TOWN OF NEWBURGH APPLICATION FOR SUBDIVISION/SITE PLAN REVIEW

RETURN TO: Town of Newburgh Planning Board 308 Gardnertown Road Newburgh, New York 12550

DA	ATE RECEIVED (Ar	e: 10/7/2013 TOWN FILE NO: 2013-2
1.		ision/Site Plan (Project name):
2.	Owner of Land	s to be reviewed:
	Name	c/o CRE Asset Management, LLC
	Address	5 Brewster Street, #368
		Glen Cove, NY 11542
	Phone	
3.	Applicant Info	rmation (If different than owner): McDonald's USA, LLC
	Address	111 Wood Ave South, Suite 400
	1 Iddi CSS	Iselin, NJ 08830
	Representat Phone Fax Email	ive Joseph Lombardi 732-623-8516 732-623-8504
4.		e Plan prepared by:
	Name	Bohler Engineering 35 Technology Drive
	Address	Warren, NJ 07059
	Phone/Fax	908-668-8300/908-451-4401
5.		ds to be reviewed: Road (NYS Route 23)
6.	Zone B	Fire District Cronomer
•	Acreage 2.1	School District Enlarged Newburgh City School District
7	Toy Man: Sect	ion 76 Rlock 1 Lot 1.1

8.	Project Description	and Purpose of Re	view:
	Number of existing	ng lots 1	Number of proposed lots 1
	Lot line change		•
	Site plan review	Yes	
	Clearing and gra	ding No	
	Other		
9.	Easements or other (Describe general) The undersigned he	lly) None	perty: oval by the Planning Board of the above
	_		or an appearance on an agenda:
	Signature		Title CONSTRUCTION MANAGER
	Date: 10/2	:/13	_

<u>NOTE:</u> If property abuts and has its access to a County or State Highway or road, the following information must be placed on the subdivision map or site plan: entrance location, entrance profile, sizing of pipe (minimum length of pipe to be 24 feet).

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

TOWN OF NEWBURGH PLANNING BOARD McDonald's - Rebuild

PROJECT NAME

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

	following items shall be submitted with a COMPLETED Planning Board ation Form.
1. <u>X</u>	Environmental Assessment Form As Required
2. <u>X</u>	Proxy Statement
3. <u>X</u>	Application Fees
4. <u>X</u>	Completed Checklist (Automatic rejection of application without checklist)
II. The Site Pla	e following checklist items shall be incorporated on the Subdivision Plat or an prior to consideration of being placed on the Planning Board Agenda. Submittal of the checklist will result in application rejection.
1. <u>X</u>	Name and address of applicant
2. <u>X</u>	Name and address of owner (if different from applicant)
3. <u>X</u>	Subdivision or Site Plan and Location
4. <u>X</u>	Tax Map Data (Section-Block-Lot)
5. <u>X</u>	Location map at a scale of 1 " = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
6. <u>X</u>	Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot
7. <u>X</u>	Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. <u>X</u>	Date of plan preparation and/or plan revisions
9. <u>X</u>	Scale the plan is drawn to (Max 1" = 100')
10. <u>X</u>	North Arrow pointing generally up

	11. X Surveyor,s Certification
	12. Surveyor's seal and signature
	13. Name of adjoining owners
	14 Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
	15 Flood plain boundaries
	16. N/A Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
	17. Metes and bounds of all lots
	Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street
	19. X Show existing or proposed easements (note restrictions)
	20. Right-of-way width and Rights of Access and Utility Placement
	21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
	22. Lot area (in sq. ft. for each lot less than 2 acres)
	23. Number of lots including residual lot
•	24. N/A Show any existing waterways
	A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
	26 Applicable note pertaining to owners review and concurrence with plat together with owner's signature
	27. Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
	28. Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
	29. Show topographical data with 2 or 5 ft. contours on initial submission

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date and previous lot number	vious subdivision, i.e. thed map number,
	approval of name is required, and notes on vill be provided and a street sign (per town talled
32. N/A Number of acres to be cleared	or timber harvested
33. X Estimated or known cubic yard from the site	ds of material to be excavated and removed
34.× Estimated or known cubic yar	ds of fill required
35. N/A The amount of grading expected to readiness	ed or known to be required to bring the site
	ration which falls within the 100 ft. buffer Critical Environmental Area. Please explain
37. N/A Any amount of site preparation course on the site. Please explain	n within a 100 year floodplain or any water n in sq. ft. or cubic yards.
38. X List of property owners within sattached statement).	500 feet of all parcels to be developed (see
The plan for the proposed subdivision of this checklist.	or site has been prepared in accordance with
	By:
	Licensed Professional
	Date:
This list is designed to be a guide ONLY	7. The Town of Newburgh Planning Board

This list is designed to be a guide ONLY. The Town of Newburgh Planning Board may require additional notes or revisions prior to granting approval.

Prepared (insert date): 10/4/13

FEE LAW SUMMARY

PENDING APPLICATIONS

All applicants with matters pending before the Planning Board as of the effective date of this local law shall be required to post as escrow in the manner and upon the terms and conditions set forth below:

- (a) The Planning Board, in consultation with the applicant, shall compute the amount of the escrow to be posted with the Town. Such amount shall be reasonably related to the costs attendant to the Town's review of the application as of the effective date of this local law. Under no circumstances shall the escrow include amounts attributable to any costs incurred by the Town prior to the effective date of this local law.
- (b) Once computed and established by Resolution of the Planning Board, the applicant shall, within fifteen (15) days of said resolution, post escrow fees with the Secretary of the Planning Board. Failure to deliver the said escrow fees may result in delay of the further processing of the application.

SEVERABILITY

In the event a court of law determined that any provision of this chapter is unenforceable, then only that provision shall be affected and all other provisions shall be fully enforceable.

EFFECTIVE DATE:

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

FEE ACKNOWLEDGEMENT

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

APPLICANT'S NAME (printed)

APPLICANTS SIGNATURE

DAME

Note: if the property abuts and has access to a County or State Highway or road, the following information must be place on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

PLANNING BOARD DISCLAIMER STATEMENT TO APPLICANTS

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

10/2/13

APPLICANT'S NAME (printed)

APPLICANT'S SIGNATURE

ARCHITECTURAL REVIEW

The Town of Newburgh Planning Board had been authorized to act as the Architectural Review Board for all: site plans, projects involving ten or more dwelling units, and any construction that would affect the character of a neighborhood under Section §185-59 of the Town Code (Zoning Law).

In order to perform this task, at some point prior to final approval, the applicant shall provide the Planning Board with elevations of buildings for all sides and a written (separately or on drawings) description of the materials, colors and textures to be used in construction. Plans shall also include topographical information and any screening of portions of the buildings, either existing or proposed.

Samples of the material and colors to be used shall either be submitted to the Planning Board or brought to the meeting at which architectural review will be discussed.

ARCHITECTURAL REVIEW FORM TOWN OF NEWBURGH PLANNING BOARD

DATE:	0/4/13
NAME OF P	ROJECT: McDonald's - Rebuild
	t is to submit in writing the following items prior to signing of the site
EXTERIOR	FINISH (skin of the building):
Type Brick and tile	(steel, wood, block, split block, etc.)
Red brick ar	tIM:
	Above window line and roof line
Colo	
Тур	e (material): Aluminum/metal
PARAPET (a	all roof top mechanicals are to be screened on all four sides):
ROOF:	Flat
Тур	e (gabled, flat, etc.): Flat
	erial (shingles, metal, tar & sand, etc.): Single ply roofing
Cole	or: TBD

WINDO	WS/SH	UTTERS:	
	Color ((also trim if different): None	
		Tempered glass	
	• •		
DOORS	•		
DOORS		Metal	
		if different than standard door entrée): Tempered glass	
SIGN:			
	Color:	White and yellow	
	Materi	ial:	
	Square	e footage of signage of site:	
Bra	dford	d.A.Bohler, P.E.	
Please p	rint nan	ne and title (owner agent) builder, superintendent of job, etc	:.)
Signatur	e		

617.20 Appendix A

State Environmental Quality Review FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

we

- Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

bsite		Pate		
Signature of Res	ponsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)		
Print or Type Na	me of Responsible Officer in Lead Agency	Title of Responsible Officer		
		Planning Board Chairman		
	Name of L	ead Agency		
Town o	Name of Newburgh	of Action		
	ditioned Negative Declaration is only valid for Uald's USA, LLC	nlisted Actions		
C.	The project may result in one or more large an environment, therefore a positive declaration v	d important impacts that may have a significant impact on the vill be prepared.		
В.		effect on the environment, there will not be a significant effect in measures described in PART 3 have been required, therefore prepared.*		
Α.	The project will not result in any large and im significant impact on the environment, therefo	portant impact(s) and, therefore, is one which will not have a re a negative declaration will be prepared.		
Identify the Portions of EAF completed for this project: Upon review of the information recorded on this EAF (Parts 1 an considering both the magnitude and importance of each impact,		Part 1 Part 2 Part 3 d 2 and 3 if appropriate), and any other supporting information, and it is reasonably determined by the lead agency that:		

PART 1--PROJECT INFORMATION Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action McDonald's Restaurant			
Location of Action (include Street Address, Municipality and County)			
187 North Plan Road, Section 76; Block 1; Lot 1.1, Town of Newburgh	n, Orange County, NY		
Name of Applicant/Sponsor Bohler Engineering / Bradford A. Bohler,	P.E.		
Address 35 Technology Drive			
City / PO Warren	State NJ	Zip Code07059	
Business Telephone 908-668-8300			
Name of Owner (if different) c/o CRE Asset Management, LLC			
Address 5 Brewster Street, #368			
City / PO Glen Cove	State NY	Zip Code 11542	
Business Telephone			
Description of Action:			
Proposed rebuild and improvements to the existing McDonald's Restar demolition of the existing building and construction of a new 5,206-Sl include a two (2) lane drive-thru system, modifications to the parking drainage, utilities, lighting, signage and landscaping. A total of sixty The improvements will result in an overall decrease of 0.12-acres in inclimit of land disturbance for the improvements is approximately 2.1-acres.	F building with 107 indoor s area, repaving of the parkin four (64) parking spaces are mpervious surfaces for a tota	eats. Related improvement g area, as well as upgrades proposed.	s will to the site
minit of land disturbance for the improvements is approximately 2.1-ac			
'			
		•	

