



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

PROJECT NAME: GAS LAND PETROLEUM – 42 S. PLANK ROAD
PROJECT NO.: 2021-23
PROJECT LOCATION: SECTION 71, BLOCK 2, LOT 11
REVIEW DATE: 18 JUNE 2025
MEETING DATE: 25 JUNE 2025
PROJECT REPRESENTATIVE: LABELLA ASSOCIATE – CHRISTOPHER LAPINE, P.E.

1. Subject project received site plan approval dated 30 June 2023. In accordance with Chapter 185-58E site plan approval is valid from 2 years from the date the Planning Boards decision is filed. If no building permit has been issued at that time it must be resubmitted to the Planning Board for approval. If there is no substantial change in the condition of the site and/or environment and/or zoning requirements be extended by the Planning Board for 1-year. Applicant's representatives are requesting a 1-year extension at this time which would run from 30 June 2025 to 30 June 2026.
2. The applicants are proposing to construct a new structure while maintaining the existing structure as an operating facility. This office requested a plan sheet depicting the existing and proposed structures. The existing structure must be demolished in order to construct the proposed structure in its proposed footprint. The Town of Newburgh Code Compliance Department should evaluate the attached plan with regard to structural and safety issues with to occur in the existing structure during the proposed construction. A significant portion of the existing structure will be impacted based on the view of footprint of the proposed structure.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in blue ink, appearing to read 'Patrick J. Hines'.

Patrick J. Hines

Principal

PJH/kmm

A handwritten signature in blue ink, appearing to read 'Michael W. Weeks'.

Michael W. Weeks, P.E.

