

**PB# 95-38**

**PETRO METAL, INC**

**35-1-43**

Petro Metal, Inc S.P.  
Windsor Hwy. (Shaw)

95 - 38

Approved  
3/6/96

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

# GENERAL RECEIPT

1519

Dec. 27 1995

Received of Petro Metals Inc. \$ 100.00

One Hundred 00/100 DOLLARS

For P.B. # 95-38

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 3163		100.00

By Dorothy H Hansen

Town Clerk

Title

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

Wilson Jones • Carbonless • Size 2-WCL Duplicate • Size 4-WCL Triplicate

Planning Board

Town Hall

555 Union Ave.

New Windsor, N.Y. 12555

MADE IN U.S.A.  
Wilson Jones, 1989

DATE December 27, 1995 RECEIPT NUMBER 95-38

RECEIVED FROM Petro Metals, Inc.

Address P.O. Box 928 - Uails State, N.Y. 12584

Seven Hundred Fifty 00/100 DOLLARS \$ 750.00

FOR Site Plan Escrow

ACCOUNT	HOW PAID
BEGINNING BALANCE <u>750.00</u>	CASH
AMOUNT PAID <u>750.00</u>	CHECK # <u>3164</u>
BALANCE DUE <u>-0-</u>	MONEY ORDER

A. Zapodp  
BY Thyia Mason Secy. to the P.B.

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

# GENERAL RECEIPT

15405

March 29 1996

Received of Petro Metals Inc \$ 100.00

One Hundred and 00/100 DOLLARS

For P. B. # 95-38 Approval Fees

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 3229		\$100.00

By Dorothy H. Hansen

Town Clerk

Title

© WILLIAMSON LAW BOOK CO. VICTOR NY 14564

Wilson Jones • Carbonless • Size 2-WCL Duplicate • Size 4-WCL Triplicate

DATE March 26, 1996 RECEIPT NUMBER 95-38

RECEIVED FROM Petro Metals, Inc.

CR # 3163	100.00

By Dorothy H. Hausere

Town Clerk

Title

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

Wilson Jones - Carbonless - S162-4WCL Duplicate - S161-4WCL Triplicate  
 Planning Board  
 Town Hall  
 555 Union Ave.  
 New Windsor, N.Y. 12555  
 MADE IN U.S.A.  
 © Wilson Jones, 1989

DATE December 27, 1995 RECEIPT NUMBER 95-38  
 RECEIVED FROM Petro Metals, Inc.  
 Address P.O. Box 928 - Vails Gate, N.Y. 12584  
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00  
 FOR Site Plan Escrow

ACCOUNT			HOW PAID	
BEGINNING BALANCE	750	00	CASH	
AMOUNT PAID	750	00	CHECK	#3164
BALANCE DUE	-0-		MONEY ORDER	

A. Zappolo  
 BY Thyra Mason, Secy. to the P.B.

TOWN OF NEW WINDSOR  
 555 Union Avenue  
 New Windsor, NY 12550

GENERAL RECEIPT

15405

March 29 1996

Received of Petro Metals Inc \$ 100.00  
One Hundred and 00/100 DOLLARS

For P.B. # 95-38 Approval Fees

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CR #</u>	<u>3229</u>	<u>\$100.00</u>

By Dorothy H. Hausere  
Town Clerk

Title

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

Wilson Jones - Carbonless - S162-4WCL Duplicate - S164-4WCL Triplicate  
 Planning Board  
 Town Hall  
 555 Union Ave.  
 New Windsor, N.Y. 12555  
 MADE IN U.S.A.  
 © Wilson Jones, 1989

DATE March 26, 1996 RECEIPT NUMBER 95-38  
 RECEIVED FROM Petro Metals, Inc.  
 Address P.O. Box 928 - Vails Gate, N.Y. 12584  
Nine Hundred Eighty - One 36/100 DOLLARS \$ 981.36  
 FOR 2% of cost estimate (\$49,068.00) Inspection fee.

ACCOUNT			HOW PAID	
BEGINNING BALANCE	981	36	CASH	
AMOUNT PAID	981	36	CHECK	#3230
BALANCE DUE	-0-		MONEY ORDER	

A. Zappolo  
 BY Thyra Mason, Secy. to the P.B.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/29/96

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 95-38

NAME: PETRO METALS, INC. - NEW FACILITY  
APPLICANT: PETRO METALS, INC.

---DATE---	DESCRIPTION-----	TRANS	---AMT-CHG	-AMT-PAID	---BAL-DUE
12/27/95	P.B. ATTY. FEE	CHG	35.00		
12/27/95	P.B. MINUTES	CHG	22.50		
12/27/95	REC. CK. #3164	PAID		750.00	
02/14/96	P.B. ATTY. FEE	CHG	35.00		
02/14/96	P.B. MINUTES	CHG	58.50		
03/06/96	P.B. ENGINEER FEE	CHG	179.00		
03/26/96	RETURN TO APPLICANT	CHG	420.00		
		TOTAL:	750.00	750.00	0.00

*Please issue a check in the  
amount of \$420.00 to:*

*Petro Metals, Inc.  
P.O. Box 928  
Vails Gate, N.Y. 12584*

P.B. # 95-38 Approval Fees



PETRO METALS INC.

PH. 561-1328

3229

50-693/219

MARCH 26<sup>TH</sup>, 1996

PAY TO THE ORDER OF

Town of New Windsor

\$ 100.00

ONE HUNDRED AND

DOLLARS



Key Bank of Southeastern New York N.A.  
Big V Plaza, Route 32, Vails Gate, N.Y. 12584

FOR Site Plan Approval Fee

*Samuel R. Petro Jr.*

⑈003229⑈ ⑆021906934⑆ 02⑈409208⑈1⑈

P.B. # 95-38 Inspection Fee



PETRO METALS INC.

PH. 561-1328

3230

50-693/219

MARCH 26<sup>TH</sup>, 1996

PAY TO THE ORDER OF

Town of New Windsor

\$ 981.36

NINE HUNDRED EIGHTY ONE AND

DOLLARS



Key Bank of Southeastern New York N.A.  
Big V Plaza, Route 32, Vails Gate, N.Y. 12584

FOR Site Plan Bond Fee

*Samuel R. Petro Jr.*

⑈003230⑈ ⑆021906934⑆ 02⑈409208⑈1⑈

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/29/96

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 95-38

NAME: PETRO METALS, INC. - NEW FACILITY  
APPLICANT: PETRO METALS, INC.

---DATE---	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/06/96	PLANS STAMPED	APPROVED
02/14/96	P.B. APPEARANCE	APPR. CONDITIONALLY
	. NEED WHEET STOPS ON WINDSOR HWY SIDE	
	. NEED: INCREASE SIDEWALK TO 6' - DECREASE PARKING TO 18'	
	. NEED: DOT APPROVAL	
	. NEED: COST ESTIMATE	
	. NEED: ALL HT VARIANCES NOTED ON PLAN	
	. LA:ND WAIVE P.H.	
12/27/95	P.B. APPEARANCE	REFER TO Z.B.A.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/29/96

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 95-38

NAME: PETRO METALS, INC. - NEW FACILITY  
APPLICANT: PETRO METALS, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	02/13/96	MUNICIPAL HIGHWAY	02/14/96	APPROVED
REV1	02/13/96	MUNICIPAL WATER	02/16/96	APPROVED
REV1	02/13/96	MUNICIPAL SEWER	/ /	
REV1	02/13/96	MUNICIPAL FIRE	02/28/96	APPROVED
ORIG	12/22/95	MUNICIPAL HIGHWAY	02/13/96	SUPERSEDED BY REV1
ORIG	12/22/95	MUNICIPAL WATER	12/27/95	APPROVED
ORIG	12/22/95	MUNICIPAL SEWER	02/13/96	SUPERSEDED BY REV1
ORIG	12/22/95	MUNICIPAL FIRE	02/13/96	SUPERSEDED BY REV1

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/29/96

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 95-38

NAME: PETRO METALS, INC. - NEW FACILITY  
APPLICANT: PETRO METALS, INC.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	12/27/95	EAF SUBMITTED	12/27/95	WITH APPLICATION
ORIG	12/27/95	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	12/27/95	LEAD AGENCY DECLARED	02/14/96	TOOK LEAD AGENCY
ORIG	12/27/95	REQUEST FOR INFORMATION	/ /	
ORIG	12/27/95	DECLARATION (POS/NEG)	02/14/96	DECLAR NEG DEC.

3/6/96  
Approvals

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

APPLICATION FEE:.....\$ 100.00 Pd upon applic.

\*\*\*\*\*

ESCROW:

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

MULTI-FAMILY SITE PLANS:

           UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)....\$            N/A  
           UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS)....\$             
TOTAL ESCROW PAID:.....\$           

\*\*\*\*\*

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00

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

TOTAL OF A & B: \$ 100.00 (A) Pd c/c 3229

RECREATION FEE: (MULTI-FAMILY)

~~\$500.00 PER UNIT~~ N/A  
~~NUMBER OF UNITS~~ @ \$500.00 EA. EQUALS: \$            N/A

SITE IMPROVEMENT COST ESTIMATE: \$ 49,068.00

2% OF COST ESTIMATE \$ 981.36 EQUALS \$ 981.36 (B) Pd c/c 3230

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

TO BE DEDUCTED FROM ESCROW: 330.00

RETURN TO APPLICANT: \$ 420.00

ADDITIONAL DUE: \$ X



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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

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

5 March 1996

**MEMORANDUM**

**TO:** Myra Mason, Planning Board Secretary

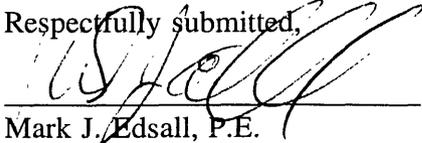
**FROM:** Mark J. Edsall, P.E., Planning Board Engineer

**SUBJECT:** PETRO METAL SITE PLAN  
NEW WINDSOR PLANNING BOARD NO. 95-38

I have received the corrected site plan and construction cost estimate for the subject project. Please be advised that the site plan appears to be revised in accordance with the discussions at the 28 February 1996 Planning Board meeting. As well, please note that the construction cost estimate appears acceptable for the purposes indicated in the Zoning Code.

