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

**PROJECT: 39 SOUTH PLANK AVENUE**  
**PROJECT NO.: 18-16**  
**PROJECT LOCATION: SECTION 72, BLOCK 13, LOT 5**  
**REVIEW DATE: 14 JANUARY 2019**  
**MEETING DATE: 17 JANUARY 2019**  
**PROJECT REPRESENTATIVE: MASER CONSULTING**

1. The Applicant's representative have stated that the required variances for the project have been received at a ZBA meeting on 27 December 2018.
2. The Applicant's have provided a sketch plan depicting the location of two additional parking spaces to meet the requirements of the Town Code. The sketch plan does not contain a grading plan or site development details.
3. The Applicant's representative are requesting a waiver under Section 185-19C2. This section identifies that " all other changes in use of existing sites or buildings to a use subject to site plan review by the Planning Board shall not be permitted without site plan approval, except that for buildings or areas under 2,500 square feet, it shall be the board's determination as to whether a review by the Planning Board is or is not required. Such determination shall be made by resolution of the Planning Board following a discussion during a scheduled meeting or work session. The Planning Board should determine if site plan review is required for the change of use on the site. The Applicants are requested to identify whether public input was received at the Zoning Board of Appeals process to assist the board in this determination.
4. Previous comments identified the requirement to connect to the town sewer lines, traversing the site. Currently the site is served by a subsurface sanitary sewer disposal system. A town sewer lateral traverses the site down gradient of the existing subsurface sanitary sewer disposal system. A City of Newburgh Flow Acceptance letter would be required for this connection.

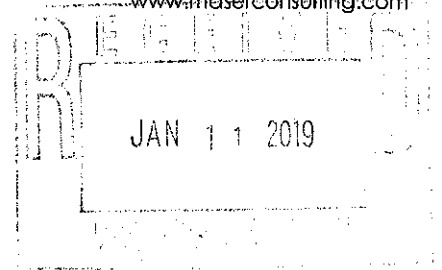


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January 11, 2019

**VIA HAND DELIVERY**



Chairman John Ewasutyn  
 Town of Newburgh Planning Board  
 308 Gardnertown Road  
 Newburgh, NY 12550

Re: 39 South Plank Road (PB #18-16)  
 Tax Lot 72-13-5  
 Town of Newburgh, Orange County, NY  
MC Proposal No. 18000173A

Dear Chairman Ewasutyn:

Per our telephone discussion, on behalf of the applicant for the above referenced project, I am requesting to be placed on the next available Planning Board agenda to update and discuss the following project items:

1. At the December 27, 2018 Zoning Board of Appeals meeting the project was granted the following variances:

B-Zone Bulk Item	Required	Provided
Lot Area	15,000 Sq. Ft.	13,335 Sq. Ft.
Lot Width	100 Feet	50 Feet
Front Yard Setback	60 Feet	30.1 Feet
Side Yard Setback	15 Feet	4.4 Feet
Combined Side Yard	30 Feet	21.8 Feet

2. Based on the prior appearance before the Planning Board, the Sketch Site Plan has been revised to depict the location for the two (2) proposed parking spaces required to meet the zoning requirements for a personal service use of this size (1,064 square feet). Copy of the revised Sketch Plan is attached.
3. Lastly, per section 185-19.C.2. of the Town Zoning Code and in summary; when a project has a building under 2,500 square feet the Planning Board has the ability to determine as to whether site plan review by the Board is or is not required. This particular project not



Chairman John Ewasutyn  
MC Proposal No. 18000173P  
January 11, 2019  
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only meets this threshold, but the site improvements associated with this project are also minor in nature and in my opinion further support such a waiver of continued site plan review by the Planning Board.

I look forward to reviewing these items with yourself and the board. If you have any questions, please feel free to contact us.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in black ink, appearing to read 'Justin E. Dates', is written over the typed name.

