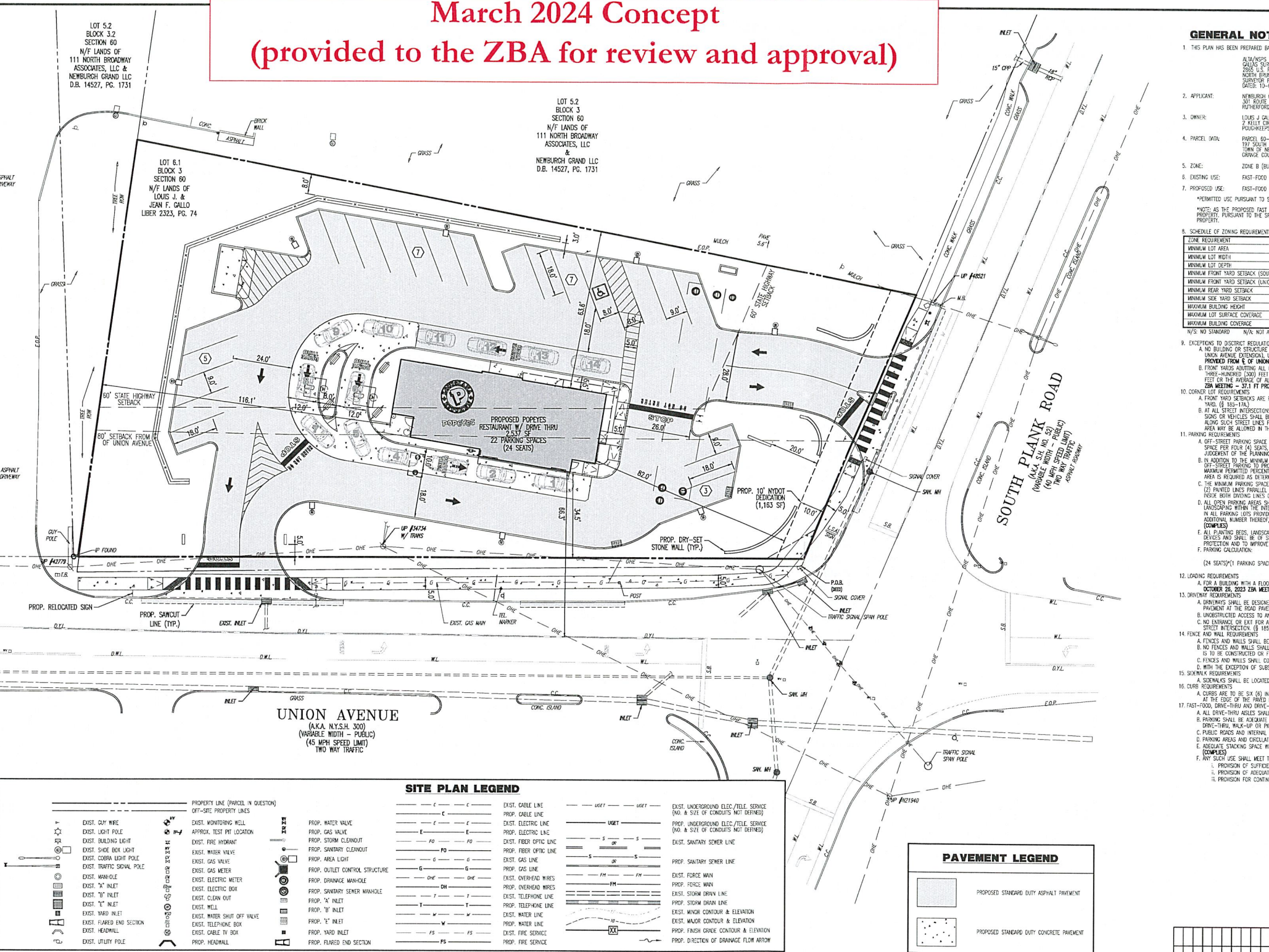
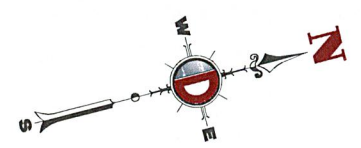


