

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

PROJECT NAME: JJSK, INC., RETAIL CANNABIS DISPENSARY

PROJECT NO.: 2024-23

PROJECT LOCATION: **SECTION 60, BLOCK 3, LOT 18**

9 OCTOBER 2024 REVIEW DATE: 17 OCTOBER 2024 MEETING DATE: PROJECT REPRESENTATIVE: **JOSEPH M. SAFFIOTI**

- 1. Project received variances from the Zoning Board of Appeals at the 26 September 2024 meeting. The Zoning Board of Appeals discussed the separation distances from Algonquin Park and Tarsio Bowling. The cannabis ordinance is under revision at this time.
- 2. Access to Meadow Avenue is proposed to be defined via the installation of curbing. Superintendent's comments regarding the access drive modifications should be received.
- 3. The parking which accesses NYS Route 52 in the current condition is proposed to be modified including a landscape island to be installed in the northeast corner of the existing structure.
- 4. A proposed dumpster enclosure is being added to the plans to the rear of the proposed loading dock area.
- 5. Parking lot striping has been detailed per the Town's Standard Striping Detail.
- 6. The Landscaping Plan identifies 25 Wintergreen Boxwoods proposed along the eastern property line. Approximately half of these are planted in front of a vigorous Evergreen landscape buffer between the existing gas station and the site.
- 7. The project is a Special Use under the Town's Cannabis Code.
- 8. Submission to Orange County Planning is required, as project is located on a state highway.
- 9. The project is a Type II Action under SEQRA. Notification to NYSDOT should be submitted outside the SEQRA process.
- 10. The Lighting Plan has been provided. Illumination level lines have been depicted showing .5 foot candles and .2 foot candles. It should be confirmed that lighting is dark sky compliant.

Respectfully submitted,

MHE Engineering, D.P.C.

Patrick J. Hines

NEW YORK OFFICE

Principal

Michael W. Weeks, P.E.

Principal

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TOWN OF NEWBURGH PLANNING BOARD

TOWN OF NEWBURGH APPLICATION FOR SPECIAL USE PERMIT/ SUBDIVISION/SITE PLAN REVIEW

RETURN TO: Town of Newburgh Planning Board 308 Gardnertown Road

Newburgh, New York 12550

DATE RECEIVED: _____ TOWN FILE NO:____

(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):

JJSK Inc., Retail Cannabis Dispensary

2. Owner of Lands to be reviewed:

Name <u>AZB Corporation</u>

Address 165 South Plank Road, Newburgh, NY 12550

Phone 917-250-9355

3. Applicant Information (If different than owner):

Name JJSK Inc.

Address <u>1 Tantillo Lane, New Paltz, NY 12561</u>

Representative Joseph M. Saffioti

Phone <u>845-562-3500</u> Fax <u>845-562-3117</u>

Email jsaffioti@saffiotianderson.com

4. Subdivision/Site Plan prepared by:

Name MARK GIMIGLIANO, PE

DYKSTRA WALKER DESIGN GROUP

Address 21 BOWLING GREEN PARKWAY, SUITE 204

LAKE HOPATCONG, NJ 07849

Phone/Fax 973-663-6540 EXT 17

5. Location of lands to be reviewed:

165 South Plank Road, Newburgh, NY 12550

6. Zone IB Fire District Orange Lake
Acreage _.610 ACRES School District Newburgh Enlarged

- 7. Tax Map: Section 60 Block 3 Lot 18
- 8. Project Description and Purpose of Review:

Number of existing lots N/A Number of proposed lots N/A

Lot line change N/ASite plan review Retail Cannabis Dispensary Clearing and grading N/AOther Special Use Permit – Retail Cannabis Dispensary

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) N/A

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

Signature	Title		
_			
Date:			