Based on the base, we are aware of no reason why the plan could not receive stamp of approval, once all appropriate fees are paid.

Respectfully submitted,

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

MJEmk

A:3-5-E.mk

# Shaw Engineering

Consulting Engineers

February 28, 1996

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

**TOWN OF NEW WINDSOR PLANNING BOARD**  
555 Union Avenue  
New Windsor, New York 12550

Re: Construction Estimate For Petro Metals, Inc.

Gentlemen:

We have presented below for your consideration our construction estimate for the site improvements for the new facility for Petro Metals, Inc. Our estimate is as follows:

## CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Macadam Pavement	2,993 S.Y.	\$ 10	\$ 29,930
Shale Parking Area	325 S.Y.	\$ 5	\$ 1,625
Pavement Markings	920 L.F.	\$ .40	\$ 368
Concrete Curbing	905 L.F.	\$ 9	\$ 8,145
Handicap Sign/Striping	2	\$ 100	\$ 200
Concrete Sidewalk	200 S.Y.	\$ 15	\$ 3,000
Lampposts	2	\$ 900	\$ 1,800
Wal-Pak Lighting	8	\$ 200	\$ 1,800
Refuse Enclosure	1	\$ 200	\$ 200
Wood Fence	170	\$ 5	\$ 850
Shrubs	16	\$ 25	\$ 400
Seeding	1,500 S.Y.	\$ .50	\$ 750
<b>Total</b>			<b>\$ 49,068</b>

Should this Estimate be acceptable to your Board, my client will pay the 2% inspection fee of \$981.36.

Respectfully submitted,

**SHAW ENGINEERING**

  
Gregory J. Shaw, P.E.  
Principal

GJS:mmv

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION  
**HIGHWAY WORK PERMIT**

Permit Fee: \$ 550.00  
 Insurance Fee: \$ 175.00  
 Total Received: \$ 725.00  
 Check or M.O. No.: 3201, 3202  
 N/A

Permit No.: 8-95-1082  
 Project Identification No.:  
 Expiration Date: 03/15/97  
 SH No.: 9033  
 Deposit Rec. for \$ 1000.00  
 Check or M.O. No.: 3203  
 Dated: 02/20/96  
 Estimated Cost of Work Performed in the State Right-of-Way \$ 0.00  
 Chargeable to Bond No.:  
 or Undertaking on File: (\$ 0.00)

\*Permittee:  
 PETRO METALS, INC.  
 PO BOX 928  
 VAILS GATE, NY 12584  
 att:

Billing Address: (Complete if different from above)

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

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

CONSTRUCTION OF A NEW 25 FOOT WIDE HIGHWAY ENTRANCE ONTO NYS ROUTE 32 WITH CHANGES IN RED. THIS PROJECT SHALL COORDINATE WITH STATE PROJECT IF APPLICABLE. ALL DISTURBED AREAS WITHIN STATE R.O.W. ARE TO BE TOPSOILED, SEEDED, AND MULCHED.

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

County - ORANGE

Municipality - NEW WINDSOR

Route # - 32

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

Dated at: POUGHKEEPSIE, N.Y.  
 Date Signed: 03/12/96

Commissioner of Transportation

By: *W.D. Fitzpatrick*  
 W.D. FITZPATRICK *me*

**IMPORTANT**

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY THE RESIDENT ENGINEER,

PETER M. TELISKA  
 (914) 562-4020

112 DICKSON STREET  
 NEWBURGH, NEW YORK 12550

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

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

\_\_\_\_\_  
DATE PERMITTEE AUTHORIZED AGENT (If Any)

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

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

\_\_\_\_\_  
DATE RESIDENT ENGINEER

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

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

\_\_\_\_\_  
DATE REGIONAL TRAFFIC ENGINEER

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

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

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

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

95-1082

Application is hereby made for a highway work permit:

For Joint application, name and address of Second Applicant below:

Name Petro Metals, Inc.

Name \_\_\_\_\_

Address P.O. Box 928

Address \_\_\_\_\_

City Vails Gate State NY Zip 12584

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Federal I.D. No. or Social Security No. \_\_\_\_\_

Project Identification No. \_\_\_\_\_

Applicant Telephone # 565-1211

Contact person in case of emergency James Petro

Highway Work Permit No. \_\_\_\_\_

(include telephone number) 565-1211

RETURN PERMIT TO: (IF DIFFERENT FROM ABOVE)

RETURN OF DEPOSIT/BOND TO: (COMPLETE ONLY IF DIFFERENT FROM PERMITTEE)

Name Shaw Engineering

Name \_\_\_\_\_

Address 744 Broadway

Address \_\_\_\_\_

City Newburgh State NY Zip 12550

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

- Estimated cost of work being performed in state highway right-of-way \$ 5,000.00
- Anticipated duration of work: From March 15 19 96 thru March 15 19 97, to apply to the operation(s) checked below:
- Protective Liability Insurance covered by Policy No. \_\_\_\_\_ ; expires on FEB 23 1996
- A \$20.00 fee will be charged for checks returned by bank.

CHECK TYPE OF OPERATION	Permit Fee	Insurance Fee	Perm 17 or Under Taking	Total Amount of Fee and/or Insurance	Guarantee Deposit and/or Bond Amount	Guarantee Dep. Check Number or Bond Number
5. <input checked="" type="checkbox"/> Single job - Permit issued for each job						
a. <input checked="" type="checkbox"/> Driveway or roadway						
1. <input type="checkbox"/> Residential	\$ 15	\$ 25				
2. <input checked="" type="checkbox"/> Commercial - Minor	550	175		\$725.00	\$1,000.00	CERT CK# 3263 2/20/96
3. <input type="checkbox"/> Commercial - Major - (Less than 100,000 square feet Gross Building Area)	1400	N/A		CK#3291 2/20/96		
4. <input type="checkbox"/> Commercial - Major - (100,000 square feet Gross Building Area and Greater)	Actual cost with a minimum of \$2000 paid upon submission of permit app.	N/A		CK#3302 2/20/96		
5. <input type="checkbox"/> Subdivision Street	900	N/A				
6. <input type="checkbox"/> Temporary access road or street	200	150				
b. <input type="checkbox"/> Improvement						
1. <input type="checkbox"/> Residential	15	25				
2. <input type="checkbox"/> Commercial						
Check additional description below:						
a. <input type="checkbox"/> Install sidewalk, curb paving, stabilized shoulder, drainage, etc.	200	150				
b. <input type="checkbox"/> Grade, seed, improve land contour, clear land of brush, etc.	100	75				
c. <input type="checkbox"/> Resurface existing roadway or driveway	50	50				
c. <input type="checkbox"/> Tree Work						
1. <input type="checkbox"/> Residential	15	25				
2. <input type="checkbox"/> Commercial (not required for pruning if utility has annual maintenance permit)	25	50				
Check additional description below:						
a. <input type="checkbox"/> Removal or planting						
b. <input type="checkbox"/> Pruning, applying chemicals to stumps, etc.						
d. <input type="checkbox"/> Miscellaneous Construction						
1. <input type="checkbox"/> Beautifying ROW - (for Civic Groups only)	NC	25				
2. <input type="checkbox"/> Temporary signs, banners, Christmas decorations	25	25				
3. <input type="checkbox"/> Traffic control signals	500	175				
4. <input type="checkbox"/> Warning and entrance signs	25	50				
5. <input type="checkbox"/> Miscellaneous - Requiring substantial review	400	175				
6. <input type="checkbox"/> Miscellaneous	25	50				
6. <input type="checkbox"/> Encroachments caused by D.O.T. acquisition of property	25	50				
7. <input type="checkbox"/> Compulsory permit required for work performed at the request of D.O.T.						
a. <input type="checkbox"/> Building demolition or moving requested by D.O.T.						
1. <input type="checkbox"/> Demolition    2. <input type="checkbox"/> Moving	NC	25				
b. <input type="checkbox"/> Improvement to meet Department standards	NC	25				
8. <input type="checkbox"/> Miscellaneous	25	25				
9. <input type="checkbox"/> Adopt a Highway	NC	N/A				

PROPOSED WORK (BRIEF DESCRIPTION): Construction of a new 25 foot wide highway entrance  
onto NYS Route 32 with changes in Red

ATTACHED: Plans X Specifications \_\_\_\_\_ LOCATION: State Route 32 State Highway SH 9033  
between Reference Marker 32/8301/11.26 and Reference Marker 32/8301/11.27  
Town of: New Windsor County of: Orange

SEQR REQUIREMENTS: (Check appropriate box)

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

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

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

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

Applicant Signature [Signature] Date 2/19/96 19 \_\_\_\_

Second Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_ 19 \_\_\_\_

Approval recommended Feb 20 19 96 By Resident Engineer [Signature] Residency No. 4

Approved March 9 19 96 By Regional Traffic Engineer W. D. FitzPatrick Region No. 8

PERMIT IS ISSUED CONTINGENT UPON LOCAL REQUIREMENTS BEING SATISFIED.

