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

----- X
In the Matter of

PET HOTEL & DAY CARE FACILITY
(2012-19)

West side of Route 9W, North of Lattintown Road
Section 9; Block 3; Lot 22.22
B Zone

----- X
CONCEPTUAL SITE PLAN

Date: December 6, 2012
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
KENNETH MENNERICH
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: THOMAS DEPUY

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

1
2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. I'd like to welcome you to
4 the Town of Newburgh Planning Board meeting of
5 the 6th of December.

6 We'll call the meeting to order with a
7 roll call vote starting with Frank Galli.

8 MR. GALLI: Present.

9 MR. MENNERICH: Present.

10 MR. BROWNE: Present.

11 CHAIRMAN EWASUTYN: Present.

12 MR. FOGARTY: Here.

13 MR. WARD: Present.

14 CHAIRMAN EWASUTYN: With us this
15 evening we have professional consultants who make
16 recommendations to the Planning Board, and I'll
17 ask that they introduce themselves.

18 MR. DONNELLY: Michael Donnelly,
19 Planning Board Attorney.

20 MS. CONERO: Michelle Conero,
21 Stenographer.

22 MR. CANFIELD: Jerry Canfield, Town of
23 Newburgh.

24 MR. COCKS: Bryant Cocks, Planning
25 Consultant.

1
2 CHAIRMAN EWASUTYN: All right. At this
3 point we'll turn the meeting over to Cliff
4 Browne.

5 MR. BROWNE: Please stand for the
6 Pledge.

7 (Pledge of Allegiance.)

8 CHAIRMAN EWASUTYN: The first item we
9 have this evening is the Pet Hotel & Day Care
10 Facility. It's a conceptual site plan located on
11 Route 9W in the B Zone. It's being represented
12 by Tom DePuy.

13 MR. DEPUY: Middlehope Pet Day Care is
14 looking to acquire the 1.6 acre parcel of land
15 that's adjacent to their existing facility, and
16 they wish to consolidate that and they are
17 proposing to build a new 11,500 square foot pet
18 hotel and day care facility which it would be
19 adjacent to. This is their existing facility
20 here and this is the proposed facility here.

21 There is a stream that comes down
22 through here and kind of severs this piece of
23 land. We would access it both from their
24 existing driveway, which they share with the vet
25 hospital, and we would put a second access point

1
2 in here with a parking lot here, and then there
3 would be a small bridge over that small
4 intermittent stream that's there. They would
5 access in here and access here. This is a new
6 parking lot.

7 What they would do is get their water
8 service from the Town water system which is
9 located out on 9W, and their sewer would pump up
10 to what we're proposing as a two-stage sand
11 filter which would eventually come back down and
12 discharge into the small intermittent stream.
13 Basically the flows are based on 94 dogs is what
14 they are proposing. We would have wash down
15 water that's involved in the facility itself.
16 That's pretty much where all the sewer is coming
17 from.

18 They would have probably between nine
19 to ten employees.

20 This is Charlene from the pet hotel.

21 And so that would be the load with
22 respect to the sewer. And we would propose,
23 because of the -- it's a high flow for the wash
24 down water, that's why we have such a large
25 treatment facility for the project itself. It's

1
2 more of a wash down water than actual domestic
3 sewer issue, and that has to be treated.

4 MS. SCHAPER: The ten employees are
5 only during peak times when the facility will be
6 full.

7 MR. DEPUY: Stormwater wise we would
8 collect the water off the new building. We've
9 got a proposed rain garden in this area here and
10 then we have a bio-retention basin in the back
11 which would give us the water quality treatment
12 that we need.

13 This water here, we have sheet flowing
14 off. We have a proposed filter strip and then we
15 have a linear bio-retention trench in here that
16 would treat it for water quality.

17 I think that's about it for a
18 description of the project.

19 CHAIRMAN EWASUTYN: Let's start out
20 with questions from Planning Board Members.
21 Frank Galli?

22 MR. GALLI: Just two issues. At the
23 workshop I think we asked about the rain garden
24 and they said no; right? When we asked Pat about
25 the rain garden, didn't he say there wasn't any?

