

PB# 05-25

Cumberland Farms

37-1-53

TOWN OF NEW WINDSOR
PLANNING BOARD

APPROVED COPY

DATE: August 4, 2006

**STORMWATER
MANAGEMENT REPORT**

PROPOSED COMMERCIAL DEVELOPMENT

**CUMBERLAND FARMS
RECONSTRUCTION**

SITE LOCATION:

401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

December 11, 2005

Revised March 1, 2006

Prepared By:



**BOHLER
ENGINEERING, P.C.**

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I. Introduction

Cumberland Farms, Inc. is proposing to re-construct their existing facility located at 401 Blooming Grove Turnpike, in the Town of New Windsor, N.Y. The development will include the demotion and removal of the existing 1,600+/- square foot convenience store, fuel islands, underground storage tanks, canopy and parking lot to incorporate the construction of a new 3,600 square foot convenience store and fueling station. New site features also include proposed landscaping, lighting, fuel islands, storage tanks, canopy, trash enclosure and parking lot as shown on the Site Plan drawings prepared by Bohler Engineering.

This report will briefly discuss the proposed site development and provide a detailed analysis of the existing and proposed site conditions and the proposed stormwater management system. Hydraulic calculations included in this report were generated for the 25 year storm event utilizing the SCS TR-20 and HydroCad Stormwater modeling software.

II. Existing Stormwater Conditions:

Existing Conditions Summary:

The existing 1.06+/- acre parcel is part of a watershed area designated Existing Watershed Area 1 in this report. Existing Watershed 1 includes the entire site and a relatively small portion of the surrounding roads and adjoining parcel to the south. This area sheet flows in a southeasterly direction to a depressed wooded area in the southeast corner of the subject parcel. The existing depressed area functions as a detention area for this watershed. This area has sufficient capacity to infiltrate the entire 25 year storm event with no off site discharge.

The existing watershed area, topography and flow paths are illustrated on the Existing Watershed Plan included on the next page of this report.

III. Proposed Stormwater Conditions:

Proposed Conditions Summary:

The proposed development will reflect an increase in impervious area and a decrease in the capacity of the existing depressed area. To mitigate the affects of the proposed development, modifications to the existing depressed area and subsurface detention and infiltration structures are proposed.

The proposed development is divided into two watershed areas designated Proposed Watershed Area 1 and Proposed Watershed Area 2 in this report.

Proposed Watershed Area 1 includes the surrounding paved road areas and wooded areas that sheet flow to the site and are found in the existing condition. This area also includes a relatively small portion of the proposed parking area to the east of the proposed convenience store. This watershed area will continue to sheet flow to the depressed area in the southeast corner of the subject parcel.

Proposed Watershed Area 2 consists of the majority of the proposed development including the bulk of the proposed parking area, canopy and building. This area will discharge stormwater by either sheet flow or storm drain pipes to a subsurface detention and infiltration system. The system includes four drywells, perforated pipes and stone trench. The subsurface system will discharge to the existing depressed area at the southeast corner of the parcel. This depressed area is proposed to be re-graded to maximize the infiltration and detention storage capabilities of the available area. The system is designed to infiltrate 100% of the 25 year storm event.

The proposed watershed area, topography and flow paths are illustrated on the Proposed Watershed Plan, included on the next page of this report.



FLOW PATH
100' SHEET FLOW
AT 0.5%
217' SHALLOW
CONCENTRATED FLOW
(PAVED) AT 0.8%
63' SHALLOW
CONCENTRATED FLOW
(WOODED) AT 5.0%

Project Benchmark
Spike set in highway shoulder
Elevation = 138.00'

PROPOSED
WATERSHED AREA 1 — 33,665 SQ. FT.

GREENSPACE — 11,144 SQ. FT.

PAVE/ROOF — 13,483 SQ. FT.

WOODS — 9,038 SQ. FT.

PROPOSED
WATERSHED AREA 2 — 26,696 SQ. FT.

PAVE/ROOF — 26,696 SQ. FT.

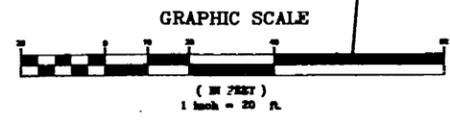
PROPOSED
WATERSHED AREA 1

PROPOSED
WATERSHED AREA 2

TAX MAP S.R.L.G. 37-1-52.2
LAND OF WILSON SCOTT & BROTHERS
L. 1888 7.571
Zoning District "PO"

TAX MAP S.R.L.G. 37-1-54
LAND OF
WILSON SCOTT & BROTHERS
L. 1888 7.571
Zoning District "R4"

MAP APPROVED: TOWN OF NEW WINDSOR, NEW YORK
APRIL 26, 1999 AS SHOWN HEREON



ALL DIMENSIONS AND LOCATIONS SHOWN ON THIS DRAWING ARE THE RESPONSIBILITY OF THE ENGINEER. IT IS THE USER'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL ENGINEERING ACT AND THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND EXPIRE THE FULL EXTENT OF THE ALLEGED WORK BY THE PROFESSIONAL ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL ENGINEERING ACT AND THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND EXPIRE THE FULL EXTENT OF THE ALLEGED WORK BY THE PROFESSIONAL ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL ENGINEERING ACT AND THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND EXPIRE THE FULL EXTENT OF THE ALLEGED WORK BY THE PROFESSIONAL ENGINEER.

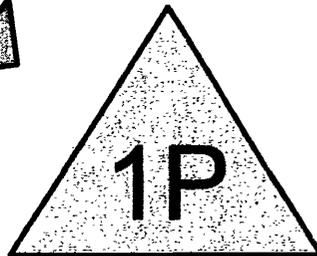
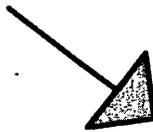
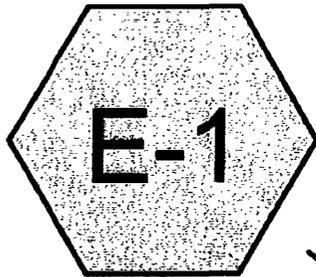
777 Dutton Street, Dutton, Massachusetts 01821

BOHLER ENGINEERING, P.C.
 CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS
 Other Office Locations: ■ Buffalo, NY ■ Buffalo, NY ■ Buffalo, NY ■ Buffalo, NY ■ Buffalo, NY

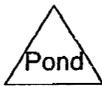
PROJECT: CUMBERLAND FARMS, INC. PROF. CONVENIENCE STORE & GAS STATION 401 BLOOMING GROVE TURNPIKE TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK		TITLE: PROPOSED WATERSHED PLAN	
L.H. BOHLER PROFESSIONAL ENGINEER NEW YORK LICENSE NO. 62498 NEW JERSEY LICENSE NO. 37916 CONNECTICUT LICENSE NO. 37916 MASSACHUSETTS LICENSE NO. 17676 VERMONT LICENSE NO. 27668		W.D. GOEBEL PROFESSIONAL ENGINEER NEW YORK LICENSE NO. 67134 NEW JERSEY LICENSE NO. 37916 CONNECTICUT LICENSE NO. 37916 MASSACHUSETTS LICENSE NO. 17676 VERMONT LICENSE NO. 27668	
SCALE: 1" = 20' DATE: 06/20/05 SHEET NO: 2 OF 2	PROJECT NO: BOS0527 CHECKED BY: RLS DATE: 06/20/05	SHEET NO: 2 OF 2	CHECKED BY: RLS DATE: 06/20/05

Conclusion:

The proposed subsurface detention structures and the modified depressed area have been designed with sufficient capacity and infiltration area to detain and infiltrate 100% of the 25 year storm on-site with no off-site discharge. This is consistent with the existing condition. The proposed development is designed such that it will not adversely affect adjacent or downstream waters or properties.



Existing Depressed
Area



CFI New Windsor - Existing Conditions

Type III 24-hr 25-year Rainfall=6.50"

Prepared by Bohler Engineering

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3/1/2006

Subcatchment E-1:

Runoff = 7.41 cfs @ 12.09 hrs, Volume= 0.552 af, Depth= 4.78"

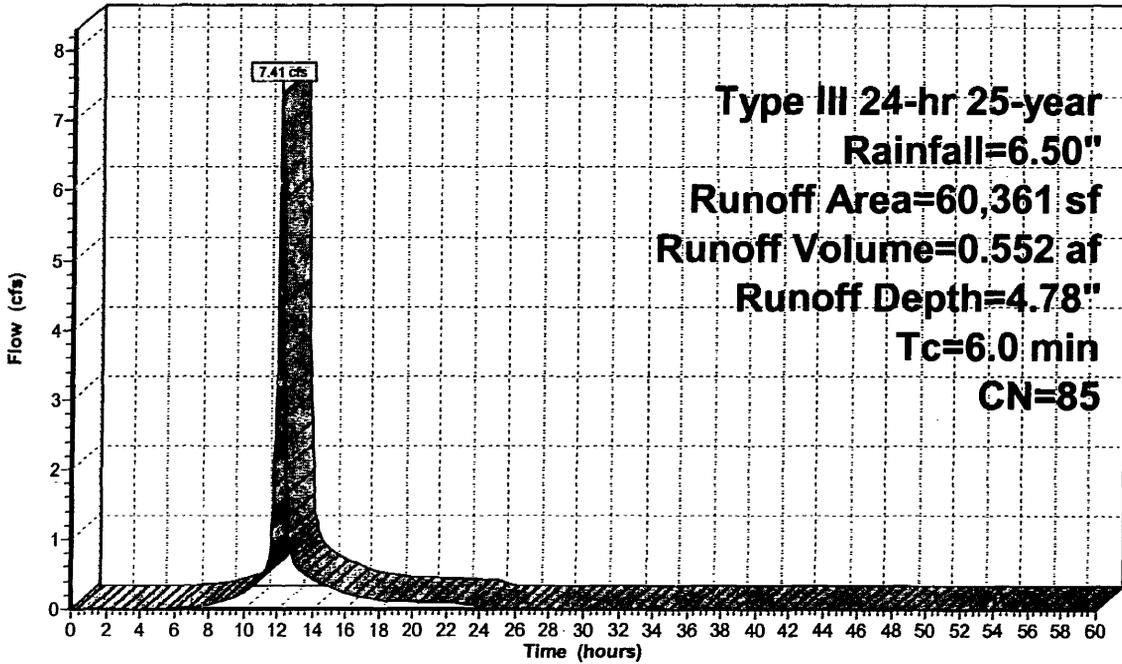
Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-year Rainfall=6.50"

Area (sf)	CN	Description
5,720	74	>75% Grass cover, Good, HSG C
28,345	98	Paved parking & roofs
26,296	73	Woods, Fair, HSG C
60,361	85	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment E-1:

Hydrograph



CFI New Windsor - Existing Conditions

Type III 24-hr 25-year Rainfall=6.50"

Prepared by Bohler Engineering

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Pond 1P: Existing Depressed Area

Inflow Area = 1.386 ac, Inflow Depth = 4.78" for 25-year event
 Inflow = 7.41 cfs @ 12.09 hrs, Volume= 0.552 af
 Outflow = 0.48 cfs @ 13.78 hrs, Volume= 0.552 af, Atten= 94%, Lag= 101.5 min
 Discarded = 0.48 cfs @ 13.78 hrs, Volume= 0.552 af
 Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs / 9
 Peak Elev= 135.83' @ 13.78 hrs Surf.Area= 13,823 sf Storage= 12,935 cf
 Plug-Flow detention time= 335.4 min calculated for 0.551 af (100% of inflow)
 Center-of-Mass det. time= 335.6 min (1,133.4 - 797.7)

#	Invert	Avail.Storage	Storage Description
1	134.00'	14,857 cf	Custom Stage Data (Prismatic) Listed below

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
134.00	2	0	0
134.25	1,047	131	131
134.50	3,594	580	711
135.00	7,602	2,799	3,510
136.00	15,092	11,347	14,857

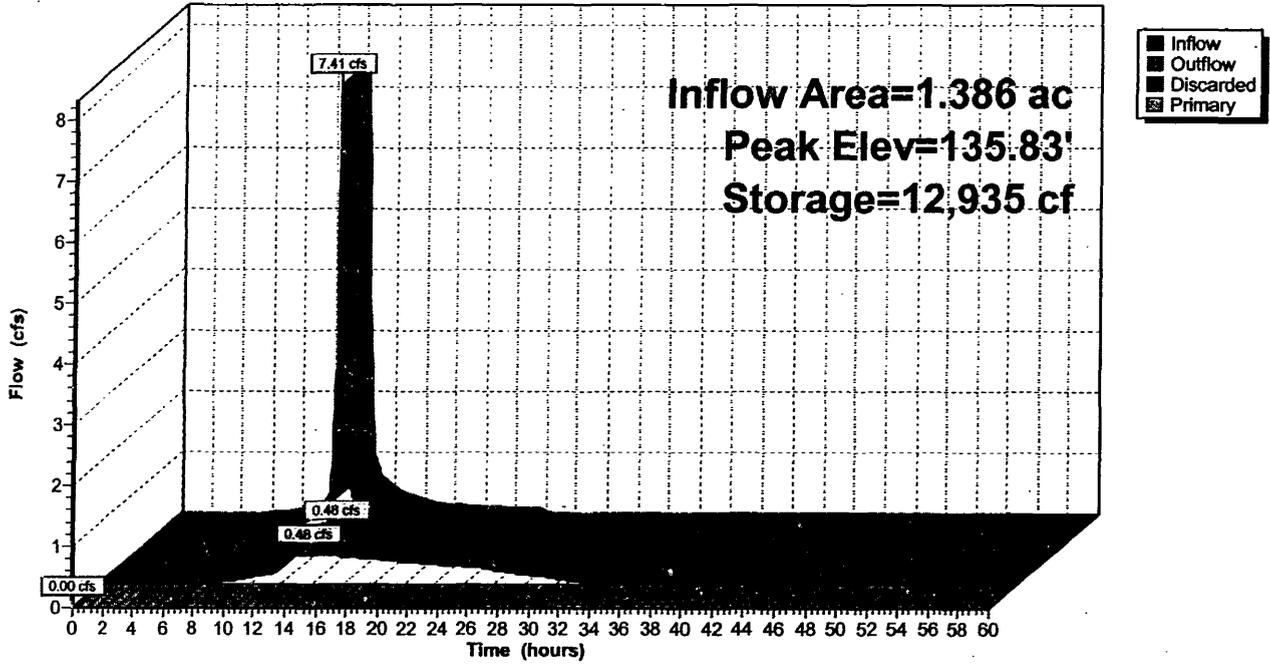
#	Routing	Invert	Outlet Devices
1	Primary	136.00'	20.0' long x 5.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.34 2.50 2.70 2.68 2.68 2.66 2.65 2.65 2.65 2.65 2.67 2.66 2.68 2.70 2.74 2.79 2.88
2	Discarded	0.00'	Special (user-defined) Elev. (feet) 134.00 134.25 134.50 135.00 136.00 Disch. (cfs) 0.00 0.04 0.12 0.26 0.52

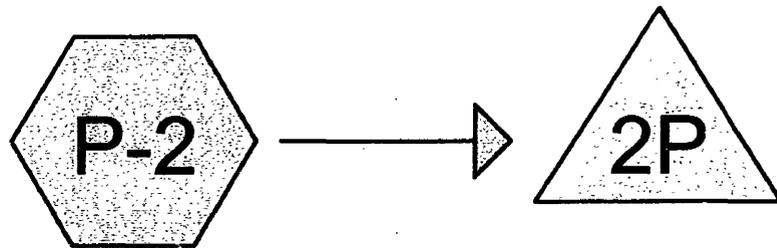
Discarded OutFlow Max=0.48 cfs @ 13.78 hrs HW=135.83' (Free Discharge)
 ↑2=Special (user-defined) (Custom Controls 0.48 cfs)

Primary OutFlow Max=0.00 cfs @ 0.00 hrs HW=134.00' (Free Discharge)
 ↑1=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

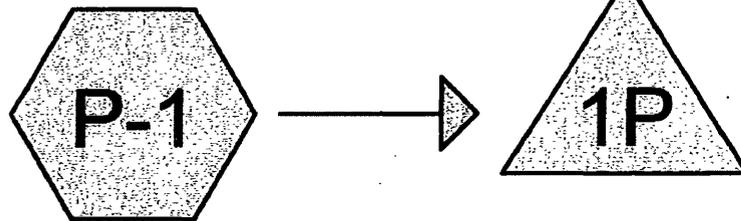
Pond 1P: Existing Depressed Area

Hydrograph





Pipes & Structures



Existing Modified
Depressed Area



Drainage Diagram for CFI New Windsor - Proposed Conditions
Prepared by Bohler Engineering 3/1/2006
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CFI New Windsor - Proposed Conditions

Type III 24-hr 25-year Rainfall=6.50"

Prepared by Bohler Engineering

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Subcatchment P-1:

Runoff = 3.98 cfs @ 12.09 hrs, Volume= 0.294 af, Depth= 4.56"

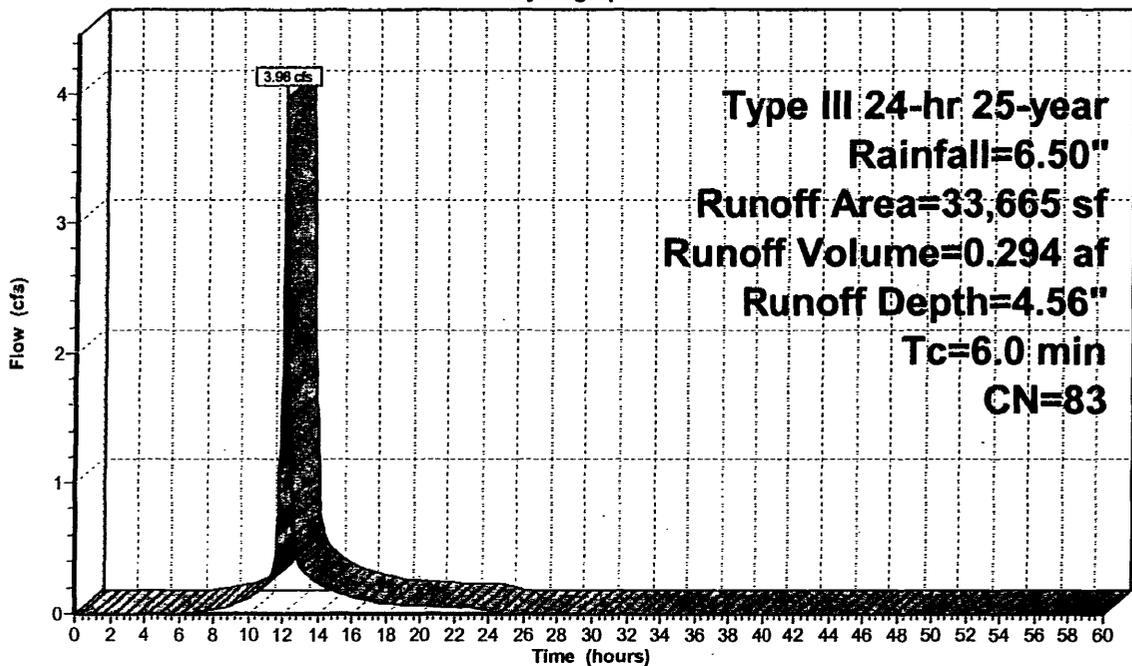
Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-year Rainfall=6.50"

Area (sf)	CN	Description
11,144	74	>75% Grass cover, Good, HSG C
13,483	98	Paved parking & roofs
9,038	73	Woods, Fair, HSG C
33,665	83	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P-1:

Hydrograph



CFI New Windsor - Proposed Conditions

Prepared by Bohler Engineering

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Type III 24-hr 25-year Rainfall=6.50"

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Subcatchment P-2:

Runoff = 3.81 cfs @ 12.09 hrs, Volume= 0.320 af, Depth= 6.26"

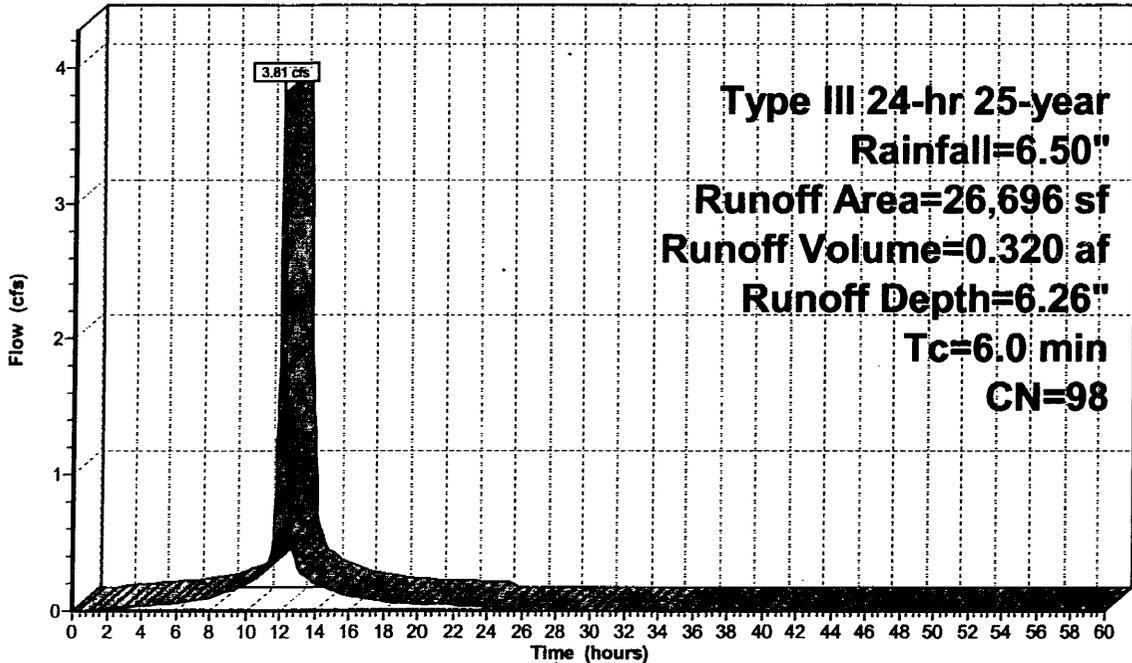
Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-year Rainfall=6.50"

Area (sf)	CN	Description
26,696	98	Paved parking & roofs

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P-2:

Hydrograph



CFI New Windsor - Proposed Conditions

Type III 24-hr 25-year Rainfall=6.50"

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Pond 1P: Existing Modified Depressed Area

Inflow Area = 1.386 ac, Inflow Depth = 3.91" for 25-year event
 Inflow = 7.05 cfs @ 12.10 hrs, Volume= 0.451 af
 Outflow = 0.30 cfs @ 14.35 hrs, Volume= 0.451 af, Atten= 96%, Lag= 134.7 min
 Discarded = 0.30 cfs @ 14.35 hrs, Volume= 0.451 af
 Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs / 9
 Peak Elev= 135.90' @ 14.35 hrs Surf.Area= 8,734 sf Storage= 13,216 cf
 Plug-Flow detention time= 667.4 min calculated for 0.451 af (100% of inflow)
 Center-of-Mass det. time= 668.1 min (1,451.7 - 783.5)

#	Invert	Avail.Storage	Storage Description
1	132.00'	13,891 cf	Custom Stage Data (Prismatic) Listed below
	Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)
	132.00	1,352	0
	133.00	1,826	1,589
	134.00	2,359	2,093
	135.00	4,426	3,393
	136.00	9,207	6,817
			Cum.Store (cubic-feet)
			0
			1,589
			3,682
			7,074
			13,891

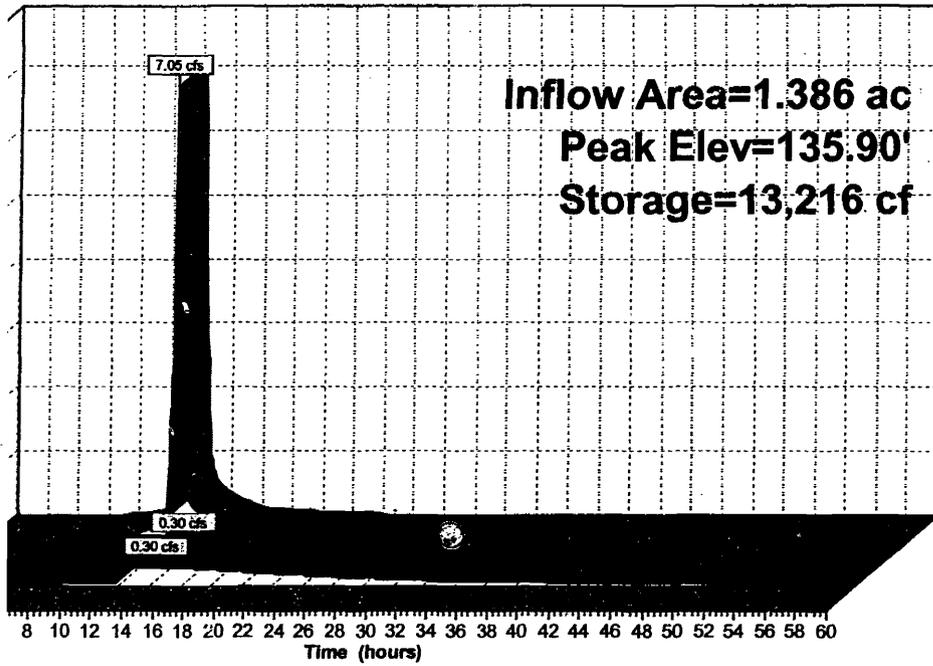
#	Routing	Invert	Outlet Devices
1	Primary	136.00'	20.0' long x 5.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.34 2.50 2.70 2.68 2.68 2.66 2.65 2.65 2.65 2.65 2.67 2.66 2.68 2.70 2.74 2.79 2.88
2	Discarded	0.00'	Special (user-defined) Elev. (feet) 132.00 132.01 133.00 134.00 135.00 136.00 Disch. (cfs) 0.00 0.05 0.06 0.08 0.15 0.32

Discarded OutFlow Max=0.30 cfs @ 14.35 hrs HW=135.90' (Free Discharge)
 ↑2=Special (user-defined) (Custom Controls 0.30 cfs)

Primary OutFlow Max=0.00 cfs @ 0.00 hrs HW=132.00' (Free Discharge)
 ↑1=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

Pond 1P: Existing Modified Depressed Area

Hydrograph



- Inflow
- Outflow
- Discarded
- Primary

CFI New Windsor - Proposed Conditions

Type III 24-hr 25-year Rainfall=6.50"

Prepared by Bohler Engineering

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Pond 2P: Pipes & Structures

Inflow Area = 0.613 ac, Inflow Depth = 6.26" for 25-year event
 Inflow = 3.81 cfs @ 12.09 hrs, Volume= 0.320 af
 Outflow = 3.29 cfs @ 12.13 hrs, Volume= 0.320 af, Atten= 14%, Lag= 2.8 min
 Discarded = 0.11 cfs @ 12.13 hrs, Volume= 0.162 af
 Primary = 3.18 cfs @ 12.13 hrs, Volume= 0.158 af

Routing by Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs / 9
 Peak Elev= 135.46' @ 12.13 hrs Surf.Area= 0 sf Storage= 2,496 cf
 Plug-Flow detention time= 127.6 min calculated for 0.320 af (100% of inflow)
 Center-of-Mass det. time= 128.1 min (872.0 - 744.0)

#	Invert	Avail.Storage	Storage Description
1	130.50'	675 cf	Drywells Listed below
2	132.00'	1,850 cf	Pipe & Trench Listed below
		2,525 cf	Total Available Storage

Elevation (feet)	Cum.Store (cubic-feet)
130.50	0
135.50	675

Elevation (feet)	Cum.Store (cubic-feet)
132.00	0
135.50	1,850

#	Routing	Invert	Outlet Devices
1	Discarded	0.00'	Drywell Infiltration Elev. (feet) 130.50 130.51 135.50 Disch. (cfs) 0.00 0.01 0.03
2	Discarded	0.00'	Trench Infiltration Elev. (feet) 132.00 132.01 135.50 Disch. (cfs) 0.00 0.04 0.08
3	Primary	134.75'	12.0" Horiz. Orifice/Grate Limited to weir flow C= 0.600

Discarded OutFlow Max=0.11 cfs @ 12.13 hrs HW=135.44' (Free Discharge)

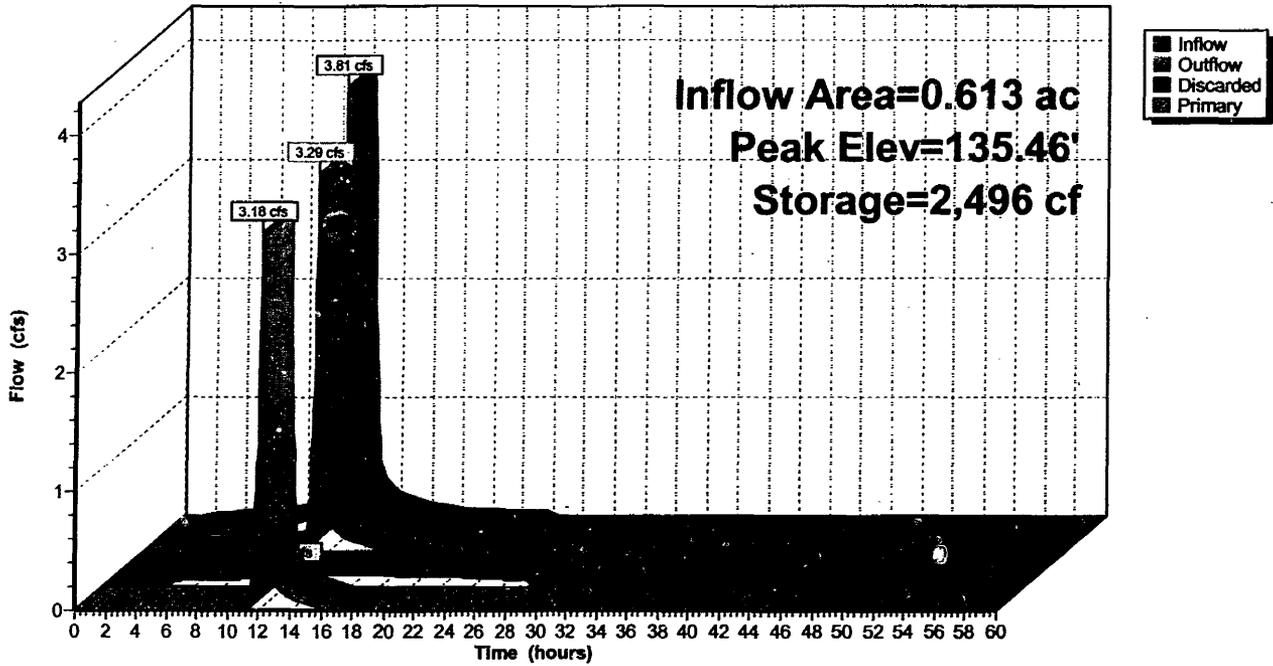
- ↑ 1=Drywell Infiltration (Custom Controls 0.03 cfs)
- ↑ 2=Trench Infiltration (Custom Controls 0.08 cfs)

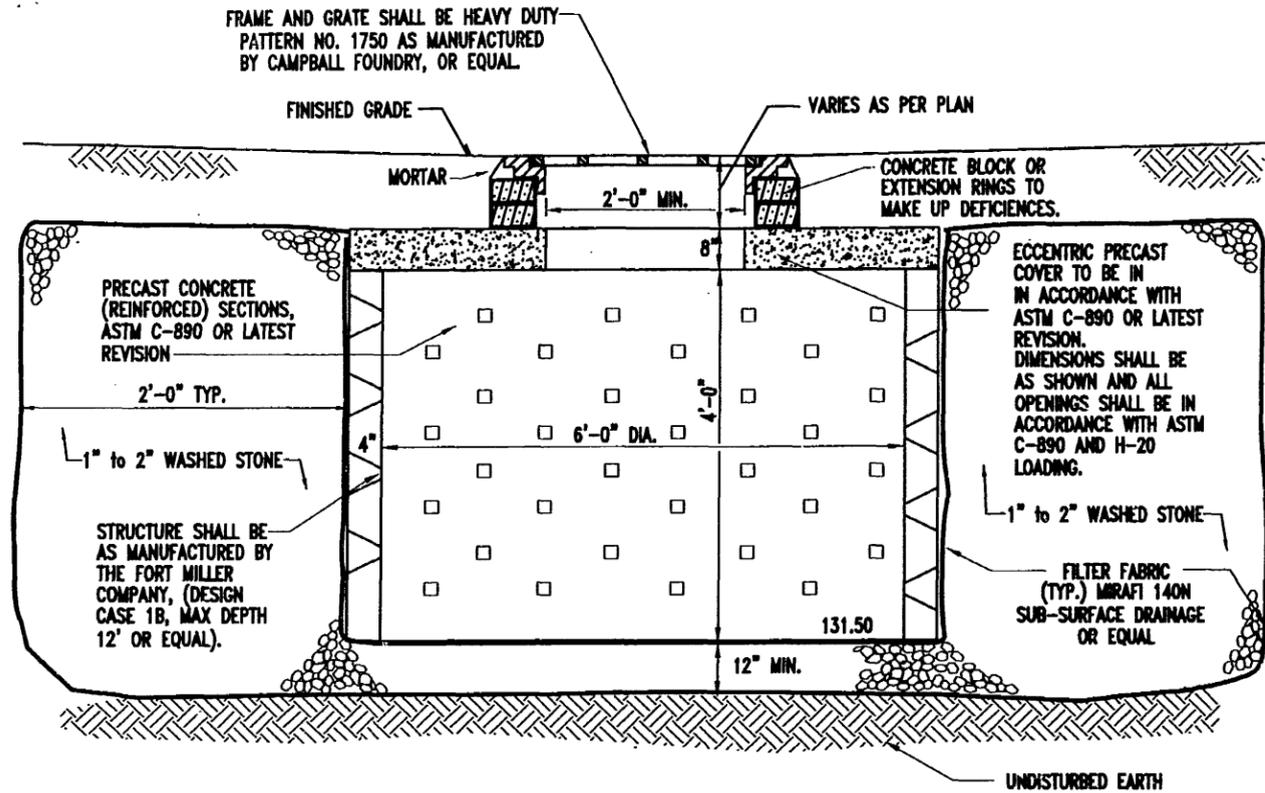
Primary OutFlow Max=3.13 cfs @ 12.13 hrs HW=135.44' (Free Discharge)

- ↑ 3=Orifice/Grate (Orifice Controls 3.13 cfs @ 4.0 fps)

Pond 2P: Pipes & Structures

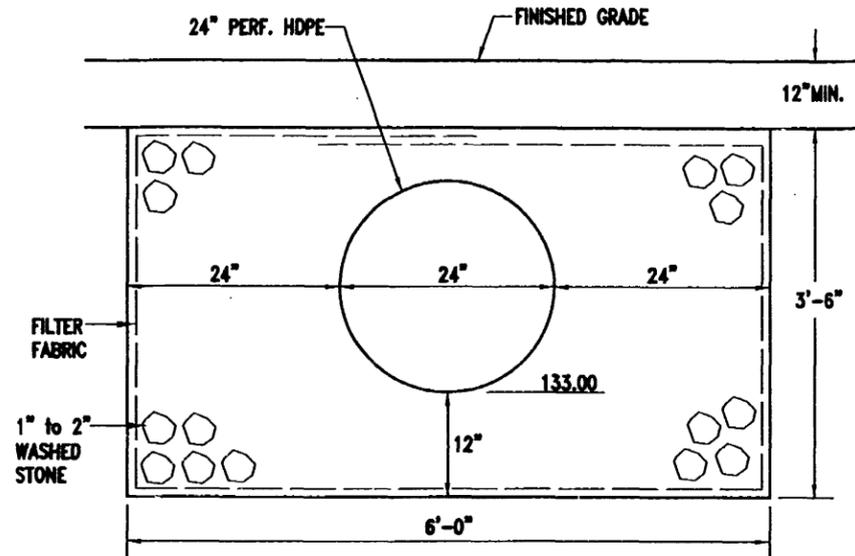
Hydrograph





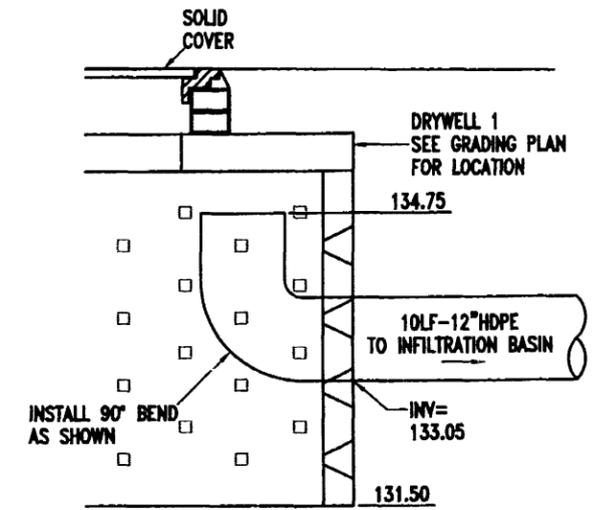
TYPICAL 6' DRY WELL DETAIL

NOT TO SCALE



**STORM WATER STORAGE/
INFILTRATION TRENCH DETAIL**

NOT TO SCALE



**DRYWELL 1
OVERFLOW
OUTLET DETAIL**

NOT TO SCALE

DRYWELL STORAGE CALCULATIONS:

6'ø x 4'h DRYWELL = 28.27 sf x 4' = 113.08 cf
 10'ø x 5'h (stone) = 78.54 sf x 5 = 392.7 - 113.08 = 279.62 cf
 279.62 x .4 (40% voids) = 111.85
 TOTAL DRYWELL CAPACITY = (113.08 + 111.85) = 224.93 cf x 3 = 674.8

PIPE & TRENCH STORAGE CALCULATIONS:

24"ø HDPE = 3.14 cf/lf
 3.5'h x 6'w (trench) = 21 cf/lf - 3.14 cf/lf (pipe) = 17.86 cf/lf
 17.86 cf/lf X .4 (40% voids) = 7.14 cf/lf
 TOTAL PIPE & TRENCH CAPACITY = 3.14 cf/lf + 7.14 cf/lf = 10.28 cf/lf
 = 180 lf x 10.28 cf/lf = 1,850 cf

DRYWELL INFILTRATION CALCULATIONS:

SURFACE AREA AT BOTTOM
 DRYWELL STONE = 78.54 sf x 3 = 235.62 sf
 WALL SURFACE AREA
 DRYWELL STONE PERIMETER (10'ø) =
 31.42 (circumference) X 5'h = 157.10 sf
 TOTAL DRYWELL SURFACE AREA =
 78.54 + 157.10 = 235.64 x 3 = 706.92 sf

PERC. RATE = 40 MIN. / INCH
 INFILTRATION RATE = SF / (PERC RATE) x 60 x 12
 INFILTRATION RATE = SF / (40) x 60 x 12
 = SF / 28,800

SURFACE = 235.62 / 28,800 = 0.01 cfs
 TOTAL = 706.92 sf / 28,800 = 0.03 cfs

TRENCH INFILTRATION CALCULATIONS:

SURFACE AREA AT BOTTOM = 6 sf/lf
 WALL SURFACE AREA = 7 sf/lf
 TOTAL TRENCH SURFACE AREA = 13 sf/lf

PERC. RATE = 40 MIN. / INCH
 INFILTRATION RATE = SF / (PERC RATE) x 60 x 12
 INFILTRATION RATE = SF / (40) x 60 x 12
 = SF / 28,800

BOTTOM SURFACE AREA = 180 lf (6 sf/lf) = 1,080 sf
 TOTAL SURFACE AREA = 180 lf (13 sf/lf) = 2,340 sf
 SURFACE INFILTRATION RATE = 1,080 sf / 28,800 = 0.04 cfs
 TOTAL INFILTRATION RATE = 2,340 sf / 28,800 = 0.08 cfs

EXISTING DEPRESSED DETENTION / INFILTRATION AREA INFILTRATION CALCULATIONS:

PERC. RATE = 40 MIN. / INCH
 INFILTRATION RATE = SF / (PERC RATE) x 60 x 12
 INFILTRATION RATE = SF / (40) x 60 x 12
 = SF / 28,800

ELEV. 134.25 = 1,047 SF / 28,800 = 0.04 CFS
 ELEV. 134.50 = 3,594 SF / 28,800 = 0.12 CFS
 ELEV. 135 = 7,602 SF / 28,800 = 0.26 CFS
 ELEV. 136 = 15,092 SF / 28,800 = 0.52 CFS

MODIFIED DEPRESSED DETENTION / INFILTRATION AREA INFILTRATION CALCULATIONS:

PERC. RATE = 40 MIN. / INCH
 INFILTRATION RATE = SF / (PERC RATE) x 60 x 12
 INFILTRATION RATE = SF / (40) x 60 x 12
 = SF / 28,800

ELEV. 133 = 1,354 SF / 28,800 = 0.05 CFS
 ELEV. 134 = 1,822 SF / 28,800 = 0.06 CFS
 ELEV. 135 = 4,205 SF / 28,800 = 0.15 CFS
 ELEV. 136 = 9,207 SF / 28,800 = 0.32 CFS

DRYWELL / INFILTRATION TRENCH STORAGE / DISCHARGE CALCULATIONS



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MEMORANDUM

(via email)
5 June 2007

TO: TOWN BUILDING DEPARTMENT

FROM: MARK J. EDSALL, P.E., ENGINEER FOR THE PLANNING BOARD

SUBJECT: CUMBERLAND FARM SITE PLAN (NWPB APP. NO. 05-25)

This memorandum is written pursuant to your request and our field reviews of the subject site, and the developer's request for a Certificate of Occupancy for the building.

