



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

PROJECT NAME: GAS LAND PETROLEUM INC.- 42 SOUTH PLANK ROAD
PROJECT NO.: 2021-23
PROJECT LOCATION: SECTION 71, BLOCK 2, LOT 11
REVIEW DATE: 29 SEPTEMBER 2021
MEETING DATE: 7 OCTOBER 2021
PROJECT REPRESENTATIVE: CHAZEN COMPANIES/CHRIS LAPINE

1. The subject property has had a zone change approved by the Town Board including the property in the B Zoning District. While the zone change allows the use to be permitted several bulk deficiencies are identified on the plan requiring ZBA approval. The following is a list of variances required based on a review of the Bulk Tables and plans.
 - 1) Front yard setback- NYS Route 52- 60 foot required where 41.3 is provided. Noted that exceptions to Town Code 185-18(C)(4)(b) allows a front yard depth of 50 feet for the average of all lots within 300 feet. Based on this analysis and existing adjoining structures the 50 foot front yard would be required.
 - 2) Setback to intersection- 50 feet required where 22 feet is provided.
 - 3) Town Code Section 185-13B(2) no parking in required front or side yard adjacent to a Residential District. Variance required for parking spaces in both front yards.
 - 4) Minimum required setback to parked car- 10 feet required where 4.5 feet is provided.
 - 5) While not listed on the variance schedule, it appears that the canopy will require variances from the 40 foot minimum required front yard/Fifth Ave. and minimum front yard setback from NYS Route 52 of 50 feet.
 - 6) The Applicant should confirm that the in the ground fuel tanks are not within 15 feet of the property line or an additional variance will be required.
2. NYSDOT should be consulted regarding the numerous access points to the site. DOT may wish to limit the number of access points to the site.
3. Truck turning radius for fuel delivery trucks should be provided.
4. The Applicant should address sight distance to determine if cedar fence proposed on the western property boundary will restrict vision for vehicles leaving the site.
5. A City of Newburgh Flow Acceptance Letter will be required for the increased commercial structure.

6. The Applicants have submitted a Short Environmental Assessment Form and Supplemental information. Dominic Cordisco's comments regarding proposed commercial structure less than 4,000 square feet being a Type II Action should be received.
7. A Lighting Plan has been proposed identifying pedestrian scale, 14 foot lights with dark sky full cut off bulbs to be utilized. No modification to the canopy lighting currently existing is proposed.
8. It is requested the Applicant's consider placing the lights to the rear of the structure on motion sensors.
9. The proposed fence should tie into the dumpster enclosure or the rear of the structure will be accessible from the parking lot.
10. Future submissions should contain site development details upon return from the ZBA.
11. The Adjoiner's Notice must be sent out for the revised plan. This office will work with the Applicant's representative to provide necessary notices and mailing list.
12. Orange County Planning referral will be required upon submission of a complete application and plans.

Respectfully submitted,

MHE Engineering, D.P.C.



Patrick J. Hines
Principal

PJH/kbw

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

September 14, 2021

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

Via Hand Delivery

Re: *Town of Newburgh Planning Board Project # PB21-23.*
Proposed Convenience Store with Fuel Pumps
Gas Land Petroleum, Inc.
42 South Plank Road (Tax Parcel Section 71 Block 2 Lot 11)
Town of Newburgh, Orange County, NY
Chazen Project #82019

Dear Chairman Ewasutyn:

Gas Land Petroleum, is looking to modernize their existing location at 42 South Plank Road by constructing a new, one-story, 2,300 SF convenience store (located approximately 18 feet north of the existing 1,564 SF, one-story, convenience store, which would be demolished) with associated site improvements (landscaping, parking, vehicular safety upgrades). The 0.531-acre parcel is identified as parcel 71-2.11 on the Town of Newburgh Tax Map and is located at the intersection of S. Plank Road and 5th Avenue. The site was rezoned to Zoning District Business (B) on October 26, 2020. In addition to the existing building, the tax parcel is currently developed with 8 fuel pumps (8 fueling stations)^[1] and 13 parking spaces, including 8 spaces at the fuel pumps.

The new 2,300 SF convenience store will feature updated and Town-appropriate architecture and will include a grab-n-go deli (no seating), enhanced kitchen prep areas, ample storage and cooler areas, and a publicly-accessible restroom. The existing 8 fuel pumps would remain unchanged as part of the proposed project. As part of the proposed project, new curbing will be introduced around the east side of the site, which will reduce the access (currently unrestricted) to a single-entry point. A new refuse enclosure will be located west of the northeast corner of the new building. A new landscaped island will be constructed along the eastern edge of the property. Total new parking will include 17 spaces, including the 8 spaces at the pumps. Parking spaces will be located on the south side of the building with sufficient drive aisle space that aligns with the modified entrance on the east side of the site and the existing west side access. An accessible parking space will be added in front of the store and additional parking will be added in the southeast area of the property. Landscaping improvements will include new trees and shrubs along the east, west and north sides of the property as well as new fencing for screening along the northwest, north and northeast parts of the property. The number of fueling stations will remain the same.

The site generally conforms to the bulk and dimensional requirements of the B Zoning District, with some exceptions. Some aspects of the site's development are pre-existing, nonconforming including the provision

^[1] No changes are proposed to the fuel pumps as part of the proposed action.

of the minimum front yard off NYS Route 52 and Fifth Avenue; provision of the minimum setback to an intersection, parking in required yards (not allowed), minimum required setback to parked car, and minimum landscape buffer between residential and non-residential uses at the side yard. The proposed project will require area variances for minimum front yard off NYS Route 52; minimum setback to intersection, parking in required yards; and minimum required setback to parked car but will improve the non-conformance for the minimum front yard off NYS Route 52, minimum landscape buffer at the side yard, and required loading space.

The following items are enclosed:

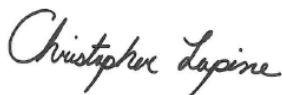
- Full Environmental Assessment Form Part 1, dated April 22, 2021 (14 copies);
- Planning Board Application, dated April 21, 2021 (14 copies); and
- Site Plan Set, dated April 26, 2021 – Title Sheet, Survey, Demolition Plan, Site Plan, Landscape Plan, and Photometric Plan 14 copies).

We've also included the following fees:

- Application Fee - \$1,500 plus \$250 per 1,000 sf of floor area = $\$1,500 + \$250 * (2,300/1000) = \$2,075$
- Public Hearing Fee - \$150 plus publications and transcription costs (\$250 provided).
- Escrow Fee - \$1,000 plus \$250 per 1,000 sf of floor area = $\$1,000 + \$250 * (2,300/1000) = \$1,460$
- Long Form Fee (\$2,000.00)

We look forward to discussing the project at the next available Planning Board meeting that we can be placed on. Please call or email me at clapine@chazencompanies.com with regards to the next available meeting we can be placed on or 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
Kenneth W. Wersted, Creighton Manning, via email
Dominic Cordisco, Esq., via email
Karen Arent, L.A., via email

TOWN OF NEWBURGH PLANNING BOARD

APPLICATION PACKAGE

for

SUBDIVISIONS,

SITE PLANS,

LOT LINE CHANGES

And

SPECIAL EXCEPTION USE PERMITS

Procedures and Requirements

July 2013

**TOWN OF NEWBURGH PLANNING BOARD
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550
(845) 564-7804
fax: (845) 564-7802
planningboard@hvc.rr.com**

JULY 2013

TO WHOM IT MAY CONCERN:

This package of information and forms is provided to assist the applicant in the preparation of a submission of a site plan, subdivision, lot line change or special exception use permit to the Town of Newburgh Planning Board. In most cases the application will be prepared initially by a licensed professional engineer, architect, surveyor or land planner. Since in almost every case such professional will be required for the process, they should be retained as early as possible.

Procedurally, the applicant should contact the Planning Board to discuss the potential project and obtain the necessary forms and regulations.

The Zoning and Subdivision Regulations of the Town of Newburgh require that the applicant must present plans to the Secretary of the Planning Board. When your application is complete, it will be placed on the next **AVAILABLE** agenda. Submittals must be handed in to the Planning Board Secretary at least 10 days prior to the next meeting, but the date of the appearance at a meeting will be determined by the next available time slot, not necessarily the next meeting. You will be notified of the date, time and place of your meeting.

A minimum of **FOURTEEN (14)** sets of **FOLDED PLANS** for a major or minor subdivision or a site plan must be submitted with a **COMPLETED** application, and **FIFTEEN (15)** sets of plans must be submitted if plans need to be submitted to the Town of Newburgh Traffic Consultant. This completed application must include a **LONG FORM OR FULL EAF** for every project except lot line changes, 2 lot subdivisions under 3 acres or site plans impacting less than one acre, along with a **NARRATIVE** of the proposed project. The narrative should include the action being taken, the size of the parcel, what zone the parcel is in, the water and sewer information, any Zoning Board of Appeals relief needed, and whether the parcel is on a private or town road. Complex or unusual projects should be discussed in greater detail.

Following the first meeting before the Planning Board the applicant is required to send an Adjoiner Notice to property owners within 500 feet of the parcels in question (please see final page of the package for full instructions).

Upon initial review of a Short Form, the Planning Board may require specific additional environmental information or the preparation of a Long Form. Long Form part 1 should be completed by the applicant. The Board will review and may modify Part 2 prior to making a decision on the SEQRA aspect of the project.

All fees for consulting and professional services that the Planning Board incurs during the review of the applications will be the responsibility of the applicant. An advance deposit for these fees will be required and will be placed in an escrow account with the Town. If the escrow account falls below the 40% of the initial deposit, the applicant will be required to immediately make an additional deposit to the escrow account prior to any further review of the project application by the Planning Board.

Very truly yours,

JOHN P. EWASUTYN, Chairman
Town of Newburgh Planning Board

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

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

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

1. **Title of Subdivision/Site Plan (Project name):**
Site Plan prepared for Gas Land Petroleum, Inc. for a Gas Station &
Convenience Store located at 42 S. Plank Road (NYS Route 52)
2. **Owner of Lands to be reviewed:**
Name Gas Land Petroleum, Inc. (Zeidan Nesheiwat)
Address 3 Ohioville Road
New Paltz, NY 12561
Phone 845-331-7545
3. **Applicant Information (If different than owner):**
Name N/A
Address _____

Representative _____
Phone _____
Fax _____
Email _____
4. **Subdivision/Site Plan prepared by:**
Name The Chazen Companies, Christopher Lapine, PE
Address 21 Fox Street
Poughkeepsie, NY 12601
845-486-1478
Phone/Fax _____
5. **Location of lands to be reviewed:**
42 S. Plank Road (NYS Route 52)
6. **Zone** B-Business _____ **Fire District** Orange Lake Fire District _____
Acreage 0.531 ac. _____ **School District** Newburgh _____
7. **Tax Map: Section** 71 _____ **Block** 2 _____ **Lot** 11 _____

8. Project Description and Purpose of Review:

Number of existing lots 1 Number of proposed lots 1

Lot line change N/A

Site plan review Removal of exist. bldg. Install new 2,300 s.f. building w/ improved landscaping, access, & parking.

Clearing and grading N/A

Other N/A

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) None known.

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

Signature Bidan Mshuiwat Title Vice President

Date: 4/21/21

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

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

TOWN OF NEWBURGH PLANNING BOARD

PROJECT NAME

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

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

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

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

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

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

30. NA Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. NA If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed
32. NA Number of acres to be cleared or timber harvested
33. _____ Estimated or known cubic yards of material to be excavated and removed from the site
34. _____ Estimated or known cubic yards of fill required
35. NA The amount of grading expected or known to be required to bring the site to readiness
36. NA Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.
- _____
- _____
37. NA Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.
- _____
- _____
38. X List of property owners within 500 feet of all parcels to be developed (see attached statement).

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

By: Christopher Lapine
 Licensed Professional

Date: 4/21/21

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

Prepared (insert date):

STATEMENT TO APPLICANTS

RE: TOWN OF NEWBURGH CLEARING AND GRADING LAW

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

TOWN OF NEWBURGH
APPLICATION FOR CLEARING AND GRADING

Name of applicant: Gas Land Petroleum, Inc

Name of owner on premises: Gas Land Petroleum Inc.

Address of owner: 3 Ohioville Road, New Paltz, 12

Telephone number of owner: 845-331-7545

Telephone number of applicant: Same

State whether applicant is owner, lessee, agent, architect, engineer or contractor:
Owner

Location of land on which proposed work will be done: 42 South Plank Road

Section: 71 Block: 2 Lot: 11 Sub. Div.: _____

Zoning District of Property: B Size of Lot: 0.53

Area of lot to be cleared or graded: 0.18 acres

Proposed completion of date: TBD

Name of contractor/agent, if different than owner: TBD

Address: _____

Telephone number: _____

Date of Planning Board Approval: _____ (if required)

I hereby agree to hold the Town of Newburgh harmless from any claims arising from the proposed activity.

Signature of owner: *Bidan Mslueiwat* Date: 4/21/21

Signature of applicant (if different than owner): _____

TOWN ACTION:

Examined: _____ 20 _____

Approved: _____ 20 _____

Disapproved: _____ 20 _____

FEE LAW SUMMARY

PENDING APPLICATIONS

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

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

SEVERABILITY

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

EFFECTIVE DATE:

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

FEE ACKNOWLEDGEMENT

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

Zeidan Nesheiwat

APPLICANT'S NAME (printed)

Zeidan Nesheiwat

APPLICANTS SIGNATURE

4/21/21

DATE

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

PROXY

(OWNER) Gas Land Petroleum, Inc., **DEPOSES AND SAYS THAT HE/SHE**
RESIDES AT 3 Ohioville Road, New Paltz, NY 12561
IN THE COUNTY OF Ulster
AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 42 S. Plank Road, Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
Chazen Companies and Keane and Beane
PLANNING BOARD AND _____ IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 4/21/21

Zeidan Nesheiwat

OWNERS SIGNATURE

Zeidan Nesheiwat

OWNERS NAME (printed)

Christopher Lapine

WITNESS' SIGNATURE

Christopher Lapine

WITNESS' NAME (printed)

NAMES OF ADDITIONAL REPRESENTATIVES
Mitch Nesheiwat

PLANNING BOARD DISCLAIMER STATEMENT
TO APPLICANTS

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

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

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

4/21/21

DATED

Zeidan Nesheiwat

APPLICANT'S NAME (printed)

Zeidan Nesheiwat

APPLICANT'S SIGNATURE

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

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

 X **NONE**

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

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

 TOWN BOARD
 X **PLANNING BOARD**
 X **ZONING BOARD OF APPEALS**
 X **ZONING ENFORCEMENT OFFICER**
 BUILDING INSPECTOR
 OTHER

4/21/21

DATED

INDIVIDUAL APPLICANT

Gas Land Petroleum, Inc.

CORPORATE OR PARTNERSHIP APPLICANT

BY:
Bidan Mshewat
(Pres.) (Partner) (Vice-Pres.)
(Sec.) (Treas.)

NOT APPLICABLE

AGRICULTURAL NOTE

(Required to be placed on all plans where property lies within 500 feet of land in active agricultural production or operation)

Property adjacent to lots (1) is in active agricultural operation and production and residents must be aware that such property is protected by New York State “Right to Farm Laws” as regulated by the Department of Agriculture and Markets. From time to time during and prior to the normal growing season land and crops may be sprayed from the ground or by air, manure may be applied, and periodic noise may occur from machinery operation at various times throughout the day. Residents should be aware of this action by the adjacent property owners.

(1) Specific lots adjacent to the active farming area which are impacted shall be inserted in this space.

NOT APPLICABLE

AGRICULTURAL DATA STATEMENT

(Required pursuant to Agricultural and Markets Law §305-a for applications for site plan approvals, use variances and subdivision approvals that will occur on property within a County Agricultural District containing an active farm operation or on property with boundaries within five hundred feet of an active farm operation located in a County Agricultural District)

Name and address of the applicant: _____

Description of the proposed project: _____

Location of the proposed project: _____

Name(s) and address(es) of any owner(s) of land within a County Agricultural District containing active farming operations and located within five hundred feet of the boundary of the project property: _____

A tax map or other map showing the site of the proposed project relative to the location of the identified farm operations must be attached to this form.

APPLICANT'S SIGNATURE

DATE

ARCHITECTURAL REVIEW

The Town of Newburgh Planning Board had been authorized to act as the Architectural Review Board for all: site plans, projects involving ten or more dwelling units, and any construction that would affect the character of a neighborhood under Section §185-59 of the Town Code (Zoning Law).