1
2 MR. CANFIELD: He did. He did mention
3 in the rear and on the side.

4 MR. DEPUY: This is a rain garden in
5 the front but this is a bio-retention basin in
6 the back.

7 MR. GALLI: The second issue that came
8 up is fire protection. How do you get a fire
9 truck up to the building? They can't cross the
10 pond or the stream. It's only a foot bridge and
11 there's a pretty good size retaining wall, or
12 whatever kind of wall you want to call it, down
13 to the stream. So that was an issue that Jerry
14 will bring up, I'm sure, when we get to Jerry.
15 That was just two of the issues -- or one of the
16 issues, actually, that was brought up

17 CHAIRMAN EWASUTYN: Cliff Browne?

18 MR. BROWNE: One of the things Pat
19 mentioned to us was the water flow up the parking
20 lot area. He thought it was to flow out into the
21 road and you're showing the contours over to the
22 side.

23 MR. DEPUY: What happens is we're going
24 to sheet flow it in this direction. We're
25 proposing -- it's on our erosion control and

1 stormwater management. This is going to be a
2 filter strip and then we have a linear
3 bio-retention trench here that would come down
4 and then it would flow back into here and then
5 eventually make its way into the stream. So what
6 happens is the water comes this way, goes into a
7 catch basin, flows there and then discharges in
8 the stream, but it will be treated in this big
9 buffer area here.

10
11 MR. BROWNE: Your plan is showing
12 you're going to have zero going out to 9W?

13 MR. DEPUY: Right. Right.

14 CHAIRMAN EWASUTYN: Is that it, Cliff?
15 Any other questions?

16 MR. BROWNE: No.

17 CHAIRMAN EWASUTYN: Ken Mennerich?

18 MR. MENNERICH: Tom, you mentioned that
19 you could access the pet hotel through the
20 existing lot there.

21 MR. DEPUY: Yeah.

22 MR. MENNERICH: Are you going to have
23 to take down any buildings or anything to get a
24 roadway in there?

25 MR. DEPUY: No. They share a roadway

1 with the vet hospital here. This roadway here.

2 MR. MENNERICH: Okay.

3 MR. DEPUY: So they would be able to
4 access this. This large piece of land will be
5 accessed at this point and then over here.
6

7 MR. MENNERICH: But you wouldn't be
8 able to get from the left side up to the --

9 MR. DEPUY: I see the comment on the
10 fire access. We could regrade this in here and
11 maybe put a fire access lane off this corner here
12 up into there. That would probably be what we'd
13 have to do.

14 MR. MENNERICH: And is there two
15 veterinarian hospitals there?

16 MR. DEPUY: No. The vet hospital is
17 here but this is the existing pet hotel or day
18 care center.

19 MR. MENNERICH: Okay.

20 MR. DEPUY: So when you pull in, the
21 one on the right is the day care center and the
22 one on the left is the vet hospital, and this is
23 the one they're expanding.

24 MR. MENNERICH: Okay.

25 CHAIRMAN EWASUTYN: The existing.

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Okay.

MR. MENNERICH: I think on your drawing it shows an existing vet hospital on the --

MR. DEPUY: Maybe that was mislabeled. It says existing pet day care and this is the veterinarian hospital.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: Tom Fogarty?

MR. FOGARTY: Could you explain a little bit more about the bridge over the stream, how that's going to be constructed?

MR. DEPUY: Right here?

MR. FOGARTY: Yup.

MR. DEPUY: Basically what we're going to do is we'll have a large -- we pulled the retaining wall system away from the stream bed itself. It spans quite a distance here. It's mainly to stay out of any environmental sensitive areas, the small stream corridor. The stream itself is a class C. I checked with Doug Godler from the DEC, so there's no permitting required or anything from the DEC, but you still have to follow the rules. Basically we're using a large block retaining wall system, one would come down

1 through here and the other through here, and then
2 we have a small foot bridge that would span over
3 those two small retaining wall systems.
4

5 MR. FOGARTY: Good. Thank you.

6 CHAIRMAN EWASUTYN: John Ward?

7 MR. WARD: What are the existing
8 structures that will be -- there's a few of them.

9 MR. DEPUY: There's three. They were
10 old residences that were on that piece of
11 property. Basically they've been vacant I think
12 for ten years now, at least, and they've pretty
13 much been ransacked through and everything. They
14 would have to be demolished. I think we have a
15 separate demolishing plan showing the removal of
16 all three of those structures. They were
17 residences at one time.

