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

PROJECT: LUONGO CONTRACTOR STORAGE
PROJECT NO.: 18-13
PROJECT LOCATION: SECTION 20, BLOCK 2, LOT 55 & 53
REVIEW DATE: 27 JULY 2018
MEETING DATE: 2 AUGUST 2018
PROJECT REPRESENTATIVE: MASER CONSULTING

1. A topographic survey of the site should be provided for the Planning Board's use.
2. Proposed Lot #2 which currently is not identified as not having any proposed use should have the gravel parking areas remediated to a vegetative surface.
3. Existing trailer identified to be removed must be removed from the site prior to any approvals.
4. Information pertaining to the Subsurface Sanitary Sewer Disposal System should be provided.
5. Location of any water lines serving the facility should be identified on the plans.
6. Building would require to be sprinklered in accordance with the Town's sprinkler ordinance. Jerry Canfield's comments regarding this should be received.
7. Submission to New York State Department of Transportation is required. NYSDOT commercial access drive will most likely be required and should be depicted.
8. Stormwater management on the site should be addressed. Large gravel dirt parking areas have developed over the years.
9. Commercial properties and the Town of Newburgh should be provided with asphalt pavement and curbing as appropriate.

10. A shed exists along the southern property. This shed is an accessory use in a commercial zone. Jerry Canfield's comments on placement of the accessory use on the commercial use should be received. Use of the shed should be identified in the site plan narrative.
11. The current access road is not depicted extending to the area identified as "Bay D". Access to this should be identified on the plan.
12. The Planning Board may wish to discuss landscaping of the site with the Applicant's representatives. Currently a wide open dirt area exists between New York State Route 9W and the existing structure.
13. Actual parking of vehicles should be addressed on the site. The location for each of the proposed tenant's vehicles should be depicted on the plans. Method of delineating the parking spaces should be addressed.
14. Site lighting should be addressed on the plans.
15. The Planning Board should consider the requirement for soils testing of the modified lot 2 to determine if a Subsurface Sanitary Sewer Disposal System could be constructed to serve some future use on the lot.
16. The Code enforcement officer should review each of the proposed uses which regard to compliance in the B and LHI zoning districts.
17. Orange County Planning Department referral is required once detailed design plans have been submitted.

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**

DATE RECEIVED: _____ **TOWN FILE NO:** 2018-13
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):

Luongo Contractor Storage (5301 Route 9W Corp.)

2. Owner of Lands to be reviewed:

Name 5301 Route 9W Corp.

Address 225 Fourth Avenue

Mt. Vernon, NY 10550

Phone 914-699-5800

3. Applicant Information (If different than owner):

Name Same as owner

Address _____

Representative _____

Phone _____

Fax _____

Email _____

4. Subdivision/Site Plan prepared by:

Name Maser Consulting, P.A.

Address 555 Hudson Valley Avenue

Suite 101

New Windsor, NY 12553

Phone/Fax 845-564-4495

5. Location of lands to be reviewed:

5301 Route 9W, Newburgh, NY 12550

6. Zone B & LUI

Acreage 4.4

Fire District Middlehope

School District Marlboro

7. Tax Map: Section 20 **Block** 2 **Lot** 55 & 53

8. Project Description and Purpose of Review:

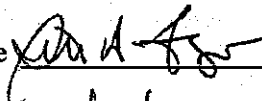
Number of existing lots 2 Number of proposed lots 2
Lot line change Yes
Site plan review Yes
Clearing and grading No
Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) None (see attached Survey map)

10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Signature  Title President
Date: 6/19/2018

NOTE: 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).

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

TOWN OF NEWBURGH PLANNING BOARD

Luongo Contractor Storage (5301 Route 9W Corp.)
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. X Environmental Assessment Form As Required
2. X Proxy Statement
3. X Application Fees
4. X 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.

1. X Name and address of applicant
2. X Name and address of owner (if different from applicant)
3. X Subdivision or Site Plan and Location
4. X Tax Map Data (Section-Block-Lot)
5. X Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
6. X 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
7. X Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. X Date of plan preparation and/or plan revisions
9. X Scale the plan is drawn to (Max 1" = 100')
10. X North Arrow pointing generally up

11. X Surveyor,s Certification
12. X Surveyor's seal and signature
13. X Name of adjoining owners
14. n/a Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
15. n/a Flood plain boundaries
16. n/a Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
17. X Metes and bounds of all lots
18. X 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. X Show existing or proposed easements (note restrictions)
20. n/a Right-of-way width and Rights of Access and Utility Placement
21. n/a Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
22. X Lot area (in sq. ft. for each lot less than 2 acres)
23. X Number of lots including residual lot
24. X Show any existing waterways
25. n/a A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
26. X Applicable note pertaining to owners review and concurrence with plat together with owner's signature
27. X Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. X Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29. n/a Show topographical data with 2 or 5 ft. contours on initial submission

30. X Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. n/a If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed
32. n/a Number of acres to be cleared or timber harvested
33. n/a Estimated or known cubic yards of material to be excavated and removed from the site
34. n/a Estimated or known cubic yards of fill required
35. n/a The amount of grading expected or known to be required to bring the site to readiness
36. n/a Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.
- _____
- _____
37. n/a Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.
- _____
- _____
38. n/a List of property owners within 500 feet of all parcels to be developed (see attached statement).

