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

PROJECT: CVS PHARMACY/STORE
PROJECT NO.: 15-23
PROJECT LOCATION: SECTION 60, BLOCK 3, LOT 5.2
REVIEW DATE: 29 JANUARY 2016
MEETING DATE: 4 FEBRUARY 2016
PROJECT REPRESENTATIVE: CUDDY & FEDER, LLP

1. City of Newburgh flow acceptance letter 13 January 2016 has been received authorizing discharge from the project.
2. The Applicant's representatives have identified that they are in communication with the neighboring property owner for access to the private drive. Status of these negotiations and any agreements, easements and paperwork involving this should be submitted to Mike Donnelly's office for a review.
3. A condition of approval will be execution and filing of a Stormwater Management Maintenance Agreement. The Town's Standard form is attached for use.
4. All correspondence and information pertaining to NYSDOT permit should be submitted to the Planning Board for their files. Status of the NYSDOT approval for access and utilities should be received.
5. Status of the Architectural Review approval should be discussed. Applicant's previously submitted renderings of the site including the retaining walls.

6. Bonding for Stormwater Management/Sediment Erosion Control and Landscaping are required. The Applicant's representatives should prepare cost estimates for each for review and acceptance by the Town Board. Posting of these securities will be a condition of final approval. Maps will not be stamped until all final conditions are completed.

Respectfully submitted,

***McGoey, Hauser and Edsall
Consulting Engineers, D.P.C***

Patrick J. Hines
Principal

January 20, 2016

BY HAND

Chairman John P. Ewasutyn,
And Members of the Planning Board
Town of Newburgh
308 Gardnertown Road
Newburgh, New York 12550

JAN 21 2016

Re: Proposed CVS Pharmacy/Store (Store # 10688)
Premises: Corel Place (Route 52 and Route 300), Newburgh, New York

Dear Chairman Ewasutyn and Members of the Board:

On behalf of CVS Pharmacy and its developer T.M. Crowley & Associates ("TMC"), we respectfully submit this letter and enclosures to supplement our prior site plan application submissions to the Planning Board. The intent of this letter is to resolve all remaining comments from the Planning Board, as well as comments issued by the Board's Engineering Consultant (McGoey, Hauser and Edsall Consulting Engineers, P.C.) in a memo, dated January 5, 2016.

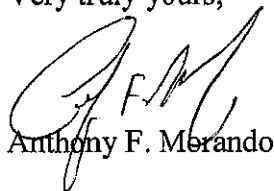
The applicant's engineer, VHB, prepared a short response letter, dated January 14, 2016, for the Board's ease of reference and to make sure that the applicant has addressed all remaining comments. Fifteen copies of VHB's letter with attachments are enclosed with this letter.¹

As noted in our December 22, 2015 submission, the CVS project team was seeking a City of Newburgh flow acceptance approval. We are pleased to inform the Board that the City issued a flow acceptance approval for this project on January 13, 2016. See City approval letter enclosed.

We respectfully request that this application be placed on the Planning Board's next available agenda, toward the Board rendering a final decision.

In the interim, should the Board or its Consultants have any questions or comments, please do not hesitate to contact me. Thank you in advance for your cooperation and consideration.

Very truly yours,


Anthony F. Merando

¹ The VHB response letter enclosed with this letter is the same letter (and attachments) that we transmitted to the Town of Newburgh Planning Department via email correspondence on January 15, 2016.

**CUDDY&
FEDER^{LLP}**

January 20, 2016
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cc: Gerald Canfield, Code Compliance Officer/Supervisor (copy enclosed)
James W. Osborne, P.E., Town Engineer (copy enclosed)
Michael H. Donnelly, Esq., Planning Board Attorney (by FedEx)
Patrick J. Hines, MHE Consulting Engineers P.C. (by FedEx)
Kenneth W. Wersted, CM Engineering, LLP (by FedEx)
Tracey Roll, TMC
Mark Grocki, P.E., VHB
Lucia Chiocchio, Esq., Cuddy & Feder, LLP



January 15, 2016

Ref: 41847.44

Mr. John Ewasutyn, Chairman
Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, New York 12550

Re: Response to Technical Review Comments dated 5 January 2016
CVS/pharmacy
Section 60, Block 3, Lot 5.2

Dear Chairman Ewasutyn,

VHB is pleased to provide the following response to review comments that we received from McGoey, Hauser and Edsall Consulting Engineers, D.P.C., dated January 5, 2016.

Comment 1: City of Newburgh Flow Acceptance Letter is required prior to the Town taking action on the plans.

