

JOSEPH P. PEDI
Town Clerk, 1496 Route 300
Town of Newburgh, New York 12550
Telephone 845-564-4554

WORKSHOP MEETING AGENDA
Wednesday, May 27, 2020
7:00 p.m.

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. MOMENT OF SILENCE**
- 4. CHANGES TO AGENDA**
- 5. APPROVAL OF AUDIT**
- 6. 2020 LOCAL LAW 2: Pre School and Day Care in the B Zone**
 - a. Resolution of SEQRA Determination and Designation**
 - b. Resolution of Adoption**
- 7. ACQUISITION OF ACCESS PARCEL FOR CONSOLIDATED WATER DISTRICT**
 - a. Resolution of SEQRA Determination**
 - b. Public Interest Order**
- 8. ROAD NAMING: Cabin Lane**
- 9. DONNELLY SUBDIVISION: Three Homes on a Common Drive**
- 10. ROCK CUT ESTATES: Three Homes on a Common Drive**
- 11. CORTLAND COMMONS: Storm Water Security Estimate**
- 12. SENIOR HOUSING: Monarch Woods**
- 13. APPRAISAL: Newburgh Mall**
- 14. ADJOURNMENT**

GJP; jpp
Second Revision: May 21, 2020 @11:55 a.m.

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York and remotely pursuant to Executive Orders 202.1 and 202.15 on the ___th day of May, 2020 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

RESOLUTION OF SEQRA DESIGNATION DETERMINATION: ADOPTION OF A PROPOSED LOCAL LAW AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWURGH TO INCLUDE THE USES OF "NURSERY SCHOOL FOR PRESCHOOL CHILDREN" AND "DAY CARE CENTER" AS PERMITTED USES SUBJECT TO SITE PLAN REVIEW IN THE B ZONING DISTRICT

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, the Town Board of the Town of Newburgh has caused to be prepared a local law which will amend the provisions Chapter 185 entitled 'Zoning' of the Code of the Town of Newburgh to add nursery school for preschool children and day care center as permitted principal uses subject to site plan review in the B Zoning District; and

WHEREAS, the Town Board of the Town of Newburgh recognizes the importance of sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a and has determined that that the proposed zoning amendment does not require an amendment to the Town's Comprehensive Plan; and

WHEREAS, the Town Board of the Town of Newburgh has caused an Environmental Assessment Form (the "EAF") to be prepared and/or submitted for the proposed adoption of said local law amending the Zoning Code of the Town of Newburgh (the "Action"); and

WHEREAS, the proposed local law was introduced before the Town Board on the 9th day of March, 2020, and the Town Board conducted a public hearing which was conducted remotely pursuant to Executive Orders 202.1 and 201.15 on the 11th day of May, 2020 and heard all interested parties on said proposed local law and the Town Board additionally considered written comments submitted following the posting of a transcript of the public hearing on the Town's website; and

WHEREAS, the Town Board has determined that the Action is a Type I Action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code; and

WHEREAS, the Town Board proposes to undertake, fund and approve the Action and wishes to assume Lead Agency status in connection with the review of the Action pursuant to the State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the Action does not involve a federal agency; and

WHEREAS, the Town Board, using all due diligence, has identified the following involved agencies for the Action

Orange County Department of Planning
Town of Newburgh Planning Board

; and

WHEREAS, the Town Board has identified the following interested agency for the Action:

Town of Newburgh Zoning Board of Appeals

and;

WHEREAS, the EAF and other appropriate information were forwarded to the Orange County Department of Planning and the Town of Newburgh Planning Board, together with copies of the proposed local law, in accordance with the requirements of the General Municipal Law and the Town of Newburgh Zoning Code and to the Town of Newburgh Zoning Board of Appeals; and

WHEREAS, the identified involved and interested agencies were notified of the Town Board's intent to act as the Lead Agency for the Action in a coordinated review under SEQRA and Part 617 and copies of the EAF, and such other information as is appropriate were forwarded with the notice; and

WHEREAS, the identified involved agencies have either agreed that the Town Board shall act as the Lead Agency for the Action or not responded within the thirty (30) calendar day time frame established under SEQRA; and

WHEREAS, the Action is consistent with the adopted Town of Newburgh Comprehensive Plan Update and is also consistent with the Orange County Comprehensive Plan; and

WHEREAS, the Town Board has also considered the consistency of the amendment with the needs and goals identified by the April, 2009 *Tri-County Affordable Housing Study*, conducted jointly by Orange, Dutchess, and Ulster Counties, and the potential affects of the Action on the

Town's ability to meet goals for providing rental and owner occupied affordable housing and determined that this action pertaining to a commercial use will have minimal impacts; and

WHEREAS, recognizing that the impact that an action may have on population patterns or existing community character, with or without a separate impact on the physical environment is a relevant concern in an environmental analysis since the statute includes these concerns as elements of the environment, the Town Board has considered and analyzed information pertaining to those impacts; and

WHEREAS, the Town Board has undertaken further information gathering and these further analyses in recognition that conclusory statements unsupported by empirical or experimental data, scientific authorities or any explanatory information will not suffice as a reasoned elaboration for its determination of environmental significance or non-significance; and

WHEREAS, the Town Board has (i) thoroughly reviewed the EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and

WHEREAS, the Town Board has not identified relevant areas of environmental concern which would lead to a determination that the adoption of the proposed local law may have a significant adverse effect on the environment either in the short term, long term or cumulatively given the likely consequences, setting, probability of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected.