In order to perform this task, at some point prior to final approval, the applicant shall provide the Planning Board with elevations of buildings for all sides and a written (separately or on drawings) description of the materials, colors and textures to be used in construction. Plans shall also include topographical information and any screening of portions of the buildings, either existing or proposed.

Samples of the material and colors to be used shall either be submitted to the Planning Board or brought to the meeting at which architectural review will be discussed.

ARCHITECTURAL REVIEW FORM
TOWN OF NEWBURGH PLANNING BOARD

DATE: 4/20/20 _____

NAME OF PROJECT: Gas Land Petroleum - 42 S. Plank Road _____

The applicant is to submit in writing the following items prior to signing of the site plans.

EXTERIOR FINISH (skin of the building):

Type (steel, wood, block, split block, etc.)

COLOR OF THE EXTERIOR OF BUILDING:

ACCENT TRIM:

Location: _____

Color: _____

Type (material): _____

PARAPET (all roof top mechanicals are to be screened on all four sides):

ROOF:

Type (gabled, flat, etc.): _____

Material (shingles, metal, tar & sand, etc.): _____

Color: _____

WINDOWS/SHUTTERS:

Color (also trim if different): _____

Type: _____

DOORS:

Color: _____

Type (if different than standard door entrée): _____

SIGN:

Color: _____

Material: _____

Square footage of signage of site: _____

Please print name and title (owner, agent, builder, superintendent of job, etc.)

Signature

LIST OF ADJACENT PROPERTY OWNERS

Within ten business days following the applicant's first appearance before the Planning Board, the applicant shall forward a letter prepared by the Planning Board or an authorized agent of the Planning Board to all property owners within 500 feet of the land involved in the application, as the names of such owners appear on the last completed assessment roll of the Town, notifying the property owners of the receipt of the plat and application, by first class mail. **The list of property owners shall be provided to the applicant from the Planning Board, through the Town Assessor's office.** The applicant shall thereafter submit a duly executed, notarized affidavit of mailing to the Planning Board. Further appearances before the Planning Board shall be prohibited until an affidavit meeting the requirements has been delivered. In the event a modification to an application proposes an increase in the number of lots or the relocation of a proposed road or drainage basin to a location adjacent to an adjoining property, then a supplementary letter shall be required to be forwarded in the same manner advising of the modification.

Short Environmental Assessment Form Part 1
for
42 S. Plank Road – Gas Land Petroleum
42 South Plank Road (U.S. Route 52)
Town of Newburgh
Orange County, New York



Issued: April 22, 2021

Prepared for:

Gas Land Petroleum
3 South Ohioville Road
New Paltz, NY 12561

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. 82018.00

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SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1 FORM

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- Figure 2: Orthophoto Tax Map
- Figure 3: Land Use Map
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- Figure 5: Aquatic Resources Map
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- Figure 7: NYSOPRHP Cultural Resource Information System (CRIS) Map

ATTACHMENTS

- Attachment A: Suffolk County Loading Rates
- Attachment B: US Fish & Wildlife Service (USFWS) IPaC Resource List
- Attachment C: NYSOPRHP Correspondence

Note: Site Plan submitted separately.

PROJECT NARRATIVE

1.0 PROJECT DESCRIPTION

The Applicant and Owner, Gas Land Petroleum, is seeking site plan approval to construct a new, one-story, 2,300 SF convenience store (located approximately 18 feet north of the existing 1,564 SF, one-story, convenience store, which would be demolished) with associated site improvements (landscaping, parking, vehicular safety upgrades) located at 42 S. Plank Road (NYS Route 52) in the Town of Newburgh. The 0.531-acre parcel is identified as parcel 71-2.11 on the Town of Newburgh Tax Map and is located at the intersection of S. Plank Road and 5th Avenue (Figures 1 and 2). The site was rezoned to Zoning District Business (B) on October 26, 2020. In addition to the existing building, the tax parcel is currently developed with 8 fuel pumps (8 fueling stations)¹ and 13 parking spaces, including 8 spaces at the fuel pumps.

The new 2,300 SF convenience store will feature updated and Town-appropriate architecture and will include a grab-n-go deli (no seating), enhanced kitchen prep areas, ample storage and cooler areas, and a publicly-accessible restroom. The existing 8 fuel pumps would remain unchanged as part of the proposed project. As part of the proposed project, new curbing will be introduced around the east side of the site, which will reduce the access (currently unrestricted) to a single-entry point. A new refuse enclosure will be located west of the northeast corner of the new building. A new landscaped island will be constructed along the eastern edge of the property. Total new parking will include 17 spaces, including the 8 spaces at the pumps. Parking spaces will be located on the south side of the building with sufficient drive aisle space that aligns with the modified entrance on the east side of the site and the existing west side access. An accessible parking space will be added in front of the store and additional parking will be added in the southeast area of the property. Landscaping improvements will include new trees and shrubs along the east, west and north sides of the property as well as new fencing for screening along the northwest, north and northeast parts of the property. The number of fueling stations will remain the same. The proposed project will require area variances for the following: minimum front yard off NYS Route 52; minimum setback to intersection, parking in required yards; and minimum required setback to parked car.

Table 1 provides a list of the approvals/permits that are anticipated for the project.

Table 1: Anticipated Approvals/Permits/Statutory Referrals

AGENCY	APPROVAL/PERMIT
Town of Newburgh Planning Board	Site Plan, Architectural Review
Town of Newburgh Zoning Board of Appeals	Area Variance(s)
Orange County Department of Planning and Development	GML 239m referral
Town of Newburgh Highway Department	Highway Work Permit

2.0 LAND USE AND ZONING

2.1 Land Use

The site is located at the edge of a residential area, wedged between a State highway (NYS Route 52/S. Plank Road) and Fifth Avenue. Commercial properties located adjacent to the site include a former dentist's office (previously known as Francis Indzonka – Dentist at 46 S. Plank Road), which is currently inactive and a

¹ No changes are proposed to the fuel pumps as part of the proposed action.

chiropractor's office (Dane Clark – Chiropractor at 4 Fifth Avenue) (see Figure 3). The site is also located less than ½ mile northeast of other Industrial Business and B-zoned properties, including a property owned by Waterstone, Cooper Electric, and Habitat for Humanity, and less than one mile from the exit ramps providing access to Interstate 84 (I-84).

The existing use of the property is as a Convenience Store and Gasoline Filling Station. No motor vehicle auto repair, auto leasing or sales use takes place on the property. The site has operated as a convenience store and gasoline filling station use since at least 1975.

2.2 Zoning

The site was rezoned to Zoning District Business (B) on October 26, 2020. The bulk and dimensional requirements for the B Zoning District and applicable supplemental regulations are identified in Table 2. As indicated below, the site generally conforms to the bulk and dimensional requirements of the B Zoning District, with some exceptions. Some aspects of the site's development are pre-existing, nonconforming including the provision of the minimum front yard off NYS Route 52 and Fifth Avenue; provision of the minimum setback to an intersection, parking in required yards (not allowed), minimum required setback to parked car, and minimum landscape buffer between residential and non-residential uses at the side yard. The proposed project will require area variances for minimum front yard off NYS Route 52; minimum setback to intersection, parking in required yards; and minimum required setback to parked car but will improve the non-conformance for the minimum front yard off NYS Route 52, minimum landscape buffer at the side yard, and required loading space. Since the use conforms and the proposed project is generally consistent with the Town's Zoning regulations, no significant adverse impacts related to land use or zoning are anticipated to result from the proposed project.

Table 2: Bulk and Dimensional Requirements - B Zoning District and Supplemental Regulations

Convenience Store with Gasoline Filling Station		B District – use subject to PB site plan approval	Existing Condition	Proposed Condition
Lot area SF		20,000 SF	23,123 SF	23,123 SF
Lot width FT		100 FT	130 FT	130 FT
Lot depth FT		125 FT	221 FT	221 FT
Front yard FT ¹	NYS Route 52	50 FT (185-18(C)(4)(b))	⁵ Pre-existing Nonconforming 37.1 FT	⁶ 41.3 FT
	Fifth Avenue	40 FT	⁵ Pre-existing Nonconforming 29.6 FT (Fifth Ave)	41.5 FT
Rear yard FT ²		30 FT	55.3 FT	31.5 FT
1 side yard FT ²		25 FT	46.7 FT	25.6 FT
Setback to intersection ³		50 FT	⁵ Pre-existing Nonconforming 22 FT	⁵ ⁶ 22 FT
Lot building coverage % ⁴		50%	6.9%	9.9%
Lot surface coverage %		80%	60.8%	67.3%
Building height FT		35 FT	< 35 FT	< 35 FT
Parking in required yards		Not allowed	⁵ Pre-existing Nonconforming - Parking spaces located in front and side Yards	⁶ Parking spaces in front yard off Fifth Avenue and loading in the side yard
Minimum setback to parked car		10 FT	⁵ Pre-existing Nonconforming 7 FT	⁶ 4.5 FT
Landscape buffer between Residential and Nonresidential		15 FT, rear yard (185-21(D)(2))	55.3 FT (rear) ⁵ Pre-existing Nonconforming 9.5 FT (side)	31.5 (rear) 10 FT (side)
Required Parking: Convenience Store		1 space per 150 SF gross leasable floor space	1,564 SF convenience store / 150 SF = 11 required spaces. 13 spaces provided (including 8 spaces at the pumps)	2,300 SF convenience store/150 SF = 16 required spaces 17 spaces provided (including 8 spaces at the pumps)
Required Loading		< 25,000 SF = 1 space	Pre-existing Nonconforming - 0 space provided	1 space provided

¹Town Code § 185-18(c)(4)(b) states, “front yards abutting all County and State highways shall be at least 60 feet in depth, except where the majority of existing buildings on either side of the road within 300 feet from the intersection of the nearest property line and street line are of a lesser average depth. In such case, the front yard depth shall be 50 feet or the average of all lot depths within said 300 feet, whichever is greater.” ²Town Code § 185-18(C)(5)(a) states, “Minimum Adjacent Side and Rear Yard Requirements for Lots in B District Abutting Residential Zones: If total building floor area is less than 30,000 SF, then the greater of the minimum required yard set forth in the B district Table of Bulk and Use Requirements – Schedule 7, or 25 feet.” Schedule 7 regulates a 30 FT rear yard, which is the greater of the two. Schedule 7 regulates a 15 FT side yard, which is less than 25 FT; therefore, 25 FT is required. ³Town Code § 185-13-B(4) states, “no access within 50 feet of any street intersection.” ⁴ Maximum lot building coverage is 40% if no public water or sewer and 50% if public water and sewer. ⁵ Pre-existing nonconformance. ⁶ Area variance required.

2.3 Public Policy

Town of Newburgh 2005 Comprehensive Plan

The Town’s Comprehensive Plan (“Plan”) was written in 2005 following a time of heightened development and growth. The Plan focuses on planning for growth through short, intermediate and long-term actions related to infrastructure and utilities, transportation and planning and zoning. The site is located within the southern half of the Town, which is described in the Plan as having a higher density residential area and commercial corridors.

The project site is not identified specifically in the Plan, but the Plan does include an implementation action to update the definitions of convenience store and motor vehicle service stations². According to Zoning Section 185-3, a convenience store is defined 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 § 185-28 if it is on the same lot with a car wash or motor vehicle service station.”

As stated above, the existing use does not include a car wash or motor vehicle service station; therefore § 185-28 does not apply as the existing use (convenience store selling gasoline and no automobile service or car wash provided) on the Property is within the Zoning Code’s definition of a convenience store.

The proposed project will improve the aesthetics, accessibility, and vehicular safety of the site, including modifications to the site to reduce unrestricted access off 5th Avenue. Accordingly, the proposed project is consistent with the objectives of Town public policy.

Town of Newburgh 2007 Design Guidelines

The 2007 Design Guidelines were established to assist the Town and Applicants in understanding pertinent design and aesthetic standards, “to ensure that new developments better retain the visual, environmental, and architectural characteristics that express the history and character of the Town.” The design guidelines are intended to supplement the zoning regulations and provide information related to

² Zoning Section 185-3 defines a Motor Vehicle Service Station as a, “building or lot or part thereof where refueling and related services are available to the public, operated for gain, including repair, greasing, washing, servicing, adjusting, equipping, lease or rental of automobiles or other motor vehicles, but not including the storing, holding or displaying of the same for sale or resale, except as to the holding of a vehicle for not more than 60 days for insurance appraisal purposes covering property damage claims and except as to the holding of a vehicle for the required period to perfect or protect a garageman’s lien pursuant to statute.”

what may be expected as part of the Architectural Review Board's (ARB) review. The Guidelines apply to residential subdivisions of 10 or more lots, and every application requiring site plan review by the Planning Board, including both non-residential and residential developments; therefore, these guidelines apply to the proposed project.

The design principles are stated as follows:

- Development patterns should be sensitive to Newburgh's rural character and natural environment;
- Building designs should be sensitive to Newburgh's architectural heritage and aesthetic character;
- Development should strengthen the identity and importance of the Town's hamlets;
- Preserve open space and resource lands;
- Protect and preserve hilltops, ridgelines and viewsheds; and
- Roadways should encourage a variety of uses including pedestrian, bicycle and vehicular travel.

The Guidelines include a section on commercial area design, much of which is dedicated to site planning. As the project site is already developed gasoline pumps and associated storage many of these cannot be implemented. Nevertheless, the site plan does implement several guidelines, including:

- Minimize the impact of commercial properties upon surrounding residential properties.
 - The proposed project includes new landscaping along the north property line, and at the east and west sides of the building with supplemental landscaping added throughout the site. New fencing for screening is proposed along the northwest, north and northeast parts of the property.
- Entry/Exit Ways.
 - The proposed project includes a modified east entrance, which reduces entry and exit opportunities to improve traffic movement on/off site.
- Service Areas: Garbage Disposal
 - The proposed project includes a new refuse enclosure, which will be further screened by new landscaping.

The proposed project will meet many of the building design guidelines, including:

- New commercial building designs should evoke the character of existing traditional buildings in the surrounding area.
 - The proposed project includes construction of a new convenience store building, which will be contextual with the surrounding neighborhood and will feature Town appropriate architecture, including hardie board, etc. Elevations will be provided separately for the Town's review.
 - No changes to signage (existing two Mobil signs on canopy, none on convenience store)
 - Site lighting will be updated to feature decorative wall mounted and pedestrian scale light post fixtures.

The proposed project includes construction of a new convenience store building. The amended site plan has been designed to minimize negative effects on neighboring residential uses; therefore, the new convenience store building is located to the north (or rear) of the existing building (which would be

demolished), with parking placed on the east and south away from the neighbors. The proposed project will improve the aesthetics, accessibility, and vehicular safety of the site and is anticipated to be consistent with the objectives of the design guidelines.

3.0 UTILITIES

3.1 Water and Wastewater

The new 2,300 SF convenience store will include a grab-n-go deli (no seating), enhanced kitchen prep areas, ample storage and cooler areas, and a publicly-accessible restroom.

The project site is currently developed with a convenience store and public toilet. Based on the New York State Department of Environmental Conservation (NYSDEC) Water and Wastewater Systems Design and Construction Standards, the design flow for a facility with a public toilet is 400 gpd.

The NYSDEC Design Standard for Wastewater Treatment Works, 2014, does not provide anticipated hydraulic loading rates for a convenience store with minor food preparation. Therefore, Table 1 – Project Density Loading Rates & Design Sewage Flow Rates, from the Suffolk County Department of Health Services (Attachment A). This table provides a hydraulic load for a “wet store w/food (deli/take-out with max 16 seats single service³), where single service is defined as disposable plates, silverware & cups of 0.15 GPD for each gross square foot of floor space.” The proposed convenience store will not have seating. Based on this loading, the expected flow would be 345 gpd (2,300 square feet x 0.15).

Therefore, the total anticipated water demand and wastewater generation is anticipated to be 745 gpd (400 gpd + 345 gpd). The project site is currently connected to municipal water and sewer service and the additional water demand and wastewater generation is anticipated to be accommodated without negative impact to the water or sewer district.

3.2 Stormwater

The project site is connected to the municipal stormwater system. The proposed project will result in less than one acre of physical ground disturbance at the site. Therefore, no stormwater pollution prevention plan (SWPPP) is required. Erosion and sediment controls will be in place during construction.

4.0 WATER RESOURCES AND FLOODPLAIN

According to available GIS data and New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Map (Figures 5 and 6), there are no floodplains, mapped streams, National Wetland Inventory (NWI) wetlands, or NYSDEC regulated wetlands or adjacent areas on or adjacent to the project site. Therefore, no adverse impacts to water resources are anticipated, and no impacts related to floodplains will occur.

