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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X

In the Matter of

MOZO PROPERTIES, LLC
(2015-17)

286 North Plank Road
Section 34; Block 2; Lot 55
B Zone

----- X

SITE PLAN

2015

Date: July 16, 2015
Time: 8:17 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: STEVEN DRABICK

----- X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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CHAIRMAN EWASUTYN: The sixth item of business this evening is Mozo Properties. It's an initial appearance for a site plan. It's located on North Plank Road in a B Zone. It's being represented by Steven Drabick.

MR. DRABICK: Good evening. My name is Steve Drabick, I'm a licensed land surveyor and I'm here this evening representing the applicants, Mozo Properties, LLC. They're basically a landscaping company.

When the applicant had purchased the property he looked to further develop it, to expand and use it for his landscaping company with the idea of minimally impacting the site as it exists currently. When he bought the parcel there was an existing single-family house and an existing framed garage on site, as well as a small gravel area in the front lower left-hand corner. He proceeded to clear, or re-clear the area immediately behind the house, which at some point at a previous time had been cleared, and laid down a shale surface to be utilized for a staging area for parking of his landscaping equipment, albeit without going through the

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necessary permit process to do it.

The site plan I'm bringing in here is basically for an initial presentation to get feedback so that we can bring the use of the site into compliance with what he'd like to do with it.

In discussing it with him, he had decided that he would further like to expand the business which would entail an additional clearing of the other half of the property, 137,000 square feet, which this area would be used to stage the landscaping equipment that he uses on a daily basis in his business as well as provide an area where he would make available similar type of landscaping equipment for rental by the general public.

The area previously cleared on the site would be occupied with concrete bins to contain various landscaping materials, mulch, decorative rock, that sort of thing, gravel, for both use by him during his regular business and also being available to the general public to buy.

CHAIRMAN EWASUTYN: Thank you.

Questions from Board Members. Frank

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Galli?

MR. GALLI: The existing house and the garage is still there?

MR. DRABICK: Yes, that's correct.

MR. GALLI: The house is going to be used as a house and the garage as a garage?

MR. DRABICK: The house is going to continue to be used as a caretaker residence. He's looking to have an employee in that house so that there is somebody there to watch the site with the equipment and the garage. The garage will remain there. We were looking at possibly utilizing a small portion of the rear of the garage for an office area, a 10 by 20 foot area, which would basically just be an area for a counter, register and recordkeeping.

MR. GALLI: You said he re-cleared the area behind the house. It was cleared before?

MR. DRABICK: The area immediately behind the existing house.

MR. GALLI: It was cleared once before and it all grew back?

MR. DRABICK: It was well grown over.

MR. GALLI: Big trees and all grew back

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that quick?

MR. DRABICK: Mostly the smaller stuff.

MR. GALLI: That's all I had.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I'll defer until Pat talks about his comment sheet.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: No questions.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I'll wait until Pat is done.

CHAIRMAN EWASUTYN: At this point we'll turn the meeting over to Pat Hines with McGoey, Hauser & Edsall.

MR. HINES: There are two zoning issues on the site. Number one, the existing framed garage that's going to be converted with an office, as a framed garage it met zoning. When it becomes the office it becomes I believe the principal permitted use on the site with the dwelling, then it becomes accessory to that use. So that doesn't meet the side yard setbacks for that use.

And then the front yard setback along the State highway is 60 feet, not the 40 feet

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2 shown in the bulk table. That also loses it's
3 protection by bringing it before the Board now as
4 a commercial site plan. So those two issues will
5 need variances.

6 Structures to be removed require
7 demolition permits and notes regarding the need
8 for demolition permits..

9 Similar to the bus garage we just
10 talked about, the Planning Board requires sites
11 such as this to be paved and curbed. A gravel
12 parking lot on commercial sites just isn't
13 something that is entertained by the Board. If
14 it's going to operate as a commercial site, it
15 needs to function as a commercial site.

