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Successor Law Firm To:
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Ludmerer & Vurno, Esqs., Warwick, N.Y.

October 21, 2013

Town of Newburgh
Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

RE: McDonalds, USA, LLC
76-1-1.1 (Zone B)
187 North Plank Road (13.20)

Members of the Board:

I write to you on behalf of and at the direction of the Town of Newburgh Planning Board. The above referenced applicant appeared before the planning board during its meeting of October 17, 2013. The applicant proposes to demolish and rebuild its existing drive-through McDonald's establishment. The property in question is located in the B zoning district of the town where fast food restaurants are not permitted.¹

It appears that this fast food establishment—in existence for quite some time—is a legally protected nonconforming use. In regard to such uses, Newburgh Code Section 185-19 provides, in pertinent part [*italics added*], as follows:

A. Nonconforming uses. A nonconforming use may continue indefinitely, subject to the following provisions:

¹ In *Matter of O'Brien [Krishna Donuts, Inc]*, your board determined that the selling of "hamburgers, hot dogs, pizza, chicken and specialty cuisines" constitutes operation of a fast food establishment prohibited in the town's B zoning districts.

- (1) Alterations. A nonconforming use shall not be enlarged, extended, *reconstructed* or *restored*, except in accordance with Subsection B(2) herein, or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this chapter, nor shall any external evidence of such use be increased by any means whatsoever.

* * *

- B. Nonconforming buildings. A nonconforming building or a *building housing a nonconforming use* shall not be modified in any way described below, except as provided in Subsection C below:

* * *

- (2) Restoration after damage. A nonconforming building shall not be restored for other than a conforming use after *damage of more than 50% from any cause*, unless a prior nonconforming use is reinstated within one year of such damage; if the restoration of such building is not completed within said one-year period, any prior nonconforming use of such building shall be deemed to have been discontinued, unless such nonconforming use is carried on without interruption in the undamaged portion of the building. No enlargement of a nonconforming building shall be permitted as part of an allowed restoration.

* * *

- C. Nonconformity with bulk requirements.

- (1) Maintenance, repair, structural alteration, relocation, *reconstruction* or enlargement. Normal maintenance and repair, structural alteration, relocation, *reconstruction* or enlargement of a building *which does not house a nonconforming use*, but is nonconforming as to district regulations for lot area, lot width, lot depth, front, side or rear yards, building height, lot coverage, habitable floor area or other such dimensional regulation, is permitted if the same does not increase the degree

of or create any new nonconformity with such regulations in such buildings.

The applicant will be applying to your board for an interpretation and/or a use variance as well as area variances. The planning board refers this matter to you for consideration of the same. The interpretation in question requires addressing the following questions:

1. Does the applicant's proposal to demolish and reconstruct its building housing a nonconforming use constitute a prohibited *reconstruction* or *restoration* under subsection A(1) or does it constitute a permitted "[r]estoration after damage... from any cause" under subsection B(2)?
2. Does the restriction of authorized *reconstruction* contained within subsection C(1) only of buildings that do "not house a nonconforming use" prevent this applicant from carrying out the *restoration* authorized under subsection B(2) by virtue of the final phrase within subsection B authorizing subsection B(2) *restoration* only in accordance with subsection C?

Should you grant either a favorable interpretation or use variance relief to this applicant, you will need to address bulk table issues. Because the use in question is not permitted in the IB zoning district, there are no bulk table provision applicable here. Your board will have to grant variance relief in the nature of fixing bulk parameters for this use that has none provided.

The planning board also suggests that you conduct your SEQRA review of this application—to the extent that it does not constitute a Type II action—on an uncoordinated review basis.

Very truly yours,



MICHAEL H. DONNELLY

MHD/lrm

cc: Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, NY 12550

David A. Donovan, Esq.
Dickover, Donnelly, Donovan & Biagi, LLP
P.O. Box 610
Goshen, NY 10924

Bohler Engineering
35 Technology Drive
Warren, NJ 07059

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McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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**TOWN OF NEWBURGH
PLANNING BOARD
REVIEW COMMENTS**

PROJECT: MCDONALD'S USA LLC
PROJECT NO.: 13-20
PROJECT LOCATION: SECTION 76, BLOCK 1, LOT 1.1
PROJECT REPRESENTATIVE: BOHLER ENGINEERING
REVIEW DATE: 11 OCTOBER 2013
MEETING DATE: 17 OCTOBER 2013

1. Proposed project presents a zoning issue with regard to losing protection for the fast food use in the B zone (recall Laxmi Estates 2 LLC, 6-23). Substantial changes to a site plan cause loss of pre-existing, non-conforming zoning protection. Mike Donnelly's comments regarding the re-establishment of the fast food use in the B Zone should be received.
2. The Applicant's Representative is requested to evaluate the Town of Newburgh design guidelines with regard to proposed parking layout. It is noted that the existing lot has 3 front yards.
3. Water service must be designed pursuant to Town of Newburgh requirements whereby potable water comes off fire sprinkler lines such that when fire sprinkler line is terminated, the potable water is also terminated.
4. A portion of the lot abuts the R3 Zone. Landscape buffers are required in this part of the parcel.
5. Standard notes for connection to Town of Newburgh water and sewer should be provided. Water line piping requires mechanical joint fittings.
6. Stormwater management in compliance with NYSDEC redevelopment standards should be provided on the site. An SWPPP is was submitted and is under review.
7. It is noted that an 18 inch RCP is proposed to discharge to a 12 inch CMP under Gidney Avenue. This should be evaluated in conjunction with the Stormwater Management Plan.
8. Property lines are shown depicted to the center line of the 2 town roadways. Offers of dedication should be discussed with the Applicant.
9. County Planning referral and NYSDOT approval are required.

REGIONAL OFFICES

- 111 Wheatfield Drive • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

10. Ken Wersted's comments regarding external and internal traffic flow should be received. It is noted that customers entering the Gardnertown Road access road must cross the drive thru exit through a one lane bypass for the drive thru queuing.
11. The Applicant's Representative is requested to discuss the dual drive thru queue proposed.
12. The proposed structure is smaller than the existing structure such that a flow acceptance letter from the City of Newburgh is not a requirement.
13. Information regarding sizing of the grease trap in compliance with NYSDOT requirements should be submitted.

Respectfully submitted,

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

Patrick J. Hines, Associate

Full Size Preliminary & Final Site Plans Page 1 to 17

For Proposed Drive Thru Restaurant McDonald's

& Land Survey Page 1 & 2

are available for viewing at the

Zoning Board of Appeals

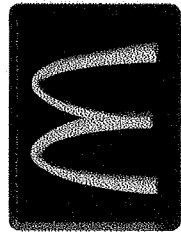
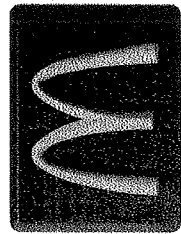
Office located at

308 Gardnertown Road

Newburgh, NY

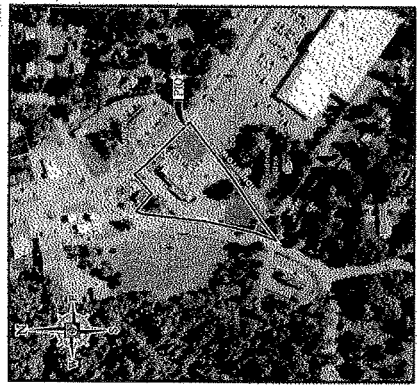
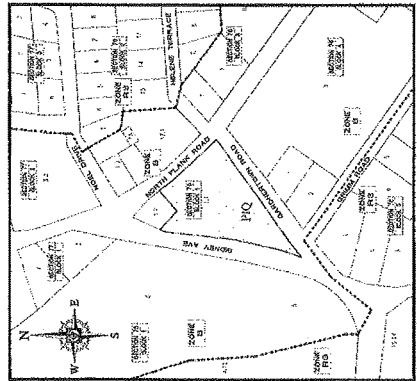
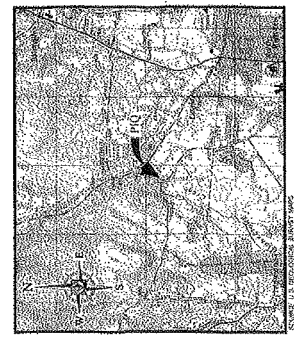
PRELIMINARY & FINAL SITE PLAN

PROPOSED DRIVE-THRU RESTAURANT



FOR
McDonald's USA, LLC.

SECTION 76; BLOCK 1; LOT 1.1 SHEET #76
65 NORTH PLANK ROAD, GARDNERTOWN ROAD & GIDNEY AVENUE
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK



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OWNER CERTIFICATION
I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS SHEET IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: _____

OWNER CERTIFICATION
I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS SHEET IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: _____

APPROVAL BLOCK

APPROVED BY THE TOWN OF NEWBURGH PLANNING BOARD

BOARD SECRETARY: _____ DATE: _____

BOARD CHAIRPERSON: _____ DATE: _____

BOARD ENGINEER: _____ DATE: _____

ADJOINING NEIGHBOURS
SECTION 76, BLOCK 1, LOT 1.1
SWAT ENTERPRISES LLC

PREPARED BY

BOHLER ENGINEERING

38 TECHNOLOGY DRIVE
WARREN, NEW JERSEY 07066

PH: (908) 868-8800
FX: (908) 754-4001

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New York
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BOHLER ENGINEERING

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PH: (908) 868-8800
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BAUER

14 TECHNOLOGY DRIVE
WARREN, NEW JERSEY 07066

PH: (908) 868-8800
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McDonald's

PLAN APPROVALS

ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
PROPOSED DRIVE-THRU RESTAURANT
SECTION 76, BLOCK 1, LOT 1.1

TOWN OF NEWBURGH
ORANGE COUNTY

65 NORTH PLANK ROAD

STATE: NY

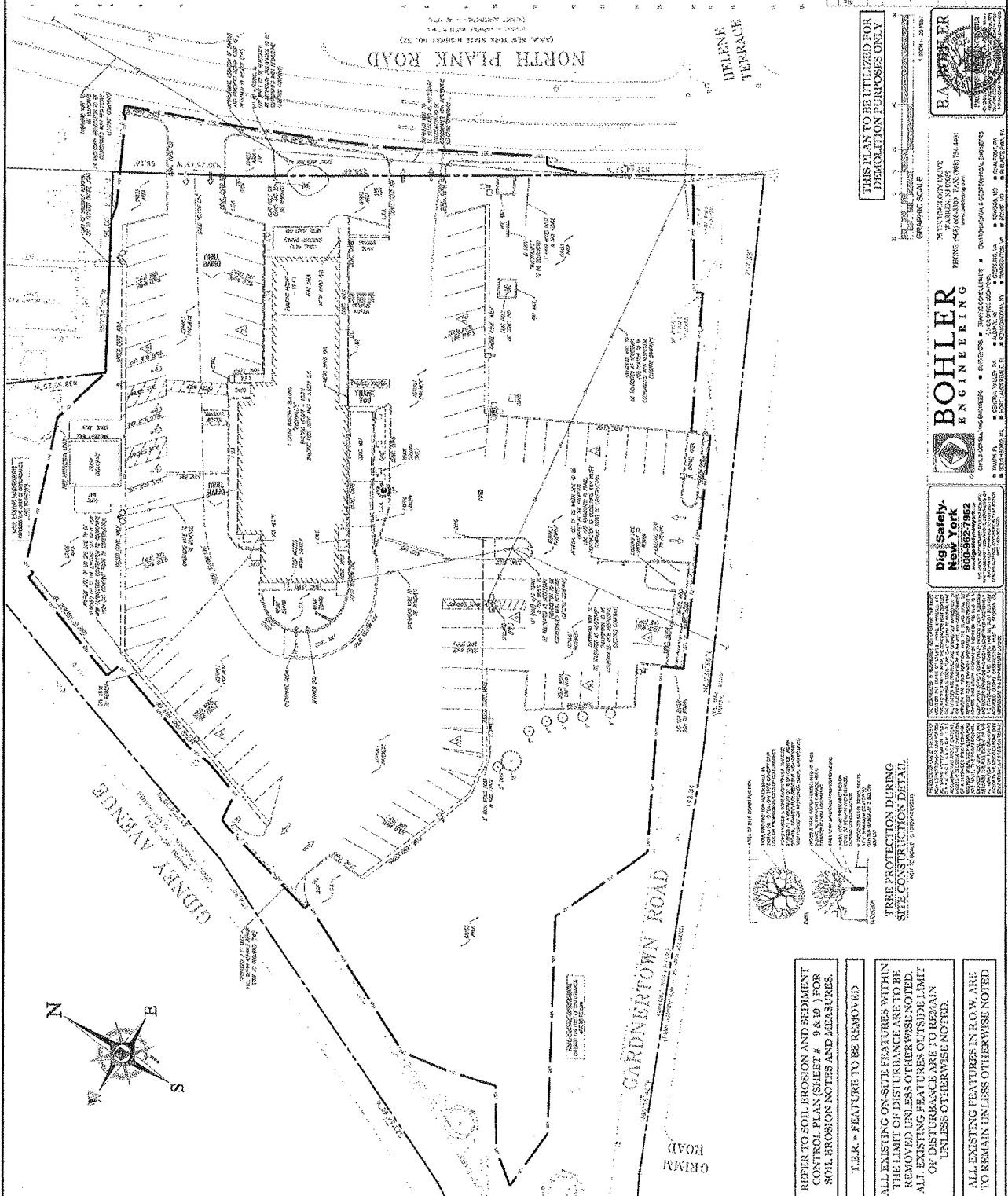
REGIONAL DRG. NO. T.B.D.