Response: **Included with this letter is the approved Flow Acceptance Letter from the City of Newburgh.**

Comment 2: Any update on the access and lease to the private drive to the rear of the parcel should be provided to the Planning Board.

Response: **Understood. We have been advised that CVS and the underlying property owner are communicating directly in furtherance of CVS securing an easement to provide utilities and access to Route 300 as shown on the project plans.**

Comment 3: The Applicants response regarding field testing of soil permeability is acceptable.

Response: **No Response Required.**

Comment 4: We continue to note that all retaining walls in excess of four feet in height must be submitted to the Town Code Enforcement Officer as engineered plans.

Engineers | Scientists | Planners | Designers

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Mr. John Ewasutyn, Chairman
Ref: 41847.44
January 15, 2016
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Response: Understood. A note stating "Retaining Walls in excess of 4 ft. in height are to be submitted to the Town of Newburgh Code Enforcement Officer" is on the Grading & Drainage Plan, Sheet C-3, dated December 17, 2015. This Sheet is part of the plan set we submitted to the Board on December 22, 2015.

Comment 5: A condition of approval will be the execution and filing of a Stormwater Management Maintenance Agreement.

Response: Understood. We submitted Long Term Stormwater Operations and Maintenance (LT O&M) measures in Appendix E of the Stormwater Management Report, Included with this letter is a copy of the LT O&M (Appendix E).

Comment 6: The status of the NYSDOT review of the site access drive should be discussed with the Planning Board.

Response: VHB has been communicating with the NYSDOT with regards to their review of the CVS project. On November 24, 2015, Mr. Michael Sassi, Regional Highway Work Permit Coordinator for the NYSDOT, confirmed that from a traffic perspective, the access configuration is "fine". VHB also received confirmation today, January 15, 2016, from Shahid Quadri, Resident Engineer for the NYSDOT that VHB has resolved all of the DOT's drainage questions. The DOT's comments do not require any changes to the plan set currently before the Planning Board.

Comment 7: The status of whether the Planning Board wishes to hold a Public Hearing should be evaluated.

Response: We understand that the Planning Board indicated at its December 3, 2015 meeting that a public hearing will not be required for this project. We respectfully request that this be confirmed at our next appearance before the Board.

If you wish for additional information, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads "Mark Grocki".

Mark Grocki, P.E.

Senior Project Engineer
mgrocki@vhb.com

C&F: 2992823.2



CITY OF NEWBURGH

Office of the Engineer
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Jason C. Morris, PE
City Engineer
jmorris@cityofnewburgh-ny.gov

January 13, 2016

James W. Osborne, PE
Town Engineer
Town of Newburgh
1496 Route 300
Newburgh, NY 12550

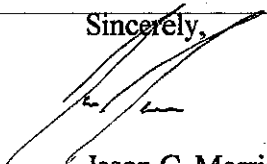
Re: Crossroads S.D. – City/Town of Newburgh Intermunicipal Agreement
CVS Pharmacy Route 52 (60-3-5.2)– Sewer Connection Approval (400 gpd)

Mr. Osborne,

Pursuant to the terms and conditions of the City-Town of Newburgh Intermunicipal Sewer Agreement dated May 6, 2004, permission is hereby granted for a new sewer connection to the Town of Newburgh's sewer main to service the future CVS Pharmacy proposed along Route 52. The anticipated sewer flow increase of 400 gpd from this new connection will be counted toward the 3.8 million gallons per day capacity allocated to the Town, as stated in the City-Town Sewer Agreement.

Please notify this office via email 48 hours prior to the commencement of sewer flows from this new connection. If you have any questions regarding this approval, please contact this office at your convenience.

Sincerely,



Jason C. Morris, PE
City Engineer

cc: Michael Ciaravino, City Manager
Michelle Kelson, Corporation Counsel
George Garrison, DPW Superintendent
Michael Batz, PE, Severn Trent Services
Gil Piaquadio, Town Supervisor
John Platt, DPW Commissioner
Mark Taylor, Town Attorney



Appendix E: Long Term Stormwater Operation and Maintenance Measures



Long Term Stormwater Maintenance Measures –

The following is a recommended maintenance program proposed to ensure the continued effectiveness of the structural water quality controls previously described.

Pavement Systems

Standard Asphalt Pavement

- Sweep or vacuum standard asphalt pavement areas at least once per year with a commercial cleaning unit and properly dispose of removed material.
- Check loading area and dumpster areas frequently for spillage and/ or pavement staining and clean as necessary.

