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CONSULTING ENGINEERS D.P.C.

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

PROJECT: DEPEW ENERGY
PROJECT NO.: 16-04
PROJECT LOCATION: SECTION 43, BLOCK 5, LOT 41.22
REVIEW DATE: 30 MARCH 2016
MEETING DATE: 7 APRIL 2016
PROJECT REPRESENTATIVE: ENGINEERING & SURVEYING PROPERTIES, PC

1. All areas utilized on the site for outdoor storage of materials should be depicted on the plans.
2. Access to the new 8,000 gallon tank should be clearly depicted on the plans.
3. Screening of the tank should be addressed, including landscaping and/or fencing.
4. Orange County Planning referral as well NYSDOT referral are required.

Respectfully submitted,

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

Patrick J. Hines
Principal

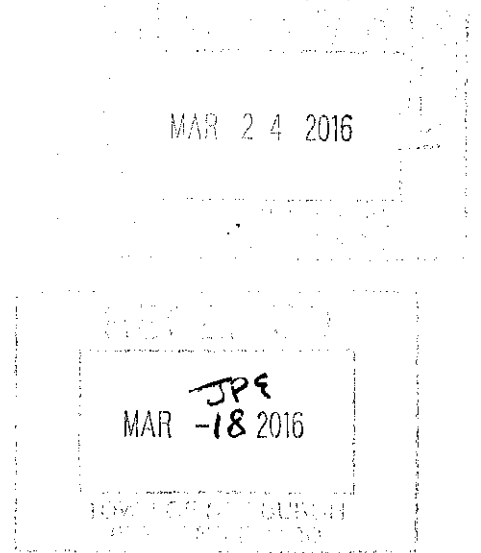


www.EngineeringPropertiesPC.com
71 Clinton Street
Montgomery, NY 12549
phone: (845) 457-7727
fax: (845) 457-1899

March 17, 2016

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

**RE: DEPEW ENERGY CO.
RTE 9W SITE PLAN AMENDMENT
TAX LOT # 43-5-41.2 & 42**

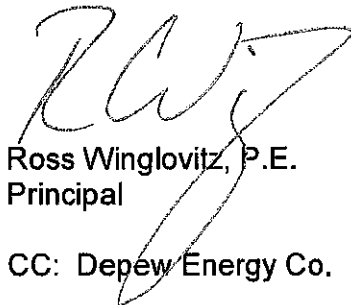


Dear Mr. Ewasutyn:

Please find attached 12 copies of the sketch plan, 12 copies of the EAF and 12 copies of the application package. This application is being submitted on behalf of the Depew Energy Co. for site plan amendment to their existing site on NYS Route 9W to permit an 8,000-gallon tank to store asphalt seal coating. The tank will be located behind the new garage.

If you have any questions and/or comments, please don't hesitate to contact this office.

Sincerely,
Engineering & Surveying Properties, PC

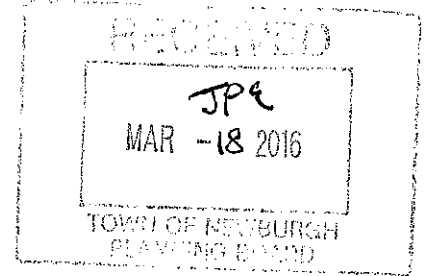


Ross Winglovitz, P.E.
Principal

CC: Depew Energy Co.

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: 2016-04
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):
Depew Energy Co. Amended Site Plan

2. Owner of Lands to be reviewed:
Name 5182 Route 9W, LLC
Address 5182 US Route 9W
Newburgh, NY 12550
Phone 845-568-0072

3. Applicant Information (If different than owner):
Name _____
Address _____

Representative _____
Phone _____
Fax _____
Email _____

4. Subdivision/Site Plan prepared by:
Name Ross Winglovitz, P.E.
Address Engineering & Surveying Properties, PC
71 Clinton Street
Montgomery, NY 12549
Phone/Fax 845-457-7727

5. Location of lands to be reviewed:
5182 & 5184 Roue 9W, Newburgh, NY 12550

6. Zone B Fire District Middlehope
Acreage 2.04± School District Newburgh

7. Tax Map: Section 43 Block 5 Lot 41.22

8. Project Description and Purpose of Review:

Number of existing lots _____ Number of proposed lots _____

Lot line change _____

Site plan review _____ Special Use Permit _____

Clearing and grading _____

Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) _____

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

Signature [Handwritten Signature] Title Member

Date: 3-8-16

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**Depew Energy Co. Amended Site Plan****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. N/A 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. 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. X 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. N/A 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. X 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: Ross Winglovitz, PE
Licensed Professional

Date: _____

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.

