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

PROJECT: MOBILITIE, LLC
PROJECT NO.: 2017-23
PROJECT LOCATION: SECTION 96, BLOCK 1, LOT 11.1
REVIEW DATE: 30 OCTOBER 2017
MEETING DATE: 2 NOVEMBER 2017
PROJECT REPRESENTATIVE: MOBILITIE, LLC

1. In response to our previous comments a sheet S-1 Existing Conditions Survey has been submitted. However note #1 on the survey identifies "that it is an existing condition plans and not intended to define property boundaries. Property lines shown are based on references below and evidenced found in the field. This plan is assigned to the parties indicated hereon and use of this plan by others is prohibited." Use of the Orange County GIS Mapping for boundary surveys is not appropriate.
2. The Applicants representative have submitted a response letter which identifies the height of the pole at two different elevations, 29 feet 6 inches a 38 feet 4 inches, while the plan sheets the maximum height of the pole at 26 feet 2 inches.
3. The Applicants response letter identifies a request for several waivers for Chapter 168 of the Town Code. The Applicants have request waivers from numerous sections of the code. The Applicant is requesting relief from section 168-6 (Applicant identifies 168-8) J- Long Form EAF, K- visual impact assessment and requiring underground utilities. Applicant is requesting aboveground service. Q regarding the required access road and parking Applicant is requesting waiver due to location within town road right-of-way. Z- requesting waiver of the required balloon test.

4. The Applicant may wish to request additional waivers for section 168-6 F, various items 1-24.
5. The Applicant requires permission or consent of the Town Board for placement of the facility within the town road right-of-way.

Respectfully submitted,

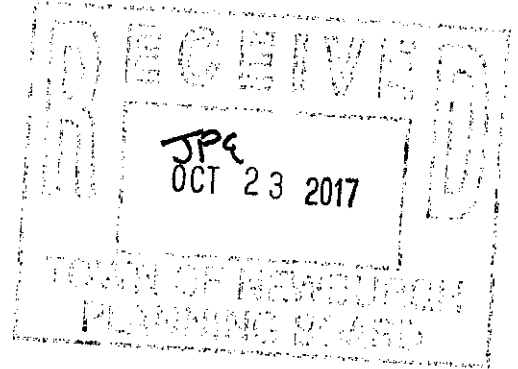
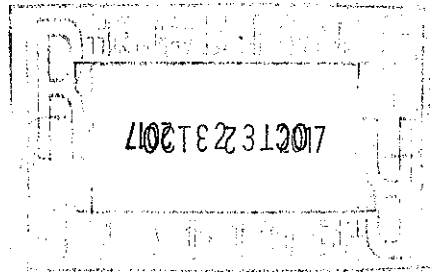
***McGoey, Hauser and Edsall
Consulting Engineers, D.P.C.***

Patrick J. Hines
Principal

PJH/kbw

October 16, 2017

John P. Ewasutyn
Planning Board Chairman
Town of Newburgh
1496 Route 300
Newburgh, NY 12550



Re: Orr Road Small Cell Site PB # 2017-23

Dear Mr. Ewasutyn ,

Please find the enclosed documents and comments to the September 7th Planning Board technical review memo in regard to Mobilitie's Site Plan application PB# 2017-23

1. The Applicants representative are requesting approval to place small cell wireless equipment on an existing Central Hudson Gas & Electric wooden pole within the Town of Newburgh's property along Orr Avenue. The Town of Newburgh property is a roadway parcel. Town Board approval for installation of equipment within the Town's property should be received.

Please find the attached survey. Mobilitie will work with the Town Board for the necessary approval

2. Submission Sheet SP-1 contains a note which states" this site plan was generated without the use of a survey. Property lines, right of ways, power and tele co. utility, point connections/routes and easements shown on these plans are estimated. All items and dimensions should be verified in the field." Submission should contain a survey prepared by a New York State licensed surveyor to determine that all poles, equipment etc. are located as depicted on the sketch plan. Property lines, right of way lines should be identified. Adjoining land owners should be identified by Section, Block and Lot and Record Owner.

Please find the attached survey

3. The Applicants representative should review the Town's wireless ordinance and request any waivers from the ordinance required. It is noted that the wireless ordinance contains requirements for fall zone distances, separations from property lines, RF analysis, etc. An analysis of the waivers requested should be submitted to the Planning Board.

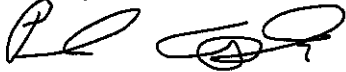
Please find enclosed letter requesting specific waivers

4. The Short EAF (Environmental Assessment Form) should be revised as follows: #4- identifies that the project occurs in a right of way, however land uses that occur adjoining and near the proposed action should be checked as appropriate. #5 – is proposed action permitted under zoning regulated- it is checked NA , however should be checked Yes in both sections. Short EAF was not filled out utilizing the NYSDEC web based forms which will populate certain areas of the form if DEC has data regarding any of the answers. A submission of a revised EAF should be provided.

