



# Land Development Application

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

www.cityofnewburgh-ny.gov

Check all that apply:

(\*Supplemental submissions are necessary. See checklists above.)

### Site Plan\*

- Preliminary
- Final
- Modification
- Extension of Time

### Subdivision\*

- Preliminary
- Final
- Modification
- Extension of Time
- Resubdivision

Special Use Permit\*

### State Environmental Quality Review Act (SEQRA)\*

- Part 1 of the *Short* Environmental Assessment Form.
- Entire *Short* Environmental Assessment Form.
- Full* Environmental Assessment Form.

Environmental Assessment Forms available from City of Newburgh Planning Board or online at <http://www.dec.state.ny.us/website/dcs/seqr/seqrldd.html>

Submissions will not be accepted without use of the NYS DEC EAF mapper, available at <http://www.dec.ny.gov/eafmapper/>

### Chapter 269 Coastal Consistency Determination\*

Coastal Assessment Form

### GML 239 Determination

Submission required

- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

For Internal Use Only:	
Application Receipt Date:	Index No.:
	Special Permit No.:
	Rect. No.:
	Meeting Date:
	Public Hearing:
	Action Date:
	P.B. Fee Paid:
	Escrow Fee Paid:



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### **A. OVERVIEW**

The Land Development Application is reviewed by the Planning Board and must be completed for site plan, subdivision, and special use permit approvals. These applications require a substantial amount of information in order to comply with New York State and City of Newburgh laws. Compiling and preparing this information takes time and often requires the assistance of a licensed professional. In order to efficiently process every application and, if necessary, have it reviewed by the appropriate Boards and Departments, it is important to strictly adhere to all deadlines. Please give yourself enough time to complete all of the required information before you make any submission. *Administrative staff will not accept incomplete or late applications.*

### **B. LAND DEVELOPMENT APPLICATION PROCESS**



## Land Development Application Instructions Site Plan Application Instructions

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### 1. Site Plan Applications

#### a. Pre-Application Planning Board (optional)

Prior to a formal appearance before the City Planning Board, the applicant may attend an optional Pre-Application Planning Board Workshop to discuss the applicant's site development proposals informally with the Planning Board. During this workshop, the Planning Board guides the applicant toward productive use of his or her land within the regulations to avoid and minimize potential environmental impacts. The Planning Board also provides the applicant with their general impressions of the proposed site plan application, their suggestions, and advice, which may be incorporated into the formal submission.

To attend a Pre-Application Planning Board Workshop, the applicant must complete and submit to the Land Use Board Secretary the following: (1) a *Land Development Application* (see below), (2) a schematic showing sufficient information for the City Planning Board to provide informal comments and direction to the applicant, and (3) a request for placement on the next City Planning Board Meeting agenda. If the submission is sufficient, it is placed on the agenda for the next Planning Board Meeting. The Department of Code Compliance is located in the Old Courthouse at 123 Grand Street, and the submission deadline for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### Planning Board Meeting

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

#### b. Post-Application Technical Workshop

In advance of filing a formal application, the applicant must attend a mandatory post-application Technical Workshop to obtain the City staff's technical expertise for the required submission materials, as well as a roadmap through the review and approvals process. To be placed on the Technical Workshop agenda, the applicant must complete and submit all required items listed on the *Primary Checklist* below to the Land Use Board Secretary. If the application is complete and sufficient, City staff will address the completed application at a Technical Workshop. The deadline for submitting an application package for an upcoming Post-Application Technical Workshop is 12:00 PM on the third Friday of the month.



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### **Technical Workshop Session**

First Wednesday of the month at 10:00 AM  
Department of Code Compliance, 123 Grand Street

At the Technical Workshop, the applicant will meet with the City Engineer, City Attorney, City Building Inspector, Department of Planning and Development, City Department of Fire Prevention and City Planning Board Chairperson (or designated representative) to discuss the proposed site plan and to determine which site plan requirements may be necessary in developing and submitting the required plan. City staff will alert the applicant to all permits and approvals the project requires and provide detailed, technical advice to help complete the required plan. For example, the Engineer may give technical advice to help the applicant meet stormwater regulations or make proper sewage connections. The applicant must follow this technical assistance to complete the plan prior the official Planning Board meeting. In addition, the Engineer and City Planner may provide the applicant with discretionary assistance, suggesting improvements the applicant can make to mitigate any site problems and ensure that the project's benefit to the applicant outweighs any negative effect on surrounding neighbors.

### **c. Formal Application for Site Plan Approval**

Following the Technical Workshop, the applicant must submit to the Department of Code Compliance a formal *Land Development Application* using instructions and advice from the workshop. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting, and the applicant must submit all required items listed on the *Final Checklist* below. The deadline for submitting a final application for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

### **Planning Board Meeting**

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

After receiving a complete site plan application, the Planning Board, at its discretion, may hold a public hearing within 62 days of the application's submission. At the applicant's expense, notice of the hearing must be mailed to adjacent neighbors and published in the newspaper. The applicant must obtain a list of all properties within 500 feet of the subject



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property from the Assessor and obtain a copy of the public hearing notice from the Planning Board Secretary. Then, the applicant must stamp, address, and stuff envelopes and return them with sufficient time for the Planning Board Secretary to mail the notices. At least ten days prior to the hearing, the Planning Board Secretary will publish the public notice in the newspaper, mail the notices by regular mail, and prepare affidavits of the publication and mailing, which the applicant must retrieve and submit to the Planning Board at the Department of Code Compliance. These affidavits then become part of the application.

Unless the Planning Board and applicant agree otherwise, the Planning Board will make a decision regarding the site plan application within 62 days after the public hearing concludes, or if no hearing is held, within 62 days of the complete application's submission. A copy of the decision will be filed in the City Clerk's office and mailed to the applicant within five days of the decision. Within six months of a site plan approval, the applicant must submit multiple copies of the approved site plan to the Planning Board at the Department of Code Compliance for stamping and signing. Following this, the Planning Board will forward a copy of the approved site plan to the Building Inspector and applicant, after which the Building Inspector may issue a building permit and certificate of occupancy. Site plan approval expires if the applicant fails to obtain necessary permits or comply with required conditions within one year of its issuance.



## Land Development Application Instructions Subdivision Application Instructions

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### 2. Subdivision Applications

#### a. Sketch Plan Meeting

Prior to submitting a formal subdivision application, the applicant may attend an optional meeting with the Planning Board to informally review and discuss a sketch plan of the proposed street layout. To schedule a Sketch Plan Meeting with the Planning Board, the applicant must complete and submit the following to the Land Use Board Secretary: (1) a *Land Development Application* (see below), (2) a sketch plan containing all items listed the sketch plan checklist in Part III of the application, and (3) a request for placement on the next City Planning Board Meeting agenda. If the submission is sufficient, it is placed on the agenda for the next Planning Board Meeting. The deadline for submitting a sketch plan for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### Planning Board Meeting

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

#### b. Preliminary Plat Application

After the optional Sketch Plan Meeting, the applicant must submit to the Land Use Board Secretary all required items listed on the *Primary Checklist* below, including the completed preliminary plat. Additionally, the applicant must deliver written notice via certified mail or hand delivery to the City Clerk stating the date of submission and including a copy of the completed application. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting. The deadline for submitting a preliminary plat for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### Planning Board Meeting

Third Tuesday of the month at 7:30 PM  
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Within 62 days of receiving the preliminary plat application, the Planning Board will submit the plat and the applicant's preliminary cost estimate for any performance bond to the City Engineer for review and approval, respectively. Also within this timeframe, the Planning Board will hold a public hearing on the preliminary plat. At the applicant's expense, notice of the hearing with a description of the project must be mailed to adjacent neighbors and published in the newspaper. The applicant must obtain a list of all properties within 300 feet of the subject property from the Assessor and obtain a copy of the public



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hearing notice from the Land Use Board Secretary. Then, the applicant must stamp, address, and stuff envelopes and return them with sufficient time for the Land Use Board Secretary to mail the notices. At least ten days prior to the hearing, the Land Use Board Secretary will publish the public notice in the newspaper, mail the notices by regular mail, and prepare affidavits of the publication and mailing, which the applicant must retrieve and submit to the Land Use Board Secretary. These affidavits then become part of the application.

After the public hearing and within 62 days of the application's submission, the Planning Board will approve, conditionally approve, or disapprove the preliminary plat and provide the applicant with a written statement describing terms for conditional approval, reasons for disapproval, and required public improvements that are waived upon request. If approved, the Planning Board will endorse the original and photographic Mylar, as well as any conditions, and return the photographic Mylar to the applicant. Following this, the applicant should submit one print each of the approved plat to the City Engineer, the City Clerk, and the Assessor.

### **c. Final Plat Submission**

Within six months of receiving written notice of the Planning Board's final decision regarding the preliminary plat, the applicant must submit by certified mail to the Land Use Board Secretary all required items listed on the *Final Checklist* below, including the final plat. Additionally, the applicant must deliver, via certified mail or hand delivery, written notice stating the date of submission with a copy of the completed application to the City Clerk. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting. The deadline for submitting a final plat for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### **Planning Board Meeting**

Third Tuesday of the month at 7:30 PM  
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Within 62 days from the date of submission of the final plat application, the Planning Board will approve, conditionally approve, or disapprove the plat. If approved, the Planning Board will endorse the original and photographic Mylar, as well as any conditions, and return the photographic Mylar to the applicant. Then, the applicant should submit one print each of the approved plat to the City Engineer, the City Clerk, and the Assessor. Prior to final subdivision plat approval, either appropriate public improvements must be installed and approved, or the applicant must submit an acceptable performance bond.



