



**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT NAME: BEAR PARK PLAYGROUND – AMENDED SITE PLAN
PROJECT NO: 25-18
PROJECT LOCATION: SECTION 41, BLOCK 2, LOT 15.1
REVIEW DATE: 18 JUNE 2025
MEETING DATE: 25 JUNE 2025
PROJECT REPRESENTATIVE: BURNS ENGINEERING SERVICES – STEPHEN BURNS, P.E.

1. The project narrative identifies that the existing retail/warehouse building is proposed to be converted to an indoor amusement establishment / video arcade.
2. A bulk table has been provided identifying the use in the B Zone, Restaurant. The project is described as an indoor amusement establishment, Column D – Number 4 is applicable. The applicant's representative are requested to confirm whether the facility will operate as a restaurant or an indoor amusement establishment as identified in the narrative. Revised bulk table should be provided to identify variances required. The bulk requirements for the indoor amusement establishment are significantly different than the restaurant bulk table provided. Based on the indoor recreation use identified the following variances would be required:
 - Front yard on State Highway 60 feet required, 46.8 provided.
 - Side yard 15 feet required where 14.9 feet exists.
3. A parking calculation based on the building size and use should be provided.
4. The sign will most likely require a variance based on the location of the sign. Dimension from the location of the sign to the property line should be provided to determine compliance with zoning. Additional comments from Jim Campbell regarding the sign should be addressed.
5. Any proposed sidewalks and curbing should be clearly defined on the plan. Details for any on-site construction should be provided.
6. Water and sewer utilities should be depicted on the plans.
7. Code Compliance comments regarding the need to sprinkler 4,979 square foot structure should be received.

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

8. Drive aisles should be dimensioned.
9. The Planning Board may wish to evaluate the existing landscaping on the site. Islands along the State Highway contain gravel with weed growth.
10. The project is a Type II Action, for the change of use within the existing structure no coordinated review is required however, notification to NYSDOT should be provided.
11. Adjoiners' Notices must be sent out in compliance with Town Code.

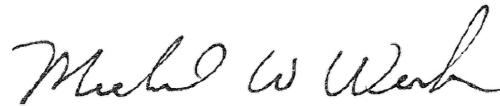
Respectfully submitted,

MHE Engineering, D.P.C.



Patrick J. Hines
Principal

PJH/kmm



Michael W. Weeks, P.E.
Principal

**TOWN OF NEWBURGH
APPLICATION FOR
SUBDIVISION/SITE PLAN REVIEW**

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

DATE RECEIVED: 6/11/25 **TOWN FILE NO:** 2025-18
(Application fee returnable with this application)

1. **Title of Subdivision/Site Plan (Project name):**
Amended Site Plan For "Bear Park Playground" at 152 N. Plank Rd
2. **Owner of Lands to be reviewed:**

Name	<u>Chen Group 162 LLC c/o Xi (David) Chen</u>
Address	<u>7 Division Street Fl 2</u>
	<u>New York, NY 10002</u>
Phone	<u>845-420-8987</u>
3. **Applicant Information (If different than owner):**

Name	<u>David Chen</u>
Address	<u>101 N. Plank Road</u>
	<u>Newburgh NY 12550</u>
Representative	<u>Stephen Burns</u>
Phone	<u>845-546-3310</u>
Fax	<u></u>
Email	<u>sburns@burnsengineeringservices.com</u>
4. **Subdivision/Site Plan prepared by:**

Name	<u>Burns Engineering Services, P.C.; Stephen K. Burns PE</u>
Address	<u>58 Teller Avenue</u>
	<u>Beacon, NY 12508</u>
	<u>845-546-3310</u>
Phone/Fax	<u>Sburns @burnsengineeringservices.com</u>
5. **Location of lands to be reviewed:**
152 N Plank Road
6. **Zone** B- Business **Fire District** Cronomer Valley
Acreage 0.823 acres **School District** Newburgh
7. **Tax Map: Section** 41 **Block** 2 **Lot** 15.1

8. Project Description and Purpose of Review:

Number of existing lots 1 Number of proposed lots 1

Lot line change _____

Site plan review Site Plan Review for Amusement Facility

Clearing and grading _____

Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) Existing drainage easement

10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Signature X [Signature] Title President

Date: 6/11/25

NOTE: 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

Amended Site Plan for "Bear Park Playground"
PROJECT NAME *at 152 W. Plank Rd*

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. X Environmental Assessment Form As Required
2. X Proxy Statement
3. X Application Fees
4. X Completed Checklist (Automatic rejection of application without checklist)

II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda.
Non-submittal of the checklist will result in application rejection.