NOW THEREFORE, BE IT RESOLVED:

1. The Town Board declares itself to be the Lead Agency for the purpose of conducting a coordinated review of this Action.
2. The Town Board, acting in its capacity as Lead Agency, does hereby further determine that the Action will not have an adverse environmental impact and, accordingly, does issue a negative declaration.
3. The Town Board accordingly determines that an Environmental Impact Statement will not be prepared.
4. The Town Board hereby authorizes the Supervisor to execute and file the relevant section of the Environmental Assessment Form and a Negative Declaration with such further amendment and modification as may be required to elaborate the Lead Agency's determination herein, in accordance with the applicable provisions of law and regulation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

MEMORANDUM

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: LOCAL LAW AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE
CODE OF THE TOWN OF NEWBURGH TO INCLUDE THE USES OF
"NURSERY SCHOOL FOR PRE-SCHOOL CHILDREN" AND "DAY CARE
CENTER" AS PERMITTED USES SUBJECT TO SITE PLAN REVIEW IN
THE "B" ZONING DISTRICT
OUR FILE NO. 800.1(B)() (2020)

DATE: MAY 22, 2020

Attached for the Town Board's consideration is the draft Negative Declaration for the above referenced Acton including the completed Part 3 of the Environmental Assessment Form and the supporting determination.

MCT:sel

Enc.

cc: Joseph P. Pedi, Town Clerk
James Osborne, Town Engineer
Gerald Canfield, Code Compliance Supervisor
Ashley Torre, Esq.

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Orange County Department of Planning GML Report and Town of Newburgh Planning Board Zoning Law report, applicant's petition and public hearing testimony

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
the Town Board of the Town of Newburgh _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Town of Newburgh Chadwick Lake Reservoir and Water Treatment Plant Improvements Project

Name of Lead Agency: Town of Newburgh Town Board

Name of Responsible Officer in Lead Agency: Gilbert J. Piaquadio

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency: _____ Date: 5/2_/2020

Signature of Preparer (if different from Responsible Officer) _____ Date: _____

For Further Information:

Contact Person: Gilbert J. Piaquadio, Supervisor

Address: 1496 Route 300, Newburgh, NY 12550

Telephone Number: 845-562-4552

E-mail: supervisor@townofnewburgh.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

State Environmental Quality Review

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number N/A

Date May , 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Newburgh, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Adoption of A Local Law Amending Chapter 185 entitled ‘Zoning’ of the Code of the Town of Newburgh to Include the Uses of “Nursery Schools for Preschool Children” and “Day Care Centers” as Permitted Uses Subject to Site Plan Review in the B Zoning District.

SEQR Status: Type I ()
Unlisted ()

Conditioned Negative Declaration: () Yes
(X) No

Description of Action:

The action consists of the adoption of a local law by the Town Board of the Town of Newburgh entitled “A Local Law Amending Chapter 185 entitled ‘Zoning’ of the Code of the Town of Newburgh to Include the Uses of Nursery Schools for Preschool Children and Day Care Centers as Permitted Uses Subject to Site Plan Review in the B Zoning District. The purposes and effects of the Local Law are to permit nursery schools for preschool children registered with NYS Dept of Education and day care center licensed by NYS OCFS registered with the uses as a principal uses in the Business (B) District subject to site plan review by the Planning Board. The Local Law will also allow accessory signs with the new uses in the B District and will add a supplemental regulation requiring that nursery schools for pre-school children and day care centers in the B zoning district have areas for the discharge and pick up of passengers from private vehicles on-site, outside of any highway or street right of way The bulk requirements for nursery schools for pre-school children and day care centers in the B District will be as follows: lot area: 1 acre, lot width: 150 feet, lot depth: 150 feet, front yard: 50 feet, rear yard: 50 feet, 1 side yard: 40 feet, both side yards: 80 feet, lot building coverage : 20%, building height: 40 feet, lot surface coverage: 40%.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town-wide – B District

Reasons Supporting This Determination:

(See 617.6(g) for requirements of this determination; See 617.6(h) for Conditioned Negative Declaration)

The lead agency has considered the action and reviewed the environmental assessment form and other supporting information and documents, including comments it received from the public and any other comments from agencies to which the local law was submitted for comment, including the Town of Newburgh Planning Board and the Orange County Planning Department. The action is a Type I action.

. The following summarizes the review of impacts:

- **Land** – There are no adverse impacts on land associated with this action. Because the action involves the adoption of Zoning amendments and not direct construction or other physical activity, there are no direct impacts on land. Accordingly, only indirect impacts require analysis. The proposed action will not have a significant adverse environmental impact on any unique or unusual land forms. The local law pertains to a use which has already been permitted in the B District pursuant to use variances granted by the Zoning Board of Appeals. . The uses are commercial uses which are generally compatible with other B District uses, and the amendment will likely enable adaptive reuse of smaller existing buildings in the B District. The Town Board finds that there are no significant unmitigated impacts on land associated with this action.