## **Land Development Application Instructions Special Use Permit Application Instructions**

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### **3. Special Use Permit Applications a. Preliminary Conference-**

Before submitting a formal *Land Development Application* for a Special Use Permit, the applicant must attend a Preliminary Conference with the Building Inspector to discuss the nature of the proposed use and to determine what information to include in a site plan, if necessary. To schedule a Preliminary Conference, the applicant must complete and submit all required items listed on the *Primary Checklist* below to the Land Use Board Secretary. If the submission is complete and sufficient, the Building Inspector will schedule the Preliminary Conference. The applicant must follow any technical assistance and instructions received at the Preliminary Conference when completing the application and any necessary site plan.

### **b. Formal Application for Special Use Permit**

Following the Preliminary Conference, the applicant must submit to the Land Use Board Secretary a formal *Land Development Application* using instructions and advice from the conference. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting, and the applicant must submit all required items listed on the *Final Checklist* below. The deadline for submitting a final application for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### **Planning Board Meeting**

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

After receiving a complete special use permit application, the Planning Board must hold a public hearing within 62 days of the application's submission. At the applicant's expense, notice of the hearing with a brief description of the proposed special use must be mailed to adjacent neighbors and published in the newspaper. The applicant must obtain a list of all properties within 300 feet of the subject property from the Assessor and obtain a copy of the public hearing notice from the Land Use Board Secretary. Then, the applicant must stamp, address, and stuff envelopes and return them with sufficient time for the Planning Board Secretary to mail the notices. At least ten days prior to the hearing, the Land Use Board Secretary will publish the public notice in the newspaper, mail the notices by regular mail, and prepare affidavits of the publication and mailing, which the applicant must submit to the Land Use Board Secretary. These affidavits then become part of the application. Additionally, the applicant must post a notice on a sign purchased from the City Clerk. The sign must be posted in public view in a conspicuous location within three days after the



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Planning Board schedules the hearing and must remain there until the day after the hearing is closed.

Unless the Planning Board and applicant agree otherwise, the Planning Board will make a decision regarding the special use permit application within 62 days after the public hearing concludes. The Planning Board may approve, modify, or deny the application, and if the Board approves the application, it may attach conditions necessary to accomplish the Zoning Ordinance's objectives. These conditions may include a time limitation, erection of a solid board fence entirely around the site to a height of six feet before the use requested is initiated, or another condition that the Planning Board deems necessary. Additionally, special use permit applicants must comply with all building code and other ordinance requirements.

A copy of the decision will be filed in the City Clerk's office and mailed to the applicant within five days of the decision. Once granted, the special use permit expires without further action if the permittee fails to exercise the special use permit approval, obtain other necessary permits, or comply with required conditions within one year of its issuance without renewal or if the special permit use ceases for more than 24 consecutive months. If a permittee fails to comply with special use permit conditions, the permittee will receive notice of the City's intention to revoke the permit at least ten (10) days prior to a Planning Board hearing thereon. After it reviews the matter at the hearing, the Planning Board may revoke the special use permit.



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### **4. Application Referrals**

For all land development applications, the Planning Board will make the following application referrals.

#### ***SEQRA Review***

Upon receipt of a complete application, the Planning Board initiates the SEQRA process by circulating the application and EAF to all involved agencies or by issuing a positive or negative declaration within 20 days. If the proposed project will have a significant effect on the environment, the Planning Board will issue a positive declaration, requiring the submission of a draft environmental impact statement (DEIS). Time periods for decision-making do not begin to run until the Planning Board accepts a DEIS or issues a negative declaration.

#### ***County Review***

The Planning Board will refer a site plan or special use permit application to the Orange County Department of Planning if the site plan or proposed special use falls within 500 feet of:

1. The municipal boundaries,
2. Any existing county or state park or recreational area,
3. Any existing or proposed county or state roadway,
4. Any existing or proposed right-of-way for a streams and drainage channel owned by the County for which the County has established channel lines, or
5. Any existing or proposed county- or state-owned land on which a public building or institution is situated.

The County may issue recommendations to the Planning Board a minimum of 30 days of receiving the application and a maximum of up to two (2) days prior to a regularly scheduled meeting where a board will be taking action. The County and City may agree to an extension beyond this time period.

For subdivision applications, the Planning Board, in its discretion, may submit the preliminary plat to the Orange County Department of Planning for review. If the proposed subdivision is five lots or more, the preliminary plat is submitted to and approved by the Orange County Department of Health.

#### ***Conservation Advisory Council Review***

At its discretion, the Planning Board may refer any site plan or special use permit application to the City's Conservation Advisory Council (CAC) for review and recommendations. The 30-day CAC review time period runs concurrently with the Planning Board's required 62-day review timeframe.

When the Planning Board receives a land development application for a property within the City's Waterfront Revitalization Area Boundary, it must refer the applicant's



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completed coastal assessment form (CAF), along with the completed land development application and Short or Full EAF, to the CAC within ten days of receipt. The CAC may require the applicant to submit any other information deemed necessary and must submit a written coastal consistency recommendation to the Planning Board within 30 days of the referral, unless extended by mutual agreement between the advisory agency and applicant. Following this, the Planning Board must release a consistency determination based on the CAF and the CAC's recommendation. If the CAC does not submit its recommendation within 30 days, the Planning Board will make its determination without the recommendation.

### ***Architectural Review Commission Review***

If a land development application affects a parcel within the East End Historic District or Colonial Terraces Architectural Design District, the Planning Board will refer the application package, including the applicant's completed certificate of appropriateness (COA) application, to the Architectural Review Commission (ARC) for review and recommendations. The ARC may issue recommendations to the Planning Board within 30 days of receiving the application.

### **C. PRIMARY CHECKLIST**

The applicant must submit to the Land Use Board Secretary an application package containing the following *Primary Checklist* items, as well as a completed *Land Development Application* (see below), to schedule the following:

- Placement on the site plan Post-Application Technical Workshop agenda,
- Placement on the Planning Board meeting agenda for a subdivision preliminary plat, OR
- A special-use-permit Preliminary Conference.

**The deadline for submitting an application package for an upcoming Post-Application Technical Workshop is 12:00 PM on the third Friday of the month.**

**The deadline for submitting a preliminary plat for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month**

**Application packages not received by these deadlines will not be placed on the agendas. NO EXCEPTIONS.**

There is no deadline for submitting an application package for a Preliminary Conference. The Building Inspector will schedule these conferences on a case-by-case basis as completed application packages are received.



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<input checked="" type="checkbox"/>	<b>Completed Land Development Application and Primary Checklist items.</b>
<b>Pre-Application Process.</b>	
<input checked="" type="checkbox"/>	<b>Technical Workshop</b> to review Site Plan Application
<input type="checkbox"/>	<b>Preliminary Plat Review</b> at Planning Board Meeting
<input type="checkbox"/>	<b>Preliminary Conference</b> with Building Inspector to review Special Use Permit Application
<b>Fees.</b> All applications must include the appropriate fee, by check, made payable to "City of Newburgh".	
<input type="checkbox"/>	<p><b>Subdivision Fee</b>  Parks, open space, and minor subdivisions: \$0.05 per square foot of subdivided area  Lot line change and two-lot subdivision with existing residential structure: \$200  Minor subdivision of 4 lots or fewer: \$200  Major subdivision of 5 lots or more: \$200, plus \$50 per lot  Inspection of public improvements: 3% of the value of bonded improvements  Public hearing: \$150, plus \$50 for obtaining a public hearing notification list from the City Assessor</p>
<input checked="" type="checkbox"/>	<p><b>Site Plan</b>  Residential (4 or fewer dwelling units): \$200  Residential (5 or more dwelling units): \$200, plus \$100 per unit  Commercial: \$1,000, plus \$100 per 1,000 square feet of floor area  Inspection of public improvements: 2% of the value of bonded improvements</p>
<input type="checkbox"/>	<p><b>Recreation fee in lieu of land (at Board's discretion)</b>  As determined by the Planning Board</p>
<input type="checkbox"/>	<p><b>Special Use Permit</b>  Residential: \$150  Commercial: \$250</p>
<input type="checkbox"/>	<p><b>Public Hearing Fee</b>  \$150, plus \$50.00 for obtaining a public hearing notification from the City Assessor</p>
<input checked="" type="checkbox"/>	<p><b>Escrow Fee for professional services required in review process</b>  The application shall, in addition to any fees established pursuant to Chapter 266 and in addition to any fees established by Chapter 158 of this Code, pay the actual cost of the following services which may be reasonably required by the Planning Board in the processing of the application: Engineering Services; Review during construction, inspection services; Planning services.</p> <p>The sums of money deposited pursuant to this subsection shall be placed in an escrow account to cover such costs, which account shall be drawn against in the course of the review of the particular application. Initial deposit shall be \$500. Subsequent deposits shall be required as needed. Any amount remaining in the account on completion of review shall be refunded.</p>
<input type="checkbox"/>	<b>Affidavit of Public Hearing Notice</b>