³ Single service is defined as disposable plates, silverware and cups.

5.0 ENDANGERED, THREATENED & RARE SPECIES AND SIGNIFICANT HABITAT

According to the NYSDEC Environmental Resource Mapper (ERM) (Figure 6), there are no known occurrences of endangered, threatened or rare species on or in the vicinity of the project site. The NYSDEC ERM indicates that the site does not include nor is it near a Significant Natural Community.

The US Fish & Wildlife Service (USFWS) IPaC Resource List (Attachment B) indicates the potential for the Indiana Bat (endangered), Northern Long-Eared Bat (threatened), and Small Whorled Pogonia in the vicinity of the project site. There are no trees proposed to be removed as part of the project; therefore, no adverse impacts to bats are anticipated to occur as part of the proposed project.

According to the USFWS, the Small Whorled Pogonia, “grows in a variety of upland, mid-successional, wooded habitats, usually mixed-deciduous or mixed-deciduous/coniferous forests that are in second or third-growth successional stages. Canopy trees are typically 40 to 75 years old and 8 to 18 inches in diameter. Characteristics of this species’ habitat include a sparse herb and shrub layer, a relatively open understory canopy, thick leaf litter on the forest floor, and gently sloping ground.”⁴ The project site is completely developed and does not present the habitat presented above. Therefore, no adverse impacts to the Small Whorled Pogonia are anticipated to occur.

6.0 HISTORIC AND ARCHEOLOGICAL RESOURCES

According to the NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) Cultural Resource Information System (CRIS) mapping (Figure 7), the project site does not contain nor is it located substantially contiguous to a listed or eligible resource on the National or State Registers of Historic Places. The project site is not located within an area known to be sensitive for archeological resources. The project site is in a developed area and is completely disturbed, consisting of mostly building and parking area. Physical disturbance associated with the proposed project will include areas that have been previously disturbed. A submission was made to NYSOPRHP as part of an earlier project to renovate the façade of the existing building and add a 760-foot addition with related site improvements similar to those being undertaken as part of the proposed project. In a May 5, 2020 letter, NYSOPHRP stated, “Based on the information provided, OPHRP has no concerns regarding the proposed project under SEQRA. Should the project design be changed, we recommend further consultation with this office.” A new submittal will be made to NYSHOPRHP to update them on the currently proposed project.

⁴ Small Whorled Pogonia. Fact Sheet. <https://www.fws.gov/northeast/njfieldoffice/Endangered/pogonia.html>

SHORT ENVIRONMENTAL ASSESSMENT FORM (SEAF)

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

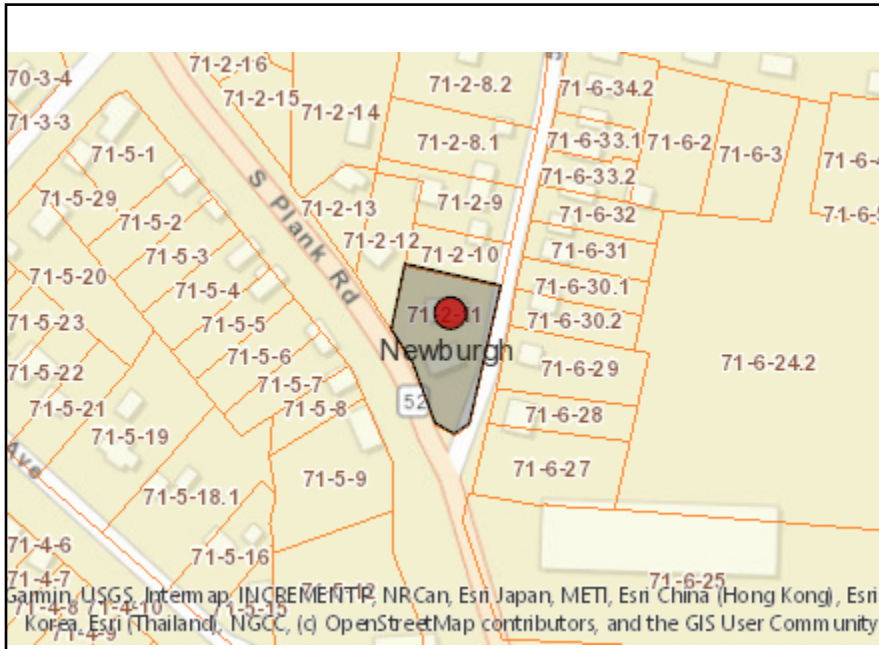
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)				
<input type="checkbox"/> Forest Agriculture Aquatic Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. 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? b. 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?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? According to the USFWS, the Site is within the vicinity of the Indiana Bat, Northern Long-eared Bat, and the Small Whorled Pogonia. No impacts to these species is anticipated to occur. See attached narrative.	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature:  Title: _____		

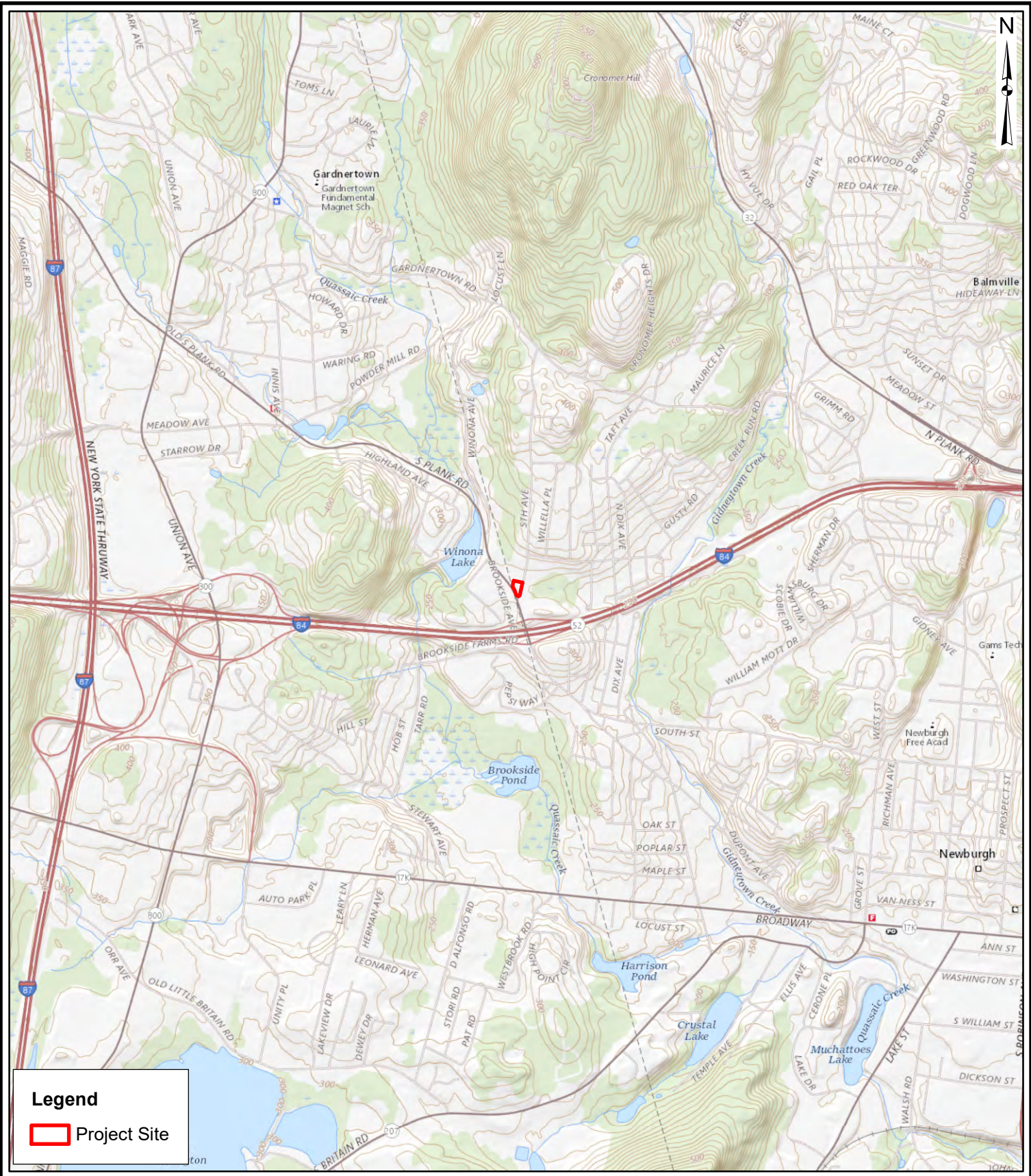


Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the 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.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

FIGURES



Legend

Project Site

THE Chazen COMPANIES

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LAND SURVEYORS
PLANNERS
ENVIRONMENTAL & SAFETY PROFESSIONALS
LANDSCAPE ARCHITECTS

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

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

North Country Office:
375 Bay Road, Queensbury, NY 12804
Phone: (518) 812-0513

Plank Road - GasLand

USGS Location Map

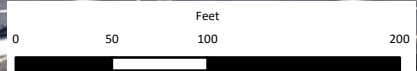
Town of Newburgh, Orange County, New York

Drawn:	SPL
Date:	04/09/2020
Scale:	1 inch = 2,000 feet
Project:	82018.00
Figure:	1



Legend

- Project Site
- Tax Parcels



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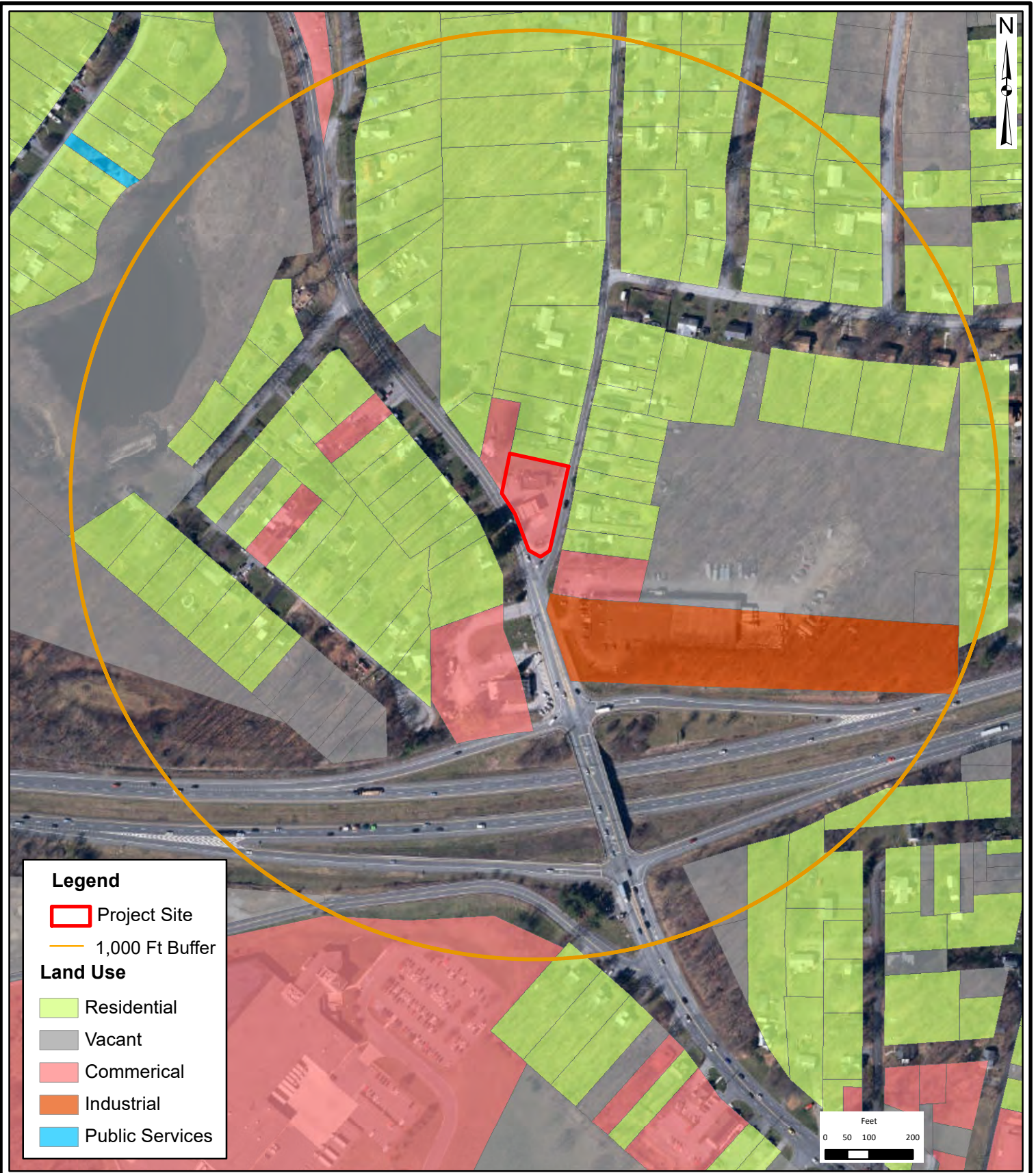
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Plank Road - GasLand

Orthophoto Tax Map

Town of Newburgh, Orange County, New York

Drawn:	SPL
Date:	04/09/2020
Scale:	1 inch = 100 feet
Project:	82018.00
Figure:	2



Legend

- Project Site
- 1,000 Ft Buffer

Land Use

- Residential
- Vacant
- Commerical
- Industrial
- Public Services

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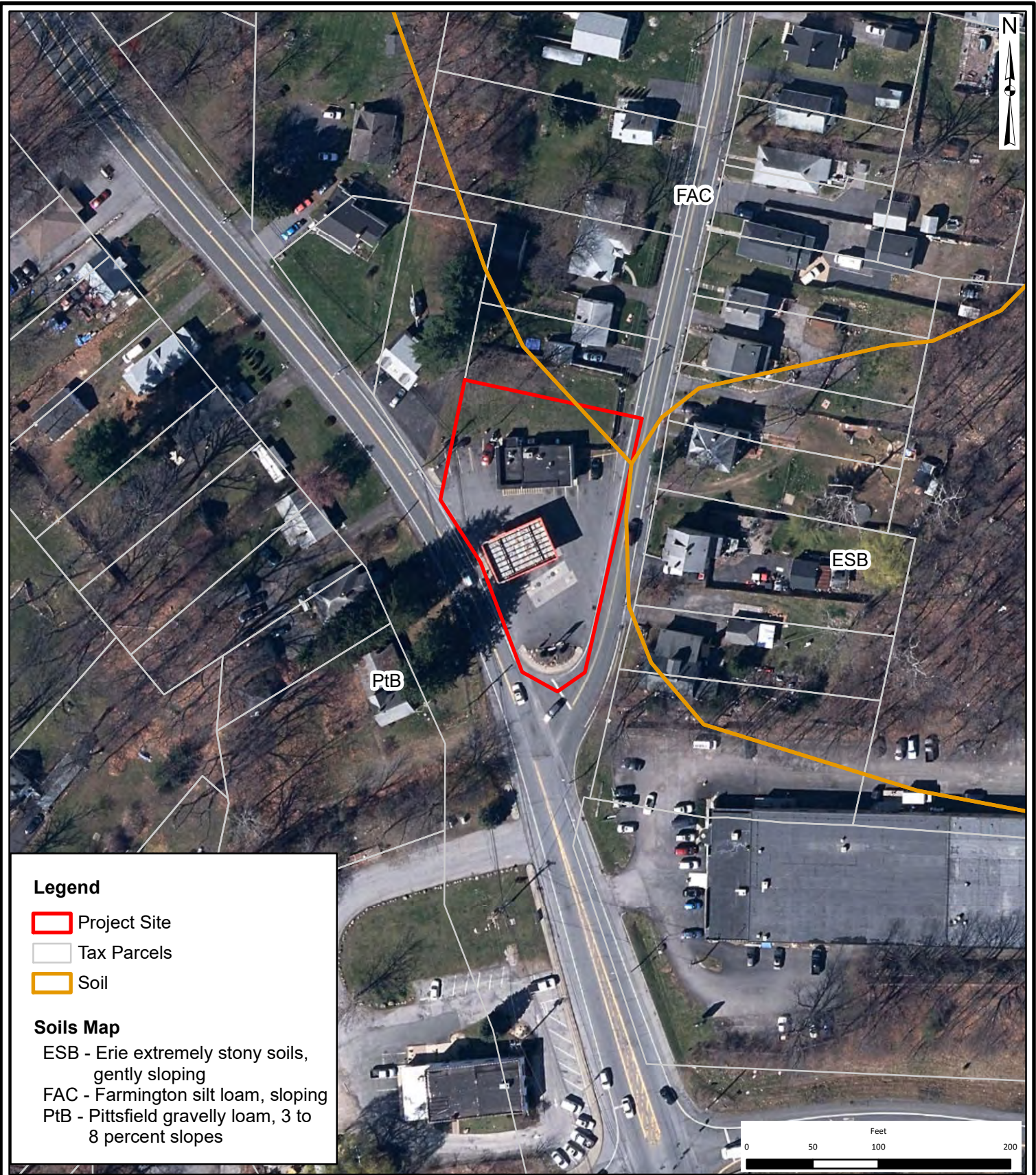
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Plank Road - GasLand

