1 2 STATE OF NEW YORK : COUNTY OF ORANGE TOWN OF NEWBURGH PLANNING BOARD 3 - - - X In the Matter of 4 5 McDONALD'S (2017 - 26)6 65 North Plank Road 7 Section 1; Block 1; Lot 76 B Zone 8 ----X 9 INITIAL APPEARANCE 10 AMENDED SITE PLAN 11 Date: November 2, 2017 Time: 7:00 p.m. 12 Place: Town of Newburgh Town Hall 13 1496 Route 300 Newburgh, NY 12550 14 15 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman FRANK S. GALLI 16 CLIFFORD C. BROWNE STEPHANIE DELUCA 17 KENNETH MENNERICH DAVID DOMINICK 18 JOHN A. WARD 19 ALSO PRESENT: MICHAEL H. DONNELLY, ESQ. PATRICK HINES 20 GERALD CANFIELD KAREN ARENT 21 APPLICANT'S REPRESENTATIVES: MATTHEW DUDLEY, ESQ. 22 BRAD BOHLER 23 ----- - - - X 24 MICHELLE L. CONERO 3 Francis Street 25 Newburgh, New York 12550 (845)541-4163

1 McDONALD'S 2 CHAIRMAN EWASUTYN: I'd like to welcome everyone to the Town of Newburgh 3 4 Planning Board meeting of the 2nd of 5 November. This evening we have four items on 6 the agenda. 7 At this time we'll call the meeting 8 to order with a roll call vote. 9 MR. GALLI: Present. 10 MS. DeLUCA: Present. 11 MR. MENNERICH: Present. 12 CHAIRMAN EWASUTYN: Present. 13 MR. BROWNE: Present. 14 MR. DOMINICK: Present. 15 MR. WARD: Present. 16 MR. DONNELLY: Michael Donnelly, 17 Planning Board Attorney, present. 18 MS. CONERO: Michelle Conero, 19 Stenographer. 20 MR. CANFIELD: Jerry Canfield, Code 21 Compliance Supervisor. 22 MR. HINES: Pat Hines with McGoey, 23 Hauser & Edsall Consulting Engineers. 24 MS. ARENT: Karen Arent, Landscape 25 Architectural Consultant.

1	McDONALD'S
2	CHAIRMAN EWASUTYN: At this time I'll
3	turn the meeting over to John Ward.
4	MR. WARD: Please stand to say the
5	Pledge.
6	(Pledge of Allegiance.)
7	MR. WARD: Please turn off your phones
8	or on vibrate. Thank you.
9	CHAIRMAN EWASUTYN: Our first item on
10	the agenda this evening is McDonald's. It's
11	located on North Plank Road in the B Zone. It's
12	an amended site plan. Harris, Beach and Bohler
13	Engineering.
14	MR. DUDLEY: Good evening, Mr.
15	Chairman, Members the Board, Town Staff. My name
16	is Matt Dudley and I'm an attorney with Harris,
17	Beach. We represent the applicant, McDonald's,
18	for a site plan application for it's restaurant
19	located at 65 North Plank Road, otherwise known
20	as Route 32. That's located in between
21	Gardnertown Road and Gidney Avenue.
22	McDonald's is proposing that it
23	demolish the existing structure and redevelop the
24	site so as to modernize it and increase and cure
25	the traffic flow around the restaurant,

1 McDONALD'S 4 2 particularly with respect to the drive-through 3 aisle. One of the main features that McDonald's proposes is a dual aisle system where there are 4 two points to order, there's two menu boards. 5 6 Those two aisles will cue into one aisle at which the customers in their vehicles can go to the 7 8 payment window and then to the pick-up window. 9 This is designed to improve the traffic flow in and around the parking lot of the restaurant. 10 11 The building that's proposed is 12 slightly smaller in square feet than the existing 13 structure. It's approximately 400 square feet 14 smaller in size. 15 The proposal does require a number of 16 area variances from the Zoning Board, five of which were outlined in our October 11, 2016 17 letter, the sixth of which was noted in the 18 engineering consultant's recent comments which is 19 20 for an increase in overall square footage of the signage on the property. The proposal will also 21 22 require approval from the Architectural Review 23 Board. 24 Our hope is that this Board will refer us to the ZBA for the requisite area variances in 25

