

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

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)  
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)  
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)  
PATRICK J. HINES  
LYLE R. SHUTE, P.E. LEED-AP (NY, NJ, PA)

Main Office  
33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100  
fax: (845) 567-3232  
e-mail: [mheny@mhepc.com](mailto:mheny@mhepc.com)

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: 39 SOUTH PLANK ROAD**  
**PROJECT NO.: 2018-16**  
**PROJECT LOCATION: SECTION 72, BLOCK13, LOT 5**  
**REVIEW DATE: 27 AUGUST 2018**  
**MEETING DATE: 6 SEPTEMBER 2018**  
**PROJECT REPRESENTATIVE: MASER CONSULTING**

1. The Applicant's are proposing a change of use from an existing vacant office building to a professional services building located in the B-Zone.
2. The existing lot contains several zoning, non conformities including the following:
  - Lot area-13,335 proposed where 15,000 square ft. required
  - Lot width- 50 foot proposed where 100 ft. is required.
  - Front yard- 30.1 foot proposed where 60 ft. is required.
  - One Side yard- 4.4 feet proposed where 15 ft. is required.
  - Both side yards- 21.8 feet provided where 30 ft. are required.
  - Parking- 5 spaces provided where 7 spaces are required.
3. The site is identified as being served by an existing subsurface sanitary sewer disposal system while Town sewer crosses the site with appropriate grades for connection. It is requested the site connect to the town sanitary sewer system eliminating the use of a septic system.
4. The documents submitted identify that the existing access from NYS Route 52 will remain, however NYSDOT will be an involved agency in the SEQR review process.
5. Referral to the Zoning Board of Appeals is required for pre existing non conforming bulk requirements.

Respectfully submitted,

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

39 South Plank Rd. (18-16)

-2-

6 September 2018

Patrick J. Hines  
Principal  
PJH/kbw

**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:** 2018-16  
(Application fee returnable with this application)

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

39 South Plank Road

**2. Owner of Lands to be reviewed:**

**Name** Milton & Karla Ritter

**Address** 350 North Water Street - Unit 1-9

Newburgh, NY 12550

**Phone** 914-213-8473

**3. Applicant Information (If different than owner):**

**Name** Brian Chen & Lixiao Xie

**Address** 11 Rapalje Road

Fishkill, NY 12524

**Representative** \_\_\_\_\_

**Phone** 917-250-2517

**Fax** \_\_\_\_\_

**Email** c.jiong1@yahoo.com

**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:**

39 South Plank Road, Newburgh, NY 12550

**6. Zone** B

**Acreage** 0.306

**Fire District** Goodwill Fire

**School District** Newburgh

**7. Tax Map: Section** 72 **Block** 13 **Lot** 5

**8. Project Description and Purpose of Review:**

Number of existing lots 1 Number of proposed lots 1

Lot line change No

Site plan review Yes

Clearing and grading No

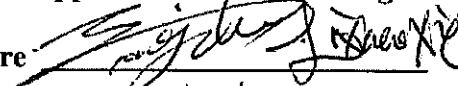
Other \_\_\_\_\_

**PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT**

**9. Easements or other restrictions on property:**

(Describe generally) 20' wide sewer easement across the wooded area towards the rear of the property.

**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 Applicant

Date: 08/15/2018

**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.

## EASEMENT

THIS INDENTURE made this            day of            ,  
1995 by and between MILTON RITTER, whose address is P.O. Box 386,  
Newburgh, New York 12550 (the "Grantor") and the TOWN OF  
NEWBURGH, a municipal corporation of the State of New York, with  
principal offices at Town Hall, 20-26 Union Avenue Extension,  
Town of Newburgh, County of Orange, State of New York (the  
"Town").

## W I T N E S S E T H:

The Grantor for and in consideration of the sum of TEN  
AND NO/100 (\$10.00) DOLLARS and other good and valuable  
consideration paid by the Town, and a waiver from the Town of any  
permit fee from Grantor, does hereby grant, convey and release  
unto the Town, its successors and/or assigns, an easement for the  
installation of a sewer line (the "Crossroads Sewer Main 1") upon  
the terms and conditions hereinafter set forth, in, on, under,  
over and through the property of the Grantor, being Section 72,  
Block 13, Lot 5, in the Town of Newburgh, County of Orange, State  
of New York, which easement is more particularly described in  
Schedule "A" annexed hereto and a temporary easement until  
construction is completed, which temporary easement is more  
particularly described in Schedule "B" annexed hereto  
(collectively the "Easement Premises").

