

**PB# 04-09**

**Moshhil, Inc.**

**67-4-21**

TOWN OF NEW WINDSOR  
PLANNING BOARD  
**APPROVED COPY**

DATE: June 1, 2005

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/31/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
SITE PLAN BOND

FOR PROJECT NUMBER: 4-10  
NAME: MONDOME, INC. (PA2004-0382)  
APPLICANT: MARY ALVA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/31/2006	SITE PLAN BOND	CHG	37950.00		
01/31/2006	REC. CK. #664	PAID		37950.00	
		TOTAL:	37950.00	37950.00	0.00





McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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

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

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

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

**MEMORANDUM**

(via fax)

27 January 2006

**TO: MICHAEL BABCOCK, BUILDING AND ZONING INSPECTOR**  
**FROM: BRENDAN MASTERSON**  
**SUBJECT: MONODOME - SITE REVIEW**  
**TOWN OF NEW WINDSOR PB 04-10**

Pursuant to Mark Edsall's request, I've reviewed site with regard to conformance with the approved site plan. In further discussion with Mark I have been advised to determine a withholding on the subject project's bond amount for the outstanding items (see attached).

The original bond amount was: \$84,051

The amount to be withheld is: \$50,000

*- 12,050 Retaining Wall*

*50,000.00  
- 12,050.00 deduct per Brendan  
\$ 37,950.00 Site Plan Bond*

It was expressed to the project owner that a bond amount would be withheld until such time as the site improvements are completed to the satisfaction of the Town. The owner was also directed to install the handicap parking complete with hardscape (asphalt or concrete) for the parking and access spaces, signage, striping, and ramp. The owner was made aware that a certificate of occupancy could not be issued until the handicap improvements were completed.

Cc: Mark Edsall, P.E. (via email)

**REGIONAL OFFICES**

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

# Law Engineering

# Consulting Engineers

744 Broadway  
P.O. Box 2569  
Newburgh, New York 12550  
(845) 561-3695

October 8, 2004 -

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

Re: New Seasonal Dome For Mondome Inc.  
380 Mt. Airy Road.

Gentlemen:

We have presented below for your consideration our Construction Estimate for the site improvements for Mondome Inc. Our Estimate is as follows:

### CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>	<i>Percent withheld</i>
Macadam Pavement	1,475 S.Y. ✓	\$ 14	\$ 20,650	100%
Pavement Markings	705 L.F. ✓	\$ .40	\$ 282	100%
Shale Parking/Drive	2,259 S.Y. ✓	\$ 6	\$ 13,554	50% \$6,777
Concrete Curbing	490 L.F. ✓	\$ 10	\$ 4,900	100%
Concrete Sidewalks	164 S.Y. -	\$ 35	\$ 5,740	15% \$861
Handicap Sign/Striping	1 ✓	\$ 125	\$ 125	100%
Fire Lane Signs	5 ✓	\$ 100	\$ 500	20% \$100
<del>4 Feet Masonry Retaining Wall</del>	482 L.F. ✓	\$ 25	\$ 12,050	100%
Split Rail Fence	315 L.F. ✓	\$ 12	\$ 3,780	10% \$378
Wheelstops	28 ✓	\$ 15	\$ 420	100%
Catch Basins	5 ✓	\$ 1,000	\$ 5,000	0
15" Storm Drain Piping	440 L.F. ✓	\$ 20	\$ 8,800	0
Rip-Rap Channel	265 L.F. ✓	\$ 20	\$ 5,300	0
F&S	1	250		250 0
Pole With Single Luminaire	3 ✓	\$ 900	\$ 2,700	
<b>Total</b>			<b>\$ 83,801</b>	<b>\$ 47,965</b>

Per Beaudun

amt to withheld \$ 50,000  
1/21/06 [Signature]

ok [Signature] 10/20/04

P.B. #04-10  
Site Plan Bond

**MONDOME, INC.**  
380 MOUNT AIRY ROAD 567-6767  
NEW WINDSOR, NY 12553

664

DATE 11/31/02

50-1386/219

PAY  
TO THE  
ORDER OF

Town of New Windsor

\$ 32,950 <sup>00</sup>/<sub>100</sub>

thirty seven thousand nine hundred fifty

DOLLARS



Draw to order  
and include  
debit to bank



FOR

*[Handwritten signature]*

⑆000664⑆ ⑆021913862⑆ ⑆20002327⑆

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/08/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303  
APPLICANT: FRIEDMAN, MOSHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/25/2005	2% OF 8833.00	CHG	176.66		
06/01/2005	REC. CK. # 501	PAID		176.66	
		TOTAL:	176.66	176.66	0.00

*[Handwritten signature]*  
6/10/05

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

**RECEIPT**  
**#522-2005**

06/10/2005

Friedman, Moshe

Received \$ 125.00 for Planning Board Fees, on 06/10/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

PB # 04-09

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/08/2005

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd  
A [Disap, Appr

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303  
APPLICANT: FRIEDMAN, MOSHE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/01/2005	PLANS STAMPED	APPROVED
06/09/2004	P.B. APPEARANCE - PUB HEAR	ND:CL PH APPR COND
	. ND: CLOSED PUBLIC HEARING - NO PUBLIC COMMENT - APPROVED	
	. CONDITIONALLY - NEED D.O.T. APPROVAL - CORRECT PLAN TO	
	. CORRESPOND WITH ZBA VARIANCES RECEIVED - NEED COST ESTIMATE	
04/28/2004	P.B. APPEARANCE	LA: SCHED PH
03/31/2004	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/08/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303  
APPLICANT: FRIEDMAN, MOSHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
/ /		PAID		0.00	
04/15/2004	REC. CK. #1295	PAID		750.00	
04/28/2004	P.B. ATTY. FEE	CHG	35.00		
04/28/2004	P.B. MINUTES	CHG	27.50		
06/09/2004	P.B. ATTY. FEE	CHG	35.00		
06/09/2004	P.B. MINUTES	CHG	38.50		
05/25/2005	P.B. ENGINEER FEE	CHG	405.90		
06/01/2005	RET. TO APPLICANT	CHG	208.10		
		TOTAL:	750.00	750.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/25/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**APPROVAL**

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303

APPLICANT: FRIEDMAN, MOSHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/25/2005	APPROVAL FEE	CHG	125.00		
		TOTAL:	125.00	0.00	125.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/25/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**4% FEE**

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303

APPLICANT: FRIEDMAN, MOSHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/25/2005	2% OF 8833.00	CHG	176.66		
		TOTAL:	176.66	0.00	176.66

Moshhil INC  
1144 RT 94  
NEW Windsor N.Y.  
845-781 0687

04-09

1 Heavy Duty Curb Type Catch Basin 6X6X6 Asto Plan  
Approved # 1500'

3 1/2" Depth Course of Item 4

2 1/2" Binder

1 1/2" top

~~3000~~ ~~14512X20~~

2400 SQ foot

2.75 Per Sq foot

OK

# 5175

NEW Curb As NYS DOT Detailed # 7.00 Per L.F. <sup>120'</sup> 80 L.F. # 560 1320.

