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TOWN OF NEWBURGH
PLANNING BOARD
REVIEW COMMENTS

PROJECT: DEPEW ENERGY COMPANY AMENDED SITE PLAN
PROJECT NO.: 14-09
PROJECT LOCATION: SECTION 43, BLOCK 5, LOTS 41.2 & 42
PROJECT REPRESENTATIVE: ENGINEERING PROPERTIES
REVIEW DATE: 29 MAY 2014
MEETING DATE: 5 JUNE 2014

1. Existing structure on Lot 42 does not meet front yard setback requirements. Referral to the Zoning Board of Appeals for the building addition on that lot would be required.
2. Proposed service bay on Lot 42 appears to require vehicular traffic over reputed septic system location. This is not in compliance with regulations.
3. Existing sign on the site does not meet zoning requirements of 15 foot setback. In addition, all signage on both sites should be identified for zoning compliance. It is recommended a signage chart be added to future submissions.
4. Grading for proposed propane tanks should be depicted on plans.
5. Portions of Lot 41.2 are identified as being paved. It is unclear where limits of paving end to the northern portion of that site.
6. County Planning referral and NYSDOT referral are required.
7. Site currently contains outdoor storage. Any outdoor storage areas must be defined on the plans. Outdoor storage of tanks and other items must be shown. Compliance with Section 185-30, Outdoor Storage, should be documented.
8. Compliance with Section 107-9B&C should be demonstrated (flammable liquids). Jerry Canfield's office's comments regarding this should be received.
9. A water line is shown entering the site from the rear parcel serving both parcels. The easements for this shared water service should be identified.

REGIONAL OFFICES

• 111 Wheatfield Drive • Milford, Pennsylvania 18337 • 570-296-2765 •
• 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

10. Site development details should be provided on future submissions, including landscaping, grading, soil erosion sediment control, paving, striping, dumpster enclosures, etc.
11. The Planning Board should evaluate whether gravel/dirt parking areas are acceptable for the bulk storage operation as well as trucks.
12. Unified site plan notes and legal documents should be required joining the two parcels to the proposed uses. Any separation of the parcels would negate site plan approval for the uses as parking, water, access, etc. are interdependent.

Respectfully submitted,

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

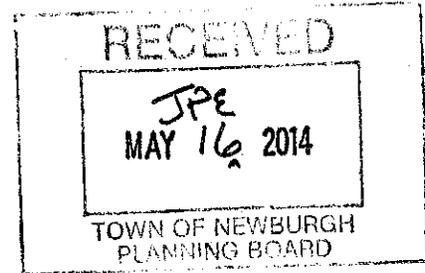
Patrick J. Hines
Associate

May 16, 2014

Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, NY 12550

ATTN: John Ewasutyn, Chairman

**RE: DEPEW ENERGY CO.
RTE 9W SITE PLAN AMENDMENT
TAX LOT # 43-5-41.2 & 42**



2014-09

Dear Mr. Ewasutyn:

Please find attached 12 copies of the sketch plan, 12 copies of the EAF and 4 copies of the application package. This application is being submitted on behalf of the Depew Energy Co. for site plan amendment to their existing site on NYS Route 9W.

The proposal is to add a 1,300 s.f. second story addition to their existing office building for storage, add an additional 30,000 gallon propane tank and to enlarge the service garage by adding a 960 s.f. addition.

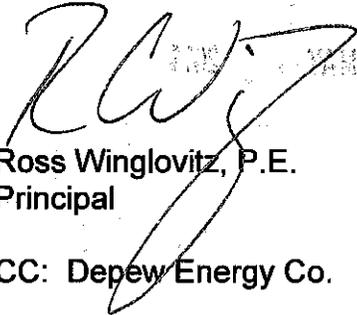
All uses appear to be permitted as follows:

- 1- Zoning District B Use D.1. "Retail Stores" - for the retail sale of propane on the property.
- 2- Zoning District B Use D.2. "Business Offices" - for the existing Depew Energy offices.
- 3- Zoning District B Use D.5. "Motor Vehicle Service Stations..." - for the service garage on the north side off the site
- 4- Zoning District B Accessory Use A.4. "Off-Street parking as required by principal use"
- 5- Zoning District B Accessory Use A.8. "Off-Street parking for commercial vehicles in accordance with 185-13"
- 6- Zoning District B Accessory Use A.8. "Fuel tanks in accordance with 185-39" (note a variance maybe required as tanks are above grade)

It is the desire of the applicant to maintain the property as two separate parcels as the motor vehicle service garage would be the principal use of the tax lot 43-5-42 and the business office would be the principal use of tax lot 43-5-41.2.

If you have any additional questions and/or comments please don't hesitate to contact this office.

Sincerely,
Engineering & Surveying Properties, PC



Ross Winglovitz, P.E.
Principal

CC: Depew Energy Co.

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: Depew Energy Co.			
Project Location (describe, and attach a location map): 5182 & 5184 Route 9W; Newburgh, NY 12550			
Brief Description of Proposed Action: 1) Addition to existing service building 2) Additional propane bulk storage tank 3) Second story addition to office for storage			
Name of Applicant or Sponsor: 5182 Route 9W, LLC		Telephone: 845-568-0072	
		E-Mail:	
Address: 5182 Route 9W			
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:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.04 acres	
b. Total acreage to be physically disturbed?		< 0.50 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.04 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input 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: _____		Date: _____
Signature: _____		

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: 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

