

PB# 01-59

**Planet Wings
(Amended SP)**

45-1-40.21

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

DATE: August 14, 2002

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

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LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 1-59

NAME: PLANET WINGS, INC. - PA2000-1196

APPLICANT: FIDANZA, FRANCO

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/14/2002	PLANS STAMPED	APPROVED
04/10/2002	P.B. APPEARANCE	LA:ND WVE PH APPR . NEED BOND ESTIMATE - NEED 20' EASEMENT IN REAR FOR DRAINAGE . ON MAP - ADDRESS MARK'S COMMENTS OF 4-10-02
10/24/2001	P.B. APPEARANCE	REFER TO ZBA . ADDRESS MARK'S COMMENTS OF 10/24/01 - BULK TABLES MUST BE . CORRECTED PRIOR TO REFERRING TO Z.B.A.
09/05/2001	WORK SESSION APPEARANCE	SUBMIT - ZBA REFERRA

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

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LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	04/04/2002	MUNICIPAL FIRE	04/05/2002	APPROVED
ORIG	10/11/2001	MUNICIPAL HIGHWAY	10/22/2001	APPROVED
ORIG	10/11/2001	MUNICIPAL WATER	10/18/2001	APPROVED
ORIG	10/11/2001	MUNICIPAL SEWER	/ /	
ORIG	10/11/2001	MUNICIPAL FIRE	10/17/2001	APPROVED
ORIG	10/11/2001	NYS DOT	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

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LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	10/11/2001	EAF SUBMITTED	10/11/2001	WITH APPLIC
ORIG	10/11/2001	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	10/11/2001	LEAD AGENCY DECLARED	04/10/2002	TOOK LA
ORIG	10/11/2001	DECLARATION (POS/NEG)	04/10/2002	DECL NEG DEC
ORIG	10/11/2001	SCHEDULE PUBLIC HEARING	/ /	
ORIG	10/11/2001	PUBLIC HEARING HELD	/ /	
ORIG	10/11/2001	WAIVE PUBLIC HEARING	04/10/2002	WAIVED PH
ORIG	10/11/2001	AGRICULTURAL NOTICES	/ /	
ORIG	10/11/2001	BUILDING DEPT REFER NUMBER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

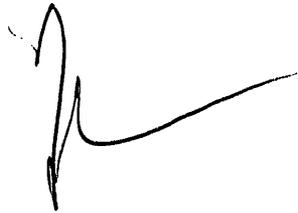
AS OF: 08/13/2002

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LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/24/2002	2% OF COST EST (13,055.00	CHG	261.10		
08/13/2002	REC. CK. #2219	PAID		261.10	
		TOTAL:	261.10	261.10	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/13/2002

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LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/11/2001	REC. CK. #1917	PAID		750.00	
10/24/2001	P.B. ATTY. FEE	CHG	35.00		
10/24/2001	P.B. MINUTES	CHG	22.50		
04/10/2002	P.B. ATTY. FEE	CHG	35.00		
04/10/2002	P.B. MINUTES	CHG	22.50		
07/24/2002	P.B. ENGINEER FEE	CHG	354.20		
08/13/2002	RET TO APPLICANT	CHG	280.80		
		TOTAL:	750.00	750.00	0.00

*Please issue a check in
the amount of \$280.80 To
Close out escrow.*



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/13/2002

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LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/24/2002	SITE PLAN APPROVAL FEE	CHG	100.00		
08/13/2002	REC CK. #2218	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/25/2002

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LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/11/2001	REC. CK. #1917	PAID		750.00	
10/24/2001	P.B. ATTY. FEE	CHG	35.00		
10/24/2001	P.B. MINUTES	CHG	22.50		
04/10/2002	P.B. ATTY. FEE	CHG	35.00		
04/10/2002	P.B. MINUTES	CHG	22.50		
07/24/2002	P.B. ENGINEER FEE	CHG	354.20		
		TOTAL:	469.20	750.00	-280.80

7/25/02

This amount is what remains of the escrow that was posted at the time of application. This amount will be returned to applicant.

m

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/25/2002

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LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/24/2002	SITE PLAN APPROVAL FEE	CHG	100.00		
		TOTAL:	100.00	0.00	100.00

check # 1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/25/2002

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LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/24/2002	2% OF COST EST (13,055.00	CHG	261.10		
		TOTAL:	261.10	0.00	261.10

*Inspection fee
Check # 2*

Mark Lyffe 9/24/02

\$16,871

GENERAL CO	0%	1
OVERHEAD	10%	1.1
PROFIT	5%	1.05
ESCALATION	0%	1
DESIGN CON	0%	1
PHASING	0%	1

PROJECTED BUDGET COSTS
 CONSULTANT:
 ADDRESS:
 INSTITUTION & STRUCTURE:
 XXXX
 DATE: JUNE 25, 2002

CONSTRUCTION
 PHILIP G. HIGBY, ARCHITECT
 148 GRANGE ROAD, OTISVILLE, N.Y.
 PLANET WINGS RESTAURANT - SITEWORK
 325 RTE. 32, VAILS GATE, N.Y.
 REVISED:

ITEM #	DESCRIPTION	QTY	MAT'L	LABOR	TOTAL
GENERAL CONDITIONS					
0	0	1	PERMITS	0	
0	0	2	FEE'S	0	
0	0	3	BONDS	0%	\$0
0	0	4	INSURANCE	0%	\$0
0	0	5			
SITWORK					
0	0	1	NEW REAR YD PVMT	0	
50	35	6	EXCAVATION	6 HRS \$347	\$243 \$589
2.2	0.45	204	GRAVEL SUB-BASE FILL	SY \$518	\$106 \$624
4.85	1.8	204	PVMT BASE COURSE	SY \$1,143	\$424 \$1,567
2.25	0.6	204	PVMT TOP COURSE	SY \$530	\$141 \$672
15	200	1	MISC GRASS RESEEDING	LS \$17	\$241 \$241
0	0	7		0	
0	0	8	FRONT YD OUTDR SEATING	0	
2	2	9	PVMT REMOVAL	80 SY \$185	\$185 \$370
50	45	6	EXCAVATION	6 HRS \$347	\$312 \$658
2.2	0.45	80	GRAVEL SUB-BASE FILL	SY \$203	\$42 \$245
2.25	2	700	BRICK PAVERS	BF \$1,819	\$1,617 \$3,436
3.75	2	32	STONE RETAIN WALL	BF \$139	\$74 \$213
100	100	3	STONE STEPS	R \$347	\$347 \$693
45	17	24	WROUGHT IRON RAILINGS	LF \$1,247	\$471 \$1,719
50	35	4	DEBRIS REMOVAL	HRS \$231	\$162 \$393
0	0	17		0	
3	7	120	NEW CONC CURBING	LF \$416	\$970 \$1,386
50	35	6	EXCAVATION	6 HRS \$347	\$243 \$589
200	200	1	PVMT REPAIR	LS \$231	\$231 \$462
0	0	21		0	
0	0	22		0	
0	0	23	NEW PLANTER AREAS	0	
15	2	15	TOPSOIL	CY \$260	\$35 \$295
25	5	10	NEW PLANTINGS	HA \$289	\$58 \$347
2.5	2	45	CEDAR MULCH	SY \$130	\$104 \$234
0	0	27		0	
0	0	28	PARKING LOT STRIPING	0	
0.6	0.15	1438	SEAL COAT EXISTING	SY \$997	\$249 \$1,246
0.18	0.05	700	YELLOW LINES	LF \$146	\$40 \$186
0.18	0.05	132	BLUE H/C LINES	LF \$27	\$8 \$35
2	35	2	H/C LOGO	HA \$5	\$81 \$85
0.18	0.05	100	DIAGONAL STRIPING	LF \$21	\$6 \$27
0	0	34		0	
0	0	35	NEW SIGNAGE	0	
45	35	2	H/C SIGNAGE	HA \$104	\$81 \$185
125	35	2	ENTRY / EXIT SIGNAGE	HA \$289	\$81 \$370
0	0	38		0	
0	0	39		0	
0	0	40		0	

