

PB# 93-10

Toyota of Newburgh

48-3-3 & 2.2 &

48-2-6.2

P.B. # 93-10 Toyota of Newburgh
Site Plan - Rt. 9W (Tectonic)

Approved 9/27/94

DISTRIBUTION		
FUND	CODE	AMOUNT
CR 23172		150.00

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

By Pauline M. Townsend
Town Clerk
 Title

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13215
 555 Union Avenue
 New Windsor, NY 12550

Received of Town Clerk 3/8 1993
 \$ 750.00
Seven Hundred and fifty 00 DOLLARS
 For Planning Board 93-10 Escrow Toyota of Newburgh

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 23171		750.00

By L. L. Captrall
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13220
 555 Union Avenue
 New Windsor, NY 12550

Received of Toyota of Newburgh MARCH 19 1993
 \$ 200.00
Two Hundred and 00/100 DOLLARS
 For Planning Board 93-10 Spec Application Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CR # 23196		200.00

By Pauline M. Townsend
Town Clerk
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Planning Board
 Town Hall
 555 Union Ave.
 New Windsor, N.Y. 12550

NO. 93-10
September 27, 1994

RECEIVED FROM Toyota of Newburgh
Two Thousand Five Hundred Seventy-Three 70/100 DOLLARS
4% of \$50,000.00 + 2% of \$28,685.00 = 2,573.70 (Total Cost Est. \$28,685.00)
 Account Total \$ 2,573.70
 Amount Paid \$ 2,573.70
 Balance Due \$ -0-

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

Mary L. Mason, Secy to the P.B.
A Zappalo

Double Check 9/15/94
 Eng fee 11/2/93 678.00
 in Computer
~~102.50~~
~~537.50~~
~~643.70~~

See more Receipts on
 opposite cover →

Plan - Rt. 9W (Technic)



TOWN OF NEW WINDSOR **GENERAL RECEIPT** 14288

555 Union Avenue
New Windsor, NY 12550

Received of Toyota of Newburgh Sept 28 1994 \$ 150.00

One Hundred fifty 00 DOLLARS

For P.B. Application Fee 93-10 100

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR 31063</u>		<u>150.10</u>

By Dorothy Hansen
Town Clerk
Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12551

NO. 93-10
September 27, 1994

RECEIVED FROM Toyota of Newburgh
Three Hundred - One 50/100 DOLLARS
Addition to \$250.00 accrual to cover Professional Fees

Account Total \$ 301.50
Amount Paid \$ 301.50
Balance Due \$ -0-

Myra L. Mason Sec'y to the P.B.
A. Zappalo

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

3.7

.31064

NAME: TOWN OF NEW WINDSOR

DATE: 9/27/94

DESC:

ADDITIONAL ESCROW

ACCOUNT #	AMOUNT	OVERRIDE INVOICE	ACCOUNT #	AMOUNT	OVERRIDE INVOIC
2020	301.50-		2760	301.50	

31065

NAME: TOWN OF NEW WINDSOR

DATE: 9/27/94

DESC:

COST EST

ACCOUNT #

AMOUNT

OVERRIDE INVOICE

ACCOUNT #

AMOUNT

OVERRIDE INVOIC

2020

2573.70-

2760

2573.70

31063

NAME: TOWN OF NEW WINDSOR

DATE: 9/27/94

DESC:

APPROVAL FEE

ACCOUNT #

AMOUNT OVRRIE INVOICE

ACCOUNT #

AMOUNT OVRRIE INVOIC

2020

150.00-

2760

150.00

23172

NAME: TOWN OF NEW WINDSOR

DATE: 3/18/93

DESC:

ACCOUNT #	AMOUNT	OVERRIDE	INVOICE	ACCOUNT #	AMOUNT	OVERRIDE	INVOIC
2020	150.00-			7233	150.00		

23171

NAME: TOWN OF NEW WINDSOR

DATE: 3/18/93

DESC:

ACCOUNT #	AMOUNT	OVERRIDE	INVOICE
2020	750.00-		

ACCOUNT #	AMOUNT	OVERRIDE	INVOIC
7233	750.00		



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

28 September 1994

MEMORANDUM FOR RECORD

**SUBJECT: TOYOTA OF NEWBURGH SITE PLAN
NEW WINDSOR PLANNING BOARD NO. 93-10**

On the morning of 27 September 1994 I discussed the subject application with Rich and George Gaillard of Toyota of Newburgh. They were confused as to the requirement for combination of the properties, which was a condition of their approval. I explained the difference between combining lots for tax purposes, which is merely a combination of tax map numbers into a new (combined) single tax map number. This differs from combination of the parcels into a single deed parcel, which involves the preparation of a new deed encompassing all the lots into a single parcel, with the deed then being filed in the County Clerk's office. The Gaillards indicated that their problem is that they need to deliver a stamped plan to their bank, for financing purposes, on 28 September 1994. I advised them that the combination of the lots to a single deed was a condition of approval and suggested that they contact Jim Petro to try to work out some type of arrangement.

On the afternoon of 27 September 1994 I received a telephone call from Jim Petro who advised me that he had reached an agreement with Toyota, that they would furnish the Town with a letter guaranteeing that the individual parcels would be combined into a single deed parcel within one year. On the basis of the above, Jim indicates that he will have the plans stamped and released to Toyota.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Mark J. Edsall', written over a horizontal line.

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk

cc: Myra Mason, Planning Board Secretary
A:9-28-4E.mk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

November 14, 1994

Toyota of Newburgh, Inc.
96 Rt. 9W
Newburgh, NY 12550

SUBJECT: SITE PLAN APPROVAL
NEW WINDSOR PLANNING BOARD NO. 93-10

Dear Sir:

This letter is being written pursuant to your request to acknowledge the action of the Town of New Windsor Planning Board with regard to your business located at 96 Rt. 9W within the Town of New Windsor.

Toyota of Newburgh has been permitted to deal in new and used vehicles and auto repairs in accordance with the provisions and requirements of the Town of New Windsor Zoning Law. The site plan for Toyota of Newburgh was granted conditional approval at the regular meeting of the Planning Board on May 25, 1994. All conditions were met and the plans were stamped approved on September 27, 1994. This site has access to all Town Utilities such as water, sewer and electric.

It should be noted that the site plan approval includes the issuance of a special permit, which makes the project subject to specific requirements and restrictions outlined by the Board. These apply, notwithstanding any classifications of use by the State of New York.

If you have any questions concerning the above, please do not hesitate to contact the undersigned.

Very truly yours,

Michael L. Babcock,
Building & Zoning Inspector

MLB:mlm

TOYOTA of
Newburgh
NEWBURGH, NY

96 Route 9W, Newburgh, New York 12550
Telephone: (914) 561-0340

September 27, 1994

New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

To whom it may concern,

Toyota of Newburgh, Inc. is in the process of consolidating three parcels of land into one deed. This will take place over the course of one year, and during that time a copy of the consolidated deed will be forwarded to the New Windsor Planning Board.

Thank you for your cooperation.

Sincerely,



Richard Gaillard

RECEIVED SEPT 27th 1994
from R. Pet
Chairman
H.W.P.B.
OK TO Sign PLANS
PER. A.K.
M.E.
J.P.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/28/94

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 93-10

NAME: TOYOTA OF NEWBURGH SERV. CTR.: S.P. & SPEC. PERM.
APPLICANT: TOYOTA OF NEWBURGH, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
09/27/94	PLANS STAMPED	APPROVED
05/25/94	P.B. APPEARANCE . BOLLARDS TO PROTECT BLDG.- ALL ORIGINAL CONDITIONS	APPR. CONDITIONALLY
05/11/94	P.B. APPEARANCE . DISCUSSED AMENDMENT TO ORIGINAL APPROVAL OF 10-13-93	DISCUSSED AMENDMENT
10/13/93	P.B. APPEARANCE . NEED REVISED PLAN FOR STAMPING - SEE RESULTS SHEET IN FILE	APPROVED CONDITIONAL
10/06/93	WORK SESSION APPEARANCE	RETURN TO P.B.
09/22/93	P.B. APPEARANCE . CORRECT PARKING CALC./ANDY TO HANDLE LOTS BECOMING ONE LOT	P.H. HELD / NEG DEC
08/11/93	P.B. APPEARANCE . PUT VARIANCES RECEIVED ON PLAN AND SET FOR PUBLIC HEARING	LA:REVISE & SET P.H.
07/12/93	Z.B.A. APPEARANCE	VARIANCE GRANTED
03/24/93	P.B. APPEARANCE . APPLICANT MAY HAVE THREE LOTS COMBINED TO ONE LOT	REFER TO Z.B.A.
03/17/93	WORK SESSION APPEARANCE	SUBMIT APPLICATION
03/03/93	WORK SESSION APPEARANCE	REVISE & RETURN

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/28/94

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-10

NAME: TOYOTA OF NEWBURGH SERV. CTR.: S.P. & SPEC. PERM.
APPLICANT: TOYOTA OF NEWBURGH, INC.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
03/18/93	S.P. MINIMUM	PAID		750.00	
03/24/93	P.B. ATTY. FEE	CHG	35.00		
03/24/93	P.B. MINUTES	CHG	22.50		
08/11/93	P.B. ATTY. FEE	CHG	35.00		
08/11/93	P.B. MINUTES	CHG	18.00		
09/22/93	P.B. ATTY. FEE	CHG	35.00		
09/22/93	P.B. MINUTES	CHG	45.00		
10/13/93	P.B. ATTY. FEE	CHG	35.00		
10/13/93	P.B. MINUTES	CHG	31.50		
10/27/93	P.B. ATTY. FEE	CHG	50.00		
09/27/94	P.B. ENGINEER FEE	CHG	678.00		
05/25/94	P.B. ATTY. FEE	CHG	35.00		
05/25/94	P.B. MINUTES	CHG	31.50		
09/27/94	REC. CK #31064	PAID		301.50	
		TOTAL:	----- 1051.50	----- 1051.50	----- 0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/28/94

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 93-10

NAME: TOYOTA OF NEWBURGH SERV. CTR.: S.P. & SPEC. PERM.
APPLICANT: TOYOTA OF NEWBURGH, INC.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
09/27/94	4% OF \$50,000.00	CHG	2000.00		
09/27/94	2% OF 28,685.00	CHG	573.70		
09/27/94	REC. CK #31065	PAID		2573.70	
		TOTAL:	----- 2573.70	----- 2573.70	----- 0.00



TECTONIC
ENGINEERING CONSULTANTS P.C.

PRELIMINARY COST ESTIMATE WORK SHEET

DWG. NO. C-101 - C105	DATE 10/6/93	SHEET 1 OF 1
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PROJECT TITLE TOTAL OF NEWBURGH SITE IMPROVEMENTS					
LOCATION RTE 93, TOWN OF NEW WINDSOR					
OWNER GAILLARD					
ESTIMATED BY RW		CHECKED BY		APPROVED BY	
ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE MAT. & LAB.	ESTIMATED AMOUNT
1	PAVEMENT	3400	S.F.	\$ 6.50	\$ 22,100
2	CONCRETE CURB	270	L.F.	\$ 7.8	\$ 2160
3	5' CONCRETE WALK	400	S.F.	\$ 4	\$ 1600
4	RELOCATE LIGHT POLE	3	ea	\$ 250	\$ 750
5	DRAINAGE				
	CATCH BASIN W/GRATE	3	ea	\$ 1100	\$ 3300
	30" CMP	30	L.F.	\$ 30	\$ 900
	24" CMP	205	L.F.	\$ 25	\$ 5,125
	15" CMP	200	L.F.	\$ 20	\$ 4,000
	FLARED END SECTION	8	ea	\$ 200	\$ 1,600
6	RETAINING WALL	2000	S.F.	\$ 18	\$ 36,000
7	SIGNAGE	4	ea	\$ 100	\$ 400
8	STRIPING	5000	L.F.	.15¢	\$ 750
TOTAL					\$ 78,685

OK Per Mark
by Phone 9/27/94

SITE PLAN FEES - TOWN OF NEW WINDSOR

APPLICATION FEE:.....\$ 150.00 Pd

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ _____ Pd

MULTI-FAMILY SITE PLANS:

_____ UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)....\$ _____

_____ UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS)....\$ _____

TOTAL ESCROW PAID:.....\$ _____

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ _____

PLAN REVIEW FEE (MULTI-FAMILY): A. \$150.00
PLUS \$25.00/UNIT B. _____

TOTAL OF A & B: \$ 150.00 (1)

RECREATION FEE: (MULTI-FAMILY)

\$1,000.00 PER UNIT

_____ @ \$1,000.00 EA. EQUALS: \$ _____
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$ 78,685.00

A. 4% OF FIRST \$50,000.00 A. 2000.00
B. 2% OF REMAINDER B. 573.70

TOTAL OF A & B: \$ 2573.70 (2)

TOTAL ESCROW PAID:.....\$ 750.00

TO BE DEDUCTED FROM ESCROW: ~~750.00~~ 1,051.50

RETURN TO APPLICANT: \$ _____

ADDITIONAL DUE: \$ 301.50 (3)

ANDREW S. KRIEGER
ATTORNEY AT LAW
219 QUASSAICK AVENUE
SQUIRE SHOPPING CENTER, SUITE 3
NEW WINDSOR, NEW YORK 12553
(914) 562-2333

August 16, 1994

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

Attn: Myra Mason

Re: Toyota of Newburgh

Dear Myra:

The three parcels which were the subject of an application for site plan approval by Toyota of Newburgh, Inc., have apparently all been deeded into Gaillard Realty Associates, L. L. C.. Further Gaillard Realty Associates, L.L.C has been made a co-applicant for this site plan approval. The legal requirements which I suggested to the Board and which were made a condition of approval have now been satisfied. I understand that Mark will compare the descriptions on the three deeds to determine that they do in fact describe the premises on which site plan approval is sought. But the deeds are otherwise acceptable.

Thank you.

Very truly yours,


ANDREW S. KRIEGER

ASK :mmt

*I re reviewed docs on 8/14/94
and it is still O.K.
ASK*

201

Standard N.Y.B.T.U. Form 8007
Bargain & sale deed, with covenant against grantor's acts—Ind. or Corp.

US BLUMBERG, INC., LAW BLANK PUBLISHERS

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 10th day of February, nineteen hundred and ninety-four
BETWEEN

48N

SUSAN G. NAVERSEN, as sole trustee of the G. Everett Gaillard Revocable Trust, under Agreement dated October 22, 1990, with an address of 89 Lower Cross Road, Greenwich, Connecticut 06831,

party of the first part, and

GAILLARD REALTY ASSOCIATES, L.L.C., a Connecticut limited liability company with an address of c/o Toyota of Newburgh, Inc., Route 9-W, Newburgh, NY 12550,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of FOUR HUNDRED THIRTY THOUSAND AND NO/100 (\$430,000.00)

dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York described in Schedule A attached hereto.

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, and State of New York, being more particularly described as follows:

BEGINNING at a point at the intersection of the easterly line of Route 9W with the northerly line of road which leads in an easterly direction from Route 9W to Old Plum Point, the said point of beginning being at the southwesterly corner of Lot No. 1 as laid down and designated on a map entitled, "Bernardsville", revised, dated March 20, 1952, the said map being filed in the Orange County Clerk's Office on August 6, 1953 as Map No. 1542, and runs thence along the northerly line of said Plum Point Road South 66 degrees 47 minutes East 300 feet to a point at the southwesterly corner of a proposed lateral road 50 feet wide which extends between said northerly line of Plum Point Road and the southerly line of Lafayette Drive as shown on said map;

Thence along the westerly line of said proposed road North 23 degrees 13 minutes East 205.11 feet to a point in said southerly line of Lot No. 2 on said map, North 54 degrees 51 minutes West 251.10 feet to a point in the easterly line of Route 9W;

Thence along said line South 35- degrees 09 minutes West 252.70 feet to the point or place of beginning. The said parcel as hereby described being Lot No. 1 on said map.

Being the same premises conveyed to the G. Everett Gaillard Revocable Trust by deed dated October 25, 1991 and recorded October 29, 1991 in Liber 3515 of deeds at Page 32 in the Orange County Clerk's Office, Division of Land Records.

LIBER 3998 PAGE 91

9203d

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

As further consideration for the premises, the party of the second part, by its acceptance of this deed, hereby agrees, for itself, its successors and assigns forever, to assume and accept all liability and responsibility for the environmental condition of the premises from and after the date of February 1, 1991, and to defend and hold the party of the first part harmless from any and all losses, costs, claims and damages arising from or in connection with any environmental condition arising on the premises on or after February 1, 1991.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

THE C. EVERETT GALLIARD REVOCABLE TRUST

STATE OF NEW YORK, COUNTY OF *Westchester* ss:

STATE OF NEW YORK, COUNTY OF

ss:

On the *10th* day of *February* 19*94*, before me personally came

On the _____ day of _____ 19____, before me personally came

Susan G. Naversen

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

Mary Ellen Davis

MARY ELLEN TRAVIS
Notary Public, State of New York
Registered No. 01116013002
Qualified in Westchester County
Commission Expires Nov. 1, 95

STATE OF NEW YORK, COUNTY OF _____ ss:

STATE OF NEW YORK, COUNTY OF _____ ss:

On the _____ day of _____ 19____, before me personally came

On the _____ day of _____ 19____, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No. _____;

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. _____;

that he is the _____ of _____;

that he knows _____;

_____ , the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

_____ to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

DEED No.

PAL11145

Susan G. Daverson

TO

Gowland Realty Associates

PAL11145

SECTION 48

BLOCK 3

LOT 3

COUNTY OR TOWN Orange/New Windsor

RETURN BY MAIL TO:

EDERSTEIN + LOCHNER
405 MAIN STREET
ARMONK, NY 10504

Zip No.

Office.

00

Standard N. Y. B. T. U. Form 8004

Quitclaim Deed-Individual or Corporation (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 20 day of April , nineteen hundred and ninety-four,
BETWEEN

Toyota of Newburgh, Inc., a New York corporation, having offices at Route 9-W, Newburgh, New York 12550

party of the first part, and

Gaillard Realty Associates, L.L.C.
c/o Peter M. Edelstein
28 Lakeshore Drive, South
Brookfield, Connecticut 06804

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, being more particularly described on Schedule "A" attached hereto.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, hereby covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same to the payment of the cost of the improvement before using any part of the total of the same for

the same first to the payment of the debt or the improvement
any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Toyota of Newburgh, Inc.

LIBER 4066 PAGE 197

by George E. Gaillard
George E. Gaillard,
President

C

BY:

Susan G. Naversen

Susan G. Naversen, its
sole Trustee

SCHEDULE "A"

ALL those certain lots Nos. 2, 3, 4 and 5 laid out on map entitled "Bernardsville, Town of New Windsor, Orange County, New York", made by Nial Sherwood, dated November 1951, revised March 20, 1952, which revised map was filed in the Office of the Clerk of the County of Orange on August 6, 1953, as Map No. 152, known and designated as Lots No. 2 to 7 inclusive.

BEING the same premises conveyed to TOYOTA OF NEWBURGH, INC. by ACADEMY VENTURES, INC. by deed dated October 22, 1980, and recorded in the Orange County Clerk's Office on the 12th day of November, 1980 in Liber 2179 of Deeds at Page 496.

Peter M. Edelstein, Esq.

-2-

June 3, 1994

Lastly, the two newer deeds dated April 20, 1994 must actually be recorded and we will need proof of that recording for the Planning Board file.

Thank you.

Very truly yours,

ANDREW S. KRIEGER

ASK:mmt

cc: Myra Mason, Secretary
Town of New Windsor Planning Board

"Discussion"

RESULTS OF P.B. MEETING

DATE: May 11, 1994

PROJECT NAME: Toyota of Newburgh PROJECT NUMBER 93-10

LEAD AGENCY: * NEGATIVE DEC: *

M) ___ S) ___ VOTE: A ___ N ___ * M) ___ S) ___ VOTE: A ___ N ___ *

CARRIED: YES ___ NO ___ * CARRIED: YES: ___ NO ___ *

PUBLIC HEARING: M) ___ S) ___ VOTE: A ___ N ___

WAIVED: YES ___ NO ___

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

RETURN TO WORK SHOP: YES ___ NO ___

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

M) ___ S) ___ VOTE: A ___ N ___ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES ___ NO ___

DISCUSSION/APPROVAL CONDITIONS: _____

Anthony Coppolla spoke regarding changes to plan.
(Valet Parking) covered by canopy.

Must work out parking requirements

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/25/94

PAGE: 2

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
O [Disap, Appr]

FOR PROJECT NUMBER: 93-10

NAME: TOYOTA OF NEWBURGH SERV. CTR.: S.P. & SPEC. PERM.
APPLICANT: TOYOTA OF NEWBURGH, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
REV2	10/07/93 MUNICIPAL SEWER	10/11/93 APPROVED
REV2	10/07/93 MUNICIPAL SANITARY	/ /
REV2	10/07/93 MUNICIPAL FIRE	10/12/93 APPROVED
REV2	10/07/93 PLANNING BOARD ENGINEER	/ /
REV4	05/20/94 MUNICIPAL FIRE	05/23/94 APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/25/94

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 93-10

NAME: TOYOTA OF NEWBURGH SERV. CTR.: S.P. & SPEC. PERM.
APPLICANT: TOYOTA OF NEWBURGH, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	03/18/93	MUNICIPAL HIGHWAY	03/25/93	APPROVED
ORIG	03/18/93	MUNICIPAL WATER	03/25/93	APPROVED
ORIG	03/18/93	MUNICIPAL SEWER	08/05/93	SUPERSEDED BY REV1
ORIG	03/18/93	MUNICIPAL SANITARY	08/05/93	SUPERSEDED BY REV1
ORIG	03/18/93	MUNICIPAL FIRE	03/22/93	APPROVED
ORIG	03/18/93	PLANNING BOARD ENGINEER	08/05/93	SUPERSEDED BY REV1
ORIG	03/25/93	O.C. PLANNING DEPT.	04/15/93	LOCAL DETERM.
REV1	08/05/93	MUNICIPAL HIGHWAY	09/08/93	SUPERSEDED BY
REV1	08/05/93	MUNICIPAL WATER	09/08/93	SUPERSEDED BY
REV1	08/05/93	MUNICIPAL SEWER . OIL/WATER SEPERATOR REQUIRED FOR FLOOR DRAIN IN BAYS	08/06/93	APPROVED
REV1	08/05/93	MUNICIPAL SANITARY	09/08/93	SUPERSEDED BY
REV1	08/05/93	MUNICIPAL FIRE	08/09/93	APPROVED
REV1	08/05/93	PLANNING BOARD ENGINEER	09/08/93	SUPERSEDED BY
	09/08/93	MUNICIPAL HIGHWAY	09/23/93	DISAPPROVED
	09/08/93	MUNICIPAL WATER	10/07/93	SUPERSEDED BY REV2
	09/08/93	MUNICIPAL SEWER	09/15/93	APPROVED
	09/08/93	MUNICIPAL SANITARY	10/07/93	SUPERSEDED BY REV2
	09/08/93	MUNICIPAL FIRE	09/24/93	APPROVED
	09/08/93	PLANNING BOARD ENGINEER	10/07/93	SUPERSEDED BY REV2
REV2	10/07/93	MUNICIPAL HIGHWAY	11/15/93	APPROVED
REV2	10/07/93	MUNICIPAL WATER	11/15/93	APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/25/94

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
O [Disap, Appr]

FOR PROJECT NUMBER: 93-10

NAME: TOYOTA OF NEWBURGH SERV. CTR.: S.P. & SPEC. PERM.
APPLICANT: TOYOTA OF NEWBURGH, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
10/13/93	P.B. APPEARANCE . NEED REVISED PLAN FOR STAMPING - SEE RESULTS SHEET IN FILE	APPROVED CONDITIONAL
10/06/93	WORK SESSION APPEARANCE	RETURN TO P.B.
09/22/93	P.B. APPEARANCE . CORRECT PARKING CALC./ANDY TO HANDLE LOTS BECOMING ONE LOT	P.H. HELD / NEG DEC
08/11/93	P.B. APPEARANCE . PUT VARIANCES RECEIVED ON PLAN AND SET FOR PUBLIC HEARING	LA:REVISE & SET P.H.
07/12/93	Z.B.A. APPEARANCE	VARIANCE GRANTED
03/24/93	P.B. APPEARANCE . APPLICANT MAY HAVE THREE LOTS COMBINED TO ONE LOT	REFER TO Z.B.A.
03/17/93	WORK SESSION APPEARANCE	SUBMIT APPLICATION
03/03/93	WORK SESSION APPEARANCE	REVISE & RETURN

PLANNING BOARD FILE NUMBER: 93-10

MEMORANDUM FOR FILE

DATE: January 4, 1994

On this date: I spoke to Don Benwie of Tectonic
he said - Toyota is in the process of having
the deeds combined and a few other items
they need to clear up. He indicated they
should be ready to finalize in the Spring.

(m)



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 10

DATE PLAN RECEIVED: RECEIVED MAY 20 1994

The maps and plans for the Site Approval Toyota of Newburgh
Subdivision _____ as submitted by

_____ for the building or subdivision of
_____ has been

reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason _____

_____	HIGHWAY SUPERINTENDENT	DATE
<input checked="" type="checkbox"/>	<i>[Signature]</i>	5/21/94
_____	WATER SUPERINTENDENT	DATE

_____ SANITARY SUPERINTENDENT DATE

cc: M.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2
AND SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 25 MAY 1994
DESCRIPTION: THE APPLICATION INVOLVES THE CONSTRUCTION OF A NEW
BUILDING AT THE NORTH END OF THE SITE. THE PLAN
RECEIVED CONDITIONAL APPROVAL AT THE
13 OCTOBER 1993 PLANNING BOARD MEETING AND IS
BEFORE THE BOARD FOR A REVISION AT THIS TIME.

1. As noted above, the Applicant received conditional site plan approval on 13 October 1993; however, the file was never "closed-out", nor the plan stamped with final approval.

At this time, the Applicant has finalized new details with regard to the proposed building and is now requesting consideration for a revised plan from that which received conditional approval.

To my understanding, the following changes are proposed:

- a. The interior utilization of the building is somewhat reorganized.
- b. A canopy for valet-type service drop-off has been added to the front of the new building.
- c. The parking layout on the site has been revised. The proposed building and associated parking area have been shifted somewhat to the south.
- d. The number of proposed bays for the service area has been decreased from 11 to 10.

