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

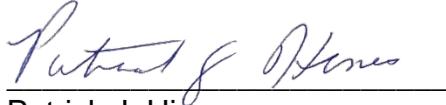
PROJECT: NEWBURGH PARK ASSOCIATES (NPA) SITE PLAN
PROJECT NO.: 17-03
PROJECT LOCATION: SECTION 89, BLOCK 1, LOT 80.1 & 80.2
REVIEW DATE: 31 DECEMBER 2020
MEETING DATE: 4 JANUARY 2021
PROJECT REPRESENTATIVE: ZEN DESIGN CONSULTANT, INC.

1. The Site Plan has been revised to reduce the number of variances required. Significantly the drive-thru component which would require a Use Variance has been removed from the Site Plan. Based on the review of the most recent plans and the Project Narrative submitted by the Applicants representative we have identified the following variances being required.
 - 1) Front yard setback for canopy. NYS Route 747 -25 feet provided where 60 feet is required.
 - 2) Side yard setback for west canopy. The 3 8+/- feet provided where 50 feet is required.
 - 3) Rear yard setback for proposed building. 43.5 feet provided where 60 feet is required.
 - 4) East canopy. 24.5 foot rear yard provided where 60 feet is required.
 - 5) East canopy. 21.3 foot side yard setback where 50 feet is required.
2. It is noted that the project site must be addressed as a Stormwater Hotspot under the NYSDEC Stormwater SPDES program. No areas are depicted for stormwater management. Infiltration practices are not permitted for Stormwater Hotspots.
3. Extensive retaining walls are identified on the site. Height of the retaining walls is unknown as no Grading Plan has been produced for the new layout. It is noted that the truck turning movements identify the vehicle maneuvering against the proposed retaining walls in many locations.
4. While an access easement may exist across lands of others between the two parcels it is unclear if utilities including sewer lines and retaining wall structures are permitted based on the access easement.
5. Signage may require ZBA Variances as previous projects required variances for signage on gasoline canopies.

6. Additional comments will be provided once detailed design plans are submitted.

Respectfully submitted,

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

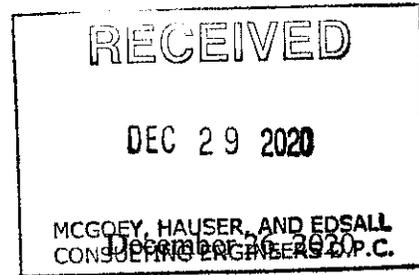
A handwritten signature in blue ink, appearing to read "Patrick J. Hines", is written over a horizontal line.

Patrick J. Hines
Principal

PJH/kbw

ZEN Consultants, Inc.

1662 ROUTE 300, SUITE 138
NEWBURGH, NY 12550
(845) 629-1567 (phone)
20-064



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

Newburgh Park Associates
Site Plan
SBL: 89-1-80.1 & 80.2

Dear Board Members,

I am asking to be placed on the January 7, 2020 planning board meeting to discuss the changes to the NPA Site Plan. At our last board meeting you directed us to the ZBA for the variances we would need based on the plan submitted at that time.

Since this time we have made some changes to the plan reducing the number of variances needed for our project. We wanted to present the new layout to the board and ask for a new letter of referral directing us to the ZBA based on the changed layout.

Comments addressed from Domnic Cordisco letter to the ZBA (dated Nov.19, 2020)

1. *Fast food drive thru is not permitted as a standalone use in the IB zone, and will require a use variance or an interpretation.* - The drive thru has been removed from the plan.
2. *The petroleum storage tanks must be located at least 15 feet from any property line. The storage tanks on the plans last revised on October 11, 2020 do not appear to meet this requirement.* - The tank location has been adjusted to meet this separation requirement.
3. *Additionally, Town Zoning Code 185-28 requires a 15 foot separation between storage tanks and the fuel pump dispensers. The current plan does not appear to meet this requirement.* - The storage tanks have been relocated to meet this separation requirement.
4. *Confirmation of the front yard setback variance previously granted by the ZBA on December 28, 2017 due to the reconfiguration and enlargement of the proposed development: 60 feet is required, 28.8 feet is provided.* - This has now been adjusted to a 25.0' proposed setback.
5. *The lot is two-sided, so an additional variance for the front yard would be from the canopy on the south side where 60 feet is required, and 25 feet is proposed - front yard setbacks on the 747 Blvd will now meet the requirement.*
6. *The front yard setback along Route 747 requires a 60 foot setback to the canopy and 21.8' is proposed - This has now been adjusted to a 25.0' proposed setback.*

