

PB# 06-23

Moroney's Cycle Shop

4-1-9.22 & 9.23

06-23 Moroney's Cycle Shop
Union Ave. (Shaw)

TOPIC OF NEW WINDSOR

BY BOARD

APPROVAL COPY

DATE: 11/7/07

PLANNING BOARD
TOWN OF NEW WINDSOR

07

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

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

BER: 6-23
NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
AGENT: PATRICK MORONEY

PLANNING-PURPOSE-----ACTION-TAKEN-----

AS STAMPED	APPROVED
. APPEARANCE	APPROVED
. APPEARANCE	REFER TO ZBA
< SHOP APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/19/2007

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 6-23

NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/21/2006	EAF SUBMITTED	06/21/2006	WITH APPLIC
ORIG	06/21/2006	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	06/21/2006	LEAD AGENCY DECLARED	08/08/2007	TOOK LEAD AGENCY
ORIG	06/21/2006	DECLARATION (POS/NEG)	08/08/2007	DECL NEG DEC
ORIG	06/21/2006	SCHEDULE PUBLIC HEARING	/ /	
ORIG	06/21/2006	PUBLIC HEARING HELD	/ /	
ORIG	06/21/2006	WAIVE PUBLIC HEARING	08/08/2007	WAIVE
ORIG	06/21/2006	FINAL PUBLIC HEARING	/ /	
ORIG	06/21/2006	PRELIMINARY APPROVAL	/ /	
ORIG	06/21/2006	LEAD AGENCY LETTER SENT	/ /	

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

RECEIPT
#856-2007

11/08/2007

Jim Moroney's Inc. *PB #06-23*

Received \$ 125.00 for Planning Board Fees, on 11/08/2007. 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: 11/06/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 6-23
NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/30/2007	2% OF COST EST \$22,281.	CHG	445.62		
11/05/2007	REC. CK. #56107	PAID		445.62	
		TOTAL:	445.62	445.62	0.00

Inspection fee *J. Henry 11-8-07*

P.B. #06-23 2% Inspection fee

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

JIM MORONEY'S, INC. 564-5400
MOTORCYCLES, SNOWMOBILES,
ATV'S SALES & SERVICE



KEYBANK NATIONAL ASSOCIATION
NEWBURGH, NY 12550

50-693/219

56107

PAY TO THE
ORDER OF

Town of New Windsor

Four hundred forty five

10/30/07
\$ *445.62*
62/100 DOLLARS

MEMO PB # 06-23

Dennis Lynch

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈056107⑈ ⑆021906934⑆ 353100522⑈

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/06/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 6-23
NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/20/2006	REC. CK. #27569	PAID		750.00	
06/28/2006	P.B. MINUTES	CHG	21.00		
06/28/2006	P.B. ATTY	CHG	35.00		
08/14/2007	P.B.ENG FEES	CHG	918.20		
10/30/2007	P.B. ATTY FEE	CHG	542.50		
11/05/2007	REC. CK. #56106	PAID		766.70	
		TOTAL:	1516.70	1516.70	0.00

11/6/07

Handwritten signature 11-8-07

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

P.B #06-23 Escrow

56106

JIM MORONEY'S, INC. 564-5400
MOTORCYCLES, SNOWMOBILES,
ATV'S SALES & SERVICE



KEYBANK NATIONAL ASSOCIATION
NEWBURGH, NY 12550

50-693/219

10/30/07

PAY TO THE ORDER OF

Town of New Windsor

\$ 766.70
766/100 DOLLARS

Seven hundred sixty six

Denise Fungott

MEMO PBA06-23

THE DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.
⑈056106⑈ ⑆021906934⑆ 353100522⑈

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/23/2007

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 6-23

NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	03/14/2007	MUNICIPAL HIGHWAY	/ /	
REV1	03/14/2007	MUNICIPAL WATER	/ /	
REV1	03/14/2007	MUNICIPAL SEWER	/ /	
REV1	03/14/2007	MUNICIPAL FIRE	03/14/2007	APPROVED
REV1	03/14/2007	NYS DOT	/ /	
ORIG	06/21/2006	MUNICIPAL HIGHWAY	03/14/2007	SUPERSEDED BY REV1
ORIG	06/21/2006	MUNICIPAL WATER	03/14/2007	SUPERSEDED BY REV1
ORIG	06/21/2006	MUNICIPAL SEWER	03/14/2007	SUPERSEDED BY REV1
ORIG	06/21/2006	MUNICIPAL FIRE	03/14/2007	SUPERSEDED BY REV1
ORIG	06/21/2006	NYS DOT	03/14/2007	SUPERSEDED BY REV1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/23/2007

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 6-23

NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524

APPLICANT: PATRICK MORONEY

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/28/2006	P.B. APPEARANCE	REFER TO ZBA
06/07/2006	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/06/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 6-23
NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/30/2007	APPROVAL FEE	CHG	125.00		
11/05/2007	REC. CK. #56105	PAID		125.00	
		TOTAL:	125.00	125.00	0.00

Applicant: Patrick Moroney

In 1993 Moroneys Cycle Shop made application to the Zoning Board of Appeals for selected Area Variances. At that time the property was located in the C Zone (Design Shopping) which as a Retail Use required a Minimum Lot Area of 40,000 SF along with associated setbacks from property lines. On October 25, 1993 the Zoning Board of Appeals granted 4 Area Variances for Moroneys Cycle Shop for Side Yard Setback-One, Side Yard Setback-Both, Building Height, and Parking Spaces. In the Years following the granting of these Variances, New Windsor created in their Zoning Ordinance a classification of Motor Vehicle Sales, which by their new definition included motorcycles. This new classification requires a Minimum Lot Area of 5 acres along with associated setbacks from property lines commensurate the larger lot area. Thus, the need for 7 Area Variances from the Zoning Board of Appeals.

James Moroney owns a 1.076 acre of land on Union Avenue which is the home of Moroneys Cycle Shop. Immediately north of Moroneys Cycle Shop is a 0.559 acre parcel which is owned by Patrick Moroney. It is the Moroney family's intention to merge the two parcels into one 1.635 acre parcel and to construct a 4,950 SF building on the northerly portion of the combined parcel. This building would be used for certain manufacturer lines such as Honda and Suzuki that presently operate out of the Moroneys Cycle Shop building. As the majority of the 0.559 acre parcel is surfaced with macadam pavement, the new site improvements will solely consist of 23 parking spaces and site lighting.

The construction of this proposed 4,950 SF building will require the following 7 Area Variances:

<u>Variance</u>	<u>Required</u>	<u>Provided</u>	<u>Variance Req'd</u>
1. Min. Lot Area	5.0 acres	1.635 acres	3.365 acres
2. Side Yard Setback-One	50 feet	4 feet	46 feet
3. Side Yard Setback-Both	100 feet	38 feet	62 feet
4. Rear Yard Setback-Both	50 feet	30 feet	20 feet
5. Maximum Building Height	18 feet	30 feet	12 feet
6. Development Coverage	85%	85.4%	0.4%
7. Parking Spaces	93 spaces	43 spaces	50 spaces

The need for Variances 1 through 5 is a direct result of New Windsor revising the Zoning Ordinance to increase the Minimum Lot Area from 40,000 SF to 5 acres (217,800 SF), along with the associated setbacks. The fact that New Windsor changed the Zoning to make the property non-compliant does not mean that there will be a change in the character of the neighborhood, nor will there be an adverse impact on the physical or environmental conditions in the neighborhood. Because the adjacent parcels are owned by other property owners and because the subject two parcels abut the NYS Thruway, the statement can be made that there is no other feasible method for the Applicant to pursue other than the Area Variances. The need for the 5 Variances

was not self-created, as they resulted from the revised Bulk Requirements for a Motor Vehicle Sales facility.

Development Coverage represents the surface area of the lot that is covered by buildings, parking areas, accessory structures, and any impervious materials. Because the Development Coverage for the site will not be increased with the construction of the new building, Variance No. 6, Development Coverage, can be considered an Existing Non-Conforming Condition. As it has been the Zoning Board of Appeals policy to request a Variance for non-conforming conditions such as this, this Variance and Variance No. 7 have been incorporated into the Application.

The same argument of an Existing Non-Conforming Condition can be made for Variance No. 7, Required Parking Area. Presently at the site there are 20 parking spaces, and based upon the present use of the property, 71 spaces are required. This results in an existing deficiency of 51 parking spaces. It must be noted that a Parking Area Variance for 26 spaces was granted by the Zoning Board of Appeals in 1993. The construction of the new 4,950 SF building will require 22 new parking spaces, and the development of the site will generate 23 additional spaces. Thus the deficiency in parking spaces will not be increased. Actually, the existing deficiency will decrease by 1 parking space after the combination of the two parcels, and the creation of the 23 new parking spaces.

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

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION

PLANNING BOARD FILE NUMBER: 06-23

DATE: 7-7-06

APPLICANT:

Patrick J. Moroney
833 Union Avenue
New Windsor, NY 12553

*# 1 ZBA 9-25-06
SET UP FOR P/H*

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 6-2-06

FOR: SITE PLAN

LOCATED AT: 833 Union Avenue

ZONE: C

DESCRIPTION OF EXISTING SITE: SEC: 4 BLOCK: 1 LOT: 9.22 & 9.23

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Lot Area, Side Yard, Total Side Yard, Rear Yard, Building Height and Development Coverage Variances Required

TOWN OF NEW WINDSOR CODE: Bulk Tables

Mark J. Edsall, P.E., P.P.

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

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued

REQUIREMENTS

P.B. # **06-23**

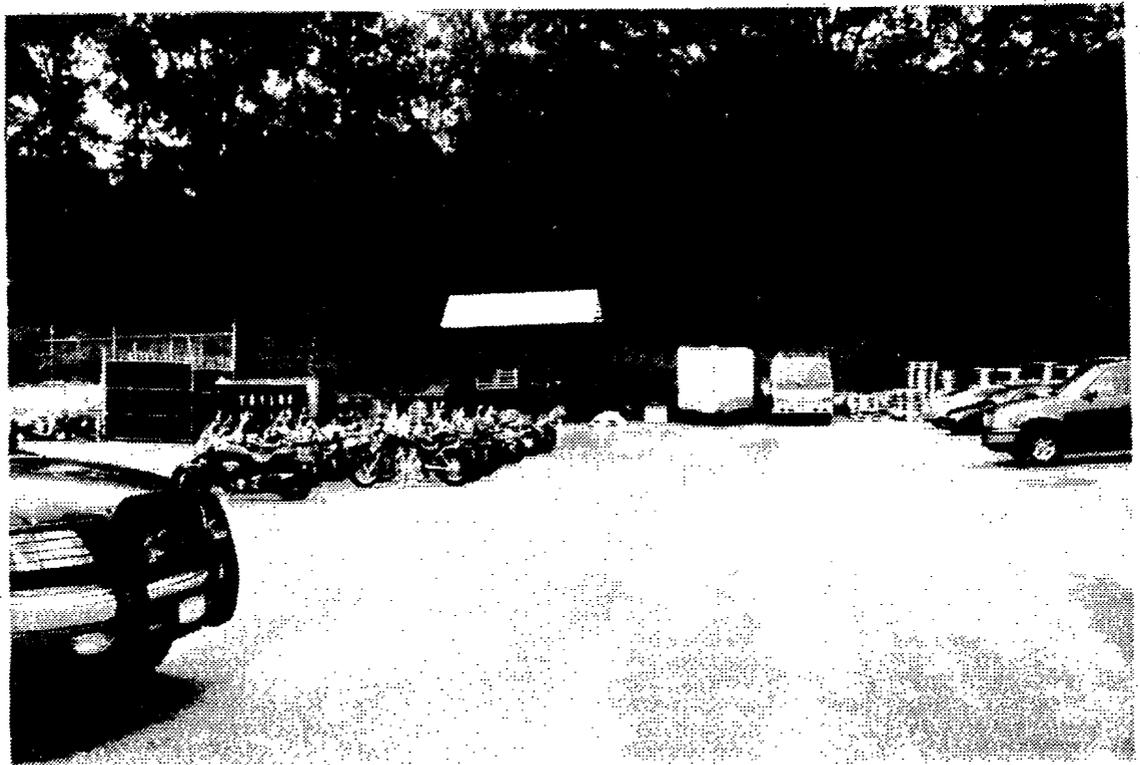
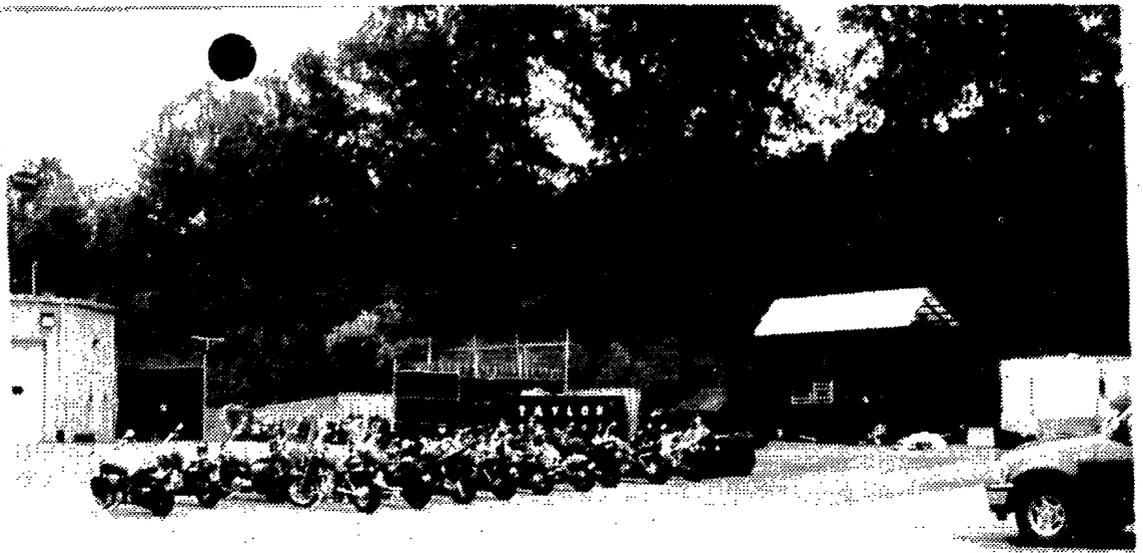
ZONE: **C**

USE: **A-15**

	REQUIRED	PROPOSED	VARIANCE REQUESTED
MIN. LOT AREA	5 Acres	1.635 A	3.365 A
MIN. LOT WIDTH	200 ft.	298 ft.	-
REQUIRED FRONT YARD	100 ft.	69 ft.	Pre-existing for front building only
REQUIRED SIDE YARD	50 ft.	4 ft.	46 ft.
REQUIRED TOTAL SIDE YARD	100 ft.	38 ft.	62 ft.
REQUIRED REAR YARD	50 ft.	30 ft.	20 ft.
REQUIRED FRONTAGE	50 ft.	300 ft.	-
MAX. BLDG. HT.	18 ft.	30 ft.	12 ft.
FLOOR AREA RATIO	n/a	-	-
MIN. LIVABLE AREA	n/a	-	-
DEVELOPMENTAL COVERAGE	85%	85.4 %	0.4 %
O/S PARKING SPACES	93 spaces	43 spaces	50 spaces

PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.

