



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

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

**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT: BIRKS REALTY/WEBB PROPERTIES
PROJECT NO.: 14-30
PROJECT LOCATION: SECTION 97, BLOCK 2, LOTS 11.2, 13.2, 32, 35 & 43
PROJECT REPRESENTATIVE: A. DIACHISHIN & ASSOCIATES
REVIEW DATE: 1 DECEMBER 2014
MEETING DATE: 4 DECEMBER 2014

1. Subdivision requires referral to the Zoning Board of Appeals for front yard setback lot 6 and both front yard setbacks on lot 7.
2. Show rear yard building setback for lot 5 and 6 measurement from the right of way line, not center line of the right of way.
3. Access and utility easements, as well as cross access agreements, should be submitted to Mike Donnelly's office for review.
4. A note is recommended on the maps which references Section 185-21 Buffer Strips and Screening D(2) for IB Zoned lots which abut the R2 Zones.
5. Any drainage or utility easements not within the private road right of way should be depicted on the plan.
6. County Planning Board referral is required as project is located along state highway.

Respectfully submitted,

**McGoey, Hauser & Edsall
Consulting Engineers, D.P.C.**

Patrick J. Hines
Principal

ADA

A. DIACHISHIN AND ASSOCIATES, P.C.

Consulting Engineers and Land Surveyors
115 Yankee Folly Road New Paltz, N.Y. 12561
(845) 419-2305 ph.
(845) 419-2306 fax
e-mail: adapc@bestweb.net



November 21, 2014

Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, N.Y. 12550
attn: John Ewasutyn, Planning Board Chairman

Re: Subdivision of lands of Birks Realty, Inc. and Webb Properties, Inc., Town of
Newburgh Planning Board **Project Number 2014-30.**

Dear Mr. Ewasutyn:

Hand delivered this date herewith are the following items for the above captioned project.

1. Twelve (12) total of the subdivision plat with the short form EAF.
A separate submittal of plans has been mailed to Ken Wersted at Creighton Manning Engineering, Michael Donnelly, McGoey, Hauser, and Edsall attention to Patrick Hines, P.E.
2. 12 copies of a narrative explaining the project.
3. Four (4) of the maps have the application form attached.
4. Two checks for application fees in the amount of \$2,862.50 each for a total of \$5,725.00.

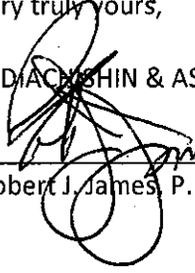
Calculation of fees for revised subdivision now 7 lots:
(Chase, 2 lots for Birks, 2 lots gm service, new dealership lot, former HSBC bank lot)

\$1,000 + \$225 / Lot x 7 lots	= \$2,575	subdivision fee
	\$150 +	publication and transcription costs for public hearing
\$1,000 up to 5 lots + 2 x \$500	= \$2,000	for escrow fee
\$1,000	=	<u>\$1,000</u> EAF fee
Total fees for subdivision	=	\$5,725

If you have any questions, please call.

Very truly yours,

A. DIACHSHIN & ASSOCIATES, P.C.



Robert J. James, P.E., L.S.

cc: Creighton Manning Engineering, LLP
2 Winners Circle
Albany, N.Y. 12205
attn: Kenneth W. Wersted, P.E.

McGoey, Hauser, and Edsall
Consulting Engineers
33 Airport Center Drive
Suite 202
New Windsor, N.Y. 12553
Patrick Hines, P.E.

Michael Donnelly, Esquire
P.O. Box 610
Goshen, N.Y. 10924

napsubmit11-20-14 subd

ADA

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Consulting Engineers and Land Surveyors
115 Yankee Folly Road New Paltz, N.Y. 12561
(845) 419-2305 ph.
(845) 419-2306 fax
e-mail: adapc@bestweb.net

November 21, 2014

Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, N.Y. 12550
John Ewasutyn, Planning Board Chairman

Re: Subdivision of lands of Birks Realty, Inc. and Webb Properties, Inc., Town of
Newburgh Planning Board **Project Number 2014-30.**

NARRATIVE

The project number 2014-10 has been revised to include two additional tax lots: 97-2-11.2, and 32. All are owned by Webb Properties, Inc. except for 97-2-11.2 which is owned by Birks Realty, Inc.