18 MR. WARD: In the parking lot you don't
19 show any lighting all?

20 MR. DEPUY: Unfortunately that was --
21 we were going to have several lights and we were
22 going to have some lighting on the sidewalk, too.
23 I think that was one of the comments about having
24 a lighting plan.

25 MR. WARD: We have 16 foot for a

1
2 requirement minimal.

3 MR. DEPUY: Yeah.

4 MR. WARD: All right. Thank you.

5 MR. DEPUY: Yup.

6 CHAIRMAN EWASUTYN: Jerry Canfield,
7 maybe you could pick up where Frank Galli left
8 off and Tom Depuy discussing putting a road there
9 with access to on what more than likely would be
10 the south side of the building somewhat.

11 MR. CANFIELD: During the work session,
12 like Frank said, we had discussed it. As the
13 site is now, Tom, it does not lend itself to good
14 firefighting accessibility. A building of this
15 size would more than likely warrant the use of an
16 aerial device. If you could make an appointment,
17 we could sit down and discuss, you know what I
18 mean, that proposal to come up around the rear
19 perhaps with a better access road to get a little
20 closer to the building.

21 MR. DEPUY: Yeah, okay.

22 MR. CANFIELD: Another point fire
23 protection wise, the building will be required to
24 be sprinklered.

25 MR. DEPUY: Okay.

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2 MR. CANFIELD: Town of Newburgh has a
3 sprinkler ordinance which is more restrictive
4 than the State International Building Code.

5 On the demo of the existing structures
6 on the Moriello site, they'll need permits for
7 that of course, independent demo permits.

8 MR. DEPUY: All right.

9 MR. CANFIELD: On the use, there's no
10 issue with that. I think Bryant will comment on
11 that. That's all we have.

12 CHAIRMAN EWASUTYN: Okay. Bryant, you
13 had mentioned earlier this evening about a
14 referral to the ZBA.

15 MR. COCKS: Yes. The existing pet
16 motel, a front yard setback at 30 feet is shown
17 on the plans and 40 is required. Since you're
18 combining these lots it loses its nonconforming
19 status so you will need a ZBA referral for a
20 front yard setback.

21 Tom, you did mention that there's going
22 to be a drainage area on the north side of the
23 site. There is a 30-foot required landscape
24 buffer that needs to be shown on the plans. Are
25 you going to request a variance for that?

1
2 MR. DEPUY: Well, we wanted -- we still
3 want to landscape that area up. I don't know if
4 we need a variance because we're not getting the
5 full 30 foot because we're using some stormwater
6 management.

7 MR. COCKS: That is required. So you
8 will need another variance for the 30-foot
9 landscape buffer. I'm sure the ZBA is going to
10 ask you to show something. You'll need a
11 variance for that because that does need to be
12 shown on the plans as 30 feet.

13 MR. DEPUY: Once I detail that area
14 there, and like I say we're going to have a
15 bio-retention trench, that does require some
16 vegetation planting. I don't think it will
17 really meet your buffer requirement to the full
18 thing. Okay.

19 MR. COCKS: The dumpster location is
20 going to need to be shown for the new building.
21 I don't know if you can fit it in the corner of
22 the parking lot, in the top right corner. If you
23 can try to squeeze it in there. That will need
24 to be fenced and detailed on the site plan sheet.

25 MR. DEPUY: Okay.

1
2 MR. COCKS: You discussed the stream
3 which I had in the comments.

4 The EAF should just be revised to show
5 the interested and involved agencies. Also a set
6 of the site plan will be sent to them with intent
7 for lead agency. I have listed the ZBA, the DEC,
8 Orange County Planning Department, Orange County
9 Health Department, City of Newburgh for sewer
10 flow acceptance, the local fire department and
11 the DOT.