Prepared (insert date):

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.

Paul K. Depew

APPLICANT'S NAME (printed)

Paul K. Depew

APPLICANTS SIGNATURE

3-8-16

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) 5182 Route 9W, LLC, DEPOSES AND SAYS THAT HE/SHE

RESIDES AT 5182 Route 9W; Newburgh, NY 12550

IN THE COUNTY OF Orange

AND STATE OF New York

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

5182 & 5184 Route 9W; Newburgh, NY 12550

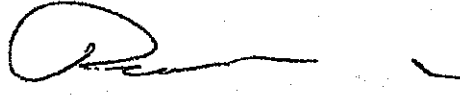
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND Engineering & Surveying Properties IS AUTHORIZED

TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

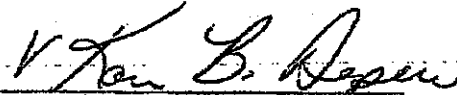
DATED: 3-8-16



OWNERS SIGNATURE

Paul K. Depew

OWNERS NAME (printed)



WITNESS' SIGNATURE

Karen B. Depew

WITNESS' NAME (printed)

NAMES OF ADDITIONAL REPRESENTATIVES

**DISCLOSURE ADDENDUM STATEMENT TO APPLICATION,
PETITION AND REQUEST**

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

XX NONE

NAME, ADDRESS, RELATIONSHIP OR INTEREST
(financial or otherwise)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

XX TOWN BOARD

PLANNING BOARD


ZONING BOARD OF APPEALS

ZONING ENFORCEMENT OFFICER

BUILDING INSPECTOR

OTHER

DATED



INDIVIDUAL APPLICANT

5182 Route 9W, LLC
CORPORATE OR PARTNERSHIP APPLICANT

BY: 

(Pres.) (Partner) (Vice-Pres.)
(Sec.) (Treas.)

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: _____

Description of the proposed project: _____

Location of the proposed project: _____

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: _____

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

DATE

ARCHITECTURAL REVIEW FORM
TOWN OF NEWBURGH PLANNING BOARD

DATE: _____

NAME OF PROJECT: _____

The applicant is to submit in writing the following items prior to signing of the site plans.

EXTERIOR FINISH (skin of the building):

Type (steel, wood, block, split block, etc.)

COLOR OF THE EXTERIOR OF BUILDING:

ACCENT TRIM:

Location: _____

Color: _____

Type (material): _____

PARAPET (all roof top mechanicals are to be screened on all four sides):

ROOF:

Type (gabled, flat, etc.): _____

Material (shingles, metal, tar & sand, etc.): _____

Color: _____

WINDOWS/SHUTTERS:

Color (also trim if different): _____

Type: _____

DOORS:

Color: _____

Type (if different than standard door entrée): _____

SIGN:

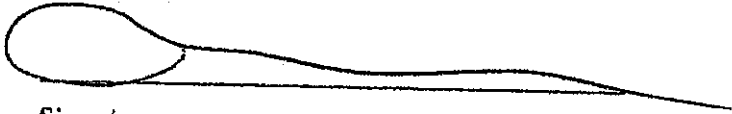
Color: _____

Material: _____

Square footage of signage of site: _____

PAUL K. Depew Member

Please print name and title (owner, agent, builder, superintendent of job, etc.)



