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**OF COUNSEL

FILE COPY

February 3, 2012

Hand Delivered

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

Re: Route 300 Center Application
Our File No. 10517-001

Dear Chair Ewasutyn and Planning Board:

Enclosed please find one original and 14 sets of the following documents constituting the application of Gas Development Lease, LLC related to the proposed construction of a 10-position fueling facility with 116-square foot attendant kiosk operated by Stop & Shop Supermarket, a tire service center with a building footprint for 5600 square feet and a credit union/bank facility with a footprint of 6950 square feet with two drive-thru lanes on property located at 1413 Union Avenue (Route 300):

1. Application for Site Plan Review.
2. Completed statement of use/narrative.
3. Checklist for Site Plan.
4. Application for Clearing and Grading. Note: Information regarding the contractor agent will be filled at a later date when the applicant secures the appropriate contractor.
5. Executed fee acknowledgment.
6. Executed Planning Board Disclaimer Statement.
7. Disclosure Addendum Statement.
8. Proxy by Property Owner.
9. Full Environmental Assessment Form.
10. Check in the amount of \$5,091.00 constituting the site plan application fees calculated as
11. Check in the amount of \$1,000.00 constituting the fee for the Full Environmental Assessment Form.
12. Check in the amount of \$4,00.00 constituting the escrow fee.
13. Conceptual Site Plan Map.
14. Topographic and Boundary Survey

I respectfully request that you place this matter on your next available meeting agenda to allow us to present the plan to your Board and its consultants and commence the site plan review. I look forward to presenting this application to your Board.

Very truly yours,

John C. Cappello

cc: Michael Donnelly, Esq. (Via email: michael.donnelly@dddblaw.com)
Bryant Cocks (Via email: bcocks@frontiernet.net)
Karen Arent (Via email: KALA@hvc.rr.com)
Patrick Hines (Via email: PHines@mhepc.com)
Ken Wersted (Via email: kwersted@cmellp.com)
Lisa Davis, AICP (Via email: ldavis@davisplanning.com)
Timothy Onderko (Via email: tonderko@langan.com)

**TOWN OF NEWBURGH
APPLICATION FOR
SUBDIVISION/SITE PLAN REVIEW**

RETURN TO: Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, New York 12550

DATE RECEIVED: _____ **TOWN FILE NO:** _____
(Application fee returnable with this application)

1. **Title of Subdivision/Site Plan (Project name):**
Route 300 Center

2. **Owner of Lands to be reviewed:**
Name JR & Ray, LLC
Address 5020 Route 9W
Newburgh, NY 12550
Phone 845-565-2800

3. **Applicant Information (If different than owner):**
Name Gas Development Lease, LLC
Address 140 Boxwood Lane
Bridgewater, MA 02324

Representative Lisa Davis, Lisa Davis Associates
Phone 781-676-1999
Fax 781-676-2999
Email ldavis@davisplanning.com

4. **Subdivision/Site Plan prepared by:**
Name Langan Engineering & Environmental Services
Address Attn: Timothy Onderko, P.E.
555 Long Warf Drive
New Haven, CT 06511

Phone/Fax 203-562-5771 Fax: 203-789-6142

5. **Location of lands to be reviewed:**
1413 Route 300

6. **Zone** IB **Fire District** Goodwill
Acreage 3.07 **School District** Newburgh Central

7. **Tax Map: Section** 60 **Block** 3 **Lots** 40 and 41.22

8. Project Description and Purpose of Review:

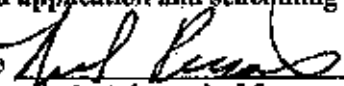
Number of existing lots 2 Number of proposed lots 1
Lot line change _____
Site plan review x
Clearing and grading _____
Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) NYS DOT Temporary Construction Easement
along Route 300

10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Signature  Title Manager
Rick Picariello
Date: 2/2/12

NOTE: If property abuts and has its access to a County or State Highway or road, the following information must be placed on the subdivision map or site plan: entrance location, entrance profile, sizing of pipe (minimum length of pipe to be 24 feet).

