TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS

PROJECT NAME:	**BRITAIN WOODS DEIS**
PROJECT NO.:	**22-17**
PROJECT LOCATION:	**442 LITTLE BRITAIN ROAD (NYS ROUTE 207)** **SECTION 97, BLOCK 1, LOT 32.1, 32.2, 32.3 & 40.1** **CITY OF NEWBURGH SECTION 41, BLOCK 1, LOT 2 & 3**
REVIEW DATE:	**31 MAY 2024**
MEETING DATE:	**6 JUNE 2024**
PROJECT REPRESENTATIVE:	**ENGINEERING & SURVEYING PROPERTIES, PC**

1. The applicant's have submitted a revised Draft Environmental Impact Statement (DEIS). The DEIS has been revised pursuant to previous consultant comments. A technical work session was held with the applicant's representative on 23 April 2024.

2. Based on a review of the revised documents the DEIS as submitted is responsive to the scope issued by the Planning Board. This office would recommend the Planning Board determine that the document is complete for public review. The completeness determination will commence the technical review period for the DEIS.

3. A new No Adverse Impact letter has been received from the Office of Parks, Recreation & Historic Preservation. A new submission was made based on the alignment of the utilities along the Route 207/Old Little Britain Road corridor.

Respectfully submitted,

MHE Engineering, D.P.C.

Patrick J. Hines
Principal

PJH/kbw

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May 17, 2024

Town of Newburgh Planning Board
21 Hudson Valley Professional Plaza
Newburgh, New York 12550
ATTN: John P. Ewasutyn, Chairman

RE: W.O. # 1146.01
BRITAIN WOODS
NYS ROUTE 207
COMMENT RESPONSE LETTER

Dear Chairman Ewasutyn,

Our office is in receipt of the Technical Review Comments from MHE Engineering dated April 19, 2024 regarding the Britain Woods DEIS. Below is a comment-by-comment response to that letter. Attached are the following documents for your review:

- Revised DEIS Narrative – Redlined version
- Revised DEIS Appendix D – Tree Inventory
- Revised DEIS Appendix E1 – Correspondence with SHPO

1. The applicant's response letter indicates page numbers that are off. Based on a review of the document, pages appear to be one or two pages off in the referenced comment letter. The majority of the information provided is contained in close proximity to the pages referenced.

   Comment is noted. No response necessary.

2. Section 3.2.1 - Existing Conditions Regional Water Shed identifies Quassaick Creek flows south approximately 111 miles from Modena, NY to the Hudson River. This statement should be further evaluated.

   The typo of 111 miles has been corrected to 12 miles in Section 3.2.1.

3. Status of the resubmission to the NYS of Parks, Recreation & Historic Preservation regarding protection of the kilns associated with utility infrastructure proposed along Route 207 should be addressed.

   An additional discussion has been added to Section 3.5.2 discussing the most recent correspondence with NYS OPRHP, which includes a letter of "No Impact" dated May 14, 2024 and has been added to Appendix E1.

4. The discussion of significant trees should be further expanded. Table 3.8.1 – Tree Preservation & Disturbance identifies specimen trees (130) with total dbh within sample plots 3,715.2. Total dbh on site is less than the total in the sample plots. Significant

trees disturbed identifies in excess of the disturbance threshold in the chart. The disturbance threshold at 50% is 6,244.08 while the total dbh disturbed is 7,115.34. The narrative section should include impacts to the tree removal and mitigation measures composed to comply with the mitigation required in Chapter 172.

Table 3.8.1 and Sheet D-100 in Appendix D have been updated to indicate that all Specimen trees were located, and therefore a interpolation factor is unnecessary. Section 3.8.2 under the Town of Newburgh Tree Preservation Law includes a calculation of restitution for the diameter of trees that will be removed beyond the allowed disturbance threshold that will not be replaced by the proposed reforestation (landscaping) plan. The proposed restitution amount is $1,590.

5. It appears that the Forester has not accounted for the Norway Maple Trees on the site. While the Norway Maple is considered by some to be a nonnative species, it is noted that Norway Maples have existed in the forests of the northeast for long periods of time. The definition Specimen Tree does not exempt nonnative trees. The definition of significant trees identifies any healthy tree, that is not an invasive species, measuring 14 inches of more dbh. It appears that the Norway Maples which exceed the 24-inch diameter would be considered specimen trees on the site.

   Even though Norway Maples weren't noted as Specimen trees, they were located and tagged in the field by the Forester and included in the list of identified trees. Sheet D-101 in Appendix D has been revised to identify Norway Maples as Specimen trees and they are included in the summation of the Total DBH of Specimen Trees.

If you have any additional questions and/or comments please don't hesitate to contact this office.

Sincerely,
Engineering & Surveying Properties, PC

Ross Winglovitz, P.E.
Principal

Zach Szabo, E.I.T.
Project Engineer

encl:

cc: file

Draft Environmental Impact Statement (DEIS)

for

BRITAIN WOODS
RESIDENTIAL DEVELOPMENT

Little Britain Road
City/Town of Newburgh, Orange, New York
SEQRA Type 1 Action

Town of Newburgh Tax Lots: 97-1-32.1, 32.2, 32.3 & 40.1
City of Newburgh Tax Lots: 41-1-2 & 3

Project Sponsor:
Farrell Building Company, Inc.
2331 Montauk Highway
Bridgehampton, NY 11932
(631) 537-1068

Lead Agency and Contact Person:
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Date of Submission: 10/6/2023 Revised 03/22/2024 & 05/17/2024
Date of Acceptance:
Date of Public Hearing:
Written Comment Due Date:

Please consider the environment before printing or copying this document

PROJECT SPONSOR

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1 EXECUTIVE SUMMARY

1.1 INTRODUCTION

A Draft Environmental Impact Statement ("DEIS") is a statement prepared by the Project Sponsor that describes the Proposed Action, studies potentially significant adverse environmental impacts, and proposes mitigation measures for potential adverse impacts that are identified. Once the DEIS is determined to be adequate for public review, it will be circulated to all involved and interested agencies, made available for public review, and a public hearing will be scheduled.

On July 6, 2022, the Project Sponsor, Farrell Building Company, LLC, filed a site plan and lot consolidation application with the Town of Newburgh Planning Board. The Proposed Action was determined to be a Type I Action pursuant to SEQRA Part 617.4 (b) (6) (i). After initiating a coordinated review, the Town of Newburgh Planning Board Declared itself SEQRA Lead Agency on October 6th, 2022. Subsequently, on that same day, the Town of Newburgh Planning Board adopted a resolution issuing a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement. The Lead Agency followed procedures listed below to receive Agency and Public comments on this Draft Scope:

1. A public scoping session was held in-person on December 15, 2022, at 6:00 pm, at Laborers Local 17 Meeting Room, 451 Little Britain Road, Newburgh, New York.
2. Written comments on the Draft Scope were invited by e-mail or mail and were accepted until December 20, 2022, at 12:00 pm.
3. All Involved Agencies were invited to inform the Lead Agency of each Agency's concerns, permit jurisdictions, and information needs to support such Agency's SEQRA Findings, including, where applicable, any specific techniques or model to be used in studies and analysis for the EIS.

The Scoping Document, last revised January 18, 2023, was adopted by the Planning Board and serves as the outline for this DEIS.

1.2 SUMMARY OF PRIOR APPLICATION

There were several former development projects proposed by others for this Site. These were originally called "Britain Commons," and later "Independence," and finally "The Ponds at Britain Woods", which was a 370-unit residential community, with dwelling units in several configurations and all units in condominium ownership. The proposed housing included 254 three-bedroom units and 116 two-bedroom units. The Ponds at Britain Woods was on a 62-acre

tract that included the Project Site plus an additional 14-acre parcel. A DEIS was prepared for The Ponds at Britain Woods in 2008. The former application was proposed under Section 185-25 of the Town Zoning law, entitled "Multiple dwellings and townhouses" and applied variances granted by the Town of Newburgh Zoning Board of Appeals on August 25, 2005. The density of the former project was 5.97 units per acre, in compliance with the provisions of Section 185-25. Although a DEIS was prepared and submitted to the Town it was never deemed complete by the Planning Board.

1.3 PROJECT SITE EXISTING CONDITIONS

The Project Site is comprised of ±47.95 acres located in the Town of Newburgh and City of Newburgh in Orange County, New York. Local tax maps identify the Site as Town of Newburgh tax lots 97-1-32.1, 32.2, 32.3, 40.1 and City of Newburgh tax lots 41-1-2 & 3. The Applicant is seeking to consolidate all the Town parcels into a single, new tax parcel.

The project site is located north of Little Britain Road (NYS Route 207), approximately 1,200 feet east of its intersection with Old Little Britain Road, and west of Wisner Avenue.

The site is zoned "R-3" Residential with an "O" Professional Office overlay. This area of the Town is located in the "A" Airport Overlay District (regulating building heights). The City of Newburgh portion of the Site is within the Residential Low-Density (RL) Zoning District and the Neighborhood Commercial Overlay (NCO). The Town of New Windsor town line is approximately 850 feet south of the Project Site.

A ridge bisects the Project Site that runs generally from north to south through the center of the Site. Elevations on the Site vary from a low point of 198 feet near the midpoint of easternmost Site boundary, to a high point of 324 feet in the central portion of the Site. Slopes on the Project Site vary from almost flat within the wetland area in the southeast, to gently sloping areas, to moderately steep on the ridge in the central portion of the Site.

As late as the 1960's the entire parcel was utilized as a farm with a large farmstead containing a farmhouse and many outbuildings in the southern portion of the Site, and numerous agricultural crop fields cleared of trees. Today, the property is mostly reforested and entirely vacant, except for the foundation from a late 1800's era farmhouse and several outbuildings. There are no current land uses on the Project Site, with the exception of four billboard signs adjacent to NYS Route 207. There is an existing 20-foot-wide utility easement through the southeastern portion of the Site that contains the City of Newburgh water lines and a 30-foot-wide access easement that parallels the Site's northeast boundary line. The Site is not currently serviced by any existing utilities. Utilities including telephone, electric and gas are adjacent to

the Site and available for connection. Since the Project Site is not within the City of Newburgh water or sewer districts, the City's public water and sewer utilities located on or near the Site are not available for connection. Connections to Town of Newburgh sewer and water are available offsite. The nearest connection to the Town of Newburgh water system is 890+ feet west of the Site on the north side of NYS Route 207. The nearest connection to the Town of Newburgh sewer system is at the intersection of Old Little Britain Road and Unity Place, approximately 3,300 feet to the west of the Site.

Land uses on adjoining properties include single family and multifamily residential, commercial, light industrial and institutional.

1.4 PROJECT OVERVIEW

The Proposed Action proposes the construction of 11 multi-family residential apartment buildings, a clubhouse with a pool, a pool equipment storage/dog wash/restroom structure and gazebo. Seven of the proposed multi-family residential buildings will be two-stories in height with 22 apartment units consisting of 10 one-bedroom units and 12 two-bedroom units. Four buildings will have three-stories with "walk-out" ground floor and 26 apartment units consisting of 10 one-bedroom units and 16 two-bedroom units. In all, there will be a total of 110 one-bedroom units and 148 two-bedroom units, for a combined total of 258 apartments and 406 bedrooms. Private roadways will be constructed to provide access to the development from Little Britain Road/NYS Route 207. Parking will be provided for each building in both attached and detached garages, and surface parking spaces. There will be 583 parking space provided, which exceeds the minimum number of spaces required by the Town of Newburgh Zoning Code. Private utility infrastructure will be constructed on-site and operated by the Project Sponsor. All buildings will be served by new off-site Town water and sewer main extensions that will be installed by the Project Sponsor. The Project conforms with the Town and City of Newburgh Zoning Codes. No area or use variances are required.

Off-site improvements include the installation of Stop Bars at the intersection of NYS Route 207/Little Britain Road and Wisner Avenue to improve the safety conditions at this intersection. A public watermain extension, approximately 1,300 linear feet in length, will be installed by the Applicant within the Little Britain Road/NYS Route 207 right-of-way from the proposed western roadway entrance to an existing hydrant located on Little Britain Road approximately 900 feet west of the Project Site. A public sewer forcemain extension, approximately 4,725 linear feet in length, will be installed by the Applicant within the Little Britain Road/NYS Route 207 and Old Little Britain Road rights-of-way from the proposed southwestern

corner of the project site to an existing sewer manhole located on Unity Place near its intersection with Old Little Britain Road approximately 3,300 feet to the west.

1.5 PROJECT PURPOSE, NEED AND PUBLIC BENEFIT

The purpose of the Proposed Action is to address the need for medium density housing in a location that is accessible to major transportation routes of the region. The Applicant intends to develop a modern residential development in response to a continued need and demand for a variety of housing types in the Town of Newburgh and Orange County. Benefits to the Town include conservation of natural resources accomplished by the clustered nature of the development, generation of additional tax revenue, contributions toward nearby off-site road improvements, and provide on-site recreation facilities for its residents and guests.