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	<p>Submit affidavit showing notice mailed to adjacent property owners and published in newspaper. See <i>Land Development Application</i> Process above for specific details.</p>
<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><b>For Site Plans: Submit Two (2) Hardcopies</b> The applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in the submitted site plan. All applicants must submit two (2) hardcopies of required plans with their application.</p> <p><b>For Subdivision Plats: Submit one (1) Original Mylar, One (1) Photographic Mylar, and one (1) Contact Prints of Preliminary Plat</b> The applicant must complete the appropriate subdivision checklist in the <i>Land Development Application</i> below and include that information in the submitted plat. All applicants must submit with their application one (1) original mylar, one (1) photographic mylar at the same scale, and one (1) contact print of the preliminary or final plat at a standard sheet size of 22" by 34" by 44".</p> <p><b>For Special Use Permits: Three (3) Hardcopies of Site Plan</b> Pursuant to Newburgh City Code a special use permit application must include a site plan, although the Planning Board may waive site plan approval if the special use permit does not involve physical alteration or disturbance on a site. At a minimum, the special use permit application must include a plan showing the size and location of the lot, as well as the location of all buildings and proposed facilities, including access drives, parking areas, and all streets within 200 feet of the lot lines. If required, the applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in the submitted site plan. All applicants must submit three (3) hardcopies of required plans with their application. The applicant may submit one plan for multiple special uses on the same parcel(s). Additionally, Code Article XII provide numerous policies, factors, and specific standards for special uses. Special use permit applicants should review these sections in detail when preparing their submittals.</p> <p><b>Digital Submission.</b> The applicant <i>must</i> provide a complete set of digital plans in .pdf/ .tiff format at 300 dpi/ppi or greater.</p>
<p><input checked="" type="checkbox"/></p>	<p><b>Short or Full Environmental Assessment Form.</b> Applicants must complete a SEQRA Form and submit it with their application package. The appropriate SEQRA Form depends on the project's location, type, and size. Consult additional SEQRA guidance online at <a href="http://www.dec.ny.gov/regs/4490.html">http://www.dec.ny.gov/regs/4490.html</a> to determine the appropriate SEQRA Form and select it from the following list:</p> <p><u>Part 1 of the Short Environmental Assessment Forms (Short EAF):</u> Use the Short EAF For Type II Actions listed in 6 NYCRR Section 617.5. Part 1 of the Short EAF is available at <a href="http://www.dec.ny.gov/permits/6191.html">http://www.dec.ny.gov/permits/6191.html</a>.</p>



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	<p><u>Entire Short Environmental Assessment Form (Short EAF)</u>: Use the entire Short EAF for Type I Actions that fall under the threshold contained in Part 617.4 or that are Unlisted Actions. The Short EAF is available at <a href="http://www.dec.ny.gov/permits/6191.html">http://www.dec.ny.gov/permits/6191.html</a>.</p> <p><u>Full Environmental Assessment Form (Full EAF)</u>: Use the Full EAF for applications that exceed any Type I threshold in Part 617.4. of the Full EAF is available at <a href="http://www.dec.ny.gov/permits/6191.html">http://www.dec.ny.gov/permits/6191.html</a>.</p> <p>Note: The City recommends that you use the EAF Mapper Application (<a href="http://www.dec.ny.gov/eafmapper/">www.dec.ny.gov/eafmapper/</a>) that will generate partially completed EAFs.</p>
<input type="checkbox"/> N/A	<p><b>Coastal Assessment Form (CAF).</b></p> <p>A completed CAF is required for properties located inside the City’s Waterfront Revitalization Area Boundary. Consult the following map to determine whether subject property falls within this boundary: <a href="http://docs.dos.ny.gov/communitieswaterfronts/LWRP/Newburgh_C/Original/NewburghSI.pdf">http://docs.dos.ny.gov/communitieswaterfronts/LWRP/Newburgh_C/Original/NewburghSI.pdf</a>.</p> <p>If a CAF is required, the applicant must review Code Chapter 159 at <a href="http://ecode360.com/28160802">http://ecode360.com/28160802</a>, complete the CAF, and submit the completed CAF with the application package. The Planning Board will make a referral to the Conservation Advisory Council for an Advisory Opinion.</p>
<input type="checkbox"/> N/A	<p><b>Certificate of Appropriateness (COA)</b></p> <p>If the subject property falls within the East End Historic District or Colonial Terraces Architectural Design District, the applicant must obtain a COA from the Architectural Review Commission (ARC) for any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of a landmark. In addition, a COA is required for any material change in the appearance of such a property, its light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements visible from the public street or alley that affect the appearance and cohesiveness of a district and its designated properties. To determine whether the subject property falls within one of these districts, consult the ARC’s district maps at: <a href="http://www.cityofnewburgh-ny.gov/architectural-review-commission">http://www.cityofnewburgh-ny.gov/architectural-review-commission</a>.</p> <p>If a COA is required, the applicant must review Code Chapter 300, Article V (available at <a href="http://ecode360.com/10875977">http://ecode360.com/10875977</a>).</p> <p>Additionally, the applicant must consult the Design Guidelines for Newburgh’s East End Historic District (available at <a href="http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/eehd-designguide2008.pdf">http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/eehd-designguide2008.pdf</a>) or consult the Colonial Terraces Design Guidelines (available at <a href="http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/colonialterraceguidelines.pdf">http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/colonialterraceguidelines.pdf</a>).</p>



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The applicant must complete the COA application (available at <http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/arc-application-0409.pdf>) and submit it with the application package.

### D. FINAL CHECKLIST

For a formal application for site plan approval, a special use permit, or a final subdivision plat, the applicant must submit to the Land Use Board Secretary an application package containing the following *Final Checklist* items, as well as a completed *Land Development Application* (see below). **The deadline for submitting an application package for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month. Application packages not received by this day and time will not be placed on the agenda. NO EXCEPTIONS.**

<input type="checkbox"/>	<p><b>Seven (7) Copies of Completed Land Development Application and Final Checklist Items OR one (1) Original Copy plus one (1) digital set of application materials in .pdf format on a CD.</b></p>
<input type="checkbox"/>	<p><b>For Site Plans: Thirteen (13) Hardcopies OR one (1) Original Copy plus one (1) digital set of application materials in .pdf/ .tiff format on a CD.</b></p> <p>The applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in their site plan. All applicants must submit thirteen (13) hardcopies of required plans with their application.</p>
<input type="checkbox"/>	<p><b>For Subdivision Plats: One (1) Original Mylar, One (1) Photographic Mylar, and either five (5) Contact Prints of Preliminary Plat OR one (1) digital set of Preliminary Plat in .pdf/ .tiff format on a CD.</b></p> <p>The applicant must complete the appropriate subdivision checklist in the <i>Land Development Application</i> below and include that information in their plat. All applicants must submit with their application one (1) original mylar, one (1) photographic mylar at the same scale, and five (5) contact prints of the preliminary or final plat at a standard sheet size of 22" by 34" by 44".</p>
<input type="checkbox"/>	<p><b>For Special Use Permits: Thirteen (13) Hardcopies of Site Plan OR one (1) Original Copy plus one (1) digital set of application materials in .pdf/ .tiff format on a CD.</b></p> <p>Pursuant to Newburgh City Code a special use permit application must include a site plan, although the Planning Board may waive site plan approval if the special use permit does not involve physical alteration or disturbance on a site. At a minimum, the special use permit application must include a plan showing the size and location of the lot, as well as the location of all buildings and proposed facilities, including access drives, parking areas, and all streets within 200 feet of the lot lines. If required, the applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in the submitted site</p>



## Land Development Application Instructions

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

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plan. All applicants must submit six (6) hardcopies of required plans with their application. The applicant may submit one plan for multiple special uses on the same parcel(s). Additionally, Code Article XII provide numerous policies, factors, and specific standards for special uses. Special use permit applicants should review these sections in detail when preparing their submittals.



**Digital Submission.** For digital submissions, documents must be in .pdf/ .tiff format at 300 dpi/ppi or greater.



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**PART I – General Information:**

**A. Project Name:** "CALABASH ISLAND CUISINE" RESTAURANT

**B. Applicant:** (If Applicant is not owner, Owner must complete attached proxy statement, in Part VI of this form, confirming authorization of Applicant.)

Name:	RUDOLPH AND DEBORAH DUFFUS			
Address:	28 SUNRISE DRIVE			
City:	MIDDLETOWN	State:	NY	Zip: 10940
Phone:	845-842-4216			
Fax:				
Email:	calabash118@yahoo.com			

**C. Property Owner of Record (if different from Applicant):**

Name:	69 LIBERTY STREET, LLC (C/O THOMAS HAIMECK)			
Address:	PO BOX 564632			
City:	COLLEGE POINT	State:	NY	Zip: 11356
Phone:	917-554-4040			
Fax:				
Email:	tommy564632@yahoo.com			

**D. Person Preparing Plan or Plat:**

Name:	JONATHAN CELLA, P.E.			
Address:	51 HUNT ROAD			
City:	WALLKILL	State:	NY	Zip: 12589
Phone:	845-741-0363			
Fax:				
Email:	jonathancell@hotmail.com			

**E. Applicant Representative:** (Applicant must complete attached proxy statement, in Part VII of this form, confirming authorization of Applicant Representative.)