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Phy	sical setting of overall project, both developed and undeveloped areas.		
1.	Present Land Use: Urban Industrial Commercial R Forest Agriculture Other Existing McDor	esidential (suburban) nald's Restaurant	Rural (non-farm)
2.	Total acreage of project area:2.8 acres.		
	APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
	Meadow or Brushland (Non-agricultural)	acres	acres
	Forested	acres	acres
	Agricultural (Includes orchards, cropland, pasture, etc.)	acres	acres
	Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	acres	acres
	Water Surface Area	acres	acres
	Unvegetated (Rock, earth or fill)	acres	acres
	Roads, buildings and other paved surfaces	<u>1.7</u> acres	1.1_ acres
	Other (Indicate type) Grass /Landscaped area	1.1_ acres	1.7_ acres
3.	What is predominant soil type(s) on project site? Pittsfield gravelly loam, (PtC) & Udorthents, smooth	ed (UH)
	a. Soil drainage: ✓ Well drained 100 % of site Moderatel	y well drained $\underline{}$ %	of site.
	Poorly drained $\frac{0}{8}$ % of site		
	 If any agricultural land is involved, how many acres of soil are classified w Classification System? acres (see 1 NYCRR 370). 	vithin soil group 1 throu	igh 4 of the NYS Land
4.	Are there bedrock outcroppings on project site? Yes No		
	a. What is depth to bedrock $\phantom{aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa$		
5.	Approximate percentage of proposed project site with slopes:		
	✓ 0-10% 90 % ✓ 10- 15% 5 % ✓ 15% or greater 5	_%	
6.	Is project substantially contiguous to, or contain a building, site, or district, list Historic Places? Yes No	ed on the State or Nati	onal Registers of
7.	Is project substantially contiguous to a site listed on the Register of National Na	atural Landmarks?	Yes No
8.	What is the depth of the water table?(in feet)		
9.	Is site located over a primary, principal, or sole source aquifer?	■ No	
10.	Do hunting, fishing or shell fishing opportunities presently exist in the project a	area? Yes	■ No

11.	Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No				
	According to:				
	Per a NYSDEC Environmental Mapper query and response from the NYSDEC Natural Heritage Program, no threatened or endangered wildlife or rare plants have been recorded on or within the vicinity of the site.				
	Identify each species:				
	Based on existing site conditions and the extent of the surrounding development, it is not anticipated that the site contains any suitable habitat for any threatened or endangered species.				
12.	Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?				
	Yes ■ No				
	Describe:				
12	Is the project site presently used by the community or neighborhood as an open space or recreation area?				
10.	Yes No				
	If yes, explain:				
14.	Does the present site include scenic views known to be important to the community?				
	·				
15.	Streams within or contiguous to project area:				
	There are no streams within or contiguous to the project area.				
	a. Name of Stream and name of River to which it is tributary				
16.	Lakes, ponds, wetland areas within or contiguous to project area:				
	There are no lakes or ponds within or contiguous to the project area.				
	h. Gira (in anna)				
	b. Size (in acres):				

17.	Is the site served by existing public utilities?
	a. If YES, does sufficient capacity exist to allow connection?
	b. If YES , will improvements be necessary to allow connection?
18.	Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?
19.	Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
	Has the site ever been used for the disposal of solid or hazardous wastes? Yes No
В.	Project Description
1.	Physical dimensions and scale of project (fill in dimensions as appropriate).
	a. Total contiguous acreage owned or controlled by project sponsor:2.8 acres.
	b. Project acreage to be developed:2.1 acres initially;2.1 acres ultimately.
	c. Project acreage to remain undeveloped: <u>0.7</u> acres.
	d. Length of project, in miles: N/A (if appropriate)
	e. If the project is an expansion, indicate percent of expansion proposed0 %
	f. Number of off-street parking spaces existing90; proposed64
	g. Maximum vehicular trips generated per hour:307 (upon completion of project)?
	h. If residential: Number and type of housing units:
	One Family Two Family Multiple Family Condominium
	Initially
	Ultimately
	i. Dimensions (in feet) of largest proposed structure: 23'-4" height; 45.67' width; 114.33' length.
	j. Linear feet of frontage along a public thoroughfare project will occupy is? $\frac{\sim 1,500}{}$ ft.
2.	How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0tons/cubic yards.
3.	Will disturbed areas be reclaimed Yes No N/A
	a. If yes, for what intended purpose is the site being reclaimed?
	Existing McDonald's Restaurant facility is being upgraded, onsite materials and soils will be used as necessary/feasible.
	b. Will topsoil be stockpiled for reclamation? Yes No
•	c. Will upper subsoil be stockpiled for reclamation?
1	How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? () acres

5.	Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No
<u></u>	
6.	If single phase project: Anticipated period of construction: 3 months, (including demolition)
7.	If multi-phased:
	a. Total number of phases anticipated <u>N/A</u> (number)
	b. Anticipated date of commencement phase 1: <u>Jun_</u> month <u>2014</u> year, (including demolition)
	c. Approximate completion date of final phase: Oct month 2014 year.
	d. Is phase 1 functionally dependent on subsequent phases? Yes I No
8.	Will blasting occur during construction?
9.	Number of jobs generated: during construction; after project is complete ;
10.	. Number of jobs eliminated by this project $\underline{0}$.
11.	. Will project require relocation of any projects or facilities?
	If yes, explain:
12.	. Is surface liquid waste disposal involved? Yes No
	a. If yes, indicate type of waste (sewage, industrial, etc) and amount
	b. Name of water body into which effluent will be discharged
13.	. Is subsurface liquid waste disposal involved? Yes No Type
14.	. Will surface area of an existing water body increase or decrease by proposal? Tyes No
	If yes, explain:
15.	. Is project or any portion of project located in a 100 year flood plain? Yes No
16.	, Will the project generate solid waste?
	a. If yes, what is the amount per month?3 tons
	b. If yes, will an existing solid waste facility be used? Yes No
	c. If yes, give name Taylor Recycling
	d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes

17. V	Will the project involve the disposal of solid waste? Yes No
	If yes, what is the anticipated rate of disposal? tons/month.
b	o. If yes, what is the anticipated site life? years.
18. V	Will project use herbicides or pesticides? Yes No
	Nill project routinely produce odors (more than one hour per day)? Yes No
	Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☐ No
	Will project result in an increase in energy use?
	f yes, indicate type(s)
	f yes, indicate type(s)
22.1	f yes, indicate type(s) f water supply is from wells, indicate pumping capacity <u>N/A</u> gallons/minute.
22. 1	f yes, indicate type(s) f water supply is from wells, indicate pumping capacity <u>N/A</u> gallons/minute. Fotal anticipated water usage per day <u>2,220</u> gallons/day.
22. l 23. l 24. [f yes, indicate type(s) f water supply is from wells, indicate pumping capacity N/A gallons/minute. Fotal anticipated water usage per day 2.220 gallons/day. Does project involve Local, State or Federal funding? Yes No
22. 1 23. 7 24. [f yes, indicate type(s) f water supply is from wells, indicate pumping capacity <u>N/A</u> gallons/minute. Fotal anticipated water usage per day <u>2,220</u> gallons/day.
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2 5.	Approvais Required:	•		Туре	Submittal Date
	City, Town, Village Board	Yes	■ No		
	City, Town, Village Planning Board	Yes	No No	Site Plan Approval Architectural Review	10/4/2013 10/4/2013
	City, Town Zoning Board	Yes	No No	Variances	To be submitted
	City, County Health Department	Yes	□ No	County Food Service	To be submitted
	Other Local Agencies	Yes	☐ No	Building Department	To be submitted
	Other Regional Agencies	Yes	■ No		
	State Agencies	Yes	No	SPDES NYSDOT - Driveway Permit	to be submitted To be submitted
	Federal Agencies	Yes	No		
C.	Zoning and Planning Information Does proposed action involve a plan If Yes, indicate decision required:	nning or zoning	g decision? 🔳 Yes	No No	
	Zoning amendment	Zoning vari	ance	New/revision of master plan	Subdivision
	Site plan	Special use	e permit	Resource management plan	Other

B Zone				
What is the maximum potential deve	opment of the site if developed as	permitted by the present z	oning?	
B Zone Minimum Lot Area - 15,000 sf/Maxi	mum Building Coverage - 40%/Max	imum Surface Coverage -	80%	
What is the proposed zoning of the s	ite?			
N/A				
What is the maximum potential deve	opment of the site if developed as	permitted by the proposed	d zoning?	
N/A				
s the proposed action consistent wit	h the recommended uses in adopte	d local land use plans?	Yes	No
What are the predominant land use(s) and zoning classifications within a	1 1/4 mile radius of propose	ed action?	
and residential uses beyond.				

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes
N/A
11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection). Yes No
a. If yes, is existing capacity sufficient to handle projected demand?
The development currently exists and is currently served by police and fire department services
12. Will the proposed action result in the generation of traffic significantly above present levels?
a. If yes, is the existing road network adequate to handle the additional traffic.
The proposed development will predominately be utilized by existing traffic due to the current existing use to remain the san
D. Informational Details
Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.
E. Verification
I certify that the information provided above is true to the best of my knowledge.
Applicant/Sponsor Name Bradford A. Bohler, P.E. Date
Signature
Title Professional Engineer, Bohler Engineering

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- ! The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

		1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
	Impact on Land			
	posed Action result in a physical change to the project			
site?	O YES			
Exam •	Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.			Yes No
٠	Construction on land where the depth to the water table is less than 3 feet.			Yes No
•	Construction of paved parking area for 1,000 or more vehicles.			Yes No
•	Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.			Yes No
•	Construction that will continue for more than 1 year or involve more than one phase or stage.			Yes No
•	Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.			Yes No

		Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
	Construction or expansion of a santary landfill.			Yes No
	Construction in a designated floodway.			Yes No
	Other impacts:	-		Yes No
2.	Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)			
	Specific land forms:		enwe ¹	Yes No
	Impact on Water			
3.	Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)			
	NO YES			
	 Examples that would apply to column 2 Developable area of site contains a protected water body. 			Yes No
	 Dredging more than 100 cubic yards of material from channel of a protected stream. 			Yes No
	 Extension of utility distribution facilities through a protected water body. 			Yes No
	Construction in a designated freshwater or tidal wetland.			Yes No
	Other impacts:	·		Yes No
		политичеству с наблага, из темпит почини и факт		
4.	Will Proposed Action affect any non-protected existing or new body of water? NO YES			
	Examples that would apply to column 2 A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.			Yes No
	 Construction of a body of water that exceeds 10 acres of surface area. 			Yes No
	Other impacts:			Yes No
		росколожився в оби б исенцију усему пофију сем	THE STATE OF THE S	## ## ## ## ## ## ## ## ## ## ## ## ##

	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
Vill Proposed Action affect surface or groundwater quality or uantity?			
examples that would apply to column 2 Proposed Action will require a discharge permit.			Yes No
Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.			Yes No
Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.		2	Yes No
Construction or operation causing any contamination of a water supply system.		and the second	Yes No
Proposed Action will adversely affect groundwater.			Yes No
Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.		ALCONO.	Yes No
Proposed Action would use water in excess of 20,000 gallons per day.			Yes No
Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.			Yes No
Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.			Yes No
Proposed Action will allow residential uses in areas without water and/or sewer services.	angula.		Yes No
Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.			Yes No
Other impacts:			Yes No

5.