7. *For the side of the north canopy, there is a 50 foot setback requirement, and 30 feet is proposed.* - based on the new layout the proposed setback is 21.3'
8. *The rear yard requires 60 feet, and 34.7 feet is proposed* - based on the new layout the proposed setback is 24.5'
9. *The applicant has not yet identified any signage on the canopy. Signage on the canopy is not permitted in the town's signage ordinance. Past applications have been referred to the ZBA for consideration of variances to allow signage on canopies.* - the applicant is putting together the building signage and is planning to submit that material to the ZBA for consideration.

To sum this up we are asking for the following variances when sent to the ZBA:

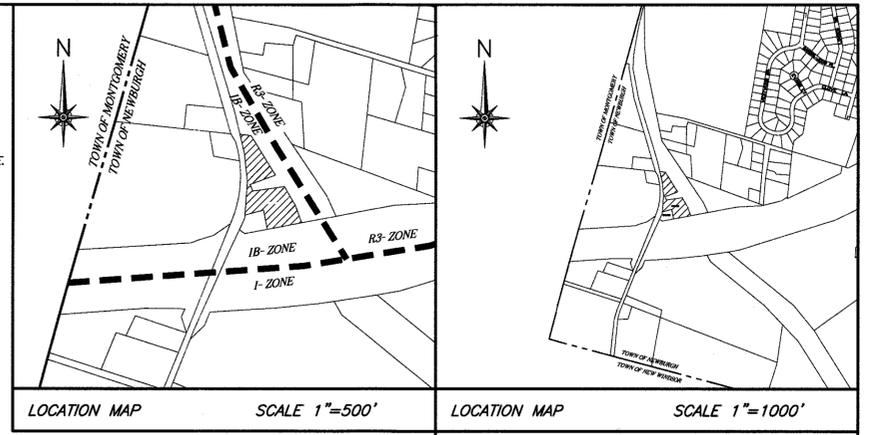
1. 35.0' front yard variance - 747 Blvd. - west side
2. 35.5' rear yard variance - east side
3. 28.7' side yard variance - north side

All other consultants comments will be addressed for future submissions based on acquiring the required variances needed for this project based on this revised layout.

Very Truly Yours,

Ken Lytle
ZEN Consultants, Inc.

OCHD NOTE:
 1. INDIVIDUAL WELLS AND SEWAGE DISPOSAL SYSTEMS SHALL NO LONGER BE CONSTRUCTED OR USED WHEN PUBLIC FACILITIES BECOME AVAILABLE. CONNECTION TO THE PUBLIC SEWER SYSTEM IS REQUIRED WITHIN ONE (1) YEAR OF AVAILABILITY.
 2. ORANGE COUNTY DEPARTMENT OF HEALTH PLAN APPROVAL IS LIMITED TO FIVE (5) YEARS. TIME EXTENSIONS FOR PLAN APPROVAL MAY BE GRANTED BY THE ORANGE COUNTY DEPARTMENT OF HEALTH BASED UPON REGULATIONS IN EFFECT AT THAT TIME. A NEW PLAN SUBMISSION MAY BE REQUIRED TO OBTAIN A TIME EXTENSION.



