

PB# 98-20

**NW PARTNERS LP
SITE PLAN**

65-2-16.21, 16.22, 25

98 - 20 N.W. Partners L.P. Site Plan
Windsor Hwy. (SHAW)

Approved 5/12/99

Wilson Jones • Carbonless • 3162 12/11 2001 • 12/11 2001 • 12/11 2001

DATE June 19, 1998 RECEIPT NUMBER 98-20
 RECEIVED FROM Barry B. Lerner / Kenneth Segal
 Address 582 New Loudon Rd. - Latham, N.Y. 12110
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00
 FOR Site Plan Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750 --	CASH	
AMOUNT PAID	750 --	CHECK	#00175
BALANCE DUE	-0 --	MONEY ORDER	

BY Mura Mason

Wilson Jones, 1989

Wilson Jones • Carbonless • 3162-NCCL Duplicate • 3162-NCCL Duplicate

DATE June 22, 1998 RECEIPT NUMBER 297837
 RECEIVED FROM Barry Lerner / Kenneth Segal
 Address _____
One Hundred 00/100 DOLLARS \$ 100.00
 FOR P.B. #98-20

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	100
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk
 BY Dorothy W. Hansen

Wilson Jones • Carbonless • 3162-NCCL Duplicate • 3162-NCCL Duplicate

DATE 3/23/99 RECEIPT NUMBER 039119
 RECEIVED FROM JRN Development LLC
 Address _____
One Hundred 00 DOLLARS \$ 100.00
 FOR P.B. #98-26
Approval Fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	#1388
BALANCE DUE		MONEY ORDER	

Town Clerk
 BY Dorothy Hansen

Wilson Jones, 1989

Wilson Jones • Carbonless • 3162-NCCL Duplicate • 3162-NCCL Duplicate

DATE March 23, 1999 RECEIPT NUMBER 98-30
 RECEIVED FROM JRN Development LLC
 Address 30 Corporate Circle - Albany, N.Y. 12203
Three Thousand Two Hundred 40/100 DOLLARS \$ 3,900.40

Wilson Jones

BEGINNING BALANCE	750	CASH	
AMOUNT PAID	750	CHECK	#00176
BALANCE DUE		MONEY ORDER	

BY *Mina Mason*

DATE June 22, 1998 RECEIPT 297837

RECEIVED FROM Barry Lamer / Kenneth Segel

Address One Hundred 00/100 DOLLARS \$100.00

FOR P.B. #98-20

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	204.19
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy N. Hansen

Wilson Jones - Carbonless - Stages - RCF Duplicate - S1627N-CL Triplicate

Wilson Jones - Carbonless - Stages - RCF Duplicate - S1627N-CL Triplicate

DATE 3/23/99 RECEIPT 39119

RECEIVED FROM JRN Development LLC

Address One Hundred DOLLARS \$100.00

FOR P.B. # 98-26

Approval Fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	473.86
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy Hansen

Wilson Jones - Carbonless - Stages - RCF Duplicate - S1627N-CL Triplicate

DATE March 23, 1999 RECEIPT 98-20 NUMBER

RECEIVED FROM JRN Development LLC

Address 30 Corporate Circle - Albany, N.Y. 12203

Three Thousand Nine Hundred 40/100 DOLLARS \$3,900.40

FOR 2% of \$95,020.00 Inspection fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE	3900.40	CASH	
AMOUNT PAID	3900.40	CHECK	#7347
BALANCE DUE	-0-	MONEY ORDER	

P. Zappala
BY Mina Mason, Secretary

Wilson Jones - Carbonless - Stages - RCF Duplicate - S1627N-CL Triplicate

DATE June 2, 1999 RECEIPT 98-20 NUMBER

RECEIVED FROM JRN Development LLC

Address 30 Corporate Circle - Albany, NY 12203

One Hundred Twenty Seven 50/100 DOLLARS \$127.50

FOR Addition to Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	127.50	CASH	
AMOUNT PAID	127.50	CHECK	#7748
BALANCE DUE	-0-	MONEY ORDER	

Mina Mason, Secretary

JRN DEVELOPMENT LLC

TOWN OF NEW WINDSOR

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE		
3/17/99	031799/2	VAILS GATE RA SITE PLA	100.00	.00	100.00		
CHECK DATE	3/17/99	CHECK NUMBER	7386	TOTAL >	100.00	.00	100.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

6 July 1998

SUBJECT: N.W. PARTNERS, L.P. SITE PLAN
TOWN OF NEW WINDSOR, NEW YORK (P/B REF. NO. 98-20)

To All Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an Application for Site Plan approval of the N.W. Partners L.P. Site Plan project located off NYS Route 32 within the Town. The project involves the development of an 11,060 square foot retail building on an existing 1.79 +/- acre parcel on the east side of Route 32 in the Vails Gate area. In addition, associated site improvements including stormwater channel construction is involved. It is the opinion of the Town of New Windsor Planning Board that the action is an unlisted action under SEQRA.

This letter is written as a request for Lead Agency coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA Review Process, sent to the Town of New Windsor Planning Board, 555 Union Avenue, New Windsor, New York 12553, Attention: Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved Agency desire the Lead Agency position, it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position.

All Involved Agencies
Page 2,
6 July 1998

Attached hereto is a copy of a preliminary site development plan, with location plan, for your reference. A copy of the Full Environmental Assessment Form submitted for the project is also included.

Your attention in this matter would be most appreciated. Should you have any questions concerning this project, please do not hesitate to contact the undersigned at (914) 562-8640.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD



MARK J. EDSALL, P.E.
PLANNING BOARD ENGINEER

Enclosure

cc: NYS Department of Environmental Conservation, New Paltz
NYS Department of Transportation, Poughkeepsie
Town of New Windsor Supervisor (w/o encl)
Town of New Windsor Town Clerk (w/o encl)
Orange County Department of Planning
N.W. Partners, L.P., Applicant (w/o encl)
Planning Board Chairman (w/encl)
Planning Board Attorney (w/o encl)

A:a:nwpart.sh

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/26/1999

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 98-20

NAME: N.W. PARTNERS, LP. - NEW BUILDING
APPLICANT: N.W. PARTNERS, L.P.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
05/12/1999	PLANS STAMPED	APPROVED
01/13/1999	P.B. APPEARANCE	ND: APPR SUB TO MARK
11/18/1998	P.B. APPEARANCE	CLOSED PH
10/14/1998	P.B. APPEARANCE	LA:SCHED PH REVISE
06/24/1998	P.B. APPEARANCE	REFER TO Z.B.A.
06/17/1998	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/02/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 98-20

NAME: N.W. PARTNERS, LP. - NEW BUILDING
APPLICANT: N.W. PARTNERS, L.P.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/19/1998	REC. CK. #00178	PAID		750.00	
06/24/1998	P.B. ATTY. FEE	CHG	35.00		
06/24/1998	P.B. MINUTES	CHG	18.00		
10/14/1998	P.B. ATTY. FEE	CHG	35.00		
10/14/1998	P.B. MINUTES	CHG	36.00		
11/18/1998	P.B.A TTY. FEE	CHG	35.00		
11/18/1998	P.B. MINUTES	CHG	18.00		
01/13/1999	P.B. ATTY. FEE	CHG	35.00		
01/13/1999	P.B. MINUTES	CHG	18.00		
04/05/1999	P.B. ENGINEER FEE	CHG	647.50		
06/02/1999	REC. CK. #7748	PAID		127.50	
		TOTAL:	877.50	877.50	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/26/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 98-20

NAME: N.W. PARTNERS, LP. - NEW BUILDING
APPLICANT: N.W. PARTNERS, L.P.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/19/1998	REC. CK. #00178	PAID		750.00	
06/24/1998	P.B. ATTY. FEE	CHG	35.00		
06/24/1998	P.B. MINUTES	CHG	18.00		
10/14/1998	P.B. ATTY. FEE	CHG	35.00		
10/14/1998	P.B. MINUTES	CHG	36.00		
11/18/1998	P.B.A TTY. FEE	CHG	35.00		
11/18/1998	P.B. MINUTES	CHG	18.00		
01/13/1999	P.B. ATTY. FEE	CHG	35.00		
01/13/1999	P.B. MINUTES	CHG	18.00		
04/05/1999	P.B. ENGINEER FEE	CHG	647.50		
		TOTAL:	877.50	750.00	127.50

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/26/1999

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 98-20

NAME: N.W. PARTNERS, LP. - NEW BUILDING
APPLICANT: N.W. PARTNERS, L.P.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/19/1999	APPROVAL FEE	CHG	100.00		
03/19/1999	REC. CK. #7386	PAID		100.00	
		TOTAL:	----- 100.00	----- 100.00	----- 0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/26/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 98-20

NAME: N.W. PARTNERS, LP. - NEW BUILDING
APPLICANT: N.W. PARTNERS, L.P.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/23/1999	2% OF 195,020.00 INSP FEE	CHG	3900.40		
03/23/1999	REC. CK. #7347	PAID		3900.40	
		TOTAL:	3900.40	3900.40	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/26/1999

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA** ACTIONS

FOR PROJECT NUMBER: 98-20

NAME: N.W. PARTNERS, LP. - NEW BUILDING
APPLICANT: N.W. PARTNERS, L.P.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/19/1998	EAF SUBMITTED	06/19/1998	WITH APPLICATION
ORIG	06/19/1998	CIRCULATE TO INVOLVED AGENCIES	06/24/1998	L.A. COORD. LETTER
ORIG	06/19/1998	LEAD AGENCY DECLARED	10/14/1998	TOOK LEAD AGENCY
ORIG	06/19/1998	DECLARATION (POS/NEG)	01/13/1999	DECL. NEG. DEC
ORIG	06/19/1998	PUBLIC HEARING	11/18/1998	PUBLIC HEAR HELD
ORIG	06/19/1998	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/12/99

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 98-20

NAME: N.W. PARTNERS, LP. - NEW BUILDING
APPLICANT: N.W. PARTNERS, L.P.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	01/11/99	MUNICIPAL FIRE	01/11/99	APPROVED
REV1	10/08/98	MUNICIPAL HIGHWAY	10/09/98	APPROVED
REV1	10/08/98	MUNICIPAL WATER	10/13/98	APPROVED
REV1	10/08/98	MUNICIPAL SEWER	/ /	
REV1	10/08/98	MUNICIPAL FIRE	10/14/98	APPROVED
ORIG	06/19/98	MUNICIPAL HIGHWAY	06/23/98	APPROVED
ORIG	06/19/98	MUNICIPAL WATER	06/22/98	APPROVED
ORIG	06/19/98	MUNICIPAL SEWER	08/13/98	APPROVED
ORIG	06/19/98	MUNICIPAL FIRE	06/23/98	APPROVED

MAY-05-99 WED 07:38 AM MEERINGER
RE: 4.123378 613 01285 PAPER TRACT

FAX NO. 4349927

P. 02

NO. 722 P. 2/6

OK for purposes of stamping plan
\$199
NYC
N.Y.S. TAX \$

DEED

THIS INDENTURE is made the 23RD day of February, 1999

Between **NW PARTNERS, L.L.C.**, at Albany, New York (hereinafter called the "Grantors"), and **NW PARTNERS, L.L.C.**, at Albany, New York (hereinafter called the "Grantees").
582 New Loudon Rd LATAMUN, NY

WITNESSETH: that the Grantors, in consideration of One Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration, paid by the Grantees, the receipt of which is acknowledged by the Grantors, do hereby give and convey unto the Grantees, their successors and assigns forever,

ALL that certain lot, piece, or parcel of land situate in the Town of New Windsor, Orange County, New York, being more particularly described on Schedule "A" (hereinafter called the "Premises").

BEING THE SAME PREMISES as conveyed to the Grantors from NW Partners, L.P. by deed dated February 5, 1999 and recorded previously hereto.

ALSO BEING THE SAME PREMISES as conveyed to NW Partners, L.L.C. by deed from Charles Daidone and Ross Daidone dated February 4, 1999 and recorded previously hereto.

Subject to all easements, restrictions, covenants and conditions of record affecting the Premises.

Together with the appurtenances and all the estate and rights of the Grantors in and to the Premises,

TO HAVE AND TO HOLD the Premises unto the Grantees, their heirs and assigns forever.

And the Grantors covenant as follows:

FIRST, that the Grantees shall quietly enjoy the Premises;

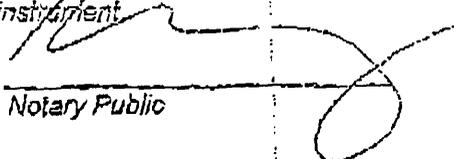
SECOND, that the Grantors will forever Warrant the title to the Premises; and

MD:DATASISTG:SWARS:DEE

5025 157

State of New York)
) ss.:
County of Albany)

On the 2nd day of February in the year 1999 before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph Nicolla, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name (s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

ROBERT J. SNEERINGER
Notary Public, State of New York
Qualified in Albany County
No. 4943393
Commission Expires April 3, 1999

1188P 5025P 159

SCHEDULE "A"

Grevas LAND SURVEYORS
Hildreth, P.C.
SOUTH PLANK ROAD UNIT 3, NEWBURGH, NEW YORK 12550
TEL: (914) 866-8650

LAND SURVEYS
SUBDIVISIONS
SITE PLANNING
LOCATION SURVEYS

2 February 1999

Page 1 of 2

DESCRIPTION

for

N. W. Partners, L.L.C.

Town of New Windsor, Orange County, New York

All that certain piece or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York, being lands shown on the Town of New Windsor Tax Maps as Section 65 Block 2 Lot 16.21 and Lot 16.22 and Acquisition Parcels shown on a map entitled "N W Partners, L.P. & Vails Gate Fire Company, Inc. Final Plan Amended Lot Line Change", said map having been filed in the Orange County Clerk's Office on 27 January 1999, as Map No. 13-99, being more particularly described as follows:

BEGINNING at a point in the easterly line of Route 92 (S.R. 9039), where said line is intersected by the division line between the parcel herein described and lands now or formerly Rosenbaum Industries, Inc., running thence, the following courses:

1. Along said division line, being along the center of a fifty (50) foot wide right of way, S 74°00' 37" E 56.82' to a point;
2. Still along the same, S 58°49' 30" E 139.21' to a point;
3. Still along the same, S 51°42' 20" E 117.21' to a point;
4. Along lands now or formerly Sorbello, Bouyea and King, and continuing along lands of Vails Gate Fire Company, Inc. S 38°17' 40" W 218.39' to a point;
5. Still along lands now or formerly Vails Gate Fire Company, Inc., S 87°36' 49" W 98.81' to a point;
6. Still along the same, N 52°29' 57" W 81.65' to a point;
7. Still along the same, N 76°30' 55" W 59.09' to a point;
8. Along lands now or formerly Aquino, N 21°55' 12" W 53.78' to a point marked by an iron rod found set in the ground;
9. Still along the same, N 48°42' 54" W 54.42' to a point in the easterly line of Route 32;
10. Along said line, N 40°01' 37" E 0.61' to a point;
11. Still along the same, N 36°32' 37" E 29.15' to a point marked by a highway monument found set in the ground;

160

MAY-05-99 WED 07:39 AM

WHEERINGER

FAX NO. 5184349997

P.06

MAY 4 1999 6:57

ABSTRACT

NO. 722

P. 6/8

- 12. Still along the same, N 37°30' 03" E 42.88' to a point marked by a highway monument found set in the ground;
- 13. Still along the same, S 51°17' 47" E 26.00' to a point marked by an iron rod found set in the ground;
- 14. Still along the same, N 38°42' 13" E 60.00' to a point marked by an iron rod found set in the ground;
- 15. Still along the same, N 48°42' 55" W 21.67' to a point;
- 16. Still along the same, N 38°17' 40" E 106.79' to the point or place of BEGINNING.