12 ARB drawings with material and color
13 samples will be needed at a later date.

14 As mentioned, a demolition permit will
15 be required.

16 As mentioned, the lighting plan will
17 need to be updated with an iso foot candle
18 diagram.

19 CHAIRMAN EWASUTYN: Can you take the
20 opportunity to explain to us the operation? You
21 said 94 dogs. I don't know what that means. I
22 know what 94 dogs means, but is it like kennels
23 inside the --

24 MS. SCHAPER: Sure. We're actually a
25 luxury pet hotel. We are an activity based

1 facility. We're all about as much activity as we
2 can possibly get for the pets. As opposed to
3 your standard like chain-link enclosure type
4 things, we have actual room enclosures. Our
5 hotel currently, the suites that we have for
6 them, they have their own beds, there is cable
7 TV, there's web cams that owners can access them.
8 It is very different. It's totally not like any
9 other kennel in the Hudson Valley. And so this
10 new facility is going to be multifunctional for
11 us. It will have additional enclosures for us,
12 which are, you know, depending upon the size of
13 the dog can range up to -- some of our suites in
14 the hotel now are like as large as eight foot by
15 eight foot, so they can accommodate multiple dogs
16 in the same family, that kind of thing.

17 There's also a sizable indoor play area for them.

18 We have the few outdoor play areas as
19 well and one building that we use for inclement
20 weather for them. So this will also have some
21 play space in there and a couple other grooming
22 areas and office space. That kind of thing.

23 MR. FOGARTY: They use office space?

24 MS. SCHAPER: They do. These dogs can
25

1
2 do it all.

3 MR. GALLI: Do you get a lot of noise
4 complaints?

5 MS. SCHAPER: We have not, as far as I
6 know, have had any noise complaints.

7 MR. CANFIELD: We haven't acted on any.

8 MS. SCHAPER: We don't ever allow a dog
9 to be outside unattended. Unlike a typical
10 kennel where they maybe have an indoor/outdoor
11 thing and dogs go out and just bark and bark and
12 bark, they're outside with staff members playing
13 ball or whatever. Honestly, the only noise
14 normally is in the morning there is a dog up the
15 hill from us that lives in a house, and when our
16 dogs are out he's barking because he wants to
17 come down and play.

18 MR. FOGARTY: When I first read this I
19 said pet hotel and day care facility. I said
20 they are going to be mixing dogs and kids. This
21 is going to be some project. I'm glad you
22 clarified it.

23 CHAIRMAN EWASUTYN: At this point I'll
24 move for a motion to declare our intent for lead
25 agency, to circulate to the Orange County

1
2 Planning Department and to have Mike Donnelly
3 present to us the letter being referred to the
4 ZBA.

5 MR. GALLI: So moved.

6 MR. FOGARTY: Second.

7 CHAIRMAN EWASUTYN: I have a motion by
8 Frank Galli, a second by Tom Fogarty. Any
9 discussion of the motion?

10 (No response.)

11 CHAIRMAN EWASUTYN: I'll move for a
12 roll call vote starting with Frank Galli.

13 MR. GALLI: Aye.

14 MR. BROWNE: Aye.

15 MR. MENNERICH: Aye.

16 MR. FOGARTY: Aye.

17 MR. WARD: Aye.

18 CHAIRMAN EWASUTYN: Myself. So
19 carried.

20 Thank you.

21 MR. DONNELLY: The letter will be for
22 an area variance for a front yard setback on the
23 existing building, where new construction is
24 proposed and lots are to be consolidated. And
25 secondly, an additional variance for landscape

1
2 buffer requirements along the north property
3 line.

4 MR. DEPUY: Can I just bring up one
5 other issue? Parking. I think I need a parking
6 variance because we couldn't really get it to fit
7 into any category. I don't know --

8 MR. COCKS: I counted for the site as a
9 whole and it looks like you have enough --

10 MR. DEPUY: Okay.

11 MR. COCKS: -- with using the other
12 parking lot. I guess I could clear that up. You
13 are going to need an access easement for that.