1. X Name and address of applicant
2. Name and address of owner (if different from applicant)
3. X Subdivision or Site Plan and Location
4. X Tax Map Data (Section-Block-Lot)
5. X 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. X 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. X Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. X Date of plan preparation and/or plan revisions
9. X Scale the plan is drawn to (Max 1" = 100')
10. X North Arrow pointing generally up

11. ____ 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. ____ 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
18. ☒ 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. ☒ Show existing or proposed easements (note restrictions)
20. ____ Right-of-way width and Rights of Access and Utility Placement
21. ____ 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. ____ Show any existing waterways
25. ____ 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

- 30.____ Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
- 31.____ If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed
- 32.____ Number of acres to be cleared or timber harvested
- 33.____ Estimated or known cubic yards of material to be excavated and removed from the site
- 34.____ Estimated or known cubic yards of fill required
- 35.____ The amount of grading expected or known to be required to bring the site to readiness
- 36.____ Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.
- _____
- _____
- 37.____ Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.
- _____
- _____
38. X List of property owners within 500 feet of all parcels to be developed (see attached statement).

The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

By: Burns Engineering Services, P.C.- Stephen Burns
Licensed Professional

Date: 12/9/24

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):

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.

David Chen

APPLICANT'S NAME (printed)



APPLICANTS SIGNATURE

6/11/25

DATE

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).

PROXY

(OWNER) XIANG ZHEN CHEN, DEPOSES AND SAYS THAT HE/SHE
RESIDES AT 5 Dalewood Dr Newburgh NY 12550
IN THE COUNTY OF Orange
AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 152 N. plank RD
Newburgh NY 12550
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND Burns Engineering Services IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 6/11/25


OWNERS SIGNATURE

XIANG ZHEN CHEN
OWNERS NAME (printed)


WITNESS' SIGNATURE

Joyce Jiang
WITNESS' NAME (printed)

NAMES OF ADDITIONAL
REPRESENTATIVES

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.

6/11/25
DATED

XIANG ZHEN CHEN
APPLICANT'S NAME (printed)

[Signature]
APPLICANT'S SIGNATURE

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

6/11/25
DATED



BY: XIANFENG CHEN
(Pres.) (Partner) (Vice-Pres.)
(Sec.) (Treas.)

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

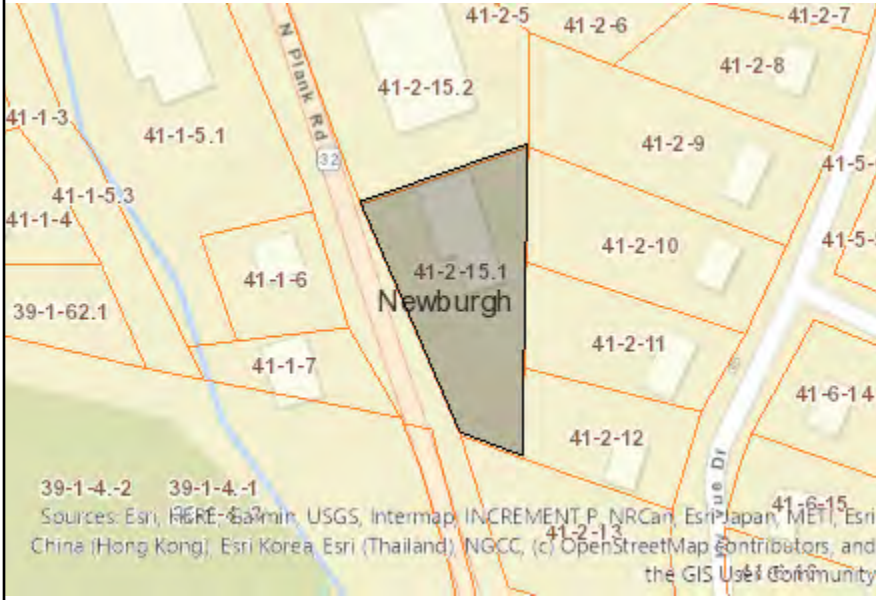
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned _____ acres or controlled by the applicant or project sponsor?				
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban) <input type="checkbox"/> Forest Agriculture Aquatic Other(Specify): <input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. 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?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