Our review indicates only one item which should be corrected prior to (or concurrent with) the C of O. Such item is the installation of the required "No Parking – Any Time" sign in front of the cross-hatched handicapped parking space access aisle.

Relative to the status of the remainder of the site, this writer conferenced with the Building Inspector relative to several buffer and encroachment issues identified during the site review. Pursuant to these discussions, and our other observations, please note the following:

- The fence at the rear of the building has an unacceptable gap between the bottom of the fence and the finished grade. The fence sections must be reinstalled to match final grade, with a maximum resultant gap of 4".
- The area behind the fence (toward the residential development) must be cleaned of all waste material, debris, waste rocks, etc., then top-soiled and seeded.
- The front grass island along Route 94 should be established as a reasonably landscaped condition.
- There is a "loose" dumpster in the right side of the parking lot, not within the confines of the approved dumpster enclosure. All dumpsters must be within the enclosure or removed from the site.

Regarding the above items, I recommend that a completion/performance security be collected in the amount of \$5000 prior to issuance of the C of O (unless all work is finished prior to the issuance).

It is also noted that the propane tanks and enclosure shown on the plans were not installed. If these are installed at some time in the future, an application must be made to the Town Building Department PRIOR to such work being started.

REGIONAL OFFICES

- 111 Wheatfield Drive – Suite One • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3391 •

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/12/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
SITE PLAN BOND

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2007	SITE PLAN BOND (PER MARK)	CHG	5000.00		
06/07/2007	REC CK. #2181959496	PAID		5000.00	
		TOTAL:	5000.00	5000.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/12/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
SITE PLAN BOND

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2007	SITE PLAN BOND (PER MARK)	CHG	5000.00		
06/07/2007	REC CK. #2181959496	PAID		5000.00	
		TOTAL:	5000.00	5000.00	0.00

PH
6-13

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/11/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/18/2006	2% OF 117,892.40 INSP FEE	CHG	2357.85		
08/03/2006	REC. CK #2777342	PAID		2357.85	
		TOTAL:	2357.85	2357.85	0.00

JN
8/11/06

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/11/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/20/2005	REC. CK. #30438 (MCCABE&M	PAID		750.00	
07/27/2005	P.B. ATTY. FEE	CHG	35.00		
07/27/2005	P.B. MINUTES	CHG	21.00		
02/10/2006	LEGAL AD - SENTINEL	CHG	15.11		
02/22/2006	P.B. ATTY. FEE	CHG	35.00		
02/22/2006	P.B. MINUTES	CHG	91.00		
04/26/2006	P.B. ATTY. FEE	CHG	35.00		
04/26/2006	P.B. MINUTES	CHG	77.00		
07/07/2006	P.B. ENGINEER FEE	CHG	1563.10		
08/03/2006	REC.CK. #2777343	PAID		1122.21	
		TOTAL:	1872.21	1872.21	0.00

[Handwritten signature]
8/11/06

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#665-2006

08/11/2006

Cumberland Farms

Received \$ 150.00 for Planning Board Fees, on 08/11/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB# 05-25 approval fee

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/11/2006

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 5-25

NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/04/2006	PLANS STAMPED	APPROVED
04/26/2006	P.B. APPEARANCE . NEED HIGHWAY APPROVAL - NEED NOTE FOR FENCE MAINTENANCE - . NEED FIRE APPROVAL FOR TANK SIZE - COST ESTIMATE TO BE . SUBMITTED	APPR COND
02/22/2006	P.B. APPEARANCE	LA:ND CL PH RETURN
07/27/2005	P.B. APPEARANCE	REFER TO ZBA

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/11/2006

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	07/20/2005	EAF SUBMITTED	07/20/2005	WITH APPLIC
ORIG	07/20/2005	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	07/20/2005	LEAD AGENCY DECLARED	02/22/2006	TOOK LA
ORIG	07/20/2005	DECLARATION (POS/NEG) . 04-26-2006 NEG DEC FOR SPECIAL PERMIT	02/22/2006	DECL NEG DEC
ORIG	07/20/2005	SCHEDULE PUBLIC HEARING	/ /	
ORIG	07/20/2005	PUBLIC HEARING HELD	02/22/2006	CLOSED PH
ORIG	07/20/2005	WAIVE PUBLIC HEARING	/ /	
ORIG	07/20/2005	PRELIMINARY APPROVAL	/ /	
ORIG	07/20/2005		/ /	
ORIG	07/20/2005	LEAD AGENCY LETTER SENT	/ /	



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE PLANNING BOARD

July 18, 2006

Cumberland Farms
777 Dedham Street
Canton, MA 02021

SUBJECT: FEES DUE P.B. #05-25

Dear Sir:

Please find attached printouts of fees due for subject project.

Please submit payment, in separate checks, payable to the Town of New Windsor, as follows:

Check #1 – Approval Fee.....	\$	150.00
Check #2 – Amount over Escrow posted.....	\$	1,122.21
Check #3 – 2% of \$117,892.40 Cost Est – Inspect fee.....	\$	2,357.85

Upon receipt of these checks and ten (10) sets of plans (at least 5 sets folded), I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

Myra L. Mason
Myra L. Mason, Secretary To The
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/18/2007	SITE PLAN APPROVAL	CHG	150.00		
		TOTAL:	150.00	0.00	150.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/20/2005	REC. CK. #30438 (MCCABE&M	PAID		750.00	
07/27/2005	P.B. ATTY. FEE	CHG	35.00		
07/27/2005	P.B. MINUTES	CHG	21.00		
02/10/2006	LEGAL AD - SENTINEL	CHG	15.11		
02/22/2006	P.B. ATTY. FEE	CHG	35.00		
02/22/2006	P.B. MINUTES	CHG	91.00		
04/26/2006	P.B. ATTY. FEE	CHG	35.00		
04/26/2006	P.B. MINUTES	CHG	77.00		
07/07/2006	P.B. ENGINEER FEE	CHG	1563.10		
		TOTAL:	1872.21	750.00	1122.21

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/18/2006	2% OF 117,892.40 INSP FEE	CHG	2357.85		
		TOTAL:	2357.85	0.00	2357.85

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/18/2007	SITE PLAN APPROVAL	CHG	150.00		
		TOTAL:	150.00	0.00	150.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/18/2006	2% OF 117,892.40 INSP FEE	CHG	2357.85		
		TOTAL:	2357.85	0.00	2357.85

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 5-25
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APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/20/2005	REC. CK. #30438 (MCCABE&M	PAID		750.00	
07/27/2005	P.B. ATTY. FEE	CHG	35.00		
07/27/2005	P.B. MINUTES	CHG	21.00		
02/10/2006	LEGAL AD - SENTINEL	CHG	15.11		
02/22/2006	P.B. ATTY. FEE	CHG	35.00		
02/22/2006	P.B. MINUTES	CHG	91.00		
04/26/2006	P.B. ATTY. FEE	CHG	35.00		
04/26/2006	P.B. MINUTES	CHG	77.00		
07/07/2006	P.B. ENGINEER FEE	CHG	1563.10		
		TOTAL:	1872.21	750.00	1122.21

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 5- 25

FOR WORK DONE PRIOR TO: 07/07/2006

TASK-NO	REC	DATE	TRAM	EMPL	ACT	DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE	
											-----DOLLARS-----		
5-25	296889	03/23/06				BILL 06-763					-184.00		

5-25	301659	04/21/06	TIME	BMM	MR	CUMBERLAND FARMS SWP	99.00	1.00	99.00			-184.00	
5-25	301902	04/21/06	TIME	MJE	MR	CUMBERLAND FARM	115.00	0.30	34.50				
5-25	302881	04/24/06	TIME	MJE	MR	CUMBERLAND/BMM	115.00	0.30	34.50				
5-25	302885	04/24/06	TIME	MJE	MR	CUMBERLAND FARM S/P	115.00	0.50	57.50				
5-25	303544	04/24/06	TIME	BMM	MR	CUMBERLAND FARMS SWPP	99.00	1.00	99.00				
5-25	302796	04/26/06	TIME	MJE	MM	CumbFms Cond Final	115.00	0.10	11.50				
5-25	303568	04/27/06	TIME	BMM	MR	CUMBERLAND FARMS SWPPP	99.00	1.00	99.00				
5-25	305617	05/10/06	TIME	MJE	MC	EMC:CUMBERLAND	115.00	0.30	34.50				
5-25	305618	05/11/06	TIME	MJE	MC	CUMBERLAND CURB CUT	115.00	0.30	34.50				
5-25	305709	05/12/06	TIME	BMM	MR	CUMBERLAND FARMS EST	99.00	1.50	148.50				
5-25	307067	05/15/06	TIME	BMM	MR	CUMBERLAND FARMS EST	99.00	0.50	49.50				
									702.00				
5-25	306795	05/24/06				BILL 06-1236					-710.00		

5-25	310513	06/08/06	TIME	BMM	MR	CUMBERLAND FARMS EST	99.00	0.50	49.50			-710.00	
5-25	310192	06/15/06	TIME	MJE	MC	CF closeout	115.00	0.40	46.00				
									95.50				
5-25	312937	06/27/06				BILL 06-1524					-145.00		

5-25	314241	07/07/06	TIME	MJE	MC	review final plan	115.00	0.60	69.00			-145.00	
									1563.10				
TASK TOTAL										1563.10	0.00	-1494.10	69.00

GRAND TOTAL									1563.10	0.00	-1494.10	69.00	

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 5- 25

FOR WORK DONE PRIOR TO: 07/07/2006

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	-----DOLLARS-----	
										BILLED	BALANCE
5-25	264297	06/15/05	TIME	MJE	WS CUMBERLAND FARMS S/P	99.00	0.40	39.60			
5-25	268520	07/26/05	TIME	MJE	MR CUMBERLAND FARMS	99.00	0.50	49.50			
5-25	268521	07/26/05	TIME	MJE	MC TC/IM OLSEN ESQ:ZBA	99.00	0.20	19.80			
5-25	268339	07/27/05	TIME	MJE	MM Cumberland Inc>ZBA	99.00	0.10	9.90			
5-25	268528	07/27/05	TIME	MJE	MC CUMBERLAND S/P	99.00	0.30	29.70			
5-25	272670	08/30/05	TIME	MJE	MC EMC/OLSEN:CUMBERLAN	99.00	0.60	59.40			
5-25	272673	08/30/05	TIME	MJE	MC CUMBERLAND ZBA REF	99.00	0.40	39.60			

									247.50		
5-25	271902	08/30/05			BILL 05-1154						-148.50
5-25	273668	09/15/05			BILL 05-1258						-99.00

											-247.50
5-25	278800	10/25/05	TIME	MJE	MC CUMBERLAND FARMS	99.00	0.30	29.70			
5-25	279795	10/31/05	TIME	MJE	MC CUMBERLAND FARMS S/P	99.00	0.20	19.80			
5-25	280646	11/08/05	TIME	MJE	MC EMC OLSEN:CUMBERLAND	99.00	0.20	19.80			
5-25	280656	11/09/05	TIME	MJE	MC TC/BOELER:CUMB FM	99.00	0.30	29.70			
5-25	283588	12/07/05	TIME	MJE	WS CUMBERLAND SP	99.00	0.40	39.60			

									138.60		
5-25	282659	12/02/05			BILL 05-1703						-99.00

											-99.00
5-25	289612	01/24/06	TIME	MJE	MC CUMB FARM S/P W/MM	115.00	0.30	34.50			
5-25	289613	01/24/06	TIME	MJE	MC ATTY:CUMB FARM S/P	115.00	0.30	34.50			
5-25	292109	02/17/06	TIME	MJE	MR CUMBERLAND FARMS S/P	115.00	0.80	92.00			
5-25	292189	02/17/06	TIME	MJE	PM CUMB W/CHAIRMAN	115.00	0.20	23.00			
5-25	292117	02/18/06	TIME	MJE	MC CUMB OODP & EMC/MM	115.00	0.40	46.00			
5-25	292118	02/18/06	TIME	MJE	MR CUMBERLAND FARMS S/P	115.00	0.10	11.50			
5-25	292261	02/22/06	TIME	MJE	MM L/A P/H Neg Dec	115.00	0.10	11.50			

									253.00		
5-25	291663	02/17/06			BILL 06-544						-108.60

											-108.60
5-25	296746	03/20/06	TIME	MJE	MR CUMBERLAND S/P RVW	115.00	0.50	57.50			

									57.50		

Project Name: Cumberland Farms
 Planning Board No. 05-25

Municipality: New Windsor, NY
 Date: March 29, 2006

ok
 [Signature]
 s/r/s

PRIVATE IMPROVEMENT
AND SITE PLAN UNIT PRICES
(Updated March 2006)

<u>Description</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Qty</u>	<u>Total Cost</u>
<u>Roadway and Parking Lot</u>				
Erosion Control	AC	\$ 1,800.00	0.94	\$ 1,692.00
Paving & Base (regular construction)	SY	\$ 18.20	3042	\$ 55,364.40
Paving & Base (heavy-duty construction)	SY	\$ 24.30		\$ -
Tack Coat	SY	\$ 0.45		\$ -
Overlay Existing Pavement (1.5")	SY	\$ 5.00		\$ -
Double Surface Treatment	SY	\$ 6.00		\$ -
				\$ -
Private Road (traveled way only)	SY	\$ 12.00		\$ -
Private Road (complete - swales etc)	LF	\$ 35.00		\$ -
Topsoil & Seeding	SY	\$ 2.00	1669	\$ 3,338.00
Street Signs (Traffic Control)	EA	\$ 250.00		\$ -
				\$ -
Parking Space Striping	EA	\$ 9.00	18	\$ 162.00
Parking & Lane Striping	LF	\$ 0.50		\$ -
Painted Striped Island	EA	\$ 35.00	4	\$ 140.00
Site Plan Stop Bar	EA	\$ 80.00		\$ -
Handicapped Sign & Striping	EA	\$ 200.00	1	\$ 200.00
Traffic Control Sign	EA	\$ 200.00		\$ -
				\$ -
Concrete Curbing	LF	\$ 18.00	417	\$ 7,506.00
Concrete Sidewalk	SY	\$ 38.00	190	\$ 7,220.00
Timber Curbing	LF	\$ 12.00		\$ -
Curb (Precast) Bumpers	EA	\$ 15.00		\$ -
Shale Parking (Overflow) Area	SY	\$ 8.00		\$ -
				\$ -
Guiderail	LF	\$ 40.00		\$ -
				\$ -
<u>Drainage</u>				
Catch Basin	EA	\$ 2,700.00	3	\$ 8,100.00
Connection to Existing Catch Basin	EA	\$ 500.00		\$ -
Stormwater Pipe (15")	LF	\$ 30.00	10	\$ 300.00
Stormwater Pipe (18")	LF	\$ 40.00		\$ -
Stormwater Pipe (24")	LF	\$ 45.00	180	\$ 8,100.00
Stormwater Pipe (30")	LF	\$ 50.00		\$ -

Stormwater Pipe (36")	LF	\$ 55.00	\$	-
Stormwater Pipe (48")	LF	\$ 65.00	\$	-
End Section	EA	\$ 350.00	1 \$	350.00
Concrete Headwall	EA	\$ 4,000.00	\$	-
Rip Rap Drainage Channel	LF	\$ 8.00	\$	-
Non-lined Drainage Channel	LF	\$ 3.50	\$	-

Utilities

Watermain (8")	LF	\$ 50.00	\$	-
Gate Valve (8")	EA	\$ 1,000.00	\$	-
Tapping Sleeve and Valve (8")	EA	\$ 2,200.00	\$	-
Watermain (12")	LF	\$ 65.00	\$	-
Gate Valve (12")	EA	\$ 1,750.00	\$	-
Hydrant Assembly	EA	\$ 2,700.00	\$	-
Sewer Main (8")	LF	\$ 35.00	\$	-
Sewer Main (12")	LF	\$ 45.00	\$	-
Sewer Manholes	EA	\$ 2,300.00	\$	-
Utility Trench (elec, phone, cable)	LF	\$ 10.00	280 \$	2,800.00

Misc.

Landscaping Trees	EA	\$ 180.00	\$	-
Landscaping Shrubs	EA	\$ 25.00	56 \$	1,400.00
Mulched surface	SY	\$ 3.00	100 \$	300.00
Chain link fence (4' black vinyl coated)	LF	\$ 12.00	\$	-
Split Rail Fence	LF	\$ 16.00	350 \$	5,600.00
Short Masonry Landscape Walls	LF	\$ 10.00	\$	-
Retaining Walls (modular) 4' height	LF	\$ 58.00	\$	-
Lamppost	EA	\$ 1,500.00	5 \$	7,500.00
Building Mtd. Light	EA	\$ 500.00	\$	-
Waste Enclosure (small)	EA	\$ 750.00	\$	-
Dumpster Enclosure (masonry/concrete)	EA	\$ 5,000.00	1 \$	5,000.00
Clear and Grub	AC	\$ 3,000.00	0.94 \$	2,820.00

Other

			\$	-
			\$	-
			\$	-
			\$	-
Total			\$	117,892.40

2% of 2357.85

CUMBERLAND FARMS (05-25)

Richard Olsen, Esq. appeared before the board for this proposal.

MR. ARGENIO: This application proposes full demolition of the building and site and reconstruction of the facility with a 3,600 square foot convenient store with gas dispensers. Plan was previously reviewed at the 27 July, 2005 meeting and the 22 February, 2006 meeting. Go ahead.

MR. OLSEN: Mr. Chairman, my name is Richard Olsen, I'm with the law firm of McCabe & Mack, counsel for Mr. James Galesby (phonetic) with Bohler Engineering and Donovan Dervin (phonetic) is the area manager for Cumberland. What you have said is the, for the demolition of the existing Cumberland Farms store, construction of 3,600 square foot Cumberland Farms convenient store with the gas canopies, alteration of the curb cuts on Caesar's Lane. We're not touching the curb cuts on New York State Route 94. The last time we were here in February, I believe you closed the public hearing, we were awaiting county comments that had not arrived so no decision was made at that time. We were directed to answer the issues that were raised in Mr. Edsall's February 22, 2006 letter which I believe the engineers have now resolved. The only other comment that I recall from my notes that evening were one planning board member did want us to extend the facade of the building around the dumpster enclosure which has been included in the plans that you have. With that said, I believe we have addressed the comments that the board raised at this point and we look for anything else that you need at this time.

MR. ARGENIO: South side of the building I don't remember what it was, do you see that that has been addressed?

MR. OLSEN: I believe that was the extension of the facade to match the building which is what we have done, it's noted on the plan we have extended the brick brick facing around the enclosure.

MR. MINUTA: And the gas utilities, pumping tanks?

MR. OLSEN: That's to be left to your fire department or fire official.

MR. ARGENIO: I think he's right, Joe, on the other utilities, we better let the fire department determine that.

MR. MINUTA: Do we have comments on that?

MR. OLSEN: As far as I know.

MR. ARGENIO: We have approval from fire. Mark, I don't have an approval from highway on this, can you help me with that?

MR. EDSALL: Yeah, there was an open issue on our end for storm water management and the concern from the highway super as to the function of that water quality and structure down here Caesar's Lane that was resolved as late as today I spoke with the highway super as to what progress we made, I'm suggesting that be a condition of approval but as of this afternoon, he said he understood where we're at and understands the limitations of the area, that there's really no drainage to tie into, that they're improving the situation, it may have not been perfect but they're improving it from what it is today and they're addressing the increase in impervious areas so he was okay.

MR. ARGENIO: What does Anthony want them to do?

MR. EDSALL: He wanted it to be looked into further and

it was and today when I explained how it was resolved he was okay with it.

MR. ARGENIO: How did they resolve, I'm curious?

MR. EDSALL: There was, well, they can probably discuss better what they worked out with Brendan but effectively there's no water quality improvements on the site now, they have continued to propose water quality improvements and they're going to try to mirror the sheet discharge back into a wooded area to dispose of a balance, a portion of the flow as it's handled.

MR. ARGENIO: That's the back of the site?

MR. OLSEN: Right, I believe the issue was a technical issue between our engineering staff and Mr. Edsall's engineering staff, I believe they have come to a resolution of the issue.

MR. ARGENIO: I'd like to hear from the engineer.

MR. GALESBY: One of other concerns was to address some larger storm events and when we examined some of the larger 50 year and 100 year storm events we found that we could improve the site even more and improve any potential for off-site discharge by increasing our subsurface detention and infiltration system, so we pretty much have tripled the capacity and infiltration capabilities of the subsurface system and they were satisfied with that.

MR. EDSALL: Currently there's no system whatsoever.

MR. GALESBY: Right, just sheet rolls.

MR. ARGENIO: Using catch basins with holes in the bottom of them.

MR. GALESBY: We're using dry wells and perforated pipe

and stone trench.

MR. ARGENIO: Okay, I think that's okay. As the former chairman had always enunciated there's an issue with, maintenance issue on these things, but I don't think that that's something we're going to certainly not going to resolve here tonight. Lead agency was taken and negative dec was adopted on February 22 of '06. Public hearing for the special permit and site plan was held also on 2/22 of '06 and we have heard back for the benefit of the members from the Orange County Planning Department, they have deemed that this site is a local determination, that was on 3/14 of '06, as I mentioned to Mr. Minuta, we have fire on 2/9 of '06, we have, we don't have highway approval, but what we do have some good feedback from their engineer that is in line with what Mark told us, so it seems as though those folks are moving in the right direction and Anthony's on board with that, Mark, is that right?

MR. EDSALL: Yes.

MR. ARGENIO: That's good, we're going to talk about something else here about these special permits for the benefit of the board members, I'm going to read Mark's number 3, prior to considering special permit approval the board should make the following determinations with regard to this application with the understanding that this is an existing use which is proposed for expansion and has been considered by the ZBA and has received the necessary variance in that regard. What this relates to is the following bullets.

That all the proposed structures, equipment or materials are readily accessible for fire and police protection.

That the proposed use and layout are in harmony with the orderly development of the zoning district and will not have a detrimental affect on adjacent properties.

That the proposed use is adjacent to a

residential district and in the review of the same the board has determined that the nature and intensity of the operations, layout and structure heights, and landscaping will not be hazardous, inconvenient nor conflict with the normal traffic of the neighborhood nor will the project hinder or discourage appropriate development and use of adjacent land and buildings.

This is a note that we're going to see as a standard note on our comments moving forward and it's specifically relative to the issuance of special use permits. Mark, can you just shed a little bit of light on that for the benefit of the public and the board members?

MR. EDSALL: Yes, again, as part of the update of the Town Code, one of the refinements was the process of special permits and it specifically says that the board needs to make a determination before you grant the special permit. So again to make sure that we protect the Town, protect the applicants' interests and make the record clear we're going to look to have this determination made prior to you actually granting the special permit.

MR. ARGENIO: Essentially, it's that the proposed improvements are safe and they are harmonious and consistent with the development of that area of that zone.

MR. EDSALL: Exactly, in this case, you've got a little bit of a different situation, it's already there, they're just rebuilding it and it's actually being improved.

MR. ARGENIO: And there may be other applicants in the future applying for a special permit where there may be a little discussion where there may be some heavy lifting where we have to look and make a determination whether or not the development is harmonious and consistent with the zoning regulations of the Town so

do we need to affirmatively acknowledge that Mark in the form of a motion?

MR. EDSALL: I think you should adopt a motion making this determination.

MR. ARGENIO: I read the determination into the minutes, if somebody agrees with me, I'll accept a motion that we adopt that.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board, let me just back up for one second, motion has been made and seconded that we adopt, that we as Planning Board agree that the development proposed by the applicant is orderly, harmonious and consistent with the use of that site. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: That being said, I will adopt a motion to, that the planning board grant Cumberland Farms site plan amendment special use permit that's necessary for them to do the improvements as proposed on this site.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that we, the Planning Board of the Town of New Windsor grant Cumberland Farms a special use permit for the improvements on New York State Route 94 and Caesar's Lane. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. BROWN AYE
MR. MINUTA AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: We're at the precipice, does anybody have anything further they'd like to address?

MR. SCHLESINGER: New curb cut, highway locate that on Ceasar's okay with that on Caesar's Lane?

MR. ARGENIO: Yes.

MR. EDSALL: It's an improvement, gets it away from the intersection.

MR. ARGENIO: That's the entrance that's now current just it's open, it's just wide open.

MR. OLSEN: It was your engineer that suggested that they move it back.

MR. BABCOCK: One of the subject-tos is going to be a write-off by the highway superintendent for drainage.

MR. ARGENIO: Which is not contained in Mark's item number 4.

MR. EDSALL: First bullet but I'm sure he's going to cause I've already talked to him.

MR. ARGENIO: Okay.

MR. MINUTA: Couple clarifications. We're not, I don't see it on the landscaping plan, I do see it on your colored plan here, these areas within the concrete curb cuts they're going to be grassed areas?

MR. GALESBY: That's correct.

MR. MINUTA: The propane tanks indicate that they're to be sized by the architects, I'd like to know if they're within the approximate size now we're not going to see something gigantic?

MR. GALESBY: No, absolutely not.

MR. MINUTA: And the fencing shown on the landscaping plan, I note that it does not continue all the way up to the intersection or I should say New York State Route 94, I believe it currently does.

MR. OLSEN: No, during the public this was specifically set forth at the zoning board hearing next door neighbor wanted the fencing subject to planning board approval basically to come up into this area somewhere so I think where we have placed the fence was in agreement with what the next door neighbor wanted.

MR. MINUTA: Very well. The last part of that is I'm in full concurrence of the type of fence being used being the stockade fence, I would like to add that there be something placed on this for maintenance that it be continually maintained that it's something that could be--

MR. OLSEN: Add a note that it's their responsibility to maintain and repair fencing?

MR. MINUTA: Exactly.

MR. ARGENIO: That's our architect, it's perfect.

MR. EDSALL: Just on the propane tank issue just my second bullet is asking that they specifically indicate that the propane tanks have to be specifically approved by the fire inspector, I'm not quite sure that they approved any specific size and the way the code is and the separation requirements based on the size of the tank I want to have them specifically look at the size before they're put in.

MR. ARGENIO: Fire inspector.

MR. EDSALL: Correct, so that's my second bullet, I was writing the line while Joe was mentioning.

MR. ARGENIO: See that Joe the second bullet on number 4, so if they show up with, I don't know the scale of propane tanks, 10,000 gallon propane tank certainly it's going to be an issue, certainly that's a very, very good point. Neil, Howard, Henry?

MR. VAN LEEUWEN: I have nothing further.

MR. ARGENIO: That being said, I will accept a motion for conditional final approval subject to what I will read into the minutes.

MR. VAN LEEUWEN: I will move.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Cumberland Farms site plan amendment subject to final approval from Mr. Fayo, our esteemed highway superintendent, the Town fire inspector approving those propane tanks, final revisions to the storm water management plan as outlined by the Town engineer that the noting on the plans about the fence as Joe had

requested the applicant agrees to make necessary modifications or this is important that the applicant agrees to make any necessary modifications or adjustments to the site lighting if the improvement shown here on should the lighting result in a glare condition in the opinion of the Town engineer which impacts the residential units to the south or the state highway. Are you guys okay with that? Mr. Engineer? Mr. Attorney?

MR. OLSEN: Will it be the Town engineer?

MR. ARGENIO: Town engineer.

MR. EDSALL: It won't be an approval process, the problem is normally we get recessed fixtures, in this case, all the fixtures are not recessed, so if we see a problem out in the field you're going to have to adjust things.

MR. ARGENIO: That's those two guys that's the table right there.

MR. EDSALL: Some of them are directional lighting so as long as it doesn't create a problem there's no issue.

MR. OLSEN: Okay.

MR. ARGENIO: Drawings 13 through 16 have not been reviewed as part of the site plan amendment and are for reference certainly only subject to regulatory review, the applicant should be directed to complete the corrections noted at this meeting and prepare the bond estimate and that obviously most importantly that all fees be paid. All that being said, I have a motion and I have a second and I also have a member who has one final question.

MR. MINUTA: My final question is with regard to the

curb cuts and looking at the curb cut on Route 94 near Caesar's Lane and it's showing slanted in one direction and I'm wondering is this a one way?

MR. BABCOCK: No.

MR. GALESBY: No, those are the existing curb cuts.

MR. OLSEN: We're not touching Route 94.

MR. MINUTA: Mark, is there an issue with that as far as ingress egress?

MR. EDSALL: I suspect that it is set up more for a right-in, right-out arrangement, that's the way DOT wanted them constructed, I didn't mess with it, leaving it as is.

MR. MINUTA: Okay with DOT, it's okay with me.

MR. ARGENIO: Motion has been made and seconded, I will read in the subject-tos, if there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE



RESULTS OF P.B. MEETING OF: April 26, 2006

PROJECT: Cumberland Farms P.B.# 05-25

LEAD AGENCY:
AUTHORIZE COORD. LETTER: Y ___ N ___
TAKE LEAD AGENCY: Y ___ N ___

~~NEGATIVE DEC:~~ Determination for Special Permit per comments of 4/26/06
M) V S) S VOTE: A 5 N 0
CARRIED: Y ✓ N ___

M) ___ S) ___ VOTE: A ___ N ___
CARRIED: Y ___ N ___

PUBLIC HEARING: WAIVED: ___ "CLOSED: ___

M) ___ S) ___ VOTE: A ___ N ___ SCHEDULE P.H.: Y ___ N ___

SEND TO O.C. PLANNING: Y ___
SEND TO DEPT. OF TRANSPORTATION: Y ___

REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___

RETURN TO WORK SHOP: Y ___ N ___

Cond. APPROVAL: Site Plan + Special Permit

M) V S) S VOTE: A 5 N 0 APPROVED: 4/26/06
V S 5 0

NEED NEW PLANS: Y ✓ N ___

CONDITIONS - NOTES:

- Need Hwy Approval for file
- Need Note for fence maintenance
- Need Fire Approval specifically for tank size.
- Cost Est - fees paid





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: HIGHWAY DEPARTMENT

P.B. FILE #05-25 DATE RECEIVED: _____ TAX MAP #

**PLEASE RETURN COMPLETED FORM TO MYRA
BY: ASAP TO BE ON AGENDA FOR THE _____ PLANNING BOARD MEETING.**

THE MAPS AND/OR PLANS FOR:

CUMBERLAND FARMS

Applicant or Project Name

SITE PLAN XXX, SUBDIVISION _____, LOT LINE CHANGE _____,
SPECIAL PERMIT XXX

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: _____

DISAPPROVED:

Notes: _____

Signature: Anthony Stacey 4/28/06
Reviewed by date



THE SENTINEL

P.O. BOX 406
VAILS GATE, NY 12584

Invoice

Date	Invoice #
2/28/2006	7401

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project
43764	Due on receipt	

Issue Date	Description	PCS/Units	Amount
2/10/2006	LEGAL ADS: CUMBERLAND FARMS 2 AFFIDAVITS	7.11 8.00	7.11 8.00
2/10/2006	LEGAL ADS: WINDSOR GATE PLAZA 2 AFFIDAVITS	7.51 8.00	7.51 8.00
Total			\$30.62

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)
562-1218

State of New York

County of Orange, ss:

Lucas Ladlee being duly

sworn disposes and says that he is The Supervisor of Legal Dept. of the E.W. Smith Publishing Company; Inc. Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published 1x in said newspaper, commencing on the 10 day of Feb. A.D., 2006 and ending on the 10 day of Feb. A.D. 2006

PLANNING BOARD OF THE TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 505 Union Avenue, New Windsor, New York on FEBRUARY 22, 2006 at 7:30 P.M. on the approval of the proposed for WINDSOR GATE PLAZA (CIANCIO) (05-29)

Located at - RT. 94 (Tax Map Sheet 67, Block 4, Lot 17, 18.2 & 18.2). Map of the proposed project is on file and may be inspected at the Planning Board Office, Town Hall, 505 Union Avenue, New Windsor, NY prior to the Public Hearing.

Date: FEBRUARY 6, 2006

By Order of
TOWN OF NEW WINDSOR PLANNING BOARD

Lucas W. Ladlee

Subscribed and shown to before me this 8th day of Nov., 2006

\$ 15.51

Deborah Green

Notary Public of the State of New York
County of Orange.

Notary Public
Commission Expires July 15, 2007

My commission expires 7-15-07

Myra Mason

From: mje [mje@mhepc.com]
Sent: Thursday, June 15, 2006 11:15 AM
To: Myra Mason
Subject: FW: Cumberland Farms

Attachments: OriginalMsg.htm



OriginalMsg.htm (5
KB)

Myra

Conditions of approval for Cumberland:

1. If the Board considers a conditional site plan approval of the application, I recommend the following conditions in addition to any established by the Board:

- A final approval from the Highway Superintendent should be on file.
- The propane tanks shown on Sheet 4 should note "subject to approval of Town Fire Inspector".
- Final revisions shall be made to the stormwater management improvements as outlined by the Town Engineers.
- The sign depicted on sheet 12 should be deleted from the plans.
- That a note be added to sheet 9 "The applicant agrees to make any necessary modifications or adjustments to site lighting if the improvements shown hereon, should the lighting result in a glare condition (in the opinion of the Town) which impacts the residential units to the south or the State Highway."
- That the applicant be advised that drawings 13 thru 16 have not been reviewed as part of the site plan application and are for reference only, and are subject to further regulatory and departmental review.
- The applicant should be directed to complete the corrections noted at this meeting, and prepare the bond estimate for this Site Plan in accordance with Chapter 137 of the Town Code.
- That all fees be paid prior to stamp of approval.

I am not sure if final plans were reviewed or not. No recollection. Please confirm if we already looked at it.

I am faxing you Brendan's OK on the cost estimate and our time printout. You can use these to close out the job, UNLESS the plans still have to be

reviewed.

mark

----- Forwarded Message -----
From: "Brendan Masterson" <bmasterson@mhepc.com>
To: <mje@mhepc.com>
Sent: Thu, 15 Jun 2006 09:55:42 -0400
Subject: FW: Cumberland Farms

Just to aggravate you..

-----Original Message-----
From: jgillespie@bohlereng.com [mailto:jgillespie@bohlereng.com]
Sent: Thursday, June 15, 2006 9:49 AM
To: bmasterson@mhepc.com
Subject: Cumberland Farms

Brendan, we are trying to get Myra to give us fees and procedure for final Planning Board sign-off. Last week she stated she had talked to Mark and he was not sure whether we had addressed everything. Can you please either forward me something in writing or speak with Mark regarding his sign-off. Also if there is something she needs regarding fees from you guys could you forward that as well. Thanks again, Jim.

Jim Gillespie
Bohler Engineering, P.C.
5 Computer Drive West, Suite 203
Albany, NY 12205
518-438-9900
518-438-0900 (fax)
518-573-4246 (cell)

----- End of Forwarded Message -----

Mark J. Edsall, P.E., Principal
McGoey, Hauser & Edsall, Consulting Engineers, P.C.
33 Airport Center Drive - Suite #202
New Windsor, New York 12553
(845) 567-3100



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

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232
e-mail: mhenry@mhepc.com

Writer's e-mail address:
mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CUMBERLAND FARMS SITE PLAN AMENDMENT
(RECONSTRUCTION OF EXISTING SITE)
PROJECT LOCATION: NYS ROUTE 94 & CAESAR'S LANE
SECTION 37 – BLOCK 1 – LOT 53
PROJECT NUMBER: 05-25
DATE: 26 APRIL 2006
DESCRIPTION: THE APPLICANT PROPOSES FULL DEMOLITION OF THE BUILDING
AND SITE, AND RECONSTRUCTION OF THE FACILITY WITH A 3600
SQ.FT. CONVENIENCE STORE WITH GAS DISPENSERS. THE PLAN
WAS PREVIOUSLY REVIEWED AT THE 27 JULY 2005 AND
22 FEBRUARY 2006 PLANNING BOARD MEETINGS.

1. The project is located in the PO zoning district of the Town. The use is a pre-existing non-conforming use in the zone. As such, no specific bulk values apply. The application received a variance for the proposed building increase, with exceeded that allowed by Section 300-73 (B) (3) of the Town Code.
2. The application has been at 2 previous meetings, has been to 2 worksessions, and was previously referred to the ZBA. Please note the following regarding procedural status of the application:
 - Lead Agency Taken & "neg dec" adopted (SEQRA closed) 2-22-06.
 - Public Hearing for Special Permit & Site Plan held 2-22-06.
 - O.C. Department of Planning "Local Determination" dated 3-14-06.
3. Prior to considering Special Permit Approval, the Board should make the following determinations with regard to the application, with the understanding that this is an existing use, which is proposed for expansion, and has been considered by the Zoning Board of Appeals and has received the necessary variance in that regard:
 - That all proposed structures, equipment or materials are readily accessible for fire and police protection.

