



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

PROJECT NAME: BRITAIN WOODS DEIS
PROJECT NO.: 22-17
PROJECT LOCATION: 442 LITTLE BRITAIN ROAD (NYS ROUTE 207)
SECTION 97, BLOCK 1, LOT 32.1, 32.2, 32.3 & 40.1
CITY OF NEWBURGH SECTION 41, BLOCK 1, LOT 2 & 3
REVIEW DATE: 18 DECEMBER 2023
MEETING DATE: 21 DECEMBER 2023
PROJECT REPRESENTATIVE: ENGINEERING & SURVEYING PROPERTIES, PC

1. Title page and Page 3 have project sponsor's name spelled incorrectly.
2. Page 10, last sentence state "currently no utilities serving the site although public water, sewer, telephone, electric and gas are located adjacent to or nearby the site". Statement should be clarified, as public water and sewer available to the project are located significant distances from the project site. Location of gas mains should be discussed.
3. Page 13, Interested Agencies, Goodwill Fire Department should identify Goodwill Fire District. Newburgh Fire District should be identified as City of Newburgh Fire Department, no district exists within the City.
4. Page 14, Number 6, Transportation and Resources identifies mitigation measures as "participate and fair share funding for infrastructure improvements and inspection of Old Little Britain Road and NYS Route 207/Little Britain Road." Further discussion of this should be undertaken. Currently no mechanism for fair share contributions to this improvement have been developed. The project cannot be undertaken until such time as improvements to the intersection are complete. Partially funding the improvements will not mitigate traffic impacts associated with the project. This should be further clarified in the text of the document as a method to accomplish the improvements required must be identified and implemented prior to the project being undertaken.
5. Page 18 identifies that the applicant is seeking to consolidate all Town parcels that are part of the development to a single new tax parcel. The document should discuss a mechanism to assure that the parcel located within the City of Newburgh (which has no structures) remains as part of the parcel/project. That tax parcel could conceivably be sold off at a tax sale or other transaction eliminating that from the project. Cordisco's comments regarding this should be discussed.
6. Page 22 under drainage should identify that a Stormwater Facilities Maintenance Agreement will be required to be executed.

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7. Page 24, discussion of lighting should identify dark sky compliant lighting. This is discussed further in the document, however not at this location.
8. Page 30, Local Approvals identifies an Outside Sewer User Agreement with the City of Newburgh. This should be further clarified as no City of Newburgh sewer is to be utilized. This may be a reference to a Flow Acceptance Letter required.
9. Page 34 discusses the test pits for location of bedrock. Bedrock was encountered in several areas on the site. Discussion regarding the ability to mechanically remove the bedrock encountered and/or blasting impact should be further addressed in the document.
10. Page 38, Clearing and Grading Permit does not identify the applicant may be seeking a Clearing and Grading Permit prior to final site plan approval. This discussion should be further clarified. An approved SWPPP and coverage under NYSDEC Permits as well as a DOT Access Permit would be required for any clearing and grading to occur.
11. Page 40 identifies that disturbed areas that have established final grade or temporary grade and will be idle for more than 7 days will be stabilized immediately to minimize potential exposure to erosion and sedimentation. The 7-day timeframe is shorter than typically required for projects with disturbance less than 5 acres. Applicant should clarify that the 7 days will be part of the project SWPPP.
12. Page 43, Regional Watershed identifies that Quassaick Creek flows South approximately 111 miles from Modena, NY to the Hudson River. This should be clarified. The next paragraph identifies the Multi-sector General Permit. The Construction General Permit is not a multi-sector permit, which is a separate permit required for industrial related activities.
13. Page 50, Discussion of Green Infrastructure is present. A discussion of runoff reduction volume requirements should be added at this location. Similar comment on Page 53 under mitigation measures.
14. Page 64 identifies that no potential adverse impacts will occur for historic/cultural resources. While the kilns identified on an adjoining parcel are not proposed to be impacted by the construction of the residential portion of the project, utility cords will pass within close vicinity of the kilns. A mitigation measure is identified as being that the water and sewer will be placed in the same trench. This is not consistent with NYSDEC and Department of Health requirements. It is unclear if NYS Office of Parks, Recreation and Historic Preservation are aware of the utilities when the residential site plan was submitted. Further clarification from NYSOPRH should be further provided to determine if the proposed utility work within proximity to the kiln location will be considered an impact which must be addressed.
15. Due to the time period between the adoption of the scope, the Town of Newburgh has implemented Chapter 172 of the Town Code and has completed one revision of the code. Page 94 identifies prior to final site plan approval, any required mitigation if any to comply with Chapter 172 of the Town of Newburgh Code entitled Tree Preservation and Protection will be determined. This information should be provided at this time as portions of the development may require modification based on the presence or absence of specimen protected or

significant trees based on the code. The DEIS should contain an analysis of the Tree Preservation Ordinance, sample plots and location of all trees required to be located.

16. Page 110, Alternatives should contain a discussion of the preferred alternatives. The scoping document alternative section states “this section of the DEIS will evaluate and compare alternatives to the proposed action which are listed below. The evaluation comparison will include a conceptual site plan and a tabular comparison of quantified impacts such as trip generation comparisons with the proposed actions.” A more detailed analysis of the benefits and impacts of the alternatives should be provided.
17. Page 75 under existing utilities should confirm with the Water Department the statements regarding available chlorine contact time as this has been mitigated.
18. The scope requested an analysis of impacts to the City of Newburgh’s water mains within the sewer easement. Confirmation of the depth of the water main was to be undertaken as well as any issues regarding proposed crossing of the mains.
19. Page 75, the Delaware Aqueduct shutdown is proposed to occur in October of 2024 and the shut down for approximately 8 months.

Respectfully submitted,

MHE Engineering, D.P.C.



Patrick J. Hines
Principal

PJH/ltn

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