Justin E. Dates, RLA  
Associate

JED/paw

cc: Brian Chen & Lixiao Xie, w/enclosures  
Karla Ritter, w/enclosures  
Daniel Clarino, w/enclosures  
Pat Hines, McGoey Hauser & Edsall w/enclosures  
Michael Donnelly, Esq (digital only)  
File, w/enclosures

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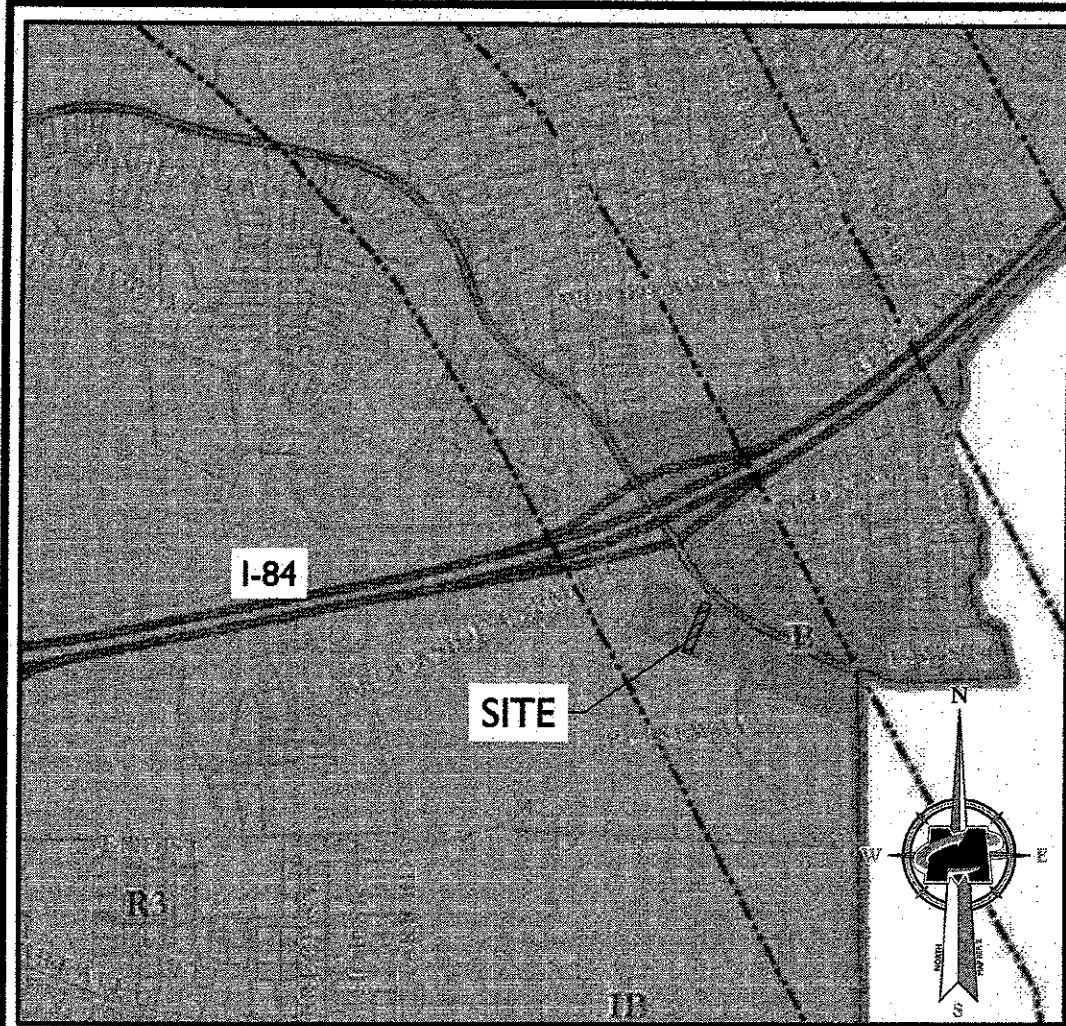
Respectfully submitted,

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

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Patrick J. Hines  
Principal

PJH/kbw



VICINITY MAP  
SCALE: 1"=1000'

