signature]* \_\_\_\_\_  
Date 10/26/05

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

**PLEASE NOTE:**

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

**THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.**

NOV 28 2005

05-341

PROJECT I.D. NUMBER

617.20

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 <i>Michael / Mirt Blythe</i>	2. PROJECT NAME <i>DAVID'S ADVANCE</i>
3. PROJECT LOCATION: Municipality <i>Cornwall</i> County <i>ORANGE</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>300 Jackson Ave, New Windsor, N.Y. 12553 between Ryan Ct. + Bethlehem Rd.</i>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>minor subdivision</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>4.4</i> acres Ultimately <i>7.3</i> acres <i>(due to additional 2.9 12 New Windsor)</i>	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <i>ORANGE COUNTY PLANNING DEPT.</i>	
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: <i>Mirt Blythe</i>	Date: <i>4/18/05</i>
Signature: <i>Mira Blythe</i>	

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

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 <i>Michael/MIRA Blythe</i>	2. PROJECT NAME <i>David's Advance</i>
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>320 Jackson Ave near intersection Bethlehem Rd</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>lot line change</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>5.5 (approx)</i> acres    Ultimately <i>5.5 (approx)</i> 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: <i>Michael D. Blythe</i>	Date: <i>10/25/05</i>
Signature: <i>MMBlythe</i>	

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

NOV 28 2005

OVER  
1

05-341



REC'D BY  
"XX"

## ATTACHMENTS

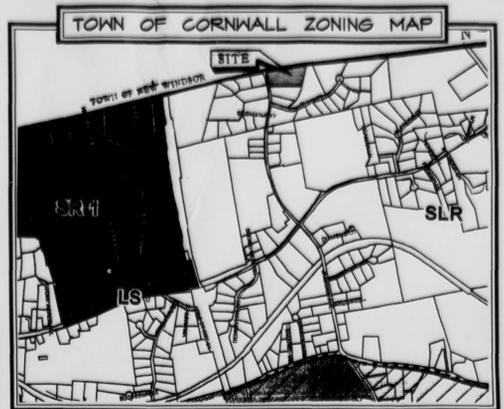
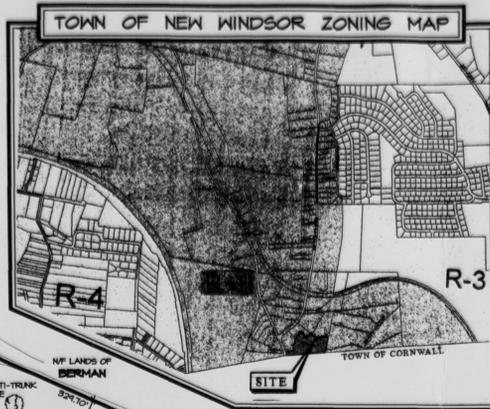
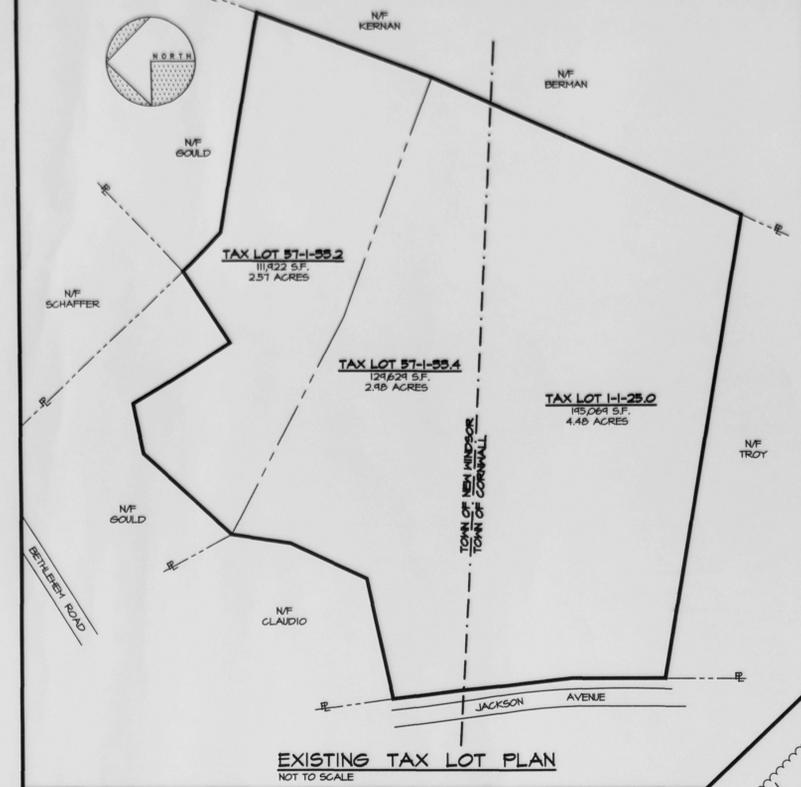
- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

*Not in flood Area*  
*MMB*

05-24



**ZONING SCHEDULE - TOWN OF CORNWALL**

ZONE: SLR - SUBURBAN LOW-DENSITY RESIDENCE DISTRICT

USE: GROUP B - 1-FAMILY DETACHED DWELLING, NOT TO EXCEED 1 DWELLING ON EACH LOT WITH DRIVEWAY ACCESS TO PUBLIC OR PRIVATE ROAD.

BULK REGULATIONS	REQUIRED	PROVIDED LOT No. 1	PROVIDED LOT No. 2
LOT AREA (GROSS)	81,120 S.F.	102,254 S.F.	92,961 S.F.
LOT AREA (NET)	81,120 S.F.	88,534 S.F.	84,416 S.F.
LOT WIDTH	200 FT.	231 FT.	200 FT.
FRONT YARD DEPTH	60 FT.	48 FT.	221 FT.
REAR YARD SETBACK	60 FT.	41 FT.	121 FT.
SIDE YARD SETBACK - ONE	30 FT.	51 FT.	42 FT.
SIDE YARD SETBACK - BOTH	80 FT.	104 FT.	104 FT.
STREET FRONTAGE	150 FT.	206 FT.	152 FT.
MAX. BUILDING HEIGHT	40 FT.	40 FT.	40 FT.
FLOOR AREA RATIO	N/A	N/A	N/A
MIN. LIVABLE FLOOR AREA	1,000 S.F.	1,200 S.F.	1,000 S.F.
MAX. DEVELOPMENT COVERAGE	12 %	9.5 %	8.6 %
MAX. BLDG. COVERAGE / FAR	20 / 20	1.9 / 0.2	2.1 / 0.2

**ZONING SCHEDULE - TOWN OF NEW WINDSOR**

ZONE: R-1 - RURAL RESIDENTIAL

USE: A-5 - ONE FAMILY DWELLING, NOT TO EXCEED 1 DWELLING ON EACH LOT

BULK REGULATIONS	REQUIRED	PROVIDED LOT No. 3	PROVIDED LOT No. 4
LOT AREA (GROSS)	80,000 S.F.	80,886 S.F.	160,505 S.F.
LOT AREA (NET)	48,000 S.F.	61,431 S.F.	103,944 S.F.
LOT WIDTH	175 FT.	342 FT.	566 FT.
FRONT YARD DEPTH	45 FT.	41 FT.	114 FT.
REAR YARD SETBACK	50 FT.	112 FT.	88 FT.
SIDE YARD SETBACK - ONE	40 FT.	40 FT.	114 FT.
SIDE YARD SETBACK - BOTH	80 FT.	216 FT.	236 FT.
STREET FRONTAGE	10 FT.	206 FT.	71 FT.
MAX. BUILDING HEIGHT	35 FT.	35 FT.	35 FT.
FLOOR AREA RATIO	N/A	N/A	N/A
MIN. LIVABLE FLOOR AREA	1,200 S.F.	1,200 S.F.	1,200 S.F.
DEVELOPMENT COVERAGE	20 %	11.1 %	8.5 %

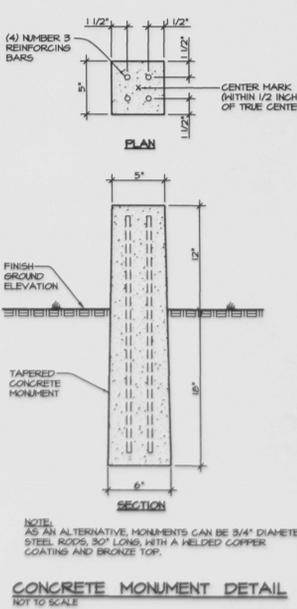
**LEGEND**

EXISTING	NEW
382' 2" CONTOUR	RIGHT OF WAY MONUMENT
360' 10" CONTOUR	LOT NUMBER
BOUNDARY	'111' ADDRESS
ADJ. PROPERTY LINE	LOT LINE
UTILITY POLE	SETBACK LINE
HELL	
STONEHALL	

**911 ADDRESSING**

LOT No.	ADDRESS
1	2 DAVID'S ROAD
2	4 DAVID'S ROAD
3	3 DAVID'S ROAD
4	1 DAVID'S ROAD

- NOTES**
- ZONING DISTRICT: TOWN OF CORNWALL: SLR, SUBURBAN LOW-DENSITY RESIDENCE DISTRICT  
TOWN OF NEW WINDSOR: R-1, RESIDENTIAL
  - RECORD OWNER & APPLICANT: MIRA & MICHAEL BLYTHE  
320 JACOBSON AVENUE  
NEW WINDSOR, NEW YORK 12553
  - TAX MAP PARCEL: AREA: 4.45 ACRES  
TOWN OF CORNWALL: SECTION 1, BLOCK 1, LOT 25: 2.94 ACRES  
TOWN OF NEW WINDSOR: SECTION 57, BLOCK 1, LOT 35.4: 2.57 ACRES  
TOWN OF NEW WINDSOR: SECTION 57, BLOCK 1, LOT 35.2: 10.03 ACRES
  - NUMBER OF RESIDENTIAL LOTS: 4 LOTS
  - SOURCE OF WATER SUPPLY: INDIVIDUAL WELLS  
SOURCE OF SEWAGE TREATMENT: TOWN OF NEW WINDSOR SANITARY SEWER SYSTEM
  - THE DESIGN AND LOCATIONS OF SANITARY FACILITIES (WATER AND SEWER SYSTEMS) SHALL NOT BE CHANGED FROM THAT INDICATED ON THESE DRAWINGS.
  - THE ROAD INDICATED ON THIS PLAN WILL BE A PRIVATE ROAD AND WILL NOT BE OFFERED FOR DEDICATION TO THE TOWN OF CORNWALL OR THE TOWN OF NEW WINDSOR.
  - INDIVIDUAL WELLS SHALL NO LONGER BE CONSTRUCTED OR USED FOR HOUSEHOLD DOMESTIC PURPOSES WHEN PUBLIC WATER SUPPLY BECOMES AVAILABLE.
  - THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED AS APPROX. PRIOR TO EXCAVATION THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS.
  - UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION (U.F.P.O.) SECTION 116B OF THE PUBLIC SERVICE LAW, ARTICLE 36 OF THE GENERAL BUSINESS LAW AND INDUSTRIAL CODE RULE 53 REQUIRES (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING OR BLASTING, UNDERGROUND UTILITIES CALL CENTER TEL. NO. 1-800-462-7462. CONTRACTOR SHALL PROTECT AND PRESERVE UTILITY MARKINGS.
  - THE FOLLOWING NOTE SHALL BE PLACED ON ALL OPEN-DEVELOPMENT AREA SUBDIVISION PLANS: NO BUILDING PERMIT SHALL BE ISSUED BY THE TOWN OF CORNWALL AND NO LOT IN THE TOWN OF CORNWALL SHALL BE CONVEYED ON THIS SUBDIVISION PLAN UNLESS THE PURCHASER OF SUCH LOT SHALL FILE A STATEMENT WITH THE CORNWALL TOWN CLERK THAT HE FULLY UNDERSTANDS THAT THE LOT HAS FRONTAGE ON A PRIVATE RIGHT-OF-WAY OR EASEMENT WHICH WILL NOT BE MAINTAINED BY THE TOWN NOR WILL IT BE ACCEPTED BY THE TOWN FOR MAINTENANCE AS A PUBLIC STREET UNLESS FULLY IMPROVED TO THE MINIMUM WIDTH AND CONSTRUCTION STANDARDS REQUIRED FOR PUBLIC STREETS BY THE TOWN OF CORNWALL AND UNTIL ALL OTHER APPLICABLE LOCAL AND STATE REQUIREMENTS HAVE BEEN SATISFIED. PROOF OF FILING THE STATEMENT WITH THE CORNWALL TOWN CLERK SHALL BE PROVIDED TO THE CORNWALL BUILDINGS INSPECTOR ALONG WITH ALL OTHER NECESSARY MATERIAL FOR AN APPLICANT FEE FOR A BUILDING PERMIT.