16 Compliance with the Town of Newburgh
17 design guidelines needs to be addressed regarding
18 parking in the front yard setback. Currently
19 there's proposed customer parking right up to the
20 front yard. Not the front yard setback but the
21 front yard itself. The design guidelines require
22 parking not be in the front yard setback.

23 Site lighting and landscaping is
24 required by the design guidelines.

25 Water service to the parcel should be

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depicted.

Water and sewer service to the proposed office needs to be displayed. I see there's a septic system for the existing house. There doesn't look to be any system to support the office use.

Compliance with the Town and DEC stormwater management needs to be documented. The cumulative impacts and grading on the site certainly are greater than the one-acre requirement, so compliance with those Town and DEC standards will need to be depicted.

The Town is a regulated MS4 community and has a permit which requires them to enforce those regulations.

The Planning Board had discussed at the work session what a proposed landscaping tool and rental area is. They're not real clear on what that is and how that use fits in the zone. Maybe some additional narrative detail of what that use is and how much equipment, the types of equipment could be included in the future submissions.

The quantity of landscaping materials on the site should be identified. These sites

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2 tend to grow as the businesses grow. I see you
3 have storage bins but there's nothing proposed
4 outside the bins. Notes pertaining to either no
5 storage outside the bins or a quantity of
6 material and where it's going to be stored.

7 DOT approval for the access drive.
8 Currently the access drive does not meet DOT
9 requirements, and this Board will need to submit
10 to the DOT. They'll be requiring a commercial
11 access drive to the site.

12 Orange County Planning review would be
13 required after the more detailed plans are
14 developed.

15 Steve, I have a copy of all that if
16 you're furiously writing down.

17 MR. DRABICK: I have those comments.

18 CHAIRMAN EWASUTYN: Jerry Canfield?

19 MR. CANFIELD: I think Pat pretty much
20 covered it. I don't have anything additional.

21 CHAIRMAN EWASUTYN: Steve, what we
22 would do at this point would be to refer you to
23 the Zoning Board of Appeals for the necessary
24 variances that the Planning Board discussed.

25 The other question I raise is based

1
2 upon your frontage, which you may require a
3 variance which you could seek now or at a later
4 date for signage?

5 MR. DRABICK: I believe -- I believe
6 the proposed signage we would use would be
7 complying with what we've got with road frontage.
8 We wouldn't be looking to go any larger than
9 that. I think under that ordinance --

10 MR. CANFIELD: It's about 90 feet.

11 CHAIRMAN EWASUTYN: How many feet?

12 MR. CANFIELD: 90 feet. He's got 187.
13 Half of that.

14 MR. DRABICK: So we wouldn't go any
15 larger with that.

16 With regard to pavement, I would just
17 like the Board's feedback. I think the applicant
18 is willing to pave the initial customer area but
19 we're not looking to pave the areas behind this
20 that would be utilized by the landscaping
21 equipment, both the rental and the storage, and
22 obviously the area that's going to be used with
23 the landscaping materials. Understandably, the
24 proposed parking area that we show in the front
25 which would be utilized by customers and also the

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residents of the house we would have paved.

CHAIRMAN EWASUTYN: Steve, can we address that at a later date when you define your site plan to indicate more of what you mean by landscape tool rental and your amount of bulk storage?

MR. DRABICK: Right.

CHAIRMAN EWASUTYN: I think we're not really certain as to what we're going to see sited there.

MR. HINES: Does the landscape material support his business or a customer is going to come in with dump trucks and pick up, too?

MR. DRABICK: We're looking for both scenarios.

MR. HINES: That's going to need to be addressed.

CHAIRMAN EWASUTYN: Parking for people who come in and also the bulk storage and use.

MR. HINES: Right now the connection by the gate looks like it's only about 10 feet wide. I'm just guessing but --

CHAIRMAN EWASUTYN: Interior circulation could be a concern on the site,

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trailers coming in or tri-axles or --

MR. DONNELLY: Jerry, the limitations and buffering requirements on outdoor storage of materials apply at this site?

