



**CONSULTING ENGINEERS, D.P.C.**

MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)  
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)  
LYLE R. SHUTE, P.E., LEED-AP (NY, NJ, PA)  
PATRICK J. HINES

Main Office  
33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100  
fax: (845) 567-3232  
e-mail: [mheny@mhepc.com](mailto:mheny@mhepc.com)

Principal Emeritus:  
RICHARD D. McGOEY, P.E. (NY & PA)

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

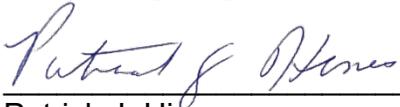
**PROJECT: MILLER ENVIRONMENTAL GROUP-SITE PLAN/LOT LINE CHANGE**  
**PROJECT NO.: 19-27**  
**PROJECT LOCATION: SECTION 98, BLOCK 1, LOT 27.2**  
**REVIEW DATE: 8 JULY 2021**  
**MEETING DATE: 15 JULY 2021**  
**PROJECT REPRESENTATIVE: TALCOTT ENGINEERING- CHARLIE BROWN, P.E.**

1. The ZBA has approved variances dates 29 February 2021.
2. The encroaching oil tank on the NYS Thruway property should be identified to be removed prior to final approval.
3. A discrepancy on the plan date for the ZBA identifies 28 February 2021 while the Narrative Report identifies 29 February 2021. This should be clarified.
4. The facility has provided NYSDEC permits and City of Newburgh Industrial User permits identifying an increase in discharge from the site as 75,000/GPD. In addition, the NYSDEC permit allows the storage of up to (250) 55-gallon drums of contaminated soil. Building A enclosed drum containment pad – building is proposed to be utilized to transfer petroleum contaminated soil from 55-gallon drums to larger storage/transport containers.
5. Jerry Canfield’s comments regarding the use of the facility for processing of petroleum contaminated liquids and soils should be addressed.
6. The applicant’s representative has identified that lighting has been addressed on the plan. The details of any proposed lighting should be added to the plans, proposed lighting should be full off night sky compliant lighting.
7. Comments from the Town of Newburgh sewer department should be solicited regarding the proposed discharge to the Town’s collection system. While the City of Newburgh identifies the site as an industrial user, it is unclear if the increase in discharge will require the Town of Newburgh to treat the facility as an industrial user tributary to its collection system.

8. Highway Superintendent's comments regarding the location of the access drive should be received.
9. The applicant's have identified they are requesting a waiver for topography on the site plan.
10. 6-foot fences are proposed on the site, while 8-foot fences are shown in the detail.
11. This project must be submitted to the Orange County Planning Department due to its proximity to State Highway 300 and NYS Route 84.
12. ARB approval for the proposed structures is required.
13. A Public Hearing is required and can be scheduled after the Board considers the SEQRA review of the project.

Respectfully submitted,

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



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Patrick J. Hines  
Principal

PJH/dns

# Ialcott Engineering

## DESIGN, PLLC

1 GARDNERTOWN ROAD ~ NEWBURGH, NY 12550  
(845) 569-8400\* ~ (fax) (845) 569-4583

June 30, 2021

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

Attn: John Ewasutyn, Chairman

Re: Resubmission letter  
Town Project No. 2019-27  
Site Plan and Lot Line for Miller Enviromental Group  
77 Stewart Avenue  
SBL: 98-1-8.223, 20.-1, 18  
IB Zone  
Job No. 19036-MEV

Dear John,

The following is our;

Response to Town of Newburgh Planning Board Review comments for meeting date January 2, 2020 (Project #2019-27) in order of comments;

- 1) Setbacks updated per ZBA approval 02/29/2021.
- 2) Oil tank shall be removed. Lot line change with lot 18 as proposed removes encroachment.
- 3) Existing add proposed lighting added.
- 4) Site distance and details added.
- 5) Areas of proposed pavement added to plans.
- 6) Existing water and sewer utility location added to plans.
- 7) Building info added to plans.
- 8) Proposed landscaping added to plans.
- 9) Plan updated per survey and lot line change as proposed.
- 10) Properties have been combined into S/B/L 98-1-8.222.
- 11) Information on City of Newburgh discharge attached.
- 12) We are requesting the existing topography be waived.
- 13) Fire district added to zoning table.
- 14) Information on DEC discharge attached.
- 15) Bulk table revised.
- 16) Fence is proposed along southern property line.
- 17) The attached narrative has been added to plans.
- 18) (no response required)
- 19) (no response required)

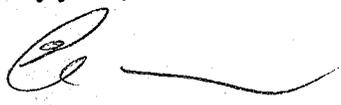
In addition, response to Town of Newburgh Planning Board Review comments for meeting date 9/11/2020 (Project #2019-27) in the order of comments:

- 1) See Above.
- 2) Previously submitted.
- 3) Final Plans will be signed by the Surveyor.
- 4) Lot is listed as 20.-1 at the Building Department.

- 5) All required variances were granted on February 26, 2021.
- 6) (No response necessary).
- 7) (No response necessary).

Attached, please find a set of prints for you. I will PDF a copy to Dominic Cordisco, Esq., 1 copy to Pat Hines, 1 copy to Ken Wersted, and PDF a copy to Karen Arnet. I will also deliver to Pat all current permits for the site, the spill prevention, control and countermeasures plan, the NYS DEC Petroleum Bulk Storage Certificate and the Air Facility Registration Certificate.