Statement of Use

1413 Union Avenue (NY Route 300), Town of Newburgh, NY
Section 60, Block 3, Lots 40 & 41.22

The subject site, located at 1413 Union Avenue, also known as New York Route 300, contains 3.03 acres, is zoned IB (Interchange Business) and is currently occupied by two vacant buildings of approximately 9,500 square feet and 1,000 square feet. The larger of the two buildings was historically used as a trucking terminal and warehouse facility. The smaller building was historically used as a maintenance garage. In addition to the presence of the existing building the site is covered in concrete truck pads, asphalt paving, and gravel parking areas. Due to the size of the asphalt and gravel maneuvering/parking areas only five percent of the site is currently vegetated.

The development plan for the site, which requires Site Plan review by the Planning Board and a variance from the Zoning Board for locating a gas station within 1000 feet of an existing gas station, proposes the complete demolition of the existing structures as well as the removal of all existing asphalt, concrete and gravel. The plan includes the construction of three new buildings, they include: a ten position fueling facility with a 116 square foot attendant kiosk operated by Stop & Shop, a Somerset Tire Service Center with a building footprint of 5,600 square feet, and a Credit Union/Bank with a footprint of 6,950 square feet with two drive-thru lanes. The plan currently provides 97 on-site parking spaces with an additional 10 fueling positions under fueling facility canopy.

The site is currently accessed by two existing curb cuts on Union Avenue with widths of 67 feet and 27 feet. These curbs will be closed and a new curb cut, build to New York State DOT standards, is proposed to align with the existing driveway that serves the Dunkin Donuts and AutoZone shopping center located on the opposite side of Route 300.

The new buildings will be serviced by new utility laterals from existing utility lines (water, sewer, gas, and electric) located in and along the edge of Route 300. The development will also include a new subsurface drainage collection system, site lighting, and landscaping. The proposed landscaping will increase the pervious area from five percent to thirty percent (where twenty percent is minimum permitted) and will also provide nine percent interior landscaping (where five percent is the minimum permitted).

TOWN OF NEWBURGH PLANNING BOARD

Route 300 Center
PROJECT NAME

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. Environmental Assessment Form As Required
2. Proxy Statement
3. Application Fees
4. Completed Checklist (Automatic rejection of application without checklist)

II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.

1. Name and address of applicant
2. Name and address of owner (if different from applicant)
3. Subdivision or Site Plan and Location
4. Tax Map Data (Section-Block-Lot)
5. Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map but only with property outlined
6. Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot
7. Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. Date of plan preparation and/or plan revisions
9. Scale the plan is drawn to (Max 1" = 100')
10. North Arrow pointing generally up

11. Surveyor's Certification
12. Surveyor's seal and signature
13. Name of adjoining owners
14. Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements TO BE PROVIDED
15. Flood plain boundaries
16. Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989 TO BE PROVIDED
17. Metes and bounds of all lots
18. Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street
19. Show existing or proposed easements (note restrictions)
20. Right-of-way width and Rights of Access and Utility Placement
21. n/a Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
22. Lot area (in sq. ft. for each lot less than 2 acres)
23. Number of lots including residual lot
24. Show any existing waterways
25. n/a A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
26. Applicable note pertaining to owners review and concurrence with plat together with owner's signature TO BE PROVIDED
27. Show any improvements, i.e. drainage systems, water lines, sewer lines, etc. TO BE PROVIDED
28. Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29. Show topographical data with 2 or 5 ft. contours on initial submission

30. x Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number

31. N/A If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed

32. n/a Number of acres to be cleared or timber harvested

33. _____ Estimated or known cubic yards of material to be excavated and removed from the site TO BE PROVIDED

34. _____ Estimated or known cubic yards of fill required TO BE PROVIDED

35. _____ The amount of grading expected or known to be required to bring the site to readiness TO BE PROVIDED

36. _____ Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards. TO BE PROVIDED

37. _____ Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.

Removal of existing gravel and pavement. Installation of new pavement, curbing and landscaping.
Total disturbance area equals + 26,000 sq. ft.

The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

By: _____

Licensed Professional

John Plante, P.E., Langan Engineering

Date: 4/2/12

This list is designed to be a guide ONLY. The Town of Newburgh Planning Board may require additional notes or revisions prior to granting approval.