<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

PROJECT NAME ___JJSK Inc., Retail Cannabis Dispensary

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. 7	The following items shall be submitted with a COMPLETED Planning Board
Applica	tion Form.
1 F	Environmental Assessment Form As Required
2 P	Proxy Statement
3A	Application Fees
4 (Completed Checklist (Automatic rejection of application without checklist)
Site Plan	The following checklist items shall be incorporated on the Subdivision Plat or n prior to consideration of being placed on the Planning Board Agenda. omittal of the checklist will result in application rejection.
1x	Name and address of applicant
2x	Name and address of owner (if different from applicant)
3 8	Subdivision or Site Plan and Location
4x	Tax Map Data (Section-Block-Lot)
	Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map by with property outlined
	Zoning table showing what is required in the particular zone and what it is proposing. A table is to be provided for each proposed lot
	Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8 1	Date of plan preparation and/or plan revisions
	Scale the plan is drawn to (Max 1'' = 100')
10	North Arrow pointing generally up
11.	Surveyors 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
	_ Certified sewerage system design and placement by a Licensed Professional ineer 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
	_ Road profile and typical section (minimum traveled surface, excluding lers, 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
25n	n/a A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
	_ Applicable note pertaining to owners review and concurrence with plat er with owner's signature
27	_ Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
	_ Show all existing houses, accessory structures, wells and septic systems on ithin 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
31n/a_ 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
320 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.
38List 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:
By: Licensed Professional
Date:
This list is designed to be a guide ONLY. The Town of Newburgh Planning Roard

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.

SUKHVIR SINGH, PRESIDENT JJSK INC.		
APPLICANTS SIGNATURE		
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) ANGELA DANOSKY, PRESIDENT OF AZB CORPORATION	
DEPOSES AND SAYS THAT AZB CORPORATION HAS A BUSINESS ADDRES	S

AT 165 SOUTH PLANK ROAD, NEWBURGH, NEW YORK 12550

IN THE COUNTY OF ORANGE

AND STATE OF NEW YORK

AND THAT AZB CORPORATION IS THE OWNER IN FEE OF

165 SOUTH PLANK ROAD, NEWBURGH, NEW YORK 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND JOSEPH M. SAFFIOTI, Esq. IS AUTHORIZED

DATED: <u>July</u> ,2024

OWNERS SIGNATURE

ANGELA DANOSKY, PRESIDENT AZB CORPORATION

WITNESS' SIGNATURE

NAMES OF ADDITIONAL REPRESENTATIVES

WITNESS' NAME (printed)

MARK GIMIGLIANO, PE DYKSTRA WALKER DESIGN GROUP 21 BOWLING GREEN PARKWAY, SUITE 204 LAKE HOPATCONG, NJ 07849

TO REPRESENT AT MEETINGS OF SAID BOARD.

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.

DATED	SUKHVIR SINGH, PRESIDENT JJSK, INC.
	out, inc.
	APPLICANT'S SIGNATURE

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION AND REQUEST

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:

X	NONE
	NAME, ADDRESS, RELATIONSHIP OR INTEREST (financial or otherwise)
application and	closure addendum statement is annexed to and made a part of the petition, request made by the undersigned applicant to the following Board or own of Newburgh.
X	TOWN BOARD PLANNING BOARD ZONING BOARD OF APPEALS ZONING ENFORCEMENT OFFICER BUILDING INSPECTOR OTHER
DATEI	JJSK INC.
	BY: SUKHVIR SINGH President

SPECIAL USE PERMIT - SITE PLAN JJSK INC., RETAIL CANNABIS DISPENSARY

SECTION 60, BLOCK 3, LOT 18
#165 SOUTH PLANK ROAD (NYS ROUTE 52)
TOWN OF NEWBURGH
ORANGE COUNTY - NEW YORK

PARKING REQUIREMENTS

ITEM	REQUIRED	PROVIDED
PARKING CALCULATIONS: PROPOSED CANNABIS RETAIL USE: 1,960 SF GROSS LEASABLE AREA 1,960 SF x (1 SPACE / 150 SF) = 13.1 SPACES REMAINING RETAIL USE: 3,920 SF ± x (1 SPACE / 150 SF) = 26.1 SPACES	40 SPACES	31 SPACES (1)
MINIMUM SPACE SIZE	9 FT x 18 FT	9 FT x 18 FT