Name:	RUDOPH AND DEBORAH DUFFUS			
Relationship to Applicant:	PROSPECTIVE TENANT			
Firm:				
Address:	28 SUNRISE DRIVE			
City:	MIDDLETOWN	State:	NY	Zip: 10940
Phone:	845-842-4216			
Fax:				
Email:	calabash118@yahoo.com			



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**F. Property Interest of Applicant (check one):**

- Owner. (include Owner's Affidavit attached)
- Purchaser or holder of an option to purchase wherein the purchase agreement or option are binding and subject to cancellation only if the Planning Board does not approve that for which the application is made. (Applicant must attach a copy of contract.)
- Holder of a lease for one (1) year or more from the date of application. (Applicant must attach copy of lease.)
- A verified agent of one (1) of the above. (include Owner's Proxy Statement attached)

**G. Property Information:**

Street Address:	69 LIBERTY STREET					
City:	Newburgh	State:	NY	Zip:	12550	
Location:	On the <u>WEST</u> side of <u>LIBERTY</u> (Street)					
	<u>0</u> feet <u>SOUTH</u> (Direction)					
	of <u>SPRING STREET</u> . (Street)					
Tax Map Designation:	Section:	39	Block:	5	Lot(s):	13
	Section:		Block:		Lot(s):	
	Section:		Block:		Lot(s):	
Tax Map No.:	S/B/L: 39-5-13					
Zoning District:	DN					

**H. List all contiguous holdings in the same ownership: N/A**

Section:		Block:		Lot(s):	
Section:		Block:		Lot(s):	
Section:		Block:		Lot(s):	



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**I. Regulatory Compliance – Application Checklist for Permits**

To facilitate the approval process, the City of Newburgh requests that applicants indicate below all permit applications that are **pending**, have been **approved** or have been **rejected** for the subject property. The following checklist will help familiarize City authorities with the project that is the subject of the current application. Please indicate all applications submitted for the property in question, including those that were prepared for projects separate from the current one. Intentionally omitting any items from this checklist is cause for delay or rejection of the application(s) being considered.

<b>Board, Commission or Inspector</b>	<b>Date(s) of Prior Approval(s)</b>	<b>City Identifier Reference(s)</b>	<b>Previous Action(s) on Application(s)</b>	<b>New Permit(s) Applied for</b>
Zoning Board of Appeals				<input type="checkbox"/>
Architectural Review Commission				<input type="checkbox"/>
Building Inspector				<input type="checkbox"/>
City Engineer				<input type="checkbox"/>
Public Works				<input type="checkbox"/>
Orange County				<input type="checkbox"/>
Other:				<input type="checkbox"/>



## Land Development Application – Site Plan

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### **PART II – Site Plan Submission Requirements**

*A site plan application must include sufficient plans and descriptive information. Site plans must be prepared by a licensed professional engineer, architect, or landscape architect and must include information from the following checklist, provided to help guide the applicant's site plan preparation. In addition to this checklist, all site plan applicants should consult the required site plan information in Newburgh City Code § 300 Article XI and site plan review criteria in § 300-89. The City of Newburgh Planning Board may require additional material or revisions prior to granting approval.*

#### **Check**

<b><u>Box</u></b>	<b><u>Requirement</u></b>
<input checked="" type="checkbox"/>	VICINITY MAP ( $\geq$ 1,000 feet to the inch)
<input checked="" type="checkbox"/>	EXISTING CONDITIONS MAP
<input type="checkbox"/>	FIELD SURVEY OF BOUNDARY LINES (certified by licensed surveyor)
<input checked="" type="checkbox"/>	SITE PLAN (drawn to scale on appropriate-sized sheet of paper; include the following information on the site plan and all sheets submitted in site plan application):
<input checked="" type="checkbox"/>	PROJECT NAME
<input checked="" type="checkbox"/>	SECTION, BLOCK, LOT NUMBER
<input checked="" type="checkbox"/>	STREET NAMES
<input checked="" type="checkbox"/>	PROJECT SITE BOUNDARIES
<input type="checkbox"/>	N/A FIRE LANES
<input checked="" type="checkbox"/>	DATE OF PLAN
<input checked="" type="checkbox"/>	NORTH ARROW
<input checked="" type="checkbox"/>	SCALE OF PLAN
<input checked="" type="checkbox"/>	OWNER'S NAME AND ADDRESS
<input checked="" type="checkbox"/>	DEVELOPER'S NAME AND ADDRESS
<input checked="" type="checkbox"/>	SEAL OF ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT
<input checked="" type="checkbox"/>	OWNER'S LETTER OF AUTHORIZATION (if applicant is not the owner)
<input type="checkbox"/>	NAMES OF ALL ADJACENT PROPERTY OWNERS WITHIN 500 FT OF PERIMETER
<input type="checkbox"/>	ZONING/SCHOOL/OVERLAY/SPECIAL DISTRICT BOUNDARIES WITHIN 500 FT OF PERIMETER
<input checked="" type="checkbox"/>	PROPERTY BOUNDARIES
<input checked="" type="checkbox"/>	BUILDING/SETBACK BOUNDARIES IF DIFFERENT FROM ZONING REQUIREMENTS
<input checked="" type="checkbox"/>	EXISTING STREET AND LOT LINES FROM CITY'S OFFICIAL/TAX MAP
<input type="checkbox"/>	N/A EASEMENTS
<input type="checkbox"/>	AREAS DEDICATED TO PUBLIC USE
<input checked="" type="checkbox"/>	LOCATION, USE & DIMENSIONS OF EXISTING AND PROPOSED STRUCTURES
<input type="checkbox"/>	LOCATION, HEIGHT, SIZE, MATERIALS & DESIGN OF ALL PROPOSED SIGNS



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- TRAFFIC FLOW PATTERNS, ENTRANCES, EXITS, LOADING/UNLOADING AREAS, CURB CUTS ON AND WITHIN 100 FT OF SITE
- LOCATION, SIZE, DIMENSIONS, ACCESS, EGRESS, CIRCULATION PATTERNS, DESIGN, HANDICAPPED ACCESS & SIGNS FOR OFF STREET PARKING AREAS
- LOCATION OF PRESENT/PROPOSED SEWAGE LINES, SEPTIC SYSTEMS
- LOCATION OF PRESENT & PROPOSED WATER SUPPLY SYSTEM
- LOCATION OF PRESENT & PROPOSED TELEPHONE, CABLE, ELECTRICAL SYSTEMS
- LOCATION OF PRESENT & PROPOSED STORM DRAINAGE SYSTEM
- LOCATION OF ALL OTHER PRESENT & PROPOSED OVERHEAD/UNDERGROUND UTILITY SYSTEMS
- EROSION AND SEDIMENTATION CONTROL PLAN
- EXISTING & PROPOSED TOPOGRAPHY
- FEMA FLOODPLAIN BOUNDARY LOCATIONS (include additional information if parcel is within one-hundred-year floodplain)
- LIGHTING PLAN
- LANDSCAPING/PLANTING/GRADING PLAN
- NEW CONSTRUCTION/STRUCTURE ALTERATIONS TABLE (containing the following information):
  - USES INTENDED FOR STRUCTURE (give estimated structure area for each use)
  - ESTIMATED NUMBER OF EMPLOYEES
  - MAXIMUM SEATING CAPACITY
  - NUMBER OF PARKING SPACES EXISTING AND REQUIRED FOR USE
- ELEVATIONS (scale: 1/4 inch = 1 ft) & DESIGN FEATURES OF PROPOSED/ALTERED/EXPANDED EXTERIOR FAÇADES
- SOIL LOGS/PERCOLATION TEST RESULTS/STORMWATER RUNOFF CALCULATIONS (if requested)
- DISPOSITION PLANS FOR CONSTRUCTION/DEMO WASTE
- SEQRA SHORT EAF OR DRAFT EIS
- CULTURAL RESOURCE SURVEY (if appropriate)
- COMPLETE PROPOSED DEVELOPMENT (if applicant wishes to develop in stages)
- HAZARDOUS MATERIALS ASSOCIATED WITH PROPOSED INDUSTRIAL USE
- USE, STORAGE, TREATMENT & DISPOSAL OF HAZARDOUS MATERIALS
- VIEWSHED ANALYSES (only for WG, PWD, and part of DN Districts, as well as additional locations the Planning Board identifies during site plan review process)
- OTHER MATERIALS REQUESTED BY PLANNING BOARD



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### Sample Format:

- Plan shall include a table, similar to the one below, showing the relationship indicated for relevant zoning limits and requirements:

Zoning Limit	Variance Required?	Variance Submitted?	Variance Type Required? (If Any)
Number of Parking Spaces	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Lot Area/Dwelling	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Lot Size	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Buffer Strip	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Building Height	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Front Yard	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Side Yard	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

- The site plan submitted to the Planning Board for its approval shall carry the following endorsement and acknowledgement:

Approved by Resolution \_\_\_\_\_ of the Planning Board of the City of Newburgh, New York, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to all requirements and conditions of said Resolution. Any change, erasure, modification or revision of this plan, as approved, shall void this approval.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



**Land Development Application – Site Plan**

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**SITE PLAN PREPARER’S ACKNOWLEDGEMENT:**

**This site plan has been prepared in accordance with this checklist and the City of Newburgh Laws, to the best of my knowledge.**

**By: \_\_\_\_\_ (Licensed Professional)**

**Date: \_\_\_\_\_**

**ALL FOLDED PLANS SHALL BE FOLDED WITH THE TITLE BLOCK AND STAMP OF APPROVAL EXPOSED**



## Land Development Application – Subdivision

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### **PART III – Subdivision Submission Requirements** N/A