Respectfully yours,



Charles T. Brown, P.E. – President  
Talcott Engineering

- Pc: Noel Russ, Miller Enviromental
- Dominic Cordisco, Esq. w/ PDF enc
- Pat Hines w/enc
- Ken Wersted w/enc
- Karen Arnet w/ PDF enc

# Talcott Engineering DESIGN, PLLC.

1 GARDNERTOWN ROAD ~ NEWBURGH, NY 12550  
(845)569-8400 ~ (fax) (845)569-4583

June 29, 2021

Miller Environmental  
Job #19036-MEV  
Section 185.39 Narrative

The site is in the IB Zoning District which permits petroleum bulk storage. The site is a processing facility with accessory bulk storage.  
The purpose of the project is to provide buildings for bulk storage tanks. Facility DEC Permits (ID 3-3346-00020/00003) shall be kept current and on site.

ARCHITECTURAL REVIEW FORM  
TOWN OF NEWBURGH PLANNING BOARD

DATE: JUNE 30, 2021

NAME OF PROJECT: SITE PLAN & LOT LINE FOR MILLER ENVIRONMENTAL

The applicant is to submit in writing the following items prior to signing of the site plans.

EXTERIOR FINISH (skin of the building):

Type (steel, wood, block, split block, etc.)

STEEL

COLOR OF THE EXTERIOR OF BUILDING:

LAGUNA BLUE

ACCENT TRIM:

Location: FASCIA, SOFFITS, RAKES

Color: WHITE

Type (material): METAL

PARAPET (all roof top mechanicals are to be screened on all four sides):

NONE

ROOF:

Type (gabled, flat, etc.): GABLED

Material (shingles, metal, tar & sand, etc.): METAL

Color: WHITE

**WINDOWS/SHUTTERS:**

Color (also trim if different): NONE

Type: \_\_\_\_\_

**DOORS:**

Color: WHITE

Type (if different than standard door entrée): OVER HEAD

**SIGN:**

Color: SEE PLANS

Material: \_\_\_\_\_

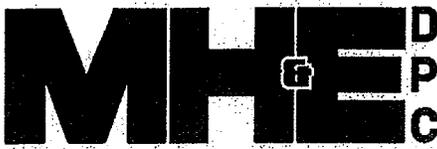
Square footage of signage of site: \_\_\_\_\_

NOEL RUSS, MANAGER

Please print name and title (owner, agent, builder, superintendent of job, etc.)

\_\_\_\_\_

Signature



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS D.P.C.

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)  
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)  
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RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

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

**PROJECT: MILLER ENVIRONMENTAL GROUP**  
**PROJECT NO.: 19-27**  
**PROJECT LOCATION: SECTION 98, BLOCK 1, LOT 27.2**  
**REVIEW DATE: 26 DECEMBER 2019**  
**MEETING DATE: 2 JANUARY 2020**  
**PROJECT REPRESENTATIVE: TALCOTT ENGINEERING- CHARLIE BROWN, P.E.**

1. The Bulk Table provided identifies the setbacks from what is identified as the proposed main building. Each structure on the site should be labeled, numbered/lettered, and any required zoning variances for the individual structures should be identified based on IB Zoning. This will provide the Planning Board with information needed for the referral.
2. Two encroachments exist on the site an oil tank in an enclosure onto NYS Thruway lands and the structure identified as existing materials storage building onto lands of Burton tax map lot 18.
3. Future submissions should identify existing and proposed lighting on the site.
4. Revised access drive location should identify sight distance available. Access drive also appears to conflict with proposed parking identified. Future submissions should contain details of the proposed access drive construction and gate.
5. Areas accessible to the general public and which will received heavy truck traffic should be considered for paving on the site. Commercial site plans are required to be paved in the Town of Newburgh.
6. Existing utilities serving these sites should be identified including water and sewer.

7. The Town of Newburgh Planning Board acts the Architectural Review Board and photographs, rendering, and architectural review form should be provided.
8. Details of the proposed landscaping area should be further developed on future submissions.
9. An updated survey should be provided as a lot line change was processed by the Town of Newburgh under Town Project #18-05/Conklin-Fundex lot line change in April 2018.
10. Current Town of Newburgh tax map identifies that the parcel contains numerous tax map numbers 21, 23.2, 24, 27, 8.22, and portions of the property may extend into Section 97. If lots were consolidated without Planning Board approval information pertaining to the lot consolidation should be provided as well as the recent Conklin-Fundex Subdivision addressed on the plans.
11. Information pertaining to the agreement with City of Newburgh regarding discharge from the site and any approvals required by the Town of Newburgh for a City of Newburgh flow acceptance letter should be addressed.
12. The Planning Board should determine whether or not topography should be provide on the plans in the areas proposed for construction.
13. The application submitted identifies the Cronomer Valley Fire District, however the project is in the Orange Lake Fire District.
14. Copies of all permits and approvals from outside agencies should be provided including but not limit to the NYSDEC and City of Newburgh.
15. The Bulk Table should be revised regarding side yard. One side yard is 30, both side yards is 80.
16. The south property line should be proposed to be fenced to eliminate the encroachment onto state property.
17. Provisions of Section 185-39 Petroleum Bulk Storage should be addressed in a project narrative and appropriate notes on the plans.
18. Submission to Orange County Planning Department will be required in the future.
19. The Planning Board may wish to declare its intent for lead agency for the project. Plans must be sent to NYSDOT, NYS Thruway Authority, and NYS State of Environmental Conservation as involved agencies.

