



**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT NAME: MONARCH WOODS SENIOR HOUSING
PROJECT NO.: 19-28
PROJECT LOCATION: SECTION 103, BLOCK 7, LOT 18/SECTION 47, BLOCK 1, LOT 46
REVIEW DATE: 1 MARCH 2024
MEETING DATE: 7 MARCH 2024
PROJECT REPRESENTATIVE: ENGINEERING & SURVEYING PROPERTIES, PC

1. The applicant is asking for the Planning Board to amend the Approval Resolution to remove any reference to the NYSDOT Conceptual Approval and Authorization. The applicant's representative identifies that the project engineers have had numerous discussions with NYSDOT. DOT continues to request traffic improvements to the intersection of Route 52 and Monarch Drive. This office is unsure that the NYSDOT requested improvements would not continue even with the removal of the resolution condition.
2. SEQRA Neg Deg proposed identifies coordination of the Traffic Studies with NYSDOT.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in blue ink that reads 'Patrick J. Hines'.

Patrick J. Hines
Principal

PJH/kbw

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February 22, 2024

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Hon. John Ewasutyn, Chair
and Planning Board Members
Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, New York 12550

Via Mail and Email

Re: Monarch Woods Senior Community
Monarch Drive Approval
Request for Amendment of Site Plan Approval
Our File No. 14108-001

Dear Chairman Ewasutyn and Members of the Board:

I am writing on behalf of the applicant to request a minor amendment of the site plan approval originally issued by your Board in July, and later extended.

A condition of the original approval was that the applicant obtain conceptual approval and authorization from the New York State DOT for the Emergency Access to New York State Route 52.

The applicant thereafter appeared before the Planning Board to request a modification to that condition to remove the necessity of any access from New York State Route 52 emergency or otherwise based upon modifications to the interior road network for the senior community to accommodate emergency traffic and the acceptance of this revised layout by the Fire Department. Even though the DOT no longer had jurisdiction over the development, the Planning Board considered it prudent to request that the applicant notify New York State DOT of the revision and withdraw the request for NYSDOT approval.

The applicant's engineering consultant has had several conversations with the New York State DOT and it appears that the DOT is still recommending that the applicant install a costly left turn lane on New York State Route 52 even though it is clear that the amount of traffic generated by this proposal is not significant compared to the existing traffic on New York State Route 52.

The applicant is amenable to participating to its fair share based on its traffic generation compared to overall traffic on the road to any reasonably necessary improvements to be constructed either by the State or Town through a special

*Also admitted in NJ
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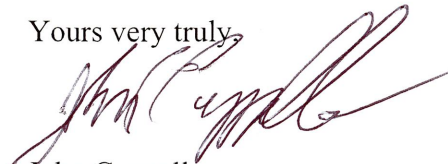
district on other financing mechanism. However, we believe it is unfair and confiscatory to request that one applicant who has not demonstrated any significant impact to the level of service based upon traffic information prepared by the applicant's consultant and reviewed by the Planning Board's consultant and a negative declaration issued include traffic impacts issued by the board that they would have to foot the whole bill to design and building this major road modification.

Therefore, we respectfully request that the Town Board remove any condition requiring New York State DOT approval based upon the fact that the New York State DOT has no jurisdiction or approval authority over this application.

I would be happy to discuss this with the Planning Board and your consultants. We request that this matter be placed on the agenda to allow us to present and discuss this information and respond to any questions the Board may have.

Thank you in advance for your attention to this matter.

Yours very truly,



John Cappello

JCC/rmc

cc: Ken Wersted, P.E.
Dominic Cordisco, Esq.
Pat Hines, P.E.
Ross Winglovitz, P.E.
Client