REGIONAL OFFICES

- 111 Wheatfield Drive – Suite One • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

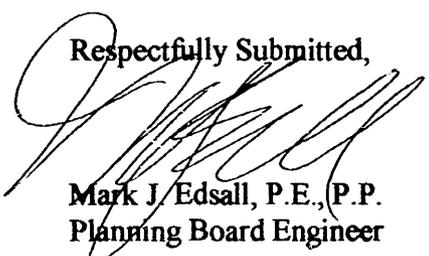
- That the proposed use and layout are in harmony with the orderly development of the zoning district, and will not have a detrimental effect on the adjacent properties.
- That the proposed use is adjacent to a residential district, and in the review of same, the Board has determined that the nature, intensity of operations, layout and structure heights, and landscaping will not be hazardous, inconvenient, nor conflict with the normal traffic of the neighborhood, nor will the project hinder or discourage appropriate development and use of adjacent land and buildings.

Following this determination, the Board should consider granting the special permit, with any conditions or terms as the board may deem appropriate.

4. If the Board considers a conditional site plan approval of the application, I recommend the following conditions in addition to any established by the Board:

- A final approval from the Highway Superintendent should be on file.
- The propane tanks shown on Sheet 4 should note "subject to approval of Town Fire Inspector".
- Final revisions shall be made to the stormwater management improvements as outlined by the Town Engineers.
- The sign depicted on sheet 12 should be deleted from the plans.
- That a note be added to sheet 9 "The applicant agrees to make any necessary modifications or adjustments to site lighting if the improvements shown hereon, should the lighting result in a glare condition (in the opinion of the Town) which impacts the residential units to the south or the State Highway."
- That the applicant be advised that drawings 13 thru 16 have not been reviewed as part of the site plan application and are for reference only, and are subject to further regulatory and departmental review.
- The applicant should be directed to complete the corrections noted at this meeting, and prepare the bond estimate for this Site Plan in accordance with Chapter 137 of the Town Code.
- That all fees be paid prior to stamp of approval.

Respectfully Submitted,



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



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: E 911 COORDINATOR

P.B. FILE #05-25

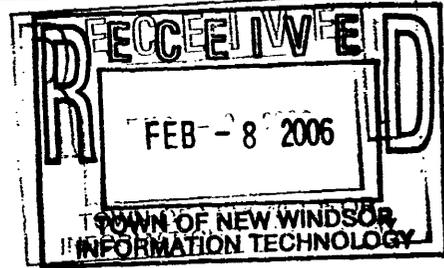
DATE RECEIVED: 02-07-06 TAX MAP #37-1-53

PLEASE RETURN COMPLETED FORM TO MYRA
BY: 02-20-06 TO BE ON AGENDA FOR THE 02-22-06 PLANNING BOARD
MEETING.

THE MAPS AND/OR PLANS FOR:

CUMBERLAND FARMS - RT. 94 + CASAYS LANE

Applicant or Project Name



SITE PLAN XXX, SUBDIVISION _____, LOT LINE CHANGE _____,
SPECIAL PERMIT XXX

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: E-911 Numbering NOT affected

DISAPPROVED:

Notes: _____

Signature: [Signature] 3/9/06
Reviewed by _____ date



COUNTY OF ORANGE

EDWARD A. DIANA
COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845)291-2318 FAX: (845)291-2533
www.orangecountygov.com/planning

DAVID CHURCH, A.I.C.P.
COMMISSIONER

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

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: New Windsor Planning Board

Reference/County ID No.: NWT04-06M
Tax Parcel ID: 37-1-53

Applicant: Cumberland Farm

Proposed Action: Site Plan: Convenience & Gas Outlet

Reason for Review: Within 500' of US Rte 94

Date of Full Statement: February 28, 2006

Comments: The Department has received the above application, and offer the following:

- This project will have no major impact upon State or County facilities nor have any significant inter-municipal issues.
- It is also consistent with the County Comprehensive Plan and local laws.
- Having no further comments, from a County perspective, the Department recommends that the Planning Board proceed with its decision-making review process.

County Recommendation: Local Determination

Date: March 14, 2006

Reviewed By: Kathy V. Murphy, Planner


David Church, AICP
Commissioner of Planning

"IMPORTANT NOTE: As per NYS General Municipal Law 239-m(6), within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning."

05-25

CC: M.E.



RESULTS OF P.B. MEETING OF: February 22, 2006
 PROJECT: Cumberland Farms P.B. # 05-25

LEAD AGENCY:

NEGATIVE DEC:

AUTHORIZE COORD. LETTER: Y ___ N ___
 TAKE LEAD AGENCY: Y N ___

M) MNS) Sch VOTE: A 5 N 0
 CARRIED: Y N ___

M) V S) Sch VOTE: A 5 N 0
 CARRIED: Y N ___

PUBLIC HEARING: WAIVED: ___ CLOSED:

M) Van S) Sch VOTE: A 5 N 0 SCHEDULE P.H.: Y ___ N ___

SEND TO O.C. PLANNING: Y ___
 SEND TO DEPT. OF TRANSPORTATION: Y ___

REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___

RETURN TO WORK SHOP: Y ___ N ___

APPROVAL:

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

NEED NEW PLANS: Y ___ N ___

CONDITIONS - NOTES:

<u>Olsen - Spick - Vanden ...</u>
<u>Get memo from Anthony for curb cuts</u>
<u>O.C. Planning?</u>
<u>NO PUBLIC COMMENT</u>
<u>Dumpster + Bldg should MATCH - (Brick)</u>
<u>Need Fire App</u>
<u>Need Bollards for Propane tanks</u>

February 2, 2006

3

PUBLIC HEARINGS:

CUMBERLAND FARMS (05-25)

MR. ARGENIO: First on the agenda we have Cumberland Farms site plan amendment, reconstruction of the existing site on New York State Route 94 and Caesar's Lane. The applicant proposes full demolition of the building and site and reconstruction of the facility with a 3,600 square foot convenient store with gas dispensers. The plan was previously reviewed at the 27 July, 2005 planning board meeting and was referred to the ZBA at that time. The applicant is before this board for a public hearing at this meeting. Somebody here to represent this?

MR. OLSON: Good evening, Mr. Chairman, my name is Richard Olson with the law firm of McCabe & Mack, Mr. Rob Spivak (phonetic) is the design engineer from Bohler Engineering and Mr. Don Vanderfine (phonetic) is the regional manager.

MR. ARGENIO: Tell us what you're doing there but I want to hear about how you played out at the zoning board.

MR. OLSON: As you already said we're here for a total redesign of this site. We're here this evening for a site plan and a special permit hearing. Currently, Cumberland Farms has an existing non-conforming use on the site which is a convenience gasoline station, there's a small block building and two pumps that sit right on Route 94. The proposal is to raze the entire site to set the building back with 3,600 square foot convenient store to add six gas pumps to the site setting them back.

MR. ARGENIO: How high are you raising the site?

MR. OLSON: Raze, R-A-Z-E, remove everything on the

site, set the gas pumps back to the required setback from Route 94 moving the entrance which was the original suggestion of your engineer on Caesar's Lane back towards the rear of the property. The property does benefit from a substantial tree line at the rear of the property, a lot of which is not on our property, still a substantial amount of trees that will be maintained on the property going to improve landscaping, architectural improvements and basically it's a total rebuild of the site. On October 24, we were before the zoning board, we did obtain the variance for the enlargement of the non-conforming use based upon the plan. The only requirement that that board set at that time was that we add a security fence around the property because of concerns raised by some of the adjoining property owners about access through the site, garbage strewn over on their property so that has been added to this plan. That's really the major change that has been put on it since the last time this board saw it.

MR. ARGENIO: Okay, folks, this is a public hearing and we're going to accept comments from the public but we're not going to accept it now, we're going to open it up to the board for discussion amongst the board members and then we'll open it up to the public. I see we have not taken lead agency under the SEQRA process and I'll accept a motion to that effect right now.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Yes, second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board take lead agency under the SEQRA process. If there's no further discussion from the board members, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. BROWN AYE
MR. VAN LEEUWEN AYE
MR. MINUTA AYE
MR. ARGENIO AYE

MR. ARGENIO: Please note for the record that Mr. Minuta has joined us. I have a couple of things, you said enlargement to the non-conformance, what did you mean by that?

MR. OLSON: That's a non-conforming use in your PI district, i.e., it's not a permitted use, your code does permit us to enlarge the size of the use, there was a 1,600 square foot store, we're going to a 3,600 square foot store, I believe calculated 127 percent increase that was granted by your ZBA.

MR. ARGENIO: So it was a coverage variance that you were looking for?

MR. OLSON: Well, a use variance between the size of the building, the additional canopy, the current store is a very small block building sitting approximately in this area in the front and the two pumps sit directly on the front property line.

MR. ARGENIO: That's the only variance that you went there that you sought from them?

MR. OLSON: That was the only variance we were required under your codes, it was the fact in increasing the size the setbacks were established by the plan that we presented along with the increase size to the property.

MR. ARGENIO: Tell me what you're doing with the curb cuts.

MR. OLSON: The curb cut that exists on the site sits

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closer to Route 94, in the initial review with the engineer, it was suggested that this be moved further back for safety reasons, it has been moved back down further on Ceasar's for better access. The curb cuts on 94 are being left as they are.

MR. ARGENIO: Do we have any issue with the DOT with that, Mark?

MR. EDSALL: No.

MR. ARGENIO: He's eliminating that one that's probably problematic that's close to 94 and in lieu of something down on Caesar's Lane.

MR. EDSALL: Well, it's on Caesar's Lane, it's just nearer to the state intersection, we've had guidance from the DOT on every application where we could move the curb cuts further away from intersections.

MR. ARGENIO: Anthony is not going to take any exception with this?

MR. EDSALL: I've spoken to him about it, my understanding is he's going to issue a memo accepting the change, he had a question on drainage which I'm going to follow up with on the, with the applicant, but he had no problem with the curb cut.

MR. ARGENIO: And the two entrances that are on 94 are they going to remain where they are today?

MR. OLSON: Yes, these are the existing curb cuts, we don't propose any changes.

MR. ARGENIO: Going to replace the physical curb there?

MR. OLSON: I don't believe there's any work.

MR. VAN LEEUWEN: Says here to remain.

MR. OLSON: We don't propose any work on the New York State route.

MR. VAN LEEUWEN: You're not proposing any work on the curb cuts?

MR. OLSON: No.

MR. VAN LEEUWEN: Not talking about the curb cut but on the state right-of-way?

MR. OLSON: No.

MR. VAN LEEUWEN: Is there a sidewalk in that area?

MR. BABCOCK: No.

MR. OLSON: No, there's no sidewalk.

MR. ARGENIO: Mark, going north or south of the site you don't have any sidewalk there, do we?

MR. EDSALL: I don't believe in that area there's sidewalks at all.

MR. ARGENIO: What's the apartment complex across from the old skating rink?

MR. BABCOCK: Sycamore.

MR. EDSALL: Just a split rail fence in front.

MR. VAN LEEUWEN: They have a sidewalk that runs next to the building, that's about it in that entire area.

MR. SCHLESINGER: Do you show a dumpster area?

MR. OLSON: The dumpster enclosure is right here.

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MR. OLSON: Which I believe you'll see on the detail, it's a continuation on the block from the building.

MR. SCHLESINGER: Okay, I see it.

MR. ARGENIO: The enclosure.

MR. SCHLESINGER: Access is--

MR. ARGENIO: Neil, I missed part of that, is that a blocked structure?

MR. OLSON: You'll see on the detail this is block, it's continuing to go off the building.

MR. MINUTA: Building's brick?

MR. OLSON: Yes.

MR. MINUTA: So it's not the same.

MR. OLSON: Well, do you have the detail on that?

MR. SPIVAK: We're going to carry split face block.

MR. MINUTA: From the rear exterior?

MR. SPIVAK: That's correct.

MR. ARGENIO: Okay, the board members continue to look at your plans, we'll have another opportunity to comment on this. On the 8th day of February, 2006, 48 addressed envelopes went out containing the notice of public hearing for this site. At this time, if there's anybody in the audience who'd like to speak?

MR. EDSALL: Mr. Chairman, just comment 2, just look at that.

MR. ARGENIO: Right, I'd like to read Mark's comment

because I want to read this into the minutes, this public hearing is a site plan public hearing and is also for a special permit type use in the PO zone with the understanding that the existing use is a non-conforming, pre-existing use in the zone and that information was contained in the public hearing notice. Neil, you have something?

MR. SCHLESINGER: I'm just asking your opinion there seems to be an abnormal amount of bullets here as far as Mark is concerned.

MR. ARGENIO: There's quite a few bullets.

MR. SCHLESINGER: Do you think that that's appropriate to have a public hearing based upon those?

MR. ARGENIO: Well, in my opinion, I've read through the bullets and there's things here Neil like lighting, the type of light fixture which typically Mark would work out with Mike, there's some notes that need to be included on the plans which again Mark will see to those details in the final analysis, but as far as the public is concerned, that snapshot that they're showing us right now that's what they want to build so yes, unlike other applications, i.e. Shadow Fax I think that's what you're referring to, this is in substantial conformance to what they want to build.

MR. OLSON: We just received this tonight, our engineer looked at it, has no disagreement.

MR. EDSALL: There's nothing and again the reason why the list is coming at this point is that they went to the ZBA and normally when they come in for a public hearing I will have given them all the comments but because they went to the Zoning Board first they didn't have that opportunity, none of these as you're calling them bullets, comments, are such that will substantially change the plan.

MR. ARGENIO: I agree with that so having said what we said if there's anybody in the audience that would like to speak for or against this application, please raise your hand, be recognized by the Chair and you can come up and make your comments. Inasmuch as there is no show of hands, I'll accept a motion that we close the public hearing for the Cumberland Farms site plan at this.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded to close the Cumberland Farms plan public hearing. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. VAN LEEUWEN	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE

MR. ARGENIO: At this point in time, I would like to open this back up to the board members and there's some bullets here, certainly there's some comments and there's some work for the applicant's engineer to work through, if there's any further discussion, if anybody has anymore comments or would like to, has anymore questions for these folks, now's the time to ask.

MR. VAN LEEUWEN: I'd like to look at the, you're going to build a set of block?

MR. OLSON: It's a split face block.

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MR. VAN LEEUWEN: The dumpster enclosure I'd like to see the dumpster enclosure be the same thing as the rest of the building.

MR. OLSON: Yes, that's proposed on sheet 13, I believe the details show it to be an extension of the split faced block.

MR. SPIVAK: Well, it's going to be a split faced block, the building is brick is that what you're referring to?

MR. VAN LEEUWEN: If the building is brick I'd like to see that brick too, I want it to match, that's only my saying, that's not the rest of the board.

MR. ARGENIO: Do you have a problem with that? I don't have a problem. Typically we look for them to match.

MR. MINUTA: I don't disagree with that but the back of the building is block which is a continuation of that really what they're going to see.

MR. VAN LEEUWEN: The side that you see from the road have it match the building.

MR. ARGENIO: Front and side would be a good idea if you can put a brick facade on it.

MR. MINUTA: Real question comes to the fencing out in front for the gate.

MR. SPIVAK: Up in front here we're going to have the front two which is basically a slatted chain link fence for the gates, immediately adjacent to this as there's no natural gas service we have an enclosure there also for the propane tanks.

MR. ARGENIO: Message to you guys those enclosures should be in kind with the building, yes?

MR. VAN LEEUWEN: Yes, absolutely.

MR. MINUTA: Yes, yes.

MR. ARGENIO: We left on SEQRA on this application yet I think this is a minor impact, if any of the board members agree with me, I'll accept a motion for a negative dec under the SEQRA process.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative declaration under the SEQRA process. If there's no further discussion from the board members, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. VAN LEEUWEN	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE

MR. SCHLESINGER: I have another question, with the propane tanks, there must be some sort of code that there's going to be activity as far as the garbage and the trucks coming in, I'm sure some sort of code as far as bollards.

MR. SPIVAK: Yeah, Mr. Edsall noted there on the location and final design of this is subject to Town fire inspector's approval of that and we'll provide that.

MR. VAN LEEUWEN: What's the material you're going to

use for the back fence?

MR. SPIVAK: Right now there's a detail on sheet 13 proposed to be just wood stockade fence.

MR. ARGENIO: Neil, I should of mentioned it, we do have fire approval on this from the fire inspector on February 9, I should of mentioned that.

MR. SCHLESINGER: I'm sure there's a code there and although it's not shown on the plan, I'm sure that--

MR. EDSALL: We should have bollards on the outboard side of those tanks so we'll have them add that.

MR. MINUTA: Propane tanks in that position is not really the best location for them, I mean, gives a lot of hazard even with bollards. Can they be relocated to another area on the other side of the building?

MR. ARGENIO: Joe, to give you just a thought on this, and just my thought, obviously, I don't, we don't, I think it's in the best interest of everybody to not have them commingle with garbage trucks, but in my opinion I think that those appurtenances be they propane tanks or garbage enclosures I think that they should be centrally located in one area on the site and not scattered about on the site. That's only my opinion.

MR. MINUTA: Agreed.

MR. ARGENIO: That's been my experience in the past.

MR. MINUTA: There would be access, I'm just speaking out loud, this is not necessarily a decision, but if we have the propane tanks to the other side of the building you still have access to them and you have a lot less vehicular traffic, especially large vehicles in the area in case of emergency.

MR. SPIVAK: We can consider that to the chairman's point that was the intent to keep everything central, we've got a striped loading zone.

MR. ARGENIO: I kind of prefer that, I mean, I'm not saying I think you're wrong but I kind of prefer that stuff centrally located and you've got the fence there, maybe if you want additional fence or something up that one property line, I don't think that would be the end of the world but I'd like to see that stuff centrally located.

MR. SCHLESINGER: It was approved by the fire and whatever safety precautions should be in place will be in place.

MR. EDSALL: I'm assuming that the masonry enclosure for the dumpster would just have another bay for the propane so it's going to be enclosed within masonry.

MR. SPIVAK: That's correct.

MR. ARGENIO: Okay, Mark, have I missed anything else on this application?

MR. EDSALL: No, just so the record is clear, it has been sent over to the County Planning Department so we need for that time period to expire so we can have the applicant do some work on the plans to correct these minor items I've listed and hopefully we'll have an answer back from the county and we can move forward.

MR. ARGENIO: Andy, have I missed anything?

MR. KRIEGER: No, I don't think you missed anything.

MR. ARGENIO: What else? I don't know how far we can go, there's quite a few bullets, you have a little bit of work to do, certainly it seems you're over the hump

but you have some things to do here.

MR. OLSON: Engineer's indicated they'll be able to address the items that Mr. Edsall's come up with.

MR. ARGENIO: Get with Mark, he's on top of his game and he'll review it with you.

MR. OLSON: We'd like to be back at the next meeting.

MR. ARGENIO: We have to wait to hear from the county.

MR. EDSALL: If not it will be the next meeting or following meeting, they have 30 days and I'm not quite sure what date it was out but Myra, did this go out at a joint referral for the ZBA or go out individually?

MS. MASON: I don't know, I'd have to check.

MR. EDSALL: We'll check on that and let you know.

MR. OLSON: So we'd be able to get on the next available meeting once county referral comes in?

MR. EDSALL: Exactly.

MR. ARGENIO: Thank you.

ORANGE COUNTY DEPARTMENT OF PLANNING

124 Main Street
Goshen, NY 10924-2124

APPLICATION FOR MANDATORY COUNTY REVIEW OF LOCAL PLANNING ACTION

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

Local File No. 05-25 (Please include this number on any correspondence)

1. Municipality Town of New Windsor Public Hearing Date: 2-22-06

City, Town or Village Board _____ Planning Board Zoning Board _____

2. Owner: Name: Cumberland Farm
Address: 777 Dedham Street, Canton, MA 02021

3. Applicant * Name: same
Address: _____

***If applicant is owner, leave blank**

4. Location of Site: South Side Route 94
(Street or highway, plus nearest intersection)

Tax Map Identification: Section: 37 Block: 1 Lot: 53

Present Zoning District: PO Size of Parcel: 1.05 Acres

5. Type of Review:

***Site Plan

Zone Change: From = _____ To: = _____

Zoning Amendment: To Section _____

**Subdivision: Number of Lots/Units _____

***Site Plan: Use Reconstruct Existing Site Plan

Date: 02-18-06

Signature & Title: Mark J. Edsall, P.E.

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



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

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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Writer's e-mail address:
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CUMBERLAND FARMS SITE PLAN AMENDMENT
(RECONSTRUCTION OF EXISTING SITE)
PROJECT LOCATION: NYS ROUTE 94 & CAESAR'S LANE
SECTION 37 – BLOCK 1 – LOT 53
PROJECT NUMBER: 05-25
DATE: 22 FEBRUARY 2006
DESCRIPTION: THE APPLICANT PROPOSES FULL DEMOLITION OF THE BUILDING AND SITE, AND RECONSTRUCTION OF THE FACILITY WITH A 3600 SQ.FT. CONVENIENCE STORE WITH GAS DISPENSERS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 27 JULY 2005 PLANNING BOARD MEETING AND WAS REFERRED TO THE ZBA AT THAT TIME. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The project is located in the PO zoning district of the Town. The indicated use is a pre-existing non-conforming use in the zone. The application proposes a building area increase from 1590.5 sf. to 3600 s.f., which exceeds the permissible amount delineated in Section 300-73 (B) (3) of the Town Code. The layout also required additional setback, coverage and off-street parking variances. As such, the Planning Board referred this application to the Zoning Board of Appeals for necessary action. The plan notes that the necessary variances were obtained on 10-24-05. A copy of the ZBA decision should be on file with the Planning Board.
2. The Chairman, upon opening the public hearing portion of the meeting, should advise the public that *the public hearing is a site plan public hearing, and is also for a "Special Permit Type Use" in the PO zone, with the understanding that the existing use is a non-conforming pre-existing use in the zone.*
3. *Also prior to opening the public hearing, I suggest the Planning Board assume the position of Lead Agency under the SEQRA review process.*

REGIONAL OFFICES

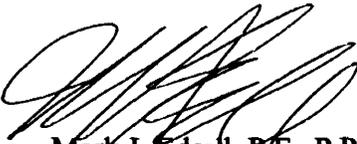
- 507 Broad Street • Millford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

4. I have reviewed the final plan submitted and have the following comments:

- The plan includes two above-ground propane tanks. The permitted size, location and details are subject to Fire Inspector approval. A record of his approval should be on file before the plan is stamped.
- The curb-cut to Caesar's Lane is being modified and is, in my opinion, an improvement. An approval from the Highway Superintendent is required before stamp of approval.
- The proposed relocated sign at the corner of Caesar's Lane and Route 94 is subject to field verification that sight lines will in no way be compromised.
- The plan depicts a 6 ft. stockade fence along the rear of the site, adjoining the residential complex. The finished side of the fence should face the residential.
- The board's attention is directed to the "On-Site Concrete Curb Detail" on sheet 13. I question the proposed curb with adhesive to binder course. Why aren't conventional curbs being utilized?
- Drawings 11, 12 are not appropriate plans for site plan approval. These may be beneficial for informational purposes, but should not be part of the final set submitted for stamp of approval.
- The bulk table on drawing 4 indicates various "required" values. Since this use is not referenced, or permitted, in the PO zone, where are these values from? The table indicates a permitted 35 ft. height; was that determined by the ZBA? An existing and proposed height of 15 ft. is indicated; however, the elevations on sheet 11 depict a height of approximately 35.5 ft.
- I had requested that the applicant used cutoff type fixtures, and recessed or flushed fixtures for canopy lighting. Sheet 9 depicts various fixtures which are somewhat questionable in this regard. Further, better coordination could be provided to identify which type fixture (focus, encore, or challenger) is what model number referenced in the table. (note there are three types depicted, but four letter types in the table).
- The plan includes a depressed detention/infiltration area for discharge of site collected stormwater. Supporting design should be provided. Other alternatives should be considered. (note that a full SWPPP is not required for this site since less than 1 acre of new disturbance is involved).
- The back-out dimension behind 90-degree parking (east side of building) should be 25 ft.

5. The Planning Board may wish to classify this action as an "unlisted action" under SEQRA, and consider a "negative declaration" of environmental significance, based on the information presented and reviewed.
6. The mandatory referral to the Orange County Planning Dept. (GML 239) was just recently made, upon scheduling for this meeting. The 30-day period has not expired. As such, the Board can take no final action at this time.
7. In the interim, the applicant should be directed to complete the corrections noted at this meeting, and prepare the bond estimate for this Site Plan in accordance with Chapter 137 of the Town Code.

Respectfully Submitted,



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

MJE/st
NW05-25-22Feb06.doc

37-1-52.1
Qualamar Corp.
P.O. Box 1150
Newburgh, NY 12550

43-1-33
Patricia Camacho
9 St. Anne Drive
New Windsor, NY 12553

43-1-36
James & Doralies Wright
3 St. Anne Drive
New Windsor, NY 12553

43-1-39
Grace Panella
Celia Panella
2 Hearthstone Way
New Windsor, NY 12553

43-1-43
Robert & Andrea Murphy
6 Hearthstone Way
New Windsor, NY 12553

78-2-38
DuWayne Tinsley
Carmen Martinez Tinsley
38 Guernsey Drive
New Windsor, NY 12553

78-2-41
Kevin & Kasey Stanley
44 Guernsey Drive
New Windsor, NY 12553

78-2-44
Freeman & Vanley Hughley
50 Guernsey Drive
New Windsor, NY 12553

78-9-24
Albert & Marion Moo
25 Guernsey Drive
New Windsor, NY 12553

78-11-2
Kelvin Hill
216 Dairy Lane
New Windsor, NY 12553

37-1-52.2
William & Dorothy Scott
8 Cedar Lane
New Windsor, NY 12553

43-1-34
Stephen Littier, Jr.
7 St. Anne Drive
New Windsor, NY 12553

43-1-37
Juan & Luz Morales
1 St. Anne Drive
New Windsor, NY 12553

43-1-40
Robert Kennon
Richard Kennon
66 Drum Hill Road
Wilton, CT 06897

43-1-44
James Ely
8 Hearthstone Way
New Windsor, NY 12553

78-2-39
Sandra Santos
Eddie Thomas
40 Guernsey Drive
New Windsor, NY 12553

78-2-42
Jeffrey Ragni
46 Guernsey Drive
New Windsor, NY 12553

78-2-45
David Anthony Perez
Lourdes Zapata Perez
200 Butterhill Drive
New Windsor, NY 12553

78-9-25
Steven & Carol Radich
27 Guernsey Drive
New Windsor, NY 12553

78-11-15
Kenneth & Susan Curry
21 Guernsey Drive
New Windsor, NY 12553

37-1-54
Forge Hill Gardens Assoc.
c/o Garnet Management, Inc.
333 North Broadway
Jericho, NY 11753

43-1-35
William Wickline
5 St. Anne Drive
New Windsor, NY 12553

43-1-38 & 41
Luis Aldebot
Grace Panella
2 Hearthstone Way
New Windsor, NY 12553

43-1-42
Linda Dineen
4 Hearthstone Way
New Windsor, NY 12553

78-2-37
Joseph & Joyce D'Alo
36 Guernsey Drive
New Windsor, NY 12553

78-2-40
Patricia Lynn & John Koster
42 Guernsey Drive
New Windsor, NY 12553

78-2-43
Wanda Mendillo
48 Guernsey Drive
New Windsor, NY 12553

78-9-23
Raymond & Laura McCormack
223 Dairy Lane
New Windsor, NY 12553

78-11-1
John Curtis
23 Guernsey Drive
New Windsor, NY 12553

80-1-5
Michael Mulligan
207 Butterhill Drive
New Windsor, NY 12553

80-1-6
Shirley Figueroa
Alicia Hernandez
205 Butterhill Drive
New Windsor, NY 12553

80-1-18
Beth & John Hordines, Jr.
96 Guernsey Drive
New Windsor, NY 12553

80-1-38
Victor & Maria Perez
64 Guernsey Drive
New Windsor, NY 12553

80-1-41
Jaime & Mara Perico
58 Guernsey Drive
New Windsor, NY 12553

80-4-1
Brian & Kathleen Doyle
202 Butterhill Drive
New Windsor, NY 12553

80-7-1
David & Michele Steinberg
53 Guernsey Drive
New Windsor, NY 12553

80-1-7
Michael & Karen Pospisil
203 Butterhill Drive
New Windsor, NY 12553

80-1-19
Richard & Lisa Dewsnap
94 Guernsey Drive
New Windsor, NY 12553

80-1-39
Randolph & Peggy Wolfe
62 Guernsey Drive
New Windsor, NY 12553

80-1-42
Alexander & Sharine Perico
56 Guernsey Drive
New Windsor, NY 12553

80-4-2
Peter Stukonis
Margaret Elstob
204 Butterhill Drive
New Windsor, NY 12553

80-7-2
Charlie Rios
51 Guernsey Drive
New Windsor, NY 12553

80-1-17
William & Kathleen Vacca
P.O. Box 4013
New Windsor, NY 12553

80-1-37
Robert & Nora Bush
66 Guernsey Drive
New Windsor, NY 12553

80-1-40
John & Tina Reilly
60 Guernsey Drive
New Windsor, NY 12553

80-1-43
Teresa Albaugh
201 Butterhill Drive
New Windsor, NY 12553

80-4-3
Roy & Cynthia Gutshall
705 Mara Drive
Blue Bell, PA 19422

80-7-9
James Smith
Diane Cassell-Smith
37 Guernsey Drive
New Windsor, NY 12553

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 **February 22, 2006** at 7:30 P.M. on the approval of the proposed

Site Plan and Special Permit for **CUMBERLAND FARMS**

Located at **401 BLOOMING GROVE TURNPIKE** (Tax Map #Section **37**, Block **1**, Lot **53**) . Map of the proposed project is on file and may be inspected at the **Planning Board Office**, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public Hearing.

Date: JANUARY 27, 2006

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD



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

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION

PLANNING BOARD FILE NUMBER: 05-25

DATE: 8/30/05

APPLICANT:

Cumberland Farm c/o Richard J. Olson, Esq., 63 Washington St., POB 509, Poughkeepsie

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 7/13/05

FOR: SITE PLAN

LOCATED AT: South side NYS Rt. 94 near Caesars Lane

ZONE: PO

#1 ZBA 9-12-05
SET UP FOR P/H

#2 ZBA
APPROVED

DESCRIPTION OF EXISTING SITE: SEC: 37 BLOCK: 1 LOT: 53

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Variance from Section 300-73 (B)(3) which limits extensions of pre-existing non-conforming use to 30%. Applicant seeks approval for 127% increase in footprint (1590 sf to 3600 sf).

TOWN OF NEW WINDSOR CODE: 300-73(B)(3)

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



TOWN OF NEW WINDSOR

ZONING BOARD OF APPEALS

Regular Session

Date: **OCTOBER 24, 2005**

AGENDA

7:30 p.m. – Roll Call

Motion to accept minutes of SEPTEMBER 26, 2005 meetings as written.

PRELIMINARY MEETINGS:

SET UP
FOR P/H

1. **RICHARD EVANS (05-63)** Request for 8 ft. 6 inches Rear Yard Setback for proposed rear deck at 2415 Settler's Ridge in an R-3 Zone (77-11-3)

SET UP
FOR P/H

2. **DANE LEROY (05-64)** Request for 10 ft. Side Yard Setback for existing 10ft by 12 ft. shed which is also located over a drainage easement at 2 Spring Rock Rd in an R-4 Zone (43-1-50)

SET UP
FOR P/H

3. **HARRY TOROMANIDES (05-65)** Request for 12 ft. 6 inch variance for proposed second floor addition that will project closer to the road than original house at 10 Hickory Avenue in an R-4 Zone (18-3-19)

SET UP
FOR P/H

4. **JULIAN PAYNE (05-66)** Request for 4.2 ft Side Yard Setback and; 12.3 ft. Total Side Yard Setback for proposed addition at 30 Birchwood Drive in an R-4 Zone (39-4-18)

SET UP
FOR P/H

5. **LEWIS SIGN CO. (for Straus Family Capital) (05-67)** Request for 160 square ft. area and; 4 ft Height variance for Free-standing sign at 59 Windsor Highway in a C Zone (9-1-38.21)

SET UP
FOR P/H

6. **R. MELNIK, JR. & M. MANDEL (05-68)** Request for Interpretation and/or variance for a two-family dwelling or a dwelling with two kitchens at 298 Lake Road in an R-4 Zone (58-2-2)

PUBLIC HEARINGS:

TABLE
TO NOV-14-05

7. **MT. AIRY ESTATES (05-55)** Request for 17 ft. Rear Yard Setback for proposed single-family house at 2029 Independence Drive (corner lot) in an R-3 Zone (77-1-12)

TABLE TO
NOV-14-05

8. **MT. AIRY RESTATES (05-56)** Request for 17 ft. Rear Yard Setback for proposed single-family house at 2657 Liberty Ridge in an R-3 Zone (64-2-24)

APPROVED

9. **ANGELINA COLONI (for Anthony & Rose Damiano)** Request for 17 ft. Side Yard Setback for existing 8 ft. X 20 ft. breezeway attached to existing garage at 39 Hillside Ave in an R-4 Zone (12-1-38)

APPROVED

10. **JOSEPH BONURA (05-50)** Request for determination of the exact location of any District Boundary shown on the zoning map, or Use Variance to locate a hotel in an R-4 Zone at 2975 NYS RT. 9W in an R-4 Zone (37-1-31.1)

APPROVED

11. **JEFFREY EHLERS (05-49)** Request for 27 ft. Rear Yard Setback for proposed House Deck, Pool Deck and Pool at 342 Butternut Drive in a CL-1 Zone (80-6-1)

APPROVED

12. **CUMBERLAND FARMS (05-58)** Request for variance from Section 300-73(B)(3) which limits extensions of pre-existing non-conforming use to 30%. Applicant seeks approval for 127% increase in footprint (1,590 s.f. to 3,600 s.f.) at Corner of Caesar's Lane & Rt. 94 in a PO Zone (37-1-53)



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

RICHARD D. MCGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 Airport Center Drive
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(845) 567-3100
fax: (845) 567-3232
e-mail: mhenry@mhepc.com

Writer's e-mail address:
mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CUMBERLAND FARMS SITE PLAN AMENDMENT
(RECONSTRUCTION OF EXISTING SITE)
PROJECT LOCATION: NYS ROUTE 94 & CAESAR'S LANE
SECTION 37 - BLOCK 1 - LOT 53
PROJECT NUMBER: 05-25
DATE: 27 JULY 2005
DESCRIPTION: THE APPLICANT PROPOSES FULL DEMOLITION OF THE BUILDING AND SITE, AND RECONSTRUCTION OF THE FACILITY WITH A 3600 s.f. CONVENIENCE STORE WITH GAS DISPENSERS. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The project is located in the PO zoning district of the Town. The indicated use is a pre-existing non-conforming use in the zone. Per Section 300-73 (B) (3) of the Town Code, the non-conforming use can be extended/remodeled up to an additional 30%. The application proposes increasing of the building area from 1590.5 s.f. to 3600 s.f., which is a 126% increase. As such, this application must be forwarded to the Zoning Board of Appeals for the necessary variance.

It is my recommendation that the planning board deem this application incomplete, and forward this application to the Zoning Board of Appeals for necessary action.

2. Once the applicant returns from the ZBA, we will continue our review of the application.

Respectfully Submitted,

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

MJE/st
NW05-25-27July05.doc

REGIONAL OFFICES

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

JULY 27, 2005

CUMBERLAND FARMS (05-25)

MR. PETRO: ZBA Referral, Cumberland Farms on Rt. 94 and Caesar's Lane. Proposed renovation and expansion of existing retail and gas pumps. Now this is here for a referral to the Zoning Board for what, the height on the building.

MR. OLSEN: This is here for a referral on a non-conforming use. This is the existing Cumberland Farms facility at Rt. 94 and Caesar's Lane so it's in your Professional Office zoning district. The use is non-conforming and Cumberland Farms has owned it since 1975. In order to do this thing, we need to expand the building in order to put the necessary improvements to the tank, the upgrades for environmental standards and increase the pumping capacity in order to that to support it, we have to have a larger expansion. Your code limits us to a 30% expansion and we will be seeking a variance of that from your Zoning Board. I believe Mr. Edsall indicated it was 125% expansion.

MR. SPIAK: That's because we have such a small store sitting on this property.

MR. PETRO: You're going to expand the store 125%.

MR. ARGENIO: Or is it the structure you're talking about.

MR. OLSEN: The structure. The existing structure sits approximately here and it's a small block building of approximately 1500 square feet. What we plan is the new modern Cumberland Farms Convenient Store that you have seen in the area before. We have some pictures as to what similar facilities are like.

MR. PETRO: Now, other than the expansion, would there be any other variances required. Now, I see your setback, you're moving this building back further than the other building.

MR. OLSEN: Correct, according to, and I met with Mr. Edsall on this, according to him, since there are no standards for this facility in the PO District, the variance for the non-conforming use expansion, if granted, would be on these setbacks that they have permitted here.

MR. PETRO: So it will be all in one, is what you are saying, right Mike.

MR. EDSALL: They look at the plan and historically they look at the nearest zone that would permit this use and then try to get an understanding of it relative to that zone. But, that happens at the ZBA.

JULY 27, 2005

MR. PETRO: How about your signage. Are you going to increase your signage.

MR. OLSEN: Signage, nothing is going to change. Signage ... what we are proposing to do is just maintain and clean up the existing free-standing sign on that. The existing Gulf Sign that you see on the canopy now will basically go away. There's a small non-illuminated Cumberland Farms sign on the, across the building. The building elevation proposed is something along the lines of a brick façade, black colonial style, mansard roof wrapping around it.

MR. ARGENIO: With a cupola.

MR. OLSEN: Yes.

MR. PETRO: How high is that cupola.

MR. OLSEN: That cupola at the end of the day is approximately 26 feet.

MR. PETRO: I'm not touching on Planning Board issues, I'm touching on anything that may be triggered at the Zoning Board because once you are there, you don't want to come back here and say, Oh, I forgot that one, and have to go back.

MR. OLSEN: Sure.

MR. PETRO: So, I would give it careful consideration and ask for what you need to ask for while you're there, don't make any mistakes, not that I say that you would. Curb cuts, you are using existing curb cuts, you're not changing anything.

MR. OLSEN: We are modifying the curb cut on Caesar's Lane to pull away from the intersection and get it back further. It pretty much spills out in this area. Right now its 10 feet or so.

MR. PETRO: Keep in mind you are going to need to go to the Highway Department here for a town road. You're not doing anything on the state road.

MR. OLSEN: No, we're not.

MR. PETRO: Okay, motion for final approval or not final...

JULY 27, 2005

MR. ARGENIO: I'll make a motion that the Planning Board deem this application incomplete at this time.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board deemed this application incomplete. The reason I got confused is that for fifteen years we've been saying the other way, now this is..

MR. OLSEN: We'll take final approval.

