

William G. Norton, L.S. Alphonse Mercurio, L.S. Lawrence J. Marshall, P.E. John Tarolli, P.E., L.S.

September 6, 2016

Zoning Board of Appeals Town of Newburgh 308 Gardnertown Road Newburgh, NY 12550

> Re: Job No. 4015 Tax Map Parcel: 97-2-37 Town of Newburgh, Unity Place Hotel Site Plan Area Variance

**Dear Board Members:** 

Enclosed please find the following items in reference to the above-captioned project:

1. Eleven (11) copies of the letter from the Good-Will Fire Chief

2. Eleven (11) copies of the Federal Aviation Administration (FAA) submission

3. Eleven (11) copies of the Unity Place Sketch Plan

At the August 25, 2016 Town of Newburgh Zoning Board of Appeals meeting, there were several concerns voiced by the members of the Board and an attorney for two (2) local land owners. Responses to these comments have been provided below:

- 1. Concerns over accessibility of building by local Fire Department The local fire department, Good-Will Fire Department, was contacted regarding providing fire/emergency response to the proposed building. A copy of the letter received from the Fire Chief, Ray Van Weigan, has been enclosed. The Good-Will Fire District does not currently own an aerial/ladder truck capable of servicing the proposed building. As indicated in the aforementioned letter, the Orange County Mutual Aid Plan will be employed for the proposed building. As indicated by Town of Newburgh Code Enforcement Officer, Gerald Canfield, at the August 25, 2016 meeting, several of the surrounding fire districts currently own aerial apparatus that are capable of providing an aerial apparatus for emergencies at the proposed building. Further, the accessibility of emergency services for the proposed building will be considered by the Town of Newburgh Planning Board during the site plan review process.
- 2. Concerns over traffic on Unity Place Unity Place has a curb to curb width in excess of 35 feet with two lanes and a center striped median. The capacity of the roadway currently far exceeds the current usage. Traffic from the proposed development will primarily enter and exit Unity Place from the

45 Main Street · P.O. Box 166 Pine Bush, New York 12566 Tel: (845) 744-3620 Fax: (845) 744-3805 Email: mntm@mntm.co

> Zachary A. Peters, P.E. Kenneth W. Vriesema, L.S.



Lands of Newburgh Auto Park, LLC

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NYS Route 17K intersection. This is a signalized intersection that currently has a left turn into Unity Place. At the intersection, Unity Place currently contains one entrance lane and two exit lanes. The exit lanes are right turn only and left turn only lanes. As discussed at the meeting, the proposed hotel is a relatively low traffic generator for the size of the building and amount of land it will occupy. Based upon the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9<sup>th</sup> Edition, the proposed hotel will generate 0.67 trips per occupied room during the peak morning weekday hour and 0.70 trips per occupied room during the peak afternoon weekday hour. Assuming maximum occupancy, the proposed hotel is expected to generate 74 trips in the peak morning hour and 77 trips during the peak afternoon hour. This generation results in one car entering or exiting the site every 48 seconds in the morning and every 46 seconds in the afternoon. As a comparison, a conservative development of a 25,000 square foot supermarket on the project site will generate 85 trips in the peak morning weekday hour and 237 trips in the peak afternoon weekday hour. These figures are summarized in the table below:

ITE	Use	Units	Quantity	AM Weekday	PM Weekday	AM Weekday	PM Weekday
Use				Peak Generation	Peak Generation	Peak	Peak Generation
Code				Rate (trips per	Rate (trips per	Generation	(trips per hour)
				hour)	hour)	(trips per hour)	
310	Hotel	Occupied	110	0.67	0.70	73.7	77.0
		Rooms					
850	Supermarket	1,000 SF	25	3.40	9.48	85.0	237.0

Further, the Town of Newburgh Planning Board will review the traffic generated by the proposed project during the site plan review process. This may require a traffic study to be completed for Unity Place and nearby intersections. The Planning Board may require mitigation for the proposed development if it is determined to be necessary.

