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

PROJECT: NEWBURGH TOWNE CENTER (COFINANCE INC.)
PROJECT NO.: 19-04
PROJECT LOCATION: SECTION 60, BLOCK 3, LOT 29.11
REVIEW DATE: 15 FEBRUARY 2019
MEETING DATE: 21 FEBRUARY 2019
PROJECT REPRESENTATIVE: MASER CONSULTING

1. The Applicants are proposing a 19,541 square foot addition to the west side of the Marshalls Plaza at the Stop and Shop Shopping Center. The project was previously approved as a shopping center in the late 1990's. While property lines exist on the site for financing the site was subject to reciprocal easements and operates as a "unified site plan". Maintenance of all utilities, parking lots, stormwater management facilities is the responsibility of the entire shopping center. Lot lines depicted were for individual financing and lease tenants requirements.
2. A 1.2 +/- acre of Federal Jurisdictional Wetlands are proposed to be impacted by the project. The wetland delineation appears to be a circa 2000 delineation based on the survey maps provided. Jurisdictional determinations by the Army Corps of Engineers are only valid for a 10 year period. Revised jurisdictional wetland mapping should be provided. The wetland fills proposed are the most significant environmental and regulatory hurdle for the project. It is requested the Applicants coordinate with the Army Corps of Engineers as soon as practicable to determine feasibility for the proposed wetland fills.
3. Compliance with NYSDEC and Town of Newburgh Stormwater Management regulations are required. Stormwater Management must address increased impervious surfaces as well as the loss of one of the originally approved stormwater management facilities on the site. The Applicants are requested to evaluate green infrastructure and runoff reduction practices to the greatest extent practicable on the site in order to reduce stormwater quantity and improve stormwater quality on the site.
4. During the original approval process Stormwater Facilities Maintenance Agreements were not required by the Town of Newburgh. Changes to the NYSDEC and town regulations require Stormwater Facilities Maintenance Agreements be executed for long term operation and
• Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •

maintenance of the Stormwater Management Facilities on the site. Any approvals should be subject to execution of a Stormwater Facilities Maintenance Agreement covering all stormwater collection conveyance and treatment systems on the entire shopping center parcel.

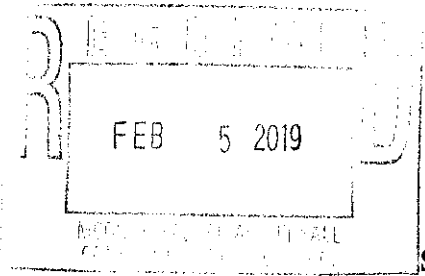
5. A city of Newburgh Flow Acceptance letter is required for the increased sanitary sewer flow. Future submissions should provide an analysis of impacts to the on site pump station.
6. The project will require submission to the Orange County Planning Department due to its proximity to two state highways.
7. The Planning Board may wish to circulate a Notice of Intent for Lead Agency as several state agencies will be involved including the New York State Department of Transportation, New York State Thruway Authority, New York State Department of Environmental Conservation.
8. The Long Form EAF submitted identifies the potential habitat for Indiana Bats. This should be addressed during the review of the project.
9. Additional technical review will be provided once detailed plans have been identified and input from the Army Corps of Engineers regarding a jurisdictional determination has been received.

Respectfully submitted,

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

Patrick J. Hines
Principal

PJH/kbw



**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:** 2019-04
(Application fee returnable with this application)

1. **Title of Subdivision/Site Plan (Project name):**
_____ Newburgh Towne Center _____

2. **Owner of Lands to be reviewed:**

Name	<u>Conew, LLC, a Delaware Limited Liability Company (C/o CoFinance, Inc.)</u>
Address	<u>60 East 42nd Street, Suite 1942</u> <u>New York, NY 10165</u>
Phone	<u>(646) 344-3336</u>

3. **Applicant Information (If different than owner):**

Name	<u>CoFinance, Inc.</u>
Address	<u>60 East 42nd Street, Suite 1942</u> <u>New York, NY 10165</u>
Representative	<u>Mark Winter-Gitelson</u>
Phone	<u>(646) 344-3366</u>
Fax	_____
Email	<u>mwinter@cofinancegroup.com</u>

4. **Subdivision/Site Plan prepared by:**

Name	<u>Maser Consulting, P.A.</u>
Address	<u>555 Hudson Valley Avenue, Suite 101</u> <u>New Windsor, NY 12553</u>
Phone/Fax	<u>(845) 564-4495</u>

5. **Location of lands to be reviewed:**
1431 NY-300, Newburgh, NY 12550

6. **Zone** IB **Fire District** Orange Lake
Acreage ±12.91 **School District** Newburgh