**RECORD OWNER'S CERTIFICATE**

THE UNDERSIGNED, OWNER OF THE PROPERTY HEREON STATES THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS, AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON AND TO THE FILING OF THIS MAP.

SIGNED THIS 30th DAY OF March 2007  
MIRA BLYTHE

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THIS PLAN RESULTED FROM AN ACTUAL FIELD SURVEY OF THE INDICATED PREMISES COMPLETED ON 4 DEC. 2006, PERFORMED IN ACCORDANCE WITH THE CODE OF PRACTICE ADOPTED BY THE N.Y.S. ASSOC. OF PROFESSIONAL LAND SURVEYORS, INC., AND IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, CORRECT.

William B. Hildreth  
WILLIAM B. HILDRETH, L.S.

TOWN OF NEW WINDSOR PLANNING BOARD  
STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 09-34  
APPROVAL GRANTED BY TOWN OF NEW WINDSOR

TOWN OF CORNWALL PLANNING BOARD  
STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 09-07  
TOWN OF CORNWALL  
Preliminary & Final Approval  
Date: 03/23/07  
Clerk: [Signature]

**William B. Hildreth**  
Land Surveying P.C.  
407 SOUTH PLAIN ROAD UNIT 3, NEW WINDSOR, N.Y. 12550  
TEL: (845) 566-6650

REVISIONS: 1 DESCRIPTION: ACAD: TOWN OF CORNWALL  
2-8-2007 GENERAL REVISIONS  
Drawn: MBH  
Checked:  
Scale: 1"=40'  
Date: 1-8-2007  
Job No.:

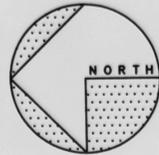
**BLYTHE SUBDIVISION**  
ORANGE COUNTY, NEW YORK  
**SUBDIVISION PLAN**  
SHEET 1 OF 8

**NOTES**

1. EACH LOT OWNER SHALL BE OBLIGATED TO PAY SEWER CHARGES TO THE TOWN OF NEW HINDSOR IN ACCORDANCE WITH THE "OUTSIDER USER AGREEMENT" FILED IN THE OFFICE OF THE ORANGE COUNTY CLERK.
2. THE FOLLOWING NOTE SHALL BE PLACED ON ALL OPEN-DEVELOPMENT AREA SUBDIVISION PLATS: "NO BUILDING PERMIT SHALL BE ISSUED BY THE TOWN OF CORNWALL AND NO LOT IN THE TOWN OF CORNWALL SHALL BE CONVEYED ON THIS SUBDIVISION PLAT UNLESS THE PURCHASER OF SUCH LOT SHALL FILE A STATEMENT WITH THE CORNWALL TOWN CLERK THAT HE FULLY UNDERSTANDS THAT THE LOT HAS FRONTAGE ON A PRIVATE RIGHT-OF-WAY OR EASEMENT WHICH WILL NOT BE MAINTAINED BY THE TOWN NOR WILL IT BE ACCEPTED BY THE TOWN FOR MAINTENANCE AS A PUBLIC STREET UNLESS FULLY IMPROVED TO THE MINIMUM WIDTH AND CONSTRUCTION STANDARDS REQUIRED FOR PUBLIC STREETS BY THE TOWN OF CORNWALL AND UNTIL ALL OTHER APPLICABLE LOCAL AND STATE REQUIREMENTS HAVE BEEN SATISFIED." PROOF OF FILING THE STATEMENT WITH THE CORNWALL TOWN CLERK SHALL BE PROVIDED TO THE CORNWALL BUILDINGS INSPECTOR ALONG WITH ALL OTHER NECESSARY MATERIAL FOR AN APPLICANT FEE FOR A BUILDING PERMIT.

**LEGEND**

EXISTING	NEW
380 2' CONTOUR	—(S) FINISHED GRADE
380 10' CONTOUR	CB CATCH BASIN
— BOUNDARY	MSH SANITARY MANHOLE
- - - ADJ. PROPERTY LINE	WELL WELL
WELL CATCH BASIN	PS PUMP STATION
MSH SANITARY MANHOLE	



TOWN OF NEW HINDSOR PLANNING BOARD  
 STAMP OF APPROVAL  
 PLANNING BOARD PROJECT NUMBER 05-34  
 APPROVAL GRANTED BY TOWN OF NEW HINDSOR  
 [Signature]

TOWN OF CORNWALL PLANNING BOARD  
 STAMP OF APPROVAL  
 PLANNING BOARD PROJECT NUMBER 05-07  
 PLANNING BOARD  
 TOWN OF CORNWALL  
 Preliminary &  
 Final Approval  
 Date: 03.23.07  
 Chair: [Signature]

DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 2 THROUGH 5 OF 2.

**Shaw Engineering**  
 Consulting Engineers  
 744 Broadway Newburgh, N.Y. 12550

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ISSUE	GENERAL REVISIONS	REVISION	DATE
1			3-6-2007

Drawn By: J.R.J.  
 Checked By: G.J.S.  
 Scale: 1"=40'  
 Date: 1-8-2007

Project: **BLYTHE SUBDIVISION**  
 JACKSON AVENUE TOWN OF NEW HINDSOR, N.Y.

**2 OF 2**  
 Project No. 0612

LEGEND	
EXISTING	NEW
382 2' CONTOUR	CB CATCH BASIN
380 10' CONTOUR	SH SANITARY MANHOLE
BOUNDARY	2" FM SANITARY FORCE MAIN
ADJ. PROPERTY LINE	6" S SANITARY SEWER
HELL WELL	15" ST STORM DRAIN
SH SANITARY MANHOLE	HELL WELL
10" S SANITARY SEWER	



- ### NOTES
- NO CELLAR, ROOF OR FOOTING DRAINS SHALL BE CONNECTED TO THE SANITARY LATERAL / PUMP STATION.
  - THE MINIMUM SEWERABLE ELEVATION (M.S.E.) INDICATED IS THE LOWEST POSSIBLE INVERT ELEVATION OF THE SEWER LINE WHERE IT ENTERS THE FOUNDATION WALL OF THE PROPOSED RESIDENCE.
  - INDIVIDUAL WELLS SHALL NO LONGER BE CONSTRUCTED OR USED FOR HOUSEHOLD DOMESTIC PURPOSES WHEN PUBLIC FACILITIES BECOME AVAILABLE. CONNECTIONS TO THE PUBLIC WATER SYSTEM IS REQUIRED WITHIN ONE YEAR OF THE SYSTEMS BECOMING AVAILABLE.
  - THE PROPOSED WELL LOCATIONS ARE IN EXCESS OF 200' FROM THE NEAREST SUBSURFACE SEWAGE DISPOSAL SYSTEM.
  - THE MAINTENANCE OF THE 6" GRAVITY SEWER LATERAL (6" L.F.) AND MANHOLE NO. 2 SHALL BE INCORPORATED INTO THE ROAD MAINTENANCE AGREEMENT OF DAVID'S ROAD.

### OUTLINE SPECIFICATIONS

**PRESSURE AND LEAKAGE TESTS - INDIVIDUAL FORCE MAIN**

THE 2" INDIVIDUAL FORCE MAINS SHALL BE OFFICIALLY TESTED AFTER INSTALLATION. THE TEST SHALL CONSIST OF A PRESSURE / LEAKAGE TEST WHICH ARE IN ACCORDANCE WITH A WRITTEN STEP BY STEP TESTING PLAN PREPARED BY THE CONTRACTOR IN ACCORDANCE WITH THE SPECIFICATIONS AND APPROVED BY THE ENGINEER. TESTING OF THE FORCE MAIN SHALL BE PERFORMED TO ESTABLISH THE ABILITY OF THE FORCE MAIN TO MAINTAIN CONTINUOUS PRESSURE, AND TO ESTABLISH THE LINES' WATER-TIGHTNESS BEFORE ANY TESTING OF THE WORK IS BEGUN. ALL PARTS OF THE FORCE MAIN SHALL BE PROPERLY PROTECTED AND SUFFICIENTLY BRACED TO PREVENT MOVEMENT UNDER PRESSURE.

ALL MATERIALS AND EQUIPMENT SUCH AS PUMPS, GAGES, METERS, HOSE, AND CONNECTIONS SHALL BE FURNISHED BY THE CONTRACTOR. IN ADDITION TO THE WATER REQUIRED FOR THE TEST, ALL INSTRUMENTS FOR MEASURING AND MONITORING THE TEST SHALL BE TESTED FOR ACCURACY AS FREQUENTLY AS 50 DIRECTED. THEY SHALL BE AVAILABLE TO THE ENGINEER, WHEN REQUESTED, FOR INDEPENDENT TESTING.

THE PRESSURE / LEAKAGE TEST SHALL BE AT THE TEST PRESSURE OF 75 PSI, AND THE LENGTH OF THE TEST SHALL BE 2 HOURS. THE TEST SHALL BE CONDUCTED PREFERABLY BEFORE COMPLETE BACKFILLING OF THE PIPELINE, WHEN THE JOINTS ARE EXPOSED. LINES WHICH ARE DEFECTED WILL REQUIRE BACKFILL. PRIOR TO ANY TESTING, AFTER THE TEST CONNECTIONS ARE MADE, AND THE MAIN FILLED WITH WATER, THE FORCE MAIN SHALL BE SUBJECTED TO WATER PRESSURE NORMAL TO THE AREA. BEFORE APPLYING THE SPECIFIED TEST PRESSURE, ALL AIR SHALL BE EXPELLED FROM THE PIPE. AFTER ALL THE AIR HAS BEEN EXPELLED THE TEST PRESSURE SHALL BE APPLIED. IF DEFECTS ARE FOUND, THE CONTRACTOR SHALL IMMEDIATELY MAKE THE NECESSARY REPAIRS AT HIS OWN EXPENSE, THEN REPEAT THE PRESSURE TEST UNTIL NO DEFECTS ARE FOUND.