- **Surface and Groundwater, Drainage and Flooding** – There are no adverse impacts on drainage, surface or groundwater quality, or flooding associated with this action. Compliance with the Town’s Stormwater Management Code is still required for any specific new or expanded nursery school or day care center use which is otherwise subject to that Code.

- **Air Quality or Resources** – The action would not create any adverse air quality or resource impacts.

- **Wildlife Species and Habitat** – No adverse direct or indirect effects on threatened or endangered species, non-threatened or non-endangered species or habitat would result with this action.
- **Agricultural Lands** – The action would not create adverse impacts on agriculture or agricultural lands. The local law does not introduce regulations with respect to agricultural uses.
- **Visual and Aesthetic Resources** – No adverse impacts on visual or aesthetic resources in the Town or adjoining areas will result from this action.
- **Historic and Archeological Resources** – There would be no adverse impacts on archeological or historic resources with this action.
- **Open Space and Recreation** – The action would not result in adverse impacts on open space or recreation.
- **Transportation and Traffic** – The action would not create any adverse traffic or transportation impacts.
- **Energy** – The action would not create any adverse impacts on energy.
- **Noise** – No adverse impacts on noise levels would result from the action.
- **Public Health and Safety** – The action would not create adverse public health and safety impacts.
- **Land Use and Community Character** – There are no significant adverse impacts on land use and community character associated with this action. This action is compatible with the Town's *Comprehensive Plan Update*, as well as the *Orange County Comprehensive Plan*.
- **Affordable Housing** – The action would not adversely impact upon affordable or workforce housing.
- **Community Services (including Solid Waste)** – No direct adverse impacts on community services, solid waste collection, and water/utility consumption would result with this action.
- **Other Impacts/Growth-Inducing Impacts/Fiscal Impacts** – The action would not result in any other adverse impacts, including growth-inducing impacts. There appears to be no public controversy related to this action.

SEQR Negative Declaration
Page 4 of 5

Based upon a careful and thorough review of the EAF and other supporting documents and information, the Lead Agency finds and determines that the proposed action would not have a significant adverse impact on the natural, built, or social environment (either in the short-term, long-term, or cumulatively) when compared with the criteria set forth in SEQR, 6 NYCRR Part 617.7(c)(1) and any other supporting information. The Lead Agency additionally determines that the facts and circumstances do not call for the preparation of an environmental impact statement.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information: Town of Newburgh

Contact Person: Gilbert J. Piauquadio, Supervisor, Town of Newburgh

Address: 1496 Route 300
Newburgh, New York 12550

Telephone Number: (914) 564-4552

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is Sent to:

Chief Executive Officer, Town of Newburgh; and

1. Town Board of the Town of Newburgh
Town of Newburgh
1496 Route 300
Newburgh, New York 12550
2. Environmental Notice Bulletin
Room 538
20 Wolf Road
Albany, New York 12233-1750 (via e-mail)

SEQR Negative Declaration

Page 5 of 5

3. Orange County Department of Planning
124 Main Street
Goshen, New York 10924-2124

4. Planning Board
Town of Newburgh
308 Gardnertown Road
Newburgh, New York 12550

6. Zoning Board of Appeals
Town of Newburgh
308 Gardnertown Road
Newburgh, New York 12550

Any person who has requested a copy

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, New York 12233-1750

For Unlisted Actions, a Copy of the Negative Declaration Must Only Be Sent to *The Lead Agency*

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York and remotely pursuant to Executive Orders 202.1 and 202.15 on the ___th day of May, 2020 at 7:00 P.M., Prevailing Time.

PRESENT:

- Gilbert J. Piaquadio, Supervisor
- Elizabeth J. Green, Councilwoman
- Paul I. Ruggiero, Councilman
- Scott M. Manley, Councilman

RESOLUTION OF ADOPTION OF LOCAL LAW NO. 2 OF 2020 - AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWBURGH TO INCLUDE THE USES OF "NURSERY SCHOOL FOR PRESCHOOL CHILDREN" AND "DAY CARE CENTER AS PERMITTED USES SUBJECT TO SITE PLAN REVIEW IN THE B ZONING DISTRICT

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, a Local Law Amending Chapter 185 Entitled "Zoning" of the Code of the Town of Newburgh to Include the Uses of "Nursery School for Preschool Children" and "Day Care Center" as Permitted Uses Subject to Site Plan Review in the B Zoning District was heretofore introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York by resolution adopted by the Town Board on March 9, 2020; and

WHEREAS, pursuant to resolution of the Town Board, copies of the aforesaid local law were forwarded to the Orange County Department of Planning and the Town of Newburgh Planning Board for their reports in accordance with the provisions of the New York State General Municipal Law and the Town of Newburgh Zoning Code respectively, and to the Town of Newburgh Zoning Board of Appeals; and

WHEREAS, the Town Board of the Town of Newburgh adopted a resolution on the 9th day of March, 2020 ordering a public hearing to be held on the 11th day of May, 2020 at 7:15 o'clock p.m., prevailing time, to hear all interested parties on said proposed local law, designated as Introductory Local Law No. ___ of the Year 2020 entitled "A Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh to Include the Uses of 'Nursery School for Preschool Children' and 'Day Care Center' as Permitted Uses Subject to Site Plan Review in the B Zoning District"; and