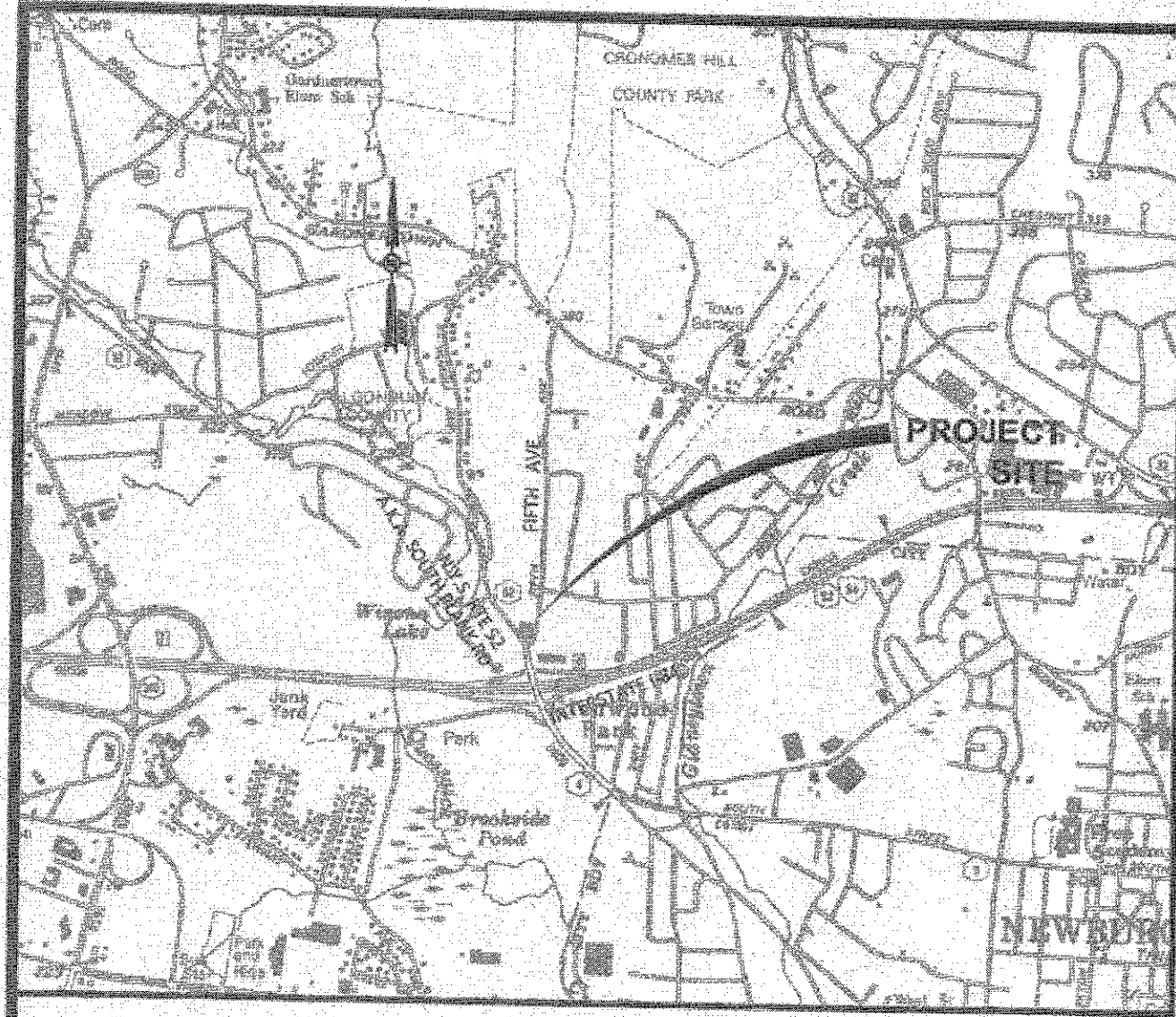
Principal

NEW YORK OFFICE

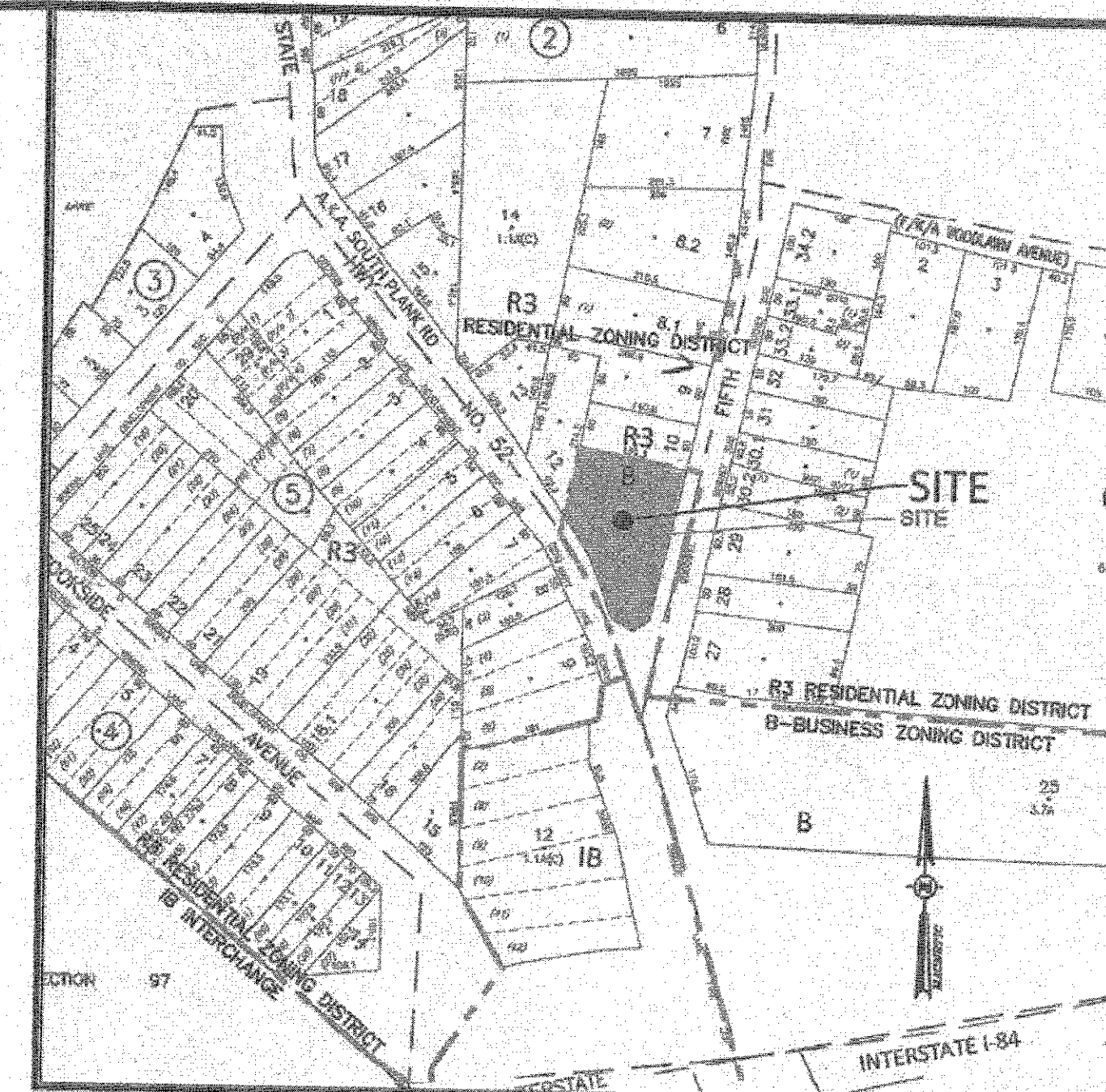
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PENNSYLVANIA OFFICE

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



LOCATION MAP
SOURCE: USGS MAP
SCALE: 1"=200'



VICINITY MAP
ORANGE COUNTY TAX MAP No. 334600-71
SCALE: 1"=200'

SITE PLAN

PREPARED FOR

GAS LAND PETROLEUM, INC.

