

TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT NAME:TOWN CENTER PLAZA- FRONT FAÇADE UPGRADEPROJECT NO.:24-11PROJECT LOCATION:SECTION 76, BLOCK 4, LOT 3/59 NORTH PLANK ROADREVIEW DATE:10 MAY 2024MEETING DATE:16 MAY 2024PROJECT REPRESENTATIVE:MICHAEL R BERTA

- The project proposes architectural improvements and façade modifications for the existing shopping center, which previously contained the Big Lot Retail facility. A new anchor tenant, Fresh Town Supermarkets is proposed. It is noted the site also contains the Ready Coffee facility. Clock tower feature is proposed at the western edge of the existing plaza.
- 2. The building height should be clarified. Sheet A-3 Wall Section thru Big Lots Detail identifies 44 foot building height, however it appears that the total building height is going to be 33 feet 4 inches.
- 3. The applicants are requested to confirm no modifications to the Site Plan are proposed.
- 4. Parking calculation should be provided for the site. Sheet SP-1 identifies additional parking spaces proposed, which currently do not exist on the site.
- 5. The applicants are requested to evaluate the functioning of the loading dock with the 13 parking spaces proposed along the rim road frontage.
- 6. The architectural form and color palates material samples should be provided for the Boards review.

Respectfully submitted,

MHE Engineering, D.P.C.

atent of Alenes

Patrick J. Hines Principal

PJH/kbw

NEW YORK OFFICE

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

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ichael R. Berta. AIA

Architecture & Planning

April 18, 2024

Mr. John Ewasutyn, Chairman Town of Newburgh Planning Board 308 Gardnertown Road Newburgh, New York 12550

> Re: Façade Renovations Town Center Plaza 59 N Plank Road Newburgh, New York

Dear Chairman Ewasutyn and members of the board:

Thank you for your time and efforts with our project, we are submitting plans and rendering for discussion at the next available ARB meeting.

The proposed project is to renovate and create a new front façade and to add a clock tower at the western edge of the plaza.

The proposed façade will have a "Sto" (stucco) finish and heightened to provide an increased visibility for the plaza. The clock tower will be open with clocks facing two sides and will be raised to create a visual landmark while driving on North Plank Road.

The main body color of the façade will be a light beige color with darker brown trim. A granite look finish will be added to create a watertable.

Thank you again for your time and I look forward to discussing & working on the project with you.

Sincerely Yours.

Michael R. Berta, AIA Architect

TOWN OF NEWBURGH PLANNING BOARD

APPLICATION PACKAGE

for

SUBDIVISIONS,

SITE PLANS,

LOT LINE CHANGES

And

SPECIAL EXCEPTION USE PERMITS

Procedures and Requirements

July 2013

TOWN OF NEWBURGH PLANNING BOARD ' 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550 (845) 564-7804 fax: (845) 564-7802 planningboard@hvc.rr.com

TO WHOM IT MAY CONCERN:

This package of information and forms is provided at assist the applicant in the preparation of a submission of a site plan, subdivision, lot line change or special exception use permit to the Town of Newburgh Planning Board. In most cases the application will be prepared initially by a licensed professional engineer, architect, surveyor or land planner. Since in almost every case such professional will be required for the process, they should be retained as early as possible.

Procedurally, the applicant should contact the Planning Board to discuss the potential project and obtain the necessary forms and regulations.

The Zoning and Subdivision Regulations of the Town of Newburgh require that the applicant must present plans to the Secretary of the Planning Board. When your application is complete, it will be placed on the next **AVAILABLE** agenda. Submittals must be handed in to the Planning Board Secretary at least 10 days prior to the next meeting, but the date of the appearance at a meeting will be determined by the next available time slot, not necessarily the next meeting. You will be notified of the date, time and place of your meeting.

A minimum of FOURTEEN (14) sets of FOLDED PLANS for a major or minor subdivision or a site plan must be submitted with a COMPLETED application, and FIFTEEN (15) sets of plans must be submitted if plans need to be submitted to the Town of Newburgh Traffic Consultant. This completed application must include a LONG FORM OR FULL EAF for every project except lot line changes, 2 lot subdivisions under 3 acres or site plans impacting less than one acre, along with a NARRATIVE of the proposed project. The narrative should include the action being taken, the size of the parcel, what zone the parcel is in, the water and sewer information, any Zoning Board of Appeals relief needed, and whether the parcel is on a private or town road. Complex or unusual projects should be discussed in greater detail.