Respectfully submitted,

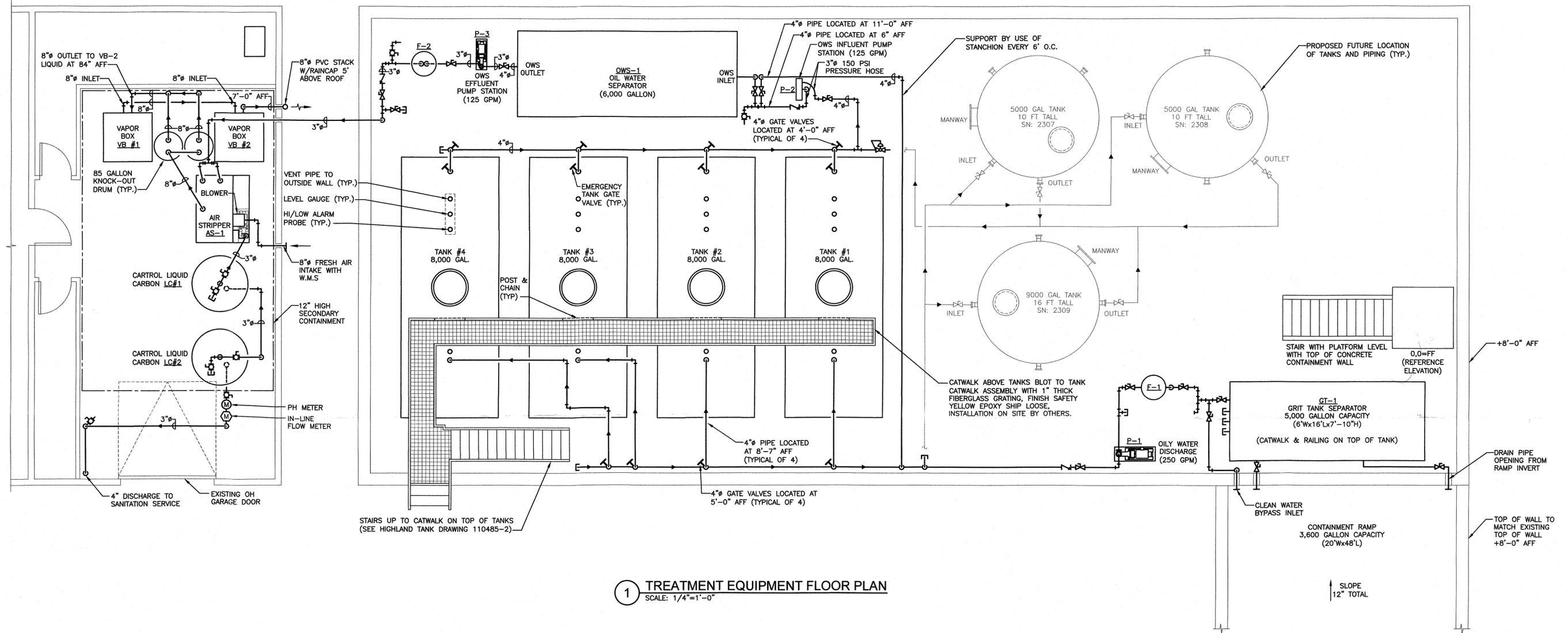
***McGoey, Hauser and Edsall  
Consulting Engineers, D.P.C.***

---

Patrick J. Hines  
Principal

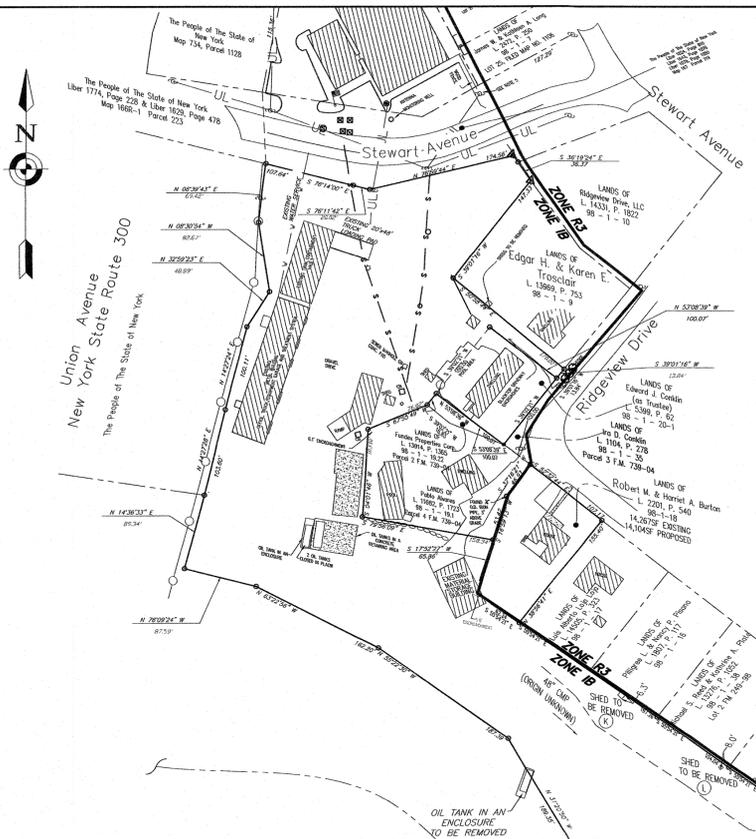
PJH/jlc

File Name: F:\2019\19-254 MILLER ENVIRONMENTAL GROUP\M-101.dwg (Layout: M-101)  
 Date: Wed, Oct 30, 2019 - 3:46 PM (Name: bjp)



1 TREATMENT EQUIPMENT FLOOR PLAN  
 SCALE: 1/4"=1'-0"

REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:
				10/30/19	AS BUILTS
<p>REFERENCE SCALE</p>					
<p>UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.</p>					
<p><b>FELLENZER</b> ENGINEERING LLP</p>					
22 Mulberry St., Suite 2A, Middletown, NY 10940 t 845-343-1481 fx 845-343-4986		181 Church St., Suite 100, Poughkeepsie, NY 12601 t 845-454-8704 fx 855-320-8735			
MARK D. FELLENZER, P.E. 		PROJECT TITLE: MILLER ENVIRONMENTAL GROUP, INC. TREATMENT SYSTEM 77 STEWART AVE., NEWBURGH, NY			
DRAWING TITLE: TREATMENT EQUIPMENT FLOOR PLAN					
DESIGNED BY: MF	DRAWN BY: BJP	APPROVED BY P.M. MDF	APPROVED BY P.E. MDF	DRAWING #: M-101	
DATE: 10/30/2019	SCALE: AS SHOWN	FE PROJECT #: 19-254		PAGE 1 OF 2	