The Board may wish to inquire, from the Applicant or their engineer, what other changes (if any) have also been made.

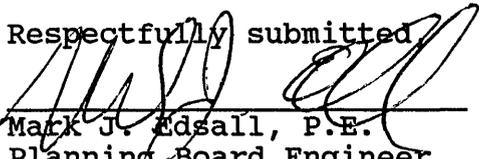
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2
AND SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 25 MAY 1994

2. The Board is reminded that this application requires the combination of the three (3) tax parcels referenced on the plan. The Board may wish to inquire as to the status of this item.
3. At this time I am aware of no other concerns with regard to this revision proposed by the Applicant.
4. The Board should note that they held a Public Hearing for this application and also completed the SEQRA process at the 22 September 1993 Planning Board meeting. For the record, the Board may wish to note that the changes are detailed in nature and do not substantially change the previous reviews and determinations, so as to support the validity of the previous determinations.
5. A revised site improvement cost estimate should be submitted, if necessary, based on the plan changes (it is possible that the previous estimate is adequate for this new plan; I will review same with the Applicant's Engineer).
6. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:TOYOTA.mk

REGULAR ITEMSTOYOTA OF NEWBURGH - AMENDED SITE PLAN (93-10)

John Nosec of Tectonic Engineering appeared before the board for this proposal, along with George Gaillard and Richard Gaillard, applicants.

MR. NOSEC: We're here before the board tonight representing Toyota of Newburgh for their parcel of land on the northbound lane of Route 9W. Basically, this is an amendment to the approved site plan. Couple of changes that have been requested by our client and we feel they are relatively minor things but nonetheless, we prepared a revised site plan and submitted it to the board for their comment and I'd like to touch briefly on what changes they'd like to do to the improved site plan. The biggest changes they'd like to put in a canopy or a drive-in service area in the front of the building so that customers coming in would be able to get out of the vehicles and go into the building without actually having to get wet in the rain and whatnot. They could then take the vehicles and drive them around and bring them in the back where they can be serviced so as a result of putting that in, we lose a number of parking spaces directly in the front which we've made up elsewhere on the site. We gained a couple of parking spaces towards the rear by realigning the stalls to be perpendicular to the curb line as opposed to being on an angle which they were before and so we gained I think three or four parking spaces in the back. And we've also proposed additional 4 spaces behind the existing building in order to account for the parking stalls that were lost by the proposed canopy.

MR. PETRO: We're not using any parking spots underneath the canopy as parking spots at this time?

MR. NOSEC: That is correct, that is strictly for vehicles to come in and take care of the business with the service center and those vehicles will be taken for repair and whatnot. The other item the building was just shifted I think it's about ten feet plus or minus, maybe a little more or less from where it was before

basically to reduce the amount of grading that would be required in the rear section of the property. The other change what happened was when we had done, there was an aisle space that was omitted that really wasn't really necessary for those parking spaces where you see the handicapped area, those parking stalls there, those vehicles can come in and park just as easily as they could before so by eliminating that aisle space, we were able to get the canopy and that is basically it.

MR. LANDER: Could you tell me how wide is the area that you are going to use for pulling the cars in?

MR. NOSEC: Okay, the plan calls for 24 feet.

MR. LANDER: Less the sidewalk?

MR. NOSEC: Less the sidewalk so four feet minus 24 which would be 20.

MR. LANDER: What are you going to use to protect the building on the inside here from somebody having their car, pulling their car in there running into this building?

MR. NOSEC: Well, if the board would like, I think we could put a couple of bollards to protect vehicles from driving on to the sidewalk. I don't know if you have any objection to that.

MR. GEORGE GAILLARD: If you have no objection, that is a good idea.

MR. LANDER: I think the last time the parking spaces here I think it was 18 feet wide so it gained two feet anyway and you didn't run into any problems with any setbacks by moving this building, did you?

MR. NOSEC: I don't believe so, no, it should still comply with all the setback requirements. In fact we moved it away from the rear line which actually improved the rear.

MR. PETRO: You had received variances because you had two front yards on this project, one from Lafayette

Drive and then one on the other road but you haven't moved it towards either one of the roads?

MR. NOSEC: We've shifted in a horizontal direction.

MR. PETRO: Your variances not be effected.

MR. NOSEC: Right.

MR. PETRO: Down there by the parking, additional 4 spots you put down on the bottom of the map there, what's that area going to be surfaced which I don't see anything on the map?

MR. NOSEC: Item 4, Item 4 rolled.

MR. LANDER: Who is going to be parking down in that area?

MR. RICHARD GAILLARD: That is going to be employees and new cars.

MR. PETRO: Mark, we have municipal fire approval on 5/23/94, as far as any other technical points, do you want to shed light on anything there?

MR. LANDER: Do we have to go to DOT for this?

MR. BABCOCK: It already did.

MR. EDSALL: One of my comments I believe suggests that you just for the record note that you have gone through a SEQRA review, had a public hearing and you quantify the magnitude of the changes so you can determine that what you have already decided is still valid. I assume that is what you're going to decide and you're just making some very detailed changes.

MR. PETRO: The changes are very minor in nature and you're redesignating the number of bays from 11 to 10 and only major change obviously is the canopy which I don't think would necessitate going through all the procedures again.

MR. EDSALL: I would think that all those are valid

unless any members feel we need to reopen SEQRA or do anything it can remain as is, I think.

MR. SCHIEFER: I agree, I don't think you have to go through it.

MR. VAN LEEUWEN: It's an amendment to the site plan is all it is.

MR. PETRO: Revised site improvement cost estimate should be submitted, if necessary, based on the plan changes. It is possible that the previous estimate is adequate for this new plan, however, review the same with the applicant's engineer that is coming. Since they reduced some of the buildout in the building, maybe the cost estimate might remain the same even though you're adding the canopy.

MR. VAN LEEUWEN: I don't see any problem with this.

MR. GEORGE GAILLARD: Should stay pretty close.

MR. PETRO: For the minutes, should we take lead agency?

MR. EDSALL: I believe you can leave it as is, as long as there's no problems.

MR. SCHIEFER: Do we have to wait for your determination?

MR. EDSALL: No, you may want to ask the status of the combination of the lots so Andy is up to date on the 3 tax parcels.

MR. VAN LEEUWEN: Did you get the deeds off the property?

MR. KRIEGER: No, I haven't heard, basically, since the last discussion I had during the last time with their attorney, I haven't heard a thing.

MR. GEORGE GAILLARD: We're waiting for the federal identification number which we just got yesterday and then he is going to, you'll have everything the way you

want it, you'll be hearing from him shortly.

MR. KRIEGER: I understood that at that point that it was all the 3 parcels were going to be combined into one parcel under ownership of a realty partnership.

MR. GEORGE GAILLARD: Exactly.

MR. KRIEGER: If that is the case, the realty partnership should be a co-applicant. Has the partnership been formed yet?

MR. GEORGE GAILLARD: Yeah.

MR. KRIEGER: All it requires is amending the application. It doesn't require a new application or anything that partnership, that entity should be listed.

MR. GEORGE GAILLARD: Okay.

MR. PETRO: I believe that part of this was a condition of the original approval and it's going to be my suggestion when you make your motion that all conditions for approval on the original--

MR. SCHIEFER: I make a motion that we approve the amended site plan for Toyota or Newburgh but it should incorporate all of the original conditions on the original approval.

MR. VAN LEEUWEN: Under severe duress, I'll second the motion.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval subject to the original conditions of the original approval being kept and met. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN AYE
MR. SCHIEFER AYE

May 25, 1944

15

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

RESULTS OF P.B. MEETING

DATE: May 25, 1994

PROJECT NAME: Toyota of Newburgh PROJECT NUMBER 93-10

LEAD AGENCY: * NEGATIVE DEC: *

M) ___ S) ___ VOTE: A ___ N ___ * M) ___ S) ___ VOTE: A ___ N ___

CARRIED: YES ___ NO ___ * CARRIED: YES: ___ NO ___

PUBLIC HEARING: M) ___ S) ___ VOTE: A ___ N ___

WAIVED: YES ___ NO ___

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

RETURN TO WORK SHOP: YES ___ NO ___

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

M) S) V VOTE: A 5 N 0 APPR. CONDITIONALLY: 5/25/94

NEED NEW PLANS: YES ___ NO ___

DISCUSSION/APPROVAL CONDITIONS: _____

Put Bollards to protect bldg from vehicles
Need info for Andy re: three Lots being Combined
Need Co-Applicant of Realty Partnership
Original Conditions

TOYOTA OF NEWBURGH - AMENDED SITE PLAN

Mr. Anthony Cappola appeared before the board for this proposal.

MR. PETRO: Tell us what you want to do down there.

MR. CAPPOLA: Okay, this will only take a couple minutes. What we've done is I know Tectonic has gone through a long process here with site plan review, they are coming in at the end of the month, we've worked at workshop, set up with Mark but what I am going to do is just explain the changes that they are going to make on the site plan and with the idea of where it's coming from. What we've done is we've started, I've started doing some design work, schematic design work for the interior of the building, basic footprint that was approved by the Planning Board is 80 by 125, that is essentially going to stay the same. Couple changes that we're going to make is they want a covered overhang basically a drive-through overhang that is going to be at the front of their building. That is going to extend outside of the original footprint, that was approved by the board, I don't believe it encroaches on any setbacks.

MR. PETRO: How about the parking?

MR. CAPPOLA: Let me get to the parking in a second. The size of that overhang is going to be 28 by or excuse me, 24 by 48. Now, what they really want to do is a novel approval to this area and in terms of servicing cars. What they want is they want their customer to be able to drive directly up to the entrance here and institute a system of valet parking where the customer drives up, there will be like two lanes like parallel parking right in the front and service managers would be situated right at the front of this building and they kind of would immediately go out to the car and help the customer with the problems they are having with the car. Essentially, it's kind of like it's a valet parking system where they want their service managers to be able to be able to go out to the car very easily and be out to the car in an area that is covered by the canopy.

MR. VAN LEEUWEN: Florida has a lot of them.

MR. CAPPOLA: Exactly, it's a system used in Florida and out west a lot more.

MR. VAN LEEUWEN: Texas.

MR. CAPPOLA: So it is not really something that is unique to this area but is customer oriented and they really feel it's important for their business.

MR. DUBALDI: How many parking areas are you going to be losing?

MR. CAPPOLA: He showed 7, he's basically got a double loaded lane in the front here and showing 7 adjacent to the building including 2 handicapped. What we're going to be proposing is 8 in front of the building, basically they are going to be some type of, going to be 4 here, 4 here like and eight foot walkway that goes through the center so there would be one more space in the front with the handicapped parking would have to be changed over here to cross this aisle. So you'd lose one over here.

MR. DUBALDI: So in other words, the parking is actually that you are going to be including is inside the building, it's under?

MR. VAN LEEUWEN: Under the canopy.

MR. CAPPOLA: The canopy is going to cover 4, 2 here and 2 here so they'd be able to have 4 that would be covered by the canopy and then 4 that wouldn't be covered by the canopy.

MR. PETRO: Basically, you're talking 7 out and putting 8 in and moving the handicapped parking to the other side?

MR. CAPPOLA: Right, that is the first change that we're doing.

MR. EDSALL: Before we go to the next one, the 8 that

you are putting back are they 8 parking spaces or are they 8 places where cars can stack for service people to take the car for work?

MR. CAPPOLA: The latter.

MR. EDSALL: That is not a parking space so make sure that you create what you took out because you just barely meet the zoning on the original plan.

MR. CAPPOLA: Would the board consider that to be a parking space?

MR. EDSALL: I don't think the code allows it. It's not a matter of discretion. Parking space is a parking space by code so.

MR. PETRO: What you're asking and I think basically if you took like a gas station and you had a pump sitting there and you wanted to count that as a spot, the spot is actually there to be pumping gas.

MR. EDSALL: It has another function.

MR. CAPPOLA: What the owners were telling me are more like a valet parking system. I understand your point. It's a spot, but it's not conventional parking space. I think what Tectonic will have to do what I will tell them take a look at you're saying it's not zoning ordinance.

MR. EDSALL: They can look at it but--

MR. CAPPOLA: You know that--

MR. EDSALL: Yeah, I mean it's a parking space by definition is a space where you park vehicles, not where you have a through lane of valet parking.

MR. CAPPOLA: I was under the impression that the board--

MR. EDSALL: I don't think there's that flexibility but if you care to look it up, it would be fine.

MR. CAPPOLA: Well, I can't really address that at this time.

MR. EDSALL: Just want to clue you in and again that is usually why we have this at the workshop first so we can tell you these things but I would have that resolved when you come in.

MR. PETRO: If Mark is correct and I think 95 percent of the time, if not more than that, he is, what are the, what other provision would you have on the site plan?

MR. CAPPOLA: Unfortunately, we're losing more parking because of the other changes that I am going to propose. Again, they have a system here in the back where they have one lane and kind of an angled parking system in the back and they are showing their overhead doors on the side. We're going to have two overhead doors total but one has to be in the back, in other words, to orient the service lanes the way they want it.

MR. LANDER: Do you have extra maps there?

MR. CAPPOLA: No, I don't, this is the only copy that I got. So we might be losing a couple more spaces back here.

MR. PETRO: Where the door is going.

MR. CAPPOLA: Because of the overhead door.

MR. PETRO: Mark, do you remember on the original plan?

MR. LANDER: That is ten spaces.

MR. PETRO: On the original plan, how many spaces did they have that were extra?

MR. EDSALL: I don't recall.

MR. CAPPOLA: I think they are dead-ended.

MR. BABCOCK: It was real close because we had to put

some way down on the back on the other piece of property.

MR. EDSALL: And again, when we get a new building layout for the interior that is going to effect the parking calculations so we've got the whole issue to look at again.

MR. CAPPOLA: I'm working on that with them, in other words, they have certain notes for the number of bays and there's a difference between the parking requirements for a bay and parking requirements for the office area so I'm working with that.

MR. LANDER: How much does that change, how much did the service area change?

MR. CAPPOLA: Well, it's basically going to be I think it's essentially going to be the same, ten service bays.

MR. LANDER: Same amount of square feet?

MR. CAPPOLA: Well, there may be a difference between allocation between--well, slight difference between allocation.

MR. PETRO: What you're leading to, going to be one of the spaces maximum, if it's 150 square feet per office space or you know, you're not going to gain that much, you're talking about ten spaces you're eliminating.

MR. CAPPOLA: Big thing I didn't expect to lose the 8 spaces.

MR. LANDER: Like a townhouse situation where we've had the applicant come in and say we want to consider the garage a parking space.

MR. VAN LEEUWEN: Lot of people do.

MR. LANDER: We don't do it here.

MR. VAN LEEUWEN: I suggest you go back to the drawing board, find out where you can put the eight or ten

spaces and come back to us and present it and we'll look at it and see what we can do for you, fairest thing to do.

MR. CAPPOLA: At this point, my intention tonight was just to give you a little bit of understanding about what the owners want to do. Now the engineer is going to have to work out that.

MR. PETRO: I had asked him to come in, normally, Mark said he would go to a workshop first, we were just trying to maybe the board could shed some light on what we thought of it.

MR. VAN LEEUWEN: Canopies, I have no problem with that as long as you fit the parking in, got to fit.

MR. PETRO: We have no choice. If you can work that technical material out with the Planning Board engineer, the board is saying that they don't have a problem with any of your suggestions.

MR. CAPPOLA: Mark, the parking requirements that are on here that is a matter of the code again or is that something that they get a variance for any of this?

MR. EDSALL: No, it was just a matter of that there was such a combination of uses within the two buildings that we sat down and evaluated all the uses, then took the particular portions of the code that apply like so many spaces per bay, so many per square foot outside the bay, so many for office areas and worked up a calculation and they provided those spaces. We can do it again when you have your interior use all figured out, square footages all documented on what each area is, let's sit down, do the parking calculations at the workshop and see how you stand. You may not have a problem. I hope you don't.

MR. CAPPOLA: I know they are real close.

MR. BABCOCK: How wide is the staging lane?

MR. CAPPOLA: It would be 18 feet where they are driving up here, in other words 18 feet.

MR. BABCOCK: And you are proposing two rows of staging?

MR. CAPPOLA: Like 9 by 18 foot parking space.

MR. PETRO: I'm going to adjourn the meeting because this is for the workshop. He's got the direction of the board and we can't do anything more for him. Let's get it into the workshop, work out the detail and we'll see you at the next meeting.

MR. CAPPOLA: Thank you.

MR. LANDER: I move we adjourn.

MR. DUBALDI: Second it.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. PETRO	AYE

Respectfully Submitted By:

Frances Roth
Frances Roth
Stenographer
5/25/94



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2 AND
SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 13 OCTOBER 1993
DESCRIPTION: THE APPLICATION INVOLVES THE CONSTRUCTION OF A
10,000 SQUARE FOOT BUILDING AT THE NORTH END OF
THE SITE. THE PLAN WAS MOST RECENTLY REVIEWED AT
THE 11 AUGUST 1993 AND 22 SEPTEMBER 1993 PLANNING
BOARD MEETINGS.

1. The Applicant has revised the plan to include a new parking calculation which appears to comply with the zoning bulk requirements.

The application resubmission also includes additional plan sheets for proposed grading and drainage, sanitary details and site improvement details. I have reviewed each of these additional sheets and generally find each acceptable; however, I have some minor suggestions, as noted hereinbelow, which have already been reviewed with the Applicant's engineer.

2. With regard to the overall site plan, I have suggested a modification to the parking layout to eliminate the seven (7) diagonal spaces in front of the new building (three rows out). This is necessary to provide appropriate spacing between 90 degree parking aisles (24 feet is desired and 20 foot width shown). The Applicant has provided a preliminary sketch layout of revised parking to maintain the total necessary parking spaces, with the elimination of this angled parking. I agree with the Applicant's engineer's proposed modification in this regard.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2 AND
SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 13 OCTOBER 1993

3. With regard to the grading plan, the Applicant has confirmed that the sidewalk at the front of the new building will follow the proposed pavement contours, which results in an exposed foundation wall near the east side of the front face of the new building. This does not create a problem, since the entrance to the building is at the west corner.

Also with regard to the grading plan, I have advised the engineer that careful control must be exercised with the paving of the two (2) curb cuts onto Lafayette Drive, such that a crown is created to direct sheet action drainage to the proposed swale, rather than run onto Lafayette Drive.

With regard to the drainage shown on the grading/drainage plan, improvements are proposed within the Town right-of-way, along Lafayette Drive. It is my understanding that the Highway Superintendent is aware of these proposed improvements and a record of his review should be on file.

4. The application resubmission also includes a sanitary design plan, which proposes a disposal system on the east corner of the property. This proposed disposal location further supports the need to combine the lots, since the sanitary system will be located on what is now a different lot from the proposed building.

Regarding the proposed design, the disposal field size appears consistent with the test data and State design requirements. I am concerned regarding the length of the waste line from the building to the disposal field, which is approximately 400 +/- feet long. Use of a 6 inch line may be appropriate and use of some access manholes in lieu of cleanouts may be appropriate. In addition, it should be noted that the line crosses the Town right-of-way between the State properties and Lafayette Drive; use of a ductile iron sleeve is necessary for this crossing. Further, the sleeve should have acceptable cover and cleanouts should not be located within the Town right-of-way.

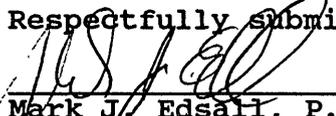
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-3-

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2 AND
SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 13 OCTOBER 1993

5. Regarding the detail sheet, the Applicant should note that all drainage pipe within the Town right-of-way should be coated cmp, with coated end sections.
6. At this time I am aware of no engineering reasons why this application could not received approval from the Planning Board. The minor corrections noted above can be coordinated with the Applicant prior to stamp of approval, if the Board so desires.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:TOYOTA3.mk

REGULAR ITEMS:

TOYOTA OF NEWBURGH SITE PLAN (93-10) ROUTE 9W

Don Benvie of Tectonic Engineering appeared before the board for this proposal.

MR. BENVIE: Good evening folks, Don Benvie with Tectonic here to represent Toyota with regards to their proposed service building 10,000 square foot building that they propose and the site plan basically is the same plan that has been up in front of the board before. Their service building is comprised of 6,700 square feet, service area and remaining 3,300 is for office use. The site plan as indicated all the associated parking, there's some minor adjustments made to the parking based on Mark's input along with the Town Zoning requirements. The layout of the, as I say, the parking is indicated on here, the building all three pieces would be combined as part of the site plan, three parts being combined into one parcel, Town Zoning Ordinance requirements. Basically the plan is the same as what's been before the board here in the past several months.

MR. VAN LEEUWEN: What are they going to do with the old building?

MR. BENVIE: Old building as far as I know Hank they'll be using that when they take the service area out of here, they'll still use it for new car prep so.

MR. PETRO: Also sales, I believe.

MR. BENVIE: Still use it for sales.

MR. VAN LEEUWEN: Front is going to be sales.

MR. BENVIE: Yes and I believe it will be for new car prep.

MR. VAN LEEUWEN: Just for parts and service area, okay. I don't see any problem. The only thing Mark has made some comments.

MR. EDSALL: Can I just go over those to my understanding and I believe it's the correct use of the lower of the existing building that is going to be used to prep cars, used cars for resale, the new car repair is I think automotive mechanical repairs will be in the new building. As far as any comments, I'm trying to bring you up to date on some last minute ideas that Ross Winglovitz and myself came up with. They basically address the details of the new plans. The long and short of it is they have adjusted some parking, they need to detail the sanitary crossing as it crosses the Town right-of-way and they need to add a couple notes on to the plan but the plan is in very good shape and I really don't see any technical problem with you considering it for approval, if you so desire.

MR. LANDER: We had a problem with the deeds, gentlemen.

MR. KRIEGER: Yes, do you want me to--

MR. LANDER: Can Andrew enlighten us on that?

MR. KRIEGER: I had a telephone conversation with the attorney who apparently is the attorney for an estate. What it amounts to is this. There are presently 3 parcels, 2 of them are owned by Toyota of Newburgh, by the way this is all based on a phone conversation. I have seen nothing in writing. Two of them are owned by Toyota, one of them is owned by an estate which is in the process of being probated and that is in the process of being transferred. When it is transferred eventually they intend that all 3 parcels will be owned by a partnership to be informed, Realty Associates. I told that attorney that what was necessary first of all to make this Realty Associates a co-applicant so that they were before the board so to speak. The other thing I said as long as they are all going to be owned by the same group that is fine but I have to see a recorded deed indicating that that has happened. He indicated that he would be able to do all that by December 1st, because of the apparently the estate finishing that probate and doing that transfer. And that is the upshot of the conversation so any approval that is granted before December 1st should make it

October 13, 1993

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subject to.

MR. VAN LEEUWEN: I got no problem with the configuration on the map.

MR. BENVIE: They won't be able to obtain a C.O. until it was all combined into one parcel because it won't comply technically with the zoning unless it is one parcel.

MR. KRIEGER: You have two problems that is one aspect. The other aspect if it is all going to be owned by another entity, other than Toyota of Newburgh which apparently is the proposal then that other entity should be on the application, should be before the board. I don't see any reason why they couldn't simply amend the application they have because you're just adding that other entity for ownership purposes.

MR. PETRO: This lot that the building is being built on is not sufficient enough to get a building permit on its own standings.

MR. EDSALL: I don't know that we have, there's a problem with the building but I'm sure that the site plan would not comply with zoning.

MR. BABCOCK: What we're looking, we're looking at it as one parcel.

MR. EDSALL: Right from the start we asked them once we found out it was multiple parcels, we asked them to make their mind up if they wanted single or three applications and right from the start, they said they were going to combine the lots and we need not look at it as three applications. We need only look at it as one overall facility. So I couldn't answer you off the top of my head whether or not the one piece of the puzzle would independently meet zoning, I don't believe it would.

MR. PETRO: Really it's a moot point.

MR. EDSALL: We base our review on what the application is so they've set the course.

MR. PETRO: If we get to a subject to Andy can read it in and we'll have it clarified.

MR. VAN LEEUWEN: Paper street, what's going to happen with the paper street?

MR. BENVIE: My understanding paper road was they were going to--

MR. EDSALL: It will continue to be an offer of dedication, the Town is not prepared to abandon it because they have no understanding of what the Stat is going to do with the adjoining parcel. So the Town wants to maintain the roads rights but they've no objection to Toyota crossing the right-of-way utilizing it for access. They just don't want any permanent structure or parking facilities placed on it and I had a discussion with Tad Seaman today and he indicated no objection to sewer line crossing as long as it was properly installed.

MR. PETRO: Any other question for the applicant? Mark, we had asked him to put the parking configuration properly, some arrows and whatnot on the map, they've done so and it meets with your approval?

MR. EDSALL: As a matter of fact, the plan that Don has tonight is not same plan as what you're looking at. There was a minor change made in the configuration of the parking at my request following the workshop and then some subsequent telephone calls. Basically what they've changed if you look in front of the new building, three rows out is diagonal, that row has been deleted so that it is now just a row of 90 degree spaces. They have provided additional spaces in front of the old building as a second row out which is where they park now anyway. What it did is it eliminated diagonal parking which I thought was going to be confusing. At this point, all the parking in front of the two buildings will be 90 degree to aisles and I think that is a lot easier to use and also it eliminates the problem of having a one one-way aisle in the middle of all two-way aisles so it worked out better and they have accomplished that on the new plan.

MR. VAN LEEUWEN: They've done what you have asked them to do.

MR. EDSALL: Yes and I think it's a much a better layout.

MR. VAN LEEUWEN: I'll make a motion to approve subject to the following.

MR. BABCOCK: One item is that if it is going to be approved subject to, I'm not sure how I can handle this buildings permit, if they are going to be looking for one before this map gets stamped, this map is going to have to be stamped before I can give them a permit.

MR. PETRO: And the old is going to be December 1st.

MR. KRIEGER: That is what he indicated.

MR. BABCOCK: I'm not sure.

MR. VAN LEEUWEN: The only other thing--

MR. BABCOCK: I don't know if you have any suggestions how we can handle it.

MR. VAN LEEUWEN: I would suggest maybe we give them a foundation, let them put the foundation and no building until that is handled. At least the foundation is in for the winter.