*The following checklist provides the specifications for a sketch plan and preliminary and final subdivision plats. All plans shall be drawn to a convenient scale, not more than 100 feet to an inch, and shall include the information listed below. For preliminary and final plats, applicant must refer to City Code Chapter 266 (available at <http://ecode360.com/10874509>) for more information about plat requirements, design standards, and drainage, water, sewage, easement, block, lot, open space, natural feature protection, and public improvement specifications. This list is provided as a guide only is for the convenience of the applicant. The City of Newburgh Planning Board may require other material or revisions prior to granting approval.*

#### **A. SKETCH PLAN SUBMISSION**

Prior to submitting a preliminary plat and application for approval of a subdivision, the subdivider may choose to submit a sketch plan of the proposed street layout to the City Planning Board for informal discussion and review. The sketch plan must include the following:

##### **Check**

##### **Box      Requirement**

- SECTION, BLOCK, LOT NUMBER
- NAME AND ADDRESS OF RECORD OWNER
- LOCATION MAP OF PROPERTY
- NORTH ARROW
- SCALE OF MAP
- PROPERTY BOUNDARIES (DEED PLOT TO SCALE-MINIMUM)
- ADJACENT ROADS
- EXISTING PROPERTY ZONING
- APPROXIMATE LOCATION OF STREAMS AND WATER BODIES
- APPROXIMATE LOCATION OF EXISTING STRUCTURES
- APPROXIMATE PROPOSED SUBDIVISION PROPERTY LINES
- SEWER AVAILABILITY (PUBLIC)
- WATER AVAILABILITY (PUBLIC)

#### **B. PRELIMINARY PLAT SUBMISSION**

A professional engineer and land surveyor must prepare the preliminary plat legibly and clearly in pencil or ink. The plat must have a horizontal scale of 1" to 50 feet and a vertical scale of 1" to 5 feet. If more than one sheet is required, the plat must include a key map on each sheet indicating relationship to streets. Along with the preliminary plat, the applicant



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should prepare and submit a cost estimate for any performance bond. The preliminary plat must include the following:

### Check

#### Box    Requirement

- All information required for sketch plan.
- Approximate metes & bounds of prepared subdivision.
- Adjoining property locations & ownership.
- Location, widths, purpose, and grantee of all easements and rights-of-way on the property.
- Topography-2' contour interval unless otherwise allowed by the Planning Board.
- Location of all areas subject to flooding or ponding.
- Location & limits of all “designated wetland” areas; delineate proposed 100' buffer strip around wetland.
- Subdivision name and location.
- Location of all water courses.
- Location and uses of all structures and improvements (water, sewer, storm drainage, roads, drives, etc.) on the property including location and use of all structures within 100' of the property.
- Zoning table showing what is required in the particular zone and what the applicant in each category of the bulk table required.
- Zoning boundaries, if within the area of the proposed subdivision.
- Date of the plat preparation and/or plat revisions.
- Preliminary design and details of Sanitary Sewage Disposal Systems.
- A note requiring the design of a septic disposal system (if no public sewer is available within 100') by a licensed engineer and requirement that it/they must be constructed in accordance with this design under review by the engineer in accordance with Orange County Laws, Rules & Regulations.



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- Name and width of adjacent streets.
- Proposed road profiles and cross sections in accordance with the City of Newburgh specifications.
- Proposed lot areas.
- Numbering on proposed lots.
- Preliminary design of all proposed drainage systems.  
Note: At the request of the Planning Board, a complete drainage Engineering report shall be submitted for approval by the Planning Board.
- Proposed locations of new structures.
- Locations and proposed grade and cross section of driveways to each individual proposed lot.
- If the subdivision application is being made by other than the record owner of the property, a statement shall be submitted signed by the record owner indicating that the applicant has authorization to act on the owners behalf. This letter shall be signed by the record owner of the property.
- Prior to the commencement of the required Public Hearing, furnish evidence that the necessary informational mails have been made to all applicable property owners as required.
- All necessary application fees to the City of Newburgh must be paid prior to preliminary approval by the City of Newburgh Planning Board.
- Environmental Assessment Statement- (Long or Short Form as delineated by the City of Newburgh Planning Board).
- Seal and signature of design professional preparing plan.
- A notarized affidavit from the record owner that he is the owner of the land proposed for subdivision and, if the subdivider is not the record owner, that the subdivider may act for him (See subsection G below).

### C. FINAL PLAN SUBMISSION

A professional engineer and land surveyor must prepare the final plat legibly and clearly in pencil or waterproof ink. The plat must have a horizontal scale of 1" to 50 feet and a vertical



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scale of 1" to 5 feet. If more than one sheet is required, the plat must include a key map on each sheet indicating relationship to streets. The final plat must include the following:

### Check

#### Box    Requirement

- All information required for sketch plan and preliminary approval.
- Completed deeds of dedication for all proposed roads which are to be dedicated to the City of Newburgh at the completion of the project.
- Complete construction plans and specifications, if applicable for all infrastructure improvements, including but not necessarily limited to streets, curbs, sidewalks, drainage, water supply, sewer systems, fire alarms.
- Final design and details of sanitary sewage disposal systems.
- Prior to final approval, evidence shall be submitted to the City of Newburgh Planning that the plans have received final approval from Orange County Department of Health, the New York State Department of Health, the New York Department of Environmental Conservation and any other Necessary review agencies having jurisdiction.
- Monumentation of all major corners of subdivision.

### D. FOR ALL PLAT SUBMISSIONS

Subdivision plat shall be accompanied by separate sheets of construction plans (if required) and shall be submitted to the Planning Board for approval as follows:

### Check

#### Box    Requirement

- A copy of this checklist with indications by the designer preparing the plans that all applicable requirements of this checklist have been met.
- All mylars & maps must have sufficient space for Planning Board stamp (3"x5") above or to the left of the project information located at the bottom right hand corner of the maps. Maps will not be accepted for signing without sufficient space.
- All plans folded shall be folded with the title block & stamp of approval exposed.



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### E. ENDORSEMENT

Every plat submitted for Planning Board approval must carry the following endorsement:

Approved by Resolution \_\_\_\_\_ of the Planning Board of the City of Newburgh, New York on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to all requirements and conditions of said resolution. Any change, erasure, modification or revision of this plat, as approved, shall void this approval. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
City Engineer

### F. SITE PLAN PREPARER'S ACKNOWLEDGEMENT

Every plat submitted for Planning Board approval must carry the following preparer's acknowledgement:

**The plat for the proposed subdivision has been prepared in accordance with the City of Newburgh Planning Board checklist.**

**Applicant's Name:** \_\_\_\_\_

**Preparer's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



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### **G. AFFIDAVIT OF OWNERSHIP**

An affidavit of ownership or permission from the owner must be submitted with this application. If the property owner is a business organization, such as a corporation or limited liability company (LLC), additional requirements apply. An owner who is a business organization must submit either the papers of incorporation demonstrating the applicant is an officer of the company or manager/member, a Power of Attorney, or a corporate resolution permitting the application to be made on behalf of the business organization.

Please submit either the Owner's Affidavit or Owner's Proxy Statement and appropriate accompanying documentation if the owner is a business entity.

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**Land Development Application – Special Use Permit**  
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**PART IV – Specific Information for Special Use Permit Applications**

*Newburgh Code Sections 300 provide numerous policies, factors, and specific standards for special uses. Special use permit applicants should review these sections in detail, include in the application any required information outlined in Section 300 ARTICLE XII, and ensure the application refers to any relevant standards for special uses. The applicant may submit one application for multiple special uses on the same parcel(s). Additionally, applications must include any legal descriptions, maps, plot plans, drawings, photographs, or other information that the Planning Board requires, and the Board may request that the applicant reproduce this information for distribution to Planning Board members. The Planning Board will not accept and process the application until it is complete and correct and the proper fee is paid. If a question in Part IV is not applicable, the applicant should write “N/A” or “Not Applicable” in response.*

- (1) Describe the special use you desire to make of the property.

- (2) Describe the nature and condition of surrounding and adjacent structures and uses.

- (3) What is the property being used for at the present time?



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- (4) Will the proposed use increase traffic congestion, impact pedestrian safety, or impact current roads? Describe how. If not, why won't it?

--

- (5) Will off-street parking be provided for customers/ employees /occupants?  Yes  No  
If yes:

How many spaces? _____	Size of each space? _____ Ft. x _____ Ft.
------------------------	---

- (6) List any churches, schools, theaters, public buildings, parks, playgrounds and recreational facilities that are located within 500 feet of the exterior property lines of the property on which the proposed use is to be located:

--

- (7) How many persons will be employed by the use?

Full-time employees?	Part-time employees?
----------------------	----------------------

- (8) State the maximum number of customers, clients, patients or patrons expected to be on the premises at any one time:

--



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- (9) State the size of the lot on which the use will be located both in square footage and dimensions of front, side, and rear lot lines:

Square Footage: \_\_\_\_\_ Ft.

Front Lot Line: \_\_\_\_\_ Ft.    Side Lot Line: \_\_\_\_\_ Ft.    Rear Lot Line: \_\_\_\_\_ Ft.