Signature

Short Environmental Assessment Form

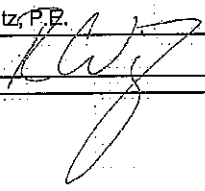
Part 1 - Project Information

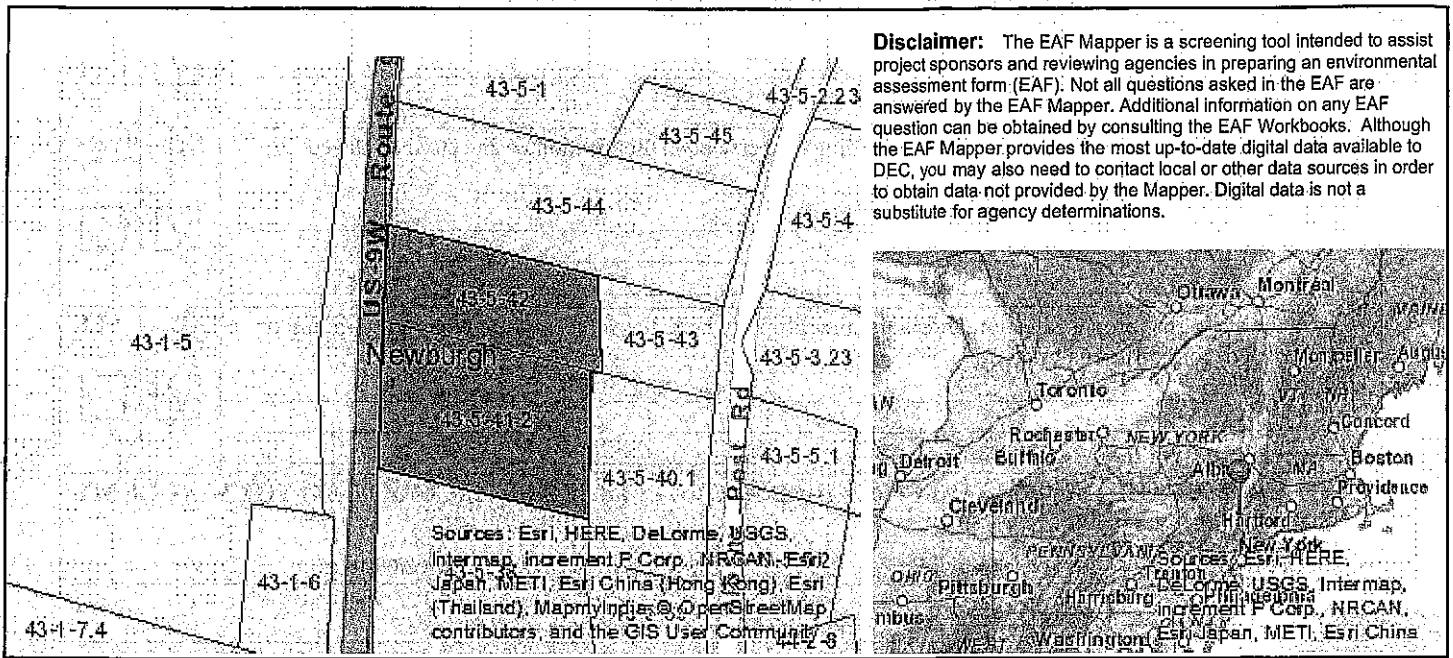
Instructions for Completing

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: Depew Energy Co. Amended Site Plan			
Project Location (describe, and attach a location map): 5182 Route 9W, Newburgh NY 12550			
Brief Description of Proposed Action: The applicant is proposing an 8,000 gallon bulk storage tank for the for the storage of pavement sealer			
Name of Applicant or Sponsor: 5182 Route 9W, LLC		Telephone: 845-568-0072	
		E-Mail:	
Address: 5182 Route 9W			
City/PO: Newburgh		State: NY	Zip Code: 12550
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)			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.04 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?		2.04 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 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)?</p> <p>If Yes, explain purpose and size: _____</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>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>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Preparer (Engineer): _____</p> <p>Applicant/sponsor name: <u>Ross Winglovitz, P.E.</u> Date: <u>03/08/16</u></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]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



PARKING CALCULATIONS

BUILDING AREA: 300 SQ.FT. RETAIL OFFICE SERVICE SHOP
1,300 SQ.FT.
1,920 SQ.FT.