WHEREAS, a notice of Public Hearing and copy of the local law were mailed to the clerks of the municipalities and counties with boundaries within 500 feet of the properties affected by the zoning amendment at least ten days prior to the date of the Public Hearing; and

WHEREAS, a notice of said Public Hearing was duly advertised on the ___ day of April, 2020 in The Mid-Hudson Times and on the ___th day of April, 2020 in The Orange County Post and posted on the Town Clerk's sign board on the ___th day of April, 2020; and

WHEREAS, the Notice of Public Hearing recited that the public hearing would be conducted remotely and provided the log on and call in information for members of the public wishing to attend and participate in the public hearing; and

WHEREAS, the public hearing was duly conducted on the 11th day of May, 2020 at 7:15 o'clock p.m., at Town Hall, 1496 Route 300, Newburgh, New York and, pursuant to Executive Orders 202.1 and 202.15, remotely via Zoom videoconference during which the public had the opportunity to see and hear the public hearing live and provide comments on behalf or in opposition of the proposed Local Law or any part thereof, and following the posting of a transcript of the public hearing on the Town's website, the public had the additional opportunity to provide written comments by mail or e-mail; and

WHEREAS, a video recording of the public hearing was available on line for public review; and

WHEREAS, the transcript of the public hearing was posted on the Town of Newburgh website on May 14, 2020 and the Town Board has read and considered such additional written comments as were submitted during the ten (10) days following the posting; and

WHEREAS, the Town Board of the Town of Newburgh, acting as lead agency in a coordinated review, has considered the adoption of said Local Law amending the text of the Town of Newburgh Zoning Code as a Type I Action under the State Environmental Quality Review Act and has duly issued a Negative Declaration on May ___, 2020; and

WHEREAS, the Town Board of the Town of Newburgh has duly considered the reports and responses it has received from the Orange County Planning Department and the Town of Newburgh Planning Board; and

WHEREAS, the Town Board of the Town of Newburgh has additionally considered the future housing needs of the region and the consistency of the amendment to the Zoning Code with the needs and goals identified by the April, 2009 *Tri-County Affordable Housing Study*, conducted jointly by Orange, Dutchess, and Ulster Counties, and the potential effects of the Action on the Town's ability to meet goals for providing rental and owner occupied affordable housing and determined that it will have no effects as it involves permitting certain additional commercial uses for commercially zoned properties in the B District; and

WHEREAS, upon filing with the New York Secretary of State, the Local Law will be designated as Local Law No. 2 of the Year 2020 of the Town of Newburgh; and

WHEREAS, the Town Board of the Town of Newburgh, after due deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Newburgh hereby adopts said Local Law No. 2 of Year 2020 entitled "A Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh to Include the Uses of 'Nursery School for Preschool Children' and 'Day Care Center' as Permitted Uses Subject to Site Plan Review in the B Zoning District."
2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Newburgh and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.
3. A report of final action in the matter of the adoption of said Local Law amending the Zoning Code and Zoning Map of the Town of Newburgh shall be delivered to the Orange County Planning Department in accordance with the requirements of the General Municipal Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York and remotely pursuant to Executive Orders 202.1 and 202.15 on the __th day of May, 2020 at 7:00 P.M., Prevailing Time.

PRESENT:

- Gilbert J. Piaquadio, Supervisor
- Elizabeth J. Greene, Councilwoman
- Paul I. Ruggiero, Councilman
- Scott M. Manley, Councilman

A RESOLUTION OF UNCOORDINATED SEQR DETERMINATION - TO ADOPT A NEGATIVE DECLARATION FOR THE PROPOSED ACQUISITION OF A PART OF SECTION 17 BLOCK 1 LOT 74 AS AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED WATER DISTRICT IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, the Town Board of the Town of Newburgh proposes to undertake, fund and approve the acquisition of a portion of a real property parcel on NYS Route 32 in the Town of Newburgh, New York, shown on the tax map for the Town of Newburgh as part of SBL 17-1-74, said portion consisting of a 35 wide foot strip for access, a connection line and appurtenant facilities to an existing Town owned water storage tank for and on behalf of the Consolidated Water District pursuant to Town Law §202-b (herein called the "Action"); and

WHEREAS, the Town Board of the Town of Newburgh has caused an Environmental Assessment Form (the "EAF") to be prepared for the proposed Action; and

WHEREAS, the Town Board proposes to and has authority to undertake, fund and approve the Action; and

WHEREAS, the Town Board has determined that the Action is not located in an agricultural district; and

WHEREAS, the Town Board pursuant to Article 8 of the Environmental Conservation Law ("SEQRA"), Part 617 of the General Regulations adopted pursuant thereto ("Part 617") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code, has heretofore determined that the Action is subject to SEQRA and is an Unlisted Action under SEQRA, Part 617 and/or Chapter 100; and

WHEREAS, the Town Board has determined that the Action does not require a coordinated review as the Action is Unlisted; and

WHEREAS, the Town Board has determined to conduct an uncoordinated review of the Action; and

WHEREAS, in performing its review of the Action, the Town Board has (i) considered the Action as an action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617, (ii) thoroughly reviewed the EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (iii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and

WHEREAS, the Town Board has not identified relevant areas of environmental concern which would lead to a determination that the Action may have a significant adverse effect on the environment either in the short term, long term or cumulatively given the likely consequences, setting, probability of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected.