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







RESOLUTION GRANTING SITE PLAN AMENDMENT APPROVAL

*Moroney's Cycle Shop Site Plan Amendment
(Proposed 4950 SF Motor Vehicle Sales Building)
PB #06-23*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a site plan amendment by James & Patrick Moroney (the "applicant") for a project described as the "Moroney's Cycle Shop Site Plan Amendment (Proposed 4950 SF Motor Vehicle Sales Building)";

WHEREAS, the subject site consists of 1.635 acres of land and comprised of two tax map parcels in the Town of New Windsor identified on the tax map as section 4, block 1, and lots 9.22 & 9.23 (SBL 4-1-9.22 & 9.23); and

WHEREAS, the action involves a request for site plan amendment to allow construction of a 4950 SF Motor Vehicle Sales Building; and

WHEREAS, the applicant has submitted a fully executed Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted an uncoordinated SEQRA review for this project; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed site plan layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, the public hearing on the application for site plan amendment was waived; and

WHEREAS, the application required certain area variances and the application was referred to the Zoning Board of Appeals which granted the requested variances on November 13, 2006; and

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on March 23, 2007 recommending approval; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed site plan consisting of 3 sheets, prepared by Shaw Engineering dated June 7, 2006 and last revised on February 9, 2007; and

WHEREAS, the applicant is seeking final subdivision approval for the amended subdivision plat, which would not create any new lots nor result in any additional disturbances beyond that previously reviewed for this application;

WHEREAS, the Planning Board has heretofore determined that the Proposed Action minimizes or avoids significant environmental impacts and, adopted a Negative Declaration as part of the approval of site plan.

NOW, THEREFORE, the Planning Board finds that the applicant has satisfied the requirements of Town Code § 300-86 and approves the site plan subject to the following terms and conditions:

1. The two tax lots shown on the site plan shall be combined, and documentation demonstrating same shall be submitted to the Planning Board Attorney prior to the stamping of the site plan;
2. The applicant shall pay all outstanding fees due the Town for review of this application;
3. The applicant shall make any required revisions to the site plan to the satisfaction of the Planning Board Engineer and Planning Board Attorney;
4. The applicant shall secure all necessary permits, approvals and authorizations required from any other agency, if required;
5. The applicant shall submit proof of satisfaction of the foregoing conditions and submit a site plan for signature within six months of the date of this resolution.

Upon motion made by Member Van Leeuwen, seconded by Member Schlesinger, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	<u>Aye</u>	Nay	Abstain	Absent
Member, Howard Brown	<u>Aye</u>	Nay	Abstain	Absent
Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent
Member, Henry Vanleeuwen	<u>Aye</u>	Nay	Abstain	Absent
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent

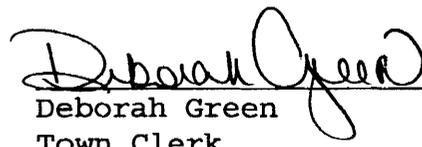
Alternate, Henry Schieble	Aye	Nay	Abstain	Absent

Dated: June 13, 2007
New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 20th day of June, 2007.



Deborah Green
Town Clerk

**RESOLUTION ADOPTING A NEGATIVE DECLARATION
FOR A SITE PLAN AMENDMENT APPLICATION**

*Moroney's Cycle Shop Site Plan Amendment
(Proposed 4950 SF Motor Vehicle Sales Building)
PB #06-23*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a site plan amendment by James & Patrick Moroney (the "applicant") for a project described as the "Moroney's Cycle Shop Site Plan Amendment (Proposed 4950 SF Motor Vehicle Sales Building)";

WHEREAS, the subject site consists of 1.635 acres of land and comprised of two tax map parcels in the Town of New Windsor identified on the tax map as section 4, block 1, and lots 9.22 & 9.23 (SBL 4-1-9.22 & 9.23); and

WHEREAS, the action involves a request for site plan amendment to allow a new 4950 SF Motor Vehicle Sales Building; and

WHEREAS, the applicant has submitted a fully executed Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted an uncoordinated SEQRA review for this project; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed site plan layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, the public hearing on the application for site plan amendment was waived; and

WHEREAS, the application required certain area variances and the application was referred to the Zoning Board of Appeals which granted the requested variances on November 13, 2006; and

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on April 18, 2007 recommending approval; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed site plan consisting of 3 sheets, prepared by Shaw Engineering dated June 7, 2006 and last revised on February 9, 2007; and

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of site plan and special use permit.

NOW, THEREFORE, be it resolved as follows:

1. The Planning Board is lead agency for an uncoordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

Upon motion made by Member Van Leeuwen, seconded by Member Schlesinger, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
Member, Howard Brown	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
Member, Neil Schlesinger	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent

Member, Henry Vanleeuwen

Aye

Nay

Abstain

Absent

Chairman, Genaro Argenio

Aye

Nay

Abstain

Absent

- - -

Alternate, Henry Schieble

Aye

Nay

Abstain

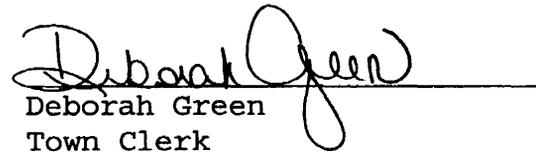
Absent

Dated: June 13, 2007
New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 20th day
of June, 2007.



Deborah Green
Town Clerk

**TOWN OF NEW WINDSOR PLANNING BOARD
COUNTY OF ORANGE**

NEGATIVE DECLARATION

*Moroney's Cycle Shop Site Plan Amendment
(Proposed 4950 SF Motor Vehicle Sales Building)
PB #06-23
(S-B-L: 4-1-9.22 & 4-1-9.23)*

PLEASE TAKE NOTICE that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617, the Town of New Windsor Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, for an Uncoordinated review of this Unlisted Action.

Name of Project: *Moroney's Cycle Shop Site Plan Amendment*
Action Type: Unlisted Action; Uncoordinated Review
Location: Town of New Windsor, County of Orange
Location: 833 Union Avenue
Zoning District: C Commercial
Tax Map Parcel: 4-1-9.22 & 4-1-9.23

Summary of Action:

The action involves a request for a site plan amendment approval to allow the construction of a 4,950 square foot vehicle sales building and related site improvements.

Reasons Supporting the Negative Declaration:

Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting the lot line change.

With one exception, the proposed addition is considered to comply with all currently existing zoning requirements and municipal plans for the Town of New Windsor, and is consistent with the community character. The proposed addition required an area variance from the Town of New Windsor Zoning Board of Appeals, which was granted following the mandatory public hearing. Visual impacts, traffic, solid waste generation, energy consumption, and public service demands would not be significant in connection with the proposed motor vehicle sales building. No other potentially significant harmful environmental impacts are identified.

Date of Adoption of Negative Declaration: June 13, 2007
Agency Address: Town of New Windsor Planning Board
Town Hall – 555 Union Avenue
New Windsor, New York 12553
Tel. (845) 563-4615
Contact Person: Genaro Argenio, Planning Board Chairman



Town of New Windsor

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

OFFICE OF THE PLANNING BOARD

October 30, 2007

Shaw Engineering
P.O. Box 2569
Newburgh, NY 12550

ATTN: GREGORY SHAW, P.E.

SUBJECT: P.B. #06-23 MORONEY'S CYCLE SHOP

Dear Gregg;:

Please find attached printouts of fees due for subject project.

Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....	\$	125.00
Check #2 - Amount over escrow posted.....	\$	766.70
Check #3 - 2% of Cost Est. (\$22,281.00) inspect fee.....	\$	445.62

Upon receipt of these checks, I will have the plans stamped and signed approved.

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

Very truly yours,

Myra L. Mason

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

MLM

FAXED
10/30/07

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/30/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 6-23
NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/20/2006	REC. CK. #27569	PAID		750.00	
06/28/2006	P.B. MINUTES	CHG	21.00		
06/28/2006	P.B. ATTY	CHG	35.00		
08/14/2007	P.B.ENG FEES	CHG	918.20		
10/30/2007	P.B. ATTY FEE	CHG	542.50		
		TOTAL:	1516.70	750.00	766.70

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/30/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 6-23
NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/30/2007	APPROVAL FEE	CHG	125.00		
		TOTAL:	125.00	0.00	125.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/30/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 6-23

NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524

APPLICANT: PATRICK MORONEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/30/2007	2% OF COST EST \$22,281.	CHG	445.62		
		TOTAL:	445.62	0.00	445.62

Date	Received From/Paid To	Cheq	Recd	Acpts	General	Disbs	Fees	Bld	Trust Activity			
									Inv#	Acc	Recpts	Disbs
12132	TOWN OF NEW WINDSOR											
6085918	MORONEY'S CYCLE SHOP PB#06-23 COMBINATION OF											Resp Lawyer: JRL
Mar 13/2007	Lawyer: DRC 0.20 Hrs X 175.00						35.00	3309				
64137	REVIEW M EDSALL'S COMMENTS PB# 06-23											
Mar 14/2007	Lawyer: DRC 0.30 Hrs X 175.00						52.50	3309				
64138	ATTEND PLANNING BOARD MEETING PB# 06-23											
Mar 14/2007	Lawyer: DRC 0.20 Hrs X 175.00						35.00	3309				
64139	REVIEW REVISED PLANS PB#06-23											
Apr 13/2007	Billing on Invoice 3309					0.00		3309				
64228	FEES 122.50											
Apr 25/2007	Lawyer: DRC 0.10 Hrs X 175.00						17.50	3552				
66634	REVIEW 239 REPORT PB# 06-23											
Apr 27/2007	Town of New Windsor	026039		122.50								
67018	PMT - PAYMENT ON ACCOUNT											
May 16/2007	Billing on Invoice 3552					0.00		3552				
69824	FEES 17.50											
May 23/2007	Lawyer: DRC 0.20 Hrs X 175.00						35.00	3843				
71877	REVIEW M EDSALL'S COMMENTS PB# 06-23											
May 23/2007	Lawyer: DRC 0.30 Hrs X 175.00						52.50	3843				
71878	ATTEND PLANNING BOARD MEETING PB# 06-23											
May 25/2007	Town of New Windsor	010197		17.50								
72006	PMT - PAYMENT ON ACCOUNT											
Jun 4/2007	Lawyer: DRC 0.80 Hrs X 175.00						140.00	4144				
74289	AGGREGATE TIME SPENT PREPARING RESOLUTIONS ADOPTING A NEGATIVE DECLARATION AND GRANTING SITE PLAN APPROVAL PB# 06-23											
Jun 12/2007	Billing on Invoice 3843					0.00		3843				
75385	FEES 87.50											
Jun 13/2007	Lawyer: DRC 1.00 Hrs X 175.00						175.00	4144				
76136	AGGREGATE TIME SPENT PREPARING THE (1) RESOLUTION ADOPTING THE NEGATIVE DECLARATION, (2) THE NEGATIVE DECLARATION AND (3) THE RESOLUTION GRANTING SITE PLAN APPROVAL											
Jun 25/2007	Town of New Windsor	010452		87.50								
78646	PMT - PAYMENT ON ACCOUNT											
Jul 13/2007	Billing on Invoice 4144					0.00		4144				
81236	FEES 315.00											
Jul 27/2007	TOWN OF NEW WINDSOR	0130822		315.00								
84264	PMT - PAYMENT ON ACCOUNT											
Oct 29/2007	Lawyer: DRC 0.20 Hrs X 175.00						35.00					
102061	REVIEW DEEDS OF MERGER PB# 06-23											

TOTALS PERIOD	UNBILLED			= TOTAL	BILLED			+ TAX	- RECEIPTS	BALANCES	
	CHE	+ RECOV	+ FEES		DISBS	+ FEES	= A/R			TRUST	
	0.00	0.00	35.00	35.00	0.00	542.50	0.00	542.50	0.00	0.00	

REPORT SELECTIONS - Client Ledger

Layout Template Default
 Requested by Rose Thoma
 Finished Tuesday, October 30, 2007 at 11:19:08 AM
 Ver 8.20c
 Matters 6085918
 Clients All
 Major Clients All
 Client Intro Lawyer All
 Matter Intro Lawyer All
 Responsible Lawyer All
 Assigned Lawyer All
 Type of Law All
 Select From Active, Inactive Matters
 Matters Sort by Default
 New Page for Each Lawyer No
 New Page for Each Matter No
 No Activity Date Dec 31/2199
 Firm Totals Only No
 Totals Only No
 Entries Shown - Billed Only No
 Entries Shown - Disbursements Yes
 Entries Shown - Receipts Yes
 Entries Shown - Time or Fees Yes
 Entries Shown - Trust Yes
 Incl. Matters with Retainer Bal No
 Incl. Matters with Neg Unbld Disb No
 Trust Account All
 Working Lawyer All
 Include Corrected Entries No
 Show Check # on Paid Payables No
 Show Client Address No
 Consolidate Payments No
 Show Trust Summary by Account No
 Printed from Register

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 6- 23

FOR ALL WORK ON FILE:

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	EXP.	-----DOLLARS-----		
											BILLED	BALANCE	
6-23	294725	06/07/06	TIME	MJE	WS	MARONEY S/P AM	115.00	0.40	46.00				
6-23	295887	06/25/06	TIME	MJE	MR	MARONEY S/P	115.00	0.50	57.50				
6-23	297191	06/26/06	TIME	MJE	MR	MARONEY SITE PLAN	115.00	0.80	92.00				
6-23	296268	06/28/06	TIME	MJE	MM	to ERA	115.00	0.10	11.50				
6-23	297588	07/07/06	TIME	MJE	MC	MORONEY S/P ERA	115.00	0.50	57.50				
									264.50				
6-23	299596	07/27/06				BILL 06-1796						-264.50	
												-264.50	
6-23	363872					PD/CR 06-1796 PD 06/24/06		264.50					
6-23	315929	12/06/06	TIME	MJE	WS	MARONEYS SITE PLAN	115.00	0.20	23.00				
6-23	324395	02/07/07	TIME	MJE	WS	MARONEYS S/P	119.00	0.40	47.60				
6-23	325020	02/12/07	TIME	MJE	MC	MARONEY W/GJS	119.00	0.30	35.70				
6-23	329564	03/12/07	TIME	MJE	MR	MARONEY S/P RT 300	119.00	0.80	95.20				
6-23	329565	03/12/07	TIME	MJE	AA	MARONEY ODDP REFEREL	119.00	0.40	47.60				
6-23	329571	03/14/07	TIME	MJE	MR	MARONEY S/P RT 300	119.00	0.10	11.90				
6-23	329576	03/14/07	TIME	MJE	PM	MARONEY W/GA	119.00	0.20	23.80				
6-23	329582	03/14/07	TIME	MJE	MM	MARONEY - REG MTG	119.00	0.40	47.60				
6-23	329592	03/16/07	TIME	MJE	MC	MARONEY W/MM	119.00	0.20	23.80				
									356.20				
6-23	328509	03/15/07				BILL 07-844						-106.30	
												-106.30	
6-23	366235					PD/CR 07-844 PD 03/28/07		106.30					
6-23	334915	04/24/07				BILL 07-1120						-249.90	
												-249.90	
6-23	366772					PD/CR 07-1120 PD 05/09/07		249.90					
6-23	338196	05/09/07	TIME	MJE	MC	SEAN:MARONEY	119.00	0.20	23.80				
6-23	339240	05/18/07	TIME	MJE	MR	MARONEYS S/P	119.00	0.40	47.60				
6-23	339241	05/18/07	TIME	MJE	MC	EMC MM/GJS:MARONEYS	119.00	0.20	23.80				
6-23	340446	05/21/07	TIME	MJE	MR	MARONEYS CYCLE SUB	119.00	0.20	23.80				
6-23	340456	05/22/07	TIME	MJE	MC	KVW APP/COMMENTS	119.00	0.20	23.80				
6-23	340439	05/23/07	TIME	MJE	MM	MARONEYS-REG MTG	119.00	0.30	35.70				
6-23	340444	05/23/07	TIME	MJE	MM	MARONEYS COND S/P AP	119.00	0.10	11.90				
6-23	341033	05/23/07	TIME	MJE	MM	MARONEY COND APPL	119.00	0.10	11.90				
6-23	342433	05/31/07	TIME	MJE	MC	SEAN:MARONEY CYCLE	119.00	0.40	47.60				
6-23	343760	06/21/07	TIME	MJE	MC	Closet & enc	119.00	0.40	47.60				
									297.50				
6-23	347158	07/06/07				BILL 07-1799						-297.50	
												-297.50	
6-23	367854					PD/CR 07-1799 PD 07/25/07		297.50					
TASK TOTAL									918.20			-918.20	0.00
GRAND TOTAL									918.20			-918.20	0.00

