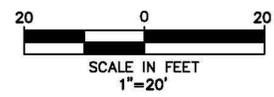


SITE LOCATION PLAN: 1"=2000'

TAX PARCEL NUMBER:
 CITY OF NEWBURGH, ORANGE COUNTY, NEW YORK
 SEC. 3.00 - BLK. 3 - PARCEL 4

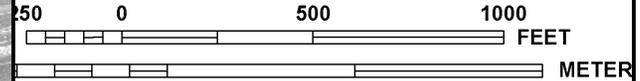
- DEED REFERENCES:**
- JOHN T. KENNEDY POST #973 VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC. TO JAVIER FISCAL, DATED NOVEMBER 16, 2007 AND RECORDED IN THE ORANGE COUNTY CLERKS OFFICE IN DEED BOOK 12577 AT PAGE 1740.
 - JAVIER FISCAL TO CITY OF NEWBURGH, DATED JULY 8, 2009 AND RECORDED IN THE ORANGE COUNTY CLERKS OFFICE IN DEED BOOK 12885 AT PAGE 915.



445 ROBINSON STREET BOUNDARY & TOPOGRAPHIC SURVEY OF THE LANDS OF JAVIER FISCAL		
DATE:	REVISION:	AUSFELD & WALDRUFF LAND SURVEYORS LLP 323 CLINTON STREET, SCHENECTADY NY PHONE : (518) 346-1595 FAX:(518)770-1655 VINCENT P. AUSFELD P.L.S. LICENSE #049597 www.awslip.com



MAP SCALE 1" = 500'



NFP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0144E

FIRM
FLOOD INSURANCE RATE MAP

for ORANGE COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>
NEWBURGH, CITY OF	360626
NEWBURGH, TOWN OF	360627