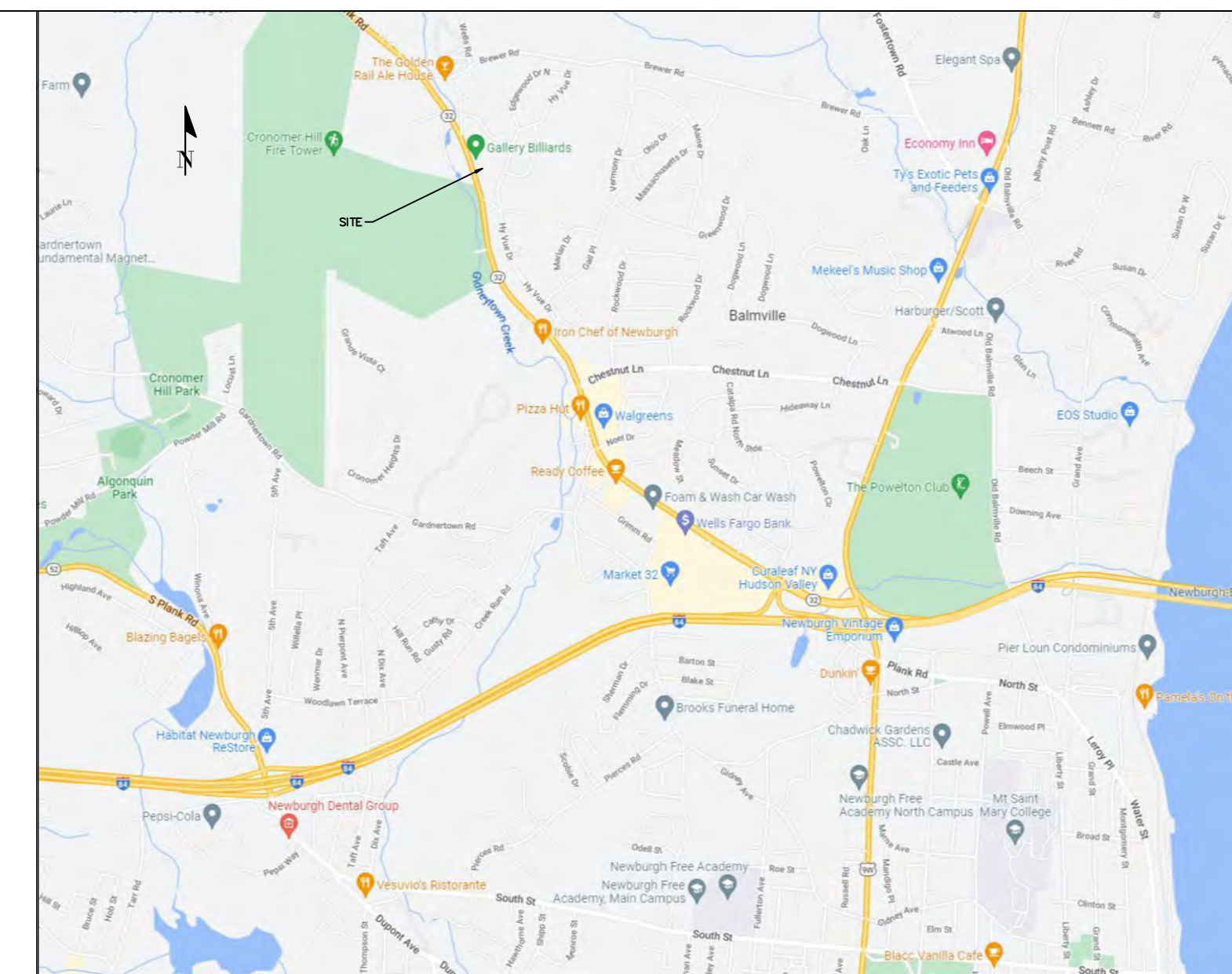
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ 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 to confirm data provided by the Mapper or to obtain data not provided by the Mapper.