MR. BENVIE: I have been advised by the clients that they are probably not going to start construction until after the first of the year. So it won't be a hardship if the building permit was held up subject to until they got the problem with the deed cleared up and had the subject to added.

MR. PETRO: Changes in the meantime, if you feel it is a problem, it can always come back under discussion, we can discuss it and maybe do what Mr. Van Leeuwen suggests with maybe a foundation permit.

MR. VAN LEEUWEN: We've done that over the years,

especially this time of the year.

MR. PETRO: It is not a problem so we can handle it that way in the meantime.

MR. EDSALL: Just if I can interject one additional thing, we do have site improvement, bond estimate submitted and it was revised once and I have no objection to the latest one which is dated October 6, I believe, so they are in a position to satisfy that requirement too.

MR. VAN LEEUWEN: I'll make a motion subject with the following subject to, that no building permit be issued nor the plan be signed until all parcels have been joined into one and has the okay from our attorney.

MR. PETRO: And also the proper bond estimate be employed.

MR. EDSALL: We have that and if you could condition on the final plan having the revisions we talked about.

MR. KRIEGER: Combined in one means that I have for review a single recorded deed but it must be recorded by then.

MR. VAN LEEUWEN: Absolutely.

MR. SCHIEFER: I'll second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final site plan approval is Toyota of Newburgh subject to all three lots be combined in one with the recorded deed, proper bond estimate being supplied.

MR. EDSALL: Just need corrections to the plan.

MR. PETRO: Just the corrections to the plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

October 13, 1993

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MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

9/93

PENGAD CO., BAYONNE, NJ 07002 · LASER BOND-A

RESULTS OF P.B. MEETING

DATE: October 13, 1993

PROJECT NAME: Toyota of Newburgh PROJECT NUMBER 93-10

LEAD AGENCY: _____ * NEGATIVE DEC: _____
* M) ___ S) ___ VOTE: A ___ N ___

CARRIED: YES _____ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) ___ S) ___ VOTE: A ___ N _____

WAIVED: YES _____ NO _____

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

M) v S) 5 VOTE: A 5 N 0 APPR. CONDITIONALLY: _____ ✓

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Realty Associates s/b CO-Applicant

New plan to be submitted for stamping

* Bond estimate submitted to Mark *

No B.P. or plan signed until 3 parcels are made to one
Deed must be recorded and Andy must have
recorded Deed in hand



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2 AND
SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 22 SEPTEMBER 1993
DESCRIPTION: THE APPLICATION INVOLVES THE CONSTRUCTION OF A
10,000 SQUARE FOOT BUILDING AT THE NORTH END OF
THE SITE. THE PLAN WAS MOST RECENTLY REVIEWED AT
THE 11 AUGUST 1993 PLANNING BOARD MEETING AND IS
SCHEDULED FOR A PUBLIC HEARING AT THIS MEETING.

1. As the plan notes, this application required a variance for front yard setback for the proposed building. It is indicated that the Town Zoning Board of Appeals granted such variance on 12 July 1993.

Other than that variance, it appears that the balance of the plan complies with the bulk requirements for the neighborhood commercial (NC) zone.

2. I have reviewed the parking requirements indicated on the plan and believe that corrections are necessary, unless my understanding of the utilization of the site is incorrect. Prior to completion of this plan and approval of the application, we should insure that the parking calculations are both accurate and truly reflect what the Applicant proposes.

Included in my 11 August 1993 comments, I recommended that the parking calculations/information on the plan be more clear as to the particularly uses within each building, defining the location of the service bays, areas outside of bays within each building, etc., such that an understanding can result between the plan and the calculations. This comment was apparently ignored, as such information is not on the latest plan submitted.

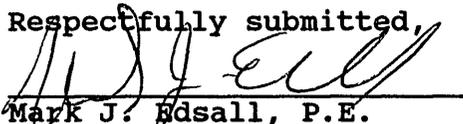
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2 AND
SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 22 SEPTEMBER 1993

3. A general comment with regard to the plan as depicted is with regard to the parking arrangement as depicted; inasmuch as no structures (i.e. curbs, planter areas, etc.) exist within the parking lot, it is essential that pavement markings be maintained visible and understandable. In some areas, angled parking is provided and one-way traffic is only permitted. Proper pavement markings and signage is essential.
4. Other than the above, I am aware of no outstanding comments with regard to the site plan layout. The Board should review the plan and determine if any other additional information is required relative to the proposed improvements and submitted site plan.
5. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
7. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:TOYOTA2.mk

PUBLIC HEARING:

TOYOTA OF NEWBURGH SITE PLAN (93-10)

Martin Rogers from Tectonic Engineering appeared before the board for this proposal, along with Richard Gallaird from Toyota.

MR. PETRO: This is a public hearing. First we'll review it as a board and then we'll open it to the public, if there's anyone here to address this applicant. You have been to the Zoning Board for some--

MR. LANDER: Why don't we go over the variances.

MR. ROGERS: They are required to get a front yard variance for Lafayette Drive side of the proposed building since we had two front yards, we were granted that variance.

MR. PETRO: I think last time we wanted them on the map now they are on the map.

MR. ROGERS: They are on the map.

MR. DUBALDI: That was the only variance?

MR. ROGERS: That was it.

MR. PETRO: Why don't you go over the utilization of the site in other words what are you going to be using this for because there seems to be a discrepancy on the parking requirements from the, or Mark, do you want to take that first?

MR. EDSALL: I don't know that there's a discrepancy or whether or not I just don't completely understand all the interior uses and one of the suggestions I made back August 11 was that there be a table prepared that would just show each building and what portions are used for what so that we can in fact confirm the use verses the parking requirements and that wasn't included. It looks as if they have enough spaces, I want to make sure that the last plan that you deal with

that is stamped has all the information in a table form and is correct.

MR. PETRO: Well, the calculation for the parking you have now Martin is for what usage of the building use the way it's broken up now?

MR. ROGERS: Yes, the way it's broken up now. You have certain number of service bays existing and proposed, existing office area and the existing showroom is staying the same, there's no additional uses for that.

MR. LANDER: These parking calculations are only for the new building?

MR. ROGERS: Actually, it's split up for existing and new and gives you the requirements for both of them combined as it is one site.

MR. PETRO: Rich, aren't these two separate sites, one here and one here?

MR. GALLAIRD: They are being consolidated into, concurrently that is being done.

MR. PETRO: You're talking the two parcels and making them into one?

MR. GALLAIRD: Yes, on the tax map.

MR. PETRO: In other words in Goshen?

MR. GALLAIRD: Yes, that is being done currently.

MR. PETRO: That is why you are not showing the property line. I think you should show the property line if it is two parcels.

MR. GALLAIRD: We agreed right from the onset because it's in the works of being done that we wouldn't show it.

MR. LANDER: Parking down here on the lower portion of the map, is that included in the parking calculations for this total site this one down here?

MR. GALLAIRD: Yes.

MR. PETRO: Are you filling that in now?

MR. GALLAIRD: Yeah, it's already it's existing.

MR. LANDER: Was there shale down there or I don't know what's down there, I haven't been down there.

MR. GALLAIRD: It's filled in with shale and whatever.

MR. LANDER: Who is going to utilize the parking down here, going to be the employees?

MR. GALLAIRD: A lot of it is going to be, I shouldn't say a lot of it, some of it is going to be storage for the new vehicles and also you know for some employee parking.

MR. LANDER: Point I'm getting at is it's not going to be for the customers to park there.

MR. GALLAIRD: No, not at all. When we did the parking calculations.

MR. EDSALL: If I can just jump in a minute that parking at the bottom of the plan Ron which I don't see the north arrow yet it looks like it's the southeast there's no number there as far as being counted that is because they meet the minimum requirements with all the rest of the parking, that is just overflow new vehicle storage or storage so is that is why it is not numbered and not finished.

MR. SCHIEFER: How do you calculate parking on a car lot because there was a time when they had a few cars in the lot, today it's not unusual the inventory is fantastic.

MR. EDSALL: Well, it's of course what may be consistent with how businesses operate now and how the code does it are two different things.

MR. SCHIEFER: Isn't there a variation there?

MR. EDSALL: Yes, the code calls for spaces based on the number of bays and then there's another credit towards sales areas and then we take all the left over space and that is just considered areas outside the service bays so those three components total, the total required parking they have it as 115 as being required.

MR. SCHIEFER: But I've seen many garages will have that many new cars in inventory. I'm not complaining just curious because I know the code on the actual conditions today there seems to be a deviation.

MR. EDSALL: My only suggestion you believe there's an appropriate number of customer parking spaces that you restrict certain areas of this site to be customer parking and that way it couldn't be used for vehicle storage and I think that might be appropriate.

MR. SCHIEFER: I don't want to go that far.

MR. EDSALL: It's tough because they can fill the the entire site with new cars theoretically.

MR. SCHIEFER: Thank you.

MR. PETRO: All the markings and signage on the pavement I guess everything is going to be labeled as it is because Mark has some concerns there's no structures, planters or curbs exist within the parking lot. It is essential that pavement markings be maintained and visual and understandable. Some areas angled parking is provided and one-way traffic is only permitted, proper pavement markings and signage is essential so we have it all on the map as it stands now whatever is on there is what we need.

MR. EDSALL: My reason for bringing it out the way it's laid out it appears to work but they must understand and you may want to re-enforce the fact that they have to maintain the markings so people understand what they intend. Otherwise, it will become a free-for-all as other site plans have.

MR. SCHIEFER: How do we go about enforcing that

eventually, that is a tough one. The markings are there now two years from there they are not there, it's just a recommendation I think it's a good idea to maintain the markings on the parking area.

MR. LANDER: Now the area around the new building where is the extent of the paving here?

MR. GALLAIRD: That is where it ends right there.

MR. DUBALDI: Should be marked on the map where it is going to be paved.

MR. ROGERS: We do have a legend and it's a little light, we'll have to adjust the computer.

MR. PETRO: Is everyone satisfied at this point to open it up to the public? This is a public hearing on the Toyota site plan. On the 9th day of September, 29 addressed envelopes did go out to the residents of the area surrounding this site.

MR. LANDER: How many were returned, Mr. Chairman, you know not received or we do get them back?

MR. PETRO: It does not say on here Ron, it just says--

MRS. MASON: They would have gone back to Tectonic.

MR. ROGERS: I'll have to check on that.

MR. PETRO: 29 did go out. Okay, if there's anyone here that would wish to speak on behalf of this applicant, please come forward, state your name and address and do so at this time. Obviously, there's no one here to speak on behalf of this applicant.

MR. DUBALDI: Make a motion we close the public.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close public hearing on the Toyota site plan on Route 9W. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER AYE
MR. DUBALDI AYE
MR. LANDER AYE
MR. PETRO AYE

MR. PETRO: At this time, I'd like to open it back up to the Planning Board members. Is there any further discussion on behalf of this application?

MR. SCHIEFER: Mark's item 6, the bond estimate?

MR. PETRO: Planning Board should require that a bond estimate a be submitted in an accordance with paragraph A1G Chapter Chapter 19 of the Town Code.

MR. DUBALDI: Make a motion we declare negative dec.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec on the Toyota of Newburgh site plan on Route 9W. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER AYE
MR. DUBALDI AYE
MR. LANDER AYE
MR. PETRO AYE

MR. LANDER: This has been to the DOT, right, Martin?

MR. ROGERS: Yes, we have been talking to the DOT a lot lately.

MR. PETRO: Also Orange County Planning and it came back local determination on 3/18/93, fire department, 9/8/93 approved.

MR. SCHIEFER: Mark, would you explain what would you want covered in the bond estimate for that site plan?

MR. EDSALL: That is the normal procedure is to have key site improvements which in this case it would list any areas which need to be paved, any traffic signs, pavement markings and it doesn't need to be bonded, it just needs to have the estimate submitted per Chapter 19 and then if that work is not done when they ask for the C.O. that is when we ask for the actual bond.

MR. SCHIEFER: I think it's a good idea, especially with this condition we're stretching it I think it's a good idea.

MR. EDSALL: That is a procedure item that we do for every site plan, it's something we have to take care of before the plan can be stamped.

MR. SCHIEFER: As long as the applicant is aware of it.

MR. EDSALL: One other item I got a call from the Town Attorney evidently, the applicant contacted Tad Seaman relative to the paper street that runs between the lane of Lafayette Drive and the access to Plum Point that the state now owns. Although it was not reviewed by the Town board, it was Tad's opinion that the Town would not look to release that offer of dedication since there would be some potential for need in the future to have that second access to Lafayette. He did indicate however that in his opinion, there should be no objection to them crossing it for the parking and using that as their access internally. He would ask that it be maintained as open as best possible in case there had to be an access through the area, don't obstruct it in other words but at this point, it doesn't look as if the Town would be in a position to release that offer but on the other hand they really don't object to what you're showing here because the bottom line is they just don't know what's going to happen with the Plum Point lands. And there's also the potential for additional lots on Lafayette that are currently not built so they don't want to cross or take away any opportunities to use it for the future.

MR. SCHIEFER: I understand and agree that would not

mean that at a future date they'd have a variance problem with that shed trailer thing that sits right on the edge of that.

MR. EDSALL: Actually the parking spaces of the shed trailer are right against it but the shed trailer is back probably ten feet or so.

MR. PETRO: Any other comments from the members?

MR. LANDER: I think once Martin gives Mark what he has outlined as far as the new building and proposed uses and stuff and straightens out his map here a little bit, I don't have any problem with it, Mr. Chairman.

MR. SCHIEFER: Are they looking for preliminary?

MR. LANDER: They he already got it.

MR. LANDER: We, we're talking before about subject to's, we'll have one tonight that will give you a prime example of why there shouldn't be any subject to's.

MR. EDSALL: As far as subject to's on the two outstanding items being the bond estimate which is procedural item and the parking calculation, the parking calculation is just something we have to work out on the filed plan, it looks as if they are showing they need more parking than I really think they do need. It looks like they comply very easily.

MR. BABCOCK: It's a matter of the calculation.

MR. EDSALL: I just don't want to have the plan stamped and have an improper calculation because we can look back and not understand.

MR. LANDER: We don't have to wait for this to become one parcel?

MR. EDSALL: Andy has a procedure wherein he requires combining of the lots for the stamping of approval.

MR. KRIEGER: They can combine that by deed at that time.

MR. PETRO: Why should it be a problem if you have too much parking?

MR. EDSALL: It isn't, I just want the calculation to be right. It's not a problem at all, that is why I am not really concerned about it.

MR. GALLAIRD: Just so I understand you're saying before the final plans are, before the C.O. that the tax lots have to be combined into one?

MR. LANDER: No, approval I'm talking about approval not C.O.

MR. KRIEGER: Under the circumstances, it would be I would recommend that it be a condition of the final approval that before the plan is stamped, a deed be because the reason I saw at the point of the final approval, a deed recorded which is merely ministerial thing, so you can easily do that because before the plan is stamped, because once it's stamped, it passes out of the hands of the Planning Board and is very difficult for them to, for it to see that it is done.

MR. GALLAIRD: Well, what happened is that there's actually three lots there and it's in an estate is what had happened, the three, it's all tied up in an estate so you know between the estate and the attorneys and whatnot, it is going to be rectified just a matter of how quick.

MR. KRIEGER: Under the circumstances, I would want to talk to the whatever attorney is handling the estate because the procedure which I had just outlined as I say is the normal procedure but under these maybe special circumstances they may or may not require.

MR. PETRO: How close do you feel you're to getting the deed being straightened out?

MR. GALLAIRD: I would probably say we're a lot closer to breaking ground than we are to getting the deed straightened out, the deed and the parcels are all going to be consolidated without a doubt before we

September 22, 1993

12

apply for a final C.O. and the building's up but we'd like to get it, I doubt it will happen honestly before I can break ground.

MR. KRIEGER: Let me talk to the attorney and see where it stands and then I'll advise the board of an appropriate procedure.

MR. PETRO: Work it out with Andy in the meantime, you can get the correct parking calculations done. I don't think any of the board members have a problem.

MR. GALLAIRD: Another point to the parking, we're going, we have it basically handled, just a matter of the calculations and how it's distributed.

MR. ROGERS: How it's worded.

MR. PETRO: We'll see you in two weeks.

9/93

"Public Hearing"

RESULTS OF P.B. MEETING

DATE: September 22, 1993

PROJECT NAME: Loyola of Newburgh PROJECT NUMBER 93-10

LEAD AGENCY: _____ * NEGATIVE DEC: _____
M) ___ S) ___ VOTE: A ___ N ___ * M) 0 S) L VOTE: A 4 N 0

CARRIED: YES _____ NO _____ * CARRIED: YES: NO _____

PUBLIC HEARING: M) ___ S) ___ VOTE: A 4 N 0 Closed

WAIVED: YES _____ NO _____

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

M) ___ S) ___ VOTE: A ___ N ___ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

No one attended P.H.

Site improvement estimate must be submitted

Parking calculation must be corrected before stamping

* Lots must be combined to one lot by deed prior to stamp

* Andy to talk to attorney handling estate - Lot memo from Andy for file stating plan can be stamped.

To be on next agenda

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on September 22 19 93 at 7:30 P.M. on the approval of the proposed Site Plan & Special Permit

(Site Plan)* OF Toyota of Newburgh, Inc.

located On Route 9W at the Toyota of Newburgh Site Tax Map #: Sec 48, Blk 3, Lot 3
Map of the Sec 48 Blk 2 Lot 6.2 Sec 48 Blk 3 Lot 2
(Site Plan)* is on file and may

be inspected at the Town Clerk's Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: September 3, 1993

By Order Of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

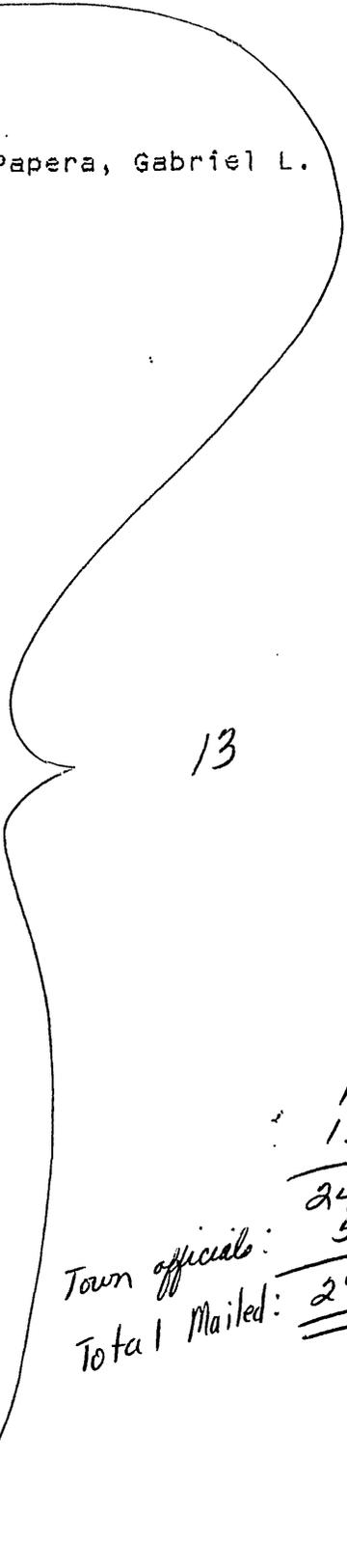
NOTES TO APPLICANT:

- 1). *Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

- ✓ Artusa, Eugene
PO Box 2547
Newburgh, NY 12550
- ✓ Valicenti, Audrey
108 9W South
New Windsor, NY 12553
- ✓ Langer, Myron & Jean
c/o Lewis Langer
44 Faye Ave.
New Windsor, NY 12553
- ✓ Bonura, Mary E.
87 Route 9W South
New Windsor, NY 12553
- ✓ The People of the State of New York
50 Wolf Rd.
Albany, NY 12233
- ✓ BCA Bowling - Newburgh Inc.
c/o John Sillcox
PO Box 74
Garden City, NY 11530
- ✓ Dori Associates Inc.
PO Box 4097
New Windsor, NY 12553
- ✓ Petro Realty of New York Inc.
111 Route 9W
New Windsor, NY 12553
- ✓ Trifam Associates
270 Main St.
Cornwall, NY 12518
- ✓ Saw Mill Sports Mgmt. Corp.
72 Route 9W
New Windsor, NY 12553
- ✓ Plum Point on Hudson Assoc.
c/o Harold Walland
2 Lake St.
Monroe, NY 10950

//

- ✓ Han Ung Motel & Realty Corp.
d/b/a Windsor Motels
114-124 Route 9W
New Windsor, NY 12553
- ✓ Bonnano, Joseph & Piazzola, Michael & Papera, Gabriel L.
c/o Allstate Can Corp.
40 Isabella St, PO Box 677
Clifton, NJ 07012
- ✓ Corey, Caroline J.
26B Lafayette Dr.
New Windsor, NY 12553
- ✓ McDonnell, William & Christine
40 Lafayette Dr.
New Windsor, NY 12553
- ✓ Turner, Richard & Diane J.
2 Lafayette Dr.
New Windsor, NY 12553
- ✓ Belsito, Grace & Ralph F. Jr.
4 Lafayette Dr.
New Windsor, NY 12553
- ✓ Niedbala, John S. & Betty
6 Lafayette Dr.
New Windsor, NY 12553
- ✓ Llewellyn, Robert & Amelia
8 Lafayette Dr.
New Windsor, NY 12553
- ✓ Conklin, Edward L. & Katherine T.
12 Lafayette Dr.
New Windsor, NY 12553
- ✓ Cohen, Stanley C.
14 Lafayette Dr.
New Windsor, NY 12553
- ✓ Nucifora, Alan & Deborah
16 Lafayette Dr.
New Windsor, NY 12553
- ✓ Beyers, Edward C. & Marcia K.
18 Lafayette Dr.
New Windsor, NY 12553
- ✓ Marcano, Domingo & Alejandrina
20 Lafayette Dr.
New Windsor, NY 12553



13

Town officials: $\frac{11}{13}$
 Total Mailed: $\frac{24}{5}$
29



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48 - BLOCK 3 - LOTS 3 AND 2.2
AND SECTION 48 - BLOCK 2 - LOT 6.2
PROJECT NUMBER: 93-10
DATE: 11 AUGUST 1993
DESCRIPTION: THE APPLICATION INVOLVES THE CONSTRUCTION OF AN
8800 SQUARE FOOT BUILDING AT THE NORTH END OF THE
SITE. THE PLAN WAS REVIEWED ON A CONCEPT BASIS AT
THE 24 MARCH 1993 PLANNING BOARD MEETING, AT WHICH
TIME IT WAS REFERRED TO THE ZONING BOARD OF
APPEALS.

1. It is my understanding that the application required a Variance for front yard setback for the proposed building. The Board should verify that such Variance was received by the Applicant from the Zoning Board of Appeals. As well, the zoning variance should be referenced on the submitted plan.
2. As previously requested, the status of the "paper street" thru the southeast portion of the lot should be further reviewed.
3. Notwithstanding the fact that the parking requirements calculations appear correct based on the numbers provided, the plan should be more clear as to the particular uses within each building, defining the location of the service bays, areas outside of bays within each building, etc. such that an understanding can result between the plan and the calculations. The undersigned and the Building Inspector can coordinate this aspect with the Applicant and their Engineer prior to stamp of final approval.
4. The Planning Board should schedule the mandatory Public Hearing for this Special Permit, per the requirements of Paragraph 48-35(A) of the Town Zoning Local Law.
5. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.

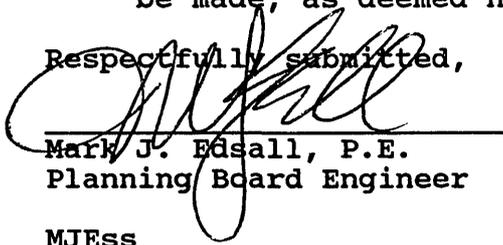
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48 - BLOCK 3 - LOTS 3 AND 2.2
AND SECTION 48 - BLOCK 2 - LOT 6.2
PROJECT NUMBER: 93-10
DATE: 11 AUGUST 1993

-2-

6. Submittal of this application to the Orange County Planning Department is optional; the Board should make a determination if such a submittal will be required.
7. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEss

A:toyota.ss

TOYOTA OF NEWBURGH S.P. (93-10) Rt. 9W

Mr. Martin Rogers of Tectonic Engineering and Paul Gaillard appeared before the Board for this proposal.

BY MR. ROGERS: My name is Martin Rogers, representing Tectonic Engineering for the applicant. The project has been before the Zoning Board and has been granted a variance for the front yard requirement on Lafayette Drive.

BY MR. PETRO: Do you have the Zoning Board findings on the map anywhere?

BY MR. ROGERS: It has not been put on the map yet. It will be placed on the map.

BY MR. PETRO: I'm sorry, go ahead.

BY MR. ROGERS: The variances have been granted. We are basically here to get your input on the plan before we go to work on our full engineering.

BY MR. PETRO: Being that they are not on the map, refresh us as to the variances required.

BY MR. ROGERS: There was a front yard variance required for the face of the proposed building on Lafayette Drive, it is required to get a 12 foot variance, since that parcel, the portion of the property has two front yards, both facing 9W and Lafayette Drive.

BY MR. PETRO: Any other variances?

BY MR. ROGER: That was it, that was the only variance required.

BY MR. PETRO: That was a minor variance. I think you were just missing by a few feet.

BY MR. GAILLARD: Yes, it was kind of strange, just because of the width of the property and Lafayette really not being, it was a strange case.

BY MR. LANDER: Isn't there something with the Lafayette Drive?

BY MR. GAILLARD: No, the paper road, I have already addressed that. The paper road is in back of the

building. You can see that it would, I guess theoretically it would attach Plum Point Road now purchased by the people of the State of New York and Lafayette Drive. Currently right now that is one of the things being addressed. I'm working with George Greene on that. Apparently it's been dedicated but abandoned.

BY MR. VAN LEEUWEN: It's got to be many, many years ago that happened.

BY MR. GAILLARD: We bought the property in '71 and you know, this just came up when we did the survey in '92, I guess, so yeah, it happened before then. I guess whatever they were going to do with it, but nothing was ever done with it, and now I guess that Plum Point has been purchased by the People of the State of New York. It really can't attach.

BY MR. VAN LEEUWEN: It doesn't go anywhere.