X \$12/54

2448

X \$10/CP

1200

23 @ \$8

184

2 @ 125

250

CONTRACT TOTAL.....

\$16,871

INCLUDED IN CONTRACT TOTAL

\$ 13,055

- 0% GENERAL CONDITIONS
- 10% OVERHEAD
- 5% PROFIT
- 0% ESCALATION
- 0% DESIGN CONTINGENCY
- 0% PHASING

\$ 261.10 fee

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/13/2002

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LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/11/2001	REC. CK. #1917	PAID		750.00	
10/24/2001	P.B. ATTY. FEE	CHG	35.00		
10/24/2001	P.B. MINUTES	CHG	22.50		
04/10/2002	P.B. ATTY. FEE	CHG	35.00		
04/10/2002	P.B. MINUTES	CHG	22.50		
07/24/2002	P.B. ENGINEER FEE	CHG	354.20		
08/13/2002	RET TO APPLICANT	CHG	280.80		
		TOTAL:	750.00	750.00	0.00

8/13/02
L.R.

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 1- 59

FOR WORK DONE PRIOR TO: 07/24/2002

TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
1-59	167340	01/17/01	TIME	MJE	WS PLANET WINGS S/P	85.00	0.60	51.00			
1-59	181783	09/05/01	TIME	MJE	WS PLANET WINGS	85.00	0.40	34.00			
1-59	185097	10/24/01	TIME	MJE	MM Planet Wings > ZBA	85.00	0.10	8.50			
1-59	185507	10/24/01	TIME	MJE	MC PLANET WINGS	85.00	0.60	51.00			
								144.50			
1-59	187264	11/27/01			BILL 1-1089 11/27/01					-144.50	
											-144.50
1-59	189059	12/05/01	TIME	MJE	MC PLANT WINGS ZBA	85.00	0.50	42.50			
								42.50			
1-59	190689	12/31/01			BILL 02-202 1/17/02					-42.50	
											-42.50
1-59	201734	03/20/02	TIME	MJE	WS PLANET WINGS	88.00	0.40	35.20			
1-59	201968	04/10/02	TIME	MJE	MM Planet Wing S/P APPL	88.00	0.10	8.80			
1-59	202268	04/10/02	TIME	MJE	MC PLANET WINGS	88.00	0.50	44.00			
								88.00			
1-59	206934	05/30/02			BILL 02-663					-88.00	
											-88.00
TASK TOTAL								275.00	0.00	-275.00	0.00
GRAND TOTAL								275.00	0.00	-275.00	0.00

Plan OK
review cost est .4 35.20
closeout .5 44.00

354.20

RESULTS OF P. MEETING OF: *Fls April 10, 2002*

PROJECT: *Planet Wings S.P.* P.B.# *01-59*

LEAD AGENCY:

NEGATIVE DEC:

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

M) *K* S) *B* VOTE: A *4* N *0*
 CARRIED: YES NO__

M) *K* S) *B* VOTE: A *4* N *0*
 CARRIED: YES NO__

WAIVE PUBLIC HEARING: M) *B* S) *A* VOTE: A *4* N *0* 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) *B* S) *A* VOTE: A *4* N *0* APPROVED CONDITIONALLY: *4-10-02*

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<i>Need Bond Estimate</i>
<i>Need 20' easement in rear for drainage easement</i>
<i>Mark's comments of 4-10-02</i>

REGULAR ITEMS:

PLANET WINGS SITE PLAN (01-59)

Mr. Higgins appeared before the board for this proposal.

MR. PETRO: Small addition to the front of the building. This application proposes addition for additional dining area at the existing restaurant. This plan was previously reviewed at the 24 October, 2001 planning board meeting and was referred to the ZBA. It's in the C zone. What did you go to the Zoning Board for, front yard?

MR. HIGGINS: Front yard variance, yes.

MR. PETRO: You were successful in receiving that, that's why you're here, it says so on the plan?

MR. HIGGINS: Yes, received front yard variance.

MR. HIGGINS: The existing building is a 1,500 square foot structure and we're proposing to add about 120 square foot structure in the front of the building. As I mentioned, we went through, it is a non-conforming site in terms of area, it's a one and a half acre site, it's also with the front yard as I say, we went to the ZBA March 11, got the variance from a required 60 foot front yard to allow a 38 foot front yard and we have had several meetings with Mr. Edsall and basically revised the plan as per his comments, which was basically to add some, the landscaping, this landscaping that's shown here is existing right now. The only thing that we'll be adding in terms of landscaping is a little bit around the front here in this area, in terms of some low shrubbery to improve the aesthetic appearance of the building. We have sufficient parking, I believe the required was 15 or 19 spaces and we have provided 25 according to, and the required handicapped accessible spaces. I'm not sure if there's any other questions, but we have had the work sessions with Mr. Edsall, we have incorporated his comments into the plan and we're back.

April 10, 2002

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MR. ARGENIO: Mark, is the, does the handicapped sign have to be in a bollard?

MR. EDSALL: There's no requirement that it be but that many times is a good practice.

MR. PETRO: Motion for lead agency.

MR. KARNAVEZOS: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Planet Wings site plan.

ROLL CALL

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

MR. PETRO: Reviewed the resubmitted plan, have the following comments, this is from Mark, detail for signage and striping should be provided for the handicapped spaces, all other requested corrections have been included on the plan, so good job. So you have that one note there. We have fire approval on 4/5/2002. Mark, why do we need DOT?

MR. EDSALL: You don't need DOT, you're all set.