TOTAL SPACES REQUIRED:
RETAIL: 1 SPACE PER 150 SQ.FT. = 300 / 150 = 2 SPACES
OFFICE: 1 SPACE PER 200 SQ.FT. = 1,300 / 200 = 7 SPACES
SHOP: 1 SPACE PER 250 SQ.FT. = 1,920 / 250 = 8 SPACES
TRUCKING: 1 SPACE PER TRUCK = 10 SPACES
19 TRUCKS = 10 SPACES
27 SPACES

PARKING SPACES PROVIDED:
18 STANDARD SPACES
10 TRUCK SPACES
28 TOTAL SPACES

GENERAL NOTES

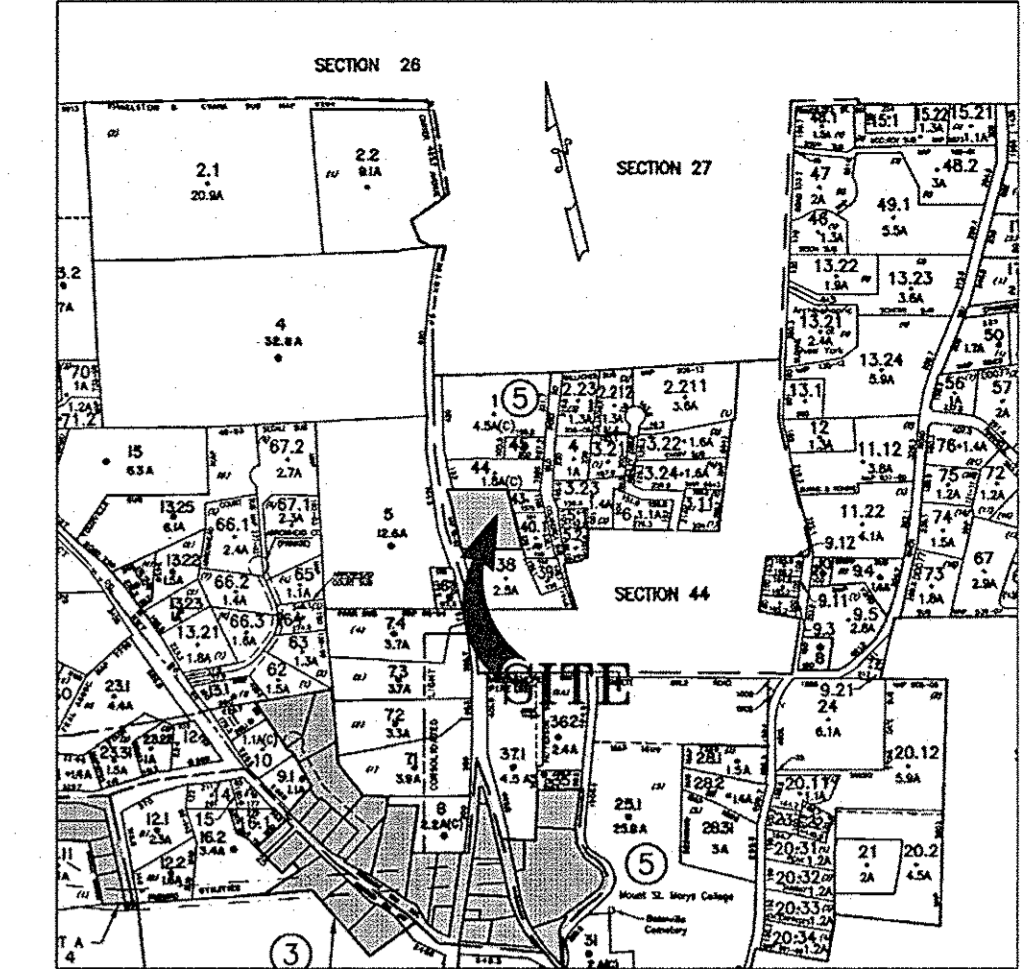
- TAX MAP IDENTIFICATION NUMBERS: SECTION 43, BLOCK 5, LOT 41.22
- LOT AREA: 2.04± ACRES
- BOUNDARY AND TOPOGRAPHICAL INFORMATION TAKEN FROM A SURVEY PREPARED BY ENGINEERING & SURVEYING PROPERTIES, PC ON MAY 1, 2014.
- OWNER/APPLICANT: 5182 ROUTE 9W, LLC
5182 US ROUTE 9W
NEWBURGH, NY 12550
- THE PROPOSED HOURS OF OPERATION SHALL BE 7AM - 6PM.
- A VARIANCE FOR THE SIGN WAS GRANTED ON DECEMBER 27, 2007.
- A VARIANCE FOR THE FRONT SETBACK OF THE EXISTING BUILDING ON LOT 42 WAS GRANTED ON JULY 24, 2014.