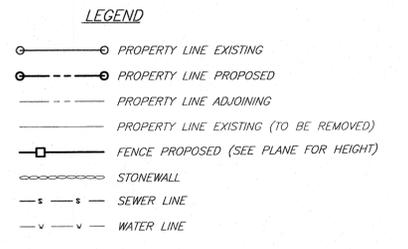
**ZONING SCHEDULE**  
 ZONE: IB (8 MANUFACTURING W/ ACCESSORY PETROLEUM BULK STORAGE)

	REQUIRED	(A) ENCLOSED DRUM CONTAINMENT PAD PROPOSED	(B) ENCLOSED TANK VALT PROPOSED	(C) OFFICE/GAGARGE EXISTING	(D) RAMP EXISTING	(E) STORAGE EXISTING	(F) SHED EXISTING
MINIMUM LOT AREA	40,000sf.	473,397SF/10.86AC	473,397SF/10.86AC	473,397SF/10.86AC	473,397SF/10.86AC	473,397SF/10.86AC	473,397SF/10.86AC
MINIMUM YARDS (feet)							
FRONT	50'	338'	54'	149'	223'	80'	-
REAR	60'	63'	164'	329'	164'	-	225'
SIDE							
ONE	30'	**14'	**11'	**9'	*6'	*-2.8'	*-13'
BOTH	80'	142'	161'	128'	131'	289'±	240'±
MINIMUM LOT WIDTH (feet)	150'	176'	176'	176'	176'	176'	176'
MINIMUM LOT DEPTH (feet)	150'	493'	493'	493'	493'	493'	493'
MAXIMUM LOT BUILDING COVERAGE (%)	40%	6%	6%	6%	6%	6%	6%
MAXIMUM SURFACE COVERAGE (%)	80%	%15	%15	%15	%15	%15	%15

\* EXISTING NON CONFORMING  
 \*\* NON CONFORMING, VARIANCE GRANTED 02/28/2021

**MILLER ENVIRONMENTAL NARRATIVE**

1. THE SITE IS IN THE IB ZONING DISTRICT WHICH PERMITS PETROLEUM BULK STORAGE.
2. THE SITE IS A PROCESSING FACILITY WITH ACCESSORY BULK STORAGE.
3. THE PURPOSE OF THE PROJECT IS TO PROVIDE BUILDINGS FOR BULK STORAGE TANKS.
4. FACILITY DEC PERMITS (10 3-3346-00020/00003) SHALL BE KEPT CURRENT AND ON SITE.



**ZONING SCHEDULE WITH SEWER AND WATER**  
 ZONE: R-3

	REQUIRED	S-B-L- 98-1-18 EXISTING	S-B-L- 98-1-18 PROPOSED
MINIMUM LOT AREA	15,000sf.	14,267sf.	**14,107sf.
MINIMUM YARDS (feet)			
FRONT	40'	*39'	**39'
REAR	40'	76'	76'
SIDE			
ONE	15'	*14'	**14'
BOTH	30'	63'	63'
MINIMUM LOT WIDTH (feet)	100'	105'	105'
MINIMUM LOT DEPTH (feet)	125'	155'	155'
MAXIMUM LOT BUILDING COVERAGE	15%	12%	12%
MAXIMUM LOT SURFACE COVERAGE	30%	14%	14%

\* EXISTING NON CONFORMING  
 \*\* NON CONFORMING, VARIANCE GRANTED 2/28/2021

**ZONING SCHEDULE WITH SEWER AND WATER**  
 ZONE: IB (EXISTING RESIDENCE)

	REQUIRED	S-B-L- 98-1-20-1 EXISTING	S-B-L- 98-1-20-1 PROPOSED
MINIMUM LOT AREA	15,000sf.	10,000sf.	14,000sf.
MINIMUM YARDS (feet)			
FRONT	40'	41'	41'
REAR	40'	*29'	69'
SIDE			
ONE	15'	*9'	**9'
BOTH	30'	*15'	**15'
MINIMUM LOT WIDTH (feet)	100'	100'	100'
MINIMUM LOT DEPTH (feet)	125'	*100'	140'
MAXIMUM LOT BUILDING COVERAGE	25%	25%	17%
MAXIMUM LOT SURFACE COVERAGE	50%	*54%	39%

