

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)

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

PROJECT: GASLAND
PROJECT NO.: 19-16
PROJECT LOCATION: SECTION 43, BLOCK 5, LOT 1
REVIEW DATE: 27 MARCH 2020
MEETING DATE: 7 MAY 2020
PROJECT REPRESENTATIVE: CHAZEN ENGINEERING

1. Front yard setback from Rt.9W should be identified as 60 feet per chapter 185-18 (4) (b).
2. Project requires referral to the ZBA for :
 - Lot 1 & 2 distance to motor vehicle service stations required is 1000 ft., existing facility is less than 900 ft. away. Each lot may require relief from the proposed uses on Lot 1 and 2 as well.
 - Lot 2 accessory building Garage/ apartment; Section 185-15 b closer to street than principal permitted use: side yard setback 15 ft. required where 10.8 feet provided: Building height 15 ft. max where two story build exists. Building height should be identified.
3. Septic area is schematically shown for Lot #1. No septic area is depicted for uses on Lot #2.
4. Plans should address curbing for Lot #2. Commercial site plans require curbing in Town of Newburgh.
5. Water service must be shown for all structures. Fire protection sprinkler will be required for the site. Jerry Canfield's comments regarding this should be received.
6. NYSDOT will most likely require standard commercial driveway access consistent with the MUTCD. NYSDOT will be an involved agency for project review.
7. Orange County Planning referral will be required after project returns from ZBA.

8. Environmental Assessment Form (EAF) and US Fish and Wildlife documents identify potential habitat for Indiana and Northern Long Eared Bats. Tree cutting restrictions will be required.
9. Demolition permits will be required to be obtained for any structures to be removed. A note should be placed on the plans identifying this requirement.
10. A SWPPP in compliance with NYSDEC and Town of Newburgh regulations must be provided
11. History of the site with regards to any previous spills, LUST, and existing bulk storage tanks should be provided.
12. Additional review will be provided once detailed Design plans are developed.

Respectfully submitted,

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

Patrick J. Hines
Principal

PJH/kbw



Proud to Be Employee Owned
 Engineers
 Land Surveyors
 Planners
 Environmental & Safety Professionals
 Landscape Architects

Full Environmental Assessment Form Part 1
 for
Proposed Convenience Store with Fuel Pumps
5200 Route 9W
Town of Newburgh
Orange County, New York



Issued: June 27, 2019
Revised: March 16, 2020

Prepared for:
Gas Land Petroleum, Inc.
 785 Broadway
 Kingston, New York 12401

Prepared by:
Chazen Engineering, Land Surveying & Landscape Architecture Co., D.P.C.
 21 Fox Street Suite 201
 Poughkeepsie, NY 12601
 845-454-3980

Chazen Project No. 81912.00

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FULL ENVIRONMENTAL ASSESSMENT FORM PART 1 FORM

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ATTACHMENTS

- Attachment A: USFWS Official Species List
- Attachment B: Pat's Towing Letter Describing Future Operations

Note: Subdivision/Site Plan Set submitted separately.

PROJECT NARRATIVE

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1.0 PROJECT DESCRIPTION

Gas Land Petroleum, Inc., (the Applicant) is proposing a two-lot subdivision of a 4.518-acre parcel located at 5200 NYS Route 9W in the Town of Newburgh into two lots of 1.088 acres (proposed Lot 1) and 3.429 acres (proposed Lot 2). The existing parcel is identified as Section 43 Block 5 Lot 1 on the Town of Newburgh tax map, and is owned by P&J Property Walnut St LLC. The site currently contains a diesel fueling station, small office building, a towing business with repair shop for its commercial vehicles, a single-family home, and an accessory barn with a one-bedroom apartment. The Applicant is under contract to purchase proposed Lot 1 for the construction of a 2,772 square foot (SF) convenience store with six fuel pumps (12 fueling positions) and associated parking. The existing office building will be removed and the fueling operations will continue with the addition of gasoline. The towing business, single-family home, and barn with apartment will remain on proposed Lot 2. The towing business currently utilizes the existing office building as a dispatch office, and stores impounded vehicles on the site. The business' dispatch office will be relocated offsite. Operations at the 9W site will be reduced with 6 tow trucks stationed at the site and fenced in area for enclosure of 12 vehicles. All existing car storage on the front of the site will be removed. The 4.518-acre parcel has frontage along NYS Route 9W along the western property line and Albany Post Road along the eastern property line. Several access drives exist along NYS Route 9W.

The existing uses are served by water supply wells and subsurface sewage disposal systems (SSDS). Since the site is located in the Newburgh Consolidated Water District, the project includes abandonment of the existing wells and connection of all uses to municipal water service. A new SSDS on proposed Lot 1 will serve the proposed convenience store with fuel pumps, and a new SSDS is proposed on Lot 2 which will serve the existing towing business, single-family home, and apartment. The well abandonment, new SSDS's, and water connection will require approval by the Orange County Department of Health (OCDOH).

For the purpose of this Full Environmental Assessment Form (FEAF) Part 1, the project area is defined as the 4.518± acre parcel which is the subject of the proposed subdivision and site plan. The FEAF was completed utilizing the NYSDEC EAF Mapper. The EAF Mapper tool sometimes indicates limited availability for certain digital data. This narrative provides clarification for certain responses and/or reference used for the responses.

2.0 LAND USE, ZONING, AND PUBLIC POLICY

2.1 Land Use

The project site is located on the east side NYS Route 9W in a commercial area of the Town just north of the hamlet of Balmville. Figure 3 shows land uses within 1,000 feet of the project site. The parcel borders NYS Route 9W on the west property line and Albany Post Road on the east property line. Adjacent uses include a motel to the north, a commercial business to the south, vacant commercial property and a residential parcel across NYS Route 9W to the west, residential properties along Albany Post Road to the north and south, and residential property across Albany Post Road to the east. Other nearby uses along NYS Route 9W in this area include small retail and services businesses, a religious facility, an energy company (Depew Energy Co.), another motel, and single-family residences. The project site already contains commercial uses which include an office, a diesel fueling station and a towing business. The project is located along NYS Route 9W, and will improve the appearance of the site with new landscaping

and an architecturally pleasing building which is appropriately scaled and well designed, and which screens the view of the existing towing facility located to the rear of the site. Thus, the project is likely to increase property values in the area and is compatible with the neighborhood.

2.2 Town of Newburgh Zoning

The project parcel is situated in two zoning districts and an overlay district, according to the Town of Newburgh Zoning Map. The front portion is located in the Business (B) zoning district and the "Light and Heavy Equipment and Recreational Vehicle Sales, Service and Repair" (LHI) Overlay. The rear portion of the parcel is located in the R3 Residential District. The zoning across Route 9W from the site is R2 with Professional Office (O) Overlay and B with LHI Overlay.

"Convenience stores with or without gasoline filling stations" are permitted in the B district subject to site plan review by the Planning Board. A table that shows the compliance of proposed Lot 1 and proposed Lot 2 with the bulk requirements is provided on the Site Plan.

The proposed project on proposed Lot 1 is considered a "convenience store", defined in Section 185-3 as a "retail business selling nondurable consumer products, including but not limited to groceries, prepared and packaged foods and gasoline, and providing no services. A convenience store shall be regulated in accordance with Section 185-28 if it is on the same lot with a car wash or motor vehicle service station." The proposed convenience store with fuel pumps does not include any auto servicing or repair.

Required parking for a "retail store, shopping center and personal service store" is 1 per 150 SF of gross leasable floor space per Section 185-13.C(1)(b), which results in 18 required parking spaces for the proposed 2,604 SF convenience store. The proposed site plan provides 27 parking spaces on proposed Lot 1, including 12 spaces at the fuel pumps.

Since the project is consistent with the zoning regulations and Comprehensive Plan Update, no significant adverse impacts related to land use or zoning will result from the project.

2.3 Public Policy

2.3.1 Town of Newburgh Comprehensive Plan

The Town of Newburgh adopted its original Master Plan in 1991, and a Comprehensive Plan Update in 2005. The Comprehensive Plan Update noted that the Town of Newburgh enjoys a strategic location for development due to its location adjacent to major interstate highways and a regional airport. It recognizes Route 9W as a major north-south corridor. The purpose of the Comprehensive Plan Update was to proactively direct growth and development and provide recommendations to alleviate key concerns which include promoting economic development. The Comprehensive Plan Update's Short Term Action Items and Long Term Action Items in regard to transportation both include to "study ways to accommodate the future expansion of Route 9W." A Route 9W Preliminary Corridor Analysis was prepared by Saccardi & Schiff, Inc., in March 2004, and the Comprehensive Plan Update recommended further study of this corridor to evaluate potential improvements and provide direction for future land use patterns. In Transportation Section 2.C, *Opportunities*, #8, the Comprehensive Plan Update recommends that the Town "consider encouraging smaller scale commercial areas to be closer to residential neighborhoods; thus, reducing the likelihood that people will need to drive extended distances

to access everyday needs.” Another important recommendation per Section 3.C.14 is to capitalize on the tourism initiatives currently underway in neighboring communities in Sullivan and Ulster Counties,” by investigating types of businesses that would benefit from the tourism traffic that passes through the Town. The project is consistent with the recommendations of the Comprehensive Plan Update in that it is located just north of the hamlet of Balmville and will serve the neighboring residents and businesses while also taking advantage of tourist traffic through the area. The project will improve the appearance of the site with new landscaping and an architecturally pleasing building which is appropriately scaled and well designed. The removal of the impoundment area will improve the aesthetics of proposed Lot 2.

2.3.2 NYS Department of State (DOS) Designated Coastal Zone

The project site is located within a designated coastal zone, according to the NYSDOS coastal boundary map. The Town of Newburgh does not have an approved Local Waterfront Revitalization Plan (LWRP). The project site is located over a half mile from the Hudson River. Due to the elevation increase between the project site and the River, the project is not visible from the River and will not affect any scenic views. Since the project does not require any Federal permits and is not an action undertaken by a State agency, a NYSDOS coastal consistency review is not expected to be required.

2.3.3 Hudson River Valley Greenway and Natural Heritage Area

Orange County is a designated Hudson River Valley Greenway Compact County, and the Town of Newburgh is within the Hudson River Valley Natural Heritage Area, which extends along the Hudson River Valley from Saratoga Springs to near New York City. There are no Natural Heritage Area Sites in the vicinity of the project, and no trails within or adjacent to the project site. The Hudson River Valley Greenway Act of 1991, revised 2012, sets forth the following criteria as a basis for attaining the goals of the Hudson River Valley Greenway:

- Natural and Cultural Resource Protection: Protect, preserve and enhance natural resources including natural communities, open spaces and scenic areas as well as cultural resources including historic places and scenic roads.
- Economic Development: Encourage economic development that is compatible with the preservation and enhancement of natural and cultural resources including agriculture, tourism and the revitalization of established community centers and waterfronts.
- Public Access: Promote increased public access to the Hudson River through the creation of riverside parks and the development of the Hudson River Valley Greenway Trail System.
- Regional Planning: Communities can work together to develop mutually beneficial regional strategies for natural and cultural resource protection, economic development (including necessary public facilities and infrastructure), public access and heritage and environmental education
- Heritage and Environmental Education: Promote awareness among residents and visitors about the Valley's natural, cultural, scenic and historic resources

As described in other sections of this document, the project is consistent with or would have no impact on the criteria established by the Hudson Valley Greenway Act.