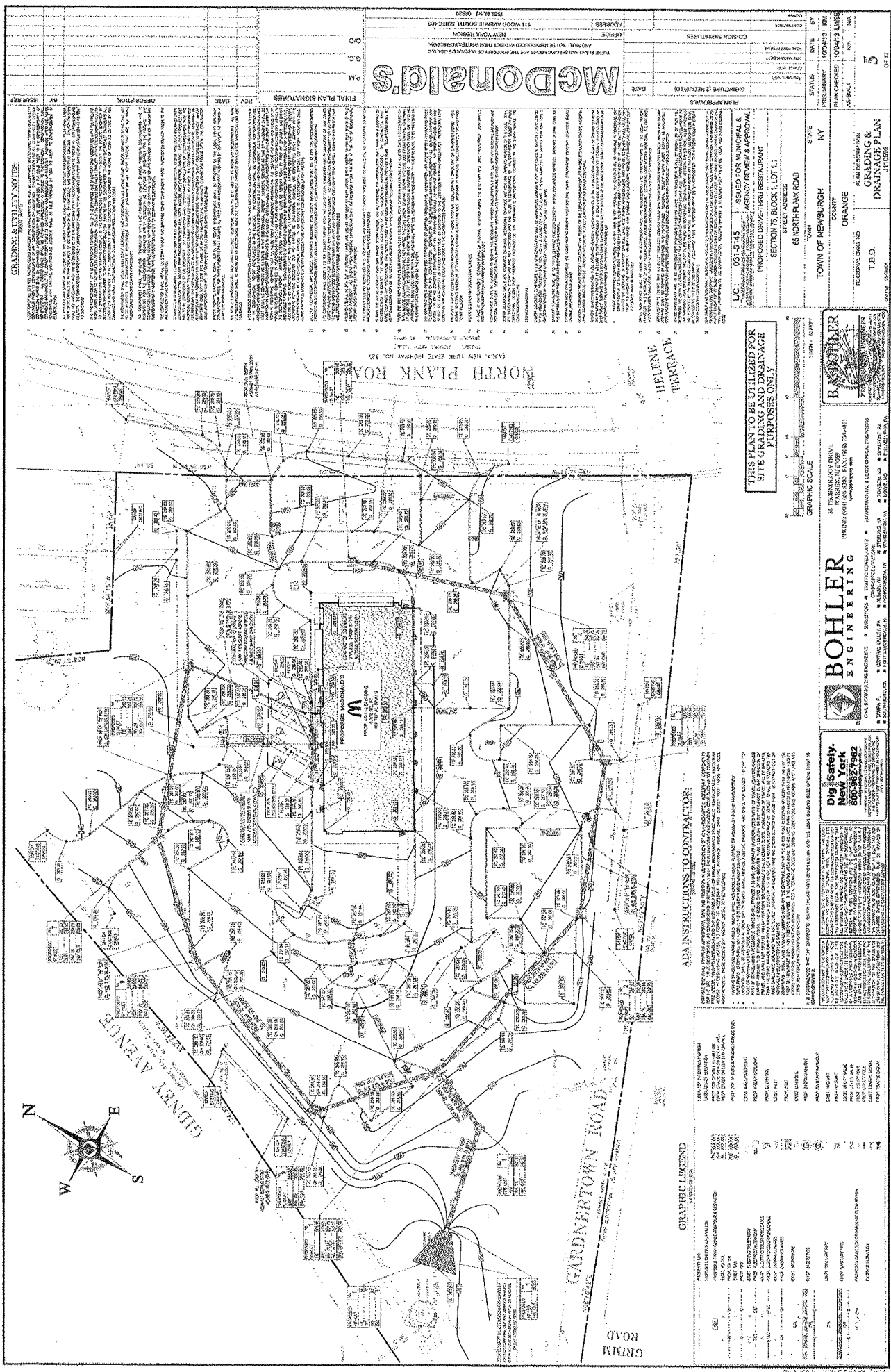
PLAT DESCRIPTION: COVER SHEET

J110889

DEMOLITION NOTES:

1. THIS PLAN IS A DEMOLITION PLAN AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
2. THE DEMOLITION OF THE EXISTING STRUCTURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS, 61 NYCRR 272.10, AND THE NYS DEPARTMENT OF LABOR (DOLE) REGULATIONS, 23 NYCRR 2501.10.
3. THE DEMOLITION OF THE EXISTING STRUCTURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS, 61 NYCRR 272.10, AND THE NYS DEPARTMENT OF LABOR (DOLE) REGULATIONS, 23 NYCRR 2501.10.
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GRADING & UTILITY NOTES:

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FINAL PLAN SIGNATURES

DATE	DESCRIPTION	BY	DATE
01/15/2024	ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL	W. BOHLER	01/15/2024
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McDonald's

111 WOOD AVENUE SOUTH SUITE 400
MELVILLE, NY 11767

FOR THE PLAN REVIEWER AND THE PROJECTER: ERICSON DESIGN GROUP
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MELVILLE, NY 11767

PLAN APPROVALS

ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
PROPOSED DRIVE THRU RESTAURANT
SECTION 16 BLOCK 4 LOT 1.1
STREET ADDRESS
15 NORTH PLANK ROAD
TOWN OF NEWBURGH
COUNTY OF ORANGE
REGIONAL DISTRICT NO. T.B.D.
LOCAL DISTRICT NO. T.B.D.

DATE: 01/15/2024
BY: W. BOHLER
SCALE: AS SHOWN
GRAPHIC SCALE: 1" = 100'

ADA INSTRUCTIONS TO CONTRACTOR:

1. ALL NEW CONCRETE SHALL BE INSTALLED TO MEET THE REQUIREMENTS OF THE TOWN OF NEWBURGH AND THE STATE OF NEW YORK.

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GRAPHIC LEGEND

SYMBOL	DESCRIPTION
(Symbol)	EXISTING GRADE
(Symbol)	PROPOSED GRADE
(Symbol)	EXISTING UTILITIES
(Symbol)	PROPOSED UTILITIES
(Symbol)	EXISTING DRIVEWAYS
(Symbol)	PROPOSED DRIVEWAYS
(Symbol)	EXISTING PAVEMENT
(Symbol)	PROPOSED PAVEMENT
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(Symbol)	PROPOSED CURBS
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(Symbol)	PROPOSED CURBS
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(Symbol)	PROPOSED SIDEWALKS

BOHLER ENGINEERING

ONE EIGHTY FIVE HUNTERS ROAD
MELVILLE, NY 11767
PHONE: (516) 466-1100
WWW.BOHLERENGINEERING.COM

Dig Safely, New York
800-552-7192

THIS PLAN IS TO BE UTILIZED FOR SITE GRADING AND DRAINAGE PURPOSES ONLY

GRADING & UTILITY NOTES:

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McDonald's

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1. ALL EXISTING UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE ENGINEER HAS MADE A VISUAL CHECK OF THESE UTILITIES AND HAS NOTED ANY DISCREPANCIES. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THESE UTILITIES.

2. ALL NEW UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE ENGINEER'S DESIGN AND FIELD SURVEY. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THESE UTILITIES.

3. ALL EXISTING AND NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF NEWBURGH SPECIFICATIONS AND THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.

4. ALL EXISTING AND NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.

5. ALL EXISTING AND NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.

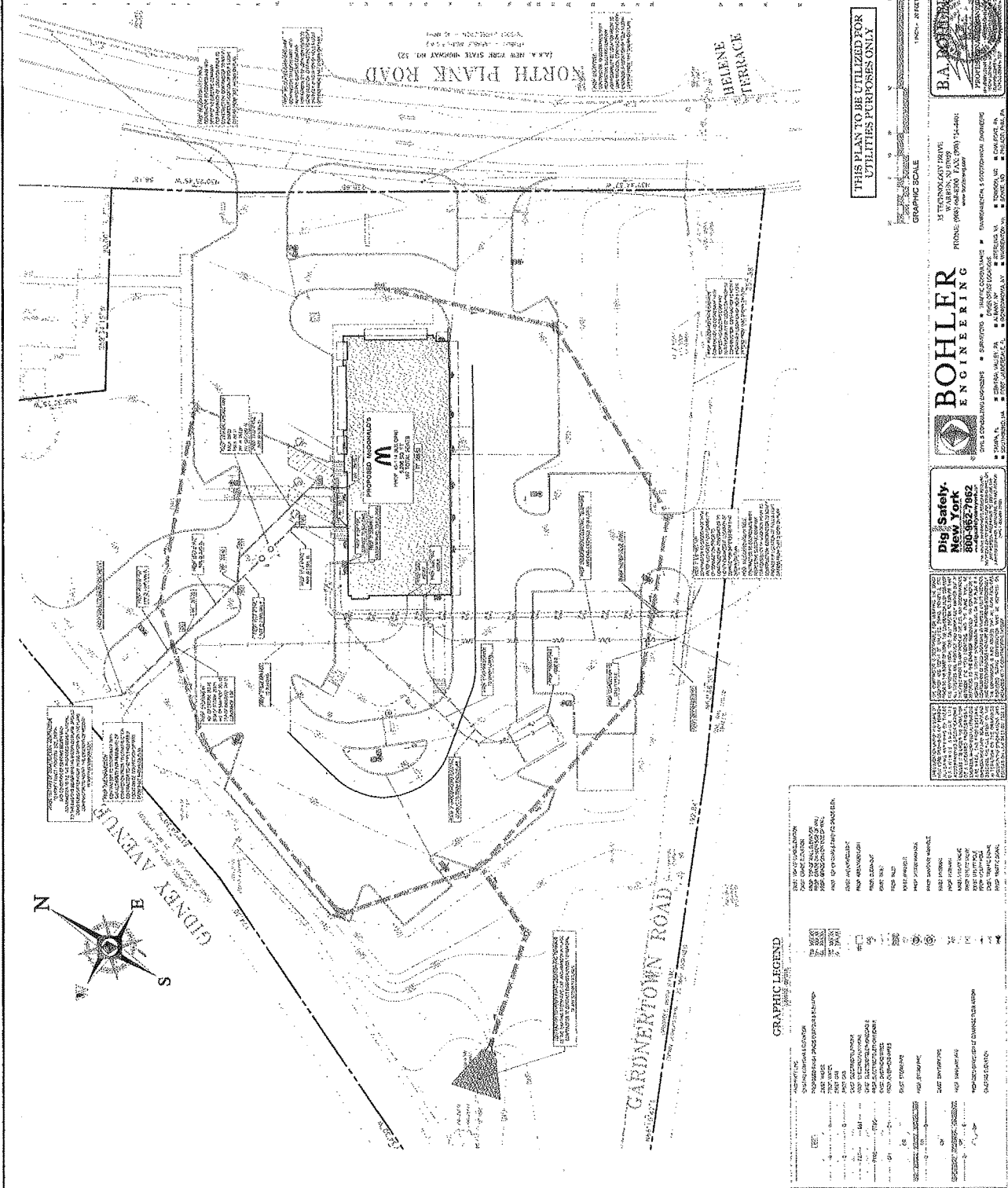
6. ALL EXISTING AND NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.

7. ALL EXISTING AND NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.

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9. ALL EXISTING AND NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.