CHRONOLOGICAL JOB SECTOR REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 6- 23
FOR ALL WORK ON FILE:

TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	PAID	
6-23	294726	06/07/06	TIME	MJE	WS MARONEY S/P AM	115.00	0.40	46.00				
6-23	295888	06/25/06	TIME	MJE	MR MARONEY S/P	115.00	0.50	57.50				
6-23	297192	06/26/06	TIME	MJE	MR MARONEY SITE PLAN	115.00	0.80	92.00				
6-23	296289	06/28/06	TIME	MJE	MM to EBA	115.00	0.10	11.50				
6-23	297588	07/07/06	TIME	MJE	MC MARONEY S/P EBA	115.00	0.50	57.50				
								264.50				
6-23	299597	07/27/06			BILL 06-1796					-264.50		
								(UN-BIL 0.00)		-264.50		
6-23	335845				PD/CR 06-1796 PD 08/24/06						264.50	
								(UN-PAID)	-264.50)		264.50	
6-23	315930	12/06/06	TIME	MJE	WS MARONEY'S SITE PLAN	115.00	0.20	23.00				
6-23	324396	02/07/07	TIME	MJE	WS MARONEY'S S/P	119.00	0.40	47.60				
6-23	325021	02/12/07	TIME	MJE	MC MARONEY W/G/S	119.00	0.30	35.70				
6-23	329565	03/12/07	TIME	MJE	MR MARONEY S/P RT 300	119.00	0.80	95.20				
6-23	328566	03/12/07	TIME	MJE	AA MARONEY OCCP REFERRAL	119.00	0.40	47.60				
6-23	329572	03/14/07	TIME	MJE	MR MARONEY S/P RT 300	119.00	0.10	11.90				
6-23	329577	03/14/07	TIME	MJE	SM MARONEY W/G/S	119.00	0.20	23.80				
6-23	329593	03/14/07	TIME	MJE	MM MARONEY - REG MTC	119.00	0.40	47.60				
6-23	329593	03/16/07	TIME	MJE	MC MARONEY W/MM	119.00	0.20	23.80				
								356.20				
6-23	328510	03/15/07			BILL 07-844					-106.30		
								(UN-BIL 249.90)		-106.30		
6-23	358207				PD/CR 07-844 PD 03/28/07						106.30	
								(UN-PAID)	-106.30)		106.30	
6-23	334916	04/24/07			BILL 07-1120					-249.90		
								(UN-BIL -249.90)		-249.90		
6-23	338187	05/09/07	TIME	MJE	MC SHAW:MARONEY	119.00	0.20	23.80				
6-23	339241	05/18/07	TIME	MJE	MR MARONEY'S S/P	119.00	0.40	47.60				
6-23	339242	05/18/07	TIME	MJE	MC MC MM/G/S:MARONEY'S	119.00	0.20	23.80				
6-23	340447	05/21/07	TIME	MJE	MR MARONEY'S CYCLE SUB	119.00	0.20	23.80				
6-23	340457	05/22/07	TIME	MJE	MC KVV APP/COMMENTS	119.00	0.20	23.80				
6-23	340440	05/23/07	TIME	MJE	MM MARONEY'S-REG MTC	119.00	0.30	35.70				
6-23	340445	05/23/07	TIME	MJE	MM MARONEY'S COND S/P AP	119.00	0.10	11.90				
6-23	341034	05/23/07	TIME	MJE	MM Maroney Cond APPL	119.00	0.10	11.90				
6-23	342434	05/31/07	TIME	MJE	MC SHAW:MARONEY CYCLE	119.00	0.40	47.60				
6-23	358020	06/21/07	TIME	MJE	MC Closeout & enc	119.00	0.40	47.60				
								TASK TOTAL	918.20	0.00	-620.70	370.80
								(UN-BIL 297.50)	(UN-PAID 249.90)			
								GRAND TOTAL	918.20	0.00	-620.70	370.80
								(UN-BIL 297.50)	(UN-PAID 249.90)			

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

COPY

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

SECTION 4 BLOCK 1 LOT 9.22

RECORD AND RETURN TO:
(name and address)

JAMES MORONEY a/k/a
JAMES MARONEY

TO

JP MORONEY PROPERTY LLC

THOMAS J. MURPHY, ESQ.,
717 Broadway
Newburgh, NY 12550

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

<u> </u> 2089 BLOOMING GROVE (TN)	<u> </u> 4289 MONTGOMERY (TN)
<u> </u> 2003 SO. BLOOMING GROVE (VLG)	
<u> </u> 2001 WASHINGTONVILLE (VLG)	<u> </u> 4201 MAYBROOK (VLG)
<u> </u> 2289 CHESTER (TN)	<u> </u> 4203 MONTGOMERY (VLG)
<u> </u> 2201 CHESTER (VLG)	<u> </u> 4205 WALDEN (VLG)
<u> </u> 2489 CORNWALL (TN)	<u> </u> 4489 MOUNT HOPE (TN)
<u> </u> 2401 CORNWALL (VLG)	<u> </u> 4401 OTISVILLE (VLG)
<u> </u> 2600 CRAWFORD (TN)	<u> </u> 4600 NEWBURGH (TN)
<u> </u> 2800 DEERPARK (TN)	<u> </u> 4800 NEW WINDSOR (TN)
<u> </u> 3089 GOSHEN (TN)	<u> </u> 5089 TUXEDO (TN)
<u> </u> 3001 GOSHEN (VLG)	<u> </u> 5001 TUXEDO PARK (VLG)
<u> </u> 3003 FLORIDA (VLG)	<u> </u> 5200 WALLKILL (TN)
<u> </u> 3005 CHESTER (VLG)	<u> </u> 5489 WARWICK (TN)
<u> </u> 3200 GREENVILLE (TN)	<u> </u> 5401 FLORIDA (VLG)
<u> </u> 3489 HAMPTONBURGH (TN)	<u> </u> 5403 GREENWOOD LAKE (VLG)
<u> </u> 3689 HIGHLANDS (TN)	<u> </u> 5600 WAWAYANDA (TN)
<u> </u> 3601 HIGHLAND FALLS (VLG)	<u> </u> 5889 WOODBURY (TN)
<u> </u> 3889 MINISINK (TN)	<u> </u> 5801 HARRIMAN (VLG)
<u> </u> 3801 UNIONVILLE (VLG)	<u> </u> 5809 WOODBURY (VLG)
<u> </u> 4089 MONROE (TN)	
<u> </u> 4001 MONROE (VLG)	<u> </u> 0900 MIDDLETOWN
<u> </u> 4003 HARRIMAN (VLG)	<u> </u> 1100 NEWBURGH
<u> </u> 4005 KIRYAS JOEL (VLG)	<u> </u> 1300 PORT JERVIS
	<u> </u> 9999 HOLD

NO PAGES CROSS REF.

CERT. COPY ADD'L X-REF.

MAP# PGS.

PAYMENT TYPE: CHECK

CASH

CHARGE

NO FEE

Taxable

CONSIDERATION \$

TAX EXEMPT

Taxable

MORTGAGE AMT. \$

MORTGAGE TAX TYPE:

 (A) COMMERCIAL/FULL 1%

 (B) 1 OR 2 FAMILY

 (C) UNDER \$10,000

 (E) EXEMPT

 (F) 3 TO 6 UNITS

 (I) NAT.PERSON/CR. UNION

 (J) NAT.PER-CR.UN/1 OR 2

 (K) CONDO

Donna L. Benson

DONNA L. BENSON
ORANGE COUNTY CLERK

Received From _____

FILED
ORANGE COUNTY CLERK
2007 OCT -4 AM 19

ORIGINAL RECORDED

RECORDED/FILED
10/04/2007/ 10:17:13
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE # 20070108041
DEED C / BK 12539 PG 1504
RECORDING FEES 207.00
TTX# 001779 T TAX 0.00
Receipt#795281 dab



10

Bargain and Sale Deed

THIS INDENTURE, made the 12th day of September, in the year two thousand seven

BETWEEN JAMES MORONEY a/k/a JAMES MARONEY
758 River Road
Newburgh, NY 12550

party of the first part, and

JP MORONEY PROPERTY LLC
833 Union Avenue
New Windsor, NY 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, more particularly described in *Schedule A* annexed hereto and made part hereof.

BEING AND INTENDED TO BE the same premises conveyed by Harold Adams to James Maroney by deed dated October 26, 1971, and recorded in the Orange County Clerk's Office on October 28, 1971 in Liber 1888 of Deeds at Page 1045.

TOGETHER with all rights, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration of this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any other purpose.

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, and being more accurately bounded and described as follows:

BEGINNING at a point on the westerly side of Union Avenue, said point of beginning being located 500 feet southerly, as measured along the westerly line of Union Avenue, from the southeast corner of lands belonging to the Town of New Windsor, said point of beginning also being located 500 feet southerly, as measured along the westerly line of Union Avenue, from the northeast corner of lands conveyed by Zaklasnik to Patsalos on the westerly side of Union Avenue by deed recorded in the Orange County Clerk's Office in Liber 1735 of Deeds at Page 869; thence from said point of beginning and through lands of Patsalos, North $60^{\circ} 55' 45''$ West 217.96 feet to a point in the easterly line of the N.Y.S. Thruway; thence along the easterly line of the N.Y.S. Thruway, on the next two courses and distances, North $20^{\circ} 18' 25''$ East 100.10 feet to a concrete monument; thence North $20^{\circ} 03' 55''$ East 103.30 feet to a point; thence through lands now or formerly of James Patsalos, South $60^{\circ} 42' 30''$ East 249.93 feet to a point in the westerly line of Union Avenue; thence along the westerly line of Union Avenue, on the remaining courses and distances, South $29^{\circ} 17' 30''$ West 135.42 feet to an angle point; thence South $29^{\circ} 04' 15''$ West 64.58 feet to the point of beginning.

Containing 1.08 acres more or less.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

COPY

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

PATRICK MORONEY

TO

JP MORONEY PROPERTY LLC

SECTION 4 BLOCK 1 LOT 9-23

RECORD AND RETURN TO:
(name and address)

THOMAS J. MURPHY, ESQ.
717 Broadway
Newburgh, NY 12550



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- | | |
|---|---|
| <u> </u> 2089 BLOOMING GROVE (TN) | <u> </u> 4289 MONTGOMERY (TN) |
| <u> </u> 2003 SO. BLOOMING GROVE (VLG) | <u> </u> 4201 MAYBROOK (VLG) |
| <u> </u> 2001 WASHINGTONVILLE (VLG) | <u> </u> 4203 MONTGOMERY (VLG) |
| <u> </u> 2289 CHESTER (TN) | <u> </u> 4205 WALDEN (VLG) |
| <u> </u> 2201 CHESTER (VLG) | <u> </u> 4489 MOUNT HOPE (TN) |
| <u> </u> 2489 CORNWALL (TN) | <u> </u> 4401 OTISVILLE (VLG) |
| <u> </u> 2401 CORNWALL (VLG) | <u> </u> 4600 NEWBURGH (TN) |
| <u> </u> 2600 CRAWFORD (TN) | <u> </u> 4800 NEW WINDSOR (TN) |
| <u> </u> 2800 DEERPARK (TN) | <u> </u> 5089 TUXEDO (TN) |
| <u> </u> 3089 GOSHEN (TN) | <u> </u> 5001 TUXEDO PARK (VLG) |
| <u> </u> 3001 GOSHEN (VLG) | <u> </u> 5200 WALLKILL (TN) |
| <u> </u> 3003 FLORIDA (VLG) | <u> </u> 5489 WARWICK (TN) |
| <u> </u> 3005 CHESTER (VLG) | <u> </u> 5401 FLORIDA (VLG) |
| <u> </u> 3200 GREENVILLE (TN) | <u> </u> 5403 GREENWOOD LAKE (VLG) |
| <u> </u> 3489 HAMPTONBURGH (TN) | <u> </u> 5600 WAWAYANDA (TN) |
| <u> </u> 3689 HIGHLANDS (TN) | <u> </u> 5889 WOODBURY (TN) |
| <u> </u> 3601 HIGHLAND FALLS (VLG) | <u> </u> 5801 HARRIMAN (VLG) |
| <u> </u> 3889 MINISINK (TN) | <u> </u> 5809 WOODBURY (VLG) |
| <u> </u> 3801 UNIONVILLE (VLG) | |
| <u> </u> 4089 MONROE (TN) | CITIES |
| <u> </u> 4001 MONROE (VLG) | <u> </u> 0900 MIDDLETOWN |
| <u> </u> 4003 HARRIMAN (VLG) | <u> </u> 1100 NEWBURGH |
| <u> </u> 4005 KIRYAS JOEL (VLG) | <u> </u> 1300 PORT JERVIS |
| | <u> </u> 9999 HOLD |

NO PAGES CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$
TAX EXEMPT
Taxable
MORTGAGE AMT. \$

- MORTGAGE TAX TYPE:**
- (A) COMMERCIAL/FULL 1%
 - (B) 1 OR 2 FAMILY
 - (C) UNDER \$10,000
 - (E) EXEMPT
 - (F) 3 TO 6 UNITS
 - (I) NAT. PERSON/CR. UNION
 - (J) NAT. PER-CR. UN/1 OR 2
 - (K) CONDO

Donna L. Benson

DONNA L. BENSON
ORANGE COUNTY CLERK

Received From _____

ORIGINAL RECEIVED

ORANGE COUNTY CLERK
2007 OCT 11 AM 10:19

RECORDED/FILED
10/04/2007/ 10:17:13
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE # 20070108042
DEED C / BK 12539 PG 15AA
RECORDING FEES 207.00
TTX# 001780 T TAX 0.00
Receipt#795281 dab



Bargain and Sale Deed

THIS INDENTURE, made the 12th day of September, in the year two thousand seven

BETWEEN PATRICK MORONEY
23 Hoppenstedt Road
Wallkill, NY 12589

party of the first part, and

JP MORONEY PROPERTY LLC
833 Union Avenue
New Windsor, NY 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, more particularly described in *Schedule A* annexed hereto and made part hereof.

BEING AND INTENDED TO BE the same premises conveyed by Edward Leon Goldin and Union Ave. Enterprises, Inc. to Patrick Moroney by deed dated July 18, 2002, and recorded in the Orange County Clerk's Office on August 14, 2002, in Liber 5969 of Deeds at Page 25.

TOGETHER with all rights, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration of this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any other purpose.

SCHEDULE A

ALL that certain piece or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York, being more particularly described as follows:

BEGINNING at a point in the westerly line of Union Avenue (N.Y.S. Route 300), where said line is intersected by the northerly line of other lands now or formerly Moroney, running thence, the following courses:

1. Along said line, N 60 Degrees 41' 56" West 249.93' to a point;
2. Along lands now or formerly N.Y.S. Thruway (I-87), N 20 Degrees 03' 55" E 90.17' to a point;
3. Along lands now or formerly Union Avenue Enterprises, Inc., S 63 Degrees 04' 51" E 264.62' to a point in the westerly line of Union Avenue;
4. Along said line, S 29 Degrees 17' 30" W 100.00' to the point or place of BEGINNING.