This subdivision project now involves five existing tax lots:

97-2-11.2 (8.3 acres existing - Birks Realty, Inc.)

97-2-13.22 (15.29 acres existing)

97-2-32 (1.3 acres existing)

97-2-35 (4.67 acres existing)

97-2-43 (1.74 acres existing)

These tax lots are to be subdivided or revised into a total of 7 lots (2 new lots).

Lot 1 5.117 acres 97-2-35 (new dealership lot)

Lot 2 1.342 acres 97-2-43 (former bank)

Lot 3 4.585 acres is part of tax lot 97-2-13.22 to center of Auto Park Place

Lot 4 10.382 acres is part of tax lot 97-2-13.22 to center of Auto Park Place (GM service center)

Lot 5 4.257 acres is part of tax lot 97-2-11.2 and part of tax lot 97-2-13.22 (existing office building)

Lot 6 4.262 acres is part of tax lot 97-2-11.2 (former Park Motors now Hudson Valley Chrysler)

Lot 7 1.545 acres 97-2-32 (Chase Bank)

These lots are created / revised to achieve the following result:

a. Placing lot lines at the center of Auto Park Place which is an existing private roadway within a 50' wide right of way. Lot 7 (Chase Bank) will run to the center of Auto Park Place.

b. Dividing tax lot 97-2-11.2 between the two existing buildings. These buildings currently are used as a auto dealership, and as an office space. These proposed lots are number 5 and 6.

c. Dividing off the GM service center building onto Lot 4 as this tax lot 97-2-13.22 currently crosses Auto Park Place and adjoins Route 17K.

d. Leaving a vacant Lot 3 adjoining Lot 4 between Auto Park Place and Route 17K.

e. Lot 1 will be used for the new dealership building.

f. Lot 2 the former bank parcel will have its lot lines revised.

The location of Auto Park Place remains unchanged. The existing buildings on Lot 6 (Hudson Valley Chrysler) and Lot 7 (Chase Bank) have the same setback dimensions to the right of way lines of Auto Park Place as they now exist (see plan).

The existing buildings on Lots 2, 4, 5, 6, and 7 are all connected to the existing utilities in Auto Park Place which include water, sewer, gas, electric, drainage, cable, tel. All of these lots also have existing curb cuts along Auto Park Place.

Lot 3 is vacant and has access to all of these utilities. Lot 3 also has approximately 560' of frontage on Auto Park Place for a proposed curb cut.

Lot 1 will undergo construction for the new Chevrolet-Cadillac Dealership.

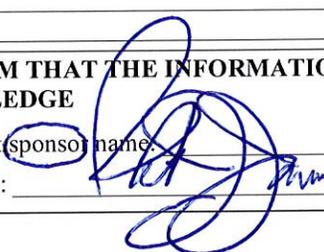
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Subdivision and Lot Line Revision for Webb Properties, Inc, and Birks Realty, Inc.			
Project Location (describe, and attach a location map): Unity Place, Auto Park Place, and Route 17k			
Brief Description of Proposed Action: Subdivision and lot line revision of 5 existing tax parcels (97-2-11.2, 13.22, 32, 35, and 43) for a total of 7 tax lots (2 new lots will be created). All lots have access onto Auto Park Place and Unity Place, and a new access road is proposed from Route 17k for additional access to Lots 1 and 3. All lots have access to existing utilities in Auto Park Place and Unity Place namely: water, sewer, drainage, gas, electric, telephone, cable. 5 of the lots will have existing buildings and improvements thereon. Lot 3 is to remain vacant at this time. Lot 1 (5.1 acres) is proposed to have a new vehicle dealership built thereon.			
Name of Applicant or Sponsor: (applicant) Webb Properties, Inc., (sponsor) A. Diachishin & Associates, P.C.		Telephone: (845) 561-7600	
		E-Mail: rbarton@bartonbirks.com	
Address: 800 Auto Park Place			
City/PO: Newburgh		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh Planning Board			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 31 acres	
b. Total acreage to be physically disturbed?		_____ 5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 36 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant (sponsor) name: _____ (sponsor) A. Diachishin and Associates	Date: 11/14/14	
Signature:  _____ project engineer and surveyor		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