1/8" each

6 Car parking striping 7X19 = 133 L.F STRIPING

# 13.30 48.0

1 car Handicapped Parking Striping 38 L.F. # 0.15 L.F. x 38

5.70

2 Handicapped Signs

# 38.00 150.0

19X8' No Parking striping

50.00

Two Way STRIPING

40.00'

Total

~~# 198.000~~

\$ 8833

MYRA

RECEIVED  
TOWN OF NEW WINDSOR  
MAR 15 2005  
ENGINEER & PLANNING

04-9

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/25/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303  
APPLICANT: FRIEDMAN, MOSHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/15/2004	REC. CK. #1295	PAID		750.00	
04/28/2004	P.B. ATTY. FEE	CHG	35.00		
04/28/2004	P.B. MINUTES	CHG	27.50		
06/09/2004	P.B. ATTY. FEE	CHG	35.00		
06/09/2004	P.B. MINUTES	CHG	38.50		
05/25/2005	P.B. ENGINEER FEE	CHG	405.90		
		TOTAL:	541.90	750.00	-208.10

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/25/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303  
APPLICANT: FRIEDMAN, MOSHE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/15/2004	REC. CK. #1295	PAID		750.00	
04/28/2004	P.B. ATTY. FEE	CHG	35.00		
04/28/2004	P.B. MINUTES	CHG	27.50		
06/09/2004	P.B. ATTY. FEE	CHG	35.00		
06/09/2004	P.B. MINUTES	CHG	38.50		
05/25/2005	P.B. ENGINEER FEE	CHG	405.90		
		TOTAL:	541.90	750.00	-208.10



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

**RICHARD D. McGOEY, P.E. (NY & PA)**

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**MAIN OFFICE**

33 Airport Center Drive

Suite 202

New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mheny@mhepc.com

9 May 2005

**MEMORANDUM**

**TO: MYRA MASON, PLANNING BOARD SECRETARY**

**SUBJECT: MOSHILL, INC (PB#04-09)  
SUBJECT-TO'S**

I have reviewed the aforementioned project with regards to the Board's conditional final approval given the subject-to's as recorded in the minutes of 9 June 2004.

The applicant's engineer has updated the plan to reflect the removal of the 4' x 7' parcel of the building deemed to be in close proximity to NYS RTE 94.

However, the bulk table has not been updated as required nor are have any setbacks been dimensionally shown in plan view as they were in the original plan submission.

The plan must be corrected and resubmitted.

Respectfully submitted,

**McGoey, Hauser & Edsall  
Consulting Engineers, P.C.**

---

Brendan Masterson  
Project Engineer

**REGIONAL OFFICES**

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

AS OF: 05/24/2005

PAGE 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 4- 9

FOR WORK DONE PRIOR TO: 05/24/2005

										-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE		
4-9	267904	03/17/05	TIME	MJE	MC MOSHIL W/BMM	99.00	0.40	39.60					
4-9	267921	03/18/05	TIME	MJE	MC EMC/MM MOSHIL S/P	99.00	0.20	19.80					
4-9	268296	03/18/05	TIME	BMM	MR MOSHIL PLAN COMPAR	99.00	1.00	99.00					
4-9	274575	05/05/05	TIME	MJE	MC DTSC MOSHILL W/MM	99.00	0.30	29.70					
4-9	274606	05/06/05	TIME	MJE	MC MOSHIL W/BMM	99.00	0.30	29.70					
4-9	275688	05/09/05	TIME	BMM	MR MOSHILL REVIEW	99.00	1.00	99.00					
4-9	276748	05/20/05	TIME	BMM	MR MOSHILL REVIEW	99.00	0.50	49.50					
4-9	276749	05/24/05	TIME	MJE	MC Moshil Close	99.00	0.40	39.60					
								405.90					
4-9	273940	05/02/05			BILL 05-677						-158.40		
											-158.40		
								TASK TOTAL	405.90	0.00	-158.40	247.50	
								GRAND TOTAL	405.90	0.00	-158.40	247.50	

MURA

**Coppola Associates**

---

**From:** "Myra Mason" <mmason@town.new-windsor.ny.us>  
**To:** <coppolaassociates@verizon.net>  
**Sent:** Monday, March 21, 2005 9:32 AM  
**Subject:** FW: Moshil Site Plan (NWPB 04-09)

-----Original Message-----

**From:** mje [mailto:mje@mhepc.com]  
**Sent:** Friday, March 18, 2005 1:51 PM  
**To:** Coppola Anthony; NW - Myra Mason  
**Subject:** Moshil Site Plan (NWPB 04-09)

Myra & Anthony

We reviewed the Moshil plan submitted for stamp of approval. Note the following:

The following items previously on Pietrzak & Pfau's site plan are now absent

(Bulk Table, parking calcs, lot striping detail, handicap striping detail, storm trench detail, flat top catch basin detail, and ZBA notes.)

Clarification is needed concerning the NYSDOT saw cut and sealant detail and their purpose.

The bond estimate should be increased from \$7,982 to \$8,833.

The plan must include a reference as to the source of the survey info (ie name of LS plan, who prepared for, date, etc).

Our file does not contain any further correspondence regarding the DOT approval of the entrance and work within the R.O.W.

These must be addressed before the plan can be stamped.

mark

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

3/21/2005



**STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
112 DICKSON STREET  
NEWBURGH, NY 12550-5324  
(845) 562-8368**

ROBERT A. DENNISON, III, P. E.  
REGIONAL DIRECTOR

JOSEPH H. BOARDMAN  
COMMISSIONER

February 10, 2005

Anthony J. Coppola, R.A.  
375 Third Street  
Newburgh, NY 12550

**RE: Installation of New Access Driveway for  
1144 Route 94, S.H. #154  
New Windsor, Orange County**

Dear Mr. Coppola:

This letter is to inform you that the New York State Department of Transportation has reviewed the plans submitted by your office for the above referenced project. The Department finds the conceptual plan acceptable. Upon receiving the Town of New Windsor Planning Board approval for this project, the owner will be required to submit additional sets of site plans, including traffic control plans, as well as application forms and fees to obtain a Highway Work Permit.