14 MR. DEPUY: That actually exists. It
15 got frozen on the drawing. There's a 25-foot
16 easement that actually comes in on that piece of
17 property and accesses that parking lot. That was
18 from a previous subdivision.

19 MR. COCKS: So maybe a clarification.

20 MR. DEPUY: A clarification with
21 respect to parking maybe also. If I need it I
22 might as well get it.

23 MR. DONNELLY: Actually, the Planning
24 Board can adjust the parking requirements based
25 upon the nature of the use by the ITT manual.

1
2 MR. DEPUY: Okay. So then we probably
3 don't need that.

4 MR. DONNELLY: I don't think you would
5 need that.

6 CHAIRMAN EWASUTYN: One other motion
7 I'll make is to grant conceptual approval for the
8 pet hotel and day care facility.

9 MR. WARD: So moved.

10 MR. MENNERICH: Second.

11 CHAIRMAN EWASUTYN: I have a motion by
12 John Ward. I have a second by Ken Mennerich.
13 Any discussion of the motion?

14 (No response.)

15 CHAIRMAN EWASUTYN: I'll move for a
16 roll call vote starting with Frank Galli.

17 MR. GALLI: Aye.

18 MR. BROWNE: Aye.

19 MR. MENNERICH: Aye.

20 MR. FOGARTY: Aye.

21 MR. WARD: Aye.

22 CHAIRMAN EWASUTYN: Myself.

23 Thank you.

24 (Time noted: 7:18 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: December 30, 2012

Section 9, Block 3, Lots 22.2 & 23
Town of Newburgh

PROJECT NARRATIVE

RANNE, L.L.C. is proposing the consolidation of Tax Map Parcel Section 9, Block 3, Lot 22.2 and 23 consisting of 1.189 acres and 1.612 acres, respectively, for a combined parcel area of 2.801 acres. They propose the development of 11,580 SF building to house the expansion of their pet hotel and dog daycare center. The project is situated on the westerly side of Route 9W 490 feet North of the intersection of US Route 9W and Lattintown Road.

The overall site topography slopes from the westerly side of the property to the northeasterly side of the property and towards the small intermittent stream which traverses the northerly end of the property.

The project will collect the roof stormwater by overland flow and discharge it to a bio-retention basin located adjacent to the building. The proposed parking lot will sheet flow to a 20' wide filter strip and will collect the discharge to the small adjacent stream.

The project will be serviced by the Town of Newburgh water system and obtain its sewage disposal from the development of an on-site treatment facility which will discharge to the small stream that traverses the property. In addition to the building, some additional outside dog runs are also proposed and will be integrated with their existing facility presently located and operating on the property.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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**TOWN OF NEWBURGH
PLANNING BOARD
REVIEW COMMENTS**

PROJECT: PROPOSED PET HOTEL AND DAYCARE
PROJECT NO.: 12-19
PROJECT LOCATION: SECTION 9, BLOCK 3, LOT 22.2
PROJECT REPRESENTATIVE: TOM DEPUY
REVIEW DATE: 30 NOVEMBER 2012
MEETING DATE: 6 DECEMBER 2012

1. NYS DOT approval for access to the new parking lot is required.
2. Building is required to have a sprinkler system. Water service should be set up pursuant to Town of Newburgh's requirements.
3. Easement will be required for access from existing veterinary hospital parcel to Section 22.2 as shared parking exists in this area.
4. Zoning Board variances will be required for existing sub standard setbacks. Brian Cocks comments regarding this should be received.
5. Jerry Canfield's comments regarding fire access to the proposed structure should be received. It appears no vehicular access to the proposed structure will exist under the current plan due to the stream traversing the site between the parking lot and the structure.
6. NYSDEC SPDES permit and Orange County Health Department review of subsurface sanitary sewer disposal system with a surface discharge will be required. Sanitary Sewer system will be referred to those agencies as local agencies cannot approve surface discharge.
7. Parking lot pavement section identifies a geo grid soil reinforcement to be utilized retaining wall does not appear to rely on geo grid but rather uses large diameter precast concrete.
8. Runoff from the proposed parking lot discharges prior to receiving any water quality treatment. The applicants are requested to evaluate whether the utilization of pervious pavement in this area could be provided to reduce runoff from proposed parking area. Runoff is currently directed

REGIONAL OFFICES

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

towards NYSDOT right-of-way which may be a concern of the NYSDOT..

