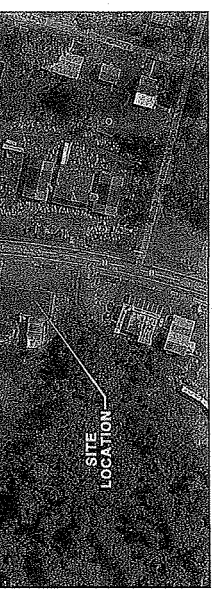


GENERAL NOTES

1. THE PLAN REPRESENTS A SUMMARY FOR THE PROJECT AS SHOWN ON THE ATTACHED MAPS. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ENGINEER. THE ENGINEER HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED TO THE CLIENT AND HAS FOUND IT TO BE REASONABLY ACCURATE.
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DATE: 07/18/13
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]



SITE AERIAL MAP
 SCALE: NIS

ZONING ANALYSIS TABLE

| ZONING DISTRICT | 11 PARCELS COVERED BY PROPOSED DEVELOPMENT | RECORDED | EXISTING | PROPOSED |
|-------------------|--|-----------|------------|----------|
| AMERICAN LOT AREA | 48,000 SF | 87,400 SF | UNRECORDED | |
| AMERICAN LOT AREA | 1500 | 171.7 | UNRECORDED | |
| AMERICAN LOT AREA | 20 | 44.7 | UNRECORDED | |
| AMERICAN LOT AREA | 15 (50' X 200') | 24.1 | UNRECORDED | |
| AMERICAN LOT AREA | 20 | 24.1 | UNRECORDED | |
| AMERICAN LOT AREA | 1 | NA | 1 | |
| AMERICAN LOT AREA | 30 | 13.2 | 23.5 | |
| AMERICAN LOT AREA | 600 | 24.5K | 21.1K | |
| AMERICAN LOT AREA | 48 27' x 9 1/2' | NA | 17 | |
| AMERICAN LOT AREA | 20 20' x 12 1/2' | NA | 17 | |
| AMERICAN LOT AREA | 58 1 1/2' x 12 1/2' | NA | 17 | |

SITE STATISTICS

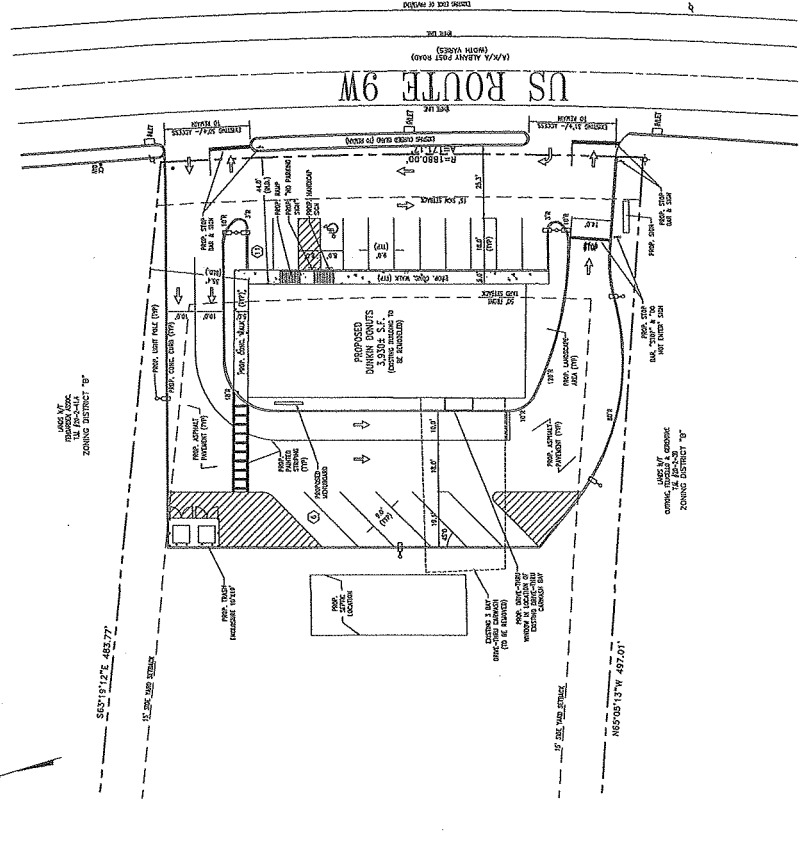
| EXISTING | PROPOSED |
|----------|----------|
| S.F. | S.F. |
| ACRES | ACRES |
| 100' | 100' |
| 200' | 200' |
| 300' | 300' |
| 400' | 400' |
| 500' | 500' |
| 600' | 600' |
| 700' | 700' |
| 800' | 800' |
| 900' | 900' |
| 1000' | 1000' |
| 1100' | 1100' |
| 1200' | 1200' |
| 1300' | 1300' |
| 1400' | 1400' |
| 1500' | 1500' |
| 1600' | 1600' |
| 1700' | 1700' |
| 1800' | 1800' |
| 1900' | 1900' |
| 2000' | 2000' |

