



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

PROJECT NAME: SCANNELL-NEWBURGH COMMERCE CENTER
PROJECT NO.: 2021-21
PROJECT LOCATION: SECTION 95, BLOCK 1, LOT 58
REVIEW DATE: 26 AUGUST 2021
MEETING DATE: 2 SEPTEMBER 2021
PROJECT REPRESENTATIVE: LANGAN ENGINEERS

1. The Applicant has identified the structure as a flex space. nO definition for that use exists in the Town of Newburgh Code. It appears that the project is being designed with approximately 44 loading dock spaces on the west side of the structure. In addition, 44 trailer parking spaces are located on the west side. The Town of Newburgh’s IB District bulk tables column D, No. 9 identifies warehouse, storage and transportation facilities including truck and bus terminals not within 500 feet of Route 17K. This project appears to propose a warehouse use within 500 feet of Route 17K. An interpretation and/or variance from the Zoning Board of Appeals would be required. The plans identify that the south side of the structure is 381 feet from the Route 17K right-of-way.
2. Several areas on the plans have been identified as “potential buffer area to be reasonably landscaped to screen for proposed development from adjacent residential uses in The IB District”. This information should be further developed on detailed design plans as that note is open for interpretation.
3. The project proposes a 127,200 square foot building. Buildings in excess of 100,000 square feet are considered Type I Actions for SEQRA review. While the project may require an appearance before the Zoning Board, Type I Actions require a coordinated review. The Planning Board should consider Intent for Lead Agency. Modifications to the EAF will be required prior to circulation.
4. Finished floor elevation should be depicted on the structure.
5. Location of watermains in Route 17K should be depicted on the plans.
6. This project is located within the City of Newburgh watershed. additional stormwater quality treatment is required as a policy of Town of Newburgh Planning Board. 110% of the water quality volume should be treated on the site. Any future SWPPP prepared should address the project being located within the watershed.

NEW YORK OFFICE

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

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111 Wheatfield Drive, Suite 1, Milford, PA 18337
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7. The loading dock portions of the site are considered stormwater hot spots. Use of infiltration practices to treat stormwater hot spots should be further evaluated.
8. A review of the Environmental Assessment Form submitted identifies potential habitat for 2 threatened or endangered species. The Indiana Bat and the Upland Sandpiper. Coordination of the potential impacts to these species with the NYSDEC should be undertaken. Detailed reports regarding protection of the species should be provided with future submissions.
9. The EAF identifies the proposed acreage as 13.8 and that 13.8 acres will be disturbed. It does not appear that 100% of the site will be disturbed by the project.
10. The EAF identifies water use at 10,000 gallons per day. Applicants are requested to identify the hydraulic loading from the facility.
11. The Applicants representatives have identified that a wetland delineation is being prepared on the site. The wetland delineation should be submitted for the Planning Boards review.
12. The plan identifies structures to be removed. Notes should be added to the plans stating that a demolition permit from the Town Building Department is required prior to demolition of any structures on the site.

Respectfully submitted,

MHE Engineering, D.P.C.



Patrick J. Hines
Principal

PJH/kbw

WHITEMAN
OSTERMAN
& HANNA LLP

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www.woh.com

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August 19, 2021

VIA HAND DELIVERY AND EMAIL

John P. Ewasutyn, Chairman
Town of Newburgh Planning Board
Town of Newburgh Town Hall
1496 Route 300
Newburgh, New York 12550

RE: *Newburgh Commerce Center - Request for Sketch Plan Review*
Property: 124 Route 17K, Newburgh, NY (Tax ID: 95-1-58)
Planning Board Project No: 2020-21

Dear Chairman Ewasutyn and Members of the Planning Board:

This firm represents Scannell Properties, LLC ("Scannell"), a contract vendee for real property located at 124 Route 17K in the Town of Newburgh (Tax ID: 95-1-58) (the "Property"). Scannell is proposing to develop a new 127,200 square foot commercial/industrial center on the Property to be known as the Newburgh Commerce Center (the "Project"). Pursuant to the Town of Newburgh Zoning Code § 187-57(B) (the "Zoning Code"), Scannell submits the enclosed materials noted below to the Planning Board for sketch plan review.

The Property is bounded by NYS Route 17K and three single-family homes to the south; a large warehouse occupied by F.W. Webb to the west, a large car-dealership and two single-family homes to the east, and warehouses to the north. Stewart International Airport is located across Route 17k from the Property. The Property contains a single-family home and related accessory structures which will be removed as part of the Project.

The Property contains approximately 14.9 acres of land and is located in the Town's Interchange Business ("IB") zoning district. Commercial and industrial uses like manufacturing, processing, laboratories, offices and warehouses are permitted in the IB zoning district, subject to

August 19, 2021
Page 2

site plan approval from the Planning Board pursuant to Article IX of the Zoning Code. The building is expected to be a flex-space building with multiple tenants meeting the requirements of the Zoning Code. In addition, as depicted on the enclosed sketch plan, the Project complies with the bulk and area requirements in the Town's Zoning.

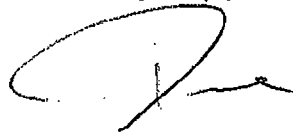
To assist the Planning Board in its review of the sketch plan, enclosed herewith are twelve (12) paper copies of this letter and the following materials organized into individual packets:

- Site Plan Application Package;
- Project Narrative;
- Long Environmental Assessment Form (EAF); and
- Sketch Plan (dated August 18, 2021) prepared by Langan Engineering.

In addition, enclosed are three checks to cover the following: (1) the site plan application fee for this Project; (2) public hearing fee; and (3) the escrow fee for the Planning Board's professional services to review the Project and the EAF fee.

We would respectfully request to be placed on the agenda for the Planning Board's upcoming September 2, 2021 meeting for sketch plan review. We look forward to obtaining initial feedback from the Planning Board related to this Project. If you have any questions on the enclosed materials, please let me know. Thank you kindly for your attention to this matter.

Very truly yours,



David R. Everett

Enclosures

c: (w/paper and electronic enclosures):
Patrick Hines

c: (w/electronic enclosures only):
Kenneth Wersted, P.E.
Dominic Cordisco, Esq.
Scannell Properties
Chuck Utschig, P.E.

**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:** 2020-21
(Application fee returnable with this application)

1. Title of Subdivision/Site Plan (Project name):

Newburgh Commerce Center

2. Owner of Lands to be reviewed:

Name Red Oak SOS, LLC
Address 1400 E 66th Avenue
Denver, Colorado 80229
Phone _____

3. Applicant Information (If different than owner):

Name Scannell Properties, LLC
Address 8801 River Crossing Blvd., Suite 300
Indianapolis, Indiana 46240
Representative Zachary Zweifler
Phone (763) 331-8857
Fax _____
Email zacharyz@scannellproperties.com

4. Subdivision/Site Plan prepared by:

Name Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Address One North Broadway, Suite 910
White Plains, New York 10601
Phone/Fax (914) 323-7400; fax (914) 323-7401

5. Location of lands to be reviewed:

124 Route 17K, Newburgh, New York 12550

6. Zone IB - Interchange Business **Fire District** Orange Lake
Acreeage 14.9 **School District** Newburgh Enlarged City District

7. Tax Map: Section 95 **Block** 1 **Lot** 58

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 Sketch plan and site plan review for industrial/commercial center.

Clearing and grading Applicant may apply for clearing and grading permit at later date.

Other _____

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) N/A

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

Signature  Title Development Manager

Date: Agustus 17, 2021

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

Newburgh Commerce Center

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)**

<p><u>Checklist Legend:</u> x - information provided N/A - Not Applicable TBP - Information to be provided with full site plan submission documents.</p>
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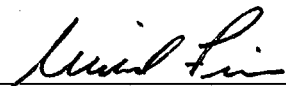
II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.

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

30. N/A Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. N/A 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. x Number of acres to be cleared or timber harvested
33. TBP Estimated or known cubic yards of material to be excavated and removed from the site
34. TBP Estimated or known cubic yards of fill required
35. TBP The amount of grading expected or known to be required to bring the site to readiness
36. N/A 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. N/A 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: 
 Licensed Professional

Date: 08/20/2021

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): 08/20/2021

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.