LEGEND

	PROPOSED CONTOURS
	EXISTING CONTOURS
	EXISTING PROPERTY LINE
	BUILDING SETBACKS
	PROPOSED SWALE
	STONE WALL
	PROPOSED WELL
	PROPOSED BUILDING
	PROPOSED D-BOX
	PROPOSED SEPTIC TANK
	PROP. FOOTING DRAIN OUTLET
	* PERCOLATION TEST HOLE
	● DEEP SOIL TEST HOLE

ZEN
 CONSULTANTS, INC.
 1662 ROUTE 300, SUITE 138
 NEWBURGH, NEW YORK 12550
 (845) 629-1567 (phone)

SBL: 89-1-(80.1 & 80.2)
TOWN OF NEWBURGH
ZONE: 1B, INDUSTRIAL BUSINESS (SCHEDULE 80(2))
TOTAL AREA EXISTING: 62,723±SF

	REQUIRED	PROPOSED
MINIMUM LOT AREA (sf)	40,000	62,723
MINIMUM YARDS		
FRONT (747 BLVD)	*60'	**25.0'
FRONT (NYS ROUTE 84)	*60'	**60.0'
REAR	*60'	**24.5'
SIDE (BUILDING)	50'	90.0'
SIDE (CANOPY)	50'	**21.3'
MINIMUM LOT WIDTH	150'	200'+
MINIMUM LOT DEPTH	150'	200'+
BUILDING COVERAGE	40%	5%
LOT SURFACE COVERAGE	80%	57%

* FRONT YARD SETBACK SHALL BE 60' BASED ON 185-18C (#4)(6).
 ** VARIANCE REQUIRED

PARKING SCHEDULE
 REQUIRED: 1 SPACE/150 SQFT
 2448sf/150 = 17 SPACES
 PROVIDED: 22 SPACES
 INCLUDING 2 HANDICAPPED
 PROVIDED: ADDITIONAL 12 AT PUMPS