FOR A

GAS STATION & CONVENIENCE STORE

LOCATED AT

42 S. PLANK ROAD (NYS ROUTE 52)

TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

ARPL 26, 2021

LAST REVISED: FEB 23, 2023

BULK & DIMENSIONAL REQUIREMENTS TABLE			
ZONING DISTRICT "B" BUSINESS			
	REQUIRED	EXISTING	PROPOSED
CONVENIENCE STORE WITH GASOLINE FILLING STATION			
MINIMUM LOT AREA (S.F.)	20,000 S.F. (0.459 ACRES)	23,123 S.F. (0.531 ACRES)	23,123 S.F. (0.531 ACRES)
MINIMUM LOT WIDTH (FT.)	100 FT.	130 FT.	130 FT.
MINIMUM LOT DEPTH (FT.)	125 FT.	221 FT.	221 FT.
FRONT YARD (MIN) - NYS ROUTE 52 (R.T.)	60 FT. ¹	37.1 FT. ³	41.3 FT. ⁴
FRONT YARD (MIN) - FIFTH AVENUE	40 FT.	29.6 FT. ³	41.5 FT.
REAR YARD (MIN) ²	30 FT. ³	55.3 FT.	31.5 FT.
SIDE YARD - 1 SIDE (MIN) ³	25 FT. ³	46.7 FT.	25.6 FT.
SETBACK TO INTERSECTION ¹	50 FT.	22 FT. ³	22 FT. ⁴
SETBACK TO CANOPY - FIFTH AVE (MIN)	40 FT.	27.8 FT. ³	27.8 FT. ⁴
SETBACK TO CANOPY - NYS ROUTE 52 (MIN)	40 FT.	7.0 FT. ³	7.0 FT. ⁴
SETBACK TO STORAGE TANKS	15 FT.	12 FT. ³	12 FT. ⁴
MAXIMUM LOT BUILDING COVERAGE	50% ²	6.9%	9.8%
MAXIMUM LOT SURFACE COVERAGE	80%	60.8%	67.3%
MAXIMUM HEIGHT (BLDG)	35 FT.	< 35 FT.	< 35 FT.

PARKING REQUIREMENTS			
APPLICATION FOR CONVENIENCE STORE	CODE: PER SECTION 185-13(c)(1)(b): REQUIRED PARKING FOR A RETAIL STORE, SHOPPING CENTER, AND PERSONAL SERVICE STORE IS: 1 PER 150 SQUARE FEET OF GROSS LEASABLE FLOOR SPACE.		
	2,300 S.F. X 1 SPACE PER 150 SQUARE FEET = 15 SPACES		
TOTAL PARKING SPACES	16 SPACES REQUIRED	13 SPACES APPROX. (W/ 8 SPW THE PUMPS)	17 SPACES PROVIDED (W/ 8 SPW THE PUMPS)
ACCESSIBLE SPACE	1-25 PKG SPACES = 1 ACCESSIBLE SPACE REQUIRED	0 SPACES EXIST	1 SPACE PROVIDED
OFF-STREET LOADING SPACE	< 25,000 S.F. = 1 SPACE REQUIRED	0 SPACES EXIST	1 SPACE PROVIDED
PARKING IN REQUIRED YARDS	CODE: PER SECTION 185-13 (b)(2): NO PARKING IN REQUIRED FRONT OR SIDE YARD ADJACENT TO A RESIDENTIAL DISTRICT		
	NOT ALLOWED	PARKING SPACES IN BOTH FRONT & SIDE YARDS ³	PARKING IN FRONT YARD (FIFTH AVE) & LOADING AREA IN SIDE YARD ⁴
MIN. REQUIRED SETBACK TO ⁷ PARKED CAR	10 FT.	7.0 FT. (AT PUMP) ³	4.5 FT. ⁴
LANDSCAPE BUFFER BETWEEN RESIDENTIAL & NON-RESIDENTIAL	15 FT., REAR YARD	55.3 FT. (REAR) 9.5 FT. (SIDE) ³	31.5 FT. (REAR- AT BLDG) 10 FT. (SIDE)