Scannell Properties, LLC
APPLICANT'S NAME (printed)


APPLICANTS SIGNATURE
Zachary Zweifler, Development Manager

August 17, 2021
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).

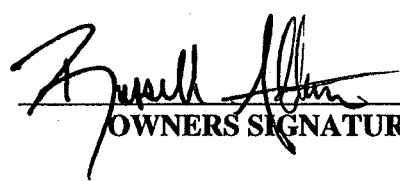
PROXY

(OWNER) Red Oak SOS, LLC, DEPOSES AND SAYS THAT HE/SHE
RESIDES AT 1400 E 66th Ave, Denver
IN THE COUNTY OF Adams
AND STATE OF Colorado

AND THAT HE/SHE IS THE OWNER IN FEE OF a parcel of real property
located at 124 Route 17K, Newburgh, NY (Tax ID: 95-1-58)

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH
PLANNING BOARD AND Scannell Properties, LLC IS AUTHORIZED
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 8/19/21


OWNERS SIGNATURE

Res Oak SOS, LLC
OWNERS NAME (printed)


WITNESS' SIGNATURE

NAMES OF ADDITIONAL
REPRESENTATIVES

ROSS ALTMAN
WITNESS' NAME (printed)

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.

August 17, 2021
DATED

Scannell Properties, LLC
APPLICANT'S NAME (printed)


APPLICANT'S SIGNATURE
Zachary Zweifler, Development Manager

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

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Newburgh Commerce Center (Planning Board No. 2020-21)		
Project Location (describe, and attach a general location map): The site is located +/-800-ft east of the intersection of NYS Route 17K and Corporate Boulevard. (SBL: 95-1-58)		
Brief Description of Proposed Action (include purpose or need): The proposed action consists of a +/- 127,200-square foot flex space building that meet the requirements of the zoning code. The proposed action will also include associated loading and parking spaces, utilities, and stormwater management practices. Access to the project site will be provided from NYS Route 17K.		
Name of Applicant/Sponsor: Scannell Properties, LLC	Telephone:	
	E-Mail: ZacharyZ@scannellproperties.com	
Address: 8801 River Crossing Boulevard Suite 300		
City/PO: Indianapolis	State: IN	Zip Code: 46240
Project Contact (if not same as sponsor; give name and title/role): Michael Finan, Associate (Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.)		Telephone: (914) 323-7410
		E-Mail: mfinan@langan.com
Address: 1 North Broadway, Suite 910		
City/PO: White Plains	State: NY	Zip Code: 10601
Property Owner (if not same as sponsor): Red Oak SOS LLC		Telephone:
		E-Mail:
Address: 1400 E 66th Avenue		
City/PO: Denver	State: CO	Zip Code: 80229

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Newburgh Planning Board - Site Plan Approval; SEQR - if lead agency	Projected date: Fall 2021
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Newburgh Engineer and Water Department	Projected date: Fall 2021
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County (OC) Dept. of Planning - Site Plan Review. OC Dept of Health - water main conn.	Projected date: Fall 2021
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT - Highway Work Permit NYS DEC - SPDES; Wetland JD	Projected date: Fall 2021
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE Wetland JD; FAA Notice of Construction/Hazard to Air Nav. Determination	Projected date: Fall 2021
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

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

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

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

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

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
Town of Newburgh Police Department

c. Which fire protection and emergency medical services serve the project site?
Orange Lake Fire District; Town of Newburgh Emergency Medical Services

d. What parks serve the project site?
Algonquin Powder Mill Park (municipal 2mi north), Cronomer Hill County Park (county, 2mi north), New Windsor Historic Parklands (municipal 2mi south), Stewart State Forest (state 4mi west)

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? _____ ±13.8 acres
 b. Total acreage to be physically disturbed? _____ ±13.8 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ ±13.8 acres

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

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ 16 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

* A 5-ac waiver will be requested for this project to construct in a single phase.

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

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

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

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: < 40 feet height; 240 width; and 530 length

iii. Approximate extent of building space to be heated or cooled: ±127,200 square feet

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

i. Purpose of the impoundment: Stormwater management ponds

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Drainage from site

iii. If other than water, identify the type of impounded/contained liquids and their source.
N/A

iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD acres

v. Dimensions of the proposed dam or impounding structure: N/A height; N/A length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Excavation of land.

D.2. Project Operations

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

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

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

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

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
TBD - After the wetland delineation is complete, a jurisdictional determination will be done if necessary.

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

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

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

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

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ 10,000 gallons/day

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

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

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

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

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

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

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

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

d. Will the proposed action generate liquid wastes? Yes No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 10,000 gallons/day

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

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

- Name of wastewater treatment plant to be used: City of Newburgh - Renwick Street wastewater treatment plant
- Name of district: Town of Newburgh Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or ±7.0 acres (impervious surface)
 _____ Square feet or ±13.8 acres (parcel size)
 ii. Describe types of new point sources. Conveyance pipes

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
On-site stormwater runoff will be treated for water quality and detained by various stormwater management basins and features, including underground detention chambers. Stormwater discharge will be directed to match existing watersheds and flow patterns.
 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
Truck fleet
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
Generators, batch plants, concrete crusher, asphalt miller, soil screener
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
Larger boilers, generators

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

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

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

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

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
90 trips/day

iii. Parking spaces: Existing 0 spaces Proposed 103 spaces Net increase/decrease 103 spaces

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

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
Access to the site will be provided from NYS Route 17K. Modifications to NYS Route 17k will be required to allow for access into the site.

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
340 KW average demand, 500 kw Peak.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Grid/local utility (Central Hudson Gas and Electric - Coldenham substation)

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

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

i. During Construction:

- Monday - Friday: Will comply with local regulations
- Saturday: Will comply with local regulations
- Sunday: Will comply with local regulations
- Holidays: Will comply with local regulations

ii. During Operations:

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

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

If yes:

i. Provide details including sources, time of day and duration:
Construction-related noises during permitted hours of construction

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

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

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Full cut-off site lighting will be installed to provide light along driveways, walkways and parking areas to ensure clear and safe circulation, while avoiding adverse impacts on surrounding areas. The lighting plan will include standard pole-mount and wall-mount fixtures.

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

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

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

If Yes:

i. Product(s) to be stored _____

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

iii. Generally, describe the proposed storage facilities: _____

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

If Yes:

i. Describe proposed treatment(s):
Potential use of pesticides for landscaping during operation.

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

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

If Yes:

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

- Construction: _____ TBD tons per _____ month (unit of time)
- Operation : _____ TBD tons per _____ month (unit of time)

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

- Construction: Construction waste will be minimized through efficient materials use and solid waste will be disposed of in appropriate manner.
- Operation: Solid waste and recycling will be collected on site and disposed by private waste management vendor.

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

- Construction: Private waste management vendor.
- Operation: Private waste management vendor.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): Stewart International Airport, Army National Guard Base
 ii. If mix of uses, generally describe:
The general mix of uses is characterized by uses associated with a transportation corridor including transportation, industrial and commercial uses, with scattered residential uses in an urban setting.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	±0.22	±7.0	+6.78
• Forested	±6.27	0	-6.27
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	±6.48	±6.8	+0.32
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	±0.83	0	-0.83
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No * TBD - Phase I is being conducted.
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 336088, 336089
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

336088 and 336089 are in reference to Stewart International Airport. A portion of the site was previously used as an Air National Guard Base (ANGB). Aqueous film-forming foam (AFFF), in which perfluorooctanesulfonic acid (PFOS) is a key ingredient, has been used over the years at the base to put out fires and in training exercises. PFOS has been detected in soil, groundwater, and surface water samples at the ANGB. Contaminants have migrated off-site and sampling has identified the presence of perfluorooctane sulfonic acid (PFOS) in Lake Washington, the primary source of the City of Newburgh water supply. Actions should be taken to reduce human exposures to PFOS in drinking water supplies. These actions include measures to address the contamination in the water supply (e.g., using alternate sources of water and pursuing treatment of surface water sources) and actions to address sources of drinking water contamination where levels exceed applicable standards, criteria, or guidance. Currently, an alternate source of drinking water is being used to reduce exposure. Additional investigation and sampling is being completed to evaluate where and how people may be exposed to site-related contaminants.

v. Is the project site subject to an institutional control limiting property uses? Yes No

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >5 feet See section E.2.c. for depth to bedrock per the Soil Survey of Orange County, New York

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

c. Predominant soil type(s) present on project site:		Depth to	
		Bedrock	Water
<u>Ab Alden silt loam</u>	<u>21.5 %</u>	>5 ft	0 to 0.5 ft
<u>BnB Bath-Nassau channery silt loam</u>	<u>31.9 %</u>	4-5 ft	2 to 4 ft
<u>MdB Mardin gravelly silt loam</u>	<u>46.6 %</u>	>5 ft	1.5 to 2 ft

d. What is the average depth to the water table on the project site? Average: _____ 2 feet See section E.2.c. for depth to high water table per the Soil Survey of Orange County, New York

e. Drainage status of project site soils: Well Drained: 31.9 % of site
 Moderately Well Drained: 46.6 % of site
 Poorly Drained: 21.5 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 97.4 % of site
 10-15%: 1.4 % of site
 15% or greater: 1.4 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features. * See note at bottom of page

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:
 i. Name of aquifer: _____

* Section H is automatically filled out through the NYSDEC EAF Mapper Generator and does not necessarily mean there are wetlands on-site. A wetlands delineation is in the process of being complete. On-site wetlands, if any, will be evaluated at that time.