The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

By: 
Licensed Professional

Date: 6/28/18

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.

FEE LAW SUMMARY

PENDING APPLICATIONS

All applicants with matters pending before the Planning Board as of the effective date of this local law shall be required to post as escrow in the manner and upon the terms and conditions set forth below:

- (a) The Planning Board, in consultation with the applicant, shall compute the amount of the escrow to be posted with the Town. Such amount shall be reasonably related to the costs attendant to the Town's review of the application as of the effective date of this local law. Under no circumstances shall the escrow include amounts attributable to any costs incurred by the Town prior to the effective date of this local law.
- (b) Once computed and established by Resolution of the Planning Board, the applicant shall, within fifteen (15) days of said resolution, post escrow fees with the Secretary of the Planning Board. Failure to deliver the said escrow fees may result in delay of the further processing of the application.

SEVERABILITY

In the event a court of law determined that any provision of this chapter is unenforceable, then only that provision shall be affected and all other provisions shall be fully enforceable.

EFFECTIVE DATE:

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

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.

Peter Luongo

APPLICANT'S NAME (printed)

John D. For

APPLICANTS SIGNATURE

6/19/18

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).

PROXY

(OWNER) 5301 Route 9W Corp., DEPOSES AND SAYS THAT HE/SHE

RESIDES AT 225 4th Ave. Mt. Vernon N.Y. 10550

IN THE COUNTY OF Westchester.

AND STATE OF N.Y.

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

SBL: 20-2-55 & 53

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND Maser Consulting, P.A. IS AUTHORIZED

TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: _____

6/19/18



OWNERS SIGNATURE

Peter A. Luongo

OWNERS NAME (printed)



WITNESS' SIGNATURE

NAMES OF ADDITIONAL
REPRESENTATIVES

Beth Luongo

WITNESS' NAME (printed)

AGRICULTURAL NOTE

(Required to be placed on all plans where property lies within 500 feet of land in active agricultural production or operation)

Property adjacent to lots (23-2-60) is in active agricultural operation and production and residents must be aware that such property is protected by New York State "Right to Farm Laws" as regulated by the Department of Agriculture and Markets. From time to time during and prior to the normal growing season land and crops may be sprayed from the ground or by air, manure may be applied, and periodic noise may occur from machinery operation at various times throughout the day. Residents should be aware of this action by the adjacent property owners.

(1) Specific lots adjacent to the active farming area which are impacted shall be inserted in this space.

AGRICULTURAL DATA STATEMENT

(Required pursuant to Agricultural and Markets Law §305-a for applications for site plan approvals, use variances and subdivision approvals that will occur on property within a County Agricultural District containing an active farm operation or on property with boundaries within five hundred feet of an active farm operation located in a County Agricultural District)

Name and address of the applicant: 5301 Route 9W Corp.
225 Fourth Avenue, Mt. Vernon, NY 10550

Description of the proposed project: Lot line change

Location of the proposed project: 5301 Route 9W, Newburgh, NY 12550
SBL: 20-2-55 & 53

Name(s) and address(es) of any owner(s) of land within a County Agricultural District containing active farming operations and located within five hundred feet of the boundary of the project property: SBL: 23-2-60
Middlehope Enterprises LLC
5306 Route 9W
Newburgh, NY 12550

A tax map or other map showing the site of the proposed project relative to the location of the identified farm operations must be attached to this form.


APPLICANT'S SIGNATURE

6/19/18
DATE



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

555 Hudson Valley Avenue, Suite 101
New Windsor, NY 12553-4749
T: 845.564.4495
F: 845.567.1025
www.maserconsulting.com

NARRATIVE SUMMARY
July 2, 2018
LUONGO CONTRACTOR STORAGE (5301 ROUTE 9W CORP.)
TAX LOT 20-2-55 & 53
TOWN OF NEWBURGH, ORANGE COUNTY
PB#2018-13
MC PROJECT NO. 18000796A

Maser Consulting, P.A. (MC) has developed the attached Sketch Site Plan for the above referenced tax lots to address the current change of occupancy and use as required by the building department (see attached letter).