**TOWN OF NEWBURGH
APPLICATION FOR
SUBDIVISION/SITE PLAN REVIEW**

**RETURN TO: Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, New York 12550**

DATE RECEIVED: _____ TOWN FILE NO: _____
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):
Webb Properties Inc AND Birks Realty Inc Subdivision
and lot line changes
2. Owner of Lands to be reviewed:
Name ~~Webb~~ Webb Properties Inc AND Birks Realty Inc
Address 800 Auto Park Place
Newburgh NY 12550
Phone 845-561-7606
3. Applicant Information (If different than owner):
Name _____
Address _____
Representative Robert James RONALD K. BARTON
Phone (845) 561-7600
Fax _____
Email RBARTON@BARTONBIRKS.COM
4. Subdivision/Site Plan prepared by:
Name A. DIACHISHIN AND ASSOCIATES, P.C.
Address 115 YANKEE FOLLY ROAD
NEW PALM N.Y. 12561
ADAPC@BESTWEB.NET
Phone/Fax (845) 419-2305, (845) 419-2306
5. Location of lands to be reviewed:
ROUTE 17 K AND AUTO PARK PLACE
6. Zone IB Fire District GOODWILL
Acreage 31 ACRES AFFECTED School District NEWBURGH
7. Tax Map: Section 97 Block 2 Lot 5 11.2, 13.22, 32,
5 TAX LOTS AFFECTED 35, 43

8. Project Description and Purpose of Review:

Number of existing lots 5 Number of proposed lots 7 TOTAL
Lot line change 2 LOT LINE CHANGES TO TAX LOTS 97-2-32 & 43
Site plan review FOR LOT 4 NEW DEALERSHIP
Clearing and grading LOT 4
Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) AUTO PARK PLACE ROADWAY

10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Signature [Handwritten Signature] Title Pres Webb Properties
Robb V-Pres Birks Realty
Date: 11/14/14

NOTE: If property abuts and has its access to a County or State Highway or road, the following information must be placed on the subdivision map or site plan: entrance location, entrance profile, sizing of pipe (minimum length of pipe to be 24 feet).

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

TOWN OF NEWBURGH PLANNING BOARD

BIRKS REALTY, INC.
SUBDIVISION OF LANDS OF WEBB PROPERTIES, INC.
PROJECT NAME

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

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

1. Environmental Assessment Form As Required
2. Proxy Statement
3. Application Fees
4. Completed Checklist (Automatic rejection of application without checklist)

II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.

1. Name and address of applicant
2. Name and address of owner (if different from applicant)
3. Subdivision or Site Plan and Location
4. Tax Map Data (Section-Block-Lot)
5. Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
6. Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot
7. Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. Date of plan preparation and/or plan revisions
9. Scale the plan is drawn to (Max 1" = 100')
10. North Arrow pointing generally up

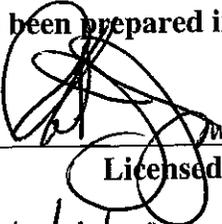
11. ___ Surveyor,s Certification
12. Surveyor's seal and signature
13. Name of adjoining owners
14. NA Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
15. NA Flood plain boundaries
16. NA Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
17. Metes and bounds of all lots
18. 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
19. Show existing or proposed easements (note restrictions)
20. Right-of-way width and Rights of Access and Utility Placement
21. NA Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
22. Lot area (in sq. ft. for each lot less than 2 acres)
23. Number of lots including residual lot
24. NA Show any existing waterways
25. NA A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
26. Applicable note pertaining to owners review and concurrence with plat together with owner's signature
27. 1 & 2 ^{SEE NOTES} Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. - Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29. - Show topographical data with 2 or 5 ft. contours on initial submission

30. Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. NA If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed
32. NA Number of acres to be cleared or timber harvested
33. NA Estimated or known cubic yards of material to be excavated and removed from the site
34. NA Estimated or known cubic yards of fill required
35. NA The amount of grading expected or known to be required to bring the site to readiness
36. NA Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.

