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

PROJECT: MCDONALDS ROUTE 32-NORTH PLANK ROAD
PROJECT NO.: 17-26
PROJECT LOCATION: SECTION 76, BLOCK 1, LOT 1.1
REVIEW DATE: 9 MARCH 2018
MEETING DATE: 15 MARCH 2018
PROJECT REPRESENTATIVE: HARRIS BEACH/BOHLER ENGINEERING- WARREN NJ

1. The Applicants have submitted a Stormwater Pollution Prevention Plan for the project identifying the project will be evaluated as a re-development project due to the decrease in impervious surfaces proposed during the reconstruction of the facility. This office finds the re-development analysis appropriate for the site. The Stormwater Management Plan for the site incorporates a proprietary water quality device. The propose proprietary structure meets NYSDEC requirements as DEC has adapted NJCAT/NJDEP approval for proprietary products.
2. Based on the implementation of a Stormwater Management Plan the site will require a Stormwater Facilities Maintenance Agreement for long term operation and maintenance of the stormwater management on the site.
3. The site will require an erosion and sediment control inspection fee in the amount of \$2,000.00.
4. The project has been revised based on Planning Board and Consultant input to incorporated sidewalks along the North Plank Road NYSDOT Route 32 frontage. In addition to the sidewalk a dry laid stone wall landscape feature has been incorporated to address design guidelines of parking within front yard setbacks. The dry laid stone wall encroaches into the DOT right of way along portions of the frontage. NYSDOT review and approval of these features is required.
5. Previous comments identified the potential for roadway dedication of those areas within 25 feet of the center line of Gardnertown Road and Gidney Avenue, along the property frontage. This should be addressed with the Highway Superintendent and Town Attorney as appropriate.

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6. Orange County Planning Department referral can be sent at this time since site development details have been provided.
7. Details of the stone wall construction should be added to the plan.
8. Previous comments dated 30 October 2017 requested the Stormwater Management Plan address capacity of the existing stormwater piping under Gidney Avenue. Existing 12 inch diameter pipe is identified while a new 18 inch diameter pipe is directed to this existing stormwater conveyance system.
9. Confirmation of coordination with light fixtures to previously approved site plans located east of this project should be confirmed. Lighting details should be provided.

Respectfully submitted,

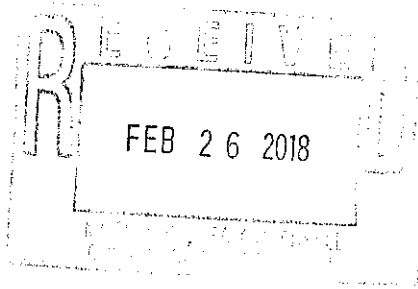
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February 21, 2018

VIA FEDERAL EXPRESS

Hon. Chairman John P. Ewasutyn
& Members of the Planning Board of the Town of Newburgh
Town of Newburgh
308 Gardnertown Road
Newburgh, New York 12550

Re: McDonald's Restaurant/31-0145/01712
65 North Plank Road (Route 32)
Block 1, Lot 1.1., Section 76
Town of Newburgh
Orange County, New York (the "Property")
Planning Board Project No. 2017-26

Dear Chairman Ewasutyn:

As you know, this firm represents the applicant, McDonald's USA, LLC (hereinafter, the "Applicant"), in its application for site plan approval to rebuild the McDonald's restaurant located on the above-referenced Property (the "Application"). Specifically, enclosed herewith are the following documents for resubmission of the Applicant's proposed project requiring site plan approval:

Twelve (12) sets of the following:

- Signed and sealed Site Plan documents prepared by Bohler Engineering, dated August 15, 2017, last revised February 15, 2018 (rev #2) which include the ALTA/ACSM Land Title Survey prepared by Control Point Associates, Inc., dated October 26, 2011, revised October 2, 2013 (rev #3).
- Signed and sealed copies of the Stormwater Management Summary for the Application, prepared by Bohler Engineering, dated February 2018.

Additionally, enclosed is one (1) check in the amount of \$1,000.00 made payable to the Town of Newburgh, to replenish the escrow fund for the review of the Application. Also, per your direction, we have forwarded copies of the revised plans to (1) the Board's consultants

which are reviewing the application, including landscape architectural consultant, Karen Arent, and Ken Wersted of Creighton Manning, and (2) attorney for the Planning Board, Michael Donnelly, Esq.