3.0 POLICE, FIRE, & EMERGENCY SERVICES

The Town of Newburgh Police Department provides police protection in this area, with support from the Orange County Sheriff's Department and NYS Police. The project site is located in the Middlehope Fire District. The proposed building and pumps would be adequately accessible for fire and police protection. Furthermore, the facility would be well-lit, thereby discouraging criminal activities, and would feature indoor and outdoor security cameras. The Fire Department will have the opportunity to review the proposed site plan and provide comments. Based on the above information and design components, the project is not expected to result in any significant adverse impacts in regard to police, fire, or emergency services.

4.0 SOILS AND WATER RESOURCES

4.1 Soils

Figure 5 shows the soil types that are expected to be present on the project site, and Table 1 provides characteristics of these soil types, according to Orange County Soil Survey information available in GIS and the Natural Resource Conservation Service website.

Table 1: Characteristics of Soil Types within Project Area

SOIL SYMBOL	SOIL TYPE	SLOPES	DRAINAGE	DEPTH TO WATER TABLE (INCHES)	DEPTH TO BEDROCK (INCHES)
Du	Dumps	level to undulating	NA	NA	>24
MdD	Mardin gravelly silt loam, 15 to 25% slopes	15 to 25%	moderately well	13 to 24	14 to 26 to fragipan; >72 to BR
MdC	Mardin gravelly silt loam, 8 to 15% slopes	8 to 15%	moderately well	13 to 24	14 to 26 to fragipan; >72 to BR

The soil on the front half of the site is characterized as being previously filled. The remainder of the property consists of the Mardin gravelly silt loam (MdD or MdC).

4.2 Water Resources

According to NYSDEC Wetland and Stream information available through GIS (Figure 6), the EAF Mapper, and Environmental Resource Map (Figure 8), the project site does not contain any mapped National Wetland Inventory (NWI) or NYSDEC regulated wetlands or associated adjacent areas. The mapping shows a NYSDEC Class C stream (862-360) flowing through the southwest corner of the site, which is a tributary of the Hudson River. No disturbance is proposed in the area of this stream.

4.3 Floodplain

According to FEMA information available through GIS (Figure 6), there are no areas of 100-year floodplain on or directly adjacent to the project site.

5.0 UTILITIES

5.1 Water and Wastewater

The project site is currently served by individual water supply wells and several SSDS's. The project site is located within the Newburgh Consolidated Water District, and the existing residences and business as well as the project will be connected to this municipal water supply along Albany Post Road. The location of the existing wells will be determined, and these wells will be abandoned. Municipal sewer service is not available to the site. Several subsurface sewage disposal systems exist on the site, which are proposed to be abandoned. A new SSDS would be installed on proposed Lot 1 to serve the new convenience store with fuel pumps, and an additional new SSDS on proposed Lot 2 will serve the existing towing business and residential uses. Orange County Department of Health approvals will be required for the well abandonment, new SSDS's, and municipal water connections.

Table 2 provides estimated water usage/wastewater generation for each of the uses on the site, based on the NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Systems, March 2014.

Table 2: Estimated Water Usage/Wastewater Generation

Use	Rate	Calculated Water Usage/Wastewater Generation	Water Usage/Wastewater Generation after 20% Adjustment for Water Saving Plumbing Fixtures
Existing single-family home and apartment, with a total of 4 bedrooms	110 gpd per bedroom	440 gpd	440 gpd (reduction is already incorporated into rate)
Existing towing facility repair shop with 3 employees	15 gpd per employee	45 gpd	36 gpd
Proposed convenience store with fuel pumps (1 toilet)	400 gpd per toilet	400 gpd	320 gpd
Total:			796 gpd

It is anticipated that sufficient capacity exists to provide water service to the project. Therefore, no significant adverse impacts related to water supply or sewage disposal are anticipated.

5.2 Stormwater

The project will require 1.737 acres of disturbance, which requires coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. The project is a redevelopment project that results in a decrease in impervious surface of 0.399 acre. A Stormwater Pollution Prevention Plan will be prepared in conformance with the New York State Stormwater Management Design Manual and New York State Standards and Specifications for Erosion and Sediment Control. Stormwater management will consist of hydrodynamic oil water separators. An Erosion and Sediment Control Plan will be provided and employed during the construction phase to protect off-site waters from the adverse effects of sedimentation and erosion. Therefore, the project is not expected to result in any significant adverse impacts in regard to stormwater.

6.0 TRAFFIC AND PARKING

6.1 Traffic

The project site has several existing access drives from NYS Route 9W. The project includes access improvements to provide one access drive to the new convenience store facility and one access drive that will serve the remaining uses on proposed Lot 2, resulting in the elimination of one driveway from Route 9W. The ITE Trip Generation Manual¹ Land Use Code 945, Gasoline/Service Station with Convenience Market, is described as a facility with between 2,000 and 3,000 SF gross floor area and at least 10 fueling positions, which is consistent with the project. Table 3 provides estimated weekday AM and PM peak hour of adjacent street traffic trip generation for this Land Use Code. A portion of the trips can be attributed to pass-by trips, which represent traffic that would already be passing by the site, and are not new trips added to the adjacent streets by the proposed use².

Table 3: Estimated Traffic Generation

LAND USE	Land Use Code	AM Peak		PM Peak	
		Rate per fueling position	Trips	Rate per fueling position	Trips
Gasoline/Service Station with Convenience Market (12 fueling positions)	945	12.47	149.64	13.99	167.88
Pass-by Trips		62%	92.78	56%	94.01
Volume Added to Adjacent Streets			56.86		73.87

As shown in Table 3, the project may add 57 vehicle trips to the adjacent roads during the weekday AM peak hour of adjacent street traffic and 74 vehicle trips during the weekday PM peak hour of adjacent street traffic. With consideration of the traffic that was generated by the existing diesel fueling station and office building which will be eliminated, the increase in AM and PM peak hour trips resulting from the project would be less than these rates. The project is not expected to result in any significant adverse impacts related to traffic in the vicinity of the site.

¹ Institute of Transportation Engineers (ITE) Traffic Generation, 10th Edition, September 2017.

² ITE Trip Generation Handbook, 3rd Edition, September 2017.

In addition to employee and customer traffic, approximately six to seven fuel truck deliveries are anticipated per month.

Temporary traffic generated during demolition and construction activities includes construction employees and the delivery of equipment and materials. Impacts related to construction are temporary and are not expected to be significant.

6.2 Parking

Required parking for a "retail store, shopping center and personal service store" is 1 per 150 SF of gross leasable floor space per Section 185-13.C(1)(b), which results in 19 required parking spaces for the proposed 2,772 SF convenience store. The proposed site plan provides 21 parking spaces, including 12 spaces at the fuel pumps.

7.0 NOISE AND LIGHTING

7.1 Noise

The project is not expected to result in an increase in noise levels above local ambient noise levels during operation of the facility, since the project is located in a commercial area of NYS Route 9W and already contains commercial uses. Construction activities may result in temporary noise that exceeds local ambient noise levels. These activities will be limited to the hours of 8:00 AM to 10:00 PM, in accordance with Town Code Chapter 125. Therefore, the project is not expected to result in any significant adverse impacts with regard to noise.

7.2 Lighting

The facility would be well-lit, thereby discouraging criminal activities. All exterior lighting will be downward-directed and directed away from adjoining streets and properties so as not to cause any objectionable glare on the streets or properties, in accordance with Chapter 125 Section 125-9. The existing residence on the site is over 100 feet from the nearest parking space at the proposed facility.

8.0 SOLID WASTE

Demolition debris resulting from the removal of the existing office building and other structures will be hauled to a licensed construction debris or solid waste landfill for disposal.

During operation of the proposed facility, solid waste will be collected in a refuse container located onsite. The refuse container will be screened within an enclosure constructed of opaque masonry materials. Solid waste generated in Orange County would be transported regularly by a licensed waste hauler to the Orange County Transfer Station #2 in Newburgh, prior to being transported to a solid waste disposal facility.

According to the Development Impact Assessment Handbook, Urban Land Institute, 1994, a retail use would generate $0.001\pm$ tons of solid waste per retail employee per day, which results in 0.004 tons per day or 0.12 tons per month for the proposed facility with up to four employees. It is anticipated that

sufficient capacity exists to accept solid waste from the project. Therefore, no significant adverse impacts related to the additional solid waste are anticipated.

9.0 ENDANGERED, THREATENED AND RARE SPECIES AND SIGNIFICANT HABITAT

According to the NYSDEC Environmental Resource Mapper (Figure 8), there are known occurrences of endangered, threatened, or rare species on or in the vicinity of the project site, and the FEAF Mapper automated responses indicate the potential for the Indiana bat in the vicinity of the site. An information request has been submitted to NYSDEC for further information. According to the US Fish & Wildlife Service (USFWS) Official Species List (Attachment A), there is potential for the following species in the vicinity of the project site: Indiana bat (State and Federally endangered); northern long-eared bat (State and Federally threatened); bog turtle (State endangered and Federally threatened); dwarf wedgemussel (State and Federally endangered); and small whorled pogonia (State and Federally threatened). The project site consists of developed, previously disturbed area with a significant amount of gravel parking and driveways. The area of the proposed convenience store with fuel pumps consists of impervious surface and gravel. There are no wetlands on the site suitable for bog turtle, and only a few trees may be removed for the temporary disturbance for water line installation. Therefore, no impacts to any of these species are anticipated.

10.0 HISTORIC AND ARCHEOLOGICAL RESOURCES

According to the NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) Cultural Resource Information System (CRIS) mapping (Figure 9), there are no National or State Historic Register sites or eligible sites on or adjacent to the project site, and the site is not located within a known archeologically sensitive area.

**FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF)
PART 1 FORM**

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**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed subdivision and convenience store with fuel pumps		
Project Location (describe, and attach a general location map): 5200 Route 9W, Town of Newburgh, Orange County, NY; Tax Parcel Section 43 Block 5 Lot 1. Refer to Figures 1 and 2.		
Brief Description of Proposed Action (include purpose or need): Gas Land Petroleum, Inc., is proposing a two-lot subdivision of a 4.518-acre parcel located at 5200 NYS Route 9W in the Town of Newburgh into two lots of 1.098 acres (proposed Lot 1) and 3.420 acres (proposed Lot 2). The site currently contains a diesel fueling station, small office building, a towing business with repair shop for its vehicles, a single family home, and an accessory barn with apartment. The Applicant is under contract to purchase proposed Lot 1 for the construction of a 2,604 square foot (SF) convenience store with six fuel pumps (12 fueling positions) and associated parking. The existing diesel fueling station and office building will be removed. The towing business and residential uses will remain on proposed Lot 2. The towing business currently utilizes the existing office building as a dispatch office, and stores impounded vehicles on the site. The dispatch office and impoundment area will be relocated offsite. The existing uses are served by water supply wells and subsurface sewage disposal systems (SSDS). Since the site is located in the Newburgh Consolidated Water District, the project includes abandonment of the existing wells and connection of all uses to municipal water service. A new SSDS on proposed Lot 1 will serve the proposed convenience store with fuel pumps, and a new SSDS on proposed Lot 2 will serve the existing business and residential uses.		
Name of Applicant/Sponsor: Gas Land Petroleum, Inc. (Zeidan Nesheiwat, Vice President)	Telephone: 845-331-7545	
	E-Mail: gasland.zeidan@gmail.com	
Address: 785 Broadway		
City/PO: Kingston	State: NY	Zip Code: 12401
Project Contact (if not same as sponsor; give name and title/role): The Chazen Companies (Christopher P. Lapine, P.E.)	Telephone: 845-486-1478	
	E-Mail: clapine@chazencompanies.com	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): P&J Property Walnut St LLC	Telephone:	
	E-Mail:	
Address: 24 Walnut Street		
City/PO: New Windsor	State: NY	Zip Code: 12553