LEAKAGE SHALL BE DEFINED AS THE QUANTITY OF WATER THAT MUST BE SUPPLIED INTO THE NEWLY LAID PIPE TO MAINTAIN THE SPECIFIED TEST PRESSURE AFTER THE AIR IN THE PIPELINE HAS BEEN EXPELLED AND THE PIPE HAS BEEN FILLED WITH WATER. NO PIPE INSTALLATION WILL BE ACCEPTED IF THE LEAKAGE IS GREATER THAN THAT DETERMINED BY THE FOLLOWING FORMULA:

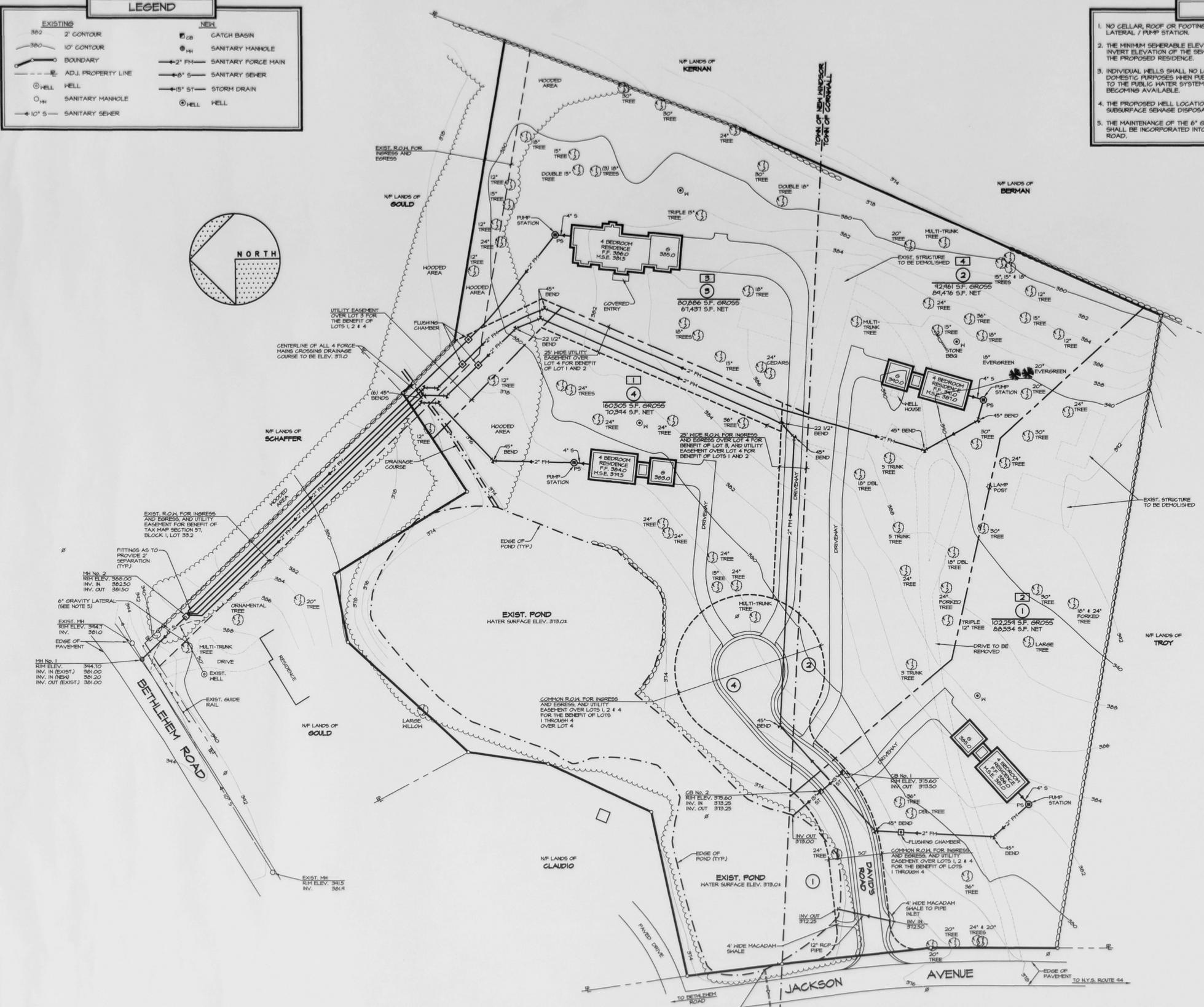
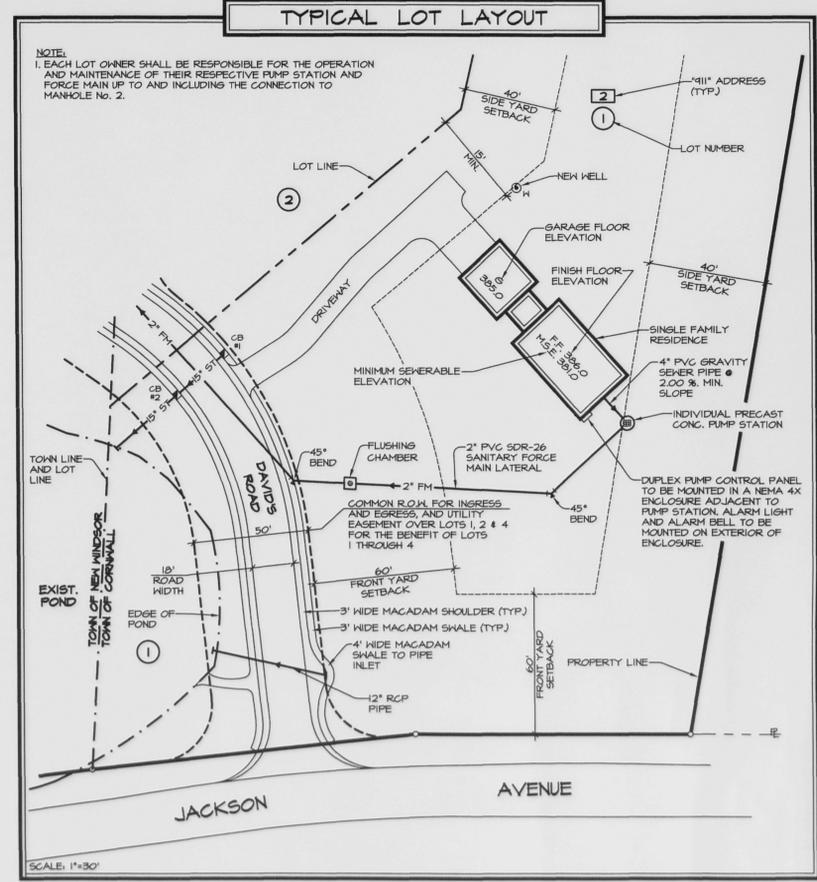
$$L = \frac{50(P)(D)^2}{155,200}$$

WHERE L = ALLOWABLE LEAKAGE IN GALLON PER HOUR  
 S = LENGTH OF PIPE TESTED, IN FEET  
 D = NOMINAL DIAMETER OF THE FORCE MAIN  
 P = AVERAGE TEST PRESSURE DURING THE TEST, IN PSI

SHOULD ANY FORCE MAIN FAIL TO MEET THE LEAKAGE TEST, THE CONTRACTOR SHALL MAKE THE NECESSARY REPAIRS AT HIS OWN EXPENSE.

### SEPARATION SCHEDULE

SEPARATION	HORIZONTAL DISTANCE
WELL TO HOUSE GRAVITY SANITARY PIPE	50 FT.
WELL TO INDIVIDUAL AND COMMON FORCE MAINS	50 FT.
WELL TO FOOTINGS AND HOUSE DRAINS	25 FT.
WELL TO DRAINAGE SHALES	25 FT.
WELL TO PUMP STATION	50 FT.
WELL TO LOT LINE	15 FT.



TOWN OF NEW WINDSOR PLANNING BOARD  
 STAMP OF APPROVAL  
 PLANNING BOARD PROJECT NUMBER 05-34  
 APPROVAL DATE: 03-21-07

TOWN OF CORNWALL PLANNING BOARD  
 STAMP OF APPROVAL  
 PLANNING BOARD PROJECT NUMBER 05-01  
 APPROVAL DATE: 03-21-07

DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 2 THROUGH 6 OF 6.