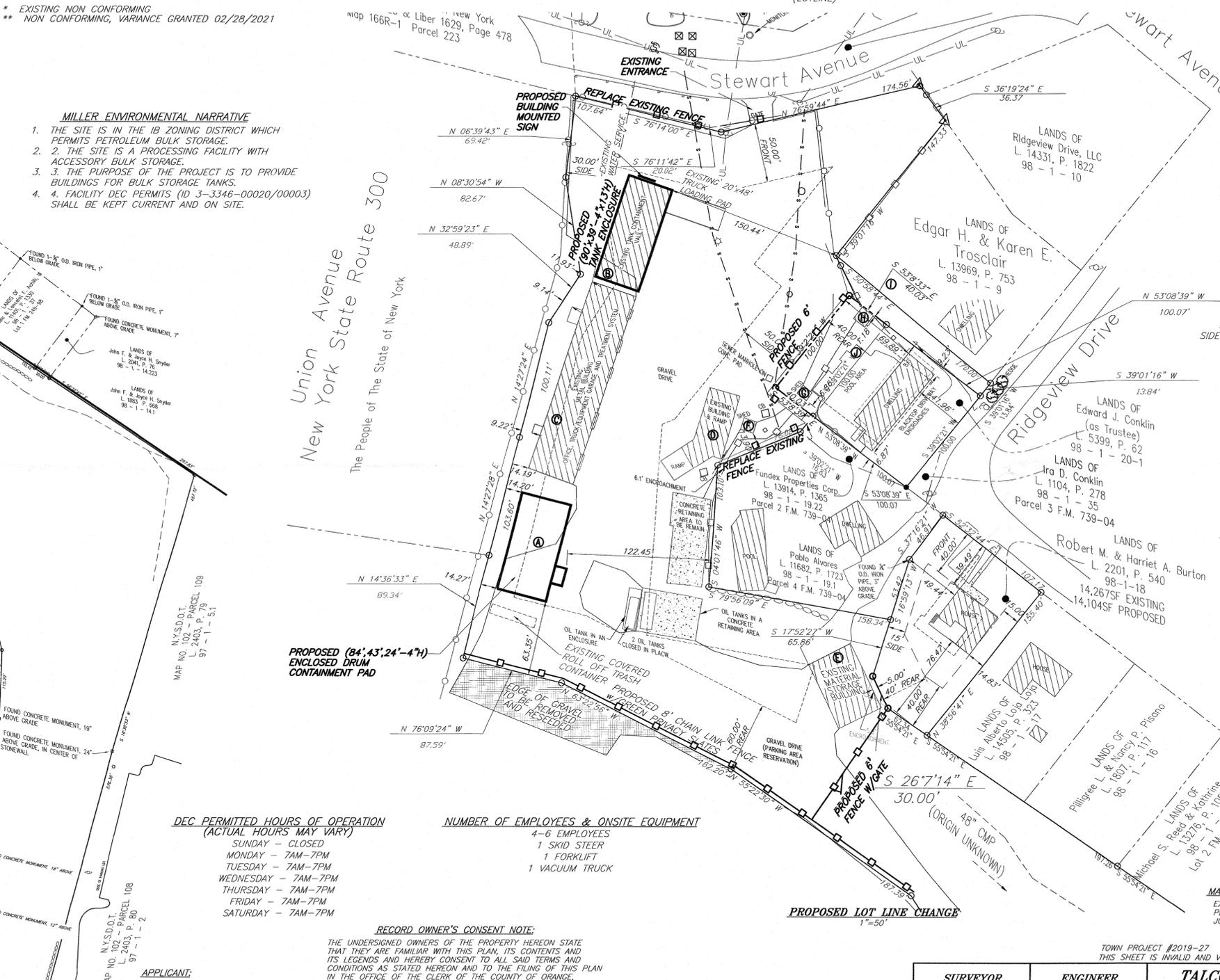
\* EXISTING NON CONFORMING  
 \*\* NON CONFORMING, VARIANCE GRANTED 2/28/2021

**NOTE** 1. SMALLEST LOT SIZE FOR PERMITTED COMMERCIAL USE IS 40,000SF.

\* EXISTING NON CONFORMING  
 \*\* NON CONFORMING, VARIANCE GRANTED 2/28/2021

**PERMANENT DRAINAGE EASEMENT**  
 NEW YORK STATE THRUWAY CATSKILL SECTION SUBDIVISION 5 MAP NO. 411-R-1 PARCEL 556

**CALL BEFORE YOU DIG... IT'S THE LAW**  
 WHETHER YOU'RE LAYING A FOUNDATION FOR A BUILDING OR PLANTING A TREE, YOU MUST FIRST CHECK FOR THE EXISTENCE OF UNDERGROUND UTILITY LINES AND CABLES. IF YOU OR YOUR CONTRACTOR DISRUPT ANY OF THESE LINES, THE RESULTS CAN BE DANGEROUS - AND COSTLY - TO EVERYONE. CALL BEFORE YOU DIG, TOLL FREE, 811



**DEC PERMITTED HOURS OF OPERATION**  
 (ACTUAL HOURS MAY VARY)

SUNDAY - CLOSED  
 MONDAY - 7AM-7PM  
 TUESDAY - 7AM-7PM  
 WEDNESDAY - 7AM-7PM  
 THURSDAY - 7AM-7PM  
 FRIDAY - 7AM-7PM  
 SATURDAY - 7AM-7PM