Please remind the applicant that no work shall be performed within the state right-of-way until a Highway Work Permit has been issued by the Department. If you have any questions, please call me at the phone number above. Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Siby Mary Zachariah-Carbone".

Siby Mary Zachariah-Carbone  
Permit Engineer, Orange County East

cc: Kenneth Dodge, R.E., Res. 8-4  
Glenn Boucher, R-8 Permits  
Mark J. Edsall, P.E., P.P., New Windsor Planning Board Engineer  
file

MOSHIL, INC. (04-09)

Mr. Moshe Friedman appeared before the board for this proposal.

MR. PETRO: Application proposes change in use from the site for development of retail and/or office on the first floor with the single caretaker apartment on the second floor. This plan was previously reviewed at the 28 April, 2004 planning board meeting. The application is before the board tonight for a public hearing, it's in an NC zone, I believe the caretaker apartment is triggering the special use permit, is that correct?

MR. EDSALL: Yes.

MR. PETRO: Use indicated permitted in the zone, the required bulk information is correct for the zone and uses, variances have been obtained relative to the site. Bring us up to date on the variances, what were they, what variances did you receive for the site?

MR. FRIEDMAN: From the ZBA approved all the variances what is needed, the parking and the road frontage and the back.

MR. PETRO: Are they on the plan?

MR. FRIEDMAN: Yes, everything's on the plan.

MR. PETRO: Do you have a plan to put up there? Everybody has a plan here, just want to make sure, Mark, you checked it, I assume they're all on the plan the variances?

MR. EDSALL: I haven't seen the ZBA's decision but they do indicate a variety of variances.

MR. PETRO: Plan is reviewed by New York State DOT, they requested additional detail. Do we have anything

here from DOT at all?

MS. MASON: Yes.

MR. PETRO: Mark, since you prepared this letter in our telephone conversation it would be necessary for you to obtain a highway work permit in connection with the proposed development site plan which was presented to me on Friday does not accurately describe the existing site conditions nor provide any level of detail on how proposed development will affect the site in the State right-of-way, should show the existing site conditions and how the proposed development will change. I suggest that you contact your engineering firm and contact them immediately, all right, so you're not close to getting a permit from the DOT, you've got work to do here.

MR. FRIEDMAN: I know, I called my engineer last week and I told him, I send them over this letter and they are now in the middle of the processing to do whatever they need.

MR. PETRO: Well, I'm just letting you know that until this is fulfilled, we cannot do a final approval. You understand that?

MR. FRIEDMAN: Yes.

MR. PETRO: Planning board may wish to make a determination regarding the type of action, we can do that later. This is a public hearing. On the 7th day of March, 2004, 32 addressed envelopes were mailed out. Someone here who'd like to speak for or against or make any comments on this application, be recognized by the Chair, come forward, state your name and address and your concern.

MR. EBERT: Jerry Ebert from The Sentinel newspaper, just a quick question, sir, where is the site of the

change?

MR. PETRO: Where is the site? It's on Route 94 about one mile outside of Vails Gate across from, you know where the tracks used to cross, approximately right there, there was a house on the right-hand side that was, it burnt down, fell down or removed, I think it was condemned.

MR. FRIEDMAN: It was removed by the Town in the court.

MR. PETRO: I think basically you wanted it, it was condemned, you wanted it rebuilt in this fashion. The Town had said no, you took--

MR. FRIEDMAN: They didn't say no, never said no.

MR. PETRO: Whatever it was, you wound up in court and the court is correcting us directing us to look at the plan and move forward so that's what we're doing. Anyone else?

MR. ARGENIO: I'll make a motion we close the public hearing for Moshil on Route 94.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Moshil, Inc. site plan on Route 94. Is there any further comment? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I will open it back up to the board for any further comment. I think you need to get DOT cleared up.

MR. FRIEDMAN: I would ask if it's a possibility to make the approval conditional on the DOT approval?

MR. BABCOCK: Just one comment, the zoning board did not give the variances based on this entire plan, there's a little section that's 4 foot by 7 foot that projects out towards 94, they told the applicant that the condition of the variance is that section has to be removed, it's too close to Route 94. So the plan needs to be corrected as far as the front yard setback and that needs to be removed.

MR. ARGENIO: Where is that on the plan?

MR. BABCOCK: It's says 4 foot by 7 foot, it's a little tiny square box and it's 4.4 feet off of the right-of-way line and the ZBA did not grant him a variance for that.

MR. PETRO: He's saying that he knows that your plan needs to be corrected.

MR. FRIEDMAN: We agreed to that.

MR. PETRO: Really you know the plan should be fixed before you have a public hearing, you're putting up a plan that's not showing what it is should be showing but it's not a major item either but it needs to be addressed. Motion for negative dec.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec under

the SEQRA process for the Moshil, Inc. site plan on Route 94. Is there any further comment from any of the board members? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: Planning board should require that a bond estimate be submitted in accordance with Chapter 19 of the Town Code, that's procedural, I do not personally have a problem with giving you a subject to final approval, you need the approval, you need the plan being corrected, that being removed and you need a change of setback, you need to change the setback on the plan because it's going to change after you remove the little--

MR. FRIEDMAN: No problem, we have to change the plan for the DOT, we'll do this also.

MR. PETRO: You understand there's going to be three subject-to's, DOT approval, and the two that you, that I just mentioned, the correct setback being shown and the removal of the little alcove sticking out there. Mark, do you have any objection to that? I don't think there's a problem, the only thing I would note is that if the DOT in their review comments makes a change of great magnitude I feel it needs to come back here, I will advise you.

MR. ARGENIO: Any quirks in the plan, Mark, where they'd have a major problem with it?

MR. EDSALL: I don't believe so, I don't really anticipate a problem, just letting you know that I have



June 9, 2004

20

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE



**STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
112 DICKSON STREET  
NEWBURGH, NY 12550-5324  
(845) 562-4020  
(845) 565-5696 PERMITS**

**WILLIAM D. FITZPATRICK, P.E.  
REGIONAL TRAFFIC ENGINEER  
(845) 575-6040**

**ROBERT A. DENNISON, III, P. E.  
REGIONAL DIRECTOR**

**JOSEPH H. BOARDMAN  
COMMISSIONER**

May 14, 2004

Mr. Moshe Friedman  
14 Fillmore Court  
Monroe, New York 10950

Re: Moshhill, Inc - Proposed Office Building  
Rte 94 - New Windsor

Dear Mr. Friedman:

As I indicated in our telephone conversation this afternoon, it will be necessary for you to obtain a highway work permit in connection with the proposed development referenced above.

The site plan which you presented to me on last Friday does not accurately describe the existing site conditions nor does it provide any level of detail as to how the proposed development will affect the State ROW. It should show the existing site conditions and how the proposed development will change them.