- (10) State the dimensions of the building or structure to be used in the project. If more than one building or structure is to be used, list each individually:

Building No.: \_\_\_\_\_    Size: \_\_\_\_\_ Ft. x \_\_\_\_\_ Ft.    No. of Stories: \_\_\_\_\_

Building No.: \_\_\_\_\_    Size: \_\_\_\_\_ Ft. x \_\_\_\_\_ Ft.    No. of Stories: \_\_\_\_\_

Building No.: \_\_\_\_\_    Size: \_\_\_\_\_ Ft. x \_\_\_\_\_ Ft.    No. of Stories: \_\_\_\_\_

- (11) How many square feet of usable space is in each building?

Building No.: \_\_\_\_\_    Usable Sq. Ft.: \_\_\_\_\_    Sq. Ft. devoted to proposed use: \_\_\_\_\_

Building No.: \_\_\_\_\_    Usable Sq. Ft.: \_\_\_\_\_    Sq. Ft. devoted to proposed use: \_\_\_\_\_

Building No.: \_\_\_\_\_    Usable Sq. Ft.: \_\_\_\_\_    Sq. Ft. devoted to proposed use: \_\_\_\_\_

- (12) State the distance of the building(s) in which the project will be located from all front, rear and side property lines. If more than one building or structure is to be used, list each individually:

Building No.: \_\_\_\_\_

Distance from the  
property lines:

Front: \_\_\_\_\_ Ft.    Rear: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.

Building No.: \_\_\_\_\_

Distance from the  
property lines:

Front: \_\_\_\_\_ Ft.    Rear: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.

Building No.: \_\_\_\_\_

Distance from the  
property lines:

Front: \_\_\_\_\_ Ft.    Rear: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.

- (13) What products, commodities, or merchandise will be sold on the premises?



## Land Development Application – Special Use Permit

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

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(14) What services will be provided on the premises?

(15) Will vehicles be repaired on the premises?  Yes  No

(16) Will auto painting or bodywork be done on the premises?  Yes  No

(17) Where will vehicles be stored while waiting to be repaired?

(18) Will vehicles parked overnight on the premises be stored inside or outside?

(19) Will vehicles be sold on the premises?  Yes  No

(20) Will tools be used on the premises?  Yes  No

If yes, explain what type, quantities, and impact:

(21) Will the crafting of parts be done on the premises?  Yes  No

If yes, explain:



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(22) Is the premises connected to a public sewer?  Yes  No

(23) Will facilities other than the public sewer be provided for disposing of oil based waste products and effluents? If so, describe.

--

(24) Describe the proposed use's impact on the public water, drainage, and sewer systems, as well as any other municipal facility.

--

(25) What is the *maximum* noise level and vibration level that will be produced by machines to be employed in the project at any given time?

Noise Level?	Vibration Level?
--------------	------------------

(26) Will solid, liquid, or gaseous waste products be produced by the project?  Yes  No  
If yes, describe:


(27) Will odors be created by the project?  Yes  No  
If yes, describe:



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- (28) Will dust be created by the use?  Yes  No

If yes, describe:

- (29) Will glare be produced by the project?  Yes  No

If yes, describe:

- (30) Will electrical interference or discharges be produced by the project?  Yes  No

If yes, describe:

- (31) Will radioactivity be created by the use?  Yes  No

If yes, describe:

- (32) What fire prevention and safety devices will be installed? I.e. exit doors, fire escapes, sprinkler systems, standpipe system, paint spray booth, fire extinguishers, etc.



**Land Development Application – Special Use Permit**  
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- (33) Describe how premises is accessible to fire, police, and other emergency vehicles.



**Land Development Application**

**Owner Affidavit**

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

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**PART V – Signatures - To Be Completed by Applicant**

On this the \_\_ day of \_\_\_\_\_, 20\_\_, before me, \_\_\_\_\_ (name of notary), the undersigned officer, personally appeared DEBORAH DUFFUS (name of affiant), known to me (or satisfactorily proven) to be the person(s) whose name(s) (is or are) subscribed to the within instrument and acknowledged that (he, she or they), first being duly sworn, deposes and swears that:

I am the owner of the property located at:

I am authorized to act on behalf of the owner of the property located at:

Street Address: 69 LIBERTY STREET  
City: Newburgh State: NY Zip: 12550

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Printed Name of Affiant

Subscribed and sworn to before me this \_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary

Date Commission Expires:  
\_\_\_\_\_

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_ ) ss. (city/town)  
COUNTY OF \_\_\_\_\_ )



# Land Development Application

## Owner's Proxy Statement

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

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COMPLETE THIS FORM ONLY IF APPLICANT IS OTHER THAN OWNER.  
THE FOLLOWING STATEMENT MUST BE SIGNED AND NOTARIZED

### A. Property Information:

Street Address:	69 LIBERTY STREET					
City:	Newburgh	State:	NY	Zip:	12550	
Tax Map Designation:	Section:	39	Block:	5	Lot(s):	13

### B. Property Owner:

Name:	69 LIBERTY STREET, LLC					
Address:	PO BOX 564632					
City:	COLLEGE POINT	State:	NY	Zip:	11356	
Phone:	917-554-4040					

### C. Applicant: (Party making application on owner's behalf)

Name:	RUDOLPH AND DEBORAH DUFFUS					
Address:	28 SUNRISE DRIVE					
City:	MIDDLETOWN	State:	NY	Zip:	10940	
Phone:	845-842-4216					

### D. Owner Proxy Statement:

I, THOMAS HAIMECK swear that I am the owner of the subject property, and, RUDOLPH AND DEBORAH DUFFUS, the – Agent /Corporate Officer /Contractor / Other REPRESENTATIVE  of said owner or owners is duly authorized to perform said work and to make and file this application; that all statements contained in the application are true to the best of his/her knowledge and belief; that work will be performed in the manner set forth in the application and in the plans and specifications filed therewith.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn to before me this \_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary

\_\_\_\_\_  
Date Commission Expires:



**Land Development Application  
Corporation Authorization Statement**

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

www.cityofnewburgh-ny.gov

**To Be Completed If Corporate Applicant**

STATE OF \_\_\_\_\_ )

\_\_\_\_\_ ) ss. (city/town)

COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn deposes and says that he/she is the

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(name of corporation)

a \_\_\_\_\_ (enter name of State of incorporation) corporation, the applicant named the foregoing application and knows the contents thereof and the same is true to his own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters he believes it to be true. The signature of the applicant and owner also grants consent for City Staff or City Board or Commission members responsible for of the review or approval of this application(s) to enter the property of the subject application.

\_\_\_\_\_  
Applicant Signature

Date

\_\_\_\_\_  
(Print Name Above)

\_\_\_\_\_  
Property Owner Signature(s)

Date

\_\_\_\_\_  
(Print Name Above)

Sworn to before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: COMMERCIAL SITE PLAN FOR "CALABASH ISLAND CUISINE" RESTAURANT		
Project Location (describe, and attach a general location map): 69 LIBERTY STREET (S/B/L: 39-5-13), CITY OF NEWBURGH, ORANGE COUNTY, NEW YORK		
Brief Description of Proposed Action (include purpose or need): FINISHING OF FIRST FLOOR COMMERCIAL SPACE IN AN EXISTING BUILDING TO MEET APPLICANTS REQUIREMENTS TO OPERATE A 1,568 SQUARE FOOT RESTAURANT IN AN EXISTING BUILDING. ALL CONSTRUCTION FOR THE RESTAURANT WILL BE INTERIOR AND MEET REQUIREMENTS OF THE CURRENT EDITION OF THE NEW YORK STATE BUILDING CODE.		
Name of Applicant/Sponsor: RUDOLH AND DEBORAH DUFFUS	Telephone: 845-842-4216	E-Mail: calabash118@yahoo.com
Address: 28 SUNRISE DRIVE		
City/PO: MIDDLETOWN	State: NEW YORK	Zip Code: 10940
Project Contact (if not same as sponsor; give name and title/role): SAME	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): 69 LIBERTY STREET, LLC (C/O THOMAS HAIMECK)	Telephone: 917-554-4040	E-Mail: tommy564632@yahoo.com
Address: PO BOX 564632		
City/PO: COLLEGE POINT	State: NEW YORK	Zip Code: 11356

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (Funding includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SITE PLAN APPROVAL	09-06-2016
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

EAST END HISTORIC DISTRICT  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
DN WITHIN EAST END HISTORIC DISTRICT

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? NEWBURGH

b. What police or other public protection forces serve the project site?  
CITY OF NEWBURGH

c. Which fire protection and emergency medical services serve the project site?  
CITY OF NEWBURGH

d. What parks serve the project site?  
CITY OF NEWBURGH

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? COMMERCIAL

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 0.05 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ 0 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 0.05 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 560 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
If Yes:

- Name of district or service area: CITY OF NEWBURGH
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 560 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

SANITARY WASTEWATER

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

- Name of wastewater treatment plant to be used: CITY OF NEWBURGH
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
\_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
\_\_\_\_\_  
\_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_

AN INTERNAL GREASE TRAP WILL BE INSTALLED IN THE KITCHEN TO INTERCEPT GREASE COMING FROM THREE (3) BAY SINK. \_\_\_\_\_  
\_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources. \_\_\_\_\_  
\_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
\_\_\_\_\_  
\_\_\_\_\_

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
\_\_\_\_\_

- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
\_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
\_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
\_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

