

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)
MATTHEW J. SICKLER, P.E. (NY & PA)
PATRICK J. HINES
LYLE R. SHUTE, P.E. (NY, NJ, PA)

Main Office 33 Airport Center Drive Suite 202 New Windsor, New York 12553

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

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Principal Emeritus: RICHARD D. McGOEY, P.E. (NY & PA) WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

# TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT:

**DOMINOS PIZZA** 

**PROJECT NO.:** 

17-25

PROJECT LOCATION:

SECTION 77, BLOCK 2, LOT 2.1

**REVIEW DATE:** 

**12 OCTOBER 2017** 

**MEETING DATE:** 

**19 OCTOBER 2017** 

PROJECT REPRESENTATIVE: TALCOTT ENGINEERING

- 1. Project proposes to convert a former bank located in the shopping center at North Plank Road and Chestnut Lane into a Domino's Pizza facility. The 1700 +/- sq. ft. free standing building is located in close proximity to North Plank Road.
- 2. The project will require variances for preexisting non-conformities on the site. Project contains 3 front yards which require variances. Front yard in the B zone on a State Road is 60 ft. required where 27.6 is provided. Additional structures on the site also have other front yard encroachments larger than the one identified.
- 3. Lot surface coverage should be calculated for the site as well. It appears the site is paved property line to property line in most locations.
- Should the project successfully receive variances for the preexisting conditions the following comments must be addressed.
  - a. 14 parking spaces are depicted encroaching on the NYS highway right-of-way. A license agreement or other approval from DOT is required for these.
  - b. Landscaping plans for the site should be provided.

- c. Location of dumpster enclosure should be evaluated with regard to visibility from the State Highway. Dumpster enclosure may be able to be incorporated to the north side of the proposed Domino's Pizza to eliminate it from being in the parking lot area near front entrance.
- d. Architectural review and signage for the facility should be evaluated.
- e. NYS DOT and County Planning referrals are required.

Further review will be undertaken upon receipt of detailed plans for the site development.

Respectfully submitted,

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

Patrick J. Hines Principal

# TOWN OF NEWBURGH APPLICATION FOR SUBDIVISION/SITE PLAN REVIEW

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



DA	ATE RECEIVED	: TOWN FILE NO:
	(Ap	plication fee returnable with this application)
1.		ision/Site Plan (Project name): ら井 33川
2.	Owner of Land Name Address Phone	s to be reviewed: The Livanos Group LLC P.O. Box 501 Maspeth, NY 11378
3.	Applicant Infor Name Address	mation (If different than owner):  Louis O'Nell 3311 Newburgh pizza CC.  21600 Saggiawer Rd.  Sedalu, mo 65301
	Representati Phone Fax Email	Ne CHARLES T. OROWN, PS, THOOTT ENGINEERING (845) 569-8400 (845) 569-4583 TACCOUT DESIGNIZE GMAN. COM
4.	Name Address	Plan prepared by: Charles T Brown, Talcott Engineering Design PLLC I Gardnertown Rd Newburgh, NY 12550 845-569-8400/845-569-4583
5.	Location of lan	ds to be reviewed: th Plank Road
6.	Zone S Acreage 5.50	Fire District Cronomer School District Newburgh
7.	Tax Map: Sect	ion <u>77</u> Block <u>27</u> Lot <u>2.</u>

8.	Project Description and Pu			
	Number of existing lots		Number	of proposed lots 🕜
		WIA		
	Site plan review			
	Clearing and grading	WIA		
	Other	NIA		
TH 9.	Easements or other restrict (Describe generally)  The undersigned hereby reidentified application and Signature  Date:	tions on pr	operty: oroval by the	Planning Board of the above

<u>NOTE:</u> 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).