37. NA Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.

38. TBD List of property owners within 500 feet of all parcels to be developed (see attached statement). TO BE DETERMINED

The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

By:  ROBERT J. JAMES, P.E.
 Licensed Professional

Date: 11/4/14

This list is designed to be a guide ONLY. The Town of Newburgh Planning Board may require additional notes or revisions prior to granting approval.

Prepared (insert date): 11/4/14

STATEMENT TO APPLICANTS

RE: TOWN OF NEWBURGH CLEARING AND GRADING LAW

The Town of Newburgh Clearing and Grading Control Law requires a separate permit for most site preparation activities, including clearing, grading, tree cutting, excavating and filling. Site preparation activities performed following site plan or subdivision approval by the Planning Board may be exempt from the permit application, public hearing, fee and bonding requirements of the law provided the subdivision or site plan application has been reviewed for conformance with the clearing and grading law and the approval conditioned on compliance with the standards set forth in the law. Completion of the attached form will enable the Planning Board to review your application for conformance with the law's requirements. In the event it is not completed you may be required to apply for a separated permit for your site preparation activities. A sediment and erosion control plan and a plan showing the areas to be cleared, filled, graded or subjected to tree cutting, the types of vegetation affected and the proposed disposition of the destroyed vegetation must accompany the form. A SEQRA long form or full EAF should be utilized to discuss any environmental impacts and must accompany the application.

TOWN OF NEWBURGH
APPLICATION FOR CLEARING AND GRADING

Name of applicant: WEBB PROPERTIES, INC.

Name of owner on premises: RONALD K. BARTON

Address of owner: 300 AUTO PARK PLACE NEWBURGH, N.Y. 12550

Telephone number of owner: (845) 561-7600

Telephone number of applicant: SAME

State whether applicant is owner, lessee, agent, architect, engineer or contractor:

OWNER

Location of land on which proposed work will be done: TAX MAP 97-2-35 & 43
ROUTE 17K AT UNITY PLACE & AUTO PARK PLACE

Section: 97 Block: 2 Lot: 35 & 43 Sub. Div.: LOTS 1+2

Zoning District of Property: IB Size of Lot: _____

Area of lot to be cleared or graded: 5 ACRES ±

Proposed completion of date: JUNE 2015

Name of contractor/agent, if different than owner: _____

Address: _____

Telephone number: _____

Date of Planning Board Approval: _____ (if required)

I hereby agree to hold the Town of Newburgh harmless from any claims arising from the proposed activity.

Signature of owner: [Signature] Date: 11/14/14

Signature of applicant (if different than owner): _____

TOWN ACTION:

Examined: _____ 20 _____

Approved: _____ 20 _____

Disapproved: _____ 20 _____

FEE LAW SUMMARY

PENDING APPLICATIONS

All applicants with matters pending before the Planning Board as of the effective date of this local law shall be required to post as escrow in the manner and upon the terms and conditions set forth below:

- (a) The Planning Board, in consultation with the applicant, shall compute the amount of the escrow to be posted with the Town. Such amount shall be reasonably related to the costs attendant to the Town's review of the application as of the effective date of this local law. Under no circumstances shall the escrow include amounts attributable to any costs incurred by the Town prior to the effective date of this local law.
- (b) Once computed and established by Resolution of the Planning Board, the applicant shall, within fifteen (15) days of said resolution, post escrow fees with the Secretary of the Planning Board. Failure to deliver the said escrow fees may result in delay of the further processing of the application.

SEVERABILITY

In the event a court of law determined that any provision of this chapter is unenforceable, then only that provision shall be affected and all other provisions shall be fully enforceable.