Following the first meeting before the Planning Board the applicant is required to send an Adjoiner Notice to property owners within 500 feet of the parcels in question (please see final page of the package for full instructions). Upon initial review of a Short Form, the Planning Board may require specific additional environmental information or the preparation of a Long Form. Long Form part 1 should be completed by the applicant. The Board will review and may modify Part 2 prior to making a decision on the SEQRA aspect of the project.

All fees for consulting and professional services that the Planning Board incurs during the review of the applications will be the responsibility of the applicant. An advance deposit for these fees will be required and will be placed in an escrow account with the Town. If the escrow account falls below the 40% of the initial deposit, the applicant will be required to immediately make an additional deposit to the escrow account prior to any further review of the project application by the Planning Board.

Very truly yours,

JOHN P. EWASUTYN, Chairman Town of Newburgh Planning Board

TOWN OF NEWBURGH APPLICATION FOR SUBDIVISION/SITE PLAN REVIEW

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

DA	TE RECEIVED:			FILE NO:_	24-11
	(App	lication fee returnal	ble with this appl	ication)	
1.		ion/Site Plan (Projec Front Facade for Newb		.C	-
2.	Owner of Lands Name Address	to be reviewed: Newburgh Acquisiti 444 South Fulton A		r	
	Phone	Mount Vernon, Ne 914-667-6400, ex	w York 10533	· · · · · · · · · · · · · · · · · · ·	
3.	Applicant Inform Name Address	nation (If different t	han owner):		
	Representative Phone Fax Email	e Michael R. Berta, Al 845-489-1638 845-483-9887 mike@bertaarchitec		anning	· · · · · · · · · · · · · · · · · · ·
4.	Subdivision/Site I Name Address	Plan prepared by: Michael R. Berta, AIA 7 Robert Road Poughkeepsie, New Y		nning	
	Phone/Fax	Phone - 845-489-1638	Fax - 845-483-9	887	
5.	Location of lands 59 North Plank				
6.	Zone <u>B</u> Acreage <u>5.71 ac</u>		Fire District _ School District	Goodwill Fir Newburgh	<u>'e</u>
7.	Tax Map: Section	n <u>76</u> Bloo	2k4	Lot <u>3</u>	

8.	Project Description and			
	Number of existing lo	ots <u>1</u>	_ Number of proposed lots	N/A
	Lot line change <u>N</u>	Ά		
	Site plan review	N/A		
	Clearing and grading	N/A		
	Other	N/A		

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

- 9. Easements or other restrictions on property: (Describe generally) _______None

<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.

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.

Newburgh Acquisition LLC

APPLICANT'S NAME (printed)

APPLIC VATURE

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).

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

APPLICANT'S NAME (printed)

APPLICANT'S'SIGNATURE

PROXY

(OWNER) NOAHKATZ , DEPOSES AND SAYS THAT HE/SHE RESIDES AT 144 South Fulton Ave, Mount Vernon NP Westchest IN THE COUNTY OF AND STATE OF New York AND THAT HE/SHE IS THE OWNER IN FEE OF _Newburgh Acquisitions LLC WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH PLANNING BOARD AND _____ Michael R. Berta, AIA _____ IS AUTHORIZED TO REPRESENT THEM AT MEETINGS OF SAID BOARD. DATED: SÍGNATURE NOAHKATZ **OWNERS NAME** (printed) rette mg WITNESS' SIGNATURE NAMES OF ADDITIONAL REPRESENTATIVES WITNESS' NAME (printed)

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:

XX NONE

NAME, ADDRESS, RELATIONSHIP OR INTEREST (financial or otherwise)

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.

_____ 7 _____ P _____ 2 _____ 2 _____ 2

_ TOWN BOARD _ PLANNING BOARD _ ZONING BOARD OF APPEALS _ ZONING ENFORCEMENT OFFICER _ BUILDING INSPECTOR OTHER

April 1, 2024

DATED

IDUAL APPLICANT

NERSHIP APPLICANT CORPORATE OR PAR

BY: (Partner) (Vice-Pres.) rec (Sec.) (Treas.)