Land Use Map

Town of Newburgh, Orange County, New York

Drawn:	SPL
Date:	04/09/2020
Scale:	1 inch = 300 feet
Project:	82018.00
Figure:	3



Legend

- Project Site
- Tax Parcels
- Soil

Soils Map

ESB - Erie extremely stony soils, gently sloping
 FAC - Farmington silt loam, sloping
 PtB - Pittsfield gravelly loam, 3 to 8 percent slopes

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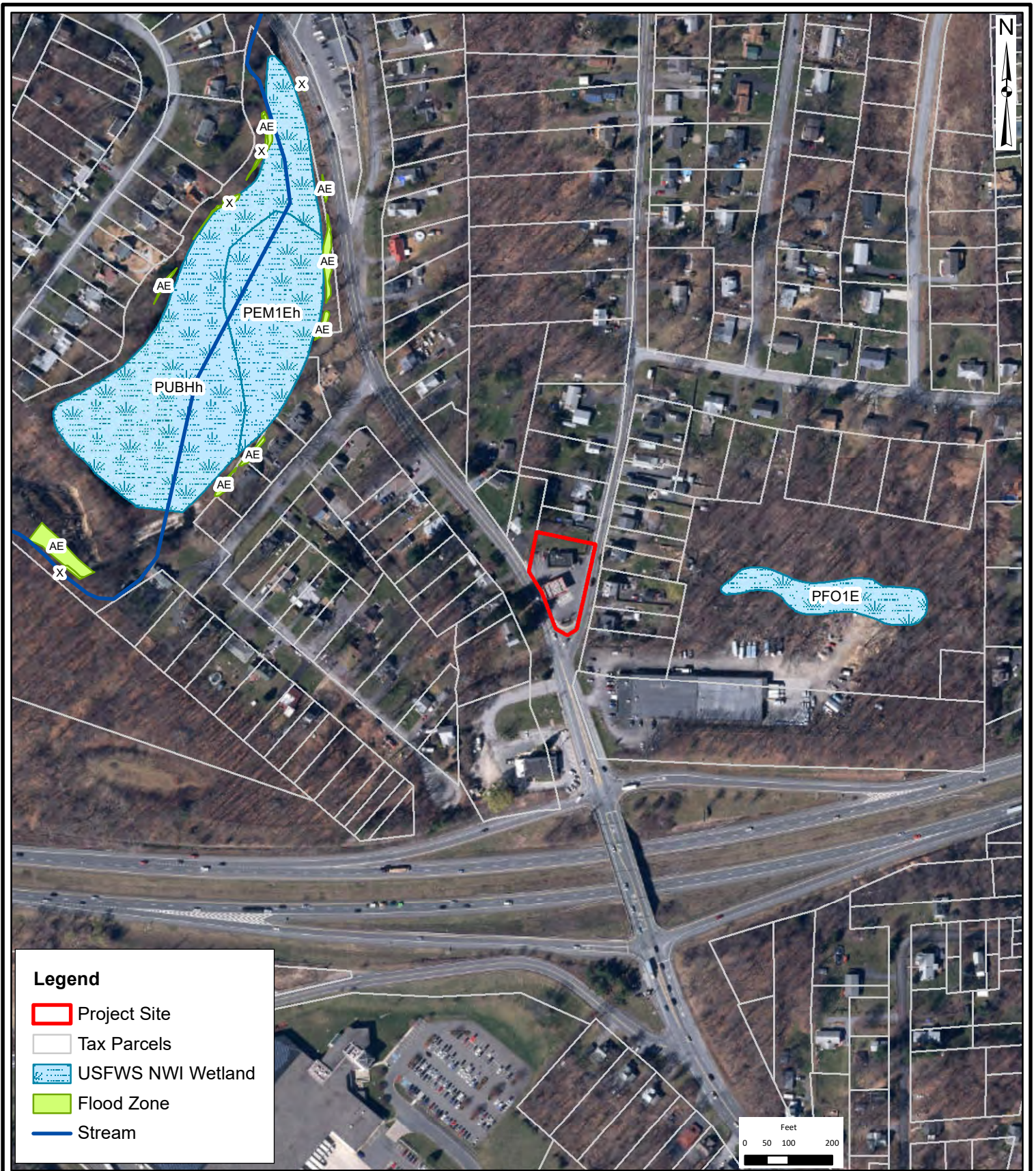
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Plank Road - GasLand

Soils Map

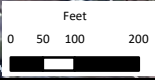
Town of Newburgh, Orange County, New York

Drawn:	SPL
Date:	04/09/2020
Scale:	1 inch = 100 feet
Project:	82018.00
Figure:	4



Legend

- Project Site
- Tax Parcels
- USFWS NWI Wetland
- Flood Zone
- Stream



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Plank Road - GasLand

Wetland, Streams and Floodplain Map

Town of Newburgh, Orange County, New York

Drawn:	SPL
Date:	04/09/2020
Scale:	1 inch = 300 feet
Project:	82018.00
Figure:	5

Environmental Resource Mapper

Base Map: Topographical Using this map

Search

Tools

Layers and Legend

- State Regulated Wetland Checkzone
- Significant Natural Communities
- Natural Communities Near This Location
- Rare Plants or Animals

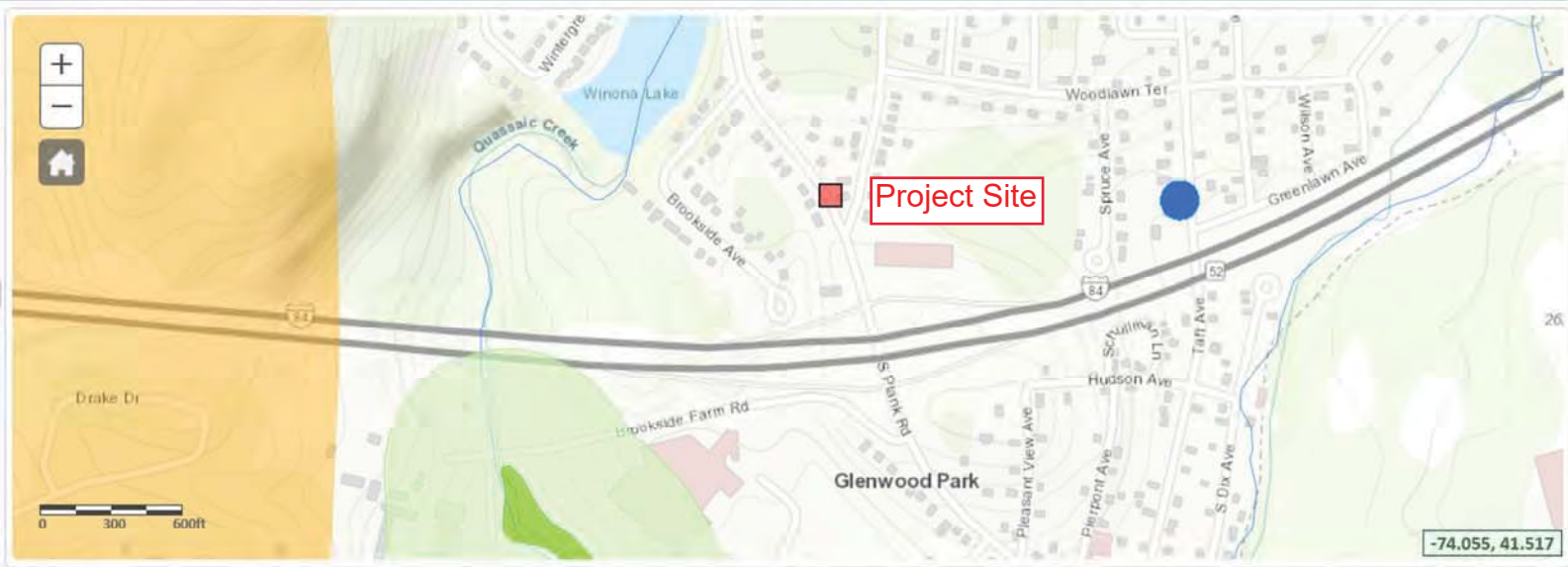
Other Wetland Layers

Reference Layers

Tell Me More...

Need A Permit?

Contacts



Agencies
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App Directory

Counties

Events

Programs

Figure 6

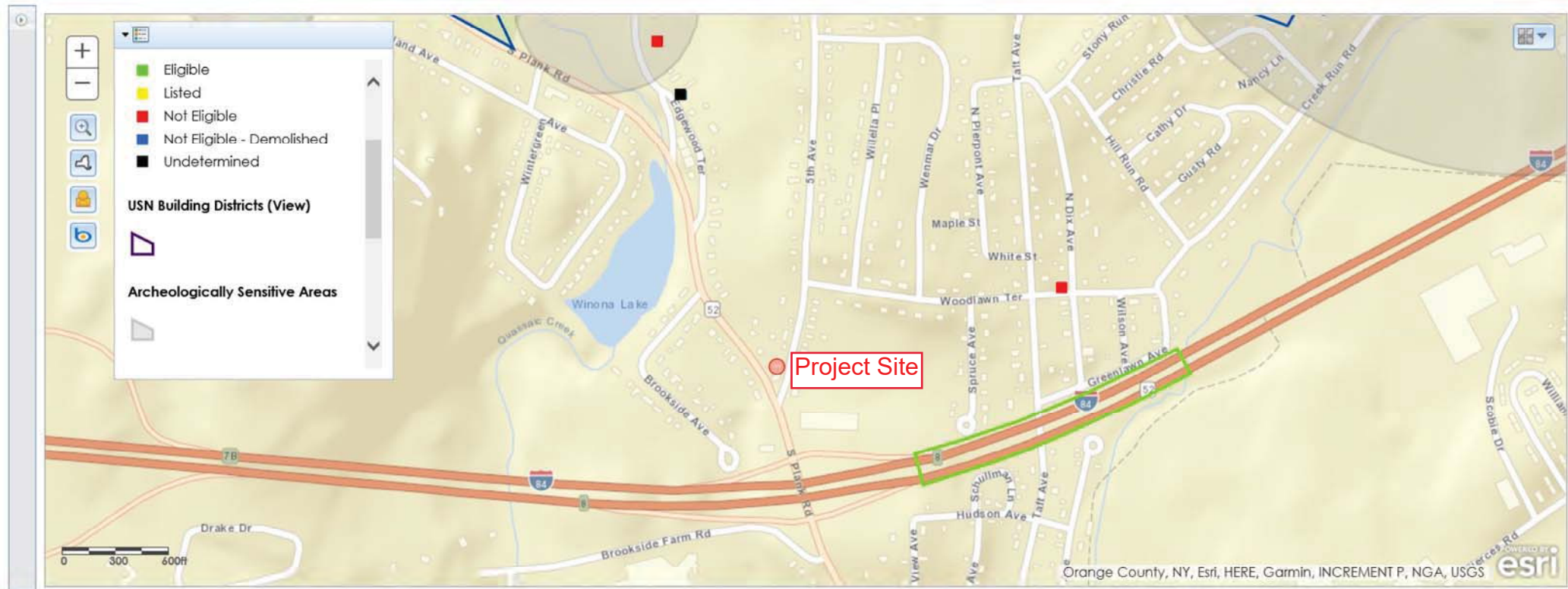


Figure 7

ATTACHMENT A

Suffolk County Loading Rates

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY
DEPARTMENT OF HEALTH SERVICES
DIVISION OF ENVIRONMENTAL QUALITY

**STANDARDS FOR APPROVAL OF PLANS
AND CONSTRUCTION FOR
SEWAGE DISPOSAL SYSTEMS FOR
OTHER THAN SINGLE-FAMILY RESIDENCES**

Originally Issued on July 15, 2008

James L. Tomarken, MD, MPH, MBA, MSW
Commissioner of Health Services

Walter Dawydiak, PE, JD
Acting Director of Environmental Quality

TABLE 1 - PROJECT DENSITY LOADING RATES & DESIGN SEWAGE FLOW RATES
(Based upon gross floor area in square feet (sf) unless otherwise noted)

Structure Use	Density Load	Kitchen/Gray Load	Hydraulic Load
FOOD SERVICE			
Bar (in restaurant)	10 gpd/seat	5 gpd/seat	15 gpd/seat
Bar, Tavern, Disco (no fixed seating)	10 gpd/occupant ¹	5 gpd/occupant ¹	15 gpd/occupant ¹
Bar (outdoor/seasonal)	5 gpd/seat	2.5 gpd/seat	7.5 gpd/seat
Cafeteria (open to public)	See Primary use + 5 gpd/seat	2.5 gpd/seat	Primary use + 7.5 gpd/seat
Cafeteria/Continental Breakfast (not open to public)	See Primary Use	2.5 gpd/seat	Primary use + 2.5 gpd/seat
Snack Bar	See Primary Use	0.12 gpd/sf	Primary use + 0.12 gpd/sf
Juice Bar	See Primary Use	2.5 gpd/seat	Primary use + 2.5 gpd/seat
Catering Hall	5 gpd/seat	2.5 gpd/seat	7.5 gpd/seat
Outside Patio Dining	5 gpd/seat	10 gpd/seat	15 gpd/seat
Restaurant (full service or single services > 16 seats ²)	10 gpd/seat	20 gpd/seat	30 gpd/seat
Wet store w/ food (Deli/take-out with max 16 seats single service ²)	0.03 gpd/sf	0.12 gpd/sf	0.15 gpd/sf
Convenience store/Market/Farm Stand	0.03 gpd/sf	0.02 gpd/sf	0.05 gpd/sf
Commercial Bakery	0.04 gpd/sf	0.02 gpd/sf	0.06 gpd/sf
Wine/Beer Tasting (in a winery/brewery only)	5 gpd/occ	2.5 gpd/occ	7.5 gpd/occ
GENERAL INDUSTRIAL			
General Industrial ³	0.04 gpd/sf	Industrial process water ⁴	0.04 gpd/sf
Greenhouse	0.03 gpd/sf	N/A	0.03 gpd/sf
MEDICAL			
Drug Rehabilitation	75 gpd/bed	See note ⁵	75 gpd/bed
Mental Health Residence	75 gpd/bed	See note ⁵	75 gpd/bed
Hospital	300 gpd/bed	See note ⁵	300 gpd/bed
Nursing Home	150 gpd/bed	See note ⁵	150 gpd/bed
Assisted Living	110 gpd/bed	See note ⁵	110 gpd/bed
Medical office space	0.10 gpd/sf	N/A	0.10 gpd/sf
Dialysis Center	0.10 gpd/sf	Dialysis process water ⁴	0.10 gpd/sf
Veterinary ⁶	0.10 gpd/sf + 10 gpd/animal boarding	N/A	0.10 gpd/sf + 10 gpd/animal boarding