(1) VARIANCE REQUIRED

OWNERS ENDORSEMENT

THE UNDERSIGNED OWNER OF THE PROPERTY HEREON STATES THAT THEY ARE FAMILIAR WITH THIS PLAN AND ITS CONTENTS AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

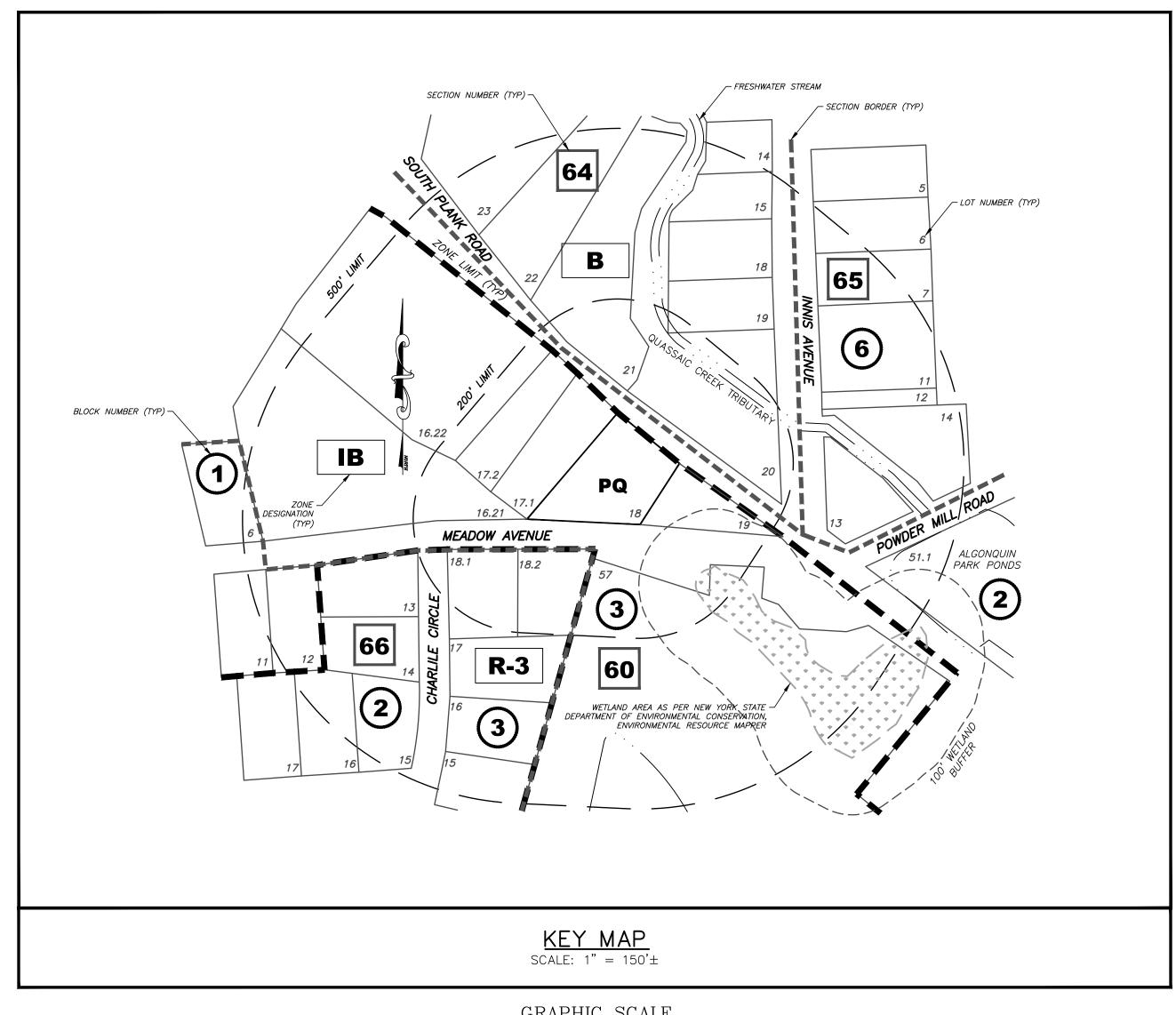
PROPERTY OWNER DATE

TOWN OF NEWBURGH PLANNING BOARD ENDORSEMENT

APPROVED BY RESOLUTION OF THE PLANNING BOARD SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF SAID RESOLUTION

ANY CHANCE, ERASURE, MODIFICATION OR REVISION OF THIS PLAN AS APPROVED SHALL VOID THIS APPROVAL

PLANNING BOARD CHAIRPERSON DATE



NOTES AND REFERENCES

R: AZB CORPORATION 165 SOUTH PLANK ROAD NEWBURGH, NY 12550

PPLICANT: JJSK INC. 1 TANTILLO LANE NEW PALTZ, NY 12561

- 2. THESE PLANS HAVE BEEN PREPARED FOR A SPECIAL USE PERMIT FOR PROPERTY KNOWN AS TAX MAP PARCEL 60-3-18, LOCATED AT 165 SOUTH PLANK ROAD IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK. THE APPLICANT PROPOSES TO OCCUPY A PORTION OF THE EXISTING RETAIL BUILDING ON-SITE WITH AN ADULT-USE RETAIL DISPENSARY. THE EXTERIOR OF THE BUILDING WILL NOT BE CHANGED. WALL MOUNTED PARKING LOT LIGHTING WILL BE ADDED TO THE EXTERIOR OF THE BUILDING, A SECURE DUMPSTER ENCLOSURE WILL BE PROVIDED AND THE EXISTING PARKING LOT WILL BE RE-STRIPED.
- THE SUBJECT PROPERTY IS 0.610 ACRES IN SIZE AND LOCATED ENTIRELY WITHIN THE INTERCHANGE BUSINESS (IB) ZONE DISTRICT OF TOWN OF NEWBURGH. THE PROPERTY HAS FRONTAGE ALONG SOUTH PLANK ROAD (NY STATE ROUTE 52) AND MEADOW AVENUE.