Containing 82,319 square feet or 1.89 acres of land more or less.

Together with the rights of others for purposes of ingress and egress over a twenty five (25) foot wide strip of land running parallel to and northerly of the north line of the above described parcel through adjoining lands now or formerly Rosenbaum Industries, Inc., from the easterly line of Route 32 to the extension of the easterly line of the above described parcel, as recited in Liber 2041 Page 356.

Subject to the rights of others for purposes of ingress and egress over a twenty five (25) foot wide strip of land running through the above described parcel parallel to and southerly of the north line of said parcel, from the easterly line of Route 32 to the easterly line of the above described parcel, as recited in Liber 2041 Page 356.

Subject to a sanitary sewer easement running through the above described parcel, said easement being comprised of two easements acquired by the Town of New Windsor and tiled in Liber 1726 Page 917 and Liber 3550 Page 237.

Subject to a drainage easement acquired by the New York State Department of Transportation and filed in Liber 3223 Page 121.

5025 161

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765

MEMORANDUM

1 April 1999

TO: MYRA MASON, P.B. SECRETARY

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

SUBJECT: NW PARTNERS SITE PLAN (98-20)

A handwritten signature in black ink, appearing to read 'MJE', located to the right of the 'FROM' line.

I had previously reviewed the cost estimate in connection with the subject application. I provided comments to Greg Shaw and he has corrected the cost estimate. It is my opinion that same is acceptable.

Attached is our final printout of fees for the project. Contact me if you have any questions.

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 98- 20

FOR WORK DONE PRIOR TO: 04/01/99

										-----DOLLARS-----		
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
.....												
98-20	125253	06/18/98	TIME	MJE	MC	RITE AID W/SHAW	75.00	0.30	22.50			
98-20	125891	06/23/98	TIME	MJE	MC	NW PARTNERS S/P	75.00	0.50	37.50			
98-20	125133	06/24/98	TIME	MJE	MM	NW PART DISAPP>ZBA	75.00	0.10	7.50			
98-20	125567	06/24/98	TIME	MCK	CL	NW PARTNERS RVW COMM	28.00	0.50	14.00			
98-20	125889	06/25/98	TIME	MJE	MC	NW PARTNERS S/P	75.00	0.30	22.50			
98-20	126062	06/30/98	TIME	MJE	MC	RITE AID E/ENG'R	75.00	0.30	22.50			
98-20	126420	07/06/98	TIME	SAS	CL	LEAD AGENCY SEGRA LT	28.00	0.50	14.00			
98-20	127409	07/06/98	TIME	MJE	MC	NW PARTNERS L/A COOR	75.00	0.50	37.50			
98-20	127455	07/15/98	TIME	MJE	MC	NW PARTNERS ZBA REF	75.00	0.50	37.50			
.....												
									215.50			
98-20	126384	07/13/98				BILL 98-793 7/15/98						-104.00
98-20	127960	08/10/98				BILL 98-898 8/10/98						-89.00
.....												
											-193.00	
98-20	132483	10/06/98	TIME	MJE	MC	N/W PARTNERS	75.00	0.30	22.50			
98-20	132484	10/07/98	TIME	MJE	WS	N/W PARTNERS	75.00	0.40	30.00			
98-20	132747	10/12/98	TIME	MJE	MC	NW PARTNERS S/P	75.00	0.80	60.00			
98-20	132582	10/13/98	TIME	SAS	CL	NW PARTNERS LP/COMM	28.00	0.50	14.00			
98-20	132757	10/14/98	TIME	MJE	MC	NW PARTNERS S/P	75.00	0.10	7.50			
98-20	135449	11/16/98	TIME	MJE	MC	NW PARTNERS W/SHAW	75.00	0.30	22.50			
98-20	135452	11/17/98	TIME	MJE	MC	N/W PARTNERS	75.00	0.60	45.00			
98-20	134563	11/18/98	TIME	MCK	CL	NW PARTNERS RVW COMM	28.00	0.50	14.00			
98-20	135454	11/18/98	TIME	MJE	MC	N/W PARTNERS	75.00	0.10	7.50			
.....												
									223.00			
98-20	134417	11/18/98				BILL 98-1162						-156.50
.....												
											-156.50	
98-20	135546	12/03/98	TIME	MJE	MC	N/W PARTNERS W/SHAW	75.00	0.30	22.50			
.....												
									22.50			
98-20	135811	12/16/98				BILL 98-1260						-111.50
.....												
											-111.50	
98-20	137474	01/06/99	TIME	MJE	WS	NW PARTNERS S/P	75.00	0.40	30.00			
98-20	137326	01/12/99	TIME	MCK	CL	NW PARTNERS LP SITE	28.00	0.50	14.00			
98-20	137838	01/12/99	TIME	MJE	MC	N/W PARTNERS	75.00	0.50	37.50			
98-20	137100	01/13/99	TIME	MJE	MM	NW PARTNERS COND S/P	75.00	0.10	7.50			
98-20	141130	02/10/99	TIME	MJE	MC	NW PARTNERS	75.00	0.50	37.50			
98-20	141749	02/19/99	TIME	MJE	MC	N/W PARTNERS W/SHAW	75.00	0.30	22.50			
.....												
									149.00			

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 98- 20

FOR WORK DONE PRIOR TO: 04/01/99

										-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE		
98-20	143125	03/15/99			BILL 99-282					-149.00			
										-149.00			
98-20	144561	04/01/99	TIME	MJE	MC File closeout	75.00	0.50	37.50					
								=====	=====	=====	=====		
					TASK TOTAL			647.50	0.00	-610.00	37.50		
								=====	=====	=====	=====		
					GRAND TOTAL			647.50	0.00	-610.00	37.50		

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
[914] 561-3695

February 25, 1999

Chairman James Petro and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

Re: New Retail Building For N.W. Partners, L.P.
Windsor Highway

Gentlemen:

We have presented below for your consideration our Construction Estimate for the site improvements for the New Retail Building For N.W. Partners, L.P.. Our estimate is as follows:

CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Macadam Pavement	4,850 S.Y.	\$ 10	\$ 48,500
Pavement Markings	1,550 L.F.	\$.40\$	\$ 620
Concrete Curbing	1,570 L.F.	\$ 10	\$ 15,700
Handicap Sign/Striping	4	\$ 100	\$ 400
Concrete Sidewalk	165 S.Y.	\$ 35	\$ 5,775
Concrete Pads	135 S.Y.	\$ 25	\$ 3,375
Refuse Enclosure	L.S.	\$ 1,000	\$ 1,000
Box Culvert w/Retaining Wall	L.S.	\$ 100,000	\$100,000
Catch Basins	5	\$ 800	\$ 4,000
Storm Drain Piping	240 L.F.	\$ 15	\$ 3,600
Rip-Rap Protection	L.S.	\$ 200	\$ 200
Poles With Luminaire	4	\$ 1,200	\$ 4,800
6' Wood Fence	275 L.F.	\$ 10	\$ 2,750
Flagpole	1	\$ 500	\$ 500
Directional Signs	7	\$ 25	\$ 175

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Trees	20	\$ 100	\$ 2,000
Shrubs	65	\$ 25	\$ 1,625
Total			\$195,020

Should this Estimate be acceptable to your Board, my client will pay the 2% inspection fee of \$3,900.40.

Respectfully submitted,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: Ken Segal, Esq. Via Fax 518-452-0417

N.W. Park S.P.

4-5-99

98.20

SITE PLAN FEES - TOWN OF NEW WINDSOR
(INCLUDING SPECIAL PERMIT)

APPLICATION FEE:.....\$ 100.00

* * * * *

ESCROW:

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

MULTI-FAMILY SITE PLANS:

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

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

TOTAL ESCROW PAID:.....\$

* * * * *

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00 Pd 3/23/99

PLAN REVIEW FEE (MULTI-FAMILY): A. \$100.00
PLUS \$25.00/UNIT B.

TOTAL OF A & B:\$

RECREATION FEE: (MULTI-FAMILY)

\$500.00 PER UNIT

 @ \$500.00 EA. EQUALS: \$
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$

2% OF COST ESTIMATE \$ 195,020. EQUALS \$ 3,900.40 Pd 3/23/99

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

TO BE DEDUCTED FROM ESCROW: 877.50

RETURN TO APPLICANT: \$

ADDITIONAL DUE: \$ 127.50

DAIDONE/NEW WINDSOR PARTNERS, L.P.

Gregory Shaw, P.E., of Shaw Engineering appeared before the board for this proposal.

MR. NUGENT: Request for 7 ft. 4 in. maximum building height variance in connection with construction of a commercial building in a C zone located on Route 32.

MR. SHAW: Before I get into the specific variance request, I'd like to give you a little background on this, then, I would like to make a pitch that maybe the variance is not required. Let me just go back a little bit. In the fall of last year, we came before this board and obtained a variance and let me begin by saying that the plan that was presented to this board and that you voted the variance on is the plan before you. The height of the building has not changed, the relationship of the building to the nearest lot line hasn't changed. What has changed is a numerical number. If you take a look over in the zoning schedule where I had maximum building height, we wanted to go 24 feet cause that's what the architect had given me and I compute out 20 feet four inches. I got a variance for 3 feet eight inches. So when we added to the 20 feet four inches, I'm now at the magical 24 foot number. In reality, I wasn't allowed to go 20 foot four inches, I was allowed to go 16 feet eight inches. Okay, what had happened between the first and the second meeting, this plan had undergone many revisions by Rite-Aid, by the developer and by the engineer for Rite-Aid and what the building height was established was really probably the third plan that was prepared in between these four weeks, between the first and second meeting and not the fourth plan which was presented before this board. So we have a numerical problem so I'm allowed 16 feet eight inches plus 3 feet eight inches which brings me to 20 feet four inches. Now, again, I used the verbiage that the building height was 24 feet as provided to me by the project architect. I didn't have the architectural plans at that time and I since have received them. What I was looking at tonight in preparation for this meeting were the actual heights and while the building height and while the maximum height 24 feet, that dimension is really to the top of

the facade over the entrance, and in reality, the building is 19 feet four inches. Again, I'm allowed 16 feet eight inches and three feet eight inches which is 20 feet four inches, the majority of the building height is 19 feet four inches, except for 19'4" would bring you to this dimension and this dimension and this and this, with the only thing being 24 feet is the facade over the entrances on two sides of the building. That entrance is substantially remote from the lot line that's in question, so I guess what I presented to this board is that the nearest lot line, if I can just depict it is 50 feet and it's in this corner and in this corner, I'm allowed a maximum building height between what I'm allowed and what was granted for a variance of 20 feet four inches, I have, I'm only building 19 feet four inches for this distance and the 24 feet only comes into play over the entrance, which is substantially remote from this side lot line. So what I would ask this board to consider is the fact that I do not need a variance because I'm allowed 20 feet four inches, the building height is 19 feet 4, and the only thing that exceeds the 20 feet four inches is the facade and only the facade and that's at the remote part of the site from the nearest lot line.

MR. KANE: Michael, is the facade considered part of the building or considered signage or just decoration?

MR. TORLEY: Hasn't the practice in the past--

MR. NUGENT: It's part of the building.

MR. BABCOCK: Yeah, it's the building.

MR. NUGENT: And that part of the building is what, 100 feet from the lot line?

MR. SHAW: Yes.

MR. TORLEY: We have never in the past counted where on the building that highest point was, we had it before.

MR. NUGENT: Yes you do.

MR. TORLEY: We had the strip mall, never got built,

that had a pole on it, we knew that was a point from the side lines it was in excess of the grade.

MR. SHAW: What would happen if you had an industrial building of different heights, 12 feet, 18 feet, 24 feet, you have to evaluate that individually, wouldn't you?

MR. NUGENT: You're talking about the clock tower in front of, wasn't that the front yard, that the front yard, was close to the front yard?

MR. BABCOCK: I think back when all that came into play, we had a maximum building height. Today, now, it's a distance from the property line, they had I think back when you're talking about in front of Calvet.

MR. TORLEY: Yeah.

MR. BABCOCK: Now, today, the distance off the lot line is what determines the height of the building.

MR. TORLEY: But the building height is taken from the highest point of the building.

MR. BABCOCK: If you read it, it says maximum building height is four inches per foot of the distance to the nearest lot line so every four inches you come off a property line, you can go up one foot.

MR. TORLEY: So, if we have a flat roof with a large tower building, height is computed permitted building height is computed every point along the roof from the side line or the lot line.

MR. BABCOCK: Well, I guess that's why we're here tonight try to decide whether that's the point or not. If it is the point, he needs a variance for the 24 feet, if it's in fact the board's feeling that the part of the building that we're talking about that's the closest lot line, he meets the code or exceeds the variance of what he already got.

MR. SHAW: Mike, what about the average height, does

that come into play?

MR. BABCOCK: Yeah, whenever a building that has different elevations, you can average the height of the building, we don't have that calculation but by looking at this, the architectural sections, there's considerably less of building that's 24 feet than there is building of 19 foot 4.

MR. KANE: Just to make this point, I think our original intention was to look at, we looked at these plans which have not changed, the facade stays the same, the only thing that's changed is the consideration of the numerical number. Our intention in passing that variance for him was to allow him to build the building as is.

MR. BABCOCK: 24 feet, yeah.

MR. KANE: That's what our intention was.

MR. TORLEY: I just want to make sure we're doing this properly, if we're considering that the building height requirement basically forms like a tent from one lot line to the middle and back down again, with a slope of four inches per foot, right, slope, and whatever you fit within that tent is fine.