1. The Grantor hereby grants and conveys to the Town an easement in, on, under, over and through the Easement Premises for the construction, installation, repair, replacement, maintenance, operation and removal of the Crossroads Sewer Main 1, cleanouts and other such necessary or incidental appurtenances thereto as the Town in its sole judgment shall deem necessary, together with the right for such purposes to enter onto and over the Grantor' property (the "Easement").

2. The Grantor hereby further grants and conveys to the Town a temporary easement in, on, under, over and through the Easement Premises for the construction and installation of the Crossroads Sewer Main 1 and such other necessary or incidental appurtenances thereto as the Town in its sole judgment shall deem necessary, together with the right for such purposes to enter onto and over the Grantor's property (the "Temporary Easement").

3. The Grantor hereby grants and conveys to the Town the right, at any time, to trim, cut and remove any trees, limbs, shrubs, debris or other objects located within the Easement Premises or the Grantor's property adjacent to the Easement Premises which, in the judgment of the Town, may interfere with, obstruct or endanger the use of the Easement Premises for the Crossroads Sewer Main 1.

4. The Town, its successors and/or assigns, covenants and agrees that whenever it or its agents excavate or otherwise disturb the surface of the Easement Premises or adjacent property of the Grantor, it shall, at its cost and expense, restore the

Easement Premises to substantially the same condition as it was in prior to such excavation or disturbance. The Town does hereby hold the Grantor harmless and agrees to pay any and all claims which arise out of the actions of the Town, or its agents, in connection with the exercise of any of its rights in, on, under, over and through the Easement Premises.

5. The Grantor hereby agrees that no structures, permanent improvements or obstructions of any kind shall be constructed on the Easement Premises. In addition, the Grantor acknowledges and agrees that, although general landscaping is permitted within the Easement Premises, no trees shall be planted within the Easement Premises or elsewhere on Grantor's property within five (5) feet of the Easement Premises. Notwithstanding the foregoing, the Grantor reserves the right to full use and enjoyment of the Easement Premises, except as otherwise limited herein, provided that such use and enjoyment does not interfere with the Crossroads Sewer Main 1 for which this easement is granted.

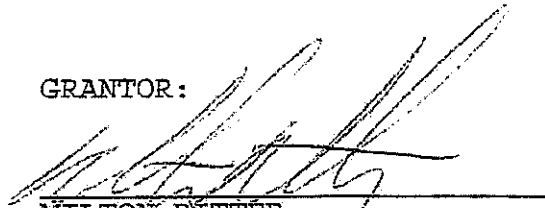
6. The Grantor expressly grants and conveys to the Town the right to apportion to others this Easement and Temporary Easement, in, on under, over and through the Easement Premises for the Crossroads Sewer Main 1, provided that any such apportionment shall be subject to the covenants, conditions and obligations set forth in paragraphs 4 and 5 herein as if said paragraphs were set forth in full in any such apportionment of these easements.

7. The Temporary Easement shall remain in effect until the final completion and acceptance by the Town of Newburgh of the Crossroads Sewer Main 1, at which time the Town's right to use the Temporary Easement shall at once cease and terminate, and the right and title to the Easement Premises which was encumbered by the Temporary Easement shall revert to the Grantor, his successors and/or assigns in title. Notwithstanding anything contained herein to the contrary, the Easement created pursuant to the terms hereof shall remain in full force and effect.

8. All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land, shall be binding upon and shall inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and/or assigns.

IN WITNESS WHEREOF the parties have executed this indenture as of the day and year first above written.

GRANTOR:



MILTON RITTER

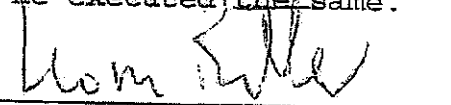
TOWN OF NEWBURGH:

By: \_\_\_\_\_  
JANE A. SAGER, SUPERVISOR



STATE OF NEW YORK:  
: ss.  
COUNTY OF ORANGE :

On the 2 day of FEBRUARY, 1995 before me personally came MILTON RITTER, to me known and known to me to be the individual described in and who executed the foregoing instrument and acknowledged to me that he executed the same.