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 33%;">white-tailed deer</td> <td style="border-bottom: 1px solid black; width: 33%;">grey squirrel</td> <td style="border-bottom: 1px solid black; width: 33%;">groundhog</td> </tr> <tr> <td style="border-bottom: 1px solid black;">eastern cottontail</td> <td style="border-bottom: 1px solid black;">chipmunk</td> <td style="border-bottom: 1px solid black;">wild turkey</td> </tr> <tr> <td style="border-bottom: 1px solid black;">various songbirds</td> <td></td> <td></td> </tr> </table>			white-tailed deer	grey squirrel	groundhog	eastern cottontail	chipmunk	wild turkey	various songbirds		
white-tailed deer	grey squirrel	groundhog									
eastern cottontail	chipmunk	wild turkey									
various songbirds											
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 											
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>Indiana Bat, Upland Sandpiper</p>											
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing: _____</p>											
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>											
<p>E.3. Designated Public Resources On or Near Project Site</p>											
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>											
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>											
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>											
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>											

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p>ii. Name: _____</p> <p>iii. Brief description of attributes on which listing is based: _____</p>
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify resource: <u>Stewart State Forest; Newburgh-Beacon Bridge/Hudson River</u></p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State forest land; State Scenic Road</u></p> <p>iii. Distance between project and resource: _____ <u>3.5</u> miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

F. Additional Information

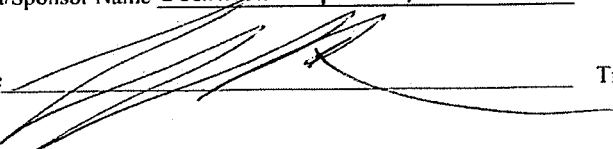
Attach any additional information which may be needed to clarify your project.

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

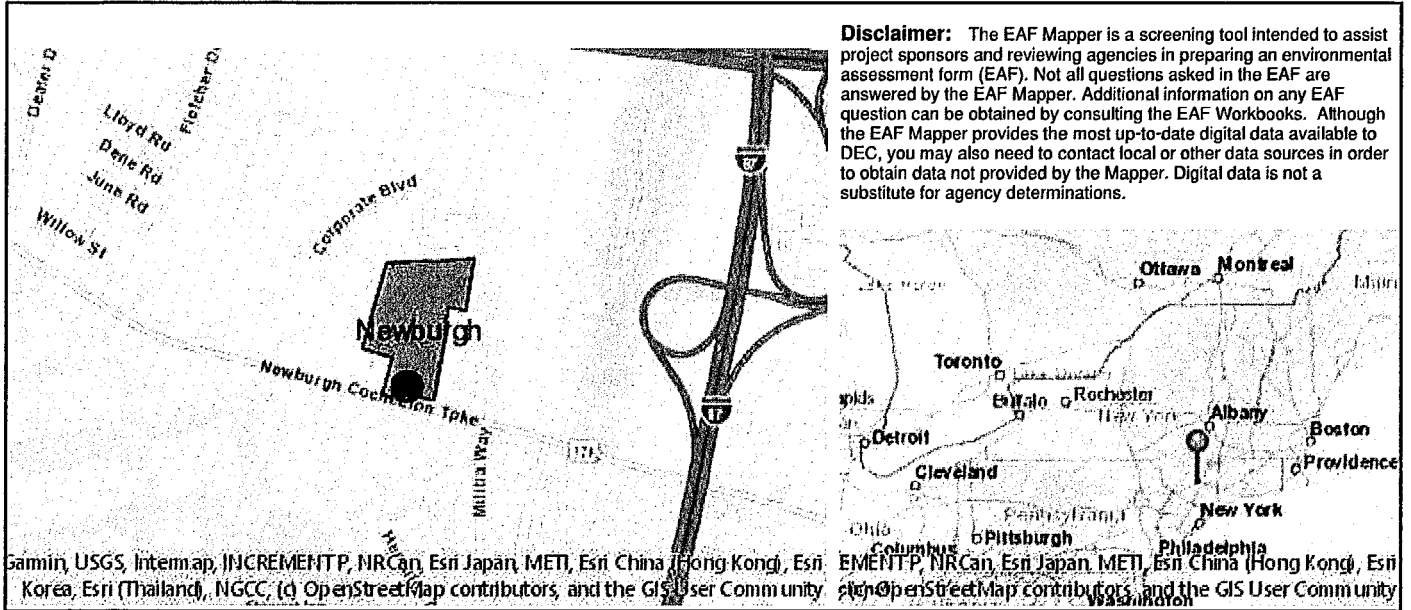
G. Verification

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

Applicant/Sponsor Name Scannell Properties, LLC Date August 19, 2021

Signature  Title Development Manager

PRINT FORM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	336088, 336089
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No

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

PROJECT NARRATIVE

Newburgh Commerce Center

Planning Board Project No. 2020-21

August 19, 2021

Scannell Properties, LLC (“Scannell”) has a contract to purchase real property located at 124 Route 17K in the Town of Newburgh (Tax ID: 95-1-58) (the “Property”). Scannell is proposing to develop the Property with a new 127,200 square foot commercial and industrial center to be known as Newburgh Commerce Center (the “Project”).

The Property is bounded by NYS Route 17K and three single-family homes to the south, a large warehouse occupied by F.W. Webb to the west, a large car-dealership and two single-family homes to the east, and warehouses to the north. Stewart International Airport is located across Route 17K from the Property. The Property contains a single-family home and related accessory structures which will be removed as part of the Project.

Scannell proposes to construct a 127,200 square foot building on the Property along with other site improvements including stormwater controls, utility lines (water, sewer, electric, gas, etc.), 103 car parking spaces, up to 44 trailer/truck storage spaces (these may be land-banked on future plans), docks, dark-sky compliant lighting, signage, and landscaping. Access to the Project is proposed from NYS Route 17K. The Project proposes to utilize municipal water and sewer services. The Project is anticipated to generate a water and sewer demand of approximately 10,000 GPD.

The Property contains approximately 14.9 acres of land and is located in the Town’s Interchange Business (“IB”) zoning district. Commercial and industrial uses like manufacturing, processing, light-industry, laboratories, offices, and warehouses are permitted in the IB zoning district, subject to site plan approval from the Planning Board pursuant to Article IX of the Zoning Code. The building is expected to be a flex-space building with multiple tenants meeting the requirements of the Zoning Code. In addition, as depicted on the enclosed sketch plan, the Project complies with the bulk and area requirements in the Town’s Zoning Code.

The Property is located in a predominantly commercial and industrial area with about six residential homes nearby, which are also located in the IB zone. Overall, there are a dozen existing warehouses and commercial buildings located adjacent or close to the Property. The nearby warehouse buildings are occupied by the following national and local companies, among others: F.W. Webb Company, Amerisource Bergen, Amscan, A. Duie Pyle, AJW Architectural Products, C&S Wholesale Grocers, Big Shine LED, US Global Airways, and Tetron Aviation Service Center. The nearby commercial uses include the following, among others: Healey Kia (a large car dealership), a Gulf gas station, the Orange County Solid Waste Transfer Station #2, two hotels,

Stewart Air National Guard Base, a car service shop, a home health care service company, a restaurant, a veterinary hospital, and other commercial uses.