MR. PETRO: No we do final and then deny it, so now an attorney has come up with the idea it is not really the correct way of wording it so now we just say it's incomplete and deny it. Anyway we deem this application incomplete and forward to the Zoning Board of Appeals of the Town of New Windsor. Is there any further discussion from the Board Members. If not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: Okay, at this time you have been referred to the New Windsor Zoning Board of Appeals for your necessary variances. If you are successful and receive those variances then you can reappear before this Board at such time to present the site plan which we will review.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/22/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 5-25
NAME: CUMBERLAND FARMS SITE PLAN PA2005-415
APPLICANT: CUMBERLAND FARMS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/20/2005	REC. CK. #30438 (MCCABE&M	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

Di
7/21/05

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#679-2005

07/25/2005

McCabe & Mack LLP *AB 05-25*

Received \$ 125.00 for Planning Board Fees, on 07/25/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

**FIRE INSPECTOR'S
INTER-OFFICE CORRESPONDENCE**

TO: Gerry Argenio, Planning Board Chairman

FROM: Kenneth Schermerhorn, Asst. Fire Inspector (CS)

**SUBJECT: PB-05-25
Cumberland Farms, Route 94
SBL: 37-1-53**

DATE: February 9, 2006

Fire Prevention Reference Number: FPS-06-002

A review of the above referenced site plan has been conducted and is acceptable.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: FIRE INSPECTOR

P.B. FILE #05-25 DATE RECEIVED: 02-07-06 TAX MAP #37-1-53

**PLEASE RETURN COMPLETED FORM TO MYRA
BY: 02-20-06 TO BE ON AGENDA FOR THE 02-22-06 PLANNING BOARD
MEETING.**

THE MAPS AND/OR PLANS FOR:

CUMBERLAND FARMS - RT. 94

Applicant or Project Name

SITE PLAN XXX, SUBDIVISION _____, LOT LINE CHANGE _____,
SPECIAL PERMIT XXX

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: _____

DISAPPROVED:

Notes: _____

Signature: _____
Reviewed by _____ date _____



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

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Writer's E-mail Address:
mje@mhepc.com

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

100-3

TOWN / VILLAGE OF: New Windsor P/B APP. NO.: _____

WORK SESSION DATE: 15 June 2005 PROJECT: NEW OLD _____

REAPPEARANCE AT W/S REQUESTED: Not now RESUB. REQ'D: Full App

PROJECT NAME: Cumberland Farms

REPRESENTATIVES PRESENT: Richard Olson ESQ

MUNICIPAL REPS PRESENT: BLDG INSP. END FIRE INSP. _____
ENGINEER X PLANNER _____
P/B CHMN _____ OTHER _____

ITEMS DISCUSSED: PO - /Caesar - 94
exist PE/VC use. 1596 exist SF
wat variance 7809. 4185 proposed.
Rear variance
landscaping
Move Caesar's driveway
⇒ joint disc w MB re ZBA
issue

STND CHECKLIST: PROJECT TYPE
DRAINAGE _____
DUMPSTER _____ SITE PLAN
SCREENING _____ SPEC PERMIT
LIGHTING _____ L L CHG.
(Streetlights) _____ SUBDIVISION
LANDSCAPING _____ OTHER
BLACKTOP _____
ROADWAYS _____
APPROVAL BOX _____

PROJECT STATUS:
ZBA Referral: Y _____ N
Ready For Meeting Y _____ N
Recommended Mtg Date next avail



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

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WILLIAM J. HAUSER, P.E. (NY & NJ)
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JAMES M. FARR, P.E. (NY & PA)

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e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/ VILLAGE OF: New Windsor **P/B APP. NO.:** 05-25

WORK SESSION DATE: Dec 7 2005 **PROJECT:** NEW OLD X

REAPPEARANCE AT W/S REQUESTED: NO **RESUB. REQ'D:** Yes

PROJECT NAME: Kimberland Farms

REPRESENTATIVES PRESENT: Rob Olsen

MUNICIPAL REPS PRESENT: BLDG INSP. FIRE INSP.
ENGINEER X PLANNER
P/B CHMN OTHER

ITEMS DISCUSSED:

- On deposit that 13 feet double strip edge
- traffic sign on curbs not curb. top. (study) will do
- manure end in bldg finish
- slide fence closer to curbs
- in fill no traffic curb end
- ⁹⁴ not recontoured
- c/c in berm re SWPPP

STND CHECKLIST:

- DRAINAGE
- DUMPSTER
- SCREENING
- LIGHTING
(Streetlights)
- LANDSCAPING
- BLACKTOP
- ROADWAYS
- APPROVAL BOX

PROJECT TYPE

- SITE PLAN
- SPEC PERMIT
- LL CHG.
- SUBDIVISION
- OTHER

PROJECT STATUS:

ZBA Referral: Y N

Ready For Meeting X Y N

Recommended Mtg Date request/11 mtg.

Att/Control Plan @ 1/11



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: **HIGHWAY DEPARTMENT**

P.B. FILE #05-25 DATE RECEIVED: 07-20-05 TAX MAP #37-1-53

PLEASE RETURN COMPLETED FORM TO MYRA
BY: A.S.A.P. TO BE ON AGENDA FOR THE 07-27-05 PLANNING BOARD
MEETING.

RECEIVED

THE MAPS AND/OR PLANS FOR:

JUL 25 2005

CUMBERLAND FARMS - RT. 94

N.W. HIGHWAY DEPT.

Applicant or Project Name

SITE PLAN XXX, SUBDIVISION , LOT LINE CHANGE ,
SPECIAL PERMIT

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

APPROVED:

Notes: Location on access into Ceasar's Lane is approved. Drainage
 must be addressed.

DISAPPROVED:

Notes: _____

Signature: *Dennis J. Keefe* 7/27/05
Reviewed by date

PROJECT ID NUMBER

617.20
APPENDIX C

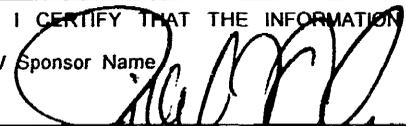
SEQR

STATE ENVIRONMENTAL QUALITY REVIEW

SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR Cumberland Farms	2. PROJECT NAME Cumberland Farms Site Plan
3. PROJECT LOCATION: New Windsor Municipality	Orange County
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map 401 Blooming Grove Turnpike on the south easterly corner of NYS Route 94 and Caesar's Lane	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: Raze and rebuild of existing Cumberland Farms convenience store with gas dispensers to provide for larger store and increase in gas pumping dispensers	
7. AMOUNT OF LAND AFFECTED: Initially 1.05 acres Ultimately 1.05 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, describe briefly: Expansion of non-conforming use	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park / Forest / Open Space <input type="checkbox"/> Other (describe)	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (Federal, State or Local) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit / approval: Zoning Board of Appeals, NYS DOT	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit / approval: Existing site plan approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant / Sponsor Name _____ Date: 7/13/05 Signature 	

If the action is a Coastal Area, and you are a state agency,
complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly:
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:
 Yes No

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

 Name of Lead Agency _____
 Date

 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)

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan Special Permit _____

Tax Map Designation: Sec. 37 Block 1 Lot 53

BUILDING DEPARTMENT PERMIT NUMBER PA 2005 - 415

1. Name of Project Cumberland Farms Site Plan

2. Owner of Record Cumberland Farm Phone 781-828-4900

Address: 777 Dedham Street Canton MA 02021
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Cumberland Farm Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan _____ Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney Richard J. Olson Phone 845-486-6896

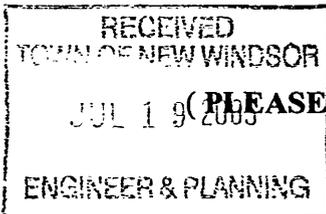
c/o McCabe & Mack LLP
Address 63 Washington Street, P.O. Box 509, Poughkeepsie, NY 12602-0509
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Richard Olson (845) 486-6896 (845) 486-0681
(Name) (Phone) (fax)

7. Project Location: On the South side of NYS Route 94
(Direction) (Street)

8. Project Data: Acreage 1.05 Zone PO School Dist. Newburgh



PAGE 1 OF 2

(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

05-25

9. Is this property within Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

***This information can be verified in the Assessor's Office.**

***If you answer yes to question 9, please complete the attached Agricultural Data Statement.**

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) Raze and rebuild of existing Cumberland Farms convenience store with gas dispensers, increasing size of store and number of pumps

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes X no _____

IF THIS APPLICATION IS SIGNED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, 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:

13th DAY OF July 2005

[Signature]
(OWNER'S SIGNATURE)
[Signature]
(AGENT'S SIGNATURE)

Richard J. Olson
Please Print Agent's Name as Signed

[Signature]
NOTARY PUBLIC

VERA DONIVAN
NOTARY PUBLIC, State of New York
No. 4894623
Qualified in Dutchess County
Commission Expires May 26, 2007

TOWN USE ONLY RECEIVED
TOWN OF NEW WINDSOR
JUL 19 2005
DATE APPLICATION RECEIVED

05-25
APPLICATION NUMBER

TOWN OF NEW WINDSOR PLANNING BOARD

SITE PLAN CHECKLIST

ITEM

1. X Site Plan Title
2. Provide 4" wide X 2" high box **(IN THE LOWEST RIGHT CORNER OF THE PLAN)** for use by Planning Board in affixing Stamp of Approval. **(ON ALL PAGES OF SITE PLAN).**

SAMPLE:



3. X Applicant's Name(s)
4. X Applicant's Address
5. X Site Plan Preparer's Name
6. X Site Plan Preparer's Address
7. X Drawing Date
8. X Revision Dates
9. X Area Map Inset and Site Designation
10. X Properties within 500' of site
11. X Property Owners (Item #10)
12. X Plot Plan
13. X Scale (1" = 50' or lesser)
14. X Metes and Bounds
15. X Zoning Designation
16. X North Arrow
17. X Abutting Property Owners
18. X Existing Building Locations
19. X Existing Paved Areas
20. X Existing Vegetation
21. X Existing Access & Egress

PROPOSED IMPROVEMENTS

- 22. X Landscaping
- 23. X Exterior Lighting
- 24. X Screening
- 25. X Access & Egress
- 26. X Parking Areas
- 27. X Loading Areas
- 28. X Paving Details (Items 25 - 27)
- 29. X Curbing Locations
- 30. X Curbing through section
- 31. X Catch Basin Locations
- 32. X Catch Basin Through Section
- 33. X Storm Drainage
- 34. X Refuse Storage
- 35. X Other Outdoor Storage
- 36. X Water Supply
- 37. X Sanitary Disposal System
- 38. X Fire Hydrants
- 39. X Building Locations
- 40. X Building Setbacks
- 41. X Front Building Elevations
- 42. N/A Divisions of Occupancy
- 43. Sign Details
- 44. X Bulk Table Inset
- 45. X Property Area (Nearest 100 sq. ft.)
- 46. X Building Coverage (sq. ft.)
- 47. X Building Coverage (% of total area)
- 48. X Pavement Coverage (sq. ft.)
- 49. X Pavement Coverage (% of total area)
- 50. X Open Space (sq. ft.)
- 51. X Open Space (% of total area)
- 52. X No. of parking spaces proposed
- 53. X No. of parking spaces required

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. N/A Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

55. N/A A disclosure Statement, in the form set below, must be inscribed on all site plan maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

APrior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasee shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

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 ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: William Seibel 7/15/05
Licensed Professional Date

⌘ ⌘ ⌘ ⌘ ⌘ ⌘ **PLEASE NOTE:** ⌘ ⌘ ⌘ ⌘ ⌘ ⌘

THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.

AFFIDAVIT OF OWNERSHIP/OWNER'S CONSENT

COMMONWEALTH

~~STATE OF MASSACHUSETTS~~)

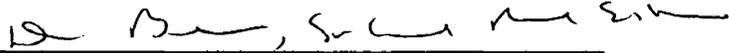
)ss.:

COUNTY OF NORFOLK

CUMBERLAND FARMS, INC. hereby states that it is the record owner of the real property and improvements located at 401 Blooming Grove Turnpike, Town of New Windsor, County of Orange, State of New York having acquired title to said property by deed dated July 16, 1975 recorded in the Orange County Clerk's Office on November 19, 1975 in Liber 2022, page 1030 and which lands are further identified on the Town of New Windsor Tax Map as Section: 37 Block: 1 Lot: 53

CUMBERLAND FARMS, INC. as the owner/applicant for this property hereby authorizes Richard J. Olson, Esq. of the law firm of McCabe & Mack, LLP to appear on behalf of the corporation and to file any necessary applications with the administrative boards of the Town of New Windsor for the improvements to the location identified above and agrees to be bound by the determinations of the Board.

The corporation's address is 777 Dedham Street, Canton, Massachusetts 02021.

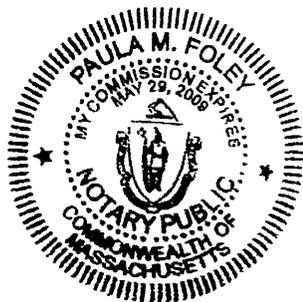
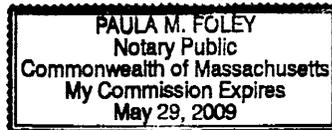


DEVRA BAILIN, Senior Counsel, Real Estate

Sworn to before me this
13th day of July, 2005



Notary Public



SITE DEVELOPMENT PLANS

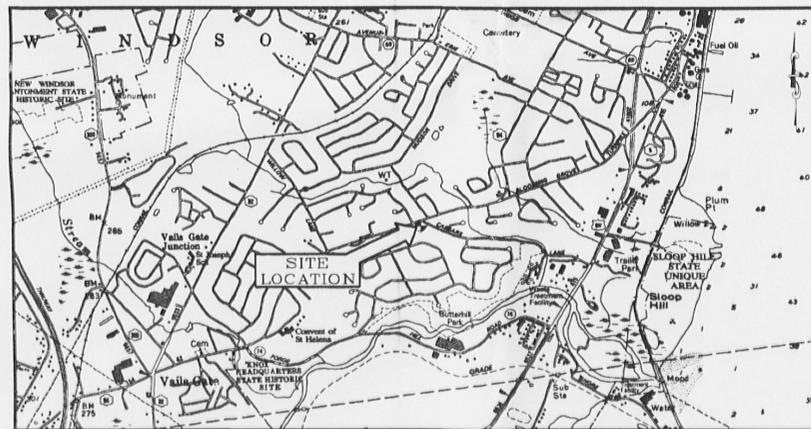
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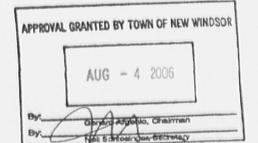
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

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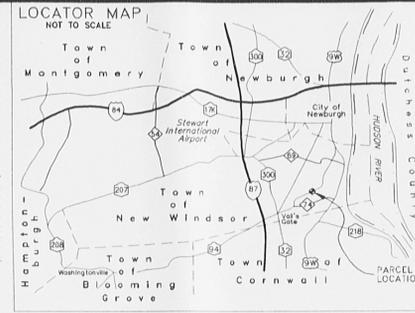
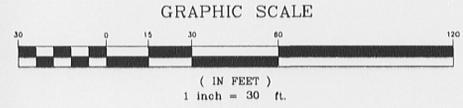
LOCATION MAP
SCALE: N.T.S.



PREPARED BY
BOHLER ENGINEERING, P.C.
5 COMPUTER DRIVE WEST, SUITE 203
ALBANY, NEW YORK 12205
(518) 438-9900

ANY PERSON IS PROHIBITED FROM ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE WRITTEN DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OF THE FIRM. IN THE EVENT SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS (SEE EDUCATION LAW SECTION 2209-27)

<p>BOHLER ENGINEERING, P.C. CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS</p> <p>Other Office Locations: ■ Chalfont, PA ■ Melville, NY ■ Sterling, VA ■ Watchung, NJ ■ Towson, MD ■ Southborough, MA</p> <p>5 Computer Drive West Albany, NY 12205 518.438.9900 fax: 518.438.0900 www.bohlereng.com</p>		
PROJECT: CUMBERLAND FARMS, INC. PROP. CONVENIENCE STORE & GAS STATION 401 BLOOMING GROVE TURNPIKE TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK		TITLE: COVER SHEET
L.H. BOHLER PROFESSIONAL ENGINEER NEW YORK LICENSE No. 63409 NEW JERSEY LICENSE No. 27810 PENNSYLVANIA LICENSE No. 37184 CONNECTICUT LICENSE No. 17518 MASSACHUSETTS LICENSE No. 37025	W.D. GOEBEL PROFESSIONAL ENGINEER NEW YORK LICENSE No. 67188 NEW JERSEY LICENSE No. 27810 PENNSYLVANIA LICENSE No. 37184 CONNECTICUT LICENSE No. 17518 MASSACHUSETTS LICENSE No. 42644 VERMONT LICENSE No. 7735	SCALE: (H) 1"=20' (V) NONE DATE: 06/20/05 SHEET No.: 1 OF 16 REV. No.: 4 DRAWN BY: SMV CHECKED BY: RJS PROJECT No.: B050527 GAD I.D. #: B050527c00 CONSTRUCTION CHECK: _____ DATE: _____



- LEGEND:**
- IRON PIPE
 - IRON PIN
 - UNMONUMENTED PROPERTY CORNER
 - CHAIN-LINK FENCE
 - STOCKADE FENCE
 - WROUGHT IRON FENCE
 - ⊕ WATER VALVE
 - ⊕ EDGE OF WOODED AREAS
 - OVERHEAD UTILITIES
 - GUY WIRE
 - LIGHTPOLE
 - SEWER MANHOLE
 - UNDERGROUND WATER LINE
 - UNDERGROUND GAS LINE
 - SEWER LINE (AS MARKED)
 - VERIZON FIBER OPTIC CABLE

This is to certify that this map or plot and the survey on which it is based were made (1) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1985, and includes items 2, 4, 5, 6, 7a, B, 9, 10, 11b and 11c of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, ACSM and NSPS and in effect on the date of this certification, undersigned further certifies that the survey measurements were made in accordance with the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys".

Andrew C. Schaffner, L.S. Date
N.Y.S. License No. 049901

MAP REFERENCE: BUTTER HILL - SECTION 7, DATED JUNE 1978 BY KARTIGANER ASSOCIATES, P.C. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON APRIL 28, 1986 AS MAP NUMBER 7599

REV.	DATE	BY	CHK.	DESCRIPTION
1	09/08/05	MCL	ACS	ORIGINAL FIELD SURVEY
0	03/11/05	JDS	ACS	UPDATED FIELD SURVEY

NOTES:

- DEED REFERENCE: ATLANTIC RICHFIELD COMPANY, INC. TO V.S.H. REALTY, INC. DATED JULY 16, 1975 AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE IN LIBER 2022 OF DEEDS AT PAGE 1030.
- MAP REFERENCE: MAP OF LANDS OF V.S.H. REALTY, INC. DATED AUGUST 1, 1977 BY BRINNIER I. LARIOS, P.C.
- ORANGE COUNTY TAX MAP ID# 37-1-53.
- ABSTRACT OF TITLE SUPPLIED BY CUMBERLAND FARMS, INC. IN APRIL 2005 AND PREPARED BY FELDMAN-JACOBSON ABSTRACT COMP. DOES NOT REFER TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY WHICH AFFECT THIS PARCEL.
- THIS PROPERTY LIES WITHIN TOWN OF NEW WINDSOR ZONING DISTRICT P07 (PROFESSIONAL OFFICE) IN WHICH A GASOLINE STATION AND CONVENIENCE STORE IS A NON-CONFORMING USE. REQUIRED BUILDING SETBACKS FOR CONFORMING USES ARE AS FOLLOWS: 45 FEET (FRONT YARD) 20 FEET (SIDE YARD) AND 50 FEET (REAR YARD). FOR THE PURPOSES OF THIS SURVEY, THE SOUTH PROPERTY LINE HAS BEEN ASSUMED TO BE THE REAR OF THE PARCEL.
- ELEVATIONS SHOWN HEREON HAVE BEEN CALCULATED WITH RESPECT TO AN ASSUMED VERTICAL DATUM.
- UNDERGROUND UTILITIES SHOWN HEREON ARE DEPICTED AS MARKED ON THE SURFACE 09/08/05. SURVEY IS SUBJECT TO ANY OTHER UNDERGROUND UTILITIES WHICH MAY NOT HAVE BEEN MARKED AS OF THAT DATE.

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2006
By: [Signature]
[Title]

© 2005 Santo Associates P.C. "All Rights Reserved"
Unauthorized Application is a Violation of Applicable Laws.

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice of Land Surveys adopted by the N.Y. State Association of Professional Land Surveyors. Said certifications shall run only to the title company, governmental agency, and lending institution listed hereon and to the assignees of the lending institution. Certifications are not transferable to additional institution or subsequent owners.

Unauthorized alteration or addition to a survey map bearing licensed land surveyor's seal is a violation of Section 7209, Subdivision 2 of the N.Y. State Education Law. Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid copies.

In addition, only copies from the original of this survey marked with an original of the land surveyor's signature in RED shall be considered to be valid copies.

SANTO ASSOCIATES
LAND SURVEYING AND ENGINEERING, P.C.

1 BARNEY ROAD • SUITE 109 • CLIFTON PARK, NY 12065
PHONE: (518) 383-8001 • FAX: (518) 383-8026

ANDREW C. SCHAFFNER, L.S. LICENSE NO. 049901

ALTA/ACSM LAND TITLE SURVEY OF LANDS OF
V.S.H. REALTY, INC.
LOCATED AT 401 BLOOMING GROVE TURNPIKE, NEW WINDSOR, N.Y. 12553

DRAWN BY: JDS	TOWN OF: NEW WINDSOR	SCALE: 1" = 30'
CHECKED BY: ACS	COUNTY OF: ORANGE	DWG. NO.: 6059
DATE: 03/11/05	STATE OF: NEW YORK	REV.: 1

DEMOLITION NOTES

- THIS PLAN REFERENCES DOCUMENTS AND INFORMATION BY: SAHLS ASSOCIATES
1 BARKLEY ROAD
CLIFTON PARK, NY 12045
DATED: 5/23/03
- BOHLER ENGINEERING, P. C. IS NOT RESPONSIBLE FOR JOB SITE SAFETY OR SUPERVISION.
- ALL DEMOLITION ACTIVITIES ARE TO BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AS WELL AS ALL FEDERAL, STATE AND LOCAL REGULATIONS. ANY DISCREPANCIES OR DEVIATIONS SHALL BE IDENTIFIED BY THE CONTRACTOR TO BOHLER ENGINEERING, P. C. IN WRITING FOR RESOLUTION PRIOR TO INITIATION OF SITE ACTIVITY.
- PRIOR TO STARTING ANY DEMOLITION CONTRACTOR IS RESPONSIBLE FOR/TO:
 - ENSURING COPIES OF ALL PERMITS AND APPROVALS MUST BE MAINTAINED ON SITE AND AVAILABLE FOR REVIEW.
 - INSTALLING THE REQUIRED SOIL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO SITE DISTURBANCE.
 - ALL UTILITIES AND SERVICES, INCLUDING BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN THE LIMITS OF DISTURBANCE, THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES.
 - PROTECTING AND MAINTAINING IN OPERATION, ALL ACTIVE SYSTEM THAT ARE NOT BEING REMOVED DURING ALL DEMOLITION ACTIVITIES.
 - FACTORING THEMSELVES WITH THE APPLICABLE UTILITY SERVICE PROVIDER AND IS RESPONSIBLE FOR ALL COORDINATION REGARDING UTILITY DEMOLITION REQUIRED FOR THE PROJECT. THE CONTRACTOR SHALL PROVIDE THE OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTION AND UTILITY COMPANY REQUIREMENTS.
 - COORDINATION WITH UTILITY COMPANIES REGARDING WORKING "OFF-PEAK" HOURS OR ON WEEKENDS AS MAY BE REQUIRED TO MINIMIZE THE IMPACT ON THE AFFECTED PARTIES.
 - A COMPLETE INSPECTION CONTAMINANTS BY A LICENSED ENVIRONMENTAL TESTING AGENCY, OF ALL BUILDINGS AND/OR STRUCTURES TO BE REMOVED. SAME SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL ENVIRONMENTAL REGULATIONS. ANY/ALL CONTAMINANTS SHALL BE REMOVED AND DISPOSED OF BY A FEDERALLY LICENSED CONTRACTOR IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS. ALL ENVIRONMENTAL WORK, INCLUDING HAZARDOUS MATERIAL, SOIL, ASBESTOS, OR OTHER REPORTED OR IMPLIED HAZARD IS THE SOLE RESPONSIBILITY OF THE OWNER'S ENVIRONMENTAL CONSULTANT.
- THE FIRM OR ENGINEER OF RECORD IS NOT RESPONSIBLE FOR JOB SITE SAFETY OR SUPERVISION. CONTRACTOR IS TO PROCEED WITH THE DEMOLITION IN A SYSTEMATIC AND SAFE MANNER, FOLLOWING ALL THE OSHA REQUIREMENTS, TO ENSURE PUBLIC AND CONTRACTOR SAFETY.
- THE CONTRACTOR SHALL PROVIDE ALL THE "MEANS AND METHODS" NECESSARY TO PREVENT MOVEMENT, SETTLEMENT, OR COLLAPSE OF EXISTING STRUCTURES, AND ANY OTHER IMPROVEMENTS THAT ARE REMAINING ON OR OFF SITE. THE DEMOLITION CONTRACTOR IS RESPONSIBLE FOR ALL REPAIRS OF DAMAGE TO ALL ITEMS THAT ARE TO REMAIN AS A RESULT OF HIS ACTIVITIES. ALL REPAIRS SHALL USE NEW MATERIAL. THE REPAIRS SHALL RESTORE THE ITEM TO THE PRE-DEMOLITION CONDITION.
- IN THE ABSENCE OF SPECIFICATIONS, THE CONTRACTOR SHALL PERFORM EARTH MOVEMENT ACTIVITIES, DEMOLITION AND REMOVAL OF ALL FOUNDATION WALLS, FOOTINGS, AND OTHER MATERIALS WITHIN THE LIMITS OF DISTURBANCE IN ACCORDANCE WITH DIRECTION BY OWNER'S STRUCTURAL OR GEOTECHNICAL ENGINEER.
- EXPLOSIVES SHALL NOT BE USED WITHOUT PRIOR WRITTEN CONSENT OF BOTH THE OWNER AND APPLICABLE GOVERNMENTAL AUTHORITIES. ALL THE REQUIRED PERMITS AND EXPLOSIVE CONTROL MEASURES THAT ARE REQUIRED BY THE FEDERAL, STATE, AND LOCAL GOVERNMENTS SHALL BE IN PLACE PRIOR TO STARTING AN EXPLOSIVE PROGRAM. THE CONTRACTOR IS ALSO RESPONSIBLE FOR ALL INSPECTION AND SEISMIC VIBRATION TESTING THAT IS REQUIRED TO MONITOR THE EFFECTS ON ALL LOCAL STRUCTURES.
- CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL AND GENERALLY ACCEPTED SAFE PRACTICES IN CONFORMANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL" AS WELL AS FEDERAL, STATE, AND LOCAL REGULATIONS WHICH DEMOLITION RELATED ACTIVITIES IMPACT ROADWAYS OR ROADWAY RIGHTS-OF-WAY.
- CONDUCT DEMOLITION ACTIVITIES IN SUCH A MANNER TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, SIDEWALKS, WALKWAYS, AND OTHER ADJACENT FACILITIES. STREET CLOSURE PERMITS MUST BE RECEIVED FROM THE APPROPRIATE GOVERNMENTAL AGENCY.
- DEMOLITION ACTIVITIES AND EQUIPMENT SHALL NOT USE AREAS OUTSIDE THE DEFINED PROPERTY LINE WITHOUT WRITTEN PERMISSION OF THE OWNER, AND/OR APPROPRIATE GOVERNMENT AGENCY.
- USE DUST CONTROL MEASURES TO LIMIT AIRBORNE DUST AND DIRT RISING AND SCATTERING IN THE AIR IN ACCORDANCE WITH FEDERAL, STATE, AND/OR LOCAL STANDARDS. AFTER THE DEMOLITION IS COMPLETE, ADJACENT STRUCTURES AND IMPROVEMENTS SHALL BE CLEANED OF ALL DUST AND DEBRIS CAUSED BY THE DEMOLITION OPERATIONS. THE CONTRACTOR IS RESPONSIBLE FOR RETURNING ALL ADJACENT AREAS TO THEIR "PRE-DEMOLITION" CONDITION.
- CONTRACTOR IS RESPONSIBLE TO SAFEGUARD SITE AS NECESSARY TO PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE ENTRY OF UNAUTHORIZED PERSONS AT ANY TIME.
- THIS DEMOLITION PLAN IS INTENDED TO IDENTIFY THOSE EXISTING ITEMS/CONDITIONS WHICH ARE TO BE REMOVED. IT IS NOT INTENDED TO PROVIDE DIRECTION OTHER THAN THAT ALL METHODS AND MEANS ARE TO BE IN ACCORDANCE WITH STATE, FEDERAL, LOCAL, AND JURISDICTIONAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL OSHA AND OTHER SAFETY PRECAUTIONS NECESSARY TO PROVIDE A SAFE WORK SITE.
- DEBRIS SHALL NOT BE BURIED ON THE SUBJECT SITE. ALL DEMOLITION WASTES AND DEBRIS (SOLID WASTE) SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL TOWN, COUNTY, STATE, AND FEDERAL LAWS AND APPLICABLE CODES.



APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2003
By: [Signature]
By: [Signature]

Cumberland Farms
177 Deoram Street Canton, Massachusetts 02021

BOHLER ENGINEERING, P.C.
CIVIL & CONSULTING ENGINEERS PROJECT MANAGERS ENVIRONMENTAL & SITE PLANNERS MUNICIPAL ENGINEERS
Other Office Locations: Chalfont, PA; Melville, NY; Sterling, VA; Watchung, NJ; Towson, MD; Southborough, MA

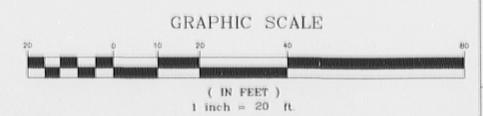
PROJECT: CUMBERLAND FARMS, INC. PROP. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

TITLE: DEMOLITION PLAN

SCALE: (H) 1"=20'
(V) NONE
DATE: 06/20/05 SHEET No: 3 OF 16
DRAWN BY: SMV PROJECT No: B050527
CHECKED BY: RJJS CAD ID: B050527&D
CONSTRUCTION CHECK: DATE 4

L.H. BOHLER PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 63429
NEW JERSEY LICENSE No. 27410
PENNSYLVANIA LICENSE No. 37184
CONNECTICUT LICENSE No. 17618
MASSACHUSETTS LICENSE No. 37025

W.D. GOEBEL PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 63429
NEW JERSEY LICENSE No. 27410
PENNSYLVANIA LICENSE No. 37184
CONNECTICUT LICENSE No. 17618
MASSACHUSETTS LICENSE No. 37025



MAP REFERENCE: "BUTTER HILL - SECTION 7", DATED JUNE 2, 1978 BY KARTIGANER ASSOCIATES, P.C. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON APRIL 28, 1986 AS MAP NUMBER 7599

ANY PERSON IS PROHIBITED FROM ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE WRITTEN DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OF THE FIRM. IN THE EVENT SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (SEE EDUCATION LAW SECTION 2208-2)

	EXISTING			PROPOSED		
	S.F.	ACRES	% COV.	S.F.	ACRES	% COV.
TOTAL LOT AREA	46,003	1.06	100	46,003	1.06	100
TOTAL BUILDING AREA	1,595	0.04	3.5	3,600	0.08	7.8
TOTAL PAVEMENT/ CONC. AREA	17,728	0.41	38.5	27,382	0.63	59.5
TOTAL OPEN/ LANDSCAPE AREA	26,680	0.61	58.0	15,021	0.35	32.7

GENERAL NOTES

- THIS PLAN REFERENCE A SURVEY PREPARED BY: SANTO ASSOCIATES, 1 BARNEY ROAD, CLIFTON PARK, NY 12045, DATE: 3/1/05
- SPECIFIC RESOURCES, TECHNICAL REPORTS, DESIGN DOCUMENTS, E.T. AL. RELATED TO THIS PROJECT INCLUDE (BUT MAY NOT BE LIMITED TO) THE FOLLOWING: SURVEY. CONTRACTOR IS RESPONSIBLE FOR OBTAINING THESE DOCUMENTS AND FAMILIARIZING HIMSELF WITH SAME FOR APPLICATION BOTH PRIOR TO AND DURING CONSTRUCTION.
- ALL ELEVATIONS SHOWN ARE IN REFERENCE TO THE REFERENCED SURVEYOR'S BENCHMARK AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR PRIOR TO GROUNDBREAK.
- APPLICANT FOR THIS PROJECT IS: CUMBERLAND FARMS, INC., 777 SEBAM STREET GANTON, MASS. 02021, ATTENTION: MR. FRANCIS J. SHELTON
- PARCEL DATA: ORANGE COUNTY TAX MAP ID.# 37-1-53.
- BULK REQUIREMENTS: SEE ZONING TABLE.
- PARKING REQUIREMENTS: 24 REQUIRED, 19 PROVIDED.
- ALL HANDICAP PARKING SPACES SHALL BE CONSTRUCTED TO MEET ADA REQUIREMENTS.
- PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS BY ALL OF THE PERMITTING AUTHORITIES.
- THE OWNER/CONTRACTOR SHALL BE FAMILIAR WITH AND RESPONSIBLE FOR ANY/ALL CERTIFICATIONS, INSPECTIONS, ETC. REQUIRED BY ALL GOVERNING JURISDICTIONAL AGENCIES DURING AND AFTER CONSTRUCTION FOR SIGN-OFF AND CERTIFICATE OF OCCUPANCY ISSUANCE, INCLUDING BUT NOT LIMITED TO PROCUREMENT OF SERVICES, SCHEDULING OF FIELD OBSERVATIONS AND COORDINATION WITH REPRESENTATIVES OF THE APPROPRIATE AGENCIES.
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY.
- PROPERTY SURVEY SHALL BE CONSIDERED A PART OF THESE PLANS.
- THESE PLANS ARE BASED ON INFORMATION PROVIDED TO BOHLER ENGINEERING, P.C. AT THE TIME OF PLAN PREPARATION. CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS AND NOTIFY BOHLER ENGINEERING, P.C. IF ACTUAL SITE CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLAN, OR IF THE PROPOSED WORK WOULD BE IMPACTED BY ANY OTHER SITE FEATURES.
- ALL DIMENSIONS SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY ENGINEER IN WRITING IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL/BUILDING PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF ENTRY/EXIT POINTS, ELEVATIONS, PRECISE BUILDING DIMENSIONS, EXACT BUILDING UTILITY LOCATIONS.
- DEBRIS SHALL NOT BE BURIED ON THE SUBJECT SITE AND ALL UNSUITABLE EXCAVATED MATERIAL AND DEBRIS (SOLID WASTE) SHALL BE DEPOSED OF IN ACCORDANCE WITH ALL TOWN, COUNTY, STATE AND FEDERAL LAWS AND APPLICABLE CODES.
- CONTRACTOR IS RESPONSIBLE FOR ALL SHORING REQUIRED DURING EXCAVATION (TO BE PERFORMED IN ACCORDANCE WITH CURRENT OSHA STANDARDS) AND ANY ADDITIONAL PROVISIONS TO ASSURE STABILITY OF CONTIGUOUS STRUCTURES, AS FIELD CONDITIONS DICTATE.
- CONTRACTOR IS TO EXERCISE EXTREME CARE WHEN PERFORMING ANY WORK ACTIVITIES ADJACENT TO PAVEMENT, STRUCTURES, ETC. TO REMAIN. CONTRACTOR SHALL BE RESPONSIBLE FOR TAKING THE APPROPRIATE MEASURES AS NECESSARY TO ENSURE THE STRUCTURAL STABILITY OF SIDEWALKS AND PAVEMENT TO REMAIN, AND TO PROVIDE A SAFE WORK AREA.
- CONTRACTOR IS RESPONSIBLE FOR REPAIRING THE DAMAGE DONE TO ANY EXISTING ITEM DURING CONSTRUCTION SUCH AS BUT NOT LIMITED TO DRAINAGE UTILITIES, PAVEMENT, STRIPING, CURB, ETC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AND SHALL REPLACE ALL SIGNAL INTERCONNECT CABLE, CONDUIT, CABLE, CONSTRUCTION ACCESSORY EQUIPMENT DAMAGED DURING CONSTRUCTION. REPAIR SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS. CONTRACTOR IS RESPONSIBLE TO DOCUMENT ALL EXISTING DAMAGE AND NOTIFY CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION START.
- ALL CONCRETE SHALL HAVE THE MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS AS INDICATED IN SPECIFICATIONS UNLESS OTHERWISE NOTED ON THE PLANS, DETAILS AND/OR GEOTECHNICAL REPORT.
- ENGINEER IS NOT RESPONSIBLE FOR CONSTRUCTION METHODS/MEANS FOR COMPLETION OF THE WORK SPECIFIED ON THESE PLANS NOR ANY CONFLICTS/SCOPE REVISIONS WHICH RESULT FROM SAME. CONTRACTOR IS RESPONSIBLE FOR DETERMINING METHODS/MEANS FOR COMPLETION OF THE WORK PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND NOTIFICATION OF OWNER AND ENGINEER OF RECORD WHEN A CONFLICT IS IDENTIFIED.
- ENGINEER OF RECORD IS NOT RESPONSIBLE FOR JOB SITE SAFETY NOR HAS HE BEEN RETAINED FOR SUCH PURPOSES.
- ALL CONTRACTORS MUST CARRY STATUTORY WORKER'S COMPENSATION INSURANCE, EMPLOYER'S LIABILITY INSURANCE AND APPROPRIATE LIMITS OF COMMERCIAL GENERAL LIABILITY INSURANCE (GCL). ALL CONTRACTORS MUST HAVE THEIR CO. POLICES ENDORSED TO NAME BOHLER ENGINEERING, P.C. AND ITS SUBCONSULTANTS AS ADDITIONAL INSURED AND TO PROVIDE CONTRACTUAL LIABILITY COVERAGE SUFFICIENT TO INSURE THE HOLD HARMLESS AND INDEMNITY OBLIGATIONS ASSUMED BY THE CONTRACTORS. ALL CONTRACTORS MUST FURNISH BOHLER ENGINEERING, P.C. WITH CERTIFICATES OF INSURANCE AND EVIDENCE OF THE REQUIRED INSURANCE PRIOR TO COMMENCING WORK AND UPON RENEWAL OF EACH POLICY DURING THE ENTIRE PERIOD OF CONSTRUCTION. IN ADDITION, ALL CONTRACTORS WILL, TO THE FULLEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD HARMLESS BOHLER ENGINEERING, P.C. AND ITS SUBCONSULTANTS FROM AND AGAINST ANY DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEY'S FEES AND DEFENSE COSTS, ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE PROJECT, INCLUDING ALL CLAIMS BY EMPLOYEES OF THE CONTRACTORS.
- NEITHER THE PROFESSIONAL ACTIVITIES OF BOHLER ENGINEERING, P.C. NOR THE PRESENCE OF BOHLER ENGINEERING, P.C. OR ITS EMPLOYEES AND SUBCONSULTANTS AT THE PROJECT SITE SHALL RELIEVE THE GENERAL CONTRACTOR OF ITS OBLIGATIONS, DUTIES AND RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION MEANS, METHODS, SEQUENCE, TECHNOLOGIES OR PROCEDURES NECESSARY FOR PERFORMING, SUPERINTENDING AND COORDINATING THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND ANY HEALTH OR SAFETY PRECAUTIONS REQUIRED BY ANY REGULATORY AGENCIES. BOHLER ENGINEERING, P.C. AND ITS PERSONNEL HAVE NO AUTHORITY TO EXERCISE ANY CONTROL OVER ANY CONSTRUCTION CONTRACTOR OR ITS EMPLOYEES IN CONNECTION WITH THEIR WORK OR ANY HEALTH OR SAFETY PROGRAMS OR PROCEDURES. THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY. BOHLER ENGINEERING, P.C. SHALL BE INDEMNIFIED BY THE GENERAL CONTRACTOR AND SHALL BE MADE ADDITIONAL INSURED UNDER THE GENERAL CONTRACTOR'S POLICIES OF GENERAL LIABILITY INSURANCE.
- BOHLER ENGINEERING, P.C. SHALL REVIEW AND APPROVE OR TAKE OTHER APPROPRIATE ACTION ON THE CONTRACTOR SUBMITTALS, SUCH AS SHOP DRAWINGS, PRODUCT DATA, SAMPLES, AND OTHER DATA WHICH THE CONTRACTOR IS REQUIRED TO SUBMIT, BUT ONLY FOR THE LIMITED PURPOSE OF CHECKING FOR CONFORMANCE WITH THE DESIGN CONCEPT AND THE INFORMATION SHOWN IN THE CONSTRUCTION MEANS OR METHODS, COORDINATION OF THE TRADES, OR CONSTRUCTION SAFETY PRECAUTIONS, ALL OF WHICH ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. BOHLER ENGINEERING'S REVIEW SHALL BE CONDUCTED WITH REASONABLE PROMPTNESS WHILE ALLOWING SUFFICIENT TIME TO PERMIT ADEQUATE REVIEW. REVIEW OF A SPECIFIC ITEM SHALL NOT INDICATE THAT BOHLER ENGINEERING, P.C. HAS REVIEWED THE ENTIRE ASSEMBLY OF WHICH THE ITEM IS A COMPONENT. BOHLER ENGINEERING, P.C. SHALL NOT BE RESPONSIBLE FOR ANY DEVIATIONS FROM THE CONSTRUCTION DOCUMENTS NOT BROUGHT TO THE ATTENTION OF BOHLER ENGINEERING, P.C. IN WRITING BY THE CONTRACTOR. BOHLER ENGINEERING, P.C. SHALL NOT BE REQUIRED TO REVIEW PARTIAL SUBMISSIONS OR THOSE FOR WHICH SUBMISSIONS OF CORRELATED ITEMS HAVE NOT BEEN RECEIVED.
- IN AN EFFORT TO RESOLVE ANY CONFLICTS THAT ARISE DURING THE DESIGN AND CONSTRUCTION OF THE PROJECT OR FOLLOWING THE COMPLETION OF THE PROJECT, BOHLER ENGINEERING, P.C. AND THE CONTRACTOR MUST AGREE THAT ALL DISPUTES BETWEEN THEM ARISING OUT OF OR RELATING TO THIS AGREEMENT OR THE PROJECT SHALL BE SUBMITTED TO NONBINDING MEDIATION UNLESS THE PARTIES VOLUNTARILY AGREE OTHERWISE.
- THE CONTRACTOR MUST INCLUDE A MEDIATION PROVISION IN ALL AGREEMENTS WITH INDEPENDENT SUBCONTRACTORS AND CONSULTANTS RETAINED FOR THE PROJECT AND TO REQUIRE ALL INDEPENDENT CONTRACTORS AND CONSULTANTS ALSO TO INCLUDE A SIMILAR MEDIATION PROVISION IN ALL AGREEMENTS WITH THEIR SUBCONTRACTORS, SUBCONSULTANTS, SUPPLIERS AND FABRICATORS, THEREBY PROVIDING FOR MEDIATION AS THE PRIMARY METHOD FOR DISPUTE RESOLUTION BETWEEN THE PARTIES TO ALL THOSE AGREEMENTS.
- IF THE CONTRACTOR DEVIATES FROM THE PLANS AND SPECIFICATIONS, INCLUDING THE NOTES CONTAINED THEREON, WITHOUT FIRST OBTAINING PRIOR WRITTEN AUTHORIZATION FOR SUCH DEVIATIONS FROM THE OWNER AND ENGINEER, IT SHALL BE RESPONSIBLE FOR THE PAYMENT OF ALL COSTS TO CORRECT ANY SUCH WORK, ALL FINES OR PENALTIES ASSESSED WITH RESPECT THERETO AND ALL COMPENSATORY OR PUNITIVE DAMAGES RESULTING THEREFROM. THE CONTRACTOR SHALL INDEMNIFY AND HOLD THE OWNER AND ENGINEER HARMLESS FROM ALL SUCH COSTS TO CORRECT ANY SUCH WORK AND FROM ALL SUCH FINES AND PENALTIES, COMPENSATION AND PUNITIVE DAMAGES AND COSTS OF ANY NATURE RESULTING THEREFROM.