- ¹ TOWN CODE §185-13-B(4): NO ACCESS WITHIN 50 FT. OF ANY STREET INTERSECTION
- ² MAXIMUM LOT BUILDING COVERAGE IS 40% IF NO PUBLIC WATER OR SEWER AND 50% IF PUBLIC WATER AND SEWER.
- ³ PRE-EXISTING NONCONFORMING.
- ⁴ AREA VARIANCE REQUIRED; AND GRANTED BY THE TOWN OF NEWBURGH ZONING BOARD ON DECEMBER 23, 2021.
- ⁵ TOWN CODE §185-18(C)(5)(A) MINIMUM ADJACENT SIDE AND REAR YARD REQUIREMENTS FOR LOTS IN B DISTRICT ADJUTING RESIDENTIAL ZONES: IF TOTAL BUILDING FLOOR AREA IS LESS THAN 20,000 SF, THEN THE GREATER OF THE MINIMUM REQUIRED YARD SET FORTH IN THE B DISTRICT TABLE OF BULK AND USE REQUIREMENTS - SCHEDULE 7, OR 25 FEET. SCHEDULE 7 REGULATES A 30 FT REAR YARD, WHICH IS THE GREATER OF THE TWO. SCHEDULE 7 REGULATES A 15 FT SIDE YARD, WHICH IS LESS THAN 25 FT, THEREFORE, 25 FT IS REQUIRED.
- ⁶ TOWN CODE §185-18(C)(4)(b) FRONT YARDS ADJUTING ALL COUNTY AND STATE HIGHWAYS SHALL BE AT LEAST 60 FEET IN DEPTH, EXCEPT WHERE THE MAJORITY OF EXISTING BUILDINGS ON EITHER SIDE OF THE ROAD WITHIN 300 FEET FROM THE INTERSECTION OF THE NEAREST PROPERTY LINE AND STREET LINE ARE OF A LESSER AVERAGE DEPTH. IN SUCH CASE, THE FRONT YARD DEPTH SHALL BE 50 FEET OR THE AVERAGE OF ALL LOT DEPTHS WITHIN SAID 300 FEET, WHICHEVER IS GREATER.
- ⁷ TOWN CODE §185-21(C)(2) AND §185-21(B)(4) MINIMUM REQUIRED SETBACK TO PARKED CAR.

INDEX OF DRAWINGS					
PAGE NO.	REV	SHEET NO.	DATE	DESCRIPTION	
1	3	G001	02/23/23	TITLE SHEET	
2	2	G002	07/11/22	NOTES AND LEGENDS	
3	1	G003	07/11/22	NOTES AND LEGENDS	
4	1	SV1	12/20/20	MAP OF SURVEY PREPARED FOR GAS LAND PETROLEUM, BY OTHERS	
5	2	C120	07/11/22	DEMOLITION PLAN	
6	3	C130	07/11/22	SITE PLAN	
7	3	C131	02/23/23	VEHICLE MANEUVERING PLAN	
8	2	C140	07/11/22	GRADING & EROSION AND SEDIMENT CONTROL PLAN	
9	2	C160	07/11/22	UTILITY PLAN	
10	3	C180	07/11/22	LANDSCAPE PLAN	
11	1	C190	02/03/22	PHOTOMETRIC LIGHTING PLAN	
12	2	C530	07/11/22	SITE DETAILS	
13	1	C531	02/03/22	SITE DETAILS	
14	1	C550	02/03/22	EROSION & SEDIMENT CONTROL DETAILS AND NOTES	
15	2	C560	07/11/22	WATER AND SANITARY SEWER DETAILS	
16	1	C580	02/03/22	LANDSCAPE DETAILS AND NOTES	

	REQUIRED	EXISTING	PROPOSED
CONVENIENCE STORE WITH GASOLINE FILLING STATION			
MIN. REQUIRED SETBACK FOR UNDERGROUND GASOLINE TANKS	15 FT.	±15 FT.	±15 FT.
MIN. REQUIRED SETBACK TO PUMP ISLAND	15 FT.	16.9 FT.	16.9 FT.
MIN. REQUIRED SETBACK TO DRIVEWAY	10 FT.	0 FT. ³	0 FT. ³
MIN. REQUIRED SETBACK TO PARKED CAR	10 FT.	4.5 FT. ³	4.5 FT. ³
MIN. DISTANCE TO MOTOR VEHICLE SERVICE STATION	1000 FT.	>1000 FT.	> 1000 FT.

GENERAL NOTES:

- THIS SITE HAS BEEN REZONED TO ZONING DISTRICT "B", BUSINESS, APPROVED BY THE TOWN BOARD OF THE TOWN OF NEWBURGH ON OCTOBER 26, 2020. SEE LOCAL LAW # L.L. NO. 3-2020.
- ALL VARIANCE REQUESTS HAVE BEEN GRANTED BY THE TOWN OF NEWBURGH ZONING BOARD OF APPEALS ON DECEMBER 23, 2021. SEE BULK AND DIMENSIONAL REQUIREMENTS TABLE FOR LIST.