10. ALL EXISTING AND NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.



GRAPHIC LEGEND

[Symbol]	EXISTING UTILITIES	[Symbol]	PROPOSED UTILITIES
[Symbol]	EXISTING WATER	[Symbol]	PROPOSED WATER
[Symbol]	EXISTING SEWER	[Symbol]	PROPOSED SEWER
[Symbol]	EXISTING GAS	[Symbol]	PROPOSED GAS
[Symbol]	EXISTING ELECTRIC	[Symbol]	PROPOSED ELECTRIC
[Symbol]	EXISTING TELEPHONE	[Symbol]	PROPOSED TELEPHONE
[Symbol]	EXISTING CABLE	[Symbol]	PROPOSED CABLE
[Symbol]	EXISTING FIBER OPTIC	[Symbol]	PROPOSED FIBER OPTIC
[Symbol]	EXISTING OTHER	[Symbol]	PROPOSED OTHER



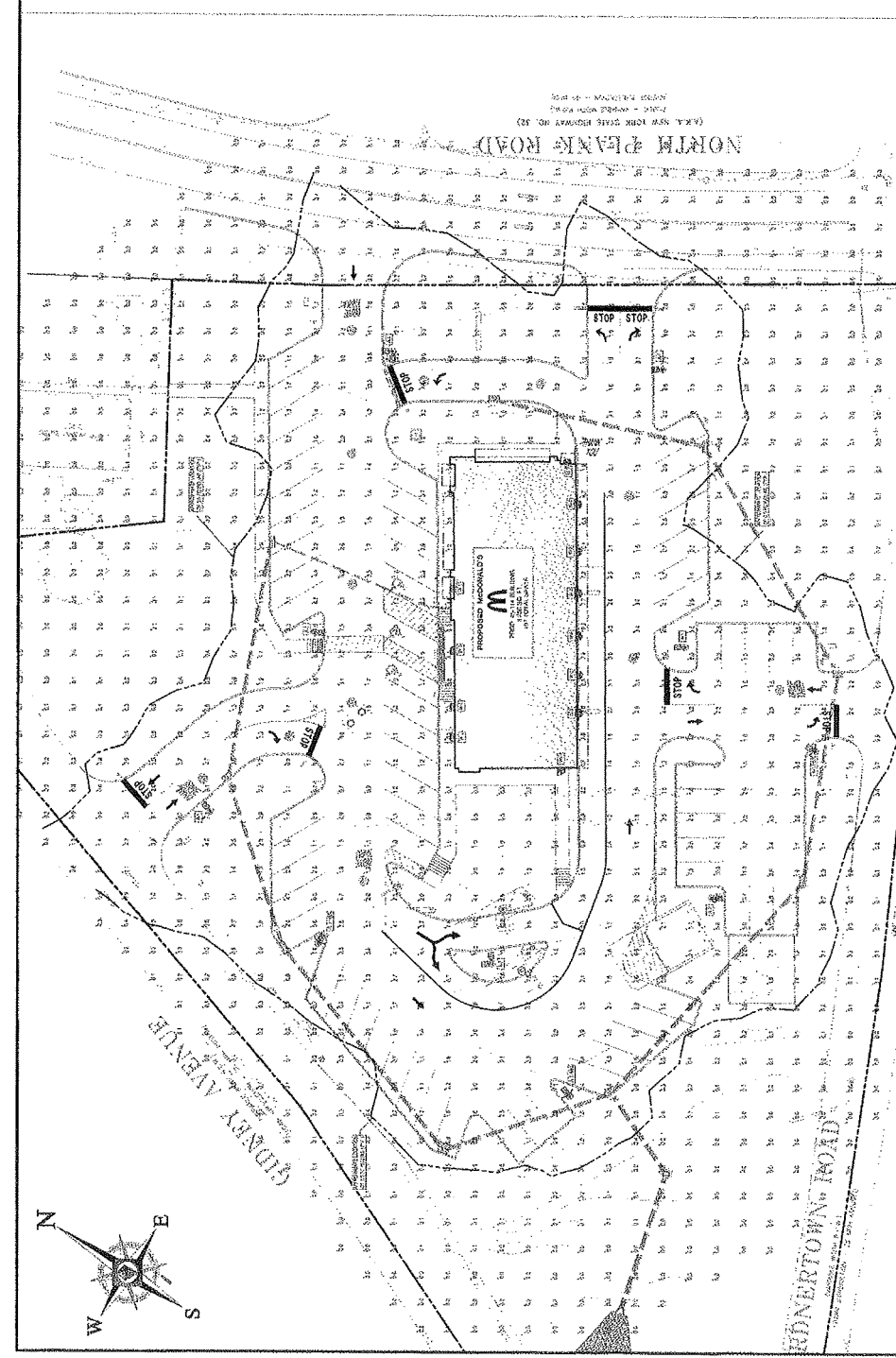
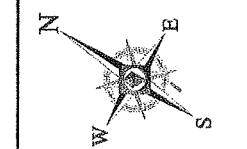
BOHLER ENGINEERING

15 TECHNOLOGY DRIVE
 NEWBURGH, NY 10973
 PHONE: (845) 339-1100
 FAX: (845) 339-1101
 WWW.BOHLER-ENG.COM

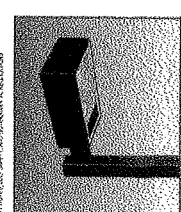
Dig Safely, New York
 800-962-7862

THIS PLAN TO BE UTILIZED FOR UTILITIES PURPOSES ONLY

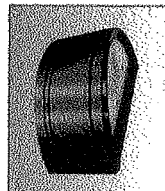
GRADING SHALL BE IN ACCORDANCE WITH THE CITY OF NEWBURGH SPECIFICATIONS AND THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.



- LIGHTING NOTES:**
1. THE ABOVE LAMP SPECIES SPECIFICATIONS MINIMUM LUMEN OUTPUT SHALL BE MAINTAINED THROUGHOUT THE LIFETIME OF THE LAMP. THE MANUFACTURER SHALL BE RESPONSIBLE FOR PROTECTING THE LAMP FROM VIBRATION AND SHOCK DURING NORMAL OPERATION.
 2. THE LAMP SPECIFICATIONS AND OPERATING PARAMETERS SHALL BE AS INDICATED IN THE LAMP SPECIFICATIONS AND OPERATING PARAMETERS AND SHALL BE MAINTAINED THROUGHOUT THE LIFETIME OF THE LAMP.
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SECURITY LIGHTING LED PULSE START METAL HALIDE AREA LIGHT (CALIF. ENR. L.A. 4-3)



SECURITY LIGHTING LED WALL SCONCE (W-L-W-2)

THIS PLAN TO BE UTILIZED FOR EXISTING PROJECTS ONLY

REFERENCE DETAIL SHEET FOR NIGHT TIME INSTALL AND OPERATIONS

L/C 031-0145
 ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
 PROPOSED DRIVE THRU RESTAURANT
 SECTION 78, BLOCK 1.1, LOT 1.1
 STREET ADDRESS
 65 NORTH PLANK ROAD
 TOWN OF NEWBURGH NY
 COUNTY OF ORANGE
 FEDERAL DIV. NO. T.B.D.
 PLAN DESCRIPTION LIGHTING PLAN
 1116959

DATE OF 10/04/13
 PLANNING 10/04/13
 PLAN CHECKED 10/04/13
 AS BUILT
 PLAN APPROVALS
 PREPARED BY
 CHECKED BY
 DATE
 PROJECT NO.
 CO-SIGNATURES
 OFFICE
 ADDRESS
 111 WOODLAND AVENUE SUITE 402
 NEW YORK, NY 10060
 USA NY NY 10060
McDonald's

LENSMART SCHEDULE

SPACES	TYPE	LOG IN	DESCRIPTION	APPOINTMENT	LUMENS	LF	EFFICIENCY	OUTLETS
1	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
2	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
3	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
4	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
5	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
6	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
7	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
8	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
9	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
10	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
11	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
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13	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
14	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
15	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
16	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
17	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
18	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
19	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000
20	2000	4000	SECURITY LIGHTING FOR DRIVE THRU WINDOW	2000	1000	1000	1000	1000

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 CIVIL ENGINEERING SERVICES • SURVEYING • TRAFFIC SIGNALS • TRANSPORTATION ENGINEERING
 25 HILTON DRIVE, WAREHOUSES, NY 10998
 PHONE: (914) 353-8888
 WWW.BOHLERENR.COM

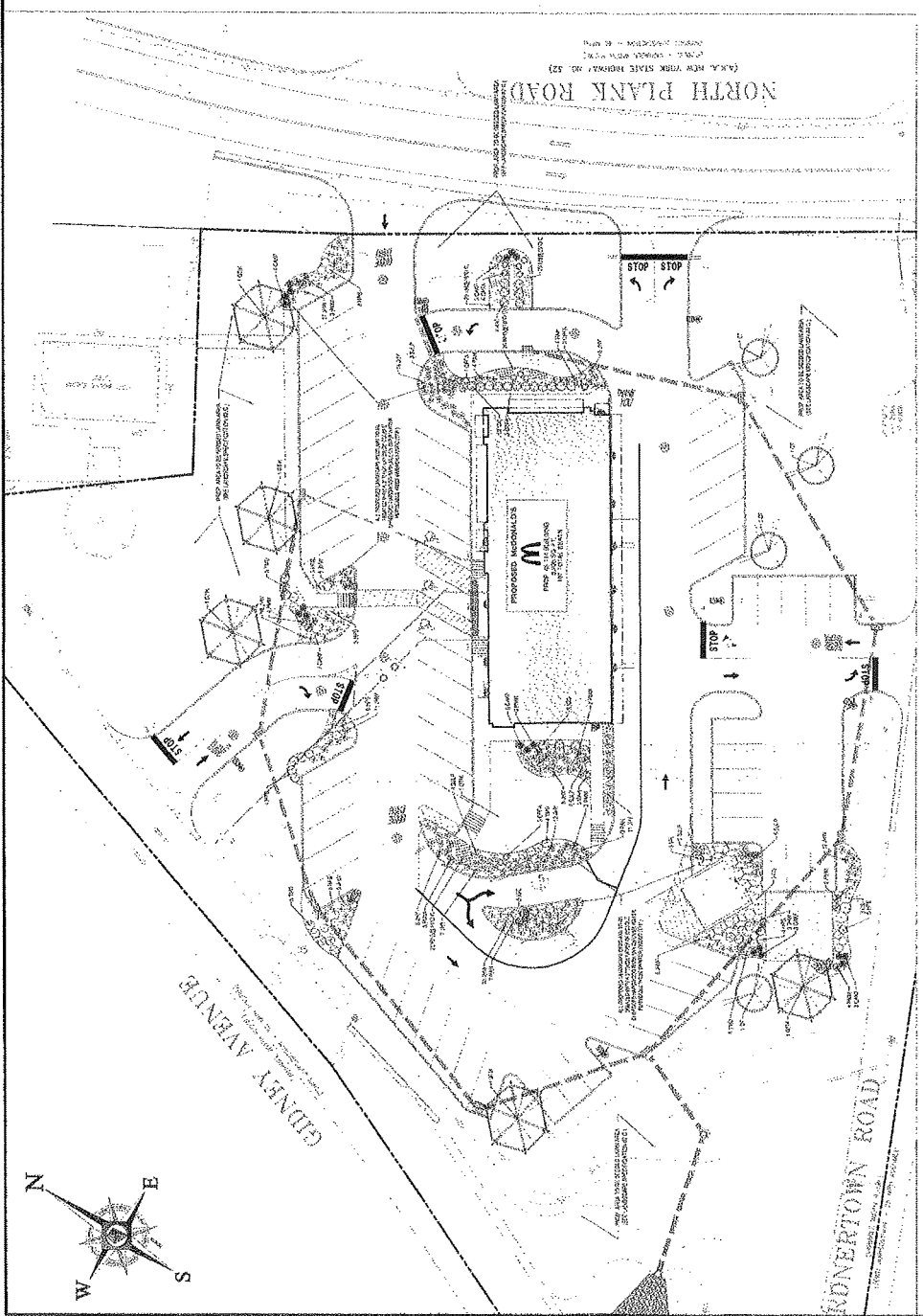
Bohler
 35 HILTON DRIVE WAREHOUSES, NY 10998
 PHONE: (914) 353-8888