		1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
6.	Will Proposed Action alter drainage flow or patterns, or surface water runoff? NO YES			
	Examples that would apply to column 2 Proposed Action would change flood water flows Proposed Action may cause substantial erosion. Proposed Action is incompatible with existing drainage patterns. Proposed Action will allow development in a designated			Yes No Yes No Yes No Yes No
	floodway. Other impacts:			Yes No
	IMPACT ON AIR		* ()	
7.	Will Proposed Action affect air quality? NO YES			
	 Examples that would apply to column 2 Proposed Action will induce 1,000 or more vehicle trips in any given hour. 			Yes No
	 Proposed Action will result in the incineration of more than 1 ton of refuse per hour. 			Yes No
	Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.			Yes No
	 Proposed Action will allow an increase in the amount of land committed to industrial use. 	7 2 2 2 2 2 2 2 3		Yes No
٠	Proposed Action will allow an increase in the density of industrial development within existing industrial areas.			Yes No
	Other impacts:			Yes No
	IMPACT ON PLANTS AND ANIMALS			
8.	Will Proposed Action affect any threatened or endangered species? NO YES			
	 Examples that would apply to column 2 Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. 			Yes No

		1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
•	Removal of any portion of a critical or significant wildlife habitat.			Yes No
•	Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.			Yes No
•	Other impacts:			Yes No
				,
	Il Proposed Action substantially affect non-threatened or non-dangered species? NO YES			
Ex	amples that would apply to column 2 Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.			Yes No
٠	Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.			Yes No
•	Other impacts:			Yes No
0. W	IMPACT ON AGRICULTURAL LAND RESOURCES III Proposed Action affect agricultural land resources? NO YES			
Е х	tamples that would apply to column 2 The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)			Yes No
•	Construction activity would excavate or compact the soil profile of agricultural land.			Yes No
•	The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.			Yes No

		Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
•	The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).			Yes No
•	Other impacts:			Yes No
				1994 (Marie Van de voer nei en week op de verscom ook een die de verscom ook een die de verschaf de verschaf d
	IMPACT ON AESTHETIC RESOURCES			Odd Sidd, 8, 9 dagail thickey's cost or a medic symmetric of a money from mycogail of Germa Abberts.
	ill Proposed Action affect aesthetic resources? (If necessary, use e Visual EAF Addendum in Section 617.20, Appendix B.) NO YES			
Ex •	ramples that would apply to column 2 Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.			Yes No
•	Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.			Yes No
•	Project components that will result in the elimination or significant screening of scenic views known to be important to the area.			Yes No
•	Other impacts:			Yes No
	IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES			
	ill Proposed Action impact any site or structure of historic, ehistoric or paleontological importance? NO YES			
E>	ramples that would apply to column 2 Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.			Yes No
٠	Any impact to an archaeological site or fossil bed located within the project site.			Yes No
•	Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.			Yes No

	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
Other impacts:			Yes No
IMPACT ON OPEN SPACE AND RECREATION			
Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? NO YES			
 Examples that would apply to column 2 The permanent foreclosure of a future recreational opportunity. 			Yes No
A major reduction of an open space important to the community.			Yes No
Other impacts:	and the second s		Yes No
IMPACT ON CRITICAL ENVIRONMENTAL AREAS			
 Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?			
Examples that would apply to column 2			
Proposed Action to locate within the CEA?			Yes No
 Proposed Action will result in a reduction in the quantity of the resource? 	L	<u></u>	resNo
 Proposed Action will result in a reduction in the quality of the resource? 			Yes No
 Proposed Action will impact the use, function or enjoyment of the resource? 			Yes No
Other impacts:			Yes No

			Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
		IMPACT ON TRANSPORTATION			
15.	Wil	If there be an effect to existing transportation systems?			
	Exa •	amples that would apply to column 2 Alteration of present patterns of movement of people and/or goods.			Yes No
	•	Proposed Action will result in major traffic problems.			Yes No
	•	Other impacts:	and the same of th		Yes No
				and the second s	
		IMPACT ON ENERGY			
16.		Il Proposed Action affect the community's sources of fuel or ergy supply?			
		NO YES			
	Exa •	amples that would apply to column 2 Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.			Yes No
	•	Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.			Yes No
	•	Other impacts:		and the second s	Yes No
		NOISE AND ODOR IMPACT			
17.		Il there be objectionable odors, noise, or vibration as a result of Proposed Action?			
		NO YES			
	Exa •	amples that would apply to column 2 Blasting within 1,500 feet of a hospital, school or other sensitive facility.			Yes No
	•	Odors will occur routinely (more than one hour per day).			Yes No
	•	Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.			Yes No
	•	Proposed Action will remove natural barriers that would act as a noise screen.		AM AND	Yes No
	•	Other impacts:			Yes No

			1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
		IMPACT ON PUBLIC HEALTH			
18.	Will	Proposed Action affect public health and safety? NO YES			
	•	Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.			Yes No
	•	Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)		ALC CO.	Yes No
	•	Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.			Yes No
	•	Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.			Yes No
		Other impacts:		and the	Yes No
		IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD		THE REPORT OF THE PROPERTY OF	
19.	Will	Proposed Action affect the character of the existing community? NO YES			
	Exa •	amples that would apply to column 2 The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.			Yes No
	•	The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.			Yes No
	•	Proposed Action will conflict with officially adopted plans or goals.	and the state of		Yes No
	•	Proposed Action will cause a change in the density of land use.	- A DAME		Yes No
	•	Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.			Yes No
	•	Development will create a demand for additional community services (e.g. schools, police and fire, etc.)			Yes No

		1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
•	Proposed Action will set an important precedent for future projects.			Yes No
•	Proposed Action will create or eliminate employment.			Yes No
•	Other impacts:		waters a second	Yes No
	here, or is there likely to be, public controversy related to potential verse environment impacts? NO YES			

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

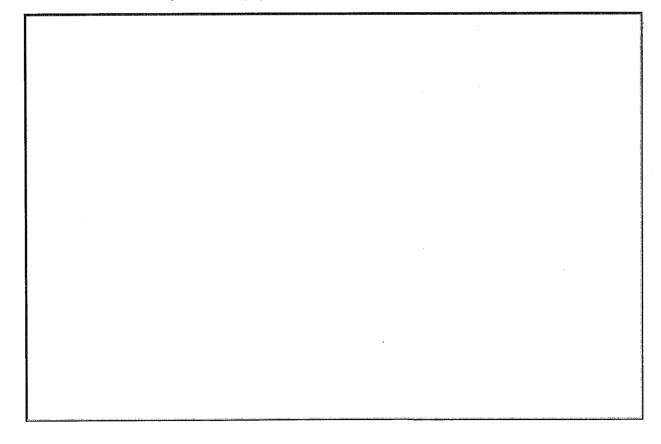
Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

- 1. Briefly describe the impact.
- 2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
- 3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.



PRELIMINARY & FINAL SITE PLAN

PROPOSED

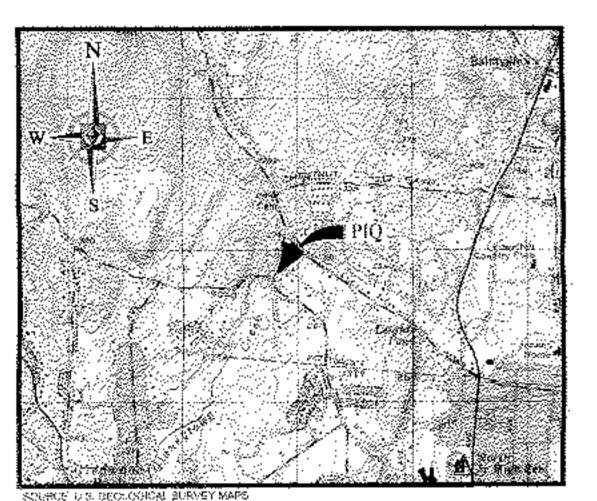
DRIVE-THRU RESTAURANT

FOR

McDomald's USA, LLG.

SECTION 76; BLOCK 1; LOT 1.1 SHEET #76

65 NORTH PLANK ROAD, GARDNERTOWN ROAD & GIDNEY AVENUE

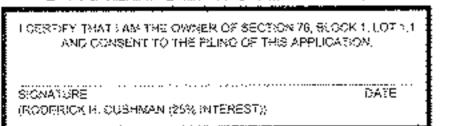


USGS MAP

OWNER CERTIFICATION

I CARTIES THAT I AM THE OWNER OF SECTION 75, BLOCK 5, LOT 1.1 AND CONSENT TO THE FILING OF THIS APPRICATION.
SIGNATURE DATE (LAKE GREEK PROPERTIES, LLC (15% INTEREST):

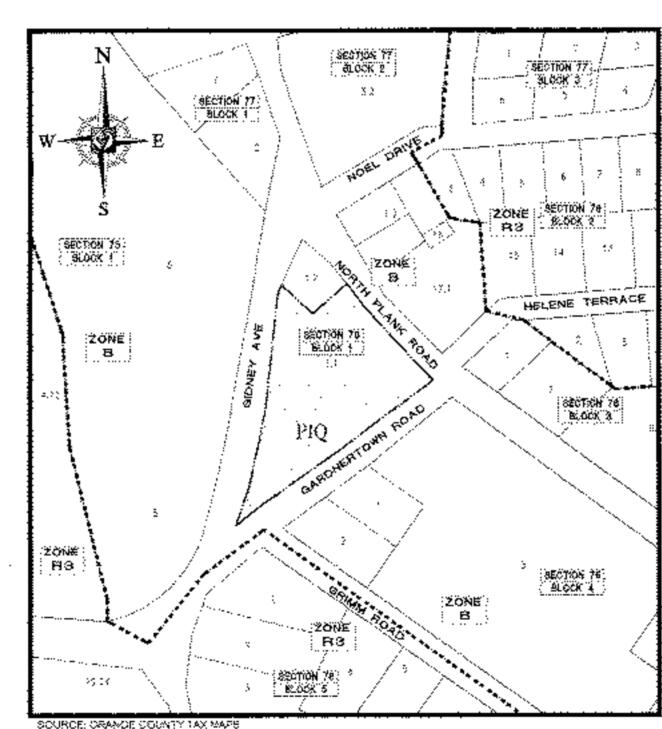
OWNER CERTIFICATION



APPROVAL BLOCK

APPROVED BY THE TOWN OF NEWBURGH	PLANNING BOARD
BOARD SECRETARY	DATE
BOARS CHAIRPERSON	BIAG
BOARD ENGINEER	DATÉ

TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK



AREA MAP 4°=290°

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ADJOINING NEIGHBOURS

SECTION YE. BLOCK 9, (*) 1.5.2. SHALENTERPROSES, LLC

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PREPARED BY



35 TECHNOLOGY DRIVE WARREN, NEW JERSEY 07059

Dig Safely.