[Signature]

NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
INSPECTION AND/OR SUPERVISION PAYMENT AGREEMENT  
FOR HIGHWAY WORK PERMITS

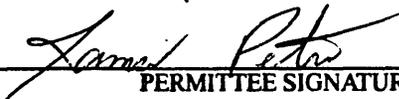
Permit No. \_\_\_\_\_

As a condition of the attached permit and in consideration of the issuance of the attached permit, Petro Metals, Inc. as permittee, hereby agrees as follows: The permittee will reimburse the New York State Department of Transportation for inspection and/or supervision of the permit work by Department employees which exceeds one work hour.

If the Department determines that the proposed work on a specific permit project will exceed five (5) workdays of inspection, the permittee will be required to secure the services of a reputable consulting engineering firm. This firm, upon approval by the Department, will be responsible for all inspection and/or supervision of the permit work.

It is estimated that \_\_\_\_\_ Work Days of inspection time will be required and that the cost per Work Day to be reimbursed, will be \$370.00. These estimates are not intended to be final and the permittee agrees to pay reimbursement for all reasonable expenses incurred by the Department of Transportation in necessary inspection and/or supervision of work performed pursuant to this permit. The Department of Transportation shall be the sole judge of whether such inspection and/or supervision is necessary.

The permittee will be billed on a monthly basis and the permittee agrees to pay the charges as billed within thirty days of the date of billing. Failure to pay as billed within the specified time limit may result in the revocation of this permit.

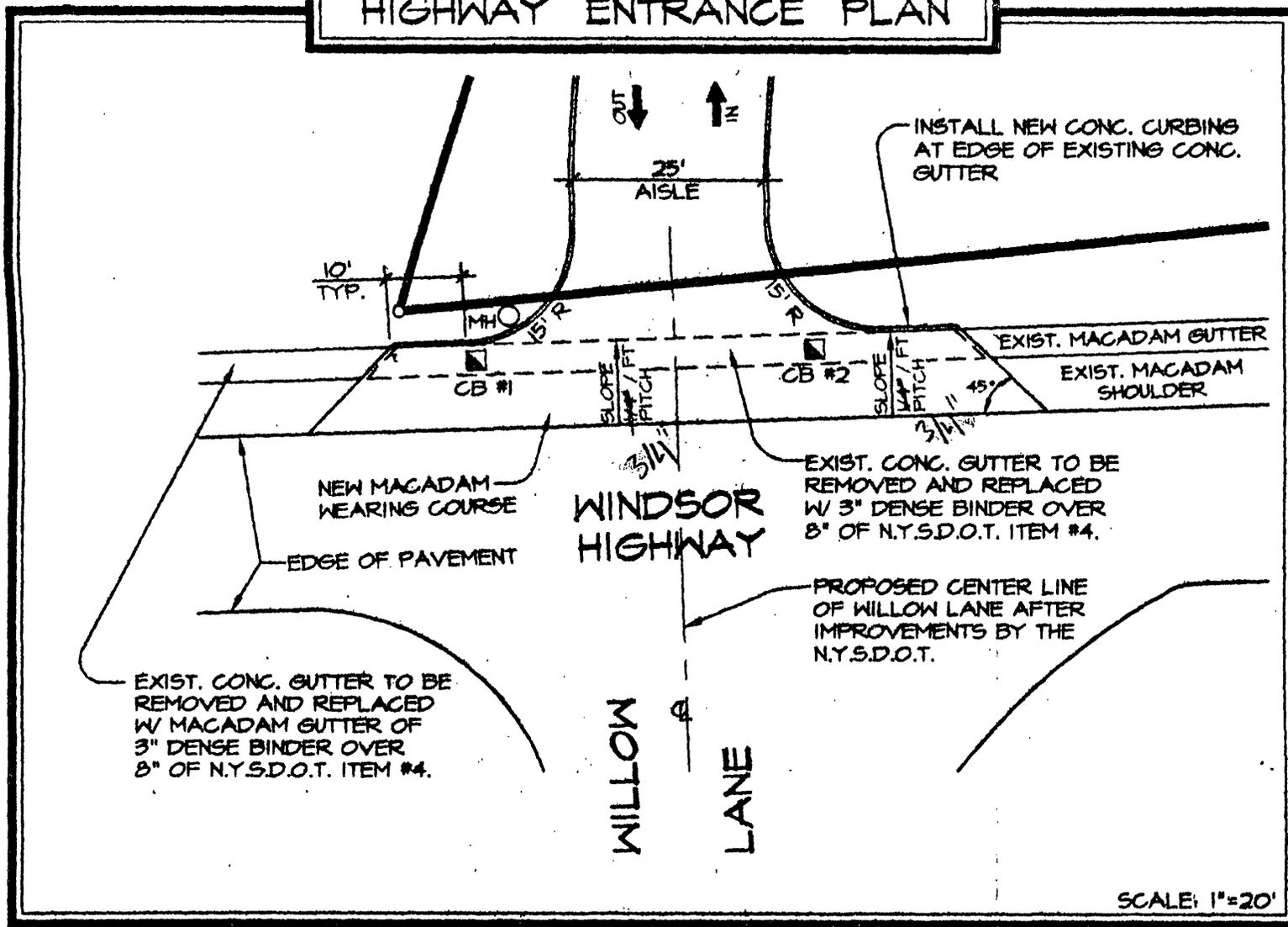
  
PERMITTEE SIGNATURE

James Petro - President  
If corporation or business, state name and position

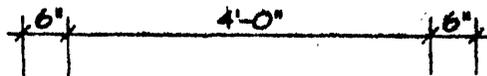
2/19/96  
Date



# HIGHWAY ENTRANCE PLAN



RETICULINE FRAME &  
CAMPBELL FOUNDRY



PETRO METALS SITE PLAN (95-38) WINDSOR HIGHWAY

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

MR. PETRO: I'm going to excuse myself and the vice chairman will conduct the meeting.

MR. LANDER: All right, Mr. Shaw, state your case.

MR. SHAW: A quick overview of the project, this application was initially presented to this board in the second meeting of December of 1995. What we are proposing is the construction of two buildings on 1.67 acres. The building which is closest to Windsor Highway is designated as a new retail or office building for a total of 4,500 square feet and the second building which is to the west of the retail building is designated as a new gymnasium that is 4,320 square feet. The parcel is located both in a C and PI zone. If you take a look at the off-street parking schedule, you'll see that we have more than enough parking for both uses. With respect to the retail we're required to provide 23 spaces with the gymnasium 14 for a total of 37. We're providing 53 spaces which will have a paved surface and we have 9 spaces which we have designated as overflow parking so we're way in excess of that which is required by the Town of New Windsor zoning ordinance. When we left this board in December, we went off to the Zoning Board of Appeals to obtain three variances and three interpretations. The interpretation one is that a gymnasium was inappropriate use in a C zone. The second interpretation was that one parking space be provided for five people for the gymnasium and the third interpretation was that the gymnasium, while it's located in a PI zone because of section 46, excuse me, 486.D which allows 30 foot encroachment into the next zone, the Zoning Board of Appeals interpreted that the entire building was in the C zone. So we're successful on all three interpretations. What we also obtained from the Zoning Board of Appeals was three variances. The variances being a side yard setback for the new gymnasium, a building height variance for the new gymnasium and the building height variance for the new

retail and office building. You will notice on the plan that we're proposing a new curb cut on Windsor Highway. I have met in the field with Don Green of the New York State DOT and we reviewed the access to the site and also reviewed the drainage. As you see we have an on-site collection system which will tie into an existing catch basin system on Windsor Highway where it crosses across Windsor Highway via 30 inch storm drain. We have located the new access to the site immediately opposite Willow Lane. The DOT will be doing some improvements, maybe not in 1996 but certainly in 1997. There will be overlaying Windsor Highway and cleaning up the intersection of Willow Avenue where it won't be as side as it is now and we have located our drive off the new alignment of Willow Avenue.

MR. DUBALDI: Lane.

MR. SHAW: Excuse me, Lane. We have already taken that into consideration. With respect to services, we'll be tying into the Town of New Windsor water system and Town of New Windsor sewer system. So that is a quick overview of the project. I'll open up to any questions that you may have in an effort to move the project forward.

MR. LANDER: Mr. Shaw, there's an existing building that will be taken down?

MR. SHAW: That will be taken down, correct.

MR. LUCAS: Is there lighting there now on that corner?

MR. SHAW: Is there lighting on that corner?

MR. LUCAS: Which will be Willow and Windsor highway, will have lighting too from supplied by the State?

MR. SHAW: I don't know, we're not proposing any lighting there, whether there's any state lighting, I couldn't say so--

MR. PETRO: Yes.

MR. DUBALDI: What kind of turnout did you get for the public hearing from the zoning board?

MR. SHAW: We had maybe about five people. We had a neighbor to the south of us and then there was a few neighbors across Windsor Highway in the residential zone on from Willow Lane area.

MR. LUCAS: What will be between the railroad and the property line as it is?

MR. SHAW: Existing vegetation, that is all it is and that railroad is up in elevation maybe about eight feet from our site.