BY MR. GAILLARD: It goes nowhere. Now we are in the process of getting it removed from the tax maps.

BY MR. LANDER: I just was wondering, Lafayette Drive comes down the map and then stops right at the back of your existing garage.

BY MR. GAILLARD: It's a deadend road now.

BY MR. PETRO: There is a few comments on Mark's sheet. I think that you can handle with Mark, I didn't think that we had to necessarily stating what each building use is going to be on the map, getting the zoning requirements on the map, this is going to need a public hearing for the special permit. We can schedule one of those tonight. And it's going to have to go to Orange County Planning. It would be my opinion, being it's on 9W and you have plenty of time to do it, that you get a map sent to Orange County Planning and it came back 4/15/93 as local determination. We sent it there before it went to Zoning Board.

BY MR. ROGERS: It would also have to go for the Zoning Board, too.

BY MR. VAN LEEUWEN: I suggest we send it out again.

BY MR. PETRO: Once the plan is more defined, you

have plenty of time, it's not going to hold it up. Any problem there?

BY MR. EDSALL: Just for the Board's information, I had forwarded last year sometime a suggested resolution to the Planning Board that they reach an agreement with the Orange County Planning Department under Section 239M and N of the General Municipal Law where now all actions within 500 feet of the state road, county roads and such don't have to go to the county. The state legislature modified the general municipal law to allow towns to execute those agreements. I received a memo back from the town attorney telling me that back in November they in fact did adopt that agreement. I don't have a copy of the executed agreement, but I have the memo that tells me that they did execute it, so you are not required to formally take action any more to send those to the county planning department.

BY MR. VAN LEEUWEN: Even when it's 500 feet from a state and county road?

BY MR. EDSALL: That is right. The general municipal law was changed and it did not make it blanket change. It allowed it for agreement to be reached. Orange County had a standard agreement prepared and New Windsor evidently did execute it, so there is now a list of items that must go, but this type of minor application, it is not required any more. It's optional.

BY MR. PETRO: In your review --

BY MR. SCHIEFER: And it already has been there once from the Zoning Board of Appeals.

BY MR. PETRO: In your review, when we see the word option --

BY MR. EDSALL: So we keep an eye on that because there is a difference on the law now.

BY MR. PETRO: If it's already been there once and it is optional --

BY MR. VAN LEEUWEN: I make a motion that we declare ourselves lead agency in this particular project.

BY MR. LANDER: Second it.

BY MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare lead agency in the Toyota of Newburgh site plan.

ROLL CALL:

MR. VAN LEEUWEN: Aye.

MR. SCHIEFER: Aye.

MR. LANDER: Aye.

MR. DUBALDI: Aye.

MR. PETRO: Aye.

BY MR. PETRO: We'll schedule a public hearing.

BY MR. VAN LEEUWEN: You need a motion to that effect?

BY MR. PETRO: It's required, mandatory.

BY MR. VAN LEEUWEN: Then we don't have to, okay.

BY MR. PETRO: As far as the Orange County Planning, it's my opinion it's been there once, I don't think being it's optional that they have already seen the outline of the building, I don't think we have to clog up the mails, so let's not.

BY MR. SCHIEFER: I agree.

BY MR. PETRO: Get together with Myra and she'll give you the information on when the public hearing will be held. In the meantime, we'll get a copy of these notes.

BY MR. BABCOCK: He's got them.

BY MR. PETRO: Do what you need to do with Mark.

BY MR. ROGERS: Thank you.

RESULTS OF P.B. MEETING

DATE: August 11, 1993

PROJECT NAME: Toyota of Newburgh S.P. PROJECT NUMBER 93-10

LEAD AGENCY: _____ * NEGATIVE DEC: _____
M) ✓ S) 5 VOTE: A 5 N 0 * M) ___ S) ___ VOTE: A ___ N ___

CARRIED: YES ✓ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) ___ S) ___ VOTE: A ✓ N _____

WAIVED: YES _____ NO ✓

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

M) ___ S) ___ VOTE: A ___ N ___ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Z.B.A. Approvals to be put on the map.

Set for P.H. after revised plans

Need Copy of Local Agreement for submittal to O.C. Planning for Andy.

TOYOTA OF NEWBURGH, INC.

MR. NUGENT: Request for 12 ft. front yard variance for construction of addition (service and office area) at 96 Route 9W in an NC zone. Referred by Planning Board.

Mr. Ross Winglovitz of Tectonic Engineering and Richard Gaillard of Toyota of Newburgh appeared before the board on this proposal.

MR. WINGLOVITZ: This is the applicant of Toyota, what we're proposing tonight is a variance for front yard setback on an awful odd shaped lot which is currently the parking vehicle storage area to the left of existing facility. I brought some extra maps, I don't know how many you have, if anybody needs one. What it is what we're proposing is a vehicle service area to service the existing demands for vehicle service that they have based on all the sales they have gone through and vehicles that are coming in. Now, there's basically two reasons that we're requesting the variance. One because of the odd lot being double front yards, where it's a double fronting lot against 9W and against Lafayette Drive and the other reason it's a hardship for my client because of the fact that Toyota has certain requirements on number of service bays and so forth. You have to have based on vehicles and they are requiring him to do an addition to the building and this is basically the only spot that is practical to do that addition in the size that he needs to actually do the addition. Are any questions?

MR. LUCIA: Just to review couple of things that came up at your Planning Board meeting. You do intend to combine these 3 tax lots into a single tax lot?

MR. WINGLOVITZ: Correct, I believe there's a note to that effect.

MR. LUCIA: What's the status of the paper street that cuts across behind your existing.

MR. WINGLOVITZ: Status of that it's just on a filed map and it's never been built on so it's just there as

a paper street.

MR. LUCIA: But not abandoned by the Town I take it?

MR. WINGLOVITZ: I would say it's been more, I don't believe it's been dedicated, it's on an existing filed map, it's a private piece of property.

MR. LUCIA: I think the problem you look at the Town Law isn't there provision that if a street is shown on a filed map, it's deemed to be an offer of dedication and it's an open offer until the Town somehow delinquishes whatever rights they may have.

MR. WINGLOVITZ: It's a 6 year term if they don't maintain a street that it would revert back to actually the property owner too so that is--

MR. WINGLOVITZ: You've owned the property for how long?

MR. GAILLARD: I think '71.

MR. LUCIA: Nobody's asserted any rights?

MR. GAILLARD: No, not yet.

MR. NUGENT: This building is going up where you have all the cars stored on the left-hand side facing the building, correct?

MR. GAILLARD: Yes.

MR. LANGANKE: Is this where you store all your cars now.

MR. GAILLARD: Yes.

MR. WINGLOVITZ: If you look at the plan, you can see the edge.

MR. GAILLARD: We have storage in the back and also because of how it's going to be laid out differently, you're going to have a lot more parking integrated in the existing lot.

MR. LANGANKE: So you will still be able to get the same amount of cars on the property?

MR. GAILLARD: Oh, yeah.

MR. LUCIA: The lot in the back poses an interesting question. But actually in the R 5 zone and under 48-14 A 5, storage of unlicensed vehicles is prohibited in a residential district, unless they are in an enclosed structure and I'm not sure how that relates to your operation, I presume all those vehicles aren't going to be licensed?

MR. WINGLOVITZ: I think it's a pre-existing use, I think they'd be using, they have been using it as a vehicle storage area for some time.

MR. LUCIA: Pre-exists zoning.

MR. NUGENT: Would a structure be considered a fence?

MR. BABCOCK: No, that has been tested, it's got to be fully enclosed structure. 4816 under the parking regulations says that you can have your parking doesn't say unlicensed, I understand what you're saying, that is what we looked at. We asked him to move it back so there wouldn't be any interference with the right-of-way so there would be no question.

MR. HOGAN: What are you suggesting?

MR. LUCIA: I raised it as an issue that I see that if that is going to be a new location for parking as I gather it is.

MR. GAILLARD: It's existing at the moment, not with the amount of cars but it's existing at the moment. It's an usable space back there and the thing with the enclosure hasn't been brought up yet.

MR. TORLEY: Isn't there because of the property that is in the C zone or NC, isn't he permitted to have some spill over in the portion of his property that is--

MR. BABCOCK: He's allowed to use it if the cars were registered there wouldn't be a question. The problem is the cars are new and not registered. I think that the applicant should seek a variance from that section of the law and it wouldn't be any question.

MR. NUGENT: For all intents and purposes, he owns those cars even though they don't have plates on them.

MR. BABCOCK: They are unregistered vehicles though, right?

MR. GAILLARD: If something happens to the vehicles, it's Toyota of Newburgh that is going to take care of going through the insurance, all those vehicles come with MSOs. When we sell the car, title work is processed, ownership is transferred from and dealer to owner by an MSO.

MR. TANNER: It's not ownership, it's registration which is a distinct difference.

MR. LANGANKE: Is the object of that requirement to keep people from loading up their property with unlicensed cars?

MR. BABCOCK: Yes but the thing is with what Dan is bringing up and I think it's in the benefit of the applicant if he is here tonight. It's the same thing whether he asks for one area or two area variances. If there was a question to come down the road from a resident or neighbor or something like that we have all bases covered.

MR. TORLEY: Would this be a use or area variance?

MR. BABCOCK: Area.

MR. TORLEY: If my recollection of the code is fuzzy, he's asking to park unregistered vehicles in a residential zone, that is prohibited, that would be a use variance for that section.

MR. LUCIA: You certainly can argue it's a use variance.

MR. LANGANKE: Isn't he caught in like a no man's land here. The object of this is not to keep new cars from being parked, it's to keep junk cars off of somebody's property, that is the object of the requirement.

MR. LUCIA: You're right but the problem is the Town to protect the Town residents it so happens to be broad enough to cover his type of operation and he's coming to this board asking for relief on a basis that I am not loading up my lot with a bunch of hulks, I'm storing new vehicles, can you give me an ordinance but the point is well taken.

MR. LANGANKE: We should try to make that part as easy as possible.

MR. TORLEY: I'll defer to my attorney whether it can be as an area variance I'd be happy if it can be done as an area variance, I'm not sure it can be.

MR. LUCIA: Honestly, area variances always have to deal with numbers, you're seeking relief from some dimensional requirement in the ordinance, basically this sounds like a use variance to me but I'll be happy to listen to anybody else.

MR. LANGANKE: How many unregistered cars are you allowed on your property?

MR. BABCOCK: None.

MR. LANGANKE: Well, let's change the number then we'll work in numbers which will now give him so many.

MR. HOGAN: That is the Town Board has to change the code.

MR. BABCOCK: No.

MR. NUGENT: You can vary it.

MR. HOGAN: How many would you need?

MR. GAILLARD: We have the parking requirement in the

back that is filled properly so.

MR. BABCOCK: 25 is what he's got back there.

MR. BABCOCK: Maybe I can ask one question this might clear it up. These parking spaces were not really put in there basically for vehicle storage, we asked him to write that in there, they are part of the requirements of the parking spaces that he needs for his project whether he opts to park these cars there or opts to park the employees' cars there, that is up to him. In other words, the code required him to have a total of.

MR. GAILLARD: X amount of parking spaces and that is inclusive of employees, how many per service bay and whatnot so there can be, I can have my employees park back there with all the registered vehicles.

MR. BABCOCK: With the parking requirements for this size, he needs 115 parking spaces and that was the problem so we asked him to put more in back here to meet the requirement.

MR. GAILLARD: It wasn't very clear as to how to arrive at the parking requirements, correct?

MR. BABCOCK: Yes.

MR. GAILLARD: That was kind of a gray area.

MR. TORLEY: Which the out vehicle storage I'm happy.

MR. GAILLARD: Fine, done.

MR. LUCIA: Couple other aspects these are lower hurdles however of your application looking at Section A of the supplementary yard regulations for accessory buildings, I gather would be deemed accessory to the main showroom building, is that your interpretation, Mike?

MR. BABCOCK: Well, we used all the regulations for the principal building.

MR. LUCIA: The reason I raise it is if you look at

4814 A1A and 1A and C, the accessory building shouldn't be located in the front yard so the fact he's looking for front yard setback involves that part of the ordinance.

MR. BABCOCK: Well actually if you want to call it an accessory building, he only has to be ten feet from any property line but he can't be in the front yard.

MR. LUCIA: Also height comes in because the accessory building shouldn't be over 15 feet.

MR. BABCOCK: We considered it a principal building that is why it's got a front yard variance.

MR. WINGLOVITZ: In the commercial zone you can have 2 principal buildings.

MR. LUCIA: I just raise it for the board's consideration. However the board wants to deem it, it's fine as long as we've dealt with the issue, we can go forward.

MR. LUCIA: Two principal buildings.

MR. HOGAN: Yes.

MR. WINGLOVITZ: I think that is the correct way.

MR. BABCOCK: That is how this plan has been laid out.

MR. LUCIA: Board has no problems with that.

MR. NUGENT: No. He doesn't have a building height problem.

MR. BABCOCK: Not now, if it is accessory structure, he does.

MR. HOGAN: Lafayette Drive to the rear these are all vacant lots right to the rear of the new building?

MR. GAILLARD: No, they are houses back there but they stop going down the dead-end. I think the last house is right about here so they are right up in there.

MR. NUGENT: Any further questions?

MR. TANNER: I just have one and it really concerns last time the people were in here for a sign variance on the other piece of property you have, didn't we have a discussion at that time about the overhead sign on the building something was to be done with that? Do you remember that Jim?

MR. NUGENT: They were supposed to move it.

MR. TANNER: Has that been removed?

MR. GAILLARD: The front part of the sign is.

MR. TANNER: Wasn't the whole thing supposed to come down, my recollection is vague.

MR. NUGENT: I thought the entire thing was deemed to be unsafe and they were going to take it down.

MR. TANNER: Maybe if we can find the minutes of that and check tonight because I don't think we ought to go ahead with this until the last one is taken care of, that is my personal opinion.

MR. TORLEY: This wasn't the same piece of property.

MR. TANNER: It's not the same piece of property but this is the used car section and I just don't want to get into more variances when they haven't complied with the last one if they haven't.

MR. GAILLARD: From my recollection of that, what I had, I'm trying to think if we were going to be in the process of taking that down and the Town was, cause we want to do something with it to get it to actually take it down and whether to put up another structure and the decision was that existing structure there was to stay.

MR. TANNER: I honestly don't remember but I think we ought to clear it up before we go ahead and go on to more variances even though this is a--

MR. HOGAN: You're not suggesting we shouldn't move to a public hearing.

MR. TANNER: What I am suggesting is we just hold off on this until we find out about the status of the last variance, that is all.

MR. WINGLOVITZ: Could it be set for a public hearing and in the interim?

MR. TANNER: I don't have a problem with doing that but we need to clarify that.

MR. NUGENT: In the interim, we have it cleared up.

MR. TANNER: I just think we need to finish up with one set of variances before we start granting another set, that is all.

MR. LUCIA: The control the board has if it is resolved to the board so by the time of the public hearing we can just adjourn the public hearing, give you time to research the minutes and do whatever you have to do.

MR. LUCIA: I don't recall myself there was a safety issue which first came in.

MR. TANNER: That is my major concern, I do remember there was a safety thing.

MR. NUGENT: They brought it up.

MR. GAILLARD: We wanted to take it down but for some reason taking it down it was decided that it was to be re-faced or whatnot but we kept it up there in the best interest from my recollection.

MR. TANNER: We can just refer to the minutes and see what it says.

MR. WINGLOVITZ: I'll get in touch with Mike and resolve it.

MR. BABCOCK: You need to talk to Pat.

MR. NUGENT: I'll accept a motion.

MR. TANNER: Make a motion we set them up for a public hearing.

MR. HOGAN: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. NUGENT	AYE
MR. TANNER	AYE
MR. HOGAN	AYE
MR. LANGANKE	AYE

MR. WINGLOVITZ: Anything additional, short form EAF?

MR. LUCIA: When you come back, we'd like to see copy of the deed and copy of the title policy for the property. We'd like to see some photographs of the property. You'll need two checks, one for \$50 application fee and second for \$250 deposit against Town consultant review fees in connection with processing of your application.

MR. WINGLOVITZ: Short form EAF?

MR. LUCIA: Not on an area variance. Give you a copy of 267B of the Town Law, just put an arrow in the margin there, if you would speak to the five factors on the area variance when you come back, I'd appreciate it.

TOYOTA OF NEWBURGH

Mr. Don Benvie of Tectonic Engineering, Mr. Richard Gaillard and Mr. George Gaillard appeared before the board for this proposal.

MR. NUGENT: Request for 12 ft. front yard variance to construct addition for service and office area located at 96 Route 9W in an NC Zone. If there's anyone here interested in this, please sign the sheet.

MR. BENVIE: Good evening, I'm Don Benvie with Tectonic Engineering, I'm here to represent Toyota of Newburgh with regards to the request for the variance, it's for variance for front yard setback. We're asking for a variance for 12 feet. The existing zoning ordinance requires 40 foot setback, we're requesting variance of 12 feet to allow 28 foot setback for proposed 10,000 square foot service building.

MR. TORLEY: This is the same drawing that you had?

MR. BENVIE: I believe so.

MR. LUCIA: It's been amended since we last saw it. The only change that I can see is that they took off the language on the parking area in the back, I think originally it was called vehicle storage.

MR. BENVIE: The other application was for 8,800 square feet this is 10,000 square feet.

MR. LUCIA: The numbers changed. We need a different denial if the numbers changed.

MR. BENVIE: Revision 3 is the 10,000 square foot building.

MR. LUCIA: Let's look at the one that came from the Planning Board.

MR. BENVIE: I believe--

MR. LUCIA: This is revision 2.

MR. RICHARD GAILLARD: I guess it was 10,000 all along.

MR. LUCIA: No change.

MR. RICHARD GAILLARD: No.

MR. LUCIA: Other than deleting the word vehicle storage there's no other change?

MR. BENVIE: That is all.

MR. LUCIA: With reference to that vehicle storage issue you may recall when they came in for preliminary we raised a question that storage of unlicensed vehicles in the R-5 part of the parcel would not be permitted and I see in looking at the application the applicant now says that the property has had a previous use variance granted on December 9 of '85 and the use variance is for cars storage in R-5 zone so apparently the issue has been dealt with. What I found curious there were also area variances that I didn't see the resolution but I saw I guess what was preliminary and it appeared that the applicant came in applying for 20 foot front yard variance on 9W as well as 20 foot front yard variance on Lafayette and the building I see on this plan couldn't possibly have both of those variances. I'm not sure whether you changed the location after you applied for it or just what happened.

MR. RICHARD GAILLARD: That was how long ago?

MR. LUCIA: '85.

MR. GEORGE GAILLARD: One time we applied we were going to put another building to that piece that was going to be for a showroom.

MR. LUCIA: That building was never built.

MR. GEORGE GAILLARD: No, so is that was just left by the wayside.

MR. LUCIA: I don't know why this data came from on the '85 variances on the application because we didn't pull

the file but I'm not sure whether those variances ever went to the point of being adopted. This isn't the building that was then before the board so maybe there's not a use variance for vehicle storage but you said you're going to keep licensed vehicles anyway so it is not an issue.

MR. RICHARD GAILLARD: Yes.

MR. LUCIA: You do have a previous sign variance that you are familiar with that is not a problem. In looking at your deeds, thank you for providing those, I see there's no deed to the tax lot number 3, I guess that was lot number one of the old map, the basic lot I would like to see I guess it's this corner, the original tax lot 3 would be the one with the existing building on it. I would like to see copy of that deed as well as copy of the title policy. We wouldn't hold up your application but sometime before we do a formal application, I would like to see it. I saw deeds on the other two so if you would give me that because I'm interested in how the title policy treats that private road.

MR. GEORGE GAILLARD: Okay, it's actually what's that?

MR. BENVIE: Paper street it has been dedicated.

MR. GEORGE GAILLARD: I thought we had that out, I'll have is to look for that.

MR. RICHARD GAILLARD: I'm not sure, I know we raised that question last time we were here that is how we got into the vehicle storage, that is how we got on that whole tangent.

MR. LUCIA: The impression I got was that it was abandoned.

MR. BENVIE: It's not abandoned, it's a dedicated street, it's on the tax rolls as being a dedicated street.

MR. LUCIA: The one measurement that doesn't show here I guess would be then the rear yard dimension from the

that is something that is going to be actually that becomes front yard again doesn't it?

MR. BENVIE: Yes but that road was dedicated at the time or prior to this building being constructed, I believe. In other words, there should not be a zoning variance required for that because we went through this with Mike and Mark and there's no zoning variance required for it.

MR. LUCIA: Why?

MR. BENVIE: It was my recollection that when we went through the time going through when this I believe the building preceded the dedication of this street.

MR. LUCIA: I'm sorry, I take the reverse of what you're saying.

MR. BENVIE: The building preceded the dedication of that road.

MR. LUCIA: I realize you have laid this out on the record but since this is a public hearing, if you would just once again explain why it is you need to locate the building in this location and why it generates a need for the front yard variance?

MR. BENVIE: Okay, first of all, the building that they are proposing is a service building, it's to allow them to be able to provide their service portion of their business for new and used cars for new car service and maintenance. The layout of the building is designated by Toyota Corporation and they are the ones who developed the footprint of this building, the footprint being the width this way, especially is a function of the stall width that they need to get the cars, stall widths to get the cars in and maintain their aisle in the building so there's really no room to move on this width and that is why we have ended up with a need to have this 12 foot variance here because to try to shrink down the building to meet the 40 foot on either side would render half the building useless as far as being able to service cars and again that is really what's driving the actual width of the building in this

what's driving the actual width of the building in this direction. As far as addressing the 5 items.

MR. LUCIA: Go ahead, you're on a roll.

MR. BENVIE: One of the reasons why we believe it should be granted we don't feel it's going to produce an undesirable change in the character of the neighborhood or be of a detriment to the nearby properties.

MR. LUCIA: Can you describe for us what the character of the neighborhood is?

MR. BENVIE: Yes, the parcels in question are neighborhood commercial and the neighboring users within the district I believe let's see what we're showing here, the neighbor over here and then you have--

MR. LUCIA: That would be the parcel just to the north of the subject parcel?

MR. BENVIE: Yes, that would be Valcenti's Restaurant and then across is R-5 across on the other side Lafayette Drive and what we're proposing there we believe will not have anymore of an impact than the facilities that exist there now.

MR. LUCIA: What you're proposing is permitted in the NC zone?

MR. BENVIE: Yes, this is permitted use in the NC zone. And as I said, there's really no other feasible method to achieve the goals because we really need this width on the building and you can't rotate the building, it would be worse off to rotate it because then you'd have to have variances on both sides. We wouldn't be able to fit a through aisle all the way around the outside of the building. And 12 foot we don't believe that going from 40 feet to 28 feet is a significant variance based on just basically physical dimensions itself. We also don't feel that again it will have an adverse impact on the neighborhood or have any environmental impacts that would preclude the proposed construction

there of any building. Again we gave existing facility that is similar in use to this building here and based on past performance records, we feel that the use of the building that we're proposing here will be at the same level of compliance with maintaining the environment, no environmental impacts. And finally, I guess this difficulty is not a self-created difficulty, it's the fact of the matter is we have a piece here that has got double frontage and because of the double frontage, it has 2 roads we have double frontage and because of that, we have to meet the more stringent requirements of 2 front yard setbacks. If this is a rear yard obviously we'd meet the setback requirements if it was a rear yard, we have 15 feet and we propose 28. If one of them was rear yard, we would have exceeded it. Unfortunately, because of the configuration of the lot with respect to the existing roadways, we can't meet that requirement.

MR. LUCIA: I notice your deed as all deeds are subject to various covenants and restrictions and easements of record. Is there anything affecting the title to the property to your knowledge which would prohibit you from maintaining the structure concerning which you're now seeking a variance?

MR. GEORGE GAILLARD: No.

MR. LUCIA: Thank you.

MR. NUGENT: Any other questions by the board?

MR. HOGAN: Just, Dan, did you cover this already, the subjects that Ted brought up?

MR. LUCIA: I think when you did your last application on the piece up by the corner of 94 and Quassaick, I guess there was a question whether or not the board has required you to remove the superstructure for the existing sign. I think Ted was interested in whether or not that was complied with.

MR. RICHARD GAILLARD: I spoke with Mike Babcock and I guess they are redoing sign variances on the 14th, is that correct?

MR. LUCIA: Well, there is a public hearing on the 14th, we're addressing it and they should be treated differently and we have to be sited for that location and it can be sited and get the proper variances and they are in no way related, I'll address it. I don't think anyone on the board I think as he's entitled to when you get an applicant in, you make certain representations and it establishes a track record. He was asking whether or not it had been complied with and if not when would it be?

MR. RICHARD GAILLARD: Like I said, Mike said because they are re-doing the sign variances instead of handing in the application, just hold off until they redo it then I'll know what I am doing. Then I'll be in compliance with them.

MR. NUGENT: It's not the same building.

MR. LUCIA: It was never an intent to make that subject to. It was just a point of information he was wondering what the board's wishes were.

MR. RICHARD GAILLARD: Once they find out what the requirements are, we'll comply with it, here's pictures by the way.

MR. NUGENT: I'll close the public hearing.

MR. TORLEY: We have had all the appropriate comments from the County and whatever?

MR. LUCIA: It's on a state highway, it does not require a variance.

MR. NUGENT: No further questions, I'll entertain a motion.

MR. LANGANKE: I make a motion we accept the variance as proposed.

MR. HOGAN: Second it.

ROLL CALL

July 12, 1995

30

MR. NUGENT	AYE
MR. HOGAN	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE

ZONING BOARD OF APPEALS
SUMMER SESSION
JULY 12, 1993

CC: B. Q.

\$ 50.00 (1)
292.00 (2) } new fees

AGENDA:

Absent: Ted
Tanner
Mike Babcock.