The Project Site is perfectly situated for a flex-space commercial center being located on Route 17K and close to the intersections of I-84, I-87 and Route 300, cars, trucks, and other vehicles will easily access the Project by using State highways and without traveling on local roads.

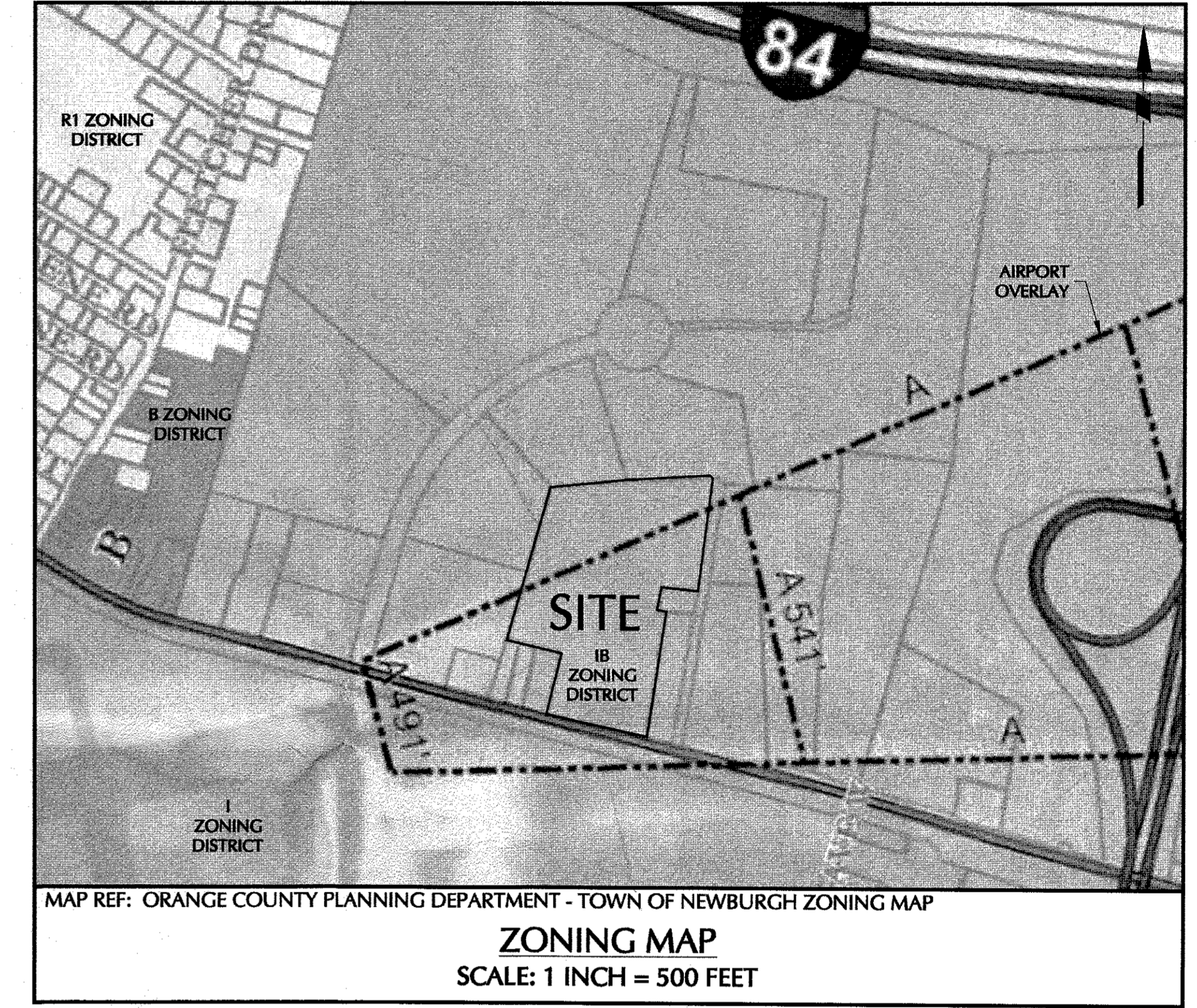
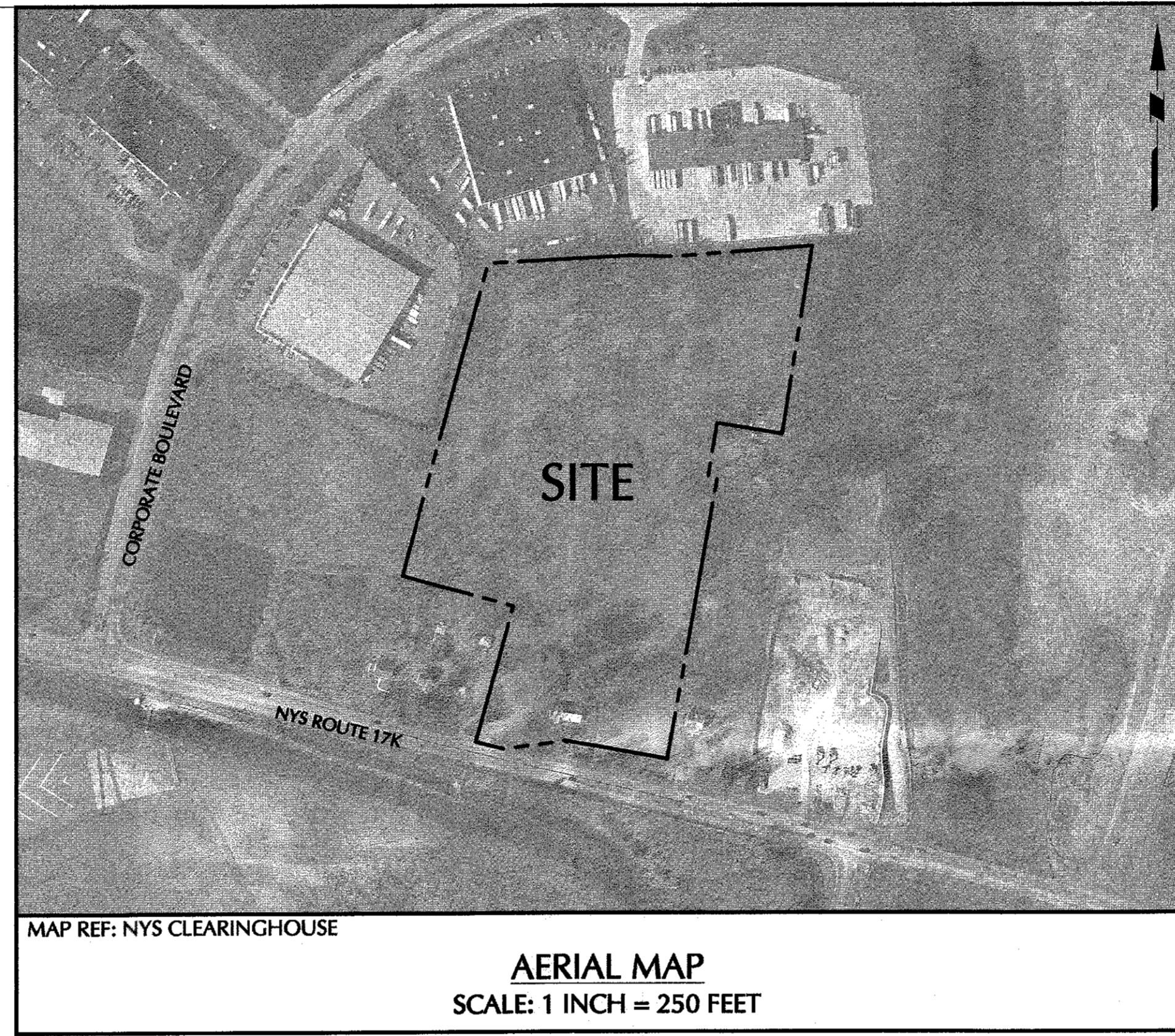
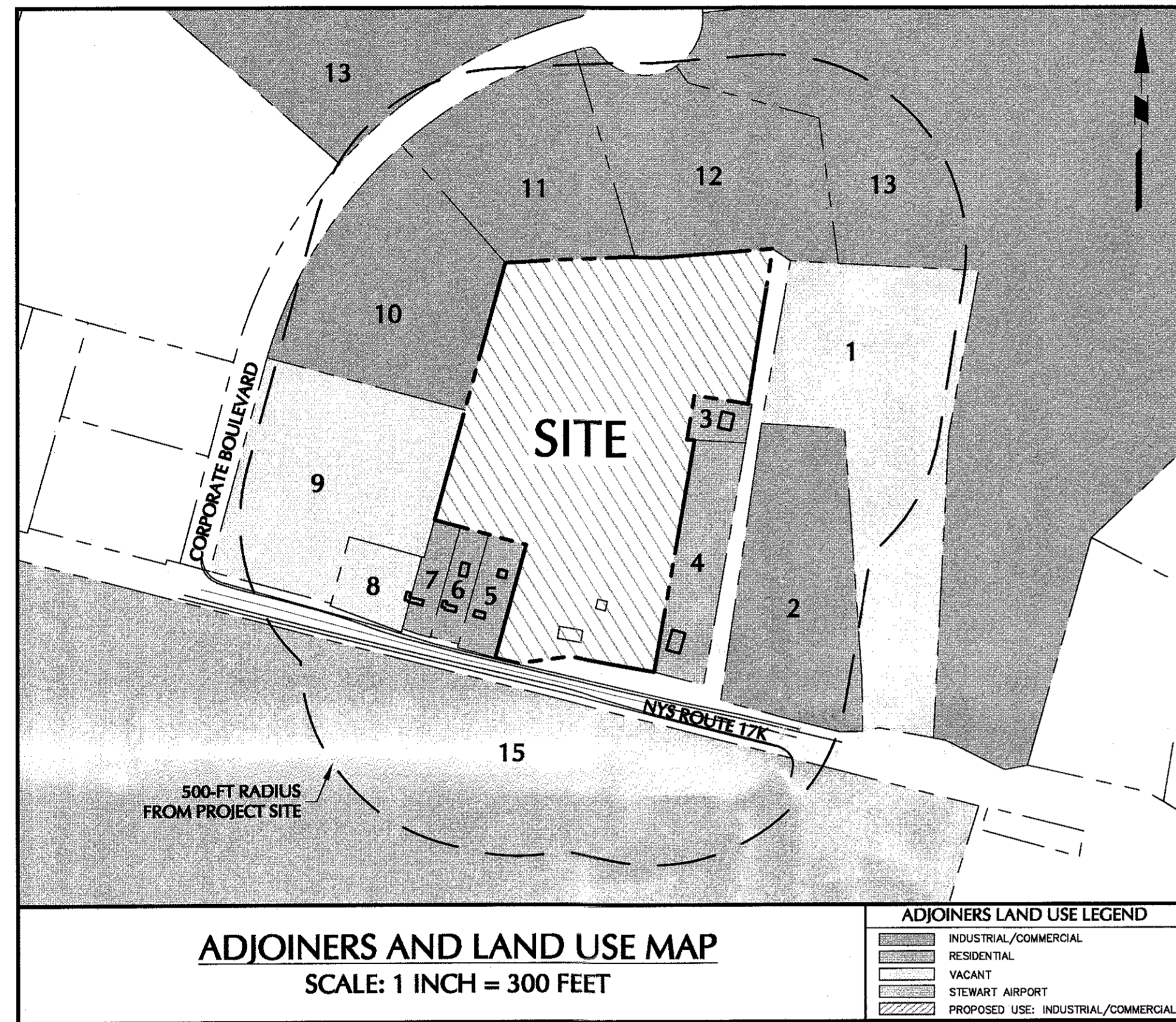
At this time, no tenants have been identified for the Project, but Scannell desires to obtain the necessary approvals from the Town for the Project which would allow them to market the Property as "pre-approved" as a flex-space building with multiple tenants meeting the use requirements of the Zoning Code and within certain operational parameters (i.e., sewer/water flows, traffic trips, parking, etc.) to be established by the Planning Board as part of the SEQRA and site plan approval process. A pre-approved site will allow Scannell to quickly attract high-quality tenants for the Project.

