



**NEGATIVE DECLARATION  
TOWN OF NEWBURGH PLANNING BOARD**

**Monarch Seniors (2019-28)**

**Determination:** Please take notice that, in accordance with the provisions of 6NYCRR, Part 617.7, The Town of Newburgh Planning Board, as lead agency, having considered the criteria for determining significance set forth in Part 617.79(c) and having reviewed and evaluated a Full Environmental Assessment Form, project plans, Market Study, SWPPP, Traffic Study, Wetlands Delineation, Architectural renderings and other supplemental information, has determined that the action as sited and described below will not have an adverse impact on the environment and the Planning Board has, therefore, adopted a resolution to this effect.

**Lead Agency:** Town of Newburgh Planning Board

**Contact Person:** Mr. John P. Ewasutyn, Chairman  
Town of Newburgh Planning Board  
21 Hudson Valley Professional Plaza  
Newburgh, New York 12550  
(845) 564-7804

**SEQRA:** Type I Action- Coordinated Review. Greater than 100,000 sq. ft.

**Location:** Monarch Drive at NYS Route 52, Newburgh, NY

**Tax Map Parcel:** Section 103, Block 7, Lot 18  
Section 47, Block 1, Lot 46  
Town of Newburgh, Orange County New York

**Action:** July 7, 2022

**Project Number:** 2019-28

**Project Description, Background and Reasons Supporting the Negative Declaration:**

The proposed project consists of a senior multi-family development consisting of two structures each containing 50 units. Project will contain a clubhouse and pool area associated with the senior use. Parking has been provided via standard outdoor parking and a portion of the parking has been provided below the residential structures. The project is located in the Town's B Zoning District. Access to the site will be via a boulevard entrance from Monarch Drive, a

Town roadway. Landscape buffers are proposed between the B Zone and the adjoining residential zoning district. Project will be served by Town of Newburgh municipal water and sewer connections within Monarch Drive. An emergency access driveway has been provided at NYS Route 52. The project contains Federal Jurisdictional Wetland areas which have been delineated and avoided to the extent practicable.

**Impact on Land** – The application proposes the development of a 100 unit on an 11+/- acre parcel of property. Approximately five acres of the site will be disturbed during construction. Erosion and sediment control Plans have been developed as well as a Stormwater Pollution Prevention Plan for the site in compliance with NYSDEC and Town of Newburgh requirements. Landscaping Plans have been developed to provide re-vegetation of all areas which are disturbed and not proposed to be covered within impervious surfaces. Various stormwater facilities have been proposed to reduce the amount of runoff from the site and provide water quality treatment. The development has taken into consideration the topography of the site in positioning of the buildings and utilizing the buildings as retaining walls for the grading. Parking has been provided under the buildings to further reduce the amount of impervious surfaces.

**Impact on Water** – The site is served by the Town of Newburgh municipal water system. Potable and fire protection water will be provided by connections to the Town’s municipal system. Town of Newburgh has adequate water supply and pressure in the area to serve the proposed development. The site is proposed to be served by connections to the town’s sanitary sewer collection system. Stormwater Pollution Prevention Plan has been developed in compliance with DEC and Town of Newburgh standards. Both water quality and water quantity treatment are proposed. Proposed drainage system recreates the existing drainage patterns through the implementation of engineered stormwater best management practices. The Town of Newburgh will require a Stormwater Facilities Maintenance Agreement be executed and filed with the county to assure long term operation and maintenance of the proposed stormwater facilities. The project has identified areas of Federal Jurisdictional Wetlands and has limited impacts to those wetlands.

**Impact on Transportation/Traffic** – Site access road is proposed to be from Monarch Drive, a town roadway. Traffic Studies have been prepared identifying the site will not result in a significant increase in traffic in the project area. Traffic Studies have been submitted and coordinated with NYSDOT as the project is located in close proximity to the state highway. Single access point has been provided and designed as a boulevard type entrance to provide additional access for emergency vehicles.