MR. CANFIELD: Yes.

MR. DONNELLY: You'll need to look at those. There's some requirements for that.

CHAIRMAN EWASUTYN: Thank you, Michael.

MR. CANFIELD: Isn't it your proposal, Steve, that the Planning Board look at the existing vegetation as what they're looking for buffering? Are you looking to put in additional plantings for buffering?

MR. DRABICK: With regard to the buffer zones?

MR. CANFIELD: Correct.

MR. DRABICK: With regard to the buffer zones, we're looking just to maintain what's there now as existing.

MR. CANFIELD: I believe that's at the Board's discretion should they choose to accept what's there.

MR. HINES: Normally what the Board has done for applicants that do that, the Hudson

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MOZO PROPERTIES, LLC

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Valley Dodge dealership was here earlier, they provided some documentation of the type and density of the vegetation there. Being this is a B Zone up against an R-2 Zone.

CHAIRMAN EWASUTYN: Any additional questions or comments from the Board?

MR. GALLI: No additional.

CHAIRMAN EWASUTYN: Michael, can you give us a presentation on the two variances? One I believe is a front yard variance for a one-story framed dwelling.

MR. DONNELLY: Did we decide they were definitely needed?

MR. CANFIELD: Yes.

MR. DONNELLY: Front yard for the existing framed dwelling --

MR. HINES: And it's going to be side yard for the office.

MR. CANFIELD: Front yard for the house and side yard for the office.

MR. DONNELLY: Okay. With your permission I'll send that letter.

CHAIRMAN EWASUTYN: I'll move for a motion for Mike Donnelly to prepare a letter for

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MOZO PROPERTIES, LLC

the two variances necessary for Mozo Properties
to the ZBA.

MR. WARD: So moved.

CHAIRMAN EWASUTYN: I have a motion by
John Ward.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: A second by Ken
Mennerich. I'll ask for a roll call vote
starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself.

(Time noted: 8:30 p.m.)

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C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

DATED: July 31, 2015



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

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
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**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT: MOZO PROPERTIES, LLC
PROJECT NO.: 15-17
PROJECT LOCATION: SECTION 34, BLOCK 2, LOT 55
PROJECT REPRESENTATIVE: STEVEN P. DRABICK, P.L.S.
REVIEW DATE: 10 JULY 2015
MEETING DATE: 16 JULY 2015

1. Existing framed garage proposed for an office does not meet side yard setback. A variance for existing condition is required.
2. Structures proposed to be removed require a demolition permit. Notes requiring a demolition permit should be added to the plans.
3. The Planning Board should discuss the need for paved access and parking areas.
4. Compliance with Town of Newburgh Design Guidelines should be documented on the site. Parking in front yard setback, site lighting, landscaping are items which must be addressed on the plan.
5. Water service to the parcel should be addressed on the plans.
6. Water and sewer service to the proposed office should be addressed.
7. Handicap accessibility, in addition to the paved parking, should be addressed on the site.
8. Compliance with Town of Newburgh and NYSDEC Storm Water Management must be documented on the site: Site was apparently re-graded, disturbed previously with additional re-grading and disturbance proposed exceeding the 1 acre threshold.
9. Gerry Canfield's comments as to classifying the use within the B zone should be received.

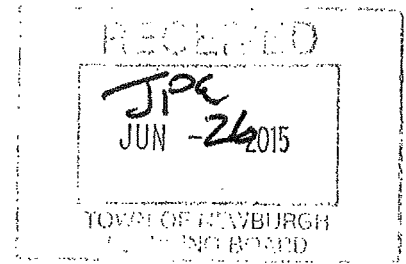
10. Quantity of landscaping material should be identified on the plans.
11. Landscaping tool rental area should be further defined for Planning Board's use.
12. NYSDOT approval for access drive is required.
13. Orange County Planning Board review of the site plan is required.