As part of the site plan review process, Scannell will prepare a detailed assessment of the potential environmental impacts of the Project pursuant to the State Environmental Quality Review Act ("SEQRA"). This assessment will include the following studies and reports, among others: a traffic study, a stormwater pollution prevention plan ("SWPPP"), a noise study, a geotechnical study, and a visual assessment. The SWPPP will be designed and prepared in accordance with all applicable Town and New York State Department of Environmental Conservation ("NYSDEC") requirements.

Lastly, it should be noted that the Newburgh Commerce Center is expected to generate significant real property tax revenues for the Town of Newburgh, Orange County, the local school district, and other taxing jurisdictions. In addition, the Project will generate significant sales taxes on construction materials to benefit the Town, the County, and New York State. The Project will also generate significant one-time application fees and create temporary construction jobs as well as permanent jobs during operation.

SKETCH PLAN SUBMISSION DOCUMENTS FOR NEWBURGH COMMERCE CENTER

TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK
SECTION 95, BLOCK 1, LOT 58
PLANNING BOARD PROJECT No: 2020-21



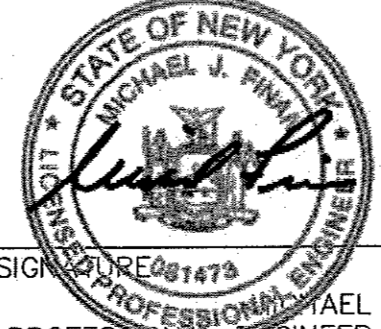
ADJACENT PROPERTY OWNERS				
1. 95-1-54.2 PDH Realty, LLC P.O. Box 859 Goshen NY 10924	4. 95-1-57 Cosimo J. Colandrea P.O. Box 3257 Newburgh, NY 12550	7. 95-1-61 Brandon Ozman 130 W Main Street Walden, NY 12586	10. 95-1-75 JDP Associates, LLC 160 Middlesex Turnpike Bedford, MA 01730	13. 95-1-1.1 Northeast Business Center 3 Manhattanville Road Purchase, NY 10577
2. 95-1-53 PDH Realty, LLC P.O. Box 859 Goshen NY 10924	5. 95-1-59 TJP Realty, LLC 70 Taylors Way Newburgh, NY 12550	8. 95-1-64 Pilsinos Property Inc. 113 Dogwood Lane Newburgh, NY 12550	11. 95-1-1.32 Business Center Northeast 3 Manhattanville Road Purchase, NY 10577	14. 95-1-79.2 Matrix Newburgh I, LLC CN 4000 Forsgate Drive Cranbury, NJ 08512
3. 95-1-56 Van Schrier 120 Route 17K Newburgh, NY 12550	6. 95-1-60 Michael W. Kane 128 Route 17K Newburgh, NY 12550	9. 95-1-76 Palm Hospitality, LLC 48 Sherwood Heights Wappingers Falls, NY 12590	12. 95-1-69.12 A Duie Pyle P.O. Box 564 650 Westtown Road West Chester, PA 19381	15. 89-1-79 NYS Department of Transportation Albany NY 12201

PROJECT CONTACTS	
APPLICANT:	SCANNELL PROPERTIES, LLC 8801 RIVER CROSSING BOULEVARD, SUITE 300 INDIANAPOLIS, IN 46240
OWNER:	RED OAK SOS, LLC 1400 E 66TH AVENUE DENVER, CO 80229
SITE/CIVIL ENGINEER:	LANGAN ONE NORTH BROADWAY, SUITE 910 WHITE PLAINS, NY 10604 (914) 323-7400

DRAWING LIST		
DRAWING NO.	SHEET NO.	DRAWING TITLE
CS001	1 OF 3	COVER SHEET
CD101	2 OF 3	EXISTING CONDITIONS AND SLOPES ANALYSIS PLAN
CS101	3 OF 3	CONCEPT SITE PLAN