PANEL 144 OF 630

MAP SUFFIX: E
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



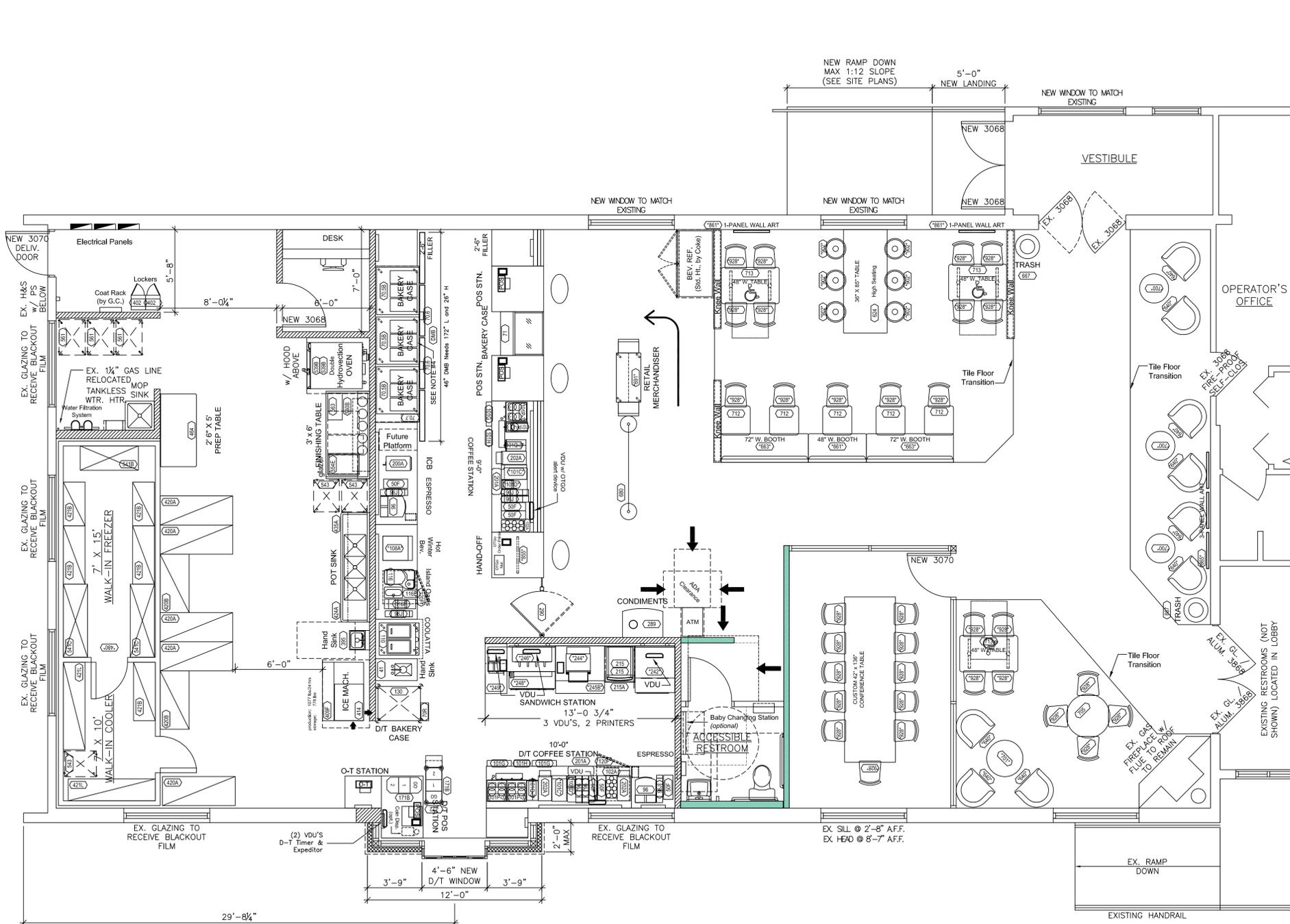
MAP NUMBER
36071C0144E

EFFECTIVE DATE
AUGUST 3, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

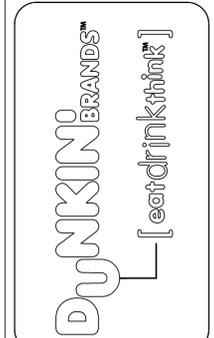
BUILDING NOTES:
 -EXISTING CITY SEWER
 -EXISTING CITY WATER
 -EXISTING NATURAL GAS - 2 1/2" O.D. FROM METER
 -EXISTING ROOF PENETRATIONS TO BE SEALED & INSULATED
 -EXISTING SPRAY-ON INSULATION
 ⊗ UNDERSIDE OF ROOF DECK



1
A-1

PROPOSED CONDITIONS FLOOR PLAN

1/4"=1'-0"



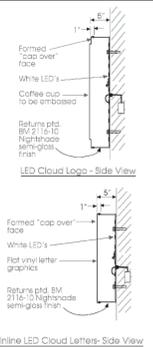
FRANK TRUILO ARCHITECT LLC
 ARCHITECTS & PROJECT MANAGERS
 8 MARTIN PLACE
 CHATHAM, NJ 07928
 Tel: 973-701-9248
 Fax: 973-701-9267
 E-Mail: ft@optonline.net

DATE:	11-03-16
SCALE:	AS NOTED
CHGD:	FT
APPD:	FT
NO.	2
DESCRIPTION	REVISIONS

PROPOSED CONDITIONS DUNKIN' DONUTS STORE
 445 ROBINSON AVE.
 NEWBURGH, NY
 P.C.# 355621

A-1

INLINE CONFIGURATION



"IN-LINE" LOGO LED CLOUD SIGN

Nominal Size	H	L	W	*Area (sq ft)	ILLUMINATION
12" Letter	27-1/4"	12"	11'-7 1/2"	26.39	White LED's
15" Letter	34-1/16"	15"	14'-6 3/8"	41.24	
18" Letter	41"	18"	17'-5 1/2"	59.64	
21" Letter	47-11/16"	21"	20'-4 1/8"	80.84	
24" Letter	54-1/2"	24"	23'-3"	105.59	

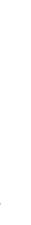
"IN-LINE" LOGO LED CLOUD SIGN, OPTIONAL CUP LOGO SIZES (where fascia height is limited)

Nominal Size	H (cup logo)	L	W	*Area (sq ft)	ILLUMINATION
12" Letter	15-3/4"	12"	11'-2"	14.65	White LED's
15" Letter	19-11/16"	15"	13'-11 1/2"	22.90	
18" Letter	23-5/8"	18"	16'-9"	32.97	

COLOR & MATERIAL NOTES:
STACKED LED CLOUD SIGN / LOGO SIGN FOR INLINE CLOUD:
 Faces are formed clear solar grade polycarbonate, decorated second surface vinyl
 Vinyl colors to be: DD Orange- 3M #3630-3123; DD Magenta- 3M #3630-1379; Dark Brown (on cup logo)- 3M #3630-59
 Coffee cup portion of logo to be 1/2" emboss depth.
 Formed "cap-over" face fits over aluminum returns ptd. Benjamin Moore 2116-10 Nightshade semi-gloss finish; Cabinet to be 5" deep
 Illumination: White LED's

INLINE CLOUD LETTERS:
 Cloud letter faces to be formed clear polycarbonate, decorated second surface vinyl; Letters to be flat (not embossed)
 Vinyl colors to be: DD Orange- 3M #3630-3123; DD Magenta- 3M #3630-1379; Cabinet to be 5" deep; Returns ptd. Benjamin Moore 2116-10 Nightshade semi-gloss finish
 Illumination: White LED's

STACKED CONFIGURATION



"STACKED" LOGO LED CLOUD SIGN

Nominal Size	H	H1	L	W	*Area (sq ft)	ILLUMINATION
12" Letter	30-1/2"	24"	12"	8'-10"	17.36	White LED's
15" Letter	38-4/8"	30"	15"	8'-6 1/2"	27.43	
18" Letter	45-3/4"	36"	18"	10'-3"	39.07	
21" Letter	53-3/8"	42"	21"	11'-11 1/2"	53.18	
24" Letter	61"	48"	24"	13'-8"	69.47	

If questions regarding 3M films, please contact: Deborah Giampolo-3M Corporation at 800.714.9865

NOTE: THESE DRAWINGS ARE FOR IMAGE DESIGN GUIDANCE ONLY. IT IS THE SOLE RESPONSIBILITY OF THE ARCHITECT AND ENGINEERS RETAINED BY THE FRANCHISEE TO PREPARE ALL NECESSARY CONSTRUCTION DOCUMENTS FOR THE PARTICULAR PROJECT LOCATION. DUNKIN' BRANDS, INC. THEIR AGENTS AND EMPLOYEES DO NOT WARRANT THE ACCURACY OF THESE DRAWINGS, NOR DOES DUNKIN' BRANDS, INC. GUARANTEE THAT THESE DRAWINGS AND THEIR COMPONENTS MEET THE REQUIREMENTS OF ANY FEDERAL, STATE OR LOCAL LAWS, REGULATIONS, ORDINANCES, BUILDING CODES OR INDIVIDUAL SITE CONDITIONS. IT IS THE SOLE RESPONSIBILITY OF THE FRANCHISEE AND OF THE ARCHITECT AND ENGINEERS RETAINED BY THE FRANCHISEE TO ENSURE COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS, ORDINANCES, CODES AND OTHER REQUIREMENTS, INCLUDING, WITHOUT LIMITATION, AMERICANS WITH DISABILITIES ACT.