1.6 PERMITS AND APPROVALS

1.1.1 Local

a. Site Plan Approval - Town of Newburgh Planning Board
b. Municipal Separate Storm Sewer Systems (MS4) SWPPP Acceptance – Town of Newburgh Town Board
c. Outside Sewer User Agreement – City of Newburgh
d. Sewer District Creation - Town of Newburgh

1.1.2 County

a. GML 239 L, M and N - Orange County Planning Department
b. Water Main Extension – Orange County Department of Health
c. Water Treatment System & Swimming Pool permit - Orange County Department of Health

1.1.3 State

a. ECL Article 17, Title 7, 8: State Pollutant Discharge Elimination System (SPDES) – discharge of treated Stormwater - NYS Department of Environmental Conservation
b. Sewer Main Extension - NYS Department of Environmental Conservation
c. Highway Improvements - New York State Dept. of Transportation

1.1.4 Federal

a. None

INVOLVED AGENCIES

Town of Newburgh Planning Board

Town of Newburgh Town Board

City of Newburgh

Orange County Planning Department

Orange County Department of Health

NYS Department of Environmental Conservation

New York State Department of Transportation

INTERESTED AGENCIES

U.S. Army Corps of Engineers

NYSDEC, Environmental Notice Bulletin

Newburgh Enlarged City School District

Goodwill Fire District

City of Newburgh Fire Department

Town of Newburgh Police Department

City of Newburgh Police Department

Town of Newburgh Emergency Medical Services

Mobile Life Emergency Medical Services

U.S. Fish and Wildlife Services

1.7 SUMMARY OF SIGNIFICANT IMPACTS & MITIGATION MEASURES

Table 1.7 - Summary of Potential Project Impacts & Mitigation Measures

CONCERN	POTENTIAL PROJECT IMPACTS	MITIGATION MEASURES
1). Land Resources	a) Disturbance of 27.75 acres of soil and topography b) Loss of 15.70 acres of agricultural soil c) Earthwork cut volumes exceed fill volumes by approximately 4,293 cubic yards d) Disturbance of 1.04 acres of regulated steep slopes (25%+) e) Potential erosion & sedimentation during construction f) Groundwater is expected to be encountered during construction g) Bedrock is expected to be encountered during construction	a) A total of 20.20 acres of open space will be preserved b) Compliance with the Town's Clearing and Grading Permit requirements c) Site plan design minimizes earthwork and cut/fill volumes d) Detailed grading and erosion/sediment control plans e) Construction best management practices f) Construction phasing plan g) Dewatering techniques h) Bedrock Removal procedures
2.) Surface Water Resources	a) Disturbance of 0.532 acres of ACOE isolated wetlands	a) A Stormwater Pollution Prevention Plan is proposed that addresses runoff quantity and quality concerns, and includes long-term maintenance practices b) Erosion/sediment control plans

		c) Green Infrastructure technique soil restoration of disturbed areas
3). Plants & Animals	Loss of 27.75 acres of woods & and subsequent wildlife habitat.	a) A total of 20.20 acres (42% of the Site) of undisturbed vegetation and wildlife habitat will be preserved
4). Aesthetic Resources	a) Disturbance of 27.75 acres of wooded lands b) Outdoor lighting will be installed c) Removal of existing vegetation	a) Preservation of existing vegetation and increased building setbacks to the greatest extent practical b) Use of architectural design elements, colors and materials c) Site Lighting Plan eliminates light trespass at the property line and incorporates Dark Sky compliant fixtures d) An proposed Landscaping Plan to supplement existing vegetation
5). Cultural Resources	None expected	No mitigation required
6). Trans-portation Resources	a) Increased number of vehicles travelling to and from the Site during the peak hours (103 in AM and 132 in PM). b) Increases in traffic delays at some study intersections.	a) Infrastructure improvements to be completed by the Applicant: i) Onsite Electric Vehicle (EV) charging stations ii) Installation of Stop Bars at NYS Route 207/Little Britain Road and Wisner Avenue intersection b) NYDOT Improvements to the intersection of Old Little Britain Road and NYS Route 207/Little Britain Road i) The NYSDOT has indicated the intersection is proposed to be upgraded in 2025. ii) In the event the NYSDOT does not improve the intersection, the applicant will undertake the improvements with fair share funding for the improvements. c) Air Quality i) Construction vehicles will be maintained in good working order. ii) Best management practices will be followed during construction to reduce fugitive dust generation

		iii) Vehicle idling will be discouraged
7). Utilities	a) Average daily water demand is estimated to be 52,452 gallons per day. b) Average daily sewer generation is estimated to be 47,452 gallons per day. c) Reduction of stormwater drainage rate from the Site d) Increased energy demand e) Increased solid waste production	a) Water conservation strategies, fixtures, and landscaping design are proposed b) Energy utilities will be privately contracted, and user-fee supported. c) Energy conservation techniques and technologies will be evaluated for incorporation into the design and operation of the buildings. d) Recycling will reduce the amount of solid waste sent to landfills
8). Land Use & Zoning Resources	The project is consistent with all Town and City Zoning Code requirements & Comprehensive Plans	No further mitigation required.
9). Socio-Economic Impacts	a) Town population increase of 555 people, including 43 school-aged children b) Increased tax revenue of $837,565 generated by the Project	a) Revenue generated by the project will offset costs to the taxing jurisdictions therefore no mitigation is required
10). Community Service	a) Additional residents requiring emergency services (fire, police, and EMS) b) Additional residents requiring health care and recreation facilities and student need for public education c) Increased demand for solid waste removal	a) Additional tax revenue generated for Town, County, and School District b) Recycling will reduce amount of solid waste

1.8 ALTERNATIVES TO PROPOSED ACTION

The No Action Alternative evaluates what would occur if no development took place on the Project Site. In the “Two Points of Access” alternative layout the Project would be designed so that the western roadway entrance functions as the primary point of access to the development and the eastern roadway through the City of Newburgh would serve as a secondary access point. An “Alternative Stormwater Design” scenario was considered in which the Project would be designed with no stormwater management facilities located within the City of Newburgh. The “Water and Sewer Service Alternatives” evaluates the City of Newburgh providing water and sewer services, utilizing existing utility infrastructure in the vicinity of the

Site, since the Project Site is located partially within City. Table 1.8 summarizes the quantitative impacts associated with the Proposed Action and the project alternative.

Table 1.8 – Alternatives Comparison of Impacts

Area of Concern	Proposed Action	No Action	Two Points of Access	Alternative Stormwater Design	Water Service Alternative	Sewer Service Alternative
Number of Dwelling Units	258	0	258	258	258	258
On-Site Disturbance Area	27.75 Ac	0	28.10 Ac	27.50 Ac	27.75 Ac	27.75 Ac
Off-Site Disturbance Area	1.38 Ac	0	1.56 Ac	1.38 Ac	1.08 Ac	0.30 Ac
Additional Impervious Surface	9.56 Ac	0	10.03 Ac	9.56 Ac	9.56 Ac	9.56 Ac
Wetland Disturbance	0.532 Ac	0	0.532 Ac	0.532 Ac c	0.532 Ac	0.532 Ac
Population	555	0	555	555	555	555
School Aged Children	43	0	43	43	43	43
Tax Revenue Increase	$837,565	0	$837,565	$837,565	$837,565	$837,565
Traffic Generation Peak Hour Trips	103 AM 132 PM	0	103 AM 132 PM	103 AM 132 PM	103 AM 132 PM	103 AM 132 PM
Water Demand	52,452 gpd	0	52,452 gpd	52,452 gpd	52,452 gpd	52,452 gpd
Sewer Demand	47,452 gpd	0	47,452 gpd	47,452 gpd	47,452 gpd	47,452 gpd

1.9 NON-SIGNIFICANT OR IRRELEVANT ISSUES

A few environmental impacts were considered during the EAF review but were determined to be non-significant or not relevant and are therefore not discussed in the DEIS. These include Impacts on Geological Features since there are no unique or unusual landforms on the Site, Impact on Groundwater as the proposed domestic and fire protection water demand will be supplied from surface water sources, Impacts on Flooding since the Project Site is not located in a flood prone area, Impacts on Air since the Proposed Action does not include a state regulated air emission source, Impact on Open Space and Recreation as there will not be any loss of recreational opportunities resulting from the Project, Impact on Critical Environmental Areas since the Project is not located within or adjacent to a critical environmental areas, and Impact on Human Health as there will not any exposure to new or existing sources of contaminants.

2 DESCRIPTION OF THE PROPOSED ACTION

2.1 PROJECT INTRODUCTION

On July 6, 2022, the Project Sponsor, Farrell Building Company, LLC, filed a site plan and lot consolidation application with the Town of Newburgh Planning Board requesting approval of a multi-family residential development on a +/-48.0-acre parcel. The submitted Application and Full Environmental Assessment Form (FEAF) are included as Appendices A1 and A2, respectively. After reviewing the conceptual site plan and FEAF for the development, the Planning Board declared its intent to become Lead Agency under the New York State Environmental Quality Review ("SEQR") Act, and a Lead Agency Notice dated August 8, 2022, which is attached as Appendix A3, was circulated to interested and involved agencies.

The Planning Board assumed the role of Lead Agency by resolution and issued a Positive Declaration for the Project on October 6, 2022. The Positive Declaration can be found in Appendix A4 and agency responses regarding the Project are attached as Appendix A5. A Public Scoping Session was held on December 15, 2022, to consider and discuss the potentially significant impacts related to the Proposed Project that should be addressed in the Draft Environmental Impact Statement (DEIS). The Notice of the Public Scoping Session and meeting minutes are attached as Appendix A6. Written comments on the Draft Scope were accepted by the Planning Board until noon on December 20, 2022. The Scoping Document, last revised January 18, 2023, was adopted by the Planning Board and serves as the outline for this DEIS.

2.2 SITE DESCRIPTION

The Project Site is located in the Town of Newburgh and City of Newburgh in Orange County, New York. Local tax maps identify the Site as Town of Newburgh tax lots 97-1-32.1, 32.2, 32.3, 40.1 and City of Newburgh tax lots 41-1-2 & 3. Table 2.2 lists the existing area of each parcel and the total area of the Project Site. The Project Site is comprised of ±47.95 acres.

Table 2.2 – Project Parcel Area

Section-Block-Lot	Acres
97-1-32.1	12.65
97-1-32.2	3.43
97-1-32.3	2.04
97-1-40.1	28.34
41-1-2	1.41
41-1-3	0.08
Total	**47.95**

The Applicant is seeking to consolidate all the Town of Newburgh parcels that are part of the development into a single, new tax parcel. The remaining two City of Newburgh parcels will remain as is, whereas the Town of Newburgh parcels will be combined into one deed. Figure 2.2A shows the location of the Site in relation to roadways in the area. Figures 2.2B and 2.2C show the Site on the USGS and Aerial maps, respectively. The tax maps are included as Figure 2.2D.

The following land uses exist on adjoining properties: single family residences to the west and southwest, Stony Brook Condominium multifamily residential development to the north, and a mix of light industrial, residential and institutional uses on City properties located to the northeast, east, and southeast.

The project site is located north of Little Britain Road (NYS Route 207), approximately 1,200 feet east of its intersection with Old Little Britain Road, and west of Wisner Avenue. Its only road frontage is on NYS Route 207, which is a two-lane State-maintained roadway beginning at NYS Route 17K in the City of Newburgh approximately 0.5 miles to the northeast and entering the Town of New Windsor approximately 0.4 miles to the southwest of the site.

The site is zoned “R-3” Residential with an “O” Professional Office overlay. Nearby properties in the Town of Newburgh are zoned as “R-2” and “R-3” Residence Districts, and some are also in the “O” Professional Office overlay. This area of the Town is located in the “A” Airport Overlay District (regulating building heights). The City of Newburgh portion of the Site is within the Residential Low-Density (RL) Zoning District and the Neighborhood Commercial Overlay (NCO). The Town of New Windsor town line is approximately 850 feet south of the Project Site.

As late as the 1960’s the entire parcel was utilized as a farm with a large farmstead containing a farmhouse and many outbuildings in the southern portion of the Site, and numerous agricultural crop fields cleared of trees. Today, the property is mostly reforested and entirely vacant except for the foundation from a late 1800’s era farmhouse and several outbuildings. There are no current land uses on the Project Site, with the exception of four billboard signs adjacent to NYS Route 207. There is an existing 20-foot-wide utility easement through the southeastern portion of the Site that contains the City of Newburgh water and sewer lines. There is also a 30-foot-wide access easement that parallels the Site’s northeast boundary line that benefits the Project Site that will be extinguished as part of the Proposed Action. There are currently no utilities serving the Site, although public water, sewer, telephone, electric and gas are located adjacent to or nearby the Site. The existing conditions of the Site are depicted in Figure 2.2E.