MR. BRESNAN: What's the signage going to do?

MR. HIGGINS: Existing to remain, there's a sign out front which is basically going to remain without change, there will be letters on the building but they'll comply with the current code.

MR. BRESNAN: And the one-way traffic direction.

MR. HIGGINS: Yes, they we're added, Mr. Edsall indicated that he wanted a double post, double face signage for the in and the out and they have been

added.

MR. BRESNAN: I understand.

MR. PETRO: I'm going to entertain a motion to waive the public hearing.

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for this site plan, Planet Wings site plan amendment. Is there any further discussion? If not, roll call.

ROLL CALL

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

MR. PETRO: The reason we did that is it's so minor in nature that we don't feel that it is necessary to go any further with that.

MR. HIGGINS: Appreciate that.

MR. BABCOCK: They also had a public hearing at the zoning board so people are aware.

MR. PETRO: Mark, see anything else here?

MR. EDSALL: No. As indicated, Phil's been real cooperative and did a good job on the plan. The detail really, he shows handicapped parking spaces, but we like to have a blowup detail because there's been so many mistakes by contractors we like to nail it down. The other item is on the second page, we do need the bond estimate and the last item is something that Phil didn't owe me but I owed Phil is an explanation of the drainage system in back, we were able to pull out the plans from Phase 2A of the Town's drainage construction

projects and in the rear, there's apparently already a 20 foot easement, so we need to have that verified, you should show the easement on the plan.

MR. PETRO: He shows the 20 foot setback.

MR. EDSALL: There's an easement that should be referenced. Second issue is as I understand it, there is an existing 12 inch perforated drainage pipe in the easements and that area is not to be a grassed area, unless they put grass over crushed stone with the way the town left it, they had a crushed stone inlet area to the trench drain at the back of the property, so if it's been altered, it should be returned back to being crushed stone inlet area and if it looks as if it's been piled on so our only suggestion would be that it be uncovered and the inlet, the stone inlet be returned so that the storm water can go into the piping system that the town installed.

MR. HIGGINS: Not a catch basin.

MR. EDSALL: No, it's a every, so often, there's an inlet basin for cleanout, but it's basically a long trench with perforated 12 inch polyethylene pipe and stone to the surface.

MR. HIGGINS: Now you want that cleaned, taken care of?

MR. PETRO: Just cleaned off, I see it in the picture.

MR. EDSALL: Clean it off.

MR. HIGGINS: Is there a problem with planting grass?

MR. EDSALL: Absolutely, we want stone for the 20 foot, it slows the storm water down and also provides an inlet for the trench drain.

MR. HIGGINS: Okay.

MR. PETRO: Motion for approval, I'll do the subject-to's, I'm sorry, motion for negative dec in the SEQRA process.

April 10, 2002

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MR. KARNAVEZOS: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant negative dec under the SEQRA process. Is there any further discussion? if not, roll call.

ROLL CALL

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

MR. PETRO: Motion for final approval.

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Planet Wings site plan amendment subject to a detail for signage and striping be provided for the handicapped spaces have to be on the plan.

MR. HIGGINS: I have a detail for signage, just maybe the striping.

MR. PETRO: Handicapped, all right then, the striping then, okay and secondly, you have to make a note on the plan to show the 20 foot easement. You're already showing 20 feet, just put gravel to remain, clean it and gravel to remain. Any further discussion from the board members? If not, roll call.

ROLL CALL

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



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

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

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- **Regional Office**
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Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

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

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: PLANET WINGS SITE PLAN AMENDMENT
(PROPPSED ADDITION - FRONT)

PROJECT LOCATION: NYS ROUTE 32
SECTION 45 – BLOCK 1 – LOT 40.21

PROJECT NUMBER: 01-59

DATE: 10 APRIL 2002

DESCRIPTION: THE APPLICATION PROPOSES AN ADDITION FOR ADDITIONAL DINING AREA AT THE EXISTING RESTAURANT. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 24 OCTOBER 2001 PLANNING BOARD MEETING AND WAS REFERRED TO THE ZBA.

1. The project is located in the C Zoning District of the Town. The bulk table was corrected as requested and the applicant advises that all needed variances have been obtained. A record of the ZBA determination should be on file with the planning board.
2. I have reviewed the re-submitted plan, and have the following comments:
 - A detail for signage and striping should be provided for the handicapped spaces
 - All other requested corrections have been included on the plan.
3. If not already discussed, the Planning Board should determine, for the record, if a Public Hearing will be required for this Site Plan, per its discretionary judgment under Paragraph 48-19.C of the Town Zoning Local Law.
4. The Planning Board should verify that they have assumed the position of Lead Agency under the SEQRA review process. As well, the 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.

5. The Planning Board should require that a bond estimate be submitted for this Site Plan (Subdivision) in accordance with Chapter 19 of the Town Code.
6. At the rear of the property, the applicant has maintained a 20' grass area on the site. This is the location of the drainage piping installed by the Town as part of the Phase IIA drainage project. A 12" perforated HDPE pipe exists within the 20' strip.

The existing easement at this location should be shown on the plan. As well, the area was (and may still be) a crushed stone area to receive stormwater into the system. It should be maintained as such. It is imperative that the new paving not extend any further back than as exists on adjoining properties.

Respectfully Submitted,



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

MJE/st
NW01-59-10Apr02.doc

ZONING BOARD OF APPEALS

March 11, 2002

Agenda: 7:30 p.m. - Roll Call

RECEIVED

MAR 11 2002

Motion to accept minutes of 02/25/02 meeting.

Town of New Windsor Bldg. Dept.

PRELIMINARY MEETING:

SET UP FOR P/H

- 1. **MT. AIRY ESTATES** - Request for 6 ft. front yard and 1 ft. rear yard variances for front and rear decks at 2103 Patriots Court in an R-3 zone. (77-5-13).

SET UP FOR P/H

- 2. **COPLAN, KAREN** - Request for 24.8 ft. front yard variance for existing structure with attached garage at 18 Cherie Lane in an R-4 zone. (44-1-36).

SET UP FOR P/H

- 3. **POTTER, LAURA** - Request for 11 ft. front yard variance to construct covered porch at 108 Holly Drive in an R-4 zone. (17-3-4).

SET UP FOR P/H

- 4. **BROWN, DONALD** - Request for 35 ft. 5 in. road frontage variance to construct a single-family residence on Cedar Avenue in an R-4 zone. (23-1-51).

SET UP FOR P/H

- 5. **CLEEVES/GATT** - Request for use variance for conversion of single-family to two-family at 38 Quassaick Avenue in an NC zone. (14-7-9).

PUBLIC HEARING:

APPROVED

- 6. **DIGERATU, MIRCEA** - Request for 73.5 ft. lot width and 18.5 ft. road frontage to construct a single-family residence at 537 Beattie Rd. in R-1 zone. (51-1-83.12).