EFFECTIVE DATE:

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

FEE ACKNOWLEDGEMENT

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

Ronald K Barton
APPLICANT'S NAME (printed)

Ronald K Barton v Onea Birkis Realty Inc.
Ronald K Barton v Onea Webb Properties
APPLICANTS SIGNATURE

11/14/14
DATE

Note: if the property abuts and has access to a County or State Highway or road, the following information must be place on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

PROXY

(OWNER) RONALD K. BARTON, DEPOSES AND SAYS THAT HE/SHE
RESIDES AT 22 OLD MILL ROAD WALKILL N.Y. 12589
IN THE COUNTY OF ORANGE
AND STATE OF NEW YORK
AND THAT HE SHE IS THE OWNER IN FEE OF S-B-L: 97-2-
11.2, 13, 22, 32, 35, AND 43
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND ROBERT JAMES IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 11/14/14

Ronald K. Barton
Robert J. James
OWNERS SIGNATURE

NAMES OF ADDITIONAL
REPRESENTATIVES

RONALD K. BARTON
OWNERS NAME (printed)

[Signature]
WITNESS' SIGNATURE

ROBERT J. JAMES
WITNESS' NAME (printed)

PLANNING BOARD DISCLAIMER STATEMENT
TO APPLICANTS

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

11/14/14
DATED

Sharon A. H. Over *webb Properties*
Sharon A. H. Over *Burks Realty*
APPLICANT'S NAME (printed)

Sharon A. H. Over
APPLICANT'S SIGNATURE

**DISCLOSURE ADDENDUM STATEMENT TO APPLICATION,
PETITION AND REQUEST**

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

 NONE

 NAME, ADDRESS, RELATIONSHIP OR INTEREST
(financial or otherwise)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

 TOWN BOARD
 PLANNING BOARD
 ZONING BOARD OF APPEALS
 ZONING ENFORCEMENT OFFICER
 BUILDING INSPECTOR
 OTHER

11/14/14
DATED

 INDIVIDUAL APPLICANT
Birks Realty Inc
Webb Properties Inc
 CORPORATE OR PARTNERSHIP APPLICANT

BY: *[Signature]*
(Pres.) (Partner) (Vice-Pres.)
(Sec.) (Treas.)

ZONING DISTRICT: IB (INTERCHANGE BUSINESS)

	IB	LOT 1 (97-2-35)		LOT 2 (97-2-43)		LOTS 5 AND 6 (97-2-11, 2)		LOT 7 (97-2-32)		LOTS 3 AND 4 (97-2-13, 22)		LOT 3	LOT 4
		EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	PROPOSED	PROPOSED
MINIMUM LOT AREA WITH OR WITHOUT PUBLIC WATER OR SEWER (SQUARE FEET)	40,000 s.f.	4,667 ac. 203,294 s.f.	5,117 ac. 222,901 s.f.	1,746 ac. 76,058 s.f.	1,342 ac. 58,438 s.f.	8.3 acres 361,548 s.f.	Lot 6 4,262 ac. 185,854 s.f. Lot 5 4,257 ac. 185,414 s.f.	1,301 ac. 56,864 s.f.	1,545 ac. 67,296 s.f.	15.29 ac. 665,978 s.f.	4,585 ac. 199,722 s.f.	10,382 ac.	452,238 s.f.
MINIMUM YARDS													
FRONT YARD (FEET)	50	-	78.6' / 50'	58' to overhang	58' to overhang	Lot 6 46.9' Lot 5 110'	Lot 6 46.9' Lot 5 110'	46' / 31.9'	46' / 31.9'	124' to row*	-	124' to row*	
REAR YARD (FEET)	50	-	270'	124'	118'	Lot 6 507' Lot 5 343'	Lot 6 507' Lot 5 343'	210***	210***	404'	-	404'	
SIDE YARD (FEET)	30/80	-	50.6' only one side	112' only one side	56.9' only one side	Lot 6 56.7** Lot 5 154**	Lot 6 56.7** Lot 5 154**	79**	79**	61' / 241'	-	61' / 241'	
MINIMUM LOT WIDTH	150'	277'	324' (17K)	246' (17K)	191' (17K)	Lot 6 266*** Lot 5 -	Lot 6 266*** Lot 5 192'	187***	187***	255***	255***	556' along auto park place	
MINIMUM LOT DEPTH	150'	584'	584'	305'	298'	Lot 6 785*** Lot 5 -	Lot 6 390*** Lot 5 213' min.	349***	349***	1239'	511'	728'	
MAXIMUM BUILDING COVERAGE (PERCENT)	40%	-	17.1%	8.6% with overhang	11.1% with overhang	overall 6.1%	Lot 6 7.6% Lot 5 4.3%	7.9%	6.6%	6.8%	0%	10%	
MAXIMUM LOT SURFACE COVERAGE (PERCENT)	80%	8.1%	79.9% see site plan new building	73%	73%	overall 57.7%	Lot 6 69% Lot 5 46.6%	47.8%	54.5%	37%	9.9% with proposed access road	49.4%	
MAXIMUM HEIGHT (FEET)	2.5	35	2	20±	20±	overall 30±	Lot 6 20± Lot 5 30±	15±	15±	20±	-	20±	