7:30 P.N. - ROLL CALL

MOTION TO ADOPT MINUTES OF THE 6/14/93 and 6/28/93 MEETING IF AVAILABLE. *done*

PRELIMINARY MEETINGS:

- 1. KIEVA, STEVEN - Request for 9 ft. side yard for an enclosed porch and walkway located at 1 Mitchell Lane in an R-4 zone. (6-3-15). *FAIRBY - approved & i. Motion to sched. P.H.*
- 2. FAIRBANKS, JEFF - Request for 13 ft. 6 in. rear yard setback for deck located at 7 Haight Drive in an R-4 zone. (70-1-28). *approved & i. - Motion to sched. P.H.*
- 3. RIGOLI, RICHARD - Request for 18 ft. rear yard variance to construct deck attached to pool at 32 Birchwood Drive in an R-4 zone. (39-4-17). *approved & i. - New HOD from B.2. Motion to sched P.H. Need new Notice of Denial from B.2.*
- 4. KRESEVIC, JOHN - Request for 8 ft. rear yard to construct deck at 322 Nina Street in an R-4 zone. (73-5-7). *approved & i. Motion to sched P.H.*

PUBLIC HEARINGS:

~~5. MUGNANO, PASQUALE (continued) from 6/28/93. Request for use variance for barber shop as accessory to residential dwelling on 2 Cimorelli Drive in an R-4 zone. (7-1-20) P.H. Adj. to 9/13/93.~~

*George
C. T.
Richie*

- 6. TOYOTA OF NEWBURGH - Request for 12 ft. front yard variance to construct addition for service and office area located at 96 Route 9W in an NC zone. (48-3-3, 2.2 & 48-2-6.2). *4-0 - App. approved. (to Pat.)*
 Don Blevie
 Need main parcel deed. Title Policy (to Pat.)
- 7. GREENE, JAMES - Request for 26 ft. front yard variance, 3 ft. 6 in. fence height variance and variances from Sections 48-14A(1)(b), 48-14A(4), 48-14G(1) and 48-14C(1) at 1 Oakridge Drive in an R-4 zone. (16-2-1). *4-0 approved.*

FORMAL DECISIONS: (1) COLLINS - *accepted by ZBA.*
~~(2) HARRIS/JOHNSON~~

PAT - 563-4630 (O)
562-7107 (H)

*Extra copies
of Notice of Denial*

ZONING BOARD OF APPEALS
Regular Meeting
June 14, 1993

NEED TO SEND PROXY STATEMENT
FOR JONES TO ZBA

AGENDA

7:30 p.m. - ROLL CALL

Motion to accept the minutes of the 05/10/93 and 05/24/93 APPROVED
meetings as written (if available).

PRELIMINARY MEETING:

SET UP FOR P/H 1. TOYOTA OF NEWBURGH, INC. - Request for 12 ft. front yard variance for construction of addition (service and office area) at 96 Route 9W in an NC zone. Present: Don Benvie of Tectonic Engineering. (48-3-3, 2.2, 48-2-6.2). Referred by Planning Board.

SET UP FOR P/H 2. JONES, JEFFREY - Request for use variance for beauty shop at residence (owner: Carmen Correa) located on Rt. 32 next to Bucciarelli property in an R-4 zone. (24-1-22 & 23). Referred by Planning Board.

SET UP FOR P/H 3. GREENE, JAMES - Request for 26 ft. front yard variance for existing above-ground pool - Sec. 48-21(1), located at 1 Oakridge Drive in an R-4 zone. (16-2-1).

NO FILE SET UP FOR P/H 4. BERRY, ROBIN - Request for 4 ft. ⁵ side yard and 8 ft. ⁹ rear yard variances for an existing shed, ⁷⁶ ft. rear yard variance for existing wood deck and 2 ft. 6 in. side yard for an existing above ground pool located at 132 Beattie Road in an R-1 zone.

4814-A-1-B
PUBLIC HEARING:

5. LEIDY, THOMAS - Request for 10 ft. rear yard variance for existing shed located at 200 MacArthur Avenue in a PI zone. (18-4-4). *AND 10 FT SIDE YARD*

APPROVED 6. LA CASA D'ORO, INC. - Request for 84 s.f. free standing sign at Heritage Square located on Rt. 32 in an NC zone. Present: Pat Kennedy, L. S.

RECEIVE AND FILE - Request from Antonio Dedominicis for extension of variance. ONE YEAR APPROVED

FORMAL DECISIONS:
(if available)

PAT - 562-7107 (h)
563-4630 (o)

#1 ZBA 6-14-93
SET UP FOR P/H

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-10

DATE: 5-19-93

APPLICANT: Toyota of Newburgh, Inc.
96 Rt. 9W
New Windsor, N.Y.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3-18-93

FOR (~~SUBDIVISION~~ - SITE PLAN) Site Plan

LOCATED AT 96 Rt. 9W (East Side)

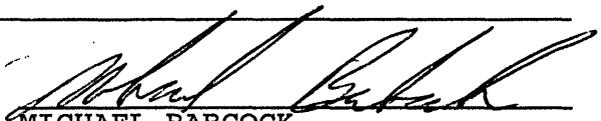
ZONE NC

DESCRIPTION OF EXISTING SITE: SEC: ⁴⁸/₄₈ BLOCK: ³/₂ LOT: ³/₂:²/₂

Car sales and repair - parking area

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

Inefficient front yard required


MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>NC</u> USE _____		
MIN. LOT AREA	_____	_____
MIN. LOT WIDTH	_____	_____
REQ'D FRONT YD	<u>40 FT</u>	<u>12 FT</u>
REQ'D SIDE YD.	_____	_____
REQ'D TOTAL SIDE YD.	_____	_____
REQ'D REAR YD.	_____	_____
REQ'D FRONTAGE	_____	_____
MAX. BLDG. HT.	_____	_____
FLOOR AREA RATIO	_____	_____
MIN. LIVABLE AREA	_____	_____
DEV. COVERAGE	_____ %	_____ %
O/S PARKING SPACES	_____	_____

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

TOYOTA OF NEWBURGH, INC. SITE PLAN (93-10) RT. 9W

Don Benvie of Tectonic Engineering appeared before the board representing this proposal.

MR. PETRO: For the Planning Board's information, fire has been approved on 3/18/93.

MR. VAN LEEUWEN: Does it have to go to the County?

MR. PETRO: Yes.

MR. VAN LEEUWEN: Has it been sent?

MR. PETRO: No.

MR. BENVIE: Good evening, we're here tonight for Toyota, what they are proposing to do is construct 8,800 square foot service center over right now if you travel up 9W, where they store all the cars, there are just north of the building they are proposing to put a service building in that area. It will have 6,400 square feet of service area and 2,400 square feet of office, an office and parts. Right now, on the bulk requirements because we have double frontage here, we are set back, we're short on the setback for the distance between Lafayette and the building I believe is what we're required to have 40 right now, we have 28 which would be--

MR. VAN LEEUWEN: So what you need is a turn down to go to the Zoning Board?

MR. BENVIE: Exactly, 12 feet, right.

MR. PETRO: I can't move it forward against 9W because you already have the minimum.

MR. BENVIE: We're right at the 40 on 9W.

MR. PETRO: Can't take 12 feet out of the building?

MR. BENVIE: That would really impeach.

MR. DUBALDI: I make a motion that the New Windsor

Planning Board approve the Toyota of Newburgh site plan.

MR. VAN LEEUWEN: I'll second that. Don, when you bring this back, make sure you have a bit of landscaping detail on this map. Kind of dress it up a little bit because it doesn't--

MR. PETRO: Plan appears to depict proposed road through the easterly part of the site. It should be determined that that proposed road will actually be offered for dedication to the Town. If so, it should be determined if it is acceptable to utilize this area as part of the site development.

MR. EDSALL: I want to make sure because before you get your variances that we know we don't have any other problems and what I want to make sure is that this road that is between the access to the Plum Point properties and the extension of Lafayette that proposed road was proposed someplace but never offered for dedication because I think it was offered.

MR. BENVIE: This doesn't show on the tax maps as a Town road?

MR. VAN LEEUWEN: Town might own it.

MR. EDSALL: The Town may not own it. It may have been offered for dedication and never taken. I think before you spend the money to go to the ZBA, just find out really what that is and if the Town Board has no intent to ever make that connection, let them tell us now rather than have a problem.

MR. VAN LEEUWEN: You've got ingress/egress coming off Lafayette Drive?

MR. BENVIE: Right now we're showing two way access and one way access onto Lafayette.

MR. VAN LEEUWEN: Why do you want to do that if you have got to do the road?

MR. BENVIE: Well, this is just a paper road here. I

don't think it's ever intended we're not planning to do anything with this.

MR. VAN LEEUWEN: Where the new building is coming in is that part paved?

MR. BENVIE: This is paved, all here and paved.

MR. VAN LEEUWEN: The upper end is not paved?

MR. BENVIE: Right, no, this thing is not paved all the way out here, this is paved right down to this point here, they are making, Mark, you're making reference to this paper road in here right?

MR. EDSALL: I'd rather not have this surprise later on.

MR. PETRO: This is three separate tax parcels, is all the new construction on just two of the parcels?

MR. BENVIE: Yes, it's on actually new construction is on one parcel, all the new construction.

MR. PETRO: Including the parking.

MR. BENVIE: Including the parking for here. The parking that is on this parcel in really existing.

MR. PETRO: Mark, parking for new construction is more than ample on one lot so I don't have to show us that other lot and that will eliminate the problem.

MR. EDSALL: Not really. Right now, the way the calculation is shown, they are considering this all one site and that is what you, how they want to do it. They should combine the lots. If they don't want to combine the lots, they should show us the lines and we have to make sure that every site stands on its own in case it's sold. And then you have to also make sure that you have cross-easements for access. You can't ignore it. So again that is something that you can work out when you come back from the ZBA. We'll straighten it out but I want, the reason I went through this I didn't want to have any surprises when you got

back.

MR. BENVIE: So I think we do fit all the parking for this new construction on the one tax parcel, if we can do that it's a matter of showing where the tax parcels are and showing that each parcel that stands alone has ample parking.

MR. PETRO: Take the road of less resistance, it might be easier to do what Mark is saying.

MR. VAN LEEUWEN: Make the whole thing one lot, it's much easier.

MR. EDSALL: You pay taxes more for three.

MR. VAN LEEUWEN: If he goes to sell it, it's cheaper to sell it as one.

MR. PETRO: Mark, if the building on the new parcel can be fitted on to that one parcel and the road going out into Lafayette Drive is approved by the fire department and everything stands on its own merits, we don't have to look at the other parcel.

MR. EDSALL: Well, there's layout changes being proposed effectively on all three lots.

MR. VAN LEEUWEN: We did the same thing for Casey Manns, we made him show the lots.

MR. EDSALL: What I am suggesting is that if they want to keep it as 3 lots, we just have to review it as 3 individual lots but an overall site that we're looking at.

MR. BENVIE: If we wanted to have it as one lot, what do we have to do as far as taxes?

MR. VAN LEEUWEN: Go to Town Hall in the next month and go there and just ask for them to wipe out those lines, you don't even know he did a site plan.

MR. EDSALL: Re-file the deed combining all the lots.

MR. BENVIE: At that point probably take care of the issue with regards to this paper road here so I guess at this point, what we're looking for is a referral to to the ZBA.

MR. PETRO: Just want to clear up as much as we can while you are here.

MR. EDSALL: Only other thing I'd like to go over before you fill your application out, just to doublecheck a couple questions on the parking. I don't want you to go through and find out you need a couple parking space variances so we'll resolve that as well.

MR. BENVIE: One of the comments I saw you had was on the rear yard. There shouldn't even be one because you have 2 front yards.

MR. EDSALL: You have the rear behind the old building which is way over unless that is a paper street, then I don't know what you do.

MR. PETRO: Anything else?

MR. VAN LEEUWEN: I restate my motion.

MR. LANDER: Second it.

MR. PETRO: Motion is made and seconded that the New Windsor Planning Board grant site plan approval to Toyota of Newburgh site plan. Any further discussion?

ROLL CALL

MR. LANDER	NO
MR. DUBALDI	NO
MR. VAN LEEUWEN	NO
MR. PETRO	NO

MR. PETRO: You are referred to the Zoning Board to grant the variance that you need. At that time, come back and see us and we'll further review your site plan.

MR. BENVIE: Thank you.

RESULTS OF P.B. MEETING

DATE: March 24, 1993

PROJECT NAME: Toyota of Newburgh

PROJECT NUMBER 93-10

LEAD AGENCY: _____

NEGATIVE DEC: _____

PUBLIC HEARING: _____

DISCUSSION:

3 lots to be combined if the applicant wishes

SEND TO ORANGE CO. PLANNING: Yes 3/24/93

DISAPPROVED AND REFERRED TO Z.B.A.: YES _____ NO 3/24/93 (M) O (S) V

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED _____ APPROVED CONDITIONALLY _____

NEED NEW PLANS: YES _____ NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 23 May 1994
SUBJECT: Toyota of Newburgh

Planning Board Ref. Number: PB-93-10
Dated: 20 May 1994
Fire Prevention Ref. Number: FPS-94-024

A review of the above referenced subject site plan was conducted on 20 May 1994.

This site plan is acceptable.

Plans Dated: 18 May 1994; Revision 7.

Robert F. Rodgers CCA. (mvz)
ROBERT F. RODGERS, C.C.A.

RFR/mvz

In the Matter of the Application of

TOYOTA OF NEWBURGH, INC.

DECISION
GRANTING AREA
VARIANCE

#93-20.

-----X
WHEREAS, TOYOTA OF NEWBURGH, INC., 96 Route 9W, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 12 ft. front yard variance in order to construct a second principal building in addition to the existing principal building, which will be used for additional service and office area, at the above location in an NC zone; and

WHEREAS, the applicant's aforesaid premises are located in both the NC zone and the R-5 zone since the zoning district boundary passes through the applicant's premises. The proposed construction which is the subject of this application is located on the part of the premises that lies in the NC zone; and

WHEREAS, the applicant previously submitted to this Board an application for use/area variances, and an application for sign variances, both affecting the subject property, and both applications were granted by decisions of this Board dated December 9, 1985 and January 23, 1990, respectively; and

WHEREAS, a public hearing was held on the 12th day of July, 1993, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant was represented at said public hearing by Don Benvie of Tectonic Engineering Consultants, P.C., and by George Gaillard, President of Toyota of Newburgh, Inc. and Richard Gaillard, also of Toyota of Newburgh, Inc., all of whom spoke in support of the application; and

WHEREAS, there were no spectators present at the public hearing; and

WHEREAS, there was no opposition to the application before the Board; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The evidence shows that applicant is seeking permission to vary the provisions of the bulk regulations relating to front yard in order to construct a second principal building at its

dealership located on Route 9W in an NC zone.

3. The evidence presented by the applicant substantiated the fact that a variance for less than the allowable front yard would be required in order to allow the construction of the second principal building at applicant's dealership to be used for the expansion of the service and office area, which otherwise would conform to the bulk regulations in the NC zone.

4. The evidence presented on behalf of the applicant indicated that the applicant is proposing to construct a second principal building of 10,000 sq. ft. at its site. Said proposed building will be free-standing and not connected to the present principal building. Said proposed building is deemed a second principal building, and not an accessory building because of its size and because it will house additional service and office/parts areas, which are integral parts of the applicant's principal use of the site.

5. The evidence presented on behalf of the applicant further showed that the subject parcel is "L" shaped and is bounded on all sides (except for the top of the "L") by streets, and in addition the parcel is bisected by a paper street (which has been dedicated to the Town of New Windsor).

6. The applicant proposes to locate its second principal building on the front portion of its parcel, near NY Route 9W, on the part of its lands which are located in the NC zone. The proposed use of the said second principal building is a permitted use in the NC zone if the required special permit is granted by the Planning Board.

7. The evidence presented on behalf of the applicant also indicated that it is necessary for the applicant to construct an additional service area because of requirements imposed upon applicant by Toyota Motor Sales, U.S.A., for which applicant is a franchised dealer. The layout of the service building must conform to Toyota's standard plans, which are based upon prescribed stall widths and aisle widths, and which in turn dictate the required building width.

8. Given the constraints imposed by the parcel shape, the multiple front yards, the zoning district boundary, and the required size of the proposed building, it is the finding of this board that the proposed location for this second principal building is the only practical location therefore on the parcel.

9. The applicant is applying for a 12 ft. front yard variance because the proposed second principal building is to be located only 28 ft. from Lafayette Drive. Although Lafayette Drive borders what, for practical purposes, would normally be considered the rear of the applicant's property, it is considered a front yard under the Zoning Law of the Town of New Windsor, New York, and the required front yard depth is 40 ft. in the NC zone.

10. The evidence presented on behalf of the applicant further indicated that the building could not be turned or

otherwise located on the parcel so as to eliminate the need for a variance or reduce the variance requested. It appears that alternate locations would increase the magnitude of the variances needed.

11. The evidence presented on behalf of the applicant indicated that if applicant were to apply for a lesser size building, in order to conform to the bulk regulations, this would result in a building which would not be functional and would not conform to the size and layout of the service area which is deemed necessary at this site by Toyota Motor Sales, U.S.A. The proposed building size and footprint are the minimum deemed necessary by the applicant for an efficient and profitable operation.

12. The evidence presented by the applicant indicated that the neighborhood surrounding the subject site is devoted to mixed commercial and retail services as well as to residential use. The properties in the neighborhood fronting on NYS Route 9W (a divided four-lane highway) are used for a restaurant, motel, funeral parlor, commercial catering establishment, retail stores, auto and boat sales, auto body shop, service station, tennis and health club and bowling alley. The properties in the neighborhood to the rear of the subject property are devoted to residential use and to New York State owned mixed recreational-greenway-conservation uses.

13. It is the finding of this Board that the proposed second principal building, which will be devoted to a use permitted in the NC zone, if the required special permit is granted by the Planning Board, will expand the scope of the applicant's service and office operations but will not generate substantially greater impacts on the neighboring properties than are presently generated by the applicant's operations on the sites.

14. It is the finding of this Board that, given the constraints of the site, the proposed location for the second principal building is the only practical and suitable location therefore and has the least adverse impacts on the neighborhood and the applicant.

15. Given these factors, it is the finding of this Board that the proposed addition will not have an adverse effect on property values in the neighborhood.

16. The evidence presented by applicant substantiated the fact that the variance, if granted, would not have a negative impact on the physical or environmental conditions in the neighborhood. The dealership has been located in the area since the early 1980's and since there were no spectators appearing at the public hearing, this is a good indication that adjacent neighbors do not harbor adverse opinions regarding the applicant's present operations or its proposed construction.
~~dealership.~~

17. It is the finding of this Board that the proposed front yard variance is not unreasonable and will not adversely impact

the public health, safety and welfare.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties. The parcel is presently being used for uses permitted in the NC zone, either by right or by special permit of the Planning Board, and the proposed construction is a permitted use, if the required special permit is granted by the Planning Board, and is consistent with the character of the neighborhood.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variance is not substantial in relation to the bulk regulations.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is not self-created. The siting of the building with double frontage requires the applicant to meet the more stringent requirements of two front yard setbacks instead of the single setback. If this were a rear yard, applicant would easily meet this requirement, but because of the configuration of the lot with respect to the existing roadways, applicant cannot meet that requirement and must seek a front yard variance.

6. It is the finding of this Board that the benefit to the applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 12 ft. front yard variance for construction of a second principal building in addition to the existing principal building, which said second principal building will be used for additional service and office/parts area at the Toyota of Newburgh, Inc. dealership, at the above location in an NC

zone, as sought by applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: October 25, 1993.


Chairman



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor

P/B # 98-10

WORK SESSION DATE: 6 OCT 93

APPLICANT RESUB.
REQUIRED: New Plan

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Toyota Mfg.

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Ross W.

MUNIC REPS PRESENT:

BLDG INSP.	<u>Couet</u>
FIRE INSP.	<u>Bob R.</u>
ENGINEER	<u>X</u>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	_____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 24' ante
- c/c of JTB re SAN. LINE X₅/Row
- disc cost estimate



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 10

DATE PLAN RECEIVED: OCT - 7 1993

The maps and plans for the Site Approval Toyota
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ✓
disapproved _____.

If disapproved, please list reason _____

Fred [Signature] 11/8/93
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 12 October 1993
SUBJECT: Toyota of Newburgh, Inc.

PLANNING BOARD REFERENCE NUMBER: PB-93-10
DATED: 7 October 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-058

A review of the above referenced subject site plan was conducted on 8 October 1993.

This site plan is acceptable.

PLANS DATED: 6 October 1993; Revision 5.



Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 10

DATE PLAN RECEIVED: OCT - 7 1993

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

TOYOTA NEWBURGH SERVICE CENTER has been

reviewed by me and is approved ✓

disapproved _____

If disapproved, please list reason _____

NO TOWN SEWER SERVICE

HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

[Signature] 10-11-93
SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 24 September 1993
SUBJECT: Toyota of Newburgh Site Plan

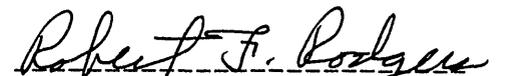
PLANNING BOARD REFERENCE NUMBER: PB-93-10
DATED: 18 September 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-055

A review of the above referenced subject site plan was conducted on 20 September 1993.

This site plan is acceptable.

PLANS DATED: 8 September 1993; Revision 4.


Robert F. Rodgers; QZA *mc*
Fire Inspector

RFR:mr
Att.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY:

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 10

DATE PLAN RECEIVED: SEP 13 1993

The maps and plans for the Site Approval Typta of Newburgh
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved _____,
disapproved

If disapproved, please list reason I see nothing on
map of drainage - size pipe?

Wend S. [Signature] 9/23/93
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 14 September 1993
SUBJECT: Toyota of Newburgh

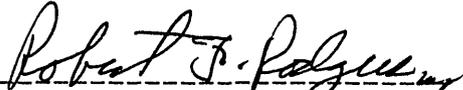
PLANNING BOARD REFERENCE NUMBER: PB-93-10
DATED: 8 September 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-052

A review of the above referenced subject site plan was conducted on 9 September 1993.

This site plan is acceptable.

PLANS DATED: 16 June 1993; Revision 3.


Robert F. Rodgers, CCA
Fire Inspector

RFR:mr
Att.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 10

DATE PLAN RECEIVED: SEP - 8 1993

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

TOYOTA OF NEWBURGH has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

NO SEWER SERVICE INDICATED

HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

[Signature] 9.15.93

SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 9 August 1993
SUBJECT: Toyota of Newburgh Site Plan

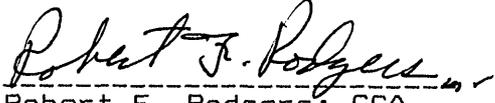
PLANNING BOARD REFERENCE NUMBER: PB-93-10
DATED: 2 August 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-045

A review of the above referenced subject site plan was conducted on 5 August 1993.

This site plan is approved.

PLANS DATED: 16 June 1993; Revision 3.



Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

✓
CC: M.E.



**COUNTY OF ORANGE
Department of Planning**

124 MAIN STREET, P.O. BOX 968, GOSHEN, NEW YORK 10924
TEL: (914) 294-5151 FAX: (914) 294-3546

Mary M. McPhillips
County Executive

Peter Garrison
Commissioner of Planning

ORANGE COUNTY DEPARTMENT OF PLANNING
239 L, M OR N REPORT

R. Vincent Hammond
Deputy Commissioner

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by: Town of New Windsor

OCDP Reference No.: NWT 4 93 M
County I.D. No: 48-3-3,2.2,6.2

Applicant: Toyota of Newburgh, Inc.

Proposed Action:

Special Permit - Service Center and Additional Park

State, County, Inter-Municipal Basis for Review:

Within 500' of NYS 17M

Comments: There are no significant inter-municipal or countywide considerations to bring to your attention.

Related Reviews and Permits:

County Action: Local Determination X **Disapproved** **Approved**

Approved subject to the following modifications and/or conditions:

Date: 4/15/93


Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

* Please make reference to
this number on your review sheet
Local File No. # 93-10

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date _____

City, Town or Village Board Planning Board Zoning Board

2. Owner: Name Toyota of Newburgh, Inc.

Address 96 Rt. 9W - New Windsor, N.Y.

3. Applicant*: Name _____

Address _____

* If Applicant is owner, leave blank

4. Location of Site: Rt. 9W (East Side)
(street or highway, plus nearest intersection)

Tax Map Identification: Section 48 Block 3 Lot 3
48 2 2:2

Present Zoning District NC Size of Parcel 3.790 Acres

5. Type of Review:

Special Permit: Service Center & Additional Parking

Variance: Use _____

Area _____

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units _____

Site Plan: Use Service Center & Additional Parking

3/25/93
Date

Myra Mason, Secy for the P.B.
Signature and Title



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 10

DATE PLAN RECEIVED: MAR 18 1993

The maps and plans for the Site Approval Tayata of Newburg
Subdivision _____ as submitted by

Benui _____ for the building or subdivision of

Benui _____ has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

[Signature] 3/25/93
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 10

DATE PLAN RECEIVED: MAR 18 1993

The maps and plans for the Site Approval Trysta of Newburg
Subdivision _____ as submitted by

Benui _____ for the building or subdivision of
_____ has been

reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason _____

[Signature] 3/25/93
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2 AND
SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 24 MARCH 1993
DESCRIPTION: THE APPLICATION INVOLVES THE CONSTRUCTION OF AN
8,800 SQUARE FOOT BUILDING AT THE NORTH END OF THE
SITE. THE PLAN WAS REVIEWED ON A CONCEPT BASIS
ONLY.

1. The proposed addition expands one of the existing uses on the site; which is Special Permit Use B-7 of the NC Zone.

The plan as submitted appears to comply with all of the appropriate bulk requirements, with the exception of the front yard setback for the new building from Lafayette Drive. As such, it appears that a variance from the Zoning Board of Appeals is necessary.

2. The bulk table should be corrected to indicate a correct "provided" value for rear yard setback. In addition, the parking requirements table should be corrected to reference "bays" rather than "stalls". In addition, the parking calculation should receive a final review before consideration at the ZBA, to address "floor area outside of service areas", as referenced on the bulk tables.
3. The application indicates the existence of three (3) tax parcels. The site plan does not appear to identify the location of these individual tax parcels. Same should be added to the plan and, as well, the Board must determine if the parcels must be combined as part of this site plan application.