**Shaw Engineering**  
 Consulting Engineers  
 744 Broadway  
 Newburgh N.Y. 12550

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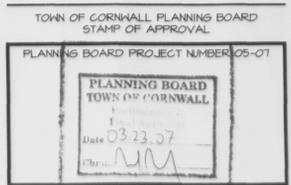
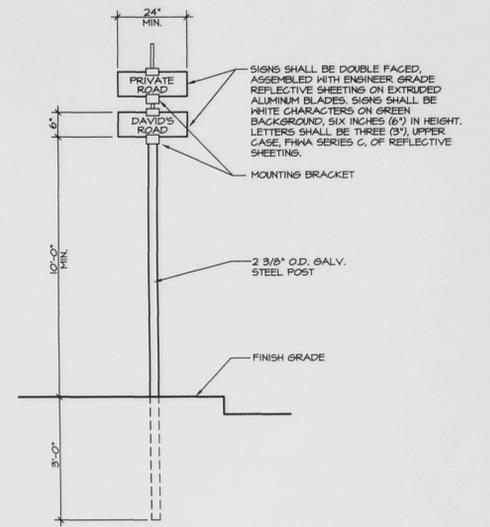
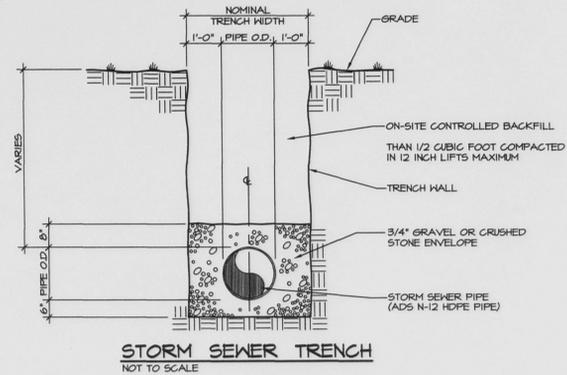
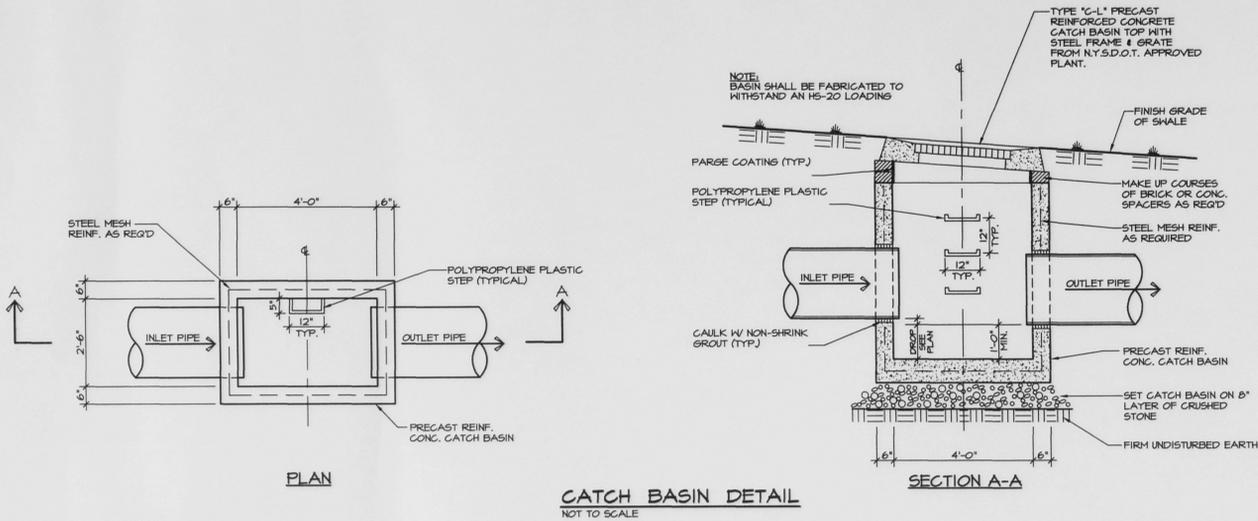
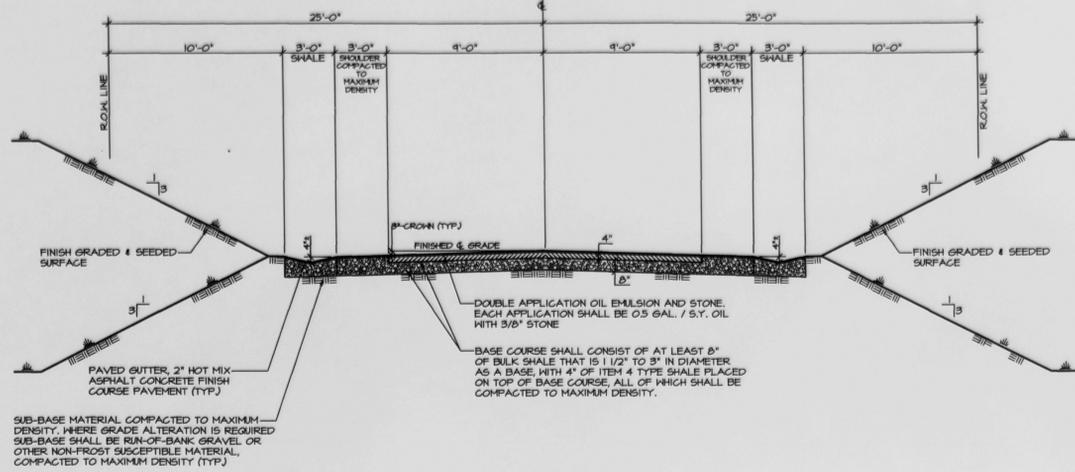
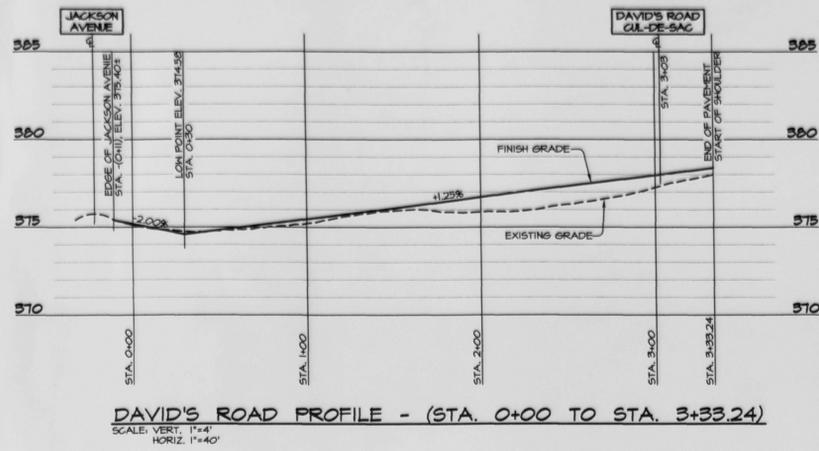
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 Checked By: G.J.S.  
 Scale: 1"=40'  
 Date: 1-8-2007

Drawing: UTILITY PLAN  
 Project: BLYTHE SUBDIVISION  
 JACKSON AVENUE TOWN OF NEW WINDSOR, N.Y.

3 OF 8  
 Project No. 0612



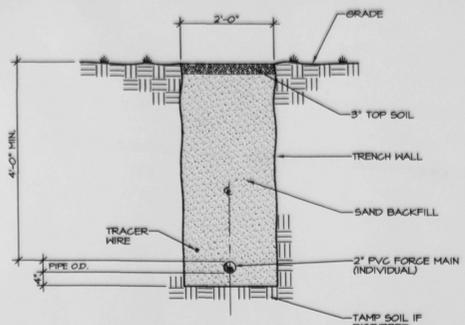
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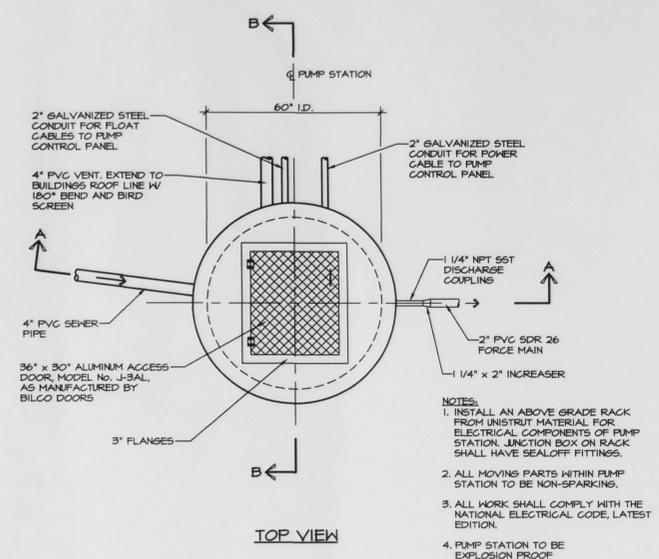
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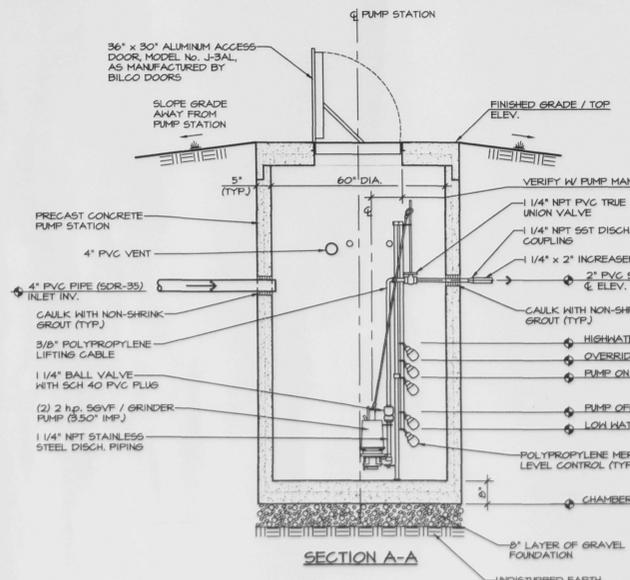
Drawn By: J.R.J. Drawing: ROAD PROFILE & DETAILS 4 OF 8  
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 Scale: AS SHOWN  
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**INDIVIDUAL FORCE MAIN TRENCH DETAIL**  
NOT TO SCALE



**TOP VIEW**



**SECTION A-A**

**WASTEWATER PUMP STATION**  
NOT TO SCALE

**PUMP STATION SPECIFICATIONS**

**PUMP CHAMBER**  
THE CHAMBER SHALL BE CONSTRUCTED OF REINFORCED PRECAST CONCRETE, SHALL HAVE A MINIMUM STRENGTH OF 4,000 PSI AT 28 DAYS, AND SHALL BE AIR ENTRAINED 5.5% TO 4.5%. REINFORCING STEEL SHALL BE ASTM A615 GRADE 60 AND ASTM A185 GRADE 65. THE CHAMBER SHALL BE OF THE DIMENSIONS INDICATED ON THE DRAWINGS AND SHALL BE FABRICATED BY THE FORT MILLER CO. INC.

THE CHAMBER SHALL BE PROVIDED WITH A SCHEDULE 40, 4" PVC VENT PIPE. CHAMBER JOINTS SHALL BE PROVIDED WITH BUTYL JOINT SEALANT. ALL CRACKS OR LEAKS SHALL BE REPAIRED. CHAMBER EXTERIOR SHALL BE COATED WITH KOPPER'S "SUPER SERVICE BLACK".

**SUBMERSIBLE PUMPS**  
INSTALL 2 SUBMERSIBLE EFFLUENT PUMPS, EACH EQUIPPED WITH A 2 HP, SUBMERSIBLE ELECTRIC MOTOR. THE PUMP SHALL BE GRINDER TYPE WITH A SHUT OFF HEAD OF 47 FEET MINIMUM. THE PUMP SHALL BE BARNES PUMP SERIES 56VF, 3.50" IMPELLER.

THE PUMPS SHALL OPERATE IN ALTERNATE SEQUENCE. UPON THE LIQUID LEVEL REACHING THE PUMP ON LEVEL, PUMP NO. 1 SHALL BECOME ENERGIZED AND CONTINUE TO RUN UNTIL THE LIQUID LEVEL REACHES THE PUMP OFF LEVEL. THE NEXT PUMPING CYCLE SHALL BE IDENTICAL EXCEPT THAT PUMP NO. 2 SHALL BECOME ENERGIZED, AND PUMP NO. 1 SHALL BE IDLE. IN NO CASE SHALL TWO PUMPS OPERATE SIMULTANEOUSLY. THE ALARM SHALL BE ACTIVATED UPON THE WATER REACHING THE HIGH WATER ALARM LEVEL AND THE LOW WATER ALARM LEVEL. PROVIDE A THIRD SUBMERSIBLE PUMP WHICH SHALL BE STORED BY THE OWNER AS A REPLACEMENT PUMP. UPON STARTUP OF THE PUMP CHAMBER, THE VALVES ON THE DISCHARGE PIPING SHALL BE THROTTLED TO REGULATE THE FLOW.

TO ELIMINATE THE NEED OF PERSONEL ENTERING THE CHAMBER, EACH OF THE PUMPS WILL BE PROVIDED WITH A STAINLESS STEEL QUICK DISCONNECT AND GUIDE RAIL ASSEMBLY SYSTEM. QUICK DISCONNECT SHALL INCLUDE STAINLESS STEEL GUIDE RAILS, WALL BRACKETS, BASE PLATE AND LIFTING CABLE. ALSO INCLUDED SHALL BE TOP AND BOTTOM PUMP BRACKET, QUICK DISCONNECT ADAPTER, CHECK VALVES, GATE VALVES, GALVANIZED PIPING AND TEE HANDLES TO OPERATE GATE VALVES, GUIDE RAIL ASSEMBLY SYSTEM SHALL BE AS MANUFACTURED BY BARNES PUMPS. ALL MOVING PARTS WITHIN PUMP STATION SHALL BE NON-SPARKING.