Prepared 8/11/05
STATEMENT TO APPLICANTS

RE: TOWN OF NEWBURGH CLEARING AND GRADING LAW

The Town of Newburgh Clearing and Grading Control Law requires a separate permit for most site preparation activities, including clearing, grading, tree cutting, excavating and filling. Site preparation activities performed following site plan or subdivision approval by the Planning Board may be exempt from the permit application, public hearing, fee and bonding requirements of the law provided the subdivision or site plan application has been reviewed for conformance with the clearing and grading law and the approval conditioned on compliance with the standards set forth in the law. Completion of the attached form will enable the Planning Board to review your application for conformance with the law's requirements. In the event it is not completed you may be required to apply for a separated permit for your site preparation activities. A sediment and erosion control plan and a plan showing the areas to be cleared, filled, graded or subjected to tree cutting, the types of vegetation affected and the proposed disposition of the destroyed vegetation must accompany the form. A SEQRA long form or full BAF should be utilized to discuss any environmental impacts and must accompany the application.

TOWN OF NEWBURGH
APPLICATION FOR CLEARING AND GRADING

Name of applicant: Gas Development Lease, LLC
Name of owner on premises: JR & Ray LLC
Address of owner: 5020 Route 9W, Newburgh, NY 12550
Telephone number of owner: _____
Telephone number of applicant: _____
State whether applicant is owner, lessee, agent, architect, engineer or contractor:
contract vendee
Location of land on which proposed work will be done: 1431 Route 300
Section: 60 Block: 3 Lot: 40 and 41.22 Sub. Div.: _____
Zoning District of Property: IB Size of Lot: 3.87 acres
Area of lot to be cleared or graded: 2.93 acres
Proposed completion of date: 9-12 months
Name of contractor/agent, if different than owner: TBD
Address: _____
Telephone number: _____
Date of Planning Board Approval: _____ (if required)
I hereby agree to hold the Town of Newburgh harmless from any claims arising from the proposed activity.
Signature of owner: _____ Date: _____
Signature of applicant (if different than owner): [Signature]
Rick Picariello, Manager

TOWN ACTION:

Examined: _____ 20 _____
Approved: _____ 20 _____
Disapproved: _____ 20 _____

FEE LAW SUMMARY

PENDING APPLICATIONS

All applicants with matters pending before the Planning Board as of the effective date of this local law shall be required to post as escrow in the manner and upon the terms and conditions set forth below:

- (a) The Planning Board, in consultation with the applicant, shall compute the amount of the escrow to be posted with the Town. Such amount shall be reasonably related to the costs attendant to the Town's review of the application as of the effective date of this local law. Under no circumstances shall the escrow include amounts attributable to any costs incurred by the Town prior to the effective date of this local law.
- (b) Once computed and established by Resolution of the Planning Board, the applicant shall, within fifteen (15) days of said resolution, post escrow fees with the Secretary of the Planning Board. Failure to deliver the said escrow fees may result in delay of the further processing of the application.

SEVERABILITY

In the event a court of law determined that any provision of this chapter is unenforceable, then only that provision shall be affected and all other provisions shall be fully enforceable.

EFFECTIVE DATE:

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

FEE ACKNOWLEDGEMENT

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

Gas Development Lease, LLC
APPLICANT'S NAME (printed)


APPLICANT'S SIGNATURE

Rick Picariello, Manager

2/2/12
DATE

Note: If the property abuts and has access to a County or State Highway or road, the following information must be placed on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

**PLANNING BOARD DISCLAIMER STATEMENT
TO APPLICANTS**

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

2/2/12
DATED

Gas Development Lease, LLC
APPLICANT'S NAME (printed)


APPLICANT'S SIGNATURE

Rick Picariello, Manager

**DISCLOSURE ADDENDUM STATEMENT TO APPLICATION,
PETITION AND REQUEST**

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

NONE

NAME, ADDRESS, RELATIONSHIP OR INTEREST
(financial or otherwise)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

TOWN BOARD

PLANNING BOARD

ZONING BOARD OF APPEALS

ZONING ENFORCEMENT OFFICER

BUILDING INSPECTOR

OTHER

DATED

INDIVIDUAL APPLICANT

Gas Development Lease, LLC
CORPORATE OR PARTNERSHIP APPLICANT

BY: _____

Rick Picariello, Manager

PROXY

RICHARD LEASE, AS A MEMBER OF JR & RAY, LLC, PROPERTY OWNER, DEPOSES
AND SAYS THAT THE

ADDRESS OF THE LLC IS 5020 ROUTE 9W, NEWBURGH, NEW YORK 12550

IN THE COUNTY OF ORANGE

AND STATE OF NEW YORK

AND THAT JR & RAY, LLC IS THE OWNER IN FEE OF 1413 ROUTE 300 TAX MAP
PARCELS SECTION 60 BLOCK 3 LOTS 40 AND 41.22

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND GD NEWBURGH, LLC IS AUTHORIZED

TO REPRESENT THEM AT MEETING OF SAID BOARD.