2.3 PROJECT DESIGN AND LAYOUT

2.3.1 SITE DISTURBANCE

Presently the 48-acres Site is covered with vegetation consisting of approximately 46.45 acres of woods, 0.12 acres of lawns, 0.05 acres of impervious surfaces and 1.33 acres of wetlands. The existing impervious surface consists of a former building foundation and an adjacent property's driveway that encroaches onto the Site.

At the completion of the Project there will be approximately 22.31 acres of woods, 15.82 acres of lawns, and 9.56 acres of impervious surfaces on the Site. The area of wetlands will be reduced to 0.80 acres by the disturbance of a 23,168 square foot (0.53 acre) area within an isolated wetland area. Table 2.3.1A tabulates all of the natural and development coverage areas in both the existing and proposed conditions and calculates the total gain or loss of each cover type. The total change in land cover is estimated to be 24.67 acres. Figure 2.3A shows the proposed conditions of the Site.

Table 2.3.1A – Project Parcel Land Coverage (Acres)

Natural Cover	**Existing**	**Proposed**	**Loss of Cover**
Woods	46.45	22.31	-24.14
Surface Water/Wetlands	1.33	0.80	-0.53
		Subtotal	**-**24.67
Development Cover			**Gain of Cover**
Lawn	0.12	15.28	+15.16
Impervious Surfaces	0.05	9.56	+9.51
		Subtotal	**+**24.67

Impervious surfaces, such as buildings, roads and parking lots will account for 9.56 acres or 20% of the overall Site area. Table 2.3.1B shows the acreage that will be covered by the Proposed Action impervious surfaces.

Table 2.3.1B – Proposed Impervious Surfaces

Type	**Amount (acres)**
Buildings/Structures	4.79
Pavement	3.59
Sidewalks	1.18
Gravel Roads	0.00
TOTAL	9.56

Approximately 27.75 acres of the Site will be disturbed, leaving 20.20 acres, or 42% of the Site as undisturbed open space, of which 19.46 acres are considered usable open space that is not covered by wetlands.

2.3.2 PROPOSED STRUCTURES

There are a total of 11 multi-family residential buildings, a clubhouse, a pool equipment storage/dog wash/restroom structure, and a gazebo proposed on-site. Seven of the proposed multi-family residential buildings will be two-stories in height with 22 apartment units consisting of 10 one-bedroom units and 12 two-bedroom units. Four buildings will have three-stories with an additional "walk-out" ground floor and 26 apartment units consisting of 10 one-bedroom units and 16 two-bedroom units. In all, there will be a total of 110 one-bedroom units and 148 two-bedroom units, for a combined total of 258 apartments and 406 bedrooms. Figures 2.3B-G depict the footprint layouts of the proposed buildings. Table 2.3.1C summarizes the footprint area of each proposed structure.

Table 2.3.1C – Proposed Structures

Type	Footprint (SF)
Residential Building Type 1	13,830
Residential Building Type 2	13,830
Detached Garages	4,000
Clubhouse	4,958
Pool Storage/Restroom/Dog wash	464
Gazebo	346

Several community recreational amenities will be constructed. The clubhouse will be located adjacent to the main entrance road in the western portion of the Site. Outdoor clubhouse amenities include a children's playground, pool and sundeck, restrooms, dog wash, two tennis courts, and four pickleball courts. Indoor amenities include an exercise room, lounge area with a TV and fireplace, small kitchen, multi-purpose room, two offices and restrooms. Sidewalks and walking paths are also proposed throughout the development.

2.3.3 SITE ACCESS, CIRCULATION AND PARKING

Access to the Site will be from a main entrance driveway located in the western portion of the Site from Little Britain Road (NYS Route 207). An emergency access will also be provided from Little Britain Road on the east side of the Site. From the main entrance driveway all buildings will be accessible via a roundabout. Buildings 1 through 7 will be on a looped roadway and Buildings 8-11 will be on the roadway that connects to the emergency access drive. Pedestrian circulation around the Site will be on a network of walkways that connect all of the buildings. Five-foot wide concrete sidewalks are proposed along the roadways throughout the development and three-foot wide stone dust

paths run along the rear of the residential buildings and wind through the undeveloped portions of the Site. There are no existing sidewalks to connect to on Little Britain Road adjacent to the Site.

Roadways and walkways will be owned and maintained by the Project Sponsor or its assignee. Roads will be 26 feet wide asphalt pavement and there will be 4,852 linear feet of roadway for a total of 2.90 acres of asphalt roadway pavement. The emergency access would be constructed as a 20-foot-wide gravel drive, which eliminates the need for a stormwater detention basin near Little Britain Road and drainage structures within the City of Newburgh.

The number of parking spaces required to serve the Proposed Action is calculated to be 516 in Table 2.3.1D. To accommodate this demand, 583 parking spaces are distributed throughout the Site close to each building, of which there are 24 proposed ADA parking spaces. There is no land-banked parking proposed. The Proposed Action will provide 67 more parking spaces than required by the Town of Newburgh Code Chapter 185-13 for Off-Street Parking and Loading Facilities. There will be 20 electric vehicle charging stations installed around the Site.

Table 2.3.1D – Off-Street Parking Calculation

Use	Parking Space Requirement	Number of Units	Parking Spaces
Required			
Multi-family Dwelling	2 space per unit	258 units	**516**
Proposed			
Surface Parking			310
Garage Parking	22 spaces per building	11 buildings	242
Clubhouse Parking			31
	Total Spaces Proposed		**583**

At the intersection of NYS Route 207/Little Britain Road and Wisner Avenue, which is currently a three-way stop intersection, the addition of Stop Bars will be installed to improve the safety conditions at this intersection.

The nearest public bus stops are located at the Newburgh Shortline Transportation Center on NYS 17K, at the corner of Broadway and Fullerton Avenue, and at the corner of Broadway and Lake Street, all of which are more than ¾ of a mile away from the Site. There is signage on NYS Route 207/Little Britain Road directing traffic to the Ferry to reach the Metro-North Train Station in Beacon.

2.3.4 UTILITIES

Water

Water for the Project will be provided by the Town of Newburgh. Water will be supplied to all proposed buildings through newly installed water mains on the Project Site. The water conveyance system will be owned and maintained by Project Sponsor. A public watermain extension, approximately 1,300 linear feet in length, will be installed by the Applicant within the Little Britain Road/NYS Route 207 right-of-way from the proposed western roadway entrance to an existing hydrant located on Little Britain Road approximately 900 feet west of the Project Site. Section 3.7.2 provides a complete description of the water system.

Sewer

Sewage produced on-site will be collected in a proposed series of gravity sewer mains to a pump station and directed through a proposed sewage forcemain to a Town of Newburgh sewer manhole and ultimately the City of Newburgh Wastewater Treatment Plant via existing sewer mains. The proposed sewage collection system, pump station and forcemain will be owned and maintained by the Project Sponsor. A public sewer forcemain extension, approximately 4,725 linear feet in length, will be installed by the Applicant within the Little Britain Road/NYS Route 207 and Old Little Britain Road rights-of-way from the proposed southwestern corner of the project site to an existing sewer manhole located on Unity Place near its intersection with Old Little Britain Road approximately 3,300 feet to the west. Section 3.7.2 provides a more detailed discussion of the sanitary sewer system.

Drainage

The Project proposes the construction of a series of catch basins, drainage pipes and stormwater management facilities, designed to collect and treat stormwater runoff for both quantity and quality prior to being discharged off-site. Four stormwater management facilities will be located on the Site down gradient from the proposed development areas. The first is situated between the western entry drive and the western property boundary. The second is located adjacent to Little Britain Road on the eastern side of the western entrance drive. The third is located between the eastern entrance drive and the eastern property boundary. The fourth is located between Buildings 10 and 11 and Little Britain Road. Stormwater easements are not proposed as the Site will be owned by one entity.

The stormwater management facilities are designed to comply with NYSDEC regulations to attenuate the 1-, 10-, and 100-year storms. Regular inspections and maintenance by the Project Owner will be performed to ensure long term water quality function. Section 3.2 contains a complete description of the stormwater management facilities. A Stormwater Pollution Prevention Plan is proposed and attached as Appendix C2, and site drainage is designed and shown in the full-sized set of plans in Appendix J. The owner of the Site will enter into a Stormwater Facilities Maintenance Agreement with the Town of Newburgh and the City of Newburgh prior to construction.

Electric and Natural Gas

The Proposed Action is located in the Central Hudson electric and gas service territory. There are existing overhead electric lines located on the north side of Little Britain Road. Natural gas service is available in the vicinity of the Site.

Garbage and Recycling

The Town of Newburgh does not provide waste collection services; therefore the Project Sponsor intends to contract with a private solid-waste removal service to remove garbage and recycling from the Site.

Energy and Utility saving features

Demand on electric and natural gas energy sources will increase as a result of the Proposed Action. Accordingly, energy conservation techniques and technologies will be evaluated for incorporation into the design and operation of the buildings.

2.3.5 LANDSCAPING, LIGHTING & SIGNAGE PLANS

Landscaping

In compliance with Town of Newburgh Zoning Code §185-21 entitled “Buffer strips and screening”, the overall landscaping concept is to preserve existing vegetation as much as possible within the Site and maintain a natural buffer around the perimeter of the Site and along the existing public thoroughfare to the greatest extent practicable. Where this cannot be achieved, plantings are proposed to supplement existing vegetation. The proposed residential units have been intentionally set back from the perimeter property line to provide buffering from adjacent properties. Many of the proposed plants are native to the north-east and suitable for the Site. The plants were selected based on hardiness for the area, disease resistance, deer resistance, habitat and aesthetics. The proposed deciduous trees are also compatible with the existing vegetation to remain. The

ornamental deciduous trees were selected for their flowering for pollinators and a food source for existing wildlife.

Lighting

The Proposed Action requires outdoor lighting for the safety and convenience of its residents, guests, employees, and delivery personnel as they move around the Site during nighttime hours. Driveways, parking areas, and walkways will all be illuminated from dusk until dawn. All outdoor lighting will utilize LED bulbs, reducing the amount of energy necessary to power them. The proposed outdoor lighting will consist of forty-four 20-foot high, pole-mounted site lighting fixtures along the roadway and in parking areas. The site lighting fixtures will be shielded and directed downward. The site lighting fixtures are proposed to be Dark Sky lighting compliant. Fixtures are proposed to have temperatures of 3,000K or less. The light fixture's type and placement have been chosen to minimize the amount of light at the Project boundary. Site lighting will comply with the Town of Newburgh Code Chapter 125 entitled "Noise and Illumination Control".

Signage

The development will have a community identification sign located in the Town of Newburgh adjacent to the western entrance drive. The entrance sign and any other proposed signs will comply with the Town of Newburgh Zoning Code §185-14 entitled "Sign regulations". No Sign will be erected, altered, or relocated without first obtaining a building permit for the sign from the Town's Code Compliance Department.

2.4 CONSTRUCTION AND PROJECT PHASING

The Project will be bid out and awarded to a qualified general contractor, who will subcontract specialty trades to appropriate subcontractors. It is estimated that approximately 50 construction jobs will be created during the construction period. Local labor and material suppliers will be utilized to the greatest extent practical, as long as they are both within budget and can commit to the Project schedule.

Anticipated Construction Period

It is estimated that the Project will be fully constructed over a three-year period. Assuming construction begins in the Spring of 2024, the anticipated completion date is Spring 2027.

Construction activities will comply with Chapter 125 entitled "Noise and Illumination Control". §125-5 defines the maximum sound levels as "Except for noise emanating from

the operation of motor vehicles on public highways and private roads, the permissible intensity of noise for the foregoing between the hours from 8:00 a.m. to 10:00 p.m. and from 10:00 p.m. to 8:00 a.m., respectively, whether such noise is intermittent, impulsive, sporadic or continuous, is as follows. In the RR, AR, R-1, R-2 and R-3 Zoning Districts of the Town as shown on the most current Zoning Map on file at the Town Clerk's office:

(a) From 8:00 a.m. to 10:00 p.m.: 65 decibels.

(b) From 10:00 p.m. to 8:00 a.m.: 56 decibels

"The maximum sound-pressure level [A-scale reading of standard calibrated sound meter, instrument calibration frequency of 100 cycles per second (hertz)].

Furthermore, in compliance with Chapter 83 entitled "Clearing and Grading", site preparation activities will only be conducted on Monday through Saturday between the hours of 7:30 a.m. and 6:00 p.m. when within 1,500 feet of any residence and never during public holidays.

Schedule of Construction

The proposed general sequencing of construction activities within each Phase is as follows:

1. Installation of erosion control measures (i.e. silt fence, stabilized construction entrance, etc.);
2. Clearing and grubbing;
3. Stripping and stockpiling of topsoil for later use;
4. Excavation of temporary sediment basins and swales (permanent and temporary);
5. Excavation and grading for roadways, parking lots, utilities, building pads and storm water infrastructure;
6. Installation of utilities;
7. Fine grading of roadways, installation of sub-base, base and first course of asphalt, construction of sidewalks and curbs;
8. Building construction and utility service connections;
9. Spread stockpiled topsoil, landscaping and lawn installation; and
10. Removal of temporary erosion control measures after vegetation has been established.