MR. KANE: Correct.

MR. TORLEY: Is that our, or are we saying that in the past, there have been, we said the building height at the corner may have been, but there's a large step further back in, that wouldn't have met the corner height, but if we're now saying it's a tent, four inches per foot slope tent and whatever you put inside.

MR. KANE: How does it read in the code? It says four inches per foot from the lot line from the closest point, so then you're just going to go from the closest point.

MR. NUGENT: Closest point he's fine.

MR. BABCOCK: Yeah, at the closest point, he's fine,

he's one foot under, typically, if the numbers were I'm sure he came to this board with the full amount and asking for the variance for the hundred foot away and would have got another three foot 8 variance because the board did allow the 24 foot.

MR. TORLEY: I have no problem with it so--

MR. KANE: It's from the closest point.

MR. TORLEY: You make the tent, whatever fits in the tent is fine.

MR. KANE: No, just from the closest point.

MR. TORLEY: That's what I mean, four inches per foot slope of the tent all the way around the property line sloping in at that level and wherever he hits.

MR. BABCOCK: This is a different situation, I think, Larry, quite honestly, if you, if somebody came in with a plan and they had a peaked roof four inches per foot and it's 24 foot to the peak that's what I would determine we'd go by, that if they are successful in getting the variance, they'd build the building.

MR. KANE: What you're doing is trying to set a precedence that that's the way we're going to decide on any future cases. I'd rather not do that, each should be taken individually as we look at the property.

MR. NUGENT: I agree.

MR. BABCOCK: The board has determined he can build the building 24 foot high. If it's determined that he needs another variance, he's got to go through another public hearing.

MR. TORLEY: Well, I have to ask our attorney, we have, do we have to go to a public hearing in any case for an interpretation on this?

MR. KRIEGER: To render an interpretation, yes, you do.

MR. TORLEY: Are we not asking for an interpretation?

MS. BARNHART: You don't need an interpretation.

MR. KANE: I don't think so, I think he's within, we gave him up to that point and what they are saying was that there was a numerical error on the chart right here.

MR. KRIEGER: No, I think in order to resolve this, first of all, you have to determine because this is a board of appeals, is there anything to appeal.

MR. KANE: I don't think so, my position, our intention--

MR. KRIEGER: Never mind the board, but the first question you reach is there a controversy, let me ask the applicant, and/or the building inspector, let me start with the building inspector, what's the position of the town, would you not grant a building permit at this point?

MR. BABCOCK: I think that's why we're here tonight, to get some information from the board to see what the board feels. We know right now the variance he got talks about having to be able to build a building 24 foot and that was granted. So, I have no problem with that. The problem with it was is that the numbers were not correct, so when you look at the minutes and the variance it says he has a three foot 8 variance and that is where I come to have a little problem because he should of had a 7 foot 4 variance.

MR. SHAW: Correct.

MR. KRIEGER: Let me go back, after the variance which was applied for was granted, was there a time when the applicant came in and asked for a building permit?

MR. BABCOCK: Not as of yet, no.

MR. KRIEGER: They haven't, so the town hasn't made any decision as to whether or not one would be granted?

MR. BABCOCK: That's correct.

MR. KRIEGER: Then you don't have, as far as I can see, you don't have a controversy in front of you that would require a public hearing interpretation. If there was a controversy, then you would require an interpretation to a public hearing, but this is before that.

MR. KANE: So, we just need to correct the numbers.

MR. KRIEGER: So, this is--

MR. TORLEY: Again, I have no problem with this, I'm just asking can we in fact just change it, I don't think we can.

MS. BARNHART: Excuse me, Mike, can't you just withdraw your notice of disapproval based on what the board said here tonight?

MR. BABCOCK: Yeah, the disapproval is just a paperwork trail for him to get here tonight.

MR. SHAW: Mike did not have the benefit of the architectural drawing when he did that disapproval.

MR. TORLEY: I have no problem at all, I just want to make sure we're doing it right. I don't think we can just say, by the way, we're changing the numbers on the variance we gave him, we just can't do that.

MR. SHAW: No, I don't think you are, I think the numbers would still stand, I think what the plans would reflect is a total allowable building height of 20 feet four inches, that which is allowed plus that which I got a variance for and when the building permit is submitted to Mike and the building height is 19 feet 4, which is less than the 20 feet four inches which I am allowed, except for the facade, which is substantially removed which really doesn't fall in under the 20 feet four inches, that the permit would be issued.

MR. KANE: That doesn't come into consideration because that is not the closest measurement from the closest lot line.

MR. SHAW: Correct.

MR. KRIEGER: When, Mike, you said before something about averaging building heights?

MR. BABCOCK: That's correct.

MR. KRIEGER: How would that work and where is the authority for that?

MR. BABCOCK: We didn't, where's the authority for it, it's in the definition of maximum building height, it's an average height of a building. I didn't do any calculations because that, just like Greg said, I've just seen this first time tonight when you guys did.

MR. KRIEGER: But it seems to me that if the average height of the building--

MR. BABCOCK: Is less than 24 feet.

MR. KRIEGER: --is less than the variance granted then there's no controversy, then the variance is completely consistent with the facts.

MR. TORLEY: And the facade looks like they are a pretty small fraction of the roof area.

MR. BABCOCK: Right, exactly, that's what I'm saying.

MR. TORLEY: So then the only reason to come back would be if you do your calculations and whatever or for other reasons that you have based on your expertise that this would not fit under this, the approved variance we gave him, then and only then, would he have to come back.

MR. KRIEGER: Let me ask the applicant this, is it possible to calculate the average height of the building?

MR. SHAW: Yes, I could do that now, if you'd like, I would need a few minutes, but I could do it now.

MR. NUGENT: Hold on, I think very simply, based on all

that I have heard from the attorney and everybody else if Mike just takes this and rescinds it, it's over.

MR. BABCOCK: Yeah, Jim this information was given to me tonight. This morning when we talked, I thought it would be best for him to come here.

MR. NUGENT: If you take the notice of denial back, it's over.

MR. BABCOCK: Right and looking at this plan, it's less than the 24 feet.

MR. KRIEGER: It would average under the--

MR. NUGENT: Right, that's probably less than ten percent that little soffit.

MR. BABCOCK: Well, there's a couple of them, but still.

MR. KRIEGER: Still, it's pretty clear that it would be less, it would fall under the variance by the time you average it, we're not sure exactly how much under the variance but you're sure that it would be the numbers that you reach would be somewhere in the allowable area?

MR. BABCOCK: Correct.

MR. TORLEY: Mike has always been very strict and proper that he calculates it out and if it doesn't fit, it doesn't fit, he never uses a rubber ruler on us, so I'm confident if he makes these calculations and it fits the zone, it's over. If it doesn't fit the zone, the applicant will be back.

MR. BABCOCK: Okay.

MR. KRIEGER: If it doesn't fit the zone, the applicant will be back and then there will be a live controversy. If it does fit the zone, there's no need for anybody to come back, it's over.

MR. TORLEY: So we have no motion or anything like

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that?

MR. KANE: Nothing.

MR. NUGENT: Nothing.

MR. KRIEGER: There's nothing in front of the board, what it amounts to the board has already decided and there's nothing new in front of it.

MR. SHAW: What I'm going to do, I'm going to figure out the average height now because if there's something further to discuss it should be tonight as opposed to waiting two weeks from now, if you don't mind.

MR. KANE: Not at all.

MR. SHAW: Thank you.

DAIDONE - CONTINUED

MR. SHAW: We're going to have to revisit this, unfortunately, I don't have a calculator with me, but I don't think we're going to have an average under the 20 feet four inches, but I don't think we're going to have an average under the 20 feet four inches, so now we go back to the position before that which was whether or not an interpretation is required and whether or not it requires a variance.

MR. NUGENT: Interpretation or a full blown, it's got to be public.

MR. TORLEY: Cause interpretation we're looking for is the idea of the tent again.

MR. BABCOCK: Might as well do the variance, it's the same difference and it's over with.

MR. NUGENT: We're just trying to eliminate.

MR. TORLEY: If you do it as an interpretation so for your benefit, protection, if we set up the idea if that is what the board thinks four inches per foot.

MR. BABCOCK: I'd rather not, well, if you guys interpret that a building height is a certain way that is the way it's got to be for everybody, you know what I mean, and it may not work out, I can't think of a scenario where it wouldn't but--

MR. SHAW: First of all, I'd like to thank you for your calculator. What I'd like to do is have the board set up a public hearing, but I really don't think it's necessary. Based upon the numbers, I just very quickly ran with the benefit of the calculator again we're allowed to go 20 feet four inches, that's what we're allowed plus the variance that was given, the numbers I just ran out allow 20 feet three inches, so what I'd like to do is set up the public hearing just in case I'm wrong.

MR. KRIEGER: What you're telling me you're allowed 20 foot four inches, that's the peak of the tent?

MR. SHAW: No, we're doing average now.

MR. KRIEGER: The average, no, I'm just trying to get this straight, you're allowed 20 foot 4 and the average is 20 foot 3, is that what you're telling me?

MR. SHAW: Those are the numbers I just crunched out now.

MR. TORLEY: Sounds good to me.

MR. KANE: Sounds good to me.

MR. NUGENT: Sounds good to me. I'm withdrawing the denial.

MR. SHAW: Done, thank you for your patience.

MR. TORLEY: Motion to adjourn.

MS. OWEN: Second it.

ROLL CALL

MS. OWEN	AYE
MR. TORLEY	AYE
MR. KANE	AYE
MR. NUGENT	AYE

Respectfully Submitted By:



Frances Roth
Stenographer

NEW WINDSOR PARTNERS, L.P. SITE PLAN (98-20)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Obviously, you're removing all the structures now present on the property?

MR. SHAW: Yes, total demolition of the site. For this application, I'm representing N.W. Partners L.P. for the lands of Charles Daidone, which was the subject of the previous discussion of this board. It is a parcel of 1.89 acres. There was a, there was 2 lot line changes which brought acreage into this parcel to allow this construction, we're proposing an 11,000 square foot one story retail building. It's located in a C zone and we complied with all aspects of your zoning ordinance, other than building height. We went to the Zoning Board of Appeals and got a variance for the building height approximately four weeks ago. Also from the Zoning Board of Appeals we got an interpretation allowing the expansion of the building into the R-4 zone, if you notice, on the site plan.

MR. PETRO: Greg, excuse me, you're allowed to go 30 feet into the next zone, is that correct?

MR. SHAW: Correct, but we felt it was more prudent to get an interpretation other than just assuming the 30 feet. So, with that, we now have the building and the drive-through and some associated parking into the R-4 zone.

MR. PETRO: What kind of interpretation, I'm curious?

MR. SHAW: They felt that if you could not use balance of this property for commercial use, what could you use it for, residential?

MR. PETRO: So, you were granted by default in reality?

MR. SHAW: Yes.

MR. PETRO: I was just curious what tool they used to do it by interpretation, are you, is the building

actually more than 30 feet though?

MR. SHAW: Actually, to be honest with you, I think this building is 30 feet right on the nose from that zoning law.

MR. PETRO: You probably could have gone either way.

MR. SHAW: We probably could have gone either way but it was more prudent with the development of this site, we're obligated to provide 67 parking spaces, we're providing 81, which is far in excess. The two curb cuts are going to have to be rebuilt onto Windsor Highway, I have had a couple discussions with Don Greene, the applications and the plans are ready to be submitted to him along with the highway entrances we're going to have to rebuild the sidewalks and drop ramps at the two entrances, you'll notice on the site plan, the concrete retaining wall that is going to protect the stream, the aisleway on the southerly side of it which caused the building to be shifted to the south again necessitating the need for extra land.

MR. PETRO: The 19 foot that backs into the loading area, I realize that you have the full 25 foot aisle which is required, but if there's trucks in the loading area and impacting at one of the spots there, is 18 foot sufficient to back out?

MR. SHAW: That's why what I have noted on the plan for the 8 spaces to be reserved for employees. We have more than what we need, again, we have 14 more spaces than what we're required.

MR. PETRO: If you eliminated those?

MR. SHAW: We still comply with zoning, this way, if we put them in and they are reserved for employees and nobody is unloading, we have 8 extra spaces.

MR. PETRO: It's a hypothetical, it could happen.

MR. SHAW: That's why they are designated as such.

MR. PETRO: Mark, what did you have, you mentioned

prior to the meeting you had something you wanted to discuss on this application?

MR. EDSALL: Well, there was a number of minor comments, we have worked out most of the plan concerns. One thing that I wanted to bring out for the record and we're going to have to speak to the adjoining property owner when they come in is that the existing box culvert in the northeast corner of the property we have observed that it's somewhat in failure. There's some structural problems with the box culvert. So you should be aware of that. I don't know who owns what portion of it, but I think we should at least make sure that all the property owners are aware of it.

MR. PETRO: Lighting plan was acceptable. I'm looking over number 8, there's quite a bit here placed in planning board files, that was probably done.

MR. SHAW: I'm sorry?

MR. PETRO: Lighting plan was done by WLS Lighting Systems and Mark reviewed it and accepted it?

MR. SHAW: Fine, yes.

MR. PETRO: And the plan is going to do the, we issued a lead agency letter July of '98 at this time, no agency indicated an interest. So the planning board can formally assume lead agency as of tonight, we should do that now, I guess I'm asking for a motion.

MR. LUCAS: Make that motion.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the New Windsor Partners L.P. site plan on Route 32. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO AYE

MR. LANDER AYE
MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: Greg, you're aware that the building is going to have to be sprinklered?

MR. SHAW: Correct.

MR. PETRO: Under New Windsor law, you have separate lines coming in for that, are they shown on the map?

MR. SHAW: Yes, I do.

MR. LANDER: Mr. Shaw, we're on the landscaping plan now, I see it says lawn area here, other than that, I don't see any trees or shrubs, is that because of a state right-of-way?

MR. SHAW: Not necessarily, just didn't feel that it was appropriate to put any in there.

MR. LANDER: Looks a little barren.

MR. PETRO: What kind of landscaping, why don't you go over that a little bit, Ron, is it too sparse?

MR. LANDER: I don't see any, Mr. Chairman, the sidewalk will continue through the entire front of the property, right, Greg?

MR. SHAW: Yes.

MR. PETRO: Some of it's existing, you're going to add to it?

MR. SHAW: The sidewalk, well, with the construction of the new entrances, we're going to be disturbing the existing walks and the ramps, we'll have to rebuild that, that would be part of the DOT permit and the plans are ready going to the DOT. Ron, just occurred to me why there's no landscaping, if you take a look at the utility plan, I think that's drawing two or three, you'll notice that there's an existing culvert that flows underneath the property and ultimately, under the

building, that's going to require a relocation, that relocation is going to be in this fashion. The reason there's no plantings in there, we didn't think it would make sense to put trees or shrubs over a new culvert on this culvert's going to be pretty substantial in size.