I suggest that you have your Engineering Firm, Pietrzak & Pfau, contact me at (845) 565-5696, if they have any questions as to what is required.

Very truly yours,

A handwritten signature in cursive script that reads "Jack Stamant".

Jack Stamant  
Permits

cc: Glenn Boucher, Traffic Engineering & Safety  
Siby Zachariah, Permit Engineer 8-4  
Town of New Windsor Planning Board  
Pietrzak & Pfau  
File  
Chrono

file disk jrs # 11

A:\moshill1.wpd

CC: M.E.



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

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

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

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

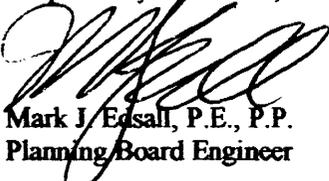
*Writer's e-mail address:*  
mje@mhepc.com

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

**PROJECT NAME:** MOSHHIL INC. SITE PLAN  
(RETAIL and/or OFFICE WITH CARETAKER APARTMENT)  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 67 – BLOCK 4 – LOT 21  
**PROJECT NUMBER:** 04-09  
**DATE:** 9 JUNE 2004  
**DESCRIPTION:** THE APPLICATION PROPOSES A CHANGE IN USE FOR THE SITE FOR DEVELOPMENT OF RETAIL AND/OR OFFICE ON THE FIRST FLOOR, WITH A SINGLE CARETAKER APARTMENT ON THE SECOND FLOOR. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 28 APRIL 2004 PLANNING BOARD MEETING. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The site is located in the NC zoning district of the Town. The uses indicated are permitted in the zone, with the caretaker apartment being a Special Permit use. The “required” bulk information is correct for the zone and uses. As noted on the plan, variances have been obtained relative to the site.
2. The plan was reviewed by NYSDOT and they have requested additional detail. Until we have some approval from DOT, approval from this Board should be deferred.
3. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
4. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Chapter 19 of the Town Code.
5. All previous comments have been addressed. If there are any new concerns identified at this meeting and Public Hearing, I will be pleased to review same, as deemed appropriate by the Board.

Respectfully Submitted,



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

MJE/st NW04-09-09June04.doc

**REGIONAL OFFICES**

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



RESULTS OF P.B. MEETING OF: June 9, 2004

PROJECT: Mashkil, Inc. P.B. # 04-09

**LEAD AGENCY:**

**NEGATIVE DEC:**

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

M) A S) S VOTE: A 5 N 0  
CARRIED: Y ✓ N    

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

PUBLIC HEARING: WAIVED:     CLOSED: ✓

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

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

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

RETURN TO WORK SHOP: Y     N    

**APPROVAL:**

*Subject to three items below:*

M) A S) S VOTE: A 5 N 0

APPROVED: 6-9-04

NEED NEW PLANS: Y ✓ N    

**CONDITIONS - NOTES:**

- ① Need D.O.T. Approval  
Jerry Ebert - Asked where the site is
- ② Correct plan to correspond with Z.B.A. - setback + 4'  
Need cost estimate

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/09/2004

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303  
APPLICANT: FRIEDMAN, MOSHE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/28/2004	P.B. APPEARANCE	LA: SCHED PH
03/31/2004	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/09/2004

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 4-9

NAME: MOSHHIL, INC. SITE PLAN (FRIEDMAN) PA2004-0303

APPLICANT: FRIEDMAN, MOSHE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	04/15/2004	EAF SUBMITTED	04/15/2004	WITH APPLIC
ORIG	04/15/2004	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	04/15/2004	LEAD AGENCY DECLARED	04/28/2004	TOOK LA
ORIG	04/15/2004	DECLARATION (POS/NEG)	/ /	
ORIG	04/15/2004	SCHEDULE PUBLIC HEARING	/ /	
ORIG	04/15/2004	PUBLIC HEARING HELD	/ /	
ORIG	04/15/2004	WAIVE PUBLIC HEARING	/ /	
ORIG	04/15/2004	PRELIMINARY APPROVAL	/ /	
ORIG	04/15/2004		/ /	



**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 **JUNE 9, 2004** at 7:30 P.M. on the approval of the proposed

Site Plan Special Permit for

**MOSHIL, INC. (Proposed retail building with caretaker apartment**

Located at **N.Y.S. ROUTE 94** (Tax Map #Section **67**, Block **4**, Lot **21**) .

Map of the proposed project is on file and may be inspected at the **Planning Board Office**, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public Hearing.

Date: MAY 17, 2004

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman

**TOWN OF NEW WINDSOR  
PLANNING BOARD**

**RECEIPT OF MONEY RECEIVED:**

DATE RECEIVED: 04-26-04

FOR: PB#04-09

FROM: MOSHHIL, INC.

14 FILLMORE CT. UNIT 201

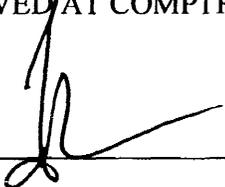
MONROE, NY 10950

CHECK NUMBER: 1295

AMOUNT: 750.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME



DATE

5/1/09

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

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

**RECEIPT**  
**#436-2004**

05/04/2004

Moshhil, Inc

Received \$ 375.00 for Planning Board Fees, on 05/04/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

PB 04-09 Site Plan App.  
Special Permit Fee



MOSHIL, INC. (04-09)

Mr. Moshil appeared before the board for this proposal.

MR. PETRO: The application proposes change in use for the site for development of retail and/or office on the first floor, single caretaker apartment on the second floor, plans reviewed on a concept basis. The site is located in the NC zoning district. How many acres do you need to have a caretaker apartment? I thought you had to have five acres? Want to look that up while we continue?

MR. BABCOCK: Sure.

MR. PETRO: Variances have been obtained relative to the site. Where is this? I want to know where it is to start with.

MR. BABCOCK: This is on 94 where M & F Plumbing and the little mall with New York-New York, right passed New York-New York, you've got a couple single-family houses and then a vacant lot, there's a vacant lot there, used to be an older house, the house was actually torn down.

MR. PETRO: But is this in Fred's building?

MR. BABCOCK: No, no, across the street and up the street, New York-New York, keep going towards Washingtonville, there's two houses and then this vacant lot where the old, where the track used to cross.

MR. PETRO: It's vacant, he wants to build it with a caretaker's apartment?