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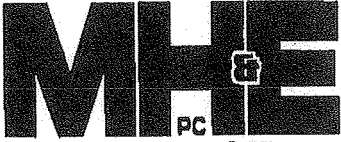
L.H. BOHLER W.D. GOEBEL
 PROJECT: [Name]
 DATE: 07/18/13
 SHEET NO: [Number]
 OF: [Total Sheets]

SITE PLAN

SCALE: 1" = 20' (AS SHOWN)



THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF BOHLER ENGINEERING, P.C. AND ARE NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BOHLER ENGINEERING, P.C.



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**TOWN OF NEWBURGH
PLANNING BOARD
REVIEW COMMENTS**

PROJECT: LAXMI ESTATES II, LLC
PROJECT NO.: 06-23
PROJECT LOCATION: SECTION 40, BLOCK 2, LOT 20
PROJECT REPRESENTATIVE: BOHLER ENGINEERING
REVIEW DATE: 16 JULY 2013
MEETING DATE: 18 JULY 2013

SB
20-2-40

1. NYSDOT review and approval for the site plan is required.
2. County Planning review is required.
3. Front yard setback may require a zoning variance. Building is located within the 50 foot front yard setback.
4. Subsurface Sanitary Sewer Disposal System design must be provided.
5. Site improvement details must be provided.
6. Storm Water Management on the site must be addressed.

Respectfully submitted,

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

Patrick J. Hines, Associate

REGIONAL OFFICES

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Highland Mills, New York 10930
(845) 827-5763
Fax: 827-5764
Email: bcocks@frontiernet.net

PROJECT ANALYSIS

MUNICIPALITY: TOWN OF NEWBURGH TOWN PROJECT NO. 2006-23
PROJECT NAME: Laxmi Estate II, LLC
LOCATION: 5277 Route 9W (40-2-20) **SB 20-2-40**
TYPE OF PROJECT: Site plan for a Dunkin Donuts (3900 sq. ft)
DATE: July 11, 2013
REVIEWING PLANNER: Bryant Cocks

PROJECT SUMMARY:

Approval Status: Submitted March 27, 2006, resubmitted July 9, 2013
SEQRA Status: Unlisted, Planning Board lead agency as of May 4, 2006, Negative Declaration issued December 13, 2007, Conditional Final Approval granted May 27, 2008
Zone/Utilities: B/municipal water and individual septic system
Map Dated: June 25, 2013
Site Inspection: November 30, 2007
Planning Board Agenda: July 18, 2013
Consultant/Applicant: Bohler Engineering, James Gillespie
Copies have been sent to: John P. Ewasutyn at the Planning Board Office, James Osborne, Gerald Canfield, Michael Donnelly, Patrick Hines, Karen Arent and Ken Wersted on July 11, 2013

COMMENTS AND RECOMMENDATIONS:

1. The applicant previously received Final Approval for the construction of a Dunkin Donuts without a drive-thru, but did not get the final plans signed by the Chairman of the Planning Board. A worksession was held to discuss ARB issues in 2008, but there were never ARB plans submitted for approval.
2. There is an existing front yard setback violation (50 feet required, 44 existing). The Planning Board previously determined that no variance would be necessary since the setback violation is not increasing.
3. The applicant now proposes a Dunkin Donuts with a drive-thru lane, with the building taking up the whole 3900 square feet of the building. The Planning Board previously reviewed the project for zoning issues, and no variances were necessary. There are several issues in the drive-thru section of the zoning code (185-42) that the Planning Board will need to review before approving the plans, listed below:
 - Pedestrian Safety
 - Signage, lighting and speaker noise
 - Vehicle stacking
4. The applicant has currently only shown a conceptual plan for the project, the above items will need to be detailed on the site plan. A lighting and landscaping plan will also need to be submitted. The Planning Board previously was concerned with the landscaping at the back of the site, specifically if the plantings will survive in the existing soil.