MR. PETRO: How about some planters of some kind?

MR. SHAW: Planters?

MR. PETRO: You're going to come back. Why don't you give that some thought?

MR. ARGENIO: Mr. Chairman, the northern most entrance shows ingress egress, ingress is on the applicant's property, the egress is not on the applicant's property. I know we don't allow people to rent parking spaces from other owners.

MR. PETRO: You must have a right-of-way over that, is that right?

MR. SHAW: I'm glad you brought that up. What you have is an existing condition, I don't know how long it's been existing, but it's been for years where basically, you have this boundary line separating these, the parcels immediately to the north, used to be Rosenbaum's, now it's RAL Plumbing Supply, there's a 25 foot right-of-way of which is part, excuse me, a 50 foot wide right-of-way which 25 feet is on my client's property and 25 feet is on RAL's property and not only do those two parcels have a right-of-way over that 50 foot strip, but also the property to the rear which is Sorbello, Bartia & King (phonetic) by taking the entrance and rebuilding it basically we're centering it over the boundary line so that all three parcels can have one access point onto Route 32, as opposed to having them being random along the right-of-way line but that's a good point, I should of mentioned that earlier.

MR. ARGENIO: It's a shared access for all three lots?

MR. SHAW: All three lots.

MR. PETRO: Dumpster?

MR. LANDER: Dumpster enclosure, Mr. Chairman, Mr. Shaw?

MR. ARGENIO: It's in the back.

MR. SHAW: Should be a detail on it, it's going to be made out of masonry?

MR. PETRO: Is that what the 30 x 24 pad is?

MR. SHAW: Yes.

MR. PETRO: Mark, anything else you want to discuss tonight because we need something from DOT. I want him to clear up some of your comments.

MR. EDSALL: There's two items that just put into the record that Greg and I talked about, he's currently getting the structural design for the retaining wall completed and as well, we're having a storm water management evaluation done, drainage study relative to the capacity for the relocated drainage course, so those are two I wouldn't say substantial outstanding items, but two items that need to be resolved and he's working on it.

MR. PETRO: Do you have anything, do you have a verbal from DOT at all?

MR. SHAW: What I have from DOT is I have had numerous discussions with Don Greene, he has no problems with the entrances for the construction improvements along the right-of-way. The issue that is under discussion is the striping in front of the property with respect to being allowed to make left hand turns. Other than that, the permits would have been issued by now, other than that subject matter.

MR. PETRO: How will that be resolved?

MR. SHAW: DOT's going to come back with whether or not they are going to permit it. Once they have made their decision with respect to the striping, then the permits

will be submitted. I talked to Don Greene today and he asked that I not submit the applications and the plans and the checks until that is resolved. That's the way Poughkeepsie works.

MR. PETRO: Could come back where you don't have a left-hand turn.

MR. SHAW: You can make left hand turns, it's just that the striping for the left-hand turns and immediately north of the site, my client would like the striping extended to the south, so while you can make left-hand turns into the site now, but they'd like the striping to indicate it.

MR. PETRO: The point I'm getting to, I'd like to schedule a public hearing, I'm sure that's what you're looking for.

MR. SHAW: I'd ask this board if they feel the public hearing's required, we did have a public hearing before the ZBA for the variance, both the building height and interpretation, no one attended, if you feel it's appropriate to have them, we can certainly have one.

MR. PETRO: You're building an 11,000 square foot building, I'd like to see one, it's a very, very busy part of town, landscaping, it's just something I think size of it determines that I think we should have a public hearing.

MR. SHAW: Okay.

MR. PETRO: It's not like we're holding you up, you're going to come back, I want to hear back from DOT. Can I have a motion to schedule a public hearing?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board schedule a public hearing for the New Windsor Partners site plan on Route 32. Is there any further discussion from the board members?

If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. LUCAS	NO
MR. PETRO	AYE

MR. SHAW: Did you assume lead agency?

MR. PETRO: Yes, we did.

MR. SHAW: All right, fine.

MR. PETRO: Okay, once we have the public hearing, everything looks well, we can do SEQRA process. At this time, I think we've gone as far as we can tonight. We'll see you then.

MR. SHAW: Good, thank you.



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

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

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

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507 Broad Street
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e-mail: mhpa@ptd.net

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**



REVIEW NAME: NEW WINDSOR PARTNERS L.P. SITE PLAN
PROJECT LOCATION: NYS ROUTE 32
 SECTION 65 - BLOCK 2 - LOT 16.21, 16.22 AND 25
PROJECT NUMBER: 98-20
DATE: 14 OCTOBER 1998
DESCRIPTION: THE APPLICATION PROPOSES THE DEVELOPMENT OF AN 11,270 SQUARE FOOT RETAIL BUILDING ON A TOTAL 1.89 +/- ACRE SITE. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 24 JUNE 1998 PLANNING BOARD MEETING.

1. As previously indicated, the property is located within the design shopping (C) zoning district of the Town. The "required" bulk information shown on the plan is correct, although the permissible building height value should be checked.

The plan indicates that a building height variance has been granted. The amount of the variance should be indicated on the plan and confirmed with the corrected permitted height value.

2. A number of revisions have been made to the plan and have been discussed at the technical work sessions. In addition, previous technical review comments have been addressed. The following additional comments are provided at this time:
 - a. The retaining wall design detail (including railing) must be included on the plan.
 - b. A final design detail for the relocated drainage piping (84" X 120" CMEP) must be included on the plan.
 - c. It may be advisable to set the fence post in concrete, for the fence detail on Sheet 4.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: NEW WINDSOR PARTNERS L.P. SITE PLAN
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PROJECT NUMBER: 98-20
DATE: 14 OCTOBER 1998

Page Two

- d. The Board should note that a separate site lighting design plan, prepared by WLS Lighting Systems, has been submitted. The lamp post locations match those shown on the Shaw Engineering plans and I have reviewed the WLS plan and find the lighting provided acceptable. A copy of the plan will be placed in the Planning Board files for record purposes.
3. Submittal of this plan/application to the (NYSDOT will be required.
4. The Applicant should be reminded that all the lots for this application must be combined to a single lot as a condition of the Site Plan approval. If no such note is included on the current plans, one should be added.
5. The Applicant should be made aware that the drainage box culvert located at the northeast corner of the property is currently in progressive failure. This property owner, as well as the adjacent property owner should discuss possible replacement or rehabilitation of this box culvert.
6. From a SEQRA standpoint, the Planning Board issued a Lead Agency coordination letter on 6 July 1998. At this time, it is my understanding that no other agencies have indicated an interest in the Lead Agency position; as such, the Planning Board could formally assume the position of Lead Agency

Relative to SEQRA, the Planning Board has received a Full Environmental Assessment Form. It is my recommendation that the Planning Board request a Stormwater Management (drainage) evaluation of the site. If the Planning Board requires any additional information to complete their SEQRA review, it would be appropriate to request such additional studies and information at this time.
7. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for this **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.

**TOWN OF NEW WINDSOR
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REVIEW COMMENTS**

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PROJECT NUMBER: 98-20
DATE: 14 OCTOBER 1998

Page Three

8. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



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

MJesh

A:.nwparte.sh

NEW WINDSOR PARTNERS LP - SITE PLAN (98-20) WINDSOR
HIGHWAY

Mr. Gregory Shaw from Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Greg, since you're doing 3 and 4, would you mind doing 4 first because I think there's some people who want to talk about number 3, just so we can get that done and they can speak their piece. There was only a few concerns, if I remember.

MR. SHAW: Correct, I have been before this board many times on this property beginning with a rejection, we've gone through the ZBA for variances, and interpretations, we've come back to this board, we've had a public hearing and I believe at the last meeting, there was a list of items that you would like to see addressed and I think I have taken care of all of them. One was the letter which was to be signed by this applicant and also the owner of Lizzie Realty regarding a temporary easement to fix the culvert in the rear of the property. That has been done. The permit from the New York State DOT for the culvert and for the highway entrance, that has been accomplished and a few minor revisions to the plan, including some additional landscaping in the front of the building which Mr. Lander so carefully brought to my attention. So, I think I have addressed all the issues that this board required. In the workshop session, Mark did bring up one issue, but unfortunately, that can't be attained for probably a couple weeks from now, which is the lot line changes which preceded this application. He suggested that all three parcels be incorporated onto one deed prior to the stamping of the plan, which is certainly reasonable. So, with that, Mr. Chairman, that is a quick overview of the property and I'm happy to address any questions you and the board members may have.

MR. LANDER: Might as well go right to the landscaping plan first.

MR. SHAW: Yes.

MR. LANDER: We're going to check out and make sure they are not mums, are they, Mr. Shaw?

MR. SHAW: We want to make sure we don't detract from visibility.

MR. LANDER: I know that they can't be too high.

MR. SHAW: We're hoping that they are far enough back from the curb.

MR. LANDER: These trees have to survive you know, they have to perform, these trees, I know some of the people that come in here think they can put up dead trees, we're going to be watching these trees for about a year. They have to live.

MR. SHAW: I'm sure you will.

MR. LANDER: I was looking for the detail for the dumpster enclosure, can you just, maybe you can just tell me that it's going to be made out of, block or--

MR. SHAW: Yes, it's going to be masonry, it should be on here.

MR. PETRO: Mark, explain number one to me, the outstanding item.

MR. EDSALL: Yeah, I think Greg and I worked out that the allowable building height there was corrected value for that, that's the way we referred, we talked about that.

MR. SHAW: If we did, it was a long time ago.

MR. EDSALL: It's just a correction to a number on the bulk table, they've been to the ZBA, they've got all their variances they needed, so it's not a problem, it's just a matter of having the bulk table corrected.

MR. PETRO: We have fire approval on 1/11/99, highway approval, 10/9/98.

MR. LANDER: DOT, Mr. Chairman?

MR. STENT: Lead agency letter went out.

MR. EDSALL: Mark, anything back from lead agency at all?

MR. EDSALL: We did get responses and not surprisingly, no other agencies wanted the job. So I think at this point, you have already taken lead agency on October 14 and your next step given your familiarity with the site would be consider a negative dec and I think that would be supported by all the information that Greg has submitted.

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

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the New Windsor Partners LP site plan on Route 32. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Ron, I have December 16 enclosed please find copy of the approved New York State DOT highway work permit for non-utility work.

MR. LANDER: Thank you. Nothing else, I'd like to make a motion to approve.

MR. LUCAS: Second it.

MR. PETRO: Motion for final approval for the New Windsor Partners LP site plan on Route 32 subject to the one note which was mentioned before with Mark and myself and Greg being changed on the final plan for

stamping. Other than that, it seems everything else is in order. And we'll check back in one year, make sure all the trees are growing.

MR. EDSALL: One condition also which Greg brought to your attention was the joining of all the lots into a single lot prior to you stamping the plan but they will have the motion of approval which gives them the ability to go ahead on that.

MR. PETRO: Understood. I had this backwards. The lighting problem was on the other side and you were saying the lighting was coming from here.

MR. SHAW: Lizzie Realty was going to derive the benefit of the illumination of this site.

MR. PETRO: Motion to approve, any other discussion? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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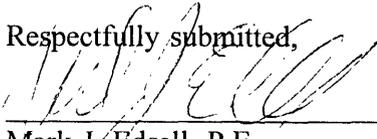
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New Windsor, New York 12553
(914) 562-8640
- Branch Office**
507 Broad Street
Millford, Pennsylvania 18337
(570) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: N.W. PARTNERS LP SITE PLAN
PROJECT LOCATION: NYS ROUTE 32
 SECTION 65-BLOCK 2-LOTS 16.21, 16.22 AND 25
PROJECT NUMBER: 98-20
DATE: 13 JANUARY 1999
DESCRIPTION: THE APPLICATION PROPOSES THE DEVELOPMENT OF AN 11,270 SQUARE FOOT RETAIL BUILDING ON A TOTAL 1.89 +/- ACRE SITE. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 24 JUNE 1998, 14 OCTOBER 1998 AND 18 NOVEMBER 1998 PLANNING BOARD MEETINGS.

1. I performed a final review of the site plan as submitted. The only outstanding item of correction is relative to the "required" building height value, which appears to still be incorrect. All other review comments have been addressed, as well as items discussed at the Work Sessions.
2. The Board issued a Lead Agency Coordination Letter and assumed the position of Lead Agency. The Applicant has submitted a Full Environmental Assessment Form. Based on a review of the project and this form, the Board should make a Determination of Significance regarding potential environmental impacts.
3. The Planning Board should require that a **bond** estimate be submitted for this **Site Plan** in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
4. At this time I am aware of no reason why the Planning Board could not consider final approval for the site plan, with appropriate conditions, as the Board may deem appropriate.

Respectfully submitted,


 Mark J. Edsall, P.E.
 Planning Board Engineer
 MJEmk
 A:NWPART4.mk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

REQUEST FOR PUBLIC RECORDS

DATE:

(Please specify or describe items(s) requested)

Meeting minutes for New Partners project

Name: Rick Diamond
 Address: 30 GARDEN CIRCLE
ALBANY NY
 Phone: 518 262 9133
 Representing: NEW PARTNERS LLC

Documents MUST NOT be taken from the office and MUST be returned intact.

Time Out: _____
Time Returned: _____

N.W. PARTNERS, L.P. SITE PLAN (98-20) RT. 32

Mr. Gregory Shaw appeared before the board for this proposal.

MR. PETRO: Proposes development of 11,207 square foot retail building on total of 1.89 acre site. This plan was reviewed at the 24th of June, '98 and October 14, '98 planning board meetings. It's here tonight for a public hearing but we'll review it first. Mr. Shaw, has anything changed since the last time.

MR. SHAW: No.

MR. PETRO: So, we're basically setting this up strictly for the public hearing?

MR. SHAW: Yes.

MR. PETRO: Didn't Ron or Jerry have some question questions about the curb cuts last time?

MR. SHAW: We did have a brief conversation about that and presently, we were up in Poughkeepsie with our applications and our plans for the different curb cuts for the project, both are going to have to be rebuilt and the one to the north is going to have to be relocated, so it straddles the common property line and the 50 foot wide right-of-way to access the property owned by King.

MR. PETRO: Was there land traded off and we did a lot line change with the fire department?

MR. SHAW: Correct.

MR. PETRO: That finalized?

MR. SHAW: Yes.

MR. PETRO: This site plan is on land that they own?