1 McDONALD'S 5 2 addition to declaring it's intent to be lead 3 agency for SEQRA purposes and referring the 4 project to the County Planning Department 5 pursuant to General Municipal Law 239-M, as well 6 as the New York State DOT since it abuts a State 7 road. 8 I have Brad Bohler here from Bohler Engineering tonight to answer any questions you 9 may have, as well as Phil Weisberger who is the 10 11 construction manager for McDonald's and Dan 12 Hickey who is the operator of the restaurant. So unless you have any questions for me, I would 13 14like to hand it over to Brad to explain some more 15 of the specifics of the project. 16 CHAIRMAN EWASUTYN: Makes good sense. 17 Brad, welcome. 18 MR. BOHLER: Thank you. I will show the survey first. We were here probably four 19 20 years ago or so. It's a little bit of a 21 different application. 22 Just to, I guess, refresh the Board's 23 memory on the current site, there's currently a McDonald's existing on North Plank Road. The 24 entrance to the site is through the northern side 25

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of that property. Parking is on the north side, west side, and then also on the south side. In that location there's about ninety parking spaces on site. There's no recirculation lane on the site right now, so anyone that wants to use the drive-through currently has to use the North Plank Road entrance. People actually do come off Gidney Avenue and do an illegal turn around back there. As part of our proposal we would be going through and trying to make that more efficient in our application.

13 One of the requests at the last hearing 14 was to determine whether or not we could rebuild 15 the McDonald's with regard to the existing nonconforming use. The Zoning Board, probably 16 17 three years ago, had a determination we could rebuild the McDonald's within the existing 18 footprint of the current McDonald's building as 19 20 long as we didn't increase the setback to North Plank Road or the square footage of the building. 21 22 Our proposal tonight is to do that.

23This is the rendering for the site and24a site plan and landscape plan shown on it.25Essentially we're proposing a 450 square foot

1	McDONALD'S 7
2	smaller building within the current footprint of
3	the building. It's set back 30 more feet from
4	the right-of-away along North Plank Road and
5	incorporates parking spaces along the north side
6	of the building, which is the non drive-through
7	side, as well as re-striping and reconfiguring
8	spaces to the south.
9	We did implement the same drive-through
10	configuration that we had shown last time. I
11	know it's been a while. It's a side-by-side
12	drive-through. It allows for more efficient
13	maneuver through the drive-through configuration.
14	Currently there's one lane at that location. It
15	will allow people to process their orders more
16	quickly through that process and then allows them
17	to exit to North Plank Road.
18	We also provide a recirculation lane,
19	which we don't currently have, that allows for
20	customers, if they want to enter off Gidney or
21	Gardnertown Road, to circulate the proper way
22	into the drive-through or also go back to those
23	roads, unlike the current conditions where you
24	have to exit right onto North Plank Road.
25	That's the summary of our changes for

1		McDONALD'S 8
2		the proposal tonight.
3		CHAIRMAN EWASUTYN: Questions from
4		Board Members?
5		MR. GALLI: You said that was a
6		landscape plan also?
7		MR. BOHLER: It's the landscape plan
8		superimposed. Yes.
9		MR. GALLI: Do you want to go over that
10		maybe?
11		MR. BOHLER: We did enhance the
12		landscaping on the site. There's deciduous
13		evergreen shrubs along the front of the building,
14	•	also a hedgerow along the north side of the
15		building as well where the neighboring property
16		is. We provided some additional trees on the
17		site. Currently on the south side of the
18		property we did provide deciduous trees.
19		Anywhere that's disturbed we would plant back
20		with grass essentially.
21		MR. GALLI: That's all I have right
22		now.
23		CHAIRMAN EWASUTYN: Stephanie?
24		MS. DeLUCA: No.
25		CHAIRMAN EWASUTYN: Ken?

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2 MR. MENNERICH: Will you be repaving 3 everything once you build the new building? 4 MR. BOHLER: The majority of the site 5 will be repaved. The areas that we can try to save we'll topcoat with a sealant and then 6 7 re-stripe so it looks the same color. The light 8 gray areas are those areas that would be sealed. 9 The dark gray are the areas that would be 10 proposed new pavement. 11 MR. MENNERICH: In the light gray areas would you be changing the light fixtures that are 12 13 there? 14 MR. BOHLER: We propose to do new light 15 fixtures. There will be LED lights on the site. Some of the light fixtures stay where they are, 16 17 we'll replace the heads, but some of the new features will have new lights around the site. 18 19 CHAIRMAN EWASUTYN: Why wouldn't you at 20 least overlay the existing asphalt with an inchand-a-half of asphalt rather than paint it with 21 22 black paint? 23 MR. BOHLER: It's really a pavement 24 evaluation. If we get the feel when we go to 25 build it and --