7. **Tax Map: Section** 60 **Block** 3 **Lot** 29.11

8. Project Description and Purpose of Review:

Number of existing lots 1 Number of proposed lots N/A
Lot line change N/A
Site plan review Yes
Clearing and grading N/A
Other N/A

PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT

9. Easements or other restrictions on property:

(Describe generally) Existing: on-site drainage easement; traffic control easement

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

Signature [Handwritten Signature] Title Vice President of US operations

Date: 1/21/19

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

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


1. X Name and address of applicant
2. X Name and address of owner (if different from applicant)
3. X Subdivision or Site Plan and Location
4. X Tax Map Data (Section-Block-Lot)
5. X 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. X 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. X Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8. X Date of plan preparation and/or plan revisions
9. X Scale the plan is drawn to (Max 1" = 100')
10. X North Arrow pointing generally up

11. n/a Surveyor,s Certification
12. n/a Surveyor's seal and signature
13. X Name of adjoining owners
14. X 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. X 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. n/a Right-of-way width and Rights of Access and Utility Placement
21. n/a 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. X 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. n/a 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. n/a Number of acres to be cleared or timber harvested
33. _____ Estimated or known cubic yards of material to be excavated and removed from the site TBD
34. _____ Estimated or known cubic yards of fill required TBD
35. _____ The amount of grading expected or known to be required to bring the site to readiness TBD
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. _____ 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: Justin E. Dates, R.L.A.
Licensed Professional

Date: 

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.

FEE LAW SUMMARY

PENDING APPLICATIONS

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

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

SEVERABILITY

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

EFFECTIVE DATE:

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

FEE ACKNOWLEDGEMENT

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

Mark Winter-Eitelson
APPLICANT'S NAME (printed)


APPLICANTS SIGNATURE

1/21/19
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) Conew, LLC, a Delaware Limited Liability Company (C/o CoFinance, Inc.), DEPOSES AND SAYS THAT HE/SHE

RESIDES AT 60 East 42nd St Suite 1942, New York, NY 10165

IN THE COUNTY OF New York

AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF Tax Lot 60-3-29.11

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH PLANNING BOARD AND CoFinance, Inc. and Maser Consulting, P.A. IS AUTHORIZED TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 1/21/19


OWNERS SIGNATURE

Mark Winter-Gitelson
OWNERS NAME (printed)

NAMES OF ADDITIONAL REPRESENTATIVES


WITNESS' SIGNATURE

Alexander Muñoz
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.

1/21/19
DATED

Mark Winter-Gitken
APPLICANT'S NAME (printed)


APPLICANT'S SIGNATURE



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

555 Hudson Valley Avenue, Suite 101
New Windsor, NY 12553-4749
T: 845.564.4495
F: 845.567.1025
www.maserconsulting.com

**NEWBURGH TOWNE CENTER
NARRATIVE SUMMARY
FEBRUARY 4, 2019**

**COFINANCE, INC.
TAX LOT 60-3-29.11
TOWN OF NEWBURGH, ORANGE COUNTY, NY
PB# 2019-04
MC PROJECT NO. 18006812A**

The applicant, CoFinance, Inc., proposes a $\pm 19,541$ sq. ft. building addition onto the west end of the existing commercial retail building on lot 29.11 known as the Newburgh Towne Center for use as retail space. The expansion includes the addition of ± 1.22 acres of impervious area, 64 additional parking spaces, two (2) loading bays, and a trash compactor. On site stormwater facilities shall be modified to mitigate site run-off from the redevelopment of the increased impervious area in accordance with the 2015 New York State Stormwater Management Design Manual and local requirements. We anticipate the relocation of the existing stormwater pond, and subsurface stormwater areas to accommodate the increased impervious area. The development will encroach into the wetland on-site and is proposed to fill ± 1.12 acres of wetland. The necessary permits for wetland disturbance will be sought with the jurisdictional agency.

The Newburgh Towne Center site (Town of Newburgh tax lot 60-3-29.11) is a 12.91-acre existing retail/shopping center located between NYS Route 300 & I-87 approx. 900' south of NY-52. The site has frontage along NYS Route 300 to the east and the rear property line abuts I-87 to the west. Commercial uses exist to the north and south of the property. The site is located within the Town of Newburgh IB (Interchange Business) zoning district, a shopping center is a permitted use subject to site plan approval from the Planning Board. A $\pm 72,916$ sq. ft. retail mall type building, a $\pm 5,011$ sq. ft. cellular retail building, associated parking, loading, and stormwater areas currently exist on the property. The entire shopping center includes a Stop & Shop and a bank, which are on separate tax lots from the project site. The shopping center is accessed through a curb cut on NYS Route 300 on the east side of the property, and an entrance from Meadow Hill Road to the south. The western portion of the site contains a Federal freshwater wetland (per available mapping). The parcel is not located within the 100-year floodplain.