3. Concerns over potential impacts to Stewart International Airport The proposed development has been submitted to the Federal Aviation Administration (FAA) for an Off Airport Construction. A copy of the submitted document has been included in this submission. Any correspondence received from the FAA will be forwarded to the board for consideration if it is received prior to the September 22, 2016 meeting. The proposed building will have an approximate finished first floor elevation of 298. With a requested height of 69'-4", the proposed hotel will have a maximum elevation less than 368 feet above sea level. As a comparison, the Hampton Inn hotel had an existing ground elevation of approximately 350 feet above sea level. With a permitted height of 62'-9", the top of the Hampton Inn will have a maximum building height of approximately 413 feet above sea level (approximately 45 feet higher than the hotel proposed) and is located approximately 3,200 feet closer to the airport. Further, the Restaurant Depot building under construction has a maximum height of 438 feet above sea level and received clearance from the FAA to construct without any lights or indicators on the roof of the building. For reference, the end of the runway closest to NYS Route 17K has an existing elevation of approximately 455 feet above sea level. The top of the proposed building is approximately 87 feet below the end of the existing runway. No impacts to the existing airport are anticipated by the construction of the proposed hotel.

### 4. Concerns over the construction of a hotel on a town road

The applicants attorney will be discussing the claim that the requested variance from Section 185-27.C(1) is an area or use variance. Regarding the use of the property and the suitability of the proposal in conjunction with surrounding uses, we have provided the sketch plan developed for the properties created in the subdivision of the Unity Place parcels. This sketch plan was prepared for the Town of Newburgh Planning Board and shows the potential development of nine (9) parcels of land. The subdivision plan that was ultimately developed from this sketch plan created Unity Place as a town road. On the enclosed sketch plan, there is a motel (Parcel E) and a hotel (Parcel F) shown. Both of these parcels do not have principal frontage on a state or county highway as required in Section 185-27.C(1). The aforementioned section of the Town of Newburgh code has not been revised since the date of the sketch plan map. As the motel proposed on Parcel E is located in close proximity to the hotel proposed in this application, we feel the request for a variance to construct a hotel on Unity Place is consistent with the original intent of Unity Place. Further, the existing Four Points by Sheraton hotel is located on Lakeside Road, a town road.

Concerns over the height of the hotel being significantly higher than the previously 5. approved Hampton Inn hotel

The proposed Hilton Garden Inn hotel has a maximum height of 69'-4" compared to the 62'-9" Hampton Inn height. The 6'-7" increase in building height is primarily due to the difference in brand standards between a Hilton Garden Inn franchise and Hampton Inn franchise. The Hilton Garden Inn has a first floor ceiling height significantly higher than a Hampton Inn, a higher floor to floor dimension, and an elevated projection above the building for the elevator. These items result in a hotel that is 6'-7" higher than the previously approved Hampton Inn. The elevator projection results in an overall, maximum height 9'-4" higher than the roof of the 5<sup>th</sup> floor. The roof of the proposed hotel has a total height of 60'-0".

Concerns that renderings of the building were not submitted 6. The renderings of the proposed building were included as sheet 2 of the previously submitted plan set. The renderings provided show the look of the building during the day and in the evening. Further, the floor plans and building cross-section for the hotel have been included as sheet 3 of the plan set.

Please place this project on the September 22, 2016 meeting agenda for discussion. If you have any questions or concerns, please feel free to contact me at (845) 744-3620 or by email at Imarshall@mntm.co.

Sincerely,

Lawrence J. Marshall, P.E.

LM/Im Enc. RAM Hotels, Inc. CC:

### GOOD WILL FIRE DISTRICT

**1 SOUTH PLANK ROAD** 

NEWBURGH, NY 12550

Town of Newburgh Zoning Board of Appeals

308 Gardnertown Road

Newburgh N.Y. 12550

Re: Z.B.A. Application

RAM Hotels Inc. / Newburgh Auto Park LLC.

To whom it may concern,

Please accept this correspondence on behalf of the Goodwill Fire District with respect to the Zoning Board of Appeals Chairman's request regarding Fire Department capabilities to provide adequate Fire Protection to the proposed five stories Hotel Building located on Unity Place in the Goodwill Fire District.