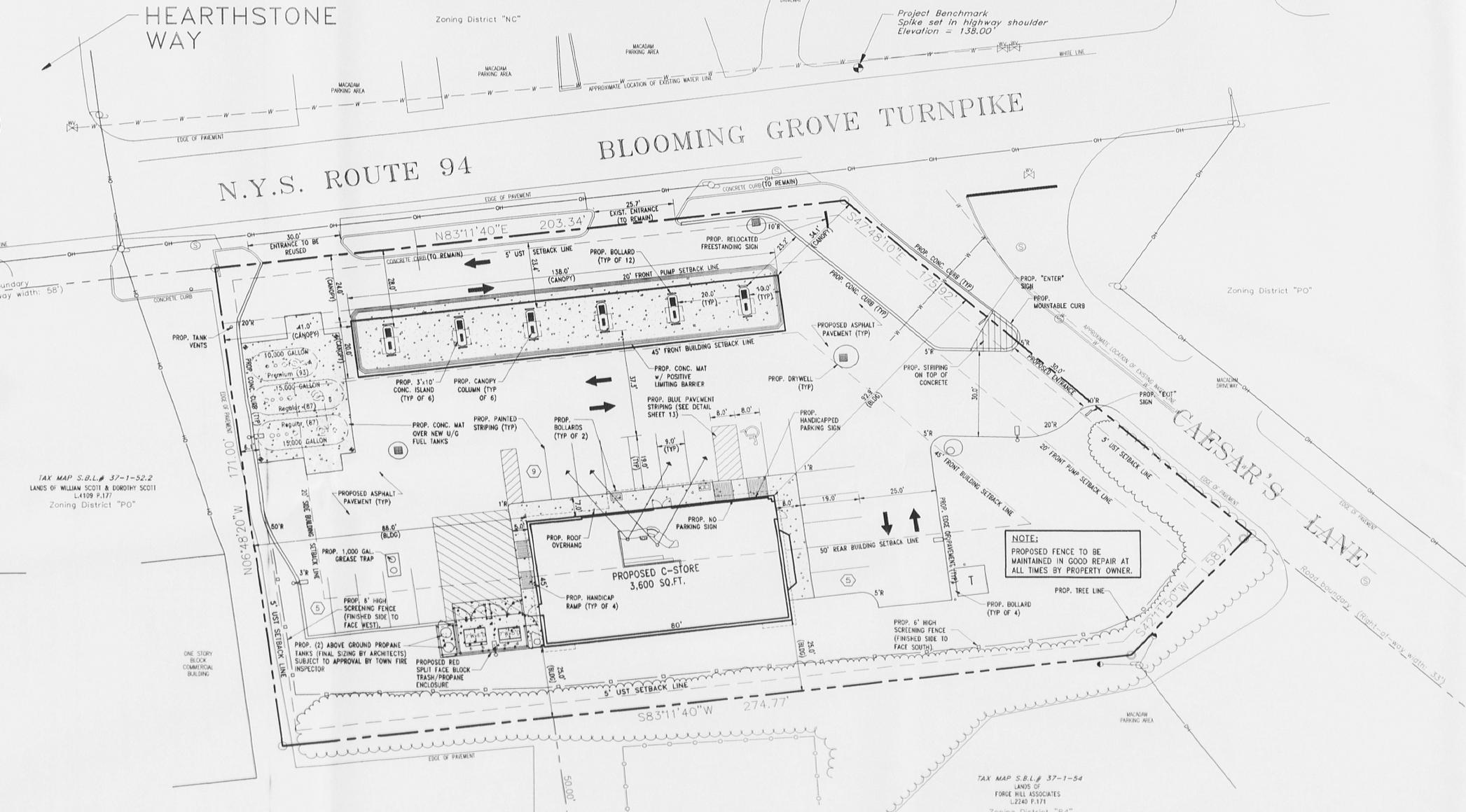
HEARTHSTONE WAY

ST. ANNE DRIVE

BLOOMING GROVE TURNPIKE

N.Y.S. ROUTE 94

CAESAR'S LANE



NOTE: PROPOSED FENCE TO BE MAINTAINED IN GOOD REPAIR AT ALL TIMES BY PROPERTY OWNER.

NOTE: ON OCTOBER 24, 2005 THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS GRANTED A VARIANCE FOR THE NON-CONFORMING USE OF 127% AS SHOWN ON THIS SHEET.

NOTE: ON OCTOBER 14, 2005, THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS GRANTED APPROVAL FOR THE SITE UNDER TOWN CODE SECTION 300-73B.

MAP REFERENCE: "BUTTER HILL" SECTION 1", DATED JUNE 2, 1978 BY KARTIGER ASSOCIATES, P.C. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON APRIL 28, 1986 AS MAP NUMBER 7589



ANY PERSON IS PROHIBITED FROM ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE WRITTEN DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OF THE FIRM. IN THE EVENT SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (MIS. EDUCATION LAW SECTION 7309-3)

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

AUG - 4 2006

Geno A. ...
Notary Public



BOHLER ENGINEERING, P.C.
CIVIL & CONSULTING ENGINEERS PROJECT MANAGERS ENVIRONMENTAL & SITE PLANNERS MUNICIPAL ENGINEERS
Other Office Locations: ■ Chalfont, PA ■ Melville, NY ■ Sterling, VA ■ Watchung, NJ ■ Towson, MD ■ Southborough, MA

PROJECT: CUMBERLAND FARMS, INC. PROP. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

TITLE: SITE PLAN

SCALE: 1" = 20' (NONE) DATE: 06/20/05 SHEET No: 4 OF 16
DRAWN BY: SMV PROJECT No: B050527
CHECKED BY: RJS CAD ID: B05027580
PROFESSIONAL ENGINEER L.H. BOHLER NEW YORK LICENSE No. 63409
PROFESSIONAL ENGINEER W.D. GOEBEL NEW YORK LICENSE No. 071884
CONNECTICUT LICENSE No. 27184 CONNECTICUT LICENSE No. 21854
MASSACHUSETTS LICENSE No. 17918 MASSACHUSETTS LICENSE No. 42844
VERMONT LICENSE No. 37025 VERMONT LICENSE No. 7735

CONSTRUCTION CHECK DATE



GRADING & UTILITY NOTES

- LOCATION OF ALL EXISTING AND PROPOSED SERVICES ARE APPROXIMATE AND MUST BE CONFIRMED INDEPENDENTLY WITH LOCAL UTILITY COMPANIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION. SANITARY SEWER AND ALL OTHER UTILITY SERVICE CONNECTION POINTS SHALL BE CONFIRMED INDEPENDENTLY BY THE CONTRACTOR IN FIELD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. ALL DISCREPANCIES SHALL BE REPORTED IMMEDIATELY IN WRITING TO THE ENGINEER. CONSTRUCTION SHALL COMMENCE BEGINNING AT THE LOWEST INVERT (POINT OF CONNECTION) AND PROGRESS UP GRADIENT. PROPOSED INTERFACE POINTS (CROSSINGS) WITH EXISTING UNDERGROUND UTILITIES SHALL BE FIELD VERIFIED BY TEST PIT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL UTILITIES AND SERVICES INCLUDING BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN THE LIMITS OF DISTURBANCE SHALL BE VERTICALLY AND HORIZONTALLY LOCATED. THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING UTILITIES DURING CONSTRUCTION AT NO COST TO THE OWNER.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DRAWINGS RELATIVE TO THE SPECIFICATIONS OR THE REVERSE, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS DEFINED BY THE DRAWINGS AND IN FULL COMPLIANCE WITH LOCAL REGULATIONS AND CODES.
- DEFINE AND LOCATE VERTICALLY AND HORIZONTALLY ALL ACTIVE UTILITY AND/OR SERVICE SYSTEMS THAT ARE TO BE REMOVED. THE CONTRACTOR IS RESPONSIBLE TO PROTECT AND MAINTAIN ALL ACTIVE SYSTEMS THAT ARE NOT BEING REMOVED/RELOCATED DURING SITE ACTIVITY.
- THE CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE APPLICABLE UTILITY SERVICE PROVIDER REQUIREMENTS AND IS RESPONSIBLE FOR ALL COORDINATION REGARDING UTILITY TOLERANCES AS IDENTIFIED OR REQUIRED FOR PROJECT. THE CONTRACTOR SHALL PROVIDE THE OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTION AND UTILITY COMPANY REQUIREMENTS.
- CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF SITE PLAN DOCUMENTS AND ARCHITECTURAL DESIGN FOR EXACT BUILDING UTILITY CONNECTION LOCATIONS, GREASE TRAP REQUIREMENTS, DOOR ACCESS, AND SLOPE/GRADING. THE UTILITY SERVICE SIZES ARE TO BE DETERMINED BY THE ARCHITECT. THE CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITIES/SERVICES WITH THE INDIVIDUAL COMPANIES, TO AVOID CONFLICTS AND ENSURE PROPER DEPTHS ARE ACHIEVED. THE JURISDICTION UTILITY REQUIREMENTS SHALL ALSO BE MET, AS WELL AS COORDINATING THE UTILITY TIE-IN CONNECTIONS PRIOR TO CONNECTING TO THE EXISTING UTILITY/SERVICE, WHERE CONFLICTS EXIST WITH THESE SITE PLANS. ENGINEER IS TO BE NOTIFIED PRIOR TO CONSTRUCTION TO RESOLVE SAME.
- WATER SERVICE MATERIALS, BURIAL DEPTH, AND COVER REQUIREMENTS SHALL BE SPECIFIED BY THE LOCAL UTILITY COMPANY. CONTRACTOR'S PRICE FOR WATER SERVICE SHALL INCLUDE ALL FEES AND APPURTENANCES REQUIRED BY THE UTILITY TO PROVIDE A COMPLETE WORKING SERVICE.
- ALL NEW UTILITIES/SERVICES, INCLUDING ELECTRIC, TELEPHONE, CABLE TV, ETC. ARE TO BE INSTALLED UNDERGROUND. ALL NEW UTILITIES/SERVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE UTILITY/SERVICE PROVIDER INSTALLATION SPECIFICATIONS AND STANDARDS.
- SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT REFERENCED IN THIS PLAN SET. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING WITH SUITABLE MATERIALS AS SPECIFIED IN THE GEOTECHNICAL REPORT. ALL EXCAVATED OR FILLED AREAS SHALL BE COMPACTED AS OUTLINED IN THE GEOTECHNICAL REPORT. MOISTURE CONTENT AT TIME OF PLACEMENT SHALL BE SUBMITTED IN COMPACTION REPORT PREPARED BY A QUALIFIED GEOTECHNICAL ENGINEER, REGISTERED WITH THE STATE WHERE THE WORK IS PERFORMED, VERIFYING THAT ALL FILLED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS TO BE PAVED HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT. SUBGRADE MATERIAL FOR SIDEWALKS, CURBS, OR ASPHALT SHALL BE FREE OF ORGANICS AND OTHER UNSUITABLE MATERIALS. SHOULD SUBGRADE BE DETERMINED UNSUITABLE BY OWNER OR OWNER'S REPRESENTATIVE, SUBBASE IS TO BE REMOVED AND FILLED WITH APPROVED FILL MATERIAL COMPACTED AS DIRECTED BY THE GEOTECHNICAL REPORT.
- ALL FILL, CONFACTION, AND BACKFILL MATERIALS REQUIRED FOR UTILITY INSTALLATION SHALL BE AS PER THE RECOMMENDATIONS PROVIDED IN THE GEOTECHNICAL REPORT AND SHALL BE COORDINATED WITH THE APPLICABLE UTILITY COMPANY SPECIFICATIONS.
- THE CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH THE LATEST OSHA STANDARDS AND REGULATIONS, OR ANY OTHER AGENCY HAVING JURISDICTION FOR EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE "MEANS AND METHODS" REQUIRED TO MEET THE INTENT AND PERFORMANCE CRITERIA OF OSHA, AS WELL AS ANY OTHER ENTITY THAT HAS JURISDICTION FOR EXCAVATION AND/OR TRENCHING PROCEDURES.
- PAYMENT SHALL BE PAID IN STRAIGHT LINES TO THE FULL DEPTH OF THE EXISTING PAVEMENT. ALL DEBRIS FROM REMOVAL OPERATIONS SHALL BE REMOVED FROM THE SITE AT THE TIME OF EXCAVATION. STOCKPILING OF DEBRIS WILL NOT BE PERMITTED.
- THE TOPS OF EXISTING MANHOLES, INLET STRUCTURES, AND SANITARY CLEANOUT TOPS SHALL BE ADJUSTED, IF REQUIRED, TO MATCH PROPOSED GRADES IN ACCORDANCE WITH ALL APPLICABLE STANDARDS.
- THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF EXISTING TOPOGRAPHIC INFORMATION AND UTILITY INVERT ELEVATIONS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR TO ENSURE 0.75% MINIMUM SLOPE AGAINST ALL ISLANDS, GUTTERS, AND CURBS; 1.0% ON ALL CONCRETE SURFACES; AND 1.5% MINIMUM ON ASPHALT, TO PREVENT PONDING. ANY DISCREPANCIES THAT MAY AFFECT THE PUBLIC SAFETY OR PROJECT COST MUST BE IDENTIFIED TO THE ENGINEER IN WRITING IMMEDIATELY. PROCEEDING WITH CONSTRUCTION WITHOUT NOTIFICATION IS DONE SO AT THE CONTRACTOR'S OWN RISK.
- PROPOSED TOP OF CURB ELEVATIONS ARE GENERALLY ABOVE EXISTING LOCAL ASPHALT GRADE UNLESS OTHERWISE NOTED. FIELD ADJUST TO CREATE A MINIMUM OF 0.75% GUTTER GRADE ALONG CURB FACE. ENGINEER TO APPROVE FINAL CURSING OUT SHEETS PRIOR TO INSTALLATION.
- REFER TO SITE PLAN FOR ADDITIONAL NOTES.
- IN CASE OF DISCREPANCIES BETWEEN PLANS OR RELATIVE TO OTHER PLANS, THE SITE PLAN WILL TAKE PRECEDENCE. IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY CONFLICTS.
- CONTRACTOR SHALL BE REQUIRED TO SECURE ALL NECESSARY PERMITS AND APPROVALS FOR ALL OFF-SITE MATERIAL SOURCES AND DISPOSAL FACILITIES. CONTRACTOR SHALL SUPPLY A COPY OF APPROVALS TO ENGINEER AND OWNER PRIOR TO INITIATING WORK.

GENERAL GRADING & DRAINAGE LEGEND

- EXISTING CONTOUR W/ ELEVATION
- PROPOSED CONTOUR
- PROPOSED GRADE
- PROP. TOP OF CURB
- PROP. BOTTL. OF CURB
- PROPOSED CLEANOUT
- PROPOSED ROOF DRAIN
- PROPOSED STORM SEWER LINE (SIZE & TYPE AS NOTED)

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

AUG - 4 2006

By: *Genaro Argenteo, Chairman*

By: *Nail Eichenberger, Secretary*



BOHLER ENGINEERING, P.C.
CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS

Chilfong, PA ■ Melville, NY ■ Sterling, VA ■ Walchburg, NJ ■ Towson, MD ■ Southborough, MA

5 Computer Drive West
Albany, NY 12205
518 438 9900
Fax: 518 438 0900
www.bohlereng.com

PROJECT: CUMBERLAND FARMS, INC.
PROP. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

TITLE: **GRADING & DRAINAGE PLAN**

SCALE: (H) 1" = 20'
(V) NONE

DATE: 06/20/05

SHEET No: **5**

DRYAN BY: SMV PROJECT No: B050527

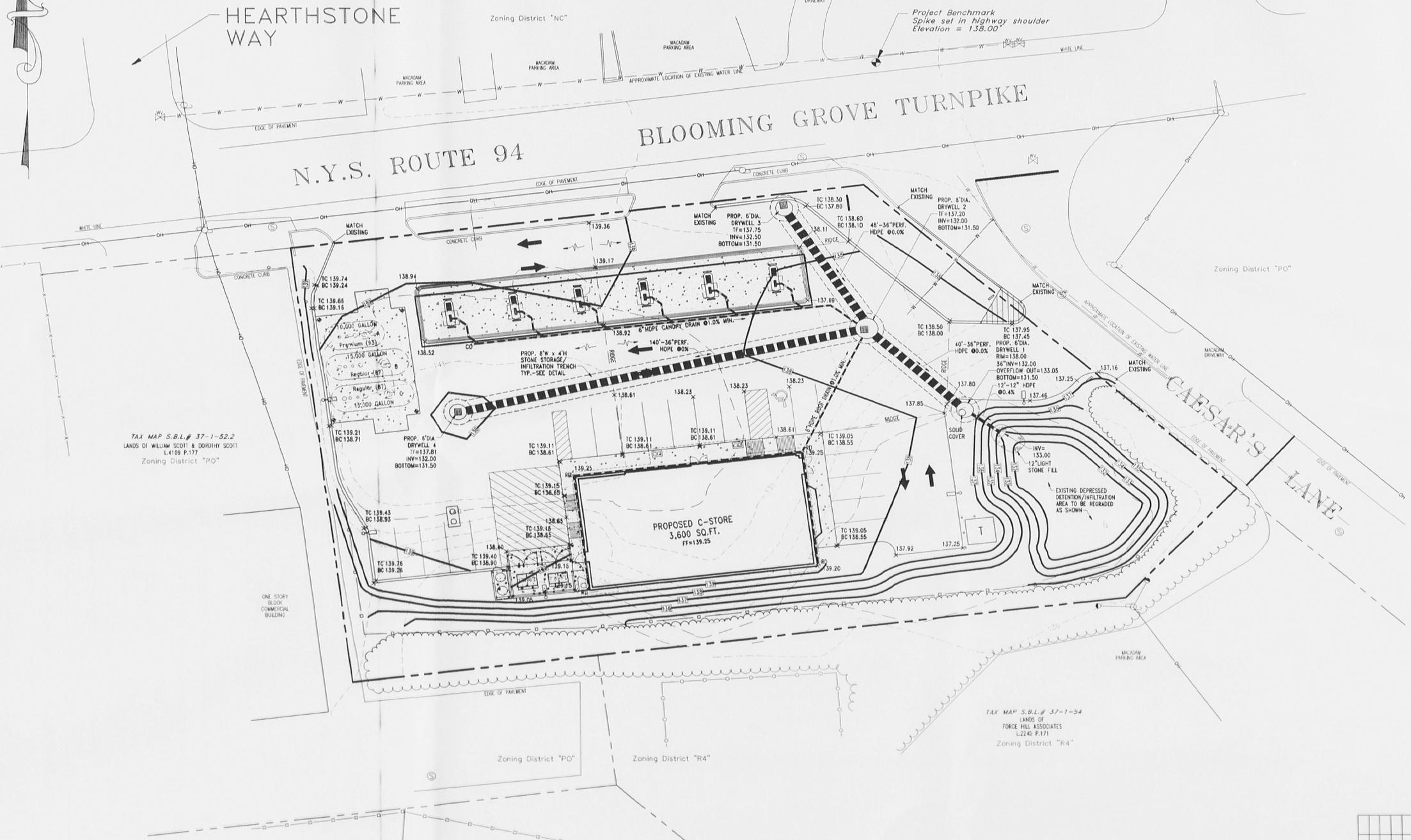
CHECKED BY: RJS CAD LD. #: B050527ss0

REV. No: 3

CONSTRUCTION CHECK: _____ DATE: _____

PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 63409
NEW JERSEY LICENSE No. 27410
PENNSYLVANIA LICENSE No. 37184
CONNECTICUT LICENSE No. 37518
MASSACHUSETTS LICENSE No. 37025

PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 63401
NEW JERSEY LICENSE No. 27410
PENNSYLVANIA LICENSE No. 37184
CONNECTICUT LICENSE No. 37518
MASSACHUSETTS LICENSE No. 37025



ANY PERSON IS PROHIBITED FROM ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE WRITTEN DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OF THE FIRM. IN THE EVENT SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (SEE LEGISLATION/LAW SECTION 7208-2)

MAP REFERENCE: "BUTLER HILL - SECTION 3" DATED JUNE, 1978 BY HARTIGANER ASSOCIATES, P.C. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON APRIL 26, 1986 AS MAP NUMBER 7599



MAP REFERENCE: "BUTLER HILL - SECTION 3" DATED JUNE, 1978 BY HARTIGANER ASSOCIATES, P.C. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON APRIL 26, 1986 AS MAP NUMBER 7599

TAX MAP S.B.L.# 37-1-54
LANDS OF
FORGE HILL ASSOCIATES
L2240 P.171
Zoning District "R4"

TAX MAP S.B.L.# 37-1-52.2
LANDS OF WILLIAM SCOTT & DOROTHY SCOTT
L4199 P.177
Zoning District "PO"

ONE STORY
BLOCK
COMMERCIAL
BUILDING

Zoning District "NC"

Zoning District "PO"

Zoning District "PO"

Zoning District "R4"

Project Benchmark
Spike set in highway shoulder
Elevation = 138.00'

GRADING & UTILITY NOTES

1. LOCATION OF ALL EXISTING AND PROPOSED SERVICES ARE APPROXIMATE AND MUST BE CONFIRMED INDEPENDENTLY WITH LOCAL UTILITY COMPANIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION. SANITARY SEWER AND ALL OTHER UTILITY SERVICE CONNECTION POINTS SHALL BE CONFIRMED INDEPENDENTLY BY THE CONTRACTOR IN FIELD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. ALL DISCREPANCIES SHALL BE REPORTED IMMEDIATELY IN WRITING TO THE ENGINEER. CONSTRUCTION SHALL COMMENCE BEGINNING AT THE LOWEST INVERT POINT OF CONNECTION AND PROGRESS UP GRADIENT. PROPOSED INTERFERENCE POINTS (CROSSINGS) WITH EXISTING UNDERGROUND UTILITIES SHALL BE FIELD VERIFIED BY TEST PIT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. ALL UTILITIES AND SERVICES INCLUDING BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN THE LIMITS OF DISTURBANCE SHALL BE VERTICALLY AND HORIZONTALLY LOCATED. THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING UTILITIES DURING CONSTRUCTION AT NO COST TO THE OWNER.
3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR THE RELATIVE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS DEFINED BY THE DRAWINGS AND IN FULL COMPLIANCE WITH LOCAL REGULATIONS AND CODES.
4. DEFINE AND LOCATE VERTICALLY AND HORIZONTALLY ALL ACTIVE UTILITY AND/OR SERVICE SYSTEMS THAT ARE TO BE REMOVED. THE CONTRACTOR IS RESPONSIBLE TO PROTECT AND MAINTAIN ALL ACTIVE SYSTEMS THAT ARE NOT BEING REMOVED/RELOCATED DURING SITE ACTIVITY.
5. THE CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE APPLICABLE UTILITY SERVICE PROVIDER REQUIREMENTS AND IS RESPONSIBLE FOR ALL COORDINATION REGARDING UTILITY DEVIATION AS DEVIATED OR REQUIRED FOR PROJECT. THE CONTRACTOR SHALL PROVIDE THE OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTION AND UTILITY COMPANY REQUIREMENTS.
6. CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF SITE PLAN DOCUMENTS AND ARCHITECTURAL DESIGN FOR EXACT BUILDING UTILITY CONNECTION LOCATIONS, GREASE TRAP REQUIREMENTS/DETAILS, DOOR ACCESS, AND EXTERIOR GRADING. THE UTILITY SERVICE SIZES ARE TO BE DETERMINED BY THE ARCHITECT. THE CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITIES/SERVICES WITH THE HOUSING/CONTRACTOR, TO AVOID CONFLICTS AND ENSURE PROPER DETAIL ARE ACHIEVED. THE JURISDICTION REQUIREMENTS SHALL ALSO BE WELL AS WELL AS COORDINATING THE UTILITY TIE-IN/CONNECTIONS PRIOR TO CONNECTING TO THE EXISTING UTILITY/SERVICE. WHERE CONFLICTS EXIST WITH THESE SITE PLANS, ENGINEER IS TO BE NOTIFIED PRIOR TO CONSTRUCTION TO RESOLVE SAME.
7. WATER SERVICE MATERIALS, BURIAL DEPTH, AND COVER REQUIREMENTS SHALL BE SPECIFIED BY THE LOCAL UTILITY COMPANY. CONTRACTOR'S PRICE FOR WATER SERVICE SHALL INCLUDE ALL FEES AND APPURTENANCES REQUIRED BY THE UTILITY TO PROVIDE A COMPLETE WORKING SERVICE.
8. ALL NEW UTILITIES/SERVICES, INCLUDING ELECTRIC, TELEPHONE, CABLE TV, ETC. ARE TO BE INSTALLED UNDERGROUND. ALL NEW UTILITIES/SERVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE UTILITY/SERVICE PROVIDER INSTALLATION SPECIFICATIONS AND STANDARDS.
9. SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT REFERENCED IN THIS PLAN SET. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING WITH SUITABLE MATERIALS AS SPECIFIED BY THE GEOTECHNICAL REPORT. ALL EXCAVATED OR FIELDED AREAS SHALL BE COMPACTED AS OUTLINED IN THE GEOTECHNICAL REPORT. MOISTURE CONTENT AT TIME OF PLACEMENT SHALL BE SUBMITTED IN COMPACTON REPORT PREPARED BY A QUALIFIED GEOTECHNICAL ENGINEER, REGISTERED WITH THE STATE WHERE THE WORK IS PERFORMED, VERIFYING THAT ALL FIELDED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS TO BE PAVED HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT. SUBGRADE MATERIAL FOR SIDEWALKS, CURBS, OR ASPHALT SHALL BE FREE OF ORGANICS AND OTHER UNSUITABLE MATERIALS. SHOULD SUBGRADE BE DEEMED UNSUITABLE BY OWNER OR OWNER'S REPRESENTATIVE, SUBGRADE IS TO BE REMOVED AND FILLED WITH APPROVED FILL MATERIAL COMPACTED AS DIRECTED BY THE GEOTECHNICAL REPORT.
10. ALL FILL, COMPACTION, AND BACKFILL MATERIALS REQUIRED FOR UTILITY INSTALLATION SHALL BE AS PER THE RECOMMENDATIONS PROVIDED IN THE GEOTECHNICAL REPORT AND SHALL BE COORDINATED WITH THE APPLICABLE UTILITY COMPANY SPECIFICATIONS.
11. THE CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH THE LATEST OSHA STANDARDS AND REGULATIONS, OR ANY OTHER AGENCY HAVING JURISDICTION FOR EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE "MEANS AND METHODS" REQUIRED TO MEET THE INTENT AND PERFORMANCE CRITERIA OF OSHA, AS WELL AS ANY OTHER ENTITY THAT HAS JURISDICTION FOR EXCAVATION AND/OR TRENCHING PROCEDURES.
12. PAVEMENT SHALL BE SAW CUT IN STRAIGHT LINES TO THE FULL DEPTH OF THE EXISTING PAVEMENT. ALL DEBRIS FROM REMOVAL OPERATIONS SHALL BE REMOVED FROM THE SITE AT THE TIME OF EXCAVATION. STOCKPILING OF DEBRIS WILL NOT BE PERMITTED.
13. THE TOPS OF EXISTING MANHOLES, INLET STRUCTURES, AND SANITARY CLEANOUT TOPS SHALL BE ADJUSTED, IF REQUIRED, TO MATCH PROPOSED GRADES IN ACCORDANCE WITH ALL APPLICABLE STANDARDS.
14. THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF EXISTING TOPOGRAPHIC INFORMATION AND UTILITY INVERT ELEVATIONS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR TO ENSURE 0.75% MINIMUM SLOPE AGAINST ALL ISLANDS, GUTTERS, AND CURBS. TOP ON ALL CONCRETE SURFACES AND 1.2% MINIMUM ON ASPHALT, TO PREVENT PONDING. ANY DISCREPANCIES THAT MAY AFFECT THE PUBLIC SAFETY OR PROJECT COST MUST BE IDENTIFIED TO THE ENGINEER IN WRITING IMMEDIATELY. PROCEEDING WITH CONSTRUCTION WITHOUT NOTIFICATION IS DONE SO AT THE CONTRACTOR'S OWN RISK.
15. PROPOSED TOP OF CURB ELEVATIONS ARE GENERALLY 6" ABOVE EXISTING LOCAL ASPHALT GRADE UNLESS OTHERWISE NOTED. FIELD ADJUST TO CREATE A MINIMUM OF 0.75% GUTTER GRADE ALONG CURB FACE. ENGINEER TO APPROVE FINAL CURBS WITH SHEETS PRIOR TO INSTALLATION.
16. REFER TO SITE PLAN FOR ADDITIONAL NOTES.
17. IN CASE OF DISCREPANCIES BETWEEN PLANS OR RELATIVE TO OTHER PLANS, THE SITE PLAN WILL TAKE PRECEDENCE. IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY CONFLICTS.
18. CONTRACTOR SHALL BE REQUIRED TO SECURE ALL NECESSARY PERMITS AND APPROVALS FOR ALL OFF-SITE MATERIAL SOURCES AND DISPOSAL FACILITIES. CONTRACTOR SHALL SUPPLY A COPY OF APPROVALS TO ENGINEER AND OWNER PRIOR TO INITIATING WORK.