AGRICULTURAL NOTE

(Required to be placed on all plans where property lies within 500 feet of land in active agricultural production or operation)

Property adjacent to lots (1) is in active agricultural operation and production and residents must be aware that such property is protected by New York State "Right to Farm Laws" as regulated by the Department of Agriculture and Markets. From time to time during and prior to the normal growing season land and crops may be sprayed from the ground or by air, manure may be applied, and periodic noise may occur from machinery operation at various times throughout the day. Residents should be aware of this action by the adjacent property owners.

(1) Specific lots adjacent to the active farming area which are impacted shall be inserted in this space.

AGRICULTURAL DATA STATEMENT

(Required pursuant to Agricultural and Markets Law §305-a for applications for site plan approvals, use variances and subdivision approvals that will occur on property within a County Agricultural District containing an active farm operation or on property with boundaries within five hundred feet of an active farm operation located in a County Agricultural District)

Name and address of the applicant:	Newburgh Acquisitions LLC	
444 South Fulton Ave Second Floor	Mount Vernon, New York	
Description of the proposed project:	New Front Facade & Clock Tower	

Location of the proposed project: _____59 North Plank Road

Name(s) and address(es) of any owner(s) of land within a County Agricultural District containing active farming operations and located within five hundred feet of the boundary of the project property: <u>N/A</u>

.

A tax map or other map showing the site of the proposed project relative to the location of the identified farm operations must be attached to this form.

APPLICANT'S SIGNATURE

DATE

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: ______April 1, 2024

NAME OF PROJECT: Proposed New Front Facade for Newburgh Acquisition LLC

The applicant is to submit in writing the following items prior to signing of the site plans.

EXTERIOR FINISH (skin of the building):

Type (steel, wood, block, split block, etc.) Stucco - EIFS Rainscreen System

COLOR OF THE EXTERIOR OF BUILDING:

Light to medium brown

ACCENT TRIM:

Location:	Top of Parapet wall	
Color:	Dark brown @ top of parapet wall	
Type (mat	terial):Built up stucco / sto	

PARAPET (all roof top mechanicals are to be screened on all four sides):

ROOF:

Type (gabled, flat, etc.): Hip roof at clock tower & existing flat

Material (shingles, metal, tar & sand, etc.): Raised Seam Metal @ Clock Tower
Color: Dark bronze

WINDOWS/SHUTTERS:

Color (also trim if different): _____

Existing brushed aluminum

Type: <u>Aluminum</u>

DOORS:

Color: Existing brushed aluminum

Type (if different than standard door entrée): _____Aluminum

SIGN:

Color: Green / Red / Beigh

Material: _____Acrylic

Square footage of signage of site: ______200 sf

n KATE pres. Monusi

Please print name and title (owner, agent, builder, superintendent of job, etc.)

Signature

LIST OF ADJACENT PROPERTY OWNERS

Within ten business days following the applicant's first appearance before the Planning Board, the applicant shall forward a letter prepared by the Planning Board or an authorized agent of the Planning Board to all property owners within 500 feet of the land involved in the application, as the names of such owners appear on the last completed assessment roll of the Town, notifying the property owners of the receipt of the plat and application, by first class mail. **The list of property owners shall be provided to the applicant from the Planning Board, through the Town Assessor's office.** The applicant shall thereafter submit a duly executed, notarized affidavit of mailing to the Planning Board. Further appearances before the Planning Board shall be prohibited until an affidavit meeting the requirements has been delivered. In the event a modification to an application proposes an increase in the number of lots or the relocation of a proposed road or drainage basin to a location adjacent to an adjoining property, then a supplementary letter shall be required to be forwarded in the same manner advising of the modification.

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:

Proposed New Facade Renovation for Newburgh Acquisition LLC

Project Location (describe, and attach a location map):

59 N. Plank Road Newburgh, New York

Brief Description of Proposed Action:

Renovation and addition to existing facade and new clock tower added.