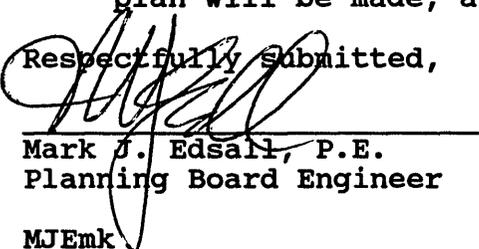
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: TOYOTA OF NEWBURGH SITE PLAN
PROJECT LOCATION: NYS ROUTE 9W (EAST SIDE)
SECTION 48-BLOCK 3-LOTS 3 AND 2.2 AND
SECTION 48-BLOCK 2-LOT 6.2
PROJECT NUMBER: 93-10
DATE: 24 MARCH 1993

4. The plan appears to depict a "proposed road" through the easterly part of the site. It should be determined if this "proposed road" was actually offered for dedication to the Town; if so, it should be determined if it is acceptable to utilize this area as part of the site development.
5. After the Applicant has received all necessary variances from the Zoning Board of Appeals and returns to the Planning Board for further consideration, further engineering review of the site plan will be made, as deemed necessary by the Planning Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:TOYOTA.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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New Windsor, New York 12553
(914) 562-8640
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Milford, Pennsylvania 18337
(717) 296-2765

1-3

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # -

WORK SESSION DATE: 17 March 1993 APPLICANT RESUB.
REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Toyota. Rt 9W.

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: George & Dick Gaylord / P/B.

MUNIC REPS PRESENT:

BLDG INSP.	<u>X</u>
FIRE INSP.	<u>X</u>
ENGINEER	<u>X</u>
PLANNER	<u> </u>
P/B CHMN.	<u> </u>
OTHER (Specify)	<u> </u>

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

*LATER
ck 4 pgs
re lane
width @ north
of north
building*

Correct bulk table - show both front yds *ZBA referral*

ck re split zone. R-5/NC (show)

48-16 A(9) allows Pkg in both.
move front 5 spaces

add E detail *Mizzcrow*

add 5 E spaces *do not add*

add " exit to north - *exit work.*
Next avail agenda after plans.

4MJE91 rhw:form

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 22 March 1993
SUBJECT: Toyota of Newburgh, Inc.

PLANNING BOARD REFERENCE NUMBER: PB-93-10
DATED: 18 March 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-012

A review of the above referenced subject site plan was conducted on 22 March 1993.

This site plan is acceptable.

PLANS DATED: 17 March 1993.


Robert F. Rodgers, CCA
Fire Inspector

RFR:mr
Att.

✓
CC: M.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # 93-10
 WORK SESSION DATE: 3 MAR 93 APPLICANT RESUB. REQUIRED: Yes
 REAPPEARANCE AT W/S REQUESTED: Yes
 PROJECT NAME: Toyota / 149w sp An
 PROJECT STATUS: NEW OLD _____
 REPRESENTATIVE PRESENT: George Gaillard / Rich G / Don Service
 MUNIC REPS PRESENT: BLDG INSP. insp
 FIRE INSP. x
 ENGINEER x
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) Ro L

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

* Ck re 2 front yards - is road dedicated
- NE -
new 8800 repair & off
old - sales - Base - rep -
41000 auto sales
4 sp/bay + 1/300sf
- near stock storage area

4MJE91 pbwefom:



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD

176 TYPE OF APPLICATION (check appropriate item):

Subdivision ___ Lot Line Chg. ___ Site Plan X Spec. Permit X

1. Name of Project Toyota of Newburgh Service Center
2. Name of Applicant Toyota of Newburgh, Inc. Phone (914) 561-0340
Address 96 Route 9W, South Newburgh, New York 12550
(Street No. & Name) (Post Office) (State) (zip)
3. Owner of Record Gaillard Realty Associates LLC Phone (914) 561-0340 (Local)
Address 28 Lakeshore Drive, South Brookfield, Conn 06804
(Street No. & Name) (Post Office) (State) (zip)
4. Person Preparing Plan Tectonic Engineering
Address 600 Route 32 P.O Box 447 Highland Mills New York 10930
(Street No. & Name) (Post Office) (State) (zip)
5. Attorney Edelstein & Lochner Phone (914) 273-6600
Address 495 Main Street Armonk, New York 10504
(Street No. & Name) (Post Office) (State) (zip)
6. Person to be notified to represent applicant at Planning Board Meeting Don Benvie, P.E., T.E.C. Phone (914) 928-6531
(Name)
7. Project Location: On the East side of NYS Route 9W
(street)
350 feet North of Plum Point Lane Intersection
(direction) (street)
8. Project Data: Acreage of Parcel 3.79 Zone N.C.,
School Dist. Cornwall
9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y ___ N X

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 48 Block 3 Lot 2.2

11. General Description of Project: Service Center for service of automotive vehicles including paving of additional parking area.

12. Has the Zoning Board of Appeals granted any variances for this property? yes no.

13. Has a Special Permit previously been granted for this property? yes no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

5 day of July 1994

George Daila / Pres + Principal
Applicant's Signature

Marie A Bennett
Notary Public

MARIE A. BENNETT
Notary Public, State of New York
Qualified in Orange County
4960408
Commission Expires December 26, 1995

TOWN USE ONLY:

Date Application Received

Application Number

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

George Gaillard, deposes and says that he
(Applicant)

resides at 96 Route 9W, Soth Newburgh, New York 12550
(Applicant's Address)

in the County of Orange

and State of New York

and that he is the applicant for the Toyota of Newburgh, Inc.

Toyota of Newburgh Service Center
(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized Tectonic Engineering Cons.
(Professional Representative)

to make the foregoing application as described therein.

Date: July 5th, 1994

George Gaillard, Pres & Principal
(Owner's Signature)

See A. Regatt
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

**Edelstein
&
Lochner**

COUNSELORS AT LAW

MEMBERS OF NEW YORK
CONNECTICUT AND
FLORIDA BARS

495 MAIN STREET
ARMONK, NEW YORK 10504
TELEPHONE: (914) 273-6600
TELECOPIER: (914) 273-6602

June 16, 1991

Mark Edsall, P.E..
45 Quassaick Avenue
New Windsor, New York 12553

Re: Gaillard Realty Associates L.L.C.

Dear Mr. Edsall:

In accordance with the request of Andrew S. Krieger, Esq. we are enclosing photocopies of three (3) deeds by which the "Toyota" property located on Route 9W in New Windsor was transferred to Gaillard Realty Associates L.L.C.

Please call if you have any questions.

Very sincerely,

Peter M. Edelstein

PME:gr
Enclosure

cc: Andrew S. Krieger, Esq.
George E. Gaillard

MAR 18 1993

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project Toyota of Newburgh Service Center
2. Name of Applicant Toyota of Newburgh Phone 561-0340
Address 96 Route 9W Newburgh NY 12550
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Same Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Tectonic Eng. Phone (914) 928-6531
Address 600 Route 32 P.O. B0x 447 Highland Mills NY 10930
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Don Benvie, P.E., T.E.C. Phone 928-6531
(Name)
7. Location: On the East side of N.Y.S. Route 9W
(Street)
_____ feet North
(Direction)
of Plum Point Lane Intersection
(Street)
8. Acreage of Parcel 3.79
9. Zoning District N.C.
10. Tax Map Designation: Section 48 Block ³/₂ Lot ³/_{2.2}
11. This application is for Site Plan Approval

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? NO

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership NA
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

George Galland being duly sworn, deposes and says that he resides at 39 Roe Avenue, Cornwall, Hudson, N.Y. 12520 in the County of Orange and State of New York and that he is (the owner in fee) of Lepta of Newburgh Inc. (Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this _____ George Galland
(Owner's Signature)

18 day of March 1983 George Galland
(Applicant's Signature)

Marie A. Bennett
Notary Public

President
(Title)

MARIE A. BENNETT
Notary Public, State of New York
Qualified in Orange County
4960408
Commission Expires December 26, 1993

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SPECIAL PERMIT

1. Name of Project Toyota of Newburgh Service Center

2. Name of Applicant Toyota of Newburgh Phone 561-0340

Address 96 Route 9W Newburgh NY 12550
(Street No. & Name) (Post Office) (State) (Zip)

3. Owner of Record Same Phone _____

Address _____
(Street No. & Name) (Post Office) (State) (Zip)

4. Person Preparing Plan Tectonic Eng. Phone (914)928-6531

Address 600 Route 32 P.O. Box 447 Highland Mills NY 10930
(Street No. & Name) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

Address _____
(Street No. & Name) (Post Office) (State) (Zip)

6. Person to be notified to represent applicant at Planning Board Meeting Don Benvie, P.E., T.E.C. Phone 928-6531
(Name)

7. Location: On the East side of NYS Route 9W
_____ feet North
_____ (Direction)
of Plum Point Lane Intersection
_____ (Street)

8. Acreage of Parcel 3.79 9. Zoning District N.C.

10. Tax Map Designation: Section 48 Block 3 Lot 3
2 6-2

11. Describe proposed use in detail: Service Center for service of
automotive vehicles including paving of additional parking area.

12. Other Property Information:

- a.) Is the proposed use in or adjacent to a Residential District? NO
- b.) Is a pending sale or lease subject to Planning Board approval of this application? NO
- c.) When was property purchased by present owner? _____
- d.) Has property been subdivided previously? Yes When? 8/6/1953
- e.) Has property been subject of special permit previously? Yes . When? _____
- f.) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO
- g.) Is there any outside storage at the property now or is any proposed? Describe in detail: Outside storage of new and used automobiles

13. Attach a proposed plan showing the size and location of the Lot and location of all buildings and proposed facilities, including access drives, parking areas and all streets within 200 feet of the Lot. Plan should also comply with the Site Plan Checklist, as applicable.

AFFIDAVIT

Date: 3-18-93

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The Applicant further understands and agrees that the Planning Board may require you to periodically renew a Special Permit and withhold renewal upon a determination that prescribed conditions have not been or are no longer complied with.

George Gaillard
(Applicant)

Sworn to before me this
18 day of March, 19 93
Marie O Bennett
(Notary)

MARIE A. BENNETT
Notary Public, State of New York
Qualified in Orange County
4960408
Commission Expires December 26, 1993

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

I Lois Gaillard, deposes and says that he
resides at 96 Rt. 9W Newburgh, N.Y. 12550
(Owner's Address)

in the County of Orange

and State of New York

and that he is the owner in fee of Tracts of Newburgh,
JTC,

which is the premises described in the foregoing application and
that he has authorized TECTONIC ENGINEERING CONS.
to make the foregoing application as described therein.

Date: 3/19/93

Lois Gaillard V.P.
(Owner's Signature)

[Signature]
(Witness' Signature)

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|---|--|
| <p>1. <input checked="" type="checkbox"/> Site Plan Title</p> <p>2. <input checked="" type="checkbox"/> Applicant's Name(s)</p> <p>3. <input checked="" type="checkbox"/> Applicant's Address(es)</p> <p>4. <input checked="" type="checkbox"/> Site Plan Preparer's Name</p> <p>5. <input checked="" type="checkbox"/> Site Plan Preparer's Address</p> <p>6. <input checked="" type="checkbox"/> Drawing Date</p> <p>7. <input type="checkbox"/> <u>NA</u> Revision Dates (AT THIS TIME)</p>
<p>8. <input checked="" type="checkbox"/> AREA MAP INSET</p> <p>9. <input checked="" type="checkbox"/> Site Designation</p> <p>+10. <input type="checkbox"/> Properties Within 500 Feet of Site</p> <p>+11. <input type="checkbox"/> Property Owners (Item #10)</p> <p>12. <input checked="" type="checkbox"/> PLOT PLAN</p> <p>13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)</p> <p>14. <input checked="" type="checkbox"/> Metes and Bounds</p> <p>15. <input checked="" type="checkbox"/> Zoning Designation</p> <p>16. <input checked="" type="checkbox"/> North Arrow</p> <p>17. <input checked="" type="checkbox"/> Abutting Property Owners</p> <p>18. <input checked="" type="checkbox"/> Existing Building Locations</p> <p>19. <input checked="" type="checkbox"/> Existing Paved Areas</p> <p>20. <input checked="" type="checkbox"/> Existing Vegetation</p> <p>21. <input checked="" type="checkbox"/> Existing Access & Egress</p>
<p><u>PROPOSED IMPROVEMENTS</u></p> <p>*22. <input type="checkbox"/> Landscaping</p> <p>*23. <input type="checkbox"/> Exterior Lighting</p> <p>24. <input checked="" type="checkbox"/> Screening</p> <p>25. <input checked="" type="checkbox"/> Access & Egress</p> <p>26. <input checked="" type="checkbox"/> Parking Areas</p> <p>27. <input type="checkbox"/> <u>NA</u> Loading Areas</p> <p>*28. <input type="checkbox"/> Paving Details (Items 25-27)</p> | <p>29. <input checked="" type="checkbox"/> Curbing Locations</p> <p>*30. <input type="checkbox"/> Curbing Through Section</p> <p>+31. <input type="checkbox"/> Catch Basin Locations</p> <p>*32. <input type="checkbox"/> Catch Basin Through Section</p> <p>*33. <input type="checkbox"/> Storm Drainage</p> <p>*34. <input type="checkbox"/> Refuse Storage</p> <p>35. <input checked="" type="checkbox"/> Other Outdoor Storage</p> <p>+36. <input type="checkbox"/> Water Supply</p> <p>*37. <input type="checkbox"/> Sanitary Disposal Sys.</p>
<p>38. <input checked="" type="checkbox"/> Fire Hydrants</p> <p>39. <input checked="" type="checkbox"/> Building Locations</p> <p>40. <input checked="" type="checkbox"/> Building Setbacks</p> <p>*41. <input type="checkbox"/> Front Building Elevations</p> <p>42. <input checked="" type="checkbox"/> Divisions of Occupancy</p> <p>43. <input type="checkbox"/> <u>NA</u> Sign Details (EXISTING)</p> <p>44. <input checked="" type="checkbox"/> BULK TABLE INSET</p> <p>45. <input checked="" type="checkbox"/> Property Area (Nearest 100 sq. ft.)</p> <p>+46. <input type="checkbox"/> Building Coverage (sq. ft.)</p> <p>+47. <input type="checkbox"/> Building Coverage (% of Total Area)</p> <p>+48. <input type="checkbox"/> Pavement Coverage (Sq. Ft.)</p> <p>+49. <input type="checkbox"/> Pavement Coverage (% of Total Area)</p> <p>+50. <input type="checkbox"/> Open Space (Sq. Ft.)</p> <p>+51. <input type="checkbox"/> Open Space (% of Total Area)</p> <p>52. <input checked="" type="checkbox"/> No. of Parking Spaces Proposed.</p> <p>53. <input checked="" type="checkbox"/> No. of Parking Required.</p> |
|---|--|

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: Donald A. Ben
Licensed Professional

Date: 3-19-93

* ALL DETAILED DESIGN INFORMATION ^{WILL BE PROVIDED} ONCE PROPOSED CONCEPTUAL LAYOUT IS APPROVED
+ NOT REQUIRED BY EDWIN, WILL BE PROVIDED AS REQUIRED.

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 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 to allow introduction of information to fit a project or action.

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

- 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.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Toyota of Newburgh Service Center

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

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 Toyota of Newburgh Proposed Service Center		
LOCATION OF ACTION (Include Street Address, Municipality and County) Route 9W East of Plum Point Lane		
NAME OF APPLICANT/SPONSOR Tectonic Engineering Consultants PC		BUSINESS TELEPHONE (914) 928-6531
ADDRESS 600 Route 32		
CITY/PO Highland Mills	STATE NY	ZIP CODE 10930
NAME OF OWNER (If different) Toyota of Newburgh		BUSINESS TELEPHONE (914) 561-0340
ADDRESS 96 Route 9W		
CITY/PO Newburgh	STATE NY	ZIP CODE 12550
DESCRIPTION OF ACTION Proposed Office/Service Area with associated paved parking area		

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

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Car Dealership

2. Total acreage of project area: 3.79 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)	<u>0.89</u> acres	<u>0.59</u> acres
Roads, buildings and other paved surfaces	<u>1.38</u> acres	<u>2.01</u> acres
Other (Indicate type) <u>Open Field</u>	<u>1.52</u> acres	<u>1.19</u> acres

3. What is predominant soil type(s) on project site? MdD
- a. Soil drainage: Well drained 100 % of site Moderately well drained _____ % of site
 Poorly drained _____ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? ±5 (in feet)

5. Approximate percentage of proposed project site with slopes: 0-10% 90% % 10-15% _____ %
 15% or greater 10% %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? varies (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project 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 _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: unnamed drainage ditch
 a. Name of Stream and name of River to which it is tributary Hudson River
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name NA b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
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
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 3.79 acres.
- b. Project acreage to be developed: 3.79 acres initially; 3.79 acres ultimately.
- c. Project acreage to remain undeveloped 1.19 acres.
- d. Length of project, in miles: NA (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed NA %;
- f. Number of off-street parking spaces existing ± 60; proposed 115.
- g. Annual vehicular trips generated per hour 25 (upon completion of project)
- h. If residential, Number and type of housing units. NA
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure 23' height; 80 width; 110 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 1271.5ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed? Car Service Area
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.33 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
 Yes No
6. If single phase project: Anticipated period of construction 3 months, (including demolition).
7. If multi-phased: NA
- a. Total number of phases anticipated _____ (number).
- b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
- c. Approximate completion date of final phase _____ month _____ year.
- d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 15; after project is complete 20.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? Yes No 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 Septic System
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
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? Yes No
- a. If yes, what is the amount per month 1.5 tons
- b. If yes, will an existing solid waste facility be used? Yes No
- c. If yes, give name Al Turi Landfill; location New Hampton
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
- e. If Yes, explain Recycled oil and other recycleable products
17. Will the project involve the disposal of solid waste? Yes No
- a. If yes, what is the anticipated rate of disposal? _____ tons/month.
- b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) Gas and electric
22. If water supply is from wells, indicate pumping capacity +5 gallons/minute.
23. Total anticipated water usage per day 880 gallons/day. (for new building)
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan, special permit	3/93
City, Town Zoning Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT	_____
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
- What is the zoning classification(s) of the site? Neighborhood Commercial
- What is the maximum potential development of the site if developed as permitted by the present zoning?
NA
- What is the proposed zoning of the site? NA
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
NA
- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
Neighborhood Commercial
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? NA
 a. What is the minimum lot size proposed? _____
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- 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? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

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 TECTONIC ENG. CO. INC. Date 3/17/93
 Signature [Signature] Title STAFF ENGINEER

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

**IMPACT ON GROWTH AND CHARACTER
OF COMMUNITY OR NEIGHBORHOOD**

18. Will proposed action affect the character of the existing community?
 NO YES

Examples 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%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

19 Is there, or is there likely to be, public controversy related to potential adverse environmental 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

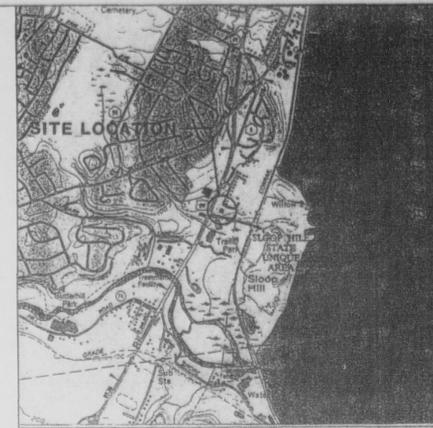
Discuss the following for each impact identified in Column 2 of Part 2:

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:

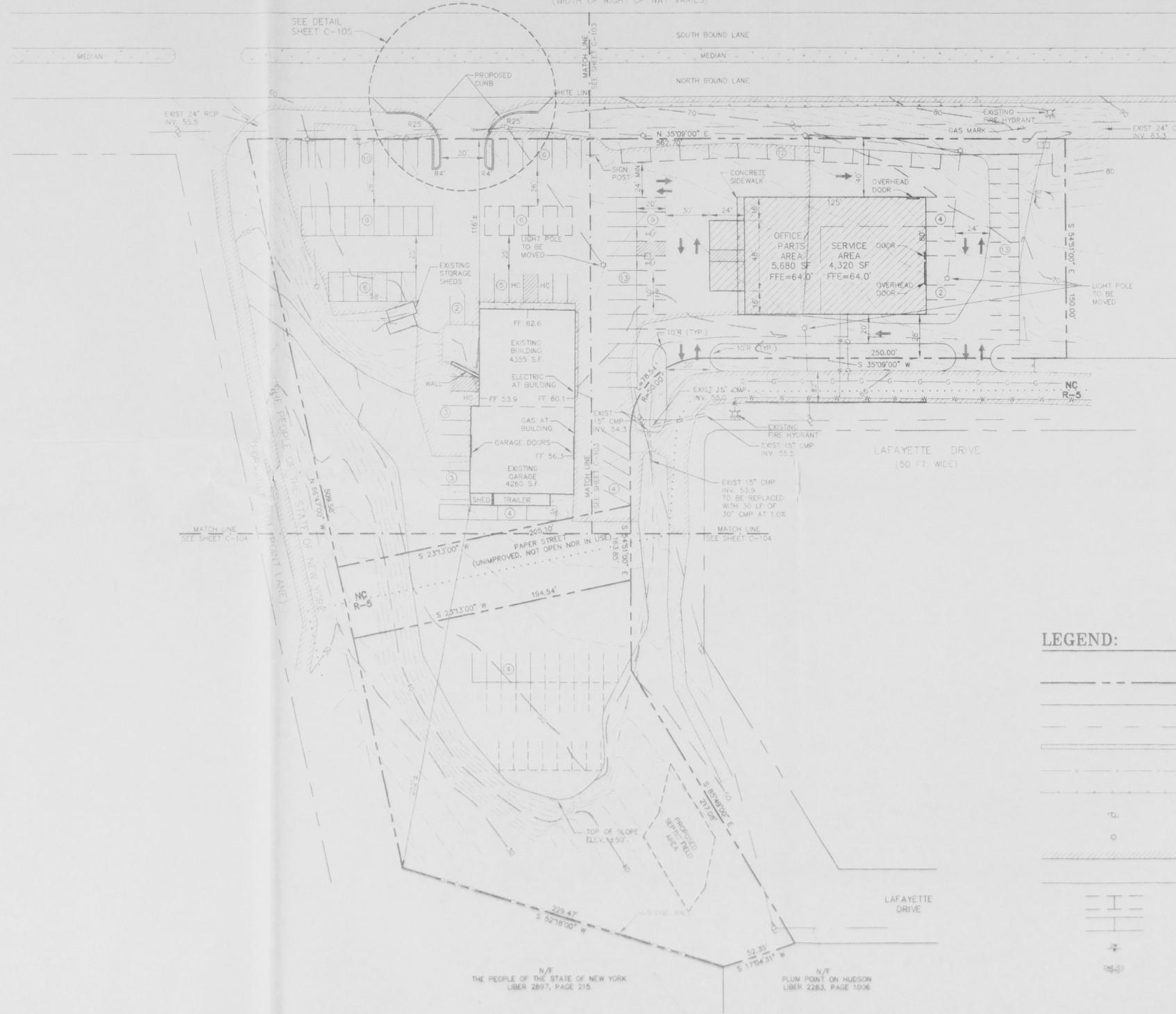
- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections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

(Continue on attachments)



LOCATION MAP

U.S. HIGHWAY No. 9W
(WIDTH OF RIGHT OF WAY VARIES)



GENERAL NOTES:

- TOTAL AREA OF LOTS: 3.9649 ACRES
UNIMPROVED PROPOSED ROAD: 0.2293 ACRES
- AREA OF ALL PARCELS: 3.7942 ACRES
- PROPERTY LINES TAKEN FROM A MAP ENTITLED "SURVEY OF PROPERTY FOR TOYOTA OF NEWBURGH, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK," PREPARED BY STEVEN P. DRABICK, P.L.S., DATED APRIL 17, 1992.
- TOPOGRAPHY FROM FIELD SURVEY COMPLETED BY TECTONIC ENGINEERING CONSULTANTS, P.C., ON MARCH 5, 1993.
- TAX MAP NUMBERS: 48-3-3
48-3-2-2
48-2-6-2
- TAX MAP PARCELS LISTED ABOVE WILL BE COMBINED INTO ONE PARCEL.

BULK REQUIREMENTS:

MINIMUM REQUIREMENTS:	REQUIRED	PROVIDED	VARIANCES
LOT AREA	15,000 SF	185,275 SF EXIST	-
LOT WIDTH	125 FT.	555 FT.	-
FRONT YARD (9W)	40 FT.	40 FT.	-
FRONT YARD (LAFAYETTE DR.)	40 FT.	28 FT.	(2 FT.)
SEE/BOTH YARD	15 FT.	30 FT.	-
REAR YARD	15 FT.	252 FT.	-
BUILDING HEIGHT	23 FT.	< 23 FT.	-
FLOOR AREA RATIO	0.5	0.1	-

NOTE:
A FRONT YARD VARIANCE WAS GRANTED ON JULY 12, 1993 FOR 12' ON LAFAYETTE DRIVE BY THE NEW WINDSOR ZONING BOARD OF APPEALS.