**APPLICANT:** BRIAN CHEN & LIXIAO XIE  
11 RAPAJE ROAD  
FISHKILL, NY 12524

**OWNER:** MILTON & KARLA RITTER  
350 NORTH WATER ST UNIT 1-9  
NEWBURGH, NY 12550

**TAX LOT:** 72-13-5  
±13,335 SQ. FT.  
±0.306 ACRES

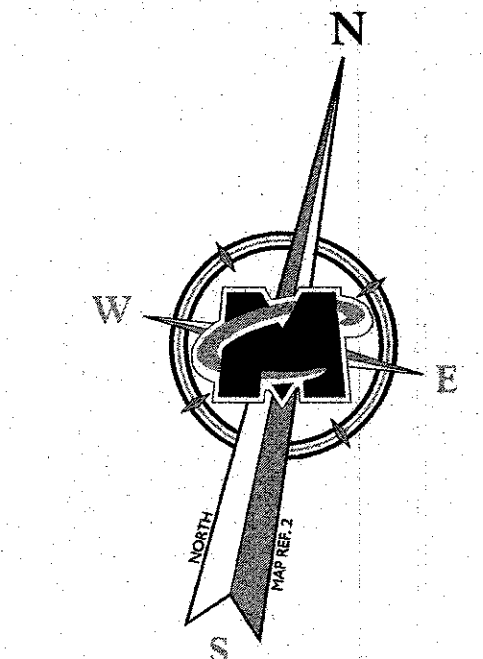
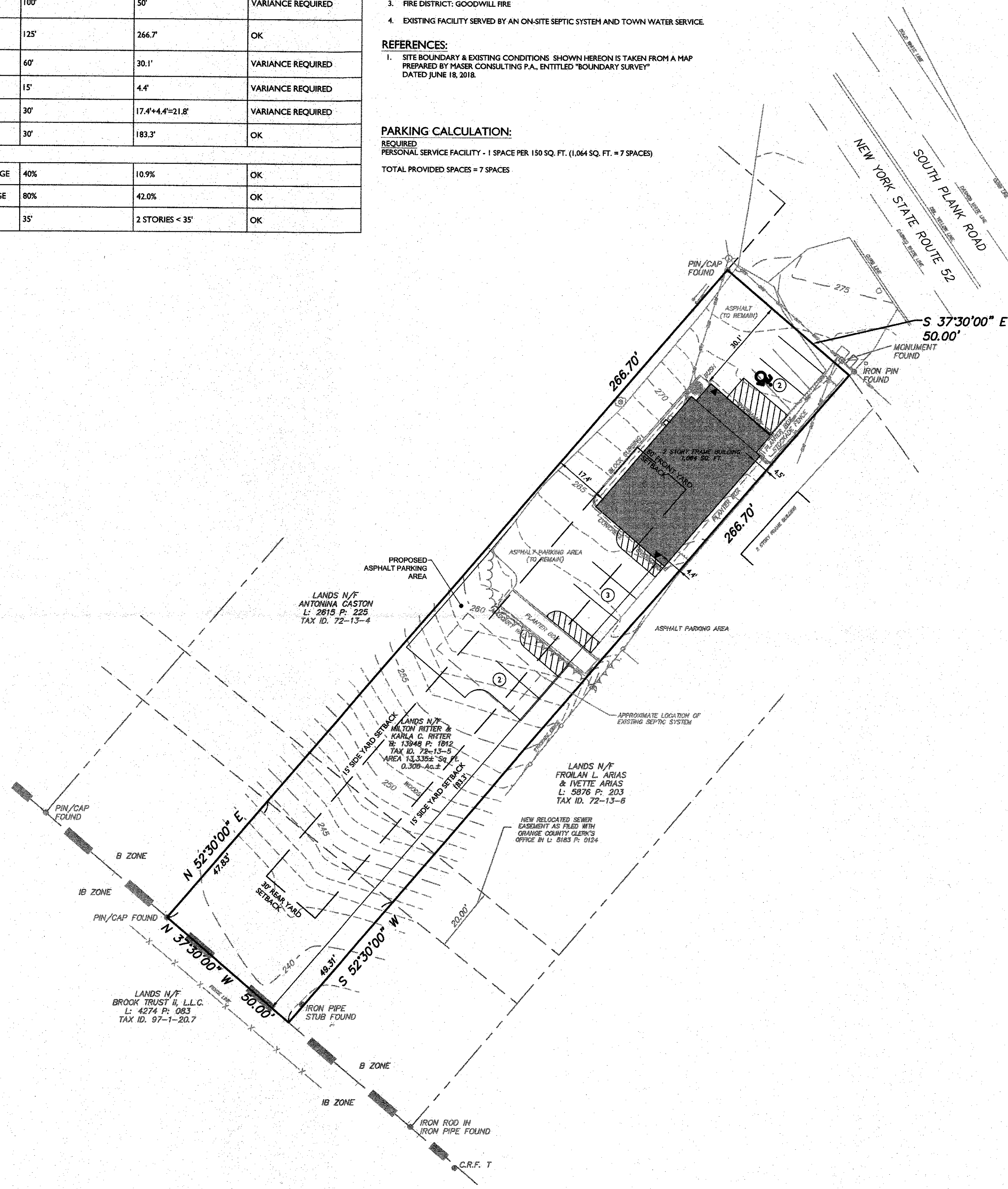
**ZONING:** B (BUSINESS)  
USE SUBJECT TO SITE PLAN REVIEW: RETAIL STORES & PERSONAL SERVICES  
STORES AND USES, HEALTH CLUBS AND FITNESS FACILITIES.