# March 2024 Concept (provided to the ZBA for review and approval)



### GENERAL NOTES

- THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING:
    - ALTA/NSPS LAND TITLE SURVEY
    - GULLS SURVEYING GROUP
    - NORTH BRANCKEN N. 05502
    - SUPERIOR FILE NO. 021712
    - DATE: 10-07-2022 REV. 10-18-2022
  - APPLICANT: NEWBURGH CHICKEN, LLC
  - OWNER: LOUIS J. CALLO & JEAN F. CALLO
  - PARCEL DATA: PARCEL 60-3-1-1
  - ZONE: ZONE B (BUSINESS ZONE)
  - EXISTING USE: FAST-FOOD RESTAURANT (EXISTING NON-CONFORMING USE) (§ 185-10, ATTACHMENT 11)
  - PROPOSED USE: FAST-FOOD RESTAURANT (PERMITTED USE) (§ 185-10, ATTACHMENT 11)
- \*NOTE: AS THE PROPOSED FAST-FOOD RESTAURANT USE IS A NON-CONFORMING USE IN THE B DISTRICT, THE ZBA HAS ADVISED IT ESTABLISHES THE BULK AND DIMENSIONAL REQUIREMENTS FOR THE USE ON THIS PROPERTY. PURSUANT TO THE SPECIAL PERMIT GRANTED BY THE ZBA AT ITS OCTOBER 26, 2023 MEETING, THE PROPOSED BULK AND DIMENSIONAL REQUIREMENTS LISTED BELOW WERE APPROVED FOR THIS PROPERTY.
- | ZONE REQUIREMENT                              | EXISTING            | PROPOSED            |
|---|---------------------|---------------------|
| MINIMUM LOT AREA                              | 42,212 SF (0.97 AC) | 42,212 SF (0.97 AC) |
| MINIMUM LOT WIDTH                             | 125.5 FT            | 125.5 FT            |
| MINIMUM LOT DEPTH                             | 297.0 FT            | 297.0 FT            |
| MINIMUM FRONT YARD SETBACK (SOUTH PLANK ROAD) | 15.0 FT             | 32.0 FT             |
| MINIMUM FRONT YARD SETBACK (UNION AVENUE)     | 25.3 FT             | 34.5 FT             |
| MINIMUM REAR YARD SETBACK                     | 78.4 FT             | 116.1 FT            |
| MINIMUM SIDE YARD SETBACK                     | 6.6 FT              | 6.6 FT              |
| MINIMUM BUILDING HEIGHT                       | 6.0 FT              | 6.0 FT              |
| MINIMUM LOT SURFACE COVERAGE                  | 49.4% (20,831 SF)   | 89.9% (37,979 SF)   |
| MINIMUM BUILDING COVERAGE                     | 6.4% (2,691 SF)     | 6.0% (2,537 SF)     |
- N/S: NO STANDARD N/A: NOT APPLICABLE (E): EXISTING NON-CONFORMANCE (V): VARIANCE
- EXCEPTIONS TO DISTRICT REGULATIONS
    - A. NO BUILDING OR STRUCTURE SHALL BE PLACED WITHIN EIGHTY (80) FEET OF THE CENTER LINE OF ROCKY HILL ROAD, DRURY LANE, FOREST ROAD, UNION AVENUE FROM THE NEW WINDSOR LANE NORTH TO UNION AVENUE EXTENSION, UNION AVENUE OR PLATEAU TURNPIKE. (§ 185-18C.4(a)) (VARIANCE - 80.3 FT; PREVIOUS VARIANCE GRANTED AT OCTOBER 26, 2023 ZBA MEETING - 89.9 FT PROVIDED FROM E. OF UNION AVENUE)
    - B. FRONT YARD SETBACK FROM ALL LOCAL AND STATE HIGHWAYS SHALL BE AT LEAST SIXTY (60) FEET IN HEIGHT EXCEPT WHERE THE MAJORITY OF EXISTING BUILDINGS ON EITHER SIDE OF THE ROAD WITHIN THREE HUNDRED (300) FEET FROM THE INTERSECTION OF THE NEAREST PROPERTY LINE AND STREET LINE ARE OF A LESSER AVERAGE DEPTH. IN SUCH CASE, THE FRONT YARD SETBACK SHALL BE FIFTY (50) FEET OR THE AVERAGE OF ALL LOT SETBACKS WITHIN 300 FEET, WHICHEVER IS GREATER. (§ 185-18C.4(b)) (VARIANCE - 34.5 FT; PREVIOUS VARIANCE GRANTED AT OCTOBER 26, 2023 ZBA MEETING - 37.1 FT PROVIDED FROM NTH-300 (UNION AVENUE))
  - CORNER LOT REQUIREMENTS
    - A. FRONT YARD AREAS ARE REQUIRED ON BOTH STREET FRONTS, AND ONE YARD OTHER THAN SUCH FRONT YARDS SHALL BE DEEMED TO BE THE REAR YARD, AND THE OTHER YARD SHALL BE THE SIDE YARD. (§ 185-17A)
    - B. ALL STREET INTERSECTIONS NO OBSTRUCTIONS TO VISION, SUCH AS BUT NOT LIMITED TO SHURBBERIES, LOW-BRANCHING TREES, FINISHED GRASS, OPENING OF CAPITAL PATHWAYS IN OTHERS, SEWER, FENCES, WALLS, SIGNS OR VEHICLES SHALL BE DIRECTED OR PERMITTED TO A HEIGHT IN EXCESS OF TWO (2) FEET WITHIN THE TRIANGLE FORMED BY THE INTERSECTING STREET LINES AND A LINE DRAWN BETWEEN POINTS ALONG SUCH STREET LINES FOR FIFTY (50) FEET BOGIES FROM THEIR POINT OF INTERSECTION. EXISTING TREES WITH BRANCHES WHICH ARE TRUNKED AT A POINT UP TO TEN (10) FEET ABOVE THE GROUND AREA MAY BE ALLOWED IN THIS AREA. THE BRANCHES TEN (10) FEET ABOVE THE GROUND AND HIGHER MAY ALSO BE ALLOWED TO ENDOUR ON THE AREA. (§ 185-17B)
  - PARKING REQUIREMENTS
    - A. OFF-STREET PARKING SPACE REQUIREMENTS FOR NONRESIDENTIAL USES SUCH AS RESTAURANT, CLUB, DANCING OR DRINKING PLACE, INCLUDING FAST-FOOD AND DRIVE-THRU PARKING SPACES SHALL BE ONE (1) SPACE PER FOUR (4) SEATS, OR PER FORTY (40) SQUARE FEET OF SEATING AREA OR AS REQUIRED BY THE PLANNING BOARD FOR RESTAURANTS DEMONSTRATING GREATER PARKING SPACE NEEDS IN THE JUDGMENT OF THE PLANNING BOARD. (§ 185-13C.1(b))
    - B. IN ADDITION TO THE MINIMUM REQUIRED NUMBER OF OFF-STREET PARKING SPACES, THE PLANNING BOARD MAY REQUIRE A RESERVE AREA OF UP TO TWENTY PERCENT (20%) OF THE TOTAL AREA REQUIRED FOR OFF-STREET PARKING TO PROVIDE FOR ADDITIONAL PARKING. SHOULD FUTURE DEMAND FOR PARKING SPACES EXCEED THE NUMBER OF SPACES PROVIDED, SUCH RESERVE AREA, WHICH SHALL NOT EXCEED THE MAXIMUM PERMITTED PERCENT OF LOT COVERAGE, SHALL BE GRANTED AND AVAILABLE FOR PARKING USE IF REQUIRED BUT NEED NOT BE SURFACED OR OTHERWISE DEVELOPED FOR PARKING USE UNLESS SUCH AREA IS REQUIRED AS DETERMINED BY RECONSTRUCTION OF THE MINIMUM REQUIRED OFF-STREET PARKING SPACES BY THE PLANNING BOARD. (§ 185-13C.1(c))
    - C. THE MINIMUM PARKING SPACE WIDTH SHALL BE NINE (9) FEET, AND THE MINIMUM LENGTH SHALL BE FORTY (40) FEET. EACH SPACE SHALL BE DELINEATED ON THE SURFACE OF THE PARKING AREA BY TWO (2) PAINTED LINES PARALLEL TO THE LONGEST DIMENSION OF THE SPACE, EACH OF WHICH LINES SHALL BE FIVE (5) FEET WIDE AND BEGINNING ONE (1) INCH AND ENDING ONE (1) INCH FROM BOTH SIDING LINES OF THE SPACE. (§ 185-13D.1) (COMPLIES)
    - D. ALL OPEN PARKING AREAS SHALL BE SUITABLY LANDSCAPED. IN PARKING LOTS WITH MORE THAN TWENTY (20) SPACES, AT LEAST ONE PERCENT (1%) OF THE AREA OF THE PARKING LOT SHALL BE DEVOTED TO LANDSCAPING WITHIN THE INTERIOR OF THE PARKING LOT. SUCH LANDSCAPING SHALL BE IN ADDITION TO THAT WHICH MAY BE REQUIRED ALONG THE BUILDING FOUNDATION. IN ALL PARKING LOTS PROVIDING EIGHT (8) OR MORE OFF-STREET PARKING SPACES, ONE SPACE OR FURNISHING ORNAMENTAL TREE SHALL BE PLANTED FOR EACH (8) PARKING SPACES AND ANY ADDITIONAL NUMBER THEREOF, SAID TREE OR TREES TO BE PLANTED IN MEDIAN CORNERS, ISLANDS OR SUCH OTHER LOCATIONS AS MAY BE ACCEPTABLE TO THE PLANNING BOARD. (§ 185-13D.2) (COMPLIES)
    - E. ALL PLANTING BEES, LANDSCAPED ISLANDS AND PEDESTRIAN WALKWAYS, IF PROVIDED, SHALL BE PROTECTED BY CURBS, STUMPY POSTS, RAILS OR WALLS 1 1/2 TO TWO FEET IN HEIGHT OR OTHER PROTECTIVE DEVICES AND SHALL BE OF SUFFICIENT WIDTH TO PREVENT DAMAGE TO BOTH PLANT MATERIALS AND PEDESTRIANS. ADDITIONAL BARRIERS MAY BE REQUIRED BY THE PLANNING BOARD TO GIVE BETTER PROTECTION AND TO IMPROVE PEDESTRIAN AND VEHICULAR CIRCULATION. (§ 185-13D.3) (COMPLIES)
    - F. PARKING CALCULATION:  
(24 SEATS) (1) PARKING SPACE/4 SEATS = 6 SPACES REQUIRED  
22 SPACES PROVIDED (COMPLIES)
  - LOADING REQUIREMENTS
    - A. FOR A BUILDING WITH A FLOOR AREA OF LESS THAN TWENTY-FIVE THOUSAND (25,000) SQUARE FEET, ONE (1) OFF-STREET TRUCK LOADING SPACE SHALL BE PROVIDED. (§ 185-13E.1) (VARIANCE GRANTED AT OCTOBER 26, 2023 ZBA MEETING - DEDICATED LOADING ZONE NOT PROVIDED)
  - DRIVEWAY REQUIREMENTS
    - A. DRIVEWAYS SHALL BE DESIGNED WITH A GRADE NO MORE THAN ONE (1) INCH PER FOOT FROM THE FRONT OR BACK OF THE DRIVEWAY OR TO THE RIGHT-OF-WAY LINE. THE MINIMUM WIDTH OF THE DRIVEWAY FRAGMENT AT THE ROAD FRAGMENT LINE OR AT THE DRIVEWAY END SHALL BE FIFTEEN (15) FEET, INCLUDING TO A WIDTH OF TEN (10) FEET AT THE RIGHT-OF-WAY LINE. (§ 185-13A.1) (COMPLIES)
    - B. UNDESIRABLE ACCESS TO AND FROM A STREET SHALL BE PROHIBITED. SUCH ACCESS SHALL CONSIST OF AT LEAST TWO (2) LANES OF TEN (10) FEET WIDTH EACH. (§ 185-13B.1) (COMPLIES)
    - C. NO ENTRANCE OR EXIT FOR AN ACCESSORY OFF-STREET PARKING AREA WITH OVER TEN (10) PARKING SPACES OR ANY LOADING SPACE SHALL BE LOCATED WITHIN ONE HUNDRED AND FIFTY (150) FEET OF A STREET INTERSECTION. (§ 185-13B.2) (VARIANCE - 50.1 FT; PREVIOUS VARIANCE GRANTED AT OCTOBER 26, 2023 ZBA MEETING - 50.5 FT PROVIDED ALONG SOUTH PLANK ROAD)
  - FENCE AND WALL REQUIREMENTS
    - A. FENCES AND WALLS SHALL BE PERMITTED IN ANY YARD OR ALONG THE EDGE OF A YARD, HOWEVER, NO FENCE SHALL BE ERRECTED WITHIN THE RIGHT-OF-WAY OF A PUBLIC ROAD. (§ 185-16A) (COMPLIES)
    - B. NO FENCES AND WALLS SHALL BE PERMITTED IN LOCATIONS WHERE THEY WILL INTERFERE WITH ADEQUATE LIGHT DISTANCE FOR VEHICLES EXITS FROM A DRIVEWAY ON THE WALL OR FENCE IS TO BE CONSTRUCTED OR FROM DRIVEWAYS ON NEIGHBORING PROPERTY. (§ 185-16C) (COMPLIES)
    - C. FENCES AND WALLS SHALL CONFORM TO CORNER LOT REQUIREMENTS WHERE APPLICABLE. (§ 185-17) (COMPLIES)
    - D. WITH THE EXCEPTION OF SUBSECTION D OF THIS SECTION, THERE SHALL BE NO RESTRICTION ON THE TYPE AND HEIGHT OF A FENCE OR WALL IN A NONRESIDENTIAL DISTRICT. (§ 185-16E) (COMPLIES)
  - SIDWALK REQUIREMENTS
    - A. SIDEWALKS SHALL BE LOCATED SUCH THAT THE OUTSIDE OF THE SIDEWALK IS TWO (2) FEET FROM THE INSIDE OF THE RIGHT-OF-WAY LINE. (§ 185-25A) (COMPLIES)
  - CURBS AND BENCHES
    - A. CURBS ARE TO BE SIX (6) INCHES WIDE AT THE TOP AND EIGHT (8) INCHES WIDE AT THE BOTTOM, WITH A TOTAL HEIGHT OF TWENTY (20) INCHES. THE FACE OF THE CURB SHALL BE EXPOSED SIX (6) INCHES AT THE EDGE OF THE DRIVEWAY. (§ 185-18B.1) (COMPLIES)
  - FAST-FOOD, DRIVE-THRU AND DRIVE-UP ESTABLISHMENT REQUIREMENTS
    - A. ALL DRIVE-THRU AREAS SHALL EXIT INTO A PARKING AREA OR ONTO A SIDE STREET AND NOT DIRECTLY ONTO ROUTES 9M, 17K, 32, 52 OR 300. (§ 185-42A.1) (COMPLIES)
    - B. PARKING SHALL BE AVAILABLE FOR THE TOP OF EACH PROPERTY. WITHIN THE DRIVE-THRU AREAS, SPECIALIST SPECIALISTS SHALL BE PROVIDED FOR EACH DRIVE-UP, DRIVE-THRU, WALK-UP OR PICKUP WINDOW OR AREA INSIDE OR OUTSIDE OF THE BUILDING. (§ 185-42A.3) (COMPLIES)
    - C. PUBLIC AREAS AND INTERIOR AREAS SHALL NOT BE BLOCKED BY WAITING DRIVE-THRU TRAFFIC. (§ 185-42A.4) (COMPLIES)
    - D. PARKING AREAS AND CIRCULATION DRIVES SHALL BE RESPECTFULLY SEPARATED SO AS TO AVOID CONFLICT BETWEEN PARKING CARS AND WAITING DRIVE-THRU TRAFFIC. (§ 185-42A.5) (COMPLIES)
    - E. ADEQUATE STANDING SPACE SHALL BE PROVIDED FOR WAITING DRIVE-THRU VEHICLES SUCH THAT THESE VEHICLES DO NOT INTERFERE WITH SITE VEHICULAR OR PEDESTRIAN CIRCULATION. (§ 185-42A.6) (COMPLIES)
    - F. ANY SUCH USE SHALL MEET THE FOLLOWING CONDITIONS OF OPERATION:
      - PROVISION OF SUFFICIENT SECURITY TO PREVENT THE USE OF THE PREMISES AS A LOITERING PLACE DURING HOURS OF OPERATION. (§ 185-42B.1) (COMPLIES)
      - PROVISION OF ADEQUATE FACILITIES AND PERSONNEL FOR DISPOSAL OF TRASH AND OTHER DEBRIS. (§ 185-42B.2) (COMPLIES)
      - PROVISION FOR CONTINUING MAINTENANCE OF THE EXTERIOR OF THE BUILDING AND THE GROUNDS, INCLUDING LANDSCAPING, SIGNAGE AND POLICING OF LITTER. (§ 185-42B.3) (COMPLIES)