Everbrite
 4949 South 110th Street
 PO Box 20020
 Greenfield, WI 53220-0020
 414.529.7131

DUNKIN' BRANDS
 [eatdrinkthink]

Revisions:	DD LED Cloud Logo/Letters	Date: 9/8/10
	FILE	Scale: NTS
		Drawn: C HART
		BS-1

EXTERIOR FINISH MATERIAL SCHEDULE

CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION	REMARKS
AW-01	AWNING	ARLON	DD FRESH BREW AWNING	BROWN AWNING WITH FRESH BREW MESSAGING	STANDARD AWNING FOR FRESH BREW DESIGNS W/ ORANGE BAND
AW-01ALT	AWNING	ARLON	DD FRESH BREW AWNING	BROWN AWNING - PLAIN MATERIAL	STANDARD PLAIN MATERIAL FOR FIELD ERADICATION OF CUP ICON AND COFFEE & MORE MESSAGE
AW-02	AWNING	ARLON	DD FRESH BREW AWNING	ORANGE AWNING WITH FRESH BREW MESSAGING	ALTERNATE AWNING FOR FB DESIGNS WHERE ORANGE BAND IS NOT ALLOWED OR PRACTICAL TO OVERALL DESIGN
AW-02ALT	AWNING	ARLON	DD FRESH BREW AWNING	ORANGE AWNING - PLAIN MATERIAL	STANDARD PLAIN MATERIAL FOR FIELD ERADICATION OF CUP ICON AND COFFEE & MORE MESSAGE
AW-03	AWNING	ARLON	BR FLAVORS AWNING	PINK AWNING	STANDARD AWNING FOR BR FLAVOR DESIGNS W/BLUE BAND
BC-1	BOLLARD COVERS	IDEAL SHIELD	BC1-CC-4-52-5	4"W X 52"H ORANGE BOLLARD SLEEVE	
EIFS-02	EIFS	DRYVIT SYSTEMS, INC	DUDO-10-1020	PAINT COLORS TO MATCH MONOLITH SCHEME	*ALTERNATE MATERIAL TO HARDPLANK BOARDS ON MONOLITH
EIFS-03	EIFS	DRYVIT SYSTEMS, INC	DUDO-10-1020	MATCH SHERWIN WILLIAMS 7536 "BITTERSWEET STEM"	*ALTERNATE BUILDING MATERIAL TO HARDPLANK FIELD SIDING (NON-MONOLITH).
EIFS-04	EIFS	DRYVIT SYSTEMS, INC	DUDO-10-1020	MATCH SHERWIN WILLIAMS #6811 HONORABLE BLUE	BLUE BAND MATERIAL
EIFS-05	EIFS	DRYVIT SYSTEMS, INC	DUDO-10-1020	MATCH SHERWIN WILLIAMS 7006 "EXTRA WHITE"	*ALTERNATE BUILDING MATERIAL TO HARDPLANK SIDING (BR SEGMENT OF COMBO ONLY).
PT-01	PAINT	SHERWIN WILLIAMS	6372	"INVITING IVORY"	SATIN
PT-02	PAINT	SHERWIN WILLIAMS	6884	"OBSTINATE ORANGE"	SATIN
PT-03	PAINT	SHERWIN WILLIAMS	6140	"MODERATE WHITE"	SATIN
PT-04	PAINT	SHERWIN WILLIAMS	6099	"SAND DOLLAR"	SATIN
PT-05	PAINT	SHERWIN WILLIAMS	7536	"BITTERSWEET STEM"	SATIN
PT-06	PAINT	SHERWIN WILLIAMS	7724	"CANOE"	SATIN
PT-07	PAINT	SHERWIN WILLIAMS	6117	"SMOKEY TOPAZ"	SATIN
PT-08	PAINT	SHERWIN WILLIAMS	6096	"JUTE BROWN"	SATIN
PT-09	PAINT	SHERWIN WILLIAMS	6097	"STURDY BROWN"	SATIN
PT-10	PAINT	SHERWIN WILLIAMS	6090	"JAVA"	SATIN
PT-11	PAINT	SHERWIN WILLIAMS	6069	"FRENCH ROAST"	SATIN
PT-12	PAINT	SHERWIN WILLIAMS	6006	"BLACK BEAN"	SATIN
PT-13	PAINT	SHERWIN WILLIAMS	7006	"EXTRA WHITE"	SATIN (COMBO - BR FIELD)