OWNER / APPLICANT:

GAS LAND PETROLEUM, INC.
3 OHIOVILLE ROAD
NEW PALTZ, NY 12561

SURVEYOR:

MICHAEL F. VETTER JR., PLS
943 ULSTER LANDING RD
SAUGERTIES, NY 12477
PHONE: (845) 336-0043

SITE ADDRESS:

42 S. PLANK ROAD (NYS ROUTE 52)
NEWBURGH, NY

TAX MAP INFORMATION:

MUNICIPALITY OF NEWBURGH
SECTION 71, BLOCK 2, LOT 11

SITE AREA:

TOTAL PROJECT ACREAGE : 0.531 ACRES

ZONING:

ZONING DISTRICT: B-BUSINESS
SEE GENERAL NOTE 1.

OWNER ENDORSEMENT TOWN OF NEWBURGH, NEW YORK

THE UNDERSIGNED APPLICANT/OWNER OF THE PROPERTY HEREON STATES THAT THE OWNER IS FAMILIAR WITH THIS MAP, ITS CONTENTS, LEGENDS AND HEREBY CONSENTS TO ALL SAID TERMS, AND CONDITIONS STATED HEREON, INCLUDING APPROVAL FOR FILING.

APPLICANT _____ DATE _____

OWNER _____ DATE _____

TOWN PLANNING BOARD NEWBURGH, NEW YORK SITE PLAN APPROVAL

FILE NO.: _____
PROJECT NAME: _____
PROJECT LOCATION: _____
APPLICANT: _____
OFFICIALLY APPROVED at the Planning Board meeting held the _____ day of _____, 20____.
PLANNING CHAIRMAN: _____
DATE SIGNED: _____
CONDITIONS: _____

RECEIVED
JUN 17 2025
MHE Engineering, D.P.C.

SITE PLAN APPROVED
Planning Board, Town of Newburgh
Orange County, New York

PB #09-09 TOWN OF NEWBURGH

ISSUED FOR PLANNING BOARD REVIEW

GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)

TITLE SHEET

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed SMD checked CPL
date 04/26/21 scale AS SHOWN
project no. 82018.00
sheet no. G001

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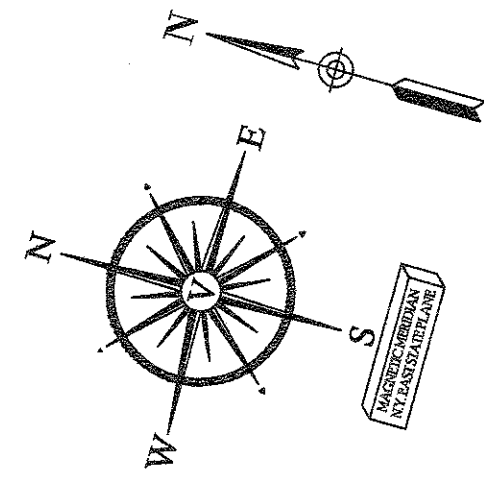
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Transportation Planners & Engineers