SUBJECT to an easement granted to New York Telephone Company running through the above described parcel, being more particularly described as follows:

BEGINNING at a point in the westerly line of Union Avenue, where said line is intersected by the northerly line of other lands now or formerly Maroney, running thence, the following courses:

1. Along said line, N 60 Degrees 41' 56" W 7.52' to a point;
2. Through the above described parcel, N 29 Degrees 50' 36" E 99.73' to a point;
3. Along lands now or formerly Union Avenue Enterprises, Inc., S 63 Degrees 04' 51" E 6.56' to a point in the westerly line of Union Avenue;
4. Along said line, S 29 Degrees 17' 30" W 100.00' to the point or place of BEGINNING.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

JP MORCNEY PROPERTY LLC

TO

JP MORCNEY PROPERTY LLC

COPY

SECTION 4 BLOCK 1 LOT 9.22
9.23

RECORD AND RETURN TO:
(name and address)

THOMAS J. MURPHY, ESQ.
717 Broadway
Newburgh, NY 12550



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

<input type="checkbox"/> 2089 BLOOMING GROVE (TN)	<input type="checkbox"/> 4289 MONTGOMERY (TN)
<input type="checkbox"/> 2003 SO. BLOOMING GROVE (VLG)	
<input type="checkbox"/> 2001 WASHINGTONVILLE (VLG)	<input type="checkbox"/> 4201 MAYBROOK (VLG)
<input type="checkbox"/> 2289 CHESTER (TN)	<input type="checkbox"/> 4203 MONTGOMERY (VLG)
<input type="checkbox"/> 2201 CHESTER (VLG)	<input type="checkbox"/> 4205 WALDEN (VLG)
<input type="checkbox"/> 2489 CORNWALL (TN)	<input type="checkbox"/> 4489 MOUNT HOPE (TN)
<input type="checkbox"/> 2401 CORNWALL (VLG)	<input type="checkbox"/> 4401 OTISVILLE (VLG)
<input type="checkbox"/> 2600 CRAWFORD (TN)	<input type="checkbox"/> 4600 NEWBURGH (TN)
<input type="checkbox"/> 2800 DEERPARK (TN)	<input type="checkbox"/> 4800 NEW WINDSOR (TN)
<input type="checkbox"/> 3089 GOSHEN (TN)	<input type="checkbox"/> 5089 TUXEDO (TN)
<input type="checkbox"/> 3001 GOSHEN (VLG)	<input type="checkbox"/> 5001 TUXEDO PARK (VLG)
<input type="checkbox"/> 3003 FLORIDA (VLG)	<input type="checkbox"/> 5200 WALLKILL (TN)
<input type="checkbox"/> 3005 CHESTER (VLG)	<input type="checkbox"/> 5489 WARWICK (TN)
<input type="checkbox"/> 3200 GREENVILLE (TN)	<input type="checkbox"/> 5401 FLORIDA (VLG)
<input type="checkbox"/> 3489 HAMPTONBURGH (TN)	<input type="checkbox"/> 5403 GREENWOOD LAKE (VLG)
<input type="checkbox"/> 3689 HIGHLANDS (TN)	<input type="checkbox"/> 5600 WAWAYANDA (TN)
<input type="checkbox"/> 3601 HIGHLAND FALLS (VLG)	<input type="checkbox"/> 5889 WOODBURY (TN)
<input type="checkbox"/> 3889 MINISINK (TN)	<input type="checkbox"/> 5801 HARRIMAN (VLG)
<input type="checkbox"/> 3801 UNIONVILLE (VLG)	<input type="checkbox"/> 5809 WOODBURY (VLG)
<input type="checkbox"/> 4089 MONROE (TN)	
<input type="checkbox"/> 4001 MONROE (VLG)	CITIES
<input type="checkbox"/> 4003 HARRIMAN (VLG)	<input type="checkbox"/> 0900 MIDDLETOWN
<input type="checkbox"/> 4005 KIRYAS JOEL (VLG)	<input type="checkbox"/> 1100 NEWBURGH
	<input type="checkbox"/> 1300 PORT JERVIS
	<input type="checkbox"/> 9999 HOLD

NO PAGES _____ CROSS REF. _____

CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK _____
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ _____
TAX EXEMPT _____
Taxable
MORTGAGE AMT. \$ _____

MORTGAGE TAX TYPE:

(A) COMMERCIAL/FULL 1%
 (B) 1 OR 2 FAMILY
 (C) UNDER \$10,000
 (E) EXEMPT
 (F) 3 TO 6 UNITS
 (I) NAT.PERSON/CR. UNION
 (J) NAT.PER-CR.UN/1 OR 2
 (K) CONDO

Donna L. Benson

DONNA L. BENSON
ORANGE COUNTY CLERK

Received From _____

ORIGINAL RECORDED
ORIGINAL RECORDED

RECORDED/FILED
10/22/2007 09:56:06
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE # 20070114203
DEED C / BK 12550 PG 1489
RECORDING FEES 210.00
TTX# 002262 T TAX 0.00
Receipt#802176 juls



Bargain and Sale Deed

THIS INDENTURE, made the 18 day of October, in the year two thousand seven

BETWEEN JP MORONEY PROPERTY LLC
833 Union Avenue
New Windsor, NY 12553

party of the first part, and

JP MORONEY PROPERTY LLC
833 Union Avenue
New Windsor, NY 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, more particularly described in *Schedule A* annexed hereto and made part hereof.

BEING AND INTENDED TO BE (Parcel I) the same premises conveyed by James Moroney a/k/a James Maroney to JP Moroney Property LLC by deed dated September 12, 2007, and recorded in the Orange County Clerk's Office on October 4, 2007, in Book 12539 of Deeds at Page 1584,

AND ALSO (Parcel II) the same premises conveyed by Patrick Moroney to JP Moroney Property LLC by deed dated September 12, 2007, and recorded in the Orange County Clerk's Office on October 4, 2007, in Book 12539 of Deeds at Page 1588.

TOGETHER with all rights, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the

SCHEDULE A

Parcel I

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, and being more accurately bounded and described as follows:

BEGINNING at a point on the westerly side of Union Avenue, said point of beginning being located 500 feet southerly, as measured along the westerly line of Union Avenue, from the southeast corner of lands belonging to the Town of New Windsor, said point of beginning also being located 500 feet southerly, as measured along the westerly line of Union Avenue, from the northeast corner of lands conveyed by Zaklasnik to Patsalos on the westerly side of Union Avenue by deed recorded in the Orange County Clerk's Office in Liber 1735 of Deeds at Page 869; thence from said point of beginning and through lands of Patsalos, North 60° 55' 45" West 217.96 feet to a point in the easterly line of the N.Y.S. Thruway; thence along the easterly line of the N.Y.S. Thruway, on the next two courses and distances, North 20° 18' 25" East 100.10 feet to a concrete monument; thence North 20° 03' 55" East 103.30 feet to a point; thence through lands now or formerly of James Patsalos, South 60° 42' 30" East 249.93 feet to a point in the westerly line of Union Avenue; thence along the westerly line of Union Avenue, on the remaining courses and distances, South 29° 17' 30" West 135.42 feet to an angle point; thence South 29° 04' 15" West 64.58 feet to the point of beginning.

Containing 1.08 acres more or less.

Parcel II

ALL that certain piece or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York, being more particularly described as follows:

BEGINNING at a point in the westerly line of Union Avenue (N.Y.S. Route 300), where said line is intersected by the northerly line of other lands now or formerly Moroney, running thence, the following courses:

1. Along said line, N 60 Degrees 41' 56" West 249.93' to a point;
2. Along lands now or formerly N.Y.S. Thruway (I-87), N 20 Degrees 03' 55" E 90.17' to a point;
3. Along lands now or formerly Union Avenue Enterprises, Inc., S 63 Degrees 04' 51" E 264.62' to a point in the westerly line of Union Avenue;
4. Along said line, S 29 Degrees 17' 30" W 100.00' to the point or place of BEGINNING.

SUBJECT to an easement granted to New York Telephone Company running through the above described parcel, being more particularly described as follows:

BEGINNING at a point in the westerly line of Union Avenue, where said line is intersected by the northerly line of other lands now or formerly Maroney, running thence, the following courses:

1. Along said line, N 60 Degrees 41' 56" W 7.52' to a point;
2. Through the above described parcel, N 29 Degrees 50' 36" E 99.73' to a point;
3. Along lands now or formerly Union Avenue Enterprises, Inc., S 63 Degrees 04' 51" E 6.56' to a point in the westerly line of Union Avenue;
4. Along said line, S 29 Degrees 17' 30" W 100.00' to the point or place of **BEGINNING**.

Shaw Engineering

P.B. 06-23

Consulting Engineers

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

June 1, 2007

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

Re: New Motor Vehicle Sales Building For Moroneys Cycle Shop
Union Avenue

Gentlemen:

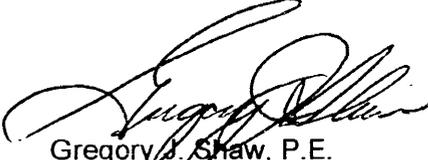
We have presented below for your consideration our Construction Estimate for the site improvements for Moroneys Cycle Shop. Our Estimate is as follows:

CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Erosion Control	0.33 Ac	\$ 1,800	\$ 600
Paving & Base	1,020 S.Y.	\$ 12	\$ 12,240
Parking Space Striping	470 L.F.	\$ 0.50	\$ 235
Handicapped Sign & Striping	1	\$ 200	\$ 200
Concrete Ramp	7 S.Y.	\$ 38	\$ 266
Flagpole	1	\$ 500	\$ 500
Masonry Retaining Wall	55 L.F.	\$ 60	\$ 3,300
Split Rail Fence	55 L.F.	\$ 8	\$ 440
Pole With Single Luminaire	2	\$ 1,500	\$ 3,000
Wall Mounted Lighting	3	\$ 500	\$ 1,500
Total			\$ 22,281

Should this Estimate be acceptable, my client will pay the 2% inspection fee of \$ 445.62

Respectfully submitted,

SHAW ENGINEERING


Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: Mr. Patrick Moroney, Moroneys Cycle Shop

May 23, 2007

40

MORONEY'S_CYCLE_SHOP_(06-23)

MR. EDSALL: Actually what happened with Maroney's was it was hung up waiting for I believe the County's response, correct me if I'm wrong.

MS. MASON: Right.

MR. EDSALL: And everything else was in order and we discussed the fact as to the need for Mr. Shaw to come in just for the formality because we were just waiting for the County's response. We now have it. So it's in my opinion ready for approval and I would suggest that the board authorize the attorney to prepare the appropriate resolution. I will coordinate with him and authorize the chairman to sign the resolution once it's prepared.

MR. ARGENIO: They received their zoning variances?

MR. EDSALL: Yes.

MR. ARGENIO: No issues?

MR. EDSALL: No, this is the case we have now since we have the new 239 referrals to the County, we just can't do things in the same, we get hung up.

MR. ARGENIO: Do we need to declare a negative dec under SEQRA?

MR. CORDISCO: Yes, yes, it would be resolutions to adopt the negative declaration and also to authorize approval of the site plan.

MR. EDSALL: Just site plan. Just for the record, you took lead agency on March 14 and on the same date you waived the public hearing and it did go to the Zoning Board and they achieved their variances.

May 23, 2007

41

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare negative dec on Maroney's site plan and authorize Dominic to prepare the resolution, final approval and me to sign it. Motion has been made and seconded to that effect. If there's no further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	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)

MAIN OFFICE
33 AIRPORT CENTER DRIVE
SUITE 202
NEW WINDSOR, NEW YORK 12553

(845) 567-3100
FAX: (845) 567-3232
E-MAIL: MHENY@MHEPC.COM

WRITER'S E-MAIL ADDRESS:
MJE@MHEPC.COM

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MORONEYS CYCLE SHOP SITE PLAN AMENDMENT
(PROPOSED 4950 SF MOTOR VEHICLE SALES BUILDING)
PROJECT LOCATION: 833 UNION AVENUE
SECTION 4 - BLOCK 1 - LOTS 9.22 & 9.23
PROJECT NUMBER: 06-23
DATE: 23 MAY 2007
DESCRIPTION: THE APPLICATION PROPOSES THE MERGER OF THE TWO ADJOINING TAX LOTS, AND THE CONSTRUCTION OF A 4,950 S.F. VEHICLE SALES BUILDING WITH ASSOCIATED IMPROVEMENTS. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 28 JUNE 2006 AND 14 MARCH 2007 PLANNING BOARD MEETINGS.

1. The property is located in the "C" zoning district of the Town. The use on the site is existing use A-15 for the zoning bulk tables, with this application expanding the use to the adjoining lot which is being merged into the lot where the existing operation exists. The bulk requirements shown on the plan are correct for the zone and use. The applicant was referred to the Zoning Board of Appeals on 7-7-06; variances were received on 11-13-06.
2. The Planning Board may wish to classify this action as an "unlisted action" under SEQRA, and consider a "negative declaration" of environmental significance, based on the information presented and reviewed.
3. If the Board deems it appropriate to grant conditional final approval, I recommend the following conditions, in addition to those outlined by the Planning Board:
 - That a site improvement cost estimate be submitted for approval.
 - That the following note be added to sheet #1 of the drawings:
"The two tax lots shown hereon shall be combined as a condition of site plan approval. Documentation demonstrating the same will be submitted to the Attorney for the Planning Board prior to stamping of the site plans."
 - That all fees be paid prior to stamp of approval.

Respectfully Submitted,

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

REGIONAL OFFICES

• 111 WHEATFIELD DRIVE - SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

NORTH_PLANK_DEVELOPMENT_CO._(07-21)

MR. ARGENIO: Next is North Plank Development and again this is Mr. Shaw. The application proposes construction of the 12,000 square foot building for retail office and warehouse use. The plan was reviewed on concept basis. For my fellow members, this is that piece of property adjacent to Orange County Ironworks over on Route 300 just down the road a bit I think they did start construction. What essentially they want to do from my understanding of this is they had approval to do two buildings, we had a public hearing based on two buildings, I think the commentary from the public we received was relatively limited subsequent and Greg if I misspeak correct me subsequent to that they cut it back to one building. Now apparently marketing forces and the like have compelled them to go back to the original two building scenario. So having said that, Greg, what do you have for us?

MR. SHAW: Again, just to give you a recap we originally came in to this board in 2004-2005 with a scheme having two buildings, a building in each location as shown on this plan. That drawing was referred out to the County. We had a public hearing on the drawings reflecting both buildings. And after the public hearing, the applicant decided just to move forward with one building. So we amended the site plan, we came in for one building, actually, the building got bumped up before we got final approval from 6,600 to 7,200 square feet that's approved, everything from this portion of the site towards the road is approved by this board. Also the storm water management facility is approved by this board and a storm water pollution prevention plan in place along--

MR. ARGENIO: Let me interrupt you for one second. The original plan with the two buildings during the review process did your applicant decide to not apply for the two buildings or did you receive final approval on the

two buildings and then elect not to do the second one?

MR. SHAW: Final approval on one and only one building, the balance behind it was just going to be grass.

MR. ARGENIO: Got it.

MR. SHAW: So what we have now is a second application very simply for the second building. Again, everything in this portion is approved as in the rear with the storm water management and what we'd like to do is have this board eventually approve 12,000 square foot building. Now I'd like to point out that it's slightly larger than what you had the public hearing on, the building that you had the public hearing on was 10,200 square feet and was going to be all office or retail. This building has now been increased 1,800 square feet.

MR. ARGENIO: From the original proposal?

MR. SHAW: Correct. Okay, to a total of 12,000 and the use is going to be a little different. The original pitch that we made to the board was going to be all office and retail, this is going to be flex space, could be retail, could be office but it's going to be warehouse also.

MR. ARGENIO: It will be in compliance with zoning?

MR. SHAW: Correct. All right, so with that, the parking demands were not as great, we were able to reduce the number of parking spaces and elongate the build a little bit. There's no more impervious area today than there was two years ago, we just eliminated some parking cause we don't need it all cause a portion of the building is going to be warehouse. So the application very simply is for a 12,000 square foot building with its associated parking for either office and retail and warehouse use and the projections that I have on the drawing out of the 12,000 square feet is

7,500 for office and retail and 4,500 square feet of the building will be for warehouse.

MR. ARGENIO: Says here that Mark's, Greg, the original SWPPP did consider the second building.

MR. SHAW: The original SWPPP did consider the second building and this one was designed for the total buildout of the site, this board accepted the SWPPP and reviewed it. With this new application for the second building we submitted a revised SWPPP, okay, which now reflects not just proposed impervious area but this actual drawing that's before you and that was submitted to this board along with this plan.

MR. ARGENIO: What necessitates that if you have less impervious area again?