1
A-3

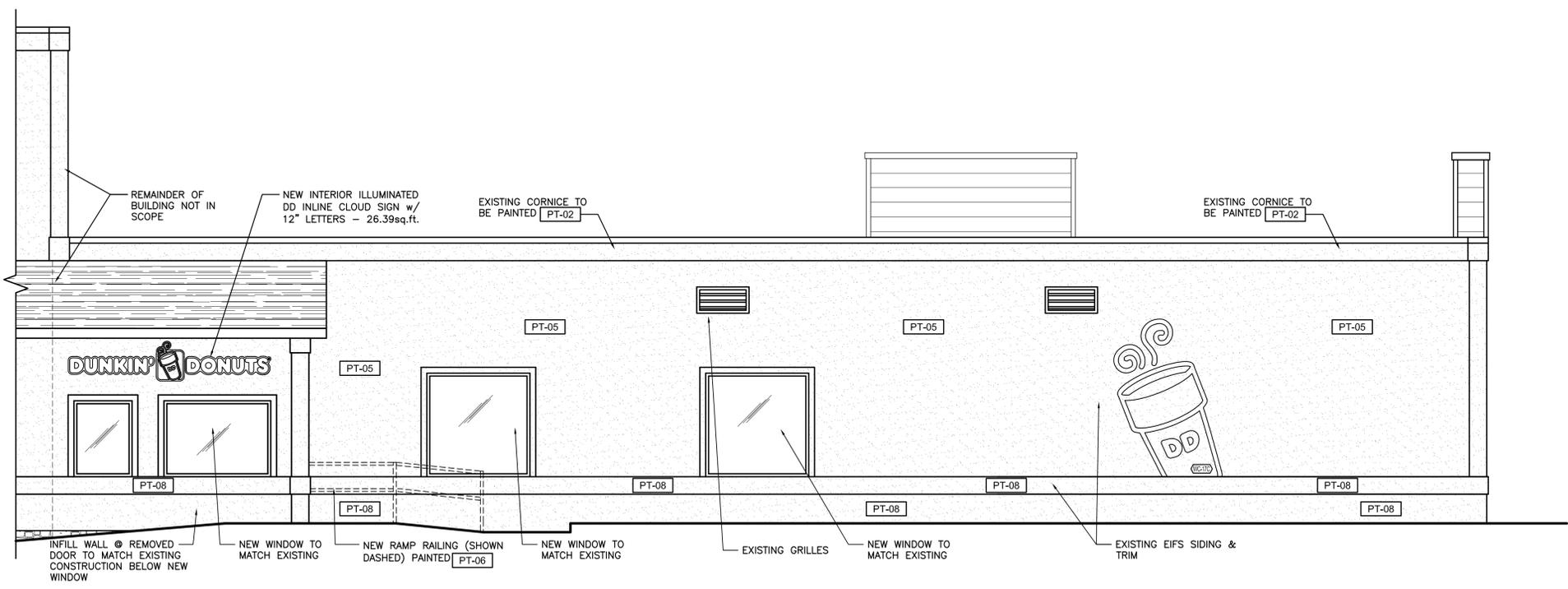
SIGNAGE SPECS

1/4"=1'-0"

2
A-3

EXTERIOR FINISH MATERIAL SCHEDULE

1/4"=1'-0"



4
A-2

PROPOSED CONDITIONS EXTERIOR ELEVATION

1/4"=1'-0"

DUNKIN' BRANDS
 [eatdrinkthink]



FRANK TRUILO ARCHITECT LLC
 ARCHITECTS & PROJECT MANAGERS
 8 MARTIN PLACE
 CHATHAM, NJ 07928
 Tel: 973-701-9248
 Fax: 973-701-9267
 E-Mail: ft@optonline.net

NO.	DATE:	SCALE:	AS NOTED	CHKD:	FT	APPD:	FT
2							
1							

PROPOSED ELEVATIONS
 DUNKIN' DONUTS STORE
 445 ROBINSON AVE.
 NEWBURGH, NY
 P.C.# 355621

A-3



Via Overnight Delivery

November 3, 2016

City of Newburgh
Department of Planning & Development
83 Broadway
Newburgh, New York 12550

Attention: Jason C. Morris, P.E., City Engineer
Chad M. Wade, R.L.A., Asst. City Engineer

**Re: Response to Comments Summary
Proposed Dunkin Donuts
445 Robinson Avenue
City of Newburgh, New York**

Dear Mr. Morris & Mr. Wade:

On behalf of our client, Shiv Management, we are pleased to submit this response to comments summary to the City of Newburgh Department of Planning and Development for the above referenced project. This summary is in response to the various comments received in your letter dated August 2, 2016 and revisited on September 20, 2016, as noted below with our responses in italics. As part of this response to comments summary, enclosed please find one (1) stamped copy of the plan entitled "Site Plan", dated 07/14/2016, last revised 11/02/2016, consisting of one (1) sheets, as well as the architectural plans entitled "Dunkin Donuts Store" dated 11/03/2016, consisting of A1, A2 and A3, provided by Frank Truilo Architect, LLC.

1. Comment Noted: CNB, August 2, 2016- The Applicant should refer to the letter prepared by Alexandra Church, AICP of the City's Planning and Development Office which identifies and outlines planning related comments on zoning and land use issues.
Comment acknowledged. The August 2, 2016 letter prepared by Alexandra Church comments have been received and responses have been provided and are attached.
2. Comment Outstanding: CNB, August 2, 2016-The turning radius data provided for the fire truck does not show fluid movements that mimic how the identified vehicle actually maneuvers. Additionally, the truck utilized shall be shown in elevation view with dimensions so it can be compared to the fire apparatus the city currently utilizes. A discussion with the Fire Department shall take place in order to understand how they would actually approach the site in an emergency.
Comment acknowledged. The turning radius for the fire truck has been modified to show a more fluid movement around the site and the existing building.
3. Comment Outstanding: CNB, August 2, 2016-The site plan provided is substantially lacking the required information in accordance with §300-87 Required Information of the City Code, attached for reference. The site plan shall be updated accordingly and resubmitted for review, unless the information is waived by the Planning Board in accordance with §300-87(C).
Comment acknowledged; items identified in §300-87 have been incorporated with the exception of the pending traffic study, storm drainage system, erosion and sedimentation control plan, lighting plan, and proposed grading plan. A check list summary gas also been provided.
4. Comment Outstanding: CNB, August 2, 2016 -There is no provisions to allow safe pedestrian access from the proposed parking area to the building entrance on the north and east side of the building. This needs to be addressed and the building entrance on the east side may need to be reconfigured to better accommodate the drive thru.
Comment acknowledged; the primary entrance / exit area will be the west and east side of the building. The north entrance may only be used on occasion, if at all.