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	subdivision and site plan approval	June 2019
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	OCDOH for well abandonment, new SSDS's, water connection; OC Planning 239m referral	To be determined
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT Highway Work Permits; NYSDEC GP-0-15-002	To be determined
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <small>(EAF Mapper automated response)</small>
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>(EAF Mapper automated response)</small>
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>(EAF Mapper automated response)</small>

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Refer to FEAF Narrative Section 2.2.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Hudson River Valley National Heritage Area; Hudson River Greenway Compact Community (Orange County)	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Orange County Agricultural and Farmland Protection Plan (there are no agricultural uses on or near the project site)	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Newburgh School District

b. What police or other public protection forces serve the project site?
Town of Newburgh Police Department with support from Orange County Sheriff's Department and NYS Police

c. Which fire protection and emergency medical services serve the project site?
Middlehope Fire District

d. What parks serve the project site?
Cronomer Hill County Park; Chadwick Lake Park; Storm King State Park; other local parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? commercial and residential

b. a. Total acreage of the site of the proposed action? 4.518 acres
b. Total acreage to be physically disturbed? 1.598 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.518 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
commercial and residential

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? 2

iv. Minimum and maximum proposed lot sizes? Minimum 1.098 acres Maximum 3.420 acres

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: 10 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures 2 (convenience store building and canopy over pumps)
 ii. Dimensions (in feet) of largest proposed structure: 1 story height; 31' width; and 84' length
 iii. Approximate extent of building space to be heated or cooled: 2,604 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Refer to FEAF Narrative Section 5.1. Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 796 gallons/day (existing uses to remain and proposed uses) Yes No

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: Newburgh Consolidated Water District
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
New water supply lines will be installed to connect to the water main along Albany Post Road.
- Source(s) of supply for the district: Chadwick Lake and Delaware Aquaduct (through NYCDEP)

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: NA gallons/minute.

d. Will the proposed action generate liquid wastes? Refer to FEAF Narrative Section 5.1. Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 796 gallons/day (existing uses to remain and proposed uses)

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

sanitary sewage

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

Two new subsurface sewage disposal systems (SSDS) which will serve all uses on the site _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

None _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Refer to FEAF Narrative Section 5.2. Yes No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
- _____ Square feet or 1.258 acres (impervious surface) (represents a decrease of 0.399 acre from existing conditions)
- _____ Square feet or 4.518 acres (parcel size)

ii. Describe types of new point sources. None _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Stormwater management system which will include hydrodynamic oil water separators. _____

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Refer to FEAF Narrative Section 6.0. Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
small amount of electric and fuel for heating and air conditioning of the proposed convenience store.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

Central Hudson Gas & Electric Corp.

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ 8:00 am to 10:00 pm
- Saturday: _____ 8:00 am to 10:00 pm
- Sunday: _____ NA
- Holidays: _____ NA

ii. During Operations:

- Monday - Friday: _____ 24 hours
- Saturday: _____ 24 hours
- Sunday: _____ 24 hours
- Holidays: _____ 24 hours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
 Temporary noise that exceeds local ambient noise levels may occur during construction activities, which will be limited to the hours of 8:00 am to 10:00 pm in accordance with Town Code Chapter 125.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 All exterior lighting will be downward-directed and directed away from adjoining streets and properties, in accordance with Chapter 125 Section 125-8.. The existing residence on the overall parcel is over 100 feet from the nearest parking space for the convenience store. Refer to FEAF Narrative Section 7.2.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored gasoline, diesel fuel (two 12,000-gallon tanks). Site contains a 10,000 gal diesel UST (PBS 3-175617) to be removed.

ii. Volume(s) TD per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: New double-walled fiberglass tanks and piping will be installed in accordance with NYSDEC requirements, and will require NYSDEC registration.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ to be determined tons per _____ (unit of time)
- Operation : _____ 0.12 tons per _____ month (unit of time) Refer to FEAF Narrative Section 8.0.

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: To be determined by demolition contractor.
- Operation: Recyclables may be separated and picked up for recycling at a recycling center.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Demolition debris will be hauled to a licensed demolition debris or solid waste landfill for disposal.
- Operation: Solid waste generated by the proposed facility will be picked up regularly by a licensed solid waste hauler for transport to Orange County Transfer Station #2.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses. Refer to FEAF Narrative Section 2.1.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): energy company, religious

ii. If mix of uses, generally describe:

diesel fuelling station, towing and auto repair business, and single family residence on site; nearby uses include motels, retail and service businesses, religious facility, energy company, residential

b. Land uses and coverytypes on the project site.

Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.657	1.333	-0.324
• Forested	1.665	1.580	-0.085
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.865	0.865	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: <u>lawn/landscaped area</u>	0.331	0.740	+0.409

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): Spill 9806760 (closed 2-1-2012)
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
NA _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____ (EAF Mapper automated response)
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

Spill 9806760 occurred on the site on 9/1/1998. Spill record indicates that the spill was an unknown quantity of diesel fuel related to PBS 3-175617, resulting from "housekeeping". This spill was closed on 2/1/2012.

- v. Is the project site subject to an institutional control limiting property uses? Yes No
- If yes, DEC site ID number: _____
 - Describe the type of institutional control (e.g., deed restriction or easement): _____
 - Describe any use limitations: _____
 - Describe any engineering controls: _____
 - Will the project affect the institutional or engineering controls in place? Yes No
 - Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >2 feet Refer to FEAF Narrative Section 4.1.

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Dumps (Du)	_____	50 %
Mardin gravelly silt loam (MdD)	_____	40 %
Mardin gravelly silt loam (MdC)	_____	10 %

d. What is the average depth to the water table on the project site? Average: _____ TBD feet Refer to FEAF Narrative Section 4.1.

e. Drainage status of project site soils: Well Drained: _____ TBD % of site Refer to FEAF Narrative Section 4.1.
 Moderately Well Drained: _____ 50 % of site
 Poorly Drained _____ TBD % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 46 % of site
 10-15%: _____ 15 % of site
 15% or greater: _____ 39 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____ (EAF Mapper automated response)

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Refer to FEAF Narrative Section 4.2. Yes No (EAF Mapper automated response)

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No (EAF Mapper automated response)

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No (EAF Mapper automated response)

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 862-360 (tributary of Hudson River) Classification C
- Lakes or Ponds: Name None Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size None on site
- Wetland No. (if regulated by DEC) None

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No (EAF Mapper automated response)
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No (EAF Mapper automated response)

j. Is the project site in the 100-year Floodplain? Yes No (EAF Mapper automated response)

k. Is the project site in the 500-year Floodplain? Yes No (EAF Mapper automated response)

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No (EAF Mapper automated response)
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Common urban species _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes: (EAF Mapper automated response)
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes: (EAF Mapper automated response)
 i. Species and listing (endangered or threatened): _____
 Indiana Bat, northern long-eared bat, bog turtle, dwarf wedgemussel, and small whorled pogonia. Refer to FEAF Narrative Section 9.0.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes: (EAF Mapper automated response)
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____ (EAF Mapper automated response)

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes: (EAF Mapper automated response)
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes: (EAF Mapper automated response)
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No
 Refer to FEAF Narrative Section 10.0.
 If Yes:
 i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District
 ii. Name: _____
 iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No
 (EAF Mapper automated response)
 Refer to FEAF Narrative Section 10.0.

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No
 If Yes:
 i. Describe possible resource(s): _____
 ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No
 If Yes:
 i. Identify resource: Refer to Figure 9.
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): NYS Scenic Byway; DEC trails; SASS; State parks, recreation, forest; State/National Historic Register site; County & municipal recreation
 iii. Distance between project and resource: _____ 0.5+/- miles. (Echo Lawn Estate)

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No
 (EAF Mapper automated response)
 If Yes:
 i. Identify the name of the river and its designation: _____
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

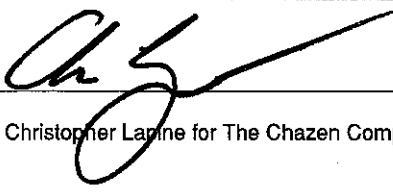
Attach any additional information which may be needed to clarify your project.

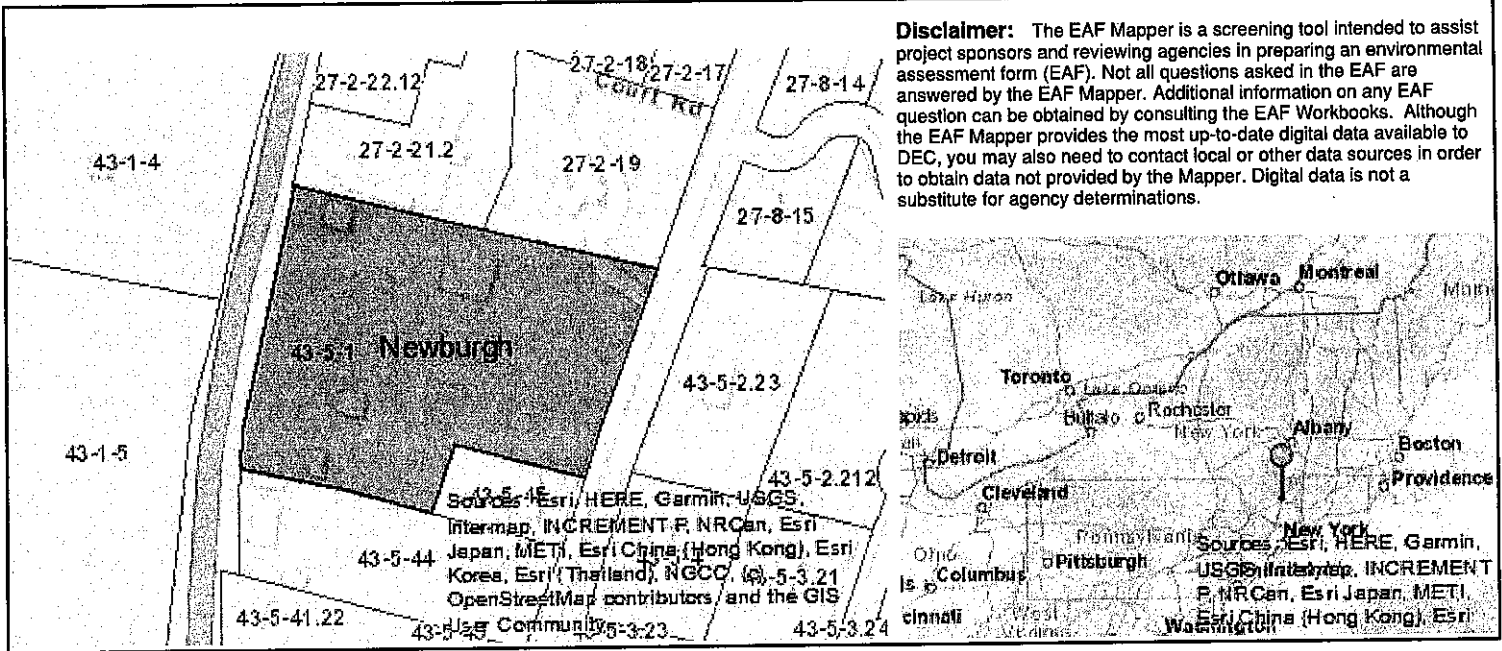
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Gas Land Petroleum, Inc. Date 03/16/2020

Signature  Title Director of Engineering Services
 Christopher Lamine for The Chazen Companies, Agent for Applicant



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	862-360
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No

E.2.i. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

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FIGURES

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 Project Area

THE Chazen COMPANIES
ENGINEERS
 LAND SURVEYORS
 PLANNERS
 ENVIRONMENTAL & SAFETY PROFESSIONALS
 LANDSCAPE ARCHITECTS

Dutchess County Office:
 21 Fox Street, Poughkeepsic, NY 12601
 Phone: (845) 454-3980