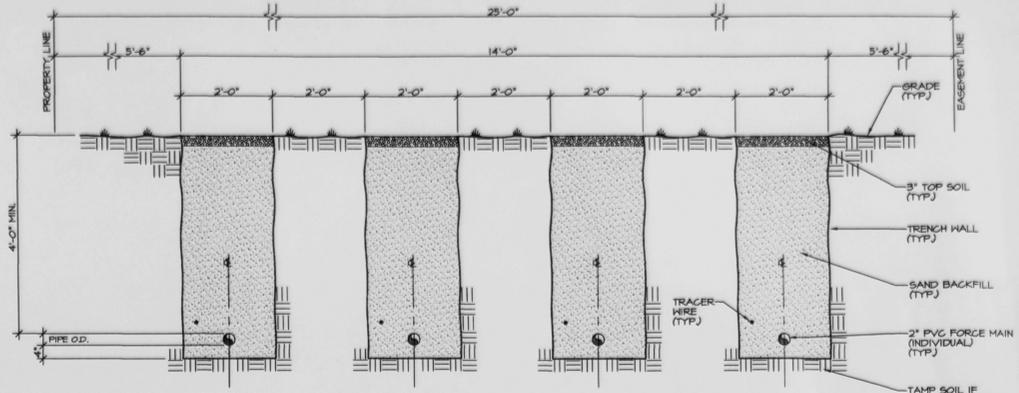
**LIQUID LEVEL SENSORS**  
PROVIDE 5 PIPE MOUNTED MERCURY LEVEL CONTROLS AS MANUFACTURED BY BARNES PUMPS.

**PUMP CONTROL PANEL**  
FURNISH AND INSTALL ON THE EXTERIOR OF THE BUILDING A NEW DUPLEX CONTROL PANEL FOR THE SEWAGE PUMPS. PANEL SHALL PROVIDE FOR THE FULLY AUTOMATIC OPERATION OF THE TWO PUMPS. AN ALTERNATOR SHALL BE PROVIDED TO DISTRIBUTE OPERATING TIME BETWEEN THE TWO PUMPS AND THE PANEL SHALL BE FACTORY WIRED FOR OPERATION WITH FIVE FLOAT SWITCHES. THE PUMP CONTROL PANEL SHALL BE LOCATED IN A NEMA 4X FIBERGLASS ENCLOSURE AND SHALL HAVE A PAD LOCKABLE LOCK.

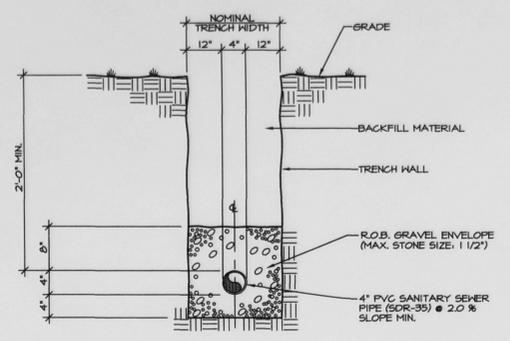
FOR EACH PUMP THE FACE OF PANEL DOOR SHALL CONTAIN A HAND-OFF-AUTOMATIC PUMP SWITCH, A PUMP RUN LIGHT, AND AN ON-OFF CONTROL CIRCUIT SWITCH. PANEL SHALL CONTAIN A 25-WATT ALARM WITH NEMA 4X LENS AND A BUZZER LOCATED ON THE SIDE OF THE ENCLOSURE.

ADJACENT TO THE PUMP STATION, INSTALL A RACK CONSTRUCTED FROM UNISTRUT TO CONTAIN THE PUMP STATION JUNCTION BOX CONTAINING SEALOFF FITTINGS. TO PROTECT FROM SNOW, THE JUNCTION BOX SHALL BE A MINIMUM OF 24 INCHES ABOVE GRADE. PROVIDE POWER AND FLOAT CABLES IN SUFFICIENT LENGTH TO EXTEND FROM THE PUMPS TO THE JUNCTION BOX, AND FROM THE JUNCTION BOX TO THE PUMP CONTROL PANEL. CHECK THE CHARACTERISTICS OF THE PUMP MOTORS FOR COORDINATION OF CIRCUIT BREAKERS, STARTERS, WIRING, ETC. PUMP CONTROL PANEL SHALL BE A STEALTH DUPLEX PUMP CONTROL PANEL BY BARNES PUMPS.

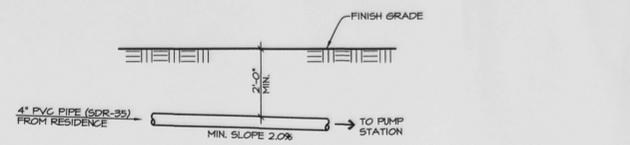
**PVC FORCE MAIN**  
FORCE MAIN SHALL BE SDR 26 PVC PIPE WITH A PRESSURE RATING OF 160 PSI. PIPE JOINTS SHALL BE BELL AND SPIGOT "PUSH-ON" TYPE WITH A FACTORY INSTALLED ELASTOMERIC RUBBER GASKET SUITABLE FOR SEWAGE SERVICE.



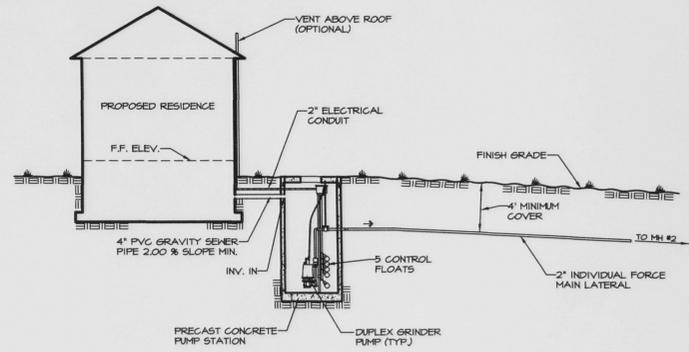
**FORCE MAIN COMMON TRENCH DETAIL**  
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**SANITARY LATERAL TRENCH EXCAVATION**  
NOT TO SCALE



**SANITARY LATERAL DETAIL**  
NOT TO SCALE



**TYPICAL PUMP STATION LAYOUT**  
NOT TO SCALE

PUMP STATION SCHEDULE										
LOT No.	CHAMBER TOP ELEV.	CHAMBER BASE ELEV.	4" PVC INV. IN	1 1/4" PVC C.L. OUT	PUMP ON ELEV.	VERRIDE OF PUMPING CYCLE ELEV.	PUMP OFF ELEV.	HIGH LEV. ALARM ELEV.	LOW WATER ALARM ELEV.	IMPELLER SIZE
1	303.50	313.50	301.00	314.50	315.00	316.50	316.00	315.00	315.50	4.00"
2	340.00	360.00	366.50	366.00	364.00	364.50	362.50	365.00	362.00	4.00"
3	384.00	360.00	360.00	360.00	371.50	371.50	376.50	376.50	376.00	4.00"
4	381.00	373.00	378.50	371.00	376.50	371.00	375.50	371.50	375.00	4.00"

TOWN OF NEW WINDSOR PLANNING BOARD  
STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 05-34  
APPROVAL GRANTED BY TOWN OF NEW WINDSOR

TOWN OF CORNWALL PLANNING BOARD  
STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 05-07  
PLANNING BOARD TOWN OF CORNWALL  
Preliminary & Final Approval  
Date: 03/23/07  
Comm: [Signature]

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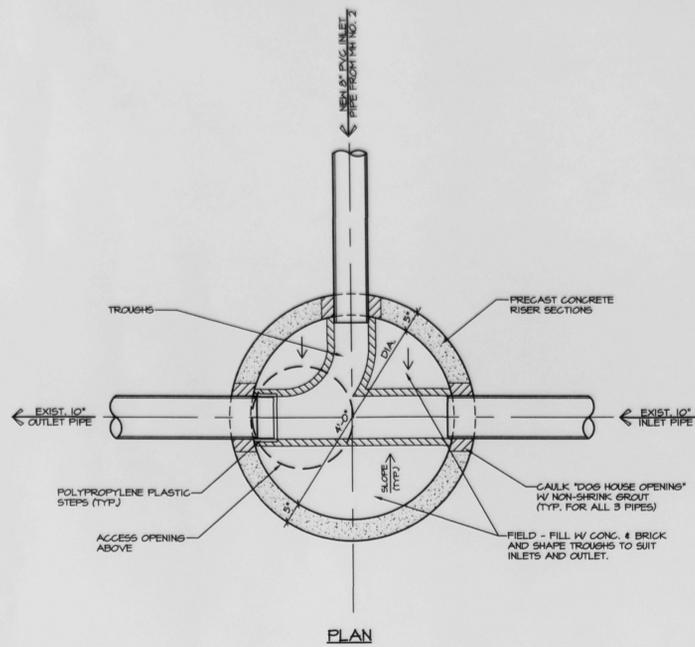
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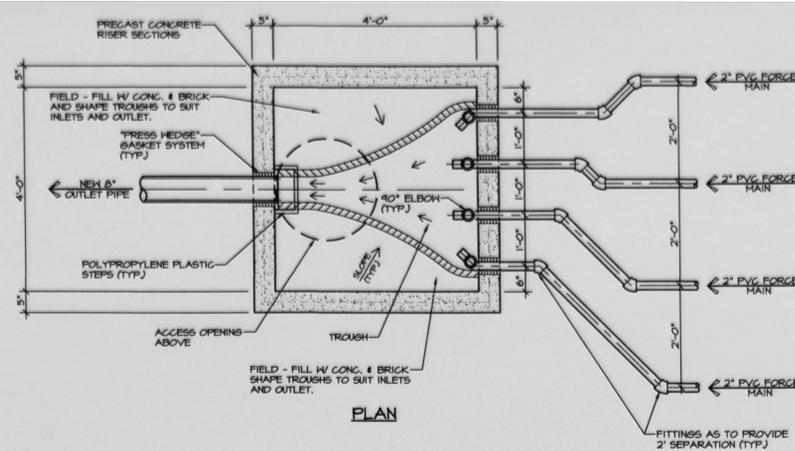
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Project: INDIVIDUAL PUMP STATION & DETAILS  
BLYTHE SUBDIVISION  
JACKSON AVENUE TOWN OF NEW WINDSOR, N.Y.