**Impact on Wildlife, Threatened or Endangered Species** – The project site was identified as containing potential habitat for Threatened Bat Species. Tree clearing notes have been provided on the plan to limit tree clearing to times of the year when no bats will be present on the site. Tree clearing is required based on the implementation of buffer areas required by town zoning where threatened or endangered species or their habitat have been identified on the site.

**Impact on Historic and Cultural Resources** – The project will have no impact on cultural or archeological significant resources. No cultural or archeological resources have been identified on the project site.

**Impact on Energy, Noise, Odor and Public Health** – With the exception of noise during construction there will be no impact on any of the above identified issues. The project has provided significant buffer areas in compliance with Town Zoning Code between the proposed buildings and the project property line. The project is located near a busy state highway corridor which generates noise above which would be experienced by any of the equipment on the proposed site. Construction of the project will be limited to hours permitted by the Town of Newburgh Town Code. All proposed structures will comply with NYS Energy Code requirements.

**Impact on Aesthetic and Community Resources** – The Planning Board has reviewed the plans and reports with regard to aesthetic and community resources. The Planning Board held a Public Hearing on the project and received input from the public. Buffer zones in compliance with the Town Code for projects in the B Zone adjoining Residential Zones have been established and are identified on the plans. A site Landscaping Plan and fencing are proposed to further mitigate impacts associated with visual and noise. The Town undertook an Architectural Review process identifying building features, architectural enhancements and façade colors during the planning process.

The Planning Board has found that the project is acceptable and in harmony with surrounding land uses in the B Zoning District.

**Date of Action:** 7 July 2022

**Date of Mailing:** 30 August 2022

**Involved Agencies:** Town of Newburgh Planning Board  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550  
845-564-7804

Town of Newburgh Zoning Board of Appeals  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

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

New York State Department of Transportation  
SEQRA Unit/Traffic, Engineering and Safety Division  
4 Burnett Boulevard  
Poughkeepsie NY, 12603

New York State Department of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, NY 12561  
ATTN: Environmental Permits/SEQRA Unit

Orange County Planning Department  
124 Main Street  
Goshen, NY 10924

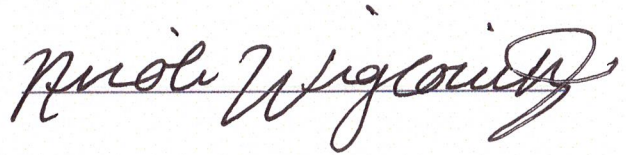
New York State Office of Parks, Recreation & Historic  
Preservation  
Pebbles Island Resource Center  
P.O. Box 189  
Waterford, NY 12188-0189

AFFIDAVIT OF POSTING(S) OF  
NOTICE OF PUBLIC HEARING  
AT THE PROPERTY

STATE OF NEW YORK: COUNTY OF ORANGE:

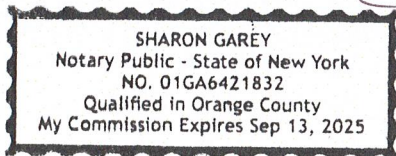
I Nicole Winglovitz, being duly sworn, depose and say that I did on or before  
December 8, 2022, post and will thereafter maintain at  
Monarch Dr 103-7-18 & 47-1-46 B Zone in the Town of Newburgh, New York, at or near the front  
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which  
notice was in the form attached hereto.