**NUMBER OF EMPLOYEES & ONSITE EQUIPMENT**

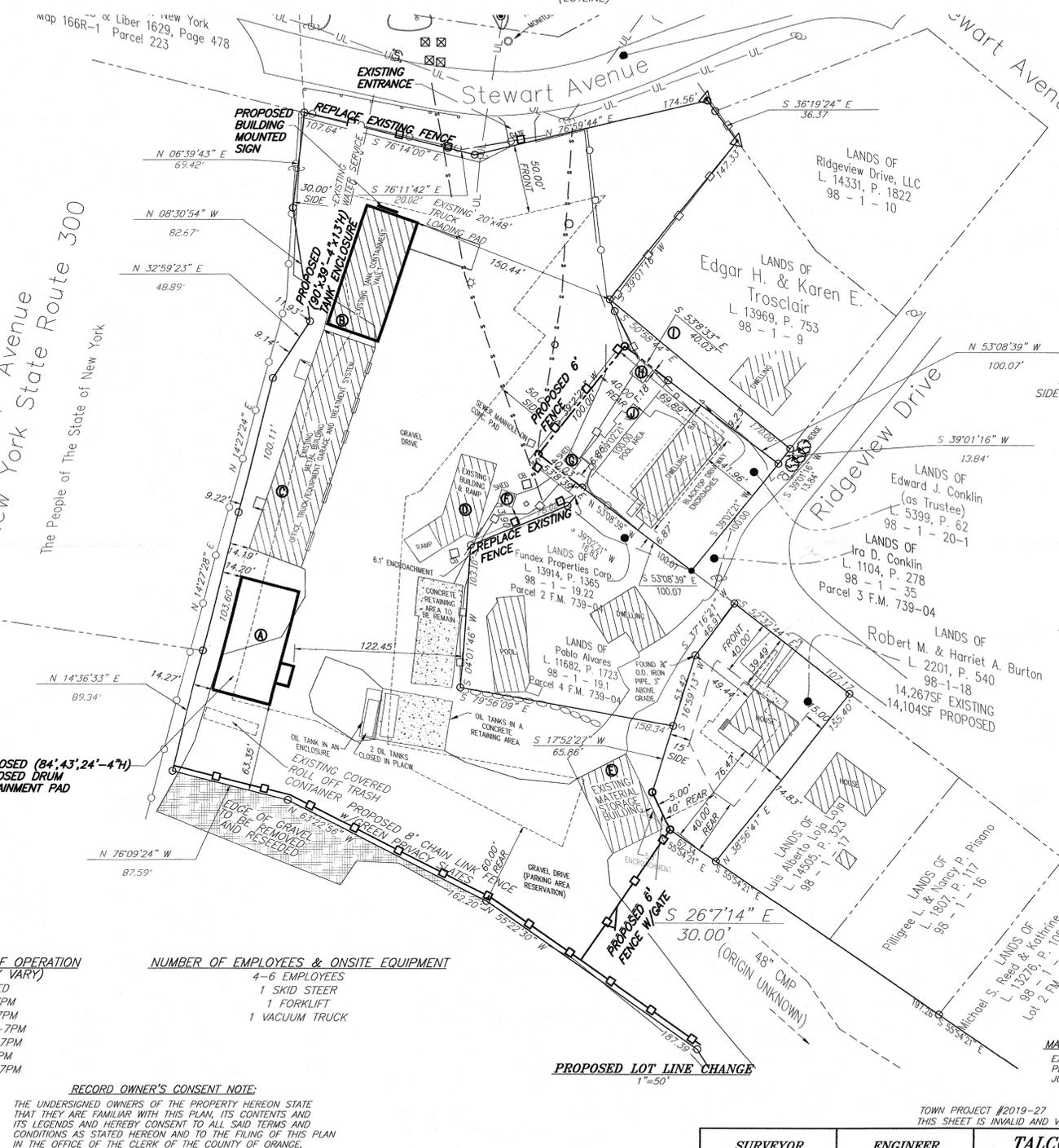
4-6 EMPLOYEES  
 1 SKID STEER  
 1 FORKLIFT  
 1 VACUUM TRUCK

**RECORD OWNER'S CONSENT NOTE:**  
 THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE THAT THEY ARE FAMILIAR WITH THIS PLAN, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON AND TO THE FILING OF THIS PLAN IN THE OFFICE OF THE CLERK OF THE COUNTY OF ORANGE, IF SO REQUIRED.

**APPLICANT:**  
 ATTN: NOEL RUSS  
 MILLER ENVIRONMENTAL GROUP, INC  
 538 EDWARDS AVE, NY 11933  
 CALVERTON, NY 12550

**OWNER OF SBL 98-1-27.2**  
 FIRST STATE WATER LLC  
 C/O MARK MILLER  
 100 PARADISE POINT  
 SOUTHOLD, NY 11871

**MAP REFERENCE:**  
 EXISTING FEATURES INCLUDING PROPERTY LINES, FENCES AND BUILDING PER A SURVEY ENTITLED "FIRST STATE WATER" PERFORMED BY JOHN TAROLLI LS REVISED 10/11/19



**REVISIONS**

REV.	DATE	BY	DESCRIPTION
8	06/10/21	RBM	PLANNING BOARD COMMENTS
7	10/16/20	RBM	ZONING BOARD APPLICATION
6	08/28/20	RBM	PLANNING BOARD COMMENTS
5	06/02/20	RBM	PLANNING BOARD APPLICATION
4	12/12/19	RBM	PLANNING BOARD APPLICATION
3	06/04/19	RBM	REVISED PER OWNER
2	05/09/19	RBM	REVISED PER OWNER
1	03/28/19	RBM	REVISED PER CODE COMPLIANCE COMMENTS