9. Roof drains discharging to the bio-retention and rain gardens proposed on the site such that discharge from roofs are treated in these facilities.

Respectfully submitted,

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

Patrick J. Hines, Associate

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

PROJECT ANALYSIS

MUNICIPALITY: TOWN OF NEWBURGH

TOWN PROJECT NO. 2012-19

PROJECT NAME: Pet Hotel and Day Care Facility

LOCATION: West side of Route 9W, approximately 490 feet north of Lattintown Road (9-3-22.2, 23.0)

TYPE OF PROJECT: Site Plan and ARB for 11,580 sq. ft. building (2.8 ac)

DATE: November 30, 2012

REVIEWING PLANNER: Bryant Cocks

PROJECT SUMMARY:

Approval Status: Submitted November 27, 2012

SEQRA Status: Unlisted

Zone/Utilities: B District/municipal water and individual septic system

Map Dated: October 11, 2012

Site Inspection: November 27, 2012

Planning Board Agenda: December 6, 2012

Consultant/Applicant: Thomas DePuy, PE

Copies have been sent to: John P. Ewasutyn at the Planning Board Office, James Osborne, Gerald Canfield, Michael Donnelly, Patrick Hines, Karen Arent and Ken Wersted on November 30, 2012

COMMENTS AND RECOMMENDATIONS:

1. The applicant is proposing a pet hotel and day care facility (Veterinarian's Office) on Route 9W in the B Zoning District, an allowable use. The two lots in question will be combined into one lot, although most of the building will be on the existing Moriello lot (lot 23). The Solomons lot (22.2) currently houses one of the existing veterinary hospitals and a kennel, with two fenced in areas for the animals. The adjacent Ranne lot (22.1) houses the other veterinary hospital with the majority of the parking for the existing hospital.
2. The existing structure on lot 22.2 does not meet the front yard setback requirement. It is an existing structure but it loses its non-conforming status once the parcels are combined and a new building is constructed. A variance will be required for the front yard setback on the existing building.
3. Section 185-21.D.2 of the Zoning Law requires a 30 foot landscape buffer between this use and the existing dwelling on the adjacent Yonnone lot. This buffer will need to be shown on the plan and the trees and plant materials will be required on the landscape plan. The new building does meet the 75 foot separation distance from the residence as required under Section 185-45.A.2.

4. The building department will review the interior design of the building to ensure it is soundproof, as required under Section 185-45.A.3. Section 185-45.A.4 requires a double door to prevent escapes by the animals. This will also be reviewed by the building department.
5. The applicant will need to show the dumpster location for the new facility, as well as ensuring that the containers are odor proof, as required in Section 185-45.A.5.
6. The applicant will need to provide additional information in the EAF regarding threatened and endangered species. The DEC Environmental Resource Mapper must be used to determine if any of the species exist on site, not just professional observation.
7. The stream running through the property is tributary to Lattintown Creek. The applicant should confirm this stream is not part of a larger DEC or ACOE wetland. If it is, further permitting or buffer areas could be required.
8. The EAF should be revised to show all interested and involved agencies, such as the DOT and Orange County Planning Department.
9. There are four existing buildings to be removed before construction; a demolition permit will be required for their removal.
10. ARB drawings with material and color samples for the Planning Board's review will be required at a later date. Existing and proposed signage must also be shown, including a signage chart detailing the freestanding sign and any signage on the existing and proposed buildings. The applicant might want to review the amount of signage required for the site before going to the ZBA, as a variance might be required.
11. A lighting plan will be required, showing the existing and proposed fixtures, along with an isofootcandle diagram. The proposed fixture is shown at 17 feet high, while the Design Guidelines recommend a 16 foot height. The applicant can either change the fixture or request a waiver of the design guideline from the Planning Board.