Dig Safely, New York
 800-962-7862
 NEW YORK STATE LICENSED SHIELDING CONTRACTOR

GRAPHIC SCALE

PLAN APPROVALS

PROJECT NO. 1116959
TOWN NEWBURGH NY
COUNTY ORANGE
FEDERAL DIV. NO. T.B.D.
PLAN DESCRIPTION LIGHTING PLAN



DATE	REV	DATE	REV

COMPLIANCE CHART

SECTION	REQUIREMENTS	COMPLIANCE
1.0	ALL PROPOSED PLANTING SHALL BE LOCAL, UNADORNED, FRUITING OR BERRYING, AND NOT OVER 15 FEET TALL AT MATURE. PLANTS SHALL BE SPECIALLY SELECTED TO PROVIDE YEAR-ROUND INTEREST THROUGH COLOR, TEXTURE, AND FORM. PLANTINGS SHALL BE PLACED TO PROVIDE VISUAL SCREENING AND TO ENHANCE THE VISUAL APPEAL OF THE SITE.	COMPLIES
2.0	ALL PLANTINGS SHALL BE PLACED TO PROVIDE VISUAL SCREENING AND TO ENHANCE THE VISUAL APPEAL OF THE SITE. PLANTINGS SHALL BE PLACED TO PROVIDE VISUAL SCREENING AND TO ENHANCE THE VISUAL APPEAL OF THE SITE.	COMPLIES
3.0	ALL PLANTINGS SHALL BE PLACED TO PROVIDE VISUAL SCREENING AND TO ENHANCE THE VISUAL APPEAL OF THE SITE. PLANTINGS SHALL BE PLACED TO PROVIDE VISUAL SCREENING AND TO ENHANCE THE VISUAL APPEAL OF THE SITE.	COMPLIES

LANDSCAPE SCHEDULE

NO.	DESCRIPTION	QUANTITY	REMARKS
1	SMALL TREE (10-15' TALL)	10	
2	MEDIUM TREE (15-25' TALL)	5	
3	LARGE TREE (25-35' TALL)	3	
4	SHRUB (6-10' TALL)	20	
5	SMALL SHRUB (3-6' TALL)	50	
6	GROUND COVER	100	
7	PERENNIALS	100	
8	ANNUALS	100	
9	MULCH	100	
10	IRRIGATION SYSTEM	1	

McDonald's

FINAL PLAN SIGNATURES

WARNING: RETAIL STREET VIEW LANDSCAPE SPECIFICATIONS

THIS PLAN IS TO BE UTILIZED FOR LANDSCAPE PURPOSES ONLY

ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
 PROPOSED DRIVE-THRU RESTAURANT
 SECTION 76, BLOCK 1, LOT 11
 STREET ADDRESS
 65 NORTH PLANK ROAD
 TOWN OF NEWBURGH NY
 COUNTY ORANGE
 REGIONAL DING INC
 T.B.D.
 LANDSCAPE PLAN
 J118599

BOHLER ENGINEERING

30 TECHNOLOGY DRIVE
 WATERBURY, CT 06705
 PHONE: (203) 755-1234
 WWW.BOHLERENGINEERING.COM

■ PROFESSIONAL ENGINEERS ■ REGISTERED PROFESSIONAL ENGINEERS ■ REGISTERED PROFESSIONAL ENGINEERS
 ■ CIVIL ENGINEERS ■ ELECTRICAL ENGINEERS ■ MECHANICAL ENGINEERS ■ CHEMICAL ENGINEERS
 ■ ENVIRONMENTAL ENGINEERS ■ SURVEYORS ■ ARCHITECTS ■ LANDSCAPE ARCHITECTS
 ■ PLANNERS ■ HISTORIC PRESERVATION ■ INTERIOR DESIGN ■ CONSTRUCTION ■ GENERAL CONTRACTORS

NO.	DATE	DESCRIPTION	BY	ISSUE NO.

DATE	
SIGNATURE (if required)	
PLANNING	
ENGINEERING	
CONSTRUCTION	
FINAL PLAN SIGNATURES	

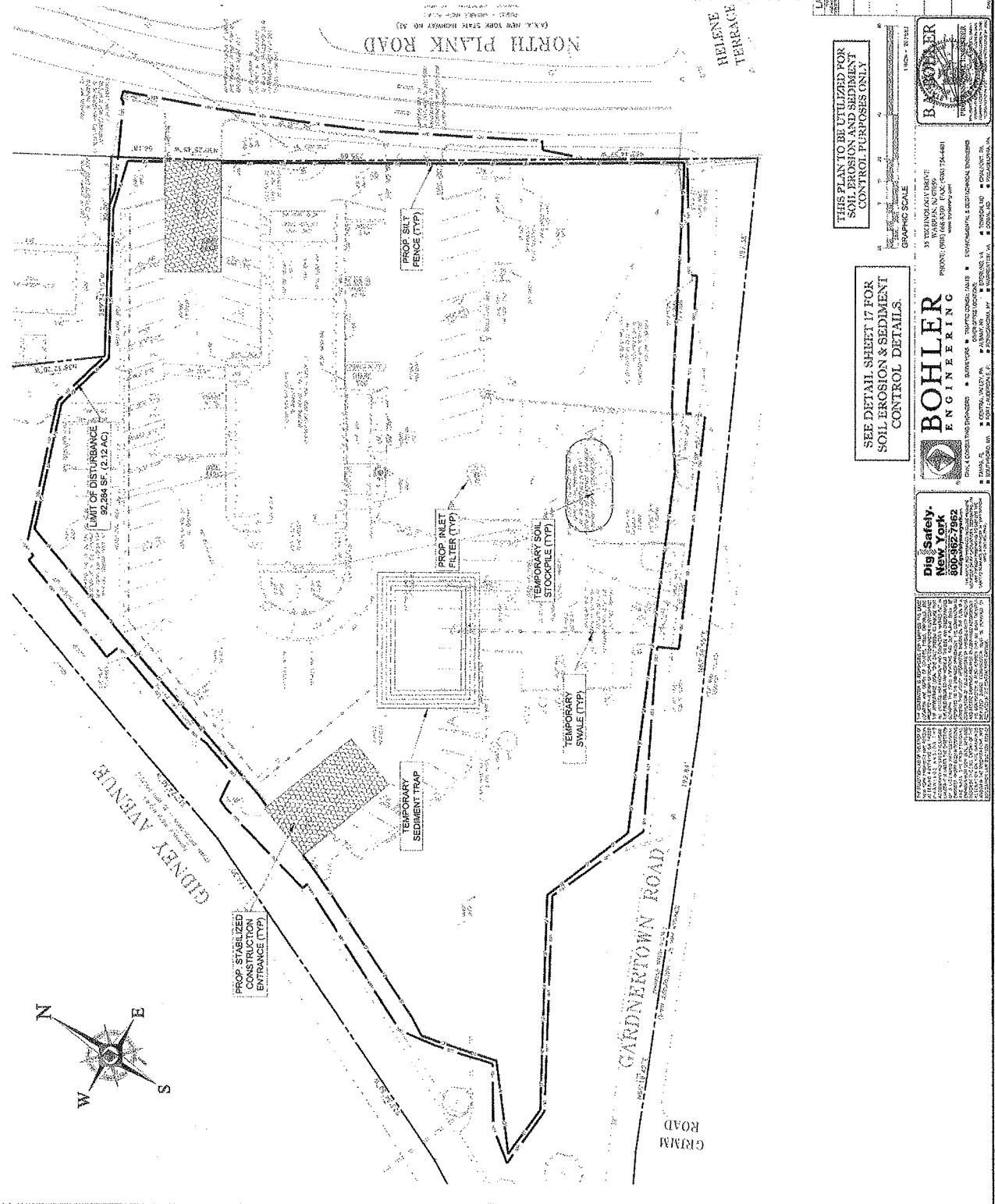
OFFICE	111 WOOD AVENUE SOUTH, SUITE 200 NEW YORK REGION
ADDRESS	
PHONE	
PROJECT NO.	
DATE	

SOIL EROSION & SEDIMENT CONTROL PLAN NOTES

1. THIS PLAN IS TO BE UTILIZED FOR SOIL EROSION AND SEDIMENT CONTROL PURPOSES ONLY.
2. SEE DETAIL SHEET 17 FOR SOIL EROSION & SEDIMENT CONTROL DETAILS.
3. THIS PLAN IS TO BE UTILIZED FOR RESTAURANT PROPOSED DRIVE THRU RESTAURANT SECTION 7A BLOCK 1, LOT 1.1 STREET ADDRESS 66 NORTH PLANK ROAD TOWN OF NEWBURGH NY
4. ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
5. PROJECT NO. 231-0145
6. TOWN OF NEWBURGH NY
7. STATE NY
8. COUNTY ORANGE
9. PLAN DESCRIPTION SOIL EROSION & SEDIMENT CONTROL PLAN SHEET 1
10. REGIONAL DWG NO. T.B.D.
11. DATE 02/11/2023

PROPOSED CONSTRUCTION DETAILS

1. THE PROPOSED CONSTRUCTION DETAILS ARE TO BE INSTALLED AS SHOWN ON THIS PLAN.
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 35 TECHNOLOGY DRIVE
 NEWBURGH, NY 10959
 (845) 261-3441
 www.bohlereng.com

BOHLER ENGINEERING
 INC. LICENSED AND REGISTERED ENGINEERS & SURVEYORS
 STATE OF NEW YORK
 LICENSE NO. E-10000
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. S-20000
 REGISTERED PROFESSIONAL SURVEYOR
 LICENSE NO. S-10000

SEE DETAIL SHEET 17 FOR SOIL EROSION & SEDIMENT CONTROL DETAILS

THIS PLAN IS TO BE UTILIZED FOR RESTAURANT PROPOSED DRIVE THRU RESTAURANT SECTION 7A BLOCK 1, LOT 1.1 STREET ADDRESS 66 NORTH PLANK ROAD TOWN OF NEWBURGH NY

ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL

PROJECT NO. 231-0145

TOWN OF NEWBURGH NY

STATE NY

COUNTY ORANGE

PLAN DESCRIPTION SOIL EROSION & SEDIMENT CONTROL PLAN SHEET 1

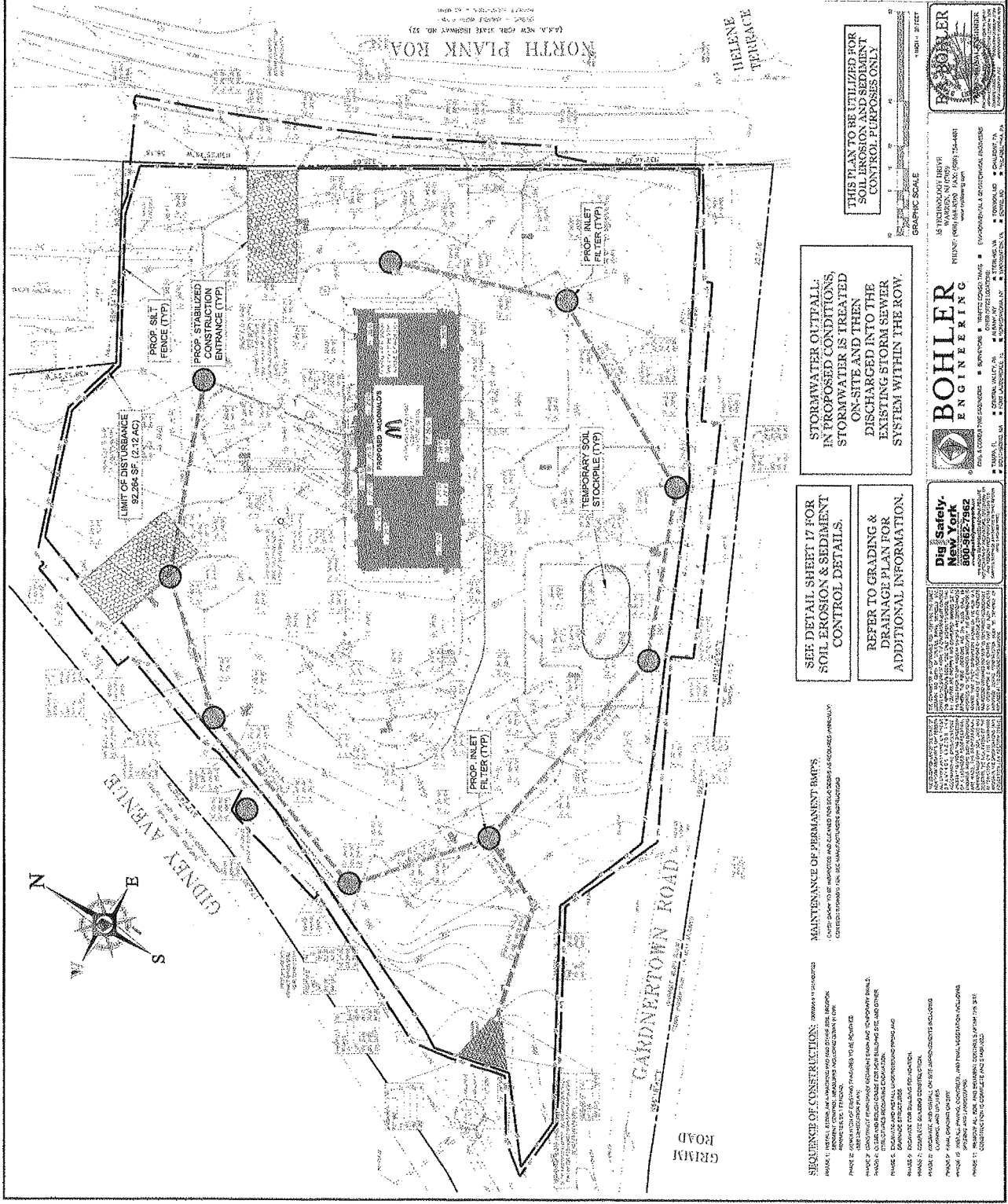
REGIONAL DWG NO. T.B.D.