MR. SHAW: Just to make the picture a little bit more clear with what happened we needed to get coverage with respect to the first building and to do that I completed a notice of intent and in filling out the notice of intent it forced me to bring this other building and this parking into the equation and in doing so now I have a SWPPP that doesn't match the notice of intent. So I thought it would be simpler to complete it, revise the SWPPP and now everything's consistent.

MR. ARGENIO: Do you have that, Mark?

MR. EDSALL: I just made a note to look for it, I don't remember seeing it.

MR. SHAW: Oh, it's there.

MR. EDSALL: I don't doubt Mr. Shaw.

MR. ARGENIO: I have bad news for you and you probably know this already because you're a fairly astute guy,

August 8, 2007

13

because of the increase in area, I think it is or square footage I think it's likely you have to go back to the County.

MR. SHAW: I would agree.

MR. ARGENIO: Oh, you would agree?

MR. SHAW: Yeah, I expect to go back to the County.

MR. ARGENIO: Am I right when I say that?

MR. CORDISCO: Yes, sir.

MR. SHAW: For the 1,800 square feet we're willing to wait the extra month to have it referred to the County and return in a month.

MR. ARGENIO: I've been doing all the talking. Any of the other members have any questions?

MR. SCHLESINGER: Do you have this laid out with the warehouse on the long side of the building?

MR. SHAW: It's this area here would have the overhead doors and would have the entrance in for the warehouse so where you have the bulk of the parking would be office/retail and the rear would be where your warehouse would be.

MR. SCHLESINGER: And you have enough room for tractor trailers?

MR. SHAW: They're not going to be tractor trailers, okay, they're going, it's going to be similar, maybe an electrical contractor who needs a little bit of an office and an area to store his supplies and material in.

MR. ARGENIO: Conduit and things of that nature.

August 8, 2007

14

MR. SCHLESINGER: So is that then a plumber or electrical contractor falls under warehouse?

MR. SHAW: Yes, they call it flex space.

MR. ARGENIO: I'll accept a motion that the town declare, Town of New Windsor declare itself lead agency under SEQRA review.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency under the SEQRA process.

ROLL CALL

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

MR. ARGENIO: I'm going to poll the board on the public hearing, let's try and--

MR. VAN LEEUWEN: It's mandatory.

MR. ARGENIO: Wait a second, I don't know that it is, no, it's, not mandatory and the comment I would make is that we had a public hearing and there were two buildings on the plan for the public hearing but this is a new game, they're adding another 1,200 square feet so I'm going to poll the room or poll the board and see how they feel about it. Neil, do you have any thoughts on that?

August 8, 2007

15

MR. SCHLESINGER: What do we have, Strober King on one side and Orange County steel?

MR. SHAW: Nobody was at the public hearing.

MR. ARGENIO: That's correct, I verified that.

MR. SCHLESINGER: I don't see any reason to have a public hearing.

MR. BROWN: I don't think so.

MR. GALLAGHER: We can waive it.

MR. VAN LEEUWEN: Fine with me.

MR. ARGENIO: Accept a motion we waive.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded we waive the public hearing.

ROLL CALL

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

MR. ARGENIO: We have nothing yet from highway and nothing yet from fire.

MR. BABCOCK: Highway--

MR. EDSALL: You won't get highway.

MR. ARGENIO: I'm sorry, I'm sorry, give me a break here. We have nothing yet from fire. Greg, I'm going to make a comment though I do believe, I believe you could do better, I don't want to use the term I too much on the landscaping around the pond.

MR. VAN LEEUWEN: Little on the cheap side.

MR. ARGENIO: Little on the light side. I'm not telling you what to do. I understand it's in the back, I understand the Thruway and the railroad are in the back.

MR. SHAW: Well, to be perfectly honest I'd have to look at the plan, that pond and its landscaping were approved with the first building. This drawing does not reflect all of the improvements that go with the first building, these drawings were, reflect the improvements with the second building.

MR. ARGENIO: I'm looking at the landscaping plan and I see ten plantings.

MR. SHAW: To be honest I don't know whether that reflects all the plantings cause that's an improved site plan. If you want when I return back to you I can bring you a landscaping plan of what you have approved and if you want to embellish it we can.

MR. ARGENIO: I don't want to do that I want you to bring what we approved. I'd like you to if possible incorporate suggestions that I just made into that.

MR. SHAW: Okay, if it's only what's indicated on that plan, if it's only indicated on the plan that you're looking at.

MR. ARGENIO: If the original plan indicated the same amount of plantings that are shown here.

August 8, 2007

17

MR. SHAW: It has to be bumped up.

MR. ARGENIO: Yes.

MR. SHAW: But if that really does not reflect the landscaping for that pond then we'll talk about it.

MR. ARGENIO: Correct.

MR. SHAW: That's absolutely fine.

MR. ARGENIO: We're going to see this again, he's got to go to Orange County Planning. Mark, is there anything else that we can work through procedurally? I really don't see anything here.

MR. EDSALL: No, I think you've gone as far as you can tonight.

MR. ARGENIO: Anybody else have any comments on it? Greg, I don't know what else I can do for you.

MR. SHAW: The board has the two major issues was lead agency referral to the County and the public hearing issue. With that, I'll be back in a month.

MR. ARGENIO: Thank you for coming in.

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

RECEIPT
#719-2007

09/19/2007

North Plank Dev. Co.

Received \$ 150.00 for Planning Board Fees, on 09/19/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

P.B. # 07-21 Application Fee



COUNTY OF ORANGE

EDWARD A. DIANA
COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

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

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

cc: M.E.
D.C.
P.B.# 06-23

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

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by: Town of New Windsor
Planning Board

Reference/County ID No.: NWT08-07M
County Tax ID: S4 B1 L9.22
S4 B1 L9.23

Applicant: James & Patrick Moroney

Proposed Action: Site Plan for expansion of existing Motorcycle Retail/Repair

Reason for Review: Within 500 ft of NYS Route 300

Date of Full Statement: March 23, 2007

Comments:

1. The applicant has requested site plan approval for a 4950sf motor vehicle sales building as an expansion of an existing motorcycle retail and repair shop, in a C Design Shopping zoning district. The applicant has acquired variances for lot area, side and rear yard setbacks, building height, developmental coverage and required number of parking spaces.
2. The County does not expect the proposed project to pose any major impacts upon County or State facilities or to create any inter-municipal concerns and therefore recommends approval for the said action.

County Recommendation:

Approval XXXX

Date: April 18, 2007

Prepared by: Atticus Lanigan, Planner



David Church, AICP
Commissioner of Planning

ORANGE COUNTY DEPARTMENT OF PLANNING

124 Main Street
Goshen, NY 10924-2124

APPLICATION FOR MANDATORY COUNTY REVIEW OF LOCAL PLANNING ACTION

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

Local File No. 06-23 (Please include this number on any correspondence)

1. Municipality Town of New Windsor Public Hearing Date: not set

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

2. Owner: Name: James & Patrick Maroney
Address: 833 Union Ave, New Windsor, NY 12553

3. Applicant * Name: same
Address: _____

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

4. Location of Site: 833 Union Ave (just north of 207/300 intersection)
(Street or highway, plus nearest intersection)

Tax Map Identification: Section: 4 Block: 1 Lot: 9.22 & 9.23

Present Zoning District: C Size of Parcel: 1.6+ Acres

5. Type of Review:

***Site Plan

Zone Change: From -- To: --

Zoning Amendment: To Section _____

**Subdivision: Number of Lots/Units _____

***Site Plan: Use Expansion of existing Motorcycle Retail/Repair

Date: 3-12-07

Signature & Title: Mark J. Edsall, P.E.
Mark J. Edsall, P.E.,
Planning Board Engineer

March 14, 2007

5

REGULAR_ITEMS:

MORONEY'S_CYCLE_SHOP_(06-23)

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

MR. ARGENIO: First regular item Moroney's Cycle Shop Route 300 represented by Greg Shaw. This application proposes construction of 4,950 square foot building. The application was previously reviewed at the 28 June, 2006 planning board meeting. Greg, can you tell us what we're looking at here? I want to just read the second half of note number 1 to refresh the members' memories. The applicant was referred to the ZBA on 7/7/06, this plan indicates that the required variances were received on 11/13 of 2006. Is that true, Mr. Shaw?

MR. SHAW: Yes, it is.

MR. ARGENIO: What say you?

MR. SHAW: As you mentioned, we start with this application with the combining of the two lots which are owned by the Moroney family. The existing lot which has the Moroney Cycle Shop on it is 1.07 acres and the parcel immediately to the north which is basically a macadam parking area is 0.559 acres, when we add them together, we're going to have 1.635 acres. We made an initial presentation before this board and we got a referral to the Zoning Board of Appeals because while this property was had the necessary variances over the past seven years, the town changed the zoning with respect to the bulk requirements for a motor vehicle shop therefore we needed a host of variances. If you look on the zoning schedule on the first drawing you'll see that we had 1, 2, 3, 4, 5, 6, 7 variances that we got from the zoning board of appeals, okay, and again, they recognized the fact that

March 14, 2007

6

the requirements were changed, we didn't change, the requirements changed. So, therefore, we're before you tonight asking for construction of a 4,950 square foot building.

MR. ARGENIO: So they're a little more lenient with you because of that change?

MR. SHAW: Yes, correct. It's two stories so the ground coverage is really only 40 by 70 feet for 2,800 square feet and as I said, the existing site is presently a macadam surface, we're going to have to take the westerly portion of it and regrade it and repave it, we're well under an acre of disturbance so the SPEDES storm water regulations will not apply. The fact that it is already macadam we're not creating any additional impervious surface. You'll notice on the second sheet is an existing conditions plan which basically showed the limits of the macadam pavement which supports the statement that I just made. I have met with the fire inspector working out the fire lanes to make sure that that was satisfactory to his office and very simply we're just proposing water hookup and a sewer hookup along with parking in the front and that's about the limit of the improvements. Again, we're providing a total of 43 spaces for the entire property which my client feels is adequate.

MR. ARGENIO: Do the parking calculations work?

MR. SHAW: Yes, well, we got a variance for them.

MR. ARGENIO: So they didn't work but you got the variance.

MR. VAN LEEUWEN: And the new building, what's it going to do?

MR. SHAW: Pat Moroney's here if you want to ask him directly but Harley Davidson wants the main building

March 14, 2007

7

for their product line so what Pat wants to do is construct the building for the Yamaha, Suzuki line and basically restoring square footage floor space in his existing space for Harley Davidson.

MR. VAN LEEUWEN: I know he likes antique cars so I figured he's going to sell antique cars, who knows.

MR. ARGENIO: Do you have adequate room for the, two questions, do you have adequate room for the geogrid for the wall behind the wall?

MR. SHAW: Yes.

MR. ARGENIO: It appears that you do. What about lighting, Greg?

MR. SHAW: You'll notice on drawing 3 that I prepared a lighting plan and it shows the location of the fixtures both freestanding and wall pack and what the foot candle spread is throughout the new area proposed for development.

MR. ARGENIO: Mark, there's no SWPPP issues here, is that because the disturbance is so small?

MR. EDSALL: Correct.

MR. ARGENIO: I'm going to read this to you, Greg, for your information, the two tax lots shown here on shall be combined as condition of site plan approval, documentation demonstrating same will be submitted to the attorney for the planning board prior to stamping of the site plans.

MR. SHAW: No problem.

MR. ARGENIO: Are you okay with that?

MR. SHAW: Standard.

March 14, 2007

8

MR. VAN LEEUWEN: Where is the flag pole? I know you got one in there.

MR. SHAW: I'm going to have to look awful hard for it.

MR. ARGENIO: Greg, while you look between this meeting and the next meeting, Mr. Moroney, unfortunately county law dictates that when your project is within 500 feet of a host of items one of which is a state highway we're obligated by law to submit the plans to the County for review. Certainly Mr. Shaw does a fine job typically with his plans and it looks like he's got this covered to a great extent with the exception of the flag pole.

MR. EDSALL: Just checking, the ZBA referred this, they didn't check both the planning board and the--

MS. MASON: No.

MR. EDSALL: So it was sent, we're trying to make the referrals now, send them over as a joint referral to the Planning.

MR. ARGENIO: So this was referred?

MR. EDSALL: Not for the planning board so we have to do it.

MR. ARGENIO: So we have to make that referral is what I'm trying to say, we can't give you final approval tonight because by law we can't act until we hear back from them which in lot of instances it's important because they do sometimes have the benefit of knowledge and information that we don't have the benefit of at all at our level, sometimes we have the benefit of information that they don't so it's essentially sharing of information. This application expands an existing use with no new curb cut to the state highway, the

board should discuss the need for referral to the DOT. I mean he's got cuts there, he's got ins and outs. Joe, do you have any comment on that or Howard?

MR. MINUTA: They're existing, they function now.

MR. ARGENIO: They function now, he's got a pair of them, he puts the Abrams tank in between them when he, that's the show in the spring I guess is that what that is an Abrams tank?

MR. MORONEY: We're not going to have it this year, I guess they moved, it was at the Armory for the longest time.

MR. ARGENIO: And you can't get it anymore, my kids will be disappointed.

MR. MORONEY: That was a big draw.

MR. ARGENIO: Certainly was big.

MR. MORONEY: Better than a free hot dog.

MR. ARGENIO: Dominic, what did the ZBA do relative to the lead agency, does anybody have an answer to that or should we just take lead agency?

MR. CORDISCO: You need to.

MR. ARGENIO: I'll accept a motion that we take lead agency under the SEQRA process.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENI: Motion has been made and seconded that the Town of New Windsor Planning Board take lead agency under the SEQRA review process. No further discussion,

March 14, 2007

10

roll call.

ROLL CALL

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

MR. ARGENIO: This is relatively simple, he's staying right under the threshold of 5,000 square feet for reasons which we all know which is certainly lawful. Does anybody have anything, I mean, we talked about the public hearing, we have at our discretion the ability to have a public hearing for this but he's got the Thruway behind.

MR. VAN LEEUWEN: Make a motion we waive the public hearing.

MR. ARGENIO: How do you guys feel about that?

MR. BROWN: I agree.

MR. VAN LEEUWEN: Why make him go through it.

MR. ARGENIO: Motion has been made.

MR. MINUTA: I'm sorry, again, there was already a public hearing?

MR. SHAW: At the ZBA.

MR. ARGENIO: It's requisite at that level, Joe. I'll accept a motion that the Town of New Windsor Planning Board waive the public hearing for the Pat Moroney plan.

MR. VAN LEEUWEN: So moved.

March 14, 2007

11

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board waive the public hearing requirement for Moroney's Cycle Shop site plan on Route 32. No further discussion, roll call.

ROLL CALL

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

MR. ARGENIO: Does anybody see anything else that we should be focusing on? This is relatively simple, he's got a handicapped ramp, he's got the handicapped parking, he has the signs shown. Mark all that's in conformance on the plan, you looked at all that?

MR. EDSALL: It's fine.

MR. ARGENIO: What else is there to talk about, Greg? We've got to hear from County.

MR. SHAW: Well, I'll come back in 30 days.

MR. ARGENIO: Thank you. Good luck.

MR. EDSALL: Mr. Chairman, if we happen to get a return local determine that has no comment whatsoever, you may want to let the applicant know that they, you may advise them that their attendance may not be necessary, we have done that in the past.

MR. ARGENIO: Greg, do you understand that?

MR. SHAW: No.

MR. EDSALL: If we get back a local determination the

March 14, 2007

12

board clearly has no comments if we get back a straight local determination there's no new issues we're aware of you may get told your attendance at the meeting is optional, maybe just pro forma.

MR. ARGENIO: That's not approval subject to but Mark can represent it.