MR. LUCAS: That is not very active is it, that spur?

MR. SHAW: No, it's not.

MR. LANDER: See a train maybe once a day.

MR. LUCAS: Not even that.

MR. BABCOCK: Now that Miron's closed, I don't think you'll see one.

MR. LANDER: I just seen one the other day or yesterday I was out there about 4 o'clock come rolling through there.

MR. STENT: You have the lighting on the property as well?

MR. SHAW: Yeah, if you take a look on the second or third drawing, you'll see I prepared a lighting plan showing the new light poles, their locations and also the wall-mounted fixtures, the illumination pattern of all the lighting.

MR. LANDER: Mr. Shaw, we have curbing coming off 32 wrapping around the parking lot, are we going to have any type of protection for these cars not to come right off the end is this going to be bermed off here in the front or see what I mean? You have 19 parking spaces in the front.

MR. SHAW: Yes, it does berm up, it probably would not hurt to put some pre-cast wheel stops.

MR. LANDER: Something just if you are not going to extend the curbing which I don't think you have to, even if it was some kind of either the bumper blocks which I don't like because they are a nuisance when it comes time for snow removal, and the applicant can put anything he wants in there, but that would be what--do you plan on, you have got a five foot wide sidewalk. Are they going to use that as a curb also cause you have got the overhang of the car is not going to be sufficient enough right in the front of the building five foot wide concrete sidewalk, we're going to come up against there. Now we're going to have 30 inches overhanging the sidewalk with the bumper, you plan on putting bumper blocks there also?

MR. SHAW: No, to be honest, I think it's probably more appropriate if we made the sidewalk six feet and reduced the parking space down to 18 feet.

MR. LANDER: Right, cause you're going to need that and I'd hate to see bumper blocks there too then people have to walk across them.

MR. SHAW: From a practical point of view, you're better off taking it from the length of the parking space and adding it to the sidewalk.

MR. LANDER: I have no problem with that, you have 25 foot wide and you only need 24.

MR. DUBALDI: What would be the problem of putting curbing on Windsor Highway side in the parking lot?

MR. SHAW: Just cost.

MR. DUBALDI: Then you're saying you're going to put in the parking bumpers?

MR. SHAW: Yeah, I think it would be good for when someone that pulls into the space that they feel something to tell them to put it in park.

MR. LUCAS: Where is the entrance now, about the same place?

MR. SHAW: Yeah, it's approximately in the same place, there really is no normal entrance, just a dirt drive that comes in. Here's the existing house which is shown dashed on the plan.

MR. DUBALDI: Do we have anything from DOT so far?

MR. LANDER: No, cause it was just verbally gone over with Don Green, right?

MR. SHAW: Correct.

MR. LANDER: Nothing formal.

MR. SHAW: We haven't made a formal submission yet.

MR. LANDER: I seen in here what's this building, what's the building going to be made of?

MR. PETRO: It's ten inch split face block.

MR. LANDER: Refuse area in the back?

MR. PETRO: There is going to be one in the rear.

MR. LANDER: Dumpster area, can we make that out of the same block?

MR. PETRO: If you notice on the south side of the site, there is a 6 foot stockade fence that is going to be by the pines. Whatever that fencing was, I was going to have some continuity and do the same thing around the dumpster area.

MR. LANDER: I see you have a fence.

MR. PETRO: Right and it's also back on the site and up against the railroad tracks.

MR. LANDER: As you know as being around here for a number of years, that is not the reason that we ask for

that. It's just as far as durability. Now prime example of that looking at Uncle Chu's is not a reflection but take a look at Uncle Chu's over there, that place is a disaster area. There's no wood fence left. That is why I frown on a wood fence. But it might be, seeing as you have got that coming around the outside over here, you might be able to continue that. Is that going to be made out of the same fence?

MR. PETRO: Same fencing, like I say, it is up against the railroad tracks.

MR. LANDER: I know a very good mason who can put that up if you wanted to.

MR. LUCAS: Elevations, ground elevations will be the same as it is now?

MR. SHAW: This around the retail building is going to be a cut situation of approximately three feet back by the retail building along the southerly property line is it's going to be a fill. The trick is to come off of Windsor Highway and get up as quickly as you can and unfortunately, we can't get up as quick as the existing grades are.

MR. LUCAS: Will you be able to see the back building over the front building?

MR. SHAW: No, not really. It's going to be three feet higher in elevation, which is negligible.

MR. LANDER: I was perusing the first page here, I didn't see a flag pole anywhere.

MR. EDSALL: Yeah, right in the front.

MR. LANDER: I just want to make sure.

MR. KRIEGER: We have always told applicants to remind them that putting a flag pole means they have to show a flag.

MR. LANDER: And also we want at least a 20 footer.

MR. DUBALDI: Does the applicant have a problem with that?

MR. BABCOCK: All the way down 32 everyone on 32 should have that.

MR. LANDER: Yeah, well, that could be arranged, just have to come back in and look for something, that is all.

MR. DUBALDI: Getting the ball rolling here.

MR. LANDER: I think we need SEQRA.

MR. DUBALDI: SEQRA, so moved.

MR. EDSALL: Given the fact that DOT's review is just going to involve the site access and I'm not quite sure that DOT really in many cases gets involved with review of other aspects, do you want to do a coordinated review and let yourself go through the SEQRA process independently, Andy, I think that is still permissible to go with an uncoordinated review?

MR. KRIEGER: Yes.

MR. EDSALL: The reason I mentioned it is if you go with a coordinated review, you have to start with the lead agency coordination letter, you have to have the notice, you have to wait for a response, it could delay your ability to act at the next meeting, if everything is resolved.

MR. SHAW: We could be six weeks off is what Mark is saying by the time we return to the board with the waiting period having passed.

MR. LANDER: Does DOT want to see the drainage that you are going to be introducing into their system?

MR. SHAW: Absolutely, we're going to have to obtain a highway work permit which not only incorporates the curb cut, but also the drainage aspects and again, all that was reviewed in detail with Mr. Green.

MR. PETRO: Mr. Lander, we met on the site with Mr. Green and Mr. Shaw and he basically told us what he wanted, that is what's incorporated on the plan, so it's just a matter of finalizing it with the letter from them.

MR. LUCAS: Does that go from the property here, pipe line to the stream that is down below where that ends up?

MR. PETRO: No, there's a, when it goes across 32, you mean, it goes to a manhole catch basin on the west side, goes underneath 32 and down into the stream eventually, I would assume.

MR. LUCAS: I always thought it might head south.

MR. PETRO: No, it goes underneath and then down.

MR. DUBALDI: I'd like to withdraw my motion that we send a coordination review letter for SEQRA and make a motion that the New Windsor Planning Board take lead agency under the SEQRA process.

MR. STENT: Second it.

MR. LANDER: Motion has been made and seconded.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LUCAS	AYE

MR. LANDER: This is first time I have seen this. We want to make sure we get everything right here. I was hoping there'd be more people out here but--

MR. DUBALDI: We'll have a public hearing, we'll get them in.

MR. STENT: Greg, at the public hearing for the zoning board, was everything pretty much addressed, the questions that came up?

MR. SHAW: Yeah, their problems were issues that we really couldn't deal with. Their concern was the traffic on Windsor Highway, that the highway should be widened, there's too much traffic, we can't solve that problem.

MR. LANDER: They do have a genuine concern about the traffic on 32, but it's not up to this applicant's or the Town of New Windsor, it's the state's problem or purview to do anything. Gentlemen?

MR. STENT: That public hearing was held last week?

MR. SHAW: Yes, it was last Monday.

MR. LANDER: We had five people and main thing was the traffic I would believe.

MR. STENT: I make a motion we waive public hearing.

MR. LUCAS: Second it.

MR. LANDER: Motion has been seconded to waive public hearing as per discretionary judgment in paragraph 1419C.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LUCAS	AYE

MR. LANDER: Until we hear from DOT, unless somebody wants to make a motion but I think it would be DOT, just a formality now anyway. Mark, is there anything else that we have to take care of before--

MR. EDSALL: No, I think you have made some good suggestions. The rest of the comments I had I dealt with Greg directly and he's incorporated those suggestions into this plan.

MR. LANDER: There's nothing on this plan that has to be changed.

MR. EDSALL: Well, if you'd care to go forward with some of your comments about the sidewalks or wheel stops, if that is something you want, it's going to have to be on the plan.

MR. LANDER: It's going to be in the best interest of the applicant to increase the width of the sidewalks so he doesn't have to fool with the bumper blocks.

MR. SHAW: We'll comply with that.

MR. LANDER: Just with liability, people walk on them in the wintertime, trip over them and I think he's better off there and then just if he wants to put wheel stops or even have a planting out in front or a berm, might better suit his needs. That is up to him. But we want to have something there so if you want to do it subject to, I'll entertain a motion for that.

MR. DUBALDI: Declare negative dec first, make a motion we declare neg dec.

MR. STENT: Second it.

MR. LANDER: Motion has been made and seconded to declare negative dec.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LUCAS	AYE

MR. LUCAS: Is there town water and sewer in that old house now, Jim?

MR. PETRO: No, there's a well.

MR. LANDER: That has been vacant.

MR. LUCAS: The water, sewer is on that side of the road?

MR. SHAW: On the, well, in front of the property, I have a 10 inch main, a 20 inch main and a 16 inch main

crossing over to the other side of 32 and there is sanitary sewer on the, along the southerly property line.