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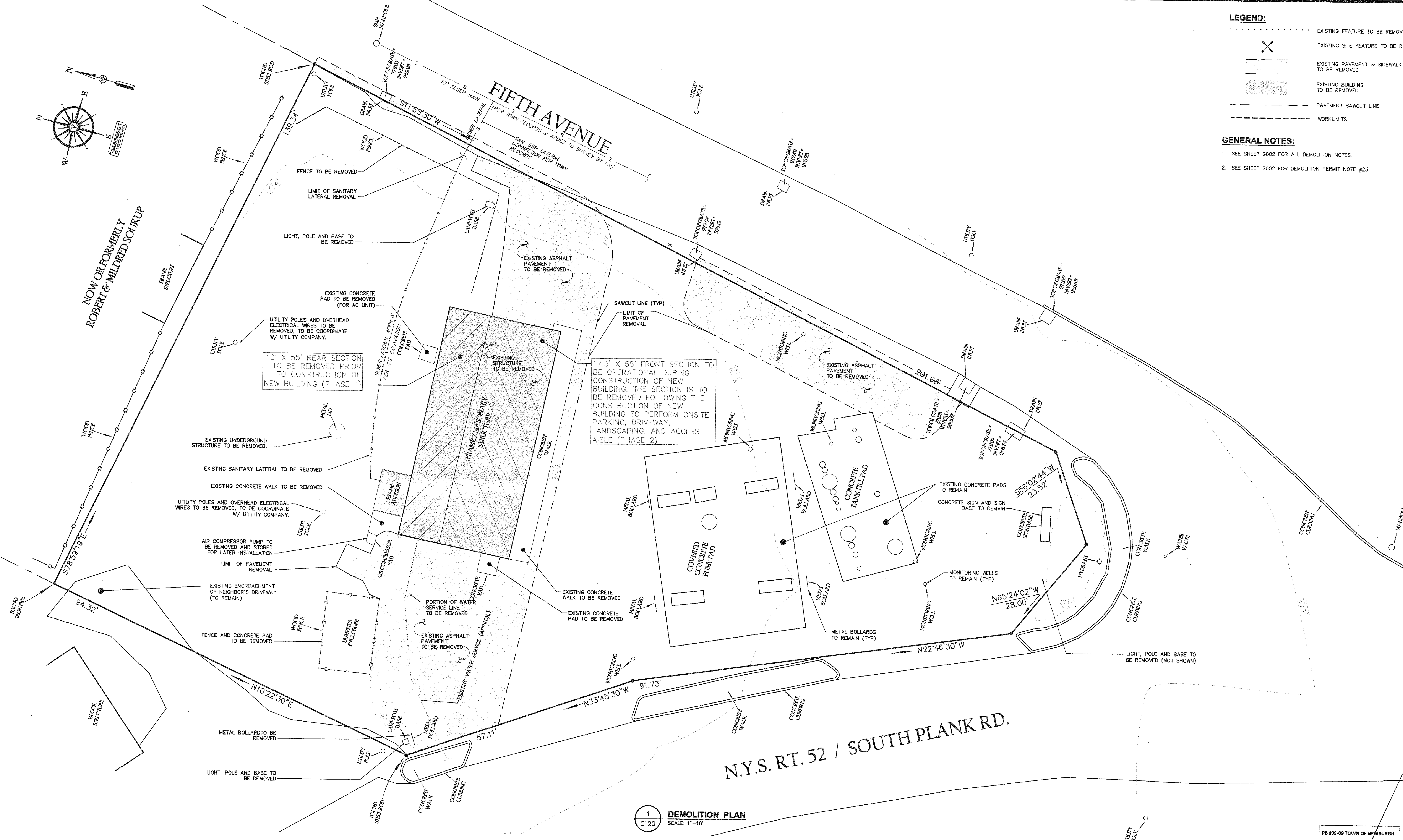
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Chattanooga Tennessee Office:
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Chattanooga, Tennessee 37409
Phone: (423) 241-5575

rev.	date	description
3	02/23/23	REVISED PER TOWN COMMENTS
2	07/11/22	REVISED PER TOWN PB COMMENTS, GENERAL REVISIONS
1	02/03/22	REVISED FOR PLANNING BOARD SUBMISSION



- LEGEND:**
- EXISTING FEATURE TO BE REMOVED
 - ✕ EXISTING SITE FEATURE TO BE REMOVED
 - EXISTING PAVEMENT & SIDEWALK TO BE REMOVED
 - ▨ EXISTING BUILDING TO BE REMOVED
 - - - - - PAVEMENT SAWCUT LINE
 - - - - - WORKLIMITS

- GENERAL NOTES:**
- SEE SHEET G002 FOR ALL DEMOLITION NOTES.
 - SEE SHEET G002 FOR DEMOLITION PERMIT NOTE #23



1
C120
DEMOLITION PLAN
SCALE: 1"=10'

PB #09-09 TOWN OF NEWBURGH

ISSUED FOR PLANNING BOARD REVIEW

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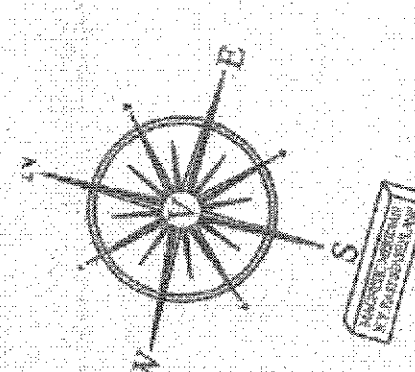
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2	07/11/22	GENERAL REVISIONS
1	02/03/22	GENERAL REVISIONS

GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)