The Fire District does not own and operate an Aerial Device that may be needed to protect such a structure, however the Orange County Mutual Aid Plan which will be employed in the response to such a building will provide needed Aerial Devices.

Cc: Board of Fire Commissioners

Town of Newburgh Planning Board

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Ray Van Weigan, Chief



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The OE/AAA site will be taken down tonight at 9PM Eastern for approximately 30 minutes for scheduled maintenance.

### Notice of Proposed Construction or Alteration - Off Airport

Add a new Case Off Airport - Desk Reference Guide V\_2016.3.0

Add a New Case Off Airport for Wind Turbines - Met Towers - Desk Reference Guide V\_2016.3.0

Project Name: RAM H-000383525-16

Sponsor: RAM Hotels, Inc.

### Details for Case : Hilton Garden Inn Hotel

Show Project Summary

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Case Status			an a	
ASN:	2016-AEA-8362-OE		Date Ac	
Status:	Accepted		Date De	
			Letters:	
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Public Comments:	None			
Construction / Altera	tion Information		Structu	
Notice Of:	Construction		Structu	
Duration:	Permanent		Structu	
if Temporary :	Months: Days:		FDC NO	
Work Schedule - Start:	03/01/2017		NOTAM	
Work Schedule - End:	03/01/2018		FCC Nun	
To find out, use the Noti	Does the permanent structure require ce Criteria Tool. If separate notice is re tate the reason in the Description of Pi	equired, please ensure it is filed.	Prior AS	
Structure Details				
Structure Details	processing and a second sec	41° 30' 2.19" N	Comm	
Longitude:		74° 3' 56.92" W		
Horizontal Datum:		NAD83		
Site Elevation (SE):		298 (nearest foot)	Specifi	
Structure Height (AGL):		70 (nearest foot)		
Current Height (AGL):		(nearest foot)		
the maximum height sh Structure Height (AGL). operating height to avoi require negotiation to a	pht (AGL): r of a crane or construction equipment ould be listed above as the Additionally, provide the minimum d delays if impacts are identified that reduced height. If the Structure Heigh height are the same enter the same			
Nacelle Height (AGL): * For Wind Turbines 500	ft AGL or greater	(nearest foot)		
Requested Marking/Ligi	nting:	None		
	Other	1		
Recommended Marking	/Lighting:			
Current Marking/Lightin	d:	None		
	Other	· · []		
Nearest City:		Newburgh		
Nearest State:		New York		
Description of Location: On the Project Summar	y page upload any certified survey.	Parcel on Unity Place. Approximately 1,200 feet south of intersection of Unity Place and NYS Route 17K.		
Description of Proposal:		Construction of a 5 story, 110 room hotel, accessory storage building, and parking		