Respectfully submitted,

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

Patrick J. Hines
Principal

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: 2015-17
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name): Site Plan For Proposed Retail
Sales of Landscape Materials & Services for Mozo Properties, LLC

2. Owner of Lands to be reviewed:
Name Mozo Properties, LLC
Address 286 North Plank Road
Newburgh, NY 12550
Phone 845-234-1033

3. Applicant Information (If different than owner):
Name _____
Address _____
Representative Steven P. Drabick P.L.S.
Phone 845-534-2208
Fax _____
Email spdrabick@gmail.com

4. Subdivision/Site Plan prepared by:
Name Steven P. Drabick, P.L.S.
Address PO Box 539
Cornwall, NY 12518
Phone/Fax 845-534-2208

5. Location of lands to be reviewed:
286 North Plank Road

6. Zone B Fire District Cronomer Valley
Acreage 3.05 School District Newburgh

7. Tax Map: Section 34 Block 2 Lot 55

8. Project Description and Purpose of Review:

Number of existing lots _____ Number of proposed lots _____
Lot line change _____
Site plan review for retail sales of landscape materials & services
Clearing and grading _____
Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property: Proposed buffer strips of existing
(Describe generally) vegetation along perimeter of parcel boundary.

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

Signature  Title Surveyor

Date: 6/17/15

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.

MOZO PROPERTIES, LLC NARRATIVE
PROJECT #2015-17

The applicant is seeking approval for a site plan for retail sales of landscape materials and services on property located at 286 North Plank Road, Newburgh, NY. The property is designated as Section 34, Block 2, Lot 55 as shown on the Town of Newburgh tax map, lies in the B zoning district and is 3.05 acres in size. The parcel has 187.61 feet of frontage on north Plank Road and is covered approximately 50 percent by deciduous woods with a terrain that gently slopes down at a grade of approximately 2.9 percent from the rear of the property to the front at North Plank Road. The property has a drilled well, but municipal water is accessible and a private individual system is used for sewage disposal purposes.

The site contains an existing 1 story single-family dwelling and frame garage, which will remain and be used in conjunction with the proposed use of the property. Prior to the purchase of the property by the applicant the site was accessed by an existing shale surfaced travel way and parking area located in the southwesterly corner of the parcel. The shale travel way encompassed the existing garage and continued across an existing culvert, for a small drainage course, to an overgrown previously cleared area located at the northeasterly portion of the parcel. After purchasing the property the applicant proceeded to reclaim the overgrown area and put in place a shale surface parking area for his landscaping business equipment, albeit without any permits. The submitted site plan is presented to legitimize and expand the use of the site for retail sales of landscape materials and services by implementing the following improvements.

The existing dwelling will be used as a residence for a caretaker of the property. The existing garage will contain a small office area with the remainder being utilize for storage and maintenance of equipment. The shale area at the front of the parcel will be for parking for customers and dwelling residents. A small paved area will be provided for handicapped parking at the rear of the garage and adjacent to the office area. A small paved area will be put between the road line and edge of the paved travel way for North Plank Road at the entrance of the site to better define the opening. The shale-surfaced area at the rear of the property will be used for employee parking and the location of concrete block storage bins for landscaping materials such as sand, stone and mulch. In addition the applicant is seeking to clear an additional 26 percent of the parcel located at the northerly portion of the property. This area will be surfaced with shale and used for parking of landscaping business equipment and the display and storage of associated landscaping tool rentals. The proposed new cleared portion and existing cleared area of the property will be buffered on all sides from adjoining properties with a strip of existing trees and vegetation varying in width from 15 feet wide to 40 feet wide, with the wider strips being along residential zoned properties. There are no proposed additional buildings or large expansion of impermeable surfaces by the site plan. The hours of operation for the proposed business will be 7:00 AM – 6:00 PM Monday through Saturday.