### GENERAL NOTES (CONT.)

- THE APPLICANT REQUESTS ANY AND ALL SUBMISSION MATTERS THAT ARE NOT SPECIFICALLY IDENTIFIED HEREIN. TESTIMONY WILL BE SUPPLIED AT THE PUBLIC HEARING TO SUPPORT SAID SUBMISSION MATTERS.
- PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS BY ALL OF THE PERMITTING AUTHORITIES.
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY.
- THE SOILS REPORT AND RECOMMENDATIONS SET FORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND IN RELYING ON CORRECT SOIL DATA, PRECEDENCE, UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS, THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR WORK BEING TO BE REDONE DUE TO DIMENSIONS OR GRADATIONS SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- SOILS CLEARING SHALL INCLUDE THE LOCATION AND REMOVAL OF ALL UNDERGROUND TANKS, PIPES, VALVES, ETC.
- THE PROPERTY SURVEY SHALL BE CONSIDERED A PART OF THESE PLANS.
- ALL DIMENSIONS SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN CHANGES. NO EXTRA CONSTRUCTION CHARGES WILL BE PAID TO THE CONTRACTOR FOR WORK BEING TO BE REDONE DUE TO DIMENSIONS OR GRADATIONS SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- SOILS TO BE DISPOSED OF BY CONTRACTOR IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.