NOW THEREFORE, BE IT RESOLVED:

1. The Town Board does determine that the Action is as an Unlisted Action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQRA") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code.
2. The Town Board does determine that, said Action will not have an adverse environmental impact and, accordingly, does issue a negative declaration.
3. The Town Board hereby authorizes the Supervisor to execute and file the Environmental Assessment Form Determination of Significance and a Negative Declaration in accordance with the applicable provisions of law with such further amendment and modification as may be required to elaborate the Lead Agency's determination herein, in accordance with the applicable provisions of law, and all other appropriate notices and documents to effectuate these resolutions in accordance with the applicable provisions of law.

The foregoing resolution was duly put to a vote on roll call which resulted as follows:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

DRAFT

State Environmental Quality Review

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number N/A

Date _____, 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Newburgh, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Town of Newburgh Proposed Real Property Acquisition: part of Section 17 Block 1 Lot 74 in the Town of Newburgh, Orange County, New York consisting of a 35 wide foot strip for access, a connection line and appurtenant facilities to an existing Town owned water storage tank for and on behalf of the Consolidated Water District

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The proposed Action involves the purchase by the Town of Newburgh of real property for the Consolidated Water District, said property being located east of NYS Route 32 in the Town of Newburgh, New York. The property is a portion of the parcel listed on the Town of Newburgh tax map as SBL 17-1-74. It consists of a 35 wide foot strip running from the NYS Route 32 right of way to a Town of Newburgh owned property to the east. It already contains an existing water connection line and appurtenant facilities as well as an unpaved driveway. The Town's adjoining property contains an existing water storage tank which serves the Consolidated Water District. A portion of the subject property contains an easement to the Town for access to the Town's water storage tank property.

The property is being acquired by the Town for and on behalf of its Consolidated Water District. No new or additional facilities are proposed as part of the Action.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Route 32, Town of Newburgh, New York

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination; See 617.6(d) for Conditioned Negative Declaration)

The Town Board has considered the action and reviewed the environmental assessment form and other supporting information. The action is unlisted.

None of the criteria set forth in Section 617.7 of Part 617 and any other supporting information identify relevant areas of environmental concern which would lead to a determination that the action may have a significant effect on the environment either in the short term, long term or cumulatively given the likely consequences, setting, probability of occurrence, duration, irreversibility, geographic scope or magnitude and the number of people affected. No relevant areas of environmental concern are identified.

With respect to the criteria that are considered indicators of significant effects on the environment, the lead agency has considered the following:

- 1) Existing air quality, surface or groundwater quality or quantity, traffic or noise levels, solid waste production or disposal, potential for erosion, leaching, drainage or flooding problems.

It is not at all likely that the proposed action will have any significant effect in these subject areas, because the action is limited to the purchase of real property without further development. The property will be utilized for the municipal purposes of accessing a water tank which is party of the Town's water supply system and for an underground water line and related facilities to carry water to and from the tank. Presently, no recreational activities are planned for the site. In the future the open space on the site may only be used for passive recreational activities. The action is intended to protect the Chadwick Lake Reservoir.

Accordingly, no impacts are anticipated on air quality, groundwater quality or ground or surface water quantity, traffic levels, solid waste production or disposal or leaching problems.

The Town Board therefore concludes that it is unlikely that the Action will have any adverse effects associated with the above criteria.

- 2) Aesthetic, agricultural, historic, or other natural or cultural resources, or community or neighborhood character.

The impacts in the above-mentioned subject areas will be negligible, given that no further development is proposed on the 35 foot wide property being acquired. Visual and cultural resources and community character will be minimally impacted. Because any impacts in the above-mentioned subject areas associated with the Action are minimal, no mitigation measures are needed. No agricultural or identified historic or archeological assets have been identified as being impacted by the Action.

The Town Board concludes that the action is therefore not likely to impair the character or quality of any of those factors.

- 3) Vegetation or fauna, resident or migratory fish, shellfish or wildlife species, significant habitats, or threatened or endangered species or habitat; or natural resources.

No disturbance of is anticipated from the action. The purchase of the property is not expected to have any significant impacts, either direct or indirect, on these subject areas, therefore, no mitigation measures are required. Otherwise, no effects in these areas are anticipated from the purchase of the property.

No adverse effects have been identified by the Town Board.

- 4) Impairment of the environmental characteristics of a Critical Environmental Area.

The Action is anticipated to have positive or de minimus effects on the environmental characteristics of the Chadwick Lake Reservoir and the Critical Environmental Area established around it. The permanent protection of the property from further development through its purchase will further the purposes of the CEA as its surface waters enter a tributary to the reservoir and the strategy identifying the "Primary Protection Area" for the watershed to protect the Chadwick Lake reservoir.

The environmental characteristics of the Critical Environmental Area will not be impaired.