Capital District Office:
 547 River Street, Troy, NY 12180
 Phone: (518) 273-0055

North Country Office:
 20 Elm St, Suite 110
 Glens Falls, NY 12801
 Phone: (518) 812-0513

Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

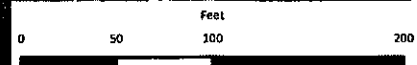
USGS Location Map

5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 2,000 feet
Project:	81912.00
Figure:	1



 Project Area
 Tax Parcels



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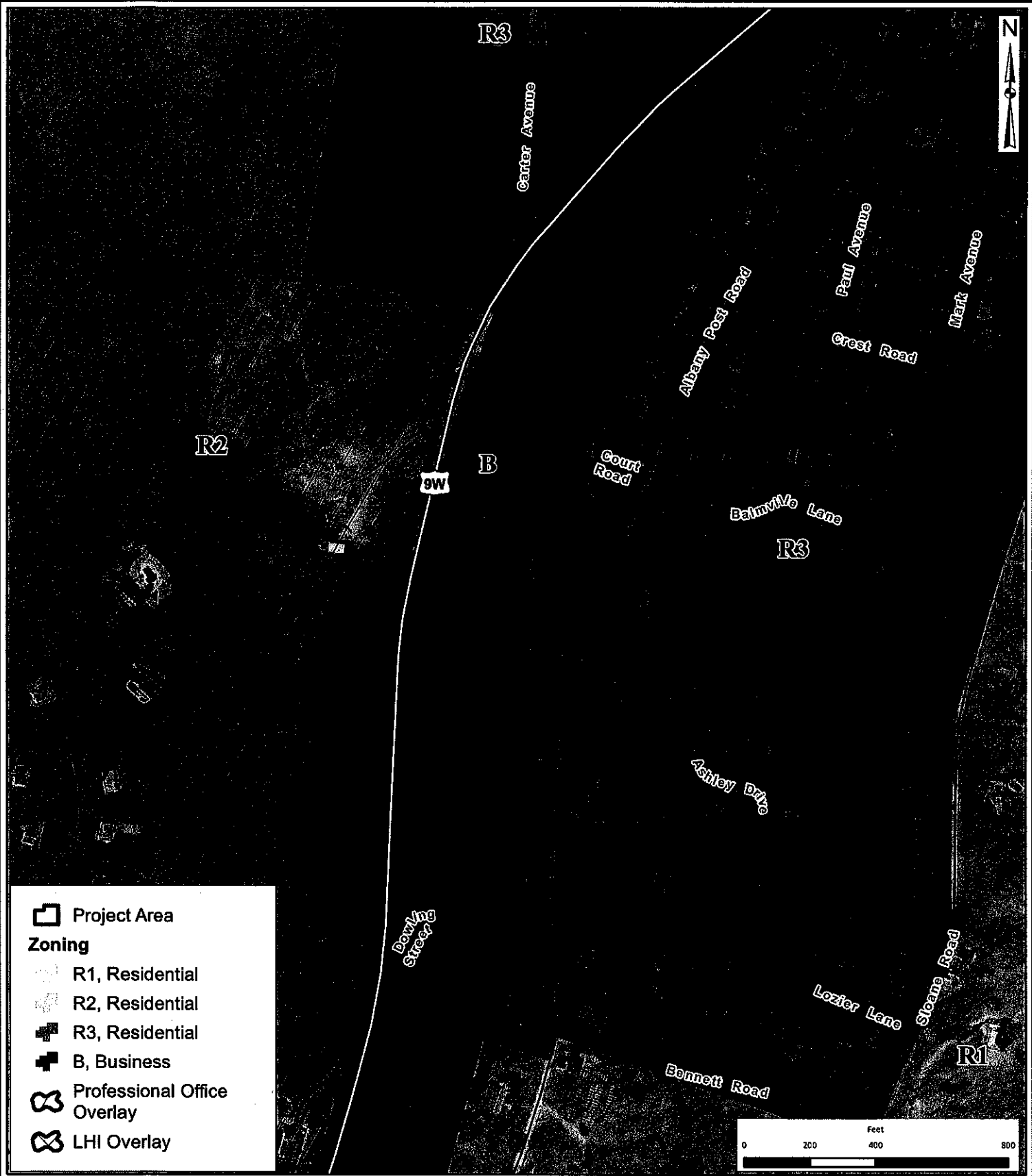
North Country Office:
 20 Elm St, Suite 110
 Glens Falls, NY 12801
 Phone: (518) 812-0513

Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

Orthophoto Tax Map

5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 100 feet
Project:	81912.00
Figure:	2



Project Area

Zoning

- R1, Residential
- R2, Residential
- R3, Residential
- B, Business
- Professional Office Overlay
- LHI Overlay

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
Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

Zoning

5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 400 feet
Project:	81912.00
Figure:	3



 Project Area
 1,000' Buffer
 Tax Parcels
Land Use
 Residential
 Apartments / Mobile Home Parks
 Commercial
 Community Services
 Vacant

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Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

Land Use

 5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 400 feet
Project:	81912.00
Figure:	4



 Project Area
 Tax Parcels
Soils
 Du: Dumps
 MdC: Mardin gravelly silt loam, 8 to 15 percent slopes
 MdD: Mardin gravelly silt loam, 15 to 25 percent slopes

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Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

Soils

 5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 90 feet
Project:	81912.00
Figure:	5



-  Project Area
-  USFWS NWI Wetlands
-  NYSDEC Streams
-  Tax Parcels

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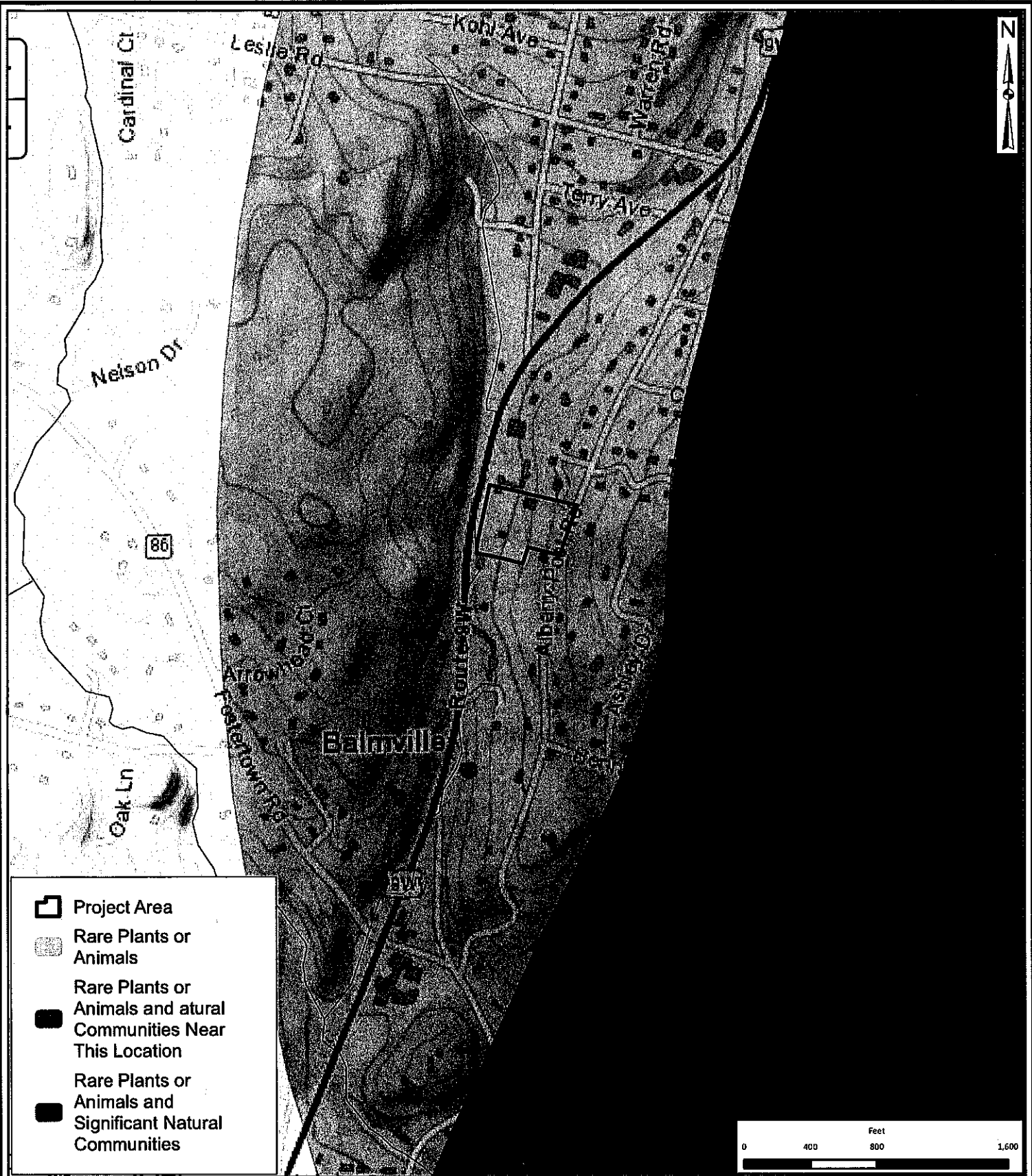
North Country Office:
 20 Elm St, Suite 110
 Glens Falls, NY 12801
 Phone: (518) 812-0513

Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

Wetlands, Streams and Floodplains

5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 400 feet
Project:	81912.00
Figure:	6



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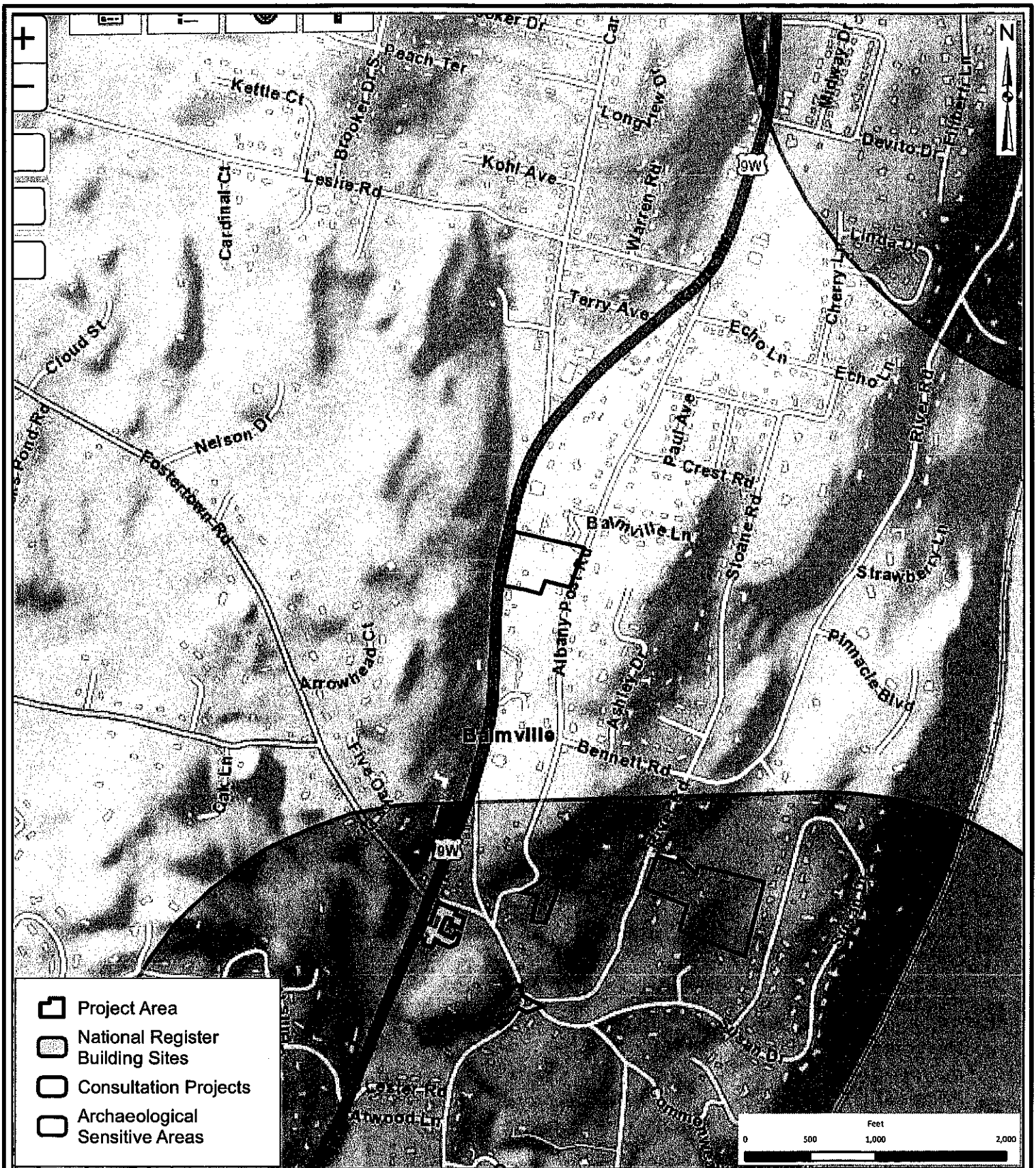
North Country Office:
 20 Elm St, Suite 110
 Glens Falls, NY 12801
 Phone: (518) 812-0513





Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

NYSDEC Environmental Resource Map

5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 800 feet
Project:	81912.00
Figure:	7



-  Project Area
-  National Register Building Sites
-  Consultation Projects
-  Archaeological Sensitive Areas



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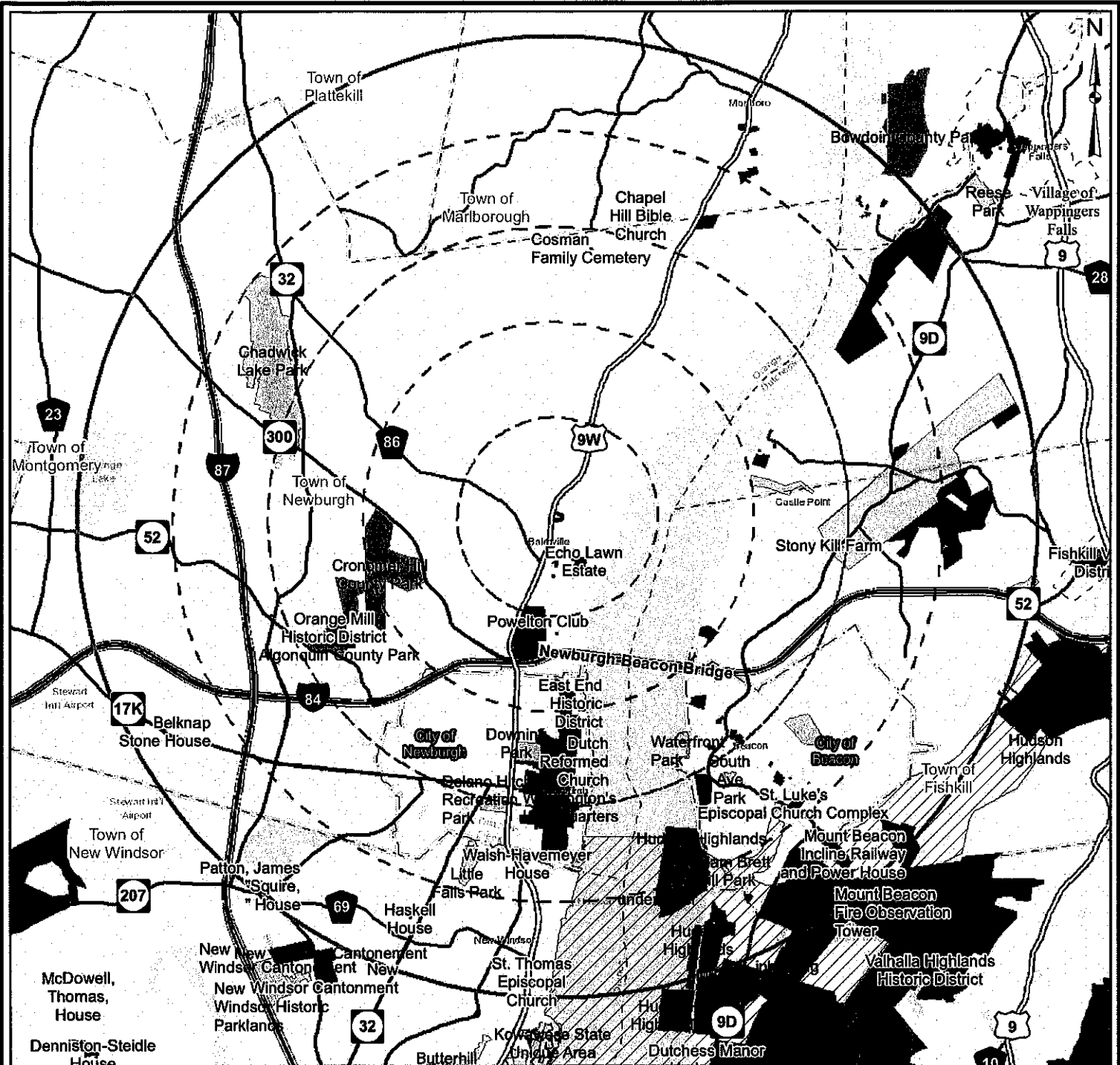
Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

**NYSOPRHP Cultural Resource
Information System (CRIS) Map**

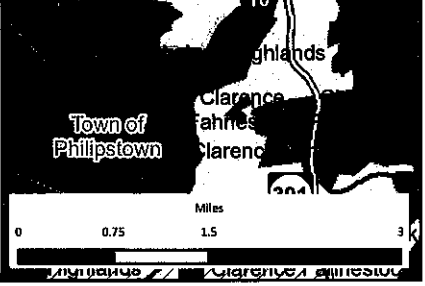
5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 1,000 feet
Project:	81912.00
Figure:	8

ENGINEERS
LAND SURVEYORS
PLANNERS
ENVIRONMENTAL & SAFETY PROFESSIONALS
LANDSCAPE ARCHITECTS



- 5-mile Buffer
- 1-mile Buffers
- Project Site
- NYS scenic byways
- DEC Trails
- Scenic Areas of Statewide Significance
- Municipal Recreation
- County Recreation
- State Parks And Historic Sites
- State Recreation
- State And National Register Listed
- State Forest Land



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 Phone: (518) 812-0513

Proposed Subdivision and Gas Land Petroleum, Inc., Site Plan

**Publicly Accessible
 Federal, State, or Local Scenic or Aesthetic
 Resources within 5 Miles**

5200 Route 9W, Town of Newburgh - Orange County NY

Drawn:	RL-B
Date:	06/04/2019
Scale:	1 in = 1.5 miles
Project:	81912.00
Figure:	9



ATTACHMENT A
USFWS Official Species List

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United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

In Reply Refer To:

June 05, 2019

Consultation Code: 05E1NY00-2019-SLI-2207

Event Code: 05E1NY00-2019-E-06889

Project Name: 2-Lot Subdivision and Proposed Gas Station/Convenience Store on Proposed Lot 1

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

Project Summary

Consultation Code: 05E1NY00-2019-SLI-2207

Event Code: 05E1NY00-2019-E-06889

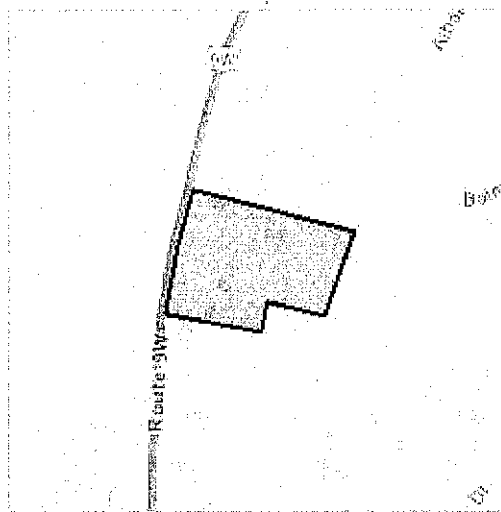
Project Name: 2-Lot Subdivision and Proposed Gas Station/Convenience Store on Proposed Lot 1

Project Type: DEVELOPMENT

Project Description: Proposed 2-lot subdivision of a 4.5 acre parcel to provide a separate parcel for a new gas station/convenience store with associated parking. The project includes connection of both proposed parcels to municipal water service, a new subsurface sewage disposal system, and access improvements.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.54167842007176N74.01164606963746W>



Counties: Orange, NY

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Reptiles

NAME	STATUS
Bog Turtle <i>Clemmys muhlenbergii</i> Population: Wherever found, except GA, NC, SC, TN, VA No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6962 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/182/office/52410.pdf Habitat assessment guidelines: https://ecos.fws.gov/ipac/guideline/assessment/population/182/office/52410.pdf	Threatened

Clams

NAME	STATUS
Dwarf Wedgemussel <i>Alasmidonta heterodon</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/784 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/363/office/52410.pdf	Endangered

Flowering Plants

NAME	STATUS
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1890 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/742/office/52410.pdf	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

ATTACHMENT B
Pat's Towing Letter Describing Future Operations

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TOWING FOR LOCAL & STATE MUNICIPALITIES

(845) 561-4004 (Phone)
(845) 568-3012 (Fax)
5198 Route 9W Newburgh, NY 12550

JAN. 31 2020

~~August 12, 2019~~

Town of Newburgh Planning Board

Mr. John Ewasutyn, Chairman:

The purpose of this letter is to clarify the future plans for the Route 9W site, now occupied by Pat's Towing. As presented to the board, Gas Land Petroleum Inc. is under contract to develop a gasoline/diesel pumping facility along with a convenience store located on a portion of the land, known as #5198-5200 Route 9W. The board has requested clarification regarding the remaining lands beyond the subdivision/site plan presented.

Pat's Towing initially expressed their intention to Gas Land Petroleum, Inc. to use the repair garage, located in the rear of the lot on 9W, as their company vehicle maintenance facility only, with no other repairs or storage on the property. This was presented to the planning board on August 1, 2019.

After further consideration, given the fact they are an existing registered automotive repair facility, and an official New York State Inspection Station, Pat's now intends to retain the ability to repair a customer vehicle, should that business present itself. (A likely scenario as they tow in break downs, needing repairs.)

Operations at the 9W site will be reduced substantially. Approximately 6 tow trucks will be stationed at this location, primarily for local Town of Newburgh business. The fenced in yard, located in the rear of the property will be used to house these local Newburgh towed in vehicles. This gated section will be screened from public view, with privacy fence and added landscaping.

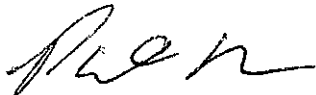
The intention of Pat's Towing is to remove 90% of the vehicles that are presently stored on site. These "impound" vehicles and "towed in" vehicles will be relocated to another property that is being acquired by the company, allowing them a more centralized location for their operation.

As per the contract between Gas Land and Pat's Towing, the sightlines running along Route 9W must be kept clear, thereby eliminating the parking of vehicles associated with Pat's Towing along the frontage on 9W.