DATED: February 1, 2012

JR & RAY, LLC

By: _____
Richard Lease, Member

NAMES OF ADDITIONAL REPRESENTATIVES:

LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES

LISA DAVIS ASSOCIATES

JACOBOWITZ AND GUBITS, LLP

GD LEASE, LLC

GAS DEVELOPMENT LEASE, LLC

PROXY

RICHARD LEASE, AS A MEMBER OF JR & RAY, LLC, PROPERTY OWNER, DEPOSES

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APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

ZONING BOARD OF APPEALS AND GD NEWBURGH, LLC IS AUTHORIZED

TO REPRESENT THEM AT MBETING OF SAID BOARD.

DATED: February 1, 2012

JR & RAY, LLC

By: _____
Richard Lease, Member

NAMES OF ADDITIONAL REPRESENTATIVES:

LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES

LISA DAVIS ASSOCIATES

JACOBOWITZ AND GUBITS, LLP

GD LEASE, LLC

GAS DEVELOPMENT LEASE, LLC

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

Part 1

Part 2

Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.*
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Proposed Route 300 Shopping Center

Name of Action

Town of Newburgh Planning Board

Name of Lead Agency

John P. Swasutyn

Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Lisa Daw, AICP

February 2, 2012

Date

website

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Proposed Route 300 Shopping Center

Location of Action (include Street Address, Municipality and County)

1413 Union Avenue, (NYS Route 300), Town of Newburgh, Orange County, NY

Name of Applicant/Sponsor GD Newburgh LLC, Rick Picariello, Manager

Address 140 Boxwood Lane

City / PO Bridgewater

State MA

Zip Code 02324

Business Telephone (617) 877-3411

Name of Owner (if different) JR & Ray LLC

Address 5020 Route 9W

City / PO Newburgh

State NY

Zip Code 12550

Business Telephone (845) 565-2800

Description of Action:

Proposed Action is the demolition of two vacant building and the construction of three new buildings to include: a ten position fueling facility with a 116 square foot attendant kiosk operated by the Stop & Shop Supermarket Company; a Somerset Tire Service Center with a building footprint of 5,600 square feet, and a Credit Union/ Bank with a footprint of 6,950 square feet with two drive-thru lanes. The plan provides for 98 on-site parking spaces with an additional 10 fueling positions under an overhead canopy.

The site contains 3.03 acres and is currently occupied by two vacant building of approximately 9,500 square feet and 1,000 square feet. The larger of the two buildings was historically used as a truck terminal and warehouse facility. The smaller of the building was historically used as a maintenance garage. The balance of the site is covered with concrete truck pads, asphalt paving, and gravel parking areas. Consequently only 5% of the site is vegetated. As part of the proposed action, the existing structures will be demolished and the removal of all pavement, asphalt and concrete pads.

The site is currently accessed by two existing curb cuts on Union Avenue with widths of 67 feet and 27 feet. These driveways will be closed and a new cut built in accordance with NYSDOT Standards. This driveway will be in alignment with the existing driveway that serves the Dunkin Donuts and AutoZone shopping center located on the opposite side of Route 300.

The new buildings will be serviced by new utility laterals from existing utilities located in and along Route 300. The proposed action will include a new subsurface drainage system, new site lighting and appropriate landscaping.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 3.03 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>0.1</u> acres	<u>0.1</u> acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	<u>2.93</u> acres	<u>2.12</u> acres
Other (Indicate type) <u>Landscape Areas</u>	_____ acres	<u>0.81</u> acres

3. What is predominant soil type(s) on project site? Mardin Gravelly Silt Loam

- a. Soil drainage: Well drained _____% of site Moderately well drained 65% of site.
 Poorly drained 35% of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ a/s acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock TBD (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% 95% 10-15% 5% 15% or greater _____%

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? TBD (in feet)

9. Is site located over a primary, principal, or salt source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

Site is 100% disturbed and developed.