- 5) Existing community plans or goals, a change in the use or intensity of land including agricultural, open space and recreational resources, or other natural resources or hazard to human health.

The proposed Action does not create any conflict with any existing plans or officially stated land use policies within either the Town of Newburgh or Orange County. No potential changes in use or intensity of use of land or other natural resources are anticipated. No hazard to human health is likely to be created.

No significant effects are accordingly anticipated by the Town Board.

- 6) Growth, subsequent development, or other related activities, including the attraction of a large number of people compared to the number who would otherwise come, likely to be induced by the proposed action.

The action is not anticipated to lead to growth or subsequent development. The Action is otherwise not considered likely to have any impact whatsoever, whether direct or indirect, neither positive or negative, in these subject areas.

No effects are therefore anticipated by the Town Board.

- 7) Any other long term, short term, cumulative, or other effects not identified above.

No additional long term, short term or cumulative or other effects are anticipated.

- 8) Other impacts (including changes in use of either quantity or type of energy, the creation of a material demand for other actions, changes in two or more elements of the environment together, cumulative effects of two or more related actions)

No other potential impacts have been identified as being likely, including affects on energy consumption. The impacts of the purchase of the property have been considered cumulatively.

The Town Board has also considered alternatives including the no action alternative and alternative regulations. It has examined whether adverse environmental consequences would result from not acting, and has determined that the proposed action is reasonably expected to provide assurance to the Town of the continuing efficient functioning of its municipal water system.

In reliance upon the EAF and after a hard look at the potential impacts it indicates may be reasonably expected in comparison to the criteria set forth in the SEQR regulations, the Town Board determines there is no indication that the action may have a significant impact on the environment.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

N/A.

For Further Information:

Contact Person: Gilbert J. Piaquadio, Supervisor

Address: Town of Newburgh Town Hall
1496 Route 300
Newburgh, New York 12550

Telephone Number: (845) - 564-4552

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

Chief Executive Officer: Town of Newburgh

Other involved agencies (if any):

Applicant (if any): None

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, New York 12233-1750 (Type One Actions Only)

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York and remotely pursuant to Executive Orders 202.1 and 202.15 on the __th day of May, 2020 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

PUBLIC INTEREST ORDER
IN THE MATTER OF
THE INCREASE AND IMPROVEMENT OF
THE FACILITIES OF THE
CONSOLIDATED WATER DISTRICT IN
THE TOWN OF NEWBURGH, ORANGE
COUNTY, NEW YORK BY THE
ACQUISITION OF LAND:
PART OF SECTION 17 BLOCK 1 LOT 74

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, the Town Board of the Town of Newburgh, Orange County, New York, has duly caused to be prepared a map, plan and report, together with an estimate of the cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Consolidated Water District within said Town; and

WHEREAS, the proposed increase and improvement of the facilities of the Consolidated Water District in the Town of Newburgh, Orange County, New York, consist of the acquisition of a portion of a real property parcel on NYS Route 32 in the Town of Newburgh, New York, shown on the tax map for the Town of Newburgh as part of SBL 17-1-74 at a total estimated cost of \$36,000.00 (which includes the purchase price and attendant engineering, surveying, environmental, legal, title, publication and filing costs and apportionment of current tax obligations and future tax obligations), said portion consisting of a 35 wide foot strip for access, a connection line and appurtenant facilities to an existing Town owned water storage tank; and

WHEREAS, the aforesaid project has been determined to be an "Unlisted" Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on the 24th day of February, 2020, an order was duly adopted by it and entered in the minutes reciting the filing of such map, plan and report including an estimated cost of the improvement proposed and the maximum aggregate amount proposed to be expended for the improvement, to-wit: the sum of \$36,000.00 for the Consolidated Water District, and specifying that said Board would meet to consider the map, plan and report, together with an estimate of the cost of the increase and improvement of the facilities of the Consolidated Water District and to hear all persons interested in the subject thereof concerning the same at 1496 Route 300 in Newburgh, New York, in said Town on the 23rd day of March, 2020 at 7:00 o'clock, p.m., Prevailing Time; and

WHEREAS, due to the state of emergency and public health and safety concerns resulting from the Covid 19 pandemic the public hearing was postponed' and

WHEREAS, at a meeting duly called and held on the 13th day of April, 2020 the Town Board adopted an Order rescheduling the public hearing on the 9th day of May, 2020 at 7:00 o'clock p.m., Prevailing Time; and

WHEREAS, the Notice of Public Hearing duly authorized by said order and duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in The Mid Hudson Times, which is hereby designated as an official newspaper of this Town for such purpose on _____, 2020 and in The Orange County Post, which is also hereby designated as an official newspaper of this Town for such purpose on _____, 2020, and a copy of such Notice of Public Hearing was posted on _____, 2020, on the signboard maintained by the Town Clerk of the Town of Newburgh pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, the Notice of Public Hearing recited that the public hearing would be conducted remotely and provided the log on and call in information for members of the public wishing to attend and participate in the public hearing; and

WHEREAS, a public hearing was duly held at the time set forth in said notice, and, pursuant to Executive Orders 202.1 and 202.15, said public hearing was conducted remotely via Zoom videoconference during which the public had the opportunity to see and hear the public hearing live and provide comments on the proposed increase and improvement of the Water District facilities, and following the posting of a transcript of the public hearing on the Town's website, the public had the additional opportunity to provide written comments by mail or e-mail; and

WHEREAS, a video recording of the public hearing was available on line for public review; and

WHEREAS, the transcript of the public hearing was posted on the Town of Newburgh website on May 14, 2020 and the Town Board has read and considered such additional written comments as were submitted during the ten (10) days following the posting; and

NOW, THEREFORE, BE IT ORDERED by the Town Board of the Town of Newburgh, Orange County, New York as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Consolidated Water District, in the manner described in the preambles hereof, at a maximum estimated cost of \$36,000.00.