TABLE 3-25-02

- 7. **DEAN, SAMUEL** - Request for variation of Sec. 48-14A(4) to allow a shed to project closer to road than principle structure on corner lot, 15 Clintonwood Dr. in an R-4 zone. (19-4-20)

APPROVED

- 8. **FIDANZA, FRANCO** - Request for 22 ft. front yard variance for addition at Planet Wings on Windsor Highway in a C zone. (45-1-40.21). sent by P.B.

Formal Decisions: (1) Betrix (2) Sisters of Presentation

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

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: 01-59

DATE: 5 DEC 01

APPLICANT: FRANCO FIDANZA

74 SUNNYSIDE AVE

MIDDLETOWN N.Y. 10940

#1 1-14-02

SET UP FOR P/H

#2 3-11-02

APPROVED

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3 OCT 01

FOR ~~SUBDIVISION~~ - SITE PLAN) _____

LOCATED AT ROUTE 32 _____

ZONE _____

DESCRIPTION OF EXISTING SITE: SEC: 45 BLOCK: 1 LOT: 40.21

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

FRONT YARD VARIANCE

(AREA AND WIDTH IF DEEMED REQ'D BY ZBA)



MICHAEL BAMCOCK, P.E. #
MICHAEL BAMCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>	<u>EATING, DRINKING ESTB.</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u>	USE <u>A-1 B</u>		
MIN. LOT AREA	<u>40 000 SF</u>	<u>22 172 SF</u>	<u>17,828 SF</u> **
MIN. LOT WIDTH	<u>200 FT</u>	<u>100 FT</u>	<u>100 FT</u> **
REQ'D FRONT YD	<u>60 FT</u>	<u>38 FT</u>	<u>22 FT</u>
REQ'D SIDE YD.	<u>30 FT</u>	<u>38 FT</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>75.7 FT</u>	<u>—</u>
REQ'D REAR YD.	<u>30 FT</u>	<u>88 FT</u>	<u>—</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT.	<u>12' FT NLL = 38 FT</u>	<u>20' 4"</u>	<u>—</u>
FLOOR AREA RATIO	<u>0.5</u>	<u>0.1</u>	<u>—</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>—</u>	<u>—</u>
DEV. COVERAGE	<u>N/A</u> %	<u>—</u> %	<u>—</u> %
O/S PARKING SPACES	<u>1/3 = 5 2/3 = 18</u>	<u>25</u>	<u>—</u>

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

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

POSSIBLE Z.B.A. REFERRALS:

PLANET WINGS AMENDED SITE PLAN (01-59)

Mr. Phillip Higby appeared before the board for this proposal.

MR. PETRO: Next possible ZBA referral Planet Wings amended site plan Route 32 represented by Mr. Higby. Is that true?

MR. HIBGY: Yes.

MR. PETRO: Proposed addition to existing restaurant. Application proposes addition dining area at the existing restaurant. Plan was reviewed on a concept basis only. Located in an NC zone district of the town. So it's a permitted use in the zone.

MR. HIBGY: Basically, what we'd be looking to do there's sitting on Route 32 currently Planet Wings restaurant owned by Mr. Finenza (phonetic) and basically we're in the neighborhood of 1,500 square feet, there's parking presently right now for I believe it's 18 cars. What we're looking to do is put on the front of the building a new entry and dining room facility to increase the dining patronage for the clients. In doing that, we're looking to add about 720 square feet and that would bring the total gross area of the building to around 2,300 square feet. In doing that, our current front setback is 68.7 feet. That will be reduced by the addition which is 30 feet, that will be reduced to 38.7 feet. A current setback requirement is 60 feet, so we would need a zoning variance because of the reduced front yard. In doing that, there's a number of things that are happening. These entrances at the front curb entrances off of 32 we're looking to basically maintain them, make them, put signage up for in and out. Currently, the traffic pattern is just exactly that one way in, one way out and to create a curbed outdoor dining setting area in front of the new dining facility and with doing that, we still have ample number of car spaces. But what's being proposed in the back here, the edge of the existing blacktop runs all through here, we're also

proposing to extend blacktop area with additional spaces and I believe the actual required car space with the dining room is required is 18 and we end up actually with 29 spaces. So we're well in excess plus we have two spaces for handicapped. The acreage is right now half acre, so that's not compliant with the current zone which I believe is 40,000 square feet. So, we're, the only thing that we're looking to do is to add on, right now, I mean, Mr. Finenza owns the franchise, Planet Wings, and he operates it also and what he's looking to do, he's looking to spruce up the facility, you know, to generate business, of course, but to spruce up the facility and at some point in time after we get the approval of this possibly there will be some renovations on the building as well to do some upgrading on that but we're really not looking to do anything. No change in the curb cuts, as I say, we do have sufficient parking now and the site is tight. There's no doubt about that. But we have ample space for driving in and backing out and it's currently landscaped, there's site lighting on the property. The drainage, there's no catch basins or anything, it's basically sheet flow from 32 back to the rear of the property. Any questions?

MR. PETRO: Conceptually, does anybody have a problem with this plan?

MR. ARGENIO: I don't, Mr. Chairman.

MR. LANDER: No, Mr. Chairman.

MR. KARNAVEZOS: No.

MR. PETRO: Mark, in the rear of the property, there's new pavement, we have a drainage easement through the back of the property, I don't see it on this plan.

MR. EDSALL: To be honest with you, I owe Phil some information that he's going to add to the plan on his way back from the ZBA to show the drainage improvements that were installed in the back.

MR. HIBGY: I believe we talked and I think you mentioned 20 or 30 feet, whatever it was, this is the

back of the property is at 20 or 30 feet.

MR. PETRO: Looks like you have enough room to miss it.

MR. EDSALL: One thing that I think would be worthwhile for the Zoning Board to see in the minutes is the fact that Phil looked at a variety of layout alternatives in order to maintain the drainage easement in the back, provide for the ability for vehicles to turn and loop around the back, he really had no choice but to move forward there. All the other options just don't work. He can't go wider, he can't go back, so the need for the variance is caused by the shape of the lot and the ability to maintain circulation in compliance with the code. So we have probably met for a year on this one.

MR. HIBGY: Quite some time, several work sessions, yeah.

MR. EDSALL: Tried a lot of alternatives, this is the best option.

MR. PETRO: Concrete pad that's existing by the garbage dumpster in the back, what's the pad for?

MR. HIBGY: Right now, it's empty and it might have been a refuse pad for possibly a dumpster, I don't know.

MR. FINENZA: Probably for cardboard, they had cardboard container there.

MR. HIBGY: Currently right now, there's a fenced area for a dumpster.