### TOWN OF NEWBURGH PLANNING BOARD

## Domino's#3311 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. Y Proxy Statement
3 Application Fees
4. \(\sum_\) 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.
Name and address of applicant
2 Name and address of owner (if different from applicant)
Subdivision or Site Plan and Location
1 Tax Map Data (Section-Block-Lot)
Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
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
Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
B. V Date of plan preparation and/or plan revisions
9. $\sqrt{}$ Scale the plan is drawn to (Max 1" = 100')
10. V North Arrow pointing generally up

-	
	11 Surveyor,s Certification
	12. — Surveyor's seal and signature
	13. Name of adjoining owners
	14. Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
	15. w/h Flood plain boundaries
	16. — 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 Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
<b>\</b>	22 Lot area (in sq. ft. for each lot less than 2 acres)
	23 Number of lots including residual lot
	24. — Show any existing waterways
	A note stating a road maintenance agreement is to be filed in the County  Clerk's Office where applicable
	Applicable note pertaining to owners review and concurrence with plat together with owner's signature
	27. 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 predate and previous lot number	vious subdivision, i.e. filed map number,
	pproval of name is required, and notes on ill be provided and a street sign (per town talled
32. Number of acres to be cleared	or timber harvested
33. Ma Estimated or known cubic yard from the site	ds of material to be excavated and removed
34. <u>M</u> Estimated or known cubic yard	ds of fill required
35. <u>N/A</u> The amount of grading expecte to readiness	ed or known to be required to bring the site
	ration which falls within the 100 ft. buffer Critical Environmental Area. Please explain
37. <u>W/A</u> Any amount of site preparation course on the site. Please explain	within a 100 year floodplain or any water in sq. ft. or cubic yards.
The plan for the proposed subdivision o	or site has been prepared in accordance with
	By:
	Licensed Professional
	Date:

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 8/11/05 STATEMENT TO APPLICANTS

### **PROXY**

(OWNER) Theodore C. Livans, DEPOSES AND SAYS THAT HE/SHE
RESIDES AT 35-33 29 St. Astoria My. 11126
IN THE COUNTY OF
AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF <u>88 NORTH PLANK</u> POR
NEWBIRGH, 5/8/4 79-2-2.1
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND CHARLES T. BROWN, PE IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.
DATED: 9/8/17  LEGICATURE OWNERS SIGNATURE
Theodore C. Livanes  OWNERS NAME (printed)
WITNESS' SIGNATURE
NAMES OF ADDITIONAL
REPRESENTATIVES  WITNESS' NAME (printed)

#### 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.

APPLICANT'S NAME (printed)

APPLICANTS SIGNATURE

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).

## 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.

S 31/17
DATED

APPLICANT'S NAME (printed)

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 INDIVIDUAL APPLICANT CORPORATE OR PARTNERSHIP APPLICANT BY: Partner (Vice-Pres.)

(Sec.) (Treas.)

# Talcott Engineering DESIGN, PLLC

1 GARDNERTOWN ROAD ~ NEWBURGH, NY 12550 (845) 569-8400\* ~ (fax) (845) 569-4583

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

Attn: John Ewasutyn, Chairman

Re: Project Narrative
Amended Site Plan for Domino's
88 North Plank Road
Town Project No. 2017-25
S-B-L: 77-2-2.1
Job No. 17240-DOS



#### DOMINO'S AMENDED SITE PLAN PROJECT NARRATIVE

The subject parcel is a 5.5 acre lot, owned by The Livanos Group LLC, located at 88 North Plan Road. The property is located in the B (Business) Zone, and contains an existing shopping center with Shoprite as the anchor tenant, which is serviced by Town water and sewer.

The applicant, Lou O'Neil, proposes to convert an existing 1,700 sf out building from a bank to a Domino's Pizza, which is a permitted accessory use in the B Zone. No changes to any building footprints are proposed.

As this proposal is a change of use, this project will require area variances from the ZBA (setbacks).

Attached please find 12 sets of prints, applications, and EAF Short Forms along with the applicants' checks for escrow (\$ 3,400.00), application fees (\$ 2,000.00), and public hearing fee (\$ 150.00). I have FedEx one set to Mike Donnelly and will deliver one set to Pat Hines.

Respectfully yours,

Charles T. Brown, P.E. – President Talcott Engineering Design, PLLC

PC; Lou O'Neil, Applicant Theodore Livanos, Owner Mike Donnelly w/enc. Pat Hines w/enc.