Section 2. The Town Board hereby authorizes and empowers the Supervisor and officers of the Town to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town and the Consolidated Water District, all such certificates, agreements, documents, checks and papers and to take such actions as may be necessary to effectuate and carry out the aforesaid acquisition increasing and improving the facilities of the Consolidated Water District.

Section 3. This Order shall be entered in the minutes of the meeting and shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call which resulted as follows:

Elizabeth J. Greene, Councilwoman _____ voting _____

Paul I. Ruggiero, Councilman _____ voting _____

Scott M. Manley, Councilman _____ voting _____

Gilbert J. Piaquadio, Supervisor _____ voting _____

The resolution was thereupon declared duly adopted.

May 12, 2020

Gil, please see email trail from Julie Magyar Neely who owns Little Cabin Inn LLC located on Route 9W. Back in February, she requested that the town award the name "Cabin Lane" to a private road that runs through her section block.

I did all the administrative work with Siobhan in Code Compliance. The final step is Town Board approval of the name "Cabin Lane".

Please add this item to the agenda for the Workshop Meeting scheduled for Wednesday, May 27, 2020. Monday, May 25th is Memorial Day and Tuesday, May 26, 2020 is Assessment Grievance Day.

Joe

naming a road



julie neely <littlecabininn3@gmail.com> Mon, Feb 3, 4:36 PM

to me

Hello Joseph. This is Julie Neely. We spoke on the phone today regarding naming a small road that shoots off of Magyar Drive, here in Newburgh. The property is privately owned by our LLC, Little Cabin Inn. We have 4 little cabins at the end of the road and we would like to have it named for the purposes of safety, 911 emergencies, and general locating of our properties. Our 3 choices for names of the road are 1. Cabin Lane, 2. Cabin Drive, 3. Little Cabin Way. Please let me know the next steps to proceeding from here to get this road named.

Thank you,
Julie Magyar Neely
Owner, Little Cabin Inn LLC
845-541-6083

Joseph Thu, Mar 12, 2:11 PM
Pedi

Code Compliance has approved the name Cabin Lane

to me

Hi Joe-

Here are the answers to your questions:

1. SBL: 8-1-8.2

It is labeled as "4 Magyar Dr." but there are 8 buildings on this particular SBL, 4 Magyar Dr. being only one of them. I have tried to get them to change this label, but to no avail.

2. The road is completely within our SBL of property. My mom MaryAnn Magyar owns the property to the south and west, Paul Zamenck owns the property to the North, and Rt. 9W is on the East side. Cabin lane is completely within our property lines.

3. Fire District is Middlehope.

4. As I mentioned before, they call our SBL "4 Magyar Dr.", but the property is owned by our LLC, Little Cabin Inn. There really is no "subdivision" to speak of. This property has been in my family since the early 1920's or so, handed down from my grandparents, to parents, to me and my brother. We renamed our LLC a few years ago, but the town keeps referring to it as "4 Magyar Dr." Is there a way that they could rename it "Little Cabin Inn properties", and then when they need to address us about one of the buildings on the parcel, they can reference that at that time? Is this something I need to address/correct at the assessors office? Any guidance you have would be appreciated.

5. School district is Marlboro

Please call me with any questions 845-541-6083

Julie Magyar Neely



Town Of Newburgh Government Youtube <supervisor@townofnewburgh.org>

FW: Donnelly Leslie Road Common Drive Request

1 message

Ross Winglovitz <Ross@ep-pc.com>

Fri, Apr 24, 2020 at 9:34 AM

To: "supervisor@townofnewburgh.org" <supervisor@townofnewburgh.org>

Resending

Ross Winglovitz, PE

Engineering & Surveying Properties, PC

www.EngineeringPropertiesPC.com

Ross@ep-pc.com

From: Ross Winglovitz**Sent:** Friday, April 24, 2020 9:21 AM**To:** townsupervisor@townofnewburgh.org**Cc:** engineering@townofnewburgh.org; Mark Taylor <MTaylor@riderweiner.com>; Lew D com <bylandseaorair63@yahoo.com>; Town-clerk@townofnewburgh.org**Subject:** Donnelly Leslie Road Common Drive Request

Gil:

Hope all is well. On behalf of our client I respectfully request that the Donnelly Subdivision be placed on a Town Board Work Session agenda for discussion regarding access of a third home on a common drive. Please see attached letter and plan. If you would like hard copies please let me know how many and whom to send them to.