Water & sewer lines exist within the site and services will be extended to serve the proposed user. The site is located in the Town of Newburgh Consolidated Water District and the Crossroads Sewer District.

JED/cdr

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

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Newburgh Towne Center		
Project Location (describe, and attach a general location map): 1431 NY-300, Newburgh NY 12550 (SBL: 60-3-29.11 Town of Newburgh) on the west side of NY-300 approx. 900' south of NY-52		
Brief Description of Proposed Action (include purpose or need): See attached narrative.		
Name of Applicant/Sponsor: CoFinance, Inc. (attn. Mr. Mark Winter-Gitelson)		Telephone: (646) 344-3336 E-Mail: mwinter@cofinancegroup.com
Address: 60 East 42nd Street, Suite 1942		
City/PO: New York	State: NY	Zip Code: 10165
Project Contact (if not same as sponsor; give name and title/role):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Conew LLC, a Delaware limited liability company (c/o CoFinance, Inc.)		Telephone: (646) 344-3336 E-Mail:
Address: 60 East 42nd Street, Suite 1942		
City/PO: New York	State: NY	Zip Code: 10165

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, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Newburgh Planning Board - Site Plan Approval	February 2019
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange Co. Planning: GML 239 Referral	TBD
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC: 401 Water Quality Certificate NYSDEC: Stormwater SPDES	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Army Corps of Engineers: Individual Permit	TBD
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

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?
 IB (Interchange Business) 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

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

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

d. What parks serve the project site?
Algonquin Park, Cronomer Hill Park

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 12.91 acres
 b. Total acreage to be physically disturbed? ±1.46 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 22.18 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)? % 26.8 Units: sq. ft.

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: 12 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

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

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

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

i. Total number of structures 1 Addition

ii. Dimensions (in feet) of largest proposed structure: ±30' height; 107' width; and 200' length

iii. Approximate extent of building space to be heated or cooled: 19,541 square feet

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

i. Purpose of the impoundment: _____

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

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

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

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

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

D.2. Project Operations

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

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

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

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

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

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

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

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

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

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

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

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Federal Wetland (NWI Wetlands Attribute PF01E)

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: The proposed project will encroach into and fill a portion of the the on-site ACOE Wetland. A portion of the proposed building, adjacent sidewalk, roadway, drainage improvements, and grading will occur within the limit of the wetland. The proposed wetland disturbance is estimated to be ±1.12 acres.

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

If Yes, describe: Excavation will be required for site construction.

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: ±1.12 acres
- expected acreage of aquatic vegetation remaining after project completion: ±3.09 acres
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): building & pavement installation, land grading
- proposed method of plant removal: brush hog/heavy equipment
- if chemical/herbicide treatment will be used, specify product(s): n/a

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

Potential for specific mitigation requirements will be reviewed with the Army Corps of Engineers.

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: _____ ±1,955 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: _____ ±1,955 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 Wastewater Treatment Facility
- Name of district: Crossroad 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 ±1.22 acres (impervious surface)

_____ Square feet or 12.91 acres (parcel size)

ii. Describe types of new point sources. Basin discharge pipe with outlet protection

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

Stormwater areas will discharge to the on-site wetland area.

- If to surface waters, identify receiving water bodies or wetlands: _____
On-site Federal Wetlands _____

- Will stormwater runoff flow to adjacent properties? Yes No

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

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

If Yes, identify:

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

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

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

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

If Yes:

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

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

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

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

If Yes:

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

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

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

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

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

If Yes:

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

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

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

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

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

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

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
TBD

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

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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7 am - 7 pm • Saturday: _____ 7 am - 7 pm • Sunday: _____ as permitted • Holidays: _____ as permitted 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 9:30 am - 9:30 pm • Saturday: _____ 9:30 am - 9:30 pm • Sunday: _____ 11 am - 8 pm • Holidays: _____ Varies 	<p>Anticipated Hours:</p>
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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 equipment during construction is anticipated to exceed normal ambient noise levels. Normal operations are not expected to exceed existing ambient noise levels.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: The proposed project will require some tree clearing on the western edge of the property which borders Interstate 87. A barrier approx. 400' wide of existing trees will remain.

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:
 TBD

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: The proposed project will require some tree clearing on the western edge of the property which borders Interstate 87. A barrier approx. 400' wide of existing trees will remain.

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): _____

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: ±2.0 tons per _____ month (unit of time) Estimated for 19,541 sq. ft.
 • Operation: ±1.75 tons per _____ month (unit of time) addition only.

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Recycle excess or scrap construction materials.