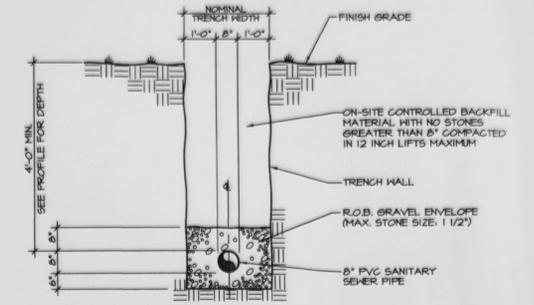
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PLAN

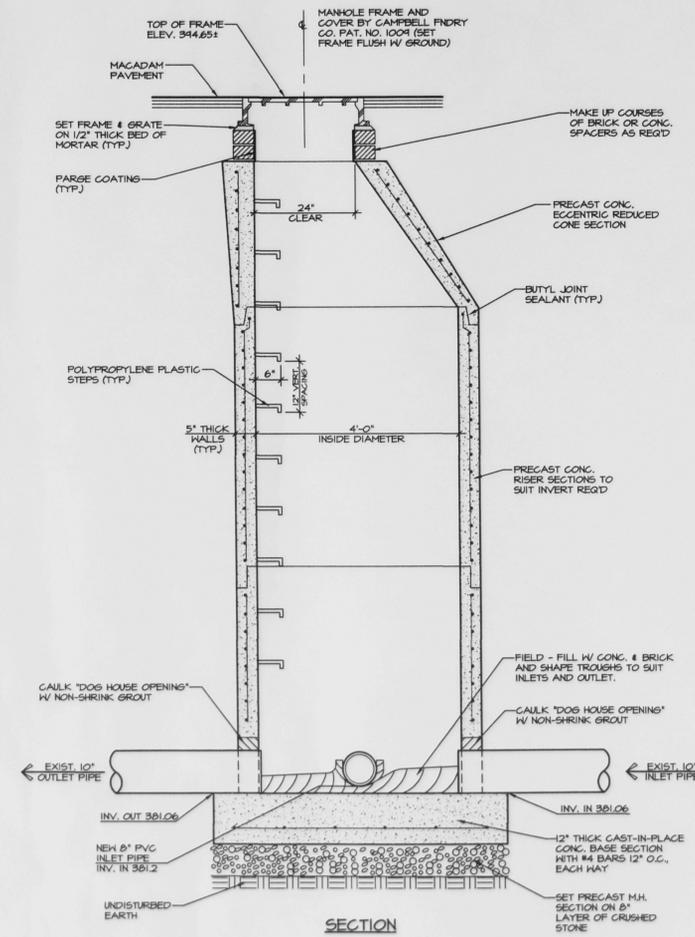


PLAN



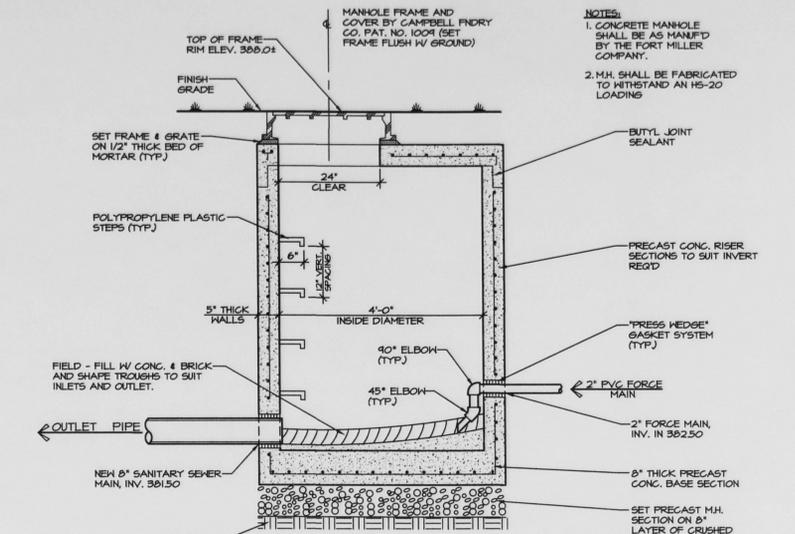
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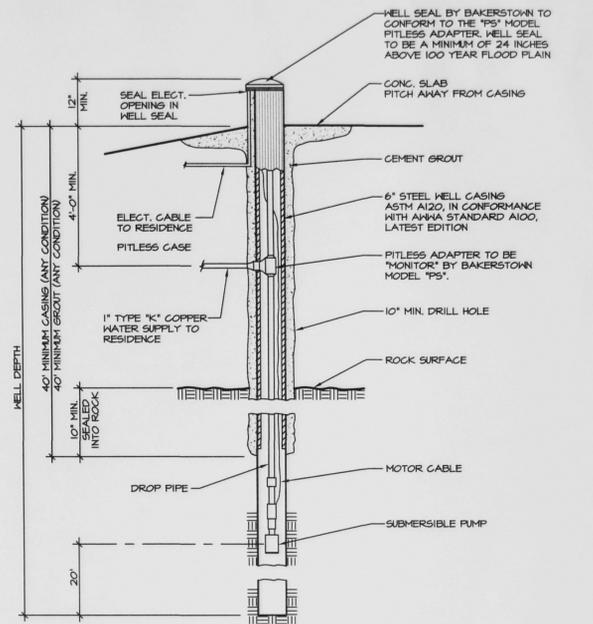
SECTION

MANHOLE No. 1  
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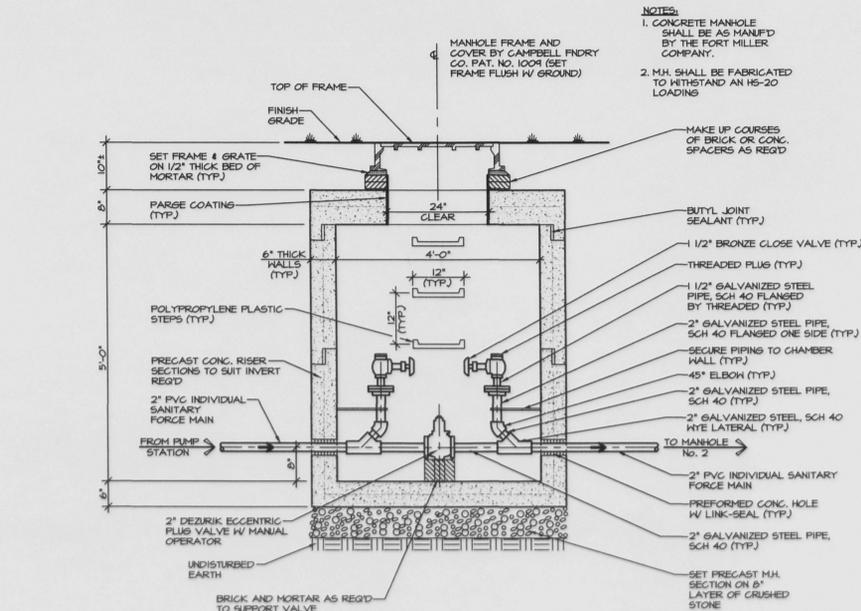
SECTION

MANHOLE No. 2 ASSEMBLY  
NOT TO SCALE



- 1. EACH RESIDENTIAL WELL MUST HAVE A MINIMUM YIELD OF 5 G.P.M.
- 2. WELL PUMP TO HAVE A MINIMUM CAPACITY OF 5 G.P.M.
- 3. TEMPORARY OUTER CASING SHALL BE USED IF CAVING IS A PROBLEM.

WELL SUPPLY DETAIL  
NOT TO SCALE



SECTION

FLUSHING CHAMBER  
NOT TO SCALE

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STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 05-34  
APPROVAL GRANTED BY TOWN OF NEW WINDSOR  
Date: 03.22.07

TOWN OF CORNWALL PLANNING BOARD  
STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 05107  
PLANNING BOARD TOWN OF CORNWALL  
Preliminary & Final Approval  
Date: 03.22.07

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Project: BLYTHE SUBDIVISION  
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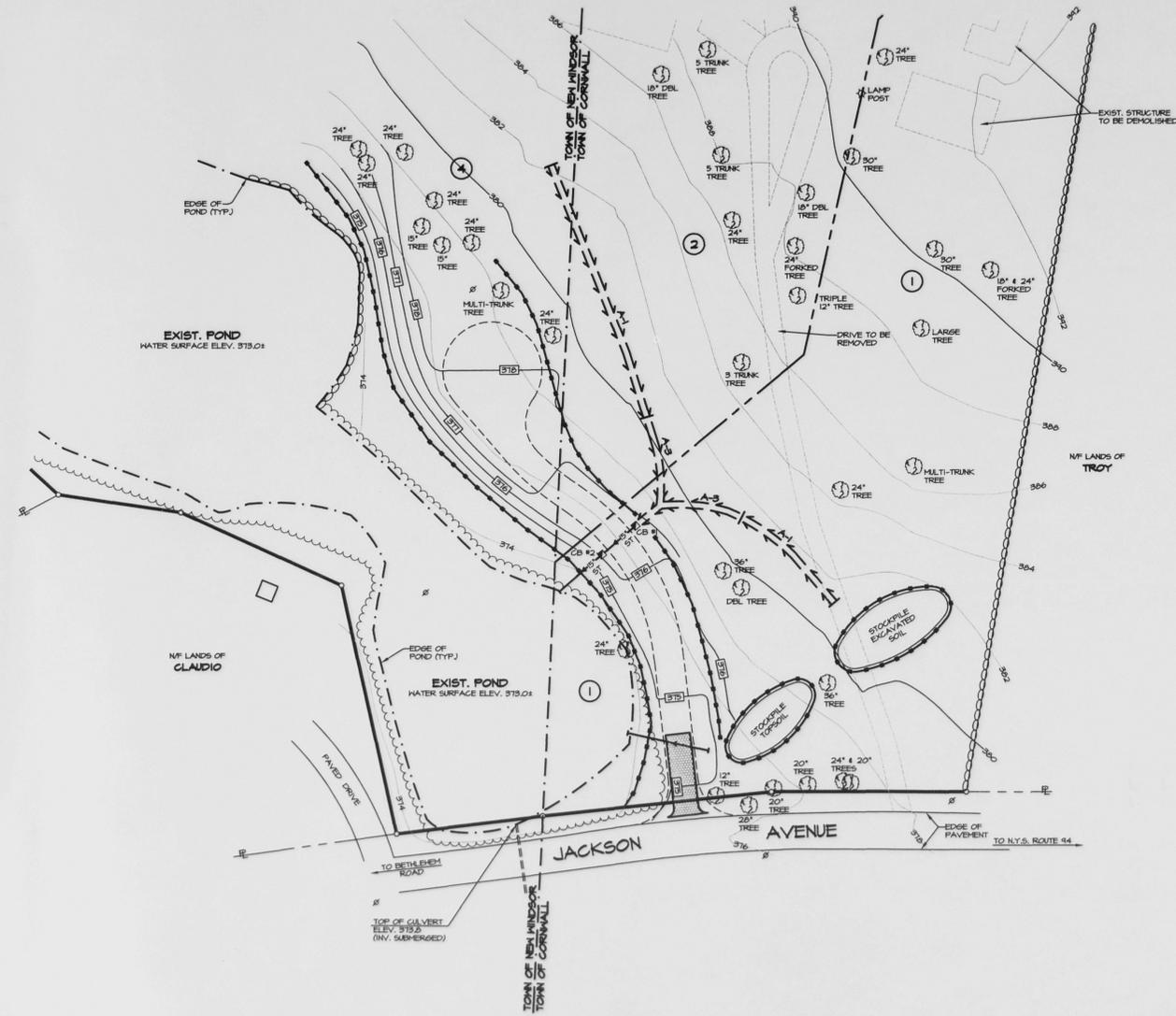
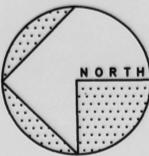
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Project No. 0612