Please find the enclosed EAF form

Please contact me if you have any other questions

Thanks,



Paul Costa
Permitting Manager

Cc – Patrick J. Hines – McGoey, Hauser and Edsall Consulting Engineers, D.P.C

Mobilitie is seeking the below waivers pursuant to Chapter 168 Telecommunications Facilities, Wireless code of the Town of Newburgh.

- Mobilitie is seeking a waiver request for Chapter § 168-8 Section J & K – as the proposed facility is attaching to an existing wooden utility pole and will only extend the height of the structure by 29'-6". The design of the facilities attached to the existing utility pole and is consistent with the color and scale of existing wooden utility pole along the right-of-way of Orr Avenue and within the Town limits.
- Mobilitie is seeking a waiver request for Chapter § 168-8 Section N –Mobilitie proposes to pull power using an overhead powerline from Central Hudson power lines across the street. The overhead power line will not be detrimental to the health, safety, general welfare and environment, including the visual and scenic characteristics of the area.
- Mobilitie is seeking a waiver request for Chapter § 168-8 Section Q – The proposed facility is collocated on an existing wooden utility pole within in the right-of-way of Orr Avenue. The site's location prevents Mobilitie from meeting this request. The site will have continued access through the public right-of-way of Orr Avenue.
- Mobilitie is seeking a waiver request for Chapter § 168-8 Section Z – The proposed facility is collocated on an existing wooden utility pole and will extend the height of the structure too 38'-4" which is consistent with the color and scale of existing wooden utility poles along the western portion of Orr Avenue.
- Mobilitie is seeking a waiver request for § 168-13 - Lot size and setbacks. The proposed facility is located on an existing wooden utility pole within the right-of-way. The location of the facility prevents Mobilitie from meeting the required setbacks abutting parcels, right-of-way's and of the underlying zoning district.

Short Environmental Assessment Form

Part 1 - Project Information

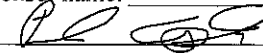
Instructions for Completing

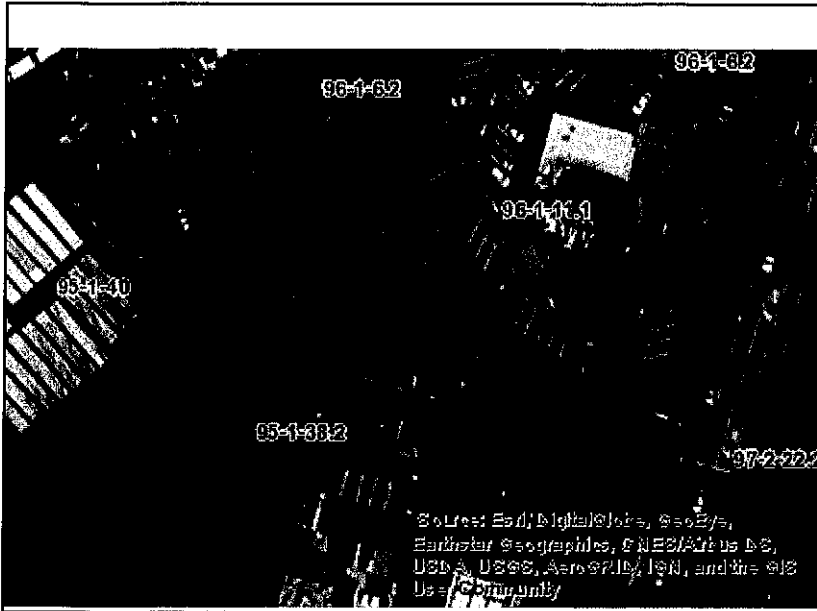
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