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2 CHAIRMAN EWASUTYN: What if we make a 3 recommendation that you mill it and put an inch-4 and-a-half of top on it? I mean it's kind of 5 like going out in a new suit and pulling a tie 6 out of your closet that's fifteen years of age. 7 I mean no matter how good you look, the tie is 8 going to blow your whole image. Okay. So let's 9 end it on that. Really, painting something black 10 is -- it's just not our business as to what it's 11 going to cost to do this but that's not heard of. 12 MR. WARD: Especially after 13 construction. 14 CHAIRMAN EWASUTYN: And another thing. 15 Ken Wersted, our Traffic Consultant, suggested --16 made a recommendation that you have a sidewalk 17along North Plank Road which would be compatible 18 with what was done at Walgreens, Orange County 19 Trust. We're going to make that part of the 20 condition that you do put in a sidewalk. 21 MR. BOHLER: That's not a problem. 22 Just along North Plank only? Okay. 23 CHAIRMAN EWASUTYN: That's my final 24 thought. Cliff? 25 MR. BROWNE: Are you still proposing to

1	McDONALD'S 11
2	leave the dumpster location where it's at?
3	MR. BOHLER: Yes. It will function the
4	same way it does currently.
5	MR. BROWNE: Okay.
6	CHAIRMAN EWASUTYN: Dave Dominick?
7	MR. DOMINICK: Brad, from breaking
8	ground to completion, what is the estimate in
9	time, do you think, for this?
10	MR. BOHLER: I'll say it's dependent
11	kind of on what's in the building from a
12	remediation perspective and utility disconnect.
13	Ballpark, about 120 days from shutdown to open.
14	It fluctuates a couple weeks here and there based
15	on utilities, if it takes a little while for the
16	utility to cut power or whatever it may be.
17	MR. DOMINICK: I'm done.
18	MR. WARD: At work session we met and
19	we were talking in reference to your lights.
20	Across the street, like we say, we're trying to
21	keep it low. The lights they have for the
22	parking lot, if you could possibly go with the
23	flow with that. Karen will hit that more later
24	in reference to it.
25	John said about the sidewalk. I'm

1 McDONALD'S 12 2 recommending, for design purposes, looking at the 3 landscape, a stonewall with the sidewalk. A 4 24-inch stonewall to match your fascia, the stone 5 that's beyond the building. When you came in front of us four years 6 7 ago, where the Sycamore tree is on the corner, --8 MR. BOHLER: Here? 9 MR. WARD: -- you were proposing like a 10 picnic area or something like that at the time. 11 You were going to have a dumpster there. That's 12 back where it should be. 13 MR. BOHLER: Right. 14 MR. WARD: What I'm saying is you could 15 have like picnic tables or something. You were 16 proposing that at that time. 17 MR. BOHLER: Okay. 18 MR. WARD: All right. Thank you. 19 MR. BROWNE: Also at the work session 20 we were talking about the delivery, the trucks coming in for deliveries. How do you propose to 21 22 do that when there's basically no access for 23 deliveries? 24 MR. BOHLER: There's a striped area between the drive-through and the aisle. It's 25

1 McDONALD'S 13 2 about 12 feet wide, a little bit more than that. 3 We would like to see it proposed to go there. 4 The other option is they do come on off-peak 5 hours so there's generally not a lot of people. 6 We could cordon off a couple parking spaces on 7 the north side of the building and they could 8 just enter in the loading area. It would be 9 preferred to use that because it's closer to 10 where the freezer and cooler doors are. 11 MR. BROWNE: When you say generally 12 they come in at off peak hours, is that generally 13 like 95 percent or is that generally like 30 14 percent? 15 MR. BOHLER: Like 95 percent. 16 MR. BROWNE: Okay. 17 MR. BOHLER: I'll say 99 percent. 18 Every once in awhile they might hit a little bit 19 of a breakfast peak. That's about it. 20 CHAIRMAN EWASUTYN: The hours of 21 operation for the public, what are the hours? 22 MR. BOHLER: There's no change to the 23 hours right now. 24 CHAIRMAN EWASUTYN: I'm not familiar 25 with the hours.

1	McDONALD'S 14
2	MR. HICKEY: The lobby is 6 in the
3	morning until 11 at night and the drive-through
4	is 24 hours.
5	CHAIRMAN EWASUTYN: Thank you.
6	For the record, you are?
7	MR. HICKEY: Dan Hickey. I work for
8	the owner/operator.
9	CHAIRMAN EWASUTYN: Any more questions
10	from the Board?
11	(No response.)
12	CHAIRMAN EWASUTYN: Jerry Canfield,
13	questions?
14	MR. CANFIELD: Just one question. Did
15	I hear you say start to finish 120 days?
16	MR. BOHLER: Yes.
17	MR. CANFIELD: What type of
18	construction is that for the new building?
19	MR. BOHLER: Is it made of wood, steel,
20	is that what you're asking?
21	MR. CANFIELD: Prefabbed panel or
22	MR. BOHLER: It's stick built. There's
23	a concrete foundation.
24	MR. CANFIELD: It's all stick built,
25	truss configuration?