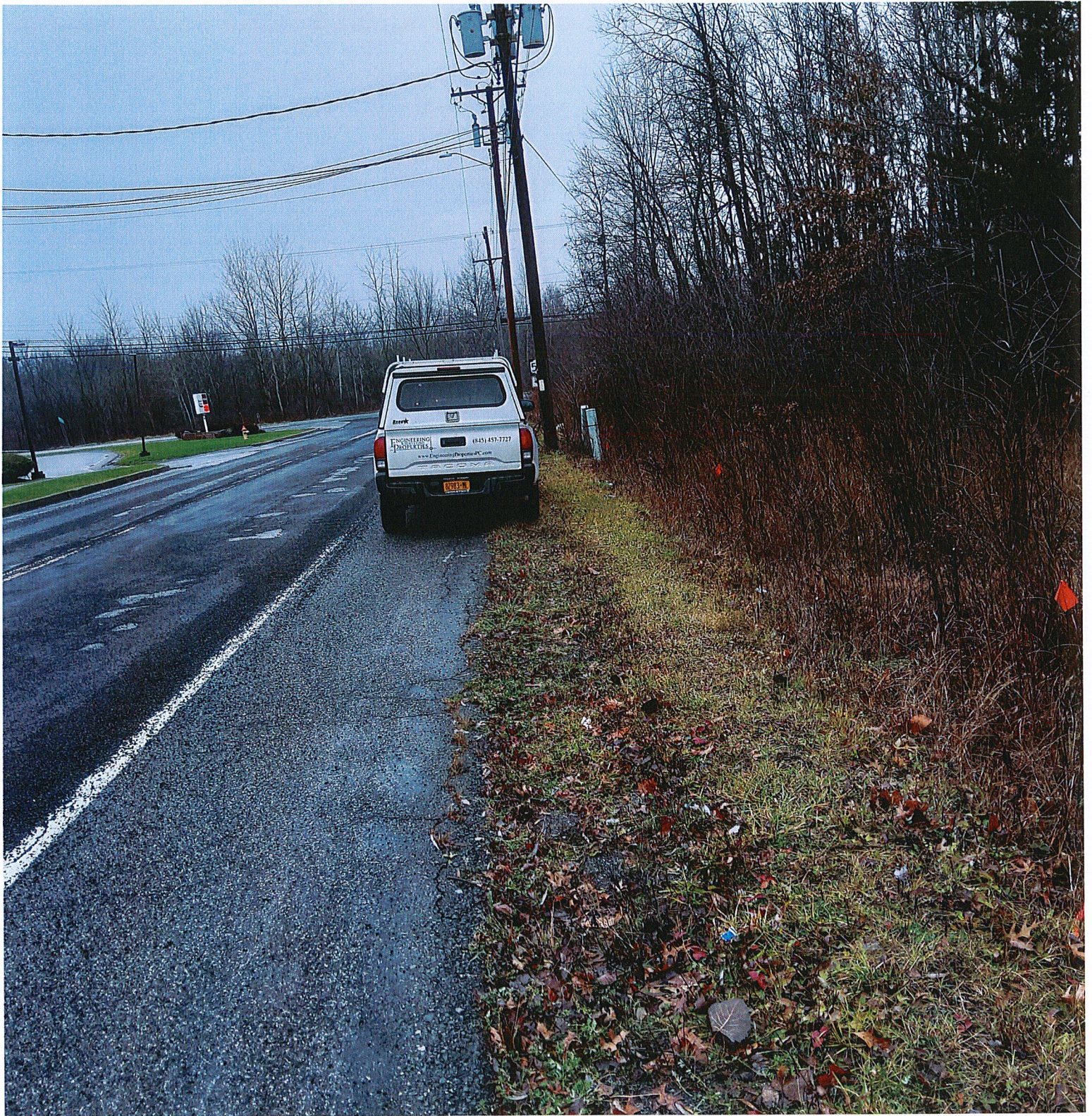
The applicant shall maintain and update notice(s) (with amended information if there is any change to  
the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The  
Notice must then be removed and property disposed of within ten (10) days of the close of the Public  
Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for  
additional time.



Sworn to before me this 8<sup>th</sup>

day of December, 2022.









## TOWN OF NEWBURGH

*Crossroads of the Northeast*  
ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

OFFICE OF ZONING BOARD  
TELEPHONE 845-566-4901  
FAX LINE 845-564-7802

### NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 22nd day of December, 2022 at 7:00 P.M., in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of ~~(Rehearing of a Planning Board referral)~~ 52 Monarch Development Inc for an interpretation of the height limitation in the B Zone for senior housing and area variances of the maximum size of the one a two bedroom units and maximum building height.

PREMISES LOCATED at Monarch Dr 103-7-1B & 47-1-46 B Zone in the Town of Newburgh, New York.

TAKE NOTICE that the applicant should appear at the hearing and all persons interested in any way may appear and be heard by the Board.

BY ORDER of the Zoning Board of Appeals dated the 5th day of December, 2022.

  
(APPLICANT)