MR. LUCAS: Hydrant anywhere?

MR. LANDER: I think there is a hydrant right next door, isn't there? I don't see it on here but I think on Chaleff's property, that's not quite clear on this. Well, Mr. Shaw, again you haven't done a bad job on this. I think you have addressed all the issues, it looks pretty good. Does anybody have anything else? The building in the, rear building, I would call building 2, that is going to be made out of the same material?

MR. PETRO: Yes.

MR. LANDER: Finally there's going to be something there besides that white house and all the trees and the brush, it was a mess, let me tell you, it was a mess.

MR. DUBALDI: Make a motion we grant final approval to the Petro Metals site plan subject to DOT approval and letter from them and also the applicant will provide either bumpers or widening of the sidewalk to avoid the cars going over on the sidewalk and put that on the plan.

MR. LANDER: And also the bumpers and berm in the front of the property so the cars don't go off the embankment.

MR. DUBALDI: Add that to that.

MR. EDSALL: One other thing that Greg when he's modifying the plan, I believe some of the variances you mentioned don't include the little number two notation, just make sure the variances, I believe the height variances and you don't have the two for that, just make sure all the variances you got have the right notation so that in the future you'll have proper reference.

MR. LANDER: Mr. Stent, make sure all this is on here before you sign this.

MR. BABCOCK: Can they do these since these are more suggestions than your requirements, can they do these with just a note on the plan?

MR. LANDER: As far as?

MR. BABCOCK: As far as the sidewalk and the bumper blocks.

MR. DUBALDI: Just change the plan.

MR. SHAW: I can change the plan, it's Jimmy's money.

MR. BABCOCK: Since it's a suggestion.

MR. LANDER: I would rather see it on the plan, not to belabor this.

MR. EDSALL: The front one I think.

MR. KRIEGER: It's clearly--

MR. EDSALL: As far as the front one, Ron, with either the bumpers, wheel stops or the berm, that is probably better off with a note because that is something he is going to deal with in the field.

MR. LANDER: Mr. Shaw, change the sidewalk from five to six feet, if you think six feet is appropriate.

MR. BABCOCK: It's done.

MR. DUBALDI: My motion includes the previous comments and remind the chair the motion is on the floor.

MR. LANDER: We still have a motion on the floor. Doesn't have a second yet, might die for lack of a second.

MR. LUCAS: I'll second it.

MR. LANDER: Motion has been made and seconded to grant

final approval on the Petro Metals site plan.

ROLL CALL

MR. DUBALDI                    AYE  
MR. STENT                      AYE  
MR. LUCAS                      AYE

MR. SHAW: Mr. Chairman, just one other thought which Mike mentioned to me, your question before about comments at the Zoning Board of Appeals, the only other comment that came out was the hours of operation and our response to the people in the audience at that time was we don't regulate uses in a C zone or Town of New Windsor historically hasn't regulated uses in a C zone.

MR. BABCOCK: It's not a special permit.

MR. LANDER: Then if it was, then we have the right to impose whatever restrictions we deem necessary, but it's a use by right, so--

MR. SHAW: I just wanted to get that into the record.

MR. LANDER: Very good, thank you.

MR. SHAW: Thank you.

MR. LANDER: Motion to close the meeting?

MR. DUBALDI: Motion we adjourn.

MR. LUCAS: Second it.

ROLL CALL

MR. DUBALDI                    AYE  
MR. STENT                      AYE  
MR. LUCAS                      AYE

Respectfully Submitted By:

*Frances Roth* 2/21/96  
Frances Roth  
Stenographer



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

**REVIEW NAME:** PETRO METALS SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32 (OPPOSITE WILLOW LANE)  
SECTION 35-BLOCK 1-LOT 43  
**PROJECT NUMBER:** 95-38  
**DATE:** 14 FEBRUARY 1996  
**DESCRIPTION:** THE APPLICATION INVOLVES A PROPOSED MIXED USE OF THE EXISTING TRIANGULAR SHAPED PARCEL WITH A NEW RETAIL BUILDING AND GYMNASIUM. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 27 DECEMBER 1995 PLANNING BOARD MEETING.

1. At the 27 December 1995 Planning Board Meeting, the Board referred this application to the Zoning Board of Appeals for necessary variances. It is my understanding that the ZBA, at their meeting on 5 February 1996, granted all necessary variances related to this project. A record of this action should be on file with the Planning Board.
2. The Applicant's Engineer has responded to the previous technical review comments and, in addition, has provided additional information as requested.

The Board should review the details on Drawing Sheet 2, as well as the lighting and landscaping information depicted on Drawing Sheet 3, making a determination if any additional information is required.

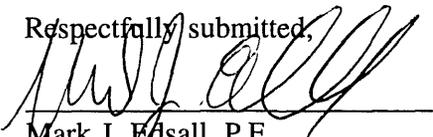
3. This application requires the review and approval of the New York State Department of Transportation relative to the curb-cut access, as well as the proposed drainage improvements. At this time I am aware of no response or approval from the DOT.

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

**REVIEW NAME:** PETRO METALS SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32 (OPPOSITE WILLOW LANE)  
SECTION 35-BLOCK 1-LOT 43  
**PROJECT NUMBER:** 95-38  
**DATE:** 14 FEBRUARY 1996

4. The Planning Board should begin the SEQRA review process for this application. If the Board decides to perform a coordinated review with the NYSDOT, a Lead Agency Coordination Letter should be issued.
5. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

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

MJEmk

A:PETRO.mk

John Petio abstract

RESULTS OF P.B. MEETING

DATE: February 14, 1996

PROJECT NAME: Water Metals S.P. PROJECT NUMBER 95-38

\*\*\*\*\*

LEAD AGENCY: ~~Water Metals S.P.~~ \* NEGATIVE DEC: \*

M) 0 S) 5 VOTE: A 4 N 0 \* M) 0 S) 5 VOTE: A 4 N 0 \*

CARRIED: YES  NO  \* CARRIED: YES:  NO  \*

\*\*\*\*\*

PUBLIC HEARING: M) 5 S) LU VOTE: A 4 N 0

WAIVED: YES  NO

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

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

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

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M) 0 S) LU VOTE: A 4 N 0 APPR. CONDITIONALLY: 2-14-96

NEED NEW PLANS: YES  NO

DISCUSSION/APPROVAL CONDITIONS:   

Wired steps to be added in front (Wardens Ferry side)

increase sidewalk to 6' + decrease parking space to 18'

Need approval from D.O.T.

Cost estimate -

All NT Variances are noted

ZONING BOARD OF APPEALS  
Regular Session  
February 5, 1996

REVISED AGENDA: 7:30 P.M. - ROLL CALL

Motion to adopt minutes of the January 22, 1996 meeting as written if available.

PRELIMINARY MEETING:

*SET UP FOR P/H*

1. VGR ASSOCS./GOLUB CORP. - Request for 6.77 ft. x 11.5 ft. sign variance for facade, plus a variation from Sec. 48-18H(1)(b)[1] of the Supp. Sign Regs. to allow more than one facade sign on the future Price Choppers Supermarket located at Vails Gate (formerly Waldbaum's) in a C zone. (69-1-6).

*SET UP FOR P/H*

2. SCHUMACHER, LOUISE - Request for 20 ft. front yard, 15 ft. side yard variances for proposed attached garage, and 40 ft. rear yard variance for proposed attached rear deck at 1425 Route 207 in an R-1 zone. (55-1-3).

*SET UP FOR P/H*

3. MANS, C.P./DUTCHESS TERMINALS - Referred by Planning Board. Request for 4 ft. front yard variance for existing building, 39 ft. front yard variance and 6 ft. side yard variance and possible height variance for canopy, plus 56 s.f. area variance and 4 ft. height variance for proposed free-standing sign on Route 207 in an NC zone. Present: James Spratt, P.E. (33-1-9).

*SET UP FOR P/H*

4. WAL-MART/HUDSON VALLEY FEDERAL CREDIT UNION - Referred by Planning Board for 36 ft. front yard, 20 ft. side yard and 31 ft. 8 in. maximum building height, and sign variance for construction of a commercial building on the w/s Union Avenue at Wal-Mart entrance. Present: Greg Shaw, P. E. (4-1-3).

*SET UP FOR P/H*

5. ABBOTT, MARGARET - Request for 5,552 s.f. lot area, 8 ft. front yard on John St. and 9 ft. front yard on Ledyard, 5 ft. side yard and 2 ft. 6 in. rear yard variance on existing residence at 33 John Street (B.P. #131 issued 10/15/69). (14-8-5).

PUBLIC HEARING:

*APPROVED*

6. PETRO METALS INC. - Referred by Planning Board. Applicant proposes construction of two buildings as follows: Request for 9 ft. side yard variance for gymnasium, 7 ft. 0 in. max. building height variance for retail building, 25 ft. 0 in. max. building height variance for gymnasium, plus interpretation and/or use variance as to whether or not the proposed gymnasium falls into the C zone under use, and interpretation and/or area variance regarding required gymnasium parking on w/s of Windsor Highway/Willow Lane in C & PI zones. Present: Greg Shaw, P.E. (35-1-43).

*APPROVED*

7. KIM, SUNG HWAN - Request for 3.5 ft. x 33 ft. sign area variance for facade sign at 323 Windsor Highway (Sugar Peas) in a C zone. (45-1-40.23).