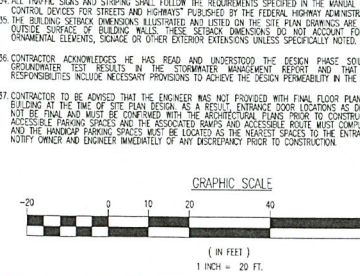
### SITE PLAN LEGEND

- |  |                             |  |  |
|--|-----------------------------|--|--|
|  | EXIST. CABLE LINE           |  | EXIST. UNDERGROUND ELEC. TYLE SERVICE (LINE & SIZE OF CONDUIT NOT DEFINED) |
|  | EXIST. ELECTRIC LINE        |  | EXIST. SANITARY SEWER LINE   |
|  | EXIST. FIBER OPTIC LINE     |  | EXIST. FORCE MAIN  |
|  | EXIST. GAS VALVE            |  | EXIST. STORM DRAIN LINE  |
|  | EXIST. AREA LIGHT           |  | EXIST. MINOR CONTOUR & ELEVATION   |
|  | EXIST. ELECTRIC METER       |  | EXIST. MAJOR CONTOUR & ELEVATION   |
|  | EXIST. ELECTRIC BOX         |  | PROP. FIRE SERVICE   |
|  | EXIST. WELL                 |  | PROP. FIRE SERVICE   |
|  | EXIST. WATER SHUT OFF VALVE |  | PROP. FIRE SERVICE   |
|  | EXIST. TELEPHONE BOX        |  | PROP. FIRE SERVICE   |
|  | EXIST. CABLE TV BOX         |  | PROP. FIRE SERVICE   |
|  | EXIST. HEADWALL             |  | PROP. FIRE SERVICE   |
|  | EXIST. UTILITY POLE         |  | PROP. FIRE SERVICE   |

### PAVEMENT LEGEND

- |  |  |
|--|--|
|  | PROPOSED STANDARD DUTY ASPHALT PAVEMENT  |
|  | PROPOSED STANDARD DUTY CONCRETE PAVEMENT |

### GRAPHIC SCALE



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1804 Main Street  
Lancaster, PA 17603  
T: 717.274.2020  
F: 717.274.2021  
www.dynamiceng.com

Site: 1021 22-01041  
Date: 03/04/2024  
Scale: (H) 1"=20'  
(V) 1"=10'