Structural Stormwater Management Devices

Catch Basins

- All catch basins shall be inspected and cleaned a minimum of at least once per year.
- Sediment (if more than six inches deep) and/ or floatable pollutants shall be pumped from the basin and disposed of at an approved offsite facility in accordance with all applicable regulations.
- Any structural damage or other indication of malfunction will be reported to the site manager and repaired as necessary
- During colder periods, the catch basin grates must be kept free of snow and ice.
- During warmer periods, the catch basin grates must be kept free of leaves, litter, sand, and debris.

Underground Detention/Infiltration System

- The underground detention system will be inspected at least once each year by removing the manhole/ access port covers.
- If sediment or leaf debris is more than six inches deep, it must be suspended via flushing with clean water and removed using a jet-vac.
- Review the Manufacturer's specifications and instructions for cleaning the system.
- Emergency overflow pipes will be examined at least once each year and verified that no blockage has occurred.
- System manholes will be observed after rainfalls to see if it is properly draining.



Sand Filter

- A legally binding and enforceable maintenance agreement shall be executed between the facility owner and the local review authority to ensure the following:
- Sediment shall be cleaned out of the chamber when it accumulates to a depth of more than six (6) inches. Vegetation within the sedimentation chamber shall be limited to a height of 18 inches. The sediment chamber outlet devices shall be cleaned/ repaired when drawdown times exceed 36 hours. Trash and debris shall be removed as necessary.
- Silt/ sediment shall be removed from the filter bed when the accumulation exceeds one inch. When the filtering capacity of the filter diminishes substantially (i.e., when water ponds on the surface of the filter bed for more than 48 hours), the top few inches of discolored material shall be removed and shall be replaced with fresh material. The removed sediments shall be disposed in an acceptable manner (i.e., landfill).
- Review the Manufacturer's specifications and instructions for cleaning the chamber.
- Emergency overflow pipes will be examined at least once each year and verified that no blockage has occurred.

Roof Drain Leaders

- Perform routine roof inspections quarterly.
- Keep roofs clean and free of debris.
- Keep roof drainage systems clear.
- Keep roof access limited to authorized personnel.
- Clean inlets once per year as necessary.

Vegetation Management

Grassed Infiltration Basin

Initial Post-Construction Inspection

- The Infiltration basins should be inspected after every major storm for the first few months to ensure proper stabilization and function.

Long-Term Maintenance

- The grass on the side slopes should be mowed, and grass clippings, organic matter, and accumulated trash and debris removed, at least twice during the growing season.
- Eroded or barren spots should be filled with loam and reseeded immediately after inspection to prevent additional erosion and accumulation of sediment.
- Sediment should be removed from the basin as necessary. Removal procedures should not take place until the floor of the basin is thoroughly dry.
- Should the basin floor be inundated with sediment, the accumulated sediment shall be scraped out to a depth determined by an engineer to achieve normal infiltration potential, and re-filled with a sandy-loam to the bottom elevation as noted on the plans, and re-seeded for stabilization.



Inspections and Cleaning

- The Infiltration basin should be inspected at least twice a year to ensure proper stabilization and function.
- Light equipment, which will not compact the underlying soil, should be used to remove the top layer. **NEVER USE HEAVY EQUIPMENT WITHIN THE INFILTRATION BASIN**, this may significantly compromise the infiltration potential of the underlying soils.

Rain Gardens:

- Inspect monthly for first 3 months after construction completion for signs of erosion, plant establishment, embankment stabilization, etc.
- Inspect biannually for the first year and annually thereafter for sediment buildup, erosion, vegetative conditions, etc.
- The mulch shall be replaced or replenished each year, preferably in the spring.
- If sediment is observed and infiltration becomes compromised, remove sediment as needed immediately upon identification.

Vegetated Areas Maintenance

Although not a structural component of the drainage system, the maintenance of vegetated areas may affect the functioning of stormwater management practices. This includes the health/ density of vegetative cover and activities such as the application and disposal of lawn and garden care products, disposal of leaves and yard trimmings.

- Inspect planted areas on a semi-annual basis and remove any litter.
- Maintain planted areas adjacent to pavement to prevent soil washout.
- Immediately clean any soil deposited on pavement.
- Re-seed bare areas; install appropriate erosion control measures when native soil is exposed or erosion channels are forming.
- Plant alternative mixture of grass species in the event of unsuccessful establishment.
- The grass vegetation should be cut to a height between three and four inches.
- Pesticide/ Herbicide Usage – No pesticides are to be used unless a single spot treatment is required for a specific control application.
- Fertilizer usage should be avoided. If deemed necessary, slow release fertilizer should be used. Fertilizer may be used to begin the establishment of vegetation in bare or damaged areas, but should not be applied on a regular basis unless necessary.