MR. SHAW: Correct, they have taken title to that land.

MR. LANDER: Do we have all the descriptions on file

here, do you know?

MR. SHAW: I don't know, I didn't represent the lot line change application, Mr. Hildreth did.

MR. PETRO: As far as you know, it's done, in other words, my point is I want to look at the site plan that is on property that they own

MR. SHAW: Jim, to the best of my knowledge, the plans have been filed in the clerk's office, they have taken title to the parcel from the fire company.

MR. PETRO: These items should be addressed, Mark, what were your minor items that you noted?

MR. EDSALL: I'd have to look back at the last, there are minor corrections, but since this plan was brought in just to seek some input from the public, Greg didn't submit new plans, so the retaining wall design, he was going to put the final design on that. We're going to get final design for the relocated drainage piping. We talked about modification of the fence post detail and we discussed some issues relative to the lighting plan.

MR. PETRO: You're able to take care of that?

MR. EDSALL: Greg will be working that out.

MR. SHAW: All that will be incorporated in the next and final submittal.

MR. PETRO: What about landscaping?

MR. SHAW: Yeah, I believe what Mr. Lander suggested and this board spotted was some additional landscaping in this particular area and we have returned to the landscape consultant and it has generated more plantings for that area and that will be in the resubmittal back to this board.

MR. LANDER: I see one tree on there.

MR. SHAW: You see one tree on this plan here?

MR. LANDER: That's a tree there.

MR. PETRO: This is a public hearing, once again, if anyone would like to speak on behalf of this application, please come forward, state your name. On the fifth day of November, 14 addressed envelopes were sent out by the Town of New Windsor for notice at this time. Is there anyone here that would like to speak on behalf of this application? Since there is obviously no one to speak, I'll entertain a motion to close the public hearing.

MR. STENT: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board close the public hearing for New Windsor Partners site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: I'll open it back up to the board for their comments.

MR. SHAW: I think at this point, just going back and working out the details with your consultant satisfying the comments that the board has and resubmitting back for approval.

MR. PETRO: Seems like it's pretty well moved along. Ron, do you have anything else or do you want to see--

MR. LANDER: No, I was just looking at the traffic flow, Mr. Chairman, as we sit here, I'm looking at right across the street, we have that big Shop Rite complex going in and just--

MR. PETRO: Well, there was one of the curb cuts, Ron,

on the earlier plan that we just looked at, I believe matches up with one of these.

MR. LANDER: It's probably the one to the north.

MR. PETRO: Do you know that for a fact, Mark, one of the curb cuts on the plan, the previous plan matches up with one of these?

MR. EDSALL: I don't know that they match, but I assume since DOT has all the plans, they are probably laying that out with all the sites that are in front of them.

MR. PETRO: Talking about traffic flow, but that's the DOT's concern.

MR. LANDER: Absolutely.

MR. EDSALL: DOT will be looking at the modifications to the line striping within the roadway so I'm sure they are considering it.

MR. PETRO: Any other comments?

MR. LANDER: Landscaping in the front and is there a flag pole on this property?

MR. SHAW: No, there's not.

MR. PETRO: Flag pole, it's somewhat down, so I don't know how high.

MR. LANDER: Well, not here right in front of the building.

MR. SHAW: I will discuss it with my clients, my client is not going to be occupying the building, there's a tenant involved, so it's a double step, but I'll ask him.

MR. PETRO: We're not requiring you understand we're suggesting it.

MR. SHAW: I understand completely.



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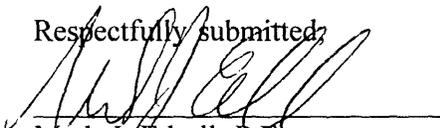


**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: N.W. PARTNERS LP SITE PLAN
PROJECT LOCATION: NYS ROUTE 32
SECTION 65-BLOCK 2-LOTS 16.21, 16.22 AND 25
PROJECT NUMBER: 98-20
DATE: 18 NOVEMBER 1998
DESCRIPTION: THE APPLICATION PROPOSES THE DEVELOPMENT OF AN 11,270 SQUARE FOOT RETAIL BUILDING ON A TOTAL 1.89 +/- ACRE SITE. THE PLAN WAS REVIEWED AT THE 24 JUNE 1998 AND 14 OCTOBER 1998 PLANNING BOARD MEETINGS. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The property is located within the Design Shopping (C) Zoning District of the Town. The site would appear to easily comply with all the minimum bulk requirements for the zone and use group (note a height variance was previously granted).
2. In my 14 October 1998 Planning Board comments I noted several minor items which must be addressed on subsequently submitted plans. These items should be addressed on future plans submitted. As well, comments from the Board from that meeting should also be addressed.
3. Status of the submittal/application to the NYSDOT should be discussed.
4. Once the Board has received comments from the Public at this hearing, I will be pleased to continue my review of the site plan application and review any additional concerns as may be identified from this hearing.

Respectfully submitted,


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

MJEmk

A:NWPART3.mk

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
[914] 561-3695

December 16, 1998

Chairman James Petro and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

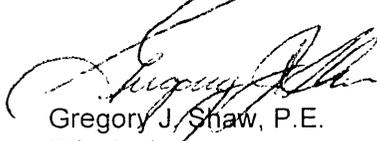
Re: New Retail Building For N.W. Partners, L.P.
Windsor Highway

Gentlemen:

Enclosed please find a copy of the approved NYS DOT Highway Work Permit For Non-Utility Work for the above referenced project. Please note that this Permit includes the extension of the DOT Route 32 culvert through the subject property.

Very truly yours,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Robert Gorman, N.W. Partners, L.P. w/Permit

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT

98-1018

Permit Fee: \$ 550.00
 Insurance Fee: \$ 0.00
 Total Received: \$ 550.00
 Check or M.O. No.: 00214

PERM 17 on file
 N/A

Permit No.: [REDACTED]
 Project Identification No.: 12/31/1999
 Expiration Date: 9033
 SH No.: 1500.00
 Deposit Rec. for \$ 168319794
 Check or M.O. No.: 10/07/1998
 Dated: 20000.00

*Permittee: N.W. PARTNERS, L.P.
 582 NEW LOUDON ROAD
 LATHAM, NY 12110
 att: ROBERT GORMAN

Estimated Cost of Work Performed in the State Right-of-Way \$
 Chargeable to Bond No.: (\$ 0.00)
 or Undertaking on File: N/A

Billing Address: (Complete if different from above)

Return of Deposit Made Payable to: (Complete if different from Permittee)

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:
 REMOVAL OF TWO EXISTING HIGHWAY ENTRANCES AND THE CONSTRUCTION OF TWO NEW ENTRANCES. INCLUDED IS REMOVAL AND REPLACEMENT OF CONCRETE SIDEWALK. ALL DISTURBED AREAS WITHIN STATE R.O.W. ARE TO BE TOPSOILED, SEEDED AND MULCHED.

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. ANYONE WORKING IN THE STATE HIGHWAY RIGHT-OF-WAY IS REQUIRED TO WEAR HIGH VISIBILITY APPAREL (ORANGE/YELLOW) AND HARD HAT.

County - ORANGE Municipality - NEW WINDSOR Route # - 32

as set forth and represented in the attached application at the particular location or area, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit.

Dated at: POUGHKEEPSIE, N.Y.
 Date Signed: 12/31/1999

W.D. Fitzpatrick
 Commissioner of Transportation
 By: W.D. FITZPATRICK *(mc)*

IMPORTANT

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION. BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY THE RESIDENT ENGINEER,

PETER M. TELISKA 112 DICKSON STREET
 (914)562-4020 NEWBURGH, NEW YORK 12550

UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED, SIGNED BY THE PERMITTEE AND DELIVERED TO THE RESIDENT ENGINEER.

Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.

DATE

PERMITTEE

AUTHORIZED AGENT (If Any)

Work authorized by this permit has been satisfactorily completed and is accepted. **Reverse side of this form must be completed.**

- Refund of Deposit is authorized
- Return of Bond is authorized
- Amount charged against Bond may be released
- Retain Bond for future permits
- Other

DATE

RESIDENT ENGINEER

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- Permit closed
- Bond returned/released
- Refund of Guarantee Deposit on this permit is authorized
- Other

DATE

REGIONAL TRAFFIC ENGINEER

The issuing authority reserves the right to suspend or revoke this permit, at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

* Upon completion of the work within the state highway right-of-way, authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
 HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK

NOV 02 1998

Application is hereby made for a highway work permit:
 Name N.W. Partners, L.P.
 Address 582 New Loudon Road
 City Latham, N.Y. 12110 State NY Zip 12110
 Federal I.D. No. or Social Security No. _____
 Applicant Telephone # (518) 783-5871
 Contact person in case of emergency Robert Gorman
 (include telephone number) Same

For Joint application, name and address of Second Applicant below:
 Name _____
 Address _____
 City _____ State _____ Zip _____
 Project Identification No. 8008307
 Highway Work Permit No. _____

RETURN PERMIT TO: (IF DIFFERENT FROM ABOVE)
 Name Shaw Engineering
 Address 744 Broadway
 City Newburgh State NY Zip 12550

RETURN OF DEPOSIT/BOND TO: (COMPLETE ONLY IF DIFFERENT FROM PERMITTEE)
 Name _____
 Address _____
 City _____ State _____ Zip _____

- Estimated cost of work being performed in state highway right-of-way \$ 20,000
- Anticipated duration of work: From March 19 99 thru December 19 99, to apply to the operation(s) checked below:
- Protective Liability Insurance covered by Policy No. UNASSIGNED; expires on 10-6 19 98
- A \$20.00 fee will be charged for checks returned by bank.

CHECK TYPE OF OPERATION	Permit Fee	Insurance Fee	Perm 17 or Under Taking	Total Amount of Fee and/or Insurance	Guarantee Deposit and/or Bond Amount	Guarantee Dep. Check Number or Bond Number
5. <input checked="" type="checkbox"/> Single job - Permit issued for each job						
a. <input checked="" type="checkbox"/> Driveway or roadway						
1. <input type="checkbox"/> Residential	\$ 15	\$ 25				
2. <input checked="" type="checkbox"/> Commercial - Minor	<u>550</u>	175		\$ 550	\$ 1,500	108319224f
3. <input type="checkbox"/> Commercial - Major - (Less than 100,000 square feet Gross Building Area)	1400	N/A		214		10/7/98
4. <input type="checkbox"/> Commercial - Major - (100,000 square feet Gross Building Area and Greater)	Actual cost with a minimum of \$2000 paid upon submission of permit app.	N/A		12/6/98		
5. <input type="checkbox"/> Subdivision Street	900	N/A				
6. <input type="checkbox"/> Temporary access road or street	200	150				
b. <input type="checkbox"/> Improvement						
1. <input type="checkbox"/> Residential	15	25				
2. <input type="checkbox"/> Commercial						
Check additional description below:						
a. <input type="checkbox"/> Install sidewalk, curb paving, stabilized shoulder, drainage, etc.	200	150				
b. <input type="checkbox"/> Grade, seed, improve land contour, clear land of brush, etc.	100	75				
c. <input type="checkbox"/> Resurface existing roadway or driveway	50	50				
c. <input type="checkbox"/> Tree Work						
1. <input type="checkbox"/> Residential	15	25				
2. <input type="checkbox"/> Commercial (not required for pruning if utility has annual maintenance permit)	25	50				
Check additional description below:						
a. <input type="checkbox"/> Removal or planting						
b. <input type="checkbox"/> Pruning, applying chemicals to stumps, etc.						
d. <input type="checkbox"/> Miscellaneous Construction						
1. <input type="checkbox"/> Beautifying ROW - (for Civic Groups only)	NC	25				
2. <input type="checkbox"/> Temporary signs, barriers, Christmas decorations	25	25				
3. <input type="checkbox"/> Traffic control signals	500	175				
4. <input type="checkbox"/> Warning and entrance signs	25	50				
5. <input type="checkbox"/> Miscellaneous - Requiring substantial review	400	175				
6. <input type="checkbox"/> Miscellaneous	25	50				
6. <input type="checkbox"/> Encroachments caused by D.O.T. acquisition of property	25	50				
7. <input type="checkbox"/> Compulsory permit required for work performed at the request of D.O.T.						
a. <input type="checkbox"/> Building demolition or moving requested by D.O.T.						
1. <input type="checkbox"/> Demolition	NC	25				
2. <input type="checkbox"/> Moving	NC	25				
b. <input type="checkbox"/> Improvement to meet Department standards	NC	25				
8. <input type="checkbox"/> Miscellaneous	25	25				
9. <input type="checkbox"/> Adopt a Highway	NC	N/A				

PROPOSED WORK (BRIEF DESCRIPTION): Removal of two existing highway entrances and the construction of two new entrances. Included is removal and replacement of concrete sidewalk. Including revisions.

ATTACHED: Plans X Specifications _____ LOCATION: State Route 32 State Highway 9033
between Reference Marker 32/8301/11.16 and Reference Marker 32/8301/11.17
Town of: New Windsor County of: Orange

SEQR REQUIREMENTS: (Check appropriate box)

Exempt Ministerial Type II EIS or DEIS Lead Agency Town Of New Windsor Planning Board

If project is identified to be ministerial, or TYPE II, no further action is required.

If project is determined to be other than ministerial, exempt, or TYPE II, refer to M.A.P.7.12-2, Appendix A SEQR REQUIREMENTS FOR HIGHWAY WORK PERMITS.

Acceptance of the requested permit subjects the permittee to the restrictions, regulations and obligations stated on this application and on the permit.

Applicant Signature [Signature] Date 10/6/98 19__

Second Applicant Signature _____ Date _____ 19__

Approval recommended _____ 19 98 By Resident Engineer [Signature] Residency No. 5-4

Approved DEC 14 1998 19__ By Regional Traffic Engineer W. D. FitzPatrick Region No. 8

PERMIT IS ISSUED CONTINGENT UPON LOCAL REQUIREMENTS BEING SATISFIED.

[Signature]



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 98-20
WORK SESSION DATE: 6 Jan 99 APPLICANT RESUB. REQUIRED: new plans
REAPPEARANCE AT W/S REQUESTED: No
PROJECT NAME: NW Partners
PROJECT STATUS: NEW _____ OLD X
REPRESENTATIVE PRESENT: Greg Shaw
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) Lucas

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- letter went out re box culvert failure
 - DOT permit obtained
 - condition of app'l - combine lots.
- want final app'l

_____ CLOSING STATUS
_____ Set for agenda need plans
_____ possible agenda item
_____ Discussion item for agenda
_____ ZBA referral on agenda

pbwsform 10MJE98

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
[914] 561-3695

December 3, 1998

Sorbello, Bouyea, King
c/o Robert K. Bouyea
505 North Riverside Road
Highland, New York 12528

Re: New Retail Building For N.W. Partners, L.P. And
Retail Expansion For Lizzie Realty, LLC
Windsor Highway, Town Of New Windsor

Dear Mr. Bouyea:

I am writing this correspondence on behalf of my two clients, N.W. Partners, L.P., and Lizzie Realty, LLC, both of whom are before the Town of New Windsor Planning Board for Site Plan Approval. N.W. Partners, L.P. is the applicant for the parcel presently owned by Diadone, and Lizzie Realty LLC is the applicant and owner of the former Rosenbaum property.