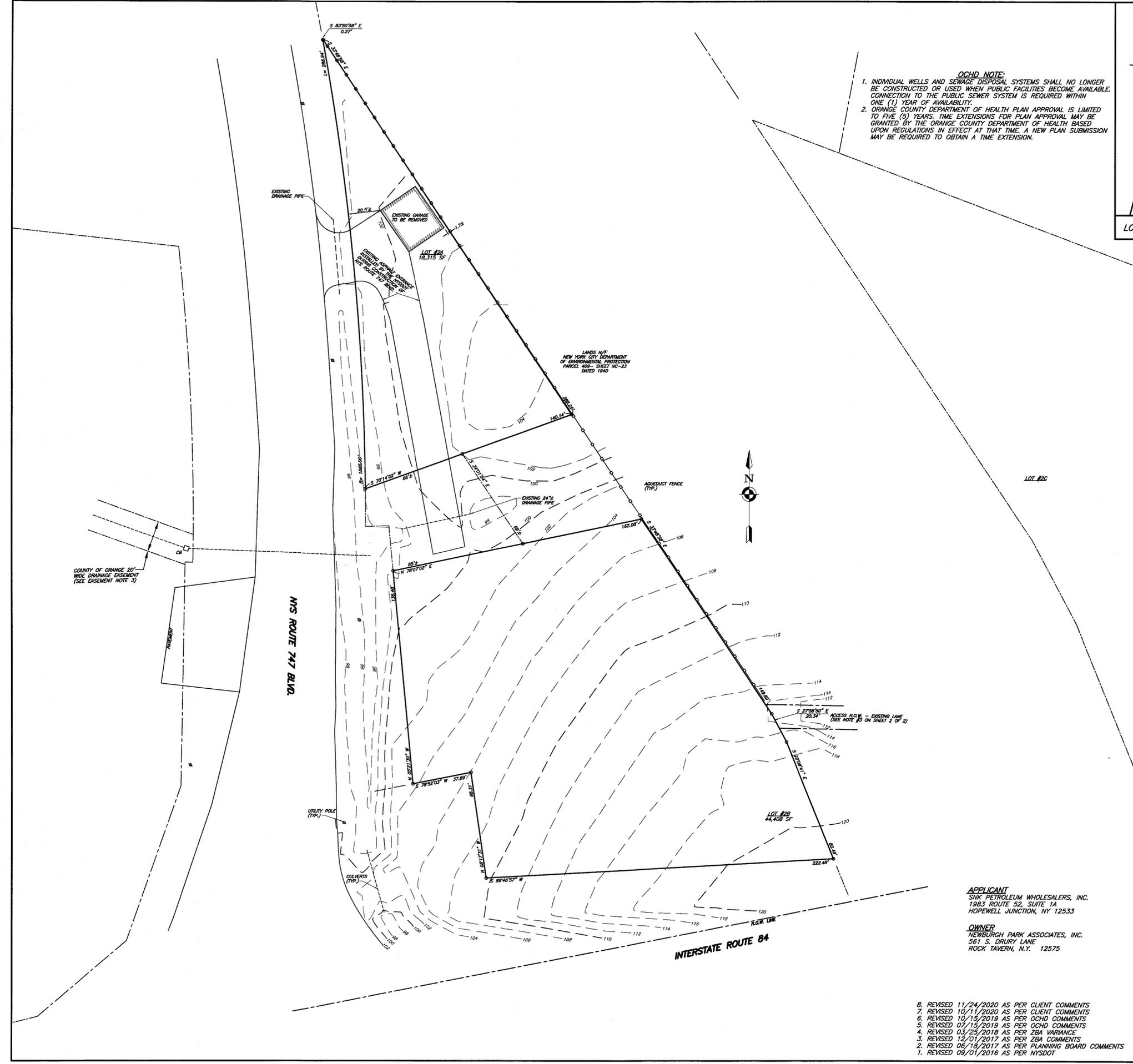
- NOTES:**
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE N.Y. STATE EDUCATION LAW.
 - ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OR THE LAND SURVEYOR'S EMBOSSED OR INK SEAL SHALL BE CONSIDERED TO BE VALID COPIES.
 - CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE CO., GOVERNMENTAL AGENCY, AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
 - UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
 - SURVEYED IN ACCORDANCE WITH DEEDS, FILED MAPS, AND PHYSICAL MONUMENTATION FOUND AT THE TIME OF SURVEY.
 - SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN UP TO DATE TITLE ABSTRACT REPORT.
- HIGHWAY TAKING REFERENCES:**
- HIGHWAY TAKING MAP FOR RECONSTRUCTION OF INTERSTATE ROUTE 503, MAP 777 - PARCEL 1158
 - HIGHWAY TAKING MAP FOR CONSTRUCTION OF INTERSTATE ROUTE 503-1-6.2, MAP 678 - PARCELS 1051, 1052, 1053, 1054 & 1055.
 - HIGHWAY TAKING MAPS FOR THE RECONSTRUCTION OF DRURY LANE (CO. ROAD NO. 54) MAP 27 - PARCELS 27 & 28.
 - ORANGE COUNTY TAKINGS FOR DRURY LANE, L.1244, P.233
 - HIGHWAY TAKING MAPS FOR THE RECONSTRUCTION OF DRURY LANE MAP 38, PARCEL 39 & 40.