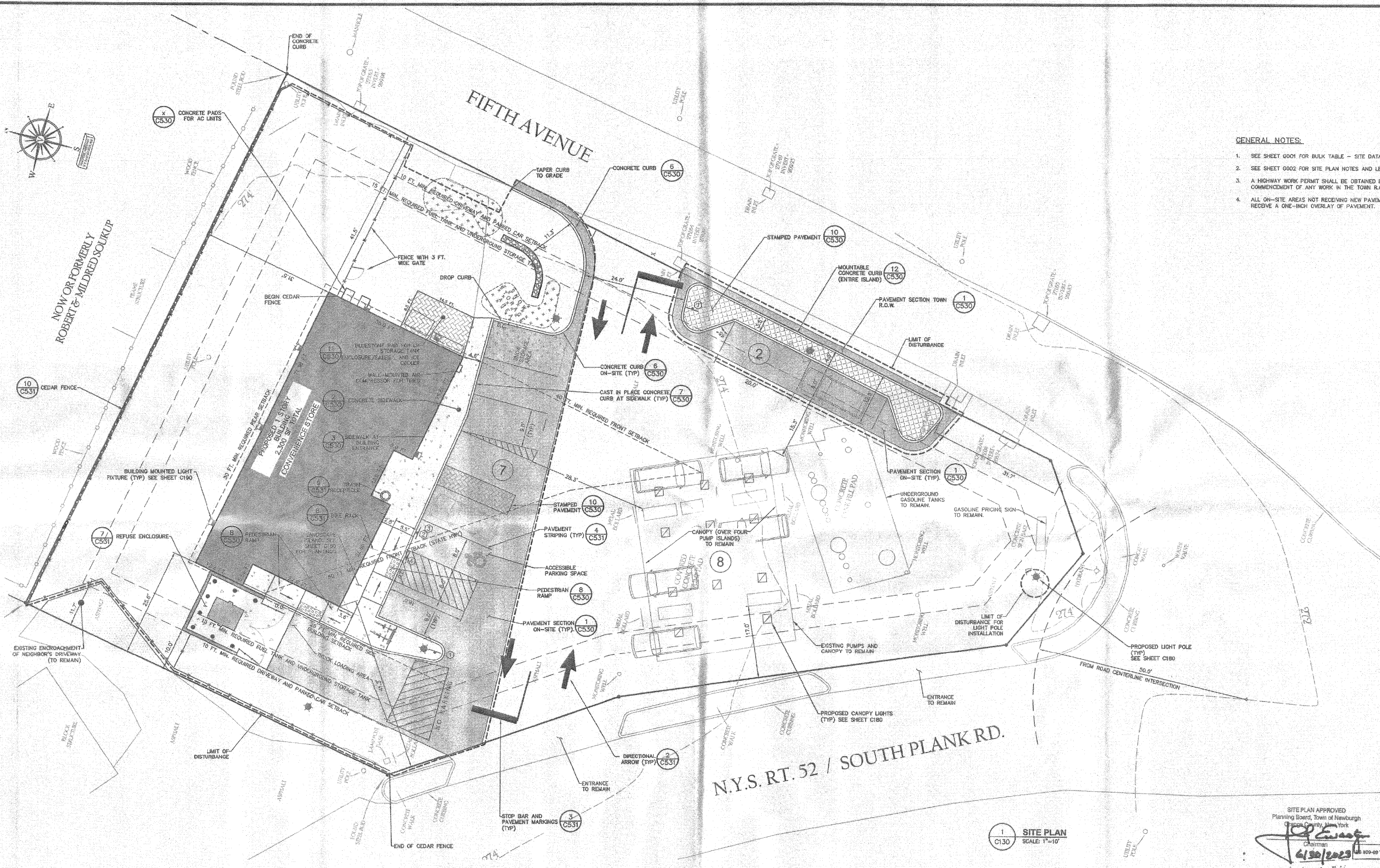
DEMOLITION PLAN

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed	checked
C120	CPL
date	scale
04/26/21	AS SHOWN
project no.	
82018.00	
sheet no.	
C120	



- GENERAL NOTES:**
1. SEE SHEET G001 FOR BULK TABLE - SITE DATA INFORMATION.
 2. SEE SHEET G002 FOR SITE PLAN NOTES AND LEGEND.
 3. A HIGHWAY WORK PERMIT SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF ANY WORK IN THE TOWN R.O.W.
 4. ALL ON-SITE AREAS NOT RECEIVING NEW PAVEMENT SECTION SHALL RECEIVE A ONE-INCH OVERLAY OF PAVEMENT.



N.Y.S. RT. 52 / SOUTH PLANK RD.

1 SITE PLAN
C130 SCALE: 1"=10'

SITE PLAN APPROVED
Planning Board, Town of Newburgh
Orange County, New York
[Signature]
Chairman
4/30/2023
ISSUED FOR PLANNING BOARD REVIEW

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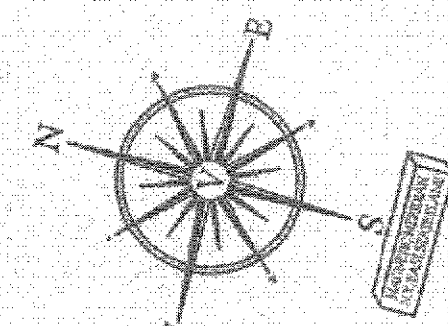
rev.	date	description
1	07/11/22	REVISED PER TOWN COMMENTS
2	02/02/23	GENERAL REVISIONS
3	11/22/23	REVISED PER TOWN COMMENTS

GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)

SITE PLAN

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed	checked
SMB	CPL
date	scale
04/26/21	1"=10'
project no.	
82018.00	
sheet no.	
C130	



NOW OR FORMERLY
ROBERT & MILDRED SOUKUP

PROPOSED 1 STORY
CONVENIENCE STORE
2,400 SF TOTAL

FIFTH AVENUE

N.Y.S. RT. 52 / SOUTH PLANK RD.