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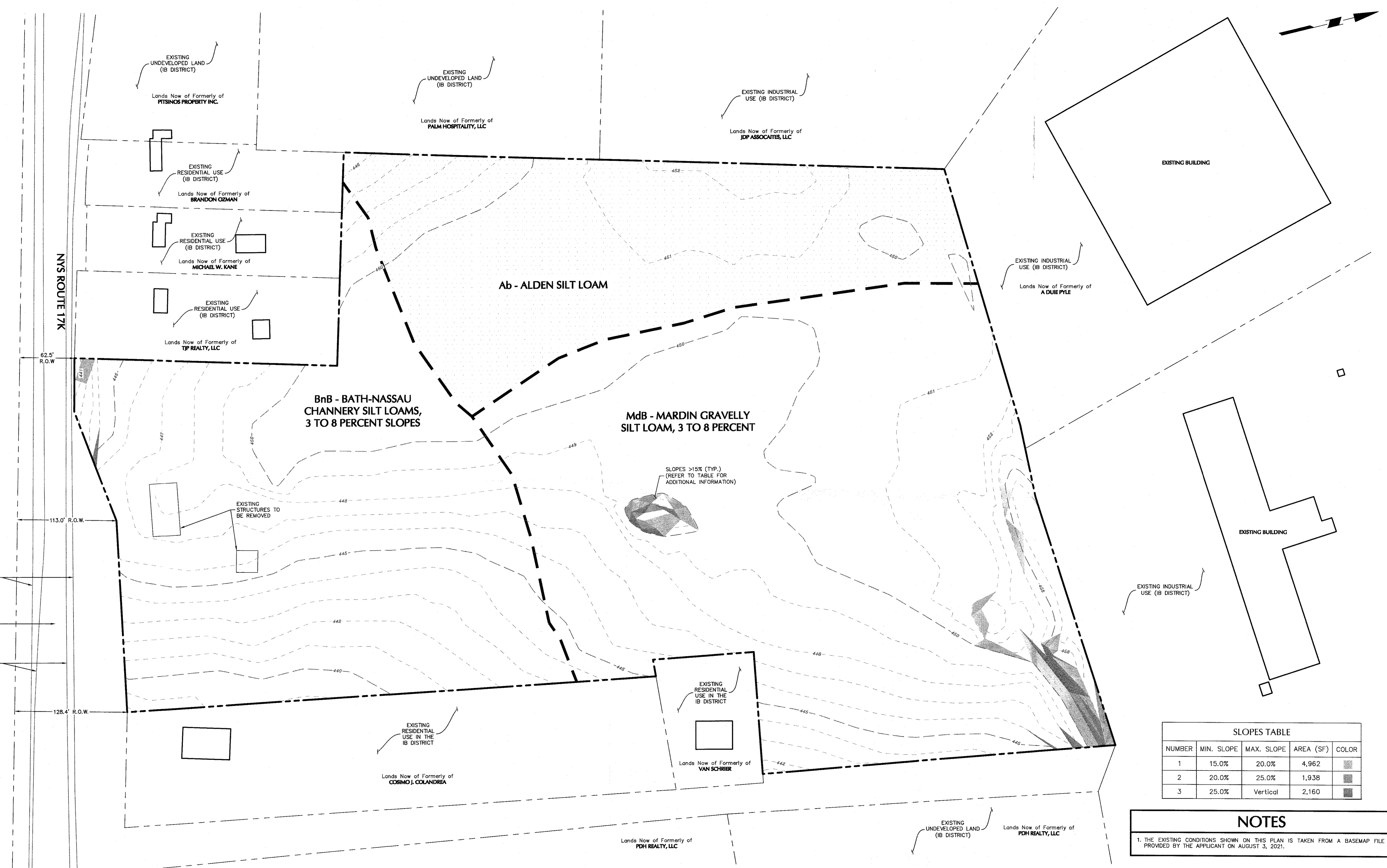
Date	Description	No.
REVISIONS		


 08/19/2021
 DATE SIGNED
 SIGNATURE: MICHAEL J. FINAN
 PROFESSIONAL ENGINEER NY Lic. No. 081473-1

LANGAN
 Langan Engineering, Environmental, Surveying,
 Landscape Architecture and Geology, D.P.C.
 One North Broadway, Suite 910
 White Plains, NY 10601
 T: 914.323.7400 F: 914.323.7401 www.langan.com

Project
**NEWBURGH
COMMERCE CENTER**
 SECTION No. 95, BLOCK No. 1, LOT No. 58
 TOWN OF NEWBURGH
 ORANGE COUNTY NEW YORK

Drawing Title
COVER SHEET
 Project No.
 190071501
 Date
 AUGUST 19, 2021
 Drawn By
 LM
 Checked By
 MF
 Drawing No.
CS001
 Sheet 1 of 3

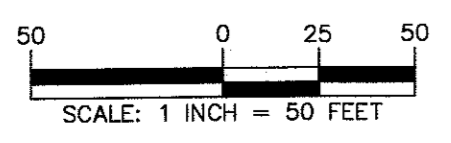


SLOPES TABLE				
NUMBER	MIN. SLOPE	MAX. SLOPE	AREA (SF)	COLOR
1	15.0%	20.0%	4,962	[Pattern]
2	20.0%	25.0%	1,938	[Pattern]
3	25.0%	Vertical	2,160	[Pattern]


NOTES

1. THE EXISTING CONDITIONS SHOWN ON THIS PLAN IS TAKEN FROM A BASEMAP FILE PROVIDED BY THE APPLICANT ON AUGUST 3, 2021.

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Date	Description	No.
REVISIONS		


 08/19/2021
 DATE SIGNED
 MICHAEL FINAN
 PROFESSIONAL ENGINEER NY Lic. No. 081473-1

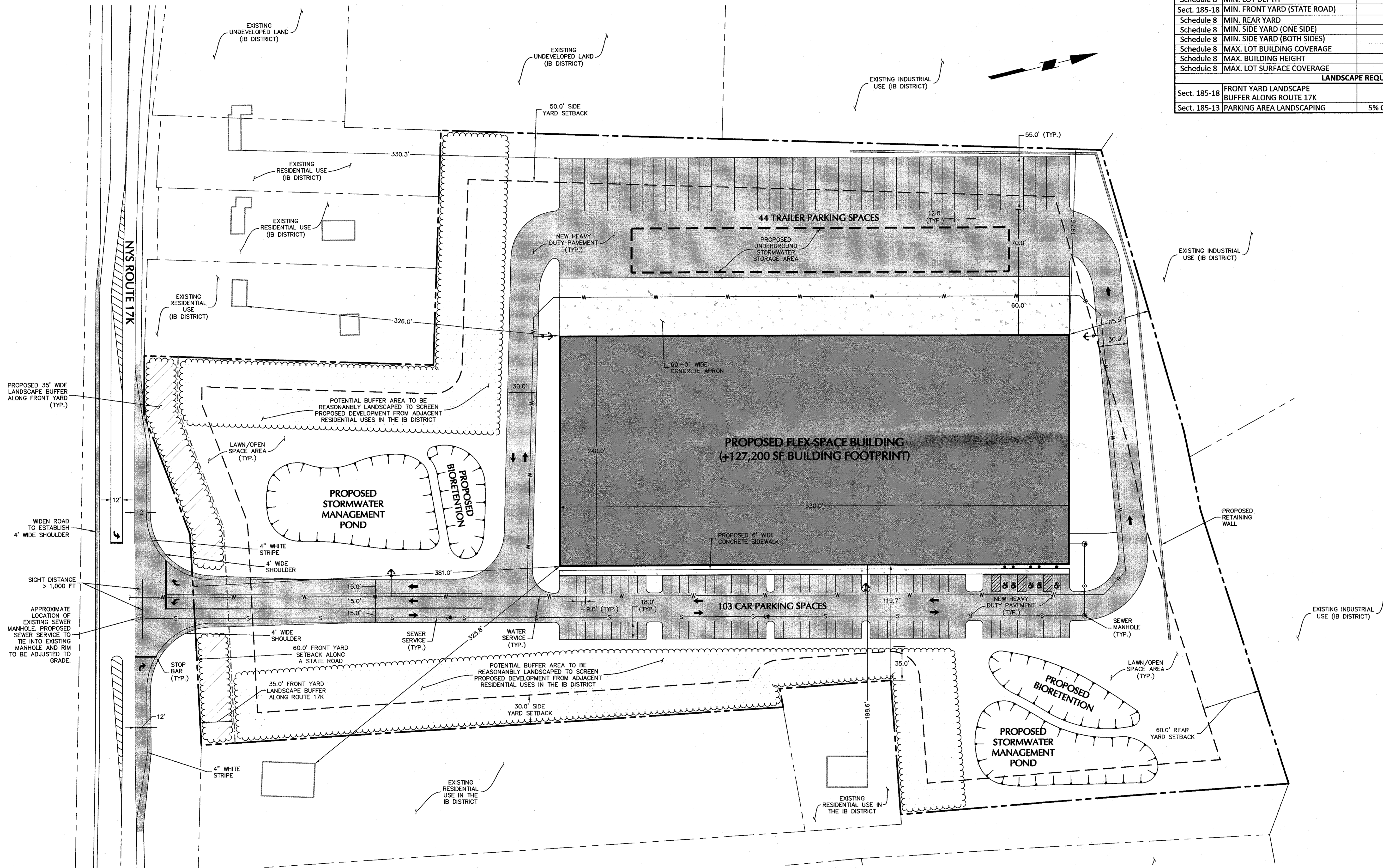
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Project
NEWBURGH COMMERCE CENTER
 SECTION No. 95, BLOCK No. 1, LOT No. 58
 TOWN OF NEWBURGH
 ORANGE COUNTY NEW YORK

