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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: December 14, 2012

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: November 28, 2012

Site Inspection: December 6, 2012

Planning Board Agenda: December 20, 2012

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 December 14, 2012

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 requires several area variances, listed as follows:
 - 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 21 parking spots, 15 on the site and 6 on the adjacent lot (84-2-1.2). A letter was provided to the adjacent property owner which states that the applicant has rights to park on the common property line. The signed easement will be required to be reviewed by Michael Donnelly. The site plan states there are 22 parking spaces in the calculation table, this should be revised.
4. The applicant is showing a new sidewalk to be constructed leading to Route 9W and around the building. This detail will need to be shown in subsequent submissions. Also, there is an existing concrete walkway on the west side of the building, is that proposed to run to Route 9W?

5. The applicant should discuss the garage conversion. Will this be used as storage? If so, will the doors be removed as part of the ARB submission?
6. The applicant should discuss the layout of the restaurant. Is the top floor being used for an office or additional seating?
7. Will there be outdoor seating on the patio? If so, was this seating calculated, as it will affect the parking calculations and water and sewer usage.
8. Will the stone and mortar wall be repaired for aesthetics? It could provide pleasing landscape features along Route 9W or Stone Street if it is removed.
9. The applicant should think about studying how much signage will be needed for the site since they are going to the ZBA for area variances and it is possible an additional variance would be needed for the amount of signage.
10. The detailed plans will be further reviewed when the applicant returns from the ZBA with all necessary variances.
11. 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 Planning Board will need to refer the project to the Orange County Planning Department, but can wait until after the applicant returns from the ZBA if they so choose.

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.