MUNICIPAL SERVICES			
Library, firehouse, precinct, museum, art gallery (w/ meeting rooms)	0.03 gpd/sf + 5 gpd/occupant ¹ for meeting rooms	2.5 gpd/occupant ¹	0.03 gpd/sf + 5 gpd/occupant ¹ + 2.5 gpd/occupant ¹
Library, firehouse, precinct, museum, art gallery (w/o meeting rooms)	0.03 gpd/sf	2.5 gpd/occupant ¹	0.03 gpd/sf + 2.5 gpd/occupant ¹
OFFICE			
Non-medical office space	0.06 gpd/sf		0.06 gpd/sf
RECREATION			
Bath house/comfort station	5 gpd/occupant ¹	5 gpd/shower/occupant ¹ + Food service ⁷	5 gpd/occupant ¹ + 5 gpd/shower/occupant + Food service ⁷
Bowling alley/tennis court/racquetball	100 gpd/court or alley	Food service ⁷	100 gpd/court or alley + Food service ⁷
Miniature golf	15 gpd/parking space	Food service ⁷	15 gpd/parking space + Food service ⁷
Ice/roller Skating Rink	15 gpd/skater ¹ + 5 gpd/specator ¹	Food service ⁷	15 gpd/skater ¹ + 5 gpd/specator ¹ + Food service ⁷
Recreation	15 gpd/parking space	Food service ⁷	15 gpd/parking space + Food service ⁷
Spa/Fitness Center/ Karate/Dance/etc. (w/ showers & amenities)	0.1 gpd/sf	0.2 gpd/sf + Food service ⁷	0.3 gpd/sf + Food service ⁷
Spa/Fitness Center/ Karate/Dance/etc. (w/o showers & amenities)	0.1 gpd/sf	Food service ⁷	0.1 gpd/sf + Food service ⁷
Marina	10 gpd/boat slip	Food service ⁷	10 gpd/boat slip + Food service ⁷
OTB	5 gpd/person	Food service ⁷	5 gpd/person + Food service ⁷
Theater	3 gpd/seat	Food service ⁷	3 gpd/seat + Food service ⁷
Horse Farm ⁶	0.04 gpd/sf + 10 gpd/stall		0.04 gpd/sf + 10 gpd/stall
Camp Ground	10 gpd/camper	5 gpd/shower/camper	10 gpd/camper + 5 gpd/shower/camper
Billiard Hall	5 gpd/occ	2.5 gpd/occ	7.5 gpd/occ
RESIDENTIAL			
Single Family Residence	300 gpd		300 gpd
Two Family Residence	600 gpd		600 gpd
Rooming house	75 gpd/bed		75 gpd/bed

Motel/Hotel unit up to 400 sq.ft. gross floor area w/o kitchenette (w/kitchenette see Housing Unit)	100 gpd/unit		100 gpd/unit
Motel/Hotel unit > 400 sq.ft. gross floor area w/o kitchenette (w/kitchenette see Housing Unit)	150 gpd/unit		150 gpd/unit
Housing Unit ⁸ up to 600 sq.ft. gross floor area	150 gpd/unit		150 gpd/unit
Housing Unit ⁸ between 601-1200 sq.ft. gross floor area	225 gpd/unit		225 gpd/unit
Housing Unit ⁸ > 1200 sq.ft. gross floor area	300 gpd/unit		300 gpd/unit
PRC unit up to 600 sq.ft. gross floor area	100 gpd/unit		100 gpd/unit
PRC unit between 600-1600 sq.ft. gross floor area	150 gpd/unit		150 gpd/unit
PRC unit between 1600-2000 sq.ft. gross floor area	225 gpd/unit		225 gpd/unit
PRC unit > 2000 sq.ft. gross floor area	300 gpd/unit		300 gpd/unit
RETAIL			
Dry store	0.03 gpd/sf		0.03 gpd/sf
Wet store w/o Food (Hair salon, nail salon, pet shop w/o animal boarding etc.)	0.03 gpd/sf	0.07 gpd/sf	0.1 gpd/sf
Car Dealership	0.03 gpd/sf for showroom/offices + 0.04 gpd/sf for maintenance/storage areas		0.03 gpd/sf for showroom/offices + 0.04 gpd/sf for maintenance/storage areas
Massage/Tanning	0.03 gpd/sf		0.03 gpd/sf
Tattoo Parlor	0.03 gpd/sf		0.03 gpd/sf
SCHOOL			
Boarding school/Dormitory	75 gpd/capita ¹	2.5 gpd/capita ¹	77.5 gpd/capita ¹
Day School	5 gpd/capita ¹	2.5 gpd/capita ¹	7.5 gpd/capita ¹
MISCELLANEOUS			
Car Wash	0.04 gpd/sf	Car wash process water ⁴	0.04 gpd/sf
Laundromat	0.03 gpd/sf	Laundromat process water ⁴	0.03 gpd/sf

Funeral Home	0.05 gpd/sf	Funeral Home process water ⁴	0.05 gpd/sf
House of Worship (w/ meeting rooms)	1.5 gpd/seat + 5 gpd/occupant ¹ for meeting rooms	2.5 gpd/occupant ¹	1.5 gpd/seat + 5 gpd/occupant ¹ + 2.5 gpd/occupant ¹
House of Worship (w/o meeting rooms)	1.5 gpd/seat	2.5 gpd/occupant ¹	1.5 gpd/seat + 2.5 gpd/occupant ¹
Public Storage ⁹	0.04 gpd/sf		0.04 gpd/sf
Animal boarding ⁶	0.03 gpd/sf + 10 gpd/animal		0.03 gpd/sf + 10 gpd/animal
Winery/Brewery	0.04 gpd/sf	Winery/Brewery process water ⁴	0.04 gpd/sf

¹ Occupancy ratings can be determined using New York State Uniform Fire Prevention and Building Code as a guide.

² Single Service means disposable plates, silverware & cups. Takeout seating is for waiting patrons and is not convertible to full seating or for density credit at full service restaurants.

³ General industrial buildings may contain up to 15% related office space without applying a proportionate office density loading or flow rating to the space. If office space exceeds 15% of gross floor area, then a proportionate office density loading or flow rating must be applied to the entire office space.

⁴ Process waters require a separate permit and disposal facilities – Consult Department.

⁵ A grease trap shall be provided for this installation which is sized at 20 gpd/bed.

⁶ A separate sewage disposal system shall be provided for wastewater generated from animal boarding, horse stalls, or kennel areas.

⁷ Food (kitchen) flow is added according to the type of food service in the establishment.

⁸ Motel/Hotel with Kitchenettes, Cottages, Apartments, Condominiums, Mobile Homes, Trailers, or Co-Ops.

⁹ Public storage density and/or design flow may be reduced if restrictive covenants are recorded on the parcel.

Note: The above table is subject to amendment from time to time as data becomes available to the Department. The table will be republished as an addendum to these standards if and when revised.

ATTACHMENT B
USFWS IPaC Resource List

IPaC Information for Planning and Consultation U.S. Fish & Wildlife Service

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Orange County, New York



Local office

New York Ecological Services Field Office

☎ (607) 753-9334

📠 (607) 753-9699

3817 Luker Road

Cortland, NY 13045-9385

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [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.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5949	Endangered

Northern Long-eared Bat *Myotis septentrionalis* Threatened
 No critical habitat has been designated for this species.
<https://ecos.fws.gov/ecp/species/9045>

Flowering Plants

NAME	STATUS
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1890	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act

¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are

available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Sep 1 to Aug 31

Black-billed Cuckoo *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9399>

Breeds May 15 to Oct 10

Black-capped Chickadee *Poecile atricapillus praticus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Apr 10 to Jul 31

Canada Warbler *Cardellina canadensis*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Aug 10

Prairie Warbler *Dendroica discolor*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

Red-headed Woodpecker *Melanerpes erythrocephalus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

Rusty Blackbird *Euphagus carolinus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

Wood Thrush *Hylocichla mustelina*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31

Yellow-bellied Sapsucker *sphyrapicus varius*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/8792>

Breeds May 10 to Jul 15

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (l)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

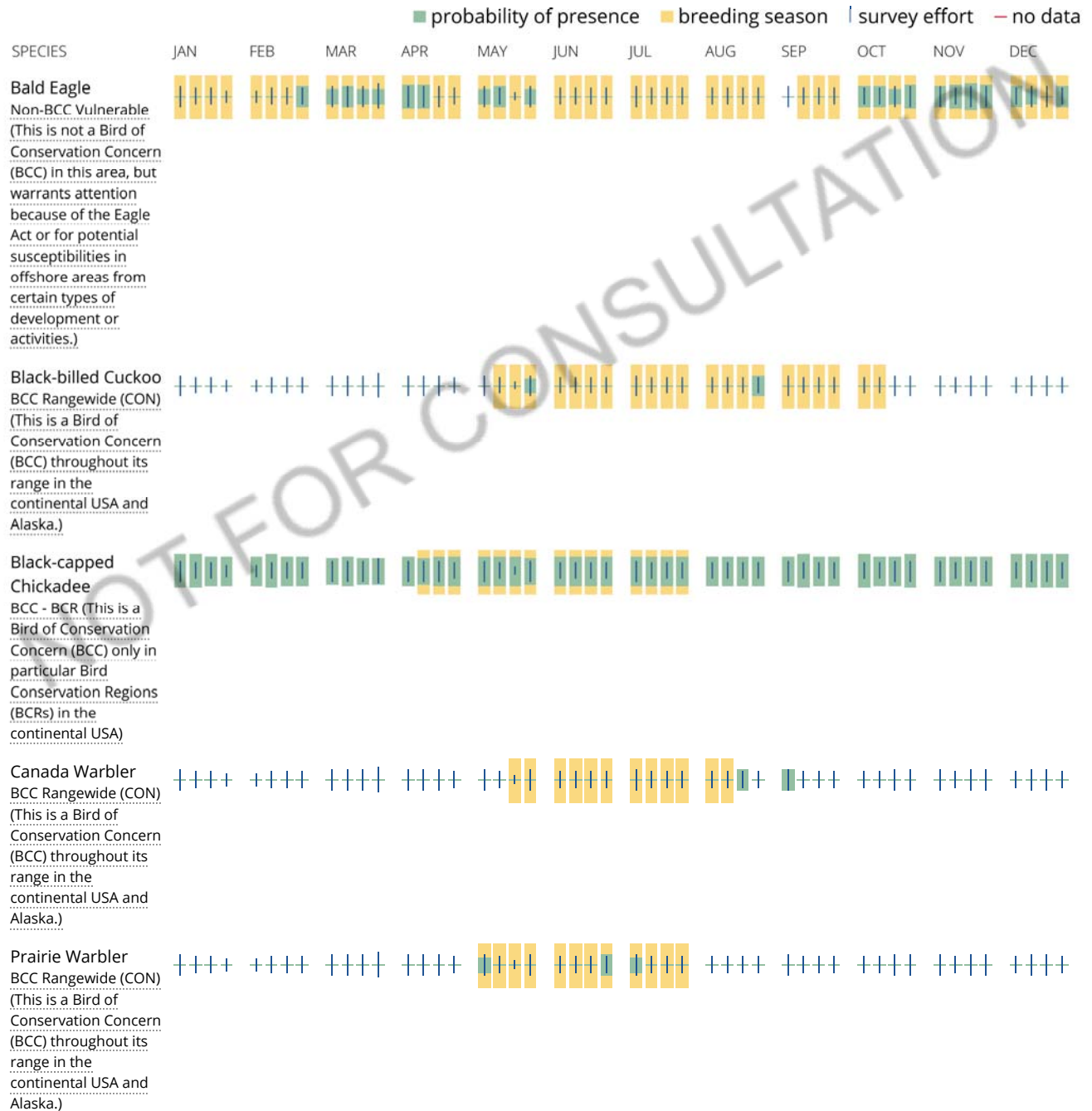
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

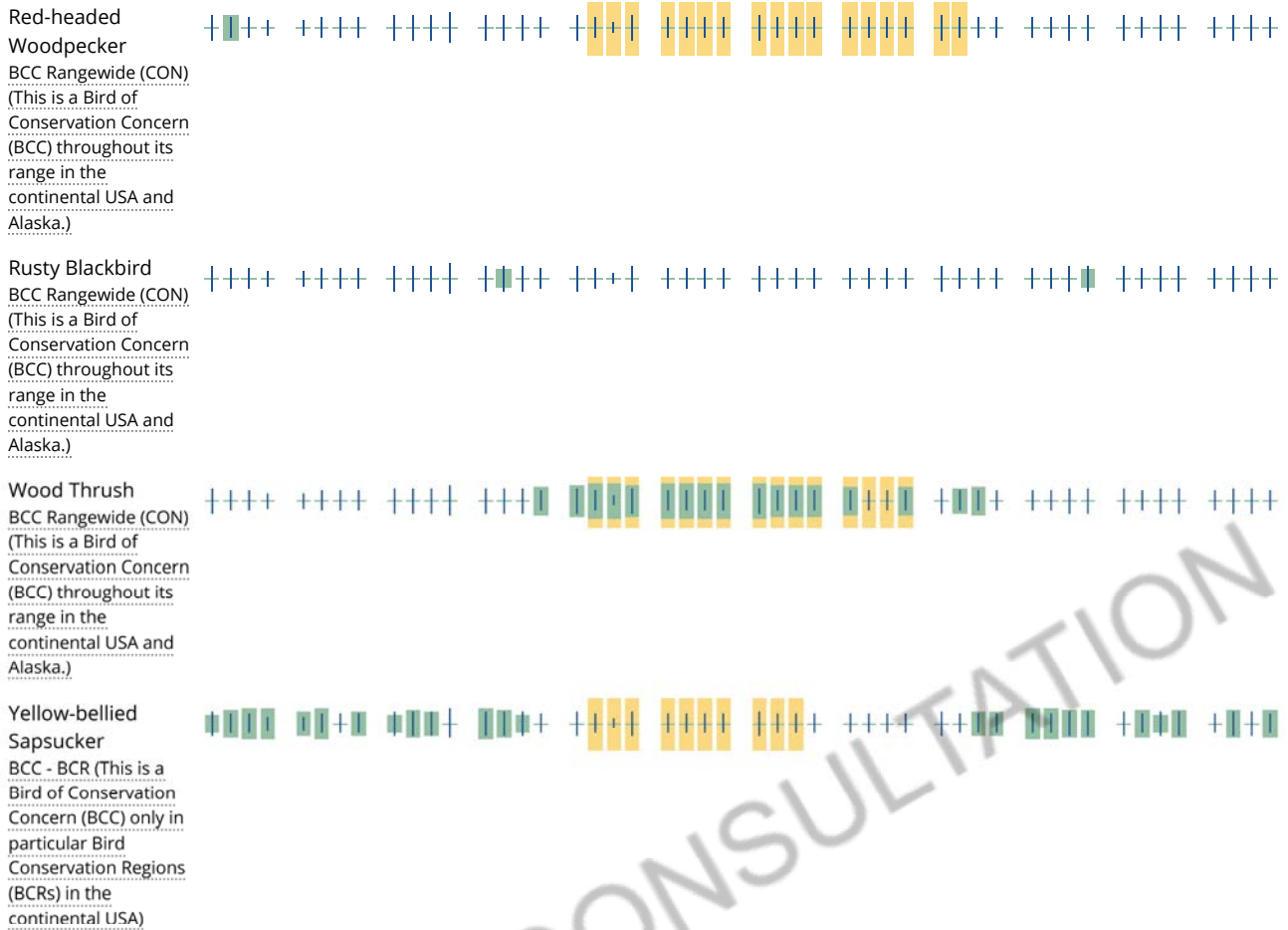
No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high

survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

ATTACHMENT C
NYSOPRHP Correspondence



**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

May 15, 2020

Caren LoBrutto
Chazen Companies
21 Fox Street
Poughkeepsie, ny 12601

Re: SEQRA
42 S. Plank Road Service Station Renovation
42 S Plank Rd, Newburgh, NY 12550
20PR02966

Dear Caren LoBrutto:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

If this project will involve state or federal permitting, funding or licensing, it may require additional review for potential impacts to architectural and archaeological resources, in accordance with Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

Based on the information provided, OPHRP has no concerns regarding the proposed project under SEQRA. Should the project design be changed, we recommend further consultation with this office.

If you have any questions, please don't hesitate to contact me.