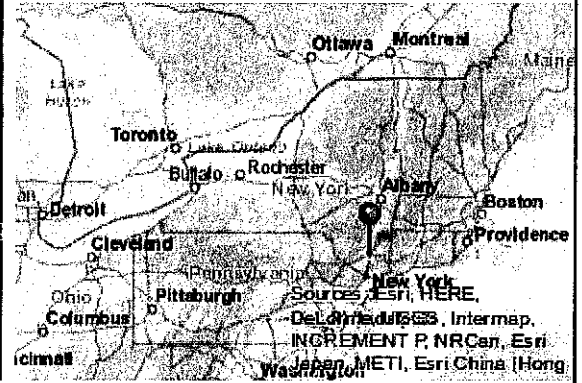
Part 1 - Project and Sponsor Information							
Name of Action or Project: Mobilite Orr Avenue Small Cell Project							
Project Location (describe, and attach a location map): 6 Orr Avenue - Existing wooden utility pole within the Right-of-Way of Orr Avenue located at 6 Orr avenue (Lat 41.499700, Long -74.071735)							
Brief Description of Proposed Action: Mobilite is seeking to attach its small cell wireless equipment to an existing Central Hudson utility pole.							
Name of Applicant or Sponsor: Paul Costa / Mobilite, LLC		Telephone: 917-656-9083					
		E-Mail: pcosta@mobillite.com					
Address: 594 Broadway Suite 301							
City/PO: New York		State: NY	Zip Code: 10012				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		N/A acres					
b. Total acreage to be physically disturbed?		N/A acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Right-of-Way</u>							
<input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" 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	YES	
	<input type="checkbox"/>	<input checked="" 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 <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" 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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: Paul Costa / Mobillie, LLC</p>		<p>Date: 9/12/2017</p>
<p>Signature: </p>		



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 Register of Historic Places]	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]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



FAA 1-A Survey Certification

Applicant: Mobilitie
3475 Piedmont Rd NE, Suite 1000
Atlanta, GA 30305

Site Name: 9NYB007805A / NY90XSWY1A
Site Address: 1219 Route 300, Newburgh, NY 12550 (approx.)

Horizontal Datum: GPS Survey Ground Survey
Vertical Datum: GPS Survey Ground Survey
Structure Type: Rooftop Water Tank
 Existing Tower Smoke Stack
 Wood Pole Other

Latitude: 41° 29' 58.88" (N)

Longitude: 74° 04' 18.24" (W)

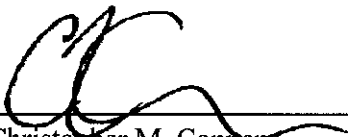
Ground Elevation: 338.7' AMSL Elevation in feet

Structure Height: 29.6' AGL Elevation in feet (Top of Wood Pole)

Overall Height: 32.9' AGL Elevation in feet (Proposed Top of Antenna-per plans by others)

Certification: I certify that the latitude and the longitude herein are accurate to within +/- 20 feet horizontally, and that the elevations herein are accurate to within +/- 3 feet vertically. The horizontal datum (coordinate) are in terms of the North American Datum of 1983 (NAD83) and are expressed in degrees, minutes and seconds. The vertical datum (elevations) are in terms of the North American Vertical Datum of 1988 and are expressed in feet.

Surveyor
Signature / Seal:



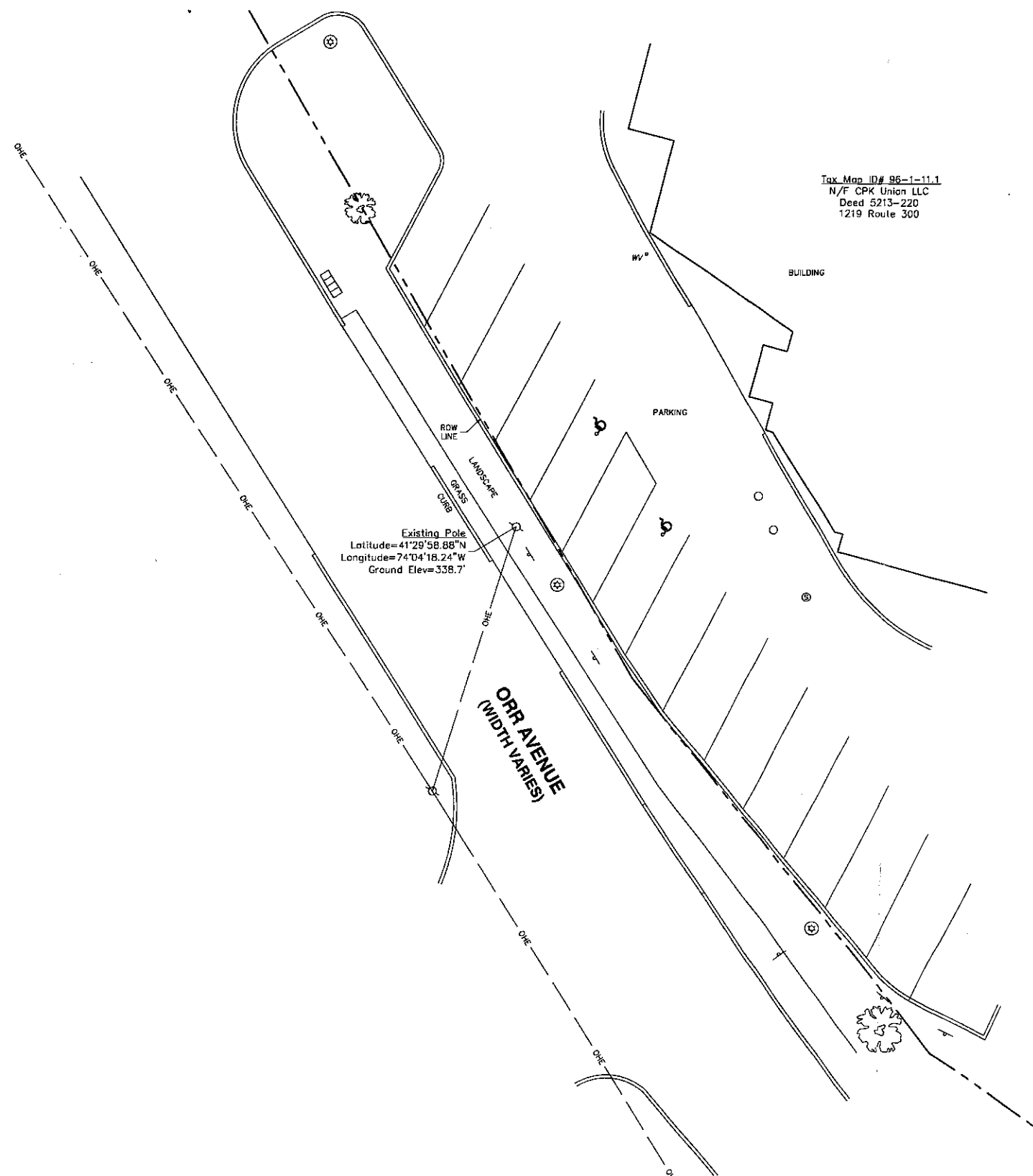
Christopher M. Coppens
Professional Land Surveyor, License #050838