1/270-105

### Short Environmental Assessment Form Part 1 - Project Information

### **Instructions for Completing**

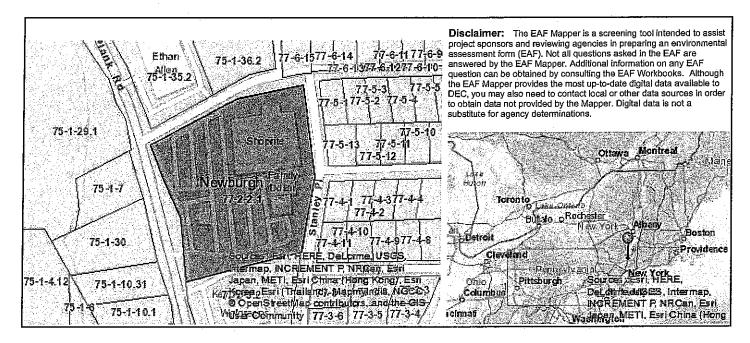
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

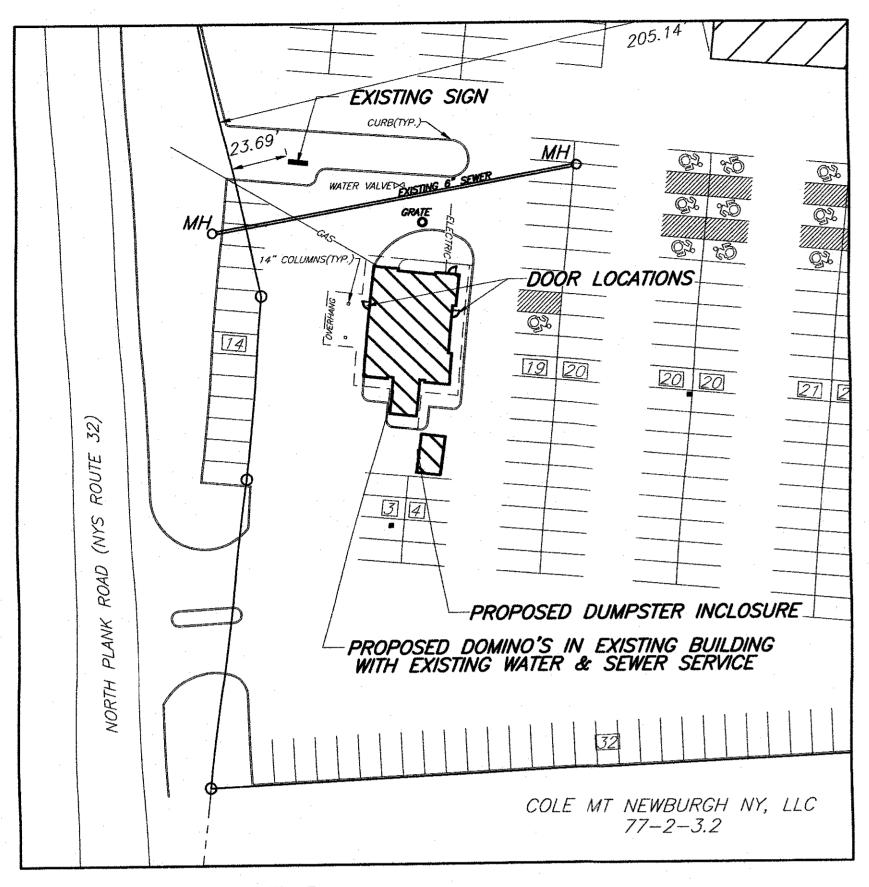
Part 1 - Project and Sponsor Information					
The state of the s					
Name of Action or Project:					
DOMINO'S # 3311 SITE PLAN		JOB # 17240			
Project Location (describe, and attach a location map):					
88 NORTH PLANK ROAD, NEWBURGH					
Brief Description of Proposed Action:			•	· · ·	
CONVERT AN EXISTING 1700 SQUARE FOOT BUILDING, FORMERLY A BANK TO	A DOMI	NO'S PIZZA.			
•					
Name of Applicant or Sponsor:	Telep	hone:			
LOUIS O'NEILL AT 3311 NEWBURGH PIZZA LLC	E-Ma				
· · · · · · · · · · · · · · · · · · ·	15-1910				
Address: 21600 SACAJAWEA ROAD					
		Ctata	7:0	Code:	
City/PO: SEDALIA		State:	6530		
Does the proposed action only involve the legislative adoption of a plan, legislative adoption adoption of a plan, legislative adoption ado	! !	4	1,500	NO	YES
administrative rule, or regulation?	ocai iav	v, ordinance,		NO	IES
If Yes, attach a narrative description of the intent of the proposed action and			that	<b>✓</b>	
may be affected in the municipality and proceed to Part 2. If no, continue to	questio	n 2.		اسمتا	
2. Does the proposed action require a permit, approval or funding from any	other go	overnmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: BUILDING PERMIT FROM TOWN BUILDING DEPARTMENT					
BOILDING PERMIT FROM TOWN BUILDING DEFARTMENT					<del>▼</del>
3.a. Total acreage of the site of the proposed action?	5	.5 acres		<del></del>	L <u></u>
b. Total acreage to be physically disturbed?	0	.0 acres			
c. Total acreage (project site and any contiguous properties) owned	٠. و	E cares			
or controlled by the applicant or project sponsor?		i.5 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.					
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Comm	ercial	Residential (suburl	ban)		
☐Forest ☐Agriculture ☐Aquatic ☐Other (	specify	):			
Parkland					
·					