Erosion and Sediment Control

When installing erosion control measures, the following sequence will be utilized.

1. Mark and delineate limits of clearing and grading by installing construction fence, and/or silt fence and install stabilized construction entrances.
2. Strip and stockpile topsoil after clearing and grubbing; stabilize topsoil stockpiles with temporary seeding and silt fence.
3. Install temporary erosion control devices (sediment traps, diversion swales, and check dams) prior to commencing earth moving activities.
4. During and/or immediately after rough grading, install as necessary additional temporary erosion control measures including intermediate silt fences, diversion swales, and check dams.
5. Fine grade, spread topsoil and stabilize within two weeks of establishing final grade.

Proposed Phasing

The Project will be divided into two sections of development with seven different construction phases. The proposed phasing plan is depicted in Figure 2.4A.

The first section of development includes the Clubhouse and buildings closest to NYS Route 207. Phase A1 encompasses the entrance drive and roundabout, the Clubhouse, playground, pool, pool equipment, dog wash and restroom building and associated parking and utility infrastructure, and two stormwater management facilities - Detention Basin A3 and Infiltration Basin C1. Phase A1 also includes the installation of the off-site water main and force main to serve the Project. Phase A1 is 4.82 acres in size.

Phase A2 consists of the tennis and pickleball courts adjacent to the Clubhouse, Building 8 and its detached garage building, associated parking and utility infrastructure, and roadway connection to the entrance drive. The area of Phase A2 is 3.47 acres.

Phase A3 includes Buildings 9 & 10 and their detached garage buildings, associated parking and utility infrastructure, the roadway connection to the entrance drive and the forebay for stormwater management facility Infiltration Basin A1. Phase A3 is 4.51 acres in size.

Phase A4 consists of Building 11 and its detached garage building, associated parking and utility infrastructure, emergency access drive and roadway connecting it to the entrance drive, and stormwater management facilities - Infiltration Basin A1 and Detention Basin A2. The area of Phase A4 is 3.91 acres.

The second section of development encompasses the looped roadway and the buildings situated thereon. Phase B1 includes Buildings 1, 2 & 3 and their detached garage buildings, associated parking and utility infrastructure, and a roadway connection to the entrance drive. Phase B1 is 4.97 acres in size.

Phase B2 consists of Buildings 6 & 7 and their detached garage buildings, associated parking and utility infrastructure, and a roadway connection to the entrance drive. The area of Phase B2 is 3.18 acres.

Phase B3 includes Buildings 4 & 5 and their detached garage buildings, associated parking and utility infrastructure, and the remaining section of the looped roadway that connects to the entrance drive. Phase B3 is 3.41 acres in size.

Best Construction Practices and Access

Construction will be conducted during specific hours that comply with the Town of Newburgh Noise Code. All construction equipment and materials, construction offices and worker parking will be located on-site. Erosion and sediment control measures, including a stabilized construction entrance will be installed before construction begins. Process water and slurry resulting from concrete work will be prevented from entering the waters of the State by implementing appropriate concrete handling measures. All vehicles, equipment, and petroleum product storage/dispensing areas will be observed regularly during site observations to detect any leaks or spills, and to identify maintenance needs to prevent leaks or spills. Any chemicals stored in the construction areas will conform to the appropriate manufacturer's recommendations and/or the appropriate State/Federal Regulations. All chemicals will have cover, containment, and protection provided per all Federal and NYSDEC regulations.

Short-term Impacts Resulting from Construction Activity

The short-term use of heavy equipment operations will result in a temporary, minor increase in noise and pollutant emissions from various equipment used in the construction process. Trucks, compressors, cranes, excavators, generators and other equipment will be maintained in good working condition and turned off when not in use. This will reduce the idling of unused equipment in adherence to state regulations. Reduced idling will reduce potential noise and air pollution.

Another short-term concern during the construction operation will be the control of fugitive dust during site clearing, excavation, demolition, grading or blasting operations. Fugitive dust is essentially airborne soil particles caused by heavy equipment operations

entraining the freshly exposed soil into the air. To a lesser extent, some fugitive dust emissions will arise from wind erosion of the exposed soils. All construction related air quality impacts will be of relatively short duration. Best construction management practices will be employed to reduce soil erosion and possible sources of fugitive dust. This generally includes the daily use of water/spray trucks in dry periods, anti-tracking pads at construction entrances, street sweeping at the entrances as needed and adherence to a Storm Water Pollution Prevention Plan (SWPPP), as discussed in Section 3.2.2, which provides Erosion and Sediment Control.

Short-term stormwater impacts are a concern during land disturbance activities due to erosion and sedimentation. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared to meet NYSDEC technical standards included in the New York State Stormwater Management Design Manual and satisfies the SPDES General Permit requirements for Stormwater Discharges from Construction Activity. The SWPPP includes construction best management practices, standards and general specifications to protect surface waters from the impacts associated with construction and an Erosion and Sediment Control Plan.

Construction traffic to and from the Site is another short-term impact. The proposed western roadway entrance will provide access to the Site for deliveries and construction workers during construction. Construction workers will utilize the Clubhouse parking lot for parking. Based on the anticipated amount of earthwork during construction, it is estimated that 172 truckloads of natural material will be exported from the Site. Construction vehicles will typically operate Monday through Friday from 8:00 AM to 9:00 PM and on weekends and holidays from 9:00 AM to 8:00 AM. It is expected that construction traffic will follow the same arrival and distribution patterns as existing area patterns with 36% of traffic arriving from the west and 64% arriving from the east.

2.5 OPERATION AND MAINTENANCE OF THE PROJECT

A. Project Operation

The Applicant intends to construct the Project and own and operate all buildings and infrastructure improvements on the Site. The Project Sponsor will oversee all aspects of the property management, including maintenance as discussed below. The clubhouse is expected to operate from 5 AM to 10 PM, seven days a week. It is anticipated the clubhouse will employ approximately 2 full-time equivalent employees.

B. Project Maintenance

Stormwater management facilities

Upon completion of the project, the stormwater facilities will be owned and maintained by the property owner. The property owner will be responsible for ensuring that the facilities operate and function as designed through proper maintenance as follows:

a. Regular inspection and maintenance of the proposed facilities are required to ensure their long-term water quality and quantity reduction functions.

b. All stormwater facilities and roadways with associated infrastructure are proposed to be located within lands to be owned by the property owner.

c. All side slopes within the stormwater facilities are a minimum of 3:1, to allow for maintenance.

d. Catch Basins:

i. Basins shall be inspected for accumulated sediment and trash every 6 months.

ii. Accumulated sediment and trash shall be removed from basins annually, or at more frequent intervals, if needed.

e. Forebay & Detention Pond

i. The grass within the pond should be mowed at least 3 times per growing season, limiting the grass to a height of no more than 12 inches

ii. Sediment removal should be done at least every five years.

f. Infiltration Basin

i. The grass within the pond should be mowed at least 3 times per growing season, limiting the grass to a height of no more than 12 inches

ii. Sediment removal should be done at least every five years.

Landscaping

The on-site landscaping will be mowed and trimmed regularly and maintained in good condition. Trees and shrubs shown on the Landscaping Plan will be inspected yearly and replaced as needed.

Snow & Ice removal

The Project Sponsor will contract with a private snow removal company to plow the entrance drives and parking areas during winter months. Snow and ice will be removed from on-site sidewalks, driveways, and parking areas. Salt or other de-icing

agents may be brought to be used on-site by the contractor as needed and will not be stored on-site.

2.6 PERMITS AND APPROVALS REQUIRED

2.6.1 LOCAL

e. Site Plan Approval - Town of Newburgh Planning Board
f. Clearing & Grading Permit – Town Building Inspector & Planning Board
g. Municipal Separate Storm Sewer Systems (MS4) SWPPP Acceptance – Town of Newburgh Town Board
h. Flow Acceptance Letter – City of Newburgh
i. Outside Sewer User Agreement – City of Newburgh (if connection to City of Newburgh sewer is available)
j. Out-of-District Sewer District User - Town of Newburgh

2.6.2 COUNTY

d. GML 239 L, M and N - Orange County Planning Department
e. Water Main Extension – Orange County Department of Health
f. Swimming Pool permit - Orange County Department of Health

2.6.3 STATE

d. ECL Article 17, Title 7, 8: State Pollutant Discharge Elimination System (SPDES) – discharge of treated Stormwater - NYS Department of Environmental Conservation
e. Sewer Main Extension - NYS Department of Environmental Conservation
f. Highway Improvements - New York State Dept. of Transportation

2.6.4 FEDERAL

b. None

2.7 PROJECT PURPOSE, NEED & BENEFIT

A. <u>Public Need</u>

The Proposed Action will address the need for medium density housing in a location that is accessible to major transportation routes of the region. The proposed project intends to address the public and community objectives of residential planning embodied in applicable sections of the Town zoning code and the Town's comprehensive plan.

B. <u>Objectives of the Project Sponsor</u>

The Applicant intends to develop a modern residential development in response to a continued need and demand for a variety of housing types in the Town of Newburgh and Orange County. The Applicant has designed the development to comply with the R-3 Residential District and to relate to the character of surrounding developed areas, the topography and natural features, and community services and facilities. The proposed

project will provide a residential neighborhood with community amenities for people seeking to live in the Town of Newburgh on land that is currently undeveloped.

C. Benefits of the Proposed Action

Benefits to the Town include conservation of natural resources accomplished by the clustered nature of the development, generation of additional tax revenue, contributions toward nearby off-site road improvements, and provide on-site recreation facilities for its residents and guests.

The proposed undeveloped potion of the Site occupies 20.20 acres or 42% of the parcel. The remaining open space will help conserve the Town's natural resources in a sustainable, contiguous area of undeveloped lands.

When complete, it is estimated that the Project will generate approximately $837,565 of additional property tax revenue per year for the Town, County and School District.

Off-site road improvements would include a Fair Share contribution to the cost of improvements at the Old Little Britain Road and NYS Route 207/Little Britain Road intersection and installation of Stop Bars at the NYS Route 207/Little Britain Road and Wisner Avenue intersection to improve the safety conditions at this intersection.

Proposed on-site recreation facilities include a children's playground, pool and sundeck, restrooms, dog wash, two tennis courts, and four pickleball courts. Furthermore, the Clubhouse amenities include an exercise room, lounge area with a TV and fireplace, small kitchen, multi-purpose room, two offices and restrooms. Sidewalks and walking paths are also proposed throughout the development.

3 ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND PROPOSED MITIGATION MEASURES

3.1 LAND RESOURCES - GEOLOGY, SOILS & TOPOGRAPHY

3.1.1 EXISTING CONDITIONS

Surface and subsurface conditions on the Project Site were identified utilizing the following methods: 1) a review of the National Resources Conservation Service Web Soil Survey, 2) the Soil Survey of Orange County, New York, a publication of the National Cooperative Soil Survey compiled by the U.S. Department of Agriculture, Soil Conservation Service and Cornell University Agricultural Experiment Station, and 3) an examination of the topographic map, which was prepared based on a field survey of the Project Site by Engineering & Surveying Properties, PC dated July 6, 2021.

Soil Composition

The Project Site contains eight different soil groups according to the Soil Survey of Orange County, New York. The on-site soil groups include various series complexes including Alden silt loam (Ab), (Ca), (ErA & ErB), (Ptb & PtC), (RMC) and (SXC) soils.

Table 3.1.1A lists the various soil types present on the Project Site, their on-site acreages, and associated characteristics. Figure 3.1A depicts the location of each soil type found on the Site. Table 3.1.1B lists the building site development limitations as per the soil survey.

Table 3.1.1A – On-Site Soil Characteristics

Map Unit Name	Map Unit Symbol	Acres	Slope Range	Hydrologic Group	Depth to Rock	High Water Table
Alden silt loam	Ab	1.3	0-3%	C/D	>60”	0-6”
Canandaigua silt loam	Ca	0.1	0-3%	B/D	>60”	0-6”
Erie gravelly silt loam	ErA	4.1	0-3%	D	>60”	6-18”
Erie gravelly silt loam	ErB	3.0	3-8%	D	>60”	6-18”
Pittsfield gravelly loam	PtB	24.0	3-8%	B	>60”	>72”
Pittsfield gravelly loam	PtC	10.6	8-15%	B	>60”	>72”
Rock outcrop-Farmington	RMC	1.7	3-15%	-	10-20”	>72”
Swartswood and Mardin	SXC	3.2	3-15%	C	>60”	24-48”

Table 3.1.1B – On-Site Soil Limitations				
Soil Name (Symbol)	**Building Site Development**			
	Dwellings without Basements	**Dwellings with Basements**	**Local Roads and Streets**	**Lawns and Landscaping**
Alden (Ab)	Severe: wetness, frost action	Severe: wetness	Severe: wetness, frost action	Severe: wetness
Canandaigua (Ca)	Severe: wetness, frost action	Severe: wetness	Severe: wetness, frost action	Severe: wetness
Erie (ErA & ErB)	Severe: wetness, frost action	Severe: wetness	Severe: frost action	Moderate: small stones, wetness
Pittsfield (PtB)	Moderate: frost action	Slight	Moderate: frost action	Slight
Pittsfield (PtC)	Moderate: slope, frost action	Moderate: slope	Moderate: slope, frost action	Moderate: slope
Rock outcrop (RMC)	Severe: depth to rock	Severe: depth to rock	Severe: depth to rock	Severe: depth to rock
Swartswood and Mardin (SXC)	Moderate: slope, frost action, large stones	Moderate: slope, wetness	Moderate: slope, frost action	Moderate: slope, large stones

Agricultural Soils

Highly productive soils are those that are best suited to producing food, feed, forage, fiber, and oilseed crops. In short, they are the best soils for high yields with minimum expense and the least damage to the environment. These soils are considered prime farmland soils and soils of statewide importance. Agricultural soils are identified as Soil Group Numbers 1 through 4 in the New York State Land Classification System. The Site contains a total of 24.0 acres of agricultural soils consisting of one soil group, Pittsfield (PtB).