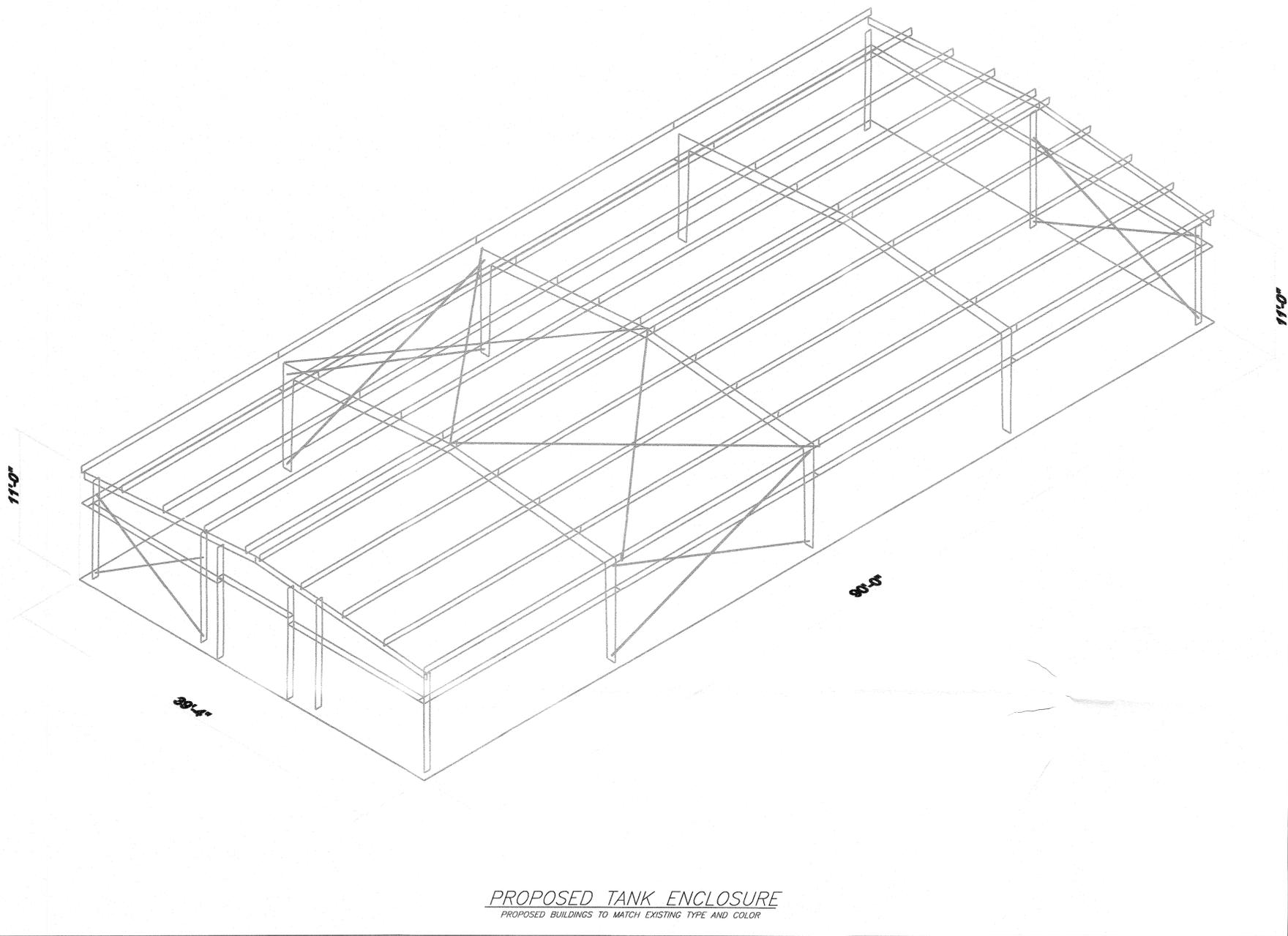
- LOCATION MAP**
- (C) SHED EXISTING CONKLIN  
 SBL: 98-1-20-1  
 20' ENCROACHMENT/CORRECTED WITH LOTLINE CHANGE
  - (H) SHED EXISTING CONKLIN  
 SBL: 98-1-20-1  
 20' ENCROACHMENT/CORRECTED WITH LOTLINE CHANGE  
 SIDE SETBACK 1'(5' REQUIRED)/VARIANCE GRANTED 2/28/2021
  - (J) POOL EXISTING CONKLIN  
 SBL: 98-1-20-1  
 21' ENCROACHMENT/CORRECTED WITH LOTLINE CHANGE
  - (K) SHED EXISTING Pisano  
 SBL: 98-1-16  
 6' ENCROACHMENT TO BE REMOVED
  - (L) SHED EXISTING Plate  
 SBL: 98-1-38  
 8' ENCROACHMENT TO BE REMOVED

**MAP REFERENCE:**  
 EXISTING FEATURES INCLUDING PROPERTY LINES, FENCES AND BUILDING PER A SURVEY ENTITLED "FIRST STATE WATER" PERFORMED BY JOHN TAROLLI LS REVISED 10/11/19

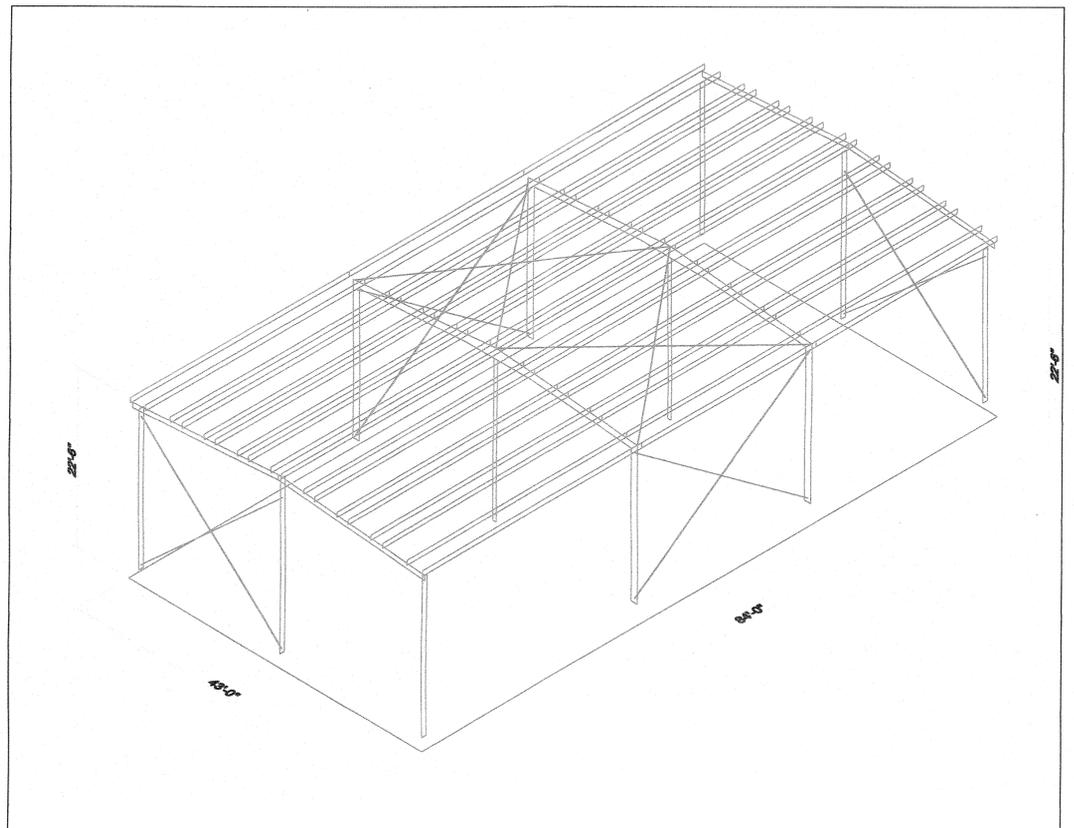
TOWN PROJECT #2019-27  
 THIS SHEET IS INVALID AND VOID UNLESS ACCOMPANIED BY REMAINING SHEETS IN SET.