MR. BABCOCK: Yeah, there's a little history behind this. This building was there, I guess this gentleman bought it, the Town instructed him to do something with

the building and the Town didn't feel he acted in time so the Town had a contractor went in and tore the building down and we went to court and what I understand is that we didn't give him proper notice, wasn't filed properly so there was a court stipulation that the Town, he come back to the Town and build back the same footprint of the building, Andy probably knows a little bit more about this. He's been to the zoning board, the judge's ruling was he goes to the zoning board first, I suggested he came here first but they wanted to go there so he's been to the zoning board and he's got his approvals from the zoning board.

MR. PETRO: To do what?

MR. BABCOCK: To build this building.

MR. PETRO: He already had an approval to put back the building that was gone?

MR. BABCOCK: Only by the judge.

MR. PETRO: Zoning board agreed he can put the building back that was there?

MR. BABCOCK: There was a three-family house there which we believe was illegal, all right, so the uses are retail store or office on the first floor with a caretaker's apartment on the second floor.

MR. EDSALL: As was explained to me by this gentleman's attorney what they've done is they've put the building back with the same footprint but then they're putting uses in that are in conformance with the zoning, since the zoning does permit office or retail and then it also permits single living quarters on the, within the building.

MR. PETRO: In the NC zone and I'm off the, on the acreage.

MR. EDSALL: No, it's the same, 10,000 as the basic site.

MR. KRIEGER: I should say all that is correct with respect to the footprint, actually, the footprint that they have is slightly reduced because the zoning board asked them to eliminate a small portion to aid the view of motorists on 94 which they agreed to do.

MR. PETRO: So basically you can put the building back and you're going to conform with the laws as it is today anyway, so it's really not a problem.

MR. BABCOCK: As far as uses.

MR. EDSALL: They've been to the workshop a couple times, they had some other ideas, they wanted to pursue those alternates, didn't conform to the zoning so they've changed it back now to what we suggested at the workshop and they've made some other corrections so--

MR. BABCOCK: Mr. Chairman, I'm sure this gentleman's attorney was supposed to be here, he was looking around for him, he would have been able to explain that a little bit better than maybe we have.

MR. PETRO: No, you did a good job.

MR. KRIEGER: It was clear enough, the court he's referring to is the Court of Claims, by the way.

MR. PETRO: Now, the parking requirements they're going to be, everything is going to match, everything is in compliance?

MR. BABCOCK: They got a variance, I asked them to get a variance for that which they did.

MR. PETRO: Is it on the plan?

MR. BABCOCK: Yes, it is. They got a variance for four spaces, Mr. Chairman.

MR. PETRO: Motion for lead agency.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Moshil, Inc. site plan on Route 94. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MR. PETRO: Motion to schedule a public hearing.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing which is mandatory by law because of the special use permit probably for the caretaker's apartment, schedule a public hearing for the Moshil, Inc. site plan. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. MASON	AYE
MR. SCHLESINGER	AYE

MR. PETRO

AYE

MR. PETRO: Submittal of this application to New York State DOT will be required for the reconstruction of the curb cut and drainage work. You're going to have to get a work permit to get out in that road, that's for sure, per new requirements, signs required in the front of the crosshatched access lane for the handicapped parking spaces.

MR. EDSALL: That I have just been provided with a copy that now is corrected.

MR. PETRO: But the information on the plan is correct, you can get together with Myra, set up a public hearing. Thank you.



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

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
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fax: (845) 567-3232  
e-mail: mhenry@mhepc.com

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

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

**PROJECT NAME:** MOSHHIL INC. SITE PLAN  
(RETAIL and/or OFFICE WITH CARETAKER APARTMENT)  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 67 – BLOCK 4 – LOT 21  
**PROJECT NUMBER:** 04-09  
**DATE:** 28 APRIL 2004  
**DESCRIPTION:** THE APPLICATION PROPOSES A CHANGE IN USE FOR THE SITE FOR DEVELOPMENT OF RETAIL AND/OR OFFICE ON THE FIRST FLOOR, WITH A SINGLE CARETAKER APARTMENT ON THE SECOND FLOOR. THE PLAN WAS REVIEWED ON A CONCEPT BASIS.

1. The site is located in the NC zoning district of the Town. The uses indicated are permitted in the zone, with the caretaker apartment being a Special Permit use. The "required" bulk information is correct for the zone and uses. As noted on the plan, variances have been obtained relative to the site.
2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
3. The Planning Board should consider authorizing the mandatory Public Hearing for this Special Permit use, per the requirements of Paragraph 48-35A of the Town Zoning Local Law.
4. Submittal of this application/plan to the NYSDOT will be required for the reconstruction of the curb cut, and drainage work.
5. Per new code requirements, a sign is required in front of the cross-hatched access lane of the handicapped parking space. The sign must read "No Parking – Any Time". As well, the detail should be revised to provide blue and white stripes at the transition from handicapped to standard spaces.

Respectfully Submitted,

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

MJE/st  
NW04-09-28Apr04.doc

**REGIONAL OFFICES**

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



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507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhempa@mhepc.com

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

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

100-3

TOWN / VILLAGE OF: New Windsor

P/B APP. NO.: \_\_\_\_\_

WORK SESSION DATE: 31 MAR 04

PROJECT: NEW X OLD \_\_\_\_\_

REAPPEARANCE AT W/S REQUESTED: No

RESUB. REQ'D: full app.

PROJECT NAME: Moshhill Inc

REPRESENTATIVES PRESENT: Morha Friedman

MUNICIPAL REPS PRESENT:  
BLDG INSP. \_\_\_\_\_  
ENGINEER X  
P/B CHMN \_\_\_\_\_

FIRE INSP. \_\_\_\_\_  
PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

ITEMS DISCUSSED:

forget new & sign  
need to fix <sup>plg</sup> Calc  
7.31  
r2 934 have 7h (variance)

give date of variance.

Spec Permit

406  
696  
1102/170 = 7.34  
r2

STND CHECKLIST:

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

PROJECT TYPE

SITE PLAN  
SPEC PERMIT  
L L CHG.  
SUBDIVISION  
OTHER

PROJECT STATUS:

ZBA Referral: \_\_\_\_\_ Y \_\_\_\_\_ N  
Ready For Meeting \_\_\_\_\_ Y \_\_\_\_\_ N  
Recommended Mtg Date 4/14/04

# TOWN OF NEW WINDSOR

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

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change \_\_\_\_\_ Site Plan \_\_\_\_\_ Special Permit

Tax Map Designation: Sec. 67 Block 4 Lot 21

**BUILDING DEPARTMENT PERMIT NUMBER** PA 2004 - 0303

1. Name of Project \_\_\_\_\_

2. Owner of Record Moshbil INC. Phone \_\_\_\_\_

Address: 14 Fillmore CT. Monroe N.Y. 10950  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Moshe Friedman Phone 845 781 0687