Topography

Topography of the existing Project Site is based on a field survey of the Site by Engineering & Surveying Properties, PC. The land elevations, as described below and as shown on the full-sized set of Site Plan in Appendix J, are all defined as elevations in feet above mean sea level (AMSL). There are no significant topographic or geological features present on the Site.

Elevations on the Site vary from a low point of 198 feet near the midpoint of easternmost boundary of the Site, to a high point of 324 feet in the central portion of the Site. A ridge bisects the Project Site that runs generally from north to south through center of the Site.

Slopes on the Project Site vary from almost flat within the wetland area in the southeast, to gently sloping areas, to moderately steep on the ridge in the central portion of the Site. Table 3.1.1C, lists the acreage in each slope category present on the Project Site. Approximately 61.7% of the Site contains slopes of less than 15%, with moderate slopes of 15%-25% covering approximately 25.5% of the Site, and steep slopes of greater than 25% covering 12.8% of the Site, which are located in the center of the Site. Figure 3.1B shows the existing slope ranges on the Project Site.

Table 3.1.1C – Existing Slopes

Slope Range	Site Area (Acres)	Percentage of Site (%)
0 – 15 %	29.61	61.7
15 – 25 %	12.21	25.5
25 % +	6.13	12.8
Total	**47.95**	**100**

According to the Town of Newburgh Zoning Code §185-3, a steep slope is defined as “a contiguous area of at least 5,000 square feet containing a slope with a topographical gradient equal to or greater than 25%”.

Bedrock & Groundwater

In June 2023, Engineering & Surveying Properties, P.C. performed a preliminary subsurface soils investigation of the development portion of the Site to determine the depth to bedrock and groundwater. The exploration included the excavation and observation of 25 test pits extending to depths from 4 to 25 feet. The test pit locations are shown on Figure 3.1C and the Soil Test Pit Logs are listed on Figure 3.1D.

Bedrock was encountered in 7 test pits at depths of 2 to 14 feet throughout the Site. Specifically, rock was encountered in the Area of Buildings 1, 2, 8 & 10, and at both proposed entrance locations along NYS Route 207.

Neither water seepage nor groundwater was discovered in any of the test pits. Mottling, or evidence of ground water, was observed in 4 of the test pits at depths of 3 to 9 feet. Mottling was seen in the area of proposed Buildings 2 & 3 and Infiltration Basin A1.

3.1.2 POTENTIAL IMPACTS

Soil Disturbance & Compaction

The primary impact resulting from the Proposed Action is the disturbance of soils due to the physical alteration of topography for the construction of buildings, roadways, driveways, utilities, and associated grading. Furthermore, excessive soil compaction or the substantial increase in the bulk density of the soil material, is a concern on-site where heavy construction vehicles are utilized. When soil is over-compacted it has severely reduced permeability, leading to potential flooding and reduced revegetation. While the disturbance and compaction of soils during construction of the Proposed Action is unavoidable, a detailed grading plan has been designed to minimize the amount of earthwork required and steep slope disturbance to the greatest extent practical. The grading design is shown on the full set of plans located in Appendix J.

Disturbing existing soils has the potential to increase soil erosion and sedimentation, which occurs primarily when precipitation falls on or wind blows across excavated soils during construction. The potential for erosion can be exacerbated by larger areas of disturbance, large volumes of soil movement, disturbance of steep slopes, disturbance of highly erodible soils, poor site management and improper erosion control techniques.

The total area of disturbance resulting from the Proposed Action is estimated to be 27.75 acres and is shown on the grading plans in Appendix J. The disturbance to each soil type found on-site is tabulated in Table 3.1.2A.

Table 3.1.2A – Proposed Soil Disturbance Area

Soil Name	Symbol	Disturbance Area (Acres)
Alden silt loam	Ab	0.66
Canandaigua silt loam	Ca	0.00
Erie gravelly silt loam	ErA	1.62
Erie gravelly silt loam	ErB	2.14
Pittsfield gravelly loam	PtB	16.04
Pittsfield gravelly loam	PtC	5.66
Rock outcrop-Farmington	RMC	0.48
Swartswood and Mardin	SXC	1.15
	Total:	27.75

Soil disturbance from grading activities and the subsequent movement of soil around the Site, has the potential to increase erosion and sedimentation. To limit potential impacts from soil disturbance, it is proposed that the Project be completed in 7 phases as described in Section 2.4. Depending on the phase under construction, it is estimated that 3.18 to 4.97 acres will be disturbed at any one time. Figure 2.4A depicts the limits of each proposed construction phase.

The grading plan is designed to minimize cuts and fills to the greatest extent possible and thereby lessen the amount of potential impact. There are three retaining walls proposed to reduce grading impacts. The first wall is 115 feet in length, located around the pickleball courts and is a maximum of six feet in height. The second retaining wall is located next to Building #8 and is 72 feet in length and five feet tall at its highest point. The third wall is 160 feet in length, located along the emergency access drive near Building #11 and is a maximum of 15 feet in height.

It is estimated that the proposed improvements will result in the cut of approximately 150,780 cubic yards of soil and the fill of approximately 146,487 cubic yards of earthen material during construction. Based on this estimation, cut volumes exceed fill volumes by approximately 4,293 cubic yards. Figure 3.1E illustrates the proposed areas of cut and fill on the Project Site.

During the construction of the project, approximately 172 semi-trailer dump truck trips at 25 cubic yards per truck would be required to haul away this amount of material from the Site. Cut soil generated by the Proposed Action will be reused on-site as fill material to the greatest extent possible. Excess cut material will be trucked off-Site and disposed of in an acceptable manner following all local and state regulations. Trucks importing and exporting material will enter and exit the Site from NY State Route 207.

Soils of Statewide Importance

While classified agricultural soil will not be removed from the Project Site, it will be physically disturbed by construction of buildings, roadways, parking areas, and stormwater management facilities. Approximately 15.70 acres of the total 24.0 acres of agricultural soil will be disturbed by the proposed improvements. This is an unavoidable impact of the Project.

Despite the loss of the agriculturally productive soils, it will not affect the agricultural nature of the Site since it has been a wooded parcel for at least the last 38 years and not used for agricultural purposes.

Steep Slope Disturbance

Disturbance of steep slopes can further exacerbate the potential for erosion and requires implementation of additional control methods. Table 3.1.2B indicates the area of disturbance within each existing slope range on the Site, and the percentage of the total disturbed area in each slope range. Figure 3.1F shows the location of the steep slope disturbance.

Table 3.1.2B – On-Site Slope Disturbance

Existing Slope Range	Disturbed Area (Acres)	Percentage of Disturbed Area (%)
0 – 15 %	18.61	67.1 %
15 – 25 %	6.27	22.6 %
25 % +	2.87	10.3 %
Total	**27.75**	

Of the 2.87 acres of 25%+ slopes that will be disturbed only 1.04 acres are considered regulated steep slopes by the Town of Newburgh Code defined as a contiguous area of at least 5,000 square feet containing a slope with a topographical gradient equal to or greater than 25%.

Erosion and Sedimentation

Erosion is defined by the New York State Department of Environmental Conservation (NYSDEC) as the "wearing away of the land surface by running water, wind, ice or other geological agents". Erosion is an intrinsic natural process, but in many places, it is increased by human land use. A certain amount of erosion is natural and, in fact, healthy for the ecosystem. Excessive erosion, however, can cause problems, such as receiving water sedimentation, ecosystem damage and the outright loss of soil. Poor land use practices such as deforestation and unmanaged construction activity are the major causes of excessive erosion.

The construction of the Project will result in some amount of soil erosion and sedimentation when soil is disturbed and relocated on-site. This potential erosion can be in the form of sediment laden stormwater, or airborne dust from construction activities and exposed soil areas.

The Project will not require the disturbance of more than five acres at a time. Construction on more than five acres at one time could increase the potential for surface water resource degradation due to erosion.

To reduce the potential for soil erosion during construction earthmoving operations, preventative measures will be implemented in conformance with the standards set forth in the latest edition of NYSDEC's New York Standards and Specifications for Erosion and Sedimentation Control, and Chapters 83 and 157 of the Newburgh Town Code respectively entitled "Clearing and Grading" and "Stormwater Management", which are further discussed under Mitigation Measures.

Groundwater

Based on the preliminary subsurface soil investigation and the proposed depth of earthwork cuts, mottling was observed in some of the test pits as evidence of a seasonally high groundwater table in a few of the test locations. Depending on the time of construction, groundwater may be expected to be encountered in the deepest cut elevations during construction of the roadways, parking and building foundations. Groundwater can make soils unstable during excavation and result in additional erosion and sedimentation.

Bedrock

Based on the preliminary subsurface soil investigation and the proposed depth of earthwork cuts, bedrock is expected to be encountered during construction of the Project. Every attempt will be made to remove the rock to the desired grade by mechanical means such as bulldozers, backhoes, rock hammers and/or pneumatic hammers.

The use of blasting or other special rock removal techniques is expected to be employed, which will generate noise. Due to the quantity and depth to weathered rock or bedrock discovered on site, the use of blasting may need to be employed to construct the site plan. In removing bedrock, the contractor will minimize the need for blasting by first attempting to remove rock by mechanical means. If blasting is necessary, it will be performed by a fully insured, licensed blasting contractor in accordance with all applicable state and local requirements.

If necessary, blasting will likely occur in the central portion of the site. It is expected that approximately 20,000 cubic yards of rock will require blasting. According to GTA's report, shale and gray sandstone are the bedrock found within the blasting location.

All weathered rock and bedrock blasting, and rock processing activities will be carried out in a method that conforms to all local, state and federal guidelines. In accordance with the Town of Newburgh Municipal Code Chapter 66 entitled "Blasting", the contractor must be the holder of a blaster's license issued by the State of New York and apply for a blasting permit from the

Town Building Inspector before any blasting operations begin. The contractor must also submit to the Town of Newburgh a certificate of general public liability insurance and a surety bond or letter of credit. If the Building Inspector determines that the extent of the blasting operations and the danger involved requires greater amounts of liability insurance coverage and/or bonding, (s)he can request an increase in the policy amounts. Blasting or rock processing will not occur after 7:00 p.m. or before 8:00 a.m., nor will any blasting be done on Sunday.

3.1.3 MITIGATION MEASURES

Clearing and Grading Permit

In accordance with Town Chapter 83 entitled "Clearing and Grading", the Project Sponsor will apply for a Clearing and Grading Permit from the Town Building Inspector. Prior to the issuance of a Clearing and Grading Permit, an approved Stormwater Pollution Prevention Plan (SWPPP), a NYSDOT Access Permit, and a SPDES permit must be in place. The Building Inspector will grant the permit for the following activities with approval from the Town Planning Board with recommendations from Town Engineer, Building Inspector and Superintendent of Highways:

1. Clearing which affects more than one acre of ground surface or timber harvesting which affects more than one acre of ground surface within any parcel or any one subdivision, excluding proposed public roads.
2. Excavation which affects more than 1,500 cubic yards of material within any parcel or any one subdivision, excluding proposed public roads.
3. Filling which exceeds a total of 1,500 cubic yards of material within any parcel or any one subdivision, excluding proposed public roads.
4. Grading which affects more than one acre of ground surface within any parcel or any one subdivision, excluding proposed public roads.
5. Site preparation within wetlands, within a one-hundred-foot buffer strip of a wetland or within a critical environmental area which affects more than 20,000 square feet of ground surface or 400 cubic yards of material.
6. Site preparation within the one-hundred-year floodplain of any watercourse which affects more than 20,000 square feet of ground surface or 400 cubic yards of material.