5. Comment Outstanding: CNB, August 2, 2016 -There is only queuing room for approximately two (2) or three (3) vehicles on North Street when the light is red while still allowing room for vehicles to exit the proposed development and travel east on North Street. A partial traffic study for this intersection will be required to identify impacts on the traffic signal from the proposed development.
Comment acknowledged; it is common for queuing to occur within a site. A traffic study is pending.
6. Comment Outstanding: CNB, August 2, 2016-The rear entrance to the building shown on the site plan does not correlate with the rear entrance to the building shown on the partial floor plan drawings. Please review the drawings and revise them to match.
Comment acknowledged; the building elevations have been modified to correlate with the improvements to the building.
7. Comment Outstanding: CNB, August 2, 2016- The crosswalk and ADA compliant warning strip provided should be moved to the south in order to provide a flat landing area between the ramp to the entrance and the ramp required to the parking lot.
Comment acknowledged; these improvements have been incorporated to the plans.
8. Comment Outstanding: CNB, August 2, 2016 -The north end of the building is proposed to be striped. Given the sensitivity of all the mechanical equipment in this location, the City's recommendation is to install a concrete curb with appropriate plantings.
Comment acknowledged; the north end of the building has mechanical equipment and the access points to the building. As a result we are proposing bollards to protect these existing features.
9. Comment Outstanding: CNB, August 2, 2016- According to the partial floor plan, the existing rear door at the southwest corner of the building, is to remain. The site plan makes no provisions for access to this door, and it is blocked by the preview menu board.
Comment acknowledged; the plans have been modified to include a sidewalk for access to the rear delivery door located on the south side of the building. The menu board has been relocated to accommodate this modification.
10. Comment Outstanding: CNB, August 2, 2016- The proposed site plan does not show a loading area. The Applicant shall demonstrate and discuss how deliveries to the site are to be safely accommodated without interrupting traffic flow and parking.
Comment acknowledged; a loading area has been incorporated to the plan.
11. Comment Outstanding: CNB, August 2, 2016- Section 300-68(F) requires nonconforming "parking lots shall be brought into conformity with this section to the extent practical whenever a site plan ... permit application is filed for an expansion of change of use". The Applicant shall fully review this section of the City Code against the proposed site plan and ensure that all aspects are implemented to the greatest extent practicable and be prepare to discuss with the Planning Board any aspects that cannot be brought into conformity.
Comment acknowledged.
12. Comment Outstanding: CNB, August 2, 2016- Section 300-68(B)(2) requires parking lots "containing five or more spaces [and] lies within or borders the WPO or any R District, a buffer zone at least five feet wide shall be planted with trees or dense vegetation to provide screening along all boundary lines". It is recommended that the Applicant approach the adjoining land owner of 172 North Street to obtain a temporary construction easement and coordinate the installation a retaining wall to secure the failing slope and replace the dilapidated wood fence. The area between the fence and the parking lot should be planted with a species of evergreen with a mature size that is narrow and tall.
Comment acknowledged; the fence does not appear to be owned by the applicant. However, the applicant will repair the fence touch up as needed.



13. Comment Outstanding: CNB, August 2, 2016- The east side of the of the North Street exit to the site should be reviewed. This area shall be better delineated with curbing from sidewalk to the proposed striping of the drive thru, then follow the striping to the existing retaining wall. This will allow for protection of the awkward steep slope defined in pavement. The pavement should be removed and the area appropriately landscaped.
Comment acknowledged; the east side of the north street is being reviewed to complete the grading and drainage for this area.
14. Comment Outstanding: CNB, August 2, 2016-The Applicant shall evaluate and discuss with NYSDOT on providing a right turn only exit at the northwest corner of the site. The existing building entrance may need to be reconfigured in order to allow the drive thru to remain as close to the building as possible.
Comment acknowledged; a traffic report for this area is pending.
15. Comment Outstanding: CNB, August 2, 2016- Section 300-68(A)(5) requires "entrance or exit driveway(s) for a nonresidential use shall not exceed 24 feet". The entrance from U.S. Route 9W is currently thirty three (33) feet in width. Additionally, this is being proposed as a one-way into the site. In order to prevent people from attempting to utilize it as an exit, the width shall be minimized to approximately fifteen (15) to eighteen (18) feet to accommodate a single lane of incoming traffic.
Comment acknowledged; the Route 9W entrance has been reduced to a width of 18' as permitted by the Zoning Code.
16. Comment Outstanding: CNB, August 2, 2016 - A grease trap designed, sized and certified by a Professional Engineer is required in accordance with §24-15 of the City Code and Chapter 10 of the NYS Plumbing Code. A note shall be added to the site plan indicated this requirement for review by the Plumbing Inspector prior to the issuance of a building permit.
Comment acknowledged; this facility will not perform any cooking on site. All food is received pre-package or previously prepared and available for purchase, No cooking will eliminate the need for any grease trap.
17. Comment Outstanding: CNB, August 2, 2016 - Due to the size of the building, a fire suppression system is likely required. This information shall be reviewed by the Fire Department. Additionally, 293-13(F) of the City code requires domestic and fire service lines have separate connections to the water main. If existing, this information needs to be shown of the site plan. If separate connections do not exist, appropriate connections shall be shown and detailed on the plan set.
Comment acknowledged; the existing does not presently have a sprinkler system. The proposed use will not be performing any cooking that will require such fire services.