1 McDONALD'S 15 2 MR. BOHLER: Yes. 3 MR. CANFIELD: That's an amazing 4 turnaround time. 5 MR. BOHLER: They're very efficient. 6 MR. CANFIELD: That's all I have, John. 7 CHAIRMAN EWASUTYN: Thanks. Karen Arent is our Landscape Architect. She has some 8 9 comments to make. 10 MS. ARENT: So it would be nice to 11 match the lights that are at the Walgreens and 12 the Orange County Trust, the style of the 13 lighting --14 MR. BOHLER: Okay. 15 MS. ARENT: -- and the poles. I 16 believe the height of those lights are 16 but I 17 will double check that. 18 MR. BOHLER: Do you have a detail you 19 could send us? 20 MS. ARENT: I think I might have the details of the lights. I have to look that up. 21 22 MR. BOHLER: We can look at that. 23 MS. ARENT: And if you're finding it's much more efficient to have the 24 foot pole, 24 that would be acceptable in the middle of the 25

1 McDONALD'S 16 2 parking lot but around the perimeter where it's 3 really visible it would be nice to have the pole 4 height match what's across the street. 5 And the sidewalk along Route 32, that 6 was spoken about. 7 And then you can also look at the walls 8 that are along Route 32 at the Walgreens and the 9 bank. It's important for the stone to match 10 those stonewalls. It would be great for your 11 stone on your building to match. It's not going 12 to match perfectly but at least the colors and 13 the sizes of the stones could match. 14 It's going to be cultured stone, 15 correct, on the building? 16 MR. BOHLER: That's what we propose 17 right now. 18 MS. ARENT: There is some cultured 19 stone that really matches those buildings -- the 20 local stonewalls very nicely. It would be 21 important to try to match that. 22 I was looking at the site plan. It 23 looks like people are going to be going across 24 the landscaping and across the traffic to get 25 into the building from the parking area. If you

1	McDONALD'S 17
2	can show crosswalks. Maybe they're decorative or
3	nicely painted.
4	MR. BOHLER: We can paint some
5	crosswalks.
6	CHAIRMAN EWASUTYN: Could they do a
7	stamped asphalt?
8	MS. ARENT: They could do a stamped
9	asphalt, too. Something interesting.
10	CHAIRMAN EWASUTYN: Maybe a stamped
11	asphalt with color and then the borders be
12	another color. The United States Military
13	Academy at West Point, they do the stamped
14	asphalt and, for simple words, a red and then the
15	border in white. They actually added the white
16	border in the last year or so because they felt
17	that highlighted the pedestrian safety.
18	MS. ARENT: You could see it better.
19	It doesn't have to be red. It could be a color
20	that coordinates with the building or something.
21	MR. DONNELLY: I know you guys like
22	yellow.
23	MR. BOHLER: McDonald's is red, so
24	we'll take it.
25	MS. ARENT: I'm sorry, I forgot about

1 McDONALD'S 18 2 that. 3 CHAIRMAN EWASUTYN: What was that? 4 MS. ARENT: McDonald's is red so 5 they're going to go for it. 6 There should be street trees along all 7 the streets, not just North Plank Road. I was 8 thinking maybe -- I don't know what's in the 9 point created by Gardnertown and Gidney but maybe 10 some nice landscaping there to kind of announce 11 -- just make it look nice so that -- that's a 12 very visible point. It would be like you might 13 need to combine it with some kind of stormwater 14 management. That could be a nice -- stormwater 15 management plantings don't have to look ugly, 16 they can look really beautiful. Consider somehow 17 creating a beautiful point there. 18 And then your outdoor dining space. If you're going to make something, maybe it looks 19 20 like something that you landscape or put trees 21 around. 22 Coordinate the trash cans and the site 23 furniture. Try to make that all look coordinated 24 and nice. 25 Also, if you can show cut sheets of