In addition to filing a performance guaranty with the Town Clerk, the Site requirements of the permit include:

1. Site preparation activities shall be conducted only between the hours of 7:30 a.m. and 6:00 p.m. when within 1,500 feet of any residence. No site preparation activity shall be conducted on Sundays or public holidays without express consent with the permit.
2. Any contract to perform site preparation activities shall state that it is subject to this chapter of the Code.
3. As a condition of its permit, the applicant shall be required to sign a permit authorizing Town officers, employees or agents to enter onto the site to perform appropriate surveillance.
4. The authorized official or Planning Board may impose any other reasonable conditions, including but not limited to screening, access controls, dust controls and site security, believed to be necessary.

Erosion and Sedimentation Plan

Erosion due to soil disturbance is an unavoidable adverse impact but will be mitigated to the greatest extent practical. To reduce the potential for soil erosion, preventative measures will be implemented in conformance with latest edition of NYSDEC's New York Standards and Specifications for Erosion and Sedimentation Control, and Chapters 83 and 157 of the Newburgh Town Code respectively entitled "Clearing and Grading" and "Stormwater Management", as shown on the erosion control plans included in the full set of plans located in Appendix J.

Topsoil within the limit of disturbance will be stripped and stockpiled for later on-site use. All downstream areas will be protected by silt fence and construction activities will proceed in a manner that is designed to limit sediment from entering any wetland, watercourse, water body, and/or conduit carrying water. Proposed measures to be employed during construction include the following:

1. Disturbed areas that have established final grade or temporary grade and will be idle for more than 14 days will be stabilized immediately to minimize potential exposure to erosion and sedimentation.
2. Stormwater runoff from the site will be captured and treated to remove sediment prior to discharging off-site. Stormwater is discussed further in Section 3.2.2, Surface Water.
3. Existing vegetation will be retained where practical. Following construction, permanent vegetation will be established on all exposed soils.

4. Site preparation activities will be designed to minimize the area and duration of soil disturbance.
5. Permanent traffic corridors will be established, and routes of convenience ("shortcuts") avoided. Stabilized construction entrances will be installed at the point of entry into the Project Site and to each independent phase to minimize dust and tracking of material from construction areas.
6. Stabilized construction entrances will be installed at all points of entry into the Project Site and to each independent phase to minimize dust and tracking of material from construction areas.
7. Storm drain sediment inlet filters will be constructed at storm drains as required. These measures will be maintained in good condition until the final vegetative cover is well established on all disturbed areas upstream of the inlet.
8. Drainage ditch stone check dams will be utilized to trap sediments and minimize their release off-site until the site is stabilized. These dams will be constructed within each ditch beginning at its downstream terminus and placed at intervals as required and as depicted in the construction details, but no greater than 100 feet.
9. No erodible materials will be stockpiled within 25 feet of any ditch, stream, or other surface water body.
10. Removal of healthy trees along the limits of disturbance will be avoided, when possible. No construction materials will be stored, and no machinery operated outside the limits of disturbance, as shown on the plans.
11. All slopes of 2:1 or steeper will be stabilized with jute netting and hydro-seed.
12. Any washouts will be immediately repaired, reseeded and protected from further erosion.
13. All accumulated sediments will be removed and contained in appropriate spoil areas.
14. Water will be applied to newly seeded areas as needed until grass cover is established.
15. To effectively control wind erosion, the areas of exposed soil will be limited to the minimum necessary to perform work and water will be applied to exposed soils when moisture content of exposed soil is low.

All erosion control measures will be inspected in accordance with NYSDEC standards by a qualified professional for the duration of the construction process. Specifically, when Site disturbance is under five acres, the Site will be inspected once

every seven (7) days by a qualified inspector and proper inspection logs and reports will be maintained. Proper maintenance will ensure optimum operation of the proposed erosion and sediment controls.

Construction Best Management Practices

To minimize the effect of undesirable soil compaction during construction, several best management practices will be employed during the construction of the Project. The limits of disturbance will be clearly delineated in the field prior to any earthwork. In critical areas, such as near wetlands, it is crucial to prevent construction vehicles from erroneously entering areas that are to remain undisturbed. Also, construction traffic will travel on designated construction routes throughout the Site. "Routes of convenience" through the Site will be avoided. By restricting construction traffic to designated roadway areas, overly compacted soils in landscaped areas will be minimized. All areas to be re-vegetated upon completion of construction will be "de-compacted" through soil restoration, including tilling and scarifying the underlying soil layer to mature root depths, and prepared to receive new plantings.

Construction Phasing Plan

In order to minimize the potential impact from the length of construction, a construction phasing plan will be implemented to limit the areas of disturbance strictly to those that are necessary to efficiently construct the Project. It is anticipated that full build-out of the entire project will take three years. The actual length of construction will depend upon economic and market conditions.

Construction phases are structured in a way to reduce the total area disturbed at any one time by dividing the proposed development into sections. No two phases of the Site will be disturbed at the same time. By constructing one section at a time, excessive exposure to erosion will be minimized. All areas of disturbance will be stabilized as soon as practical to minimize potential erosion and sedimentation. The Proposed Action will be completed in the seven phases described in Section 2.4.

Dewatering Techniques

To mitigate any groundwater that may be encountered during excavation of the Site, dewatering will be utilized in cut slopes and foundation excavations. Any water from these excavations will be directed to an appropriately sized erosion control structure capable of handling the water discharge (i.e. sediment trap or swale with check dams).

Buildings will be constructed with foundation drains established at the foundation sub-grade level. The drains will extend around the outside perimeter of the basement footings. In addition, where ground water is encountered, a vertical drainage layer will be installed directly adjacent to the basement wall and extend to within two feet of the final exterior grade. The vertical wall drain will be hydraulically connected to the foundation drain and will discharge to daylight or to the stormwater collection system.

Bedrock Removal Procedures

Rock removal by blasting is not anticipated. During construction, if rock is encountered, the contractor will first attempt to remove exposed bedrock by mechanical means. If blasting is unavoidable, it will be performed by a fully insured, licensed blasting contractor in accordance with all applicable state and local requirements, including Chapter 66 of the Newburgh Town Code, entitled “Blasting”. Since blasting impacts and protocols are specific to each location, they will be addressed by the construction contractor through a pre-blasting analysis and development of a blasting protocol.

3.2 SURFACE WATER RESOURCES

3.2.1 EXISTING CONDITIONS

Regional Watershed

The Site lies entirely within the Quassaick Creek watershed basin, which has a drainage area of 56 square miles. The Quassaick Creek flows south approximately ~~111~~ 12 miles from Modena, NY to the Hudson River between the Town of New Windsor and the City of Newburgh, NY. The Project is located within the Lower segment of the Quassaick Creek and its tributaries, which are listed as a Priority Waterbodies by the NYSDEC for their pH levels but are not considered an impaired waterbody in terms of the Construction General Permit for Stormwater Discharges. In the vicinity of the Site, Lake Washington, Brookside Pond, Crystal Lake and Muchattaoes Lake are also listed as a Priority Waterbodies by the NYSDEC, while Harrison Pond is not listed. Surface runoff from the Site flows through natural drainage channels, roadside swales and cross culverts before reaching the Quassaick Creek. Figure 3.2A shows the location of the Quassaick Creek and Harrison Pond in relation to the Project Site.

Surface Water Bodies

According to NYSDEC Stormwater Interactive Map[1], there are no surface waterbodies (creeks, streams, ponds or lakes) located on the Project Site. The Quassaick Creek and Harrison Pond are located approximately 100 feet from the Site at its nearest point. The NYSDEC Water Index Number for the Quassaic Creek is H-94 and it has a “C” Classification. All waters in New York State are assigned a letter classification that denotes their "best uses" (e.g., fishing, swimming, source of drinking water). The best usage of Class C waters is fishing. These waters are suitable for fish, shellfish and wildlife propagation and survival. The water quality is suitable for primary and secondary contact recreation, although other factors may limit the use for these purposes.

Floodplains

A floodplain is defined as “any land area susceptible to being inundated by water from any source” by the Newburgh Town Code. Areas prone to flooding are delineated on FEMA official community maps on which flood hazard and risk zones are shown. There are FEMA floodplain areas adjacent to the Project Site, which are depicted on the FEMA Flood Insurance Rate Map (FIRM) Number 36071C0331E.

[1] https://gisservices.dec.ny.gov/gis/stormwater/

There is a large area of Special Flood Hazard Area designated as Zone AE located on a parcel to the northeast of the Proposed Action. The Special Flood Hazard Area is subject to inundation by the 1% annual chance flood, also known as the 100-year flood or base flood. However, detailed hydraulic analyses have not been performed by FEMA to determine the Base Flood Elevations (BFEs). Figure 3.2B shows the FEMA designated floodplain limits in the vicinity of the Proposed Action.

Freshwater Wetlands

According to the NYSDEC Environmental Resource Mapper (ERM)[2], there are no NYSDEC Freshwater Wetlands located on or adjacent to the Project Site. The nearest NYSDEC Wetland is identified as NB-29, which is a +/-54-acre, Class 2 wetland that lies 1,500 feet northwest of Site. The NYSDEC ERM also shows several federal wetlands located near the Project Site. These wetlands primarily encompass the Quassaick Creek and its pond system.

Two wetland areas on-site were delineated by Peter D. Torgersen. Wetland "A" is 0.67 acres in size and is located in the southeastern portion of the Site along Little Britain Road. Wetland "B" is 0.07 acres in size and located in the northeast corner of the Site. In the professional opinion of Mr. Torgersen, both wetland areas are considered isolated, non-jurisdictional Army Corp of Engineers (ACOE) areas since they are surrounded by higher ground. A letter dated April 19, 2022, requesting an ACOE Jurisdictional Determination was prepared by Peter D. Torgersen and submitted to the ACOE. Brian Orzel, Senior Regulatory Project Manager with the ACOE responded via email on November 13, 2022. Mr. Orzel's email stated that as long as there are no impacts to waters of the United States resulting from the Project, nothing is required from his office and that "[i]f the town or someone else is requiring something from the Corps, they are unnecessarily delaying the project". The letter request, wetlands map, and ACOE email response are all included in Appendix C-1.

Existing Drainage Areas

Stormwater management will be designed in conformance with the New York State Department of Environmental Conservation Stormwater Management Design Manual and Chapter 157 of the Newburgh Town Code, entitled "Stormwater Management".

[2] https://gisservices.dec.ny.gov/gis/erm/

Under existing conditions, the Site consists of three separate drainage areas and three corresponding drainage discharge points. Area A encompasses the eastern portion of the Project and some off-site areas to the north and south, which are divided from the western portion of the Site by the ridge line that runs north to south through the Site. Area A is 34.93 acres in size and discharges from the Site at the eastern boundary of the Project and flows into Harrison Pond approximately 100 feet to the northeast. Area B contains the northwest portion of the Site and some off-site area to the north. Area B is 7.47 acres in size and discharges north towards the Stony Brook Condominiums and ultimately into the Quassaic Creek. Area C encompasses the southwest portion of the Site and a large off-site area to the west. Area C is 23.00 acres in size and discharges from the Site through an existing drainage culvert under Little Britain Road in the southwestern corner of the property and ultimately flows into the Quassaic Creek via a tributary that flows through Crystal Lake. A summary of the existing peak runoff from the Site is provided in Table 3.2.1. The existing boundaries of the drainage areas are shown in Figure 3.2C and in the Stormwater Pollution Prevention Plan included as Appendix C2.

Table 3.2.1 – Existing Watershed Peak Runoff Rates

Watershed Discharge Design Point	Watershed Area (acres)	Peak Runoff in cubic feet per second			
		1 Year Storm	10 Year Storm	25 Year Storm	100 Year Storm
A	34.93	4.92	33.0	54.55	104.30
B	7.47	1.16	7.90	13.08	25.00
C	23.00	8.41	32.67	49.12	84.94

3.2.2 POTENTIAL IMPACTS

Surface Water Bodies, Floodplains & Wetlands

Small portions of Wetland “B” and “Wetland “C” will be filled to construct the Project, permanently reducing the total area of wetlands on-site by 0.53 Ac acres (from 1.33 to 0.80 acres) by the disturbance of a total of 23,168 square feet within the two isolated, non-jurisdictional wetland areas. There will be no temporary or permanent encroachments into any surface water bodies or designated floodplains resulting from the Project. No adverse impacts are anticipated to surface water bodies or floodplains from the Proposed Action.

City of Newburgh's Waterbody Protection Overlay District

The City of Newburgh's Waterbody Protection Overlay District (WPO) was established to provide protection to the City's waterbodies, creeks, and stream corridors by creating and preserving vegetated buffers, which are protective of water quality, prevent erosion, and preserve and enhance animal habitat and plants to sustain the ecological services provided by these aquatic resources. The WPO regulates land uses within or adjacent to a protected waterbody. The primary goals of the WPO are to:

1. Promote the ecological health, biodiversity and natural habitats of the creeks, stream corridors and waterbodies with the City of Newburgh by:
   a. Maintaining and restoring riparian buffer vegetation;
   b. Minimizing stream channel constraints; and
   c. Other best management practices.
2. Provide for responsible development of parcels adjacent to the City's creeks, streams and waterbodies.
3. Protect public health and welfare by preserving water quality, filtering pollution and sediments and reducing the risk of damage from flooding.
4. Enhance the aesthetic character of the City's creeks, streams and waterbodies, which are a source of civic pride.
5. Promote public access to the shores of the creeks, streams and waterbodies.
6. Reorient development to feature the streams, creeks and waterbodies and allow the public to use the shores and the water resources for passive and active recreation.
7. Promote public awareness of the vital ecological and historic value of the mapped waterbodies of the City of Newburgh.