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? Yes No

15. Streams within or contiguous to project area:

None

a. Name of Stream and name of River to which it is tributary

n/a

16. Lakes, ponds, wetland areas within or contiguous to project area:

ACOE regulated wetland located along western property line that continues onto adjacent property.

b. Size (in acres):

0.1 acres (on site); ~1.3 acres (off site)

b. Will topsoil be stockpiled for reclamation? Yes No

c. Will upper subsoil be stockpiled for reclamation? Yes No

d. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 _____ acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: 12 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated _____ (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction 45; after project is complete 12

10. Number of jobs eliminated by this project 0

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? td tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name _____; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

minor increase in electricity consumption

22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.

23. Total anticipated water usage per day _____ tgd, gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

25. Approvals Required:

			Type	Submital Date
City, Town, Village Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Planning Board	2/2/12
City, Town Zoning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Variance	
City, County Health Department	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
Other Local Agencies	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Other Regional Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Orange County Planning	
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NYS DOT NYS DEC	
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, Indicate decision required:

- | | | | |
|---|---|--|--------------------------------------|
| <input type="checkbox"/> Zoning amendment | <input checked="" type="checkbox"/> Zoning variance | <input type="checkbox"/> New/revision of master plan | <input type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Site plan | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan | <input type="checkbox"/> Other |

2. What is the zoning classification(s) of the site?

IB

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

Building coverage = 40%; building height 35 feet / 3 stories = 160,000 sq. ft.

4. What is the proposed zoning of the site?

IB

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

No change in zoning proposed.

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Commercial

8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? n/a

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

Traffic study to be completed

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name AAA 6D Newburgh LLC Date 2.2.12

Signature Lisa Davis, AIEP

Title Agent

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

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- ! The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (16 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

NO YES

• Specific land forms:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

• Developable area of site contains a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Extension of utility distribution facilities through a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated freshwater or tidal wetland.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction of a body of water that exceeds 10 acres of surface area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

NO YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

NO YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--------------------------|--------------------------|--|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticides or herbicides more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

NO YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | |

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

NO YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction activity would excavate or compact the soil profile of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

NO YES

Examples that would apply to column 2

• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

NO YES

Examples that would apply to column 2

• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

• Other impacts:

 Yes No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action effect the quantity or quality of existing or future open spaces or recreational opportunities?

 NO YES

Examples that would apply to column 2

• The permanent foreclosure of a future recreational opportunity.

 Yes No

• A major reduction of an open space important to the community.

 Yes No

• Other impacts:

 Yes No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

 NO YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

• Proposed Action to locate within the CEA?

 Yes No

• Proposed Action will result in a reduction in the quantity of the resource?

 Yes No

• Proposed Action will result in a reduction in the quality of the resource?

 Yes No

• Proposed Action will impact the use, function or enjoyment of the resource?

 Yes No

• Other impacts:

 Yes No

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in major traffic problems. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Blasting within 1,500 feet of a hospital, school or other sensitive facility. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Odors will occur routinely (more than one hour per day). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will remove natural barriers that would act as a noise screen. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other Impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
 NO YES

If Any Action in Part 2 is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more Impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