MR. PETRO: Motion for final approval.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board grant final approval to the Planet Wings site plan amendment on Route 32. Is there any further discussion from the board members? If not,

roll call.

ROLL CALL

MR. ARGENIO	NO
MR. KARNAVEZOS	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: At this time, you've been referred to the New Windsor Zoning Board for your necessary variances. If you receive those variances and wish to appear before this board, again, for site plan approval or disapproval, you're welcome to do so.

MR. HIBGY: Do you know when the next meeting is or we'll be automatically scheduled?

MS. MASON: They have to correct the bulk table first.

MR. EDSALL: We'll get the, as soon as you the plans in to us with the corrected bulk table, by then, we should have the minutes back, we take your plan with the minutes and referral form and send it over.

MR. HIBGY: But it's automatic, the town does it, I don't have to call to get on the schedule?

MR. EDSALL: No, follow up with them but once we get the plans, we'll send it over.

MR. HIBGY: Okay.

MR. PETRO: Any variances that you receive make sure they're on the plan when you come back here.

MR. HIBGY: Couple of things that Mark was talking about, there's a note here, request for the zoning variance, I mean, you know, the other things I know I have to add. So as far as the landscaping and things of that nature, as we have talked previously once we get the approval we'll come back and glad to take care of that.

MR. PETRO: Very good.

October 24, 2001

8

MR. BABCOCK: We send him a copy of that referral, right?

MS. MASON: Right, then he has to call us.

MR. BABCOCK: What happens we'll send you a copy of the referral we send to the ZBA. Once you receive that on it, it will tell you to contact the ZBA. If you contact them prior to that, they won't know what you're talking about. All right?

MR. HIBGY: Good enough.

MS. MASON: It will be a couple weeks, though.

MR. HIBGY: Thank you very much.

PHILIP G. HIGBY

Registered Architect

148 GRANGE ROAD
(845) 386-4502OTISVILLE, NEW YORK 10963
(845) 386-8020 (FAX)

November 26, 2001

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, N.Y. 12553Re: Addition to Planet Wings Restaurant
325 Windsor Highway (Rte. 32)

Att: Ms. Myra Mason

Ms. Mason;

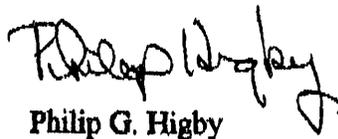
Enclosed under hand delivery, please find 4 copies of site plan drawing S1 revised November 14, 2001 to include the comments presented by Mr. Edsall at the October 24, 2001 planning board meeting.

As previously noted in the site plan application package & planning board presentation, a variance of 22 ft. (from the required 60 ft. to 38 ft.) in the front yard setback is being requested to allow the construction of the proposed addition.

Please review the revised submittal and if satisfactory schedule our project for the next available meeting of the Zoning Board of Appeals.

Should you have any questions please feel free to call.

Sincerely,



Philip G. Higby



**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
e-mail: mheny@att.net

□ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhpepa@ptd.net

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

PROJECT NAME: PLANET WINGS SITE PLAN AMENDMENT
(PROPPSED ADDITION - FRONT)

PROJECT LOCATION: NYS ROUTE 32
SECTION 45 - BLOCK 1 - LOT 40.21

PROJECT NUMBER: 01-59

DATE: 24 OCTOBER 2001

DESCRIPTION: THE APPLICATION PROPOSES AN ADDITION FOR ADDITIONAL
DINING AREA AT THE EXISTING RESTAURANT. THE PLAN WAS
REVIEWED ON A CONCEPT BASIS.

1. The project is located in the C Zoning District of the Town. The "required" bulk information shown on the plan is correct, although some corrections are needed as follows:
 - Identify Lot Area and Lot Width by asterisk as "Pre-Existing, Non-Conforming Conditions".
 - Note variances and amount requested.
 - Provide corrected value for Floor Area Ratio
 - Add Development Coverage to table (N/A)

2. I have reviewed the submitted plan in concept, and have the following initial comments:
 - The cross-hatched area and the handicapped parking spaces must be 8 ft. in width each
 - A detail for signage and striping should be provided for the handicapped spaces
 - Subsequent plans should address landscaping, lighting and drainage. The landscape plan should be coordinated with a layout for the "outside dining area.
 - One-way signs should be provided for each curb-cut.

3. The application will require area type variances from the Zoning Board of Appeals. A referral from the Planning Board at this time would be appropriate. Prior to the referral, the bulk table should be corrected. The remaining information requested can be added to the plan prior to the applicant's return to the Planning Board.

Respectfully Submitted,



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

MJE/st
NW01-59-24Oct01.doc

B.D.

ZONING BOARD OF APPEALS
ORGANIZATIONAL MEETING
JANUARY 14, 2002

PLANNING DEPARTMENT

AGENDA: ROLL CALL - 7:30 P.M. - Motion to accept 12/17/01 minutes.

2002

PRELIMINARY MEETINGS: APPROVED

RECEIVED

Cancelled

1. LEONETTI, JOHN - Request for use variance allowing used car sales in a PT zone at Mertes Lane. (68-1-7.1).

SET UP FOR P/H

2. FIDANZA, FRANCO - Referred by P.B. for a 22 ft. front yard variance to construct addition to Planet Wings on Rt. 32 in a C zone. (45-1-40.21).

Cancelled

3. BLATHE, MIKE - Request for use variance to allow construction of two-family residence at Walsh/Cedar in an R-4 zone. (14-7-24).

SET UP FOR P/H

4. FOLEY, ROBERT - Request for variation of Sec. 48-14A(4) of Supp. Yard Regs. to permit a detached garage to be constructed closer to road than principal structure at 333 Lake Road in an R-1 zone. (57-1-108).

SET UP FOR P/H

5. ROSSI/DERIENZO - Request for 28 sq. ft. sign area variance for freestanding sign at 314 Quassaick Avenue in R-4 zone. (44-1-27).

SET UP FOR P/H

6. DEAN, SAMUEL - Request for variation of Section 48-14A(4) of Supp. Yard Regs. to allow proposed shed to project closer to road than residence at 15 Clintonwood Drive in R-4 zone. (19-4-20).

PUBLIC HEARING:

APPROVED

7. LO CURTO, JOSEPH - Request for 3 ft. side yard and 5 ft. rear yard variances for existing shed at 369 Chestnut Avenue in an R-4 zone. (57-1-117).

APPROVED

8. O'KEEFE, DAVID - Request for 3 ft. side yard and 7 ft. rear yard variances for proposed above-ground pool, plus 3 ft. rear yard variance for proposed deck at 2101 Patriot Court in an R-3 zone. (77-5-14).