5. The lighting on site should meet the Town Design Guidelines in being pedestrian in scale (15 feet) and have a decorative fixture or aesthetic value. All lighting on site, including on the building, should be evaluated in the lighting plan.
6. ARB drawings should also be provided to the Planning Board with color and material samples brought to the next meeting. All architectural features should be labeled on the plans, including specific colors for each façade. The screening of the rooftop HVAC units should also be shown.
7. A signage plan should be submitted showing the allowable amount of signage on site and the total signage for the freestanding and building signs. The applicant was discussing tying the rock wall into the freestanding sign when they were last before the Planning Board. This should be shown on the site plans and landscaping plan.
8. A traffic movement plans should be submitted showing the turning movements of both the garbage trucks and delivery trucks. Where will the delivery trucks park during drop offs since there is no loading zone and parking in back of the site? The largest delivery truck anticipated should be shown on the turning movement plan.
9. The proposed trash enclosure should be detailed in the site plan.
10. A demolition permit will be required for the car wash bay removal.
11. The project received a Local Determination from the Orange County Planning Department in May 2006. The Planning Board should discuss whether the plans should be re-submitted.
12. The project received approval from the NYS DOT for their Highway Work Permit, dated December 13, 2007. This permit will need to be re-issued when the plans are approved.
13. A SPEDES Permit was also previously issued for the project, that permit will also need to be re-issued.
14. An adjoiner notice must be sent to the property owners within 500 feet of the project. The Planning Board should discuss whether they would like to hold the optional public hearing. I will draft the adjoiner notice and send the memo requesting the mailing list to the Assessor.

The above comments represent my professional opinion and judgment, but may not necessarily, in all cases, reflect the opinion of the Planning Board. Please revise your plans to reflect these comments with the understanding that further changes may be required. In all cases the requirements of the Zoning Law and Subdivision Regulations shall be adhered to by the applicant and shall be shown on the plans. Where variances to the Zoning Law are required or where waivers from the Subdivision Regulations are needed, specific requests shall be made to the Planning Board for waiver or for referral to the ZBA. These comments are prepared based on current zoning and subdivision regulation requirements. Any change in those regulations prior to final approval of these plans could require revisions beyond the scope of my existing comments.

PROJECT NARRATIVE

July 9, 2013

PROPOSED DUNKIN DONUTS 5277 US ROUTE 9W TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK

Town Project # 2006-23

INTRODUCTION

The project site is located across from DeVito Drive, on the west side of US Route 9W in the Town of Newburgh, Orange County, New York State. The property address is 5277 US Route 9W and is identified in the Town of Newburgh official tax maps as Lot 40, Block 2 of Section 20.

SB 20-2-40

The project involves the re-development of the existing building on the site, associated pavement areas and utilities. The proposed re-development will include a new "Dunkin Donuts" Store with a drive-thru within the existing building.

EXISTING CONDITIONS

The property is approximately 2.01 acres in size, which is bounded by US Route 9W to the east, existing business zoned property to the north and south and a residential zone to the west. Existing conditions and topography for the subject property were obtained from a property survey created by Eustance and Horowitz, PC.

The portion of the property near US Route 9W contains an abandoned laundromat, a car wash and existing pavement areas. This area is generally flat with slopes ranging from 1% to 3% and slopes toward the road to the existing storm sewer system. There is also drainage swale around the existing pavement which directs water from the rear of the property to the road. The remainder of the property is undeveloped land and primarily vegetated. The site rapidly increases in elevation from east to west beginning at the rear of the existing development. Directly behind the existing development there is an initial steep grade change ranging from 30% to 50%, which levels to grades ranging from 10% to 20% on the westernmost side of the property.

SITE PLAN, ZONING AND LAYOUT

It is proposed that the existing building remain and be re-developed for the proposed Dunkin Donuts facility. The new Dunkin' Donuts building will occupy the existing 3,900+/- sq. ft. building. The existing access drives to the property are proposed to remain. A drive-thru is proposed in the location of the existing carwash drive-thru bay closest to the building. The other remaining two carwash drive-thru bays will be removed.

New pavement, parking, lighting, dumpster, landscaping and sidewalks are proposed around the facility. The areas with the steepest grade directly behind the proposed development will be stabilized using erosion control mats during construction and will remain in place.

The subject property is located within a Business District (B Zone). The proposed site plan is consistent with the permitted uses in this district and no variances are being requested.

UTILITIES

Currently the site is serviced by all major utilities with the exception of sanitary sewer, which is handled by an on-site sewage disposal system. The existing public services will be re-used for the new development and a new on-site sewage disposal system is proposed to replace the existing system currently serving the site. The new system will be designed to handle the estimated sewage flows from the proposed Dunkin' Donuts building. The final design will be in accordance with all of the applicable state, county and local regulations.