- EASEMENT & LEASE REFERENCES:**
- TEMPORARY EASEMENT MAP 28 - PARCEL 29
 - AT&T EASEMENT, L.1047, P.377
 - ORANGE COUNTY DRAINAGE EASEMENT, L.2476, P.149
 - OIL & GAS LEASES, L.2057, P.1134 & L.2216, P.570
- NOTES:**
- LOT 2B & 2C HAVE RIGHT OF ACCESS THRU LOT 2A FOR INGRESS AND EGRESS TO DRURY LANE.
 - LOT 2A & 2B SUBJECT TO THE RIGHT OF LOT 2C FOR INGRESS AND EGRESS TO DRURY LANE.
 - TOGETHER WITH A RIGHT OF WAY IN FAVOR OF LOT 2C AS SHOWN FOR INGRESS AND EGRESS OVER LANDS OF NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SHOWN ON A MAP OF PARCEL 409, SHEET #NC-23, DATED 1940.
- EXCEPTION REFERENCES:**
- STATE OF NEW YORK NOTICES OF APPROPRIATION
 - L.1867, P.462
 - L.1788, P.99
 - L.1788, P.100
 - L.1885, P.1065
 - L.1897, P.129
 - EXCEPTIONS IN L.3800, P.186
 - ANDREW C. & MILDRED SMITH, L.958, P.572
 - ARTHUR D. & DORIS M. AGOR, L.958, P.575
 - WILLIAM J. & ROSALIE E. NIETZMAN, L.1354, P.138
 - ROBERT MAZZARELLA & CAROLE H. CLARKSON, L.1713, P.542
 - GEORGE HUISS, JR. & JOHN R. HORTON, JR., L.1912, P.654
 - CAROLE H. MAZZARELLA, L.1940, P.461