We will identify the size and numbers of the Tow vehicles that will be stationed at this site on the plan map. Additionally, Pat's will need approximately 10 spaces outside the fenced in storage to accommodate customer's vehicles in for repairs, and employee parking, which will appear on the site plan.

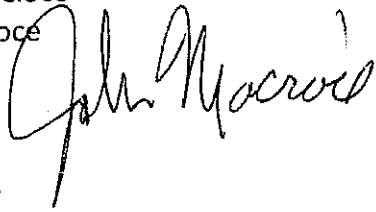
Members of the ownership of Pat's Towing will be attending the next Planning Board meeting, as requested. They are committed to visual improvements of their property.

Sincerely,



Patrick Macioce

John Macioce

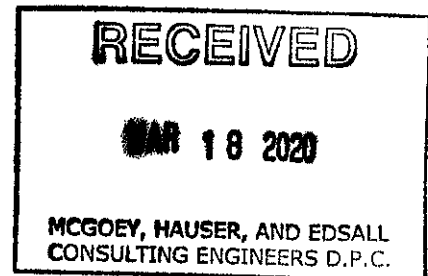


March 16, 2020

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

Via Overnight Delivery

Re: **Town of Newburgh Planning Board Project # PB2019-16**
Proposed Subdivision and Convenience Store with Fuel Pumps
Gas Land Petroleum, Inc.
5200 Route 9W (Tax Parcel Section 43 Block 5 Lot 1)
Town of Newburgh, Orange County, NY
Chazen Project #81912.00



Dear Chairman Ewasutyn:

Gas Land Petroleum, Inc appeared before the Planning Board in August 2019 related to the two-lot subdivision of the above referenced parcel to provide a 1.098-acre lot (proposed Lot 1) for construction of a 2,604 square foot (SF) convenience store with six fuel pumps (12 fueling positions) and a 3.420-acre lot (proposed Lot 2) for the remaining uses [towing business with repair shop for its commercial vehicles – (Pat’s 24 Hour Towing and Repair Facility), a single-family home, and a barn with an accessory one-bedroom apartment]].

Since the last meeting the Applicant had a boundary survey prepared, by Heritage Land Surveying, P.C, and the concept plan has been revised to relocate the proposed convenience store on the north side of the site. The revised concept depicts a 2,772-sf convenience store, 6 number of pump islands, and 21 parking spaces on a 1.088 acre parcel. Lot 2 consists of a 3.429-acre parcel.

The proposed site plan still reduces the number of access drives to two access drives from NYS Route 9W.

The existing uses are served by water supply wells and subsurface sewage disposal systems (SSDS). Since the site is located in the Newburgh Consolidated Water District, the project includes abandonment of the existing wells and connection of all uses to municipal water service. An easement will be required to convey municipal water from the rear of the parcel to the Gas Land parcel. A new SSDS on proposed Lot 1 will serve the proposed convenience store with fuel pumps, and a new SSDS is proposed on Lot 2 which will serve the existing towing business, single-family home, and accessory apartment.

Additionally, the following items have been incorporated into the concept plan based upon the feedback of the planning board and their consultants:

- Sidewalks have been placed along the frontage of the site adjacent to Route 9W.
- Street trees have been placed along the frontage.
- Zoning boundary line between R3 and B has been identified on the plan.
- Screening has been provided around the rear parking for Pat's Towing.

We have also received further clarification from Pat's Towing in terms of their future operations on site. Pat's Towing initially expressed their intention to Gas Land Petroleum, Inc. to use the repair garage, located in the rear of the lot, as their company vehicle maintenance facility only, with no other repairs or storage on the property. This was presented to the planning board on August 1, 2019. After further consideration, given the fact they are an existing registered automotive repair facility, and an official New York State Inspection Station, Pat's Towing now intends to retain the ability to repair a customer vehicle, should that business present itself. However, operations at the 9W site will be reduced substantially. Approximately 6 tow trucks will be stationed at this location, primarily for local Town of Newburgh business. The fenced in yard, located in the rear of the property will be used to house these local Newburgh towed in vehicles. 10 additional spaces will be provided for employee parking and the tow trucks. All vehicles on the southeast corner of the property will also be removed. We have attached a letter from Pat's Towing summarizing their intended operations within the updated FEAF.

Individual bulk tables have been established for each use on the site as requested by Mr. Canfield and Mr. Hines. Specifically, each bulk table has been updated to reflect the requirements of Section 185-28 where applicable:

- A minimum lot size of 20,000 sf for fueling facility as it has frontage on one road.
- A minimum lot size of 30,000 sf for repair facility as it has frontage on two roads.
- Minimum driveway width of 25-feet at entrance and egress
- 10-foot setback for driveway to property line
- 15-foot setback from property line to underground fuel tanks.
- 15-foot setback from pump island to street line.
- 1,000-foot separation between a new motor vehicle service station from a lot which there is an existing motor vehicles service station or other establishment dispensing gasoline.
- A minimum lot size of 30,000 sf for repair facility as it has frontage on two roads.
- 10-foot setback between parked vehicles and property lines.

The following items are enclosed:

Mr. John P. Ewasutyn, Town of Newburgh Planning Board Chairman

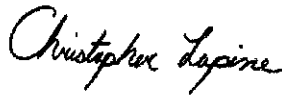
March 16, 2020

Page 3 of 3

- Updated Full Environmental Assessment Form Part 1 (10 copies);
- Boundary Survey, dated 10/21/19, prepared by Heritage Land Surveying, P.C. (10 copies); and
- Concept Plan (10 copies).

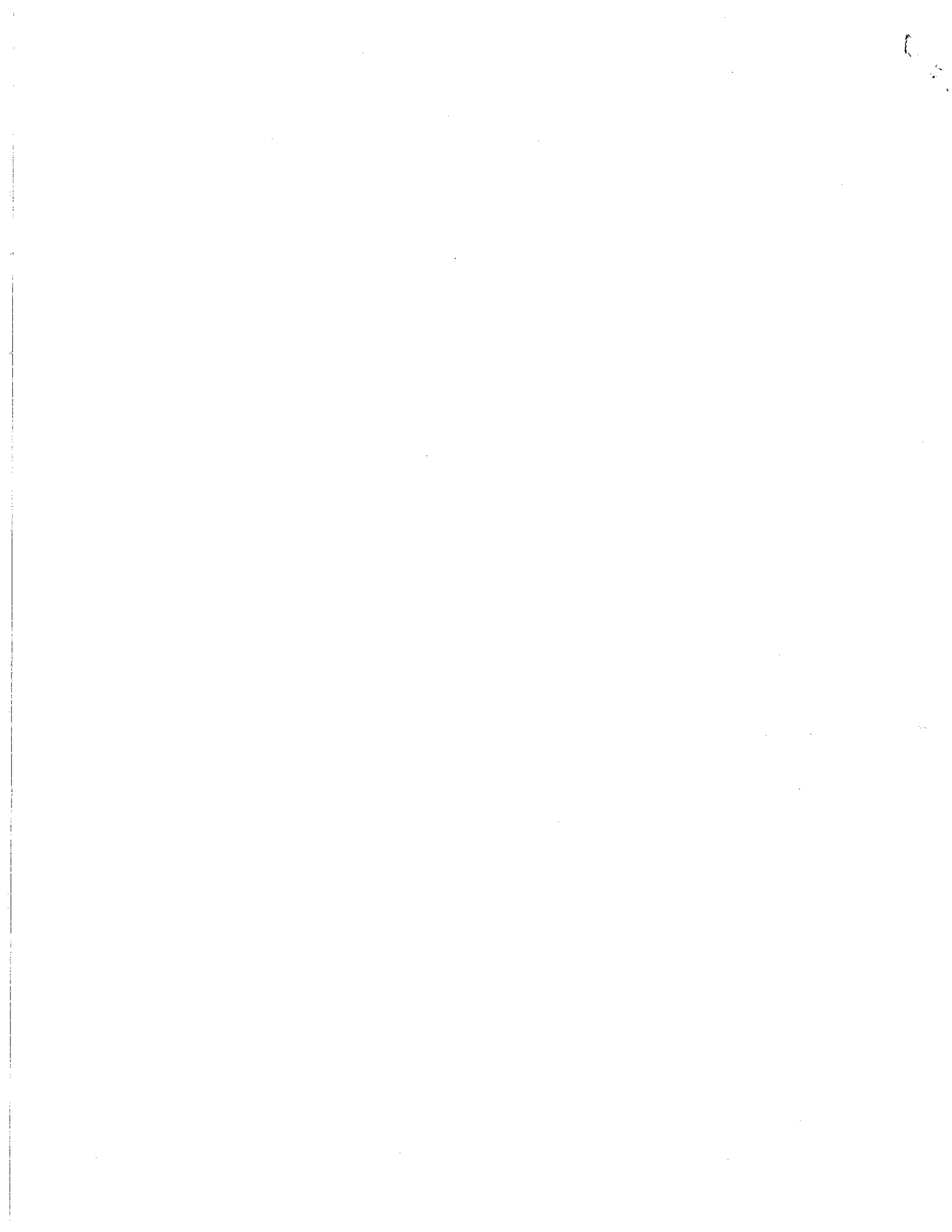
Please let us know the next available agenda this project can be placed on. Please call or email me at clapine@chazencompanies.com if you have any questions or need anything further. Thank you for your assistance.