BULK REQUIREMENTS

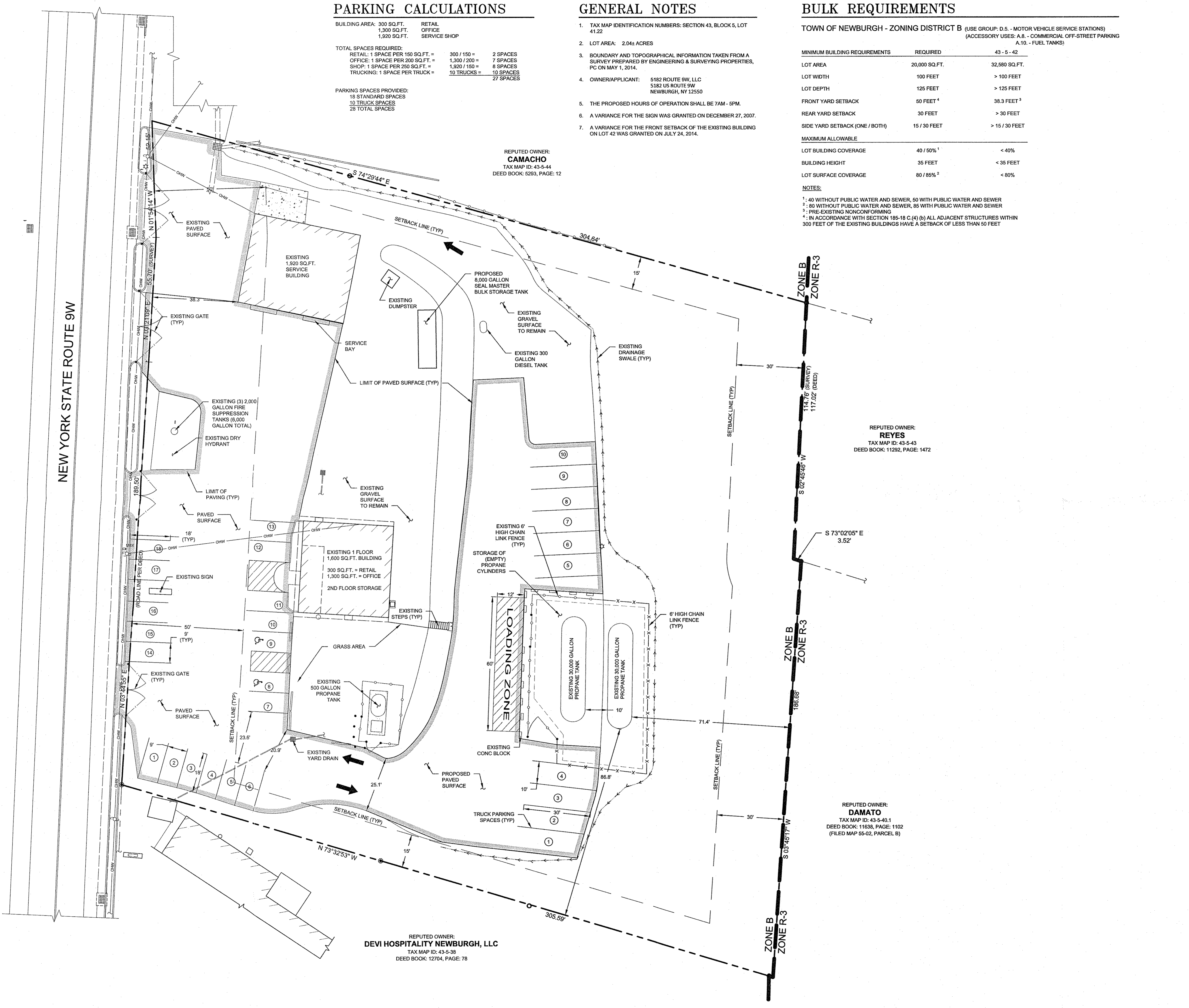
TOWN OF NEWBURGH - ZONING DISTRICT B (USE GROUP: D.5 - MOTOR VEHICLE SERVICE STATIONS)
(ACCESSORY USES: A.8 - COMMERCIAL OFF-STREET PARKING A.10 - FUEL TANKS)