<b>SURVEYOR</b>	<b>ENGINEER</b>	<b>TALCOTT ENGINEERING DESIGN PLLC</b>	
		1 GARDNERTOWN ROAD NEWBURGH, NY 12550 (845)-569-8400 (FAX) (845)-569-4583 TALCOTTDESIGN12@GMAIL.COM	
<b>SITE PLAN &amp; LOT LINE CHANGE FOR:</b> <b>MILLER ENVIRONMENTAL GROUP</b> <b>77 STEWART AVE, SBL 98-1-8.222, 20-1, 18</b> <b>TOWN OF NEWBURGH, ORANGE COUNTY, NY</b>			
DATE	SCALE	JOB NUMBER	SHEET NUMBER
03/22/19	AS NOTED	19036-MEV	1 OF 3

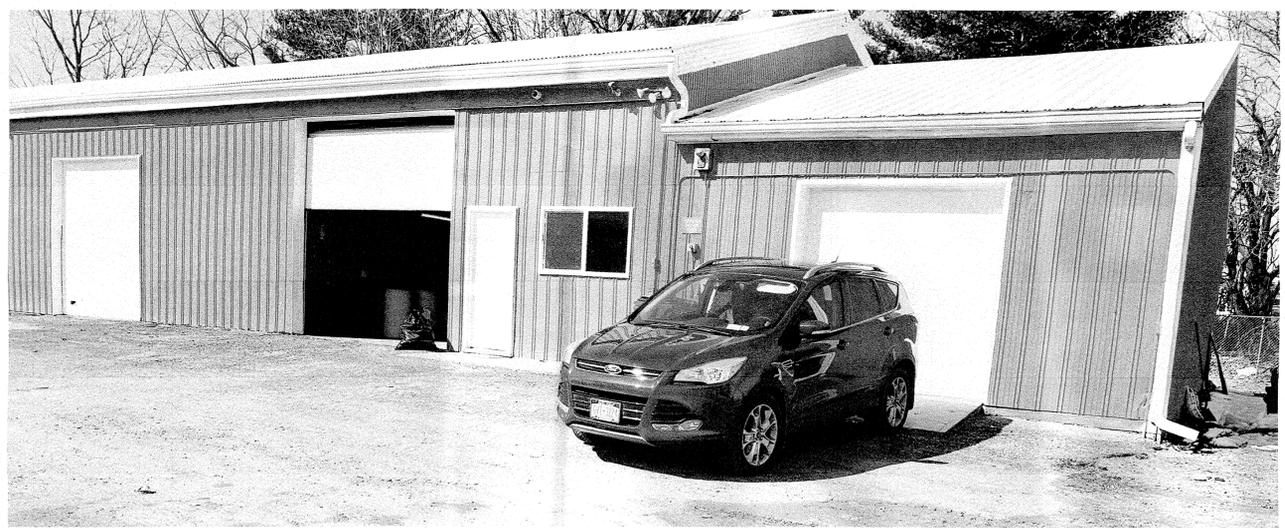




**PROPOSED TANK ENCLOSURE**  
 PROPOSED BUILDINGS TO MATCH EXISTING TYPE AND COLOR

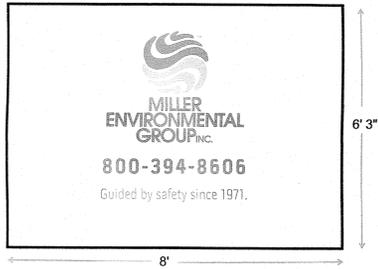


**PROPOSED DRUM CONTAINMENT**  
 PROPOSED BUILDINGS TO MATCH EXISTING TYPE AND COLOR



**EXISTING BUILD AND EQUIPMENT COLOR**

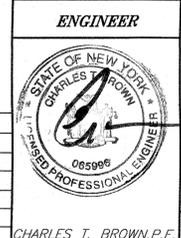
MILLER ENVIRONMENTAL GROUP - PROPOSED SIGN



**PROPOSED BUILDINGS COLOR. TO MATCH EXISTING BUILDING**

TOWN PROJECT #2019-27  
 THIS SHEET IS INVALID AND VOID UNLESS ACCOMPANIED BY REMAINING SHEETS IN SET.

REVISIONS			
REV.:	DATE:	BY:	DESCRIPTION:



**ENGINEER**  
**TALCOTT ENGINEERING DESIGN PLLC**  
 1 GARDNERTOWN ROAD  
 NEWBURGH, NY 12550  
 (845) 569-8400  
 (FAX) (845) 569-4583  
 TALCOTTDESIGN12@GMAIL.COM

**SITE PLAN & LOT LINE CHANGE FOR:**  
**MILLER ENVIRONMENTAL GROUP**  
 77 STEWART AVE, SBL 98-1-27.2, 20, 28  
 TOWN OF NEWBURGH, ORANGE COUNTY NY

DATE: 06/29/2021 SCALE: AS NOTED JOB NUMBER: 19036-MEV SHEET NUMBER: 3 OF 3