Sincerely,



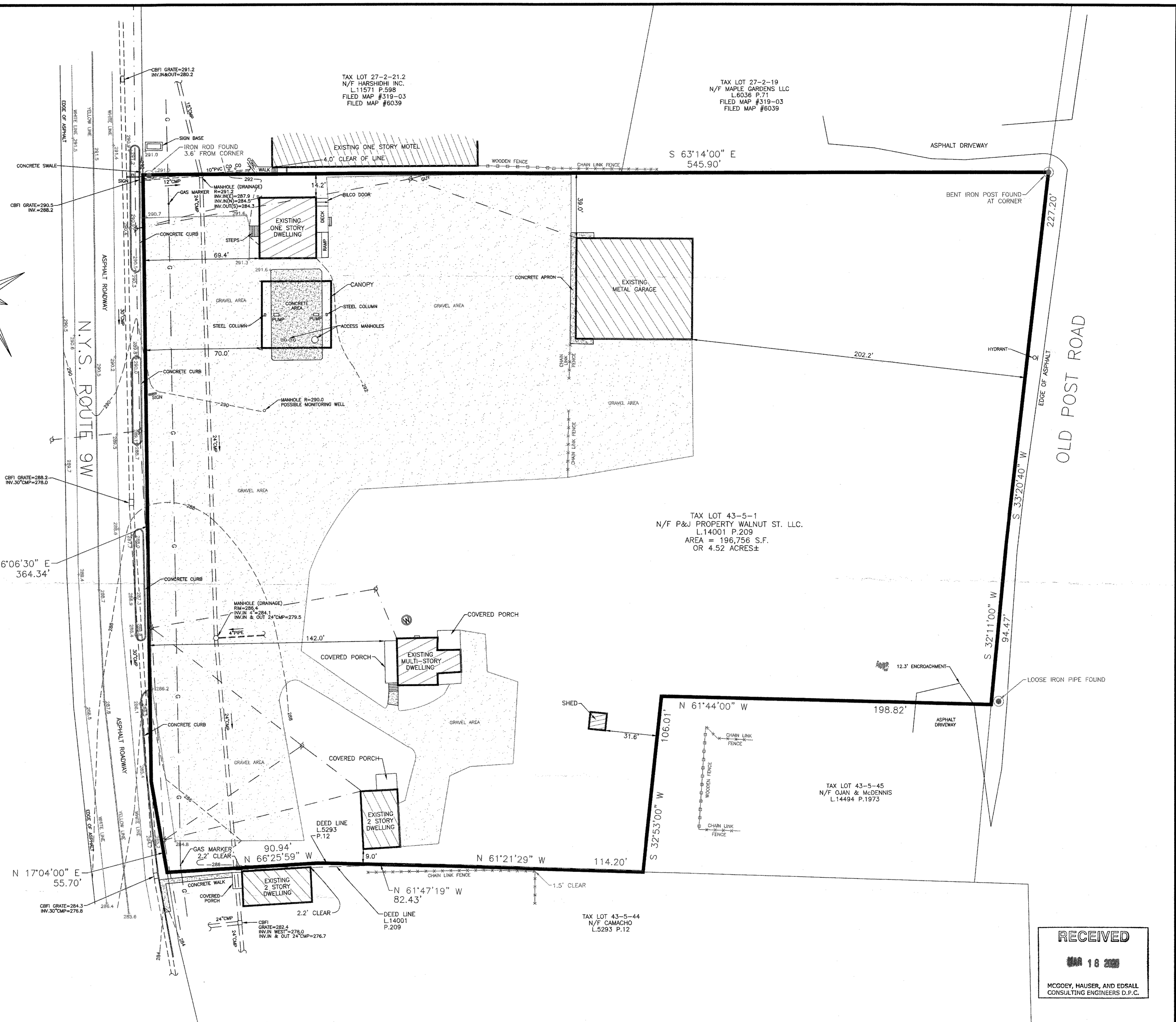
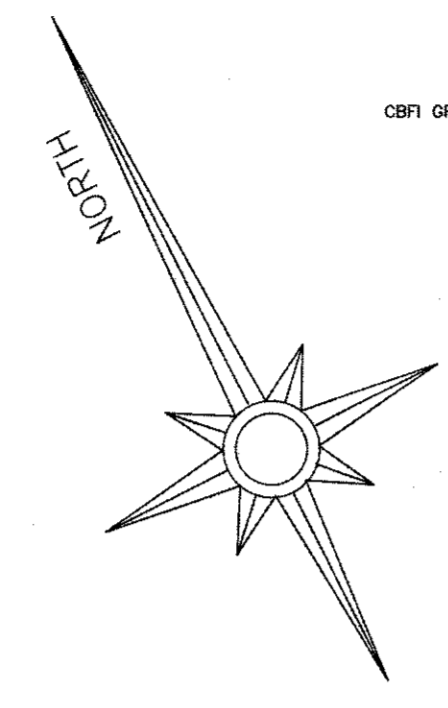
Christopher P. Lapine, P.E.
Director of Engineering Services

cc: Patrick J. Hines, McGoey, Hauser and Edsall, via email and mail
Kenneth W. Wersted, Creighton Manning, via email
Dominic Cordisco, Esq., via email
Karen Arent, L.A., via email



REFERENCES:

- TOWN OF NEWBURGH TAX MAP SECTION 27 & 43.
- DEEDS FILED IN THE ORANGE COUNTY CLERK'S OFFICE:
L.14001 P.209
L.14494 P.1973
L.5293 P.12
L.11571 P.598
L.6036 P.71
- MAPS FILED IN THE ORANGE COUNTY CLERK'S OFFICE:
MAP #319-03
MAP #6039



RECEIVED
MAR 18 2019
MCGOY, HAUSER, AND EDSALL
CONSULTING ENGINEERS D.P.C.

LEGEND

- 490 — DENOTES EXISTING CONTOUR LINE
- X-X- DENOTES EXISTING CHAIN LINK FENCE
- DENOTES EXISTING WOODEN FENCE
- DENOTES EXISTING UTILITY POLE
- CO DENOTES EXISTING CLEANOUT
- 490.0+ DENOTES EXISTING SPOT GRADE
- - - DENOTES EXISTING OVERHEAD WIRES
- ⊙ DENOTES EXISTING WELL

ORIGINAL SIZE IN INCHES



I HEREBY CERTIFY THAT THIS MAP OR PLAT IS BASED UPON THE FIELD NOTES OF THE SURVEY AND OTHER REFERENCES SHOWN. ALL RECORDED EASEMENTS OR RIGHTS-OF-WAY AS SHOWN IN THE TITLE REPORT AND OTHER REFERENCES ARE SHOWN. ALL OBSERVABLE EVIDENCE OF EASEMENTS ON THE GROUND ARE SHOWN. ALL OBSERVABLE, ABOVE GROUND EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS ARE SHOWN.

UNAUTHORIZED ALTERATION TO A MAP BEARING A LICENSED PROFESSIONAL LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. THIS CERTIFICATION IS NOT AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE. IT IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. PLAN PREPARED PURSUANT TO SECTION 7209b OF THE NEW YORK STATE EDUCATION LAW. SUBJECT TO THE FINDINGS OF TITLE REPORT M-052439 PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.

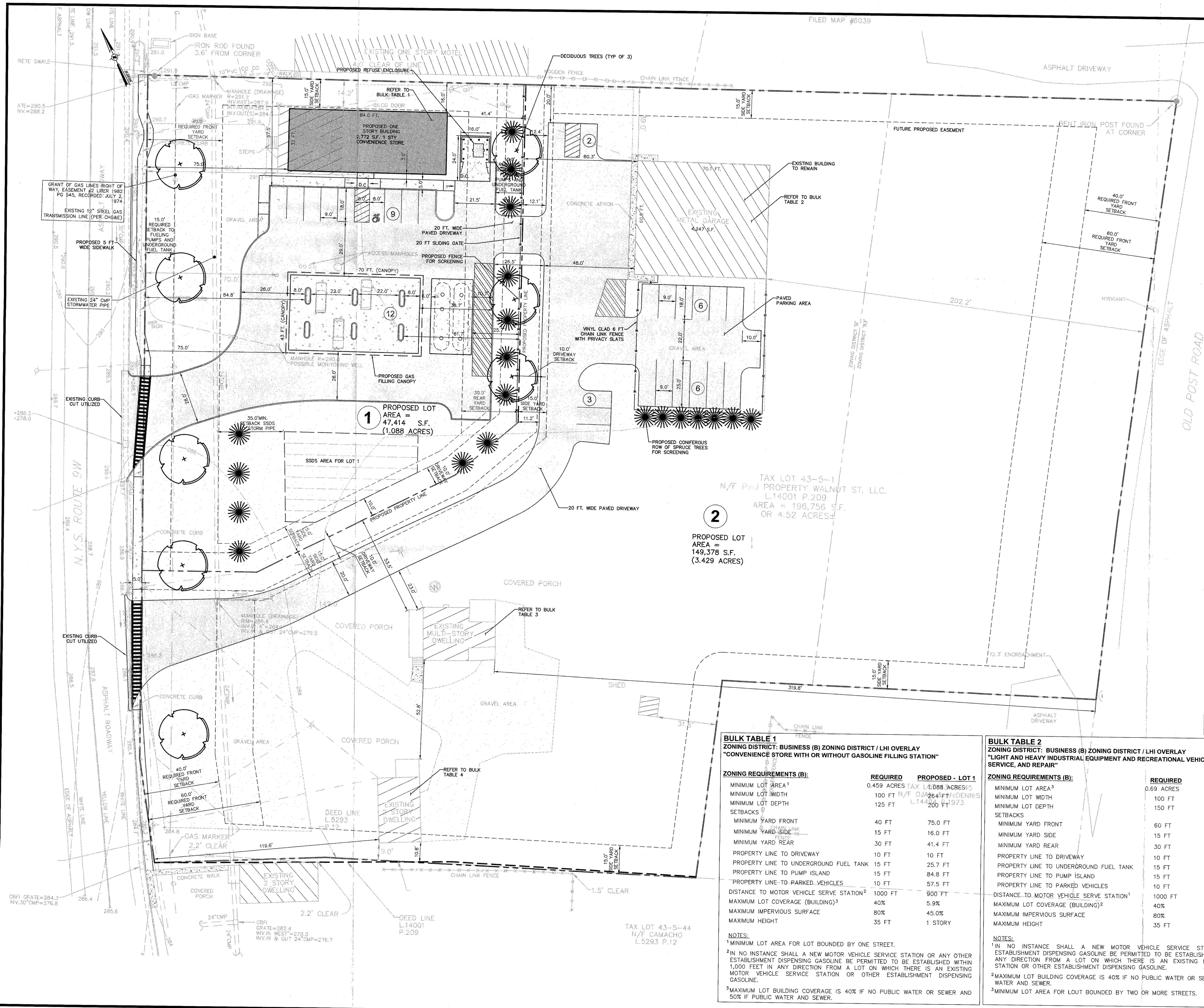
Darren Stridiron
DARREN J. STRIDIRON, PROFESSIONAL LAND SURVEYOR
NEW YORK STATE LICENSE No. 050487

HERITAGE LAND SURVEYING, P.C.
P.O. BOX 579 PLATTEKILL, NEW YORK 12568
TEL (845)562-4148, FAX (845)562-4148, e-mail: heritageurvey@hotmail.com

SURVEY OF PROPERTY

**5200 ROUTE 9W
LOCATED AT
TAX LOT 43-5-1
TOWN OF NEWBURGH
COUNTY OF ORANGE, NEW YORK**

Date 10/21/19	Work Order	Drawing No.	SHEET
Scale 1" = 30'	2019-053	2019-053S2	1



RECORD OWNER:
P&J PROPERTY WALNUT ST LLC
24 WALNUT ST
NEW WINDSOR NY 12553

DEVELOPER / APPLICANT:
GAS LAND PETROLEUM, INC.
785 BROADWAY
KINGSTON, NY 12401

ADDRESS:
5200 ROUTE 9W,
NEWBURGH, NY 12550

TAX MAP INFORMATION:
MUNICIPALITY OF NEWBURGH
SECTION 43, BLOCK 5, LOT 1

SITE CIVIL ENGINEER:
CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.
21 FOX STREET, POUGHKEEPSIE, NY 12601
PHONE: (845) 454-3980

SURVEYOR:
HERITAGE LAND SURVEYING, P.C.
DARREN J. STRIDIRON, PROFESSIONAL LAND SURVEYOR
P.O. BOX 570 PLATTEKILL, NEW YORK 12568
PHONE: (845) 562-4148

SITE AREA:
TOTAL PROJECT ACREAGE : 4.517 ACRES

ZONING:
BUSINESS DISTRICT WITH LIGHT AND HEAVY INDUSTRIAL EQUIPMENT AND RECREATIONAL VEHICLE SALES SERVICE AND REPAIR OVERLAY DISTRICT. 150 FT-DEEP ON THE EASTERLY PORTION OF LOT 2 IS IN R-3 DISTRICT, PER TABLE OF ZONING MAP AMENDMENTS.
PER SECTION 185-6.F, MULTIPLE USES SHALL BE PERMITTED ON A SINGLE LOT; THEREFORE, THE SINGLE FAMILY HOME AND ACCESSORY APARTMENT TO THE AUTO REPAIR GARAGE ARE ANTICIPATED TO COMPLY.

LOT 1 PARKING SPACE CALCULATIONS
PROVIDED: 21 TOTAL SPACES
REQUIRED: 19 TOTAL SPACES

CONVENIENCE STORE:
2,772 SQUARE FEET X 1 SPACE PER 150 SQUARE FEET = 19 SPACES

THE TOTAL SPACES PROVIDED INCLUDES THE 12 SPACES AT THE FUEL PUMPS.

PER SECTION 185-13.C(1)(b):
REQUIRED PARKING FOR A RETAIL STORE, SHOPPING CENTER, AND PERSONAL SERVICE STORE IS 1 PER 150 SQUARE FEET OF GROSS LEASABLE FLOOR SPACE.