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

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

MAIN OFFICE
33 AIRPORT CENTER DRIVE
SUITE 202
NEW WINDSOR, NEW YORK 12553

(845) 567-3100
FAX: (845) 567-3232
E-MAIL: MHENY@MHEPC.COM

WRITER'S E-MAIL ADDRESS:
MJE@MHEPC.COM

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MORONEYS CYCLE SHOP SITE PLAN AMENDMENT
(PROPOSED 4950 SF MOTOR VEHICLE SALES BUILDING)
PROJECT LOCATION: 833 UNION AVENUE
SECTION 4 – BLOCK 1 – LOTS 9.22 & 9.23
PROJECT NUMBER: 06-23
DATE: 14 MARCH 2007
DESCRIPTION: THE APPLICATION PROPOSES THE MERGER OF THE TWO
ADJOINING TAX LOTS, AND THE CONSTRUCTION OF A 4,950 S.F.
VEHICLE SALES BUILDING WITH ASSOCIATED IMPROVEMENTS.
THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 28 JUNE
2006 PLANNING BOARD MEETING.

1. The property is located in the "C" zoning district of the Town. The use on the site is existing use A-15 for the zoning bulk tables, with this application expanding the use to the adjoining lot which is being merged into the lot where the existing operation exists. The bulk requirements shown on the plan are correct for the zone and use.

The applicant was referred to the Zoning Board of Appeals on 7-7-06, and this plan indicates that the required variances were received on 11-13-06.

2. We have reviewed the plans submitted for this meeting. The application is fairly simple in nature and is effectively an amendment (addition) to the existing site. Our only comment is a recommendation that the following note be added to sheet #1 of the drawings:

"The two tax lots shown hereon shall be combined as a condition of site plan approval. Documentation demonstrating the same will be submitted to the Attorney for the Planning Board prior to stamping of the site plans."

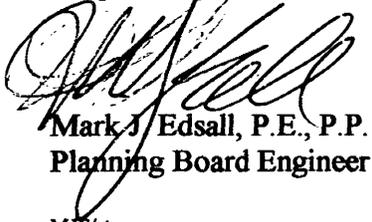
3. We are aware of no outstanding plan requirements. If the Board has additional issues they would like to be addressed, same should be discussed with the applicant's engineer.

REGIONAL OFFICES

• 111 WHEATFIELD DRIVE – SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

4. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
5. 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 300-86 (C) of the Town Zoning Local Law.
6. This project adjoins NYS Route 300 and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239). I have prepared the necessary referral.
7. The application expands an existing use, with no new curb cut to the State Highway. The Board should discuss the need for a referral to the NYSDOT.

Respectfully Submitted,



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

MJE/st
NW06-23-14Mar07.doc



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS – Regular Session
AGENDA for SEPTEMBER 25, 2006

7:30 p.m. – Roll Call

Motion to accept minutes of JULY 24, 2006 & AUGUST 28, 2006 meetings as written.

PRELIMINARY MEETINGS:

SET UP
FOR P/H

1. **JOHN PIZZO (06-52)** Request for:
8,687 s.f. Minimum Lot Area
8ft * 15 ft * 5 ft. Front Yard Setback (Three Front Yards)
33% Developmental Coverage

For proposed New Office Building at the corners of Temple Hill Rd., Little Britain Rd. & Rt. 207 in a PO Zone (4-1-11.1)

SET UP
FOR P/H

2. **MORONEY'S CYCLE SHOP (06-53)** Request for:
3.365 Acres Minimum Lot Area 20 ft. Rear Yard Setback
46 ft. Side Yard Setback 12 ft. Building Height
62 ft. Total Side Yard Setback 0.4% Developmental Coverage
50 Parking Spaces

For proposed New 4,950 s.f. building on Union Ave. (Rt. 300) in a C Zone (4-1-9.22 & 9.23)

SET UP
FOR P/H

3. **COPPOLA ASSOCIATES (for Douglas Crana)** Request for:
36,560 s.f. Minimum Lot Area 5 ft. Side Yard Setback
55 ft. Minimum Lot Width 26 ft. Rear Yard Setback
26 ft. Front Yard Setback

For Proposed Single Family home at 22 Cedar Avenue in an R-4 Zone (13-8-12)

SET UP
FOR P/H

4. **COPPOLA ASSOCIATES (for Arthur Glynn)** Request for:
36,560 Minimum Lot Area 5 ft. Side Yard Setback
55 ft. Minimum Lot Width 10 ft. Total Side Yard Setback
26 ft. Front Yard Setback 22 ft. Rear Yard Setback

For Proposed Single Family home at 20 Cedar Avenue in an R-4 Zone (13-8-11)

PUBLIC HEARINGS:

APPROVED

5. **ANDREW PERKAL (06-49)** Request for 76 sq. ft. area and 5 ft. height for existing free-standing sign at 436 Blooming Grove Tpk. in and NC Zone (46-2-49)

APPROVED

6. **JAMES DUFFY (06-50)** Request for Use Variance to permit a single family dwelling in a C Zone at 22 Old Riley Road (68-2-13.22)

APPROVED

7. **ROBERT RICCARDI (06-51)** Request for 2 ft. Height for proposed fence in front yard at 4 Buttermilk Drive in a CL-1 Zone ((78-2-3)

ZBA_REFERRAL:

MORONEY'S_CYCLE_SHOP_(06-23)

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

MR. ARGENIO: Moroney's Cycle Shop represented by Greg Shaw. Plan proposes combining of two lots proposed 4,950 square foot building for motor vehicle sales with 23 parking places. Greg Shaw is here to represent this. Greg, go ahead, it's yours. For the members' benefit, this is for a ZBA referral, they need some variances that I'm sure Greg is going to tell us about.

MR. SHAW: Back in 1993, I represented the Moroneys for some additions on their existing facility from which I got site plan approval from this planning board and also variances from the Zoning Board of Appeals. At that point, we were consistent with zoning and now 13 years later my client has purchased an additional parcel to the north of him which has road frontage of approximately 100 feet and he wants to incorporate it into the parent parcel of the Moroney Cycle Shop giving him more land and on that he wants to install a two story building 2,800 square feet ground coverage, a total square footage of 4,950 square feet for a new motor vehicle sales building. What he would like to do is take a certain number of brands of motorcycles from his existing building and move them over to a separate facility. When I originally laid out the plan, I felt we were pretty confident that we still complied with zoning until I got into the zoning ordinance and found that there is now a definition for motor vehicle sales which where previously you only needed one acre to comply with zoning, now you need 5, so with that, there's a whole host of variances I'm going to need all over again above and beyond that what I obtained for the facility back in 1993.

MR. ARGENIO: It's interesting Greg cause it seems to me that probably spins around automobile sales, is that right, does that logic make sense?

MR. BABCOCK: Well, there's no motorcycle sales so I would say yes.

MR. SHAW: Mike, I think if you were to go to the definition of motor vehicle sales it has the word motorcycles in it so it's pretty clear.

MR. BABCOCK: Yeah but the five acre requirement wouldn't be for motorcycles, it would be for cars or RVs.

MR. ARGENIO: No separate distinction.

MR. MINUTA: This isn't for cars, strictly motorcycles?

MR. SHAW: Correct. So what we need are six variances, one for minimum lot area, again, we're obligated to provide 5 even with the additional parcel we only have 1.6, we need a side yard setback for one for two side yard setbacks, rear yard, a maximum building height and a developmental coverage only 4/10 of one percent so we're coming before this board tonight for a referral to the zoning board so hopefully we obtain these necessary variances and come back to this board and pick up with the site plan review.

MR. ARGENIO: Are you going to combine the lots?

MR. SHAW: Yes and there's a note on the drawing lot line being extinguished, yes.

MR. ARGENIO: There's not a lot to do here for us in my estimation, I think that certainly we're going to have the opportunity to look at this again and we all know that Mr. Shaw is fairly complete when he puts things together. Mark has reviewed it and per my instructions

to him he's not gone to a great detail because they need to go to zoning. So unless anybody else has any comment, I'll accept a motion that we determine this application as incomplete at this time.

MR. MINUTA: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board determine Moroney's Cycle Shop site plan is deemed incomplete at this time which will send them to attempt to achieve their necessary variances from the zoning board. If there's no further discussion, roll call.

ROLL CALL

MR. BROWN	AYE
MR. MINUTA	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: So Greg you're off and I think you're going with a favorable recommendation, I don't know of any--

MR. SHAW: May I convey that to the zoning board?

MR. ARGENIO: I think so, yeah.

MR. SHAW: Thank you.



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

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

MAIN OFFICE
33 AIRPORT CENTER DRIVE
SUITE 202
NEW WINDSOR, NEW YORK 12553

(845) 567-3100
FAX: (845) 567-3232
E-MAIL: MHENT@MHEPC.COM

WRITER'S E-MAIL ADDRESS:
MJE@MHEPC.COM

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

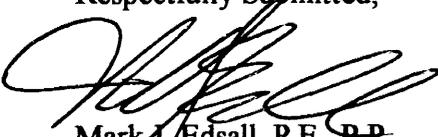
PROJECT NAME: MORONEYS CYCLE SHOP SITE PLAN AMENDMENT
(PROPOSED 4950 SF MOTOR VEHICLE SALES BUILDING)
PROJECT LOCATION: 833 UNION AVENUE
SECTION 4 – BLOCK 1 – LOTS 9.22 & 9.23
PROJECT NUMBER: 06-23
DATE: 28 JUNE 2006
DESCRIPTION: THE APPLICATION PROPOSES THE MERGER OF THE TWO
ADJOINING TAX LOTS, AND THE CONSTRUCTION OF A 4,950 S.F.
VEHICLE SALES BUILDING WITH ASSOCIATED IMPROVEMENTS.

1. The property is located in the "C" zoning district of the Town. The use on the site is existing use A-15 for the zoning bulk tables, with this application expanding the use to the adjoining lot which is being merged into the lot where the existing operation exists. The bulk requirements shown on the plan are correct for the zone and use.

Notwithstanding combination of the two tax lots, the proposed development results in the need for several area type variances. The plan submitted notes the need for a lot area, side yard, both side yard, rear yard, building height, development coverage and parking variances.

2. *A referral to the Zoning Board of Appeals is necessary at this time. It is my recommendation that the Board deem the application "incomplete", since the Board can take no action on this application until such time that all necessary variances are obtained.*

Respectfully Submitted,


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

MJE/st
NW06-23-28June06.doc

REGIONAL OFFICES

• 111 WHEATFIELD DRIVE – SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

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

TO: Genaro Argenio, Planning Board Chairman

FROM: Francis Bedetti, Asst. Fire Inspector

SUBJECT: PB-06-23
SBL: 4-1-9.22 & 4-1-9.23

DATE: June 30, 2006

Fire Prevention Reference Number: FPS-06-032

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

Shegg:

This is the review for Moroney's Cycles -

Looks ok.

(2)

Myra

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

RECEIPT
#516-2006

06/22/2006

Jim Moroney's Inc. *P.B. 506-23*

Received \$ 125.00 for Planning Board Fees, on 06/22/2006. 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: 06/21/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 6-23
NAME: 4-1-9.23 MORONEY'S CYCLE SHOP PA2006-524
APPLICANT: PATRICK MORONEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/20/2006	REC. CK. #27569	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

Mein
6/22/06



**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: mhny@mhepc.com

□ Regional Office
507 Broad Street
Millford, Pennsylvania 18337
(570) 296-2765
e-mail: mhpa@mhepc.com

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

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

100-3

TOWN/VILLAGE OF: New Windsor

P/B APP. NO.: _____

WORK SESSION DATE: 7 June 06

PROJECT: NEW OLD _____

REAPPEARANCE AT W/S REQUESTED: later

RESUB. REQ'D: Full App

PROJECT NAME: Maroney's

REPRESENTATIVES PRESENT: Greg Thom

MUNICIPAL REPS PRESENT:
BLDG INSP. _____
ENGINEER
P/B CHMN _____

FIRE INSP. _____
PLANNER _____
OTHER _____

ITEMS DISCUSSED:

add'l bldg on merged lots
ZB A needed

STND CHECKLIST:

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

PROJECT TYPE

Am
 SITE PLAN
 SPEC PERMIT
 L L CHG.
mje
 SUBDIVISION
 OTHER

PROJECT STATUS:

ZBA Referral: Y _____ N
Ready For Meeting Y _____ N
Recommended Mtg Date ASAP

TOWN OF NEW WINDSOR

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

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan Special Permit _____

Tax Map Designation: Sec. 4 Block 1 Lot 9.22 & 9.23

BUILDING DEPARTMENT REFERRAL NUMBER 2006 - 524

1. Name of Project New Motor Vehicle Sales Building for Moroney's Cycle Shop

2. Owner of Record James Moroney, Patrick Moroney Phone 845 564-5400

Address: 833 Union Avenue, New Windsor, NY 12553
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Patrick J. Moroney Phone 845 564 - 5400

Address: 833 Union Avenue, New Windsor NY 12553
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Gregory J. Shaw, P.E. Phone 845 561-3695

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

5. Attorney _____ Phone _____

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

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

Gregory J. Shaw, P.E. 845 561-3695 845 561-3027
(Name) (Phone) (fax)

7. Project Location: On the West side of Union Avenue
(Direction) (Street)

8. Project Data: Acreage 1.635 Zone C School Dist. Newburgh Consolidated

RECEIVED
TOWN OF NEW WINDSOR
JUN 12 2006
ENGINEER & PLANNING

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. Detailed description of Project: (Use, Size, Number of Lots, etc.) Merging of 2 Lots and the construction of a 4,950 SF building for motor vehicle sales with 23 new parking spaces.

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

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

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

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

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

SWORN BEFORE ME THIS:


(OWNER'S SIGNATURE)

2nd DAY OF June 2006

DEBRA L. HAMMER
Notary Public, State of New York
Qualified in Orange County
Registration No. 01HA6107190
Commission Expires March 22, 2008

(AGENT'S SIGNATURE)

Debra L. Hammer
NOTARY PUBLIC

Please Print Agent's Name as Signed

TOWN USE ONLY
RECEIVED
TOWN OF NEW WINDSOR
JUN 1 2 2006
DATE APPLICATION RECEIVED
ENGINEER & PLANNER

06-23
APPLICATION NUMBER

AGENT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Patrick Moroney, conducts business at
(OWNER) resides at

at 833 Union Avenue, New Windsor in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 4 Block 1 Lot 9.23)
designation number (Sec. Block Lot) which is the premises described in
the foregoing application and that he designates:

(Agent Name & Address)

Gregory J. Shaw, P.E.
(Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

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

SWORN BEFORE ME THIS:

** [Signature]
Owner's Signature (MUST BE NOTARIZED)

2nd DAY OF June 2006

DEBRA L. HAMMER
Notary Public, State of New York
Qualified in Orange County
Registration No. 01HA6107190
Commission Expires March 22, 2008

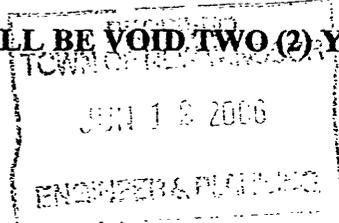
Agent's Signature (If Applicable)

Debra L. Hammer
NOTARY PUBLIC

Professional Representative's Signature

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

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



06-23

AGENT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

James Moroney conducts business
(OWNER), deposes and says that he resides at

at 833 Union Avenue, New Windsor in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 4 Block 1 Lot 9.22)
designation number (Sec. Block Lot) which is the premises described in
the foregoing application and that he designates:

(Agent Name & Address)

Gregory J. Shaw, P.E.

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

as his agent to make the attached application.

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

SWORN BEFORE ME THIS:

**

James Moroney
Owner's Signature (MUST BE NOTARIZED)

2nd DAY OF June 2006

DEBRA L. HAMMER
Notary Public, State of New York
Qualified in Orange County
Registration No. 01HA6107190
Commission Expires March 22, 2008

Debra L. Hammer

NOTARY PUBLIC

Agent's Signature (If Applicable)

Professional Representative's Signature

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

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

06-23

RECEIVED
TOWN OF NEW WINDSOR
JUN 1 2 2006
PLANNING BOARD

TOWN OF NEW WINDSOR PLANNING BOARD

SITE PLAN CHECKLIST

ITEM

*Denotes to be provided at a later date.