Should you have any questions or any additional needs please do not hesitate to contact us at (518) 438-9900.

Sincerely,

BOHLER ENGINEERING MA, LLC



Scott C. Shearing



Via Overnight Delivery

November 3, 2016

City of Newburgh
Department of Planning & Development
83 Broadway
Newburgh, New York 12550

Attention: Alexandra Church, AICP, City Planning

**Re: Response to Comments Summary
Proposed Dunkin Donuts
445 Robinson Avenue
City of Newburgh, New York**

Dear Ms. Church:

On behalf of our client, Shiv Management, we are pleased to submit this response to comments summary to the City of Newburgh Department of Planning and Development for the above referenced project. This summary is in response to the various comments received in your letter dated August 2, 2016, as noted below with our responses in italics. As part of this response to comments summary, enclosed please find one (1) stamped copy of the plan entitled "Site Plan", dated 07/14/2016, last revised 11/02/2016, consisting of one (1) sheets, as well as the architectural plans entitled "Dunkin Donuts Store" dated 11/03/2016, consisting of A1, A2 and A3, provided by Frank Truilo Architect, LLC.

1. CNB, August 2, 2016- The Applicant should refer to the letter prepared by City's Engineering Office which identifies and outlines engineering related comments on site plan and associated issues.
Comment Acknowledged.
2. CNB, August 2, 2016- SEAF, Part 1, Project or Action Name should be filled out.
Comment Acknowledged; the SEAF has been updated.
3. CNB, August 2, 2016- SEAF, Part 1, Brief Description, the Action taken is application for change of use. Applicant should amend the "Brief Description" to include the new Use requested.
Comment Acknowledged; the SEAF has been updated.
4. CNB, August 2, 2016- SEAF, Question 8, The property is currently partially vacant or underutilized. Any new use, especially a new retail use, will result in substantial increase in traffic above present levels.
Comment Acknowledged; the SEAF has been updated.
5. CNB, August 2, 2016- SEAF, Question 17, Please clarify with the City Engineer.
Comment Acknowledged; the SEAF has been updated.
6. CNB, August 2, 2016- SEAF, Please sign the completed SEAF.
Comment Acknowledged; the SEAF has been updated.
7. CNB, August 2, 2016- Land Development Application, This application was filled out for a Special Use Permit. It is the reviewer's understanding that no Special Use Permit is necessary. Please modify for Site Plan Approval only
Comment Acknowledged; the Special Use Permit documents / applications have been eliminated from the submittal.
8. CNB, August 2, 2016- The applicant has noted 3120 square feet, requiring 32 parking spaces for Restaurant space. The Applicant has noted 4084 square feet of Office and Personal Service space, requiring an additional 14 spaces. The applicant has provided for 18 parking spaces, a deficit of 28 spaces, and therefore must request a parking variance from the Zoning Board.
Comment Acknowledged; On October 25, 2016, the applicant received relief from the City of Newburgh Zoning Board as a variance was granted for the relief of 29 parking spaces.



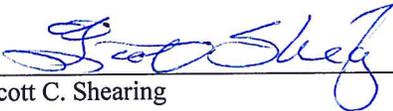
9. CNB, August 2, 2016- The applicant has strictly segregated ingress and egress on both North Street and Robinson Avenue, which may not be adequate to handle multi-directional entering or exiting traffic.
Comment Acknowledged; a traffic study is being performed and anticipated within a couple of weeks.

10. CNB, August 2, 2016- The traffic layout in the Site Plan presents a potential conflict as vehicles exiting the drive-through lane must cross over the lane of traffic of vehicles entering the drivethrough, in order to exit the premises. It appears as if a que of has the potential to grid-lock the traffic, requiring either a reverse maneuver by the entering vehicle, or an illegal exit by the exiting vehicle, back onto 9W. Please provide information relating to expected queuing at peak periods.
Comment Acknowledged. The Route 9W access is ingress only. The drive-thru area can que approximately 14 vehicles. Vehicles exiting the drive-thru will approach a stop sign before entering the exit path. Vehicles exiting the drive-thru will fill the gap areas between vehicles entering the site.

Should you have any questions or any additional needs please do not hesitate to contact us at (518) 438-9900.

Sincerely,

BOHLER ENGINEERING MA, LLC



Scott C. Shearing

November 3, 2016

CHECKLIST SUMMARY for 445 Robinson Ave, City of Newburgh

§ 300-87_Required application information.

YES **A.** An application for site plan approval shall be accompanied by plans and descriptive information sufficient to clearly portray the intentions of the applicant. Site plans shall be prepared by a licensed professional engineer, architect, or landscape architect and shall include the following, unless waived by the City of Newburgh Planning Board:

YES **(1)** A vicinity map drawn at the scale of 1,000 feet to the inch or larger that shows the relationship of the proposal to existing community facilities which affect or serve it, such as roads, shopping areas, schools, etc. The map shall also show all properties, subdivisions, streets, and easements within 500 feet of the property.