Name of Applicant or Sponsor:	Telephone: 845-489-16	38				
Michael R. Berta, AIA Architecture	E-Mail: mike@bertaarchitects.com					
Address: 7 Robert Road						
City/PO: Poughkeepsie	Zip Code: 12603					
1. Does the proposed action only involve the legislative adoption of a plan, local administrative rule, or regulation?	law, ordinance,	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.						
2. Does the proposed action require a permit, approval or funding from any other If Yes, list agency(s) name and permit or approval:	government Agency?	NO	YES			
 a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 	<u>5.71</u> acres <u>0.01</u> acres <u>5.71</u> acres					
 4. Check all land uses that occur on, are adjoining or near the proposed action: Urban Rural (non-agriculture) Industrial Commercial Forest Agriculture Aquatic Other(Specience) Parkland 		rban)				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?			П
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify:			
		NO	YES
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?	ľ		
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
	_		
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:	ſ		
	<u></u>		
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:	<u> </u>	—	
	_		
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district		NO	YES
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?			
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?		NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
en en en en en el la ferra en la sella de la servici de la servici de la ferra de la servici de la servici de Nomen en la servici de la s			
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	-		
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Federal government as threatened or endangered?	NO	
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	
Federal government as threatened or endangered?	NO	
		YES
an para series and an		
16. Is the project site located in the 100-year flood plan?	NO	YES
	☑	
The win the proposed action create storm water discharge, either from point of non-point sources?	NO	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:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:		
management facility?	10	YES
If Yes, describe:	~	
		Ш
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	10	YES
If Yes, describe:		
	८	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST MY KNOWLEDGE	'OF	
Applicant/sponsor/name: Michael R. Berta, AIA Architecture & Planning Date: April 18, 2024		
Signature: Title: Architect		











				¥	
1'-9 1/4" 21'-8" 1'-9 1/4"	- Coping System (10,04), Color To Be Selected.	Bult Up Stucco Trim w/ Rigid Trisieften & Wil Bocking As Required.			
	22" DAIRY PRODUCE MEAT SEAFOOD	FLORAL CATERING Super Cent	er		
Existing Store Front (To Remain) (To Remain)					Existing Store Front (To Renain)
20" x 10" Concrete Footing w/(3) #4 Bars Continuous	Bottom of Footing Elev. 95.0"			L	30" x 76" Poured Concrete Pier (4,500 psi, Reinforced) w/ (8) #5 Bars Vertical & #4 Horizontal @ 12" o/c on 46" x 84" x 12" Co Eastword #5 Bars Vertical & #4 Xarc



	8" Poured Concrete Pier (4,500 psi, Fiber Reinforced) w/ (2) #4 Bars Cont. © Top & Botton of Wall & #4 Bars Vertical Horizontal © 36" o/c on 20" x 10" Concrete Footing w/ (3) #4 Bars Continuous	Existing Concrete Pier & Footing To Remain, Field Verify & Consult Architect When Exposed	4" Concrete Slab (4,500 psi Fiber 1'-10" Se Reinforced) w/ 6 x 6, W 29/2.9 Weld Wire Mesh. Provide Broom Finish	0" B" Poured Concrete Wall (4,500 psi, Fiber Reinforced) 0" w/ (2) #4 Bars Cont. @ Top & Bottom, of Wall & #4 Bars Vertical Herizontal @ 36" o/c on 20" x 10" Concrete Footing w/ (3) #4 Bars Continuous
ı Full	24" x 24" Poured Concrete Pier (4,500 psi, Fiber Reinforced)%/(4)#5 Bars Vertical & #4 Bars —Hinizontal @ 12" o/c on 42" x 42" x 12" Concrete Feoting w/ #5 Bars @ 8" o/c, Both Ways,	24° x 24° Poured Concrete Pier (4,500 psi, Fiber Reinforced) w/ (4) #5 Bars Vertical & #4 Bars Horizontal © 12° o/c on 42″ x 42″ x 12″ concrete Footing w/ #5 Bars © 8° o/c, Both Ways.		24" x 20" Poured Concrete Fier (4,500 psi, Fiber Reinforced) w/ (4) #5 Bars Vertical & #4 Bars Horizontal @ 12" o/c on 36" x 36" x 12" Concrete Footing w/ #5 Bars © 8" o/c, Both Ways.
11/	/2" 21"-51/2" 20"-6"	20'-3" 2	35'-10"	35'-5"
-10	6 2 °-6°			105'- 9 *
_	379'-6"		• /a	



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