LOT 2 PARKING SPACE CALCULATIONS
PROVIDED: 17 TOTAL SPACES
REQUIRED: 8 TOTAL SPACES

AUTO REPAIR GARAGE:
3 BAYS + 5 ADDITIONAL SPACES = 8 SPACES

PER SECTION 185-13.C(1)(b):
REQUIRED PARKING FOR A REPAIR GARAGE IS 1 PARKING SPACES FOR ALL VEHICLES BEING SERVICED AT ANY 1 PERIOD OF TIME PLUS A MINIMUM OF 5 ADDITIONAL SPACES.

BULK TABLE 4
ACCESSORY BUILDING¹

REQUIREMENTS:	REQUIRED	PROPOSED - LOT 2
MINIMUM LOT AREA ⁶	0.69 ACRES	3.429 ACRES
MINIMUM LOT WIDTH	150 FT	154 FT
MINIMUM LOT DEPTH	175 FT	287 FT
SETBACKS		
MINIMUM YARD FRONT ²	N/A	119.6 FT
MINIMUM YARD SIDE ³	5 FT	9 FT
MINIMUM YARD REAR ³	5 FT	N/A
MINIMUM DISTANCE TO MAIN BUILDING	10 FT	52.8 FT
MAXIMUM PERCENTAGE IN YARD AREA ⁴	10%	12%
MAXIMUM HEIGHT	15 FT	2 STORY ⁵
MAXIMUM LOT COVERAGE (BUILDING)	40%	4.4%
MAXIMUM IMPERVIOUS SURFACE	50%	24.9%

NOTES:
1 EXISTING ON-SITE APARTMENTS ARE ACCESSORY BUILDINGS TO THE PRINCIPAL USE. BULK REQUIREMENTS ARE PER FOR ACCESSORY BUILDINGS IN SECTION 185-15 AND EXISTING SINGLE-FAMILY DWELLINGS WITH EITHER PUBLIC SEWER OR PUBLIC WATER ONLY.
2 PER SECTION 185-15.B, NO SUCH BUILDING SHALL PROJECT CLOSER TO THE FRONTING STREET THAN THE FRONT OF THE MAIN BUILDING. THE ACCESSORY USE IS CLOSER TO US ROUTE 9W THAN THE PERMITTED USES. THEREFORE, AN AREA VARIANCE IS REQUIRED.
3 PER SECTION 185-15.A(2), SUCH BUILDING SHALL BE SET BACK AT LEAST FIVE FEET FROM ANY SIDE OR REAR LOT LINE.
4 PER SECTION 185-15.A(3), SUCH BUILDING SHALL NOT OCCUPY MORE THAN 10% OF THE REQUIRED YARD AREA IN WHICH IT IS PROPOSED TO BE SITUATED.
5 EXISTING NONCONFORMANCE, VARIANCE IS REQUIRED.
6 MINIMUM LOT AREA FOR LOT BOUNDED BY TWO OR MORE STREETS.

TAX LOT 43-5-1
N/F P&J PROPERTY WALNUT ST. LLC.
L14001 P.209
AREA = 196,756 S.F.
OR 4.52 ACRES

2
PROPOSED LOT AREA = 149,378 S.F. (3.429 ACRES)

BULK TABLE 1
ZONING DISTRICT: BUSINESS (B) ZONING DISTRICT / LHI OVERLAY
"CONVENIENCE STORE WITH OR WITHOUT GASOLINE FILLING STATION"

ZONING REQUIREMENTS (B):	REQUIRED	PROPOSED - LOT 1
MINIMUM LOT AREA ¹	0.459 ACRES (198,400 S.F.)	47,414 S.F. (1.088 ACRES)
MINIMUM LOT WIDTH	100 FT	149.3 FT
MINIMUM LOT DEPTH	125 FT	206 FT
SETBACKS		
MINIMUM YARD FRONT	40 FT	75.0 FT
MINIMUM YARD SIDE	15 FT	16.0 FT
MINIMUM YARD REAR	30 FT	41.4 FT
PROPERTY LINE TO DRIVEWAY	10 FT	10 FT
PROPERTY LINE TO UNDERGROUND FUEL TANK	15 FT	25.7 FT
PROPERTY LINE TO PUMP ISLAND	15 FT	84.8 FT
PROPERTY LINE TO PARKED VEHICLES	10 FT	57.5 FT
DISTANCE TO MOTOR VEHICLE SERVICE STATION ²	1000 FT	900 FT
MAXIMUM LOT COVERAGE (BUILDING) ³	40%	5.9%
MAXIMUM IMPERVIOUS SURFACE	80%	45.0%
MAXIMUM HEIGHT	35 FT	1 STORY

NOTES:
1 MINIMUM LOT AREA FOR LOT BOUNDED BY ONE STREET.
2 IN NO INSTANCE SHALL A NEW MOTOR VEHICLE SERVICE STATION OR ANY OTHER ESTABLISHMENT DISPENSING GASOLINE BE PERMITTED TO BE ESTABLISHED WITHIN 1,000 FEET IN ANY DIRECTION FROM A LOT ON WHICH THERE IS AN EXISTING MOTOR VEHICLE SERVICE STATION OR OTHER ESTABLISHMENT DISPENSING GASOLINE.
3 MAXIMUM LOT BUILDING COVERAGE IS 40% IF NO PUBLIC WATER OR SEWER AND 50% IF PUBLIC WATER AND SEWER.

BULK TABLE 2
ZONING DISTRICT: BUSINESS (B) ZONING DISTRICT / LHI OVERLAY
"LIGHT AND HEAVY INDUSTRIAL EQUIPMENT AND RECREATIONAL VEHICLE SALES, SERVICE, AND REPAIR"

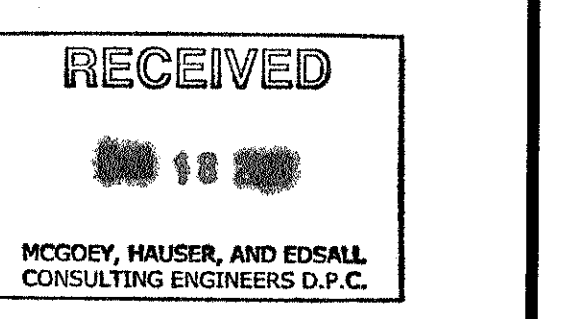
ZONING REQUIREMENTS (B):	REQUIRED	PROPOSED - LOT 2
MINIMUM LOT AREA ³	0.69 ACRES	3.429 ACRES
MINIMUM LOT WIDTH	100 FT	154 FT
MINIMUM LOT DEPTH	150 FT	287 FT
SETBACKS		
MINIMUM YARD FRONT	60 FT	202.2 FT
MINIMUM YARD SIDE	15 FT	16.0 FT
MINIMUM YARD REAR	30 FT	39.0 FT
PROPERTY LINE TO DRIVEWAY	10 FT	11.2 FT
PROPERTY LINE TO UNDERGROUND FUEL TANK	15 FT	N/A
PROPERTY LINE TO PUMP ISLAND	15 FT	N/A
PROPERTY LINE TO PARKED VEHICLES	10 FT	12.4 FT
DISTANCE TO MOTOR VEHICLE SERVICE STATION ¹	1000 FT	900 FT
MAXIMUM LOT COVERAGE (BUILDING) ²	40%	4.4%
MAXIMUM IMPERVIOUS SURFACE	80%	24.9%
MAXIMUM HEIGHT	35 FT	<35 FT

NOTES:
1 IN NO INSTANCE SHALL A NEW MOTOR VEHICLE SERVICE STATION OR ANY OTHER ESTABLISHMENT DISPENSING GASOLINE BE PERMITTED TO BE ESTABLISHED WITHIN 1,000 FEET IN ANY DIRECTION FROM A LOT ON WHICH THERE IS AN EXISTING MOTOR VEHICLE SERVICE STATION OR OTHER ESTABLISHMENT DISPENSING GASOLINE.
2 MAXIMUM LOT BUILDING COVERAGE IS 40% IF NO PUBLIC WATER OR SEWER AND 50% IF PUBLIC WATER AND SEWER.
3 MINIMUM LOT AREA FOR LOT BOUNDED BY TWO OR MORE STREETS.

BULK TABLE 3
ZONING DISTRICT: BUSINESS (B) ZONING DISTRICT / LHI OVERLAY
"EXISTING SINGLE-FAMILY DWELLING WITH EITHER PUBLIC SEWER OR PUBLIC WATER ONLY"

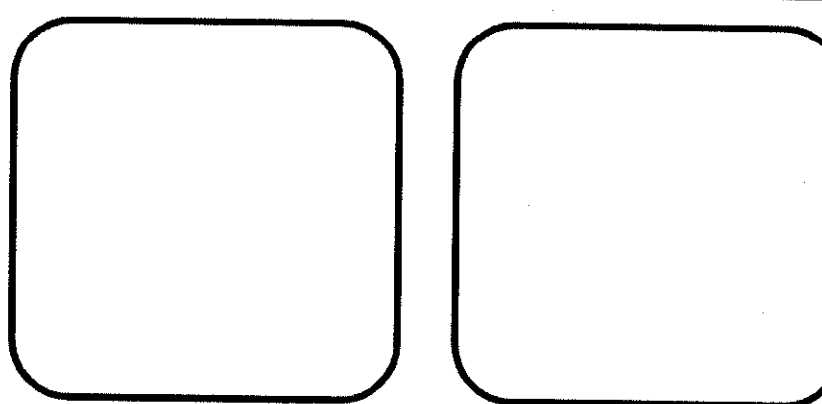
ZONING REQUIREMENTS (B):	REQUIRED	PROPOSED - LOT 2
MINIMUM LOT AREA ¹	0.69 ACRES	3.429 ACRES
MINIMUM LOT WIDTH	100 FT	154 FT
MINIMUM LOT DEPTH	125 FT	287 FT
SETBACKS		
MINIMUM YARD FRONT	40 FT	142.0 FT
MINIMUM YARD SIDE	15 FT	53.5 FT
MINIMUM YARD REAR	40 FT	N/A
MAXIMUM LOT COVERAGE (BUILDING)	40%	4.4%
MAXIMUM IMPERVIOUS SURFACE	50%	24.9%
MAXIMUM HEIGHT	35 FT	EXISTING

NOTES:
1 MINIMUM LOT AREA FOR LOT BOUNDED BY TWO OR MORE STREETS.



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CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE, CO., D.P.C.

Office Locations:

- Hudson Valley Office: 21 Fox Street, Poughkeepsie, New York 12601, Phone: (845) 454-3980
- North Country Office: 20 Elm Street, Suite 110, Gettysburg, New York 12520, Phone: (518) 812-0513
- Capital District Office: 347 River Street, Troy, New York 12180, Phone: (518) 273-0555
- Westchester NY Office: 1 North Broadway, Suite 803, White Plains, New York 10601, Phone: (914) 927-8510
- Nashville Tennessee Office: 2418 2nd Ave S, (Suite 103), Nashville, Tennessee 37212, Phone: (615) 380-1309
- Chattanooga Tennessee Office: 1426 Wilshire Street, Suite 122, Chattanooga, Tennessee 37408, Phone: (423) 241-6275

rev.	date	GENERAL REVISIONS	description
1	03/18/2020	GENERAL REVISIONS	

GAS LAND - 5200 U.S. ROUTE 9W

CONCEPTUAL SITE PLAN & SUBDIVISION PLAN

TOWN NEWBURGH, ORANGE COUNTY, NEW YORK

designed	checked
3MD	CPL
date	scale
01-10-20	1"=20'
project no.	sheet no.
51912	
sheet no.	C1