DATE 02/11/2023

PROJECT NO.	231-0145
TOWN	TOWN OF NEWBURGH NY
STATE	STATE NY
COUNTY	COUNTY ORANGE
PLAN DESCRIPTION	SOIL EROSION & SEDIMENT CONTROL PLAN SHEET 1
REGIONAL DWG NO.	T.B.D.
DATE	02/11/2023

FINAL PLAN SIGNATURES

NO.	NAME	DATE	DESCRIPTION
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SEQUENCE OF CONSTRUCTION: APPROVED BY PERMITS

PHASE 1: SITE PREP AND EXISTING UTILITIES TO BE MAINTAINED

PHASE 2: CONSTRUCTION OF FOUNDATION AND CONCRETE SLAB

PHASE 3: CONSTRUCTION OF EXTERIOR WALLS TO BE MAINTAINED

PHASE 4: CONSTRUCTION OF INTERIOR WALLS AND CEILING

PHASE 5: CONSTRUCTION OF ROOFING AND MECHANICAL SYSTEMS

PHASE 6: CONSTRUCTION OF SIGNAGE AND FURNITURE

PHASE 7: CONSTRUCTION OF LANDSCAPING AND PAVING

PHASE 8: CONSTRUCTION OF UTILITY AND SERVICE CONNECTIONS

PHASE 9: FINAL INSPECTION AND PERMIT CLOSURE

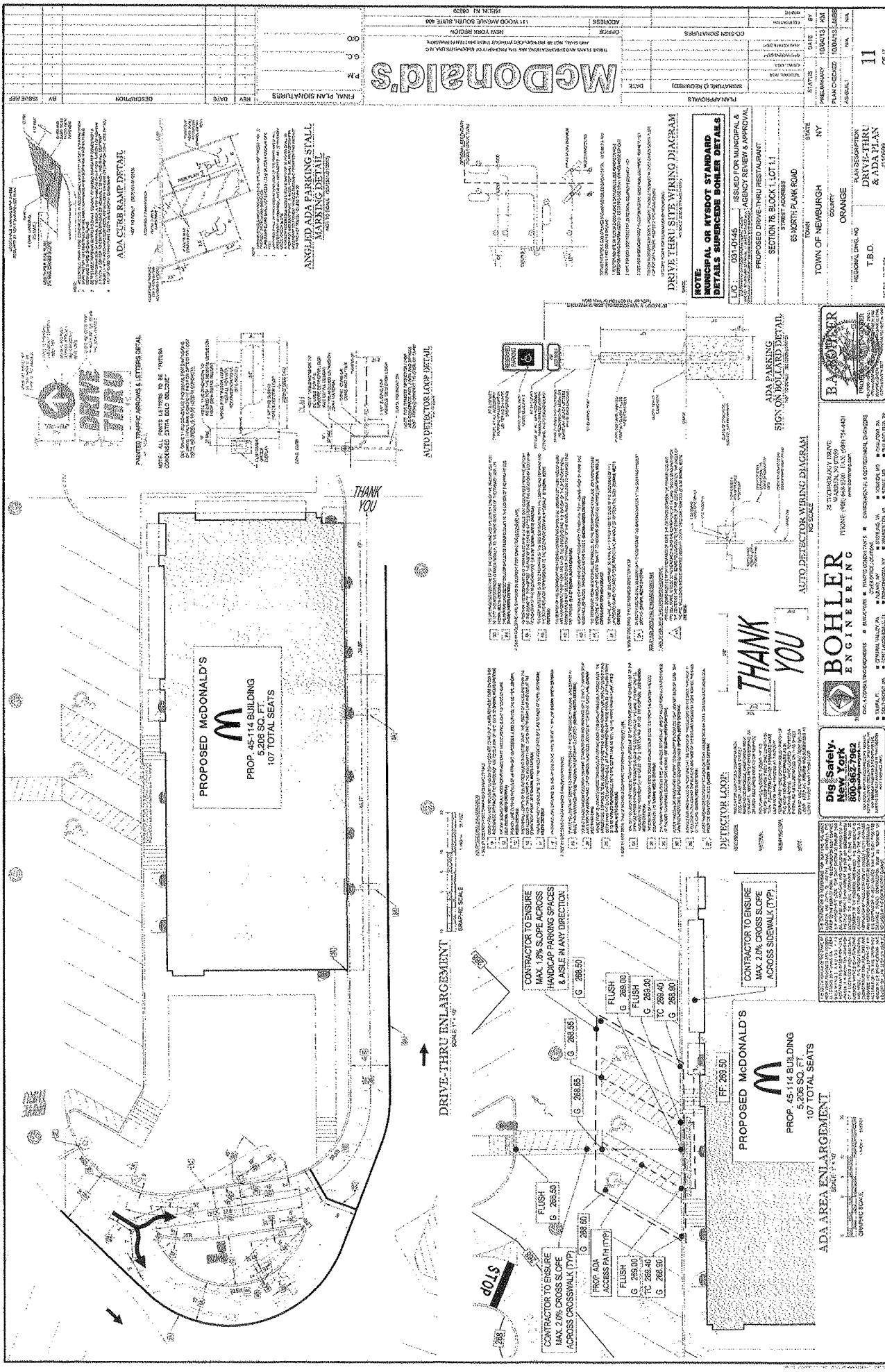
PHASE 10: MAINTENANCE OF PERMANENT BAPS

CONTROLLED BY THE PERMITTING AGENCIES

THIS PLAN TO BE UTILIZED FOR SOIL EROSION AND SEDIMENT CONTROL PURPOSES ONLY

BOHLLER ENGINEERING
15 TECHNOLOGY DRIVE
WARREN, NY 14258
PHONE: (716) 663-8888
WWW.BOHLLERENGINEERING.COM

Dig Safely - New York
800-332-7382
WWW.DIGSAFELY.COM



PROPOSED McDONALD'S
 PROP. 45-114 BUILDING
 5,206 SQ. FT.
 107 TOTAL SEATS

DRIVE-THRU ENLARGEMENT
 SCALE 1" = 4'

STOP

PROPOSED McDONALD'S
 PROP. 45-114 BUILDING
 5,206 SQ. FT.
 107 TOTAL SEATS

THANK YOU

McDonald's

ADA CROSS RAMP DETAIL
 1/4" = 1' (SEE SCHEDULE)
 SEE SCHEDULE FOR DIMENSIONS

ANGLED ADA PARKING STALL MARKING DETAIL
 1/4" = 1' (SEE SCHEDULE)
 SEE SCHEDULE FOR DIMENSIONS

NOTE: MUNICIPAL OR KYSDOT STANDARD DETAILS SUPERCEDE BOHLER DETAILS
 L7C 031-0745
 ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
 PROPOSED DRIVE-THRU RESTAURANT
 SECTION 78, BLOCK 1, LOT 11
 STREET ADDRESS: 68 NORTH PLANK ROAD
 TOWN: ORANGE
 COUNTY: T.B.D.
 REGIONAL DIST. NO.: 67-10099

DRIVE THRU WIRING DIAGRAM
 1/4" = 1' (SEE SCHEDULE)
 SEE SCHEDULE FOR DIMENSIONS

PAINTED TRAFFIC ARROWS & LETTERS DETAIL
 1/4" = 1' (SEE SCHEDULE)
 SEE SCHEDULE FOR DIMENSIONS

NOTE: ALL PAINTED LETTERS TO BE "REFLECTA COMBESD EXTRA BOLD" SIZE

ON DRIVE THRU ENLARGEMENTS, ALL SIDEWALKS SHALL BE CONCRETE WITH 1/4" MINIMUM CURB HEIGHT TO DRIVE THRU ENLARGEMENT.

AUTO DETECTOR LOOP DETAIL
 1/4" = 1' (SEE SCHEDULE)
 SEE SCHEDULE FOR DIMENSIONS

DEFLECTOR LOOP
 1/4" = 1' (SEE SCHEDULE)
 SEE SCHEDULE FOR DIMENSIONS

ADA BOLLARD DETAIL
 1/4" = 1' (SEE SCHEDULE)
 SEE SCHEDULE FOR DIMENSIONS

BOHLER ENGINEERING
 31 THOMPSON DRIVE
 WARREN, NY 14140
 PHONE: (419) 824-4401
 WWW.BOHLENERG.COM


Dig Safety New York
 800-567-7982
 200 TOWN SQUARE, SUITE 400
 WESTPORT, NY 10994

PLAN APPROVALS	DATE	BY
PREPARED BY		
CHECKED BY		
DESIGNED BY		
DRAWN BY		
IN CHARGE		
PROJECT NO.		
TITLE		
DATE		

OWNER	ADDRESS	PROJECT NO.
NEW YORK REGION	111 WOOD AVENUE, SOUTH SUITE 600 ISLANDIA, NY 11749	67-10099
OFFICE		

REV	DATE	DESCRIPTION	BY	ISSUED REF.

<p>PERMITS</p> <p>NY STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC)</p> <p>NY STATE DEPARTMENT OF TRANSPORTATION (DOT)</p> <p>NY STATE DEPARTMENT OF TAXATION AND FINANCE (DTF)</p> <p>NY STATE DEPARTMENT OF SOCIAL SERVICES (DSS)</p> <p>NY STATE DEPARTMENT OF HEALTH (DOH)</p> <p>NY STATE DEPARTMENT OF LABOR (DOL)</p> <p>NY STATE DEPARTMENT OF MENTAL HEALTH (DMH)</p> <p>NY STATE DEPARTMENT OF NYS OFFICE OF GENERAL SERVICES (OGS)</p> <p>NY STATE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (DOCPD)</p> <p>NY STATE DEPARTMENT OF REVENUE (DORE)</p> <p>NY STATE DEPARTMENT OF STATE (DOS)</p> <p>NY STATE DEPARTMENT OF TERRORISM PREVENTION (DTP)</p> <p>NY STATE DEPARTMENT OF WORKFORCE DEVELOPMENT (DWD)</p> <p>NY STATE DEPARTMENT OF YOUTH SERVICES (DOYS)</p>	<p>PERMITS</p> <p>NY STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC)</p> <p>NY STATE DEPARTMENT OF TRANSPORTATION (DOT)</p> <p>NY STATE DEPARTMENT OF TAXATION AND FINANCE (DTF)</p> <p>NY STATE DEPARTMENT OF SOCIAL SERVICES (DSS)</p> <p>NY STATE DEPARTMENT OF HEALTH (DOH)</p> <p>NY STATE DEPARTMENT OF LABOR (DOL)</p> <p>NY STATE DEPARTMENT OF MENTAL HEALTH (DMH)</p> <p>NY STATE DEPARTMENT OF NYS OFFICE OF GENERAL SERVICES (OGS)</p> <p>NY STATE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (DOCPD)</p> <p>NY STATE DEPARTMENT OF REVENUE (DORE)</p> <p>NY STATE DEPARTMENT OF STATE (DOS)</p> <p>NY STATE DEPARTMENT OF TERRORISM PREVENTION (DTP)</p> <p>NY STATE DEPARTMENT OF WORKFORCE DEVELOPMENT (DWD)</p> <p>NY STATE DEPARTMENT OF YOUTH SERVICES (DOYS)</p>	<p>PERMITS</p> <p>NY STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC)</p> <p>NY STATE DEPARTMENT OF TRANSPORTATION (DOT)</p> <p>NY STATE DEPARTMENT OF TAXATION AND FINANCE (DTF)</p> <p>NY STATE DEPARTMENT OF SOCIAL SERVICES (DSS)</p> <p>NY STATE DEPARTMENT OF HEALTH (DOH)</p> <p>NY STATE DEPARTMENT OF LABOR (DOL)</p> <p>NY STATE DEPARTMENT OF MENTAL HEALTH (DMH)</p> <p>NY STATE DEPARTMENT OF NYS OFFICE OF GENERAL SERVICES (OGS)</p> <p>NY STATE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (DOCPD)</p> <p>NY STATE DEPARTMENT OF REVENUE (DORE)</p> <p>NY STATE DEPARTMENT OF STATE (DOS)</p> <p>NY STATE DEPARTMENT OF TERRORISM PREVENTION (DTP)</p> <p>NY STATE DEPARTMENT OF WORKFORCE DEVELOPMENT (DWD)</p> <p>NY STATE DEPARTMENT OF YOUTH SERVICES (DOYS)</p>
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ARJH M. LOCO
SIGNAGE (14 SF)
PROJECT NO. 14-00000000000000000000

ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL

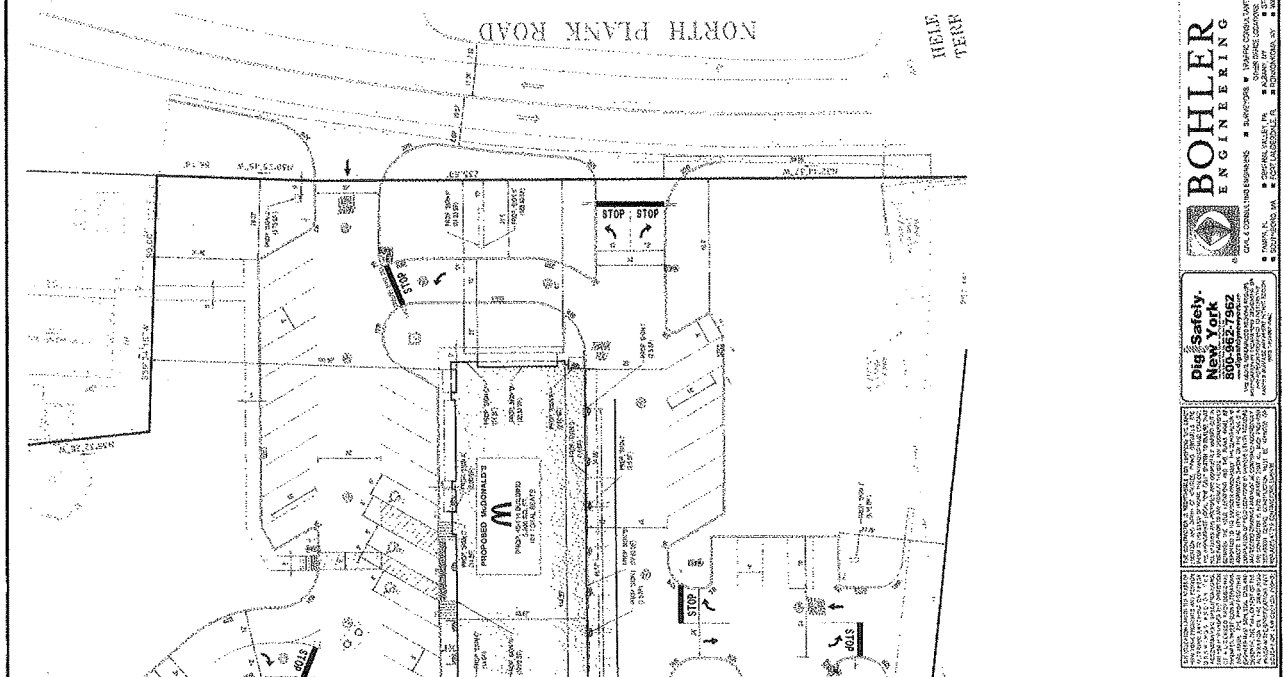
PROPOSED DRIVE THRU RESTAURANT

SECTION 78, BLOCK 1, LOT 1.1

STREET ADDRESS: 85 NORTH PLANK ROAD

TOWN: ORANGE
COUNTY: ORANGE
STATE: NY

REGIONAL DIST. NO.: T.B.D.
JOB NO.: 14-00000000000000000000



WELCOME

"WELCOME" SIGN (2,600 SF)

14-00000000000000000000

WELCOME

"WELCOME" SIGN (2,600 SF)

14-00000000000000000000

BOHLER ENGINEERING

1000 W. 10TH STREET, SUITE 200, NEW YORK, NY 10014

PHONE: (212) 695-1100 FAX: (212) 695-1101

WWW.BOHLERENGINEERING.COM

BOHLER ENGINEERING

1000 W. 10TH STREET, SUITE 200, NEW YORK, NY 10014

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BOHLER ENGINEERING

1000 W. 10TH STREET, SUITE 200, NEW YORK, NY 10014

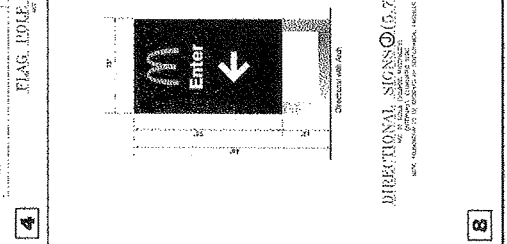
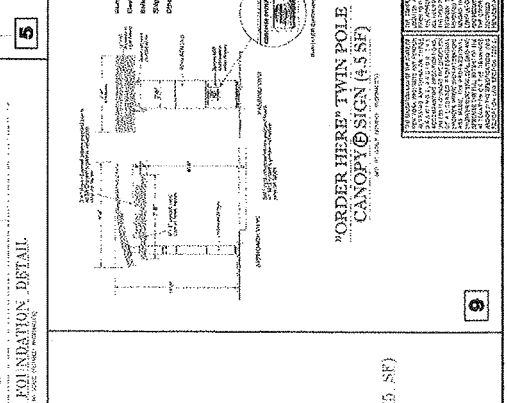
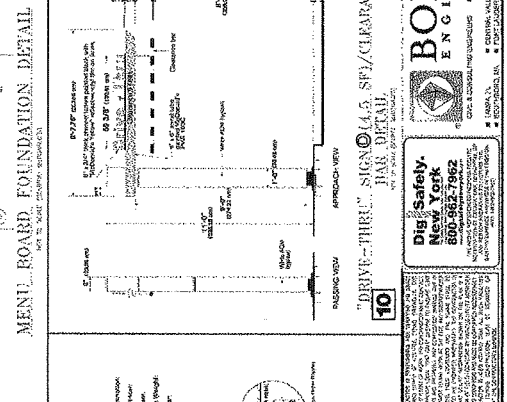
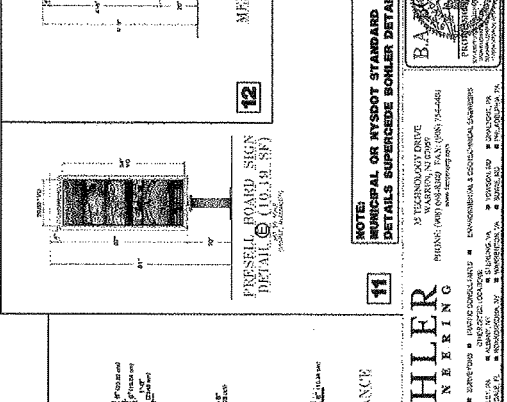
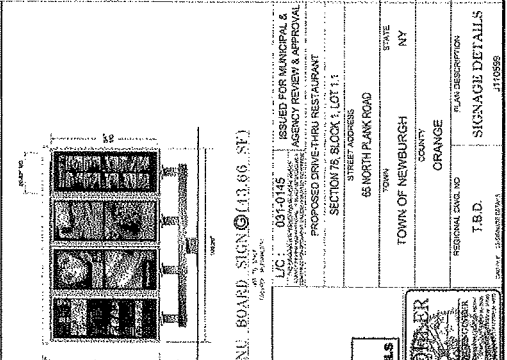
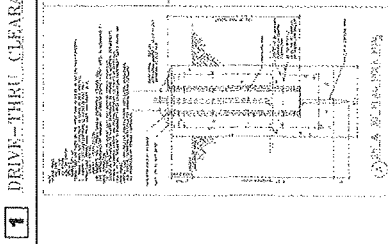
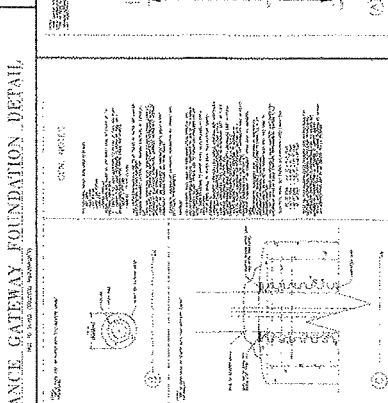
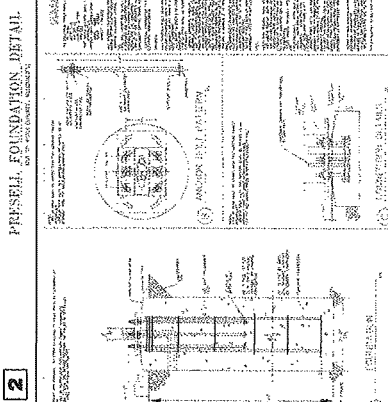
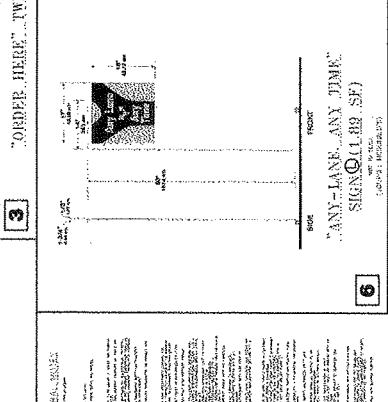
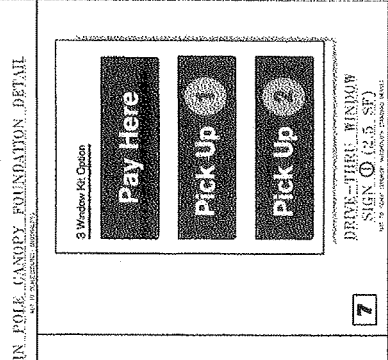
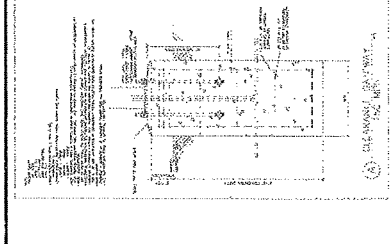
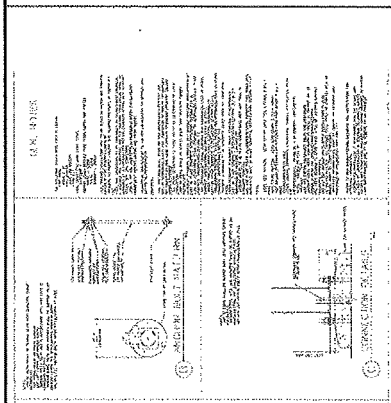
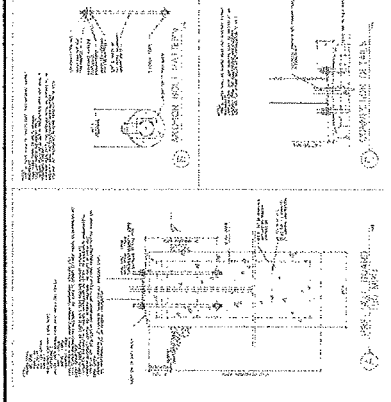
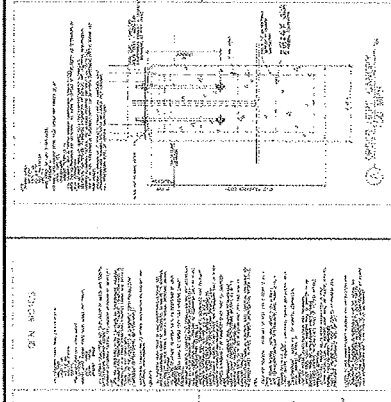
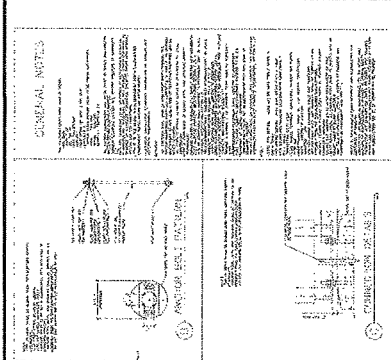
PHONE: (212) 695-1100 FAX: (212) 695-1101

WWW.BOHLERENGINEERING.COM

REV.	DATE	DESCRIPTION	BY	ISSUE REF.