1 McDONALD'S 19 2 what you're proposing and include that in the 3 details. 4 And then another thing. I was looking, 5 it would be great to kind of soften the view of 6 the cars from all the roads, the parked cars. 7 Maybe put some hedging or something. 8 MR. BOHLER: We captured that in some 9 of the areas. We can certainly look. 10 MS. ARENT: I did see some of that in 11 the front, which is great. Being there's roads 12 on all sides, it would be great to kind of soften 13 that view. It also might help with people cutting through. Maybe they can't see where 14 15 they're going and maybe they won't cut through. 16 Then I didn't look to see if the 17 dumpster area was screened. If you could just 18 show screening. 19 CHAIRMAN EWASUTYN: Pat Hines is going 20 to bring you along. There's a project that we'll 21 soon be signing the site plan. 22 Pat, discuss with him Gardnertown 23 Commons and the improvements there also. 24 MR. HINES: Down Gidney Avenue, at the 25 intersection of Gidney and Gardnertown, there's a

1	McDONALD'S 20
2	164 unit apartment complex proposed. It's going
3	to be under construction in the near future. At
4	that intersection there is proposed to be a stop
5	light added and some lane improvements to channel
6	that traffic better than it is now. That will
7	serve to dress up that area as well. I guess
8	it's to the south of you there.
9	Along with Karen's comments regarding
10	the stonewall, the Town has design guidelines.
11	Realizing that you're upgrading an existing site,
12	one of the design guidelines is that parking is
13	not permitted in the front yard setback. That's
14	difficult for you when you have three front yard
15	setbacks on the roads. One of the mitigating
16	measures the Town has in the past accepted,
17	similar to your neighbors across North Plank
18	Road, is that small stonewall feature to screen
19	the front of the cars, as well as Karen mentioned
20	the large parking area on Gardnertown Road there,
21	to screen that. The Town Planning Board often
22	considers a waiver of that design guideline.
23	Similar with the lights. The design
24	guidelines address the lighting. If you can look
25	at Karen's comments regarding that, that would be

1	McDONALD'S 21
2	a waiver that the Board could also consider. It
3	requires pedestrian scale lights ,whether they're
4	16 feet or lower. You're proposing 20 foot. I
5	think it's important to match across the street,
6	whatever height those are. That's where those
7	comments come from. We do have the design
8	guidelines.
9	A demolition permit will be required.
10	You have a demolition plan. A note on that
11	demolition plan just requires a permit from the
12	building department.
13	You had mentioned the variances. Just
14	to put them on the record, the front yard setback
15	is proposed on Route 32, 60 feet is required,
16	57.1 is proposed. There's a variance needed for
17	the entrance and exit to off-street parking, 150
18	feet from an intersection where 120.8 is
19	provided. One off-street loading site is
20	required where you're proposing no off-street
21	loading. I'm sure Ken Wersted in the future, our
22	Traffic Consultant, will address that. There may
23	be a note required on the plans regarding
24	deliveries if that moves forward. I think your
25	deliveries are made by tractor trailers. That

1 McDONALD'S 22 could certainly affect the operation of this site 2 3 and the traffic circulation. 4 There's a requirement that 5 drive-through aisles exit into parking areas. 6 You'll need a variance for that because your 7 drive-through is aimed directly at Route 32. That will be an interpretation by the Board as 8 9 well because you really don't directly discharge 10 there. Since you're going to the ZBA anyway, 11 we'll have you address that. 12 And then signage which I picked up on. 13 Our allowable signage based on your calculations 14is 766 plus or minus half a foot there and you're 15 proposing 833.1. So those are the variances that 16 you'll need. 17 The Town of Newburgh has double striped 18 parking areas. I can provide you with that detail. Since you're redoing the entire parking 19 lot, that Town required double striping is 20 21 required. 22 We discussed the crosswalks that I had 23 mentioned in my comment. 24 We do identify the referral to County Planning. I think the plans are in okay shape 25

1 McDONALD'S 23 2 for that at this point. 3 County Planning as well as my future 4 other comments are going to look at stormwater on 5 the site. I don't know -- you're close to that 6 acre. I don't know if you're at the acre. The 7 Town of Newburgh also has more stringent 8 requirements than the DEC. We are going to need 9 a stormwater pollution prevention plan. 10 Along with that I noted you have an 11 18-inch pipe proposed directing stormwater into 12 the Town's 12-inch diameter pipe. There may be a 13 need for analysis of that 12-inch diameter pipe. 14 MR. BOHLER: We'll look at that. 15 MR. HINES: We'll be needing that. 16 We can't send it to County Planning 17 until we have the stormwater pollution prevention 18 plan. They're going to send it back as 19 incomplete. The sooner you can get that to us we 20 can have the County referral done. 21 We do concur that lead agency can be 22 declared tonight and the plans can be sent to 23 DOT. You aren't changing any drainage out to DOT 24 but you are changing the traffic flow. 25 The water service. You're proposing a

