



#12A

25 July 2025

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

Attention: Gilbert Piaquadio, Town Supervisor

**Subject: Farrell Industrial Park - PB #23-9
MS4 SWPPP 5-Acre Waiver Request
Revised Per 12 June 2025 Letter and Plans**

Dear Supervisor, Piaquadio and Town Board Members,

The subject project has received conditional final approval from the Town of Newburgh Planning Board. The project generally involves the construction of a 262,080 +/- square foot warehouse facility with associated passenger vehicle and truck parking. A revised Stormwater Pollution Prevention Plan dated 12 June 2025, has been prepared for the subject project addressing the Town of Newburgh and NYSDEC requirements. The applicants are requesting a waiver to disturb greater than 5 acres of land at any one time. The applicants have revised the site grading and Soil Erosion and Sediment Control Plan, Sheets C-2001 through C-2007 with a revision dated 11 June 2025.

Based on the revised site grading and phasing plans the applicants are requesting to disturb a maximum of 17.76 +/- acres during Phase IB of the project. The plans have been revised to stabilize the building pad utilizing gravel material early in the construction process. The applicants have identified due to the building size and the need to perform the activities for on-site improvements the 5-acre limit would be a hardship for the project. The revised project SWPPP provides for additional controls regarding the 5-acre waiver including a requirement that 2 site inspections be conducted within every seven calendar days and that all disturbed areas which meet final grading, must be stabilized within seven calendar days. This increase inspection and reduced stabilization are a requirement of any SWPPP which disturbs greater than 5 acres.

Based on the review of the revised SWPPP prepared for the project and the applicants engineer letter dated 12 June 2025, this office takes no exception to the Town Board granting the project a waiver of the 5-acre maximum disturbance. As a condition of the Planning Board approval the project must submit securities for all grading and stormwater management and post inspection fees such that the Town of Newburgh and its Consultants

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can perform periodic on-site review of the activities on the site. All SWPPP inspections prepared by the applicant's Environmental Consultant must be submitted to the Town Code Enforcement Department and this office for compliance check.

If you have any questions, comments or require any additional information please do not hesitate to contact our office.

Respectfully submitted,

MHE Engineering, D.P.C.

Patrick J. Hines
Principal

Michael W. Weeks, P.E.
Principal