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		<b>✓</b>	
b. Consistent with the adopted comprehensive plan?		V	
6. Is the proposed action consistent with the predominant character of the existing built or natural		NO	YES
landscape?			<b>✓</b>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental As	rea?	NO	YES
If Yes, identify:			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
		<b>V</b>	
b. Are public transportation service(s) available at or near the site of the proposed action?			>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed act	ion?		$\checkmark$
9. Does the proposed action meet or exceed the state energy code requirements?  If the proposed action will exceed requirements, describe design features and technologies:		NO	YES
If the proposed action will exceed requirements, describe design teatures and technologies:		ļП.	<b>V</b>
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			$\overline{\mathbf{V}}$
		<del> </del>	استنبا
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:	į		<b>V</b>
			است
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic		NO	YES
Places?  b. Is the proposed action located in an archeological sensitive area?		<b>✓</b>	
b. is the proposed action tocated in an archeological sensitive area:			$\checkmark$
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain	a	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?			<u> </u>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		V	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a Shoreline Forest Agricultural/grasslands Early mid-succession.		apply:	
☐ Wetland ☑ Urban ☐ Suburban	<del></del> -	1375	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO	YES
		V	
16. Is the project site located in the 100 year flood plain?		NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES
If Yes,			
a. Will storm water discharges flow to adjacent properties?	ļ	<b>✓</b>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain	s)?		7 7 7
If Yes, briefly describe:	í		
		3.3	
	,		

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)?	NO	YES
If Yes, explain purpose and size:	<b>V</b>	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<b>V</b>	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?  If Yes, describe:		<b>√</b>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE I KNOWLEDGE	BEST O	F MY
Applicant/sponsor name: CHARLES T. BROWN, PE Date: 9-1-2017 Signature:		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes
	The state of the s



ZONING SCHEDULE ZONE: B D.8 SHOPPING CENTER W/ ACCESSORY USE A.17 EATING AND DRINKING FACILITY

MINIMUM LOT AREA MINIMUM LOT WIDTH (feet) MINIMUM LOT DEPTH (feet)	<u>REQUIRED</u> 5ac. 300' 300'	SHOPPING CENTER PROVIDED 5.5ac. 468' 390'	DOMINO'S PROVIDED 5.5ac. 468' 390'
MINIMUM YARDS (feet) FRONT (STATE ROAD) FRONT REAR	60' 60' 60'	205' **42'	*27' 263' -
SIDE ONE BOTH	50' 100'	120'	131'
	*VARIANCE REQUIRE **EXISTING NON CO		

PROPOSED DOMINO'S PARKING SCHEDULE RESTAURANT: 1 PER 4 SEATS 20 SEATS = 5 SPACES REQUIRED

EXISTING SHOPPING CENTER

SHOPPING CENTER OVER 25,000SF: 1/200sf. x52,898sf. = 264 SPACES REQUIRED

TOTAL SPACES REQUIRED ON SITE = 269 INCLUDING 10 HANDICAPPED SPACES TOTAL SPACES PROVIDED ON SITE = 294 INCLUDING 14 HANDICAPPED SPACES