Notary Public  
LEO M. RITTER  
Notary Public, State of New York  
No. 8587325  
Qualified in Dutchess County  
Commission Expires March 30, 19 96

STATE OF NEW YORK:  
: ss.  
COUNTY OF ORANGE :

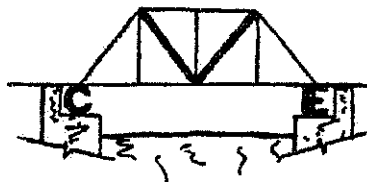
On the \_\_\_\_\_ day of \_\_\_\_\_, 1995 before me personally came JANE A. SAGER, to me known who being by me duly sworn, did depose and say that she resides at 16 Floral Drive, Newburgh, New York; that she is the Supervisor of the Town of Newburgh, the municipality described in and which executed the above instrument and she signed the same by authority of the Town Board of said municipality.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK:  
: ss.  
COUNTY OF ORANGE :

I, Doris M. Green, certify that I am the duly elected and serving Town Clerk of the Town of Newburgh, a municipal corporation, organized and existing under the laws of the State of New York, and a party to the foregoing instrument; that Jane A. Sager, who signed said instrument on behalf of the Town of Newburgh, was at the time of the execution the duly elected and serving Supervisor of the Town of Newburgh, and that said instrument was duly signed for and on behalf of said Town by authority granted to her by the Town Board of the Town of Newburgh.

\_\_\_\_\_  
Doris M. Greene, Town Clerk



# VALDINA CONSULTING ENGINEERS

4 PLEASANT VIEW AVENUE  
NEWBURGH, N.Y. 12550  
914-565-4447

March 30, 1994

## UTILITY EASEMENT DESCRIPTION THROUGH THE LANDS OF MILTON RITTER

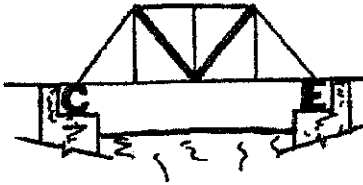
TAX MAP: S72 - B13 - L5

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

All that certain lot, piece or parcel of land situate in the Town of Newburgh, County of Orange, State of New York and being more accurately described as follows:

Beginning at a point on the northwesterly line of lands of the Grantor, said point being N 52°30'00" E 58.1'± along said line from the northwesterly corner of lands of the Grantor; thence, along said line, N 52°30'00" E 20.0'± to a point; thence leaving said line and running through the lands of the Grantor, S 35°32'34" E 50.0'± to a point on the southeasterly line of lands of the Grantor; thence along said line, S 52°30'00" W 20.0'± to a point; thence leaving said line and running through the lands of the Grantor, N 35°32'34" W 50.0'± to the point or place of beginning.

SCHEDULE "A"



# VALDINA CONSULTING ENGINEERS

4 PLEASANT VIEW AVENUE  
NEWBURGH, N.Y. 12550  
914-565-4447

March 30, 1994

CONSTRUCTION EASEMENT DESCRIPTION  
THROUGH THE LANDS OF MILTON RITTER

TAX MAP: S72 - B13 - L5

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

All that certain lot, piece or parcel of land situate in the Town of Newburgh, County of Orange, State of New York and being more accurately described as follows:

