

**BC Planning, LLC**  
**555 Route 32, PO Box 489**  
**Highland Mills, New York 10930**  
**(845) 827-5763**  
**Fax: 827-5764**  
**Email: [bcocks@frontiernet.net](mailto:bcocks@frontiernet.net)**

## **PROJECT ANALYSIS**

MUNICIPALITY: TOWN OF NEWBURGH

TOWN PROJECT NO. 2012-26

PROJECT NAME: Valon and Vaton Restaurant

LOCATION: NW Intersection of Stone Street and Rt. 9W (84-2-1.1)

TYPE OF PROJECT: Site Plan and Change of Use for conversion of 2,600 sq. ft. single family home to an 80 seat restaurant (.33 ac)

DATE: April 16, 2013

REVIEWING PLANNER: Bryant Cocks

### **PROJECT SUMMARY:**

Approval Status: Submitted December 6, 2012

SEQRA Status: Type II – under 4,000 sq. ft.

Zone/Utilities: B District/municipal water and sewer

Map Dated: April 3, 2013

Site Inspection: December 6, 2012

Planning Board Agenda: April 14, 2013

Consultant/Applicant: Charles Brown, 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 April 16, 2013

### **COMMENTS AND RECOMMENDATIONS:**

1. The applicant is proposing to convert an existing 2,600 square foot residence to an 80 seat restaurant in the B Zone, an allowable use.
2. This lot is .33 acres and has received the following area variances, dated April 2, 2013:
  - A. Minimum Lot Area – 40,000 sq. ft. required, 14,218 sq. ft. proposed
  - B. Front Yard Setback (Stone St.) – 50 ft. required, 32.4 ft. proposed
  - C. Front Yard Setback (Rt. 9W) – 50 ft. required, 31.3 ft. proposed
  - D. Side Yard Setback – 15 ft. required, 10.5 ft. proposed
  - E. Minimum Lot Width – 150 ft. required, 100.4 ft. proposed
  - F. Minimum Lot Depth – 150 ft. required, 141.4 ft. proposed
3. The applicant has shown 27 parking spots, including an agreement with the former Jo Ann Fabrics property to allow 15 spaces (12 are shown) and an additional access onto Stone Street.
4. ARB drawings have been submitted but colors were not labeled on the plans. This will be required by the Building Department and the Planning Board would request that applicant bring in color and material samples for their review.
5. The applicant should provide the signed and sealed survey sheet. The owner's consent note must also be signed in the final plan set.
6. The plans now show additional landscaping to be installed around the building and the parking lot. Light poles are shown on the site plan but no detail has been given showing

the type of fixture and its height. An isofootcandle diagram must be submitted to determine if there will be any spillover to adjacent properties from the installation of the new fixtures. The height of the fixtures should be a maximum of 15 feet, but if the applicant is proposing a higher fixture the Planning Board can discuss a waiver of the Design Guidelines.

7. The applicant will need approvals from the Town of Newburgh Highway Department for access onto Stone Street, City of Newburgh for sewage flow, Orange County Health and Planning Departments, and approval for fire access. Since this is a Type II Action no SEQRA will be required, but the applicant will still need to obtain the outside agency approvals.

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.