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 111 WOOD AVENUE SUITE 500
 NEW YORK, NY 10019
 OFFICE
 ADDRESS:

DATE	BY	DESCRIPTION



BOHLER ENGINEERING
 17 TECHNOLOGY DRIVE
 WARREN, NY 14159
 PHONE: (716) 754-1400
 FAX: (716) 754-1401
 WWW: WWW.BOHLER-ENGINEERING.COM

BOHLER ENGINEERING
 17 TECHNOLOGY DRIVE
 WARREN, NY 14159
 PHONE: (716) 754-1400
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 WWW: WWW.BOHLER-ENGINEERING.COM

BOHLER ENGINEERING
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 PHONE: (716) 754-1400
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 WARREN, NY 14159
 PHONE: (716) 754-1400
 FAX: (716) 754-1401
 WWW: WWW.BOHLER-ENGINEERING.COM

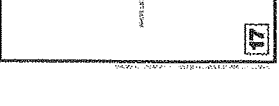
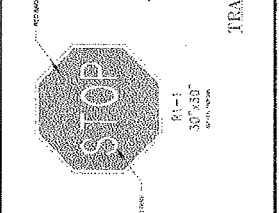
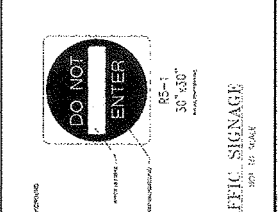
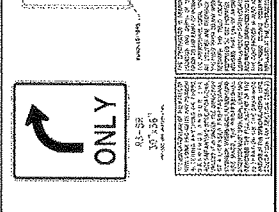
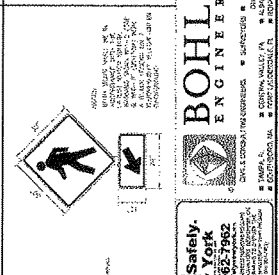
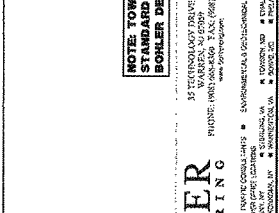
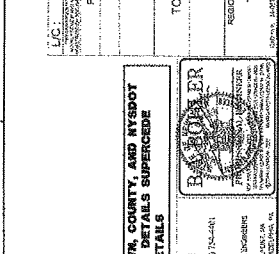
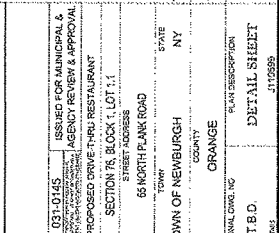
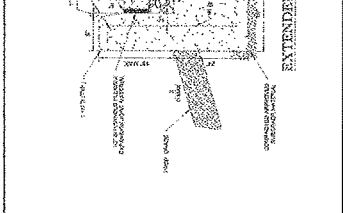
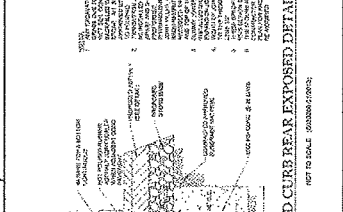
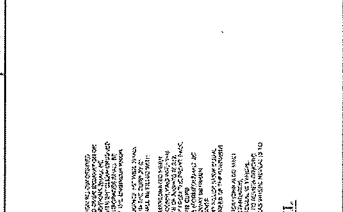
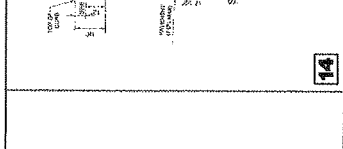
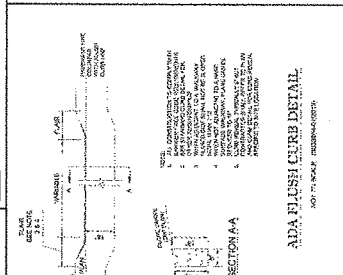
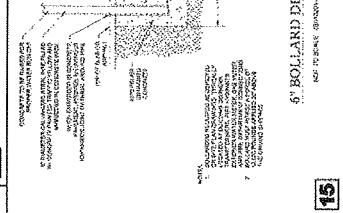
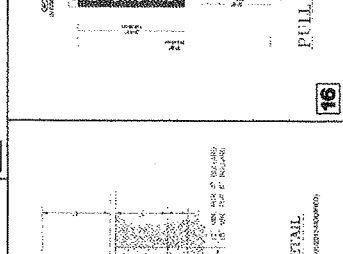
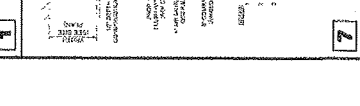
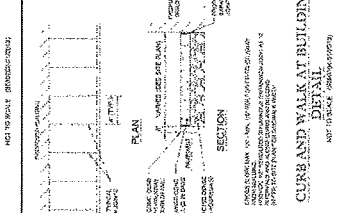
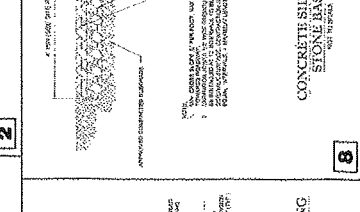
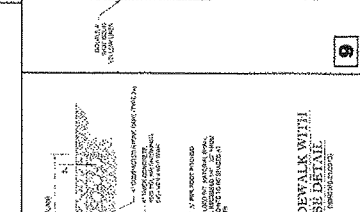
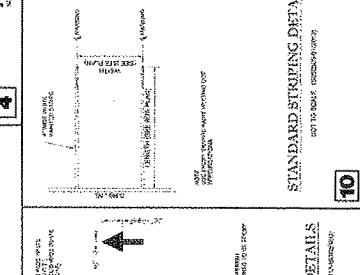
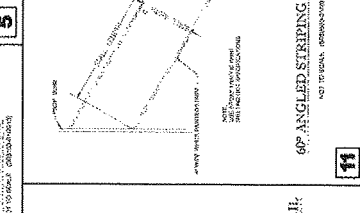
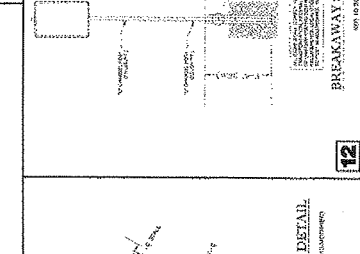
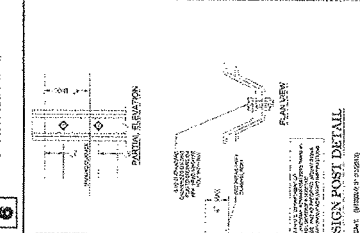
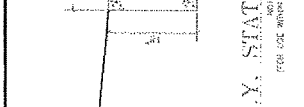
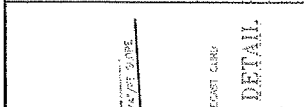
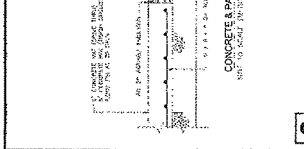
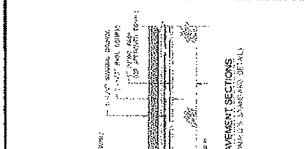
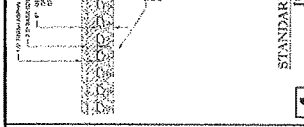
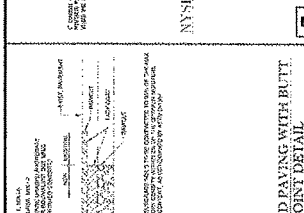
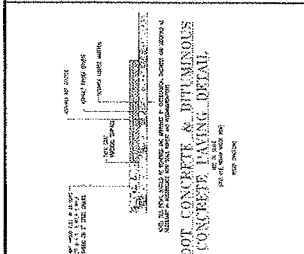
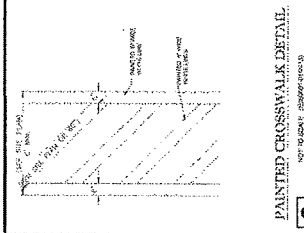
McDonald's
 SIGNAGE DETAILS
 13 OF 17

BY	DATE	DESCRIPTION	REV

McDonald's

115 WOOD AVENUE SOUTH, SUITE 404
 NEW YORK, NY 10025
 PHONE: (212) 512-8222 FAX: (212) 512-8223

PROJECT NO.	DATE	SCALE
OWNER		
DESIGNED BY		
CHECKED BY		
IN CHARGE		



ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
 PROPOSED DRIVE THRU RESTAURANT
 SECTION 79, BLOCK 1, LOT 1.1
 STREET ADDRESS: 66 NORTH PLANK ROAD
 TOWN OF NEWBURGH, NY
 COUNTY: CHANCE
 REGIONAL COUNCIL NO.: T.B.O.
 PLAN NUMBER: 4110550
 SCALE: DETAIL SHEET

BOHLER ENGINEERING
 137 KENNEDY DRIVE
 WARREN, NY 10994
 845.368.8800
 www.bohlereng.com

REGISTERED PROFESSIONAL ENGINEERING
 STATE OF NEW YORK
 No. 32015
 DATE OF EXPIRATION: 12/31/2010

Die Safety New York
 500 N. 5TH ST
 NEW YORK, NY 10012
 212.512.4000
 www.diesafety.com

TRAFFIC SIGNAGE
 NOT TO SCALE
 81-1 30" x 30" STOP SIGN
 85-1 30" x 30" DO NOT ENTER SIGN
 REGISTERED TRADEMARK

McDonald's

DATE: _____

SCALE: _____

PROJECT: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

PROJECT NO: _____

SHEET NO: _____

TOTAL SHEETS: _____

ISSUED FOR MUNICIPAL & COUNTY REVIEW & APPROVAL

PROJECT DESCRIPTION: _____

PROJECT ADDRESS: _____

TOWN OF NEWBURGH

COUNTY OF ORANGE

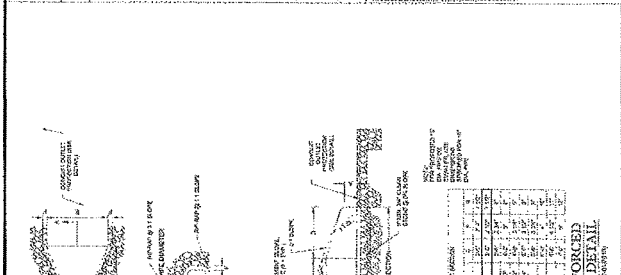
REGIONAL DING NO: _____

T.B.O. _____

PLAN DESCRIPTION: _____

DATE: _____

SCALE: _____



BEES FOR REINFORCED CONCRETE PATTERN DETAIL

NOTE: THIS TABLE IS TO BE USED TO DETERMINE THE NUMBER OF BEES REQUIRED FOR A GIVEN AREA. THE NUMBER OF BEES REQUIRED IS BASED ON THE AREA OF THE DOME AND THE SIZE OF THE BEES.