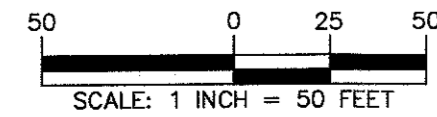
Drawing Title
EXISTING CONDITIONS AND SLOPES ANALYSIS PLAN

Project No.	190071501	CD101 Sheet 2 of 3
Date	AUGUST 19, 2021	
Drawn By	LM	
Checked By	MF	

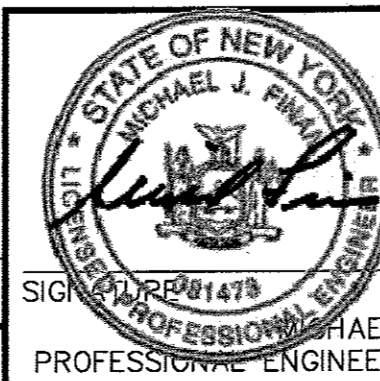
ZONING TABLE: TOWN OF NEWBURGH, NY				
INTERCHANGE BUSINESS (IB) ZONING DISTRICT				
SECTION No. 95, BLOCK No. 1, LOT No. 58				
CODE REF.	BULK REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Schedule 8	PRINCIPAL USE	Use subject to site plan review by Planning Board	Flex Space Building	YES
Schedule 8	MIN. LOT AREA	40,000 SF	±599,500 SF (13.8 AC)	YES
Schedule 8	MIN. LOT WIDTH	150 FT	408 FT	YES
Schedule 8	MIN. LOT DEPTH	150 FT	1,069 FT	YES
Sect. 185-18	MIN. FRONT YARD (STATE ROAD)	60 FT	381.0 FT	YES
Schedule 8	MIN. REAR YARD	60 FT	85.5 FT	YES
Schedule 8	MIN. SIDE YARD (ONE SIDE)	30 FT	119.7 FT	YES
Schedule 8	MIN. SIDE YARD (BOTH SIDES)	80 FT	312.3 FT	YES
Schedule 8	MAX. LOT BUILDING COVERAGE	40%	21.2%	YES
Schedule 8	MAX. BUILDING HEIGHT	40 FT	< 40 FT	YES
Schedule 8	MAX. LOT SURFACE COVERAGE	80%	51.0%	YES
LANDSCAPE REQUIREMENTS				
Sect. 185-18	FRONT YARD LANDSCAPE BUFFER ALONG ROUTE 17K	35 FT	35 FT	YES
Sect. 185-13	PARKING AREA LANDSCAPING	5% OF PARKING AREA	> 5%	YES



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Date	Description	No.
REVISIONS		



08/19/2021

DATE SIGNED

SIGNATURE OF MICHAEL FINAN
PROFESSIONAL ENGINEER NY Lic. No. 081473-1

LANGAN

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Landscape Architecture and Geology, D.P.C.
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Project

**NEWBURGH
COMMERCE CENTER**

SECTION No. 95, BLOCK No. 1, LOT No. 58
TOWN OF NEWBURGH

ORANGE COUNTY NEW YORK

Drawing Title

**CONCEPT
SITE PLAN**

Project No.

190071501

Date

AUGUST 19, 2021

Drawn By

LM

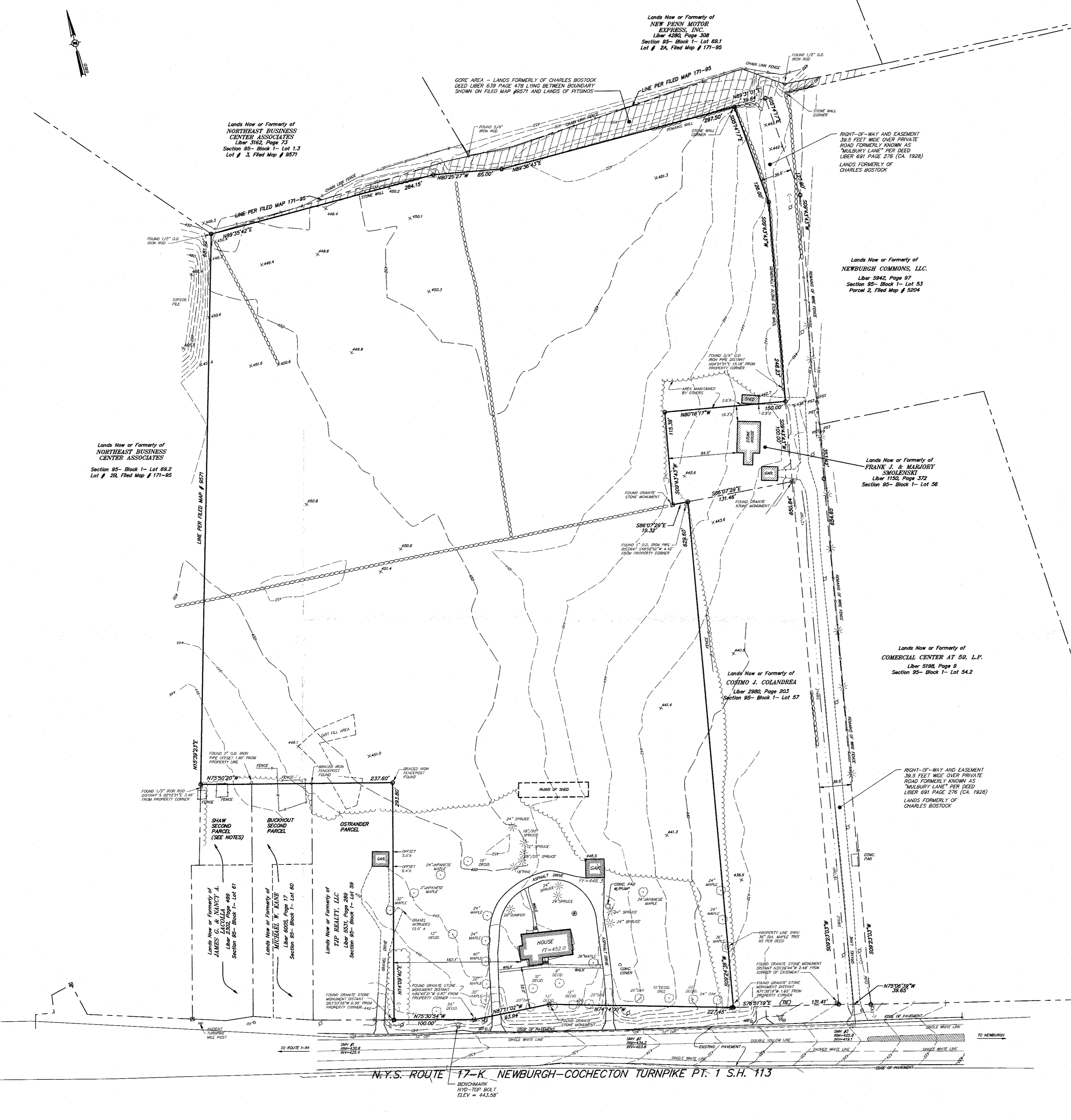
Checked By

MF

Drawing No.