The applicant has bought and improved a number of properties in the Town of Newburgh as well as owned an operated a landscaping business in the area. With an approval of the site plan he will not only add to the list of improved properties, but also be able to expand his business and provide additional services to the surrounding communities.

Respectfully submitted,


Steven P. Drabick, P.L.S.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Site Plan for proposed retail sales of landscaping materials and services		
Project Location (describe, and attach a general location map): 286 North Plank Road, Newburgh, NY, Tax Map SBL: 34-2-55		
Brief Description of Proposed Action (include purpose or need): Development of a 3.05 acre site for use by a landscaping business. Existing 1 story frame dwelling to be a caretaker residence. Portion of existing garage to be used as an office area for business. Additional area of parcel to be cleared and surfaced with shale for parking of landscaping business equipment and display and storage of landscaping tool rentals. Existing cleared and shale surfaced portion of parcel to be used for storage of landscaping materials in concrete block bins.		
Name of Applicant/Sponsor: Steven P. Drabick, P.L.S.		Telephone: 845-534-2208 E-Mail: spdrabick@gmail.com
Address: P O Box 539		
City/PO: Cornwall	State: New York	Zip Code: 12518
Project Contact (if not same as sponsor; give name and title/role):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Mozo Properties, LLC		Telephone: 845-234-1033 E-Mail:
Address: 286 North Plank Road		
City/PO: Newburgh	State: New York	Zip Code: 12550

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Newburgh Planning Board	July 2015 (projected)
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Town of Newburgh Zoning Board of Appeals for possible interpretation.	August 2015 (projected)
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County Dept. of Planning.	July 2015 (projected)
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	N.Y.S. D.O.T.	July 2015 (projected)
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
B zoning district

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Newburgh

b. What police or other public protection forces serve the project site?
Town of Newburgh Police

c. Which fire protection and emergency medical services serve the project site?
Cronomer Valley Fire Dept.

d. What parks serve the project site?
Chadwick Lake

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential and commercial.

b. a. Total acreage of the site of the proposed action? 3.05 acres
b. Total acreage to be physically disturbed? 0.85 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.05 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 26 Units: square feet

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____ 1

ii. Dimensions (in feet) of largest proposed structure: _____ 10' height; _____ 10' width; and _____ 20' length

iii. Approximate extent of building space to be heated or cooled: _____ 200 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

• Do existing sewer lines serve the project site?
 • Will line extension within an existing district be necessary to serve the project?
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Landscaping equipment
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)



h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00AM- 5:00PM • Saturday: _____ // • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00AM- 6:00PM • Saturday: _____ // • Sunday: _____ • Holidays: _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No

Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.06 AC.	0.06 AC.	0
• Forested	1.5 AC.	0.65 AC.	0.85 AC.
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ unknown feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Erb	75 %
Ac	25 %
_____	_____ %

d. What is the average depth to the water table on the project site? Average: unknown feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: 10 % of site
 Poorly Drained: 90 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

 small mammals _____
 birds _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>Chadwick Lake</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>local park for recreation</u>	
<i>iii.</i> Distance between project and resource: <u>0.61</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
	<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Steven P. Drabick, P. L. S. Date 6/23/15

Signature  Title Surveyor

PROXY

(OWNER) JOSE S. MOZO, DEPOSES AND SAYS THAT HE/SHE
RESIDES AT 43 TAFT AVENUE
IN THE COUNTY OF ORANGE
AND STATE OF NEW YORK
AND THAT HE/SHE IS THE OWNER IN FEE OF 286 NORTH PLANK
ROAD, NEWBURGH, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND STEVEN P. DRABICK, P.L.S. IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 6/16/15

Jose S. Mozo
OWNERS SIGNATURE

TODD A. KELSON, ATTY.

JOSE S. MOZO
OWNERS NAME (printed)

Monica Mozo
WITNESS' SIGNATURE

NAMES OF ADDITIONAL
REPRESENTATIVES

MONICA MOZO
WITNESS' NAME (printed)