AREA (SQ. FT.)	NUMBER OF BEES
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
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30	30
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45	45
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65	65
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67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

TRUNCATED DOME PATTERN DETAIL

NOT TO SCALE (GENERAL)

U.C. 031-0145

ISSUED FOR MUNICIPAL & COUNTY REVIEW & APPROVAL

PROJECT DESCRIPTION: _____

PROJECT ADDRESS: _____

TOWN OF NEWBURGH

COUNTY OF ORANGE

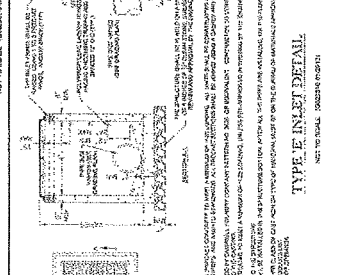
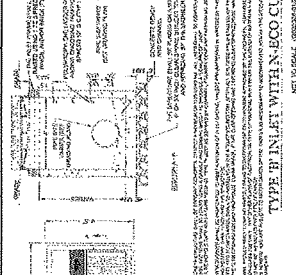
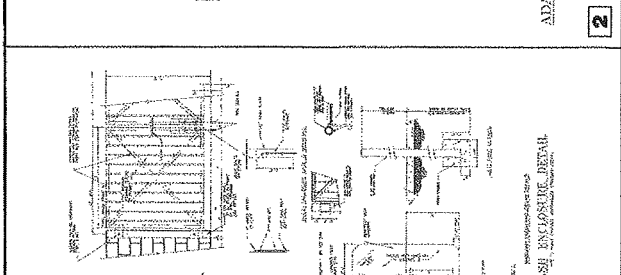
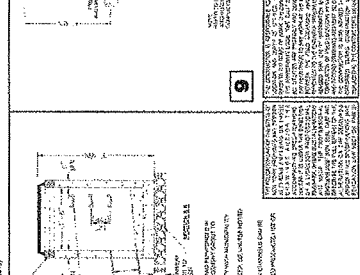
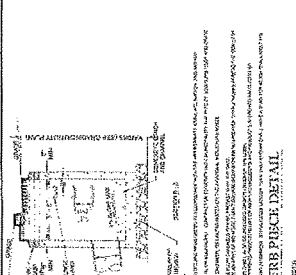
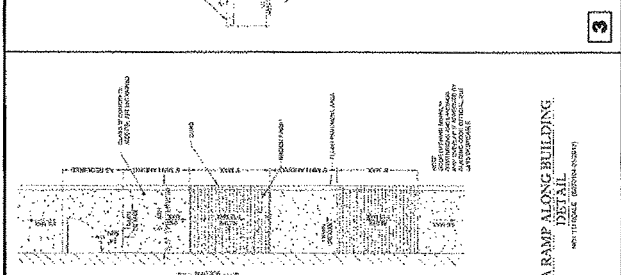
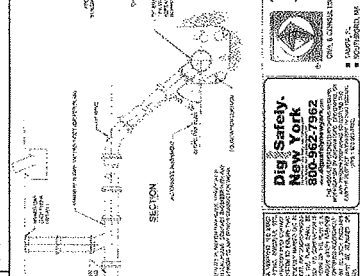
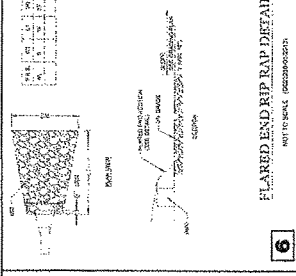
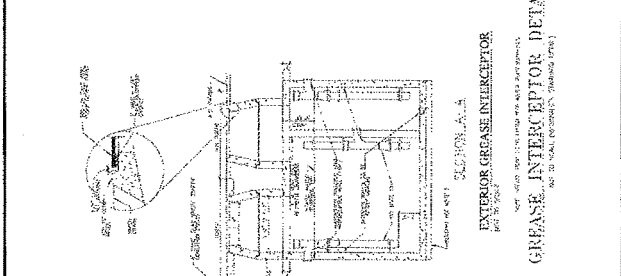
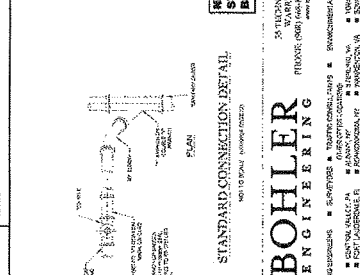
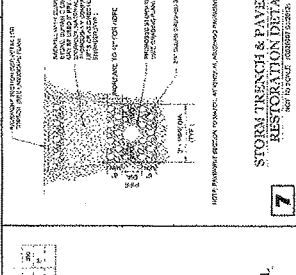
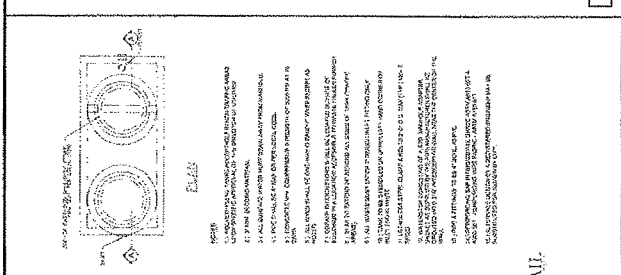
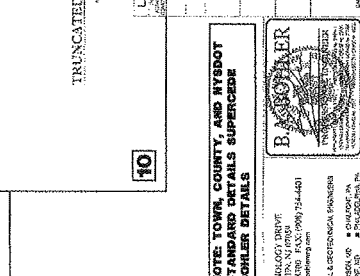
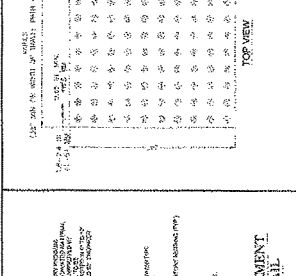
REGIONAL DING NO: _____

T.B.O. _____

PLAN DESCRIPTION: _____

DATE: _____

SCALE: _____



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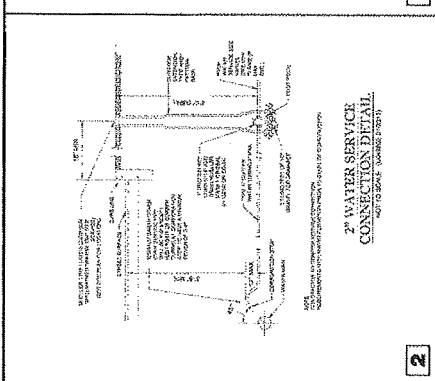
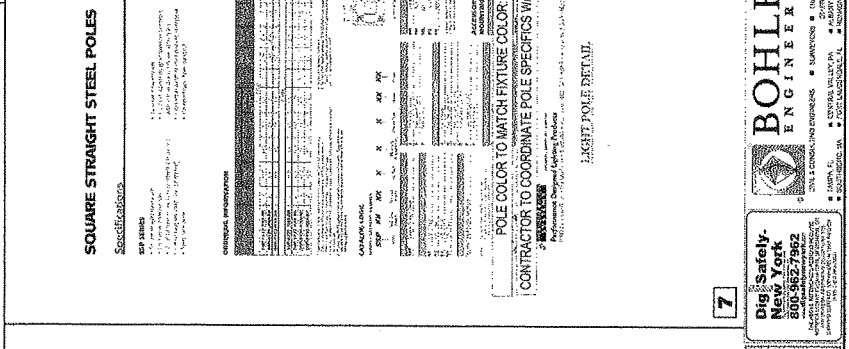
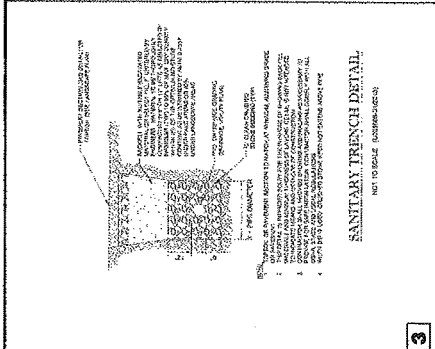
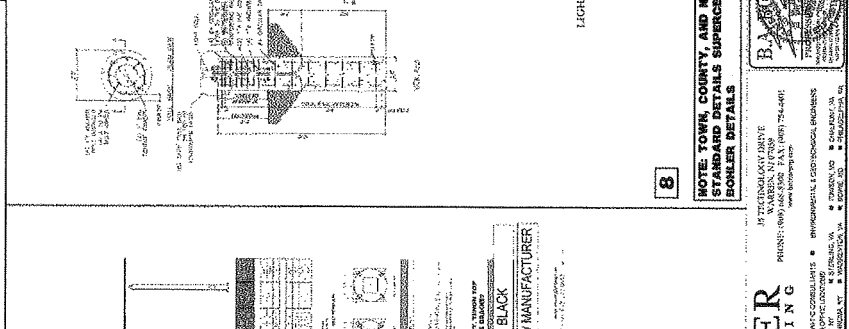
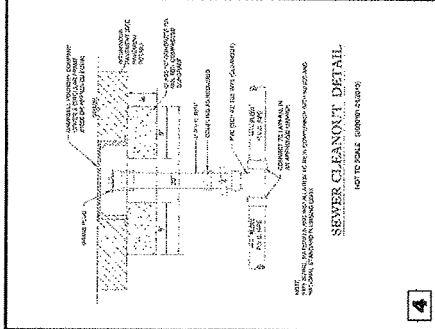
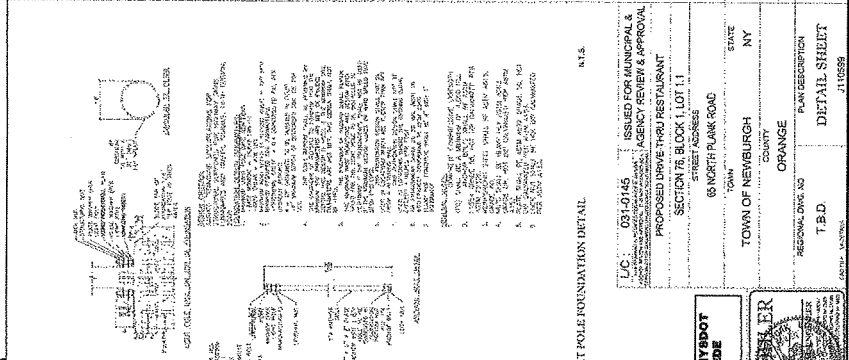
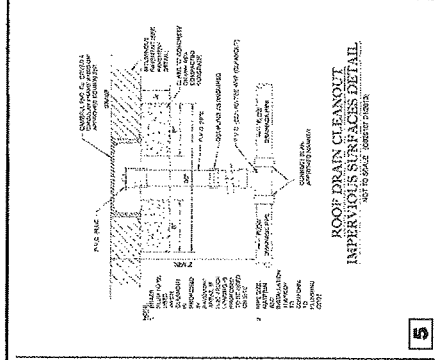
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JANISFARE SPECIFICATIONS

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2011 EDITION, AS AMENDED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION, AND THE STANDARD SPECIFICATIONS FOR WATER SUPPLY SYSTEMS, 2011 EDITION, AS AMENDED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE AND SHALL BE APPROVED BY THE ENGINEER PRIOR TO INSTALLATION.

3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ENGINEER AT ALL STAGES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

5. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

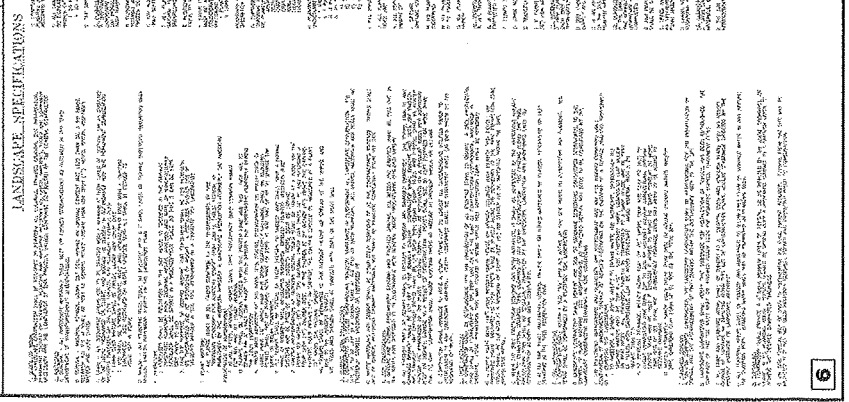
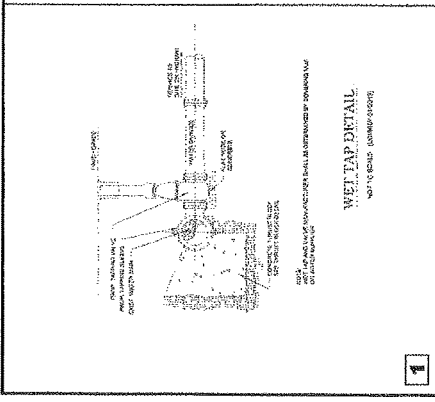
6. ALL ELECTRICAL WORK SHALL BE PERFORMED BY A LICENSED ELECTRICIAN AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ENGINEER.

7. ALL ELECTRICAL PANELS SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEC AND SHALL BE PROTECTED FROM PHYSICAL DAMAGE.

8. ALL ELECTRICAL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEC AND SHALL BE PROTECTED FROM PHYSICAL DAMAGE.

9. ALL ELECTRICAL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEC AND SHALL BE PROTECTED FROM PHYSICAL DAMAGE.

10. ALL ELECTRICAL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEC AND SHALL BE PROTECTED FROM PHYSICAL DAMAGE.



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