Notes:
 1. * Denotes measurements from Auto Park Place Right of Way from buildings and overhangs. Although property lines change, the 50' wide right of way location, and setbacks remain unchanged.
 2. ** Denotes lots have 2 frontages (17K and Auto Park Place). Therefore there is only one side yard.
 3. *** Denotes lot widths and depths using Route 17K as the front lot widths.

OWNERS ENDORSEMENT
 I, hereby approve this plan and consent to filing said plan in the Orange County Clerks Office.
 Signed this _____ day of _____, 2014

PLANNING BOARD ENDORSEMENT
 Approved by resolution of the Planning Board of the Town of Newburgh, subject to all requirements and conditions of said resolution. Any change, erratum, modification or revision of this plan as approved shall void this approval.
 Signed this _____ day of _____, 2014
 _____ Chairman

TABLE OF ACRESAGE'S

OWNER	CURRENT OCCUPANCY	TAX LOT #	EXISTING ACRES	PROPOSED ACRES	TYPE OF ACTION
BIRKS REALTY, INC.	AUTO DEALER	97-2-11, 2	6.5 ACRES	4.262 ACRES	SUBDIVISION LOT 6
	OFFICE BUILDING	97-2-32	1.301 ACRES	4.257 ACRES	SUBDIVISION LOT 5
WEBB PROPERTIES, INC.	CHASE BANK	97-2-13, 22 PART	15.29 ACRES	4.585 ACRES	SUBDIVISION LOT 3
	GM SERVICE CENTER	97-2-13, 22 PART	15.29 ACRES	10.382 ACRES	SUBDIVISION LOT 4
WEBB PROPERTIES, INC.	FORMER BANK	97-2-43	1.746 ACRES	1.342 ACRES	REVISED LOT LINE LOT 2
	VACANT	97-2-35	4.667 ACRES	5.117 ACRES	SUBDIVISION LOT 1