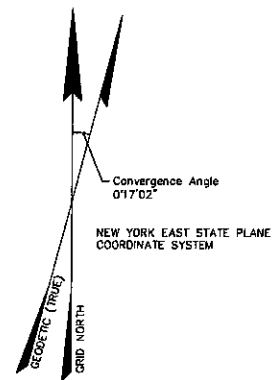
Date: October 6, 2017



3471 US Highway 9, Unit 109
Valatie, NY 12184
o| 518.227.0097
www.surv-a.com



Tax Map ID# 96-1-11.1
 N/F CPK Union LLC
 Deed 5213-220
 1219 Route 300

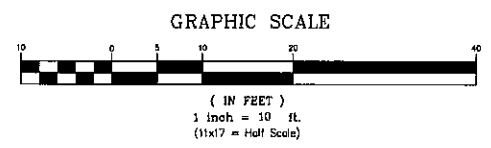


Legend

Water Line	---	UOW
Gas Line	---	UGG
Communication Line	---	COMM
Electric Line	---	UGE
Overhead Wire	---	OHE
Sanitary Sewer	---	SS
Storm Drain	---	SD
Property Line	---	
Contour	---	100
Metal Fence	-x-x-x-	
Wood Fence	-x-x-	
Tree Line	~	
Monument	⊕	Gas Valve
Iron Pipe or Bar	⊙	Water Valve
Manhole	⊖	Monitor Well
Utility Pole	⊕	Hydrant
Deciduous Tree	⊗	Bellero
Evergreen Tree	⊗	Welland Flag
Inlet	⊠	Light Post

Notes

- This is an existing conditions plan and is not intended to define property boundaries. Property lines shown are based on references below and evidence found in the field. This plan is assigned to the parties indicated hereon and use of this plan by others is prohibited.
- Based on field work performed October 2017.
- Datum (Established with GPS)
 Horizontal: NAD83, New York East State Plane
 Vertical: NAVD88 (Geoid12a)
- References:
 4.1. Orange County NY GIS Mapping-Town of Newburgh Tax Map 96
 4.2. Deed Book 5213 Page 220
 4.3. Maps 51-12 filed 3/13/2012
- Survey was performed without the benefit of a Title Report and is subject to the findings of such.
- Utilities shown hereon are per surface evidence. No additional underground utility investigation was performed.



SUBMITTALS	
▲	10/06/17 PRELIMINARY SUBMITTAL
▲	10/06/17 ISSUED S&S SURVEY



THIS DOCUMENT WAS DEVELOPED TO REFLECT A SPECIFIC SITE AND ITS SITE CONDITIONS AND IS NOT TO BE USED FOR ANOTHER SITE OR WHEN OTHER CONDITIONS PERTAIN. REUSE OF THIS DOCUMENT IS AT THE SOLE RISK OF THE USER.

SITE NUMBER	NY90XSWY1A
SITE ADDRESS	1219 Route 300 Newburgh, NY 12550 Town of Newburgh Orange County
SHEET TITLE	Existing Conditions Survey
CLS JOB #	17028
SHEET NUMBER	