800-962-7962

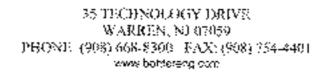
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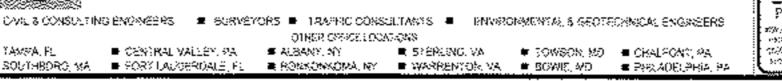
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New York

PH: (908) 668-8300

FX: (908) 754-4401





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	STILITY INFORMATION
GAS	CONSERT THIOSON GAS & BLECTRIC (845) 208-5040
ELECTRIC	CONFRANCEUDSON GAS & ELECTRIC (845) 206-0340
SEWER	TOWN OF NEWBURGH: (845) 564-3808
WATER	70WN OF NEWBURDH (840) 054-7013

PUSONE & CABLE : VERIZONALIZORA VALLEY (215) 446-2508

AOVER SHEET

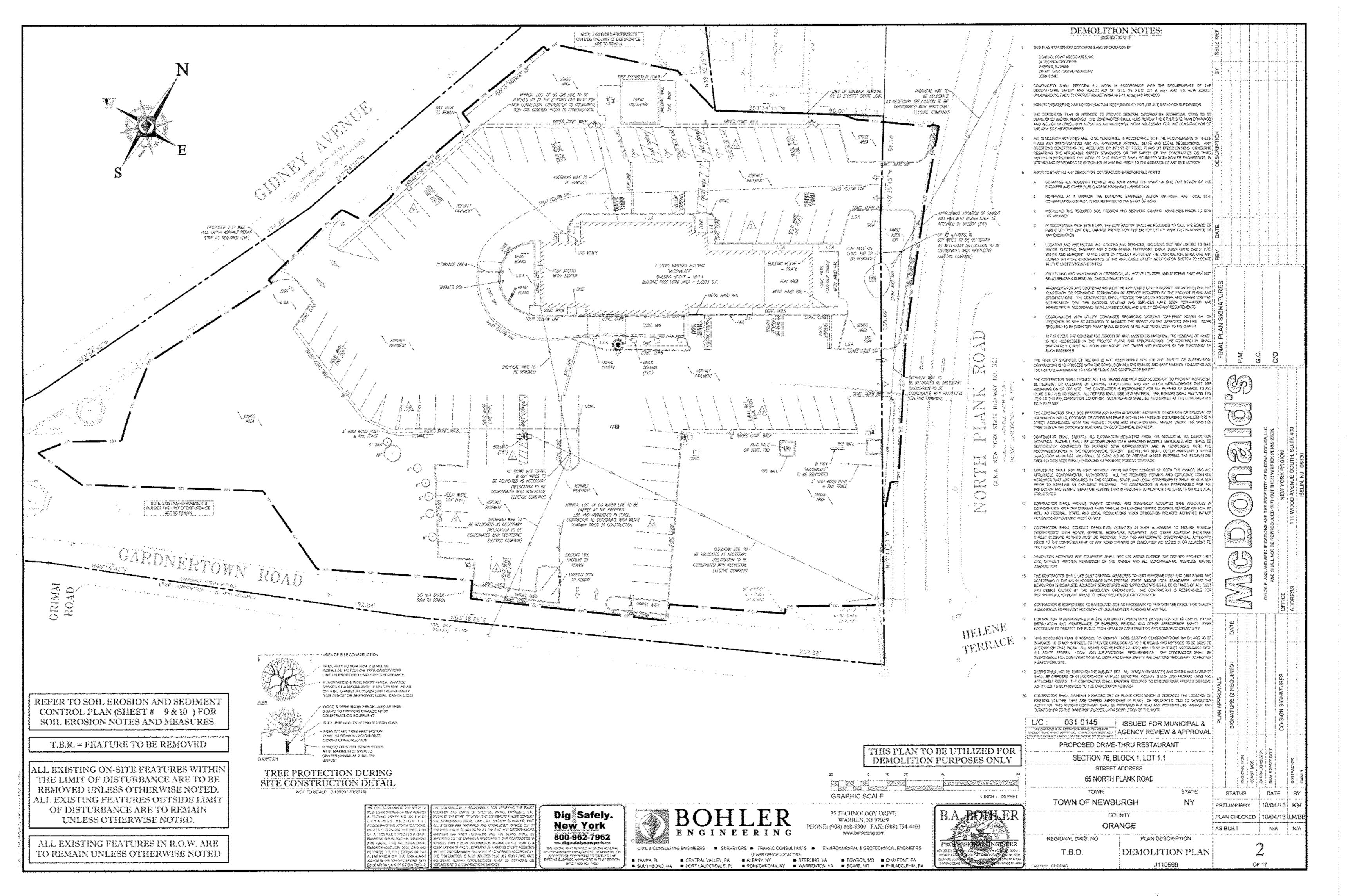
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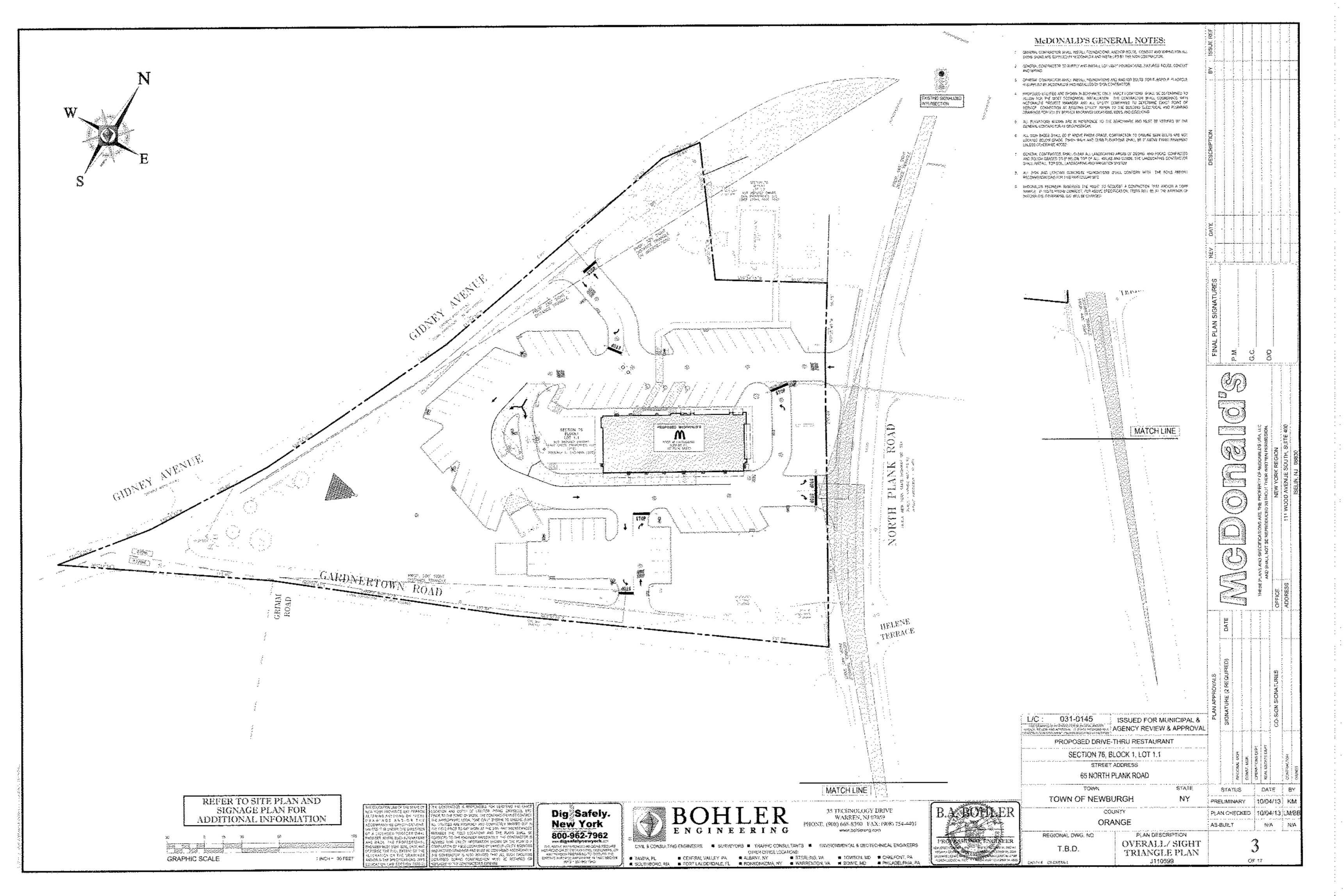
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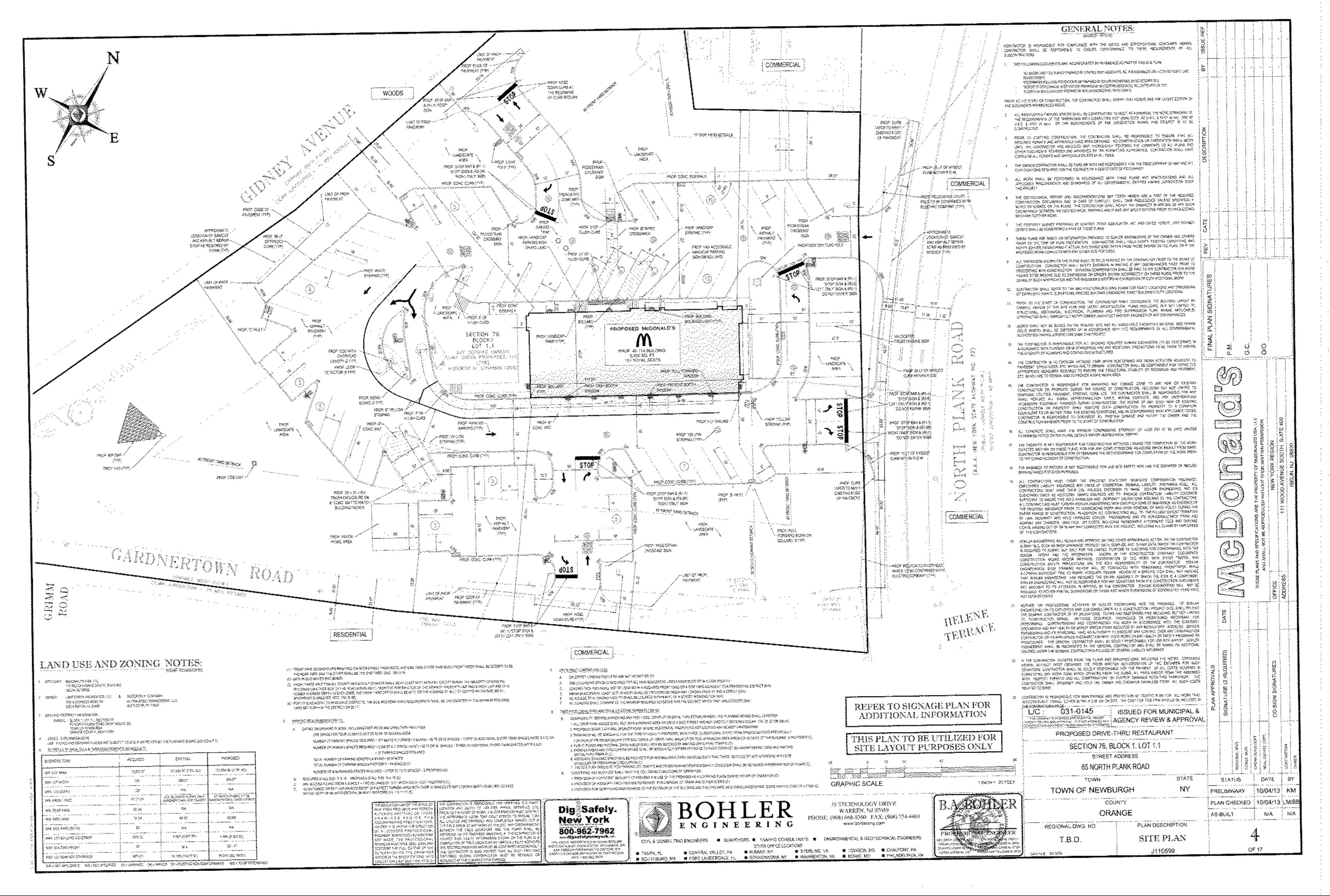
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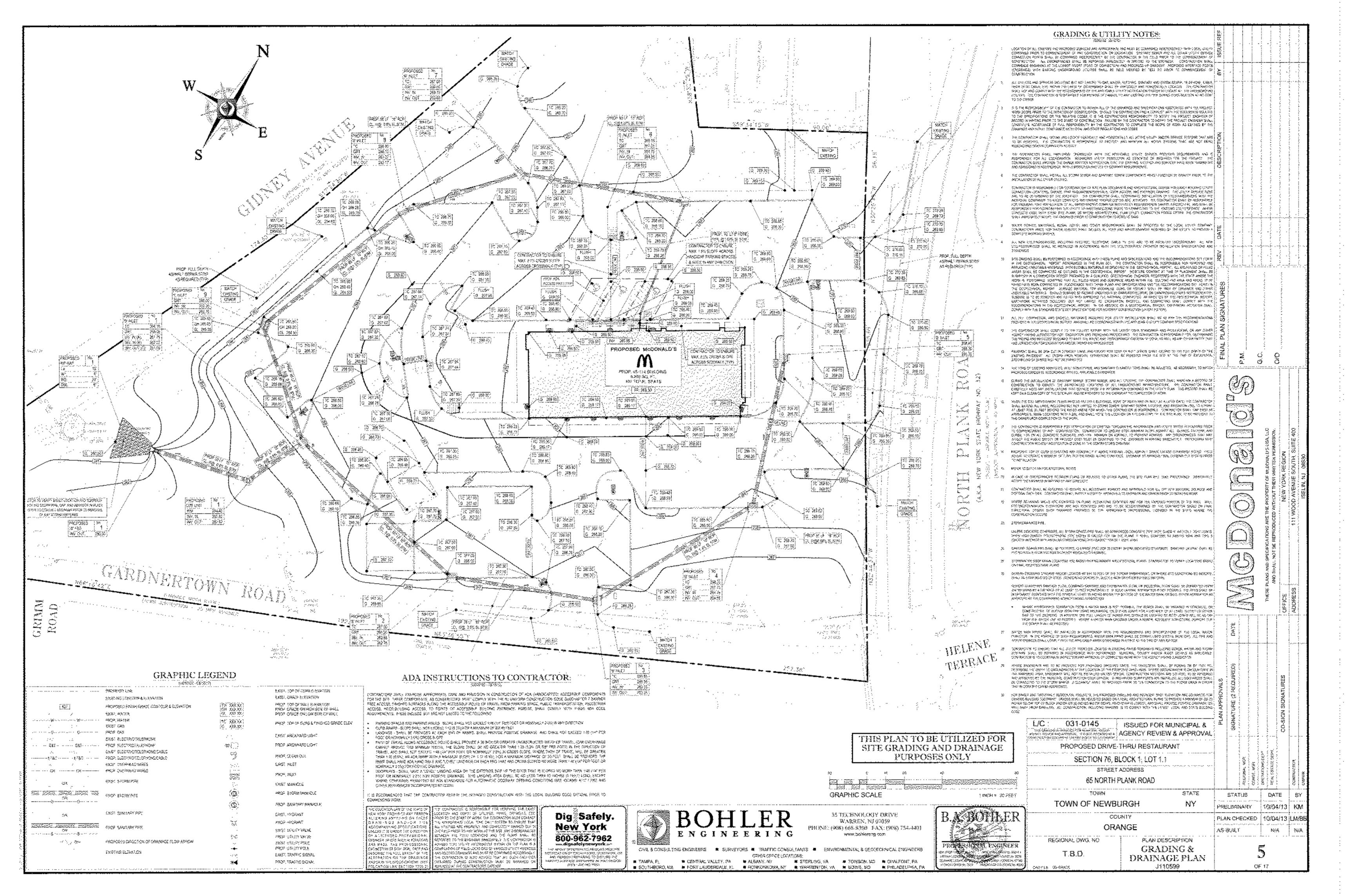