Sincerely,

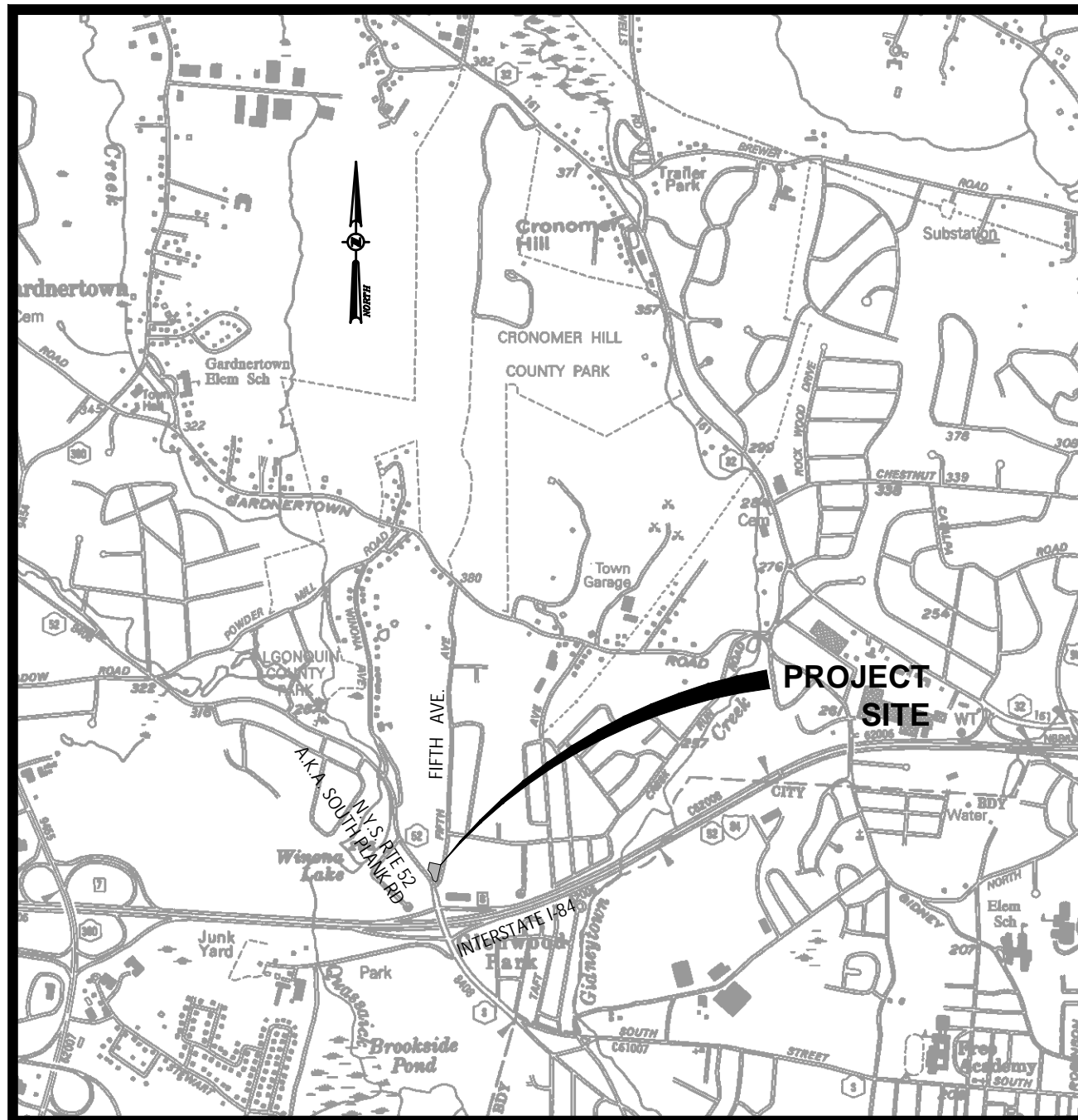
Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit
Phone: 518-268-2175
e-mail: philip.perazio@parks.ny.gov

via email only

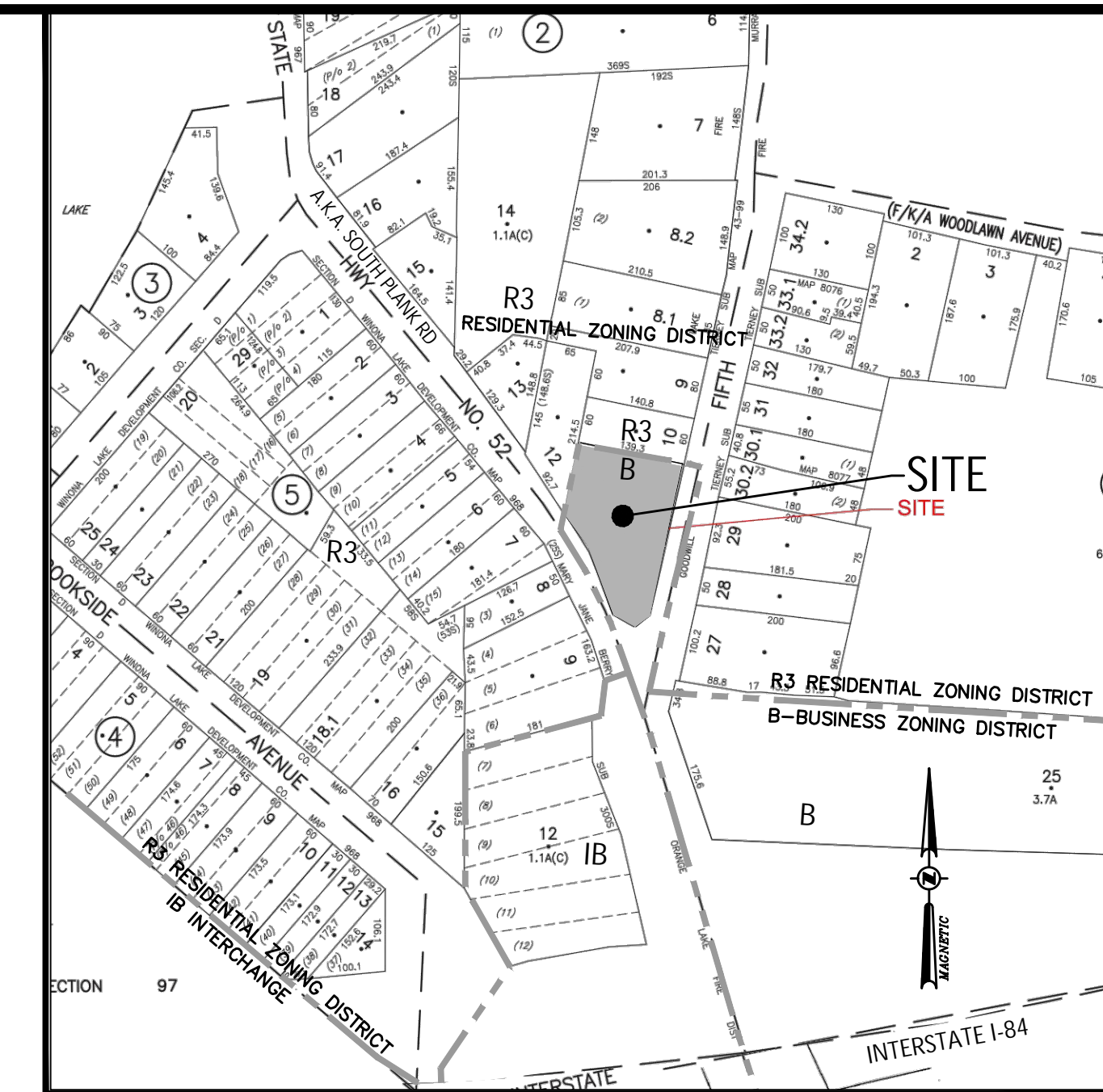
cc: Town of Newburgh Planning Board

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov



LOCATION MAP
SOURCE: USGS MAPPING
SCALE: 1"=2000'



VICINITY MAP
ORANGE COUNTY TAX MAP No. 334600-71
SCALE: 1"=200'

SITE PLAN

PREPARED FOR

GASLAND PETROLEUM, INC.

FOR A

GAS STATION & CONVENIENCE STORE

LOCATED AT

42 S. PLANK ROAD (NYS ROUTE 52)

TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK

APRIL 26, 2021

BULK & DIMENSIONAL REQUIREMENTS TABLE			
ZONING DISTRICT "B" BUSINESS			
	REQUIRED	EXISTING	PROPOSED
CONVENIENCE STORE WITH GASOLINE FILLING STATION			
MINIMUM LOT AREA (S.F.)	20,000 S.F. (0.459 ACRES)	23,123± S.F. (0.531 ACRES)	23,123± S.F. (0.531 ACRES)
MINIMUM LOT WIDTH (FT.)	100 FT.	130± FT.	130± FT.
MINIMUM LOT DEPTH (FT.)	125 FT.	221± FT.	221± FT.
FRONT YARD (MIN) - NYS ROUTE 52 (FT.)	50 FT. ⁶	37.1 FT. ³	41.3 FT. ⁴
FRONT YARD (MIN) - FIFTH AVENUE	40 FT.	29.6 FT. ³	41.5 FT.
REAR YARD (MIN) ⁵	30 FT. ⁵	55.3 FT.	31.5 FT.
SIDE YARD - 1 SIDE (MIN) ⁵	25 FT. ⁵	46.7 FT.	25.6 FT. (FIFTH AVE)
SETBACK TO INTERSECTION ¹	50 FT.	22± FT. ³	22± FT. ^{3,4}
MAXIMUM LOT BUILDING COVERAGE	50% ²	6.9%	9.9%
MAXIMUM LOT SURFACE COVERAGE	80%	60.8%	67.3%
MAXIMUM HEIGHT (BLDG)	35 FT.	< 35 FT.	< 35 FT.
PARKING REQUIREMENTS			
APPLICATION FOR CONVENIENCE STORE	CODE: 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. 2,300 S.F. X 1 SPACE PER 150 SQUARE FEET = 16 SPACES		
TOTAL PARKING SPACES	16 SPACES REQUIRED	13 SPACES APPROX. (W/ 8 SPACES THE PUMPS)	17 SPACES PROVIDED
ACCESSIBLE SPACE	1-25 PKG SPACES = 1 ACCESSIBLE SPACE REQUIRED	0 SPACES EXIST	1 SPACE PROVIDED
OFF-STREET LOADING SPACE	< 25,000 S.F. = 1 SPACE REQUIRED	0 SPACES EXIST	1 SPACE PROVIDED
PARKING IN REQUIRED YARDS	CODE: PER SECTION 185-13 B(2): NO PARKING IN REQUIRED FRONT OR SIDE YARD ADJACENT TO A RESIDENTIAL DISTRICT NOT ALLOWED PARKING SPACES IN BOTH FRONT & SIDE YARDS ³ PARKING SPACES IN BOTH FRONT YARD ⁴		
MIN. REQUIRED SETBACK TO PARKED CAR	10 FT.	7.0 FT. (AT PUMP) ³	4.5 FT. ⁴
LANDSCAPE BUFFER BETWEEN RESIDENTIAL & NON-RESIDENTIAL	15 FT., REAR YARD	55.3 FT. (REAR) 9.5 FT. (SIDE) ³	31.5 FT. (REAR - AT BLDG) 10 FT. (SIDE)
¹ TOWN CODE § 185-13-B(4): NO ACCESS WITHIN 50 FT. OF ANY STREET INTERSECTION ² MAXIMUM LOT BUILDING COVERAGE IS 40% IF NO PUBLIC WATER OR SEWER AND 50% IF PUBLIC WATER AND SEWER. ³ PRE-EXISTING NONCONFORMING. ⁴ AREA VARIANCE REQUIRED. ⁵ TOWN CODE § 185-18(C)(5)(A) MINIMUM ADJACENT SIDE AND REAR YARD REQUIREMENTS FOR LOTS IN B DISTRICT ABUTTING RESIDENTIAL ZONES: IF TOTAL BUILDING FLOOR AREA IS LESS THAN 30,000 SF, THEN THE GREATER OF THE MINIMUM REQUIRED YARD SET FORTH IN THE B DISTRICT TABLE OF BULK AND USE REQUIREMENTS - SCHEDULE 7, OR 25 FEET. SCHEDULE 7 REGULATES A 30 FT REAR YARD, WHICH IS THE GREATER OF THE TWO. SCHEDULE 7 REGULATES A 15 FT SIDE YARD, WHICH IS LESS THAN 25 FT; THEREFORE, 25 FT IS REQUIRED. ⁶ TOWN CODE § 185-18(C)(4)(b) FRONT YARDS ABUTTING ALL COUNTY AND STATE HIGHWAYS SHALL BE AT LEAST 60 FEET IN DEPTH, EXCEPT WHERE THE MAJORITY OF EXISTING BUILDINGS ON EITHER SIDE OF THE ROAD WITHIN 300 FEET FROM THE INTERSECTION OF THE NEAREST PROPERTY LINE AND STREET LINE ARE OF A LESSER AVERAGE DEPTH. IN SUCH CASE, THE FRONT YARD DEPTH SHALL BE 50 FEET OR THE AVERAGE OF ALL LOT DEPTHS WITHIN SAID 300 FEET, WHICHEVER IS GREATER.			

INDEX OF DRAWINGS				
PAGE NO.	REV	SHEET NO.	DATE	DESCRIPTION
1	0	G001	04/26/21	TITLE SHEET
2	0	G002		NOTES AND LEGENDS
3	0	SV1	12/20/20	MAP OF SURVEY PREPARED FOR GAS LAND PETROLEUM, BY OTHERS
4	0	C120	04/26/21	DEMOLITION PLAN
5	0	C130	04/26/21	SITE PLAN
6	0	C131		VEHICLE MANEUVERING PLAN
7	0	C140		GRADING AND DRAINAGE PLAN
8	0	C150		EROSION AND SEDIMENT CONTROL PLAN
9	0	C160		UTILITY PLAN
10	0	C180	04/26/21	LANDSCAPE PLAN
11	0	C190	04/26/21	PHOTOMETRIC LIGHTING PLAN
12	0	C530		SITE DETAILS
13	0	C531		SITE DETAILS
14	0	C540		STORM SEWER DETAILS
15	0	C550		EROSION AND SEDIMENT CONTROL DETAILS AND NOTES
16	0	C580		LANDSCAPE DETAILS AND NOTES

GENERAL NOTES:

- THIS SITE HAS BEEN REZONED TO ZONING DISTRICT "B", BUSINESS, APPROVED BY THE TOWN BOARD OF THE TOWN OF NEWBURGH ON OCTOBER 26, 2020. SEE LOCAL LAW # L.L. NO. 3-2020.

OWNER / APPLICANT:

GAS LAND PETROLEUM, INC.
3 OHIOVILLE ROAD
NEW PALTZ, NY 12561

SURVEYOR:

MICHAEL F. VETTER JR., PLS
943 ULSTER LANDING RD
SAUGERTIES, NY 12477
PHONE: 845-336-0043

SITE ADDRESS:

42 S. PLANK ROAD (NYS ROUTE 52)
NEWBURGH, NY

SITE CIVIL ENGINEER AND LANDSCAPE ARCHITECT:

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

TAX MAP INFORMATION:

MUNICIPALITY OF NEWBURGH
SECTION 71, BLOCK 2, LOT 11

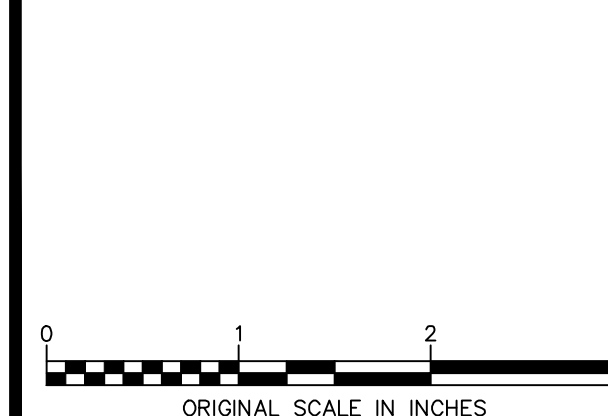
SITE AREA:

TOTAL PROJECT ACREAGE : 0.531 ACRES

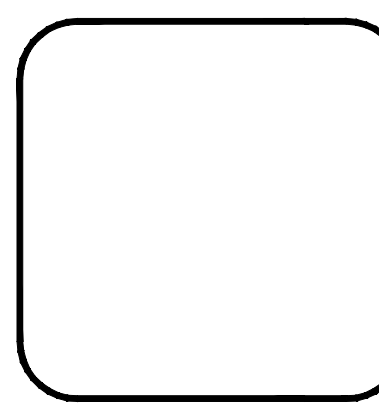
ZONING:

ZONING DISTRICT: B-BUSINESS
SEE GENERAL NOTE 1.