Parcel #1

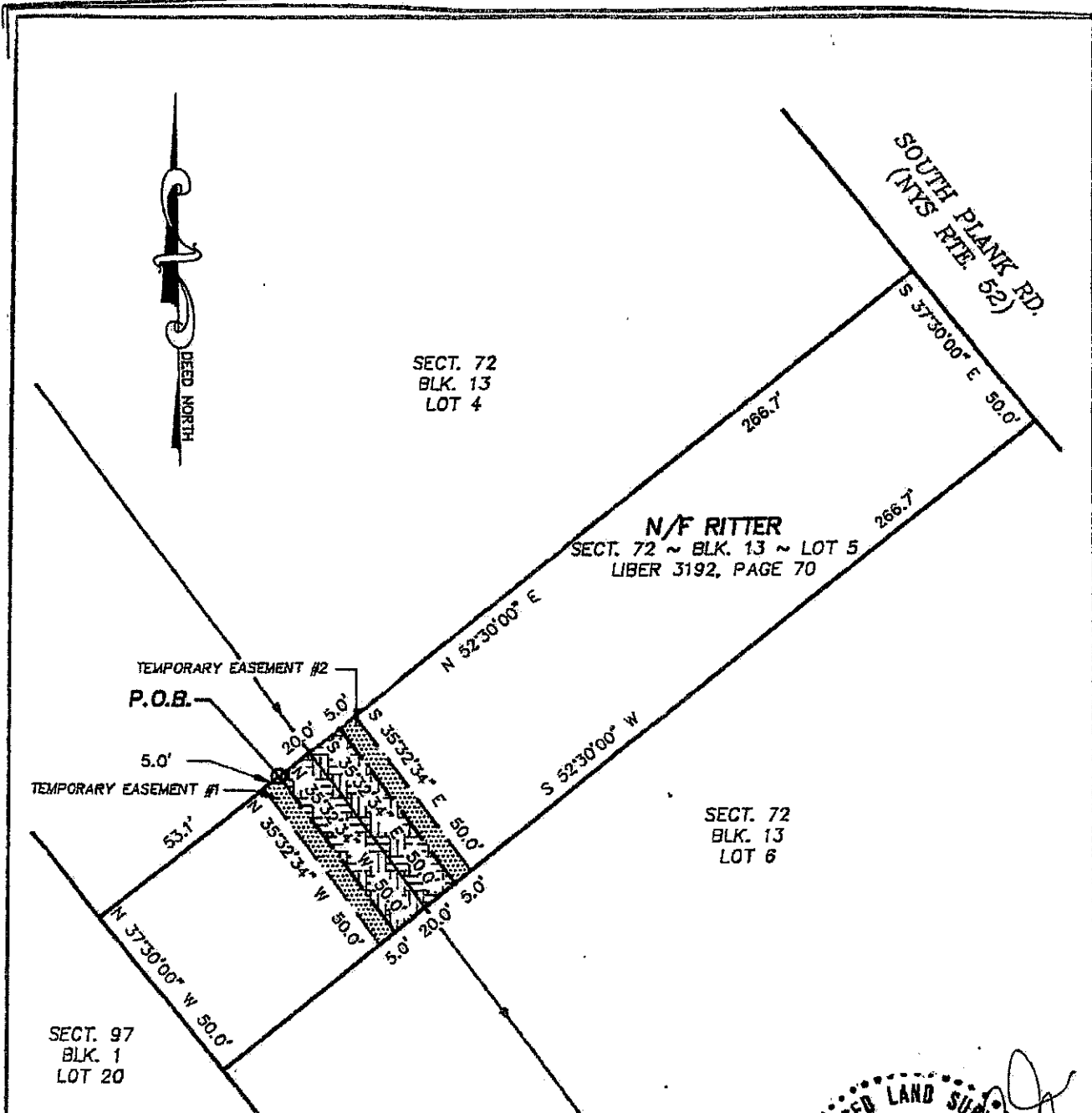
Beginning at a point on the northwesterly line of lands of the Grantor, said point being  $N 52^{\circ}30'00'' E 58.1' \pm$  along said line from the northwesterly corner of lands of the Grantor; thence, leaving said line and running through the lands of the Grantor,  $S 35^{\circ}32'34'' E 50.0' \pm$  to a point on the southeasterly line of lands of the Grantor; thence along said line,  $S 52^{\circ}30'00'' W 5.0' \pm$  to a point; thence leaving said line and running through the lands of the Grantor,  $N 35^{\circ}32'34'' W 50.0' \pm$  to a point on the aforesaid northwesterly line of lands of the Grantor; thence along said line,  $N 52^{\circ}30'00'' E 5.0' \pm$  to the point or place of beginning.