MINIMUM BUILDING REQUIREMENTS	REQUIRED	43-5-42
LOT AREA	20,000 SQ.FT.	32,580 SQ.FT.
LOT WIDTH	100 FEET	> 100 FEET
LOT DEPTH	125 FEET	> 125 FEET
FRONT YARD SETBACK	50 FEET ¹	38.3 FEET ³
REAR YARD SETBACK	30 FEET	> 30 FEET
SIDE YARD SETBACK (ONE / BOTH)	15 / 30 FEET	> 15 / 30 FEET
MAXIMUM ALLOWABLE		
LOT BUILDING COVERAGE	40 / 50% ¹	< 40%
BUILDING HEIGHT	35 FEET	< 35 FEET
LOT SURFACE COVERAGE	80 / 85% ²	< 80%

- NOTES:
1: 40 WITHOUT PUBLIC WATER AND SEWER, 50 WITH PUBLIC WATER AND SEWER
2: 80 WITHOUT PUBLIC WATER AND SEWER, 85 WITH PUBLIC WATER AND SEWER
3: PRE-EXISTING NONCONFORMING
4: IN ACCORDANCE WITH SECTION 185-18 C.(4) (b) ALL ADJACENT STRUCTURES WITHIN 300 FEET OF THE EXISTING BUILDINGS HAVE A SETBACK OF LESS THAN 50 FEET



LOCATION MAP



NEW YORK STATE ROUTE 9W

No.	DATE	DESCRIPTION

DRAWING STATUS	ISSUE DATE:
THIS SHEET IS PART OF THE PLAN SET ISSUED FOR	03/08/16
	SHEET NUMBER
<input type="checkbox"/> CONCEPT APPROVAL	N/A OF N/A
<input checked="" type="checkbox"/> PLANNING BOARD APPROVAL	1 OF 1
<input type="checkbox"/> OCCDOH REALTY SUBDIVISION APPROVAL	N/A OF N/A
<input type="checkbox"/> OCCDOH WATERMAIN EXTENSION APPROVAL	N/A OF N/A
<input type="checkbox"/> NYSDEC APPROVAL	N/A OF N/A
<input type="checkbox"/> NYS DOT APPROVAL	N/A OF N/A
<input type="checkbox"/> OTHER	N/A OF N/A
<input type="checkbox"/> FOR BID	N/A OF N/A
<input type="checkbox"/> FOR CONSTRUCTION	N/A OF N/A

THIS PLAN SET HAS BEEN ISSUED SPECIFICALLY FOR THE APPROVAL OR ACTION NOTED ABOVE AND SHALL NOT BE USED FOR ANY OTHER PURPOSE. THIS SHEET SHALL BE CONSIDERED INVALID UNLESS ACCOMPANIED BY ALL SHEETS OF THE DENOTED PLAN SET(S).

COPIES OF THIS DOCUMENT WITHOUT AN ACTUAL OR FACSIMILE OF THE ENGINEER'S SIGNATURE AND AN ORIGINAL STAMP IN RED OR BLUE INK SHALL BE CONSIDERED INVALID.

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DOCUMENT BEARING THE SEAL OF A LICENSED PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 7209 SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW.

ROSS WINGLOVITZ, P.E.
NEW YORK LICENSE # 071701

ENGINEERING & SURVEYING PROPERTIES Achieving Successful Results with Innovative Designs	71 CLINTON STREET MONTGOMERY, NY 12549 Ph: (845) 457-7727 Fax: (845) 457-1899	
	AMENDED SITE PLAN	
	DEPEW ENERGY CO. 5182 NYS ROUTE 9W TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK	
	JOB #: 1083.01 DATE: 03/08/16 REVISION: 0	DRAWN BY: ML SCALE: 1" = 20' TAX LOT: 43-5-41.22