ISSUED FOR PLANNING BOARD REVIEW - NOT FOR CONSTRUCTION



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<input type="checkbox"/> North Country Office: 20 Elm Street (Suite 110) Glens Falls, New York 12601 Phone: (518) 812-0513	<input type="checkbox"/> Westchester NY Office: 1 North Broadway, Suite 803 White Plains, New York 10601 Phone: (914) 997-8510	<input type="checkbox"/> Chattanooga Tennessee Office: 1426 Willoms Street (Suite 12) Chattanooga, Tennessee 37408 Phone: (423) 241-6575

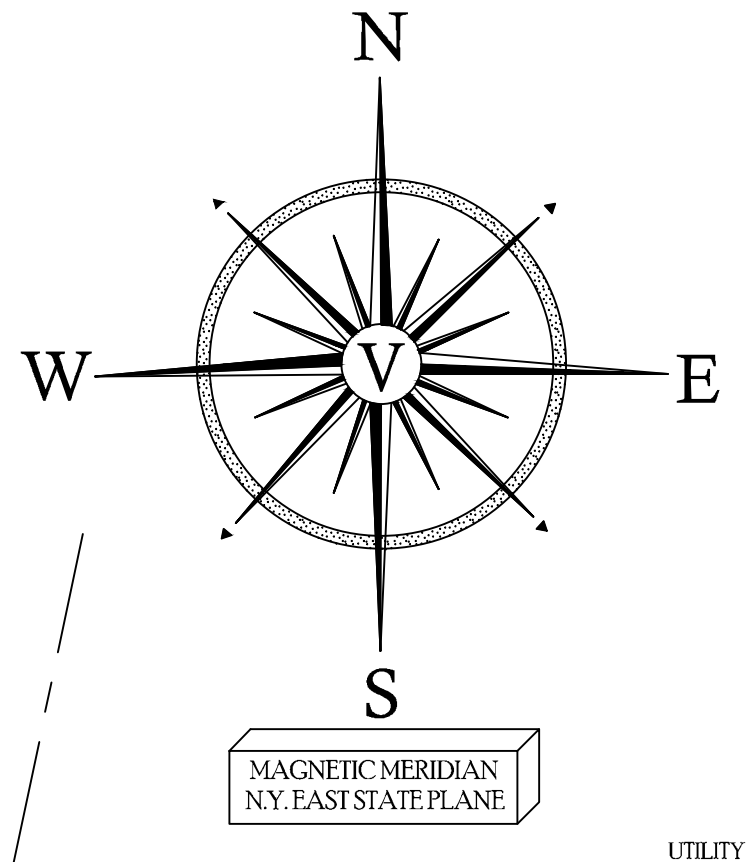
rev.	date	description

GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)

TITLE SHEET

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed	checked
SMD	CPL
date	scale
04/26/21	AS SHOWN
project no.	
82018.00	
sheet no.	
	G001



NOW OR FORMERLY
ROBERT & MILDRED SOUKUP

AREA =
0.531 Acres.
23123.1 Sq.ft.

FIFTH AVENUE

N.Y.S. RT. 52 / SOUTH PALM RD.

N.Y.S. DOT.
FEETAKING
MAP NO. 185
PARCEL NO. 241

F:\JOBS 2020\T. NEWBURGH\GASLAND AERIAL.PNG

AERIAL IMAGE (NTS)

NOW OR FORMERLY
MINYAH ENTERPRISES LLC

NOW OR FORMERLY
MINYAH ENTERPRISES LLC

NOW OR FORMERLY
MATRIX NEWBURGH
ROUTE 300 LLC

NOTES :
SURVEYED IN ACCORDANCE WITH DEEDS OF RECORD, PHYSICAL FEATURES FOUND AT THE TIME OF FIELD SURVEY AND AS IN POSSESSION.
SUBJECT TO ANY RIGHT OF WAYS, EASEMENTS OR OTHERWISE WHICH MAY AFFECT THE PREMISES SHOWN HEREON.
SUB-SURFACE STRUCTURES NOT VISIBLE OR READILY APPARENT ARE NOT SHOWN AND THEIR LOCATION AND EXTENT ARE NOT CERTIFIED.
SUBJECT TO THE RIGHTS OF THE PUBLIC IN ANY PORTIONS THEREOF LYING WITHIN THE BOUNDS OF PLANK RD AND FIFTH AVE. SUBJECT TO ANY FACTS AN ACCURATE SEARCH OF TITLE MAY REVEAL.

DEED REFERENCE :
LIBER 4037 , PAGE 241
TAX MAP REFERENCE :
TOWN OF NEWBURGH 71-2-11
MAP REFERENCE :
"MAP OF SURVEY PREPARED FOR GASLAND PETROLEUM, INC. AS PREPARED BY MICHAEL F. VETERE, JR., PLS.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, PARAGRAPH 2 OF THE NEW YORK STATE EDUCATION LAW.
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DATUM:
NAVD 1988
X = SPOT ELEVATION
2' CONTOUR INTERVAL

MAP OF SURVEY PREPARED FOR

Gas Land Petroleum, Inc.

TOWN OF NEWBURGH ORANGE COUNTY, N.Y.
SCALE 1" = 10' DECEMBER 10, 2020

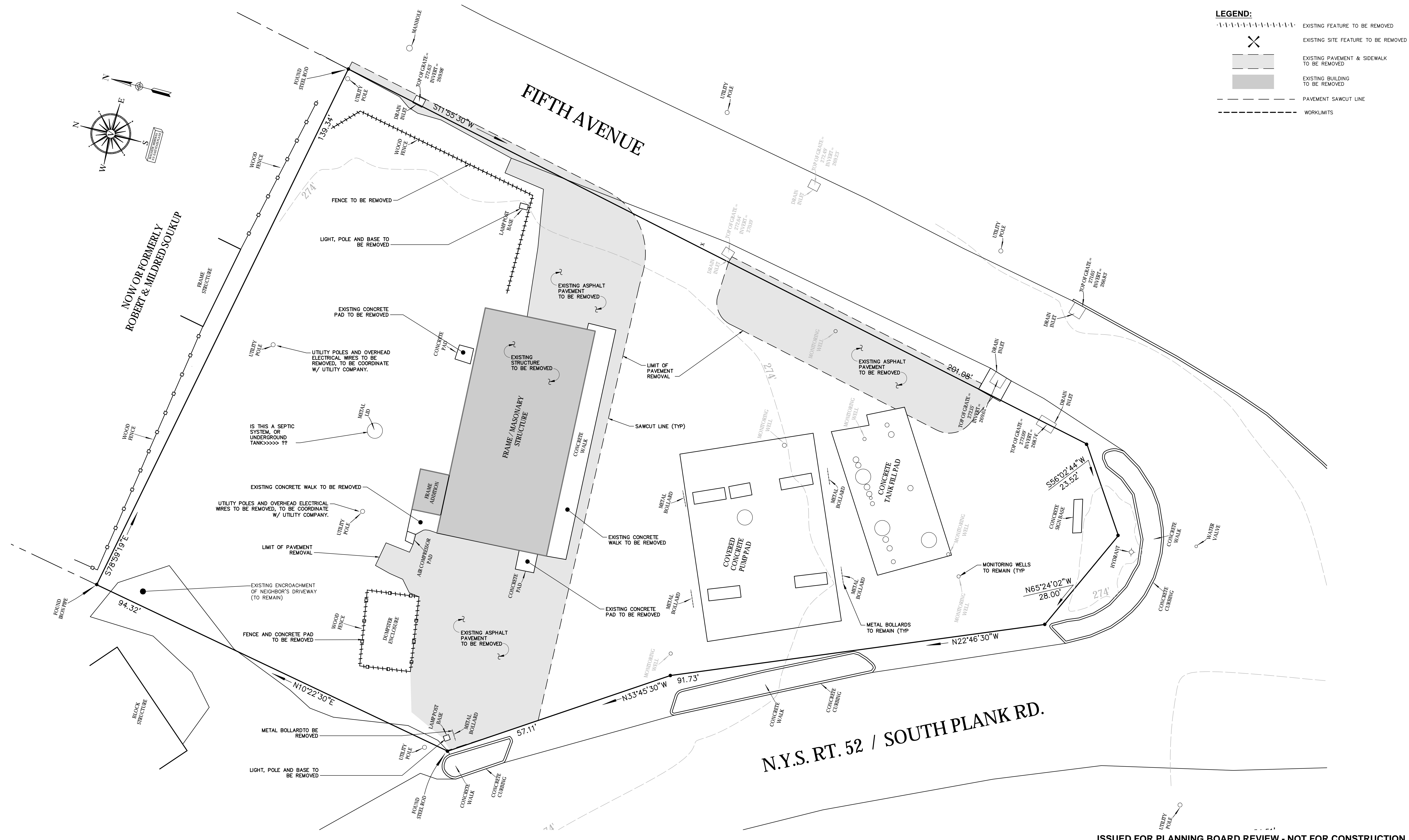
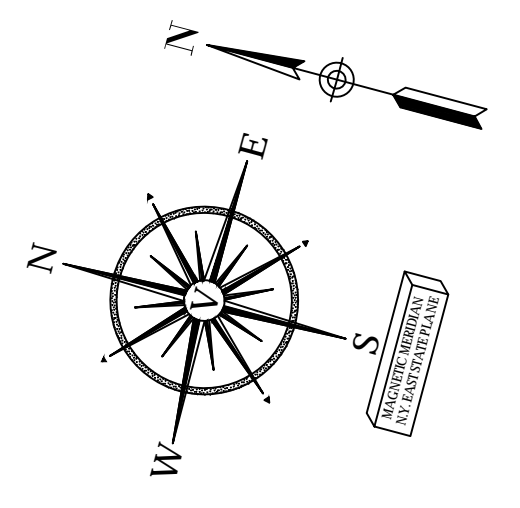
VETERE LAND SURVEYING, PLLC
LICENSED PROFESSIONAL LAND SURVEYOR
943 ULSTER LANDING ROAD SAUGERTIES, NY 12477

MICHAEL C. VETERE, PLS LICENSE NO. 50905

MAP NO. 1995

LEGEND:

- - - - - EXISTING FEATURE TO BE REMOVED
- ✕ EXISTING SITE FEATURE TO BE REMOVED
- ▨ EXISTING PAVEMENT & SIDEWALK TO BE REMOVED
- ▩ EXISTING BUILDING TO BE REMOVED
- - - - - PAVEMENT SAWCUT LINE
- - - - - WORKLIMITS



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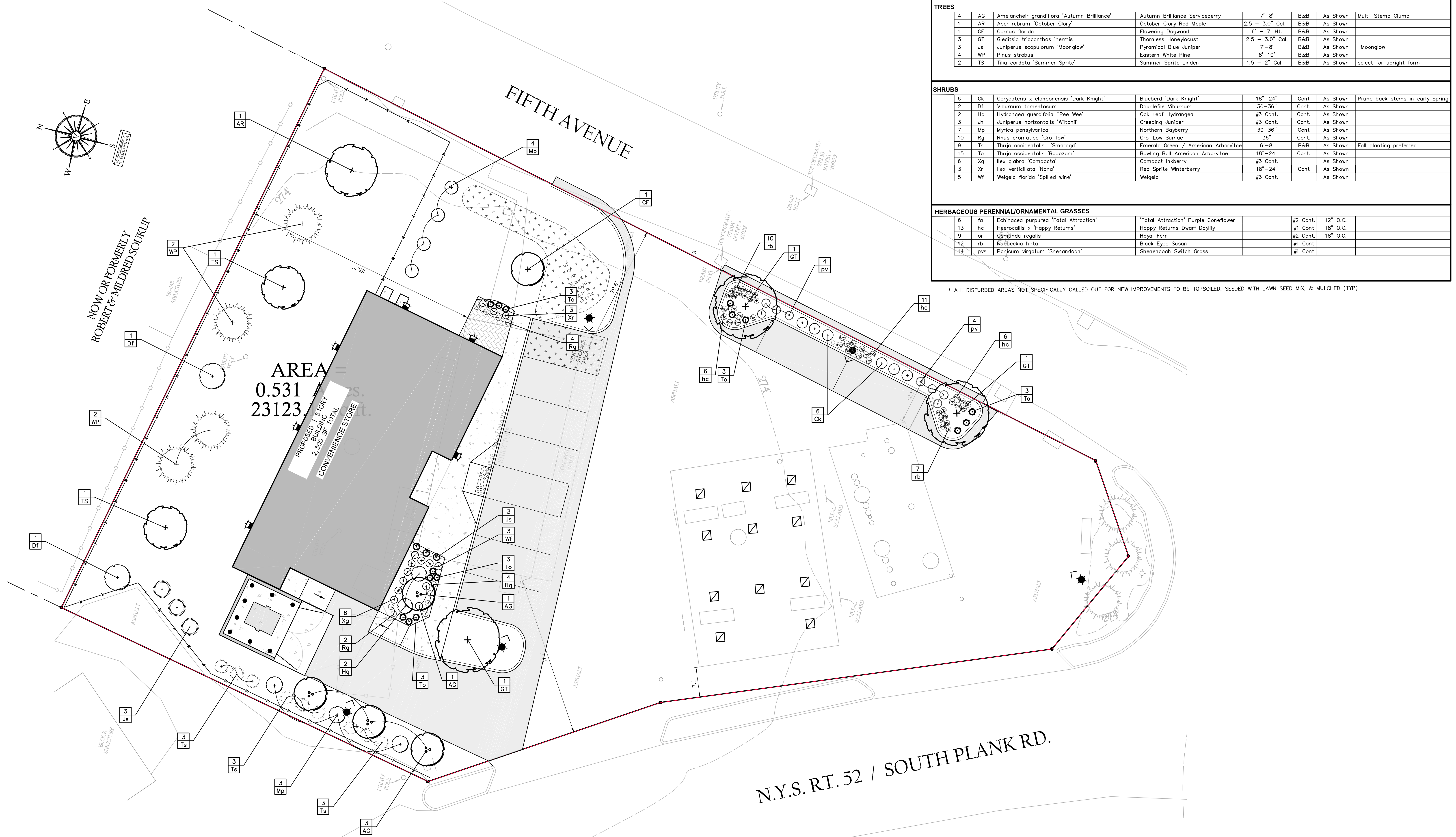
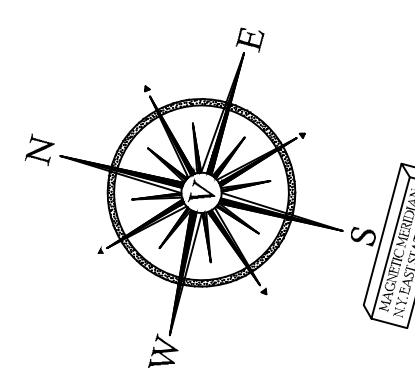
rev.	date	description

GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)

DEMOLITION PLAN

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed	checked
C120	CPL
date	scale
04/26/21	AS SHOWN
project no.	82018.00
sheet no.	C120



PLANT LIST									
QTY	ABRV	BOTANICAL NAME							
TREES									
4	AG	Amelanchier grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	7'-8'	B&B	As Shown	Multi-Stem Clump		
1	AR	Acer rubrum 'October Glory'	October Glory Red Maple	2.5 - 3.0' Cal.	B&B	As Shown			
1	CF	Cornus florida	Flowering Dogwood	6' - 7' Ht.	B&B	As Shown			
3	GT	Gleditsia triacanthos inermis	Thornless Honeylocust	2.5 - 3.0' Cal.	B&B	As Shown			
3	Js	Juniperus scopulorum 'Moonglow'	Pyramidal Blue Juniper	7'-8'	B&B	As Shown	Moonglow		
4	WP	Pinus strobus	Eastern White Pine	6'-10'	B&B	As Shown			
2	TS	Tilia cordata 'Summer Sprite'	Summer Sprite Linden	1.5 - 2' Cal.	B&B	As Shown	select for upright form		
SHRUBS									
6	Ck	Caryopteris x clandonensis 'Dark Knight'	Bluebird 'Dark Knight'	18"-24"	Cont.	As Shown	Prune back stems in early Spring		
2	Df	Viburnum tomentosum	Doublefile Viburnum	30-36"	Cont.	As Shown			
2	Hq	Hydrangea quercifolia 'Pee Wee'	Oak Leaf Hydrangea	#3 Cont.	Cont.	As Shown			
3	Jh	Juniperus horizontalis 'Wiltonii'	Creeping Juniper	#3 Cont.	Cont.	As Shown			
7	Mp	Myrica pensylvanica	Northern Bayberry	30-36"	Cont.	As Shown			
10	Rg	Rhus aromatica 'Gra-low'	Gra-Low Sumac	36"	Cont.	As Shown			
9	Ts	Thuja occidentalis 'Smaragd'	Emerald Green / American Arborvitae	6'-8'	B&B	As Shown	Fall planting preferred		
15	To	Thuja occidentalis 'Boboazam'	Bowling Ball American Arborvitae	18"-24"	Cont.	As Shown			
6	Xg	Ilex glabra 'Compacta'	Compact Inkberry	#3 Cont.	Cont.	As Shown			
3	Xr	Ilex verticillata 'Nana'	Red Sprite Winterberry	18"-24"	Cont.	As Shown			
5	Wf	Weigela florida 'Spilled Wine'	Weigela	#3 Cont.	Cont.	As Shown			
HERBACEOUS PERENNIAL/ORNAMENTAL GRASSES									
6	fa	Echinacea purpurea 'Fatal Attraction'	'Fatal Attraction' Purple Coneflower	#2 Cont.	12" O.C.				
13	hc	Heerocalis x 'Happy Returns'	Happy Returns Dwarf Daylily	#1 Cont.	18" O.C.				
9	or	Osmunda regalis	Royal Fern	#2 Cont.	18" O.C.				
12	rb	Rudbeckia hirta	Black Eyed Susan	#1 Cont.					
14	pvs	Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass	#1 Cont.					