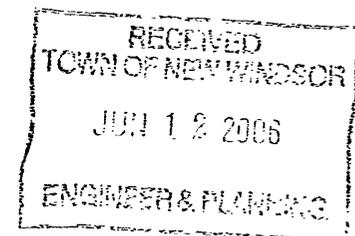
- 1. x Site Plan Title
- 2. x Provide 4" wide X 2" high box **(IN THE LOWEST RIGHT CORNER OF THE PLAN)** for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SITE PLAN).

SAMPLE:



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

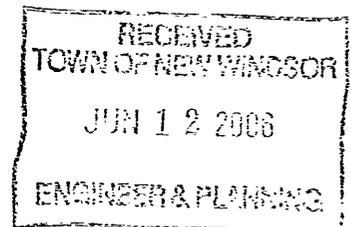
06-23



PROPOSED IMPROVEMENTS

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

06-23



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

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

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

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

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

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

PREPARER'S ACKNOWLEDGMENT:

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

BY: [Signature] 6/7/2006
Licensed Professional Date

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

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

RECEIVED
TOWN OF NEW WINDSOR
JUN 12 2006
ENGINEER & PLANNING

06-23

PROJECT ID NUMBER

617.20

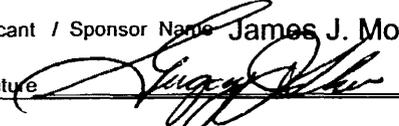
SEQR

APPENDIX C

STATE ENVIRONMENTAL QUALITY REVIEW

SHORT ENVIRONMENTAL ASSESSMENT FORM
for UNLISTED ACTIONS Only

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

1. APPLICANT / SPONSOR James J. Moroney & Patrick Moroney	2. PROJECT NAME New Motor Vehicle Sales Bldg. for Cycle Shop.
3. PROJECT LOCATION: 833 Union Avenue, New Windsor, NY Municipality	County Orange
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map Located on the lands of the Moroney Motor Cycle Shop Located at 833 Union Avenue, New Windsor, NY.	
5. IS PROPOSED ACTION : <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: Construct a New Motor Vehicle Sales Building for Moroney's Cycle Shop, located on the property of the aforementioned Cycle Shop.	
7. AMOUNT OF LAND AFFECTED: Initially 1.635 acres Ultimately 1.635 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <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)	
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 name and permit / approval:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit / approval:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant / Sponsor Name James J. Moroney & Patrick Moroney Date: May 26, 2006 Signature 	

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

06-23

RECEIVED
TOWN OF NEW WINDSOR
JUN 1 2 2006
ENGINEER & PLANNING

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

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

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

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

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 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. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly:
 Yes No

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

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

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

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

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

Town of New Windsor Planning Board
 Name of Lead Agency

Date

Chairman
 Title of Responsible Officer

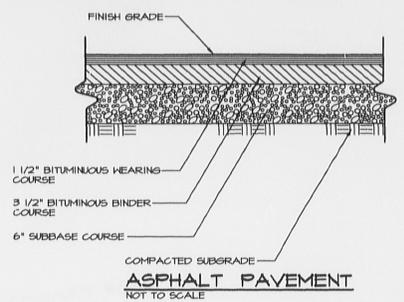
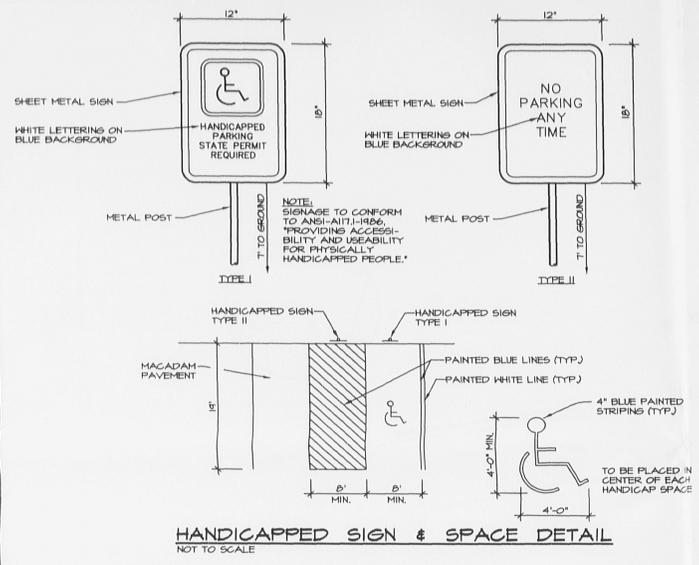
Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

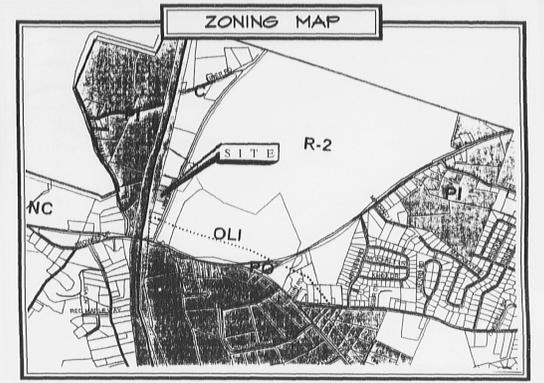
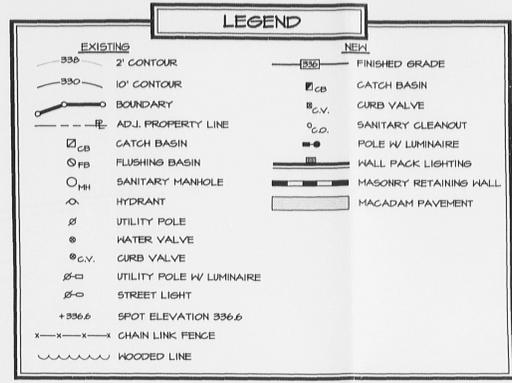
06-23

ENVIRONMENTAL PLANNING



NOTES

1. RECORD APPLICANT: PATRICK J. MORONEY, 833 UNION AVENUE, NEW WINDSOR, NEW YORK 12553
2. RECORD OWNER: SECTION 4, BLOCK 1, LOT 4.22 JAMES MORONEY, 833 UNION AVENUE, NEW WINDSOR, NEW YORK 12553; SECTION 4, BLOCK 1, LOT 4.23 PATRICK MORONEY, 833 UNION AVENUE, NEW WINDSOR, NEW YORK 12553
3. PARCEL AREA: SECTION 4, BLOCK 1, LOT 4.22 1.0716 ACRES; SECTION 4, BLOCK 1, LOT 4.23 0.2834 ACRES; 1.635 ACRES
4. TAX MAP DESIGNATION: SECTION 4, BLOCK 1, LOTS 4.22 & 4.23
5. BOUNDARY, TOPOGRAPHIC AND UTILITY INFORMATION OBTAINED BY TOM DeFUY, L.S.
6. THE TWO TAX LOTS SHOWN HEREON SHALL BE COMBINED TO A SINGLE LOT WITH A SINGLE BOUNDARY DESCRIPTION AND DEED. PROOF OF SUCH COMBINATION SHALL BE SUBMITTED TO THE ATTORNEY TO THE PLANNING BOARD PRIOR TO STAMP OF APPROVAL OF THE SITE PLAN.
7. THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED AS APPROX. PRIOR TO EXCAVATION THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS.
8. UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION (U.F.P.O.), SECTION 119B OF THE PUBLIC SERVICE LAW, ARTICLE 36 OF THE GENERAL BUSINESS LAW AND INDUSTRIAL CODE RULE 33 REQUIRES (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING OR BLASTING UNDERGROUND UTILITIES CALL CENTER TEL. NO. 1-800-462-1462. CONTRACTOR SHALL PROTECT AND PRESERVE UTILITY MARKINGS.



ZONING SCHEDULE

ZONE: C - DESIGN SHOPPING
USE: A-15 - MOTOR VEHICLE SALES ESTABLISHMENT FOR NEW MOTOR VEHICLES

BULK REGULATIONS, C ZONE	REQUIRED	PROVIDED	VARIANCES OBTAINED ON NOV 13, 2006
MIN. LOT AREA	5 ACRES	1.635 ACRES	3.365 ACRES
MIN. LOT WIDTH	200 FT.	240 FT.	-
FRONT YARD SETBACK	100 FT.	64 FT.	-
SIDE YARD SETBACK (ONE)	50 FT.	4 FT.	46 FT.
SIDE YARD SETBACK (BOTH)	100 FT.	30 FT.	62 FT.
REAR YARD SETBACK	50 FT.	30 FT.	20 FT.
STREET FRONTAGE	50 FT.	300 FT.	-
FLOOR AREA RATIO	N/A	N/A	-
MAX. BUILDING HEIGHT	10 FT.	30 FT.	12 FT.
DEVELOPMENTAL COVERAGE	85 %	85.4 %	0.4 %

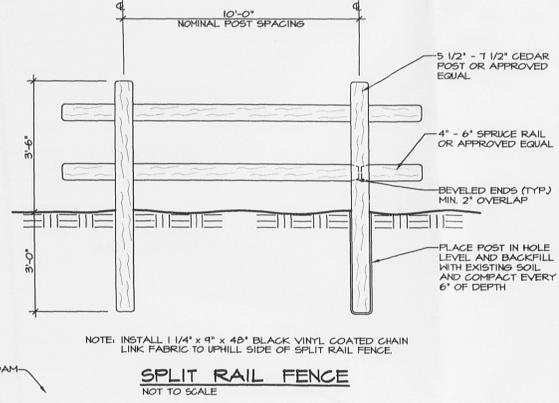
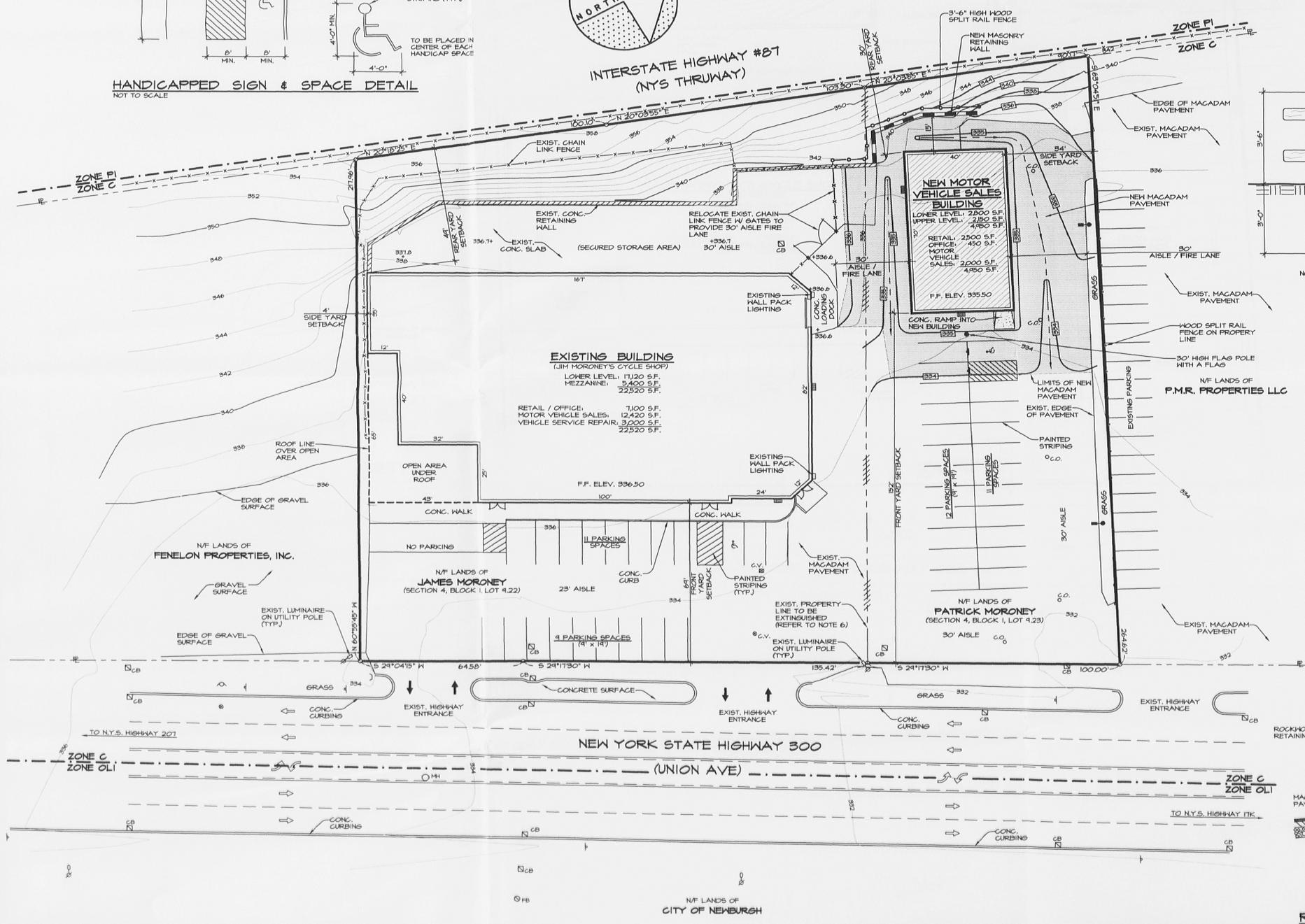
(SECTION 4, BLOCK 1, LOTS 4.22 & 4.23)

OFF-STREET PARKING

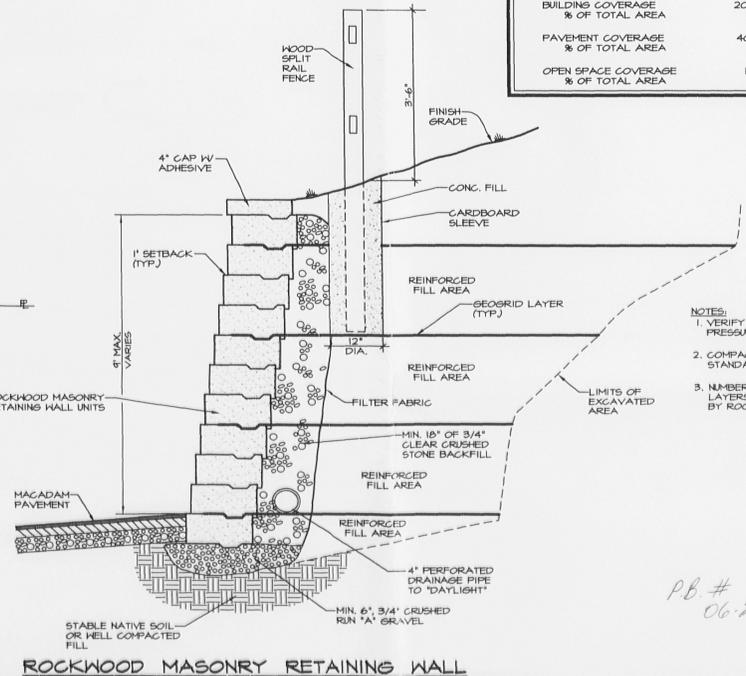
EXISTING BUILDING	OFFICE & RETAIL	MOTOR VEHICLE SALES	VEHICLE SERVICE REPAIR
1 SPACE PER 150 S.F. (1,000 S.F. / 1 SPACE PER 150 S.F.)	40 SPACES	1 SPACE PER 1,000 S.F. OF TOTAL FLOOR AREA (12,420 S.F. / 1,000 S.F. PER SPACE)	13 SPACES
1 SPACE PER 300 S.F. (3,000 S.F. / 1 SPACE PER 300 S.F.)	20 SPACES	2 SPACES PER 1,000 S.F. OF TOTAL FLOOR AREA (2,000 S.F. / 1,000 S.F. PER SPACE)	2 SPACES
	22 SPACES		23 SPACES
			50 SPACES

COVERAGES

BUILDING COVERAGE	PAVEMENT COVERAGE	OPEN SPACE COVERAGE
20,220 S.F. 28.4 %	40,556 S.F. 57.0 %	10,417 S.F. 14.6 %



SPLIT RAIL FENCE
NOT TO SCALE



ROCKWOOD MASONRY RETAINING WALL
NOT TO SCALE

TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL
PLANNING BOARD PROJECT NO. PA2006-524
APPROVAL GRANTED BY TOWN OF NEW WINDSOR
NOV - 7, 2006
PB # 06-23

DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 3 THROUGH 3 OF 3.