 • Operation: Recycle glass, plastics, cardboard, etc.

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: Local hauling company and solid waste landfill.

 • Operation: Local hauling company and solid waste landfill.

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): _____
 ii. If mix of uses, generally describe:
 Industrial use to the north; Commercial uses on-site and to the north, east, and south; Residential use to the west beyond I-87; Forest use to the north and west; Aquatic use for the on-site wetland.

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	±6.49	±7.71	+1.22
• Forested	±1.30	±1.13	-0.17
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	±0.20	±0.20	0
• Wetlands (freshwater or tidal)	±4.21	±3.09	-1.12
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>lawn/landscaped areas</u>	±0.71	±0.78	+0.07

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:
Unlimited Care, Inc. approx 1,250' southeast of the site (356 Meadow Ave # 1, Newburgh, NY 12550) is a home health care service.

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

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

iii. Describe any development constraints due to the prior solid waste activities: _____

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 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): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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? _____ ±3.0 feet

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:

SXC (Swartswood & Mardin soils)	_____	55.5 %
Ca (Canandaigua silt loam)	_____	24.3 %
MdB (Mardin gravelly silt loam)	_____	13.4 %

d. What is the average depth to the water table on the project site? Average: _____ ±1.4 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ 100 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

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

h. Surface water features.

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 ±4.21 acres on-site
- 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: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Typical suburban wildlife _____

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

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Indiana Bat

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

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

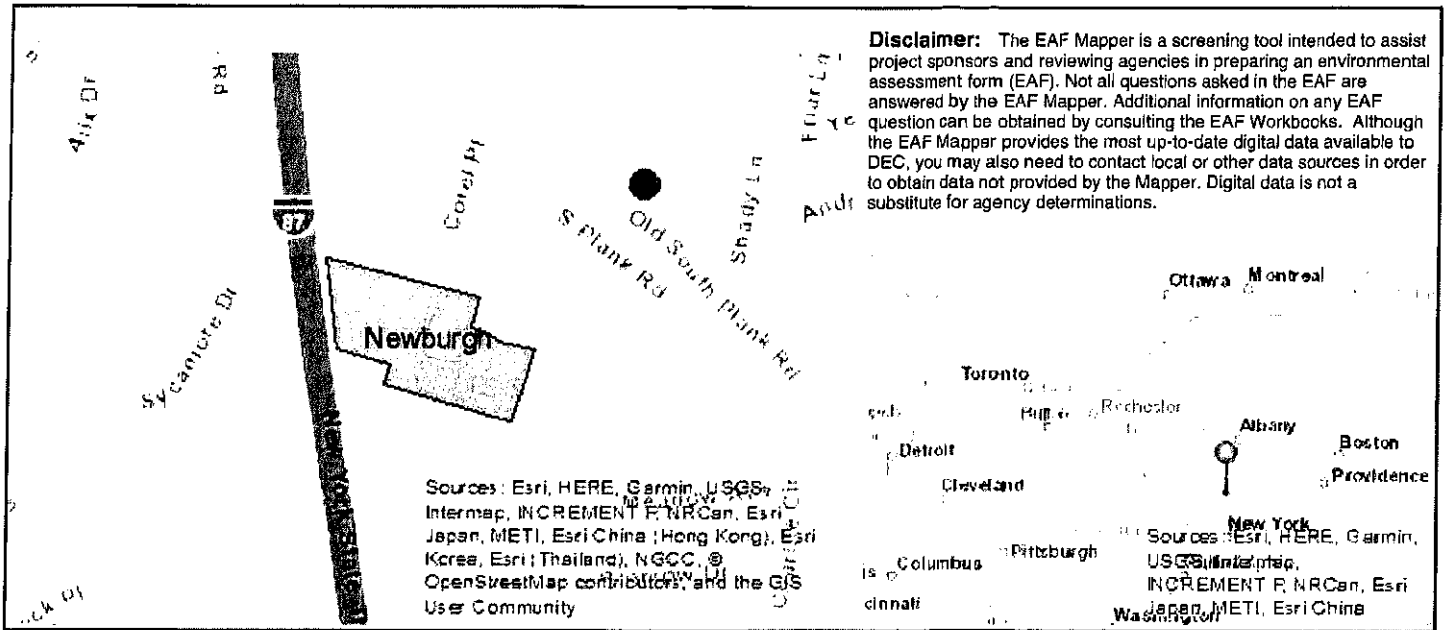
E.3. Designated Public Resources On or Near Project Site

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

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

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

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



B.1.i [Coastal or Waterfront Area]	No
B.1.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.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - 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.2.0. [Endangered or Threatened Species - Indiana Bat Name]

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 Register of Historic Places] 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