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

4. Person Preparing Plan Pietrzak & Pfau Phone \_\_\_\_\_

Address: 51 Greenwich Av. suite A Goshen N.Y. 10924  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney Ben OSTRER Phone 845 469 7577

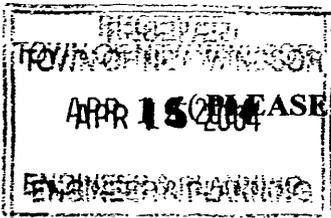
Address \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

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

<u>Moshe Friedman</u>	<u>845 781 0687</u>	
<u>Ben Ostrer</u>	<u>845 469 7577</u>	
(Name)	(Phone)	(fax)

7. Project Location: On the RT 94 side of \_\_\_\_\_  
(Direction) (Street)

8. Project Data: Acreage 0.14 Zone N.C. School Dist. NEW BERG



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

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

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

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) \_\_\_\_\_

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

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no \_\_\_\_\_

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

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

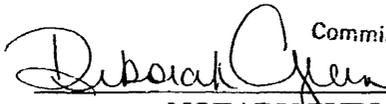
THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

15<sup>th</sup> DAY OF April 2004

  
\_\_\_\_\_  
(OWNER'S SIGNATURE)

\_\_\_\_\_  
(AGENT'S SIGNATURE)

  
\_\_\_\_\_  
NOTARY PUBLIC  
DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4964066  
Commission Expires July 15, 2007

Ben OSTRER  
\_\_\_\_\_  
Please Print Agent's Name as Signed

\*\*\*\*\*

TOWN USE ONLY  
TOWN OF WINDSOR  
APR 15 2004  
DATE APPLICATION RECEIVED

04-09  
\_\_\_\_\_  
APPLICATION NUMBER

AGENT/OWNER PROXY STATEMENT

(professional representation)



for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Moshkil Mc / Moshe Friedman, deposes and says that he resides
(OWNER)

at 14 Fillmore CT in the County of Orange
(OWNER'S ADDRESS)

and State of N.Y. and that he is the owner of property tax map

(Sec. Block Lot) designation number (Sec. Block Lot) which is the premises described in the foregoing application and that he designates:

BEN OSTREA

(Agent Name & Address)

111 Main St CHESTER NY 10918

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

as his agent to make the attached application.

THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.

SWORN BEFORE ME THIS:

15th DAY OF April 2004

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
# 4984065
Commission Expires July 15, 2007

Deborah Green
NOTARY PUBLIC

\*\* [Signature]

Owner's Signature (MUST BE NOTARIZED)

[Signature]

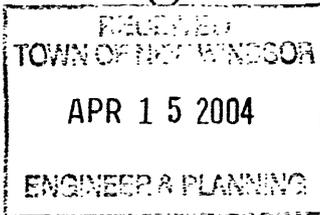
Agent's Signature (If Applicable)

[Signature]

Professional Representative's Signature

\*\* PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER



04-09

PROJECT I.D. NUMBER

617.20

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)**

<p>1. APPLICANT / SPONSOR Moshe Friedman</p>	<p>2. PROJECT NAME Moshhill, Inc.</p>
<p>3. PROJECT LOCATION: Municipality <u>New Windsor</u> County <u>Orange</u></p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Northerly side of NYS Route 94 opposite intersection with Palamino Place.</u></p>	
<p>5. IS PROPOSED ACTION:  <input checked="" type="checkbox"/> New    <input type="checkbox"/> Expansion    <input type="checkbox"/> Modification/alteration             </p>	
<p>6. DESCRIBE PROJECT BRIEFLY: <u>Site plan for first floor commercial use with second floor residential apartment</u></p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <u>0.14</u> acres    Ultimately <u>0.14</u> acres</p>	
<p>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             </p>	
<p>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:             </p>	
<p>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   <u>Zoning Board of Appeals</u> </p>	
<p>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             </p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?  <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No             </p>	
<p align="center"><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</b></p>	
<p>Applicant/sponsor name: <u>Moshe Friedman</u></p>	<p>Date: <u>3/31/04</u></p>
<p>Signature: <u><i>Moshe Friedman</i></u></p>	<p align="right">                 TOWN OF NEW WINDSOR                  APR 15 2004                  ENGINEER &amp; PLANNING             </p>

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

04-09

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

**A. DOES ACTION EXCEED ANY TYPE THRESHOLD IN 6 NYCRR, PART 617.47** If yes, complete 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 617.67** 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.
- C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly.
- C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly.
- C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly.
- C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
- C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
- C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.

**D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?**  
 Yes  No

**E. 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. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination.

\_\_\_\_\_  
 Name of Lead Agency

\_\_\_\_\_  
 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

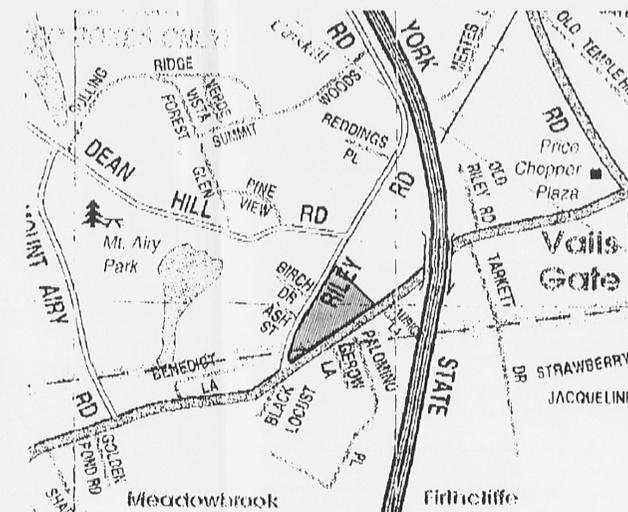
**Site Plan Notes:**

- The proposed building is for a (2) story office/retail & residential building, allowable under uses A-4 & A-7 of the Town of New Windsor Zoning Ordinance. The proposed building will not be sprinklered.
- The project applicant is Moshill Friedman, 144 Filmore Court, Monroe, NY 10950.
- All building signs shall conform to the Town of New Windsor sign ordinance Section 48-1811.
- All work completed within the D.O.E. Route 94 Right of Way shall require a work permit prior to the start of construction.