Shaw Engineering
Consulting Engineers
744 Broadway
Newburgh N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.
COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.
COPYRIGHT 2007 SHAW ENGINEERING

ISSUE	REVISION	DATE
2	PLANNING BOARD COMMENTS	5-31-2007
1	GENERAL REVISIONS	2-4-2007

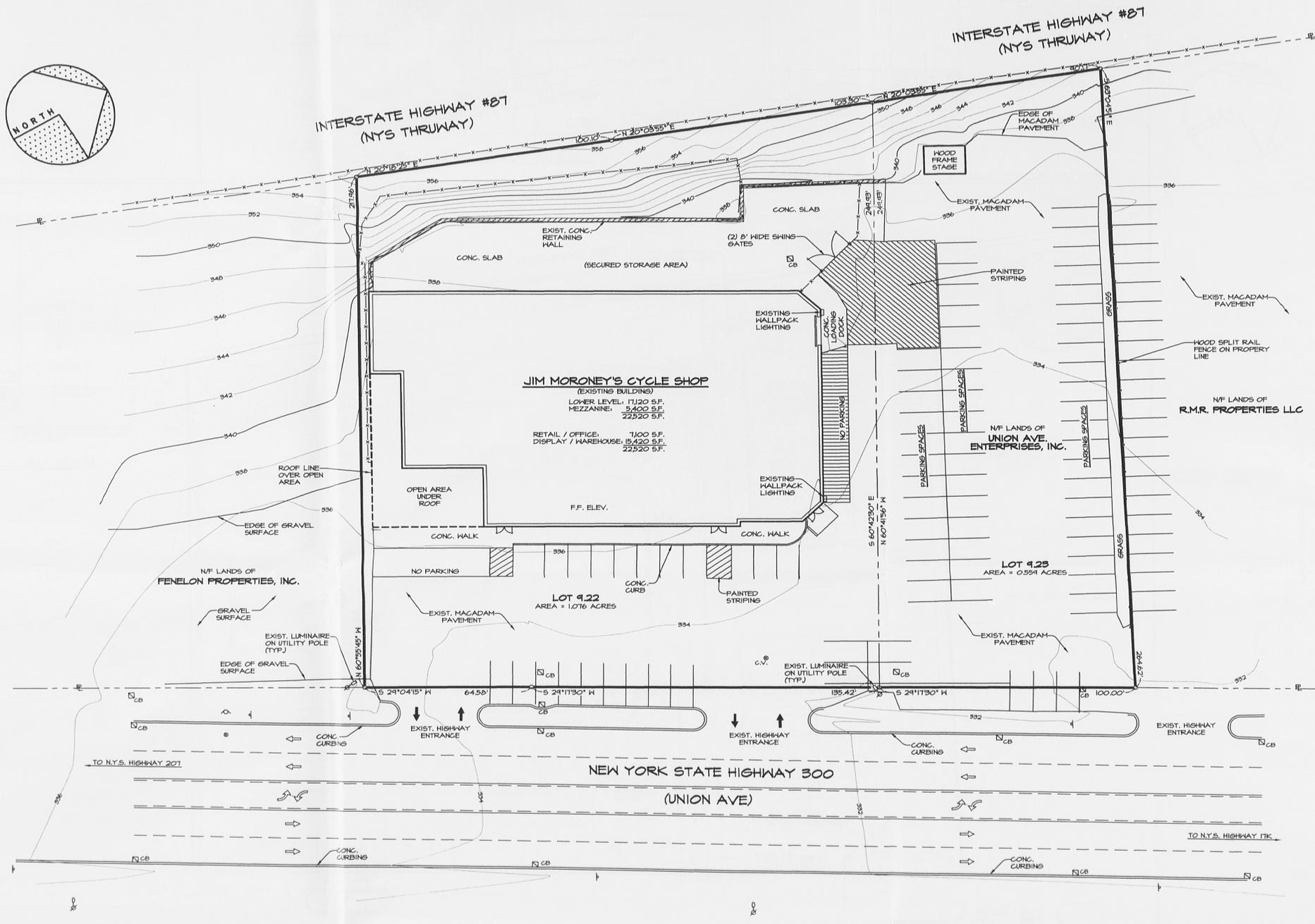
Drawn By: J.R.J.
Checked By: G.J.S.
Scale: 1"=20'
Date: 6-7-2006

Drawing: **SITE DEVELOPMENT PLAN**
Project: **NEW MOTOR VEHICLE SALES BUILDING FOR MORONEY'S CYCLE SHOP**
833 UNION AVENUE
TOWN OF NEW WINDSOR, N.Y.

1 OF 3
Project No. 0606



LEGEND	
—	EXISTING 2' CONTOUR
—	EXISTING 10' CONTOUR
—	BOUNDARY
- - -	ADJ. PROPERTY LINE
□ _{CB}	CATCH BASIN
○ _M	SANITARY MANHOLE
○	HYDRANT
⊕	UTILITY POLE
⊙	WATER VALVE
⊙ _{C.V.}	CURB VALVE
⊕ _{C.V.}	UTILITY POLE W/ LIMINAIRE
⊕	STREET LIGHT
— 4" S —	SANITARY SEWER
— 10" W —	WATER MAIN
— 18" ST —	STORM SEWER
+310.7	SPOT ELEVATION 310.7
— X — X —	CHAIN LINK FENCE



TOWN OF NEW HINDSOR PLANNING BOARD
STAMP OF APPROVAL

PLANNING BOARD PROJECT No. PA2006-524
FOR

NOV - 7 2007

By: [Signature]
Town of New Windsor

DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 3 THROUGH 3 OF 3.

Shaw Engineering
Consulting Engineers

744 Broadway
Newburgh N.Y. 12550

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

COPYRIGHT 2007 SHAW ENGINEERING

ISSUE	NO REVISION	REVISION	DATE
1			5-31-2007

Drawn By: J.R.J.
Checked By: G.J.S.
Scale: 1"=20'
Date: 2-9-2007

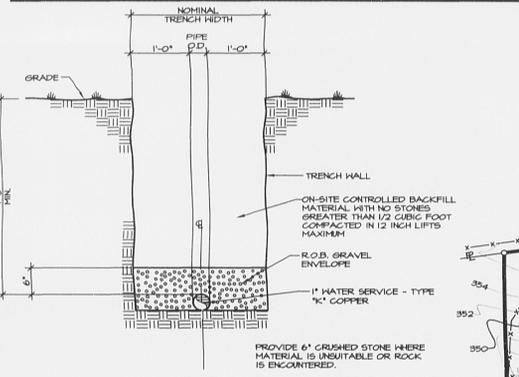
Drawing: **EXISTING CONDITIONS PLAN**

Project: **MORONEY'S CYCLE SHOP**

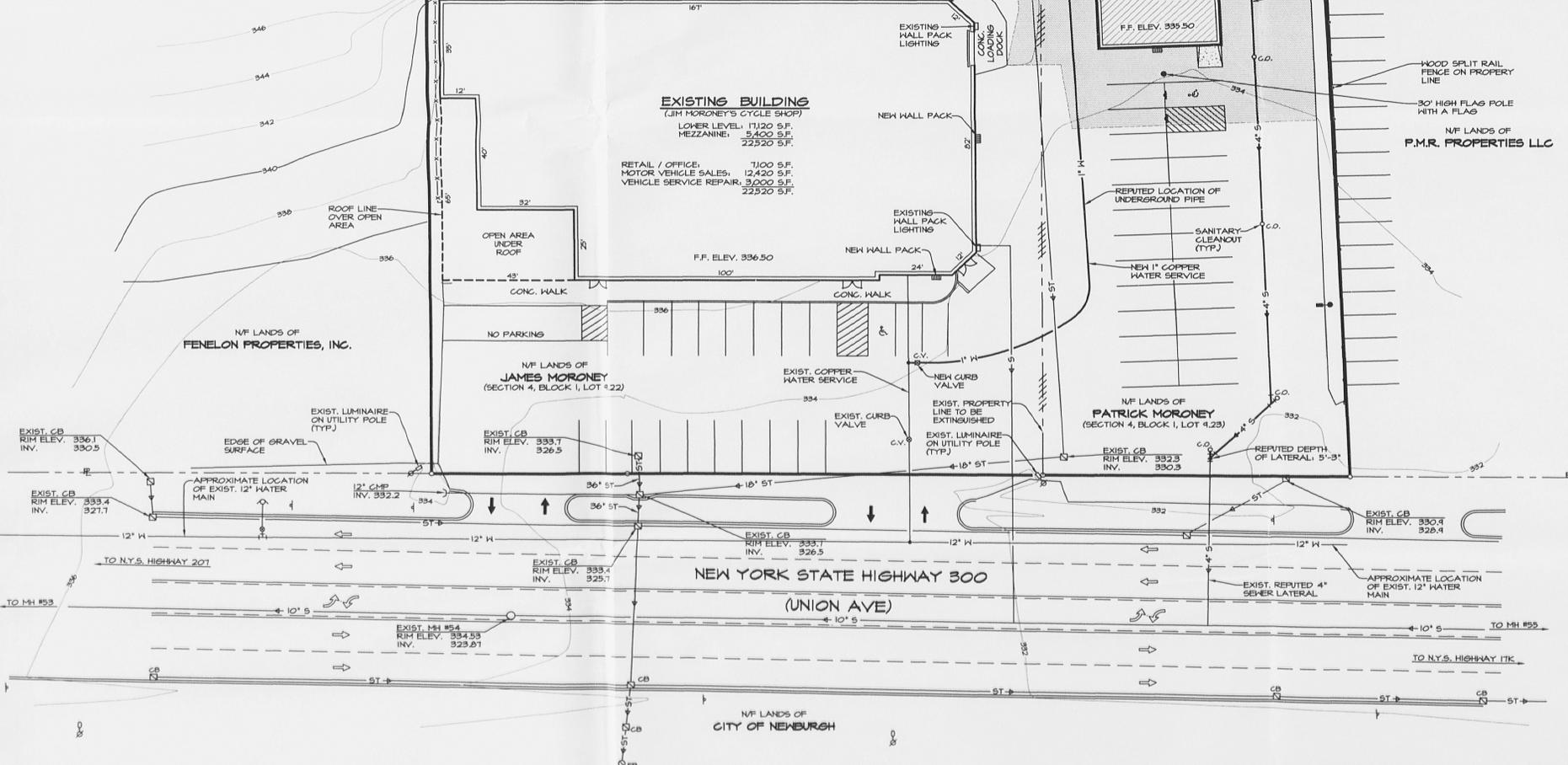
233 UNION AVENUE
TOWN OF NEW HINDSOR, N.Y.

2 OF 3
Project No. 0606

LEGEND			
EXISTING	NEW		
336	2' CONTOUR	C.V.	CURB VALVE
330	10' CONTOUR	1" W	DOMESTIC SERVICE LINE
---	BOUNDARY	4" S	SANITARY SEWER
---	ADJ. PROPERTY LINE	C.O.	SANITARY CLEANOUT
CB	CATCH BASIN	●	POLE W/ LUMINAIRE
FB	FLUSHING BASIN	■	HALL PACK LIGHTING
MH	SANITARY MANHOLE	---	MASONRY RETAINING WALL
H	HYDRANT	---	HACADAM PAVEMENT
U	UTILITY POLE		
W	WATER VALVE		
C.V.	CURB VALVE		
U	UTILITY POLE W/ LUMINAIRE		
S	STREET LIGHT		
4" S	SANITARY SEWER		
W	WATER MAIN		
4" ST	STORM SEWER		

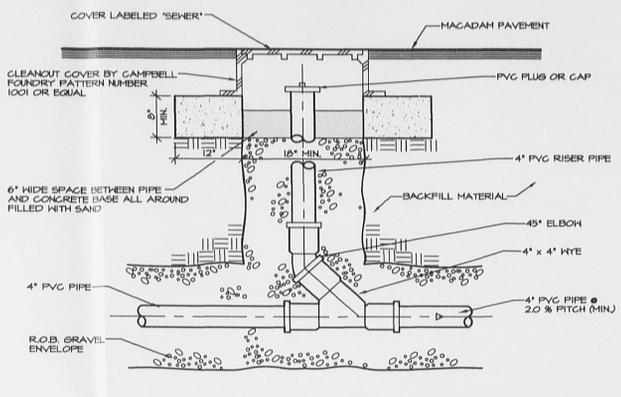


WATER SERVICE EXCAVATION
NOT TO SCALE



UTILITY PLAN
SCALE: 1"=20'

Shaw Engineering
Consulting Engineers
744 Broadway Newburgh, N.Y. 12550



SANITARY SERVICE TRENCH EXCAVATION
NOT TO SCALE

4" SANITARY IN-LINE CLEANOUT
NOT TO SCALE

SANITARY SERVICE TRENCH EXCAVATION
NOT TO SCALE

4" SANITARY IN-LINE CLEANOUT
NOT TO SCALE

WATER SERVICE EXCAVATION
NOT TO SCALE

NEW MOTOR VEHICLE SALES BUILDING

EXISTING BUILDING (JIM MORONEY'S CYCLE SHOP)

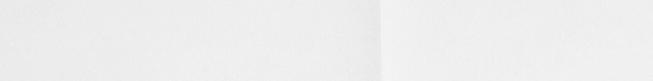
NEW YORK STATE HIGHWAY 300 (UNION AVE)

NEW YORK STATE HIGHWAY 207

NEW YORK STATE HIGHWAY 17K

Symbol	Qty	Label	Arrangement	Lumens	LLF	Description
●	1	AVV4	SINGLE	44000	0.800	AVV406940-M 400W PSMH
■	4	M	SINGLE	14000	0.800	MEV00615-M 150W PSMH
●	1	AVV3	SINGLE	44000	0.800	AVV306940-M 400W PSMH

POLE (2) PS4S30S1BZ (30' X 4' SQ. STEEL POLE)
PROPOSED POLES ARE SUITABLE FOR 100 MPH BASE WIND VELOCITIES

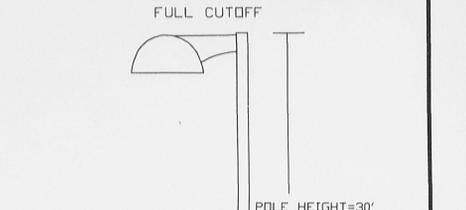


LIGHTING PLAN
SCALE: 1"=20'

NEW YORK STATE HIGHWAY 300 (UNION AVE)

NEW YORK STATE HIGHWAY 207

NEW YORK STATE HIGHWAY 17K



FULL CUTOFF
POLE HEIGHT=30'
BASE HT=3'

RUUD LIGHTING
800.236.7000 USA <www.ruudlighting.com> 905.671.1991 CAN
Illumination results shown on this lighting design are based on project parameters provided to Ruud Lighting used in conjunction with luminaires test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying compliance with any applicable electrical, lighting, or energy code.

TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL

PLANNING BOARD PROJECT NO. PA2006-524
APPROVAL GRANTED BY TOWN OF NEW WINDSOR

NOV - 7 2007

By: [Signature]

By: [Signature]

DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 3 THROUGH 5 OF 5.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

COPYRIGHT 2007 SHAW ENGINEERING

1 PLANNING BOARD COMMENTS 5-31-2007

ISSUE REVISION DATE

Drawn By: J.R.J. Drawing: UTILITY & LIGHTING PLAN

Checked By: G.J.S. Project: NEW MOTOR VEHICLE SALES BUILDING FOR MORONEY'S CYCLE SHOP

Scale: 1"=20' Date: 2-9-2007

833 UNION AVENUE TOWN OF NEW WINDSOR, N.Y. 12550

3 OF 3

Project No. 0606