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April 17, 2014

Arthur R. Tully, P.E.
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John D. Russo, P.E.

Mr. John Ewasutyn
Planning Board Chairman
Town of Newburgh
308 Gardnertown Road
Newburgh, NY 12550

RE: CRH Realty VIII, LLC
Planning Board Project No.: 13-18
Tax Parcels: 97-3-6, 7, 8 & 28
4-1-72.2 (New Windsor)

Dear Chairman Ewasutyn and Planning Board Members:

Enclosed please find seventeen (17) copies of a plan set entitled "Site Plan - CRH Realty VIII, LLC", Sheets 1-10 of 10, last revised March 26, 2014 and a map entitled "Lot Line Change and Consolidation Map - CRH Realty VIII, LLC", Sheet 1 of 1, last revised February 12, 2014. The plan set has been revised to address comments received by the Planning Board's Consultants and the Code Compliance Supervisor. To assist in your review, we have enumerated our responses to coincide with the comments contained in the respective memorandums.

Mr. Patrick Hines, MH&E, dated March 20, 2014:

1. It is acknowledged that Demolition Permits will be required for removal of all structures.
2. It is acknowledged that all structures must be removed in accordance with the Demolition Permit prior to filing the Lot Line Change and Consolidation Map.
3. General statement - no response required.
4. It is acknowledged that NYSDOT Permits are required for access and utilities.
5. Town of Newburgh Standard Water and Standard Sewer Notes are included on the Construction Details - Sheet 1 of 2 (plan set Sheet 9 of 10).
6. It is acknowledged that a Stormwater Maintenance Agreement must be executed with the Town of Newburgh. This requirement is noted on Sheet 1 of 10, as General Note #3.
7. It is acknowledged that detailed plan submissions and Building Permits will be required for any and all retaining walls in excess of four (4) feet. The requirement is noted in the Typical Gravity Wall Cross Section detail (Sheet 10 of 10).
8. Erosion and Sediment Control Note #16 (formerly Note #15) has been revised for decreased time for vegetative seeding and Note #3 sets forth the additional inspection requirements in accordance with the 5 acre waiver requirements.
9. The monitoring well to be removed has been noted as appropriate.
10. The existing buried storage containers have been noted to be removed.
11. Limitations of de-icing agents to be utilized on the site have been noted in General Note #2B.
12. Comments from the Code Compliance Supervisor have been received and are outlined below.
13. An additional fire hydrant has been added as requested. Hydrant flow testing and calculations for the proposed 6" water service line were provided to Mr. Hines under separate cover.
14. The detail for the proposed Building Water Service Connection is contained on the Construction Details - Sheet 1 of 2 (plan set Sheet 9 of 10).

Mr. Kenneth Wersted, PE, PTOE, Creighton Manning, dated March 17, 2014:

1. Three stop bars and appropriate signage have been added at the northwest corner of the building for traffic circulation; Sheet 4 of 10.
2. Sight lines were considered as part of the planting type and location selection to ensure the plantings do not interfere with traffic circulation.

Mr. Gerald Canfield, Code Compliance Supervisor, dated March 19, 2014:

1. The actual set back dimensions have been added to the Zoning Requirements Table as requested.
2. The Surveyor signature and seal are included on the Lot Line Change and Consolidation Map, Sheet 1 of 1, as required for filing with the Orange County Clerk.
3. The proposed parking spaces have been verified, a total of 368 spaces are proposed as indicated on the Required Parking Table.
4. The plan has been revised to show only one (1) proposed freestanding sign (at Union Avenue entrance). Submissions will be made to and a Sign Permit obtained from the Town of Newburgh during the Building Permit process.
5. The Union Avenue entrance drive provides for one (1) 12 foot lane entering and two (2) 12 foot lanes exiting, dimensions have been added accordingly, and the median is to be constructed with mountable curbing as indicated. An additional fire hydrant has been added as requested and an additional 26 foot wide access aisle has been added along the east side of the building.
6. Calculations for water service line sizing have been submitted to Mr. Patrick Hines as indicated above.
7. The additional fire hydrant has been added as requested.
8. General statement – no response required.
9. Building elevations will be submitted by others, as required for Architectural Review Board review and approval.

Comments were also provided to the Planning Board from the Orange County Department of Planning and the City of Newburgh Engineer. We offer the following in response:

Orange County Department of Planning, dated March 18, 2014:

Binding:

1. Our office has been in contact with Mr. Rob Parrington, Transit Orange, to finalize the appropriate location for the bus stop. The bus stop has been relocated to the northwest corner building area which provides for a through traffic pattern for the buses and safe pedestrian access to the main entrance. Based on discussion with Mr. Parrington, the relocated bus stop is satisfactory.

Advisory:

2. Specific design, requirements and permitting for the work associated with the New York State Department of Transportation on this project is being prepared by Mr. Phil Grealy, Maser Consulting, as Traffic Consultant for the applicant. Plans prepared will meet with the requirements and approval of the NYSDOT.