1 McDONALD'S 2 separate fire and potable water line. The Town 3 requires that be a single line. The arrangement has to be such that if the fire flow is 4 5 terminated to the building, the potable water is 6 also terminated to the building. That works very 7 well for us because the fire lines don't stay off 8 very long when there's no potable water in the 9 building. I can provide you with that detail as 10 well. 11 MR. BOHLER: Can we go back to the 12 signs real quick, just so I have clarification? 13 You noted the variance required. We went through 14 the ordinance and the directional signs were 15 excluded from that calculation. The tally we 16 have is for the free-standing and building 17 mounted signs which is below that requirement, 18 the 768 square foot plus or minus. The jump up 19 is through the directional signs on the site, 20 many for the enter/exit. If those are included 21 I'm okay in asking for the variance. I want to 22 make sure I have clarification.

23 MR. HINES: I'm not real clear. I just 24 went based on your calculation. I don't know if 25 the menu board is a directional sign either.

1 McDONALD'S 25 2 MR. CANFIELD: The directional signs 3 permissible are 2 square feet. 4 MR. HINES: Yours are 4. 5 MR. CANFIELD: You've got like an additional 60 square feet. That's a lot of 6 7 directional signs. 8 MR. BOHLER: Most of them are how to 9 get through the drive-through, et cetera. We 10 counted the menu boards as a directional sign. 11 It's not advertising. 12 MR. HINES: I think you're going to the 13 If that was the only reason to go to the ZBA. 14 ZBA I think it would warrant further analysis. 15 Since you're going there, I think you can get that clarified and get it out of the way. We 16 17 don't want you trying to get your building permit 18 and not have signs be declared directional. I 19 don't know what they look like but if it has an M 20 on it for McDonald's or something, that may not 21 be a directional sign. 22 MR. DONNELLY: You can certainly argue 23 to them --24 MR. BOHLER: Just a clarification. 25 We're good.

1 McDONALD'S 2 MR. HINES: I have technical comments I 3 was skipping over. I know you have my comments. 4 You're trying to preserve the parking, 5 a small piece of the parking lot at Gidneytown 6 but you're showing that as a stabilized 7 construction entrance. That may have to be torn 8 out to put the stabilized construction entrance 9 in. I think you're going to be repaving the site 10 anyway from what I heard earlier. 11 Concrete thrust blocks are shown on 12 your water mains. The Town requires restrained 13 joint pipe, not concrete thrust blocks. If you 14 need those details I can provide them as well. 15 There will need to be a restrained joint pipe 16 chart put on there. 17 We have a comment the survey shows 18 ownership to the center line of the road 19 throughout. If it's a subdivision we would 20 require dedication. I don't know if that's a 21 typical site plan requirement. They own to the 22 center line of Gardnertown and Gidney Avenue. 23 MR. DONNELLY: It must be a road by 24 use.

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MR. HINES: It could be a road by use

1 McDONALD'S 27 2 but I don't know if at this point it would be 3 appropriate to send it to the highway department 4 to see if they would like a dedication. 5 MR. CANFIELD: It's existing. 6 MR. HINES: It's an existing condition. 7 MR. DONNELLY: I don't know. Often 8 with residential subdivisions we request 9 dedication. I don't know that that's necessary 10 here. 11 MR. HINES: I think this is one of the 12 first commercials we've seen where it goes to the 13 center line, just because of the age of the 14 facility I believe. 15 CHAIRMAN EWASUTYN: You'll have the 16 same construction people building this as they 17 built other McDonald's in the area for you? The 18 point I'm getting at is building during the winter -- building in general in this area and 19 20 the traffic and vehicles coming out, it would be good if you could provide someone along the road 21 22 when you have trucks backing in and pulling out 23 just for the safety of that busy intersection. 24 MR. BOHLER: I understand. They go out 25 to bid but they can use local contractors so

1 McDONALD'S 28 2 they'll be familiar with the area. 3 CHAIRMAN EWASUTYN: I'm not so 4 concerned whether they're local or they're not 5 local. What I'm concerned about is having a flag 6 person --7 MR. BOHLER: Okay. 8 CHAIRMAN EWASUTYN: -- at the 9 construction entrance, whether it be a concrete 10 truck coming out or a stone truck coming in back 11 and forth. I know the trades. Trucks are going 12 to just be running in and out of there and it's 13 going to create a safety issue and possibly a 14 liability issue as far as tracking on the road. 15 MR. BOHLER: Sure. 16 CHAIRMAN EWASUTYN: So we'll go on 17 record as stating that now. In the future if 18 people start complaining, we'll realize that no 19 one took that serious. 20 MR. BOHLER: Right. 21 CHAIRMAN EWASUTYN: The most difficult 22 job in the trades is directing traffic. The most 23 dangerous. Again, you have a tough area to work 24 in. 25 MR. WARD: Under construction is it