DISCUSSION: PRICE CHOPPERS

FORMAL DECISIONS: (1) ROBERTS, (2) DORI ASSOCS., (3) OLSEN,  
(4) RE-MAX

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

*APPROVED*

B.2.

RECEIVED JAN 1 8 1996

ZONING BOARD OF APPEALS  
REORGANIZATIONAL MEETING  
January 22, 1996

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of 12/11/95 as written if available.

PRELIMINARY MEETING:

*SET UP FOR P/H*

*3.5 FT*

1. KIM, SUNG HWAN - Request for ~~4.5~~-ft. x 33 ft. sign area variance for facade sign at 323 Windsor Highway (Sugar Peas) in a C zone. Present: Mr. Hahn of Space Sign Co. (45-1-40.23).

*SET UP FOR P/H*

~~PLANNING BOARD~~  
(PB)

✓

2. PETRO METALS INC. - Referred by Planning Board. Applicant proposes construction of two buildings as follows: Request for 9 ft. side yard variance for gymnasium, 7 ft. 0 in. max. building height variance for retail building, 25 ft. 0 in. max. building height variance for gymnasium, plus interpretation and/or use variance as to whether or not the proposed gymnasium falls into the C zone under use, and interpretation and/or area variance regarding required gymnasium parking on w/s of Windsor Highway/Willow Lane in C & PI zones. Present: Greg Shaw, P.E. (35-1-43).

*SET UP FOR P/H*

(PB)

3. INSUL-SASH - Request for 26 ft. front yard (Wembly Rd.) and 16 ft. 0 in. maximum bldg. height variances for construction of a commercial building on west side of Rt. 300 at Wembly Road in a PI zone. Present: Don Witfield (4-3-17.4).

*SET UP FOR P/H*

(PB)

✓

4. MANS BROS. REALTY INC. - Referred by Planning Board. Request for interpretation and/or verification of uses as A-16, B-10 and possibly A-21 to convert trailer to office for Vails Gate Rental, use of house for caretaker, plus lot area, lot width, front yard, side yard, total side yard, maximum bldg. height, and developmental coverage on s/s of Route 94 adjacent to former ambulance bldg. in C zone. Present: Paul V. Cuomo, P.E. (70-1-3).

PUBLIC HEARING:

✓ *APPROVED*  
5. LANGANKE, HERB - Request for 4 ft. side yard and variation of Sec. 48-14A(4) of Supplementary Yard Regulations which states that no building shall project nearer to street than principal building, located at 25 Steele Road in a PI zone. (4-1-65).

✓ *APPROVED*  
6. MYLONAS, CHRIS & GLORIA - Request for construction of 6 ft. fence between principal bldg. and street in variance of Sec. 48-14C(1)(c)(1) of Supp. Yard Regs. at residence, 216 Shore Drive in an R-4 zone. (62-7-48).

✓ *DISAPPROVED*  
7. DIGERATU, MIRCEA - Request for 40 ft. rear yard and 240 s.f. minimum livable area to convert a two-car garage to residence located at 241 Beattie Road in an R-1 zone. (51-1-83.12).

REORGANIZE: MOTION FOR CHAIRMAN, V. CHAIRMAN, ETC. FOR 1996.

FORMAL DECISIONS: (1) FRANCAN  
(2) BELLE  
(3) DUBETSKY  
(4) MC CARVILLE

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

#1 ZBA 1-22-96  
SET UP FOR P/H  
#2 ZBA 2-5-96  
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: 95-38 DATE: 3 JAN 96

APPLICANT: PETRO METALS INC  
P.O. BOX 928  
VAILS GATE N.Y. 12584

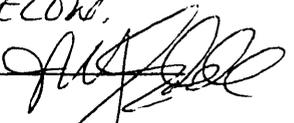
PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 27 DEC 95

FOR (~~SUBDIVISION~~ - SITE PLAN)

LOCATED AT WEST SIDE WINDSOR HIGHWAY WEST OF  
WILLOW AVE. ZONE C & PI

DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 43

IS DISAPPROVED ON THE FOLLOWING GROUNDS: VARIANCE OR INTERPRETATION  
NEEDED REGARDING ACCEPTABILITY OF GYMNASIUM USE WHICH IS  
IN PI ZONE BUT PARTIALLY IN 30' ZONE OF SECT 48-6(D).  
INTERPRETATION AND/OR VARIANCE REGARDING REQUIRED GYM PARKING,  
SIDE YARD AND HEIGHT VARIANCES AS REQUESTED BELOW.

MARK EDKALL PE for   
MICHAEL BABCOCK,  
BUILDING INSPECTOR

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<u>REQUIREMENTS</u>	<u>APPLICANT REQUESTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u>	USE <u>A-1+A-2</u>		
MIN. LOT AREA	<u>40000 SF</u>	<u>72745</u>	<u>—</u>
MIN. LOT WIDTH	<u>200 FT</u>	<u>324</u>	<u>—</u>
REQ'D FRONT YD	<u>40 FT</u>	<u>108</u>	<u>—</u>
REQ'D SIDE YD.	<u>30 FT</u>	<u>21 FT</u>	<u>9 FT</u>
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>N/A</u>	<u>—</u>
REQ'D REAR YD.	<u>30 FT</u>	<u>N/A</u>	<u>—</u>
REQ'D FRONTAGE	<u>N-A</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT. <u>4'4" FT</u>	<u>RETAIL 17'-0"</u> <u>QYM 7'-0"</u>	<u>24'-0"</u> <u>32'-0"</u>	<u>7'-0"</u> <u>25'-0"</u>
FLOOR AREA RATIO	<u>0.50</u>	<u>0.12</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>44</u> *	<u>62</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.

\* ZBA INTERPRETATION ALSO

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

PETRO METAL SITE PLAN - (95-38) WINDSOR HIGHWAY

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MR. PETRO: Next on tonight's agenda we have Petro Metal site plan, it's represented by Mr. Shaw and obviously I'm the owner of the property and I'm going to excuse myself from representing this application and at this time, I'd like to turn over the board to Mr. Van Leeuwen who will run the meeting for me at this time.

NR. SHAW: Let me give you a quick overview of the site, the buildings and then we'll cut right to the chase. What we have is a 1.67 acre parcel on Windsor Highway, just south of the Conrail overpass, presently there's a structure on that, now that is in the process of either falling down or coming down. What we're proposing to construct on this site are two new buildings, the front portion of the site is going to be a new retail building which is going to be about 4,500 square feet in size, to the rear of the site or to the west is a new building 4,320 square feet in size, which is designated as a new gymnasium. The sight is in both the C zone and the PI zone and again, you can clearly see the designation of the zoning line on the plan. With respect to parking, we're required to provide for the retail building a total of 30 spaces, that is based upon one space for ever 150 square feet of retail use and we're providing 31 spaces in the front of the building. In addition to that 31, we're providing 17 spaces of overflow parking that is designated as parking which is on the northerly side of the site as it butts up against Conrail. That is associated with the retail building also. To the west, I said is a new gymnasium, it's unique in that the new gymnasium, excuse me, that a gymnasium use is not identified in the Town of New Windsor Zoning Ordinance. In conversation with your building inspector, we agreed that probably the best place to put it would be under use 82 personal service store. And with that, we have elected on the parking to provide not only 200, excuse me, one space for ever 200 square feet of office space with 400 square feet being allocated which translates

into 2 spaces but also one space for ever 5 students. Again, because a gymnasium is not identified in your zoning ordinance, I tried to pick out the minimum off-street parking that would be consistent with the intent of the newer gymnasium and as I look through the C zone, I find if you can just bear with me, outdoor recreation areas one for much five persons for which is designed but not less than 4 per acre, recognizing full well this is not outdoor recreation but indoor recreation. That is the closest I could find.

MR. KRIEGER: What gymnasium, what kind of use is that proposed to be?

MR. VAN LEEUWEN: Karate, something like that?

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MR. PETRO: It's young children usually the age from maybe 5 to 15, maybe what they do is learn to roll on the mats, work on a horse, it's a place where they park the kids for two or three hours and they go to work out.

MR. DUBALDI: Like Bucci's in Newburgh?

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MR. KRIEGER: Okay and this retail building in the front doesn't have any relation to it, this other retail building?

MR. PETRO: No it does not.

MR. KRIEGER: They are completely separate?

MR. PETRO: Completely separate.

NR. SHAW: You'll note on the zoning schedule a few demarcations, footnote number one reflects area variances that we're going to have to obtain from the Zoning Board of Appeals. Primarily that has to deal with building height and also a minimum side yard, that side yard comes into play to the new gymnasium. We're

required to provide a side yard setback of 30 feet and we're providing 21 feet, so we'll need a variance and the variance for the building height of the new gymnasium and a variance for the building height of the new retail building.

MR. VAN LEEUWEN: You have to go from here to the Zoning Board of Appeals.

NR. SHAW: We're looking for a nice clean rejection.

MR. DUBALDI: Greg, just to look at Mark's comment number one something about the line going through, I don't really understand what that is, something about the zoning line?