- 4. UNDERGROUND UTILITIES SERVING THE SUBJECT PROPERTY ARE SHOWN BASED UPON SURFACE EVIDENCE AND AVAILABLE RECORD DOCUMENTS THE LACK OF UNDERGROUND UTILITY INFORMATION DOES NOT DENY THE EXISTENCE OR ABSENCE OF SAME. THE APPROPRIATE UTILITY COMPANY SHOULD BE CONTACTED TO CONFIRM THE EXISTENCE OR ABSENCE OF SAME AND A FIELD MARKOUT OF ALL UTILITIES PRIOR TO CONSTRUCTION. FIELD MARKOUT CAN BE REQUESTED BY CALLING 1-800-242-1000.
- 5. BOUNDARY AND TOPOGRAPHIC SURVEY PERFORMED BY DYKSTRA WALKER DESIGN GROUP IN JULY OF 2024. HORIZONTAL DATUM IS NAD 83 AND VERTICAL DATUM IS NAVD 88.
- 6. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE STANDARDS OF THE BOROUGH OF ENGLEWOOD CLIFFS AND OSHA SAFETY STANDARDS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE COMPLIANCE.
- 7. ALL UTILITY LOCATIONS, GRADES, ELEVATIONS, INVERTS, ETC. SHALL BE CONFIRMED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE ANY DESIGN ADJUSTMENTS AS MAY BE REQUIRED DUE TO FIELD CONDITIONS.
- 8. THE SUBJECT PROPERTY IS PARTIALLY LOCATED IN AN AREA OF MINIMAL FLOODING (ZONE X) PER FEMA FIRM MAPPING. THE OFF-SITE 100-YEAR FLOODPLAIN LIMITS SHOWN HEREON PER FEMA FIRM MAP NUMBER 36071C0139E, DATED AUGUST 3, 2009.
- 9. THERE ARE NO FRESHWATER WETLANDS ON OR WITHIN 100 FEET OF THE SUBJECT PROPERTY PER NEW YORK DEPARTMENT OF ENVIRONMENT. CONSERVATION AND US ARMY CORPS OF ENGINEERS MAPPING.