The requirements of the WPO apply to parcels that have any part within the WPO District, as shown on the Zoning Map, not just the portion of parcels within the WPO. These requirements are in addition to the requirements of the underlying zoning district. The WPO includes all land lying within 100 feet of the top of the bank on each side of the following waterbodies:

a. Quassaick Creek.
b. Gidneytown Creek.
c. Harrison Pond.
d. Strook's Pond to the east of Harrison Pond and west of Gidneytown Creek.

e. Crystal Lake.
f. Muchattoes Lake.
g. Unnamed ponds (2) southwest of Crystal Lake.
h. Unnamed stream that flows into and out of Crystal Lake and is tributary to the Quassaick Creek.
i. That portion of the Hudson River that is not within the Planned Waterfront District (PWD) Zoning District.

There is no portion of the Project Site that is within 100 feet of any of these waterbodies within the City of Newburgh limits (or within the Town of Newburgh), therefore the WPO requirements do not apply to the Proposed Action.

Stormwater Runoff

Urban development can have a significant impact on stormwater runoff (rainwater and melted snow) that flows over impervious surfaces, such as rooftops, roads, and parking lots. Impervious surfaces prevent water from infiltrating into the soil, which can lead to increased runoff volumes, peak runoff discharges, and greater runoff velocities. This can lead to a number of problems, including:

1. Flooding: Increased runoff volumes can overwhelm storm drainage systems, leading to flooding in streets, neighborhoods, and businesses.
2. Streambank erosion: Increased runoff velocities can erode streambanks, which can damage infrastructure and property.
3. Water quality degradation: Stormwater runoff can pick up pollutants from impervious surfaces, such as oil, grease, heavy metals, and pesticides. These pollutants can be carried into nearby lakes, streams, and rivers, where they can harm aquatic life and human health.
4. Reduced groundwater recharge: Impervious surfaces prevent water from infiltrating into the soil, which can reduce groundwater recharge. This can lower groundwater levels and make communities more vulnerable to droughts.

In addition to these direct impacts, stormwater runoff from new development can also indirectly impact aquatic ecosystems. For example, increased runoff volumes and velocities can change the timing and duration of high flows, which can disrupt the life cycles of aquatic organisms. Sediment carried in stormwater runoff can also smother fish spawning beds and reduce water clarity.

Land disturbance during construction of the Project will slightly alter the on-site watershed collection areas and drainage patterns. Although the three existing stormwater discharge locations will not change in the proposed condition, the development will divide the three existing drainage areas into eight smaller drainage subareas. The proposed drainage areas boundaries are shown in Figure 3.2D. In addition to the drainage area changes, site development will add 9.56 acres of impervious surfaces to the watershed, which has the potential to increase peak surface water runoff rates from the Site.

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared to meet NYSDEC technical standards including the New York State Stormwater Management Design Manual and satisfies the SPDES General Permit requirements. The manual includes stormwater best management practices, standards and general specifications to protect surface waters from impacts associated from stormwater runoff, such as water quantity increases and water quality degradation. The SWPPP is included as Appendix C2.

The SWPPP analyzes the soil and ground surface cover types of the drainage areas and the time it takes stormwater to travel to the discharge points. This information is used to create a computer model of the stormwater as it flows from the Site in both the existing and proposed conditions. A summary of the proposed drainage areas, their acreages, and peak runoff rates for the 1, 10, 25 and 100-year rainfall events are listed in Table 3.2.2A. The stormwater runoff that leaves the Project Site from Design Point A flows through a neighboring parcel into Harrison's Pond, which is located about 115 feet from the Site.

Table 3.2.2A – Proposed Watershed Peak Runoff Rates

Watershed Discharge Design Point	Watershed Area (acres)	Peak Runoff in cubic feet per second			
		1 Year Storm	10 Year Storm	25 Year Storm	100 Year Storm
A	34.93	4.74	26.75	44.99	93.54
B	7.47	1.13	5.30	8.22	14.68
C	23.00	8.38	28.49	41.63	69.78

A series of swales, catch basins, storm pipes, stormwater ponds and infiltration basins will be constructed in conjunction with the Project. The SWPPP describes four proposed stormwater management facilities located on the Site. The facilities are designed to detain stormwater from developed areas and remove potential sediment and

pollutants by allowing sufficient time for settlement before stormwater discharges from the facility or infiltrates into the ground. All drainage and stormwater facilities will be owned and maintained by the Project Sponsor. Regular inspection and maintenance of the proposed stormwater management practices (SMP's) will be required to ensure their long-term function and effectiveness.

The Project Site is located within a NYSDEC Division of Water regulated Municipal Separate Storm Sewer System (MS4) area and a MS4 permit will be required from the New York State Department of Environmental Conservation (NYSDEC) or Town of Newburgh on behalf of the NYSDEC.

Pollutant Loading

Residential development can generate a variety of pollutants, including sediment, nutrients, and heavy metals. These pollutants can be carried by stormwater runoff into nearby lakes, streams, and rivers, where they can harm aquatic life and human health. The NYSDEC publication Reducing the Impacts of Stormwater Runoff from New Development provides pollutant removal estimates for each type of stormwater management facility in Figure 15 - Comparative Pollutant Removal of Urban BMP Designs. Table 3.2.2B summarizes the effectiveness of the stormwater management facilities proposed to be constructed as part of the Proposed Action in reducing pollutant loading.

Table 3.2.2B – Estimated Pollutant Removal

Pollutant of Concern	Detention Basin	Infiltration Basin
Suspended Sediment	60-80%	80-100%
Total Phosphorus	20-40%	60-80%
Total Nitrogen	20-40%	60-80%
Oxygen Demand	20-40%	80-100%
Trace Metals	40-60%	80-100%
Bacteria	Insufficient Data	80-100%
Overall Removal Capability	Moderate	High

3.2.3 MITIGATION MEASURES

Stormwater Pollution Prevention Plan

NYSDEC regulations require that all construction activities involving one acre or more of land disturbance obtain a State Pollutant Discharge Elimination System (SPDES) General Permit for stormwater discharge from construction activities. To obtain coverage under the General Permit, a Stormwater Pollution Prevention Plan (SWPPP) has been

prepared and is included as Appendix C2. A Notice of Intent (NOI) will be filed with the NYSDEC before construction begins. The General Permit requires that post-development peak stormwater runoff rates are maintained at or below pre-development peak levels. In addition, the regulations require the incorporation of green infrastructure technologies to reduce the volume of stormwater runoff and to treat a portion of the Water Quality Volume (WQv).

The SWPPP was prepared based on the latest version of New York State Stormwater Management Design Manual. It assesses and compares existing and proposed drainage patterns and provides design for the construction of two proposed stormwater facilities as mitigation. The proposed Infiltration Basins are designed to reduce increases in stormwater runoff volumes from proposed impervious surfaces and promote groundwater recharge. Table 3.2.3 contains a summary of the net peak runoff rate changes for each of the analyzed storms.

Table 3.2.3 – Net Change in Watershed Peak Runoff Rates

Watershed Discharge Design Point	Reduction in Peak Runoff (cubic feet per second)			
	1 Year Storm	10 Year Storm	25 Year Storm	100 Year Storm
A	-0.18	-6.25	-9.56	-10.76
B	-0.02	-2.61	-4.86	-10.32
C	-0.03	-4.18	-7.49	-15.16

All drainage and stormwater facilities will be owned and maintained by the Project Sponsor. The proposed inspection and maintenance details of the drainage and stormwater facilities for both during construction (short term) and during operation of the project (long term) are listed in the SWPPP in Appendix C2.

Erosion and Sediment Control Plan

Erosion and sedimentation mitigation are discussed in detail in Section 3.1.3.

Green Infrastructure

The use of the green infrastructure technique known as soil restoration of disturbed areas will help detain, recharge, and treat stormwater prior to discharging into off-site receiving waters. Two infiltration basins are proposed on-site to meet runoff reduction volume (RRv) requirements. Table 3.2.4 contains a summary of the required runoff reduction volume minimum and provided.

Table 3.2.4 – Runoff Reduction Volumes		
DESIGN POINT	**$RR_{v\ MIN}$**	**Total RR_v (Provided)**
SITE	0.455	0.649

All areas to be re-vegetated upon completion of construction will be “de-compacted” through soil restoration, including tilling and scarifying the underlying soil layer to mature root depths, and prepared to receive new plantings.

3.3 PLANTS & ANIMALS

3.3.1 EXISTING CONDITIONS

Threatened, Endangered, and Species of Special Concern

The Site is currently undeveloped and entirely covered by high canopy forest with moderate undergrowth. The Site is bordered by residential units, commercial buildings and wooded areas. Existing impacts to plant and animal habitats near the Site are activities, including noise and light, related to vehicular traffic on the adjacent State roadway, commercial businesses, and residential developments.

According to the FEAF Part 1 in Appendix A1, the Project Site is located in an area that is not known to contain any rare, endangered or threatened plant and animal species. The New York State Department of Conservation (NYSDEC) EAF Mapper shows the Site and surrounding area to be free of potential rare plants and animals and Significant Natural Communities.

Quassaick Creek Watershed

According to the Quassaick Creek Watershed Plan dated 2014[3], the Quassaick Creek is one of 65 major streams and rivers that flow into the Hudson River Estuary. Quassaick Creek is an average sized tributary compared to all other tributaries, draining approximately 56 square miles of land in Orange and Ulster Counties. Tributaries such as the Quassaick are interwoven components of the Hudson Estuary ecosystem and are influenced by diurnal tides (twice daily). However, due to impoundments and barriers in the lower Quassaick Creek, tidal influence is limited to only the mouth of the Creek, east of the American Felt and Filter dam. In the case of Quassaick Creek, the confluence of the watershed is highly urbanized in the City of Newburgh and Town of New Windsor, while in the northern portion of the watershed, diverse natural habitats can be found.

The Quassaick Creek Watershed has experienced increasing development that began with the European settlement of the Hudson River Valley and continues to the present day. The effects of human development have generally spread upstream over time starting at the Hudson River and now extending into the headwaters of the Watershed.

The major factors affecting water quality and habitat quality today are generally the same as those that were initiated with earlier settlement. Land was initially cleared for

[3] https://www.orangecountygov.com/2163/Quassaick-Creek-Watershed

agriculture, whereas now it is cleared for commercial and residential development. Land clearing has adverse effects on hydrology and water quality, with the magnitude of effects increasing as the cumulative change consumes a greater percentage of the watershed.

Current Conservation Efforts within the Quassaick Creek Watershed

Quassaick Creek is on New York State's Priority Waterbodies List as having water quality impairments for its pH level. In addition, Orange Lake, which drains into the Bushfield Creek tributary of the Quassaick Creek, is on the State's 303(d) list of Impaired Waterbodies due to excess phosphorous. As a result, developments that discharge into these two water bodies are regulated accordingly by the DEC's State Pollutant Discharge Elimination System (SPDES) Permit Program.

The Quassaick Creek Watershed Management Plan lists the following five overarching goals:

i. Improve water quality, ensure drinking water sources are protected and that water quantity is adequately managed,
ii. Improve and enhance natural watershed functions and ecological processes, Establish coordinated inter-municipal implementation of the Quassaick Creek Watershed Management Plan,
iii. Promote watershed awareness and sustainable development practices,
iv. Create a watershed that is resilient to current and future weather conditions.

Specific techniques for implementing the goals were established as Management Recommendations. The Recommendations include details of implementation, suggested timeframes, and designates potential partners. The dominate themes of the Management Recommendations are:

i. Protect and conserve drinking water supplies through a range of methods.
ii. Improve stormwater management, especially using Green Infrastructure methods.
iii. Protect riparian buffers from encroachment and degradation.
iv. Continue to monitor stream and lake water quality.
v. Create an intermunicipal watershed group to implement this Plan.
vi. Continue outreach and education about water resources.
vii. Update municipal policies and regulations to increase compatibility with watershed management.
viii. Protect and enhance important habitats.

ix. Reduce water pollution, especially nutrients from wastewater and other sources.
x. Increase recreational access to waterways and open space.
xi. Address issues of aging infrastructure, including dams and stormwater and wastewater infrastructure.

3.3.2 POTENTIAL IMPACTS

As described in Section 3.2.2, additional impervious surfaces in new developments can impact stormwater runoff to downstream watersheds, such as the Quassaick Creek, which may result in flooding, erosion, water quality degradation, reduced groundwater recharge, and disruption of aquatic ecosystems in.