MR. SHAW: Now we're getting to the meat of it. The zoning map of the Town of New Windsor says that there is a C zone on Windsor Highway and that C zone shall extend 200 feet back from the right-of-way line but designated on that plan is that heavy bold line which separates the PI from the C zone. The reason we're getting into this conversation again is as I went through the explanation of the gymnasium and personal service store that pertains to the C zone, does not pertain to the PI zone. The town of new Windsor Zoning Ordinance also allows us under Section 46-6D to protrude into the next restrictive zone a total of 30 feet. What I have designated on that plan is the 30 foot line so we're allowed to conduct a C use in this portion of the site up to this heavy bold line and 30 feet passed that zoning line which brings me to almost the middle of the building. I think the point Mark is trying to make is that this building, okay, while it's permitted in the C zone, physically exists somewhere between a C and a PI zone. We're taking the position because almost half the building is in the C zone that the gymnasium is allowable. Going one step further, you know then what I have is a small triangular piece of land in a PI zone which we cannot use. There is no use in the Town of New Windsor Zoning Ordinance which will allow me to put any type of a PI use in this very small tract of land. I don't want to say it's confiscation of property but that is where we're at. So by virtue of the fact that we can encroach into the



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NR. SHAW: Correct standard variance.

MR. KRIEGER: Then you have an interpretation of the zoning code as to whether or not the gymnasium falls into a C use, the argument that you have made and failing that interpretation then you have an application for a use variance, you make them altogether and then ultimately what the zoning board does is they decide with respect to the interpretation and the use variance, they decide the interpretation first and if that decision is against you, then they proceed immediately to the use variance. Same shot, same deal, same application, same appearance, same everything. In the connection with that, I would ask before you present to the zoning board that you calculate out what the area would be of the triangular piece, just to present that. I understand the argument that you have propounded that is a fact I would want to consider.

MR. SHAW: It's approximately a third of an acre.

MR. KRIEGER: I'm sure by the time you are at the zoning board, you'll figure out what it is.

NR. SHAW: Okay. Did you vote on it, Mr. Chairman?

ROLL CALL

MR. STENT	NO
MR. DUBALDI	NO
MR. VAN LEEUWEN	NO

MR. VAN LEEUWEN: Now it's going to the zoning board.

RESULTS OF P.B. MEETING

DATE: December 27, 1975

PROJECT NAME: Puro Metal, Inc. PROJECT NUMBER 7-0 35

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LEAD AGENCY: \_\_\_\_\_ NEGATIVE DEC: \_\_\_\_\_  
M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_ M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

CARRIED: YES \_\_\_\_\_ NO \_\_\_\_\_ CARRIED: YES: \_\_\_\_\_ NO \_\_\_\_\_

\*\*\*\*\*

PUBLIC HEARING: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

WAIVED: YES \_\_\_\_\_ NO \_\_\_\_\_

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

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

DISAPP: REFER TO Z.B.A.: M) V S) D VOTE: A 0 N B YES \_\_\_\_\_ NO ✓

RETURN TO WORK SHOP: YES \_\_\_\_\_ NO \_\_\_\_\_ *Refer to Z.B.A.*

APPROVAL:

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_ APPROVED: \_\_\_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_ APPR. CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: YES \_\_\_\_\_ NO \_\_\_\_\_

DISCUSSION/APPROVAL CONDITIONS: \_\_\_\_\_

Area Variance  
Interpret Zoning Code for "C" Use for Gymnasium  
If not  $\rightarrow$  Use Variance needed  
Calculate the area of the triangle piece

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MR. VAN LEEUWEN: Make a motion to approve?

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MR. STENT: Second it.

MR. VAN LEEUWEN: Motion has been made and seconded to approve the subdivision.

MR. SHAW: It's a site plan, for the record.

ROLL CALL

MR. STENT                      AYE

MR. DUBALDI: What about the use?

MR. VAN LEEUWEN: We have got to send a letter to the zoning board, correct?

MR. KRIEGER: If I may suggest, as long as it has to be referred to the zoning board, the question that they have presented is one of interpretation of the zoning ordinance and that is properly the business of the zoning board, that since he's got to go there anyway he can ask the question there and then we'll get a definitive answer to that which he can, you excuse the expression, take to the bank.

MR. SHAW: He have the zoning board with us tonight.

MR. VAN LEEUWEN: It's right there.

MR. SHAW: I understand what you're saying Andy, just 3 more hurdles that we have to hop over with the ZBA, I was kind of hoping to resolve them with this board tonight.

MR. KRIEGER: I think you would be best to hop over them with the ZBA. You have to be there anyway, not

like you have to make an extra trip.

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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**  
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New Windsor, New York 12553  
(914) 562-8640
- Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

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

**REVIEW NAME:** PETRO METALS SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32 (OPPOSITE WILLOW LANE)  
SECTION 35-BLOCK 1-LOT 43  
**PROJECT NUMBER:** 95-38  
**DATE:** 27 DECEMBER 1995  
**DESCRIPTION:** THE APPLICATION INVOLVES A PROPOSED MIXED USE OF THE EXISTING TRIANGULAR SHAPED PARCEL WITH A NEW RETAIL BUILDING AND A NEW GYMNASIUM. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located along Windsor Highway (Route 32) and is split between the Planned Industrial (PI) and Design Shopping (C) Zoning Districts. The zone line as depicted on the submitted plan is shown incorrectly, and is actually approximately sixty (60) feet forward (toward Route 32) from that location indicated. This places the zone line forward of the proposed "new gymnasium". This correction should be made to the plan to properly depict the zone line.

The Applicant can take benefit from Section 48-6(D) of the Town Zoning Law, which allows application of the regulations of the less restricted District (presumed as C) to the more restrictive District for an area 30' into the more restricted District. This would place this "adjustment line" into the proposed gymnasium building.

The Planning Board should review, with the Planning Board Attorney, whether the existence of this line through the building permits uses for the overall building, in accordance with the bulk tables for the less restrictive District.

2. Once the issue of the zoning line, adjustment line, and bulk tables to be followed are resolved, the Planning Board should affirm the selection for the gymnasium use, indicated as Use A-2 of the C Zoning District.

**TOWN OF NEW WINDSOR  
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3. With regard to the bulk table shown on the plan, same appears correct for the C Zone and the uses indicated. The bulk table should be corrected to indicate applicable information for both buildings. As an example, the retail building is subject to a maximum building height, based on its proximity to the nearest lot line.
4. With regard to the parking calculations indicated in the Zoning Schedule, the retail building calculation should be corrected to indicate one space per 150 square feet of sales use area, not gross floor area.

As well, the Planning Board should discuss the calculation utilized for the gymnasium use, to determine if the number of spaces assigned is adequate.

5. If this layout is maintained, I would recommend that the driveway through the "overflow parking" on the northeast end of the site be paved, even if the overflow parking spaces themselves remain a compacted shale surface. This will create the site as a loop maintained parking lot, which is preferable to the two "dead-end" parking lots depicted.
6. Once the Applicant returns from the Zoning Board of Appeals for all necessary variances (a side yard variance is called for on the plan and additional variances may be necessary based on the comments above), I will be pleased to continue my detailed review on the site plan. It would be anticipated that the Planning Board would desire additional information with regard to lighting, landscaping, and other details at that time.

Respectfully submitted,

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

MJEmk

A:PETRO.mk

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MR. DUBALDI: What about the use?

MR. VAN LEEUWEN: We have got to send a letter to the zoning board, correct?

MR. KRIEGER: If I may suggest, as long as it has to be referred to the zoning board, the question that they have presented is one of interpretation of the zoning ordinance and that is properly the business of the zoning board, that since he's got to go there anyway he can ask the question there and then we'll get a definitive answer to that which he can, you excuse the expression, take to the bank.

MR. SHAW: He have the zoning board with us tonight.

MR. VAN LEEUWEN: It's right there.

MR. SHAW: I understand what you're saying Andy, just 3 more hurdles that we have to hop over with the ZBA, I was kind of hoping to resolve them with this board tonight.

MR. KRIEGER: I think you would be best to hop over them with the ZBA. You have to be there anyway, not

like you have to make an extra trip.

NR. SHAW: Just so I understand clearly what hurdles we have to hop over, whether this building can be used for a C use?

MR. KRIEGER: You have got 3, you have got the area variance package.

NR. SHAW: Correct standard variance.

MR. KRIEGER: Then you have an interpretation of the zoning code as to whether or not the gymnasium falls into a C use, the argument that you have made and failing that interpretation then you have an application for a use variance, you make them altogether and then ultimately what the zoning board does is they decide with respect to the interpretation and the use variance, they decide the interpretation first and if that decision is against you, then they proceed immediately to the use variance. Same shot, same deal, same application, same appearance, same everything. In the connection with that, I would ask before you present to the zoning board that you calculate out what the area would be of the triangular piece, just to present that. I understand the argument that you have propounded that is a fact I would want to consider.

MR. SHAW: It's approximately a third of an acre.

MR. KRIEGER: I'm sure by the time you are at the zoning board, you'll figure out what it is.

NR. SHAW: Okay. Did you vote on it, Mr. Chairman?

ROLL CALL

MR. STENT	NO
MR. DUBALDI	NO
MR. VAN LEEUWEN	NO

MR. VAN LEEUWEN: Now it's going to the zoning board.

P.B. #95-38 S.P. ESCROW



PETRO METALS INC.

PH. 561-1328

3164

50-693/219

DEC 27<sup>TH</sup> 19 95

PAY TO THE ORDER OF

Town of New Windsor

\$ 750.<sup>00</sup>/<sub>100</sub>

SEVEN HUNDRED FIFTY AND

<sup>00</sup>/<sub>100</sub>

DOLLARS



Key Bank of Southeastern New York N.A.  
Big V Plaza, Route 32, Vails Gate, N.Y. 12584

FOR

BOND

*James R. Petro Jr.*

⑈003164⑈ ⑆021906934⑆ 02⑈409208⑈1⑈

**PREVIOUS  
DOCUMENT  
IN POOR  
ORIGINAL  
CONDITION**



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: 95 - 28

DATE PLAN RECEIVED: RECEIVED FEB 13 1996 Rev 1

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Petro Metals, Inc. \_\_\_\_\_ has been

reviewed by me and is approved  \_\_\_\_\_,

~~disapproved~~ \_\_\_\_\_.