GENERAL UTILITY LEGEND

- CD PROPOSED CLEANOUT
- RD PROPOSED ROOF DRAIN
- PROPOSED SANITARY SEWER LINE (SIZE & TYPE AS NOTED)
- PROPOSED 1" TYPE K WATER LINE
- ET --- ET --- ET PROPOSED UNDERGROUND ELECTRIC/TELEPHONE LINE
- G --- G --- G PROPOSED GAS LINE

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
 AUG - 4 2005
 By: *[Signature]*
 By: *[Signature]*

Cumberland Farms
 777 Deoram Street Canton, Massachusetts 02021

BOHLER ENGINEERING, P.C.
 CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS
 ■ Chalfont, PA ■ Melville, NY ■ Sterling, VA ■ Watling, NJ ■ Towson, MD ■ Southborough, MA

PROJECT: CUMBERLAND FARMS, INC.
 PROP. CONVENIENCE STORE & GAS STATION
 401 BLOOMING GROVE TURNPIKE
 TOWN OF NEW WINDSOR
 ORANGE COUNTY, NEW YORK

TITLE: **UTILITY PLAN**

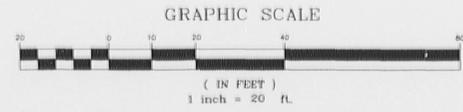
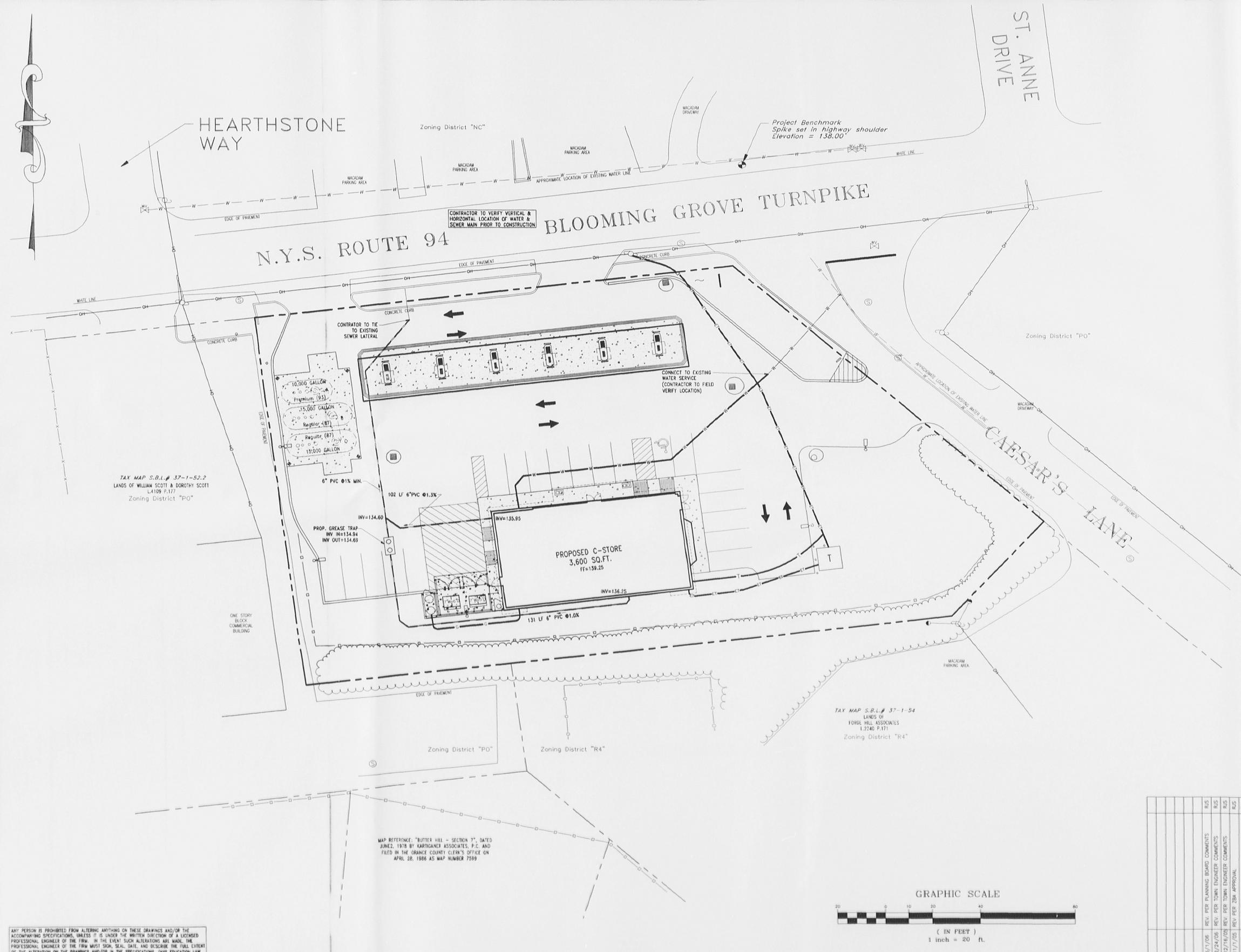
SCALE: (H) 1"=20' (V) NONE DATE: 06/20/05 SHEET No: **6** OF 16

DRAWN BY: SMV PROJECT No: B050527
 CHECKED BY: RJS CAD ID: B050527940 REV. No: 4

CONSTRUCTION CHECK DATE

PROFESSIONAL ENGINEER
 NEW YORK LICENSE No. 63409
 NEW JERSEY LICENSE No. 27410
 PENNSYLVANIA LICENSE No. 37184
 CONNECTICUT LICENSE No. 17518
 MASSACHUSETTS LICENSE No. 37025

PROFESSIONAL ENGINEER
 NEW YORK LICENSE No. 67084
 RHODE ISLAND LICENSE No. 2288
 CONNECTICUT LICENSE No. 27854
 MASSACHUSETTS LICENSE No. 42644
 VERMONT LICENSE No. 7735

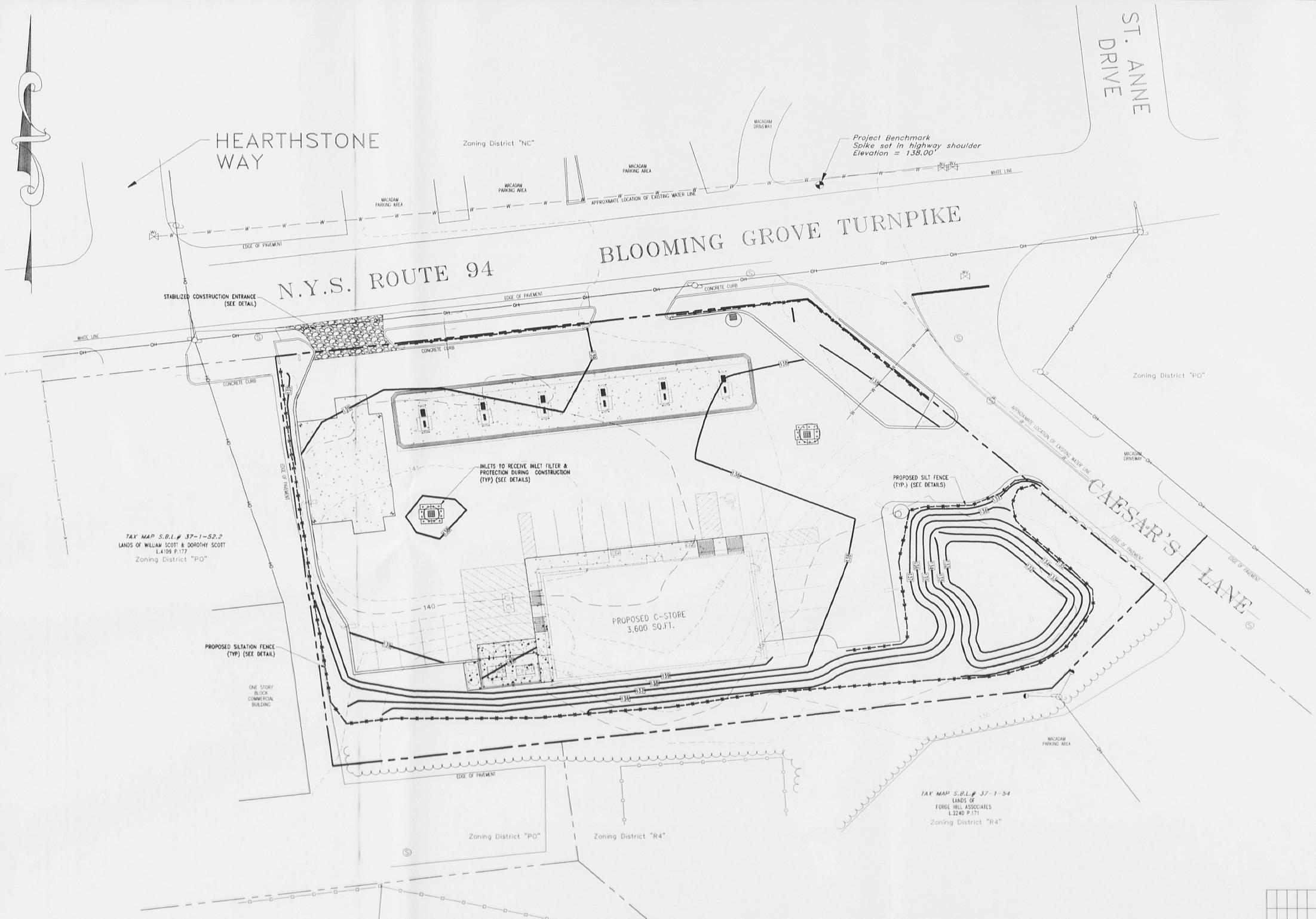


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MAP REFERENCE: "BITTER HILL - SECTION 7", DATED JUNE 2, 1978 BY KARTIGNER ASSOCIATES, P.C. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON APRIL 28, 1988 AS MAP NUMBER 7599

TAX MAP S.B.L.# 37-1-52.2
 LANDS OF WILLIAM SCOTT & DOROTHY SCOTT
 L4109 P.177
 Zoning District "PO"

TAX MAP S.B.L.# 37-1-54
 LANDS OF FORGE HILL ASSOCIATES
 L2740 P.171
 Zoning District "R4"



EROSION & SEDIMENT CONTROL NOTES

- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE DONE IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS.
 - THOSE AREAS UNDERGOING ACTUAL CONSTRUCTION WILL BE LEFT IN AN UNTREATED OR UNVEGETATED CONDITION FOR A MINIMUM TIME PERIOD AS SPECIFIED IN THE PERMITS. AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 15 DAYS OF FINAL GRADING AND TEMPORARILY STABILIZED WITHIN 30 DAYS OF INITIAL DISTURBANCE OF THE SOIL.
 - SEDIMENT BARRIERS (SILT FENCE, HAY BARRIERS, ETC.) SHOULD BE INSTALLED PRIOR TO ANY SOIL DISTURBANCE OF THE CONTRIBUTING DRAINAGE AREA ABOVE THEM. MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL AREAS WITH SLOPES GREATER THAN 15%. AFTER OCTOBER 1ST, THE SAME APPLIES FOR ALL SLOPES GREATER THAN 8%.
 - INSTALL SEDIMENT BARRIERS AT TOP OF SLOPE TO FILTER SILT FROM RUNOFF. SEE DETAILS FOR PROPER INSTALLATION. SEDIMENT BARRIERS WILL REMAIN IN PLACE PER NOTE #5.
 - ALL EROSION CONTROL STRUCTURES WILL BE INSPECTED, REPLACED AND/OR REPAIRED EVERY 7 DAYS AND IMMEDIATELY FOLLOWING ANY SIGNIFICANT RAINFALL OR SNOW MELT OR WHEN NO LONGER SERVICABLE DUE TO SEDIMENT ACCUMULATION OR DISCOMPOSURE. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH STORM EVENT. THEY MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE HALF THE HEIGHT OF THE BARRIER. SEDIMENT CONTROL DEVICES SHALL REMAIN IN PLACE AND BE MAINTAINED BY THE CONTRACTOR UNTIL AREAS UPSLOPE ARE STABILIZED BY TURF.
 - NO SLOPES, EITHER PERMANENT OR TEMPORARY, SHALL BE STEEPER THAN TWO TO ONE (2 TO 1).
 - IF FINAL SEEDING OF THE DISTURBED AREAS IS NOT COMPLETED 45 DAYS PRIOR TO THE FIRST KILLING FROST USE TEMPORARY MULCH (DOMINANT SEEDING MAY BE ATTEMPTED AS WELL) TO PROTECT THE SITE AND DELAY SEEDING UNTIL THE NEXT RECOMMENDED SEEDING PERIOD.
 - TEMPORARY SEEDING OF DISTURBED AREAS THAT HAVE NOT BEEN FINAL GRADED SHALL BE COMPLETED 45 DAYS PRIOR TO THE FIRST KILLING FROST TO PROTECT FROM SPRING RUNOFF PROBLEMS.
 - DURING THE CONSTRUCTION PHASE, INTERCEPTED SEDIMENT WILL BE RETURNED TO THE SITE AND REGRADED ONTO OPEN AREAS.
 - REVEGETATION MEASURES WILL COMMENCE UPON COMPLETION OF CONSTRUCTION EXCEPT AS NOTED ABOVE. ALL DISTURBED AREAS NOT OTHERWISE STABILIZED WILL BE GRADED, SMOOTHED, AND PREPARED FOR FINAL SEEDING AS FOLLOWS:
 - FOUR INCHES OF LOAM WILL BE SPREAD OVER DISTURBED AREAS AND SMOOTHED TO A UNIFORM SURFACE.
 - APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TEST. IF SOIL TESTING IS NOT FEASIBLE ON SMALL OR VARIABLE SITES, OR WHERE TIMING IS CRITICAL, FERTILIZER MAY BE APPLIED AT THE RATE OF 800 LB PER ACRE OR 18.4 LB PER 1,000 SF USING 10-20-20 OR EQUIVALENT. APPLY GROUND LIMESTONE (EQUIVALENT TO 50% CALCIUM PLUS MAGNESIUM OXIDE) AT A RATE OF 3 TONS PER ACRE (138 LB PER 1,000 SF).
 - FOLLOWING SEED BED PREPARATION, DITCHES AND BACK SLOPES WILL BE SEED TO A MIXTURE OF 47% CREEPING RED FESCUE, 5% REDTOP, AND 48% TALL FESCUE. THE LAWN AREAS WILL BE SEED TO A PREMIUM TURF MIXTURE OF 44% KENTUCKY BLUEGRASS, 44% CREEPING RED FESCUE, AND 12% PERENNIAL RYEGRASS. SEEDING RATE IS 1.03 LBS PER 1,000 SF LAWN QUALITY SOD MAY BE SUBSTITUTED FOR SEED.
 - HAY MULCH AT THE RATE OF 70-80 LBS PER 1,000 SF. A HYDRO-APPLICATION OF WOOD OR PAPER FIBER SHALL BE APPLIED FOLLOWING SEEDING. A SUITABLE BINDER SUCH AS CURASOL OR RMB PLUS WILL BE USED ON HAY MULCH FOR WIND CONTROL.
 - ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED ONCE THE SITE IS STABILIZED.
 - WETLANDS WILL BE PROTECTED W/HAYBALES AND/OR SILT FENCE INSTALLED AT THE EDGE OF THE WETLAND OR THE BOUNDARY OF WETLAND DISTURBANCE.
 - ALL PAVED AREAS ON THE SITE ARE TO BE SWEEP SEMI-ANNUALLY. ADDITIONALLY, BOTTOMS OF ALL CATCH BASINS AND MANHOLES ARE TO BE CLEANED SEMI-ANNUALLY.
- MULCH AND MULCH ANCHORING**
- | MULCH | LOCATION | MULCH | RATE (1,000 SF) |
|--|--------------|--------------------------------|-----------------|
| | PROTECT AREA | STRAW OR HAY | 100 POUNDS |
| | WINDY AREA | SHREDDED OR CHOPPED CORNKRAK'S | 185-275 POUNDS |
| | | STRAW OR HAY (ANCHORED)* | 100 POUNDS |
| MODERATE TO HIGH VELOCITY AREAS OR SLEEP SLOPES GREATER THAN 3:1 | | LITE MESH OR EXCELSIOR MAT | AS REQUIRED |
| GREATER THAN 3:1 | | | AS REQUIRED |
- * A HYDRO-APPLICATION OF WOOD OR PAPER FIBER MAY BE APPLIED FOLLOWING SEEDING. A SUITABLE BINDER SUCH AS CURASOL OR RMB PLUS SHALL BE USED ON HAY MULCH FOR WIND CONTROL.
- MULCH ANCHORING**
- ANCHOR MULCH WITH PEG AND TWINE (1 SQ. YD/BLOCK); MULCH NETTING (AS PER MANUFACTURER); WOOD CELLULOSE FIBER (750 LBS/ACRE); CHEMICAL TACK (AS PER MANUFACTURER SPECIFICATIONS); USE OF A SERRATED STRAIGHT DISK, WETTING FOR SMALL AREAS AND ROAD DITCHES MAY BE PERMITTED.

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
 AUG - 4 2006
 By: [Signature]
 [Signature]



BOHLER ENGINEERING, P.C.
 CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS

Other Office Locations: ■ Chafford, PA ■ Melville, NY ■ Sterling, VA ■ Watchung, NJ ■ Towson, MD ■ Southborough, MA

PROJECT: CUMBERLAND FARMS, INC.
 PROP. CONVENIENCE STORE & GAS STATION
 401 BLOOMING GROVE TURNPIKE
 TOWN OF NEW WINDSOR
 ORANGE COUNTY, NEW YORK

TITLE: **EROSION CONTROL PLAN**

SCALE: (H) 1"=20' (V) NONE DATE: 06/20/05 SHEET No: **7**

DRAWN BY: SMV PROJECT No: E050527 OF 16

CHECKED BY: RJS CAD ID: B050527s00 REV. No: 4

CONSTRUCTION CHECK DATE

PROFESSIONAL ENGINEER: **L.H. BOHLER** (NEW YORK LICENSE No. 63409, PENNSYLVANIA LICENSE No. 37184, CONNECTICUT LICENSE No. 17518, MASSACHUSETTS LICENSE No. 37025)

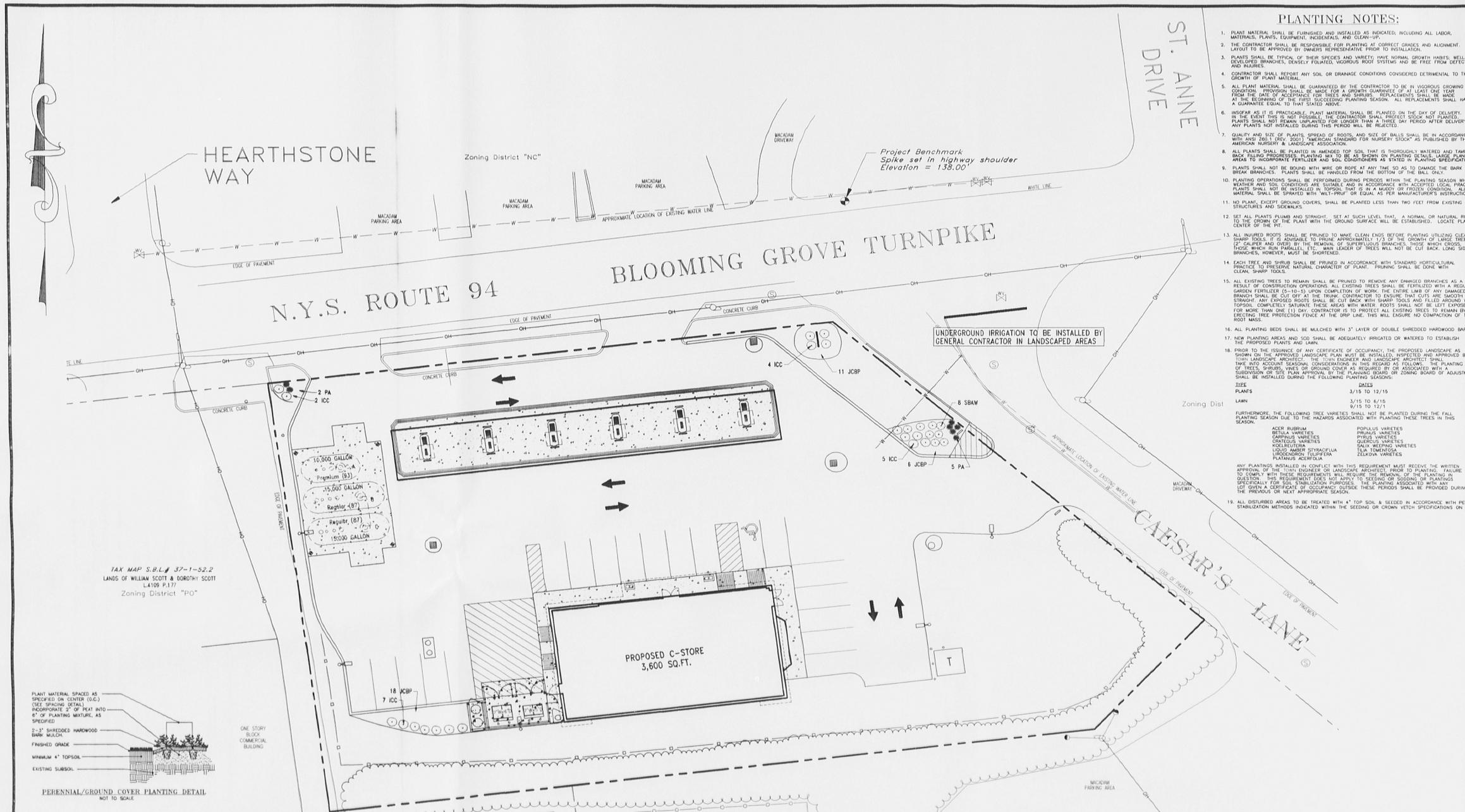
PROFESSIONAL ENGINEER: **W.D. GOEBEL** (NEW YORK LICENSE No. 071284, RHODE ISLAND LICENSE No. 27460, PENNSYLVANIA LICENSE No. 23854, MASSACHUSETTS LICENSE No. 42644, VERMONT LICENSE No. 7735)



MAP REFERENCE: "BUTTER HILL - SECTION 7", DATED JUNE, 1978 BY HARTIGER ASSOCIATES, P.E. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON APRIL 28, 1986 AS MAP NUMBER 7599

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REV.	DATE	COMMENT
1	11/7/05	REV. PER ZEM APPROVAL
2	11/27/05	REV. PER TOWN ENGINEER COMMENTS
3	12/24/05	REV. PER TOWN ENGINEER COMMENTS
4	5/7/06	REV. PER PLANNING BOARD COMMENTS



PLANTING NOTES:

- PLANT MATERIAL SHALL BE FURNISHED AND INSTALLED AS INDICATED, INCLUDING ALL LABOR, MATERIALS, PLANTS, EQUIPMENT, INCIDENTALS, AND CLEAN-UP.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTING AT CORRECT GRADES AND ALIGNMENT, INCLUDING ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, AND ANY OTHER APPROPRIATE NECESSARY FOR THE COMPLETION OF THIS PROJECT.
- PLANTS SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY, HAVE NORMAL GROWTH HABITS, WELL DEVELOPED BRANCHES, DENSELY FOLIATED, VIGOROUS ROOT SYSTEMS AND BE FREE FROM DEFECTS AND PLURES.
- CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITIONS CONSIDERED DETRIMENTAL TO THE GROWTH OF PLANT MATERIAL.
- ALL PLANT MATERIAL SHALL BE GUARANTEED BY THE CONTRACTOR TO BE IN VIGOROUS GROWING CONDITION AND BE AVAILABLE FOR A SPECIFIC PERIOD OF AT LEAST ONE YEAR FROM THE DATE OF ACCEPTANCE FOR TREES AND SHRUBS. REPLACEMENTS SHALL BE MADE AT THE BEGINNING OF THE FIRST PLANTING SEASON. ALL REPLACEMENTS SHALL HAVE A GUARANTEE EQUAL TO THAT STATED ABOVE.
- INFORM AS IT IS PRACTICABLE, PLANT MATERIAL SHALL BE PLANTED ON THE DAY OF DELIVERY. IN THE EVENT THIS IS NOT PRACTICABLE, THE CONTRACTOR SHALL PROTECT AND STORE ALL PLANTS NOT INSTALLED DURING THIS PERIOD WILL BE REJECTED.
- QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH AND (SEE) (REV. 2001) AMERICAN STANDARD FOR NURSERY STOCK AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
- ALL PLANTS SHALL BE PLANTED IN AMENDED TOP SOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACK FILLING PROCEDURES. PLANTING MAY TO BE AS SHOWN ON PLANTING DETAILS. LARGE PLANTING AREAS TO INCORPORATE FERTILIZER AND SOIL CONDITIONERS AS RELATED IN PLANTING SPECIFICATIONS.
- PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. PLANTS SHALL BE HANDLED FROM THE BOTTOM OF THE BALL ONLY.
- PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON, WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE AND IN ACCORDANCE WITH ACCEPTED LOCAL PRACTICE. PLANTS SHALL NOT BE INSTALLED IN TOPSOIL THAT IS IN A READY OR FROZEN CONDITION. ALL PLANT MATERIAL SHALL BE SPRAYED WITH "WILT-PROOF" OR EQUAL AS PER MANUFACTURER'S INSTRUCTIONS.
- NO PLANT, EXCEPT GROUND COVERS, SHALL BE PLANTED LESS THAN TWO FEET FROM EXISTING STRUCTURES AND SIDEWALKS.
- IF ALL PLANTS PLUMED AND STRAIGHT. SET AT SUCH LEVEL THAT A NORMAL OR NATURAL RELATIONSHIP TO THE GROUND OF THE PLANT WITH THE GROUND SURFACE WILL BE ESTABLISHED. LOCATE PLANT IN THE CENTER OF THE PIT.
- ALL INJURED TREES SHALL BE PRUNED TO HAVE CLEAN ENDS BEFORE PLANTING UTILIZING CLEAN, SHARP TOOLS. IT IS ESSENTIAL TO PRUNE APPROXIMATELY 1/3 THE GROWTH OF LARGE TREES. CUTS SHOULD BE MADE AT AN ANGLE, AND MAIN LEADERS OF TREES WILL NOT BE CUT BACK. LONG, CLOSE BRANCHES, HOWEVER, MUST BE SHORTENED.
- EACH TREE AND SHRUB SHALL BE PLANTED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE TO PRESERVE NATURAL CHARACTER OF PLANT. PRUNING SHALL BE DONE WITH CLEAN, SHARP TOOLS.
- ALL EXISTING TREES TO REMAIN SHALL BE PRUNED TO REMOVE ANY DAMAGED BRANCHES AS A RESULT OF CONSTRUCTION OPERATIONS. ALL EXISTING TREES SHALL BE FERTILIZED WITH A REGULAR GARDEN FERTILIZER (5-10-5) UPON COMPLETION OF WORK. THE ENTIRE LIMB OF ANY DAMAGED BRANCHES SHALL BE CUT OFF AT THE TRUNK. CONTRACTOR TO ENSURE THAT CUTS ARE SMOOTH AND STRAIGHT. ANY EXPOSED WOUNDS SHALL BE CUT BACK WITH SHARP TOOLS AND FILLED AROUND WITH TOPSOIL. COMPLETELY SATURATE THESE AREAS WITH WATER. ROOTS SHALL NOT BE LEFT EXPOSED FOR MORE THAN ONE (1) DAY. CONTRACTOR TO PROTECT ALL EXISTING TREES TO REMAIN BY ERECTING TREE PROTECTION FENCE AT THE DRIP LINE. THIS WILL ENSURE NO COMPACTION OF THE ROOT MASS.
- ALL PLANTING BEDS SHALL BE MULCHED WITH 2" LAYER OF DOUBLE SHREDDED HARDWOOD BARK MULCH.
- NEW PLANTING AREAS AND SOIL SHALL BE ADEQUATELY IRRIGATED OR WATERED TO ESTABLISH THE PROPOSED PLANTS AND LAWN.
- PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, THE PROPOSED LANDSCAPE AS SHOWN ON THE APPROVED LANDSCAPE PLAN MUST BE INSTALLED, INSPECTED AND APPROVED BY THE TOWN LANDSCAPE ARCHITECT. THE TOWN ENGINEER AND LANDSCAPE ARCHITECT SHALL HAVE THE RIGHT TO ACCOUNT SEASONAL CONSIDERATIONS. THE PLANTING OF TREES, SHRUBS, VINES OR GROUND COVERS AS REQUIRED BY OR ASSOCIATED WITH A SUBDIVISION OR SITE PLAN APPROVAL, BY THE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT SHALL BE INSTALLED DURING THE FOLLOWING PLANTING SEASONS:

TREE PLANTS	SHRUBS
3/15 TO 12/15	3/15 TO 6/15
1/15 TO 12/15	9/15 TO 12/15
- FURTHERMORE, THE FOLLOWING TREE VARIETIES SHALL NOT BE PLANTED DURING THE FALL PLANTING SEASON DUE TO THE HAZARDOUS ASSOCIATED WITH PLANTING THESE TREES IN THIS SEASON:

ACER RUBRUM	POPULUS VARIETIES
BETULA VARIETIES	PRUNUS VARIETIES
CORYLUS VARIETIES	QUERCUS VARIETIES
FRAXINUS VARIETIES	PALM TREES
LIQUID AMBER SYRIACA	TELA TOMENTOSA
LINDOGROBION TULIPARIA	ZELKOVIA VARIETIES
PLATANUS ACERIFOLIA	
- ANY PLANTING INSTALLED IN CONFLICT WITH THIS REQUIREMENT MUST RECEIVE THE WRITTEN APPROVAL OF THE TOWN ENGINEER OR LANDSCAPE ARCHITECT. FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL REQUIRE THE REMOVAL OF THE PLANTING IS SPECIFICALLY FOR THE SANITIZATION PURPOSES. THE PLANNING BOARD SHALL NOT GIVE A CERTIFICATE OF OCCUPANCY OUTSIDE THESE PERIODS SHALL BE PROVIDED DURING THE PREVIOUS OR NEXT APPROPRIATE SEASON.
- ALL DISTURBED AREAS TO BE TREATED WITH 4" TOP SOIL & SEEDING IN ACCORDANCE WITH PERMANENT STABILIZATION METHODS INDICATED WITHIN THE SEEDING OR CROWN VETCH SPECIFICATIONS ON THIS SHEET.

PLANTING SPECIFICATIONS:

- SCOPE OF WORK
 - THIS WORK SHALL CONSIST OF PERFORMING, CLEARING AND SOIL PREPARATION, FINISH GRADING, PLANTING AND DRAINAGE, INCLUDING ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, AND ANY OTHER APPROPRIATE NECESSARY FOR THE COMPLETION OF THIS PROJECT.
- MATERIALS
 - GENERAL - ALL MATERIALS SHALL MEET OR EXCEED SPECIFICATIONS AS OUTLINED IN THE STATE DEPARTMENT OF TRANSPORTATION (DOT) MANUAL OF ROADWAY AND BRIDGE CONSTRUCTION (LATEST EDITION) OR APPROVED EQUAL.
 - PLANTS - ALL PLANTS SHALL BE HEALTHY OR NORMAL GROWTH, WELL ROOTED, FREE FROM DISEASE AND INSECTS.
 - TOPSOIL - LOAMY SILT HAVING AN ORGANIC CONTENT NOT LESS THAN TWO INCHES (2"), WOOD, ROOTS, VEGETABLE MATTER AND CLAY CLUMPS.
 - MULCH - DOUBLE SHREDDED HARDWOOD BARK MULCH.
- FERTILIZER AND SOIL CONDITIONER - PLANTED AREAS
 - ORGANIC FERTILIZER - SHALL BE PROCESSED SEWER SLOUDGE WITH MINIMAL CONTENT OF 1% NITROGEN AND 2% PHOSPHORUS ACID. EQUAL TO "NITROHUMUS".
 - ORGANIC FERTILIZER AND SOIL CONDITIONER SHALL BE "GRO-POWER" AND ORGANIC BASE MATERIALS COMPRISED OF DECOMPOSED ANIMAL AND VEGETABLE MATTER AND COMPOSTED TO SUPPORT BACTERIAL CULTURES, CONTAINING NO FOLICULARY OR HUMAN WASTE. GUARANTEED ANALYSIS (0-3-1): NITROGEN 3%, PHOSPHATE 3%, POTASH 1%, 50% HUMUS AND 15% HUMIC ACIDS.
- GENERAL WORK PROCEDURES
 - LANDSCAPE WORK SHALL COMMENCE AS SOON AS THOSE PORTIONS OF THE SITE ARE AVAILABLE. CONTRACTOR TO UTILIZE WORKMANLIKE STANDARDS IN PERFORMING ALL LANDSCAPE CONSTRUCTION. THE SITE IS TO BE LEFT IN A CLEAN STATE AT THE END OF EACH DAY'S WORK. ALL DEBRIS, MATERIALS, AND TOOLS SHALL BE PROPERLY STOCKPILED OR DISPOSED OF AT ALL PAVED SURFACES SHALL BE SHEET CLEAN AT THE END OF EACH DAY'S WORK.
 - WEEDING
 - BEFORE AND DURING PRELIMINARY GRADING AND FINISH GRADING, ALL WEEDS AND GRASSES SHALL BE DUG OUT BY THE REITS AND DISPOSED OF AT THE CONTRACTOR'S EXPENSE.
 - TOPSOILING
 - CONTRACTOR TO PROVIDE FOUR INCHES (4") MINIMUM THICK TOPSOIL LAYER IN ALL PLANTING AREAS. TOPSOIL SHOULD BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO PRODUCE A FOUR INCH (4") COMPACTED THICKNESS. TOPSOIL PRESENT AT THE SITE, IF ANY, MAY BE USED TO SUPPLEMENT TOTAL AMOUNT REQUIRED. CONTRACTOR TO FURNISH AN ANALYSIS OF ON-SITE TOPSOIL UTILIZED IN ALL PLANTING AREAS. ADJUST pH AND NUTRIENT LEVELS AS REQUIRED TO ENSURE AN ACCEPTABLE GROWING MEDIUM.
 - SOIL CONDITIONING
 - CULTIVATE ALL AREAS TO BE PLANTED TO A DEPTH OF 4". ALL DEBRIS EXPOSED FROM EXCAVATION AND CULTIVATION SHALL BE DISPOSED OF AT THE CONTRACTOR'S EXPENSE. SPREAD EVENLY IN ALL PLANTING AREAS AND FILL (2 DIRECTIONS) INTO TOP 4" WITH THE FOLLOWING PER 1,000 SQ. FT.:
 - 20 POUNDS "GRO-POWER" FERTILIZER
 - 100 POUNDS AGRICULTURAL GYPSUM
 - 20 POUNDS NITROGEN (COURSE) 38-0-0 BLUE CHIP
 - THOROUGHLY TILL ORGANIC MATTER INTO THE TOP 6 TO 12 IN. OF MOST PLANTING SOILS TO IMPROVE THE SOIL'S ABILITY TO RETAIN WATER AND NUTRIENTS. USE COMPOSTED BARK, RECYCLED YARD WASTE OR PEAT MOSS. ALL PRODUCTS SHOULD BE COMPOSTED TO A DARK COLOR AND BE FREE OF PIECES WITH IDENTIFIABLE LEAF OR WOOD STRUCTURE. AVOID MATERIAL WITH A pH HIGHER THAN 7.5. MOOPY HEAVY CLAY OR SILT (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY VOLUME) AND/OR GYPSUM. COARSE SAND MAY BE USED IF IT IS ADDED TO BRING THE SAND CONTENT TO MORE THAN 30% OF THE TOTAL MIX. IMPROVE DRAINAGE IN HEAVY SOILS BY PLANTING ON RAISED MOUNDS OR BEDS AND INCLUDING SUBSURFACE DRAINAGE LINES. MOOPY EXTREMELY SANDY SOILS (MORE THAN 80% SAND) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM SAND TO 30% OF THE TOTAL MIX.
- PLANTING TREES AND SHRUBS AT THEIR INTENDED LOCATIONS AS PER THE PLANS AND SECURE THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE EXCAVATING PITS, MAKING NECESSARY ADJUSTMENTS AS DIRECTED.
- MAINTENANCE (ALTERNATE BID)
 - COST PER MONTH AFTER INITIAL 90-DAY MAINTENANCE PERIOD.

LANDSCAPE SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
EVERGREEN SHRUB(S)					
ICC	18	ILEX CORNATA 'COMPACTA'	COMPACT JAPANESE HOLLY	24-30"	#3 CAN
JCBP	48	JUNIPERUS CONFERTA 'BLUE PACIFIC'	BLUE PACIFIC SHORE JUNIPER	15-18" SPRD.	#3 CAN
DECAIDUOUS SHRUB(S)					
SBAN	8	SPIREA X BUXALDA 'ANTHONY WATERER'	ANTHONY WATERER SPIREA	18-24"	#3 CAN
ORNAMENTAL GRASSES					
PA	7	FENNETISUO ALPEUCROIDES	FOUNTAIN GRASS	2 GAL.	CONTAINER

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

THIS PLAN TO BE UTILIZED FOR LANDSCAPE PURPOSES ONLY

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

AUG - 4 2006

By: [Signature]

Cumberland Farms
777 Dedham Street, Canton, Massachusetts 02026

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BOHLER ENGINEERING, P.C.
CIVIL & CONSULTING ENGINEERS PROJECT MANAGERS ENVIRONMENTAL & SITE PLANNERS MUNICIPAL ENGINEERS

5 Computer Drive West
Albany, NY 12205
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PROJECT: CUMBERLAND FARMS, INC.
PROP. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

TITLE: LANDSCAPE PLAN

SCALE: (H) 1" = 20' (V) NONE DATE: 06/20/05 SHEET No: 8 OF 16

DRAWN BY: SMV PROJECT No: B050527
CHECKED BY: RJS CAD LD. F: B050527s80

PROFESSIONAL ENGINEER
NEW YORK LICENSE NO. 63499
NEW JERSEY LICENSE NO. 27410
PENNSYLVANIA LICENSE NO. 37184
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PROFESSIONAL ENGINEER
NEW YORK LICENSE NO. 079184
RHODE ISLAND LICENSE NO. 7268
CONNECTICUT LICENSE NO. 21854
MASSACHUSETTS LICENSE NO. 42644
VERMONT LICENSE NO. 7725

CONSTRUCTION CHECK DATE: 4

SEEDING SPECIFICATIONS

- PRIOR TO SEEDING, AREA IS TO BE TOPSOILED, FINE GRADED, AND RAKED OF ALL DEBRIS LARGER THAN 2" DIAMETER.
- PRIOR TO SEEDING, CONSULT MANUFACTURER'S RECOMMENDATIONS AND INSTRUCTIONS.
- SEEDING RATES:

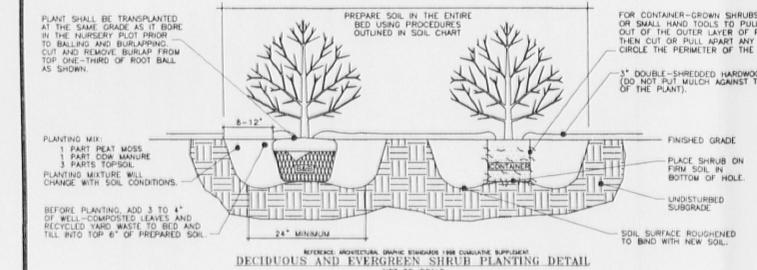
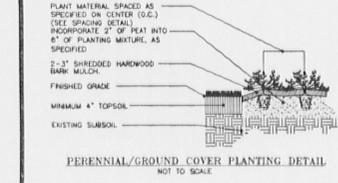
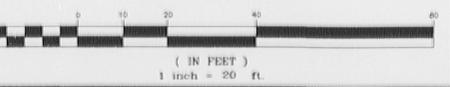
PERENNIAL RYEGRASS	1/2 LB./1,000 SQ. FT.
KENTUCKY BLUEGRASS	1 LB./1,000 SQ. FT.
RIE FESCUE	1 1/2 LB./1,000 SQ. FT.
SPRINKLING FESCUE	1 1/2 LB./1,000 SQ. FT.
FERTILIZER (20-10-10)	14 LB./1,000 SQ. FT.
MULCH	80 LB./1,000 SQ. FT.
- GERMINATION RATES WILL VARY AS TO TIME OF YEAR FOR SEEDING. CONTRACTOR TO IRRIGATE SEEDED AREA UNTIL AN ACCEPTABLE STAND OF COVER IS ESTABLISHED BY OWNER.

CROWN VETCH SEEDING SPECIFICATIONS:

- PRIOR TO SEEDING, AREA IS TO BE TOPSOILED, FINE GRADED, AND RAKED OF ALL DEBRIS LARGER THAN 2" DIAMETER.
- PREFERRED METHOD OF SEEDING IS BY HYDROSEEDING, ALTHOUGH BROADCAST SEEDING IS ACCEPTABLE, USUALLY FOR SMALL AREAS.
- PRIOR TO SEEDING, CONSULT MANUFACTURER'S RECOMMENDATIONS AND INSTRUCTIONS.
- SEEDING RATES:

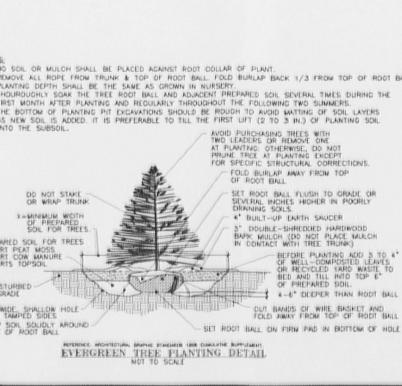
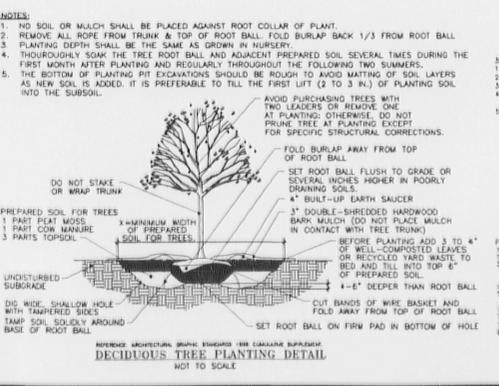
CROWN VETCH SEED	1 LB./1,000 SQ. FT.
SHEEP FESCUE (40%)	4 LB./1,000 SQ. FT.
PERENNIAL RYEGRASS (50%)	4.5 LB./1,000 SQ. FT.
WHEAT CLOVER (5%)	5 LB./1,000 SQ. FT.
FERTILIZER (16-32-8)	2 LB./1,000 SQ. FT.
LIQUID LIME	5 GAL./800 GAL. TANK
TROCHER	35 LB./800 GAL. TANK
FIBER MULCH	30 LB./1,000 SQ. FT.
- GERMINATION RATES WILL VARY AS TO TIME OF YEAR FOR SEEDING. CONTRACTOR TO IRRIGATE SEEDED AREA UNTIL AN ACCEPTABLE STAND OF COVER IS ESTABLISHED BY OWNER.