1 McDONALD'S 29 2 going to go out the back way? 3 MR. BOHLER: I don't think we figured 4 that out yet. 5 MR. HINES: Initially in the first 6 phase there is a stabilized construction entrance 7 off of Gidney Avenue. There are other plans that 8 show a stabilized construction access as well at 9 the southern end of the Route 32 access, which 10 that may be a difficult way to access the site. 11 CHAIRMAN EWASUTYN: Be careful there. 12 It's a great location. It's a great project. 13 There again, this was one of the hamlets that was 14discussed many years ago. There's fifteen 15 hamlets in the Town. We're trying to still 16 maintain that hamlet identity, whether it be with streetlights, sidewalks or stonewalls. It's a 17 18 hamlet of the Town. 19 Okay. Anything else? 20 (No response.) 21 CHAIRMAN EWASUTYN: So at this point we 22 would -- help me along with this. We'll ask the 23 Board if they would grant conceptual approval, we'll declare our intent for lead agency and 24 25 refer it to the DOT. Mike Donnelly will prepare

1 McDONALD'S 30 2 the letter to the ZBA listing the variances. 3 MR. DONNELLY: Correct. 4 CHAIRMAN EWASUTYN: Then I'll move for 5 a motion that we grant conceptual approval, that 6 we declare intent for lead agency, we do a 7 referral to the DOT and Mike Donnelly prepare a 8 referral letter to the Zoning Board of Appeals. 9 MR. DOMINICK: Motion. 10 MR. WARD: Second. 11 MR. HINES: John, it needs to go to 12 County Planning. I can't send it until we get 13 the stormwater --14 CHAIRMAN EWASUTYN: I did say that. 15 MR. HINES: Because they have to go to 16 the ZBA, there would be some time if they want to 17 submit that. If you want to approve it --18 CHAIRMAN EWASUTYN: We'll make that 19 motion now. 20 MR. HINES: Just include that. When we 21 get the SWPPP we can send it, otherwise we'll be 22 waiting a couple months. The County does want 23 the stuff early. 24 CHAIRMAN EWASUTYN: I'll amend that 25 motion. I think as Matt said earlier, 239-M of

1 McDONALD'S 31 2 the Municipal Law, we'll refer it to the Orange 3 County Planning Department. 4 Pat, as far as the notice of adjoining 5 property owners within the next ten days, do you 6 want to explain that? 7 MR. HINES: The Town has a requirement 8 to notify properties within 500 feet ten days from the appearance at this meeting. You can't 9 10 come back to a Planning Board meeting before 11 then. So I will prepare a notice and I will get the addresses from the assessor which I will 12 13 provide to you, you will address the envelopes, 14 stamp the envelopes, stuff the envelopes and 15 bring them to the Town supervisor's office. 16 CHAIRMAN EWASUTYN: You'll bring them 17 to the personnel department. Charlene Black will 18 be the responsible person. Charlene is in her 19 office between the hours of 7 and 3. We would 20 ask that you give her 24 hours notice that you 21 plan on coming in. 22 MR. DUDLEY: Sure. 23 MR. HINES: They're just first class 24 mail stamps. The Town does the mailings. It saves that certified mail. You'll be doing a lot 25

1	McDONALD'S 32
2	of mailings. Then you'll have the ZBA and
3	potentially a public hearing at this Board as
4	well.
5	CHAIRMAN EWASUTYN: Okay. Anything
6	else?
7	(No response.)
8	CHAIRMAN EWASUTYN: We had a motion
9	made by Dave Dominick, a second by John Ward. We
10	had discussion. We added the referral to the
11	Orange County Planning Department. At this point
12	I'll move for approval starting with Frank Galli.
13	MR. GALLI: Aye.
14	MS. DeLUCA: Aye.
15	MR. MENNERICH: Aye.
16	MR. BROWNE: Aye.
17	MR. DOMINICK: Aye.
18	MR. WARD: Aye.
19	CHAIRMAN EWASUTYN: Aye.
20	Motion carried.
21	Thank you.
22	MR. DUDLEY: Thank you very much.
23	
24	(Time noted: 7:31 p.m.)
25	