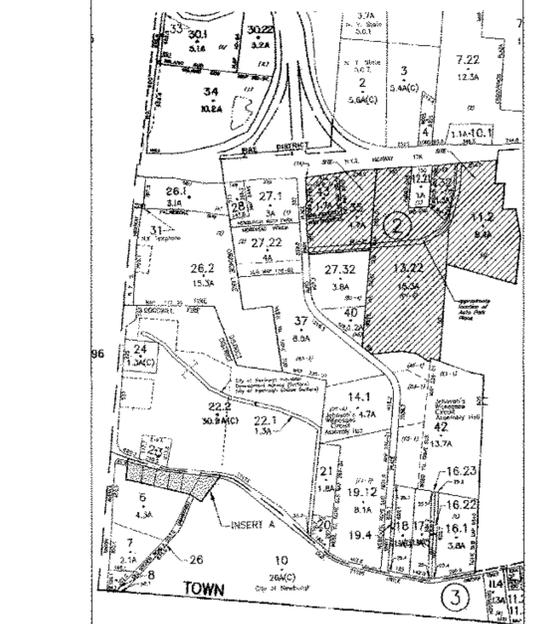
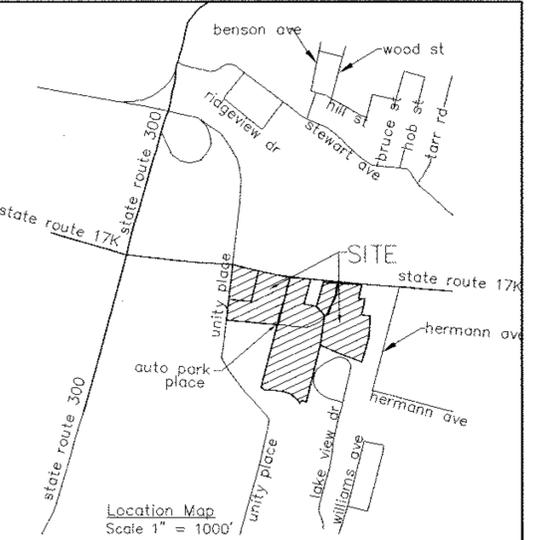
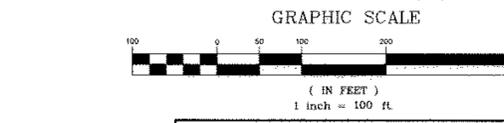
- Previous Subdivision Reference:**
- Subdivision of Webb Properties, inc. Filed in the Orange county Clerks Office as filed map #8448 on August 20, 1987. Former tax lots # 11, 12, 22 and 13.
 - Subdivision of Webb Properties, inc. Filed in the Orange county Clerks Office as filed map #9449. Subdivision lots 1, 2, and 3.
 - Subdivision plan Newburgh Auto Park. Filed in the Orange County Clerks Office as filed map #10440 on December 30, 1991. Subdivision lots 1, 2, and 3.
 - Subdivision and lot line change for Webb, YU, Tighe, Filed in the Orange County Clerks Office as filed map #236-01 on November 7, 2001. Tax lots 11.2, 13.2, and 32.
 - Lot Line Change for Webb Properties, Inc. Filed in the Orange County Clerks Office as filed as map number 288-04 on April 26, 2004.
- Subdivision Notes:**
- These lots in the subdivision have deeded or leased rights for ingress/egress to Route 17K and to water, sewer, gas, and electrical utilities.
 - Drainage, sewerage, water mains, electric and gas services in the road known as Auto Park Place are existing.
 - Auto Park Place is paved and curbed, and is within a 50' wide right of way.
 - All lots are served by municipal water and sewer.

CURVE TABLE

CURVE	LENGTH (Ft.)	RADIUS
C1	71.32	520.00
C2	76.22	325.00
C3	80.17	155.00
C4	155.01	525.00
C5	126.21	325.00
C6	39.32	25.00
C7	106.79	275.00
C8	140.25	475.00
C9	54.31	105.00
C10	64.49	275.00
C11	64.47	470.00

LINE TABLE

LINE	Bearing	Length (Ft.)
L1	N. 88°01'19" W	50.00'
L2	N. 02°50'57" E	6.74'
L3	N. 10°42'23" E	102.89'
L4	N. 24°08'34" E	184.00'
L5	S. 87°03'17" E	747.16'
L6	N. 03°03'23" E	75.05'
L7	N. 83°45'20" W	51.09'
L8	S. 88°41'40" W	113.02'
L9	N. 02°56'43" E	178.29'
L10	N. 28°45'32" E	22.96'
L11	N. 02°56'43" E	177.04'
L12	N. 87°03'17" W	722.02'
L13	S. 24°08'34" W	184.00'
L14	S. 10°42'23" W	102.89'
L15	S. 02°50'57" W	6.74'
L16	S. 02°56'43" W	106.79'
L17	S. 88°42'24" W	4.01'



Tax Map: Section 97
 Scale: 1"=600'±

Subdivision Plat
 of Lands of
Birks Realty, Inc. & Webb Properties, Inc.