PROJECT: NEWBURGH CHICKEN, LLC.  
PROPOSED POPEYES RESTAURANT

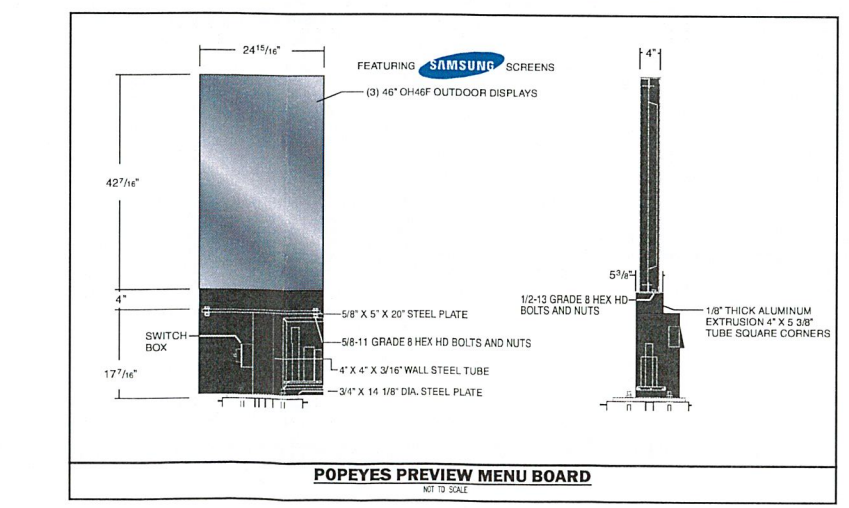
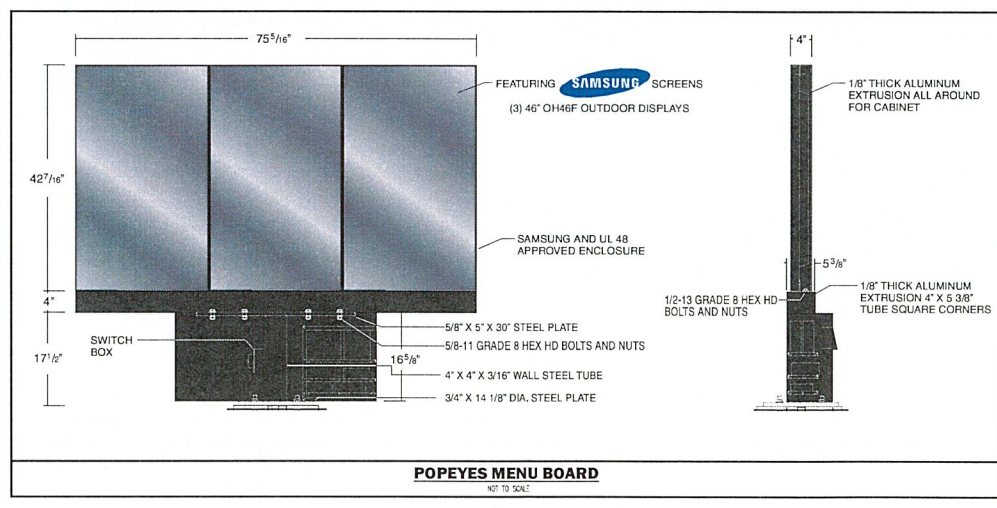
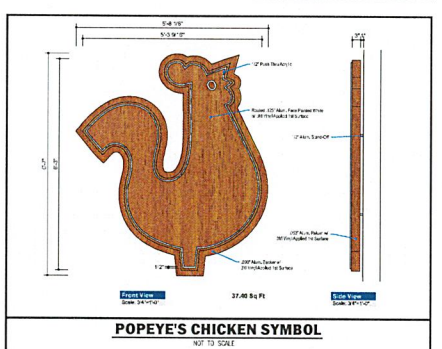
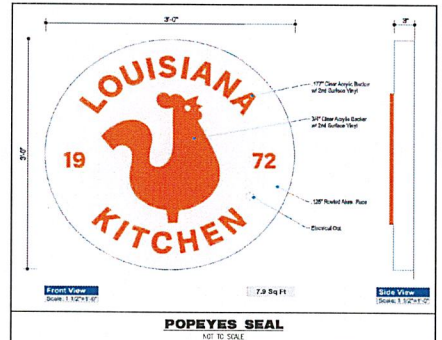
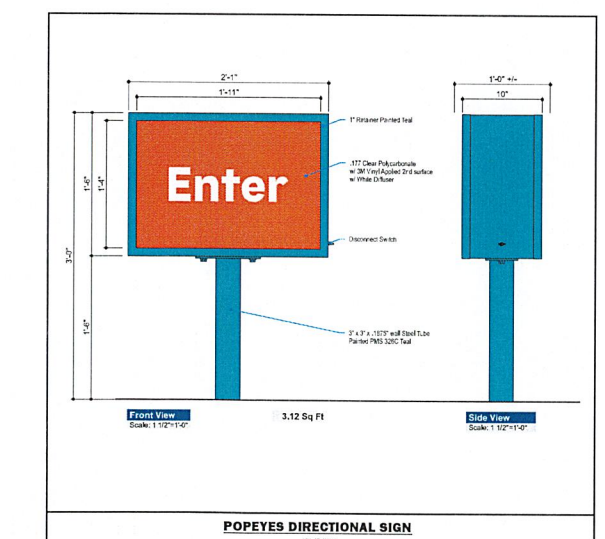
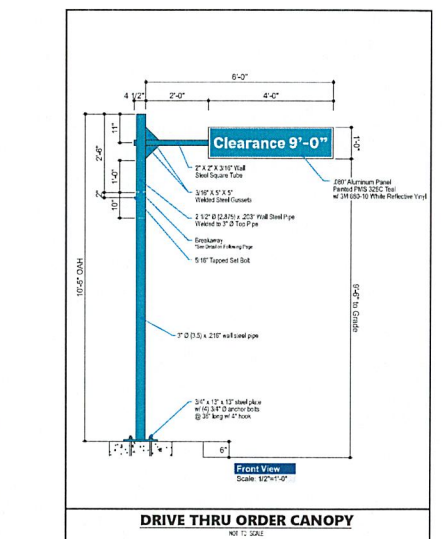
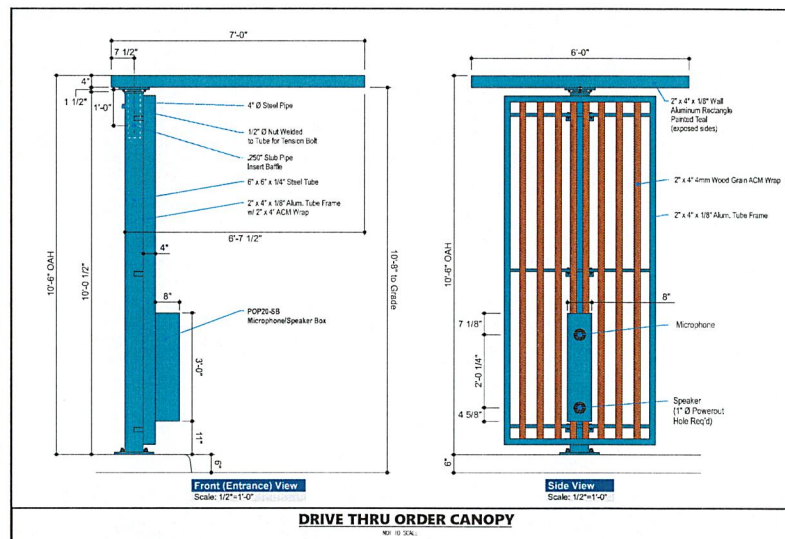
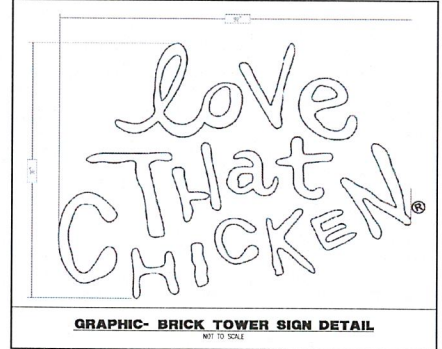
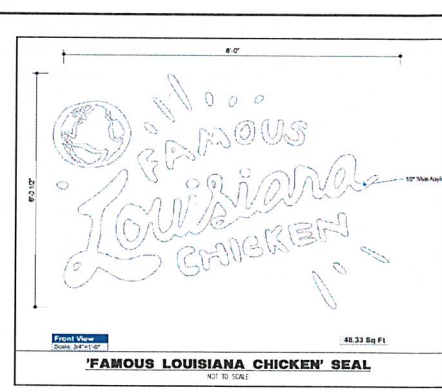
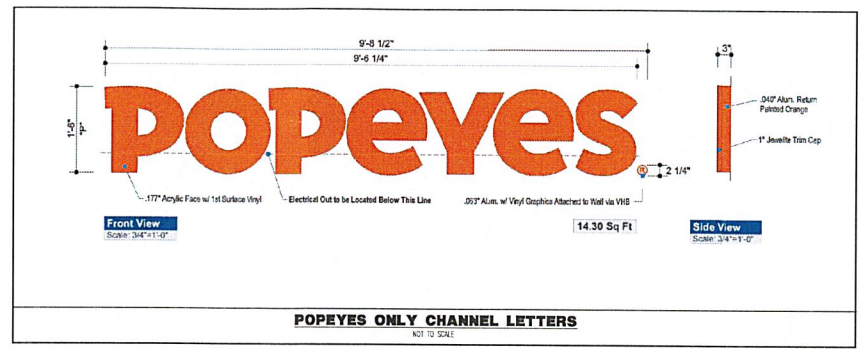
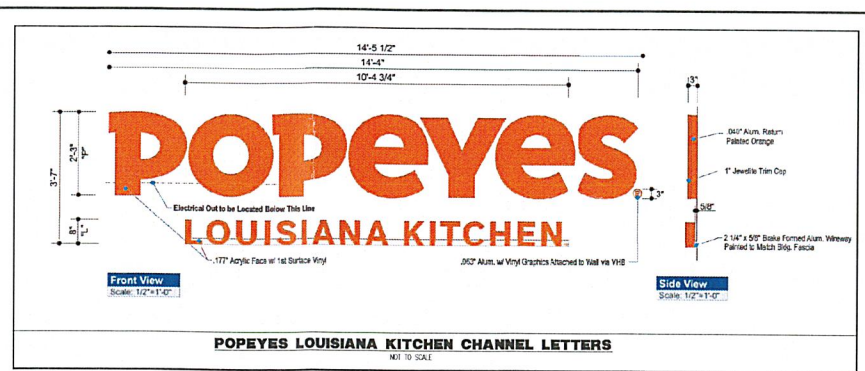
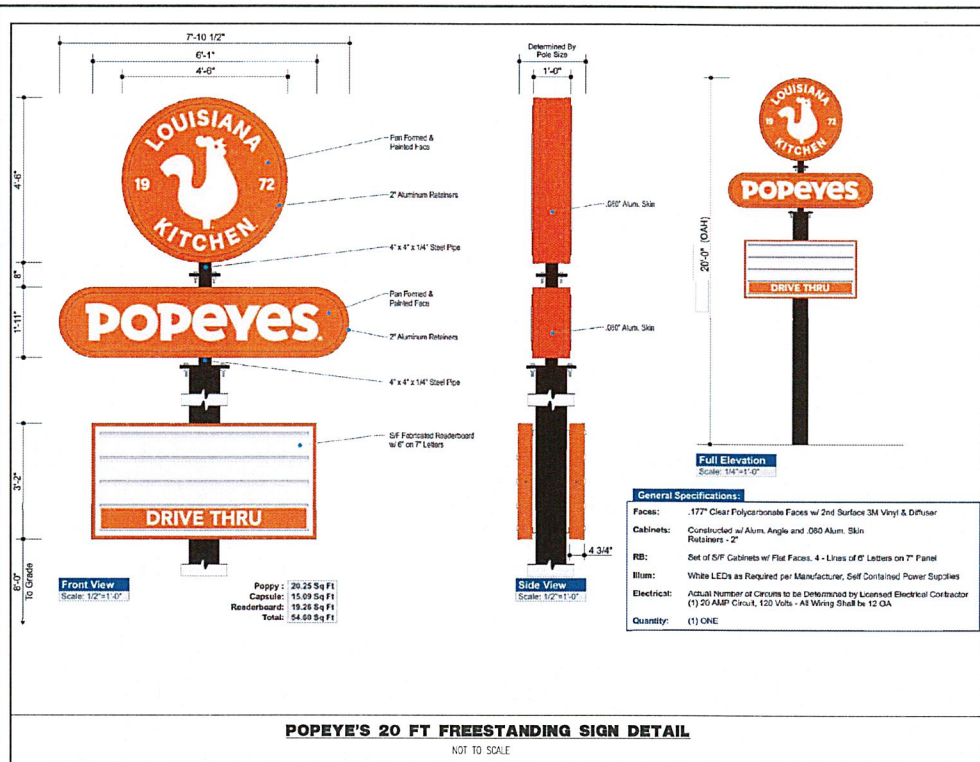
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CHECKED BY: JUD  
DESIGNED BY: JUD  
CHECKED BY: RW  
PROJECT: MEB