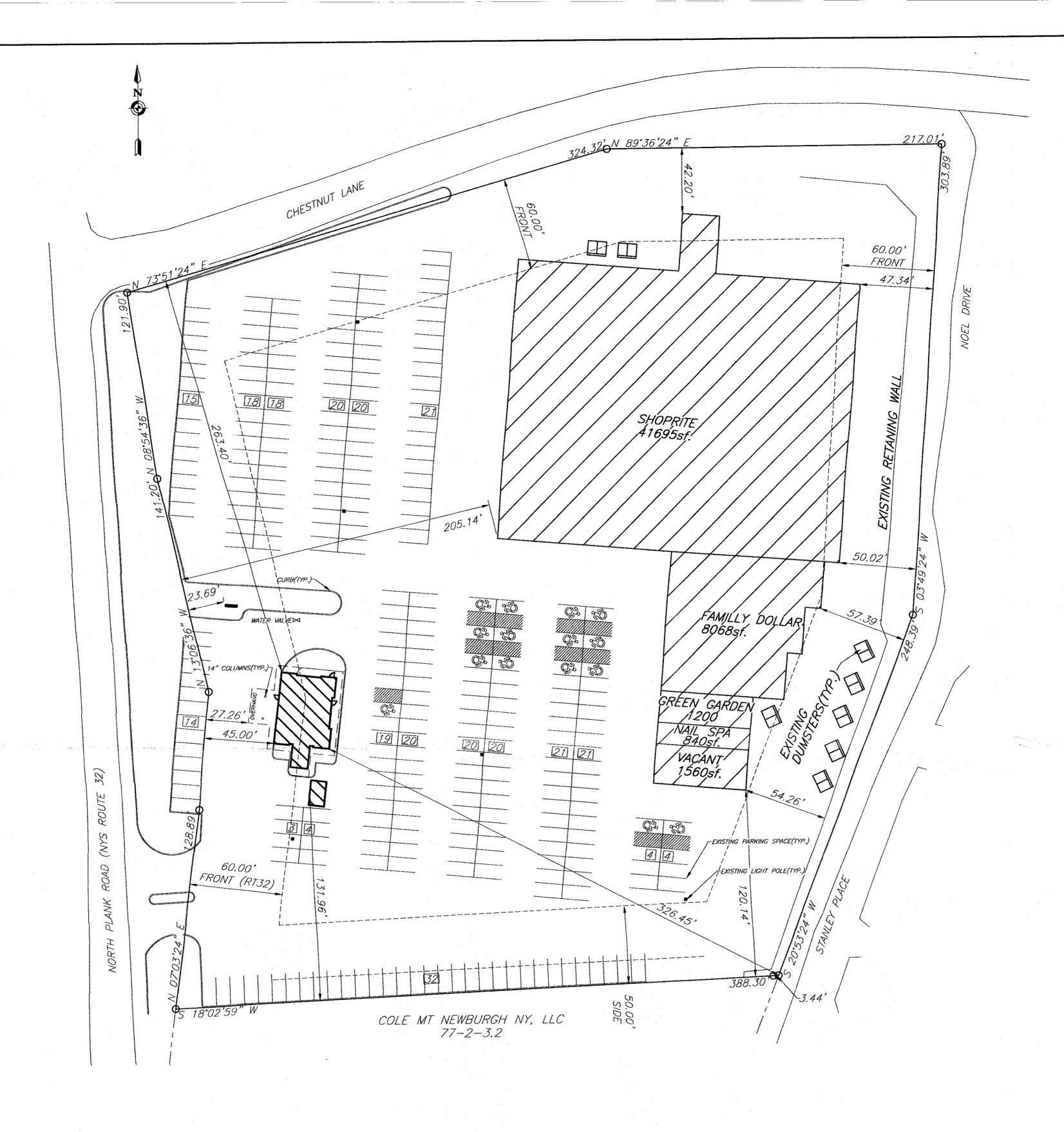
> APPLICANT: 100 PROSPECT ST S410 STAMFORD CT 06901