MINIMUM	REQUIRED	PROPOSED	REMARKS
LOT AREA	15,000 SQ. FT.	13,335 SQ. FT.	VARIANCE REQUIRED
LOT WIDTH	100'	50'	VARIANCE REQUIRED
LOT DEPTH	125'	266.7'	OK
FRONT YARD	60'	30.1'	VARIANCE REQUIRED
ONE SIDE YARD	15'	4.4'	VARIANCE REQUIRED
BOTH SIDE YARDS	30'	17.4'+4.4'=21.8'	VARIANCE REQUIRED
REAR YARD	30'	183.3'	OK
<b>MAXIMUM</b>			
LOT BUILDING COVERAGE	40%	10.9%	OK
LOT SURFACE COVERAGE	80%	42.0%	OK
BUILDING HEIGHT	35'	2 STORIES < 35'	OK

- NOTES:**
- THE PROPERTY IS NOT WITHIN THE ONE-HUNDRED-YEAR FLOOD PLAIN AS PER FLOOD INSURANCE RATE MAP, NO. 36071C0143E, EFFECTIVE DATE AUGUST 3, 2009.
  - SCHOOL DISTRICT: NEWBURGH
  - FIRE DISTRICT: GOODWILL FIRE
  - EXISTING FACILITY SERVED BY AN ON-SITE SEPTIC SYSTEM AND TOWN WATER SERVICE

- REFERENCES:**
- SITE BOUNDARY & EXISTING CONDITIONS SHOWN HEREON IS TAKEN FROM A MAP PREPARED BY MASER CONSULTING P.A. ENTITLED "BOUNDARY SURVEY" DATED JUNE 18, 2018.

**PARKING CALCULATION:**  
REQUIRED PERSONAL SERVICE FACILITY - 1 SPACE PER 150 SQ. FT. (1,064 SQ. FT. = 7 SPACES)  
TOTAL PROVIDED SPACES = 7 SPACES



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State of N.Y. Certificate of Authorization: 009871 / 000821  
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REV	DATE	DESCRIPTION
1	11/01/18	PARKING SPACES ADDED AS REQUIRED BY PLANNING BOARD

JUSTIN E. DATES  
NEW YORK REGISTERED  
LANDSCAPE ARCHITECT - LICENSE NUMBER: 001964

**SITE PLAN**  
FOR  
**BRIAN CHEN & LIXIAO XIE**  
SECTION 72  
BLOCK 13  
LOT 5  
TOWN OF NEWBURGH  
COUNTY OF ORANGE  
STATE OF NEW YORK

**NEW WINDSOR OFFICE**  
555 Hudson Valley Avenue  
Suite 101  
New Windsor, NY 12553  
Phone: 845.564.4495  
Fax: 845.567.1025

SCALE: AS SHOWN	DATE: 08/20/2018	DRAWN BY: CDR	CHECKED BY: JED
PROJECT NUMBER: 18000173A	DRAWING NAME: C-CNPT		

SHEET TITLE: **SKETCH SITE PLAN**  
SHEET NUMBER: 01 of 01

**LEGEND**

	EXISTING TRAVERSE LINE, CENTER LINE OR BASELINE (LABEL AS SUCH)		PROPOSED TRAVERSE LINE, CENTER LINE OR BASELINE (LABEL AS SUCH)
	ADJACENT PROPERTY LINE		SUBJECT PROPERTY LINE
	EDGE OF PAVEMENT		CURB
	DEPRESSED CURB		SIDEWALK
	FENCES		TREELINE
	ROADWAY SIGNS		MUNICIPAL BOUNDARY LINE
	FLOW ARROW		PROPERTY SETBACK
	LIMIT OF DISTURBANCE (L.O.D.)		STALL COUNT
	ADA ACCESSIBLE STALL		DEPRESSED CURB AND ADA RAMP
	DIRECTION OF TRAFFIC FLOW		