MATTHEW J. BERSCH  
PROFESSIONAL ENGINEER  
NEW JERSEY LICENSE NO. 54522

JOSHUA M. SEWALD  
PROFESSIONAL ENGINEER  
NEW YORK LICENSE NO. 097639

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**POPEYES SIGNAGE EXHIBIT**

PROJECT: NEWBURGH CHICKEN, LLC.  
 PROPOSED POPEYES RESTAURANT  
 197 SOUTH PLANK ROAD  
 TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

JOB No: 1021 22-01041  
 DATE: 02/06/2024

DRAWN BY: DG  
 DESIGNED BY: DG  
 CHECKED BY: MJB  
 CHECKED BY: JMS

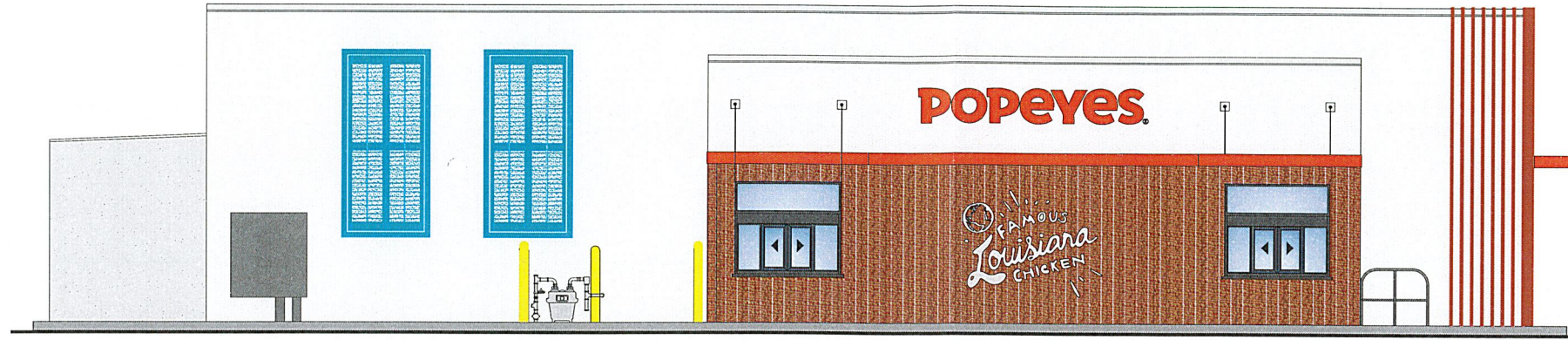
MATTHEW J. BERSCH  
 PROFESSIONAL ENGINEER  
 NEW JERSEY LICENSE No. 54502

JOSHUA M. SEWALD  
 PROFESSIONAL ENGINEER  
 NEW YORK LICENSE No. 097639

1 OF 1

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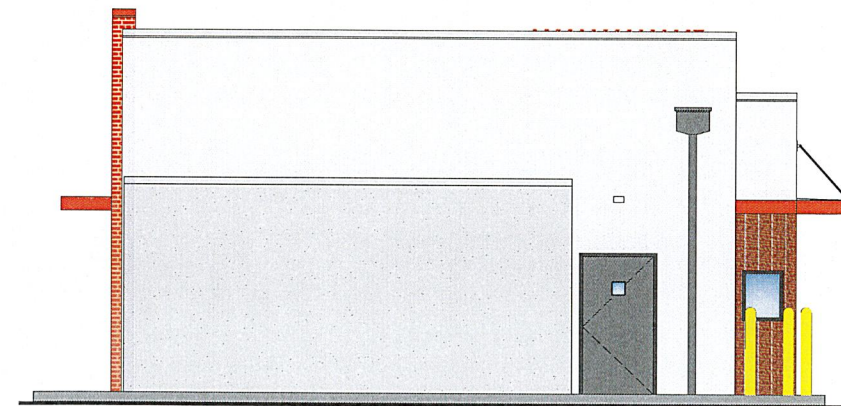
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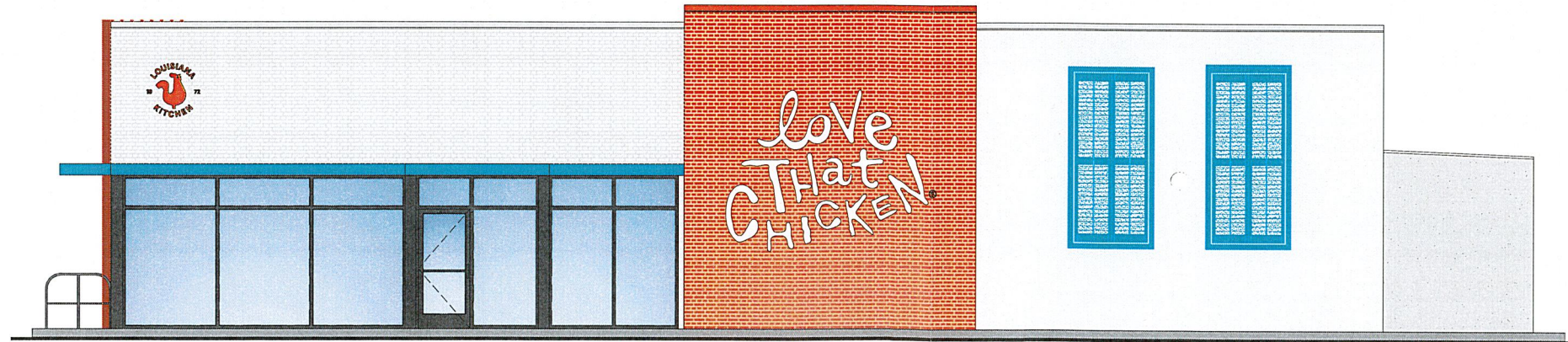
1 PROPOSED DRIVE THRU ELEVATION  
RE-1 1/4"=1'-0"