CP01

Sheet 2 of 3



LEGEND:

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- NYSDOC WETLANDS LINE
- NYSDOC 100' BUFFER LINE
- ACDE WETLANDS LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING SPOT GRADE
- EXISTING FENCE
- EXISTING STONE WALL
- SWALE
- EXISTING TREE LINE
- EXISTING OVERHEAD WIRES
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING UNDERGROUND SEWER LINE
- EXISTING UNDERGROUND STORM LINE
- EXISTING BUILDING
- EXISTING CULVERT W/ PLAN END
- EXISTING ROAD
- EXISTING SIDEWALK
- EXISTING ASPHALT DRIVEWAY
- EXISTING GRAVEL DRIVEWAY
- EXISTING SIGN
- EXISTING SIGN
- EXISTING CATCH BASIN
- EXISTING CABLE TV PEDESTAL
- EXISTING CONIFEROUS TREE
- EXISTING DRAINAGE MANHOLE
- EXISTING DECAIDUOUS TREE
- EXISTING ELECTRIC BOX
- EXISTING ELECTRIC MANHOLE
- EXISTING ELECTRIC METER
- EXISTING GUY WIRE
- EXISTING GAS METER
- EXISTING GAS VALVE
- EXISTING HYDRANT
- EXISTING IRON PIPE
- EXISTING IRON ROD
- EXISTING LIGHT POLE
- EXISTING MAILBOX
- EXISTING MILE MARKER
- EXISTING MONUMENT
- EXISTING POST
- EXISTING SANITARY MANHOLE
- EXISTING TELEPHONE MANHOLE
- EXISTING TELEPHONE PEDESTAL
- EXISTING TREE W/ WIRE
- EXISTING UTILITY POLE
- EXISTING WETLAND BOUNDARY FLAG
- EXISTING WELL
- EXISTING WATER SHUT OFF VALVE
- EXISTING WATER VALVE

NOTES

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CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SIGNIFY THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC. THE CERTIFICATION IS LIMITED TO THE PERSONS FOR WHOM THE BOUNDARY MAP IS PREPARED, TO THE TITLE COMPANY, TO THE GOVERNMENTAL AGENCY, AND TO THE LENDING INSTITUTION LISTED ON THIS BOUNDARY SURVEY MAP.

SUBSURFACE STRUCTURES NOT VISIBLE OR READILY APPARENT ARE NOT SHOWN AND THEIR LOCATION AND EXTENT ARE NOT COVERED. REFER TO LIBER 5892 OF DEEDS AT PAGE 53 AND LIBER 605 OF DEEDS AT PAGE 161.

REFER TO CERTIFICATE AND REPORT OF TITLE ISSUED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY DATED AUGUST 23, 2005, TITLE NO. P-16328.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

SUBJECT TO RESTRICTIVE COVENANT AS RECORDED IN LIBER 1335 OF DEEDS AT PAGE 330.

THE SUBJECT PROPERTY IS BENEFITED BY AN AFFURMENT RIGHT-OF-WAY AND EASEMENT 30.5 FEET IN WIDTH OVER A PRIVATE ROAD FORMERLY KNOWN AS "MILBURY LANE" AS DESCRIBED IN LIBER 693 OF DEEDS AT PAGE 278 OVER LANDS FORMERLY OF CHARLES BOSTOCK AS RECORDED IN LIBER 639 OF DEEDS AT PAGE 478. SUBJECT TO EXPENSE AND MAINTENANCE PROVISIONS OF SAID AGREEMENT. SUBJECT TO RIGHTS OF OTHERS.

REFER TO MAP ENTITLED "MAP FOR THE ACQUISITION OF PROPERTY, COCHECTON TURNPIKE, PART 1, S.H. 113, ORANGE COUNTY, MAP 92, PARCEL 97, JAMES C. FOURTINES" BY NEW YORK STATE DEPARTMENT OF PUBLIC WORKS, DATED OCTOBER 3, 1964, ON FILE WITH THE REGIONAL OFFICE, NYS DOT, POUGHKEEPSIE, N.Y.

THE DEED DESCRIPTION LIBER 5892 OF DEEDS AT PAGE 53 FAILS TO EXCLUDE LANDS PREVIOUSLY CONVEYED BY JOHN B. FLANAGAN ET AL. TO HENRY M. & MARGUERITE B. SHAW AS RECORDED IN LIBER 855 OF DEEDS AT PAGE 408 AS THE SECOND PARCEL. THIS SECOND PARCEL IS A PORTION OF TAX MAP LOT 61.

THE CORE AREA LYING BETWEEN FILED MAP 9571 AND LANDS OF ITSONOS PROPERTY, INC. IS LANDS FORMERLY OF CHARLES BOSTOCK AS RECORDED IN LIBER 639 OF DEEDS AT PAGE 478. COMMON BOUNDARY BETWEEN LANDS OF WILLIAM E. FLANAGAN, AS RECORDED IN LIBER 693 OF DEEDS AT PAGE 161 AND LANDS OF CHARLES BOSTOCK, AS DESCRIBED IN LIBER 639 OF DEEDS AT PAGE 478, RECREITS THE SAME BEARINGS AND DISTANCES AS DEED CONVEYED TO PRINCE PROPERTY, INC. IN LIBER 5892 OF DEEDS AT PAGE 53 AND ALSO INCLUDES THE LINES AS FOLLOWING A STONE WALL. THE EXISTING STONE WALL GENERALLY CONFORMS TO DEED DISTANCES MEASURED FROM COCHECTON TURNPIKE.

TOPOGRAPHY SHOWN HEREON WAS COMPILED FROM A FIELD SURVEY COMPLETED OCTOBER 6, 2005, BY CELLS DATUM NAVORS. ELEVATION BASED ON NOAA BM 057-1950 AND WGS 84 HARN STATION "STEWART".

GRID NORTH, NEW YORK STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83 (1983) BASED ON DUAL FREQUENCY GPS OBSERVATIONS AT NGS HARN STATION STEWART.

FILED MAP REFERENCE

REFER TO MAP ENTITLED "SUBDIVISION FOR NORTHEAST DISTRIBUTION CENTER" DATED JUNE 28, 1989, RECORDED IN THE ORANGE COUNTY CLERK'S OFFICE AS FILED MAP 9571.

REFER TO MAP ENTITLED "PLAN OF SUBDIVISION OF LOT 2, NORTHEAST DISTRIBUTION CENTER" DATED SEPTEMBER 19, 1995, RECORDED IN THE ORANGE COUNTY CLERK'S OFFICE AS FILED MAP 171-95.

REFER TO MAP ENTITLED "3-Lot SUBDIVISION FOR NORTHEAST DISTRIBUTION CENTER" DATED DECEMBER 4, 1997, RECORDED IN THE ORANGE COUNTY CLERK'S OFFICE AS FILED MAP 9723.

DEED REFERENCE

ATHENA PITISNOS
— TO —
PITISNOS PROPERTY, INC.
LIBER 8 P. 53 (FIRST PARCEL)
MAY 8, 2002

TAX PARCEL NUMBER

TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK
SB: 52-1-58

FLOOD ZONE NOTE

NO PORTION OF THE ABOVE PREMISES LIE WITHIN A FLOOD ZONE AREA AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM), TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., COMMUNITY PANEL 360627-0020-A, DATED JUNE 5, 1985.

TOTAL AREA = 13.833 ACRES

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THE CHAZEN COMPANIES
Engineers/Surveyors
Planners
Environmental Scientists

CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.

Buffalo County Office: 21 Fox Street, Buffalo, NY 14203, Phone: (518) 232-0050
Orangetown Office: 341 Four Street, Orangetown, NY 10971, Phone: (518) 232-0050
Orange County Office: 350 Boynton Avenue, Middletown, NY 10940, Phone: (518) 867-1153
North County Office: 100 Oak Street, Greenburgh, NY 10520, Phone: (518) 812-0513

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY
PREPARED FOR
ALTMAN LIGHTING, INC.
TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

Drawn	Checked
JAS/SMD	JEM
Date	Scale
10/07/05	1" = 50'
Project No.	
70515	
Sheet No.	
SP1	
1 of 1	