* ALL DISTURBED AREAS NOT SPECIFICALLY CALLED OUT FOR NEW IMPROVEMENTS TO BE TOPSOILED, SEEDED WITH LAWN SEED MIX, & MULCHED (TYP)

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

The Chazen Companies
Proud to be Employee Owned

Civil Engineers
Land Surveyors
Planners
Environmental & Safety Professionals
Landscape Architects
Transportation Planners & Engineers

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GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)

LANDSCAPE PLAN

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed	checked
SMD	CPL
date	scale
04/26/21	AS SHOWN
project no.	
82018.00	
sheet no.	
C180	

LIGHTING STATISTICS

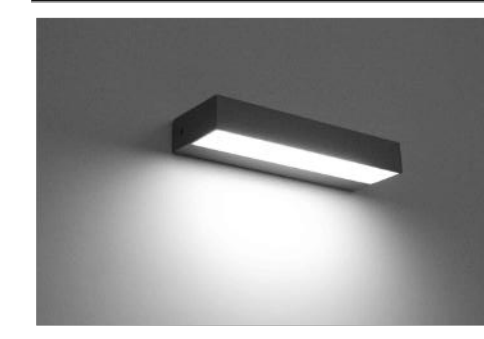
AVERAGE	LOCATION	MAXIMUM	MINIMUM	AVE./MIN
2.1 fc	ENTIRE SITE TO PL	21.2 fc	0.0 fc	N/A
1.5 fc	PAVED AREAS --(CANOPY AREA NOT INCLUDED)	6.4 fc	0.1 fc	15.0 :1
11.1 fc	PAVED AREA UNDER CANOPY PLUS 6 FT.	21.2 fc	2.1 fc	5.3 :1

LIGHTING SCHEDULE

SYMBOL	QTY	DESIGNATION	HSS*	MANUFACTURER	MODEL / NUMBER	MOUNTING HEIGHT	WATTAGE	LUMENS	CCT
★	2	LP-2	---	ARCHITECTURAL AREA LIGHTING	PROVIDENCE MEDIUM 2.0 / PROV2-36L-32S-3K7-3-HS	15.0 FT.	38W	2158	3000 K
★	3	LP-1	---	ARCHITECTURAL AREA LIGHTING	PROVIDENCE MEDIUM 2.0 / PROV2-36L-32S-3K7-3-DL	15.0 FT.	38W	2456	3000 K
★	1	W-1	---	ARCHITECTURAL AREA LIGHTING	PROVIDENCE MEDIUM 2.0 / PROV2-36L-32S-3K7-3-DL	15.0 FT.	38W	2456	3000 K
★	5	W-2	---	SISTEMALUX	MINI-LOOK SINGLE (DOWNLIGHT) / S7201W.14 (ACCENT LIGHT)	9.0 FT.	13W	475	3000 K
★	11*	C-1	---	CREE INC. (*SEE NOTE 5)	CPY250 B, FLAT LENS, / S7201W.14 (ACCENT LIGHT)	15.5 FT.	32W	4045	3000 K

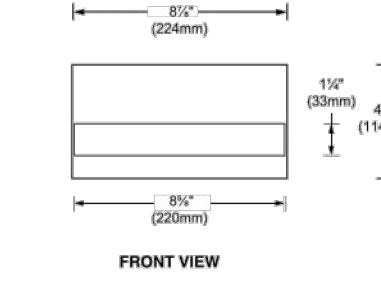
* HSS "HOUSE-SIDE SHIELD"; AS INSTALLED IN LUMINAIRE BY MANUFACTURER

MINI LOOK WALL



Wall mounted accent light luminaire with direct light distribution that provides ambient light on vertical surfaces. Suitable for exterior applications.

Luminaire characteristics:
Power input: 13.5W
Lumens: 475 lm (delivered for 3000K)
Luminaire efficacy: 35 lm/W (for 3000K)



FRONT VIEW



SIDE VIEW

- NOTE:
1. WALL MOUNTED FIXTURE SHALL BE INSTALLED WITH THE LIGHT IN THE DOWNWARD POSITION.
 2. MANUFACTURER: SISTEMALUX
MODEL: MINI-LOOK WALL
COLOR: TO BE COORDINATED WITH ARCHITECT FULL CUT-OFF LUMINAIRE

4 WALL MOUNTED LIGHTING FIXTURE DETAIL
SCALE: N.T.S.

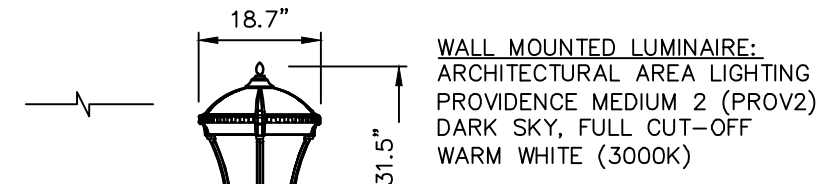
PHOTOMETRIC LEGEND:

- PROPERTY LINE
BUILDING
FOOT CANDLE TICK MARKS
PHOTOMETRIC CONTOUR
LIGHT POLE
LIGHT WALL PACK
LIGHT CANOPY

ABBREVIATIONS:
LTG LIGHTING
LP LIGHT POLE

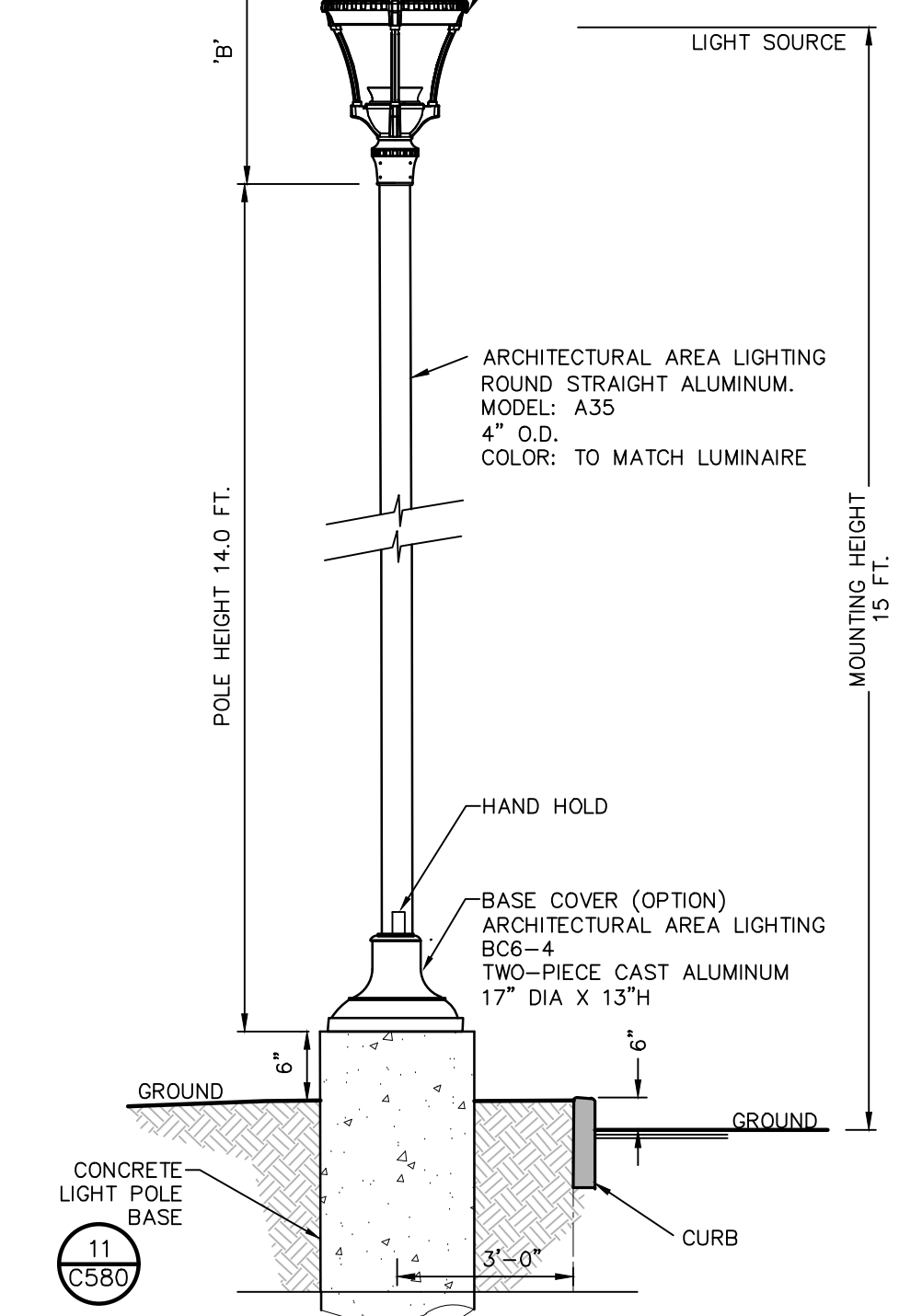
LIGHTING NOTES:

1. GRID NUMBERS SHOWN REPRESENT FOOTCANDLE VALUES AT GROUND PLANE.
2. THE LIGHTING FIXTURES, SURFACE LOCATIONS AND ASSOCIATED PHOTOMETRIC VALUES ARE IDENTIFIED BY TCC. DETAILED DESIGN OF THE LIGHTING SPECIFICATIONS, FOUNDATION DESIGN, LIGHTING CONDUIT, WIRING, AND CONTROL CIRCUITRY SHALL BE BY OTHERS.
3. IF DISCREPANCIES EXIST BETWEEN THE LIGHTING SCHEDULE AND LIGHTING PLAN, THE PLAN SHALL DICTATE.
4. FOR ADDITIONAL LIGHTING NOTES AND LIGHTING DETAILS, SEE SHEET XXX.
5. EXISTING CANOPY AND LIGHTING FIXTURES SHALL REMAIN. IN THE EVENT THEY ARE TO BE REPLACED IN THE FUTURE, THIS IS AN EXAMPLE OF WHAT SHALL BE INSTALLED.



3 WALL MOUNTED LIGHTING FIXTURE DETAIL
SCALE: N.T.S.

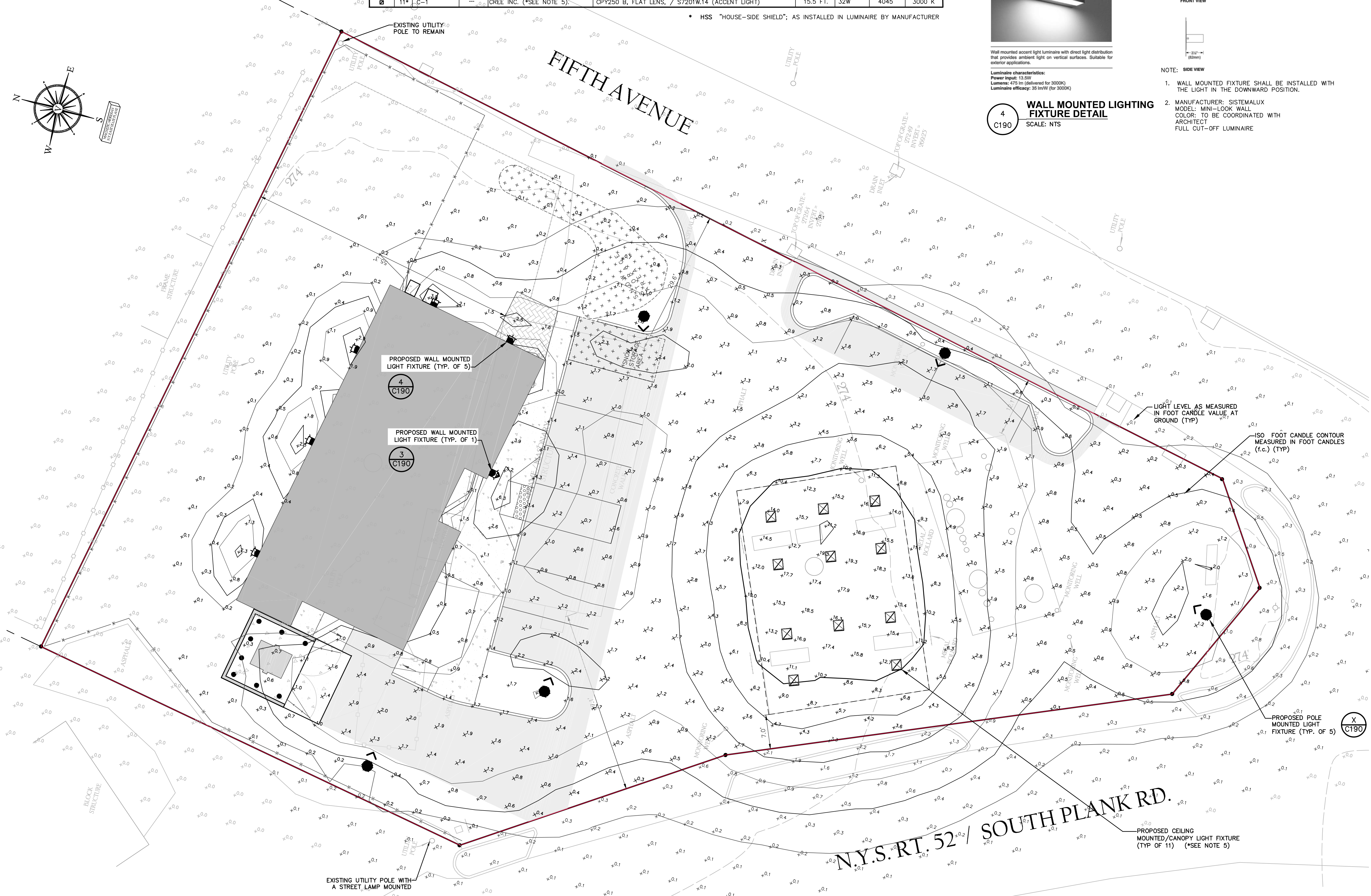
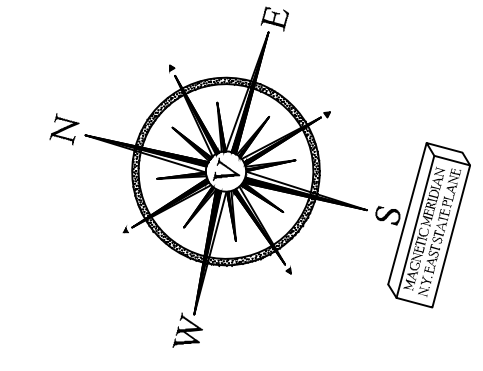
WALL MOUNTED LUMINAIRE:
ARCHITECTURAL AREA LIGHTING
PROVIDENCE MEDIUM 2 (PROV2)
DARK SKY, FULL CUT-OFF
WARM WHITE (3000K)
'A' = 18.7" W
'B' = 31.5" HT



NOTES:

1. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL PRIOR TO INSTALLATION.
2. ALL EXCAVATIONS SHALL BE BACKFILLED WITH STRUCTURAL FILL AND COMPACTED TO 95% OF MAXIMUM MATERIAL DENSITY.
3. ELECTRICAL POWER SUPPLY, WIRE, AND CONDUIT BY OTHERS.

2 PEDESTRIAN SCALE LIGHTING FIXTURE DETAIL
SCALE: N.T.S.



ISSUED FOR PLANNING BOARD REVIEW - NOT FOR CONSTRUCTION

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rev.	date	description

GAS LAND - 42 S. PLANK ROAD (NYS ROUTE 52)

PHOTOMETRIC PLAN

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

designed	checked
SMD	CPL
date	scale
04/26/21	AS SHOWN
project no.	82018.00
sheet no.	C190