As you may be aware, there is an existing 50 foot wide right-of-way for the benefit of the lands of Sorbello, Bouyea, King that is centered over the common property line of Diadone and Lizzie Realty, LLC. This right-of-way allows access to your property from Windsor Highway. Located within this right of way and along the easterly property lines of Diadone and Lizzie Realty, LLC, is a box culvert that must be crossed in order to access your property. It was this culvert that was an item of discussion with the Planning Board in that it has deteriorated in recent years. Also, there is an existing Town sewer line that is suspended within the culvert.

Recognizing that the box culvert will have to be replaced at some point in the future, the Planning Board requested that each of the two applicants grant to Sorbello, Bouyea, King a temporary construction easement to allow the re-construction of the box culvert. By their signatures below, N.W. Partners, L.P., and Lizzie Realty, LLC hereby grant this temporary construction easement to Sorbello, Bouyea, King. It is understood that with this easement is the responsibility of Sorbello, Bouyea, King to restore any disturbed areas to their pre-construction conditions.

I trust this easement will be of benefit to you in the future re-construction of the box culvert.

Very truly yours,

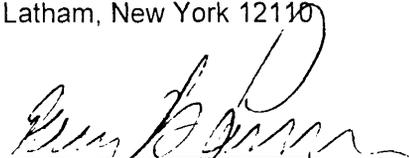
SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv

N.W. Partners, L.P.
582 New Loudon Road
Latham, New York 12110



Barry Larner

12/4/98
Date

Lizzie Realty LLC
24 Dunning Road
Middletown, New York 10940



David E. Berman

12/14/98
Date

PLANNING BOARD : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

-----x
In the Matter of Application for Site Plan/Subdivision of
N.W. Partners L.P.

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

-----x
STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at ~~350~~ Bethlehem Road, New Windsor, NY 12553.

On ⁶⁷ November 5, 1998, I compared the 14 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

(Mailed 9
Handdelivered 5
to Town Reps.)

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

Sworn to before me this

5th day of November, 1998

Liberal Green
Notary Public

LIBERAL GREEN
Notary Public, State of New York
County of Orange
4584065
Commission Expires July 15, 1999



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

November 2, 1998

Gregory J. Shaw
744 Broadway
Newburgh, NY 12550

Re: Parcels # 65-2-16.21
65-2-16.22
65-2-25

Dear Mr. Shaw:

According to our records, the attached list of property owners are abutting and across the street from the above referenced parcels.

The charge for this service is \$25.00, which you have already paid in the form of your deposit.

Sincerely,

Leslie Cook (cmo)
LESLIE COOK
Sole Assessor

/cmo
Attachment

Cc: Myra Mason, PB

65-2-12
Bila Family Partnership
158 N. Main Street
Florida, NY 10921 ✓

George J. Meyers, Supervisor
Town of New Windsor
555 Union Ave.
New Windsor, NY 12553 ✓

65-2-16.1
Lizzie Realty LLC
24 Dunning Road
Middletown, NY 10940 ✓

Dorothy H. Hansen, Town Clerk
Town of New Windsor
555 Union Ave.
New Windsor, NY 12553 ✓

65-2-23
Joan A. Shedden
Box 608A
Vails Gate, NY 12584 ✓

Andrew Kreiger, Esq.
219 Quassaick Ave
New Windsor, NY 12553 ✓

65-2-24
John J. Aquino &
Gregory Mellick
9 Hawthorne Place, Apt 2N
Boston, MA 02114 ✓

James R. Petro, Chairman
Planning Board
555 Union Ave.
New Windsor, NY 12553 ✓

65-2-26
Vails Gate Methodist Cemetery
PO Box 37
Vails Gate, NY 12584 ✓

Mark J. Edsall, P.E.
McGoey and Hauser
Consulting Engineer, P.C.
45 Quassaick Ave
New Windsor, NY 12553 ✓

65-2-28
Vails Gate Fire Company Inc.
PO Box 101
Vails Gate, NY 12584 ✓

65-2-29
Sorbello, Bouyea, King
C/o Robert K. Bouyea
505 North Riverside Road
Highland, NY 12528 ✓

70-1-7
V.G. Maximus Inc.
C/o Joseph Pisani
203 Cambridge Court
New Windsor, NY 12553 ✓

70-1-8
Lorene V. Wreford &
John Douglas
16 Marshall Drive
New Windsor, NY 12553 ✓

(Mailed) 9 Addresses
(delivered) 5 Town officials
14 Mailed & delivered

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 November 18 1998 at 7:30 P.M. on the approval of the proposed Site Plan ~~(Subdivision of Lands)*~~ ~~(Site Plan)*~~ OF N.W. Partners, L.P. located 397 Windsor Highway (Tax Map Section 65, Block 2, Lots 16.21, 16.22 and 25) Map of the ~~(Subdivision of Lands)~~(Site Plan)* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: November 4, 1998

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

617.21
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

New Retail Building for N.W. Partners, L.P.

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

[Signature]
Signature of Preparer (If different from responsible officer)

Date

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE. This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION New Retail Building for N.W. Partners, L.P.		
LOCATION OF ACTION (Include Street Address, Municipality and County) East side of N.Y.S. Route 32		
NAME OF APPLICANT/SPONSOR N.W. Partners, L.P.		BUSINESS TELEPHONE (518) 783-5871
ADDRESS 582 New Loudon Road		
CITY/PO Latham	STATE NY	ZIP CODE 12110
NAME OF OWNER (if different)		BUSINESS TELEPHONE ()
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION Demolition of existing commercial structures and the construction of a 11,060 S.F. commercial building on a 1.79 acre parcel.		

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 1.79 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>.30</u> acres	_____ acres
Forested	<u>.30</u> acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	<u>.04</u> acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	<u>1.15</u> acres	<u>1.49</u> acres
Other (Indicate type) <u>Lawns</u>	_____ acres	<u>.30</u> acres

3. What is predominant soil type(s) on project site? Erie, Mardin
- a. Soil drainage: Well drained _____ % of site Moderately well drained 90 % of site
 Poorly drained 10 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? _____ (in feet)

5. Approximate percentage of proposed project site with slopes. 0-10% 9 % 10-15% 5 %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? _____ (in feet) unknown
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: Silver Stream
 a. Name of Stream and name of River to which it is tributary Moodna Creek
discharging into the Hudson River
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name _____ b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 1.79 acres.
- b. Project acreage to be developed. 1.79 acres initially; _____ acres ultimately.
- c. Project acreage to remain undeveloped 0 acres.
- d. Length of project, in miles: N.A. (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed _____ %;
- f. Number of off-street parking spaces existing 35; proposed 69.
- g. Maximum vehicular trips generated per hour 60 (upon completion of project)?
- h. If residential Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure 24 height; 86 width; 130 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 240 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed? _____
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.6 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
 Yes No
6. If single phase project: Anticipated period of construction 8 months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated _____ (number).
- b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
- c. Approximate completion date of final phase _____ month _____ year.
- d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 20; after project is complete 15.
10. Number of jobs eliminated by this project 6.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
- b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
- a. If yes, what is the amount per month 2.2 tons
- b. If yes, will an existing solid waste facility be used? Yes No
- c. If yes, give name Keystone Sanitary Landfill; location Scranton, PA
- d. Will any wastes **not** go into a sewage disposal system or into a sanitary landfill? Yes No
- e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
- a. If yes, what is the anticipated rate of disposal? _____ tons/month.
- b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) Electricity, Oil & Gas
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.
23. Total anticipated water usage per day 1,200 gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan	6/98
City Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Area Variance	7/98
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
State Agencies NYSDOT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Highway Entrance Permit	7/98
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
- What is the zoning classification(s) of the site? C: Design Shopping
- What is the maximum potential development of the site if developed as permitted by the present zoning?
N.A.
- What is the proposed zoning of the site? N.A.
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
N.A.
- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
Commercial & Residential
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? _____
 a. What is the minimum lot size proposed? _____
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name N.W. Partners, L.P. Date 6/30/98
 Signature [Signature] Title Engineer For Applicant

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

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer **Yes** if there will be any impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
 NO YES

Examples that would apply to column 2

- No • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- No • Construction on land where the depth to the water table is less than 3 feet.
- No • Construction of paved parking area for 1,000 or more vehicles.
- No • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- No • Construction that will continue for more than 1 year or involve more than one phase or stage.
- No • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- No • Construction or expansion of a sanitary landfill.
- No • Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) NO YES

- No • Specific land forms: _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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IMPACT ON WATER

3 Will proposed action affect any water body designated as protected?
(Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- No • Developable area of site contains a protected water body.
- No • Dredging more than 100 cubic yards of material from channel of a protected stream.
- No • Extension of utility distribution facilities through a protected water body.
- No • Construction in a designated freshwater or tidal wetland.
- Other impacts: _____

4. Will proposed action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- No • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- No • Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: _____

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- No • Proposed Action will require a discharge permit.
- No • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- No • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- No • Construction or operation causing any contamination of a water supply system.
- No • Proposed Action will adversely affect groundwater.
- No • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- No • Proposed Action would use water in excess of 20,000 gallons per day
- No • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- No • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- No • Proposed Action will allow residential uses in areas without water and/or sewer services
- No • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities
- Other impacts: _____

6 Will proposed action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- No • Proposed Action would change flood water flows.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
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- No • Proposed Action may cause substantial erosion.
- No • Proposed Action is incompatible with existing drainage patterns.
- No • Proposed Action will allow development in a designated floodway.
- Other impacts: _____

IMPACT ON AIR

- 7 Will proposed action affect air quality? NO YES
Examples that would apply to column 2
- No • Proposed Action will induce 1,000 or more vehicle trips in any given hour.
 - No • Proposed Action will result in the incineration of more than 1 ton of refuse per hour.
 - No • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.
 - No • Proposed action will allow an increase in the amount of land committed to industrial use.
 - No • Proposed action will allow an increase in the density of industrial development within existing industrial areas.
 - Other impacts: _____

IMPACT ON PLANTS AND ANIMALS

- 8 Will Proposed Action affect any threatened or endangered species? NO YES
Examples that would apply to column 2
- No • Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.
 - No • Removal of any portion of a critical or significant wildlife habitat.
 - No • Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.
 - Other impacts: _____

9. Will Proposed Action substantially affect non-threatened or non-endangered species? NO YES
Examples that would apply to column 2
- No • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.
 - No • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.

IMPACT ON AGRICULTURAL LAND RESOURCES

- 10 Will the Proposed Action affect agricultural land resources? NO YES
Examples that would apply to column 2
- No • The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
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- No • Construction activity would excavate or compact the soil profile of agricultural land.
- No • The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- No • The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)
- Other impacts: _____

IMPACT ON AESTHETIC RESOURCES

11 Will proposed action affect aesthetic resources? NO YES
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

Examples that would apply to column 2

- No • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- No • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- No • Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? NO YES

Examples that would apply to column 2

- No • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places
- No • Any impact to an archaeological site or fossil bed located within the project site
- No • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts _____

IMPACT ON OPEN SPACE AND RECREATION

13 Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

Examples that would apply to column 2 NO YES

- No • The permanent foreclosure of a future recreational opportunity.
- No • A major reduction of an open space important to the community.
- Other impacts: _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
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**IMPACT ON GROWTH AND CHARACTER
OF COMMUNITY OR NEIGHBORHOOD**

18 Will proposed action affect the character of the existing community?
 NO YES

Examples that would apply to column 2

- No • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- No • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- No • Proposed action will conflict with officially adopted plans or goals.
- No • Proposed action will cause a change in the density of land use.
- No • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- No • Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- No • Proposed Action will set an important precedent for future projects.
- No • Proposed Action will create or eliminate employment.
- Other impacts: _____

	Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
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19 Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?
 NO YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or
If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

- 1 Briefly describe the impact
- 2 Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
- 3 Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

RESULTS OF P.B. MEETING OF: October 11, 1978

PROJECT: N.W. Portcross L.P. Site Plan P.B.# 98-20

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__
2. TAKE LEAD AGENCY: Y N__

M) __ S) __ VOTE: A__ N__
CARRIED: YES__ NO__

M) 11 S) 4 VOTE: A 4 N 0
CARRIED: YES NO__

WAIVE PUBLIC HEARING: M) 11 S) 4 VOTE: A 3 N 1 WAIVED: Y__ 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: YES__ NO__

APPROVAL:

M) __ S) __ VOTE: A__ N__ APPROVED: _____

M) __ S) __ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<i>Address Mark's comments of 14 October</i>
<i>Address some landscaping</i>
<i>Need D.O.T. review</i>



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 98-20
 WORK SESSION DATE: 7 OCT 98 APPLICANT RESUB. REQUIRED: new plans
 REAPPEARANCE AT W/S REQUESTED: No
 PROJECT NAME: n.w. Partners
 PROJECT STATUS: NEW _____ OLD X
 REPRESENTATIVE PRESENT: Greg Shaw
 MUNIC. REPS PRESENT: BLDG INSP. _____
 FIRE INSP. X
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- delete asphalt wale - add c/s
- note re sprinkler line - maybe >

4MJE91 pbwsform

BJ

RECEIVED

SEP 09 1998

BUILDING DEPARTMENT

ZONING BOARD OF APPEALS

Regular Session
September 14, 1998

AGENDA:

7:30 P.M. - ROLL CALL

Motion to adopt minutes of the August 10, 1998 meeting as written.

PRELIMINARY MEETINGS:

SET UP FOR P/H

1. CESTARI, ALFRED - Request for 6 ft. rear yard variance for existing deck located at 435 Philo Street in an R-4 zone. (73-3-10).

SET UP FOR P/H

2. GREER, GREG - Referred by P.B. for request for 20 ft. sideyard, 38 ft. total side yard, 7.67 maximum building height variances for additions for storage at used car facility on Route 94. (70-1-4). Present: Greg Shaw, P.E.

SET UP FOR P/H

3. WILSON, SAM - Request for 6 ft. side yard variance for existing enclosed porch and 10 ft. side yard variance for existing attached storage area located at 61 Riley Road in an R-3 zone. (67-1-2.1).