PARKING REQUIREMENTS

EXISTING	PROPOSED	TOTAL	REQUIRED PARKING
SERVICE AREA - 9 BAYS	+ 10 BAYS	= 19 BAYS	4/BAY = 76
SHOWROOM AREA - 3,250 SF	+ 0	= 3,250 SF	1/1,500 SF = 3.25
OFFICE/PARTS AREA - 2,665 SF	+ 4,460 SF	= 7,145 SF	1/200 = 23.82
AREA OUTSIDE BAYS - 950 SF	+ 320 SF	= 1,270 SF	1/200 = 3.27
RETAIL SALES - 0	+ 1,200 SF	= 1,200 SF	1/150 = 8.00
			TOTAL REQUIRED = 114.34
			INCLUDING 5 HANDICAP STALLS
			TOTAL PROVIDED = 115
			INCLUDING 5 HANDICAP STALLS
			BUT NOT INCLUDING VEHICLE STORAGE

LEGEND:

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- DRAINAGE DITCH
- EXISTING EDGE OF SHALE & GRAVEL AREA
- CHAIN LINK FENCE
- GUIDE RAIL
- UTILITY POLE
- LIGHT POLE
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED PARKING
- EXISTING PARKING
- ONE WAY SIGN
- DO NOT ENTER/EXIT ONLY SIGN

SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON SEP 27 1994
BY *James R. Petro, Jr.*
CARMEN R. DUBALDI, JR. Secretary
James R. Petro, Jr. Chairman

PLANNING BOARD APPROVAL BOX

TECTONIC
ENGINEERING CONSULTANTS P.C.
P.O. Box 447, 500 Route 32
Highland Mills, N.Y. 10930 (914) 928-6531

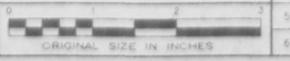
SITE PLAN
PROPOSED SERVICE CENTER
TOYOTA OF NEWBURGH, INC.
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

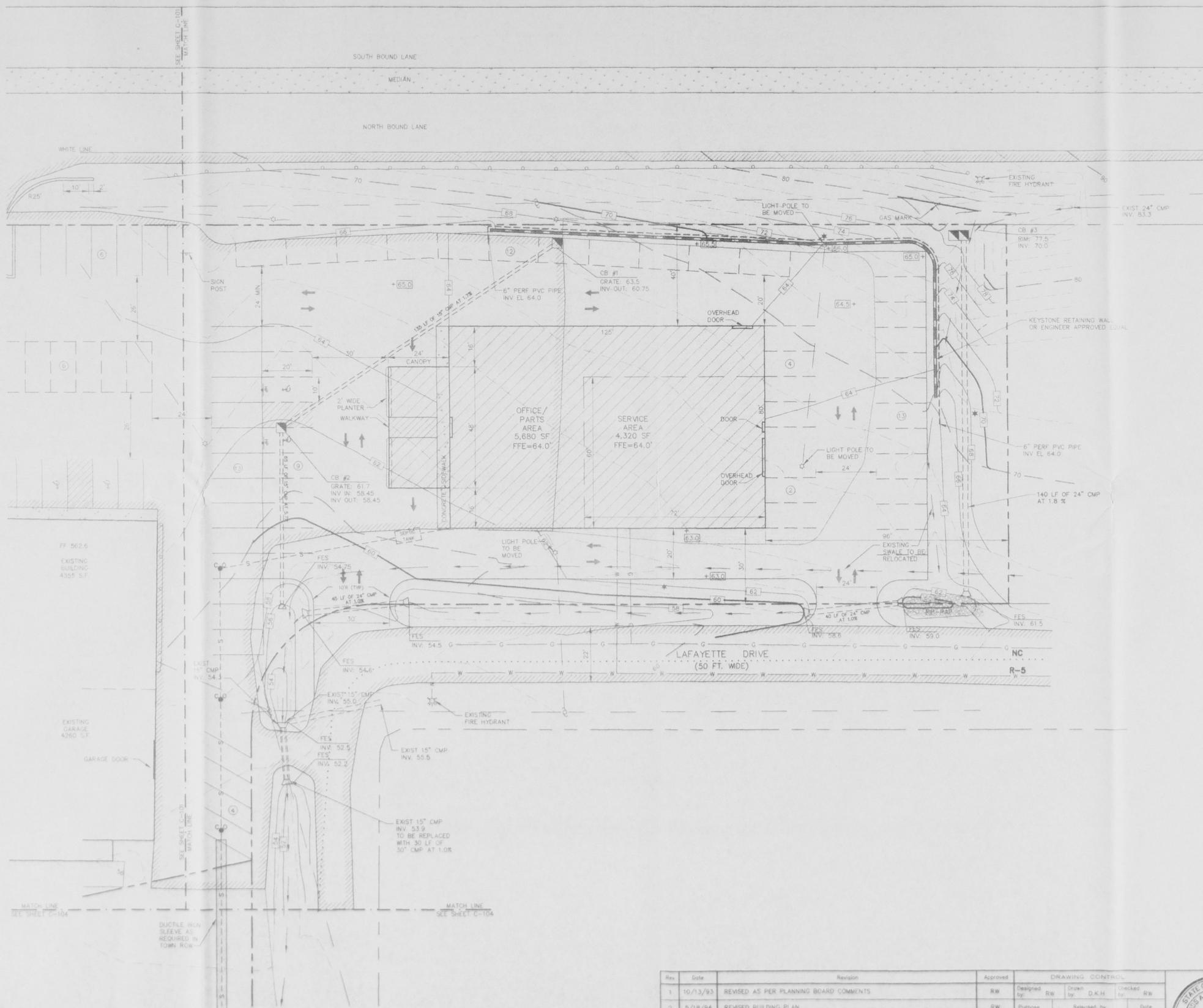
Date: 3/17/93
Scale: 1" = 40'

Work Order: 1175.01
Drawing No.: C - 101
Rev: 8

Rev	Date	Revision	Approved	Rev	Date	Revision	Approved	DRAWING CONTROL					
1	3/26/93	REVISED AS PER TOWN ENGINEERS COMMENTS	RW	7	9/18/94	REVISED BUILDING PLAN	RW	Designed by:	SW	Drawn by:	JF/DKH	Checked by:	SW
2	4/27/93	REVISED AS PER TOWN ENGINEERS COMMENTS	RW	8	9/2/94	REVISED FOR N.Y.S. D.O.T. PERMIT	RW	Purpose:	Released by:	Date:			
3	6/16/93	REVISED AS PER ZONING BOARD COMMENTS	RW					For Comment:					
4	9/8/93	REVISED AS PER PLANNING BOARD COMMENTS	RW					For Approval:	<i>RW</i>	9/17/94			
5	10/6/93	REVISED AS PER PLANNING BOARD COMMENTS	RW					For Bid:					
6	10/13/93	REVISED AS PER PLANNING BOARD COMMENTS	RW					For Construction:					

UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN BEARING A LICENSED ENGINEER'S OR SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.





NOTES:

1. LOCATIONS OF WATER MAIN AND GAS MAIN IN LAFAYETTE DRIVE IS APPROXIMATE. CONTRACTOR TO VERIFY LOCATION PRIOR TO CONSTRUCTION.
2. RETAINING WALL TO BE DESIGNED AND INSTALLED PER MANUFACTURERS SPECIFICATIONS.
3. ALL PARKING SPACES TO BE STRIPED AND MAINTAINED TO THE SATISFACTION OF THE TOWN BUILDING INSPECTOR.
4. ALL CORRUGATED METAL PIPE AND END SECTIONS SHALL BE ASPHALTIC COATED.

LEGEND:

- UTILITY POLE
- LIGHT POLE
- RELOCATED LIGHT POLE
- PROPOSED CATCH BASIN
- PROPOSED CLEAN OUT
- HANDICAPPED PARKING
- HANDICAPPED PARKING SIGN
- PROPOSED PARKING
- EXIST. PARKING
- DRAINAGE DITCH
- WATER MAIN
- GAS MAIN
- SEWER MAIN
- GUIDE RAIL
- CMP WITH FLARED END SECTION
- EXIST. EDGE OF SHALE & GRAVEL AREA
- EXIST. EDGE OF PAVEMENT
- LIMITS OF NEW PAVEMENT

SITE PLAN APPROVAL GRANTED
 BY TOWN OF NEW WINDSOR PLANNING BOARD
 ON **SEP 27 1994**
 BY *[Signature]*
 CARMEN R. DURBIN, Jr. Chairman
 SECRETARY

PLANNING BOARD APPROVAL BOX



GRADING AND DRAINAGE PLAN

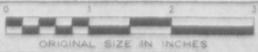
PROPOSED SERVICE CENTER
 TOYOTA OF NEWBURGH, INC.
 TOWN OF NEW WINDSOR
 ORANGE COUNTY, NEW YORK

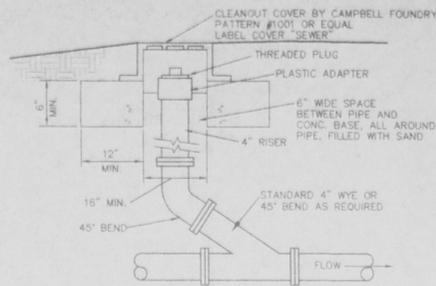
Date	10/4/93	Work Order	1175.01	Drawing No.	C - 103	Rev	3
Scale	1" = 20'						

Rev	Date	Revision	Approved	DRAWING CONTROL		
				Designed by	Drawn by	Checked by
1	10/13/93	REVISED AS PER PLANNING BOARD COMMENTS	RW			
2	5/19/94	REVISED BUILDING PLAN	RW			
3	9/12/94	REVISED FOT N.Y.S. D.O.T. PERMIT	RW			

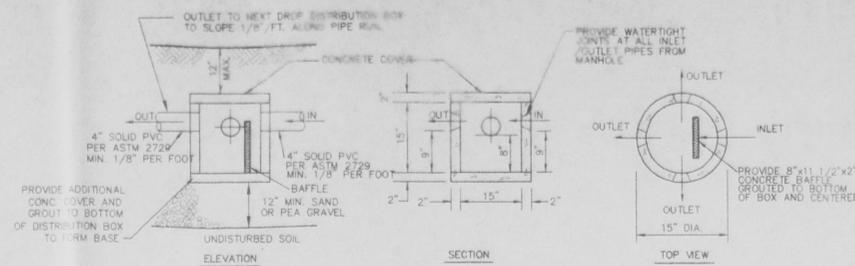


UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN BEARING A LICENSED ENGINEER'S OR SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

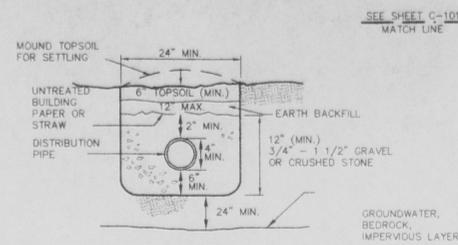




TYPICAL CLEANOUT DETAIL



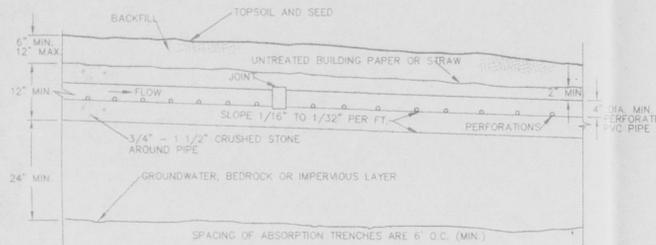
NOTE: AS MANUFACTURED BY WOODARD'S CONCRETE PRODUCTS, INC. CATALOG No. DBR-4.
DROP MANHOLE DETAIL



TYPICAL TRENCH SECTION



SEPTIC SYSTEM PLAN



TRENCH PROFILE

TEST PIT LOG A

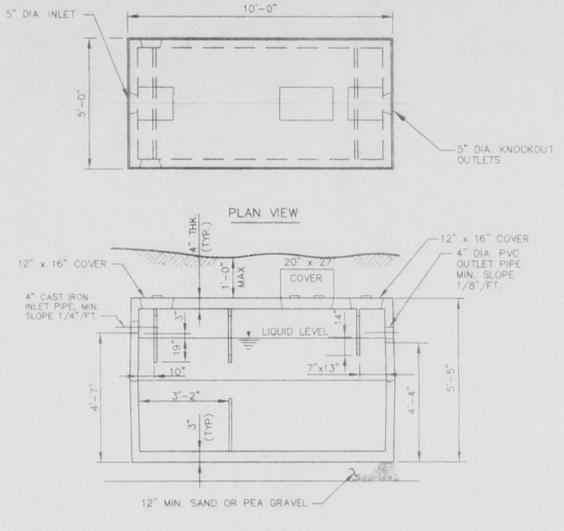
DEPTH (FEET)	DESCRIPTION
0" - 40"	Bwn c-f SAND, trace c-f gravel, some silt
40" - 66"	GRAVEL, Dk Bwn c-f Gravel, some c-f Sand, little silt
66" - 78"	Grey Tan c-f GRAVEL and Clayey Silt

TEST PIT LOG B

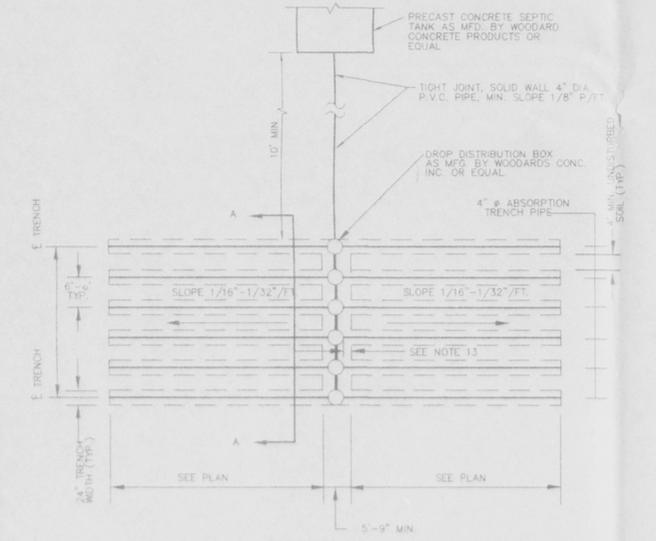
DEPTH (FEET)	DESCRIPTION
0" - 20"	Yellow Bwn SILT and m-f Sand, some 3"-5" cobbles
20" - 48"	Bwn c-f GRAVEL, some silt, little m-f Sand
48" - 66"	c-f GRAVEL, some silt, little m-f Sand, and 6"-8" cobbles
	Refusal

PERCOLATION TEST LOG

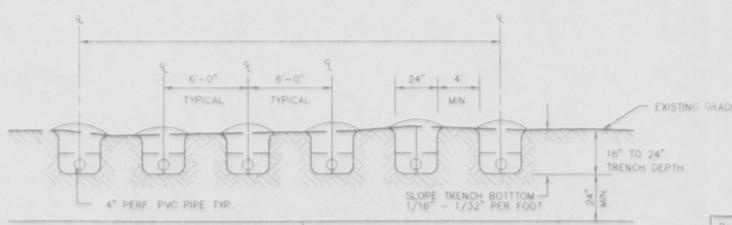
TEST HOLE No.	TEST HOLE DEPTH	TEST HOLE DIA.	TIME	PERCOLATION TEST RUNS (TIME FOR 1" DROP IN WATER LEVEL)				TEST HOLE No.
				1	2	3	4	
A	24"		FINISH	12:01	12:02	12:04	12:06	2 MIN
			START	12:00	12:01	12:02	12:04	
			TIME	1	1	2	2	
B	24"		FINISH	12:26	12:30	12:33		3 MIN
			START	12:23	12:27	12:30		
			TIME	3	3	3		



1,250 gal PRECAST CONCRETE SEPTIC TANK



OVERALL PLAN OF ABSORPTION SYSTEM TILE FIELD



CROSS SECTION A-A - TILE FIELD

- LEGEND:
- TEST PIT LOCATION
 - PERC TEST LOCATION
 - PROPOSED CLEANOUT
 - EXISTING PARKING
 - PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - DRAINAGE DITCH
 - EXISTING EDGE OF SHALE & GRAVEL AREA
 - EXISTING EDGE OF PAVEMENT

SEPTIC SYSTEM DESIGN CALCULATIONS

DESIGN FLOW

OFFICE AREA	0.1 GAL/DAY/SF x 0.8 x 3,300 SF	= 264 GAL/DAY
SERVICE AREA	400 GAL/DAY/TOILET x 1 TOILET	= 400 GAL/DAY
TOTAL		= 664 GAL/DAY

REQUIRED FIELD AREA

DESIGN FLOW	664 GAL/DAY
APPLICATION RATE	1.2 GAL/DAY/SF
REQUIRED ABSORPTION AREA	553 SF
LINEAR FEET OF 2' WIDE TRENCH REQUIRED	277 LF
LINEAR FEET OF 2' WIDE TRENCH PROVIDED	300 LF

- SEPTIC SYSTEM GENERAL NOTES:
- SEPTIC TANK TO BE LOCATED A MINIMUM DISTANCE OF 10 FEET FROM THE HOUSE
 - NO GRADING WILL BE PERMITTED IN AREA OF THE TILE FIELD
 - IF GARBAGE DISPOSALS ARE USED, INCREASE SEPTIC TANK SIZE BY 50%
 - CELLAR DRAINS, ROOF DRAINS OR FOOTING DRAINS SHALL NOT BE DISCHARGED IN THE VICINITY OF THE TILE FIELDS OR WELLS
 - DRIVEWAYS ARE NOT TO BE CONSTRUCTED OVER TILE FIELDS
 - ASPHALTIC SEALS SHALL BE MAINTAINED BETWEEN THE SEPTIC TANK, AND ALL PIPES AND COVERS
 - NO TRENCHES TO BE INSTALLED IN WET SOIL
 - RAKE SIDES AND BOTTOM OF TRENCH PRIOR TO PLACING GRAVEL IN ABSORPTION TRENCH
 - GROUT ALL PIPE PENETRATIONS
 - ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS AS SET FORTH IN THE PUBLICATION "WASTE TREATMENT HANDBOOK INDIVIDUAL HOUSEHOLD SYSTEMS" N.Y.S. DEPARTMENT OF HEALTH
 - ABSORPTION TRENCH PIPE TO BE CAPPED UNLESS INTERCONNECTED
 - ABSORPTION SYSTEM TO BE LOCATED A MINIMUM DISTANCE OF 20 FEET FROM ANY DWELLING UNIT
 - INSTALL 2" MIN. SOLID 4" PVC BETWEEN DROP MANHOLE AND START OF TRENCH

SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON SEP 27 1994
BY CARMEN R. DUBALDI, JR. Chairman
James R. Petro, Jr. Secretary

PLANNING BOARD APPROVAL BOX

TECTONIC
ENGINEERING CONSULTANTS P.C.
P.O. Box 447, 800 Route 32
Highland Mills, N.Y. 10930 (914) 928-6531

SEPTIC DETAIL SHEET
PROPOSED SERVICE CENTER
TOYOTA OF NEWBURGH, INC.
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

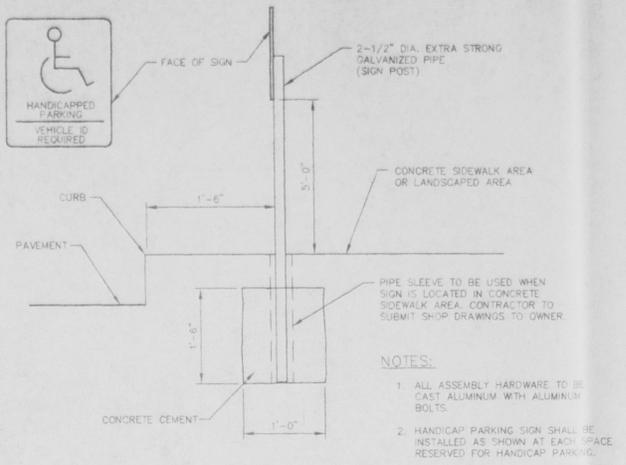


Rev	Date	Revision	Approved	DRAWING CONTROL					
1	5/18/94	REVISED AS PER NEW WINDSOR CONTITIONAL APPROVAL	RW	Designed by	RW	Drawn by	D.K.H.	Checked by	RW
				Purpose		Released by		Date	
				For Comment					
				For Approval					
				For Bid					
				For Construction					

UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN BEARING A LICENSED ENGINEER'S OR SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

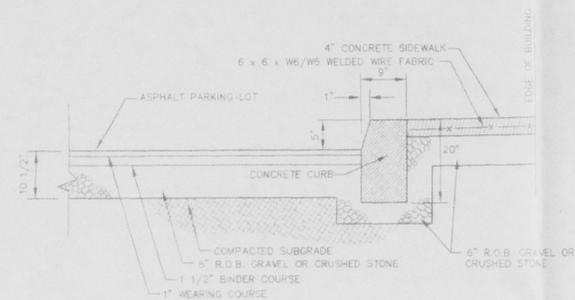
0 1 2 3
ORIGINAL SIZE IN INCHES

Date	10/4/93	Work Order	1175.01	Drawing No.	C - 104	Rev	1
Scale	AS NOTED						

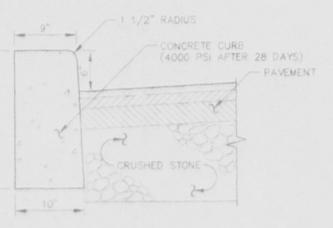


HANDICAP PARKING SIGN DETAIL
NTS

- NOTES:**
1. ALL ASSEMBLY HARDWARE TO BE CAST ALUMINUM WITH ALUMINUM BOLTS.
 2. HANDICAP PARKING SIGN SHALL BE INSTALLED AS SHOWN AT EACH SPACE RESERVED FOR HANDICAP PARKING.

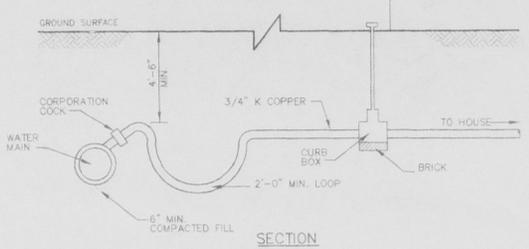
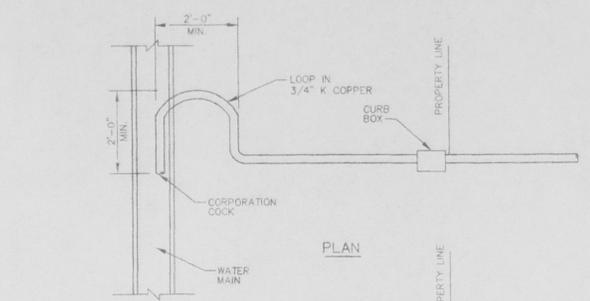


PAVEMENT, CURB, AND WALKWAY DETAIL
NTS

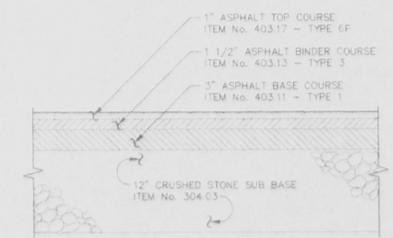


N.Y.S. D.O.T. CONCRETE CURB DETAIL
SCALE: 1" = 1'-0"

- NOTES:**
1. CURB SHALL BE CAST IN PLACE
 2. EXPANSION JOINTS OF 3/16" CELLULOSE OR SIMILAR MATERIAL SHALL BE PLACED AT 10' INTERVALS

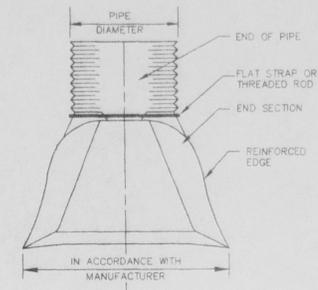


TYPICAL WATER SERVICE CONNECTION
NTS



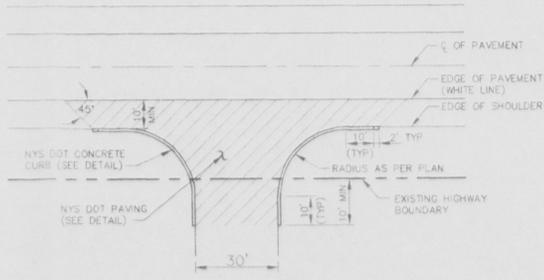
N.Y.S. D.O.T. PAVEMENT DETAIL
SCALE: 1" = 1'-0"

- NOTE:**
ITEM NO.'S REFER TO NYS DOT SPECS.

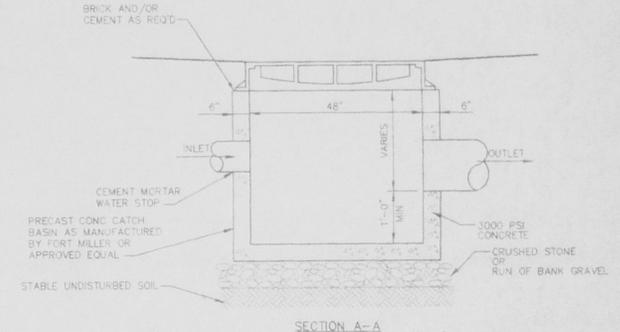
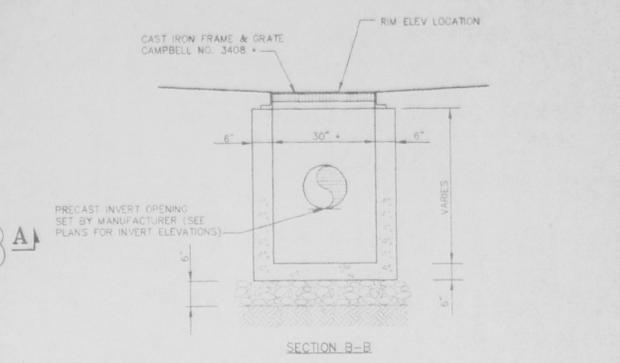
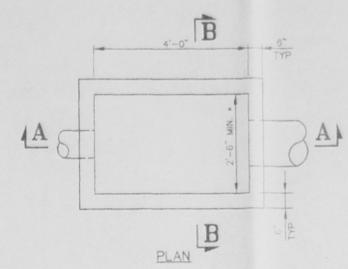


- NOTES:**
1. RIP-RAP TO BE PROVIDED AT THE END OF THE FLARED END SECTION.
 2. RIP-RAP MEDIAN STONE 4" IN DIAMETER OR LESS.
 3. RIP-RAP TO BE 8" THICK.
 4. WIDTH OF RIP-RAP WILL BE EQUAL TO END SECTION WIDTH AND LENGTH SHALL BE EQUAL TO 3 TIMES THE PIPE DIAMETER.
 5. ALL CORRUGATED METAL PIPE AND END SECTIONS TO BE ASPHALTIC COATED.

FLARED END SECTION
NTS

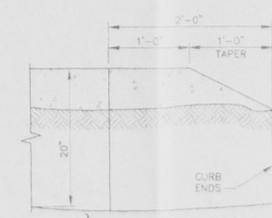


NEW YORK STATE D.O.T. ROADWAY ENTRANCE DETAIL
SCALE: AS NOTED

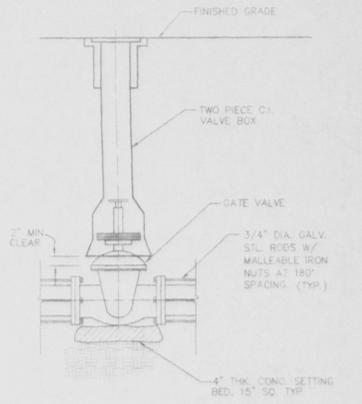


- NOTE:**
1. BACKFILL AROUND CATCH BASIN TO BE COMPACTED IN MAX 9" LIFTS.
 2. PRECAST ALUMINUM STEPS SHALL BE PROVIDED FOR ALL BASINS GREATER THAN FOUR FEET IN DEPTH.
 3. FOR CATCH BASIN #3 THE WIDTH SHALL BE 53" AND THE GRATE SHALL BE CAMPBELL FOUNDRY NO. 3443.