Thanks

Ross

Ross Winglovitz, PE

Engineering & Surveying Properties, PC

71 Clinton Street

Montgomery, NY 12549

Phone (845) 457-7727



www.EngineeringPropertiesPC.com
71 Clinton Street
Montgomery, NY 12549
phone: (845) 457-7727
fax: (845) 457-1899

April 24, 2020

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

**RE: DONNELLY SUBDIVISION
LESLIE ROAD, TOWN OF NEWBURGH
COMMON DRIVEWAY REQUEST**

Dear Supervisor Piaquadio & Town Board Members:

Our Client, Lewis Donnelly, resides at 67 Leslie Road. Lew has made an application to the Planning Board for a three-lot subdivision of this property (copy of plan attached). The subdivision includes one new home fronting on Leslie Road and a second new home with access from Fall View Drive. Fall View Drive is a common drive that currently services two homes.

Lew's public hearing was held last week and there was no public comment. In accordance with Section 161-4 of the Town Code, Town Board authorization is necessary to allow a third house to have access on a common drive. We have reached to Juan Murano, Chief of Cromer Valley Fire and requested he provide any comments he may have.

We respectfully request that this item be placed on the next Town Board work session for further discussion.

Sincerely,
Engineering & Surveying Properties, PC

Ross Winglovitz, P.E.
Principal

CC: Mark Taylor Esq
James Osborne, PE



www.EngineeringPropertiesPC.com
71 Clinton Street
Montgomery, NY 12549
phone: (845) 457-7727
fax: (845) 457-1899

April 24, 2020

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

**RE: DONNELLY SUBDIVISION
LESLIE ROAD, TOWN OF NEWBURGH
COMMON DRIVEWAY REQUEST**

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Sincerely,
Engineering & Surveying Properties, PC

Ross Winglovitz, P.E.
Principal

CC: Mark Taylor Esq
James Osborne, PE

Fax (845) 457-1899

www.EngineeringPropertiesPC.com

Ross@ep-pc.com

2 attachments



Donnelly Leslie Rd Subdivsion Common Drive Request 4-24-20.pdf

215K



C-1.pdf

899K

10
engineering@townofnewburgh.org

From: Michael A. Morgante, P.E. <mam@ardencconsulting.net>
Sent: Friday, February 28, 2020 9:33 AM
To: 'Gil Piaquadio'
Cc: 'Mark Taylor'; 'Joseph Pedi'; Robyn Scopteuolo; engineering@townofnewburgh.org
Subject: RE: Rock Cut Estates

Good morning Mr. Piaquadio,

The Applicant/Owner for Rock Cut Estates would like to be placed on the next available Town Board Meeting to discuss the proposed common driveway for the referenced project. We have received a Conditional Final Approval from the Planning Board.

It is my understanding that the Town Board was waiting for input from the Fire Department before any action could be taken. I believe the Fire Department did review this project during the Planning process and did not have any comments.

Please also excuse us if we were placed on a prior Town Board Agenda and missed the meeting, there must have been miscommunication on our end.

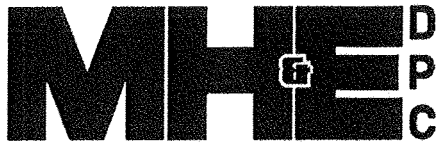
Thanks in advance for your time and consideration. We look forward to hearing from you.

Best regards,

Arden Consulting Engineers, PLLC
Michael A. Morgante, P.E.
P.O.B. 340
Monroe, N.Y. 10949
T: 845-782-8114
E: mam@ardencconsulting.net

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From: Michael A. Morgante, P.E.
Sent: Thursday, November 21, 2019 11:56 AM
To: engineering@townofnewburgh.org
Cc: 'Gil Piaquadio' <supervisor@townofnewburgh.org>; 'Mark Taylor' <MTaylor@riderweiner.com>; 'Joseph Pedi' <town-clerk@townofnewburgh.org>; Robyn



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

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)
PATRICK J. HINES
LYLE R. SHUTE, P.E., LEED-AP (NY, NJ, 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

Principal Emeritus:
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

14 May 2020

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: JAMES OSBORNE, TOWN ENGINEER
**SUBJECT: CORTLAND COMMONS SITE PLAN
STORMWATER SECURITY ESTIMATE**

Dear Mr. Osborne:

This office has received an engineer's estimate of probable construction costs prepared by JCM Engineering for the subject project. The cost estimate was prepared based on improvements identified on plans last revised 7 July 2017; specifically, sheets SP-5, SP-6 and the SWPPP prepared for the site. The cost estimate totals \$161,432.85. Based on a review of the plans and the cost estimate this office takes no exception to the Town of Newburgh accepting this performance security in the amount of \$161,500.00 for the subject project. Please note the amount has been rounded up. An initial inspection fee deposit of \$4000.00 is also required per Town Code.

Please feel free to contact the undersigned should you have any questions, comments or require any additional information regarding this matter. A copy of the cost estimate is attached for your use.

Respectfully Submitted,

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

Patrick J. Hines
Principal
PJH/dns

CC: Gilbert Piaquadio, Town Supervisor
Gerald Canfield, Code Compliance Supervisor
John Ewasutyn, Planning Board Chairman