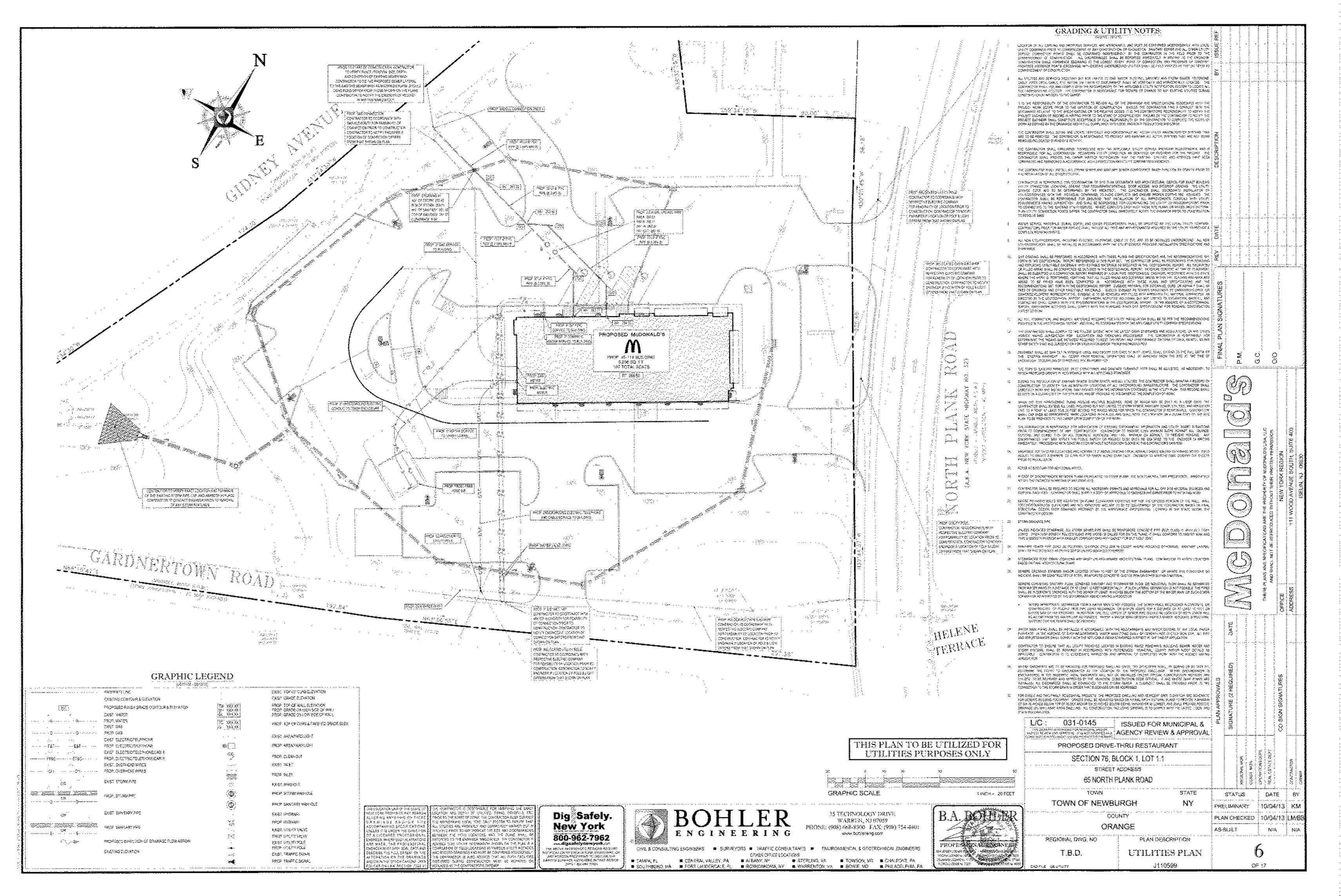
AERIAL MAP

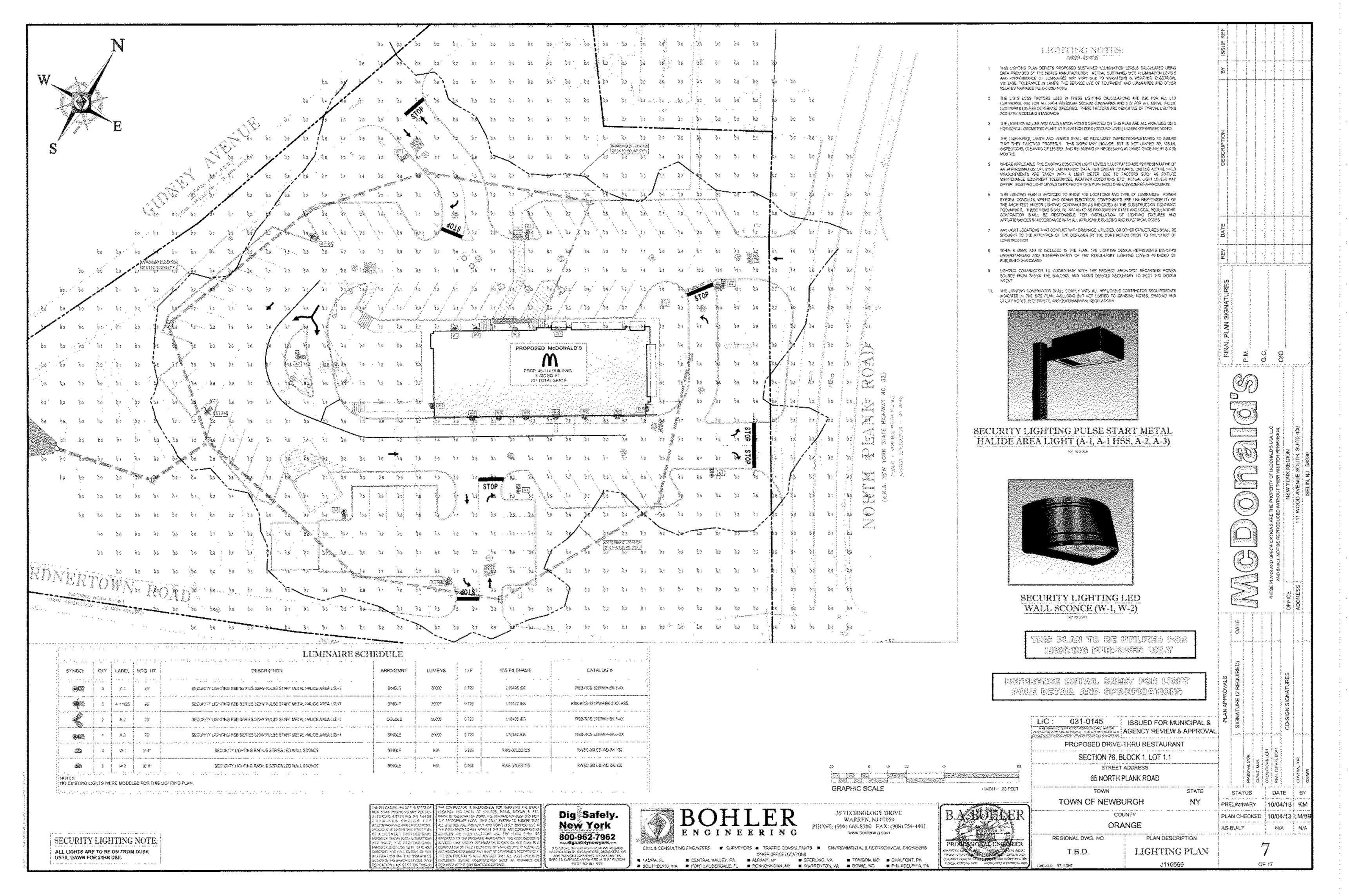


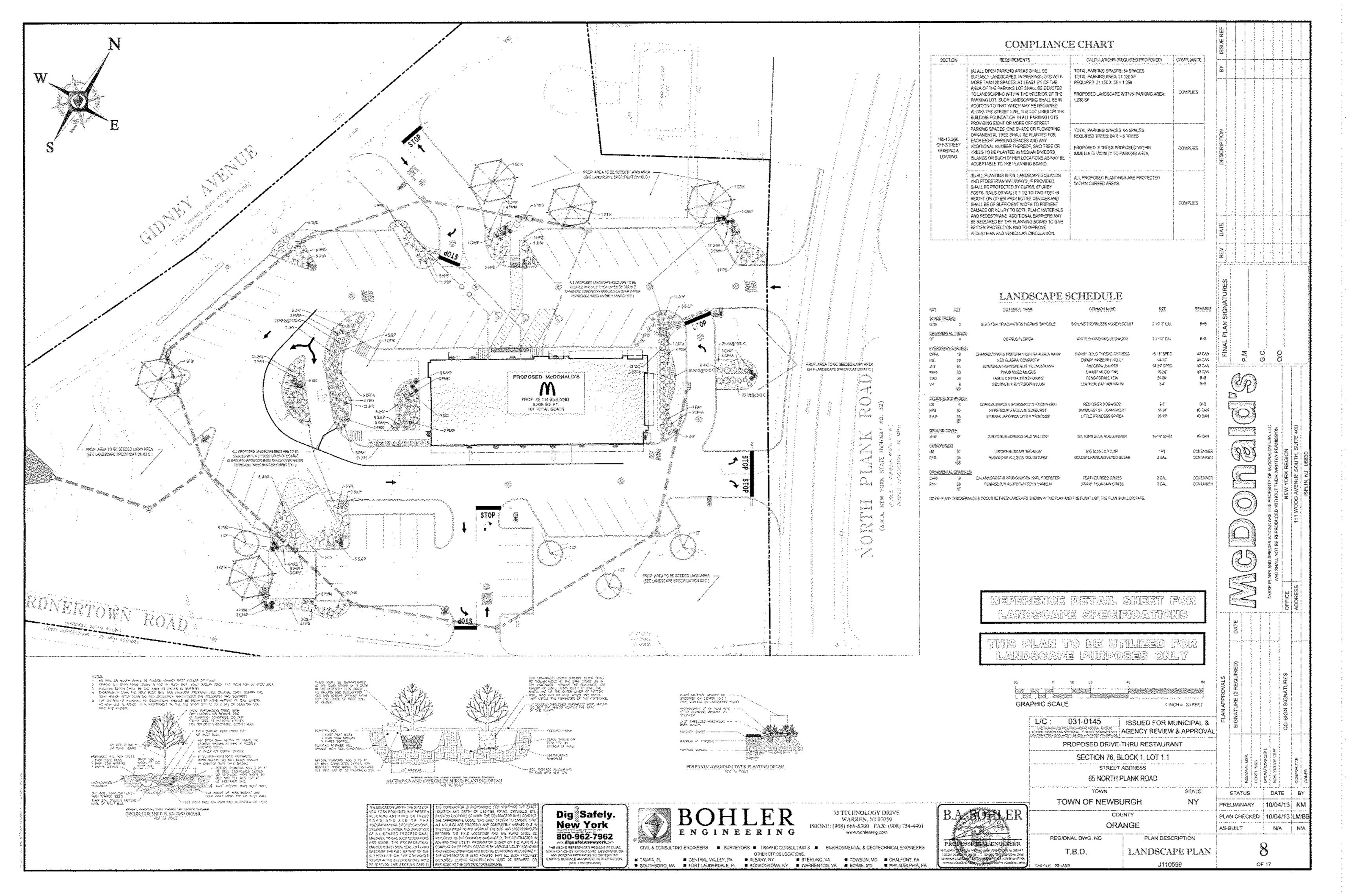


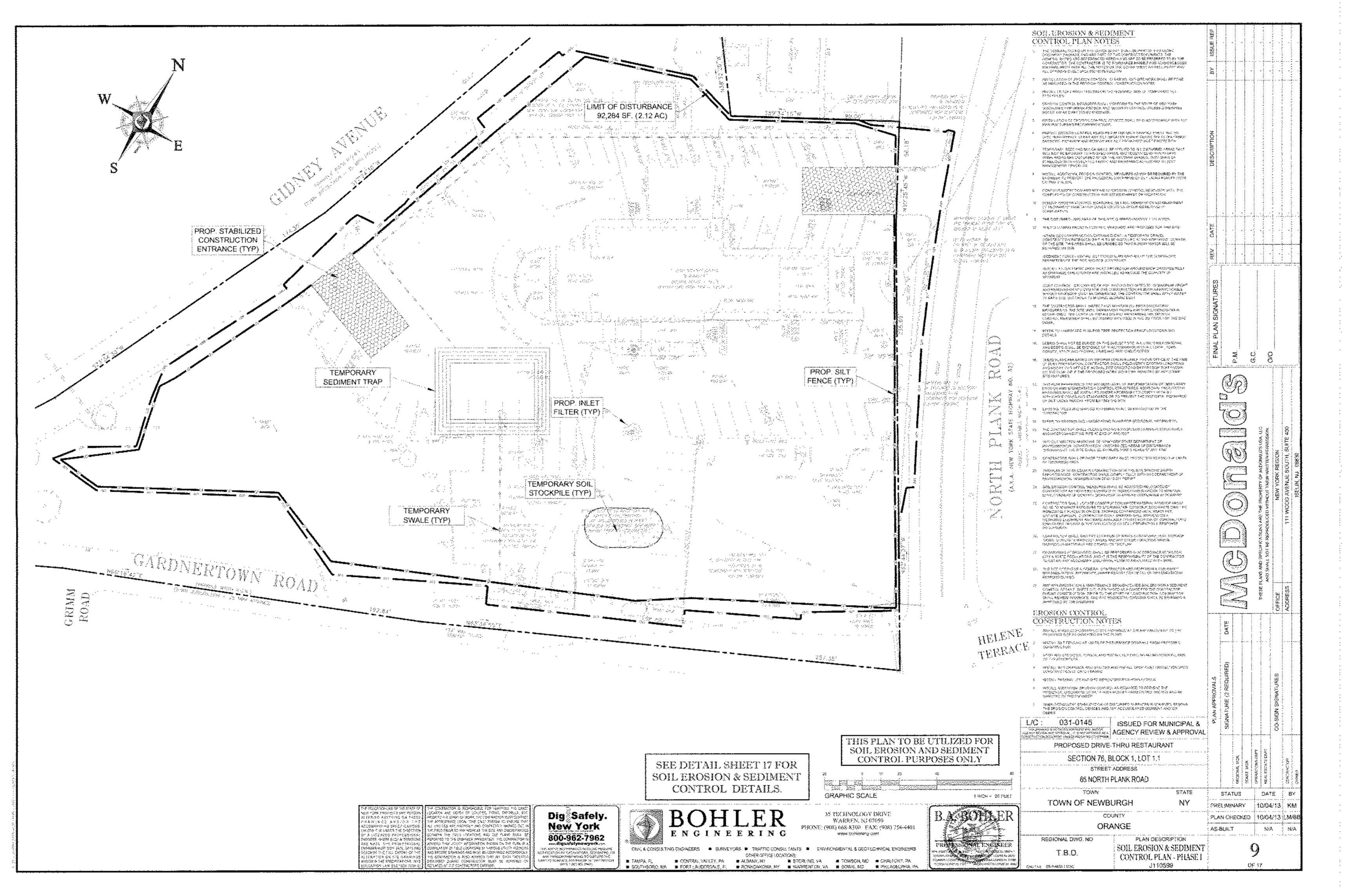


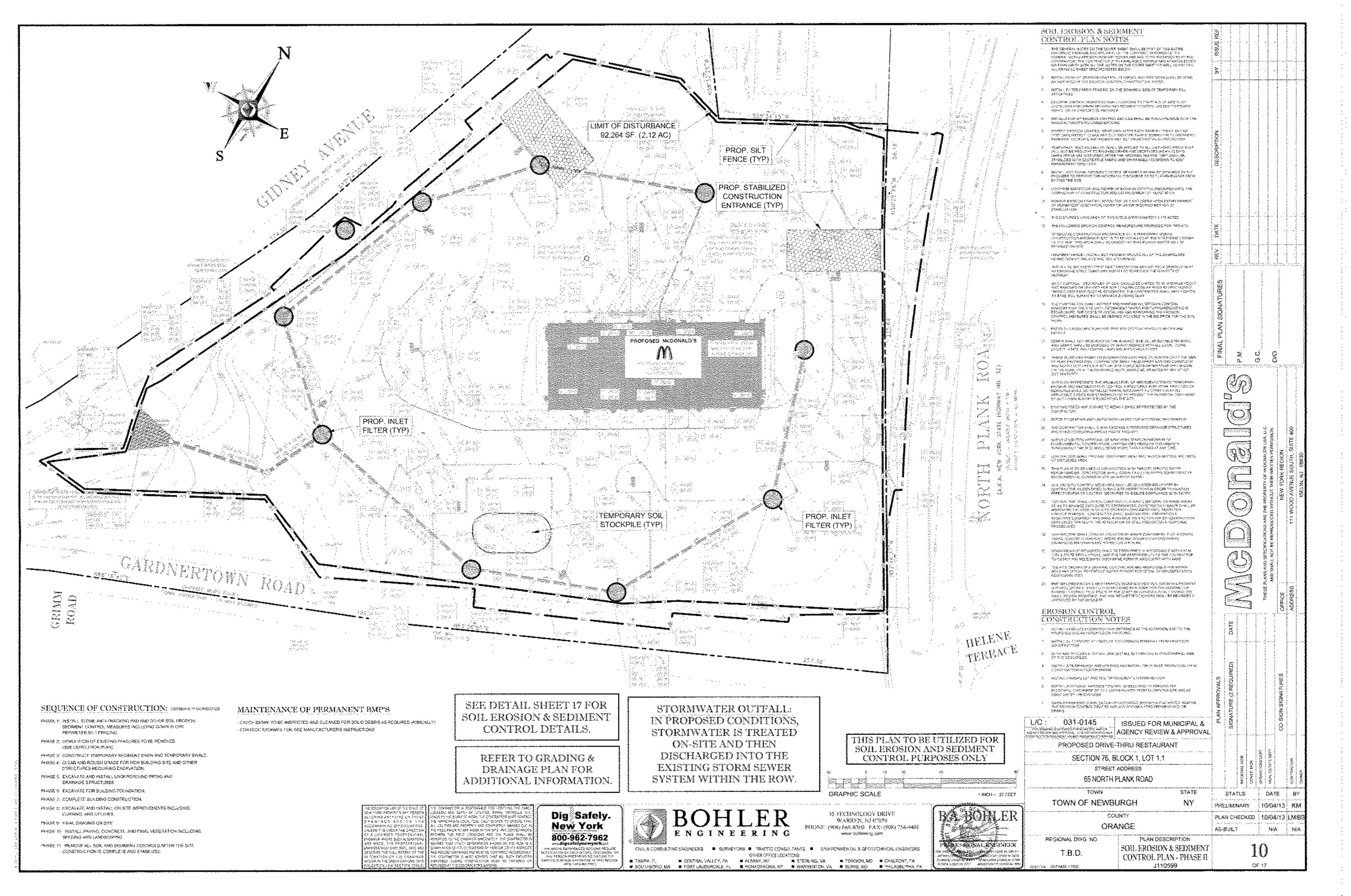


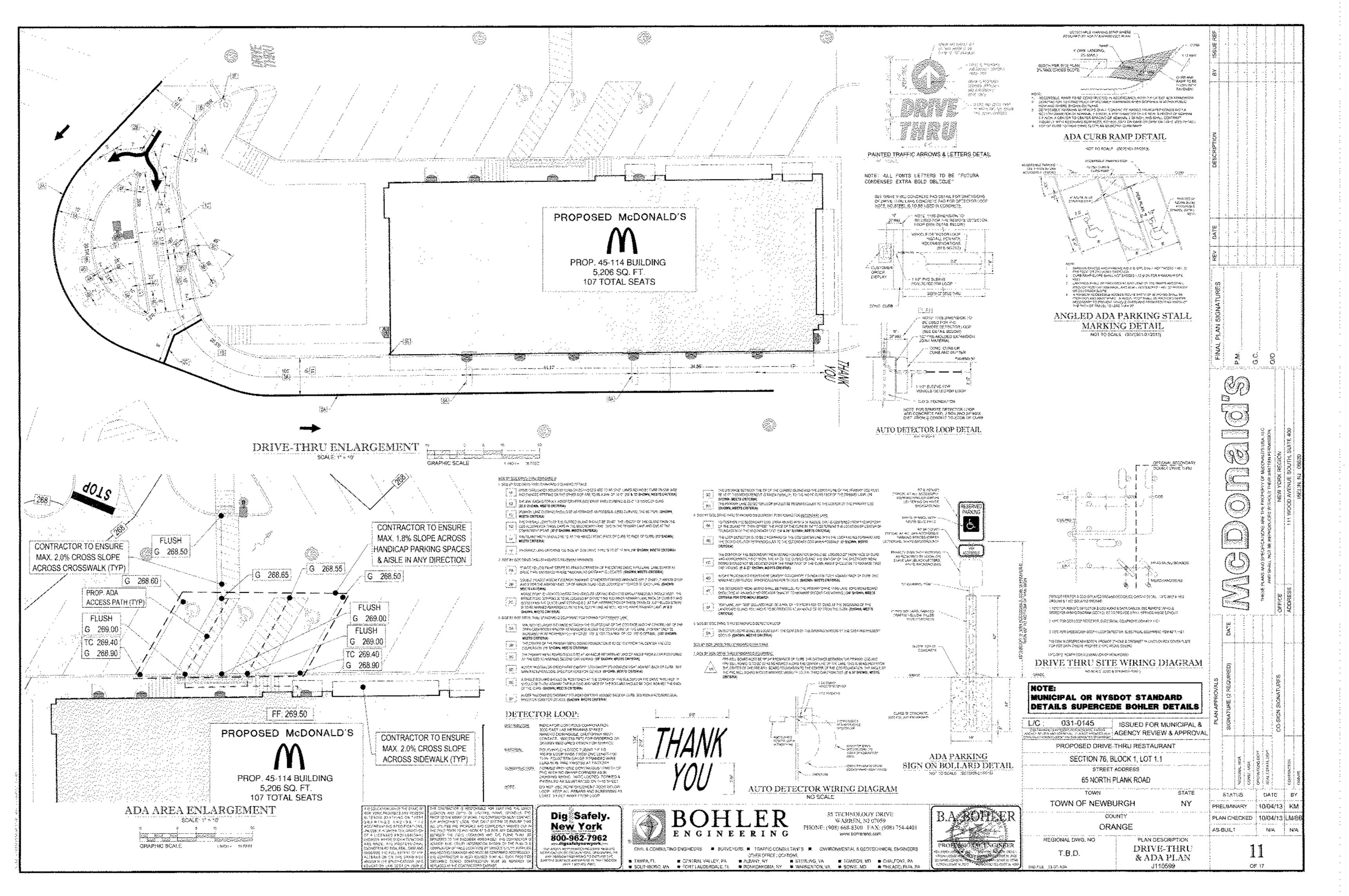