CATCH BASIN DETAIL
NTS



CURB TAPER DETAIL
SCALE: 1/2" = 1'-0"



VALVE and VALVE BOX DETAIL
NTS

SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON **SEP 27 1994**
BY *[Signature]* **JAMES R. PETRO, JR.**
SECRETARY CHAIRMAN

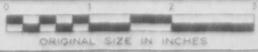
PLANNING BOARD APPROVAL BOX

TECTONIC
ENGINEERING CONSULTANTS P.C.
P.O. Box 447, 600 Route 32
Highland Mills, N.Y. 10930 (914) 928-6531

CIVIL DETAIL SHEET
PROPOSED SERVICE CENTER
TOYOTA OF NEWBURGH, INC.
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

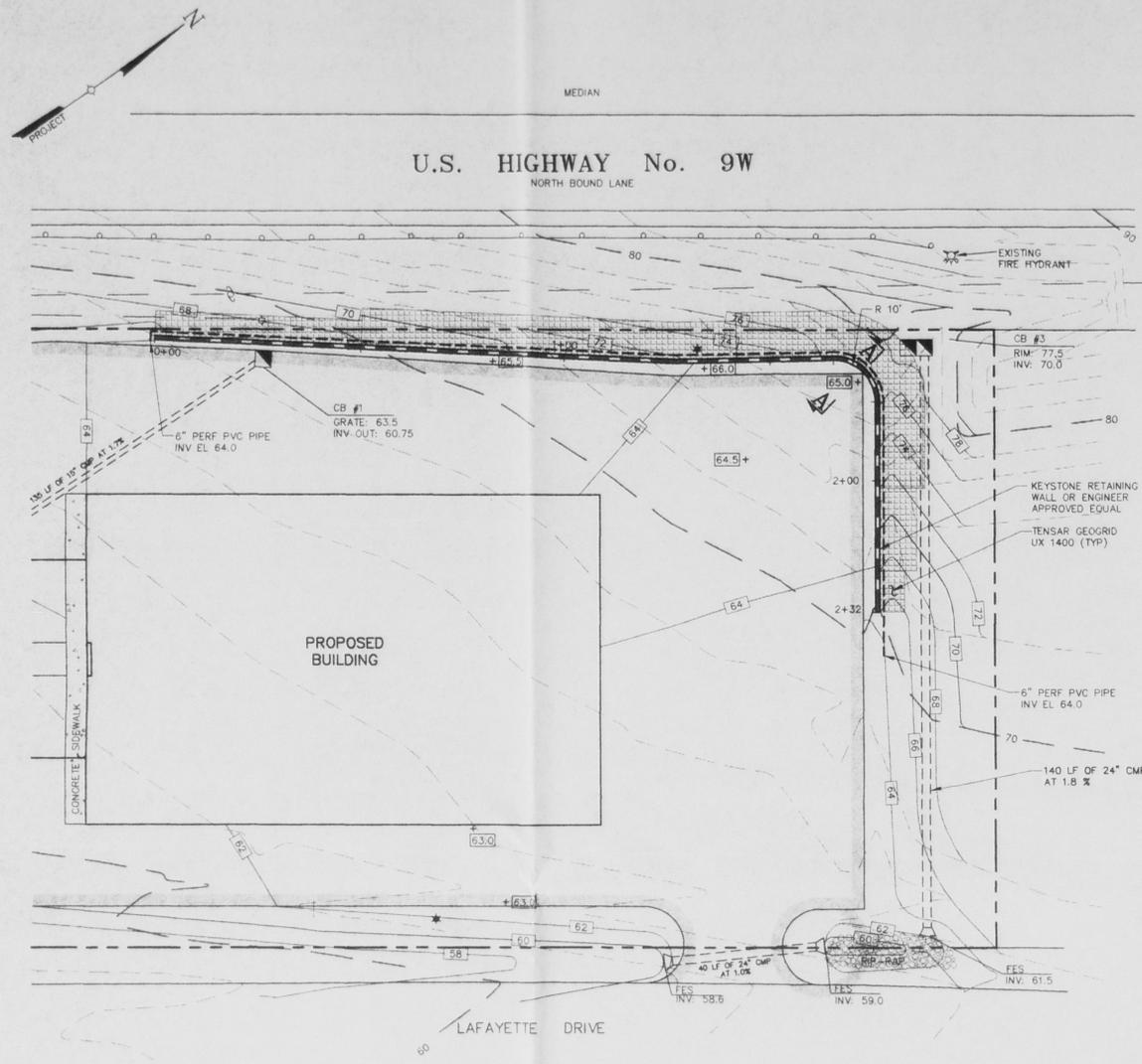
Date	10/4/93	Scale	AS NOTED	Sheet No.	1175.01	Drawing No.	C - 105	Rev.	2
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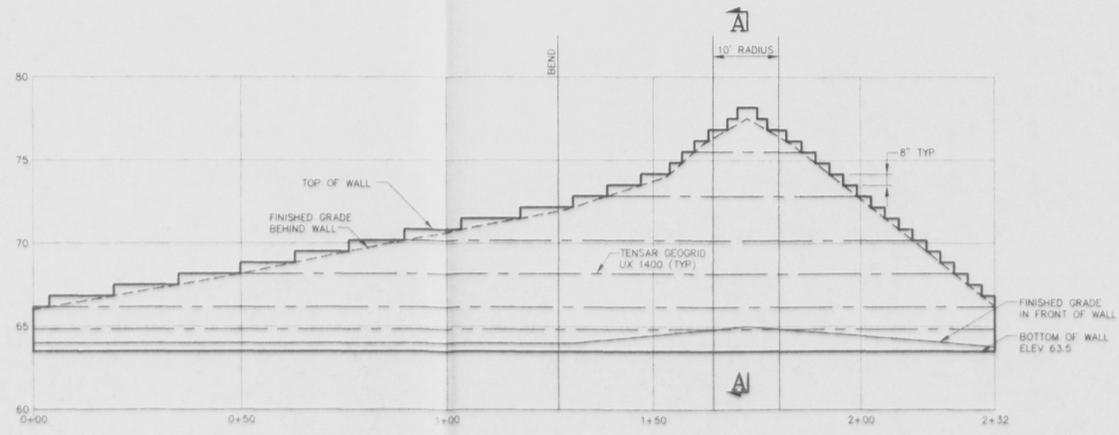


Rev	Date	Revision	Approved	DRAWING CONTROL			
				Designed by	Drawn by	Checked by	Scale
1	5/18/94	REVISED PER TOWN OF NEW WINDSOR CONDITIONAL APPROVAL					
2	9/2/94	REVISED FOR N.Y.S. D.O.T. PERMIT					





RETAINING WALL PLAN
SCALE: 1" = 20'



WALL ELEVATION
SCALE: HORIZONTAL 1" = 20'
VERTICAL 1" = 5'

UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN BEARING A LICENSED ENGINEER'S OR SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.



GENERAL NOTES

- EXISTING TOPOGRAPHIC CONDITIONS AND PROPOSED GRADING ARE BASED ON TECTONIC ENGINEERING CONSULTANTS, P.C. PLAN ENTITLED GRADING AND DRAINAGE PLAN DATED 10/4/93.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND UTILITIES BEFORE PROCEEDING WITH CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING SAFE CONDITIONS AT ALL TIMES. TEMPORARY FENCING OR OTHER BARRIERS SHALL BE INSTALLED WHERE REQUIRED TO DENY PUBLIC ACCESS TO THE WORK AREAS.
- CONTRACTOR SHALL COORDINATE WITH OWNER AND ASSURE THAT PERMISSION HAS BEEN GRANTED FROM ADJACENT PROPERTY OWNERS TO ALLOW FOR ACCESS TO EXCAVATION AND PLACE BACKFILL BEHIND WALLS ALONG PROPERTY LINES. NO CLEARING SHALL BE MADE UNTIL PROPER AUTHORIZATION HAS BEEN GRANTED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS AND FOR THE COST OF ALL REQUIRED PERMITS.
- ALL EARTHWORK AND WALL CONSTRUCTION SHALL BE PERFORMED UNDER THE OBSERVATION OF THE ENGINEER.

EARTHWORK NOTES

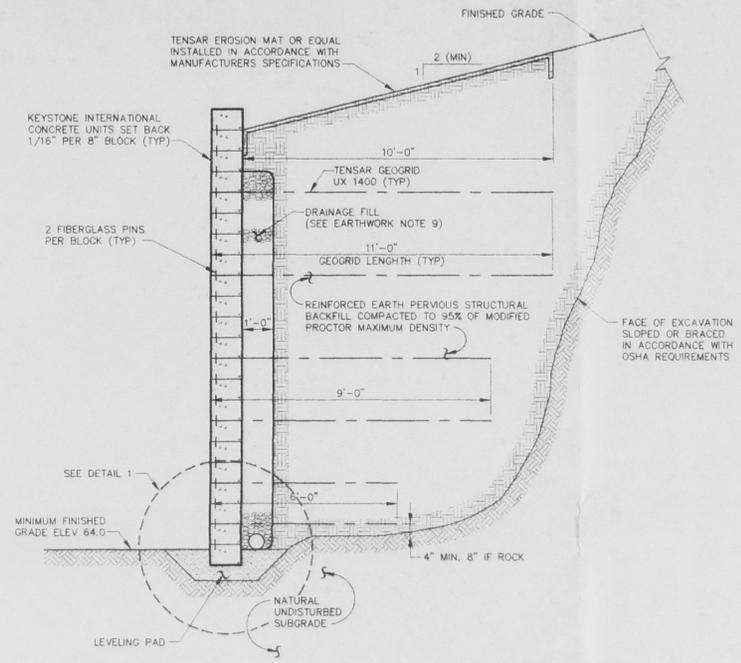
- PRIOR TO PERFORMING ANY EXCAVATION THE CONTRACTOR SHALL DETERMINE THE LOCATIONS OF ALL UNDERGROUND UTILITIES AND REMOVE, RELOCATE OR PROTECT UTILITIES AS DIRECTED BY THE OWNER. UNDERGROUND UTILITIES HAVE NOT BEEN SURVEYED AND ARE NOT SHOWN ON THE PLANS.
- ALL NECESSARY SOIL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED DURING CONSTRUCTION AS REQUIRED BY AGENCIES HAVING JURISDICTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING SIDES AND SLOPES OF EXCAVATIONS IN A SAFE CONDITION AND FOR THE SAFETY AND PROTECTION OF ALL PERSONNEL. WHEN NECESSARY EXCAVATIONS SHALL BE RETAINED BY TEMPORARY SHEETING AND BRACING. ALL EXCAVATIONS SHALL CONFORM TO THE LATEST OSHA STANDARDS.
- ALL WALL SUBGRADE AREAS SHALL BE FIRST PREPARED BY STRIPPING ALL TOPSOIL AND REMOVING ALL SOFT, WET OR ORGANIC SOILS OR OTHER SOIL THAT CANNOT BE COMPACTED BY PROOFROLLING WITH A VIBRATORY PLATE COMPACTOR WEIGHING AT LEAST 600 POUNDS AND HAVING A RATED CENTRIFUGAL FORCE OF AT LEAST 7500 POUNDS. PROOFROLLING SHALL BE PERFORMED IN THE PRESENCE OF THE ENGINEER AND SOIL WHICH CANNOT BE COMPACTED SHALL BE REMOVED AS DIRECTED BY THE ENGINEER.
- ALL REINFORCED EARTH FILL AND ALL OTHER BACKFILL SHALL BE PLACED IN LIFTS NOT EXCEEDING 8 INCHES IN THICKNESS WHEN LOOSE AND BE COMPACTED TO A DENSITY OF A MINIMUM 95 PERCENT OF THE MAXIMUM DRY DENSITY AS DETERMINED IN ACCORDANCE WITH THE ASTM D-1557. SOIL USED AS FILL SHALL BE PLACED WHEN MOISTURE CONDITIONS ARE NEAR OPTIMUM AND THE SPECIFIED DENSITY CAN BE ACHIEVED. EACH LIFT SHALL BE TESTED TO CONFIRM THAT THE SPECIFIED COMPACTION IS ACHIEVED PRIOR TO PLACING SUBSEQUENT LIFTS. ONLY LIGHTWEIGHT HAND OPERATED EQUIPMENT SHALL BE USED WITHIN THREE FEET OF WALL.
- THE EXISTING SAND SOIL FREE OF ANY SHARP, ANGULAR GRAVEL, ORGANIC MATERIAL, TOPSOIL, WOOD, CLAY GLOBS OR OTHER DELETERIOUS MATERIAL CAN BE USED AS FILL BETWEEN THE GEOGRIDS PROVIDED IT CONFORMS TO THE FOLLOWING CRITERIA:

SIZE	PERCENT PASSING
100 - 75	100 - 75
100 - 75	100 - 75
No. 4	100 - 20
No. 40	60 - 0
No. 200	35 - 0

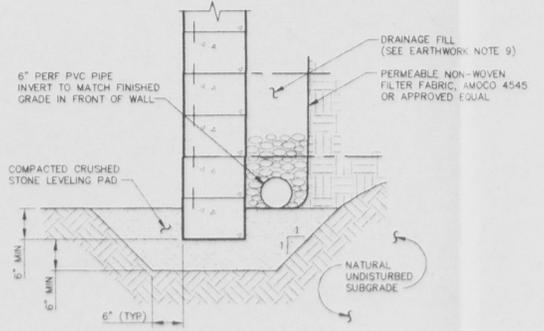
 PLASTICITY INDEX SHALL BE LESS THAN 15
LIQUID LIMIT SHALL BE LESS THAN 40.
- THE CONTRACTOR SHALL SUBMIT A SOIL FILL SAMPLE TO THE ENGINEER FOR APPROVAL PRIOR TO IMPORT AND USE OF ANY OFF SITE FILL.
- A MINIMUM OF 8 INCHES OF SOIL COVER SHALL BE PLACED OVER GEOGRIDS BEFORE OPERATING TRACKED CONSTRUCTION EQUIPMENT. FILL SHALL BE PLACED IN A MANNER THAT WILL NOT DEVELOP SLACK IN THE GEOGRIDS.
- THE RETAINING WALL BLOCK IN-FILL MATERIAL SHALL CONSIST OF FREE-DRAINING GRANULAR FILL HAVING A MAXIMUM SIZE OF 3/4" INCH WITH LESS THAN 25% BY WEIGHT PASSING THE NO. 40 SIEVE AND LESS THAN 5% BY WEIGHT PASSING THE NO. 200 SIEVE.
- DRAINAGE FILL SHALL CONSIST OF CLEAN CRUSHED STONE RANGING FROM 1/4" INCH TO 1/2" INCH IN SIZE. DRAINAGE FILL SHALL BE PLACED IN LIFTS NOT EXCEEDING 8 INCHES IN THICKNESS WITH EACH LIFT COMPACTED AS SPECIFIED ABOVE.
- ALL SOIL SLOPES SHALL BE COVERED WITH A MINIMUM OF 6 INCHES OF TOPSOIL AND BE FERTILIZED AND SEEDED TO CREATE A STABILIZED VEGETATIVE COVER. MULCH OR OTHER SYNTHETIC MATERIALS SHALL BE USED TO PREVENT EROSION BEFORE GROWTH IS ESTABLISHED.

REINFORCED SOIL RETAINING WALL

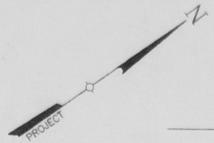
- RETAINING WALL BLOCK UNITS AND PINS SHALL BE AS MANUFACTURED BY KEYSTONE RETAINING WALL SYSTEMS. BLOCK SHALL BE STANDARD 8" H BY 18" W BY 12.5" D UNITS (1/16" SETBACK PER COURSE) AND PINS SHALL BE STANDARD 1/2" BY 9 1/4" HIGH STRENGTH PULTRUSION FIBERGLASS CAP UNITS SHALL BE 4" H BY 18" W BY 12" D.
- GEOGRIDS SHALL BE HIGH DENSITY POLYETHYLENE GRIDS MANUFACTURED BY THE TENSAR CORPORATION AS UNIAXIAL GEOGRID UX1400 (SR-1).
- THE GEOGRIDS AND KEYSTONE BLOCK UNITS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS' RECOMMENDATIONS. THE GEOGRIDS SHALL BE PLACED WITHIN THE LAYERS OF THE COMPACTED SOIL AS SHOWN ON THE PLANS.
- THE FIRST COURSE OF MODULAR CONCRETE FACING UNITS SHALL BE PLACED ON TOP OF AND IN FULL CONTACT WITH THE LEVELING PAD. THE UNITS SHALL BE CHECKED FOR PROPER ELEVATION AND ALIGNMENT.
- UNITS SHALL BE PLACED SIDE BY SIDE FOR THE FULL LENGTH OF THE WALL. PROPER ALIGNMENT MAY BE ACHIEVED WITH THE AIDE OF A STRING LINE OR OFFSET FROM BASELINE.
- CONNECTING PINS SHALL BE INSTALLED AND THE VOIDS IN AND/OR AROUND THE UNITS FILLED WITH TAMPED SOIL AS SPECIFIED IN THE EARTHWORK SECTION OF THE SPECIFICATIONS.
- ALL EXCESS MATERIAL SHALL BE SWEEP FROM TOP OF UNITS PRIOR TO INSTALLING NEXT COURSE. EACH COURSE SHALL BE COMPLETELY FILLED PRIOR TO PROCEEDING TO NEXT COURSE.
- GEOGRIDS SHALL BE ORIENTED WITH AXIS OF LONG-TERM DESIGN LOAD PERPENDICULAR TO THE WALL ALIGNMENT.
- GEOGRID REINFORCEMENT SHALL BE PLACED AT THE ELEVATIONS AND TO THE EXTENTS SHOWN ON THE CONSTRUCTION DRAWINGS OR AS DIRECTED BY THE ENGINEER.
- THE GEOGRID SOIL REINFORCEMENT SHALL BE LAID HORIZONTALLY ON COMPACTED WALL FILL, SECURED BETWEEN THE STACKED FACING UNITS, AND PULLED TAUT BEFORE WALL FILL IS PLACED ON THE GEOGRID.
- SLACK IN THE ATTACHMENT SHALL BE REMOVED IN A MANNER AND TO SUCH A DEGREE AS APPROVED BY THE ENGINEER.
- GEOGRID REINFORCEMENTS SHALL BE CONTINUOUS THROUGHOUT THEIR EMBEDMENT LENGTHS. SPICED CONNECTIONS BETWEEN SHORTER PIECES OF GEOGRID WILL NOT BE ALLOWED UNLESS PRE-APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.



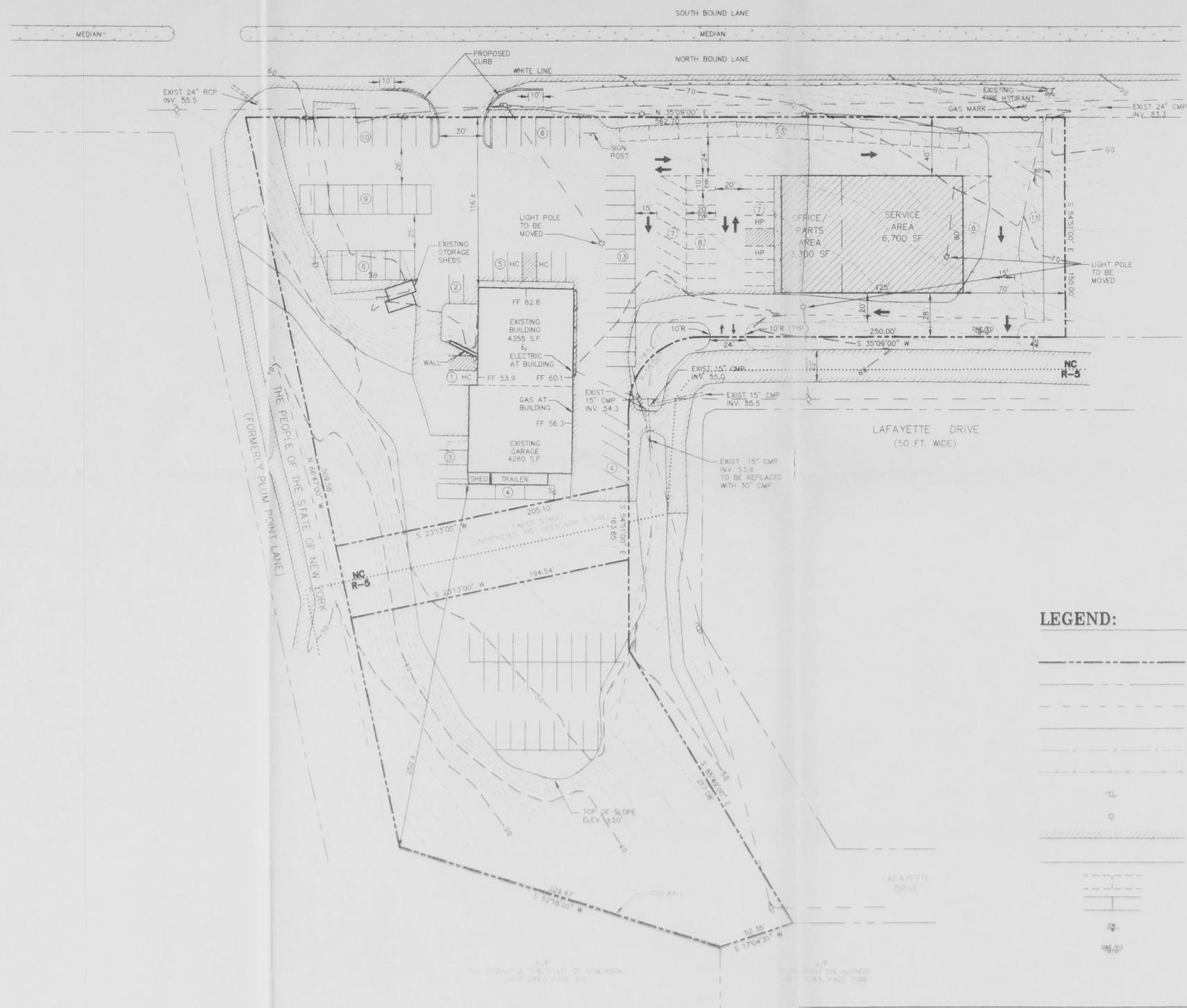
SECTION A-A
SCALE: 3/8" = 1'-0"



DETAIL 1
SCALE: 3/4" = 1'-0"



U.S. HIGHWAY No. 9W
(WIDTH OF RIGHT OF WAY VARIES)



LOCATION MAP

GENERAL NOTES:

- TOTAL AREA OF LOTS: 3.5649 ACRES
UNIMPROVED PROPOSED ROAD: 0.2293 ACRES
AREA OF ALL PARCELS: 3.7942 ACRES
- PROPERTY LINES TAKEN FROM A MAP ENTITLED "SURVEY OF PROPERTY FOR TOYOTA OF NEWBURGH, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK", PREPARED BY STEVEN P. DRABICK, P.L.S., DATED APRIL 17, 1992.
- TOPOGRAPHY FROM FIELD SURVEY COMPLETED BY TECTONIC ENGINEERING CONSULTANTS, P.C., ON MARCH 5, 1993.
- TAX MAP NUMBERS: 48-3-3
48-3-2.2
48-2-6.2
- TAX MAP PARCELS LISTED ABOVE WILL BE COMBINED INTO ONE PARCEL.

BULK REQUIREMENTS:

ZONING DISTRICT: NEIGHBORHOOD COMMERCIAL
USE: AUTOMOBILE SERVICE STATION

MINIMUM REQUIREMENTS:

	REQUIRED	PROVIDED	VARIANCES
LOT AREA	15,000 SF	165,275 SF EXIST	-
LOT WIDTH	125 FT	555 FT	-
FRONT YARD (9W)	40 FT	40 FT	-
FRONT YARD (LAFAYETTE DR.)	40 FT	28 FT	12 FT.
SIDE/BOTH YARD	15/30 FT.	70 FT.	-
REAR YARD	15 FT	252 FT	-
BUILDING HEIGHT	23 FT	< 23 FT.	-
FLOOR AREA RATIO	0.5	0.1	-

LEGEND:

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- DRAINAGE DITCH
- EXISTING EDGE OF SHALE & GRAVEL AREA
- CHAIN LINK FENCE
- GUIDE RAIL
- U P UTYLITY POLE
- LIGHT POLE
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED PARKING
- EXISTING PARKING
- ONE WAY SIGN
- DO NOT ENTER/EXIT ONLY SIGN

PARKING REQUIREMENTS

EXISTING	PROPOSED	TOTAL	REQUIRED PARKING
SERVICE AREA - 9 BAYS	+ 11 BAYS	= 20 BAYS	4/BAYS = 80
SHOWROOM AREA - 3,250 SF	+ 0	= 3,250 SF	1/1,000 SF = 3.25
OFFICE/PARTS AREA - 2,665 SF	+ 6,700 SF	= 9,365 SF	1/300 = 31.21
			TOTAL REQUIRED = 114.47
			USE 115
			INCLUDING 5 HANCAP STALLS
			TOTAL PROVIDED = 115
			INCLUDING 5 HANCAP STALLS

TECTONIC
ENGINEERING CONSULTANTS P.C.

P.O. Box 447, 600 Route 32
Highland Mills, N.Y. 10930 (914) 928-6531

CONCEPTUAL SITE PLAN

**PROPOSED SERVICE CENTER
TOYOTA OF NEWBURGH, INC.
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

Date	3/17/93	Work Order	1175.01	Drawing No.	C - 101	Rev.	3
Scale	1" = 40'						

Rev	Date	Revision	Approved	DRAWING CONTROL		
				Designed by	Drawn by	Checked by
1	3/26/93	REVISED AS PER TOWN ENGINEERS COMMENTS	RW			
2	4/27/93	REVISED AS PER TOWN ENGINEERS COMMENTS	RW			
3	6/16/93	REVISED AS PER ZONING BOARD COMMENTS	RW			

UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN BEARING A LICENSED ENGINEER'S OR SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ORIGINAL SIZE IN INCHES