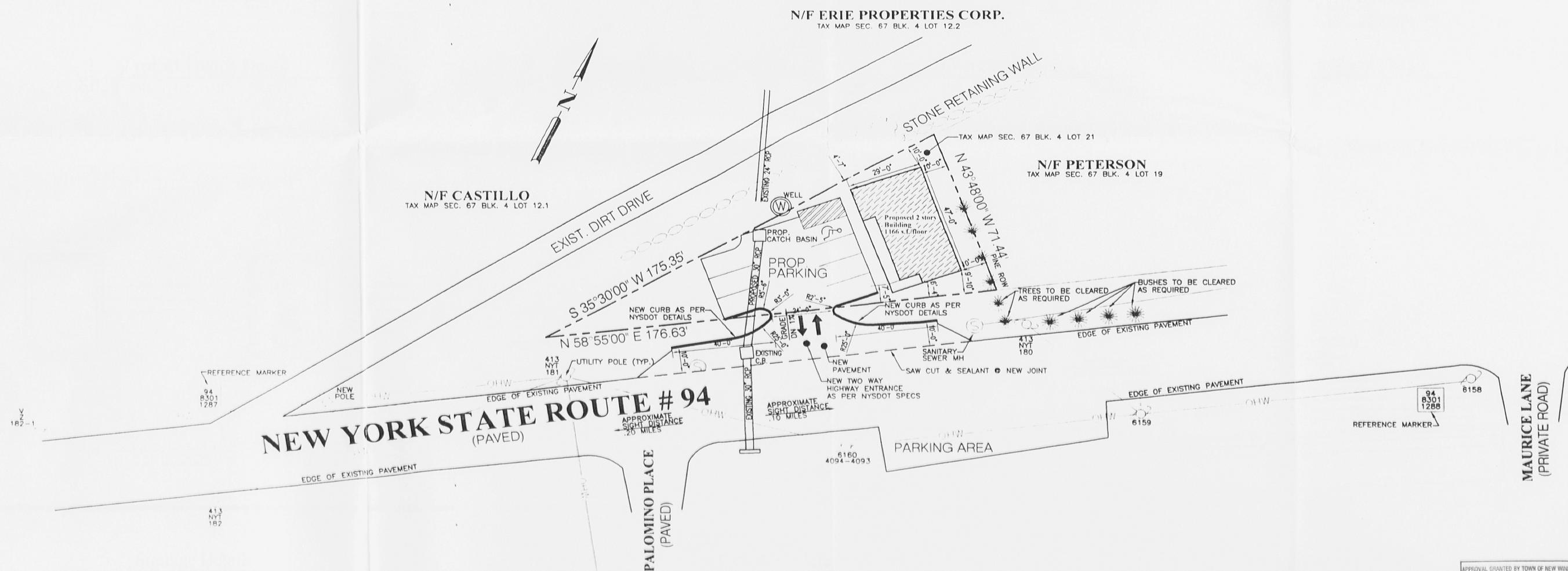
Boundary and information from an original survey by Pietrzak & Pfau PLLC dated 4/20/04.

Bulk Table Requirements for NC Zoning District		
Town of New Windsor, N.Y.		
Requirements	Required	Actual
Minimum Lot Size	10,000 s.f.	6,098 S.F. *
Lot Width	100 feet	75 FEET *
Front Yard Setback	40 feet	6.3 FEET *
Rear Yard Setback	15 feet	4.6 FEET *
Side Yard Setback	15 feet/ 35 feet combined	10 FEET / NA *
Max. Building Height	35 feet	1 Story
Required Street Frontage	NA	NA
Floor Area Ratio	1	0.40
Development Coverage	85%	59%
Parking Space Size	9'-0" x 19'-0"	9'-0" x 19'-0"
Required HC Parking	1	1
Required Parking	10	7 *

Parking Calculation:  
 1 SPACE PER 150 S.F. = 1102 S.F. / 150 = 7.35 + 2 SPACES RESIDENTIAL = 9.35 = 10 SPACES  
 \* VARIANCE GRANTED BY TOWN OF NEW WINDSOR ZONING BOARD ON 3-8-04



**4** Location Map  
 SP1 N.T.S.



**1** Site Plan  
 SP1 1"=20'-0"

**Anthony J. Coppola**  
 Design, Architecture and Planning  
 375 Third St., Newburgh, N.Y. 12550  
 Tel: 845-561-3559 Fax: 845-561-2051  
 Email: coppolaarchitect@aol.com



License Number: 018849

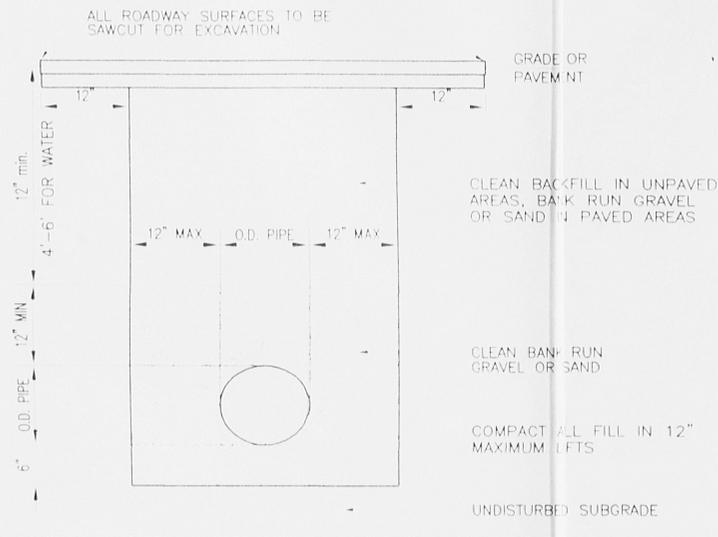
Proposed Site Plan Drawings for  
**1144 Route 94**  
 Town of New Windsor, NY

Revisions
Drawn By:
Date: 5/10/05
SCALE: As Noted
PROJECT NUMBER: 04-89

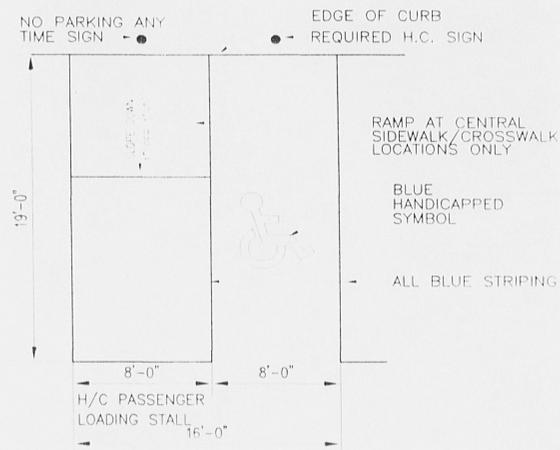
Sheet No.  
**SP1**  
 OF 2

APPROVAL GRANTED BY TOWN OF NEW WINDSOR  
 JUN - 1 2005  
 By: [Signature]  
 Town of New Windsor, N.Y.