2 PROPOSED FRONT ELEVATION  
RE-1 1/4"=1'-0"



3 PROPOSED REAR ELEVATION  
RE-1 1/4"=1'-0"

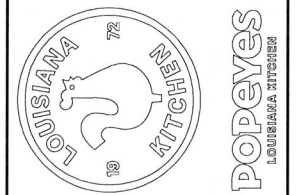


4 PROPOSED MAIN ENTRY ELEVATION  
RE-1 1/4"=1'-0"



**ROBERT ANTHONY GRIMALDI**  
39 NORTH 11TH STREET, KENILWORTH,  
NJ 07033 G141OFFICE@GMAIL.COM  
908-347-7419  
NCARB 84690  
AIA 38640695

CT 13585  
DE S5-0008497  
DC AEC103027  
MA 951751  
MD 18745  
NJ AI 15475  
NH 04842  
NY 039330  
OH ARC.2018210  
PA AR07639  
VA 0401019058



ISSUE TABLE		
No.	Date (mm/dd/yyyy)	Description
01	10-27-21	2112 PROTOTYPE DOCUMENTS
02	12-15-21	2112 PROTOTYPE DOCUMENTS

REVISIONS		
No.	Date	Description

DRAWINGS REVISED AS PER DESIGN BULLETIN		
No.	Date	Description

Store Type US 2124 PROTOTYPE  
MODIFIED G141  
Location  
**POPEYES LOUISIANA KITCHEN**  
197 S PLANK ROAD  
NEWBURGH, NY 12550

DRAWING TITLE	
<b>RENDERING ELEVATIONS</b>	
Drawn By MC	Checked By RAG
Scale	Date 2023-11-15
Project No. 22-0033	Drawing No. RE-1

POPEYES LOUISIANA KITCHEN MODEL 2124, 197 S PLANK ROAD NEWBURGH, NY 12550

**NEWBURGH CHICKEN, LLC**

Summary of Changes from 10/26/2023 ZBA Approval  
Prepared for 03/07/2024 Planning Board Meeting

**DIMENSIONAL REQUIREMENTS/MEASUREMENTS**

#	Dimension	Existing <sup>1</sup>	ZBA Approved <sup>2</sup>	01/2024 Proposal <sup>3</sup>		03/2024 Concept <sup>4</sup>		Change b/w 01/2024 Proposal and 03/2024 Concept
			Approved	01/2024 Proposal	Change b/w ZBA Approval and 01/2024 Proposal	03/2024 Concept	Change b/w ZBA Approval and 03/2024 Concept	
1	Minimum Lot Area	42,212 s.f. (0.97 ac)	42,212 s.f. (0.97 ac)	42,212 s.f. (0.97 ac)	No change	42,212 s.f. (0.97 ac)	No change	No change
2	Minimum Lot Width	125.5 feet	125.5 feet	125.5 feet	No change	125.5 feet	No change	No change
3	Minimum Lot Depth	297.0 feet	297.0 feet	297.0 feet	No change	297.0 feet	No change	No change
4	Minimum Front Yard Setback (South Plank Road [Rt. 52])	13.9 feet	77.1 feet	92.0 feet	+14.9 feet	82.0 feet	+4.9 feet	-10.0 feet
5	Minimum Front Yard Setback (Union Avenue [Rt. 300])	25.3 feet	36.5 feet	34.5 feet	-2.0 feet	34.5 feet	-2.0 feet	No change
6	Minimum Rear Yard Setback	79.4 feet	118.6 feet	116.1 feet	-2.5 feet	116.1 feet	-2.5 feet	No change
7	Minimum Side Yard Setback	6.6 feet	60.2 feet	63.6 feet	+3.4 feet	63.6 feet	+3.4 feet	No change
8	Maximum Building Height	≤40 feet	≤40 feet	≤40 feet	No change	≤40 feet	No change	No change
9	Maximum Lot Surface Coverage	49.4% (20,837 s.f.)	60.8% (25,649 s.f.)	60.9% (25,709 s.f.)	+60.0 s.f.	60.9% (25,709 s.f.)	+60.0 s.f.	No change
10	Maximum Building Coverage	6.4% (2,691 s.f.)	6.0% (2,537 s.f.)	6.0% (2,537 s.f.)	No change	6.0% (2,537 s.f.)	No change	No change

	= Increasing setback
	= No change
	= Decreasing setback/increasing coverage

<sup>1</sup> There are no “required” dimensions as the use is nonconforming.  
<sup>2</sup> Pursuant to the Special Permit granted by the ZBA at its 10/26/2023 meeting, the proposed bulk requirements listed below were approved for the Property.  
<sup>3</sup> Based on Site Plan Set dated 01/17/2024 and presented to the Planning Board at its 02/01/2024 meeting.  
<sup>4</sup> Based on Concept Plan for DOT dedication dated 03/04/2024 and presented to the Planning Board at its 03/07/2024 meeting.

**NEWBURGH CHICKEN, LLC**

Summary of Changes from 10/26/2023 ZBA Approval

Prepared for 03/07/2024 Planning Board Meeting

**VARIANCES GRANTED AT 10/26/2023 ZBA MEETING**

#	Variance	Required or Max.	ZBA Approved <sup>1</sup>		01/2024 Proposal <sup>2</sup>				03/2024 Concept <sup>3</sup>				Change b/w 01/2024 Proposal and 03/2024 Concept
			Approved	Size of Variance Granted	01/2024 Proposal	Change in Dimensions	01/2024 Proposed Variance	Change in Variance Sought	03/2024 Concept	Change in Dimensions	Proposed Variance Now	Change in Variance Sought	
1	Loading Spaces	1 space	0 spaces	1 space	0 spaces	No change	1 space	No change	0	No change	1 space	No change	No change
2	Access on South Plank Road	150 feet	50.6 feet	99.4 feet	50.1 feet	-0.5 feet	99.9 feet	+0.5 feet	50.1 feet	-0.5 feet	99.9 feet	+0.5 feet	No change
3	Center Line on Union Avenue (Rt. 300)	80 feet	68.3 feet	11.7 feet	66.3 feet	-2.0 feet	13.7 feet	+2.0 feet	66.3 feet	-2.0 feet	13.7 feet	+2.0 feet	No change
4	Front Yard Abutting Union Avenue (Rt. 300)	60 feet	36.5 feet	23.5 feet	34.5 feet	-2.0 feet	25.5 feet	+2.0 feet	34.5 feet	-2.0 feet	25.5 feet	+2.0 feet	No change
5	Freestanding Sign Height	14 feet	20 feet	6 feet	20 feet	No change	6 feet	No change	20 feet	No change	6 feet	No change	No change

- = Lessening noncompliance
- = No change in noncompliance
- = Increasing noncompliance

<sup>1</sup> Variances were approved by the ZBA at its 10/26/2023 meeting.  
<sup>2</sup> Based on Site Plan Set dated 01/17/2024 and presented to the Planning Board at its 02/01/2024 meeting.  
<sup>3</sup> Based on Concept Plan for DOT dedication dated 03/04/2024 and presented to the Planning Board at its 03/07/2024 meeting.