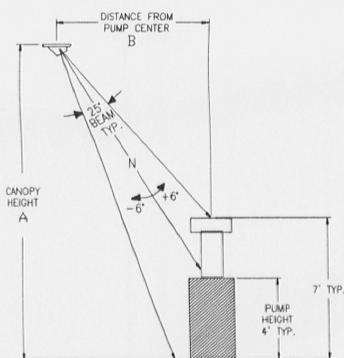
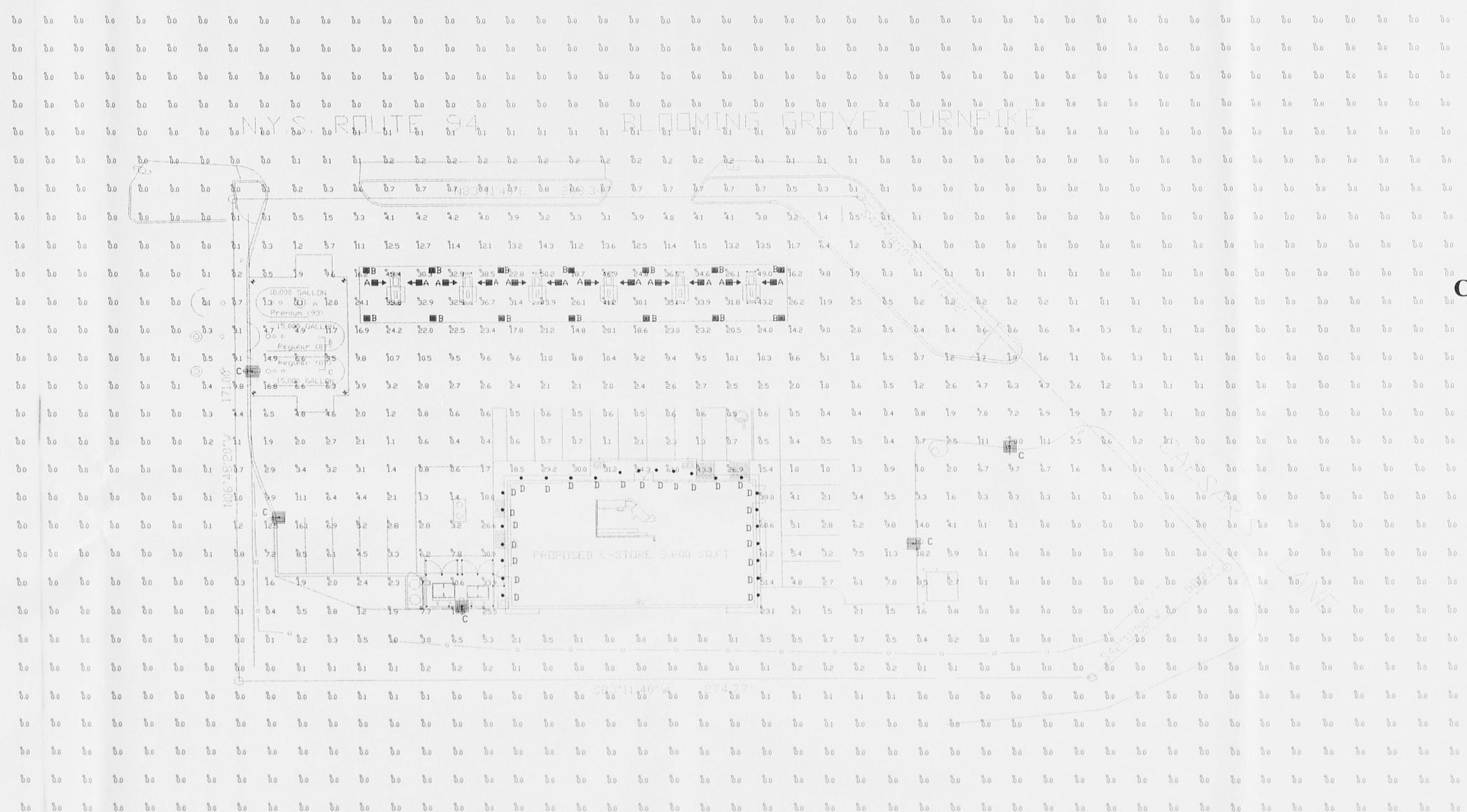
GRAPHIC SCALE



GENERAL RANGE OF SOIL MODIFICATIONS & VOLUMES FOR VARIOUS SOIL CONDITIONS

POST-CONSTRUCTION SOIL CONDITION	MIN. / WIDTH PREPARED SOIL FOR TREES (X)	TYPE OF PREPARATION
GOOD SOIL (NOT PREVIOUSLY GRADED OR COMPACTED, TOPSOIL LAYER INTACT)	6 FT. OR TWICE THE WIDTH OF THE ROOT BALL, WHICHEVER IS GREATER	LOOSEN THE EXISTING SOILS TO THE WIDTHS AND DEPTHS SHOWN IN DETAILS ABOVE.
COMPACTED SOIL (NOT PREVIOUSLY GRADED, TOPSOIL LAYER DISTURBED BUT NOT ELIMINATED)	15 FT.	LOOSEN THE EXISTING SOILS TO THE WIDTHS AND DEPTHS SHOWN IN DETAILS ABOVE; ADD COMPOSTED ORGANIC CONTENT UP TO 5% DRY WEIGHT.
GRADED SUBSOILS AND CLEAN FILLS WITH CLAY CONTENT BETWEEN 5 & 35%	20 FT.	MINIMUM TREATMENT: LOOSEN EXISTING SOIL TO WIDTHS AND DEPTHS SHOWN; ADD COMPOSTED ORGANIC MATTER TO BRING ORGANIC CONTENT UP TO 5% DRY WEIGHT. OPTIMUM TREATMENT: REMOVE TOP 8-10 IN. OF THE EXISTING SOILS TO THE WIDTHS AND DEPTHS SHOWN; ADD 8-10 IN. OF LOAM TOPSOIL.
POOR QUALITY FILLS, HEAVY CLAY SOILS, SOILS CONTAMINATED WITH RUBBLE OR TOXIC MATERIAL	20 FT.	REMOVE EXISTING SOILS TO THE WIDTHS AND DEPTHS CONTAMINATED WITH RUBBLE OR TOXIC MATERIAL.





LAMP LAYOUT FOR 25° FLOOD

A VERTICAL HEIGHT OF CANOPY	B HORIZONTAL DISTANCE FROM CENTER OF DISPENSER TO CENTER OF FIXTURE									
	4'8"	5'4"	6'	6'8"	7'4"	8'	8'8"	9'4"	10'	
16'	-6	-6	-6	N	N	N	N	+6	+6	
15 1/2'	-6	-6	N	N	N	N	N	+6	+6	
15'	-6	-6	N	N	N	N	N	+6	+6	
14 1/2'	-6	-6	N	N	N	N	N	+6	+6	
14'	-6	-6	N	N	N	N	N	+6	+6	

Numeric Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ENTIRE	Illuminance	Fc	2.44	61.2	0.0	0.00	0.00
DISPENSE_Side_3	Illuminance	Fc	47.08	68.1	28.6	1.65	2.38

Statistical Area Summary

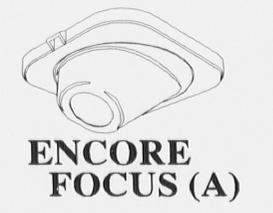
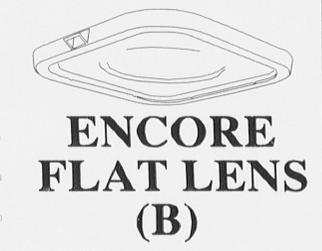
Label	Avg	Max	Min	Avg/Min	Max/Min
CANOPY	35.12	50.2	18.7	1.88	2.68
INSIDE CURB	6.47	30.9	0.3	21.57	103.00

Luminaire Schedule

Symbol	Qty	Label	Arrangement	Lumens	LLF	Description	Total Watts
⬆	12	A	SINGLE	6000	0.720	ECTA-SP-100-P38-FD	129
⬆	14	B	SINGLE	23000	0.720	ECTA-S-250-PSMV-F	295
⬆	5	C	SINGLE	32000	0.720	CHH-FT-400-MH-F 14' POLE SINGLE	458
⊕	25	D	SINGLE	8500	0.720	72-MHED17-100-MH	129

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine applicability of the layout to existing or future field conditions.

This lighting pattern represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with Illuminating Engineering Society approved methods. Actual performance of any manufacturer's luminaire may vary due to variation in electrical voltage, tolerance in lamps, and other variable field conditions.



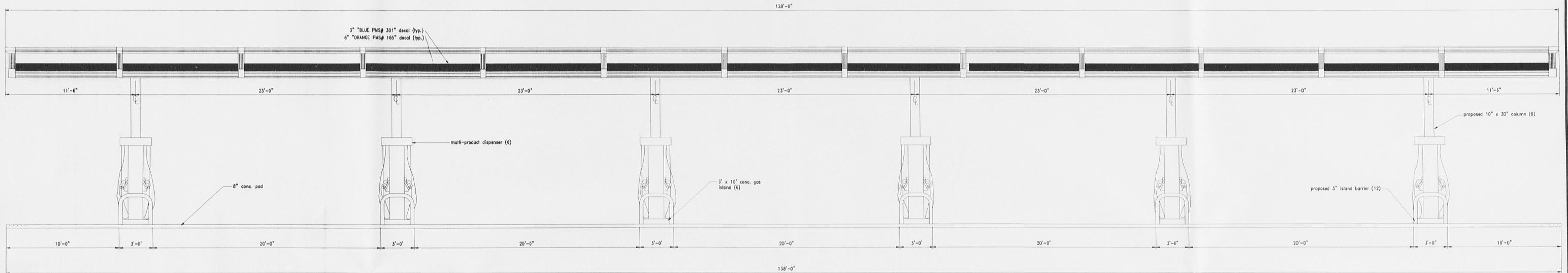
APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2006
By: [Signature]
NYS State Engineer, Secretary

Revisions

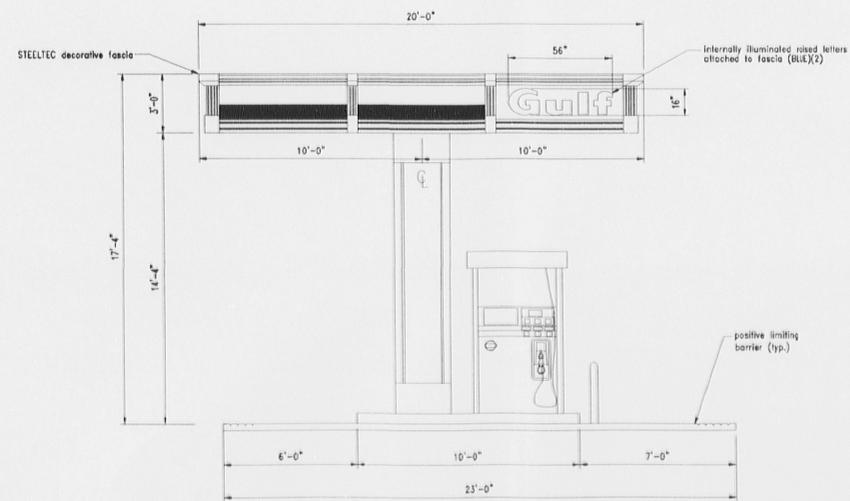
Rev.	Date	By

leI INDUSTRIES®
LIGHTING PROPOSAL FOR
CUMBERLAND FARMS
NEW WINDSOR, NY
SCALE: 1"=20'
DATE: 3-27-06
SHEET 1 OF 1





FRONT ELEVATION
SCALE: 1/4" = 1'-0"



SIDE ELEVATION
SCALE: 1/4" = 1'-0"

THIS PLAN HAS BEEN TAKEN FROM PLANS PROVIDED BY CUMBERLAND FARMS, INC. AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES.

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2 0 5
By: [Signature]
By: [Signature]

Cumberland Farms
777 Dedham Street Canton, Massachusetts 02021

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CIVIL & CONSULTING ENGINEERS PROJECT MANAGERS ENVIRONMENTAL & SITE PLANNERS MUNICIPAL ENGINEERS
Chalfont, PA Melville, NY Sterling, VA Watchung, NJ Towson, MD Southborough, MA

PROJECT: CUMBERLAND FARMS, INC.
PROP. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

TITLE: CANOPY ELEVATIONS

SCALE: (H) 1/4" = 1'-0" (V) NONE DATE: 06/20/05 SHEET No: 10 OF 16

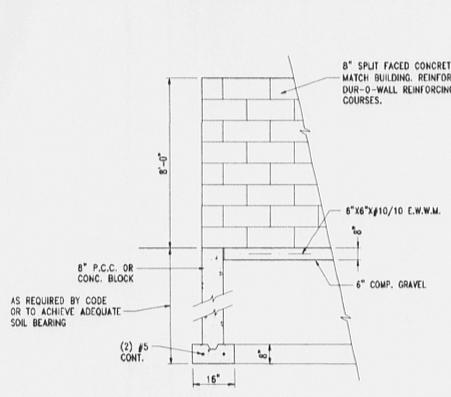
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CHECKED BY: RJS CAD I.D. No: B050527c00

CONSTRUCTION CHECK DATE

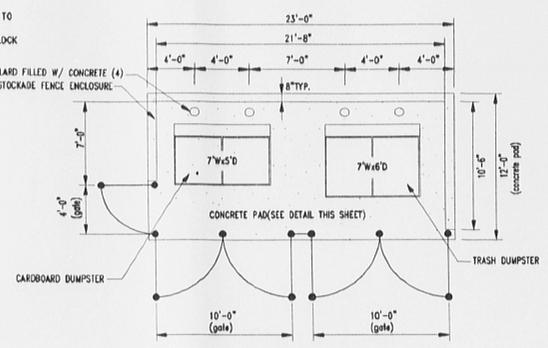
L.H. BOHLER PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 63409
NEW JERSEY LICENSE No. 27410
PENNSYLVANIA LICENSE No. 57184
CONNECTICUT LICENSE No. 17516
MASSACHUSETTS LICENSE No. 37025

W.D. GOEBEL PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 63409
NEW JERSEY LICENSE No. 27410
RHODE ISLAND LICENSE No. 71854
CONNECTICUT LICENSE No. 17516
MASSACHUSETTS LICENSE No. 42644
VERMONT LICENSE No. 7735

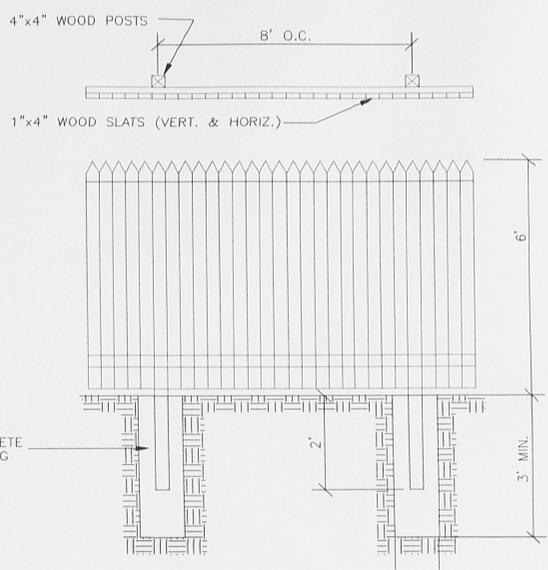
ANY PERSON IS PROHIBITED FROM ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE WRITTEN DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OF THE FIRM. IN THE EVENT SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (M.T.S. REGULATORY LAW SECTION 220B-3)



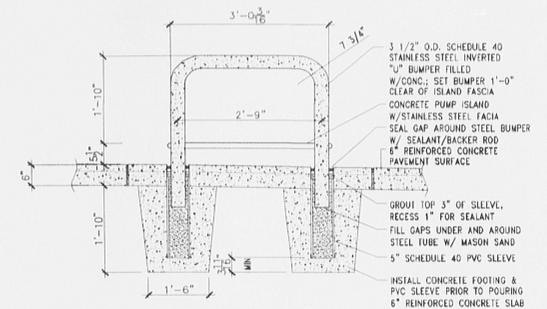
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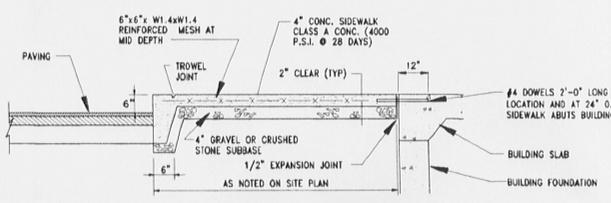
SIGNAGE DETAILS
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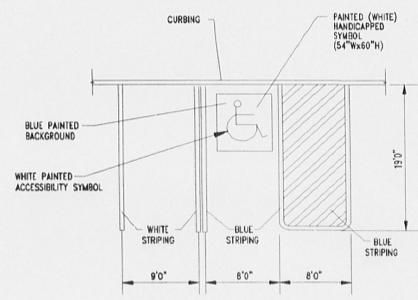
STOCKADE FENCE DETAIL
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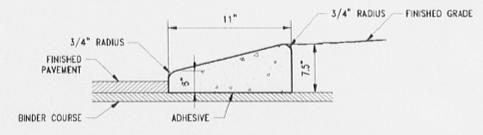
"U" TYPE BUMPER POST DETAIL
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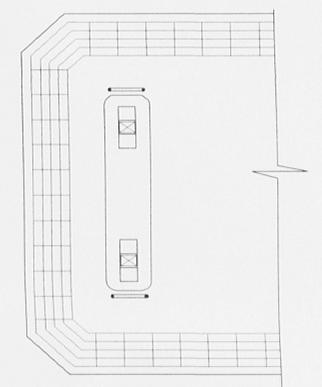
BUILDING SIDEWALK DETAIL
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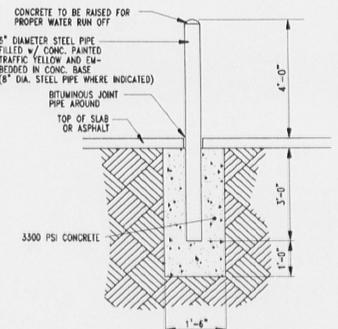
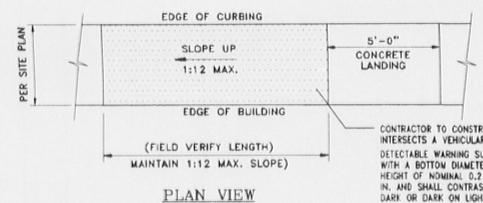
HANDICAPPED STALL MARKING
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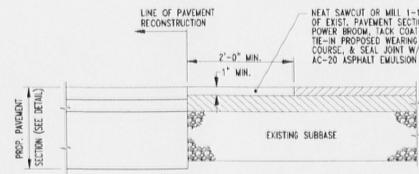
ON-SITE CONCRETE CURB DETAIL
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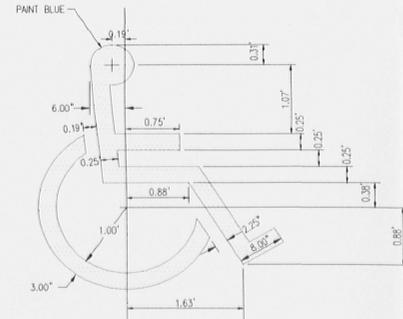
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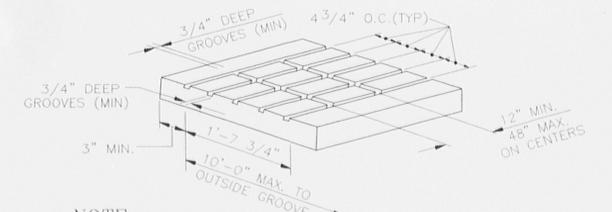
BOLLARD DETAIL
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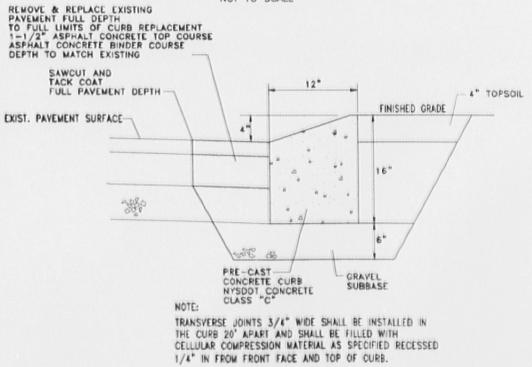
PAVEMENT TIE-IN DETAIL
NOT TO SCALE



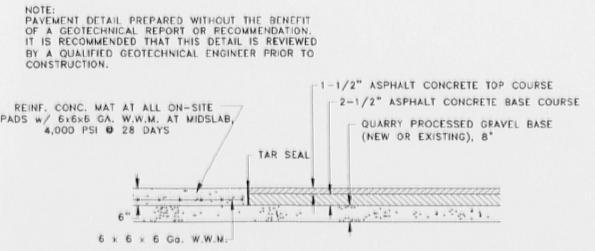
HANDICAP SYMBOL
NOT TO SCALE



POSITIVE LIMITING BARRIER SAW CUTS & PATTERNS
NOT TO SCALE



MOUNTABLE PRECAST CONCRETE CURB DETAIL
NOT TO SCALE



ONSITE CONCRETE & PAVING DETAIL
NOT TO SCALE

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REV.	DATE	COMMENT	BY
1	11/17/05	REV. PER ZEM APPROVAL	RJS
2	12/16/05	REV. PER TOWN ENGINEER COMMENTS	RJS
3	12/24/06	REV. PER TOWN ENGINEER COMMENTS	RJS
4	10/17/06	REV. PER PLANNING BOARD COMMENTS	RJS

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2006

By: *Genevieve...*
By: *...*

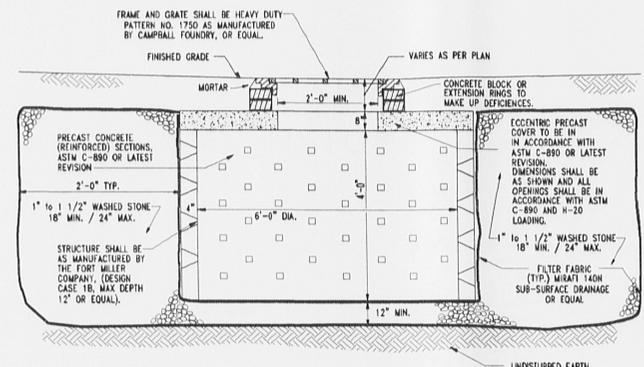
Cumberland Farms
777 Oldham Street, Canton, Massachusetts 02020

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CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS

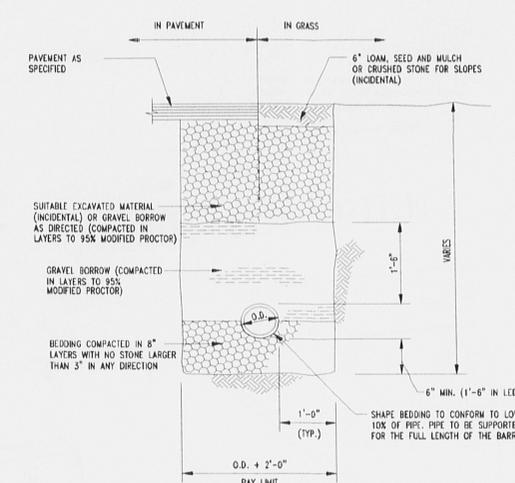
Other Office Locations: ■ Chalfont, PA ■ Melville, NY ■ Sterling, VA ■ Watchung, NJ ■ Towson, MD ■ Southborough, MA

5 Computer Drive West
Albany, NY 12205
518.438.9900
fax: 518.438.0900
www.bohlereng.com

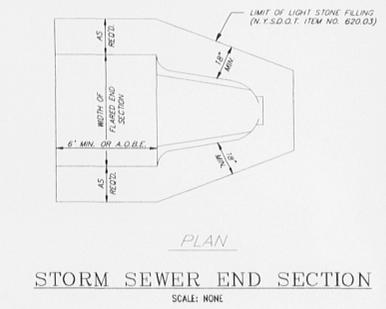
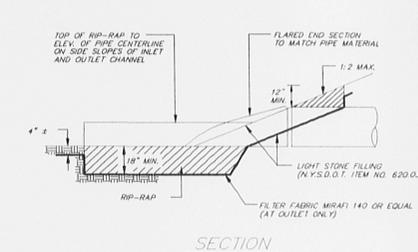
PROJECT: CUMBERLAND FARMS, INC. PROP. CONVENIENCE STORE & GAS STATION 401 BLOOMING GROVE TURNPIKE TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK		TITLE: SITE DETAILS
SCALE: (H) NONE (V) NONE	DATE: 06/20/05	SHEET No: 11
DRAWN BY: SMV	PROJECT No: 8050527	REV. No: 4
CHECKED BY: RJS	CAD ID: 8050527990	CONSTRUCTION CHECK: _____
PROFESSIONAL ENGINEER NEW YORK LICENSE No. 63409 NEW JERSEY LICENSE No. 27410 PENNSYLVANIA LICENSE No. 37184 CONNECTICUT LICENSE No. 17518 MASSACHUSETTS LICENSE No. 37025	PROFESSIONAL ENGINEER NEW YORK LICENSE No. 071286 PHONE NUMBER LICENSE No. 7968 CONNECTICUT LICENSE No. 18184 MASSACHUSETTS LICENSE No. 42644 VERMONT LICENSE No. 2735	



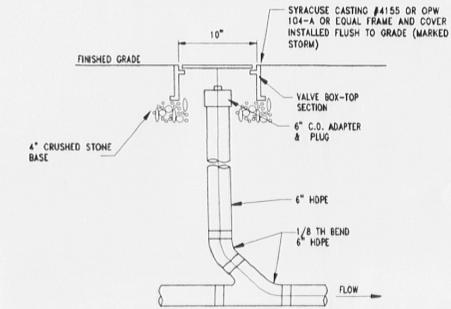
TYPICAL 6' DRY WELL DETAIL
NOT TO SCALE



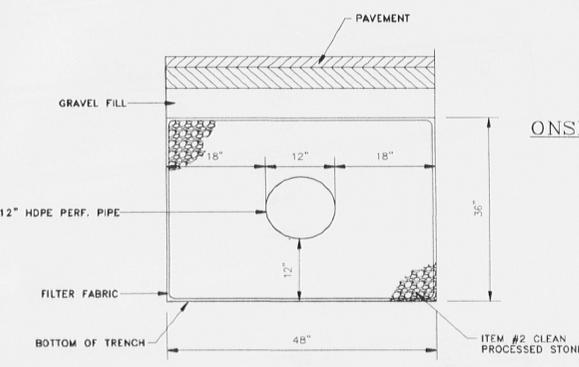
ONSITE PIPE TRENCH DETAIL
NOT TO SCALE



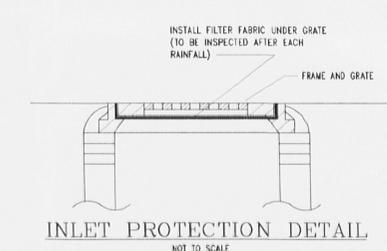
STORM SEWER END SECTION
SCALE: NONE



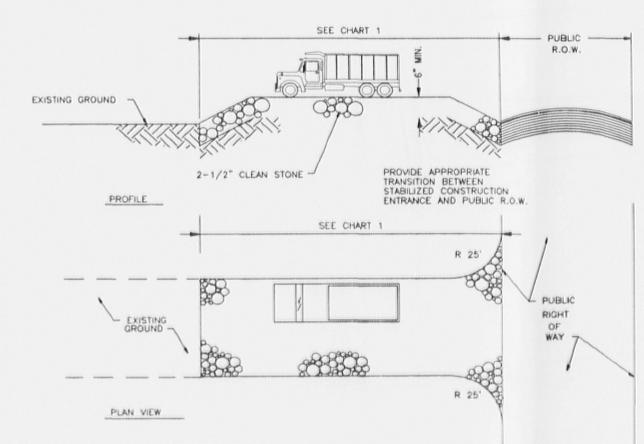
STORM-LINE CLEANOUT DETAIL
N.T.S.



STORM WATER INFILTRATION TRENCH DETAIL
NO SCALE

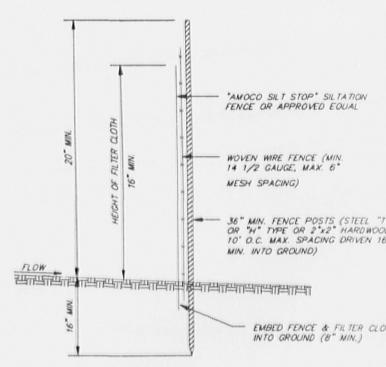


INLET PROTECTION DETAIL
NOT TO SCALE



PERCENT SLOPE OF ROADWAY	LENGTH OF STONE REQUIRED	
	COARSE GRAINED SOILS	FINE GRAINED SOILS
0 TO 2%	50 FT	100 FT
2% TO 5%	100 FT	200 FT
>5%	ENTIRE ENTRANCE STABILIZED WITH FABC BASE COURSE (1)	

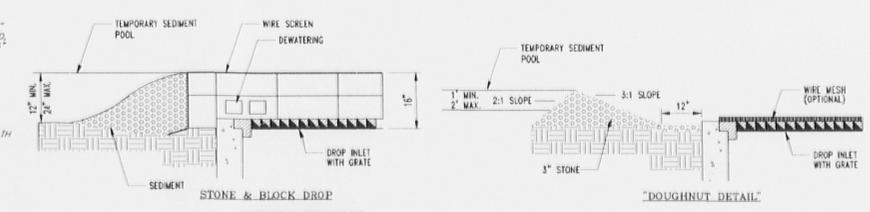
STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



GENERAL NOTES:
 1. LOCATIONS AS SHOWN ON THE PLANS.
 2. ALL PROPOSED EROSION CONTROLS SHALL BE INSTALLED PRIOR TO BEGINNING OF CONSTRUCTION. FINAL LOCATION & CONSTRUCTION SHALL BE APPROVED BY THE ENGINEER.
 3. REMOVAL OF EROSION CONTROLS ONLY UNDER THE AUTHORIZATION OF THE ENGINEER.

CONSTRUCTION NOTES FOR FABRICATED SILTATION FENCE:
 1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP & MID-SECTION.
 3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 6" AND FOLDED.

SILTATION FENCE



STONE & BLOCK DROP
INLET PROTECTION STRUCTURE

EROSION CONTROL DETAILS
NOT TO SCALE

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
 AUG - 4 2006
 By: [Signature]
 Title: [Title]

Cumberland Farms
 777 Deoram Street Canton, Massachusetts 02027

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 CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS

PROJECT: CUMBERLAND FARMS, INC. PROP. CONVENIENCE STORE & GAS STATION
 401 BLOOMING GROVE TURNPIKE
 TOWN OF NEW WINDSOR
 ORANGE COUNTY, NEW YORK

TITLE: SITE DETAILS

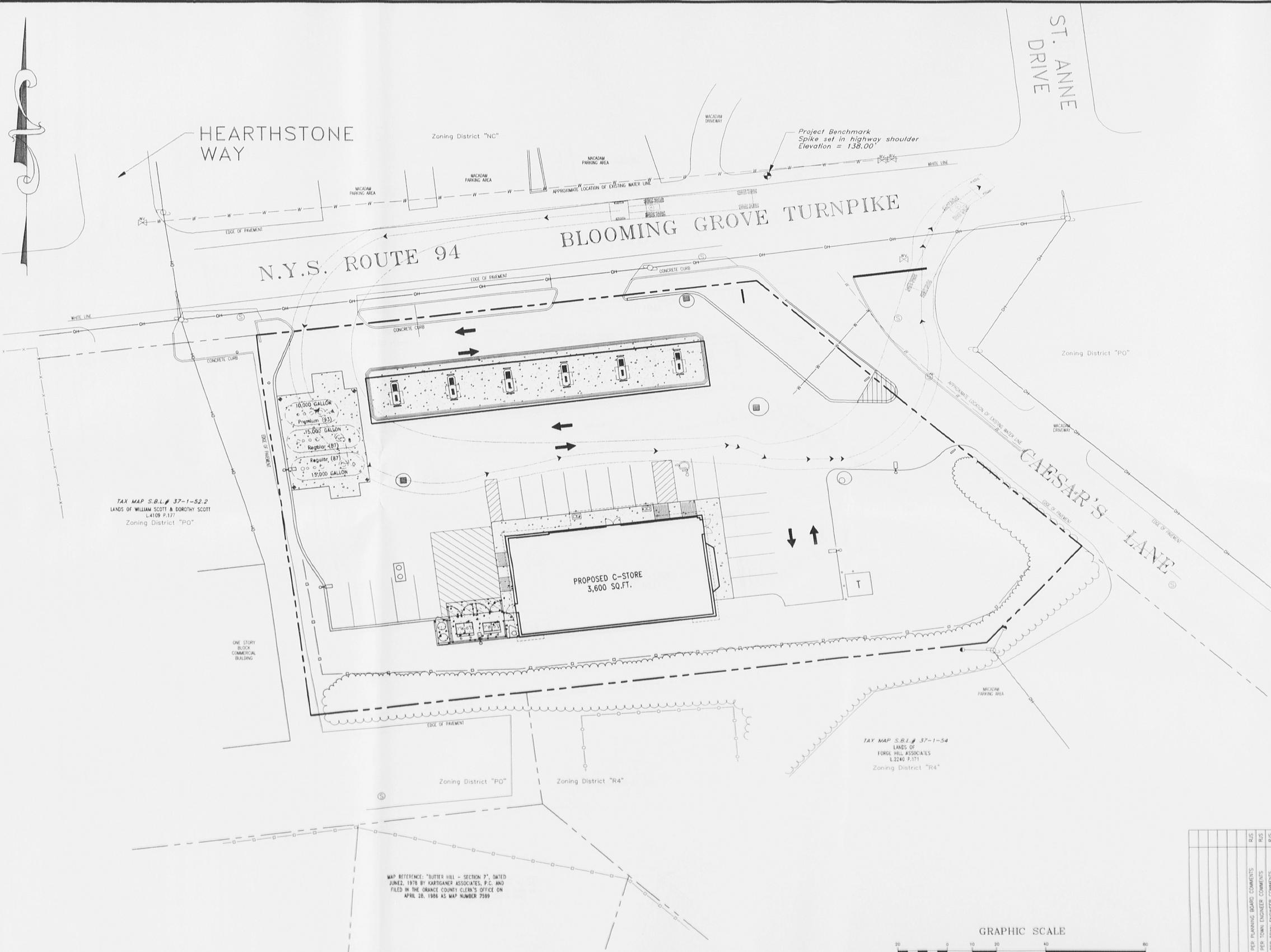
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DRAWN BY: SMV PROJECT No: B050527
 CHECKED BY: RJS CAD ID: B050527690 REV. No: 4

PROFESSIONAL ENGINEER
 NEW YORK LICENSE No. 65409
 NEW JERSEY LICENSE No. 27410
 PENNSYLVANIA LICENSE No. 37184
 CONNECTICUT LICENSE No. 37618
 MASSACHUSETTS LICENSE No. 37025

PROFESSIONAL ENGINEER
 NEW YORK LICENSE No. 071294
 RHODE ISLAND LICENSE No. 7268
 CONNECTICUT LICENSE No. 21854
 MASSACHUSETTS LICENSE No. 42644
 VERMONT LICENSE No. 7735

REV.	DATE	COMMENT
4	5/7/06	REV. PER PLANNING BOARD COMMENTS
3	2/24/06	REV. PER TOWN ENGINEER COMMENTS
2	12/16/05	REV. PER TOWN ENGINEER COMMENTS
1	11/1/05	REV. PER ZBA APPROVAL



HEARTHSTONE WAY

ST. ANNE DRIVE

N.Y.S. ROUTE 94

BLOOMING GROVE TURNPIKE

CAESAR'S LANE

PROPOSED C-STORE
3,600 SQ.FT.