PLANT LIST

QTY	ABRV	BOTANICAL NAME					
TREES							
3	AG	Amelanchier grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	7'-8'	B&B	As Shown	Multi-Stem Clump
1	AR	Acer rubrum 'October Glory'	October Glory Red Maple	2.5 - 3.0' Cal.	B&B	As Shown	
1	CF	Cornus florida	Flowering Dogwood	6' - 7' Ht.	B&B	As Shown	
1	GT	Gleditsia triacanthos inermis	Thornless Honeylocust	2.5 - 3.0' Cal.	B&B	As Shown	
3	JA	Juniperus scopulorum 'Moonglow'	Pyramidal Blue Juniper	7'-8'	B&B	As Shown	Moonglow
8	WP	Pinus strobus	Eastern White Pine	8'-10'	B&B	As Shown	
1	TS	Tilia cordata 'Summer Sprite'	Summer Sprite Linden	1.5 - 2' Cal.	B&B	As Shown	select for upright form
SHRUBS							
4	CK	Corylus x clandonensis 'Dark Knight'	Bluebeard 'Dark Knight'	18"-24"	Cont.	As Shown	Prune back stems in early Spring
2	DF	Viburnum tomentosum	Doublefile Viburnum	30-36"	Cont.	As Shown	
2	Hq	Hydrangea quercifolia 'Pee Wee'	Oak Leaf Hydrangea	#3 Cont.	Cont.	As Shown	
4	Jh	Juniperus horizontalis 'Wiltonii'	Creeping Juniper	#3 Cont.	Cont.	As Shown	
3	MP	Myrica pensylvanica	Northern Bayberry	30-36"	Cont.	As Shown	
4	Rg	Rhus aromatica 'Gro-low'	Gro-Low Sumac	36"	Cont.	As Shown	
15	Ta	Thuja occidentalis 'Smaragd'	Emerald Green / American Arborvitae	6'-8'	B&B	As Shown	Fall planting preferred
3	To	Thuja occidentalis 'Bobolink'	Bowling Ball American Arborvitae	18"-24"	Cont.	As Shown	
6	Td	Thuja occidentalis 'Danica'	American Arborvitae 'Danica'	12"-15"	Cont.	As Shown	
4	Xg	Ilex glabra 'Compacta'	Compact Highberry	#3 Cont.	Cont.	As Shown	
3	Zr	Ilex verticillata 'Nana'	Red Sprite Winterberry	18"-24"	Cont.	As Shown	
0	WF	Weigela florida 'Spilled Wine'	Weigela	#3 Cont.	Cont.	As Shown	
HERBACEOUS PERENNIAL/ORNAMENTAL GRASSES							
8	fa	Echinacea purpurea 'Fatal Attraction'	'Fatal Attraction' Purple Coneflower	#2 Cont.	12" O.C.		
10	ha	Heperocallis x 'Happy Returns'	Happy Returns Dwarf Daylily	#1 Cont.	18" O.C.		
0	or	Oxalis regalis	Royal Fern	#2 Cont.	18" O.C.		
8	rb	Rudbeckia hirta	Black Eyed Susan	#1 Cont.			

* ALL DISTURBED AREAS NOT SPECIFICALLY CALLED OUT FOR NEW IMPROVEMENTS TO BE TOPSOILED, SEEDED WITH LAWN SEED MIX, & MULCHED (TYP)

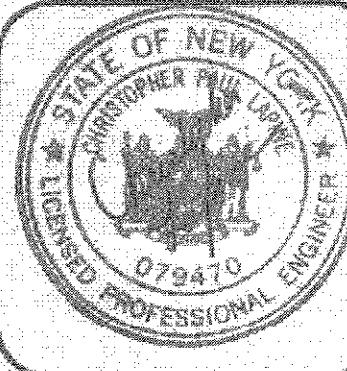
LANDSCAPE PLAN
SCALE: 1"=10'

SITE PLAN APPROVED
Planning Board, Town of Newburgh
Orange County, New York
[Signature]
Chairman
6/30/2023
PB 009-29 TOWN OF NEWBURGH

ISSUED FOR PLANNING BOARD REVIEW

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rev.	date	description
3	07/11/22	REVISED PER TOWN COMMENTS
2	02/02/22	NO CHANGES THIS SHEET
1	11/30/21	REVISED PER TOWN COMMENTS, GENERAL REVISIONS

GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)
LANDSCAPE PLAN
TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed SMD checked CPL
date 04/26/21 scale AS SHOWN
project no. 82018.00
sheet no. C180