TOWN OF NEWBURG ZONING REQUIREMENTS

IB (INTERCHANGE BUSINESS) ZONE DISTRICT			
ITEM	REQUIRED (1)	EXISTING	PROPOSED
MINIMUM LOT AREA	40,000 SF	26,556 SF (2)	26,556 SF (3)
MINIMUM LOT WIDTH	150 FT	137.7 FT (2)	137.7 FT (3)
MINIMUM LOT DEPTH	150 FT	221.9 (2)	221.9 (3)
MINIMUM FRONT YARD SETBACK	50 FT	31.7 (2)	31.7 (3)
MINIMUM REAR YARD SETBACK	60 FT	36.7 (2)	36.7 (3)
MINIMUM SIDE YARD SETBACK (SINGLE)	50 FT	8.9 (2)	8.9 (3)
MINIMUM SIDE YARD SETBACK (COMBINED)	100 FT	84.4 (Ź)	84.4 (3)
MAXIMUM LOT (BUILDING) COVERAGE	40%	22.7% (6,025 SF) (4)	22.7% (6,025 SF) (4)
MAXIMUM IMPERVIOUS COVERAGE	80%	78.1% (20,750 SF) (4)	70.0% (18,474 SF) (4)
MAXIMUM BUILDING HEIGHT	35 FT	< 35 FT	< 35 FT

(1) REQUIREMENTS FOR INDIVIDUAL RETAIL STORES PER TABLE OF USE AND BULK REQUIREMENTS, IB DISTRICT — SCHEDULE 8 (2) EXISTING, NON—CONFORMING CONDITION

(3) VARIANCE REQUIRED

) IMPERVIOUS COVERAGE SUMMARY EXISTING CONDITIONS 6,025 SF PAVEMENT 14,606 SF CONCRETE 94 SF R.R. TIES PROPOSED CONDITIONS 6,025 SF PAVEMENT AND CURBING 12,250 SF CONCRETE DUMPSTER ENCLOSURE 80 SF CONCRETE 94 SF

GRAPHIC SCALE

150 0 75 150 300 600

(IN FEET)
1 inch = 150 ft.

8/13/24 PER TOWN ENGINEER REVIEW

7/30/24 PER TOWN ENGINEER REVIEW

SHEET INDEX

LIGHTING & LANDSCAPING PLAN

BOUNDARY AND TOPOGRAPHIC SURVEY PLAN

DESCRIPTION

PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS 21 BOWLING GREEN PARKWAY, SUITE 204 · LAKE HOPATCONG, NJ PHONE (973) 663-6540 · FAX (973) 663-0042

PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS
21 BOWLING GREEN PARKWAY, SUITE 204 · LAKE HOPATCONG, NJ 07849
PHONE (973) 663-6540 · FAX (973) 663-0042
WWW.DYKSTRAWALKER.COM

MARK GIMIGLIANO, P.E

PROFESSIONAL ENGINEER, N.Y. LIC. NO. 109422

SPECIAL USE PERMIT — SITE PLAN

JJSK, INC., RETAIL CANNABIS DISPENSARY

SECTION 60, BLOCK 3, LOT 18

#165 SOUTH PLANK ROAD (NYS 52)

TOWN OF NEWBURGH

ORANGE COUNTY NEW YORK

COVER SHEET

SCALE: 1" = 150'

JOB NO.: 24103

DRAWN BY: AM

CHECKED BY: MG

DATE: 7/15/2024

SHEET NO. 1 OF 4

R