ELECTION OF OFFICERS FOR 2002

Formal Decisions: (1) SHEEHAN (2) DI MICELI (3) PANAGIOTOPOULOS (4) BOTZAKIS (5) BILA/ORANGE COUNTY TRUST

APPROVED

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

RESULTS OF P.B. MEETING OF: October 24 2001

PROJECT: Planet Wings Site Plan P.B.# 01-59

LEAD AGENCY:

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

NEGATIVE DEC:

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) A S) LN VOTE: A 4 N 0

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 10-24-01</i>
<i>★ The Bulk Table must be corrected before sending to ZBA.</i>

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

**RECEIPT
#994-2001**

10/17/2001

#01-59 Application fee
Planet Wings Of Nw

Received \$ 100.00 for Planning Board Fees on 10/17/2001. Thank you for stopping
by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/17/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 1-59
NAME: PLANET WINGS, INC. - PA2000-1196
APPLICANT: FIDANZA, FRANCO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/11/2001	REC. CK. #1917	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00



INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: Planet Wings, Inc.

DATE: April 5, 2002

Planning Board Reference Number: PB-01-59

Dated: 4 April 2002

Fire Prevention Reference Number: FPS-02-019

**A review of the above referenced subject site plan was conducted on
5 April 2002.**

This site plan is acceptable.

Plans Dated: 2 April 2002 Revision 2


Robert F. Rodgers

RFR/dh

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: October 17, 2001

SUBJECT: Planet Wings Inc.

Planning Board Reference Number: PB-01-59

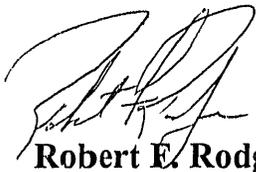
Dated: 11 October 2001

Fire Prevention Reference Number: FPS-01-157

A review of the above referenced subject site plan was conducted on 17 October 2001.

This site plan is acceptable.

Plans Dated: 3 October 2001



Robert E. 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: 01-59
DATE PLAN RECEIVED: _____
RECEIVED
OCT 11 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Planet wings _____ has been

reviewed by me and is approved

disapproved _____

~~If disapproved please list reason~~ _____

Notify water dept. if needed.

HIGHWAY SUPERINTENDENT DATE

Steve D'Amico 10-18-01
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

OCT 17 2001

N.W. HIGHWAY DEPT.

PLANNING BOARD FILE NUMBER: 01-59

RECEIVED

DATE PLAN RECEIVED: OCT 11 2001

Please return
by 10/22

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 needs dot

disapproved _____

If disapproved, please list reason _____

Henry Howell 10/22/01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
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
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # _____ - _____

WORK SESSION DATE: 5 Sept 01 APPLICANT RESUB. REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: NO

PROJECT NAME: Planet Wings

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Phil Ulfby

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

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Minimal S/P for ZBA ref

layout of bldg + pky + traffic

Bulk table + pky calc

CLOSING STATUS

- X Set for agenda after app
- _____ possible agenda item
- _____ Discussion item for agenda
- _____ ZBA referral on agenda

pbwsform 10MJE98

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. 45 Block 1 Lot 40.21

BUILDING DEPARTMENT REFERRAL NUMBER PA 2800-1196

1. Name of Project PROPOSED ADDITION TO PLANET WINGS INC.

2. Owner of Record FRANCO FRANZA Phone 914-443-5457

Address: 24 SUNNYSIDE AVE. MIDDLETOWN, N.Y. 10940
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant FRANCO FRANZA Phone 914-443-5457

Address: 24 SUNNYSIDE AVE, MIDDLETOWN, N.Y. 10940
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Philip G. Higby Phone 845-386-4502

Address: 148 GRANGE RD. CHESTER, N.Y. 10963
(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:

Philip Higby 845-386-4502
(Name) (Phone)

7. Project Location: On the EAST side of THE RD 2000 feet
(Direction) (Street) (No.)
NORTH of VAL GATE (5 CORNERS INTERSECTION)
(Direction) (Street)

8. Project Data: Acreage .5 Zone C School Dist. Newburgh

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.) Building Addition to Existing PLANET Wings RESTAURANT

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 ✓

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.

JOSEPH M. COCHRAN
Notary Public, State of New York
No. 00-604364

SWORN BEFORE ME THIS 3rd DAY OF Oct 19 2001

Francis Fioranza
APPLICANT'S SIGNATURE

Joseph M. Cochran

NOTARY PUBLIC

FRANCIS FIORANZA
Please Print Applicant's Name as Signed

TOWN USE ONLY:
RECEIVED

OCT 11 2001

DATE APPLICATION RECEIVED

01-59

APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

FRANCIS FIDANZA, deposes and says that he resides
(OWNER)

at 24 SUNNYSIDE AVE, MIDDLETOWN NY 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. 45 Block 1 Lot 40, 20) which is the premises described in

the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Philip G. Higby, Architect - 148 GRANGE RD. ORISKANY, NY 13463
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

PRESENT SITE PLAN to TOWN OF NEW WINDSOR
PLANNING BOARD & ZONING Bd. of APPEALS.

Date: 10/3/01

[Signature]
Owner's Signature

[Signature] - HSBC Bank
Witness' Signature

Applicant's Signature if different than owner

[Signature]
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.**

RECEIVED
OCT 11 2001

01-59

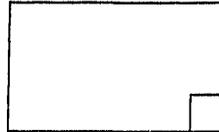
TOWN **NEW WINDSOR PLANNING BOARD**

SITE PLAN CHECKLIST

ITEM

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

SAMPLE:



3. Applicant's Name(s)
4. Applicant's Address
5. Site Plan Preparer's Name
6. Site Plan Preparer's Address
7. Drawing Date
8. _____ Revision Dates
9. Area Map Inset and 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

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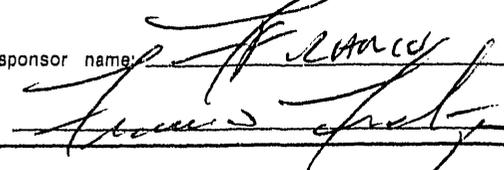
PROPOSED IMPROVEMENTS

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

PROJECT I.D. NUMBER

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 FRANCO FIDANZA	2. PROJECT NAME ADDITION TO PLANET WINGS INC.
3. PROJECT LOCATION: Municipality TOWN OF NEW WINDSOR County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 325 RTE 312. VALVE GATE.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: CONSTRUCT ADDITION TO FRONT OF EXISTING PLANET WINGS RESTAURANT	
7. AMOUNT OF LAND AFFECTED: Initially 0.5 acres Ultimately 0.5 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly FRONT YARD SETBACK VARIANCE REQUIRED FROM ZBA.	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input 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: COMMERCIAL STORE/SERVICES	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
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 checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: FRANCO FIDANZA	Date: Oct/3/01
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

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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:

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. 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:

 Name of Lead Agency

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

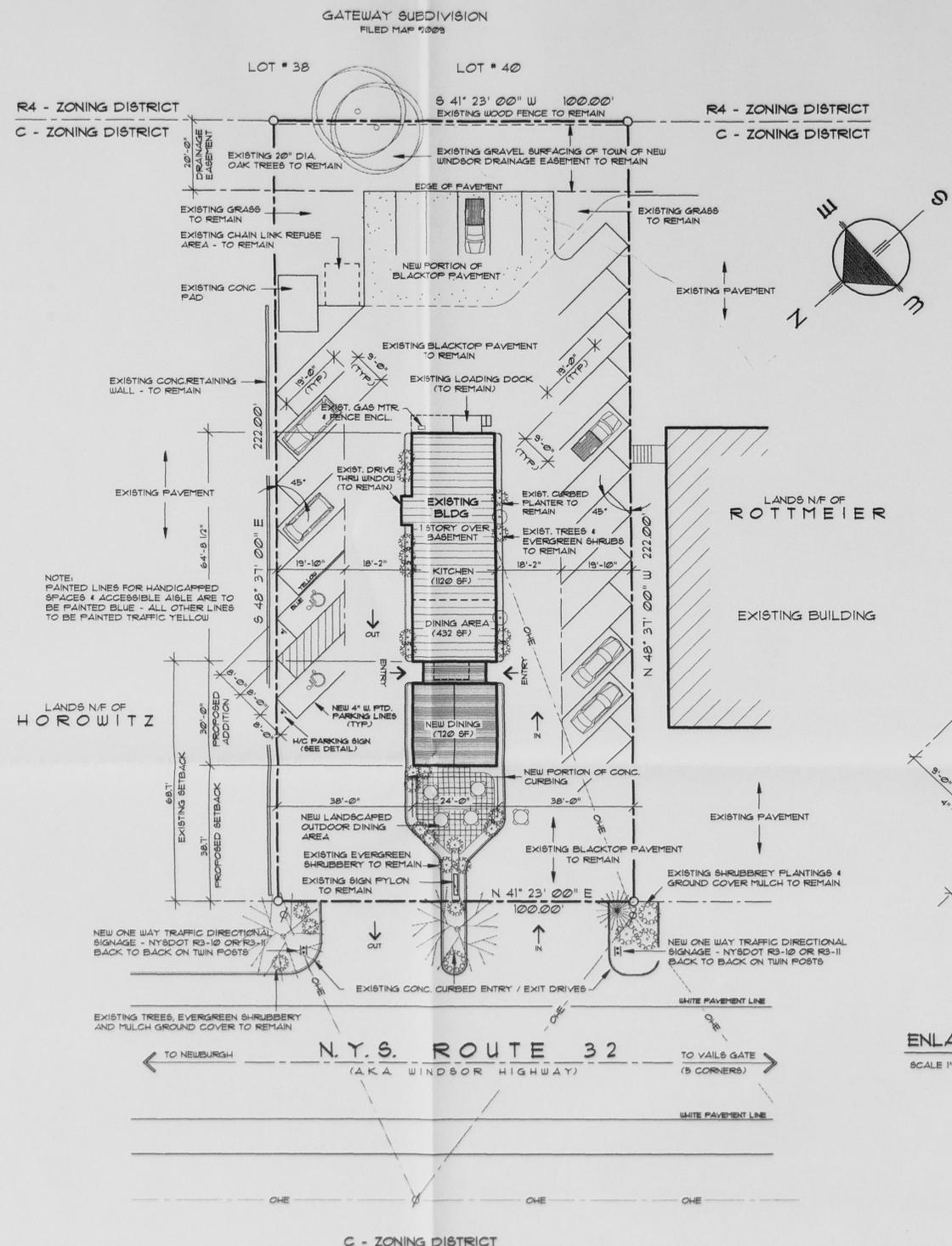
 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from responsible officer)

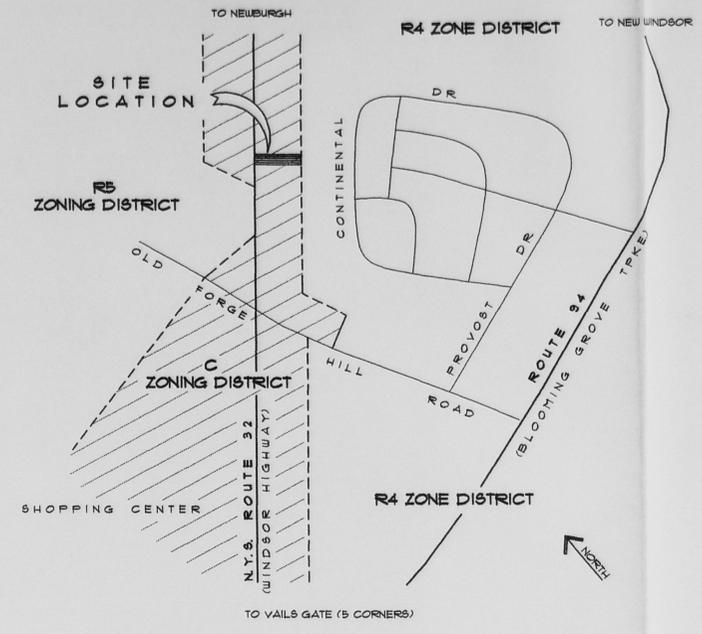
 Date

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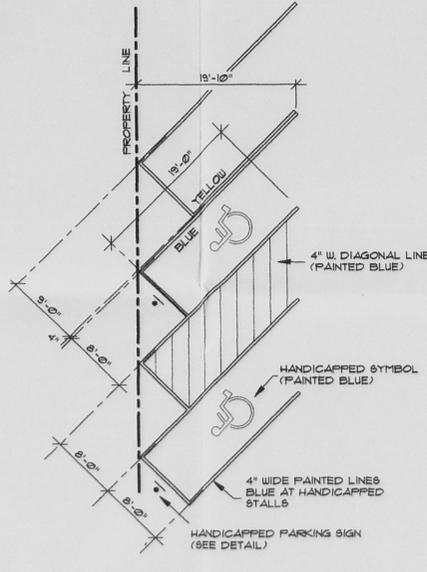
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SITE PLAN
SCALE 1" = 20'



SITE LOCATION MAP
NOT TO SCALE



HANDICAPPED PARKING SIGN DETAIL
(NOT TO SCALE)

SITE DATA:

OWNER OF RECORD / APPLICANT:
FRANCO FIDANZA
24 SUNNYSIDE AVENUE
MIDDLETOWN, NEW YORK 10940

SITE USAGE:
THE SITE IS CURRENTLY OPERATING AS A PLANET WINGS RESTAURANT WITH ON SITE FOOD PREPARATION AND DINING FOR 20 PATRONS. UNDER THIS PROPOSAL AN ADDITION IS TO BE CONSTRUCTED ON THE FRONT OF THE BUILDING TO PROVIDE A NEW ENTRY & TO EXPAND THE PATRON DINING BY 32 SEATS (FOR A TOTAL OF 52 SEATS)