~~If disapproved, please list reason~~

Water is available for this project -  
No problem with proposed service  
lines -

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT DATE

Jane D. ... - CAMO - 2-16-96  
\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

**TO:** New Windsor Planning Board

**FROM:** Town Fire Inspector

**DATE:** 28 February 1996

**SUBJECT:** Petro Metal, Inc.

Planning Board Reference Number: PB-95-38

Dated: Not dated

Fire Prevention Reference Number: FPS-96-013

A review of the above reference subject site plan was conducted on 28 February 1996.

This site plan is acceptable.

Plan Dated: 15 February 1996 Revision 1

  
Robert F. Rodgers; C.C.A.

RFR/dh

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553



1765

## 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: 96-00

DATE PLAN RECEIVED: RECEIVED DEC 22 1995

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_

Petro Metals has been

reviewed by me and is approved

disapproved

~~If disapproved, please list reason:~~ \_\_\_\_\_

Water is available for this

property -

HIGHWAY SUPERINTENDENT DATE

Steve D. DiO - CAMO 12-27-91

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

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

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-38

DATE PLAN RECEIVED: RECEIVED FEB 13 1996 Rev1

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

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Sullivan 2/14/96  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

RECEIVED DEC 26 1995

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:  
TOWN OF NEW WINDSOR PLANNING BOARD



17 TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Chg. \_\_\_\_\_ Site Plan \_\_\_\_\_ Spec. Permit \_\_\_\_\_

1. Name of Project NEW FACILITY FOR PETRO METALS, INC.

2. Name of Applicant PETRO METALS, INC. Phone 565-0769

Address P.O. Box 928, VAILS GATE, N.Y. 12584  
(Street No. & Name) (Post Office) (State) (zip)

3. Owner of Record SAME AS APPLICANT Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (zip)

4. Person Preparing Plan GREGORY J. SHAW, P.E.

Address 744 BROADWAY, NEWBURGH, N.Y. 12550  
(Street No. & Name) (Post Office) (State) (zip)

5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (zip)

6. Person to be notified to represent applicant at Planning Board Meeting GREGORY J. SHAW Phone 561-3695  
(Name)

7. Project Location: On the WEST side of WINDSOR HIGHWAY  
(street)  
50 feet WEST of WILLOW AVENUE  
(direction) (street)

8. Project Data: Acreage of Parcel 1.67 Zone C & PF  
School Dist. NEWBURGH CONSOLIDATED

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y \_\_\_\_\_ N X

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

10. Tax Map Designation: Section 35 Block 1 Lot 43

11. General Description of Project: CONSTRUCTION OF A  
4,500 S.F. RETAIL BUILDING AND A 4,320 S.F. GYMNASIUM  
OR OTHER USES IN THE A-1 THROUGH A-10 BULK REGULATIONS

12. Has the Zoning Board of Appeals granted any variances for this property?     yes   X  no.

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

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

27<sup>th</sup> day of December 19 95

*James B. Peter J.*  
Applicant's Signature

*Cheryl E. Casfield*  
Notary Public  
CHERYL E. CASFIELD  
Notary Public, State of New York  
Qualified in Orange County  
# 483134  
Commission Expires December 29, 1996

\*\*\*\*\*

TOWN USE ONLY:

RECEIVED DEC 26 1995

Date Application Received

95 - 38

Application Number

"XX"

APPLICANT'S PROXY STATEMENT  
(for professional representation)

for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARD

JAMES PETRO, deposes and says that he  
(Applicant)

resides at MAHARAY LAKE, NEW WINDSOR  
(Applicant's Address)

in the County of ONEIDA

and State of NEW YORK

and that he is the applicant for the NEW FACILITY

FOR PETRO METALS, INC.  
(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized GREGORY J. SHAW, PE.  
(Professional Representative)

to make the foregoing application as described therein.

Date: 12/27/95

*James Petro*  
(Owner's Signature)

*George J. ...*  
(Witness' Signature)

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

RECEIVED DEC 26 1995

If applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD  
SITE PLAN CHECKLIST

ITEM

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title                 | 29. <input checked="" type="checkbox"/> Curbing Locations                      |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s)             | 30. <input type="checkbox"/> Curbing Through Section                           |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es)         | 31. <input checked="" type="checkbox"/> Catch Basin Locations                  |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name       | 32. <input type="checkbox"/> Catch Basin Through Section                       |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address    | 33. <input checked="" type="checkbox"/> Storm Drainage                         |
| 6. <input checked="" type="checkbox"/> Drawing Date                    | 34. <input type="checkbox"/> Refuse Storage                                    |
| 7. <input checked="" type="checkbox"/> Revision Dates                  | 35. <input type="checkbox"/> Other Outdoor Storage                             |
| 8. <input checked="" type="checkbox"/> Area Map Inset                  | 36. <input checked="" type="checkbox"/> Water Supply                           |
| 9. <input checked="" type="checkbox"/> Site Designation                | 37. <input checked="" type="checkbox"/> Sanitary Disposal System               |
| 10. <input checked="" type="checkbox"/> Properties Within 500' of Site | 38. <input checked="" type="checkbox"/> Fire Hydrants                          |
| 11. <input type="checkbox"/> Property Owners (Item #10)                | 39. <input checked="" type="checkbox"/> Building Locations                     |
| 12. <input checked="" type="checkbox"/> Plot Plan                      | 40. <input checked="" type="checkbox"/> Building Setbacks                      |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)     | 41. <input type="checkbox"/> Front Building Elevations                         |
| 14. <input checked="" type="checkbox"/> Metes and Bounds               | 42. <input checked="" type="checkbox"/> Divisions of Occupancy                 |
| 15. <input checked="" type="checkbox"/> Zoning Designation             | 43. <input checked="" type="checkbox"/> Sign Details                           |
| 16. <input checked="" type="checkbox"/> North Arrow                    | 44. <input checked="" type="checkbox"/> Bulk Table Inset                       |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners       | 45. <input checked="" type="checkbox"/> Property Area (Nearest<br>100 sq. ft.) |
| 18. <input checked="" type="checkbox"/> Existing Building Locations    | 46. <input checked="" type="checkbox"/> Building Coverage (sq. ft.)            |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas           | 47. <input checked="" type="checkbox"/> Building Coverage (% of<br>Total Area) |
| 20. <input checked="" type="checkbox"/> Existing Vegetation            | 48. <input checked="" type="checkbox"/> Pavement Coverage (sq. ft.)            |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress       | 49. <input checked="" type="checkbox"/> Pavement Coverage (% of<br>Total Area) |
| <u>PROPOSED IMPROVEMENTS</u>   |  |
| 22. <input type="checkbox"/> Landscaping                               | 50. <input checked="" type="checkbox"/> Open Space (sq. ft.)                   |
| 23. <input type="checkbox"/> Exterior Lighting                         | 51. <input checked="" type="checkbox"/> Open Space (% of Total Area)           |
| 24. <input type="checkbox"/> Screening                                 | 52. <input checked="" type="checkbox"/> No. of Parking Spaces Prop.            |
| 25. <input checked="" type="checkbox"/> Access & Egress                | 53. <input checked="" type="checkbox"/> No. of Parking Spaces Req.             |
| 26. <input checked="" type="checkbox"/> Parking Areas                  |  |
| 27. <input checked="" type="checkbox"/> Loading Areas                  |  |
| 28. <input type="checkbox"/> Paving Details<br>(Items 25-27)           |  |

ITEMS NOT INDICATED WILL BE PROVIDED DURING  
SITE PLAN REVIEW PROCESS

RECEIVED DEC 26 1995

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

- 54. N/A Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
- 55. \_\_\_\_\_ A Disclosure Statement, in the form set below must be inscribed on all site plan maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

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

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

This list is provided as a guide only and is for the convenience of the applicant. the Town of Ne Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with the checklist and the Town of New Windsor Ordinances, to the best of my knowledge

By: *Eugene J. Miller*  
Licensed Professional

Date: DEC 22, 1995

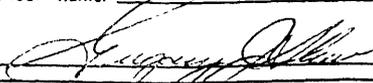
PROJECT I.D. NUMBER

617.21  
Appendix C

RECEIVED DEC 26 1995  
SEQR

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 PETRO METALS, INC.		2. PROJECT NAME NEW FACILITY FOR PETRO METALS 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) WEST SIDE OF WINDSOR HIGHWAY, OPPOSITE WILLOW LAKE.			
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: CONSTRUCTION OF A 4,500 S.F. RETAIL BUILDING AND A 4,320 S.F. GYMNASIUM			
7. AMOUNT OF LAND AFFECTED: Initially 1.67 acres    Ultimately 1.67 acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL STATE OR LOCAL)? <input 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: PETRO METALS, INC.		Date: DEC. 22, 1995	
Signature: 		ENGINEER FOR APPLICANT	

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

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

**A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.**  
 Yes  No

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

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

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  
 No

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

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

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
 No

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

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

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

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

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

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

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

TOWN OF NEW WINDSOR PLANNING BOARD  
 Name of Lead Agency

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