Tax Map: Section 97, Block 2, Lot 11.2
 Liber 1740, Page 398

Tax Map: Section 97, Block 2, Lot 13.22
 Liber 2281, Page 836

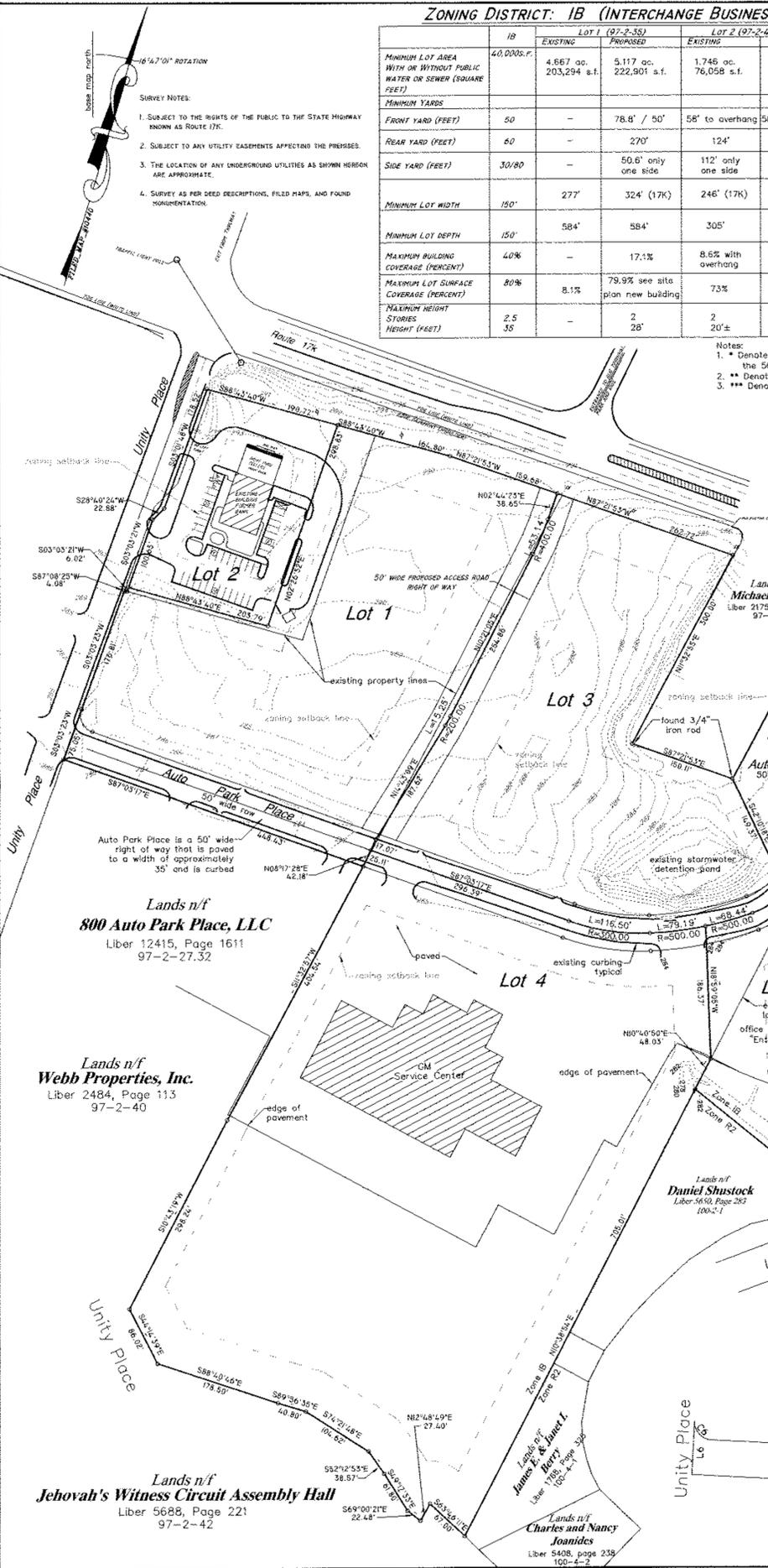
Tax Map: Section 97, Block 2, Lot 32
 Liber 3594, Page 327

Tax Map: Section 97, Block 2, Lot 35
 Liber 2484, Page 113

Tax Map: Section 97, Block 2, Lot 43
 f.m. 288-04

Town of Newburgh Orange County New York State
 Scale: 1"=100'
 Date: November 1, 2014

A. DIACHISHIN AND ASSOCIATES, P.C.
 LAND SURVEYORS & CONSULTING ENGINEERS
 115 Yankee Folly Road New Falls, N.Y. 12561
 PHONE # (845) 419 - 2305 FAX # (845) 419 - 2306



Auto Park Place Right of Way Detail
 Scale: 1" = 100'

DATE	11/01/2014
PROJECT	14G1589, 14G1834
SCALE	1" = 100'
SHEET	1 of 1