SITE AREA / COVERAGE:
AREA OF SITE = 0.503 ACRE (22,172 SF)
BUILDING AREA (GROSS) = 2,272 SF TOTAL (NEW + EXISTING)
SITE COVERAGE = 10.25%

PAVEMENT AREA:
EXISTING AREA (SF / %) = 17,695 SF / 80%
COMPLETED PROJECT = 19,280 SF / 87%

BUILDING AREA: 2,272 SF (TOTAL GROSS SF)
EXISTING BUILDING:
(24' x 64'-8") = 1,552 SF GROSS BUILDING AREA
PATRON DINING AREA:
(18' x 24') = 432 SF (GROSS)
FOOD PREPARATION AREA:
(42'-8" x 24') = 1,120 SF (GROSS)

NEW BUILDING ADDITION:
PATRON DINING AREA:
(24' x 30') = 720 SF (GROSS)

TOTAL BUILDING AREA (NEW + EXISTING) = 2,272 SF (GROSS)

PARCEL IDENTIFICATION / TAX MAP INFO:
TOWN OF NEW WINDSOR TAX MAP SECTION 45, BLOCK 1, LOT 40, 21
CURRENT ADDRESS IS LISTED AS 325 ROUTE 92, NEWBURGH, N.Y.
SITE IS SERVICED WITH MUNICIPAL SEWER & WATER SERVICE
SITE IS SERVED BY VAIL'S GATE FIRE DISTRICT # 16 IN NEWBURGH SCHOOL DISTRICT
SITE IS NOT IN A DESIGNATED AGRICULTURAL DISTRICT, FLOOR PLAIN, OR WETLANDS

ZONING DATA:
PARCEL IS SITUATED IN 'C' (DESIGN SHOPPING) ZONING DISTRICT

EATING & DRINKING PLACES INCLUDING CATERING ESTABLISHMENTS IS A USE PERMITTED BY RIGHT - SITE PLAN APPROVAL BY PLANNING BOARD IS REQUIRED

TABLE OF USE / BULK REGULATIONS - 'C' DESIGN SHOPPING DISTRICT

	REQUIRED:	PROVIDED:
MINIMUM LOT AREA:	40,000 SF	22,172 SF *
LOT WIDTH:	120.0'	100.0' *
LOT DEPTH:	—	222.0'
FRONT YARD:	60'	38'
REAR YARD:	30'	88'
ONE SIDE YARD:	30'	38'
BOTH SIDE YARDS:	70'	75.1'
FLOOR AREA RATIO:	0.5	0.10
BUILDING HEIGHT (MAX HT.):	30'	20' +/-
	(12' / FT. TO LOT LINE)	
DEVELOPMENT COVERAGE:	N/A	N/A

* NON-CONFORMING, PRE-EXISTING CONDITION

VEHICLE PARKING:

COMPUTED ON THE BASIS OF REQUIREMENTS OF 'C' (DESIGN SHOPPING) DISTRICT FOR RESTAURANTS

1 SPACE / 3 SEATS
PATRON SEATING
EXISTING BUILDING = 20 SEATS
NEW BUILDING ADDITION = 32 SEATS
52 SEATS PROVIDED (TOTAL)

52 SEATS / 3 = 18 SPACES REQUIRED

VEHICLE PARKING SPACES REQUIRED = 18

VEHICLE PARKING PROVIDED: 25 (INCLUDING 2 HANDICAPPED VAN ACCESSIBLE SPACES)

SIGNAGE:

BUILDING SIGNAGE
EXISTING BUILDING SIGNAGE TO REMAIN

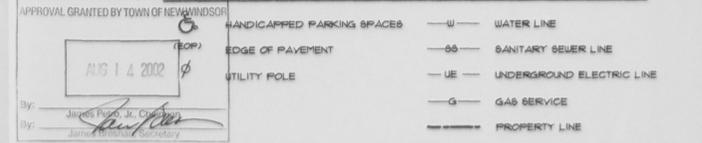
FREE STANDING (PYLON) SIGNAGE
EXISTING FREE STANDING SIGN PYLON TO REMAIN

VARIANCE REQUESTED:

A 22'-0" VARIANCE IS REQUESTED FROM THE TOWN OF NEW WINDSOR ZONING ORDINANCE TO PERMIT A FRONT YARD SETBACK OF 38'-0" IN LIEU OF THE REQUIRED 60'-0"

NOTE:
AT ITS MEETING OF MARCH 11, 2002 THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS GRANTED A 22'-0" FRONT YARD VARIANCE & ALLOWED A 38'-0" SETBACK FOR THE PROPOSED BUILDING ADDITION.

SITE LEGEND



SITE PLAN APPROVAL

TOWN OF NEW WINDSOR PLANNING BD. DATE

JAMES R. PETRO, JR., CHAIRMAN

REVISED JUNE 10, 2002 TO SHOW DRAINAGE EASEMENT AT REAR OF PROPERTY & ENLARGED DETAILS OF HANDICAPPED PARKING STRIPPING - AS PER MAY 23, 2002 FAX TRANSMITTAL OF THE PLANNING BD. COMMENT LETTER OF APRIL 10, 2002.

REVISED APRIL 2, 2002 TO SHOW GRANTING OF FRONT YARD SETBACK BY TOWN OF NEW WINDSOR ZBA & COMMENTS FROM TOWN ENGINEER AS PER MARCH 20, 2002 WORK SESSION.

REVISED NOVEMBER 14, 2001 AS PER TOWN OF NEW WINDSOR PLANNING BOARD REVIEW COMMENT LETTER OF OCTOBER 24, 2001. REVISED PARKING LAYOUT TO 45' & TOTAL VEHICLE COUNT PROVIDED.

INFORMATION FOR THIS SITE PLAN HAS BEEN TAKEN FROM A MAP ENTITLED "SURVEY OF PROPERTY FOR PLANET WINGS, INC. TOWN OF NEW WINDSOR, AS PREPARED BY JAMES DILLIN, P.L.S., GOSHEN, N.Y."

PHILIP G. HIGBY • Architect
148 Grange Road, Otisville, N.Y. 10963
(845) 386-4502 (845) 386-8020 (FAX)

PROPOSED ADDITION TO:
PLANET WINGS INC.
ROUTE 32, VAIL'S GATE, NEW YORK

SITE PLAN, DETAILS & NOTES

DATE: OCTOBER 3, 2001 SCALE: 1" = 20'
REVISION: DRAWN BY: PHILIP HIGBY CHECKED BY:

JOB No. DWG No.
SI OF