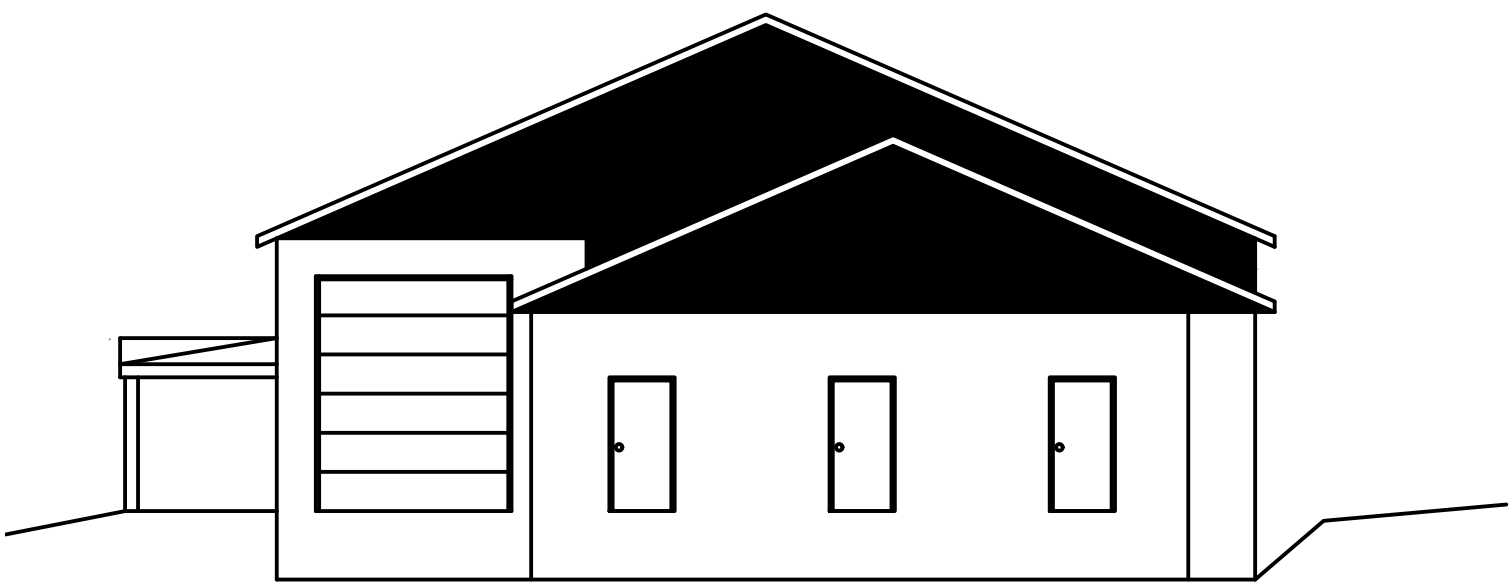


Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

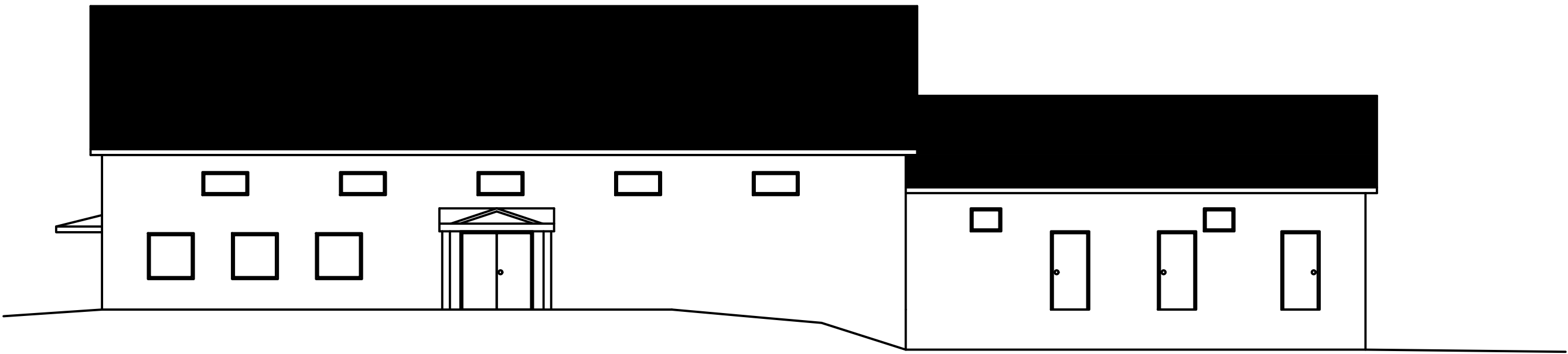


THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