The existing lot 53 is approximately 163,893 sq. ft. (3.76 acres) in size, and existing lot 55 is approximately 14,246 sq. ft. (0.327 acres) in size. The lots both have frontage on Albany Post Road (NYS Route 9W) with an existing gravel driveway access from lot 53 to Route 9W. The site is located within the B (Business) Zoning District and is within the LHI (Light-Heavy Industrial) overlay district. Uses within the B & LHI overlay district include "light and heavy industrial equipment and recreation vehicle sales, service, and repair" resemble the current use of the site. The parcel is not located within the one-hundred year flood plain, nor any mapped ACOE or NYSDEC wetlands. The parcel is within the Town's Consolidated Water District. The existing building is serviced by the municipal watermain that runs along Route 9W, and an existing subsurface sewage disposal system. Proposed lot 2 (existing lot 55) has no existing or proposed structure therefore no septic or water service is shown.

The Sketch Plan proposes a lot line change to expand the potential uses for existing lot 55 by increasing the area to surpass the 20,000 sq. ft. minimum for several uses within the B district. Lot 53 contains one (1) single story ±10,000 sq. ft. building which is currently being rented out as a multi-use contractor storage building to multiple tenants. Current uses and leasing spaces are as follows; Bay A- contractor storage, Bay B & C-Herring Sanitation, Bay D- granite fabricator. A ±460 sq. ft. office trailer is also currently located on the lot line between lots 53 & 55, which is proposed to be removed. The existing septic tank which is currently being used to service the trailer is to be pumped out, crushed, and filled with sand. Proposed lot 1 (existing lot 53) is 158,078 sq. ft. (3.63 acres) and proposed lot 2 (existing lot 55) is 20,055 sq. ft. (0.46 acres) which are compliant with the requirements for the B Zoning District. Both lots are accessible through a single curb cut on Route 9W southbound which is utilized as a shared driveway.

A sign for business on lot 53 exists on lot 55, this sign is less than 15' from the street line. The sign has a total area of 474 sq. ft.

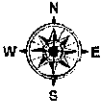
At this time, we are requesting to be put on the next available Planning Board agenda to resolve the current use violation.

ABF/cdr

R:\Projects\2018\18000796A-Luongo\Correspondence\OUT\180702_Narrative Summary.docx



Location Map



Orange County G.I.S. Division 255 Main St Goshen, New York 10924 Phone: 845.615.3790

DISCLAIMER: This map is a product of Orange County Real Property GIS Division. The data depicted here have been developed with extensive cooperation from other County departments, as well as other Federal, State and Local government agencies. Orange County make no representations as to the accuracy of the information in the mapping data, but rather, provide said information as is. Orange County expressly disclaim responsibility for damages or liability that may arise from the use of this map.

Printed: Jun 15, 2018

LIST OF ADJACENT PROPERTY OWNERS

Within ten business days following the applicant's first appearance before the Planning Board, the applicant shall forward a letter prepared by the Planning Board or an authorized agent of the Planning Board to all property owners within 500 feet of the land involved in the application, as the names of such owners appear on the last completed assessment roll of the Town, notifying the property owners of the receipt of the plat and application, by first class mail. **The list of property owners shall be provided to the applicant from the Planning Board, through the Town Assessor's office.** The applicant shall thereafter submit a duly executed, notarized affidavit of mailing to the Planning Board. Further appearances before the Planning Board shall be prohibited until an affidavit meeting the requirements has been delivered. In the event a modification to an application proposes an increase in the number of lots or the relocation of a proposed road or drainage basin to a location adjacent to an adjoining property, then a supplementary letter shall be required to be forwarded in the same manner advising of the modification.