TAX MAP S.B.L. # 37-1-52.2
LANDS OF WILLIAM SCOTT & DOROTHY SCOTT
L4109 P.177
Zoning District "P0"

TAX MAP S.B.L. # 37-1-54
LANDS OF FORSE HILL ASSOCIATES
L2240 P.173
Zoning District "R4"

MAP REFERENCE: "BUTTER HILL - SECTION 7", DATED
JUNE 2, 1978 BY KARTIGNER ASSOCIATES, P.C. AND
FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON
APRIL 28, 1986 AS MAP NUMBER 7599

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ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE WRITTEN DIRECTION OF A LICENSED
PROFESSIONAL ENGINEER OF THE FIRM. IN THE EVENT SUCH ALTERATIONS ARE MADE, THE
PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND DESCRIBE THE FULL EXTENT
OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (ENR. EDUCATION LAW
SECTION 2209-2)



APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2006
By: [Signature]
By: [Signature]

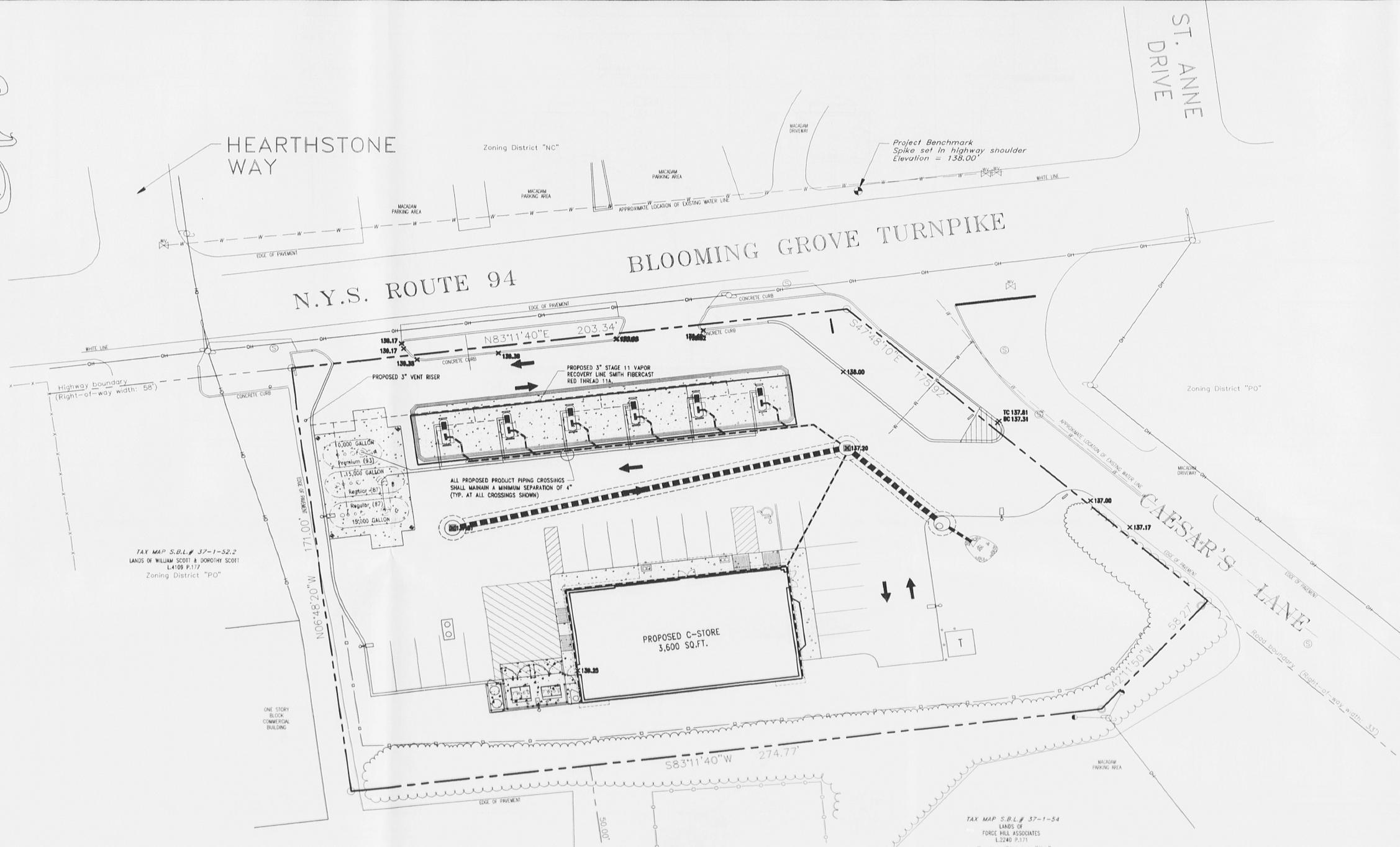
Cumberland Farms
777 Leominster Street Canton, Massachusetts 02026

BOHLER ENGINEERING, P.C.
CIVIL & CONSULTING ENGINEERS PROJECT MANAGERS ENVIRONMENTAL & SITE PLANNERS MUNICIPAL ENGINEERS
Other Office Locations:
Chalfont, PA Melville, NY Sterling, VA Potomac, MD
PROJECT: CUMBERLAND FARMS, INC.
PROP. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

TITLE: TRUCK TURN PLAN
SCALE: (H) 1"=20'
(V) NONE DATE: 06/20/05 SHEET No: 13 OF 16
DRAWN BY: SMV PROJECT No: B050527
CHECKED BY: RJS CAB ID: B05052790 REV. No: 4
CONSTRUCTION CHECK DATE

L.H. BOHLER W.D. GOEBEL
PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 63403
NEW JERSEY LICENSE No. 27410
PENNSYLVANIA LICENSE No. 37384
CONNECTICUT LICENSE No. 17518
MASSACHUSETTS LICENSE No. 37025
PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 029284
RHODE ISLAND LICENSE No. 7268
CONNECTICUT LICENSE No. 21854
MASSACHUSETTS LICENSE No. 42644
VERMONT LICENSE No. 7735

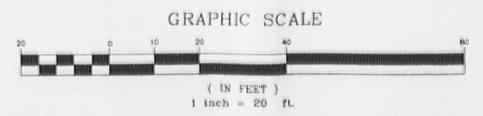
REV.	DATE	COMMENT
4	15/7/06	REV. PER PLANNING BOARD COMMENTS
3	12/24/06	REV. PER TOWN ENGINEER COMMENTS
2	12/16/06	REV. PER TOWN ENGINEER COMMENTS
1	11/17/05	REV. PER ZBA APPROVAL



TAX MAP S.B.L.# 37-1-52.2
LANDS OF WILLIAM SCOTT & DOROTHY SCOTT
L4109 P.177
Zoning District "PO"

TAX MAP S.B.L.# 37-1-54
LANDS OF
FORCE HILL ASSOCIATES
L2240 P.171
Zoning District "R4"

MAP REFERENCE: "BUTLER HILL - SECTION 7", DATED
JUNE, 1978 BY KARTIGANER ASSOCIATES, P.E. AND
FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON
APRIL 26, 1986 AS MAP NUMBER 7599



ANY PERSON IS PROHIBITED FROM ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE
ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE WRITTEN DIRECTION OF A LICENSED
PROFESSIONAL ENGINEER OF THE FIRM. IN THE EVENT SUCH ALTERATIONS ARE MADE, THE
PROFESSIONAL ENGINEER OF THE FIRM MUST SIGN, SEAL, DATE, AND DESCRIBE THE FULL EXTENT
OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (NYS EDUCATION LAW
SECTION 7209(2))

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2006
By: [Signature]
By: [Signature]

Cumberland Farms
777 Dedham Street Canton, Massachusetts 02021

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Other Office Locations: ■ Chalfont, PA ■ Melville, NY ■ Sterling, VA ■ Watchung, NJ ■ Towson, MD ■ Southborough, MA

PROJECT: CUMBERLAND FARMS, INC.
PROP. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

TITLE: PIPE & TANK PLAN

SCALE: (H) 1"=20'
(V) NONE DATE: 06/20/05 SHEET No: 14 OF 16

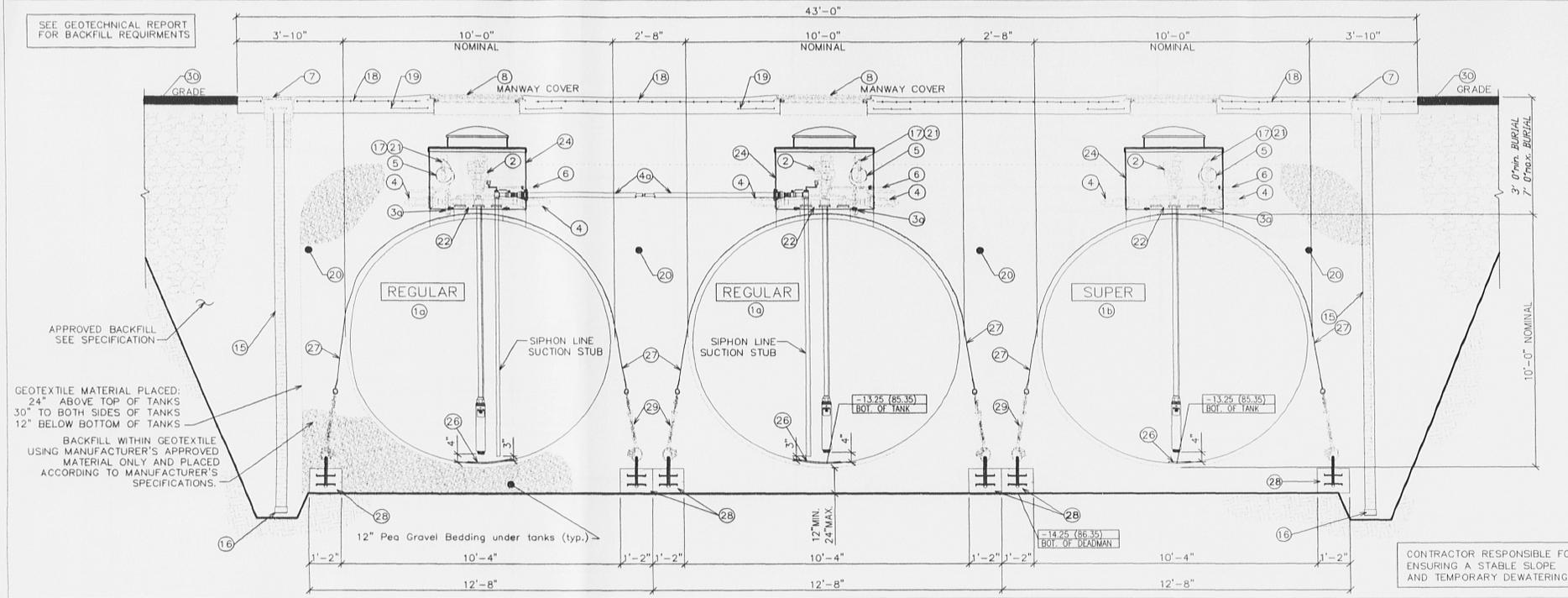
DESIGNED BY: SG PROJECT No: B050527
CHECKED BY: RJS CAD ID: B050527980

PROFESSIONAL ENGINEER: L.H. BOHLER
NEW YORK LICENSE No. 65405
NEW JERSEY LICENSE No. 27410
PENNSYLVANIA LICENSE No. 37184
CONNECTICUT LICENSE No. 37618
MASSACHUSETTS LICENSE No. 37025

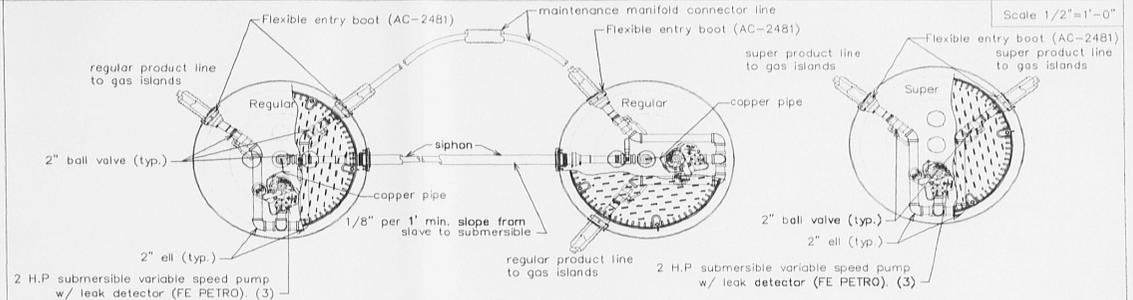
PROFESSIONAL ENGINEER: W.D. GOEBEL
NEW YORK LICENSE No. 02098
RHODE ISLAND LICENSE No. 2568
CONNECTICUT LICENSE No. 21854
MASSACHUSETTS LICENSE No. 42644
VERMONT LICENSE No. 7735

CONSTRUCTION CHECK DATE

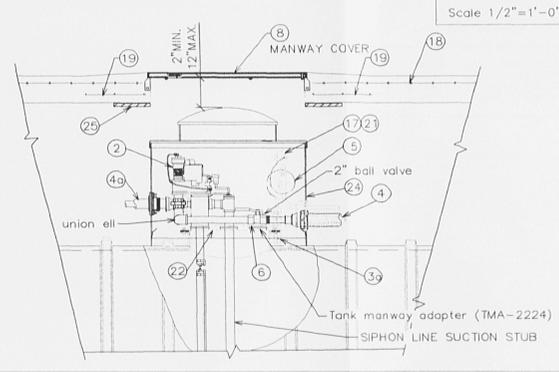
TANK FIELD CROSS SECTION



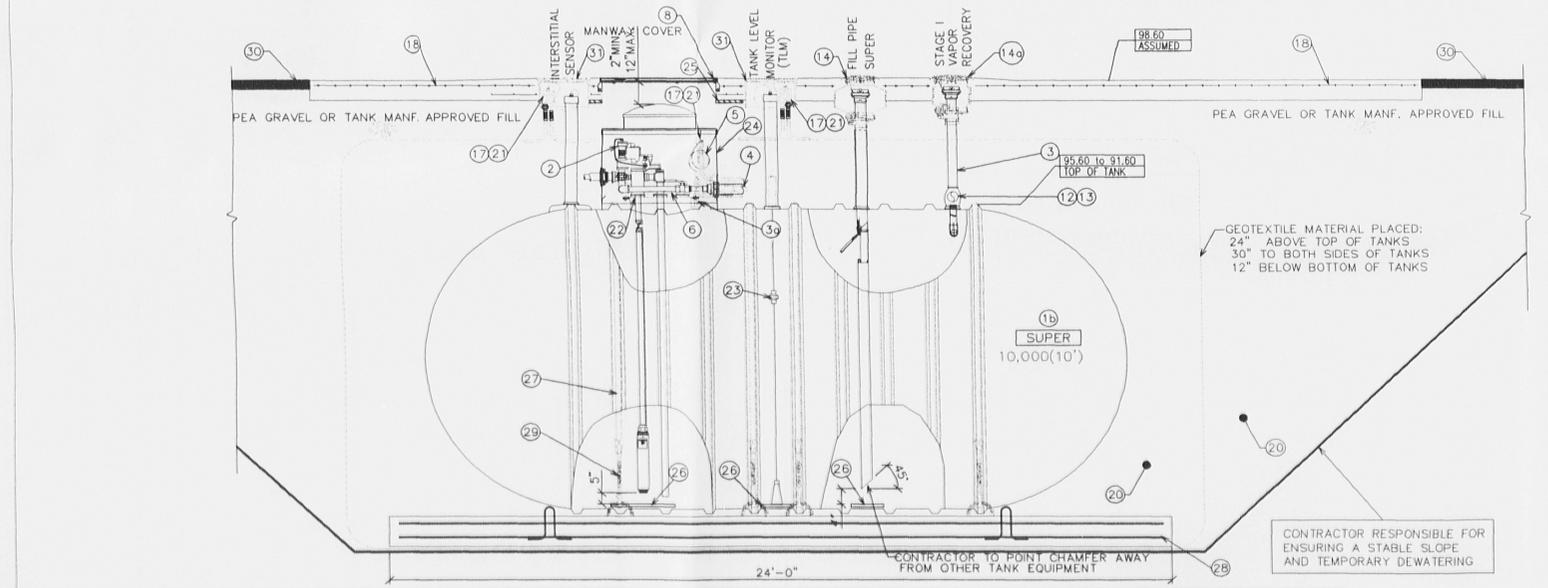
TYPICAL TANK SUMP PLANS



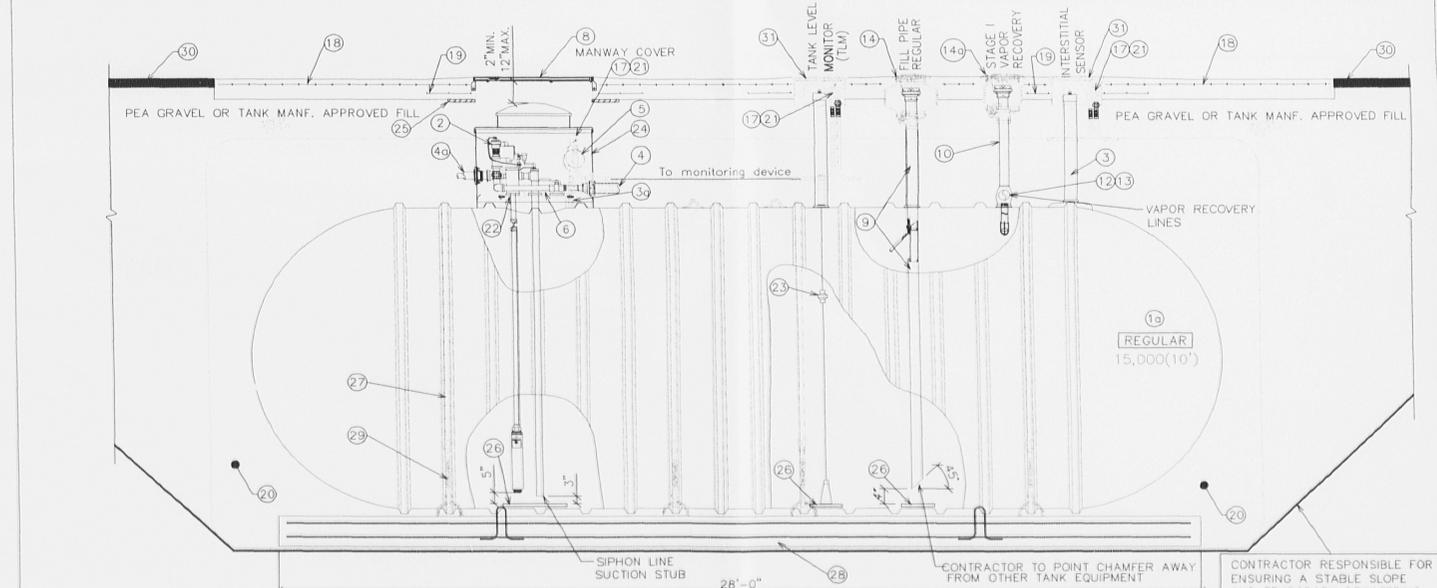
TYPICAL TANK SUMP



10,000 GAL TANK ELEVATION



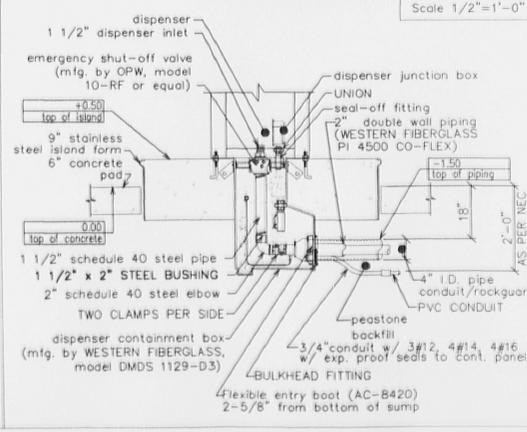
15,000 GAL TANK ELEVATION



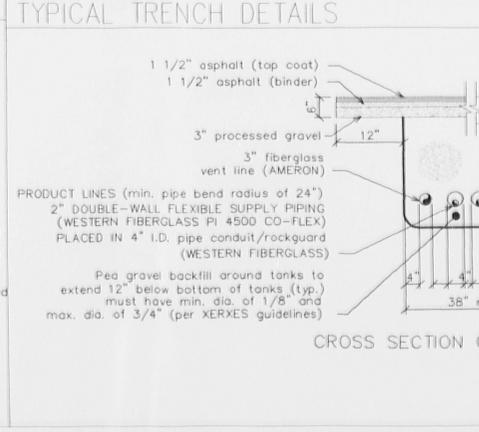
PARTS LEGEND

- 15,000 gallon (124" dia. x 29'-5 3/4") double-wall fiberglass underground gasoline storage tank (XERXES)
- 10,000 gallon (124" dia. x 21'-5 1/4") double-wall fiberglass underground gasoline storage tank (XERXES)
- 2 H.P. submersible pump w/ leak detector "FE PETRO" variable speed pump
- Proposed VEEDER-ROOT TLS-350 interstitial tank monitor, probe #VR794390-XXX (3)
- VEEDER-ROOT STP Sump sensor (VR part #794380-350)
- 2" (WESTERN FIBERGLASS PI 4500 CO-FLEX) double-wall flexible supply line with 4" I.D. pipe conduit/rockguard (minimum pipe bend radius is 24")
- siphon line (1/8" per foot slope min.)
- 2" (WESTERN FIBERGLASS PI 4500 CO-FLEX) double-wall flexible supply line in a 3" line (AMERON DUALOY 3000L)
- 2" wire cable supplied w/ probe
- electrical conduit for submersible pump
- 18" dia. cast iron manhole, OPW #104-MW
- Fiberglass manhole frame and cover
- 4" fill riser w/ OPW E1-T-4" drop tube w/ OPW615A-1000 swivel adaptor, and 634-TT-4" light fill cap
- 3" extractor tube w/ 233-VSD-2422 valve extractor assembly (OPW 61 VSA adapter w/ OPW 1711-1-3" cap)
- 3" double-wall fiberglass stage II vapor recovery line. (AMERON)
- 3" single-wall fiberglass vent line. (AMERON)
- Fill sealable cover Spill container manufactured by "OPW" model ISC-2115
- Vapor recovery stage I sealable cover Spill container manufactured by "OPW" model ISC-2100
- 4" slotted P.V.C. pipe observation well. (1 @ each corner of tank installation (4 required)
- cap each observation well
- Epoxy seal per NFPA specs.
- 8" thick conc. pad w/ 6 x 6 10/10 wire reinforcement. (H-20 loading)
- #5 rebars @ 8" o.c.e.w. (typ.)
- Pea gravel backfill around tanks to extend 12" below bottom of tanks (typ.) must have min. dia. of 1/8" and max. dia. of 3/4" (per XERXES guidelines)
- Weatherproof junction box w/ 3" NPT studs (16" cu. min.)
- 22" manway manufactured by XERXES
- Inventory probe to bottom of tank #VR847390-147
- 42" containment collar w/ turbine enclosure (WESTERN FIBERGLASS)
- 1" thick compressible foam board (typ.)
- 10 ga. steel wear plate (2)
- Hold down straps by tank manufacturer.
- Concrete deadman
- 3/4" galvanized turnbuckle assembly w/ hook ends
- asphalt pavement
- FAIRFIELD STANDARD (18") MANHOLE (180-B)

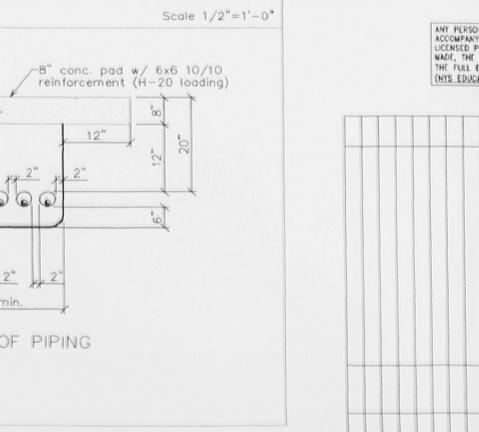
TYPICAL DISPENSER SUMP DETAILS



TYPICAL TRENCH DETAILS



CROSS SECTION OF PIPING



APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2006
Cumberland Farms

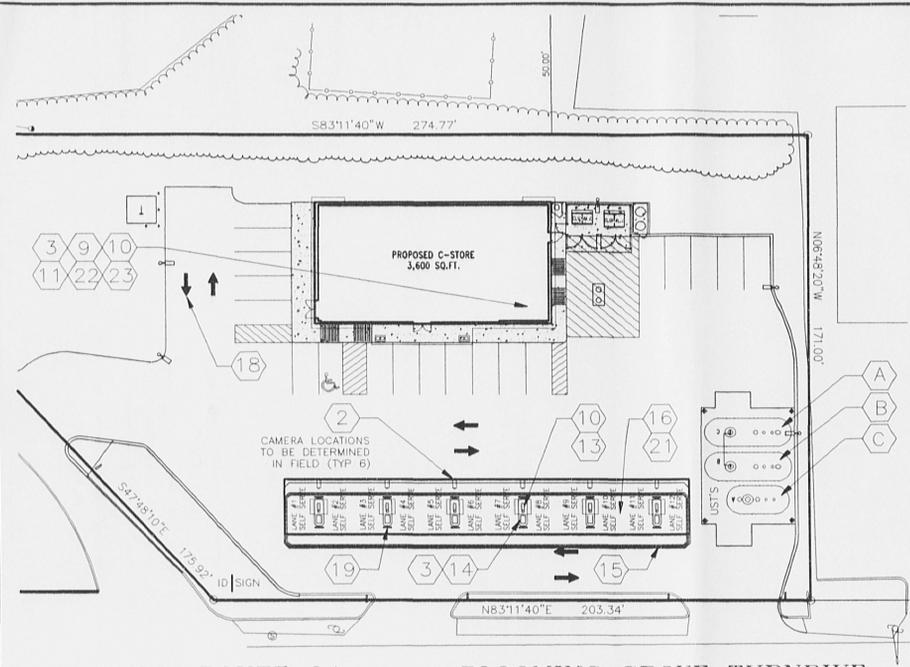
BOHLER ENGINEERING, P.C.
Civil & Consulting Engineers, Project Managers, Environmental & Site Planners, Municipal Engineers
5 Computer Drive West, Absey, NY 12205, 518.438.9900, www.bohlereng.com

PROJECT: CUMBERLAND FARMS, INC. PROF. CONVENIENCE STORE & GAS STATION
401 BLOOMING GROVE TURNPIKE, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

TITLE: TANK INSTALLATION DETAILS

L.H. BOHLER W.D. GOEBEL
PROFESSIONAL ENGINEER
NEW YORK LICENSE NO. 63409
NEW JERSEY LICENSE NO. 27410
PENNSYLVANIA LICENSE NO. 21184
CONNECTICUT LICENSE NO. 17518
MASSACHUSETTS LICENSE NO. 37025

SCALE: (HAS SHOWN) DATE: 06/20/05 SHEET No: 15 OF 16
DRAWN BY: SMV PROJECT No: B050527
CHECKED BY: RJS CAD ID: B050527psd REV. No: 0



N.Y.S. ROUTE 94 BLOOMING GROVE TURNPIKE

VEHICLE CAPACITY		
TYPE	FULL SERVE	SELF SERVE
FUELING	--	12
WAITING TO BE FUELED	--	6
TOTALS	--	18
TOTAL NUMBER OF DISPENSING UNITS:	6	
TOTAL NUMBER OF FUELING POSITIONS:	12	

CCTV CAMERAS			
LANE #	FULL/SERVE	SELF SERVE	FULL SERVE
LANE 1/2	--	1	--
LANE 3/4	--	1	--
LANE 5/6	--	1	--
LANE 7/8	--	1	--
LANE 9/10	--	1	--
LANE 11/12	--	1	--

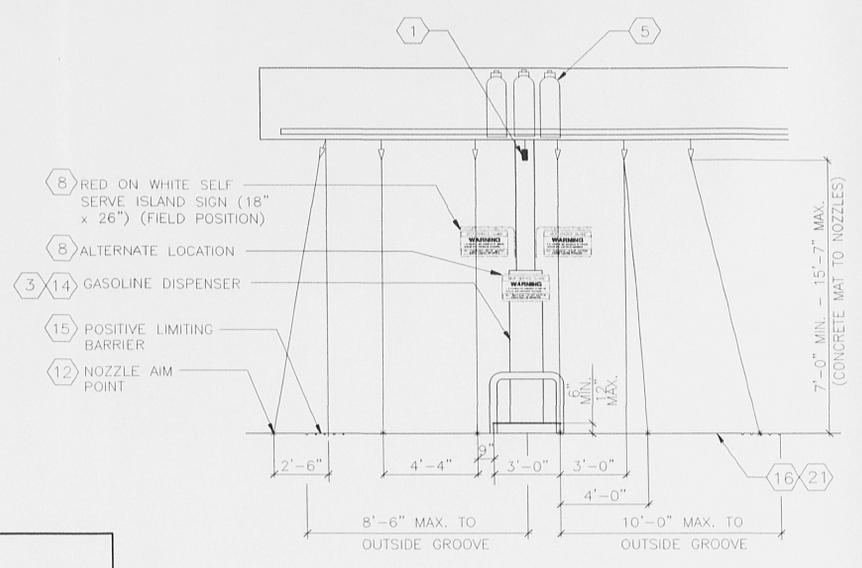
U/G STORAGE TANKS				
TANK	CAPACITY	PRODUCT	TYPE	DATE INSTALLED
A	15,000 GAL	REG. GASOLINE	DW FIBERGLASS	NEW-TBD
B	15,000 GAL	REG. GASOLINE	DW FIBERGLASS	NEW-TBD
C	10,000 GAL	PREM. GASOLINE	DW FIBERGLASS	NEW-TBD

SITE SPECIFIC SYSTEM COMPONENT TABLE *			
NUMBER OF SYSTEMS REQ'D	NUMBER OF NOZZLES REQ'D	NUMBER OF CYL. REQ'D	CYLINDER SIZE & QTY.
8' LONG SYSTEM	(18) PER SYSTEM	(3) PER SYSTEM	ATD-35BC= 0 ATD-80BC= 3
(6) SYSTEMS TOTAL	(108) TOTAL	(18) TOTAL	ATD-35BC= 0 ATD-80BC= 18

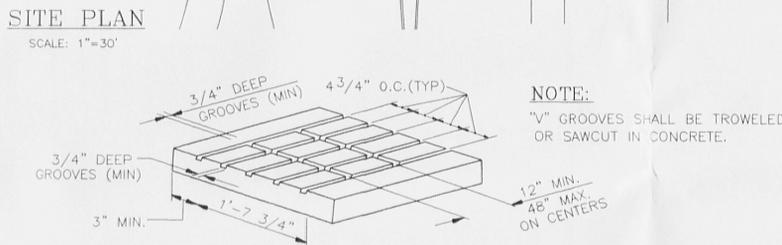
* INCLUDES MAIN AND END OF ISLAND PROTECTION.

MISCELLANEOUS CHARTS

SPECIAL NOTE:
IN THE EVENT OF A CONFLICT BETWEEN THIS DRAWING AND THE UL LISTED PYRO-CHEM INC. "THE ATTENDANT II" TECHNICAL MANUAL, THE TECHNICAL MANUAL SHALL GOVERN.
NOTIFY ENGINEER IMMEDIATELY OF ANY CONFLICT



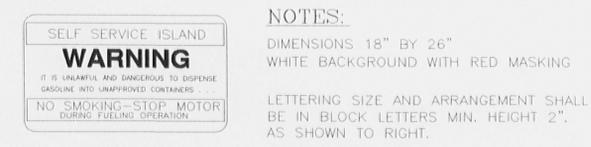
END VIEW - MAIN ISLAND AREA PROTECTION SCALE: 1/4" = 1'-0"
END VIEW - END OF ISLAND PROTECTION SCALE: 1/4" = 1'-0"



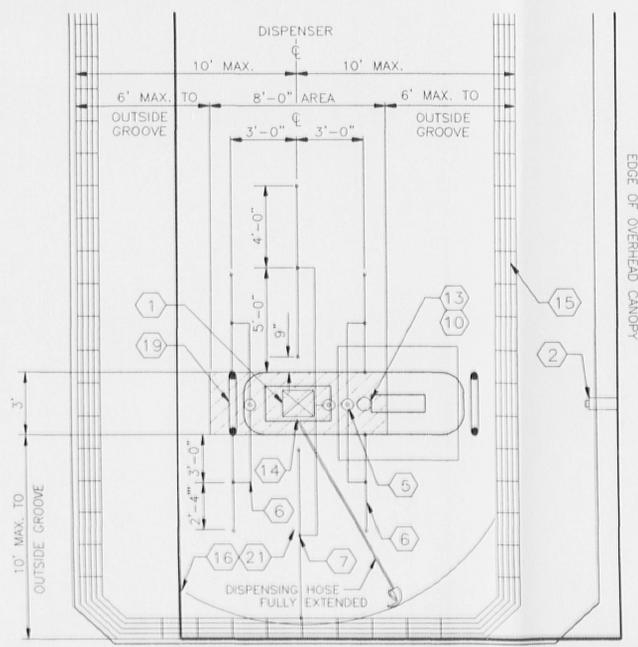
15 POSITIVE LIMITING BARRIER SAW CUTS & PATTERNS NOT TO SCALE

GENERAL NOTES:

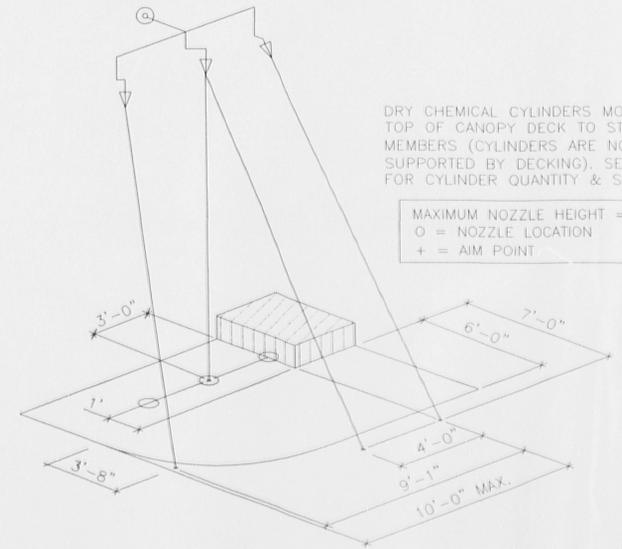
- THE THERMAL DETECTORS SHALL BE MOUNTED ON THE CANOPY'S UNDERSURFACE OR ON THE UNDERSIDE OF AN 18"X18"X2" HEAT COLLECTOR AND NO HIGHER THAN THE NOZZLES.
- THE THERMAL DETECTORS SHALL BE INSTALLED ON FIFTEEN (15) FOOT MAXIMUM CENTERS ALONG A SINGLE LINE SYMMETRICALLY OVER THE CENTER OF THE AREA BEING PROTECTED.
- NOZZLE AND HOSE FROM EACH PETROLEUM PRODUCT DISPENSER SHALL NOT EXTEND BEYOND POSITIVE LIMITING BARRIER AND NO PETROLEUM PRODUCT SHALL BE DISPENSED BEYOND POSITIVE LIMITING BARRIER.



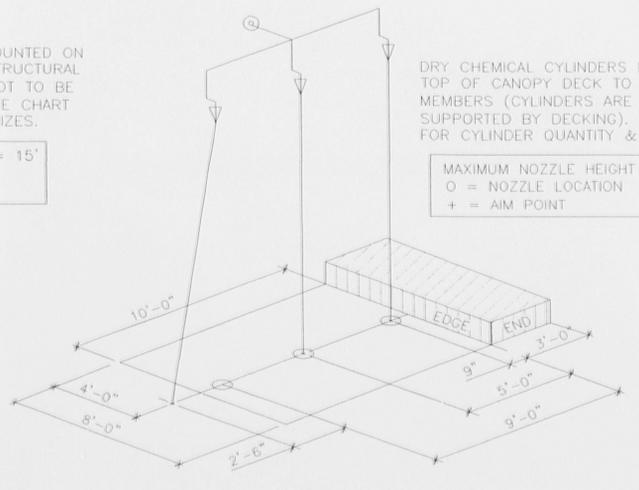
8 NO SMOKING - TURN-OFF ENGINE SIGN



PLAN VIEW FOR SYSTEM (TYPICAL OF 6) SCALE: 1/4" = 1'



END OF ISLAND PROTECTION SCALE: NONE



MAIN ISLAND AREA PROTECTION SCALE: NONE

- LEGEND**
- 130 AUTOMATIC THERMOSTAT INSTALLED ON 15 FOOT MAXIMUM CENTERS INTERCONNECTED TO FIRE SUPPRESSION SYSTEM, CENTER OF EACH ISLAND ABOVE DISPENSERS. SEE GENERAL NOTE #1.
 - CCTV CAMERA MOUNTED TO OVERHEAD CANOPY COLUMN AT ISLAND WITH CCTV MONITOR(S) LOCATED NEAR CASH REGISTER AT THE TRANSACTION AREA WITHIN THE BUILDING.
 - INTERCOM SPEAKERS AT EACH DISPENSER WITH MASTER CONTROL LOCATED AT CENTRAL CONTROL AREA.
 - OVERHEAD FIRE SUPPRESSION PIPING (SUPPLY).
 - DRY CHEMICAL CYLINDERS AS REQUIRED BY MANUFACTURER OF SUPPRESSION SYSTEM WITH REFERENCE TO U/L APPROVED INSTALLATION AND MAINTENANCE MANUAL.
 - OVERHEAD FIRE SUPPRESSION PIPING (DISTRIBUTION).
 - NOZZLE.
 - NO SMOKING AND TURN OFF ENGINE SIGN.
 - GASOLINE DISPENSER CONTROL CONSOLE EQUIPMENT WITH COMPLETE EQUIPMENT SHUTDOWN EMERGENCY MODE U/L APPROVED.
 - HAND OPERATED 40 BC FIRE EXTINGUISHER.
 - CONTROL CENTER.
 - FIRE SUPPRESSION STRIKE POINT - FOR END OF ISLAND NOZZLE AIM POINTS REFER TO THE U/L LISTED PYRO-CHEM, INC. "THE ATTENDANT II", TECHNICAL MANUAL.
 - POSITIVE LIMITING BARRIER AROUND PERIMETER OF SELF SERVE GASOLINE DISPENSING AREA.
 - SELF SERVE GASOLINE DISPENSING AREA.
 - APPROPRIATE INSTRUCTIONS FOR USE AT EACH SELF SERVE DISPENSING NOZZLE.
 - TRAFFIC ARROWS.
 - SAFETY BARRICADE.
 - LIGHTING WITHIN SELF SERVE DISPENSING AREA.
 - CONCRETE MAT SURROUNDING THE DISPENSING AREA SHALL BE MADE AS LEVEL AS POSSIBLE.
 - FACTORY.
 - MANUAL RELEASE LOCATED IN CONTROL CENTER CONVENIENT TO ATTENDANT.
 - REMOTE RELEASE ENGINEERED BY FACTORY, INSTALLED BY AUTHORIZED FIRE SUPPRESSION CONTRACTOR.
 - THE PIPING SHOULD NOT NEGATIVELY IMPACT OR INTERFERE WITH THE FIRE SUPPRESSION SYSTEM EXPPELLANT AND ACTIVATION OF THE THERMOSTATS.

ALL DISCHARGE PIPING, TEES, ELBOWS, UNIONS AND FITTINGS THAT ARE PART OF THE DISTRIBUTION SYSTEM OF THE DRY CHEMICAL PRE-ENGINEERED FIXED FIRE EXTINGUISHING SYSTEM AT SELF SERVE MOTOR FUEL FACILITIES SHALL BE SCHEDULE 40 BLACK, GALVANIZED, STAINLESS STEEL, OR CHROME PLATED PIPE AND INSTALLED IN ACCORDANCE WITH MANUFACTURER U/L LISTED INSTALLATION MANUAL.

NOTES:

AT LEAST SEMI-ANNUALLY ALL DISCHARGE NOZZLES, PIPING, DRY CHEMICAL CONTAINERS, HEAT COLLECTORS ETC. SHALL BE INSPECTED BY APPROVED AND CERTIFIED COMPANIES (TYPES-B&D) AND INDIVIDUAL (TYPES-F&H) AND REPORTS OF SUCH INSPECTIONS SUBMITTED TO HEAD OF THE FIRE DEPARTMENT.

NO FIXED FIRE EXTINGUISHING SYSTEM WILL BE INSTALLED UNTIL AND ONLY AFTER THE DATE OF APPROVAL OF THE SELF-SERVICE MOTOR FUEL FACILITY. THE INSTALLATION SHALL BE TAKEN FROM AND IN ACCORDANCE WITH APPROVED/STAMPED PLANS FROM THE STATE FIRE MARSHAL MARKED SUPPRESSION SYSTEM INSTALLER COPY. VIOLATION OF THIS STATEMENT WILL NULLIFY AND VOID THE APPROVAL OF THIS SELF-SERVICE APPLICATION.

A STATE FIRE MARSHAL APPROVED SIGN SHALL BE INSTALLED ABOVE EACH PRODUCT DISPENSER ON THE SELF SERVE ISLAND(S).

EXISTING SELF SERVICE FACILITIES SHALL BE SUBJECT TO RESUBMITTAL AND REVIEW SHOULD ANY OF THE FOLLOWING ITEMS OCCUR:

- ALTERATIONS TO THE PRE-ENGINEERED FIXED EXTINGUISHING SYSTEM(S) OTHER THAN NORMAL MAINTENANCE PROCEDURES.
- ALTERATIONS TO THE SELF SERVICE DISPENSING ISLAND ARRANGEMENT(S) RESULTING IN A CHANGE OF HAZARD AREA PROTECTION.
- ALTERATIONS OR ENVIRONMENTAL CHANGES RESULTING IN THE INABILITY OF A CONSOLE OPERATOR TO CONSTANTLY OBSERVE THE DISPENSING OPERATION. THIS ITEM SHALL BE DETERMINED BY THE LOCAL HEAD OF THE FIRE DEPARTMENT.
- CHANGES OR ALTERATIONS IN THE METHOD OF DISPENSING MOTOR FUEL.

_____, CHIEF OF DEPARTMENT OR HIS DESIGNEE, HAVE REVIEWED THE ATTACHED INFORMATION AND HAVE ACKNOWLEDGMENT OF:
CITY/TOWN: _____
DATE: _____

FOR FIRE MARSHAL USE

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
AUG - 4 2006
By: _____
By: _____

Cumberland Farms
777 Dedham Street Canton, Massachusetts 02021

BOHLER ENGINEERING, P.C.
CIVIL & CONSULTING ENGINEERS PROJECT MANAGERS ENVIRONMENTAL & SITE PLANNERS MUNICIPAL ENGINEERS
Chalfont, PA Melville, NY Sterling, VA Watchung, NJ Towson, MD Southborough, MA

PROJECT: CUMBERLAND FARMS, INC. PROP. CONVENIENCE STORE & GAS STATION BLOOMING GROVE TURNPIKE TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

TITLE: PYRO-CHEM, INC. "THE ATTENDANT II" GASOLINE FIRE SUPPRESSION SYSTEM

SCALE: (H) 1" = 20' (V) NONE DATE: 09/14/05 SHEET No: 16 OF 16

DRAWN BY: JAG PROJECT No: B050527
CHECKED BY: RJS CAD ID: B050527160

PROFESSIONAL ENGINEER NEW YORK LICENSE No. 63409 NEW JERSEY LICENSE No. 27410 PENNSYLVANIA LICENSE No. 37184 MASSACHUSETTS LICENSE No. 37025

PROFESSIONAL ENGINEER W.D. GOEBEL W. D. GOEBEL W. D. GOEBEL W. D. GOEBEL
NEW YORK LICENSE No. 071284 NEW JERSEY LICENSE No. 27268 PENNSYLVANIA LICENSE No. 21854 MASSACHUSETTS LICENSE No. 42644 VERMONT LICENSE No. 7735

CONSTRUCTION CHECK DATE 0