**LEGEND**

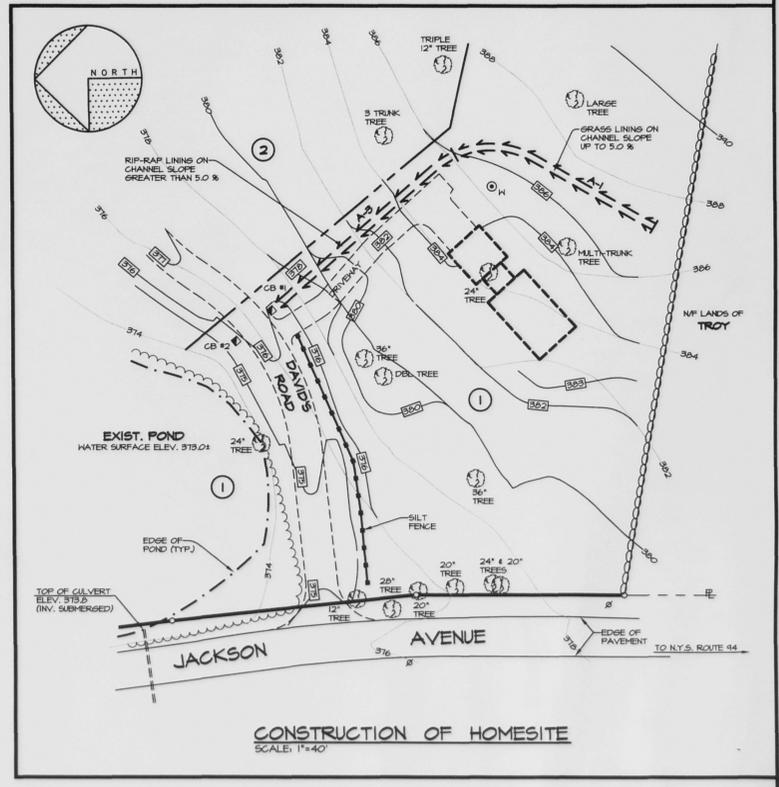
EXISTING	NEW
300 2' CONTOUR	SILT FENCE
340 10' CONTOUR	TEMPORARY DIVERSION SWALE
CB CATCH BASIN	FINISHED GRADE
	STORM SEWER
	STABILIZED CONSTRUCTION ENTRANCE

- SEQUENCE OF "CONSTRUCTION OF ROADWAY"**
1. Review the Soil Erosion And Sediment Control Plan to identify the areas of the disturbance, and those areas that are scheduled to remain undisturbed. Limit site disturbance at any time to the smallest area possible.
  2. Prior to commencing construction activities, a licensed surveyor must flag the limits of disturbance necessary to develop the roadway and clearly delineate the project boundary lines to protect adjacent properties. Identify and protect those trees which can remain.
  3. In the area designated on the Soil Erosion And Sediment Control Plan, construct a Stabilized Construction Entrance to mitigate the potential of vehicles tracking sediment onto local roads. Restrict traffic to this one access point. Perform periodic inspections and maintenance of the Stabilized Construction Entrance including washing, top-dressing with additional stone, reworking, and compaction. Plan for periodic street cleaning to remove any sediment that may have been tracked off-site. Transport the removed sediment to a suitable disposal area where it can be stabilized.
  4. Demolish the existing structures, and clear and grub the area within the proposed right-of-way. Stockpile excavated topsoil in the area designated on Lot 1, and protect the stockpiled material with silt fence.
  5. Install silt fence on the northerly side of the new roadway. Install Catch Basins 1 and 2, and the 15-inch piping to the pond. Install the 12-inch RCP pipe under the roadway to the pond. Install the temporary diversion swale along the southerly side of the new roadway to the 15-inch storm drain piping.
  6. Commence the cut and fill operations of the roadway, including the roadway embankments. Stockpile excavated soil in the area designated on Lot 1. Within 7 days of rough grading of the roadway, temporarily seed with hay mulch all roadway embankments and disturbed areas outside of the right-of-way. Avoid grading activities during the rainy season (November through March).
  7. Complete the cut and fill operations of the roadway to the finish grades indicated on the Grading Plan. Install the roadway electrical and telecommunication utilities.
  8. Remove the Stabilized Construction Entrance. Install the roadway's 12-inch base course.
  9. Install the roadway's all erosion and stone application. Do not remove any silt fence until 30 days post stabilization.
  10. Complete the final grading within the roadway, spread stockpiled topsoil and permanently seed and hay mulch all disturbed surfaces. Apply seed mix and hay mulch to approximately 2 inches in thickness.
  11. Stabilization measures must be initiated as soon as practicable, but in no case more than 14 days after the construction activity has ceased. In frozen ground conditions, stabilization measures must be initiated as soon as practicable.

- SEQUENCE OF "CONSTRUCTION OF HOMESITES"**
1. Prior to commencing construction activities, a licensed surveyor must flag the limits of disturbance necessary to construct the homesite, and clearly delineate the project boundary lines to protect adjacent properties. Install protective fencing along the limits of wooded areas designated to remain. Identify and protect those isolated trees that can remain.
  2. Apply gravel or crushed stone to the driveway of each lot to prevent vehicles and equipment from tracking sediment and mud off-site. Restrict traffic to this one route. Perform periodic inspections and maintenance including washing, top-dressing with additional stone, reworking, and compaction. Plan for periodic street cleaning to remove any sediment that may have been tracked off-site. Remove sediment and transport to a suitable disposal area where it can be stabilized.
  3. Clear and grub those portions of the homesite that are scheduled for development. Stockpile excavated topsoil and excessive quantities of subsurface soil on the lot. Protect stockpiled material with silt fence.
  4. On the uphill portions of each lot, construct a temporary diversion swale and direct stormwater to roadway drainage system. Place straw bale dikes across ends of diversion swales to contain sediment. Install silt fences at the base of all disturbed embankments.
  5. When excavating basement soils, move the soil to a location that is, or will be, vegetated, such as in the backyard or side yard area. Piles should be situated so that sediment does not run into the roadway, waterways, or adjoining yards. Soil piles should be seeded and circled with silt fence until the soil is either replaced or removed. Backfill basement walls as soon as possible and rough grade the lot. After backfilling, grade or remove excess soil from the site quickly to eliminate and sediment loss from surplus fill.
  6. Stabilization measures must be initiated as soon as practicable, but in no case more than 14 days after the construction activity has ceased. In frozen ground conditions, stabilization measures must be initiated as soon as practicable. Where construction activity on a portion of the site is temporarily ceased, earth-disturbing activities will be resumed within 21 days, temporary stabilization measures need not be initiated on that portion.
  7. Stabilize denuded areas by implementing soil covering practices such as mulching, mowing and sodding. Plan construction to limit amount of exposed area and avoid grading activities during the rainy season (November through March). Once construction is completed, the lot must be permanently stabilized with topsoil, seeding and plantings, or sodding, if needed.
  8. Maintain erosion and sediment control practices through regular inspections. After initial grading, the builder shall conduct site inspections at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.
  9. After final grading the lot, spread stockpiled topsoil and permanently seed and hay mulch all disturbed surfaces. Apply seed mix and hay mulch to approximately 2 inches in thickness. If necessary, topsoil will be imported to the site for stabilization and landscaping uses. Imported topsoil will be stored on the lot, and will be seeded after two weeks storage to promote vegetative growth and its perimeter protected with silt fence. Do not remove Soil Erosion And Sediment Control Measures until 30 days post stabilization.



**CONSTRUCTION OF ROADWAY**  
SCALE: 1"=40'



**CONSTRUCTION OF HOMESITE**  
SCALE: 1"=40'

TOWN OF NEW WINDSOR PLANNING BOARD  
STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 05-34  
APPROVAL GRANTED BY TOWN OF NEW WINDSOR  
DATE: 03 25 07

TOWN OF CORNHALL PLANNING BOARD  
STAMP OF APPROVAL  
PLANNING BOARD PROJECT NUMBER 05-07  
DATE: 03 25 07

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Drawn By: J.R.J.  
Checked By: G.J.S.  
Scale: 1"=40'  
Date: 1-8-2007

Project: SOIL EROSION & SEDIMENT CONTROL PLAN  
BLYTHE SUBDIVISION  
JACKSON AVENUE TOWN OF NEW WINDSOR, N.Y.

7 OF 8  
Project No. 0612

**EROSION & SEDIMENT CONTROL MEASURES**

**Temporary Diversion Swales**  
 Temporary diversion swales will be installed immediately uphill of areas scheduled to be disturbed for the purpose of diverting stormwater. Swales immediately uphill of the roadway shall be maintained until the excavation of the lots for the homes. Swales immediately uphill of the homes shall be maintained until the regraded lots are stabilized with permanent seeding. Refer to Temporary Diversion Swale Detail for specifications.

**Stabilized Construction Entrance**  
 Temporary gravel construction entrance(s) shall be installed adjacent to the existing macadam pavement. During wet weather it may be necessary to wash vehicle tires at this location. The entrance shall be graded off so that runoff will be directed away from the macadam pavement.

**Silt Fence**  
 Silt Fences shall be installed in the locations specified above, around topsoil stockpile areas, and at the base of all disturbed slopes. Refer to Silt Fence Detail for specifications.

**Vegetation Protection**  
 Limit soil placement over existing trees and shrub roots to a maximum of 3 inches. Use soils with loamy textures and good structure. Construct sturdy fences, wood or steel barriers, or other protective devices surrounding valuable vegetation from construction equipment. Place barriers far enough from trees so that tall equipment such as backhoes and compactors do not contact tree branches.

Construction limits should be identified and clearly marked to exclude equipment. Obstructive and broken branches should be pruned properly. Existing vegetation should be preserved where attainable.

**Land Grading**  
 Finish land surfaces will be graded as indicated on the plans.

Areas to be filled shall be cleared, grubbed, and stripped of topsoil. Remove trees, vegetation, roots or other objectionable material. Fill material shall be free of brush, rubbish, rocks, logs, stumps, building debris, and other objectionable material. Frozen material shall not be placed in the fill nor shall the fill material be placed on a frozen foundation.

Cut slopes will be 3:1 or flatter for maintenance by mowing, and roughened for vegetative establishment.

Unless otherwise noted, temporary seed bare soil within 15 days of exposure unless construction will begin within 30 days. If construction is suspended, or sections completed, areas shall be seeded and mulched immediately.

Finish grading shall contain adequate gradients so as to prevent water from standing on the surface of lawns for more than 24 hours after the end of a rainfall.

Topsoil required for the establishment of vegetation will be stockpiled in amount necessary to complete finished grading of all exposed, non-sodded, areas.

Areas which are to be topsoiled shall be scarified to a minimum depth of three inches prior to placement of topsoil.

**Dust Control**  
 Construction operations shall be scheduled to minimize the amount of area disturbed at one time. Buffer areas of vegetation shall be left where possible. The site, including haul roads and access roads, can be sprinkled with water until the surface is wet. The following spray adhesives can be used on mineral soils:

Material	Water Dilution	Type of nozzle	Apply Gallons per acre
Acrylic Polymer	4:1	Coarse Spray	500
Latex Emulsion	12.5:1	Fine Spray	235
Resin in water	4:1	Fine Spray	300

**Temporary And Permanent Seeding**  
 Seeding preparation includes removal of debris and obstacles such as rocks and stumps, scarify soil if compacted. Adjust pH to 6.0 with lime, and fertilize with 600 lbs of 5-10-10 or equivalent per acre. All disturbed areas shall be temporarily seeded if construction does not resume in 15 days.