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

Dickover, Donnelly, Donovan & Biagi, LLP
Attorneys and Counselors at Law

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David A. Donovan
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P.O. Box 610
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Phone (845) 294-9447
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Fax (845) 294-6553
(Not for Service of Process)

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

December 10, 2012

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

RE: Pet Hotel & Day Care Center (12.19)
9-3-22.2 & 23 (Zone B)
Route 9W/Lattintown Road

Members of the Board:

I write to you at the direction of the Town of Newburgh Planning Board. The applicant referenced above appeared before the planning board on December 6, 2012. The applicant proposes new construction for a pet hotel and day care center on a site made up of two lots with an existing non-complying (inadequate front yard setback) building. It appears that the new construction and/or the proposed lot consolidation will cause the protected non-complying building status to cease. Therefore, the planning board has asked that I send you this letter referring this matter for a front yard setback variance to protect the existing non-complying building. In addition, the application requires consideration of a variance for the landscape buffer along the north property line.

The planning board issued its intent to serve as lead agency on December 6, 2012.

Very truly yours,

MICHAEL H. DONNELLY

MHD/lrm

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

NO.	DATE	REVISIONS

TMD
ENGINEERING & LAND SURVEYING, P.C.

2655 ROUTE 302, WOODSTOCK, NY 18411
PHONE: (610) 301-4911 FAX: (610) 301-5229

**PROPOSED PET HOTEL
AND DAY CARE FACILITY**
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

DATE	OCTOBER 11, 2012
SCALE	AS NOTED
NO.	10003
PROJECT	800-962-7962
OWNER	DIGI SAFETY, NEW YORK
DESIGNER	T.M. DEPUY, P.C.
DATE	OCTOBER 11, 2012
SCALE	AS NOTED
NO.	10003
PROJECT	800-962-7962
OWNER	DIGI SAFETY, NEW YORK
DESIGNER	T.M. DEPUY, P.C.



PARCEL / OWNER DATA

APPLICANT: ADVANCED SECURITY SERVICES, INC., 1000 W. 10TH ST., NEWBURGH, NY 12550 (609-525-2121)

RECORD OWNERS: ERIN, CAMILLE & ANTHONY MARZULLO, 400 W. 10TH ST., NEWBURGH, NY 12550 (609-525-2121)

544 MAP REFERENCES: 41-37 ANDHUSA ROAD, ANDHUSA, NY 10840 (609-525-2121)

PARCEL ADDRESS: 11564 S.F. PROPOSED PET HOTEL AND DAY CARE FACILITY

DEED REFERENCES: 1989 DEED, PARCELS 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

SURVEY AND PARCEL NOTES

- ALL REFERENCES TO "SECTION 9" ARE TO SECTION 9 OF THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK.
- ALL REFERENCES TO "LOT 1" ARE TO LOT 1 OF SECTION 9, PARCELS 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

ZONING DATA AND BOUNDARY PLAN

DATE: OCTOBER 11, 2012
SCALE: AS NOTED
NO.: 10003
PROJECT: 800-962-7962
OWNER: DIGI SAFETY, NEW YORK
DESIGNER: T.M. DEPUY, P.C.

THE DRAWING IS ONE IN A SET OF PLANS AND SPECIFICATIONS FOR THE PROPOSED PET HOTEL AND DAY CARE FACILITY. IT IS TO BE USED IN CONNECTION WITH THE OTHER PLANS AND SPECIFICATIONS IN THIS SET. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

LIST OF DRAWINGS

NO.	TITLE
010	ZONING DATA AND BOUNDARY PLAN
020	EXISTING CONDITIONS AND BOUNDARY PLAN
030	SITE PLAN
040	CONCEPTUAL LAYOUT PLAN
050	CONCEPTUAL LAYOUT PLAN
060	CONCEPTUAL LAYOUT PLAN
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440	CONCEPTUAL LAYOUT PLAN