THE ZONING BOARD GRANTED THE REQUIRED AREA VARIANCES

As you will recall, the Planning Board, by letter from Mr. Donnelly dated November 8, 2017, referred the Application to the Zoning Board of Appeals of the Town of Newburgh (the "Zoning Board") for the following five (5) area variances:

1. A variance from § 185-18C.4B of the Zoning Law to allow the proposed 57.1' front-yard setback from the location of the roof canopy of the proposed restaurant to North Plank Road, where the permitted minimum front yard setback is 60'.
2. A variance from § 185-13(D)(6)(b) of the Zoning Law to allow (a) an ingress to the parking lot of the Property within 135' of the intersection of North Plank Road and Gidney Avenue/Noel Drive, and (b) an egress from the parking lot of the Property within 120.8' of the intersection of North Plank Road (Route 32) and Gardnertown Road, where 150' is required from both the southerly egress and northerly ingress to the respective intersections.
3. A variance from § 185-13(B)(6) of the Zoning Law to allow for no off-street loading spaces where at least one is required.
4. A variance from § 185-42(1) of the Zoning Law to allow for a drive-through aisle exit onto Route 32, where the existence of such a lane is prohibited.
5. A variance from § 185-14(B)(1)(c) of the Zoning Law to allow a total sign area of 833.1 square feet where 768.49 square feet is the maximum sign area permitted.

On December 8, 2017, we submitted an application to the Zoning Board for the required area variances. A duly-noticed public hearing of that application was held before the Zoning Board at its December 28, 2017 meeting and, after closing the public hearing, the Zoning Board granted by unanimous vote all of the required five (5) variances. The minutes of that meeting were filed with the Town Clerk on January 9, 2018; however, as of the date of this letter, a written decision of the Zoning Board's approval has not yet been filed.


**THE APPLICANT HAS AMENDED THE PROPOSED SITE PLAN BASED UPON
THE COMMENTS OF THE PLANNING BOARD'S AND ITS CONSULTANTS**

At the Planning Board's November 2, 2017 meeting, we, together with the Applicant's engineer, Bohler Engineering, appeared before the Board to present the Application for initial technical review by the Board, town staff and consultants. The following amendments to the site plan have been made in response to the comments and suggestions provided at that meeting, and listed within the MHE Technical Review Comment Memorandum dated November 2, 2017:

1. Addition of a reference to the requirements for a demolition permit on Sheet C-3.
2. Edits to the approval block on sheet C-1 to include only a line for the Planning Board Chairman's signature.
3. Addition of double-striped parking spot detail on Sheets C-13 and C-14.
4. Addition of a decorative crosswalk that connects the parking area at the South of the Property to the proposed restaurant building.
5. Revisions to the water service layout to indicate one (1) tap to provide both fire flow and potable water.
6. Addition of sizing for the grease trap.
7. Revisions to show sanitary sewer cleanout and transition of pipe sizing.
8. Revisions to the flared end section on the proposed RCP pipe to indicate 18 inch flared end section.
9. Addition of decorative lights along the frontage of North Plank Road.
10. Removal of the curbed inlet filter detail for soil erosion, replaced with a detail for filter fabric drop inlet protection.
11. Change of location of the anti-tracking pad, to be situated within an area of the parking lot where the pavement is to be replaced.
12. Addition of the Town's standard water and sewer notes to Sheet C-16, with reference on Sheet C-6.
13. Removal of the concrete thrust block detail, replaced with a detail and schedule for restrained joint pipe detail.
14. Addition of a two (2) foot high stone stack wall has been added along the frontage of the Property.
15. Addition of a sidewalk along the frontage of the Property.

16. Edits to the plans indicating that the parking area to the South of the Property will be milled and resurfaced.
17. Addition of a new picnic area on the Property, with landscaping near the picnic area, at the "point" of the Property near the intersection of Gardnertown Road and Gidney Avenue.
18. Addition of landscaping to screen the existing trash enclosure.
19. Addition of trees to be planted along the frontage of the Property.
20. Addition of one-way signage to reinforce the direction of traffic flow through the drive-thru and parking lot.

We look forward to continuing to present this application to the Planning Board. Should you have any questions or comments please do not hesitate to contact us.

VERY TRULY YOURS,

DARIUS P. CHAFIZADEH

DPC:mtd
Enclosures

cc: Brian Sheedy, McDonald's USA, LLC
Bill Weisgerber, McDonald's USA, LLC
Bohler Engineering