3. As previously discussed, the total number of parking spaces proposed is based on the applicant's historical information from the similar existing facility in the Town of Wallkill. Contrary to the County's statement that the site is suburban and does not have dedicated, fixed route public transportation service, the 155 Crystal Run Road facility is a scheduled bus stop on Middletown Transit Route #4, as indicated on the attached Transit Orange map and schedule.
4. All proposed landscaping will be planted as required to ensure viable, healthy growth throughout the site. As required by the Town of Newburgh, a performance and subsequent maintenance bond will be posted for the site landscaping.
5. As acknowledged, a Stormwater Maintenance Agreement between the facility owner and the Town of Newburgh is a requirement of Final Approval and is noted on Sheet 1 of 10, General Note #3.
6. The Concept Site Plan provided with the adjoining parcel was to determine a maximum build-out impervious area to account for and treat stormwater, through joint agreement with the respective site owners, to further benefit water quality only. Currently, there is no site plan for the adjoining parcel.
7. Specific design, requirements and permitting for the work associated with the New York State Department of Transportation on this project is being prepared by Mr. Phil Grealy, Maser Consulting, as Traffic Consultant for the applicant. Plans prepared will meet with the requirements and approval of the NYSDOT.
8. The proposed lighting plan, as submitted and reviewed, meets Town of Newburgh requirements.
9. The general public utilizing the facility will not have access to the City of Newburgh parcel boundary, i.e., the base of a retaining wall with guiderail and fencing and the stormwater basin. Due to the proximity to Washington Lake, there are specific requirements that the facility owner/operator must comply with for operation of the site which are memorialized, as required, in notes and agreements. Therefore, the permanent posting of the parcel boundary appears to be unnecessary.

City of Newburgh Engineer, dated March 17, 2014:

Please be aware that the City of Newburgh Engineer comments were drafted March 17, 2014 and were discussed point by point at a meeting on March 18, 2014 with the applicant's representatives, Town of Newburgh representatives and City of Newburgh representatives. While the majority of the comments contained in the March 17, 2014 letter were satisfied either with the last plan submission or during the joint meeting, we offer the following responses to the outstanding comments, as enumerated in the March 17, 2014 letter:

Site Plan Comments:

Meeting Comment –At the request of the City Engineer, a parking space has been eliminated and the retaining wall length reduced and tie back angle increased at the east end of the wall to provide increased distance from the property boundary.

Comment 5 - The silt fence located along the lower side temporary swale is not necessary and has been removed. A temporary swale alone is an acceptable method for preventing sediment from leaving the site.

Comment 6 - The temporary sediment trap was designed based on guidance in the "New York State Standards and Specifications for Erosion and Sediment Control," no additional hydraulic analysis is necessary for the design. Design volume and width of the sediment trap outlet spillway are calculated using the contributing watershed area for the trap. Sheet 6 has been revised to provide additional information about the design and elevation labels for the temporary sediment trap.

Comment 19 - The watershed area numbers described in the "New York State Stormwater Management Design Manual" are suggestions for providing sufficient water to the pond to maintain a permanent pool. Since a large portion of the contributing area is impervious, the majority of the rain falling on the property will reach the pond and will maintain the permanent pool. Since the area stated is only a suggestion, the stormwater pond does not deviate from the technical standards.

Comment 22 -The 24" HDPE discharge pipe from the stormwater pond has been changed to a DR51 PVC water main type pipe and a gate valve has been added directly downstream of the concrete outlet structure. Trash racks have been added to the stormwater pond outlet structure to protect the circular orifice and rectangular orifice.

Comment 24 - Note 14 on Sheet 6 has been revised to state that the stormwater pond outlet structure will be installed when the temporary sediment trap is converted to the stormwater pond. The construction sequencing in the SWPPP has been revised as well.

Comment 25 - The proposed stormwater system discharges to a level spreader allow the water sheet flow over existing grade and out of the easement. The level spreader was designed in accordance "New York State Standards and Specifications for Erosion and Sediment Control," which requires the level discharge portion of the level spreader be installed parallel to the surrounding contours. The discharge point illustrated in Exhibit A of the filed easement document closely matches the proposed discharge point on the Site Plans. The pipe discharges nearly perpendicular to the surrounding contours and turns parallel to the contours as it enters the level spreader as shown in Exhibit A.

SWPPP Comments:

Comment 4 - Locations of riprap checkdams are shown on Sheet 6 of the Site Plans. Relevant dimensions for the checkdams, based on standard details provided in the "New York State Standards and Specifications for Erosion and Sediment Control," are provided in the detail on Sheet 7 of the Site Plans. Checkdam width will match the width of the temporary swale.

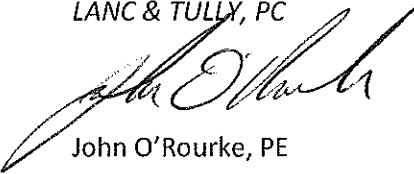
Comment 5 - The dimensions and invert elevation for the rectangular orifice of stormwater pond outlet structure have been corrected on the detention pond sheet in Appendix D of the SWPPP.

Comment 6 - The permanent pool elevation on the detention pond sheet in Appendix D of the SWPPP has been corrected.

We trust the above and enclosed is satisfactory and look forward to further discussing the project at the May 1, 2014 Planning Board meeting. In the interim, should you have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,

LANC & TULLY, PC

A handwritten signature in black ink, appearing to read "John O'Rourke".

John O'Rourke, PE

JOR/DMK/jvq

Enc.

cc: R. Rosen, Columbia Development
D. Cordisco, Esq., Drake Loeb, et al.
P. Greal, PE, PhD, Maser Consulting
J. Morris, PE, City of Newburgh Engineer

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