APPLICANT
 SNK PETROLEUM WHOLESALERS, INC.
 1983 ROUTE 52, SUITE 1A
 HOPWELL JUNCTION, NY 12533

OWNER
 NEWBURGH PARK ASSOCIATES, INC.
 561 S. DRURY LANE
 ROCK TAVERN, N.Y. 12575

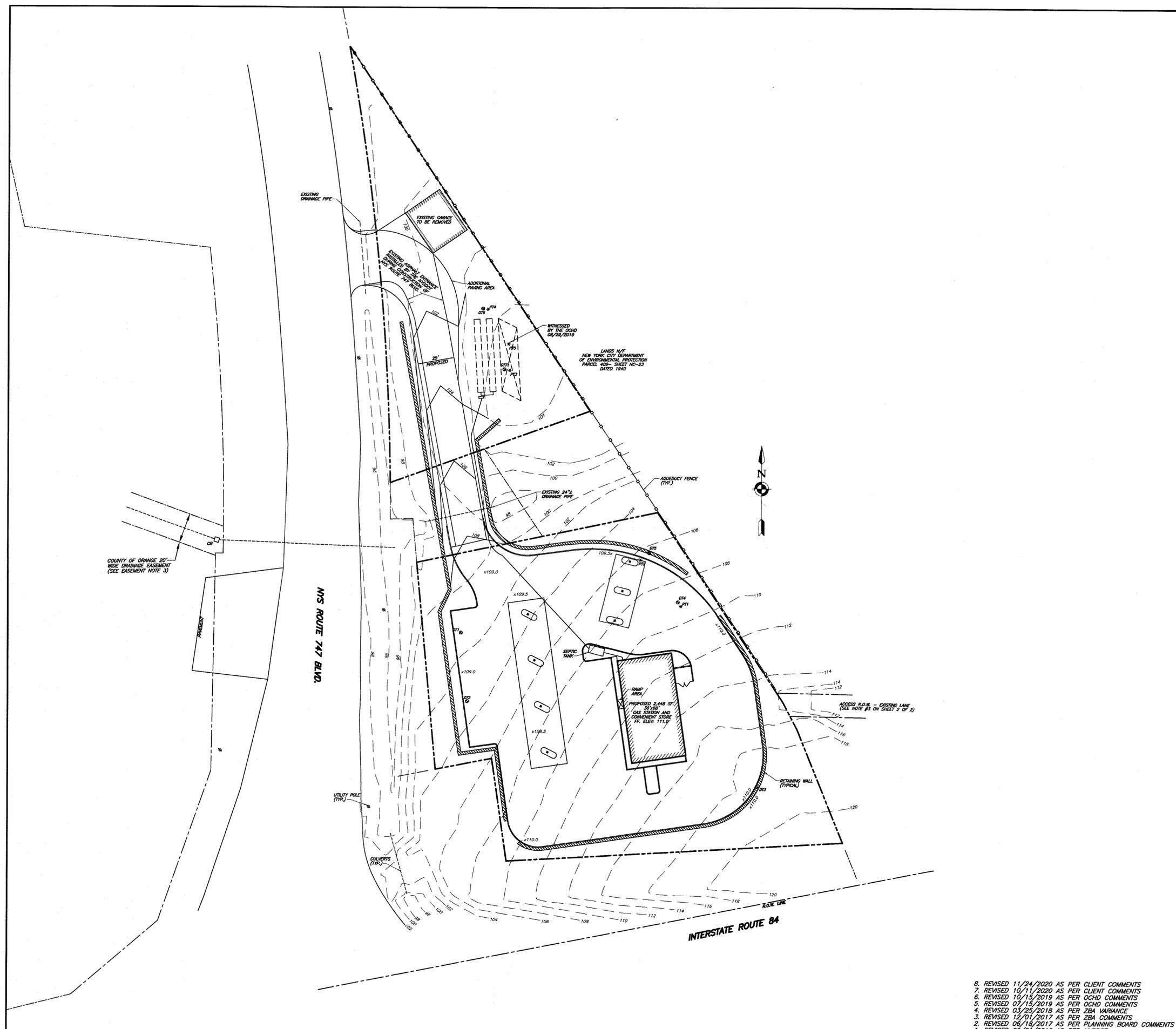
- REVISED 11/24/2020 AS PER CLIENT COMMENTS
- REVISED 10/11/2020 AS PER CLIENT COMMENTS
- REVISED 10/15/2019 AS PER OCHD COMMENTS
- REVISED 07/15/2019 AS PER OCHD COMMENTS
- REVISED 03/25/2019 AS PER ZBA VARIANCE
- REVISED 12/01/2017 AS PER ZBA COMMENTS
- REVISED 06/19/2017 AS PER PLANNING BOARD COMMENTS
- REVISED 09/01/2016 AS PER NYSDOT