Apply permanent seeding consisting of:  
 Empire Birdfoot trefoil or common white clover 20 lbs per acre  
 Plus tall fescue 20 lbs per acre  
 Plus Ryegrass 20 lbs per acre

Apply temporary seeding consisting of Ryegrass (annual or perennial) at 30 lbs per acre.

The optimum time for permanent seeding is in the spring from March 21 through May 20, and in late summer and early fall from August 29 to October 15. Permanent seedings may be made any time of year if properly mulched and adequate moisture is provided. Broadcasting, drilling with cultipack type seeder or hydroseeding are acceptable.

**Topsoil/Mulching**  
 Where vegetation will be established, preserve and apply existing topsoil and friable fine textured subsoils that are stripped during excavation. Complete rough grading and final grading, allowing for depth of topsoil to be added. Scarify all compact, slow permeable, medium and fine textured subsoil areas. In soil areas that are steeper than 5 percent, scarify at approximately right angles to the slope. Remove refuse, woody plant parts, stones over 3 inches in diameter, and other litter.

Topsoil shall have a minimum of 2 percent, and a maximum of 6 percent by weight of fine textured stable organic material. Topsoil shall have not less than 20 percent fine textured material (passing the No. 200 sieve) and not more than 15 percent clay. Topsoil shall be relatively free of stones over 1 1/2 inches in diameter.

Topsoil shall be placed at a uniform depth of 2 inches for the steep slopes, and 4 inches for the lawn areas. Topsoil shall not be placed when it is partly frozen, muddy, nor on frozen slopes or over ice, snow, or standing water. Topsoil placed and graded on slopes steeper than 5 percent shall be promptly fertilized, seeded, mulched and stabilized by "tracking" with suitable equipment.

If soil is compacted or crusted, surface should be loosened to at least two inches by disking or other suitable methods. Straw mulch (small grain) is preferred applied at an application rate of 2 tons per acre, and anchored with wood fiber mulch (hydromulch) at 500-1500 lbs. per acre. The wood fiber mulch must be applied through a hydroseeder immediately after mulching.

**INSPECTION OF EROSION AND SEDIMENT CONTROL MEASURES**  
 The owner or qualified representative of the owner shall inspect the erosion and sediment control measures at least once every 7 calendar days and within 24 hours of the end of a rainfall that is 1/2 inch or greater. As a minimum these measures include the disturbed areas of the construction site, the areas used for storage of materials that are exposed to precipitation and that have not been finally stabilized, and other structural control measures, and the locations where vehicles enter and exit the site. Where portions of the construction area have been finally stabilized, inspection of such portions shall be conducted at least once every month until the entire site is finally stabilized.

The term "finally stabilized" means that all the soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 100% for the area has been established, or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed.

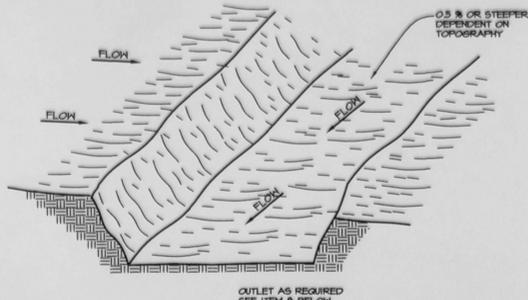
**MAINTENANCE REQUIREMENTS AND SCHEDULES**  
**EROSION AND SEDIMENT CONTROL MEASURES**  
 All erosion and sediment control measures shall be inspected for stability and operation following every runoff producing rainfall but in no case less than once every week. Any needed repairs shall be made immediately to maintain all measures as designed.

Sediment shall be removed from behind the silt fence when it becomes approximately 6 inches deep at the fence. Insure that no concentrated flows are directed towards the fence. Replace the silt fence when "bulges" develop in the fence.

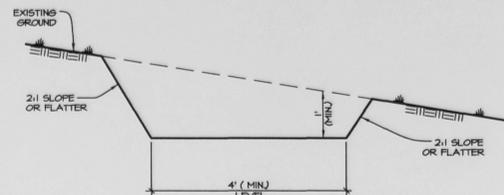
All seeded areas shall be fertilized, re-seeded as necessary, and mulched to maintain a vigorous, dense vegetative cover.

Sediment spilled, dropped, or washed onto existing macadam roadways must be removed immediately. All sediment shall be prevented from entering the storm drains. Additional aggregate shall be added to the stabilized construction entrances as required.

Maintain dust control measures through dry weather periods until all disturbed areas are stabilized.



PLAN VIEW



SECTION

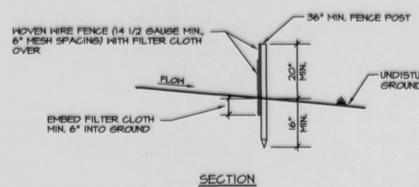
**TEMPORARY SWALE DETAIL**

NOT TO SCALE

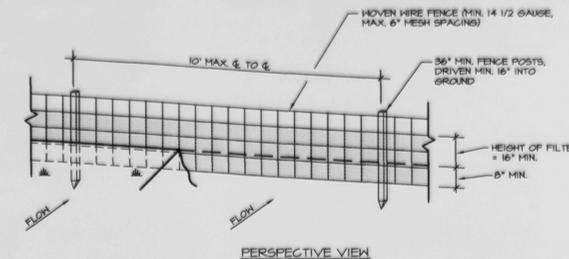
**CONSTRUCTION SPECIFICATIONS**

- ALL TEMPORARY SWALES SHALL HAVE UNINTERRUPTED POSITIVE GRADE TO AN OUTLET.
- DIVERTED RUNOFF FROM DISTURBED AREAS SHALL BE CONVEYED TO A STORM INLET SEDIMENT TRAP.
- DIVERTED RUNOFF FROM AN UNDISTURBED AREA SHALL OUTLET DIRECTLY INTO AN UNDISTURBED STABILIZED AREA AT NON-EROSIVE VELOCITY.
- ALL TREES, BRUSH, STUMPS, OBSTRUCTIONS, AND OTHER OBJECTABLE MATERIAL SHALL BE REMOVED AND DISPOSED OF SO AS NOT TO INTERFERE WITH THE PROPER FUNCTIONING OF THE SWALE.
- THE SWALE SHALL BE EXCAVATED OR SHAPED TO LINE, GRADE, AND CROSS SECTION AS REQUIRED TO MEET THE CRITERIA SPECIFIED HEREIN AND BE FREE OF BANK PROJECTIONS OR OTHER IRREGULARITIES WHICH WILL IMPEDE NORMAL FLOW.
- FILLS SHALL BE COMPACTED BY EARTH MOVING EQUIPMENT.
- ALL EARTH REMOVED AND NOT NEEDED ON CONSTRUCTION SHALL BE PLACED SO THAT IT WILL NOT INTERFERE WITH THE FUNCTIONING OF THE SWALE.
- STABILIZATION SHALL BE AS PER THE CHART BELOW:
 

TYPE OF TREATMENT	CHANNEL GRADE	SHALE A (5 AG. OR LESS)
A-1	0.5-3.0 %	SEED AND STRAW MULCH
A-2	3.1-5.0 %	SEED AND STRAW MULCH
A-3	5.1-8.0 %	SEED USING LIME OR EXCELSIOR, SOD
- PERIODIC INSPECTION AND REQUIRED MAINTENANCE MUST BE PROVIDED AFTER EACH RAIN EVENT.



SECTION



PERSPECTIVE VIEW

**SILT FENCE DETAIL**

NOT TO SCALE

**CONSTRUCTION SPECIFICATIONS**

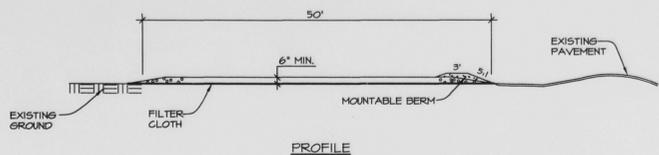
- HOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
- FILTER CLOTH TO BE FASTENED SECURELY TO HOVEN WIRE FENCE WITH TIES SPACED EVERY 24\"/>

**POSTS:**  
 STEEL EITHER 1\"/>

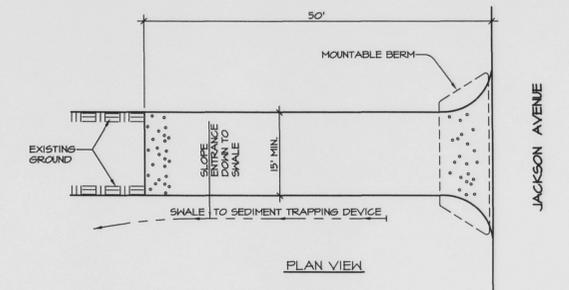
**FENCE:**  
 HOVEN WIRE, 14 1/2 GAUGE 6\"/>

**FILTER CLOTH:**  
 FILTER X HIRAFI LOCK, STABILINKA T140N OR APPROVED EQUAL

**PREFABRICATED UNIT:**  
 GEOTAB, ENVROFENCE, OR APPROVED EQUAL



PROFILE



PLAN VIEW

**STABILIZED CONSTRUCTION ENTRANCE DETAIL**

NOT TO SCALE

**CONSTRUCTION SPECIFICATIONS**

- STONE SIZE - USE 2\"/>
- LENGTH - FIFTY (50) FEET
- THICKNESS - SIX (6) INCHES.
- WIDTH - FIFTEEN (15) FEET, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
- FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
- SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE DIRECTED TO A SHALE DISCHARGING TO A SEDIMENT TRAPPING DEVICE. PROVIDE A MOUNTABLE BERM WITH 5:1 SLOPES.
- MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADWAY. ALL SEDIMENT SPILLED, DROPPED OR FLOWING ONTO ROADWAY MUST BE REMOVED IMMEDIATELY.
- WHEN VEHICLE WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

TOWN OF NEW HINDSOR PLANNING BOARD  
 STAMP OF APPROVAL  
 PLANNING BOARD PROJECT NUMBER 05-34  
 APPROVAL GRANTED BY TOWN OF NEW HINDSOR  
 Date: 05-23-07  
 Chan: [Signature]

TOWN OF CORNWALL PLANNING BOARD  
 STAMP OF APPROVAL  
 PLANNING BOARD PROJECT NUMBER 05-07  
 PLANNING BOARD TOWN OF CORNWALL  
 Preliminary & Final Approval  
 Date: 05-23-07  
 Chan: [Signature]

DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 2 THROUGH 8 OF 8.

**Shaw Engineering**  
 Consulting Engineers  
 744 Broadway Newburgh, N.Y. 12550

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Drawn By: J.R.J.  
 Checked By: G.J.S.  
 Scale: 1"=40'  
 Date: 1-8-2007

**EROSION & SEDIMENT CONTROL DETAILS AND SPECIFICATIONS**

Project: **BLTYHE SUBDIVISION**  
 JACKSON AVENUE TOWN OF NEW HINDSOR, N.Y.

8 OF 8  
 Project No. 0612