SET UP FOR P/H

4. LUCAS, MICHAEL - Request for interpretation and/or use variance for retail flower shop at 98 River Road in a PI zone. (20-2-52).

SET UP FOR P/H

5. JANNOTTI, THOMAS - Request for variation of Section 48-14C(2) of the Supp. Yard Regs. for over-sized deck at 102 Cedar Avenue in R-4 zone. (18-2-12).

PUBLIC HEARINGS:

APPROVED

6. NW PARTNERS LP/DAIDONE - Request for interpretation of the segmented parcel (C in front and R-4 to rear), plus a 3 ft. 8 in. maximum building height and sign variance to construct commercial building on e/s of Rt. 32. (65-2-16.21, 22 & 25). Present: Greg Shaw P.E.
 (can't find)

APPROVED

7. BILA PARTNERS- Referred by Planning Board for variance for parking space size, maximum building height, loading berths and signs at Shop Rite Plaza in Vails Gate in C zone. Present: James Sweeney, Esq. (65-2-12, 35, 36, 37).

Pat - 563-4630 (o) or 562-7107 (h)

/
milk
this
is Shoprite
which F. & S. do
you need

PRELIMINARY MEETING:N.W. PARTNERS L.P.

MR. NUGENT: Referred by Planning Board for 11.5 ft. maximum building height variance for construction of commercial building on the east side Route 32 (Daidone) in a C zone.

Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. SHAW: Good evening. As the Chairman mentioned, my name is Greg Shaw from Shaw Engineering and I'm representing New Windsor Partners tonight before this board for a variance. I'm actually before the board for two reasons, one is to get an interpretation with respect to the parcel that is segmented by a zoning line that being the C-2 zone, which is close to Windsor Highway and the R-4 zone which is to the rear of the property and two is a building height variance. The plan that you are looking at is probably the most current plan that's been generated by this office which is slightly different than what was reviewed by the planning board. We just recently found out from the Army Corps of Engineers that the stream in the rear of the property cannot be culverted so what does that mean, that means it has to remain in its natural state. We have to put in a retaining wall to protect it and my client is in the process of purchasing from the fire department an additional strip of land to the rear of the property. The reason that I am bringing it up is that it will reduce the variance that we're requesting for a building height with the present configuration behind, we have a 61 foot setback from the building to the nearest lot line which gives us a building height permitted of 20 feet four inches as the building's going to be 24 feet, the variance has been now reduced to three feet eight inches. I discussed that with Mike prior to the meeting starting so he can reflect it in his paperwork accordingly. As you mentioned, the parcel is about 1.8, the buildings itself, the former Windsor Farm site, I have some aerial photographs for you to look at, and what's going to happen with respect to the site is that the building and the parking will

be demolished and in its place will be an 11,000 square foot retail building with approximately 70 parking spaces. We conform to all aspects of zoning, other than the building height which I mentioned to you. Prior to the board discussing this project, I just want to refresh your memories that with respect to the zoning line segmenting a piece of property we had the same discussion on the application of Petro Metals which is on Windsor Highway opposite Willow Lane and the board determined at that time that even though the small portion in the rear of the property is residential, it really count be used for residential purposes due to the small size of it, therefore, the board interpreted that the entire parcel could be used for commercial use. I hope you come to the same conclusion tonight. So, Mr. Chairman, that is a brief overview of the project. It's going to be a total demolition and construction of a substantial ratable 11,000 square foot building, one story.

MR. NUGENT: Can you show me on this drawing approximately where the R-4 zone is?

MR. SHAW: This is the zone line.

MR. NUGENT: Well, this part is all--

MR. SHAW: Commercial and this part is residential.

MR. KRIEGER: How much would be in the residential zone?

MR. SHAW: When you say how much, are you--

MR. KRIEGER: How much square feet is the residential zone of the area of the lot?

MR. KRIEGER: I would say probably about 25 to 30 percent of the entire parcel, let's say 30 percent of the entire parcel is in the residential zone.

MR. KRIEGER: And the entire parcel the number of square feet in the entire parcel are?

MR. SHAW: The number of square feet are 78,035.

MR. TORLEY: You mentioned that there is a stream that the Corps of Engineers says you can't culvert so the presence of the stream would prevent any residential construction anyway looking at the photo here.

MR. SHAW: Correct and it continues, there's an existing culvert here underneath the 50 foot right-of-way which accesses the vacant land to the rear and comes out of this head wall and continues to flow off-site in that fashion.

MR. TORLEY: I assume when you come back for the public hearing, you'll have the exact breakdown of the residential commercial square foot?

MR. SHAW: Correct.

MR. TORLEY: Mr. Chairman, accept a motion?

MR. NUGENT: Yes.

MR. TORLEY: I move that we set up N.W. Partners Limited for their public hearing for their request for building height variance and interpretation.

MS. OWEN: I'll second it.

ROLL CALL

MS. OWEN	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. KRIEGER: Please make sure that both are listed and advertised for so we don't--

MR. NUGENT: Interpretation and--

MS. BARNHART: Michael, could you change the numbers on this?

MR. BABCOCK: Sure.

August 10, 1998

5

MS. BARNHART: I already have a copy of that, Greg.

MR. NUGENT: Mike, you're making the notation of the 11 to three foot?

MR. BABCOCK: Yes, three foot eight, Jim.

MR. NUGENT: Okay.

MR. SHAW: Thank you.

#1 ZOA 8-10-98
SET UP FOR P/H
- ZOA 9-14-98
MAX BLDG. HT / SIGNS APPROVED

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

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 98-20

DATE: 15 JULY 98

APPLICANT: NW PARTNERS LP
582 NEW LOUDON RD.
LATHAM N.Y. 12110

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 18 JUNE 98

FOR (~~SUBDIVISION~~ - SITE PLAN) _____

LOCATED AT EAST SIDE WINDSOR HIGHWAY

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 65 BLOCK: 2 LOT: 16.21

16.22

25

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

BUILDING HEIGHT VARIANCE REQ'D

[Handwritten Signature]

MARK J. EDJALL RE. F.O.
MICHAEL BABCOCK,
BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>C</u> USE <u>A-1</u>		
MIN. LOT AREA	<u>40,000 SF</u>	<u>78,035 SF</u> —
MIN. LOT WIDTH	<u>200 FT</u>	<u>295 FT.</u> —
REQ'D FRONT YD	<u>60 FT</u>	<u>72 FT</u> —
REQ'D SIDE YD.	<u>30 FT</u>	<u>38 FT</u> —
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>142 FT</u> —
REQ'D REAR YD.	<u>30 FT</u>	<u>79 FT</u> —
REQ'D FRONTAGE	<u>N/A</u>	<u>240 FT</u> —
MAX. BLDG. HT. <u>4"/FT</u>	<u>20'4" 12'-6"</u>	<u>3'-3" 11'-5 FT</u>
FLOOR AREA RATIO	<u>0.50</u>	<u>0.14</u> —
MIN. LIVABLE AREA	<u>N/A</u>	<u>N/A</u> —
DEV. COVERAGE	<u>N/A</u> %	<u>N/A</u> % — %
O/S PARKING SPACES	<u>67</u>	<u>69</u> —

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

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

New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, NY 12561-1696
(914) 256-3000 - Division of Environmental Permits
FAX (914) 255-3042



8/6/98

Town of New Windsor

555 Union Avenue

New Windsor New York 12553

RE: Lead Agency Coordination Response

Project: New Retail Building For N.W. Partners

We received the additional information requested for the above-referenced project. Based on our review of this information, DEC has no permit jurisdiction for this action. As a consequence, the Department is not an involved agency for this proposal and has no objection to your board/agency serving as lead agency.

Please feel free to contact me if you have any questions or if you would like to discuss this further. I can be reached at (914) 256-3054.

Thank you for your cooperation and assistance.

Respectfully,

William A. Bailey

Division of Environmental Permits
Region 3

cc:

DCS2/SEQR/LANJ.ltr (6/97)

cc: M.E.



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
4 BURNETT BOULEVARD
POUGHKEEPSIE, N.Y. 12603

PHILIP J. CLARK, P.E.
REGIONAL DIRECTOR

JOSEPH H. BOARDMAN
COMMISSIONER

August 18, 1998

Mr. Mark J. Edsall
Planning Board Engineer
Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

RE: STATE ENVIRONMENTAL QUALITY REVIEW
N.W. PARTNERS
TOWN OF NEW WINDSOR
ORANGE COUNTY

- This Department has no objection to the Planning Board of the Town of New Windsor assuming the role of lead agency for this action.
- We have reviewed the Environmental Assessment Form (EAF) and find the estimated number of vehicular trips to be reasonable.
- If a Draft Environmental Impact Statement of Traffic Study is prepared for the proposed project, please forward a copy to us for review.
- Please be aware that a state Highway Work Permit will be required for any curb cuts and/or work within the Route(s) 32 right-of-way. An application and final site plan should be forwarded to this department's local Residency office, as soon as possible, to initiate the review process.
- Other: A traffic impact study should be prepared and submitted to this Department for further review of the referenced proposal.

Very truly yours,

Wai K. Cheung
Civil Engineer II

By:

Akhter A. Shafeef
Civil Engineer I

1 ZBA 8-10-98
SET UP FOR P/H

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

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 98-20

DATE: 15 JULY 98

APPLICANT: NW PARTNERS LP
582 NEW LUDDON RD.
LATHAM N.Y. 12110

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 18 JUNE 98

FOR (~~SUBDIVISION~~ - SITE PLAN) _____

LOCATED AT EAST SIDE WINDSOR HIGHWAY

_____ ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 65 BLOCK: 2 LOT: 16.21
16.22
25

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

BUILDING HEIGHT VARIANCE READ

[Handwritten Signature]

MARK J. EDJALL P.E. F.S.
 MICHAEL BABCOCK,
 BUILDING INSPECTOR

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u> USE <u>A-1</u>		
MIN. LOT AREA	<u>40,000 SF</u>	<u>78,035 SF</u>
MIN. LOT WIDTH	<u>200 FT</u>	<u>295 FT</u>
REQ'D FRONT YD	<u>60 FT</u>	<u>72 FT</u>
REQ'D SIDE YD.	<u>30 FT</u>	<u>38 FT</u>
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>142 FT</u>
REQ'D REAR YD.	<u>30 FT</u>	<u>79 FT</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>240 FT</u>
MAX. BLDG. HT. <u>Y'/FT</u>	<u>12' 6" 20' 4"</u>	<u>38' 11.5 FT</u>
FLOOR AREA RATIO	<u>0.50</u>	<u>0.14</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>N/A</u>
DEV. COVERAGE	<u>N/A %</u>	<u>N/A %</u>
O/S PARKING SPACES	<u>67</u>	<u>69</u>

REVISED 8-10-18
 (MB)

20' 4"

38'

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

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

POSSIBLE Z.B.A. REFERRALS

NEW WINDSOR PARTNERS, L.P. (98-20) WINDSOR HIGHWAY

Mr. Gregory Shaw appeared before the board for this proposal.

MR. SHAW: Good evening. For the record, I'm representing N.W. Partners, L.P. regarding the parcel which is presently occupied by Windsor Farms on Route 32. This property was before you I believe within the past three months with respect to a lot line change with the Vails Gate Fire Company. This drawing reflects that lot line change and what we're proposing is the removal of the existing structures on the site and the construction of an 11,060 square foot building for retail use. If you notice in the zoning schedule, we're complying with the Town of New Windsor Zoning Regulations, other than with respect to building height. We're before this board tonight for a rejection to allow us to go to the Zoning Board and to get the necessary variance for a building height. If the board has any other questions regarding the particular layout of the site, I'd be more than happy to answer questions. But we understand that there will be a thorough review by this board at a later date when we return from the ZBA.

MR. PETRO: Greg, the aisle width on the north front corner of the building is inadequate, are you aware of Mark's comments at all?

MR. SHAW: No, I have not seen them.

MR. PETRO: Is there a reason for that? You're not going for a variance for any of this stuff?

MR. SHAW: No, that can get shaved back.

MR. PETRO: It will be made right is what you're saying?

MR. SHAW: Correct. What it is, the purpose of it is it's to be one way to exit from the site, but Mark's correct that you do have vehicles that have to back out

of there. So whether it's one way or not, it should be 25 feet to allow vehicles to back out of those spaces.

MR. PETRO: Three tax maps will be combined to a single lot as a condition of the site plan.

MR. SHAW: No, that has been done with a lot line change, that drawing has been filed in the Orange County Clerk's Office.

MR. PETRO: We did that last meeting, I believe.

MR. SHAW: Correct, it has been filed in Goshen.

MR. EDSALL: That is a single lot at this point.

MR. SHAW: Correct.

MR. EDSALL: Application still showed it with the three.

MR. SHAW: Because I couldn't designate it.

MR. EDSALL: Let's just note it as already having been combined.

MR. KRIEGER: Not yet been assigned a new tax number.

MR. SHAW: If you notice on note 7, my drawing even designates the date filed in the clerk's office and the map number also.

MR. EDSALL: Okay.

MR. PETRO: It's my recommendation that the planning board authorize the issuance of lead agency coordination letter. It would appear it would be appropriate to request a full EAF for the circulation of the site plan as part of the lead agency letter. Do any of the members have a problem with that?

MR. LANDER: No problem.

MR. PETRO: Mark's been authorized by the board. Conceptually, does anyone have a problem with the plan?

Should obtain the necessary variances and reappear here?

MR. LANDER: No, only thing that I see is the sidewalk, there's no sidewalk in the front.

MR. SHAW: There is right now and there will be when we're done, there's a continuous sidewalk along that whole stretch with drop curbs.

MR. LANDER: You're not changing the stream or anything are you, Mr. Shaw?

MR. SHAW: Yes, we are, presently the stream runs underneath the building, and we're really not sure of the construction of the building and we will be relocating that stream probably parallel and adjacent to the existing sanitary easement which runs through the property.

MR. LANDER: Doesn't it run right underneath the building that is standing there now?

MR. SHAW: Yes, it does.

MR. PETRO: Is that a Class A stream?

MR. SHAW: No, it's Silver Stream. In fact, today, we had a wetlands consultant looking at that stream and we'll be contacting the Army Corps as to whether or not they have jurisdiction over it any. My consultant tells me more than likely, they do not.

MR. PETRO: Can we have a letter of their findings that you're moving it around, if it is, you'll have to go to the agency involved.

MR. LUCAS: Shop Rite is going to be doing something with the other side.

MR. SHAW: Basically, they are going to be replacing their culvert with a 10 foot by 7 foot pipe.