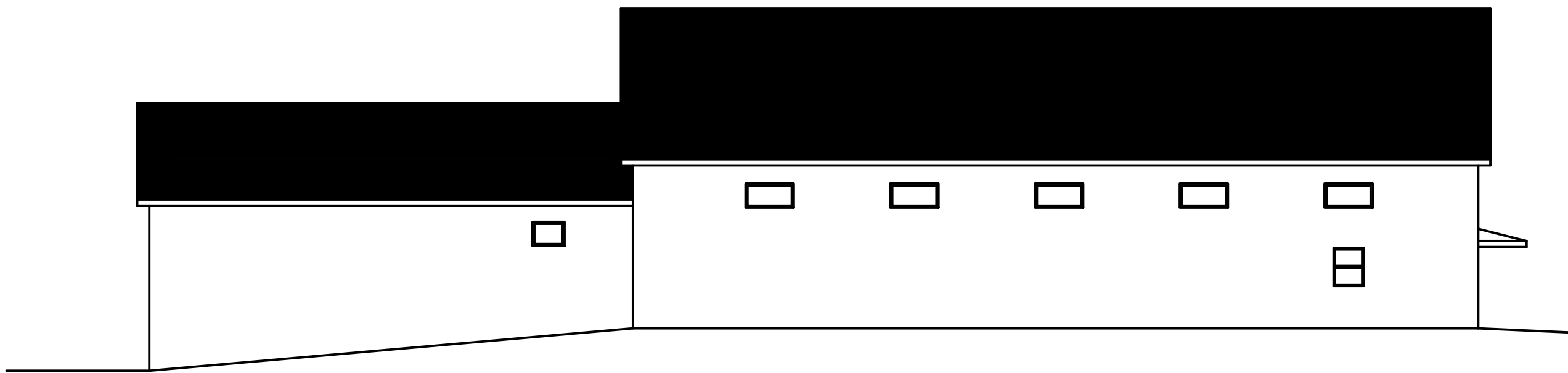
EXISTING BUILDING ELEVATIONS



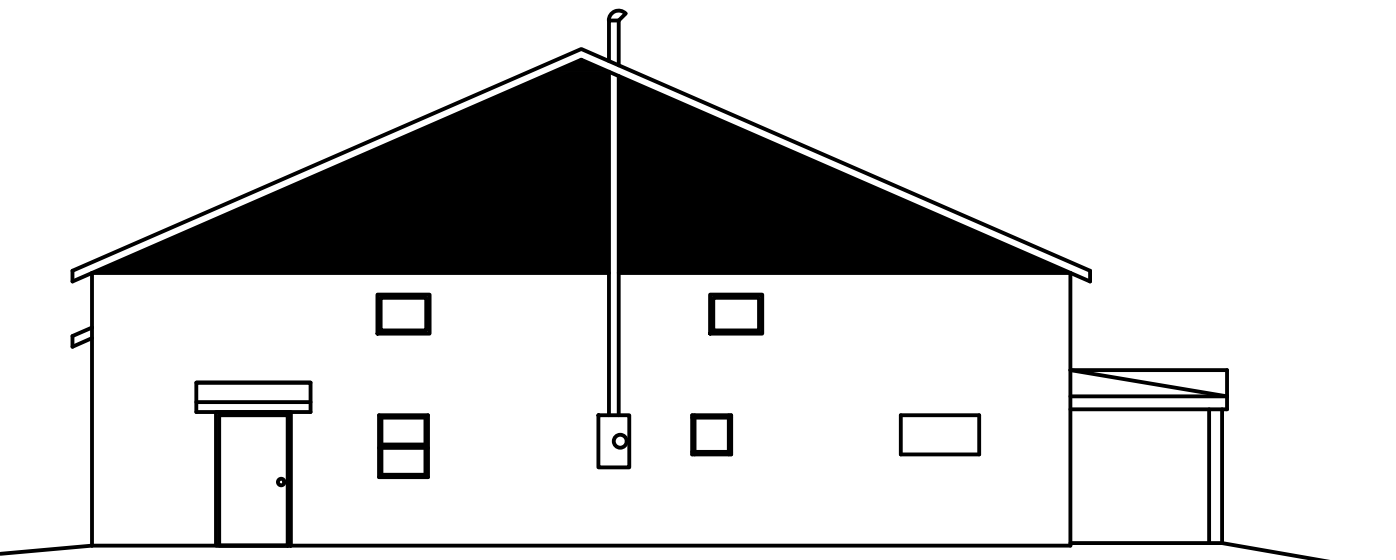
RIGHT (SOUTH) ELEVATION
SCALE 3/4"=1'