---

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ N/A _____</li> <li>• Saturday: _____ N/A _____</li> <li>• Sunday: _____ N/A _____</li> <li>• Holidays: _____ N/A _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 11:00AM TO 11:00PM _____</li> <li>• Saturday: _____ 11:00AM TO 11:00PM _____</li> <li>• Sunday: _____ 11:00AM TO 11:00PM _____</li> <li>• Holidays: _____ 11:00AM TO 11:00PM _____</li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:

\_\_\_\_\_

\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No

Describe: \_\_\_\_\_

\_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 STOREFRONT FACADE LIGHTING, APPROXIMATELY 10' OFF GRADE AND DOWNTURNED

\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No

Describe: \_\_\_\_\_

\_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally describe proposed storage facilities: \_\_\_\_\_

\_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ N/A tons per \_\_\_\_\_ N/A (unit of time)
- Operation : \_\_\_\_\_ 0.25 tons per \_\_\_\_\_ MONTH (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: N/A \_\_\_\_\_
- Operation: RECYCLING OF PLASTIC, GLASS, ALUMINUM, CARDBOARD \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: N/A \_\_\_\_\_
- Operation: NEWBURGH TRANSFER STATION \_\_\_\_\_

\_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

\_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

\_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

\_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

\_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

\_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

\_\_\_\_\_

---

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.05	0.05	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes ó Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes ó Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): 546031 , 336031 , 336042 , 336055 , B00188  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >4 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: URBAN \_\_\_\_\_ 100 %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ >3 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: 100 % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: 75 % of site  
 10-15%: 25 % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: BIRDS _____ _____ _____	_____ _____ _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: <u>East End Historic District, Washington's Headquarters</u>	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

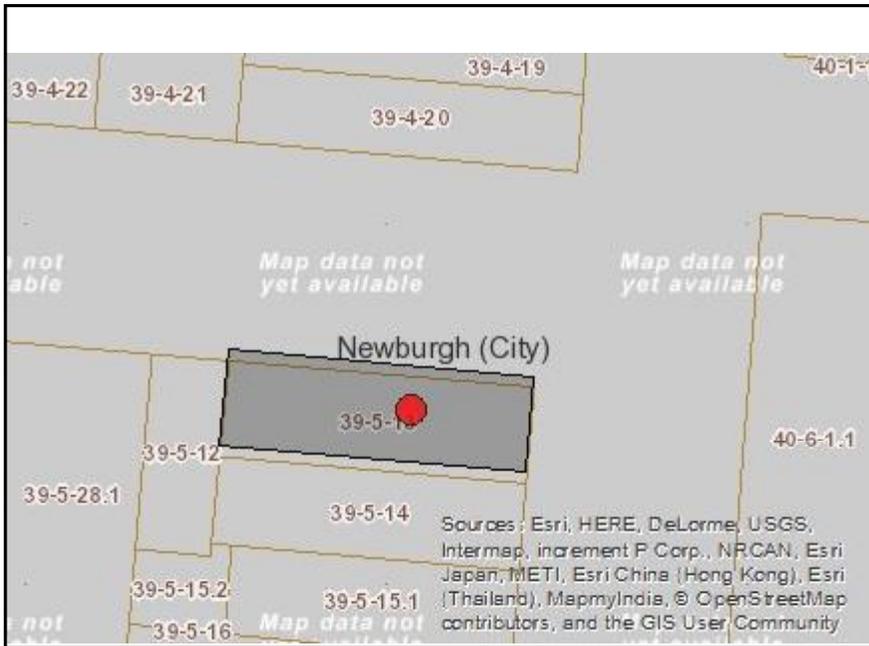
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name JONATHAN CELLA, P.E. Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

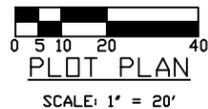


Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	546031 , 336031 , 336042 , 336055 , B00188
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No

E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District, Washington's Headquarters
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



**BUILDING USES AND PARKING ANALYSIS 69 LIBERTY STREET**

	CALCULATION	REQUIRED
DWELLING UNIT	2 PER DWELLING UNIT X 3 UNITS	6 SPACES
RESTAURANT	1,568 S.F. x 1 SPACES/100 S.F.	16 SPACES
<b>TOTAL REQUIRED = 22 SPACES</b>		

TOTAL ON SITE PARKING SPACES PROVIDED = 0 SPACES

**HOURS OF OPERATION**

MONDAY TO SUNDAY	11:00 AM TO 11:00 PM
------------------	----------------------

**ADA COMPLIANCE NOTE**  
 1. THE EXISTING ENTRANCE TO THE BUILDING SHALL BE MODIFIED TO MAKE THE PROPOSED USE HANDICAPPED ACCESSIBLE IN CONFORMANCE WITH 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.  
 2. THE REQUIRED MODIFICATIONS SHALL BE DETAILED ON THE BUILDING PLANS, AND REQUIRED CONSTRUCTION SHALL BE COMPLETED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

**NOTES**

- THE SUBJECT PARCEL CONTAINS ONE BUILDING, KNOWN AS 69 LIBERTY STREET.
- THE BUILDING CONTAINS GROUND FLOOR COMMERCIAL SPACE, WITH THREE APARTMENTS ABOVE.
- ALL RESIDENTIAL APARTMENTS AT 69 LIBERTY STREET ARE EXISTING, VALID CERTIFICATES OF OCCUPANCY, AND THIS APPLICATION DOES NOT INCLUDE ANY MODIFICATIONS TO THESE APARTMENTS.
- THERE WILL BE NO MODIFICATIONS TO THE FACADE OF THE BUILDING.
- THE APPLICANT WILL SEEK APPROVAL FROM THE CITY ARCHITECTURAL REVIEW COMMISSION FOR REPLACEMENT OF THE SIGN ON THE BUILDING FACADE AND/OR ANY OTHER FACADE MODIFICATIONS AT A TIME IN THE FUTURE PRIOR TO REPLACING THE SIGN.
- ALL BUILDING MODIFICATIONS WILL BE ON THE INTERIOR OF THE FIRST FLOOR COMMERCIAL SPACE OF THIS BUILDING.
- BUILDING PLANS AND BUILDING PERMIT APPLICATION SHALL BE SUBMITTED TO THE CITY OF NEWBURGH PRIOR TO BEGINNING ANY WORK.
- ALL REQUIRED BUILDING MODIFICATIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- THE BUILDING IS SERVICED BY EXISTING CONNECTIONS TO THE CITY OF NEWBURGH MUNICIPAL WATER LINE AND SANITARY SEWER COLLECTION IN THE RIGHT OF WAY OF LIBERTY STREET.

**LEGEND**

PROPERTY LINE	---
PROPERTY LINE ADJOINING	---
SUBJECT BUILDING	
ADJOINING BUILDING	



**APPLICANT'S CONSENT NOTE**  
 I HEREBY AGREE, UPON REVIEW, THAT THIS MAP MEETS MY APPROVAL AND IS CONCURRENT WITH MY INTENT.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

**SUBJECT PROPERTY**  
 S/B/L: 39-5-13  
 69 LIBERTY STREET  
 TAX MAP LOT AREA=1,990 S.F.  
 =0.05 ACRES ±  
 DEED 13964 / PAGE 518

**PROPERTY OWNER**  
 69 LIBERTY STREET, LLC  
 11-35 COLLEGE POINT BLVD.  
 COLLEGE POINT, NEW YORK 11356

**APPLICANT**  
 RUDOLPH AND DEBORAH DUFFUS  
 28 SUNRISE DRIVE  
 MIDDLETOWN, NEW YORK 10940

**BULK REQUIREMENTS**  
 ZONING CLASSIFICATION: DN  
 PROPOSED USES: RESTAURANT (PERMITTED)  
 MULTI FAMILY RESIDENTIAL (PERMITTED)

	EXISTING	PROPOSED
FIRST FLOOR	VACANT	RESTAURANT
SECOND FLOOR	RESIDENTIAL APARTMENT	RESIDENTIAL APARTMENT
THIRD FLOOR	RESIDENTIAL APARTMENT	RESIDENTIAL APARTMENT
FOURTH FLOOR	RESIDENTIAL APARTMENT	RESIDENTIAL APARTMENT

	REQUIRED MIXED USE RESTAURANT AND RESIDENTIAL	PROVIDED MIXED USE RESTAURANT AND RESIDENTIAL
FRONT YARD	-	0'
SIDE YARD (EACH)	-	0'
REAR YARD	-	0'
MAXIMUM HEIGHT (STORIES)	4	4
MAXIMUM BUILDING HEIGHT	45'	<45'
MAXIMUM LOT COVERAGE	60%	100% *

\*PRE-EXISTING NON-CONFORMING

**MAP REFERENCES**  
 ALL EXISTING FEATURES INCLUDING PROPERTY LINES, PHYSICAL FEATURES, AND TOPOGRAPHY SHOWN ON THESE PLANS HAVE BEEN OBTAINED FROM THE ORANGE COUNTY GEOGRAPHIC INFORMATION SYSTEM (OCGIS), AND ARE BASED ON THEIR MAPPING PREPARED FROM 2004 AERIAL SURVEYS.