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« OE/AAA

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# Full Size Site Plans

are available for viewing at the

**Zoning Board of Appeals** Office located at **308 Gardnertown Road** Newburgh, NY

845-566-4901

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PERCENT LOT SURFACE COVERAGE 60% 36.3% PERCENT LOT SURFACE COVERAGE 50% 41% PARKING 103 SPACES ZONING SCHEDULE ZONE: IB INTERCHANGE BUSINESS USE: CONFERENCE CENTER ITEM REQUIRED PROVIDED LOT AREA 10 ACRES 12.3 ACRES LOT WIDTH 400 FT. 730 FT. LOT DEPTH 400 FT. 600 FT. FRONT YARD 60 FT. 160FT. REAR YARD 60 FT. 160FT. REAR YARD 60 FT. 170FT. SIDE YARD ONE/BOTH 50/100 FT. 90/284 FT.	PERCENT LOT SURFACE COVERAGE 60% 36.3% PARKING 103 SPACES PARKING 116 SPACES ZONING SCHEDULE ZONE: IB INTERCHANGE BUSINESS USE: CONFERENCE CENTER ITEM REQUIRED PROVIDE LOT AREA 10 ACRES 12.3 ACI LOT WIDTH 400 FT. 730 FT. LOT DEPTH 400 FT. 600 FT.	
ZONING SCHEDULE ZONE: IB INTERCHANGE BUSINESS USE: CONFERENCE CENTER ITEM REQUIRED PROVIDED LOT AREA 10 ACRES 12.3 ACRES LOT WIDTH 400 FT. 730 FT. LOT DEPTH 400 FT. 600 FT. FRONT YARD 60 FT. 160FT. FRONT YARD 60 FT. 160FT. REAR YARD 60 FT. 170FT. SIDE YARD ONE/BOTH 50/100 FT. 90/264 FT.	ZONING SCHEDULE ZONE: IB INTERCHANGE BUSINESS USE: CONFERENCE CENTER ITEM REQUIRED PROVIDE LOT AREA 10 ACRES 12.3 ACI LOT WIDTH 400 FT. 730 FT. LOT DEPTH 400 FT. 600 FT.	
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LOT AREA       10 ACRES       12.3 ACRES         LOT WIDTH       400 FT.       730 FT.         LOT DEPTH       400 FT.       600 FT.         FRONT YARD       60 FT.       160FT.         REAR YARD       60 FT.       170FT.         SIDE YARD ONE/BOTH       50/100 FT.       90/264 FT.	LOT AREA 10 ACRES 12.3 ACT LOT WIDTH 400 FT. 730 FT. LOT DEPTH 400 FT. 600 FT.	D
LOT WIDTH 400 FT. 730 FT. LOT DEPTH 400 FT. 600 FT. FRONT YARD 60 FT. 160FT. REAR YARD 60 FT. 170FT. SIDE YARD ONE/BOTH 50/100 FT. 90/264 FT.	LOT WIDTH 400 FT. 730 FT. LOT DEPTH 400 FT. 600 FT.	RES
LOT DEPTH         400 FT.         600 FT.           FRONT YARD         60 FT.         160FT.           REAR YARD         60 FT.         170FT.           SIDE YARD ONE/BOTH         50/100 FT.         90/264 FT.	LOT DEPTH 400 FT. 600 FT.	
FRONT YARD     60 FT.     160FT.       REAR YARD     60 FT.     170FT.       SIDE YARD ONE/BOTH     50/100 FT.     90/264 FT.		
REAR YARD         60 FT.         170FT.           SIDE YARD ONE/BOTH         50/100 FT.         90/264 FT.	FRONT YARD 60 FT. 160FT.	
SIDE YARD ONE/BOTH 50/100 FT. 90/264 FT.		
		FT.
ի Թեմ յունես էս հայուս էս տեղելու տեստությունները։ Հայուստությունները էս հայուստությունները։		
BUILDING HEIGHT 40 FT. 32 FT.		

PARKING 450 SPACES









# SKETCH SITE PLAN

PROJECT:

PROPOSED DEVELOPMENT FOR JEHOVAH'S WITNESSES CONFERENCE CENTER (LYING ON PORTIONS OF 97-2-16.2, 14 AND PORTIONS OF 19 & 27.42) AND

WEBB PROPERTIES (LYING ON PORTIONS OF 97-2-13.2, 19 & 27.42)





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PROFESSIONAL

OFFICE SPACE

3.11 ACRES

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er's signature:

RONALD BARTON FOR WEBB PROPERTIES

STANLEY BACHMAN FOR JACAH, INC.