FRONT (WEST) ELEVATION
SCALE 3/4"=1'



REAR ELEVATION
SCALE 3/4"=1'



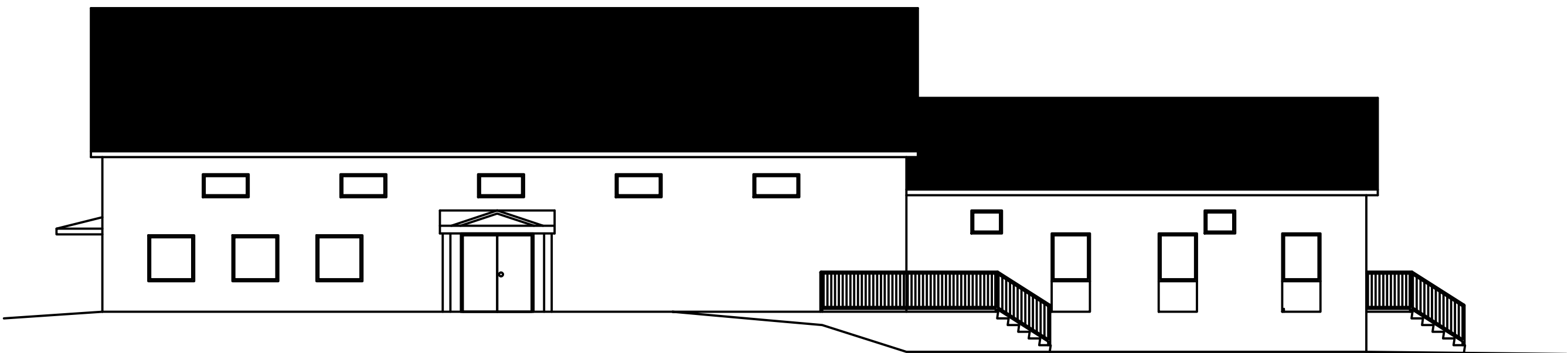
LEFT (NORTH) ELEVATION
SCALE 3/4"=1'

SITE INFORMATION	
ZONING DISTRICT	B- BUSINESS
SITE AREA	±35,876 SQ.FT. (0.82 ACRES)
SITE LOCATION	152 N. PLANK ROAD
OWNER/ APPLICANT	CHEN GROUP 162 LLC- C/O DAVID CHEN 101 NORTH PLANK ROAD NEWBURGH, NEW YORK 12550
GRID #	41-2-15.1