MR. PETRO: Your outlet to your property is not going to be changing with their flow, in other words, still

going to go to 32 in the same spot so what they are going to do is not going to affect it. Can I have a motion to approve?

MR. LUCAS: Make a motion.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the N.W. Partners Windsor Highway site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LUCAS	NO
MR. LANDER	NO
MR. ARGENIO	NO
MR. STENT	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor Zoning board for necessary variances. Once you have received those and they are properly put on the plan, we'll review it again at this board.

MR. SHAW: Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

Licensed in NEW YORK, NEW JERSEY
 and PENNSYLVANIA

- Main Office**
 45 Quassaick Ave. (Route 9W)
 New Windsor, New York 12553
 (914) 562-8640
 e-mail: mheny@att.net
- Regional Office**
 507 Broad Street
 Milford, Pennsylvania 18337
 (717) 296-2765
 e-mail: mhpa@ptd.net



TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

REVIEW NAME: N.W. PARTNERS LP SITE PLAN
PROJECT LOCATION: NYS ROUTE 32
 SECTION 65-BLOCK 2-LOTS 16.21, 16.22 AND 25
PROJECT NUMBER: 98-20
DATE: 24 JUNE 1998
DESCRIPTION: THE APPLICATION PROPOSES THE DEVELOPMENT OF AN 11,060 SQUARE FOOT RETAIL BUILDING ON A TOTAL 1.79 ACRE SITE. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located within the Design Shopping (C) Zoning District of the Town. The "required" bulk information shown on the plan is correct, with the exception of the allowable building height which should be a 12.5' maximum. The site plan as submitted would appear to comply with each of the bulk requirements, with the exception of the need for a height variance. It should be noted that compliance is based on combination of the three (3) tax map lots, into a single lot, as a condition of this application.
2. I performed a conceptual review of the site plan as submitted and have the following initial comments:
 - a. The aisle width on the north, front corner of the building is inadequate. 20' is indicated and 25' is required. The curbing for the tear-dropped shaped island will require some modification.
 - b. If the Applicant is successful in obtaining the necessary variances, the resubmittal to the Planning Board should include complete site plan information including proposed topography, lighting, landscaping, utilities, details of construction, etc.
 - c. The plan should include a note indicating that three (3) tax maps will be combined to a single lot as a condition of the site plan.

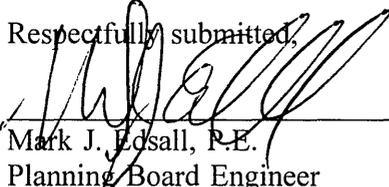
**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: N.W. PARTNERS LP SITE PLAN
PROJECT LOCATION: NYS ROUTE 32
SECTION 65-BLOCK 2-LOTS 16.21, 16.22 AND 25
PROJECT NUMBER: 98-20
DATE: 24 JUNE 1998

3. It is my recommendation that the Planning Board authorize the issuance of a Lead Agency Coordination Letter for the project. It would be appropriate to request a Full Environmental Assessment Form for circulation with the site plan, as part of the Lead Agency letter.

4. I have not performed a detailed review of this application, given the fact that same is being referred to the ZBA for review and action. Once the Applicant returns from the ZBA with more complete plans, I will be pleased to continue my review of the application.

Respectfully submitted,



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

MJEmk

A:NWPART2.mk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

6 July 1998

SUBJECT: N.W. PARTNERS, L.P. SITE PLAN
TOWN OF NEW WINDSOR, NEW YORK (P/B REF. NO. 98-20)

To All Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an Application for Site Plan approval of the N.W. Partners L.P. Site Plan project located off NYS Route 32 within the Town. The project involves the development of an 11,060 square foot retail building on an existing 1.79 +/- acre parcel on the east side of Route 32 in the Vails Gate area. In addition, associated site improvements including stormwater channel construction is involved. It is the opinion of the Town of New Windsor Planning Board that the action is an unlisted action under SEQRA.

This letter is written as a request for Lead Agency coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA Review Process, sent to the Town of New Windsor Planning Board, 555 Union Avenue, New Windsor, New York 12553, Attention: Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved Agency desire the Lead Agency position, it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position.

All Involved Agencies

Page 2,

6 July 1998

Attached hereto is a copy of a preliminary site development plan, with location plan, for your reference. A copy of the Full Environmental Assessment Form submitted for the project is also included.

Your attention in this matter would be most appreciated. Should you have any questions concerning this project, please do not hesitate to contact the undersigned at (914) 562-8640.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD



MARK J. EDSALL, P.E.
PLANNING BOARD ENGINEER

Enclosure

cc: NYS Department of Environmental Conservation, New Paltz
NYS Department of Transportation, Poughkeepsie
Town of New Windsor Supervisor (w/o encl)
Town of New Windsor Town Clerk (w/o encl)
Orange County Department of Planning
N.W. Partners, L.P., Applicant (w/o encl)
Planning Board Chairman (w/encl)
Planning Board Attorney (w/o encl)

A:a:nwpart.sh

RESULTS OF P.B. MEETING OF: June 24, 1998

PROJECT: W.W. Pantano L.P. Site Plan P.B.# 28.30

LEAD AGENCY:

NEGATIVE DEC:

1. **AUTHORIZE COORD LETTER:** Y N
2. **TAKE LEAD AGENCY:** Y N

M) S) VOTE: A N
CARRIED: YES NO

M) S) VOTE: A N
CARRIED: YES NO

WAIVE PUBLIC HEARING: M) S) VOTE: A N WAIVED: Y 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: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED: _____

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

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

<i>Power Pole width</i>
<i>Lots have already been combined</i>
<i>Had Just E.H.F.</i>
<i>Need letter for stream work</i>

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: N. W. Partners, L.P.

DATE: 12 January 1999

Planning Board Reference Number: PB-98-20

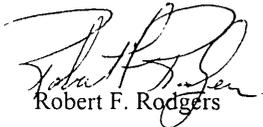
Dated: 11 January 1999

Fire Prevention Reference Number: FPS: 99-003

A review of the above referenced subject site plan was conducted on 11 January 1999.

This site plan is acceptable.

Plans Dated: 21 December 1998, Revision 1


Robert F. Rodgers



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

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

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 20

DATE PLAN RECEIVED: RECEIVED OCT - 8 1998

RECEIVED
OCT 09 1998
N.W. HIGHWAY DEPT.

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

If disapproved, please list reason _____

W. James Rella 10/19/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: October 14, 1998

SUBJECT: N.W. Partners, LP

Planning Board Reference Number: PB-98-20

Dated: 8 October 1998

Fire Prevention Reference Number: FPS-98-064

A review of the above referenced subject site plan was conducted on 9 October 1998.

This site plan is acceptable.

Plans Dated: 28 September 1998 Revision 1



Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

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

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 20

DATE PLAN RECEIVED: RECEIVED OCT - 8 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

N.W. Partners, LP has been

reviewed by me and is approved

~~disapproved~~ _____.

If ~~disapproved~~, please list reason _____

all existing bldgs. are being fed by
town water - water is available.

HIGHWAY SUPERINTENDENT DATE

Steve [Signature] 10-13-98
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

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

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

JUN 23 1998

N.W. HIGHWAY DEPT.

PLANNING BOARD FILE NUMBER: 98 - 20

DATE PLAN RECEIVED: RECEIVED JUN 19 1998

The maps and plans for the Site Approval

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

_____ has been

reviewed by me and is approved

disapproved

If disapproved, please list reason _____

W. James Sullivan 6/23/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

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

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 20

DATE PLAN RECEIVED: RECEIVED JUN 19 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of
N.W. Partners _____ has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

advise water dept. prior to
service change

HIGHWAY SUPERINTENDENT DATE

Steve J. Di... 6-22-98
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: June 23, 1998

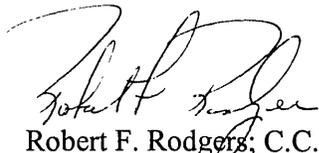
SUBJECT: N.W. Partners, L.P.

Planning Board Reference Number: PB-98-20
Dated: 19 June 1998
Fire Prevention Reference Number: FPS-98-030

A review of the above referenced subject site plan was conducted on 22 June 1998.

This site plan is acceptable.

Plans Dated: 18 June 1998.


Robert F. Rodgers; C.C.A.
Fire Inspector



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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

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

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF NEW WINDSOR P/B # 1-3 28 = 20

WORK SESSION DATE: 17 JUNE 98 APPLICANT RESUB. REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: later

PROJECT NAME: Schuyler (NW Pastress LP)

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Greg Flaw

MUNIC REPS PRESENT: BLDG INSP.
 FIRE INSP.
 ENGINEER
 PLANNER
 P/B CHMN.
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Old Windsor Farms site
- need bldg height variances
- grading, retain wall etc later
- use of bldg over R-4/C line

A

ZBA referral



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ___ Lot Line Change ___ Site Plan Special Permit ___

Tax Map Designation: Sec. 65 Block 2 Lot Formerly 16.21, 16.22, 25

1. Name of Project New Retail Building For N.W. Partners, L.P.

2. Owner of Record N.W. Partners, L.P. Phone (5180) 783-5871

Address: 582 New Loudon Road, Latham, N.Y. 12110
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Same As Applicant Phone _____

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

4. Person Preparing Plan Gregory J. Shaw, P.E. Phone 561-3695

Address: 744 Broadway, Newburgh, New York 12550
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

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

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

Gregory J. Shaw, P.E. 561-3695
(Name) (Phone)

7. Project Location:

On the east side of Windsor Highway 500 feet
(Direction) (Street) (No.)
north of Old Temple Road
(Direction) (Street)

8. Project Data: Acreage 1.79 Zone C School Dist. Newburgh Enlarged City

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? 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. Description of Project: (Use, Size, Number of Lots, etc.) Construction of a
11,060 S.F. retail building on 1.79 acres of commercial property

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 _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED 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.:

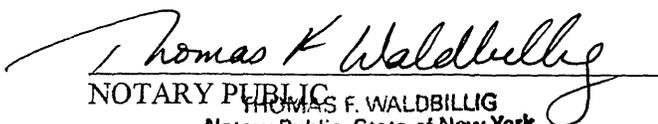
COUNTY OF ORANGE)

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:

18th DAY OF June 1998


APPLICANT'S SIGNATURE


NOTARY PUBLIC

THOMAS F. WALDBILLIG
Notary Public, State of New York
No. 4792606

Please Print Applicant's Name as Signed

Qualified in Albany County
***** Commission Expires January 31, 1999 *****

TOWN USE ONLY:

DATE APPLICATION RECEIVED

98 - 20
APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

98 - 20

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Barry B. Larner OF N.W. Partners, L.P., ^{conducts business} ~~resides~~ ^{at} _____,
(OWNER)

at 582 New Loudon Road, Latham, N.Y. _____ in the County of Albany
(OWNER'S ADDRESS)

and State of New York _____ and that he is the owner ^{of} ~~of~~ portions of property tax map

designation number (Sec. 62 Block 2 Lot 16.21)
(Sec. 62 Block 2 Lot 16.22) which is the premises described in
62 2 25
the foregoing application and that he authorizes:

Gregory J. Shaw, P.E.

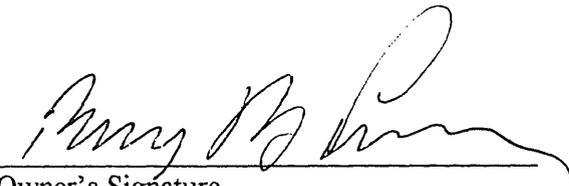
(Applicant Name & Address, if different from owner)

Gregory J. Shaw, P.E.

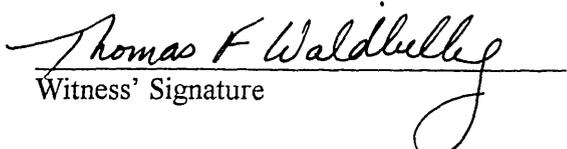
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 6-18-98



Owner's Signature



Witness' Signature

Applicant's Signature if different than owner

Representative's Signature

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR PLANNING BOARD**SITE PLAN CHECKLIST****ITEM**

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

PROPOSED IMPROVEMENTS

98 - 20

- 22. * Landscaping
- 23. * Exterior Lighting
- 24. * Screening
- 25. x Access & Egress
- 26. x Parking Areas
- 27. x Loading Areas
- 28. * Paving Details (Items 25 - 27)
- 29. x Curbing Locations
- 30. * Curbing through section
- 31. * Catch Basin Locations
- 32. * Catch Basin Through Section
- 33. * Storm Drainage
- 34. * Refuse Storage
- 35. x Other Outdoor Storage
- 36. * Water Supply
- 37. * Sanitary Disposal System
- 38. NA Fire Hydrants
- 39. x Building Locations
- 40. x Building Setbacks
- 41. * Front Building Elevations
- 42. x 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

98-20

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. NA Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
55. NA A disclosure Statement, in the form set below, must be inscribed on all subdivision 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.

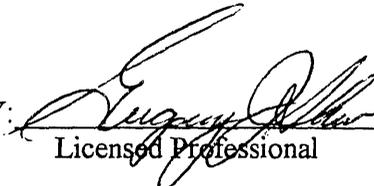
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

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 SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY:  6/18/98
Licensed Professional Date

* Denotes To Be Provided At A Later Date

PROJECT I.D. NUMBER

617.21

SEQR

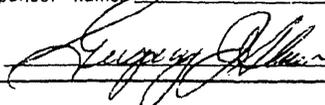
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR N.W. Partners, L.P.	2. PROJECT NAME New Retail Building For N.W. Partners, L.P.
3. PROJECT LOCATION: Municipality Town OF New Windsor County Orange	
4. PRECISE LOCATION (Street address and road Intersections, prominent landmarks, etc., or provide map) East side of Windsor Highway, 500 feet north of Old Temple Hill Road	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Construction of a 11,060 S.F. retail building on a 1.79 acre parcel of land zoned commercial	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.79</u> acres Ultimately <u>1.79</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <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(s) and permit/approvals NYS DOT-Highway Entrance Permit New Windsor ZBA - Height Variance	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input 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: N.W. Partners, L.P.	Date: June 18, 1998
Signature: 	

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

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? 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 patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No

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.
 No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
 No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
 No

C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly.
 No

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

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.

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.

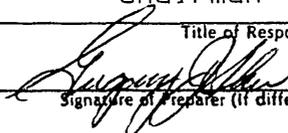
Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Town Of New Windsor Planning Board

Name of Lead Agency

James Petro Chairman

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Signature of Responsible Officer in Lead Agency  Signature of Preparer (if different from responsible officer)

Date