ION 97-BLOCK 2-LOT 14-6.9 ACRES	
LOT 16.2-9.7 ACRES	
LOT 19(PART)	
LOT 27.42(PART)	
CANT	
JNCAH, INC.	
C/O STANLEY BACHMAN, PRESIDENT	
5030 ROUTE 82	
SALT POINT, NY 12578	
HIC DATA OBTAINED FROM PUBLIC MAPS, DEED RECORDS AND USGS TOPOGRAPHY.	
L BE SOLELY FROM THE PROPOSED 50 FT. R.O.W., DIRECT ACCESS TO UTTLE RCHIBITED.	
INSTRUCTED ON ANY LOTS WITHOUT HAVING SITE PLAN APPROVAL FROM THE	
ROADWAY IMPROVEMENTS AND UPON ACCEPTANCE OF SAME BY THE TOWN OF	
R WILL OFFER FOR DEDICATION TO THE TOWN OF NEWBURGH THE 50 FOOT WIDE THE SUBDIVISION PLAN.	
POLE- WOOD \$X6/LIGHT PER CENTRAL HUDSON SPECIFICATIONS	
OF ADDITION OF A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S	
SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.	
EXCESS OF 15% OF THE NYSDEC WETLANDS MAP NO D.E.C. WETLANDS HAVE	
THE PROPOSED PROPERTY DEVELOPMENT.	
OF THE FEMA IDENTIFIED ONE-HUNDRED-YEAR FLOODPLAIN NO AREA	
LOPMENT LIES WITHIN SUCH FLOODPLAIN.	
MENT AREA IS MAPPED WITH THE FOLLOWING SOIL TYPES:	
GRAVELY LOAM.	
And Discourse and Andrew An	
BILT LOAM.	
MENT IS A 50-FOOT RIGHT -OF- WAY IN WEBB LOT 97-2-19 ALONG	84
RY TO ALLOW ACCESS TO THE WONY POPERTY. THIS WILL TRANFER TO THE PROPOSE	2
ED. SHOW AS DOTTED LINE SO FEET EAST OF THE WEST PROPERTY LINE.	s -
N ELECTRIC SERVICE EASEMENT FROM THE LLOYD'S PROPERTY TO THE POWER POLE	/4.1
NTROL BUILDING. PRESENTLY THERE IS A POWER POLE THERE WITH 3 TRANSFORMERS	8
ROM THE VICINTY OF THE LLOYD'S PROPERTY. WILL VERIFY BY REVIEW OF COUNTY	

NOTES:

1. TAX MAP REFERENCE: SECTION 97 -BLOCK2- LOT 19-11.55 ACRES, 1,503,052 S.F. LOT 27.42-18.3 ACRES

RECORD OWNER & APPLICANT: WEBB PROPERTIES, INC. 61 ROUTE 17K NEWBURGH,N.Y. 12550

2. TAX MAP REFERENCE: SECT

RECORD OWNER & APPLI [UNDER CONTRACT TO]

- 3. BOUNDARY AND TOPOGRAPH 4. ACCESS TO ALL LOTS SHALL
- BRITAIN ROAD SHALL BE P 5. NO BUILDING SHALL BE CO
- TOWN OF NEWBURGH PLAN 8. UPON COMPLETION OF THE NEWBURGH, THE DEVELOPE R.O.W. AS PRESENTED ON
- 7. STREET LIGHTING: 30' OA
- 8. UNAUTHORIZED ALTERATION SEAL IS A VIOLATION OF
- 9. NO AREAS IDENTIFIED IN
- 10. BASED UPON A REVIEW BEEN IDENTIFIED WITHIN
- 11. BASED UPON A REVIEW OF THE PROPOSED DEVE
- 12. THE PROPOSED DEVELOP
  - PIB, PIC PITTSFIELD,
  - UR- URBAN LAND
- ERA ERIE GRAVELLY S
- 13. THE ONLY KNOWN EASE THE WESTERLY BOUNDAN ROAD ONCE CONSTRUCT
- AT THE 14. ALSO THERE MAY BE A rs. The REAR OF THE WONY COI ELECTRIC WIRE COMES F CLERK'S RECORDS.
- 15. THE TREES ON THE SITE DO NOT APPEAR TO BE OF THE QUANTITY OR QUALITY TO QUALIFY AS A UNIQUE FEATURE.