YES **(2)** An existing conditions map, showing existing buildings, roads, utilities, and other man-made features, as well as topography and all existing natural land features that may influence the design of the proposed use, such as rock outcrops, existing watercourses, wetlands, floodplains, drainage retention areas, soils, marshes, wooded areas, single trees with a diameter of 12 inches or more, measured three feet above the base of the trunk, and other significant existing features located within any area where clearing will occur.

YES **(3)** A field survey of the boundary lines of the parcel, giving complete descriptive data by bearings and distances, made and certified by a licensed surveyor.

YES **(4)** A site plan drawn at a scale and on a sheet appropriate to the project. The information listed below shall be shown on the site plan and all sheets submitted in the site plan application package:

YES **(a)** Name of the project; section, block and lot number; street names and project site boundaries; fire lanes; date of plan; North arrow and scale of plan; name and address of the owner of record; developer; and seal of the engineer, architect, and landscape architect. If the applicant is not the owner of record, a letter of authorization shall be required from the owner.

YES **(b)** The names of all owners of record of all adjacent property within 500 feet of the site's perimeter.

YES **(c)** Zoning district boundaries with 500 feet of the site's perimeter shall be drawn and identified on the site plan, as well as any school, overlay and/or special district boundaries.

YES **(d)** Boundaries of the subject property, building or setback lines if different from those required in this chapter, and lines of existing streets and lots as shown on the official map of the City of Newburgh or City tax map.

YES, but missing building height (5) The location and use of all existing and proposed structures within the subject property as shown on the official map of the City of Newburgh or tax map, including all dimensions of height, area, all exterior entrances, and all anticipated future additions and alterations.

YES (6) The location, height, size, materials and design of all proposed signs.

YES (7) Traffic flow patterns within the site, entrances and exits, and loading and unloading areas, as well as curb cuts on the site and within 100 feet of the site. The City of Newburgh Planning Board may, at its discretion, require a detailed traffic study for large developments or for those in heavy traffic areas to satisfy the requirements of § 300-91.

YES (8) The location, size, dimensions, access and egress, circulation patterns and design of any off-street parking areas, including location of handicapped accessible parking and required signage.

YES (9) The location of all present and proposed overhead or underground utility systems including:(a) Sewage lines; septic systems.(b) Water supply system (valves and hydrants, wells).(c) Telephone, cable and electrical systems.(d) Storm drainage system, including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes and drainage swales.

PENDING (10) Erosion and sedimentation control plan to prevent the pollution of surface water or groundwater, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties as applicable.

PENDING: PROPOSED TOPO (11) Existing and proposed topography at two-foot contour intervals or such other contour interval as the Board shall specify. All elevations shall refer to the nearest United States Coastal and Geodetic Bench Mark.

YES (12) The location of all floodplain boundaries as determined by the Federal Emergency Management Agency. In accordance with Chapter 175, Flood Damage Prevention, of the Code of the City of Newburgh, if any portion of the parcel is within the one-hundred-year floodplain, the area will be shown and base flood elevations given. Areas shall be indicated within the proposed site and within 50 feet of the proposed site where soil removal or filling is required, showing the approximate volume in cubic yards. The plan shall specify all nonstructural measures to minimize flood damage, including but not limited to: (a) The setback of buildings and structures away from the floodplain.(b) The planting of vegetation and installation of drainage.(c) The floodproofing of buildings or their elevation above the base flood level.

PENDING (13) Lighting plan, including the existing and proposed location, height, intensity and bulb type (sodium, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties shall also be shown.

PENDING GRADNIG PLAN (14) A landscaping, planting and grading plan showing proposed changes to existing features and any proposed new features shall be shown.

PREVIOUSLY PROVIDED (15) For new construction or alterations to any structure, a table containing the following information shall be included: (a) Estimated area of structure intended to be used for particular uses, such as retail operation, office, storage, etc.; (b) Estimated maximum number of employees; (c) Maximum seating capacity, where applicable; and (d) Number of parking spaces existing and required for the intended use, including parking for bicycles.

YES (16) Elevations at a scale of 1/4 inch equals one foot for all exterior facades of the proposed structure(s) and/or alterations to or expansions of existing facades, showing design features and indicating the type and color of materials to be used.

NOT PROVIDED EXISTING STRUCTURE (17) Where appropriate, the City of Newburgh Planning Board may request soil logs, percolation test results, and storm runoff calculations.

N/A (18) Disposition plans for disposal of construction and demolition waste, either on site or at an approved disposal facility.

PREVIOUSLY PROVIDED (19) SEQRA Environmental Assessment Form or Draft Environmental Impact Statement.

NOT APPLICABLE, FULLY DEVELOPED (20) Where appropriate, a cultural resource survey of resources with historic or archaeological significance.

NOT APPLICABLE, NOT STAGED CONSTRUCTION (21) Where the applicant wishes to develop in stages, the site plan application must include the complete ultimate proposed development.

NOT APPLICABLE (22) Identification of any hazardous materials associated with a proposed industrial use.

NOT APPLICABLE (23) Disclosure of information on the use, storage, treatment and disposal of any hazardous materials associated with a proposed industrial use.