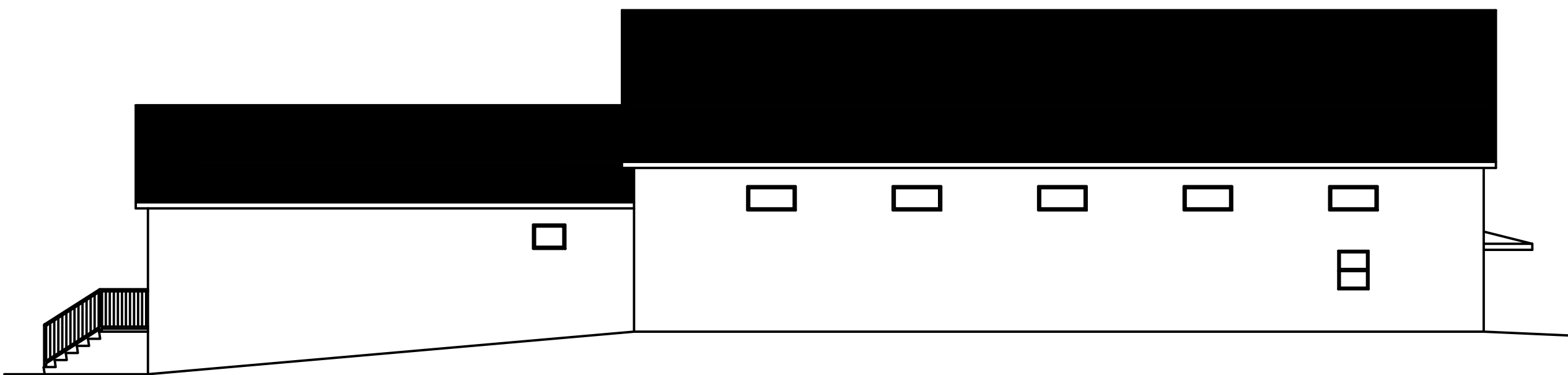
PROPOSED BUILDING ELEVATIONS



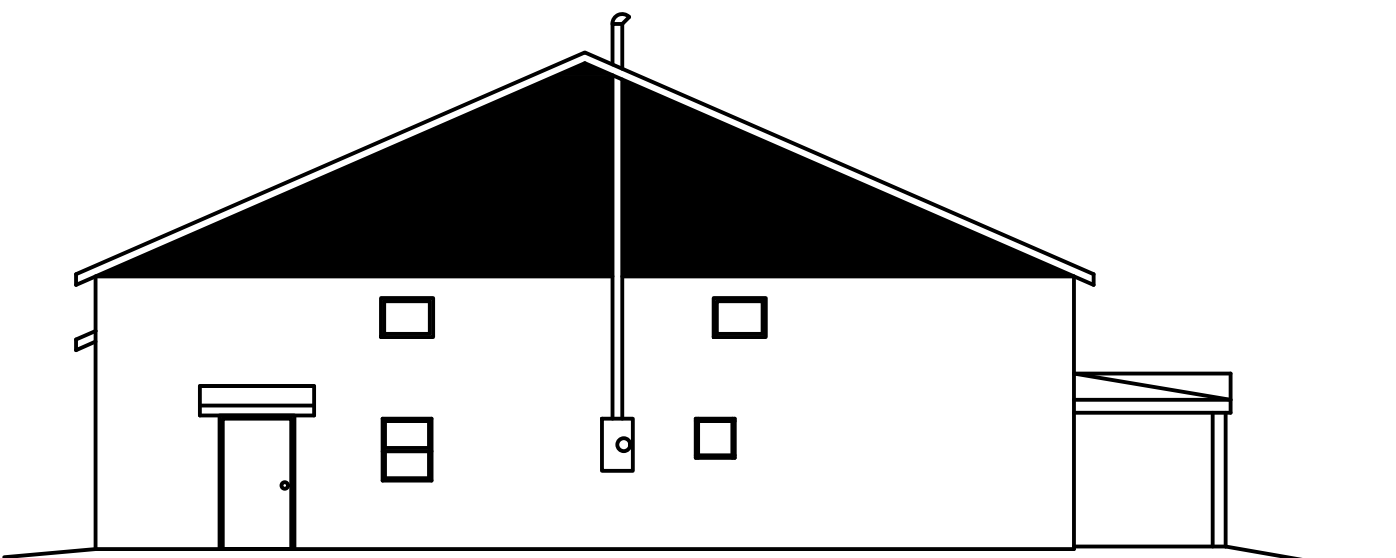
RIGHT (SOUTH) ELEVATION
SCALE 3/4"=1'



FRONT (WEST) ELEVATION
SCALE 3/4"=1'



REAR ELEVATION
SCALE 3/4"=1'



LEFT (NORTH) ELEVATION
SCALE 3/4"=1'

THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

JUNE 11, 2025

Burns Engineering Services, P.C.

58 Teller Ave.

Beacon, NY 12508

SBurns@BurnsEngineeringServices.Com

(845) 546-3310

Fax (845) 440-7343

AMENDED SITE PLAN
FOR
152 North Plank Road

TOWN OF NEWBURGH
SCALE 1"=30'

Orange County
JUNE 10, 2025