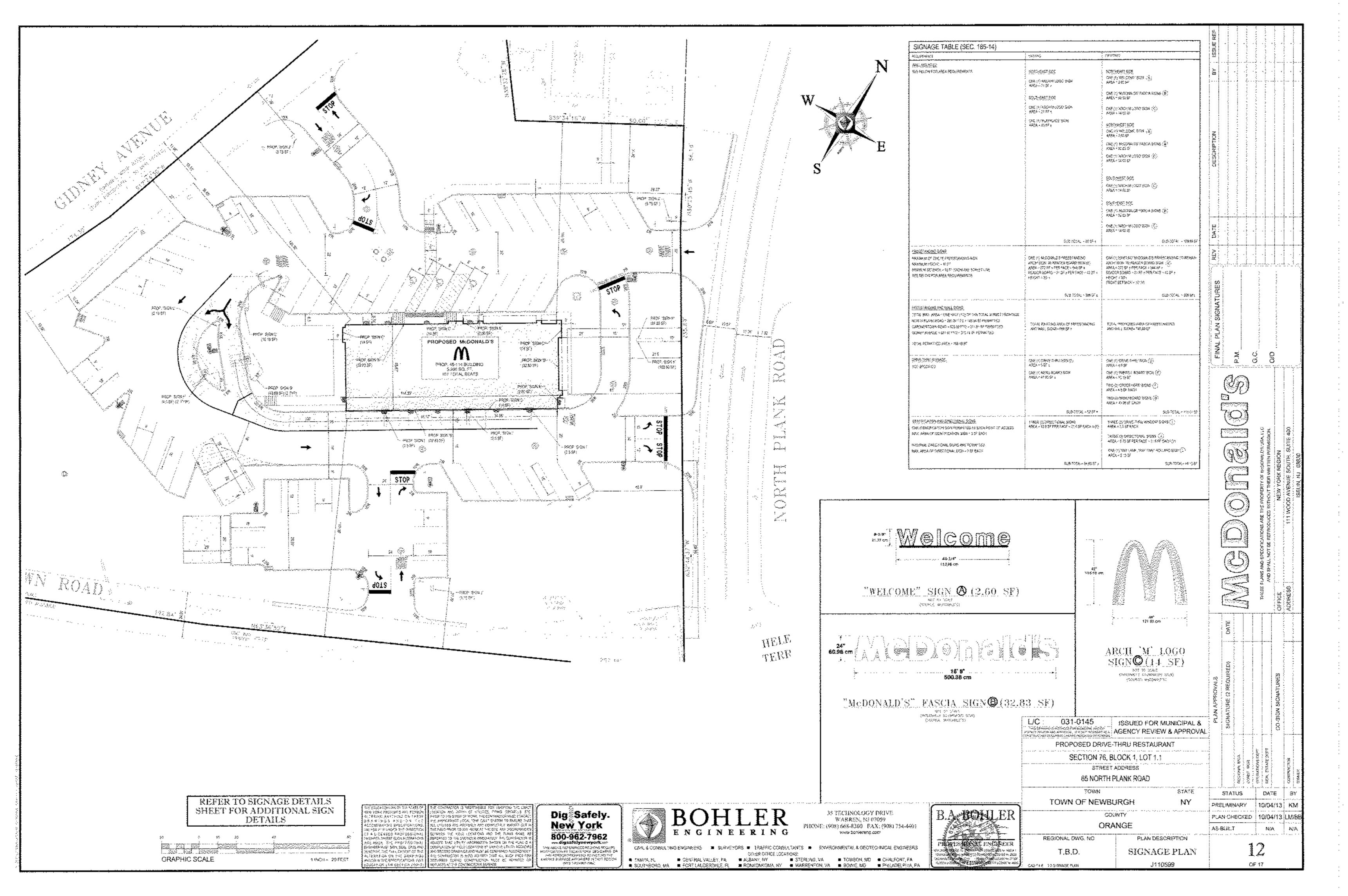


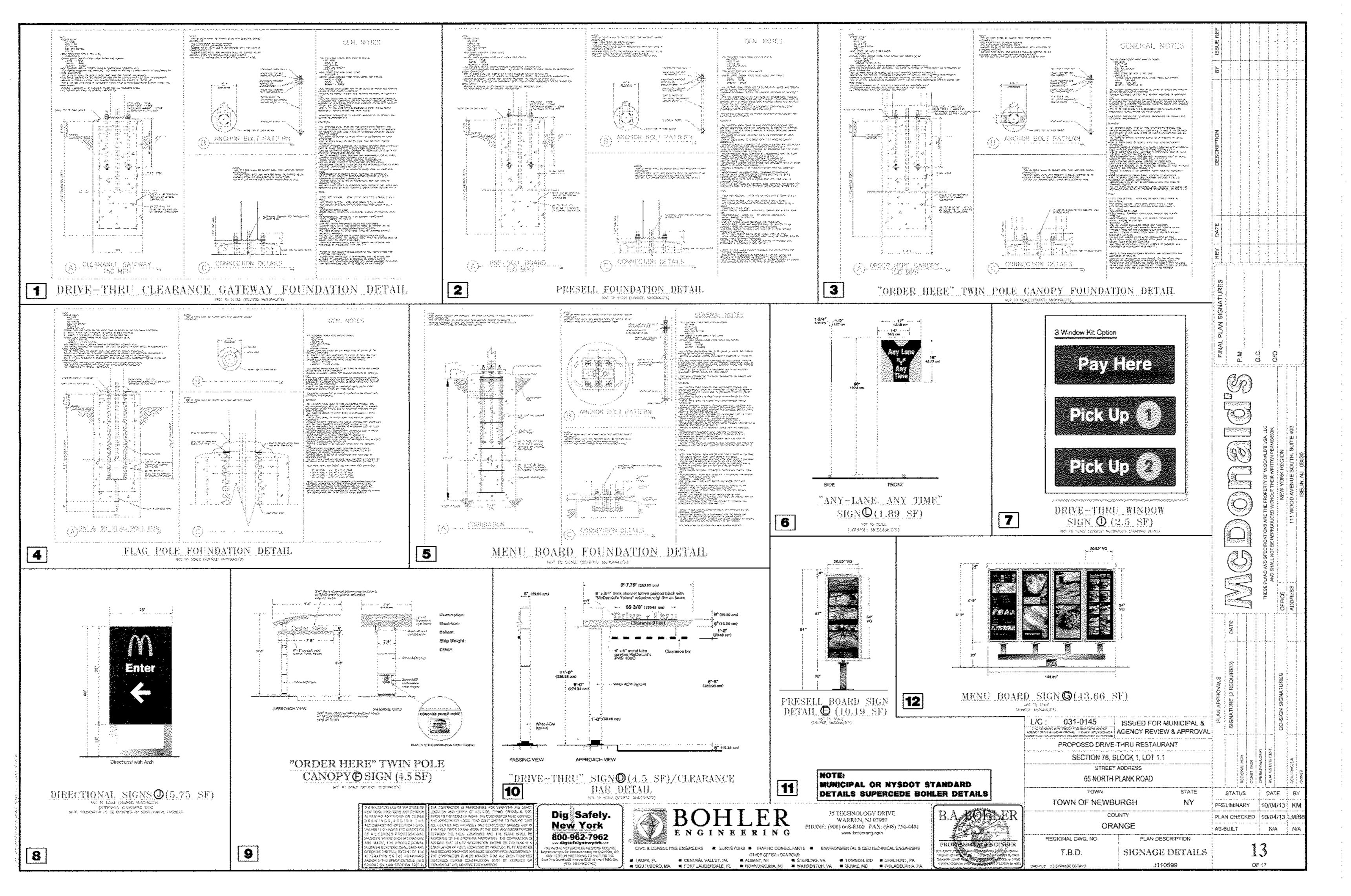


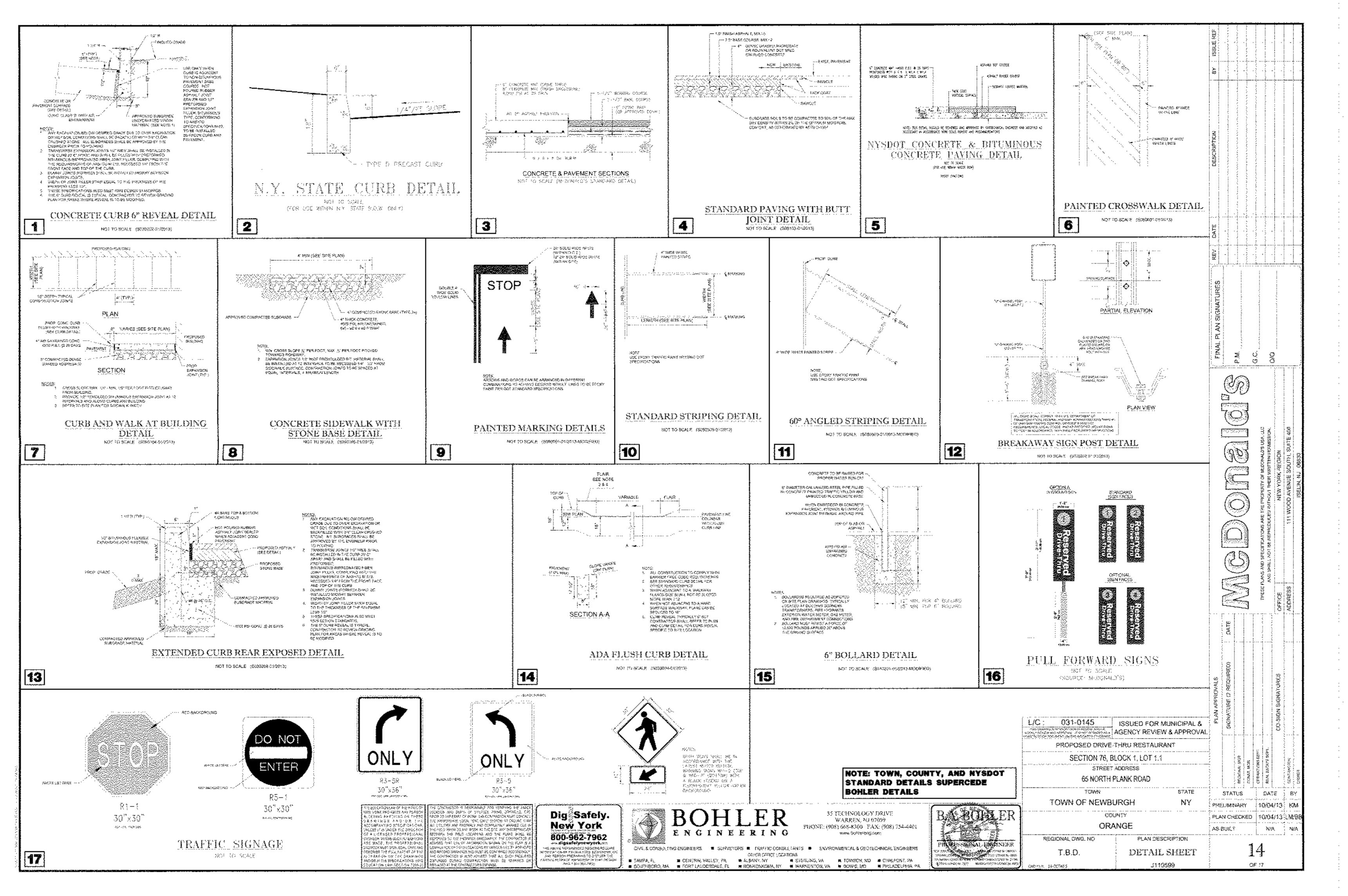


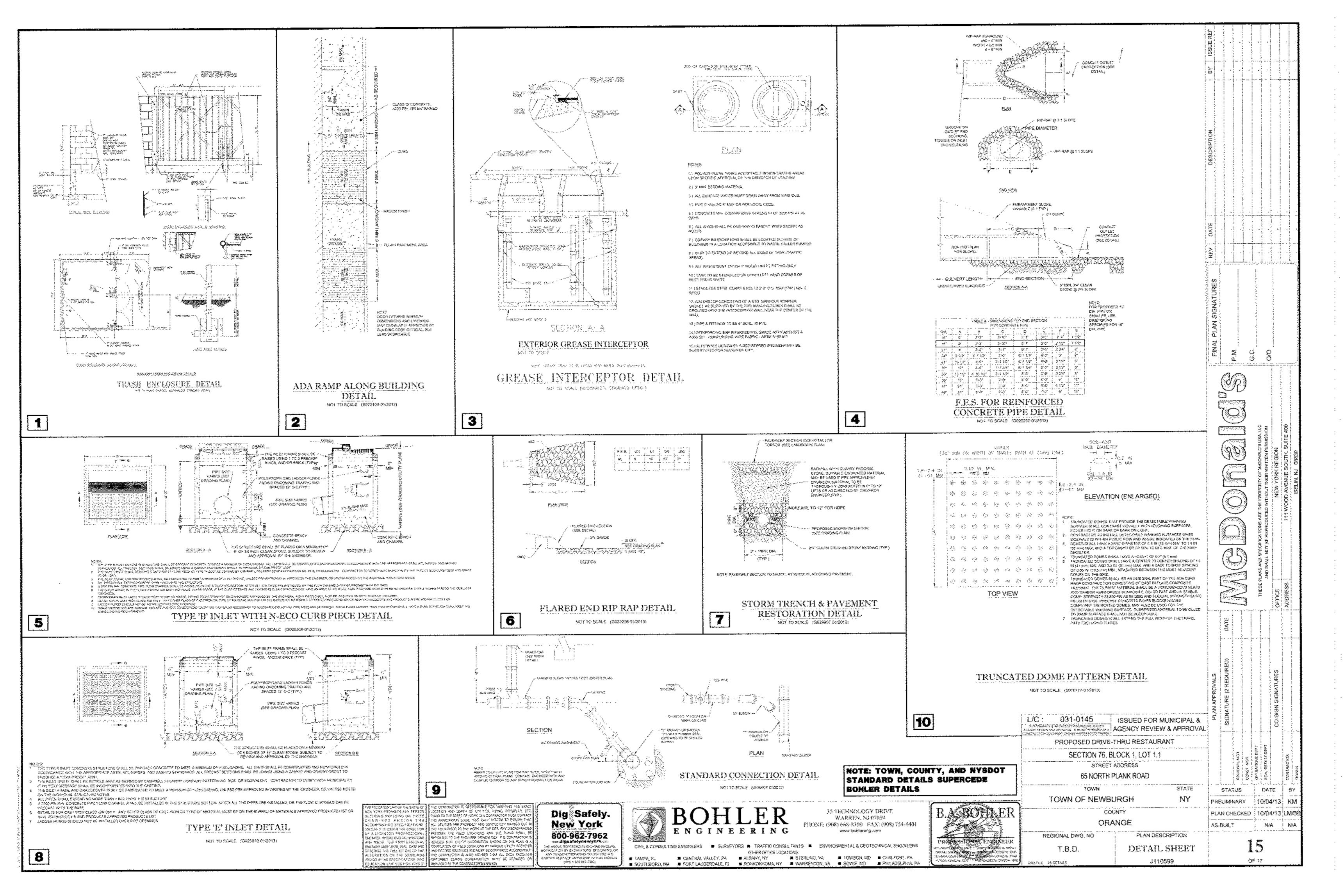


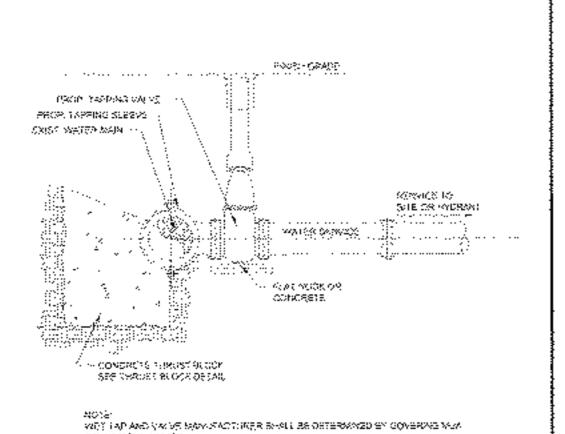