NEWBURGH CHICKEN, LLC

**SIGN DETAILS AND COMPLIANCE**

*\*based on Popeyes Signage Exhibit dated 02/06/2024\**

#	Sign Type	Requirement	01/2024 Proposal <sup>1</sup>		03/2024 Concept <sup>2</sup>		Change b/w 01/2024 Proposal and 03/2024 Concept
			Proposed	Variance Sought	Proposed	Variance Sought	
1	Freestanding (1 sign)	Not less than <b>15 feet</b> from any front or side property line, or a distance equal to the height of said sign, whichever is greater. [§ 185-14.J(5)(a)]	20 feet	Complies	20+ feet	Complies	No change
		Not less than <b>10 feet</b> from any building, or equal to the height of the sign, whichever is greater. [§ 185-14.J(5)(b)]	> 10 feet	Complies	> 10 feet	Complies	No change
		<b>One</b> freestanding sign may be placed on properties in the B District. [§ 185-14.M(2)]	1 sign	Complies	1 sign	Complies	No change
		Only permitted if the building on the site is set back a minimum of <b>35 feet</b> from the front property line. [§ 185-14.M(2)(a)]	34.5 feet (Union Avenue)	0.5 feet	34.5 feet (Union Avenue)	0.5 feet	No change
		On lots with a width of more than 100 feet, the maximum sign area shall be <b>60 s.f.</b> [§ 185-14.M(2)(b)]	54.6 s.f.	Complies	54.6 s.f.	Complies	No change
		The maximum height shall be <b>14 feet.</b> [§ 185-14.M(2)(c)]	20 feet	Granted <sup>3</sup>	20 feet	Granted <sup>3</sup>	No change
		No sign may be located within <b>the triangular area on corner lots</b> determined in accordance with § 185-17B. No support structure(s) for a sign may be located in said area unless the combined total width is 12 inches or less and the combined total depth is 12 inches or less. [§ 185-14.I(8)]	Not within triangular area	Complies	Not within triangular area	Complies	No change

- = Complies
- = Granted by the ZBA at its 10/26/2023 meeting
- = Variance required

<sup>1</sup> Based on Site Plan Set dated 01/17/2024 and presented to the Planning Board at its 02/01/2024 meeting.

<sup>2</sup> Based on Concept Plan for DOT dedication dated 03/04/2024 and presented to the Planning Board at its 03/07/2024 meeting.

<sup>3</sup> Granted by the ZBA at its 10/26/2023 meeting.

NEWBURGH CHICKEN, LLC

**SIGN DETAILS AND COMPLIANCE**

\*based on Popeyes Signage Exhibit dated 02/06/2024\*

#	Sign Type	Requirement	01/2024 Proposal <sup>1</sup>		03/2024 Concept <sup>2</sup>		Change b/w 01/2024 Proposal and 03/2024 Concept	
			Proposed	Variance Sought	Proposed	Variance Sought		
2	Building-Mounted (5 signs)	Length shall not exceed <b>70%</b> of the width of the tenancy or building wall to which it is mounted. [§ 185-14.J(1)(d)]	< 70%	Complies	<70%	Complies	No change	
		If there is a freestanding sign on the site, the total allowable sign area for all permanent signs on the site, except freestanding signs, shall be $\frac{3}{4}$ s.f. of sign area per linear foot of building wall that fronts on a street is allowed. [§ 185-14.M(1)(a)(2)]						
		<u>North Façade</u> = 33.25 linear feet fronting on a street (South Plank Road) x $\frac{3}{4}$ = <b>24.9 s.f.</b>						
			Popeyes Louisiana Kitchen Channel Letters	52.3 s.f.		52.3 s.f.		
			Popeyes Chicken Symbol	37.4 s.f.		37.4 s.f.		
			<b>TOTAL</b>	<b>89.7 s.f.</b>	<b>64.8 s.f.</b>	<b>89.7 s.f.</b>	<b>64.8 s.f.</b>	No change
		<u>East Façade</u> = 84.0 linear feet fronting on a street (Union Avenue) x $\frac{3}{4}$ = <b>63.0 s.f.</b>						
			Popeyes Only Channel Letters	14.3 s.f.		14.3 s.f.		
			<b>TOTAL</b>	<b>14.3 s.f.</b>	<b>Complies</b>	<b>14.3 s.f.</b>	<b>Complies</b>	No change
		<u>West Façade</u> = 0 linear feet fronting on a street x $\frac{3}{4}$ = <b>0.0 s.f.</b>						
			“Love That Chicken” Sign	90.7 s.f.		90.7 s.f.		
			Popeyes Seal	7.9 s.f.		7.9 s.f.		
			<b>TOTAL</b>	<b>98.6 s.f.</b>	<b>98.6 s.f.</b>	<b>98.6 s.f.</b>	<b>98.6 s.f.</b>	No change
		<u>South Façade</u> = N/A						
<b>TOTAL</b> = 117.25 linear feet fronting on a street x $\frac{3}{4}$ = <b>87.9 s.f.</b>			<b>202.6 s.f.</b>	<b>114.7 s.f.</b>	<b>202.6 s.f.</b>	<b>114.7 s.f.</b>	No change	
There is <b>no limit on the number</b> of such signs on a site so long as their aggregate square footage is within the total allowable area limit. [§ 185-14.M(1)(b)]			6 signs	See above	6 signs	See above	No change	
An attached wall sign shall not extend <b>beyond the ends or over the top of the wall</b> to which it is mounted. [§ 185-14.J(1)(d)]			Below top	Complies	Below top	Complies	No change	



NEWBURGH CHICKEN, LLC

SIGN DETAILS AND COMPLIANCE

*\*based on Popeyes Signage Exhibit dated 02/06/2024\**

#	Sign Type	Requirement	01/2024 Proposal <sup>1</sup>		03/2024 Concept <sup>2</sup>		Change b/w 01/2024 Proposal and 03/2024 Concept
			Proposed	Variance Sought	Proposed	Variance Sought	
3	Menu (4 signs)	To be reviewed with Town Building Inspector for determination on whether a variance is required.					
4	Directional (2 signs)	On-premises directional signs for the convenience of the general public, identifying public parking areas, fire zones, entrances and exits and similar signs, nonilluminated, not exceeding 4 s.f. per face and 6 feet above the ground are exempt signs. [§ 185-14.D(1)(k)]	3.12 s.f	Complies	3.12 s.f	Complies	No change
			3.0 feet tall	Complies	3.0 feet tall	Complies	No change