Short Environmental Assessment Form

Part 1 - Project Information

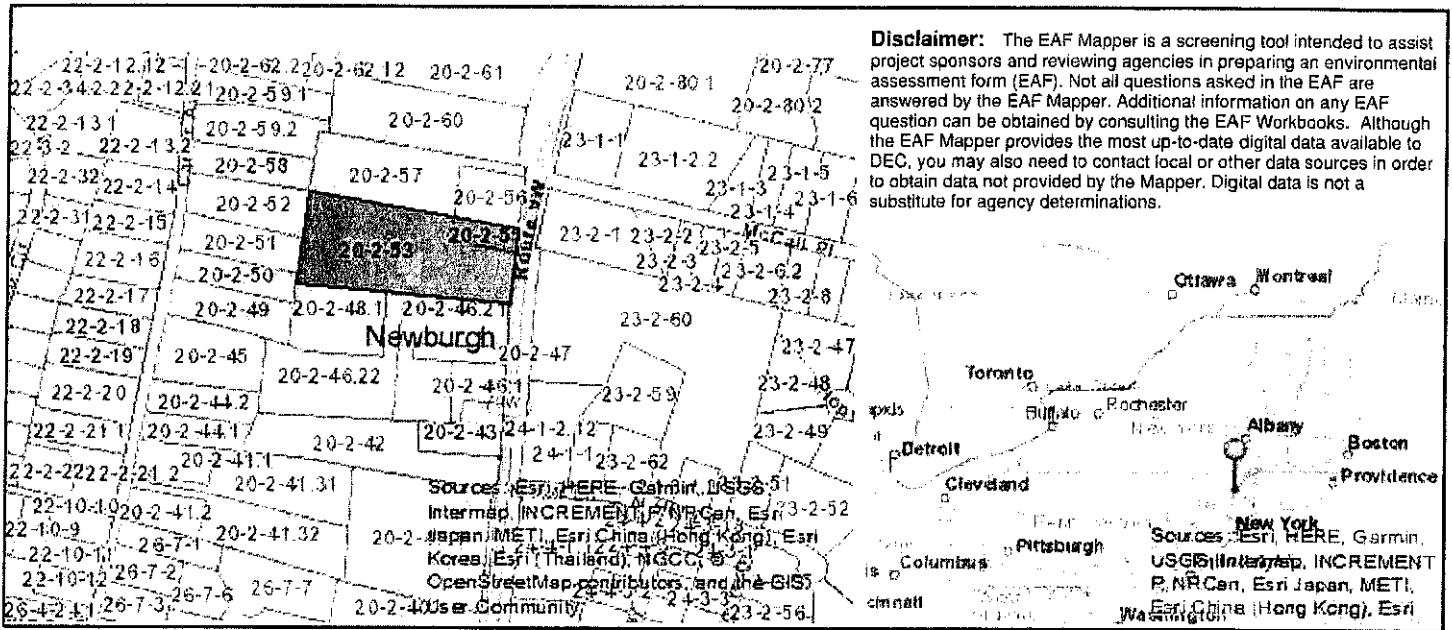
Instructions for Completing

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			
Name of Action or Project: Luongo Contractor Storage (5301 Route 9W Corp.)			
Project Location (describe, and attach a location map): 5301 NYS Route 9W, Newburgh NY 12550 - West of Route 9W ±300' south of McCall Place			
Brief Description of Proposed Action: See attached narrative.			
Name of Applicant or Sponsor: 5301 Route 9W Corp.		Telephone: 914-699-5800	
		E-Mail: p.luongo@att.net	
Address: 255 Fourth Avenue			
City/PO: Mt. Vernon		State: NY	Zip Code: 10550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh Planning Board - Site Plan Approval			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		4.09 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.09 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p><small>A remediation site has been flagged in the vicinity of McCall Place & Route 9W (NYSDEC site code 338059). The site is not defined but some private wells along McCall Pl were affected w/ Dichloroethylane, PCE & TCE. The investigation did not reveal the source of the contamination.</small></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: ^{ENGINEER} <u>ANDREW FETHERSTON</u> Date: <u>6/28/18</u></p> <p>Signature: <u><i>A. Fetherston</i></u></p>		



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]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

17-0149/0151/0155
5301 Rt. 9W / Herring
THIS IS NOT A BUILDING PERMIT
Town of Newburgh
Code Compliance Department

308 Gardnertown Road Newburgh, NY 12550
845-564-7801 Phone 845-564-7802 Fax

MAILED TO: 601 West Rt. 9W Inc. 225 Fourth Ave Mt. Vernon NY 10550
Cc:
PHONE #: 914-699-5800
PROJECT: change of use and occupancy
SBL: 20-2-53
DATE: 3-23-2017

SUBMIT ALL ITEMS LISTED BELOW AT THE SAME TIME

BEFORE ANY EXCAVATION, DIG SAFELY NY (811) MUST BE NOTIFIED

- 1) Application #17-0149 can't be issued at this time. The change of occupancy and use of the building will need to have a site plan from the Town of Newburgh Planning Board before the application can be reviewed. you may start the process by contacting John Ewasutyn at 845-564-7804. Mr. Ewasutyn is the planning board chairman. He will return your call as soon as possible.
- 2) The sign application #17-0151 will not be renewed until a site plan is obtained.
- 3) Application # 17-0155 for a septic holding tank will also not be issued. The Orange County Health Department does not allow septic storage tank as a permanent system. You may apply to the county for approval for such systems if you choose. If approved submit a copy to this office for review.

Joseph Mattina
Code Compliance