NOT APPLICABLE, existing structure (24) Other information that may be deemed necessary by the City of Newburgh Planning Board. **B.** Additional viewshed analysis for the WG, PWD, and portion of the DN Districts. (1) Purpose and intent. The purpose of this subsection is to protect and enhance the City's scenic viewshed, comprised of natural, aesthetic and cultural resources formed by the landscape and geologic features of the City. It is the intent of the City of Newburgh to preserve scenic views to and from the Hudson River, the Hudson Highlands and the east bank of the Hudson River. (2) The views from the following locations are recognized by the City of Newburgh as providing significant benefits to the residents and visitors of Newburgh and as important parts of Newburgh's cultural heritage. The detailed description of the current views is noted specifically to highlight the character of the current view as emphasis to the importance of its preservation. (a) The Dutch Reformed Church at Montgomery and South Streets. From this vantage point looking south-southeast, the view is of Hudson Highlands, Bannerman's Island, and the Hudson River. (b) Washington's Headquarters. The views to the southeast and east focus on the Hudson River and mountains beyond. The Hudson River, the lawn and the roofline of the building in the center of the view are horizontal in design. To the

northeast there is a clear view of the Hudson River, the mountains beyond and the Newburgh-Beacon Bridge. (c) Broadway and Colden Street. The foreground is occupied by open space identified for pedestrian walkways to the northeast to the waterfront. Marine Drive, in the middle ground, runs parallel to the Hudson River. On the Hudson River's edge are low buildings that do not obstruct the view. The Newburgh-Beacon Bridge fades into the horizon. The view to the southeast features the sloping parkland in the foreground, low industrial buildings and a marina bay in the middle ground. The southeast view is dominated by the Hudson River, and the Hudson Highlands. There is some light industrial use presently in the middle ground. The foreground is sloping parkland and an undeveloped site. (d) Newburgh Public Library. The view from the eastern wall of the Newburgh Public Library, at an elevation of approximately 100 feet above sea level, provides a view of the Hudson River. (e) The view to the south terminates at Orange County Community College. The north-facing view is of the Hudson Highlands, the Hudson River and the Newburgh-Beacon Bridge. Existing structures on the waterfront frame the bottom of the view from this highpoint. (f) Bay View Terrace. The views from Bay View Terrace, between Overlook Place and Monument Street, offer views of the Hudson River, the Hudson Highlands, Bannerman's Island and points north and south. (3) Visual impact analysis. (a) All applications for site plan approval within the WG, PWD or DN Districts shall be evaluated for their impacts to the scenic views defined above during the site plan review process. (b) Visual impact analysis for applications requiring site plan approval will be evaluated by the Planning Board. If the application does not require site plan approval, the visual impact analysis will be evaluated by the Building Inspector.

(4) Visual impact analysis methodology. (a) In connection with the site plan approval process, the City Planning Board shall require the applicant to prepare photographic simulations of the proposed structure(s), within the context of the site, to determine whether or not a proposed structure or activity will adversely affect the scenic viewshed. (b) The City Planning Board can authorize alternative state-of-the-art visual impact assessment techniques to be employed by an applicant in the preparation of the visual impact assessment. Use of an alternative visual impact assessment methodology may only be employed by mutual agreement of the applicant and the City Planning Board. (5) Referral. To assist in the evaluation, the City Planning Board shall refer all applications for site plan approval within the WG and PWD Zoning Districts to the Conservation Advisory Council (CAC). Such referral shall be done so as to allow the CAC at least 30 days, but no more than 30 days after the next scheduled regular meeting to review and return comments. (6) Public hearing. The City Planning Board must hold a public hearing on all site plan applications in accordance with § 300-90. (7) Evaluation criteria. When making the determination of impacts to the scenic viewshed, site plan approval may only be granted by the City Planning Board if, with appropriate conditions attached, the proposed activity: (a) Will not significantly impair scenic character and will be aesthetically compatible with its surroundings. (b) Will minimize the removal of native vegetation, except where such removal may be necessary to open up or prevent the blockage of scenic views and panoramas from public places. (c) Will locate and cluster buildings and other structures in a manner that minimizes their visibility from public places. (8) Waivers. The City Planning Board may waive one or more of the specific requirements of this subsection upon a written finding that such waiver will not impair the scenic preservation purposes of this article. Any development which is the subject of a detailed visual assessment as part of an environmental impact statement shall be eligible for such waivers if supported by SEQR findings. C. Waivers. Upon findings by the City of Newburgh Planning Board that, due to special conditions peculiar to a site, certain information required in

this § 300-87 is inappropriate or unnecessary, the Board may vary, waive or defer the provision of such information, provided that such variance or waiver will not have detrimental effects on the public health, safety, or general welfare or have the effect of nullifying the intent and purposes of the site plan submission, City of Newburgh Master Plan or this chapter.
t action as provided herein.

Short Environmental Assessment Form

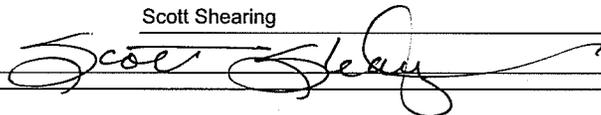
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
445 Robinson Ave, Shiv Management Corporation			
Name of Action or Project: 445 Robinson Ave			
Project Location (describe, and attach a location map): 445 Robinson Ave, City of Newburgh			
Brief Description of Proposed Action: Existing structure will remain. Improvements to the site will include parking, reconfiguration, proposed drive-thru, elimination of one existing curbcut, pedestrian access and landscape. Change of use.			
Name of Applicant or Sponsor: Shiv Management Corporation		Telephone: (845) 562-0053	
		E-Mail: amishpatel@shivmc.com	
Address: 5020 Route 9W, Suite 104-22			
City/PO: Newburgh		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Newburgh Planning Board/ Zoning Board; Orange County, NYS DOT, DOH			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.64 acres	
b. Total acreage to be physically disturbed?		_____ 0.64 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.64 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Agent: <u>Scott Shearing</u> Date: <u>September 8, 2016</u></p> <p>Signature: <u></u></p>		