Parcel #2







Beginning at a point on the northwesterly line of lands of the Grantor, said point being,  $N 52^{\circ}30'00'' E 78.1' \pm$  along said line from the northwesterly corner of lands of the Grantor; thence,

SCHEDULE "B"

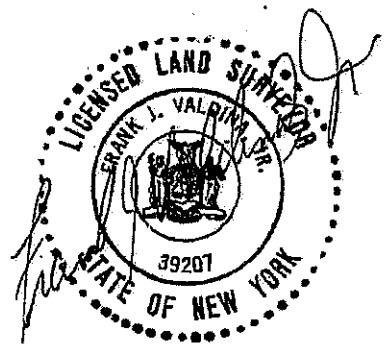
along said line, N 52'30'00" E 5.0'± to a point; thence leaving said line and running through the lands of the Grantor, S 35°32'34" E 50.0'± to a point on the southeasterly line of lands of the Grantor; thence along said line, S 52'30'00" W 5.0'± to a point; thence leaving said line and running through the lands of the Grantor, N 35'32'34" W 50.0'± to the point or place of beginning.



**LEGEND**

-  PROPERTY BOUNDARY
-  CONSTRUCTION EASEMENT (TEMPORARY)
-  EASEMENT (PERMANENT)
-  EXISTING PAVEMENT
-  EXISTING DRIVEWAY
-  PROPOSED SEWER LINE

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



<b>VALDINA CONSULTING ENGINEERS</b>	
4 PLEASANT VIEW AVE., NEWBURGH, N.Y.	
<b>CROSSROADS SEWER DIST. EXT. 1</b>	
TOWN OF NEWBURGH ~ ORANGE COUNTY ~ NY	
<b>UTILITY EASEMENT</b>	SCALE: 1" = 40'±
<b>LANDS N/F</b>	DATE: 3/30/94
<b>RITTER</b>	DR: AB CK: FJV
TAX MAP: SECT. 72 ~ BLK. 13 ~ LOT 5	SHEET 1 OF 1

**TOWN OF NEWBURGH PLANNING BOARD**

39 South Plank Road

**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 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. N/A Surveyor,s Certification
12. N/A 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. N/A 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. N/A 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. N/A Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29. X Show topographical data with 2 or 5 ft. contours on initial submission

30. N/A 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.

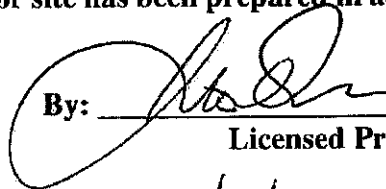
---

---

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. \_\_\_ 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:  (JUSTIN DARES RLA)  
Licensed Professional

Date: 8/15/18

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.

Brian Chen & Lixiao Xie  
**APPLICANT'S NAME (printed)**

  
**APPLICANTS SIGNATURE**

8/15/2018  
**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).

**PLANNING BOARD DISCLAIMER STATEMENT**  
**TO APPLICANTS**

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

08/15/2018

**DATED**

Brian Chen & Lixiao Xie  
**APPLICANT'S NAME (printed)**

  
**APPLICANT'S SIGNATURE**



**PROXY**

(OWNER) KARLA C Ritter, DEPOSES AND SAYS THAT HE/SHE  
RESIDES AT 350 N Water St #1-9 Newburgh NY 12550  
IN THE COUNTY OF Orange  
AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_  
Tax lot 72-13-5 in the Town of Newburgh (AKA 39 South Plank Road)

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING  
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH  
PLANNING BOARD AND Brian Chen & Lixiao Xie IS AUTHORIZED  
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 8/15/2018

Karla C Ritter  
OWNERS SIGNATURE

KARLA C Ritter  
OWNERS NAME (printed)

Daniel B. Clarino  
WITNESS' SIGNATURE

Daniel B. CLARINO  
WITNESS' NAME (printed)

NAMES OF ADDITIONAL  
REPRESENTATIVES

PROXY

(OWNER) Karla C Ritter, DEPOSES AND SAYS THAT HE/SHE  
RESIDES AT 350 N Water St #1-9, Newburgh, NY 12550  
IN THE COUNTY OF Orange  
AND STATE OF New York  
AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

Tax lot 72-13-5 in the Town of Newburgh (AKA 39 South Plank Road)

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: 8/15/2018  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAMES OF ADDITIONAL  
REPRESENTATIVES

Karla C Ritter  
OWNERS SIGNATURE

KARLA C Ritter  
OWNERS NAME (printed)