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4	CERTIFICATION
5	
6	
7	I, MICHELLE CONERO, a Notary Public
8	for and within the State of New York, do hereby
9	certify:
10	That hereinbefore set forth is a
11	true record of the proceedings.
12	I further certify that I am not
13	related to any of the parties to this proceeding by
14	blood or by marriage and that I am in no way
15	interested in the outcome of this matter.
16	IN WITNESS WHEREOF, I have hereunto
17	set my hand this 14th day of November 2017.
18	
19	Michelle Conero
20	MICHELLE CONERO
21	
22	
23	
24	
25	



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

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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:MCDONALDS ROUTE 32-NORTH PLANK ROADPROJECT NO.:17-26PROJECT LOCATION:SECTION 1, BLOCK 1.1, LOT 76REVIEW DATE:30 OCTOBER 2017MEETING DATE:02 NOVEMBER 2017PROJECT REPRESENTATIVE:HARRIS BEACH/BOHLER ENGINEERING- WARREN NJ

- A demolition permit is required from the Town of Newburgh Building Department. Reference to this requirement shall be placed on the demolition plan sheet C-3.
- 2. Variances are required as identified in the submission letter. Front yard setback Route 32 60 feet required, 57.1 foot proposed. Exit/entrance for off street parking within 150 feet of an intersection 150 feet required, 120.8 proposed Town Code 185-13(D)(6)(b). One off street loading site required, 0 proposed Town Code section 185-13 (B) (6). Drive thru aisle exiting to New York State Route 32 " drive thru aisles are prohibited to exit directly to state highways Town Code 185-42(L).
- 3. Lead agency circulation is required as project fronts on New York State Route 32.
- 4. The approval title block on sheet C-1 should only have the Planning Board Chairperson's signature block, board secretary and municipal engineer to be removed.
- 5. The proposed signage identified on the plan is in excess of the 766.49 sq. ft. identified in the permitted signage total signage identified as 833.1 this is an additional variance required.
- 6. Standard Town of Newburgh double striped parking spot details should be added to the plan sheets. All parking spaces in the Town of Newburgh must comply with the double striped requirement.

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McDonald's Route 32- North Plank

- 7. Consideration for a cross walk between the southern parking spots and the structure should be undertaken. All pedestrians from the south portion of the site must cross in front of the drive thru window aisles.
- 8. Referral to County Planning is required.
- 9. Water service must comply with Town of Newburgh's requirements permitting one tap to provide both fire flow and potable water. Valve arrangements must be such that if fire flow water is terminated to the structure the potable water is similarly terminated. Standard detail can be provided.
- **10.** Sizing for the proposed grease trap in compliance with the NYSDEC requirements should be submitted.
- **11.**Detail of the proposed sanitary cleanout at the connection of the sanitary line, grease trap line and transition to 6 inch pipes should be provided.
- 12.A stormwater pollution prevention plan in compliance with NYSDEC and Town of Newburgh requirements should be provided for the project. It is noted that all flow is directed towards a 12 inch HDPE pipe crossing under Gidney Avenue. Capacity of the 12 inch CMP should be identified in a storm water management report.
- 13.A 15 inch flared end section is depicted on the proposed 18 in RCP pipe. This should be clarified.
- 14. Site lighting plan identifies 20 foot high lighting poles which are higher than the pedestrian scale lighting suggested by the design guidelines. Planning Board's comment on height of lighting should be received with guidance to the Applicant's representative as to compliance with the design guidelines or a request for a waiver of the pedestrian scale lighting.
- **15.** Erosion control plan contains a curbed inlet filter. This detail does not meet requirements of the NYSDEC's blue book. Covering of storm grates with filter fabric is not an appropriate erosion control methodology.
- 16. The anti-tracking pad at the construction entrance is identified in an area where existing asphalt pavement is to remain. This should be further evaluated for placement of the stabilized construction entrance.
- **17.** Detail 12 on sheet C-13 should be modified to Towns standard striping detail. Similar comment for sheet C-14 detail number 5.

18. Standard Town of Newburgh water and sewer notes must be added to the Plan sheets.

**19.** Concrete thrust blocks are depicted on detail sheet. Retrained joint pipe is required to be utilized in Town of Newburgh. Restrained joint pipe schedule should be added to the plans. Standard water notes must be added to the plans as well.
**20.** The survey depicts ownership to the centerline or greater than in the Town Roads. Mike Donnelly's comments regarding the need for roadway dedication parcels for a site plan should be received.

Respectfully submitted,

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

Patrick J. Hines Principal

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