SURVEYOR ANTHONY D. VALDINA	ENGINEER WILLIAM J. MORREAU	PROPOSED SITE PLAN NEWBURGH PARK ASSOCIATES, INC. EXISTING SITE PLAN SBL: 89-1-(80.1 & 80.2) TOWN OF NEWBURGH, ORANGE COUNTY, NY	
		DATE	SHEET NUMBER
		7/7/2016	1 OF 5
		SCALE	JOB NUMBER
		1"=30'	15-008-PMU



EROSION CONTROL STANDARD NOTES

1. EXCAVATION, FILLING, GRADING AND STRIPPING SHALL BE PERMITTED TO BE UNDERTAKEN ONLY IN SUCH LOCATIONS AND IN SUCH A MANNER AS TO MINIMIZE THE POTENTIAL OF EROSION AND SEDIMENT AND THE THREAT TO THE HEALTH, SAFETY AND WELFARE OF NEIGHBORING PROPERTY OWNERS AND THE GENERAL PUBLIC.
2. SITE PREPARATION AND CONSTRUCTION SHALL BE FITTED TO THE VEGETATION, TOPOGRAPHY AND OTHER NATURAL FEATURES OF THE SITE AND SHALL PRESERVE AS MANY OF THESE FEATURES AS FEASIBLE.
3. THE CONTROL OF EROSION AND SEDIMENT SHALL BE A CONTINUOUS PROCESS UNDERTAKEN AS NECESSARY PRIOR TO, DURING AND AFTER SITE PREPARATION AND CONSTRUCTION.
4. THE SMALLEST PRACTICAL AREA OF LAND SHALL BE EXPOSED BY SITE PREPARATION AT ANY GIVEN TIME.
5. THE EXPOSURE OF AREAS BY SITE PREPARATION SHALL BE KEPT TO THE SHORTEST PRACTICAL PERIOD OF TIME PRIOR TO THE CONSTRUCTION OF STRUCTURES OR IMPROVEMENTS OR THE RESTORATION OF THE EXPOSED AREAS TO AN ATTRACTIVE NATURAL CONDITION.
6. MULCHING OR TEMPORARY VEGETATION SUITABLE TO THE SITE SHALL BE USED WHERE NECESSARY TO PROTECT AREAS EXPOSED BY SITE PREPARATION, AND PERMANENT VEGETATION WHICH IS WELL ADAPTED TO THE SITE SHALL BE INSTALLED AS SOON AS PRACTICAL.
7. WHERE SLOPES ARE TO BE REVEGETATED IN AREAS EXPOSED BY SITE PREPARATION, THE SLOPES SHALL NOT BE OF SUCH STEEPNESS THAT VEGETATION CANNOT BE READILY ESTABLISHED OR THAT PROBLEMS OF EROSION OR SEDIMENT MAY RESULT.
8. SITE PREPARATION AND CONSTRUCTION SHALL NOT ADVERSELY AFFECT THE FREE FLOW OF WATER BY ENCRANCHING ON, BLOCKING OR RESTRICTING WATERCOURSES.
9. ALL FILL MATERIAL SHALL BE COMPOSITION SUITABLE FOR THE ULTIMATE USE OF THE FILL, FREE OF RUBBISH AND CAREFULLY RESTRICTED IN ITS CONTENT OF BRUSH, STUMPS, TREE DEBRIS, ROCKS, FROZEN MATERIAL AND SOFT OR EASILY COMPRESSIBLE MATERIAL.
10. FILL MATERIAL SHALL BE COMPACTED SUFFICIENTLY TO PREVENT PROBLEMS OF EROSION, AND WHERE THE MATERIAL IS TO SUPPORT STRUCTURES, IT SHALL BE COMPACTED TO A MINIMUM OF NINETY PERCENT (90%) OF STANDARD PROCTOR WITH PROPER MOISTURE CONTROL.
11. ALL TOPSOIL WHICH IS EXCAVATED FROM A SITE SHALL BE STOCKPILED AND USED FOR THE RESTORATION OF THE SITE, AND SUCH STOCKPILES, WHERE NECESSARY, SHALL BE SEEDED OR OTHERWISE TREATED TO MINIMIZE THE EFFECTS OF EROSION.
12. PRIOR TO, DURING AND AFTER SITE PREPARATION AND CONSTRUCTION, AN INTEGRATED DRAINAGE SYSTEM SHALL BE PROVIDED WHICH AT ALL TIMES MINIMIZES EROSION, SEDIMENT, HAZARDS OF SLOPE INSTABILITY AND ADVERSE EFFECT ON NEIGHBORING PROPERTY OWNERS.
13. THE NATURAL DRAINAGE SYSTEM SHALL GENERALLY BE PRESERVED IN PREFERENCE TO MODIFICATIONS OF THIS SYSTEM, EXCEPTING WHERE SUCH MODIFICATIONS ARE NECESSARY TO REDUCE LEVELS OF EROSION AND SEDIMENT AND ADVERSE EFFECTS ON NEIGHBORING PROPERTY OWNERS.
14. ALL DRAINAGE SYSTEMS SHALL BE DESIGNED TO HANDLE ADEQUATELY ANTICIPATED FLOWS, BOTH WITHIN THE SITE AND FROM THE ENTIRE UPSTREAM DRAINAGE BASIN.
15. SUFFICIENT GRADES AND DRAINAGE FACILITIES SHALL BE PROVIDED TO PREVENT THE PONDING OF WATER, UNLESS SUCH PONDING IS PROPOSED WITHIN SITE PLANS, IN WHICH EVENT THERE SHALL BE SUFFICIENT WATER FLOW TO MAINTAIN PROPOSED WATER LEVELS AND TO AVOID STAGNATION.
16. THERE SHALL BE PROVIDED WHERE NECESSARY TO MINIMIZE EROSION AND SEDIMENT SUCH MEASURES AS BENCHES, BERMS, TERRACES, DIVERSIONS AND SEDIMENT, DEBRIS AND RETENTION BASINS.
17. DRAINAGE SYSTEMS, PLANTINGS AND OTHER EROSION OR SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED AS FREQUENTLY AS NECESSARY TO PROVIDE ADEQUATE PROTECTION AGAINST EROSION AND SEDIMENT AND TO ENSURE THAT THE FREE FLOW OF WATER IS NOT OBSTRUCTED BY THE ACCUMULATION OF SILT, DEBRIS OR OTHER MATERIAL OR BY STRUCTURAL DAMAGE.



8. REVISED 11/24/2020 AS PER CLIENT COMMENTS
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ENGINEER WILLIAM J. MOREAU 	PROPOSED SITE PLAN NEWBURGH PARK ASSOCIATES, INC. DRAINAGE & GRADING SBL: 89-1-(80.1 & 80.2) TOWN OF NEWBURGH, ORANGE COUNTY, NY		
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