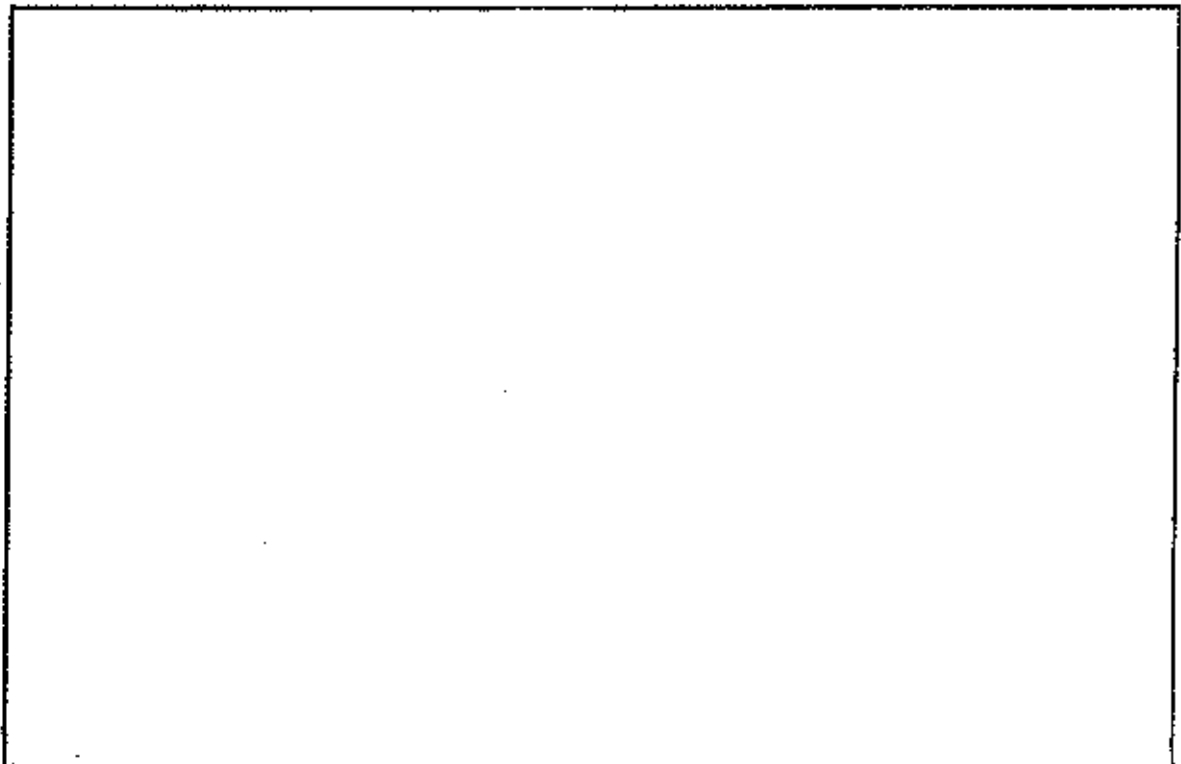
Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.



JPMorgan Chase Bank, N.A.
New York, NY

5204

LANGAN

ENGINEERING & ENVIRONMENTAL SERVICES
River Drive Center 1, Elmwood Park, NJ 07407
T: 201.794.6900

1-2
210

CHECK DATE February 1, 2012

PAY Five Thousand Ninety One and 00/100 Dollars

AMOUNT \$5,091.00

TO Town of Newburgh, NY
1496 Route 300
Newburgh NY 12660

Michael A. Sarno

⑈005204⑈ ⑆021000021⑆ 937283562⑈

MICRO-PRINT SIGNATURE LINE (MAGNIFY TO VIEW)

LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC.

5204

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount	
Onderko /5216	2/1/12	0302920	5,091.00	0.00	0.00	5,091.00	
Town of Newburgh, NY							
19	1	08499	Totals	5,091.00	0.00	0.00	5,091.00

(Site Plan Review)

JPMorgan Chase Bank, N.A.
New York, NY

5205

LANGAN

ENGINEERING & ENVIRONMENTAL SERVICES
River Drive Center 1, Fimwood Park, NJ 07407
T: 201.794.6900

1-2
210

CHECK DATE February 1, 2012

PAY One Thousand and 00/100 Dollars

AMOUNT \$1,000.00

TO Town of Newburgh, NY
1496 Route 300
Newburgh NY 12550

Michael A. Senese

⑈005205⑈ ⑆021000021⑆ 937283562⑈

MICRO-PRINT SIGNATURE LINE (MAGNIFY TO VIEW)

LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC.

5205

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Orderko/ 8218	2/1/12	0302921	1,000.00	0.00	0.00	1,000.00
Town of Newburgh, NY 19 2 08499		Totals	1,000.00	0.00	0.00	1,000.00

(SEORA Long Form)

JPMorgan Chase Bank, N.A.
New York, NY

5206

LANGAN

ENGINEERING & ENVIRONMENTAL SERVICES
River Drive Center 1, Elmwood Park, NJ 07407
Tel: 201.794.6900

1-2
210

CHECK DATE February 1, 2012

PAY Four Thousand and 00/100 Dollars

TO Town of Newburgh, NY
1498 Route 300
Newburgh NY 12660

AMOUNT \$4,000.00

Michael A. Sarinas

⑈005206⑈ ⑆021000021⑆ 937283562⑈

MICRO-PRINT SIGNATURE LINE (MAGNIFY TO VIEW)

LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC.

5206

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Onderko/5216	2/1/12	0302922	4,000.00	0.00	0.00	4,000.00
Town of Newburgh, NY 19 3 08499		Totals	4,000.00	0.00	0.00	4,000.00

(Escrow for Consultant Services)