Daniel B. Clarino  
WITNESS' SIGNATURE

Daniel B. CLARINO  
WITNESS' NAME (printed)

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

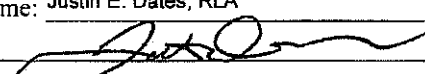
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

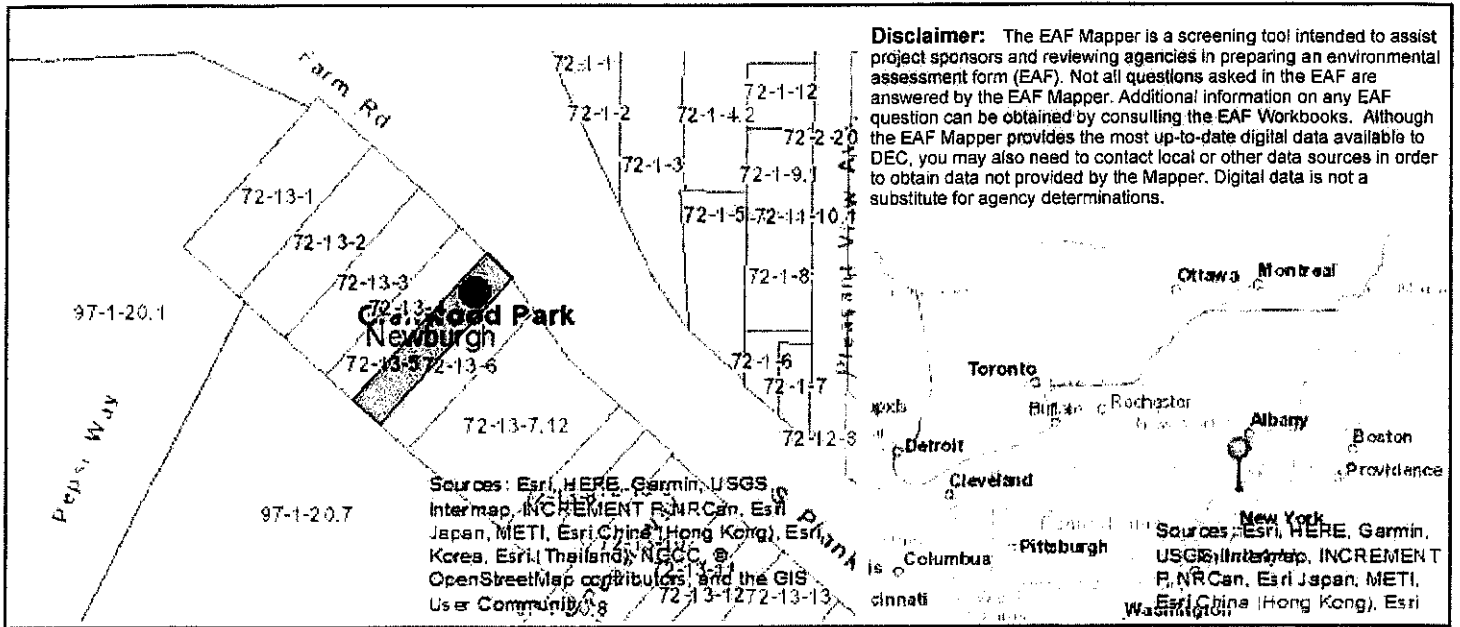
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project: 39 South Plank Road				
Project Location (describe, and attach a location map): 39 South Plank Road, Newburgh NY 12550 - 100' south from intersection of Brookside Farm Road & NYS Route 52				
Brief Description of Proposed Action: See attached Narrative.				
Name of Applicant or Sponsor: Brian Chen & Lixiao Xie		Telephone: 917-250-2517 E-Mail: c.jiong1@yahoo.com		
Address: 11 Rapalje Road				
City/PO: Fishkill		State: NY	Zip Code: 12524	
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 checked="" 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), Zoning Board of Appeals (area variance), and GML 239 Referral			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.306 acres		
b. Total acreage to be physically disturbed?		0.016 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.306 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 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)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></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?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></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?          If Yes, describe: _____          OFF-SITE, site code: 336060, Class N, 166 South Plank Road - petroleum spill in 2001 resulted in low levels of PCE to be found in groundwater. Sampling conducted in 2011 indicates that contamination is no longer present.</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input checked="" type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/<u>sponsor</u> name: Justin E. Dates, RLA Date: 08/07/2018</p> <p>Signature: </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]	No
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