	VARIANCE REQUIRED?	VARIANCE SUBMITTED	VARIANCE TYPE REQUIRED
NUMBER OF PARKING SPACES	NO	N/A	N/A
LOT AREA/DWELLING	NO	N/A	N/A
LOT SIZE	NO	N/A	N/A
BUFFER STRIP	NO	N/A	N/A
BUILDING HEIGHT	NO	N/A	N/A
FRONT YARD	NO	N/A	N/A
SIDE YARD	NO	N/A	N/A
OTHER	NO	N/A	N/A

**CITY OF NEWBURGH PLANNING BOARD APPROVAL**

APPROVED BY RESOLUTION \_\_\_\_\_ OF THE PLANNING BOARD OF THE CITY OF NEWBURGH, NEW YORK, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

\_\_\_\_\_  
 CHAIRPERSON

\_\_\_\_\_  
 SECRETARY

**COMMERCIAL SITE PLAN FOR RESTAURANT "CALABASH ISLAND CUISINE"**

COMMERCIAL SITE PLAN FOR:  
 RUDOLPH AND DEBORAH DUFFUS  
 69 LIBERTY STREET (S/B/L: 39-5-13)  
 CITY OF NEWBURGH  
 ORANGE COUNTY, NEW YORK

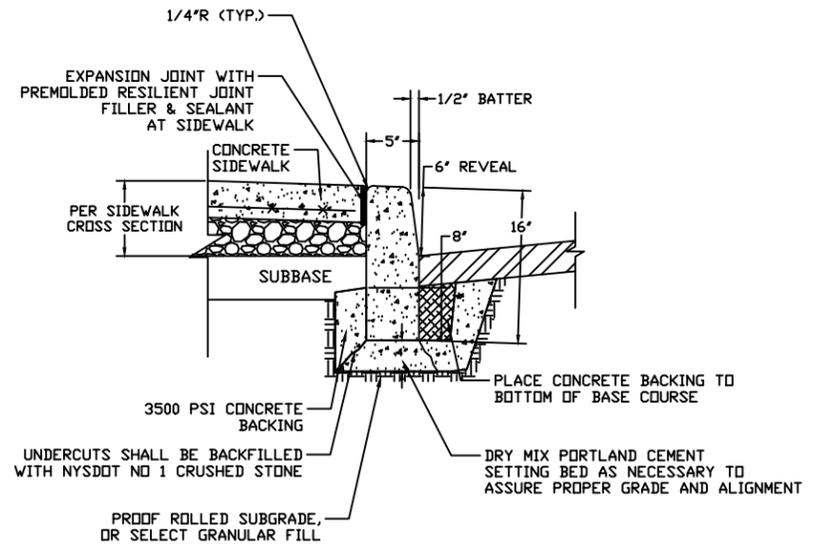
JONATHAN CELLA, P.E.  
 51 HUNT ROAD  
 WALLKILL, NEW YORK 12589  
 (845) 741-0363  
 jonathancellap@btmail.com

DATE: 08-15-2016  
 SCALE: AS NOTED

DRAWN BY: JJC  
 SHEET NO.: 1 OF 2

REVISIONS:  
 08/21/2016: IN HOUSE REVISIONS  
 09/09/2016: PER CITY WORK SESSION COMMENTS

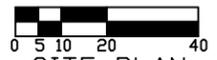
JONATHAN CELLA, P.E.  
 N.Y.S. P.E. LIC. NO. 085069



**CURB NOTES:**

1. GRANITE CURB SHALL BE INSTALLED IN ACCORDANCE WITH NYSDDOT STANDARD SPECIFICATION SECTION 609.
2. FOR NEW CONSTRUCTION A 6\"/>

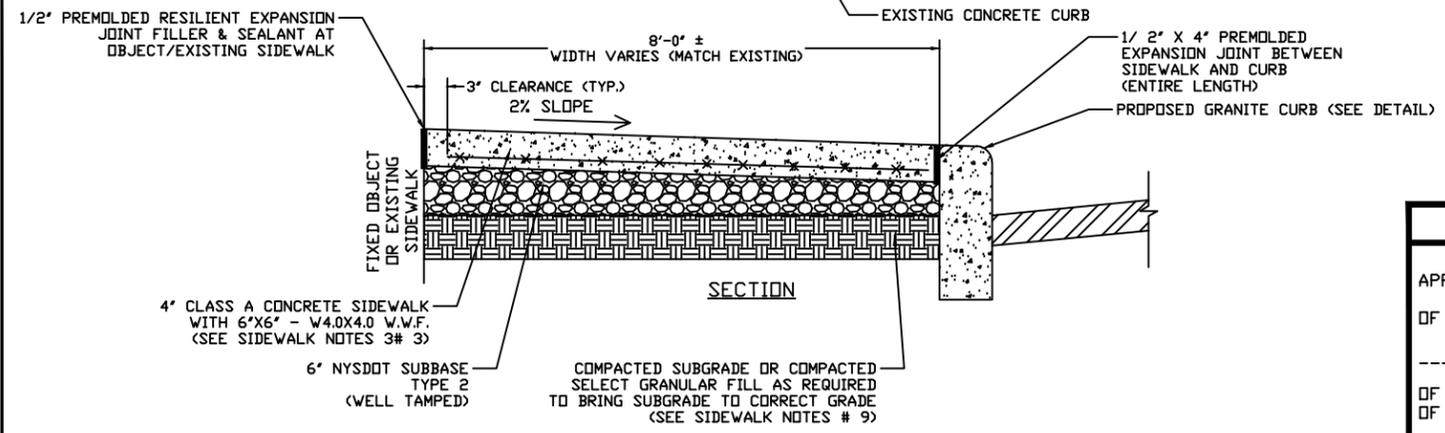
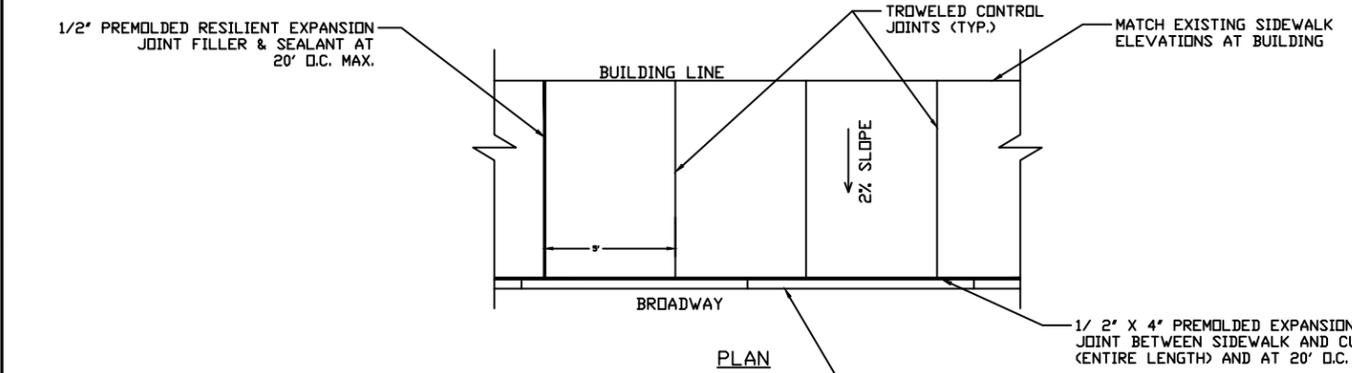
**GRANITE CURB AT SIDEWALK**  
N.T.S.



**SITE PLAN**  
SCALE: 1" = 20'

**SIDEWALK NOTES:**

1. MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDDOT) STANDARDS AND SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, DATED JANUARY 1, 2016 AND AS AMENDED THEREAFTER. THE ONLY EXCEPTION BEING THAT THE WORK OF THIS PROJECT SHALL BE MEASURED IN ENGLISH UNITS.
2. ALL CONCRETE SHALL BE 4,000 PSI CLASS A CONCRETE MATERIALS. PLACEMENT AND CONSTRUCTION SHALL CONFORM WITH SECTION 500 OF THE ABOVE REFERENCED NYSDDOT STANDARD SPECIFICATIONS.
3. REINFORCING STEEL FOR CONCRETE SHALL CONFORM WITH SECTION 556 - REINFORCING STEEL FOR CONCRETE STRUCTURES OF THE ABOVE REFERENCED NYSDDOT STANDARD SPECIFICATIONS AND AS SPECIFICALLY CALLED OUT IN THE DRAWINGS.
4. CONCRETE TEXTURE AND STAMP PATTERN SHALL BE 18\"/>



**CONCRETE SIDEWALK DETAILS**  
N.T.S.

**CITY OF NEWBURGH PLANNING BOARD APPROVAL**

APPROVED BY RESOLUTION \_\_\_\_\_ OF THE PLANNING BOARD OF THE CITY OF NEWBURGH, NEW YORK, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_, OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

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CHAIRPERSON

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SECRETARY

**JONATHAN CELLA, P.E.**  
N.Y.S. P.E. LIC. NO. 085069

**COMMERCIAL SITE PLAN FOR RESTAURANT "CALABASH ISLAND CUISINE"**

**COMMERCIAL SITE PLAN FOR:  
RUDOLPH AND DEBORAH DUFFUS  
69 LIBERTY STREET (S/B/L: 39-5-13)  
CITY OF NEWBURGH  
ORANGE COUNTY, NEW YORK**

**JONATHAN CELLA, P.E.**  
51 HUNT ROAD  
WALLKILL, NEW YORK 12589

DATE: 08-15-2016	(845) 741-8363 jonathancell@btmail.com	DRAWN BY: JJC
SCALE: AS NOTED		SHEET NO. : 2 OF 2

REVISIONS:  
08/21/2016: IN HOUSE REVISIONS  
09/09/2016: PER CITY WORK SESSION COMMENTS