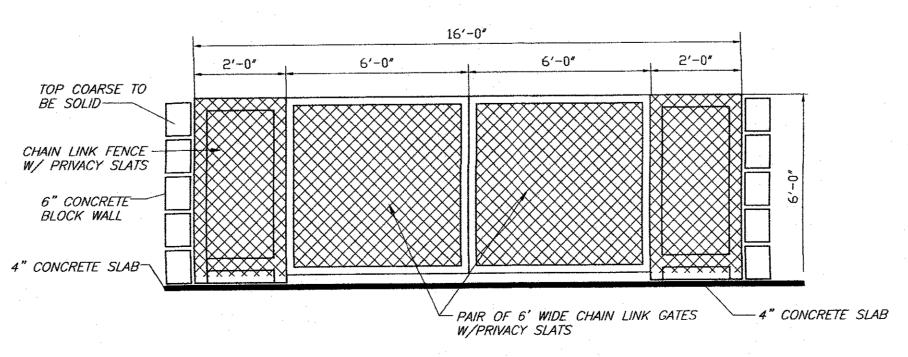
RECORD OWNER'S CONSENT NOTE: THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE
THAT THEY ARE FAMILIAR WITH THIS PLAN, ITS CONTENTS AND
ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON AND TO THE FILING OF THIS PLAN IN THE OFFICE OF THE CLERK OF THE COUNTY OF ORANGE,

> RECORD OWNER'S SIGNATURE THE LIVANOS GROUP LLC, THEODORE C. LIVANOS PO BOX 501 MASPETH 11378

CALL BEFORE YOU DIG.... IT'S THE LAW

WHETHER YOU'RE LAYING A FOUNDATION FOR A BUILDING OR PLANTING A TREE, YOU MUST FIRST CHECK FOR THE EXISTENCE OF UNDERGROUND UTILITY LINES AND CABLES. IF YOU OR YOUR CONTRACTOR DISRUPT ANY OF THESE LINES, THE RESULTS CAN BE DANGEROUS - AND COSTLY- TO EVERYONE. CALL BEFORE YOU DIG, TOLL FREE, 811

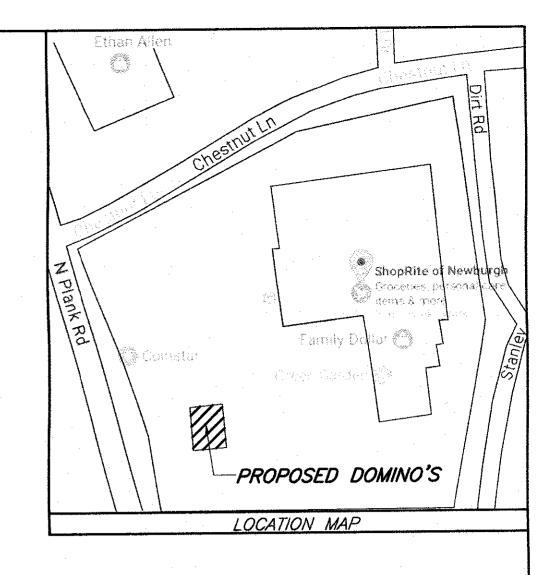




DUMPSTER ENCLOSURE DETAIL

N.T.S.

REVISIONS REV.: DATE: BY: DESCRIPTION:



## <u>LEGEND</u>

PROPERTY LINE EXISTING ---- SETBACKS

----- PROPERTY LINE ADJOINING

CATCH BASIN PROPOSED

LIGHT POLES EXISTING

TOWN PROJECT #2017-25
THIS SHEET IS INVALID AND VOID UNLESS ACCOMPANIED BY REMAINING SHEETS IN SET.

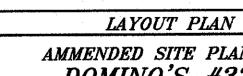
TALCOTT ENGINEERING DESIGN PLLC

1 GARDNERTOWN ROAD NEWBURGH, NY 12550 (845)-569-8400 (FAX)(845)-569-4583 TALCOTTDESIGN12@GMAIL.COM

**ENGINEER** 

CHARLES T. BROWN, P.E.

P.O BOX 4470 NEW WINDSOR, N.Y. 12553



AMMENDED SITE PLAN FOR DOMINO'S #3311 88 NORTH PLANK ROAD, SBL: 77-2-2.21

OCT 5 2017

Y HAUSER AND EDSALL

TOWN OF NEWBURGH, ORANGE COUNTY, NY 1 OF 1 10/03/17 | 1"=40" 1*7240-DOS*