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](http://www.maserconsulting.com)

**NARRATIVE SUMMARY  
AUGUST 16, 2018**

**39 SOUTH PLANK ROAD  
TAX LOT 72-13-5  
TOWN OF NEWBURGH, ORANGE COUNTY, NY  
MC PROJECT NO. 18000173A  
PB # 2018-16**

Maser Consulting, P.A. has developed the attached Sketch Site Plan package for the above referenced parcel. The existing tax lot (72-13-5) is approximately 0.30 acres in size and has frontage along NYS Route 52 (South Plank Road) to the northeast. The lot is currently developed with a 2-story building (1,064 sq. ft), front and rear parking areas, and other typical site improvements. The site is located within the Town's Business (B) zoning district which permits 'retail stores & personal service stores and uses; health clubs and fitness facilities' with site plan approval by the Planning Board. There are no wetlands on site and the site is not located within a Flood Plain. The project is currently serviced by water connection to the main in NYS Route 52 and has an on-site septic system. The parcel is located within the Town's Consolidated Water District and Crossroads Sewer District.

The applicant proposes to renovate the existing 2-story building (1,064 sq. ft.) for use as a licensed massage therapy and cosmetologist office with two (2) employees. These services include massages, hair removal, skin care, facials, and nail services. All services are by appointment only. Initially, the first floor of the building will be used for therapy and the second floor will be used for storage purposes. In the future, the second floor may be utilized for offices or therapy. Site work associated with the proposed use includes, restriping the existing paved area to create one (1) ADA accessible space along with four (4) standard parking spaces for a total of five (5) parking spaces. A personal service use of this size requires seven (7) parking spaces; therefore a variance of two (2) parking spaces is required from the Zoning Board of Appeals. Pre-existing non-conforming conditions exist for the following bulk requirements; lot area, lot width, front setback, and side setbacks. The building will maintain utilizing its existing water service and on-site septic system. The existing curb cut to NYS Route 52 will remain unchanged.

JED/cdr

R:\Projects\2018\18000173A-39 S. Plank Road\Correspondence\OUT\180816\_Project Narrative.docx



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  
AUGUST 15, 2018**

**39 SOUTH PLANK ROAD  
TAX LOT 72-13-5  
TOWN OF NEWBURGH, ORANGE COUNTY, NY  
MC PROJECT NO. 18000173A  
PB # \_\_\_\_\_**

Maser Consulting, P.A. has developed the attached Sketch Site Plan package for the above referenced parcel. The existing tax lot (72-13-5) is approximately 0.30 acres in size and has frontage along NYS Route 52 (South Plank Road) to the northeast. The lot is currently developed with a 2-story building (1,064 sq. ft), front and rear parking areas, and other typical site improvements. The site is located within the Town's Business (B) zoning district which permits 'retail stores & personal service stores and uses; health clubs and fitness facilities' with site plan approval by the Planning Board. There are no wetlands on site and the site is not located within a Flood Plain. The project is currently serviced by water connection to the main in NYS Route 52 and has an on-site septic system. The parcel is located within the Town's Consolidated Water District and Crossroads Sewer District.

The applicant proposes to renovate the existing 2-story building (1,064 sq. ft.) for use as a physical therapy office with two (2) employees. Initially, the first floor of the building will be used for therapy and the second floor will be used for storage purposes. In the future, the second floor may be utilized for offices or therapy. Site work associated with the proposed use includes, restriping the existing paved area to create one (1) ADA accessible space along with four (4) standard parking spaces for a total of five (5) parking spaces. A personal service use of this size requires seven (7) parking spaces; therefore a variance of two (2) parking spaces is required from the Zoning Board of Appeals. Pre-existing non-conforming conditions exist for the following bulk requirements; lot area, lot width, front setback, and side setbacks. The building will maintain utilizing its existing water service and on-site septic system. The existing curb cut to NYS Route 52 will remain unchanged.

JED/cdr

R:\Projects\2018\18000173A-39 S. Plank Road\Correspondence\OUT\180815\_Project Narrative.docx