ADDITION OR **ALTERATION OF THIS** PLAN IS A VIOLATION **OF SECTION 7209 (2)** OF THE NEW YORK STATE EDUCATION LAW

# PRELIMINARY DOCUMENT

# **JWCAH INC.** &

# **WEBB PROPERTIES**

## NEWBURGH, NY

SHEET:

# PROPOSED SITE PLAN

THESE DRAWINGS ARE THE SOLE PROPERTY OF RICHARD I. ELDRED et.al. ANY ATTEMPTS TO REPRODUCE OR USE THESE DRAWINGS FOR ANY-THING OTHER THAN THEIR ORIGINAL PURPOSE IS A VIOLATION OF THE LAW AND THE COPYRIGHT ASSOCIATED WITH THIS DOCUMENT.

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X 97-2-22.1 N/F CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY 388/352 97-2-26.2 N/F ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY 4628/80 s e diane ..... 97--2-22.2 N/F LLOYD'S SHOPPING CENTER, INC. 1525/205 . . . . . . . . . . . . . . ..... . . . D ROFESSIONAL USE PROVIDED ED 154,257 S.F. S.F. 440 FT. 300 FT. 100 FT. 160 FT. 150/160 FT. FT. 2.4% 20 FT. 31 92



97-2-26.2 N/F ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY 4628/80

ZONING SCHEDULE		Basaid
ZONE: IB INTERCHANGE BUSINESS		
USE: RESTAURANT (1&2)		
ITEM	REQUIRED	PROVIDED
LOT AREA		3.82 ACRES
LOT WIDTH	200 FT.	540 FT.
LOT DEPTH	200 FT.	200 FT.
FRONT YARD	50 FT.	72FT.
REAR YARD	60 FT.	70FT.
SIDE YARD ONE/BOTH	50/100 FT.	70/150 FT.
PERCENT LOT COVERAGE	25%	10%
BUILDING HEIGHT	50 FT.	12 FT
PERCENT LOT SURFACE COVERAGE	60%	60%

PARKING 206 SPACES

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	na para kalendar kale	В		na ann an Anna	С	
ZONING SCHEDULE		Communication of the second seco	ZONING SCHEDULE			ZONING SCHEDULE
ZONE: IB INTERCHANGE BUSINESS			ZONE: IB INTERCHANGE BUSINESS			ZONE: IB INTERCHANGE B
USE: RESTAURANT (3)			USE: 1 MINI-MALL			USE: OFFICES FOR BUSIN
ITEM	REQUIRED	PROVIDED	ITEM	REQUIRED	PROVIDED	ITEM
LOT AREA		3.95 ACRES	LOT AREA	2 ACRES	3.47 ACRES	LOT AREA
LOT WIDTH	200 FT.	540 FT.	LOT WIDTH	200 FT.	450 FT.	LOT WDTH
LOT DEPTH	200 FT.	210 FT.	LOT DEPTH	200 FT.	300 FT.	LOT DEPTH
FRONT YARD	50 FT.	50FT.	FRONT YARD	40 FT.	100 FT.	FRONT YARD
REAR YARD	60 FT.	60FT.	REAR YARD	50 FT.	120 FT.	REAR YARD
SIDE YARD ONE/BOTH	50/100 FT.	110/330 FT.	SIDE YARD ONE/BOTH	30/60 FT.	210/145 FT.	SIDE YARD ONE/BOTH
PERCENT LOT COVERAGE	25%	9.8%	PERCENT LOT COVERAGE	40%	3%	PERCENT LOT COVERAGE
BUILDING HEIGHT	50 FT.	12 FT	BUILDING HEIGHT	35 FT.	20 FT.	BUILDING HEIGHT
PERCENT LOT SURFACE COVERAGE	60%	59.4%	PERCENT LOT SURFACE COVERAGE	50%	19.7%	PERCENT LOT SURFACE C

A

97-2-26.2 N/F ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY 4628/80 D BUSINESS SINESS, RESEARCH AND PROFESSIONAL USE PROVIDED REQUIRED 154,257 S.F. 40,000 S.F. 150 FT. 440 FT. 300 FT. 150 FT. 100 FT. 50 FT. 60 FT. 160 FT. 150/160 FT. 50/100 FT. E 40% 2.4% 35 FT. 20 FT.

COVERAGE

50%

31.9%