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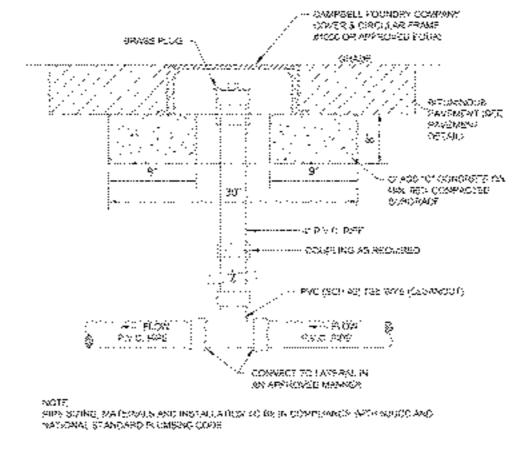
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SANITARY TRENCH DETAIL

NOR TO SCALE (U209805-01/2013).



SEWER CLEANOUT DETAIL

NOTITE SCALE: (0030101/01/2013)

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ROOF DRAIN CLEANOUT IMPERVIOUS SURFACES DETAIL NOT TO SCALE (0028107 01/2013)

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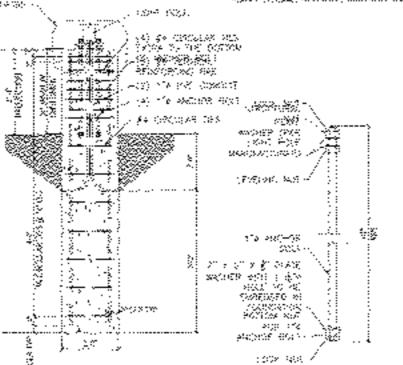
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