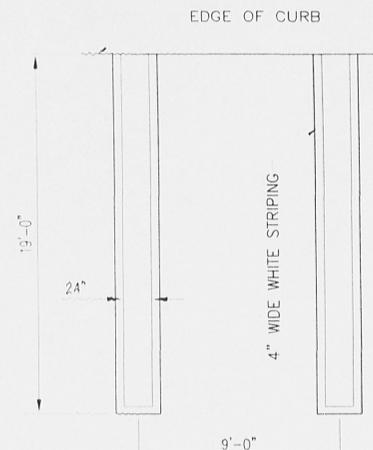
SITE PLAN AND SITE DETAILS



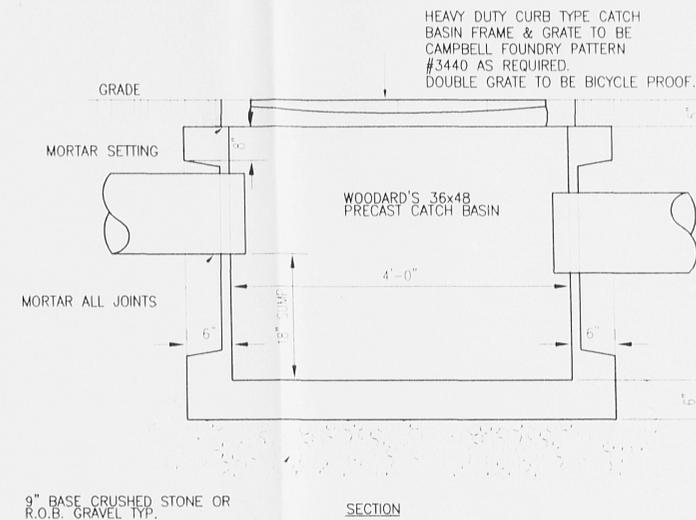
1 Typical Trench Detail  
SP2 Scale: 1-1/2" = 1'-0"



2 HC Space Detail  
SP2 Scale: 1-1/2" = 1'-0"

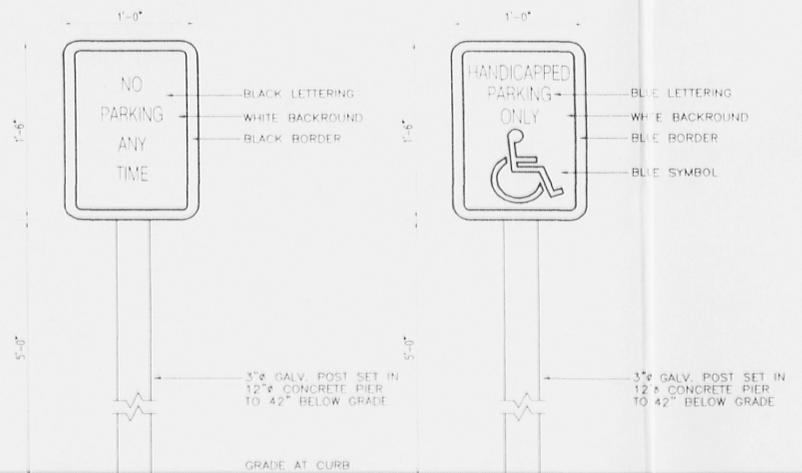


3 Typical Parking Space  
SP2 NTS

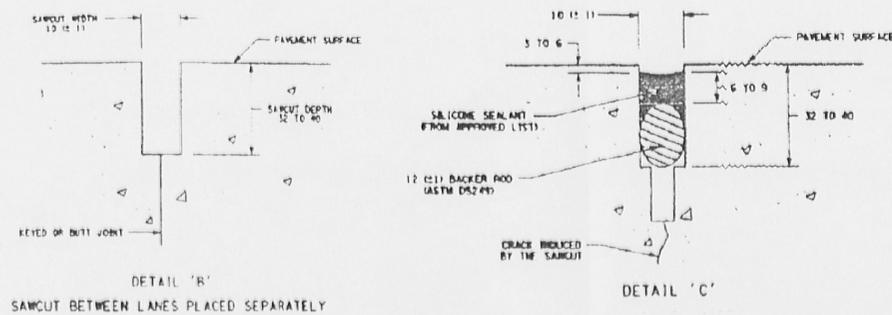


- NOTES: (RECTANGULAR)
1. ALL PIPES SHALL BE INSTALLED FLUSH WITH INSIDE WALLS.
  2. TOP OF PIPES ARE TO BE MATCHED WHERE INLET DIAMETER IS SMALLER THAN OUTLET DIAMETER.
  3. CONCRETE STRENGTH OF 4,000PSI @ 28 DAYS.
  4. REINFORCEMENT: 6"x6"x10 GA. WIRE MESH.
  5. H2O LOADING REQUIREMENT
  6. PROVIDE PROTECTION AT PERIMETER OF EACH CATCH BASIN DURING CONSTRUCTION

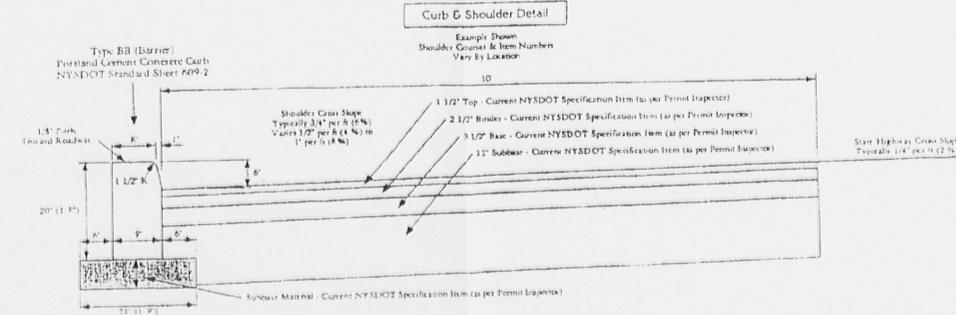
4 Catch Basin Detail  
SP2 Scale: 1-1/2" = 1'-0"



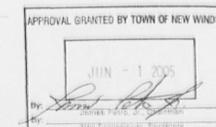
5 Signage Details  
SP2 NTS



6 NYS D.O.T. Saw Cut & Sealant Details  
SP2 NTS



7 NYS D.O.T. New Curb & Shoulder Details  
SP2 NTS



Proposed Site Plan Drawings for  
**1144 Route 94**  
Town of New Windsor, NY

Drawn By: [Blank]  
Date: 5/10/05  
Scale: As Noted  
Project Number: 04-89

Sheet No:  
**SP2**  
012

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SITE DETAILS