3.3.3 MITIGATION MEASURES

Approximately 27.75 acres of the Site will be disturbed, leaving 20.20 acres, or 42% of the Site as undisturbed open space. Sections 3.1.3 and 3.2.3 detail the proposed mitigations to reduce the potential impacts from the Project's impervious surfaces. These measures include complying with the clearing and grading permit, erosion and sedimentation plan, construction best management practices, construction phasing plan, dewatering techniques, rock removal procedures, stormwater pollution prevention plan that includes peak runoff control and green infrastructure.

3.4 AESTHETIC RESOURCES

3.4.1 VISUAL

3.4.1.1 Existing Conditions

Existing Visual Setting and Aesthetic Resources

The Project Site is situated on a ridgeline that runs north to south and is covered by sloping, wooded terrain in a suburban setting. Current development consists largely of commercial facilities along Little Britain Road (NYS Route 207) and is surrounded to the north and west by single-family and multifamily residences on local streets. Due to the generally rolling topography of the region, views are limited by the nearby hills, vegetation and curving roadway corridors. The moderate density residential developments in the project area have limited views of the Site due to the existing vegetation and topography.

There are no prominent landforms visible in views of the property from off-site vantage points since its topography reflects the undulating nature of the local area. Existing land cover visible on the Project Site from off-site vantage points is predominantly naturalized woodland. The existing, dilapidated farm fencing, portions of stone walls along the road frontage, and four wooden billboards are the only prominent visual features on the Site, as seen from Little Britain Road. The group of historic stone lime kilns are located on the neighboring property.

There are no facilities in the vicinity of the Site that are designated as aesthetic resources by the Town or the City. Several municipal parks are located near the Project Site including: Lake Washington located 0.4 miles to the west, New Windsor Historic Parklands located 1.6 miles southwest, San Giacomo Park located about 0.8 miles south, Little Falls Park located 0.75 miles to the east, Delano Hitch Park located 0.8 miles to the east, just north of Little Falls Park, Downing Park located 1.25 miles northeast and Algonquin Powder Mill Park located 1.6 miles northwest. Additionally, the Chestnut School District Administrative Building is located 0.2 miles northwest. Potential views from these areas were investigated for the visual assessment, but the Project Site is not visible from any of these areas. Snake Hill Preserve, currently an undeveloped park owned by Scenic Hudson, is situated 0.5 miles to the southeast of the Project Site. No trails exist on the Preserve at this time. There are no other significant aesthetic resources or public facilities of cultural importance identified within the site viewshed that would be sensitive to changes in the visual environment.

Existing Views

The visual relationship between the Project Site and the surrounding area is captured in the existing visual assessment photographs. The photographs show the general character of the Site. Each photograph was taken from an identified Viewpoint on March 29, 2023. The locations of the photo viewpoints are shown in Figure 3.4A. Photographs of the existing views from each established viewpoint are shown on Figures 3.4B-H and the existing views are discussed below.

Viewpoint 1 - NYS Route 207 (451 Little Britian Road)

The photo from this viewpoint was taken from the Laborers' International Union Local 17 entrance drive on the southern side of the eastbound lane of NYS Route 207, looking towards the southern corner of the Site. The historic kilns on the parcel adjacent to the Site and overhead utility wires along NYS Route 207 are visible in this view.

Viewpoint 2 - NYS Route 207 (451 Little Britian Road)

The photo from this viewpoint was taken from the southern shoulder of the eastbound lane of NYS Route 207 looking north into the Site at the location of the proposed entrance drive across from the Laborers' International Union lawns and distant building. The existing stone wall along the property line and overhead utility wires along NYS Route 207 are visible in this view.

Viewpoint 3 - NYS Route 207 (409 Little Britian Road)

The photo from this viewpoint was taken from the southern shoulder of the eastbound lane of NYS Route 207 looking northwest into the Site near the residence at 409 Little Britain Road. An existing rock outcrop ledge, billboard sign and overhead utility wires along NYS Route 207 are visible in this view.

Viewpoint 4 - NYS Route 207 (288 Little Britian Road)

The photo from this viewpoint was taken from the southern shoulder of the eastbound lane of NYS Route 207 looking northwest into the Site near the eastern property corner, at the location of the proposed emergency access drive. The existing overhead utility wires along NYS Route 207, the driveway to the residence at 288 Little Britain Road to the west and the commercial business located at 280 Little Britain Road to the east are visible in this view.

Viewpoint 5 – High Point Circle (Stoney Brook Condominiums)

The photo from this viewpoint was taken from High Point Circle looking south toward the Site. The existing multifamily residential homes are visible in this view.

Viewpoint 6 – Westbrook Road (Stoney Brook Condominiums)

The photo from this viewpoint was taken from Westbrook Road looking southeast into the Site. The existing multifamily residential homes are visible in this view.

Viewpoint 7 – Neighboring Parcel (480 Little Britain Road)

The photo from this viewpoint was taken from the adjacent parcel looking northeast toward the Site. The existing lawn and tree line on the neighbor's property are visible in this view.

3.4.1.2 Potential Impacts

Construction of the Project as proposed will remove a large portion of existing woods and replace them with multi-family buildings, a community recreation center, roads and stormwater facilities, thus creating a change to the visual character of the site, particularly along the Little Britain Road frontage. Tree clearing for the project entrances and subsequent grading in that area to improve sight distances at Little Britain Road will remove natural tree cover at a property line that is exposed to public view. Both road entrances into the Project from Little Britain Road will be supplemented with landscaping. The site plan includes street trees and lighting along the internal roads. The landscaping plan for the Project is provided in Appendix J. The street plantings will restore some tree canopy and shade and create an attractive neighborhood setting, thereby diminishing the visual impact of the tree removals.

From the Snake Hill Preserve, the Project will not create a significant change to the current views. Looking south from the Stony Brook development, partial visibility of the proposed buildings will be possible through the existing vegetation that will remain and the proposed landscaping. In conformance with the Town Zoning Code regulations in §185-21 entitled "Buffer strips and screening", existing vegetated buffers are provided between the Project and the adjoining residential use, the Stony Brook Condominium property to the north.

Visibility of Site

Of the seven locations analyzed, the Project will be visible during both leaf on and leaf off scenarios in four locations. The Project will be most visible from NYS Route 207 (Little Britain Road) where the main entrance and emergency access drives are proposed. The Project will be somewhat visible from the Stony Brook development through the existing vegetation that will remain. The proposed renderings of the Proposed Action from each established viewpoint are depicted in Figures 3.4B-H.

Viewpoint 1 - NYS Route 207 (451 Little Britian Road)

The Proposed Action will not be visible from this viewpoint. The location of proposed buildings hidden from view by existing vegetation and terrain are outlined in this rendering.

Viewpoint 2 - NYS Route 207 (451 Little Britian Road)

The proposed main entrance road, landscaping, development sign, and clubhouse building will be visible from this viewpoint. The location of proposed residential buildings hidden from view by existing vegetation, stonewalls and terrain are outlined in this rendering.

Viewpoint 3 - NYS Route 207 (409 Little Britian Road)

The Proposed Action will not be visible from this viewpoint. The location of proposed buildings hidden from view by existing vegetation and terrain are outlined in this rendering.

Viewpoint 4 - NYS Route 207 (288 Little Britian Road)

The proposed emergency access drive will be visible from this viewpoint. The location of proposed residential buildings hidden from view by existing vegetation and terrain are outlined in this rendering.

Viewpoint 5 – High Point Circle (Stoney Brook Condominiums)

Proposed Building #3 will be visible from this viewpoint through existing vegetation.

Viewpoint 6 – Westbrook Road (Stoney Brook Condominiums)

Proposed Building #4 will be visible from this viewpoint through existing vegetation. The location of a proposed residential building hidden from view by existing vegetation and terrain is also outlined in this rendering.

Viewpoint 7 – Neighboring Parcel (480 Little Britain Road)

The Proposed Action will not be visible from this viewpoint. The location of proposed buildings hidden from view by existing vegetation and terrain are outlined in this rendering.

Buffers and Fencing pursuant to City of Newburgh Zoning Code

The City of Newburgh Zoning Code §300-53 regulates screening and buffering in nonresidential districts. The Code states “There shall be a landscaped buffer strip along each boundary which adjoins a lot in the residential districts or an existing dwelling in any district. This strip shall be at least seven feet in width and shall contain screening or plantings in the center of the strip not less than four feet in width and six feet in height at

the time of occupancy of such lot. This planting strip shall be maintained by the owner or occupant and shall be maintained as a dense screen on a year-round basis." Since the Proposed Action is a residential use in a residential zone, this requirement is not applicable to the subject parcel.

3.4.1.3 Mitigation Measures

The proposed renderings indicate some change to the visual appearance of the Project Site will be evident from the perimeter of the Site, from local roads, and from other privately accessible lands as a result of the proposed development. However, the changes in views will not result in a stark contrast of visual character as compared to the surrounding landscape, either in terms of type of use or in the constitution of buildings and landscape treatment. Nor will the Proposed Action dominate the view from any publicly accessible location. The arrangement of the buildings along winding roadways, with a substantial amount of existing contiguous tree cover proposed to remain around the perimeter of the Project will complement and preserve the residential character that exists in the area north of Little Britain Road.

Architectural measures will be incorporated into the Project design to minimize potential visual impacts associated with the proposed development. The architecture of the residential buildings will be of a traditional design in general keeping with the traditional residential architecture in the Newburgh area, while providing for modern needs of its residents. Architectural elements, colors and construction materials will be selected for the proposed buildings that enhance and complement the overall natural setting and visual character of the Project Site and minimize the perceived overall scale of the buildings. With these mitigation measures, adverse environmental impacts to visual resources are not expected to be significant.

3.4.2 LIGHTING

3.4.2.1 Existing Conditions

Outdoor lights have the potential to cause light pollution and glare. Light pollution is defined as excessive and inappropriate artificial light by the NYS Department of Environmental Conservation. Problems associated with excessive or inappropriate outdoor lighting include sky glow (a brightening of the night sky over inhabited areas), light trespass (light falling where it is not intended, wanted, or needed), glare (excessive brightness which causes visual discomfort or decrease visibility) and clutter (bright, confusing, and excessive groupings of light sources).

As the Site is currently vacant, there are no existing light producing sources located on the Project Site, including the billboard signs. Night-time light producing sources in the surrounding area are limited to residential house lighting, commercial business lighting including signs, streetlights and vehicle headlights and taillight. Traffic on NYS Route 207, immediately south and east of the Site, is the greatest existing light producer. Some of the light emitted from these off-site sources is shielded from the Site by existing vegetation and sloping topography.

The Town of Newburgh Code addresses lighting in Chapter 125 entitled “Noise and Illumination Control”. The following are the Illumination standards listed in Section 125-8:

A. The area of brilliance, character, color, degree, density, intensity, location and type of illumination shall be the minimum necessary to provide for the security of the property and the safety and welfare of the public.

B. All sources of illumination on nonpublic property, including the lighting of signs, shall be shielded or directed in such a manner that the direct rays therefrom are not cast upon any property used for residential purposes, other than the lot on which such illumination is situated.

C. Illumination shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity, excluding the lighting of signs conveying information, such as time and temperature.

D. The duration, period or time of illumination of nonresidential premises shall be the minimum necessary to provide for the security of the property and the safety and welfare of the public. For nonresidential premises open to the public, illumination shall be extinguished, except that necessary for the security of the property and safety of persons thereon, one hour after the premises are closed to the public.

E. Illumination connected or used with a sign or otherwise which competes for attention with or may be mistaken for a traffic signal or creates a distractive hazard to traffic by glare or movement is prohibited.

The City of Newburgh Code does not contain a specific lighting chapter, but in Chapter 250 entitled “Signs”, the following are the standards pertaining to lighting are listed:

§ 250-22 Gooseneck reflectors and lights. Gooseneck reflectors and lights shall be permitted on ground signs, roof signs and wall signs; provided, however, that the

reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.

§ 250-23 Floodlights, spotlights and flashing signs. It shall be unlawful for any person to maintain any sign or other advertising structure extending over public property which is wholly or partially illuminated by floodlights or spotlights or to maintain any sign or device on which artificial lights do not remain constant in intensity and color at all times when in use and which cast illumination upon any public area.

3.4.2.2 Potential Impacts

The Proposed Action requires outdoor lighting for the safety and convenience of its residents, guests, employees, and delivery personnel as they move around the Site during nighttime hours. Driveways, parking areas, and walkways will all be illuminated from dusk until dawn. All outdoor lighting will utilize LED bulbs, reducing the amount of energy necessary to power them. The proposed outdoor lighting will consist of forty-four 20-foot high, pole-mounted site lighting fixtures along the roadway and in parking areas. The site lighting fixtures will be shielded and directed downward. The light fixture's type and placement have been chosen to minimize the amount of light at the Project boundary.

The closest neighboring residential building is located on High Point Circle, approximately 150 feet from and at a lower elevation than the nearest light pole in the parking area. Considering the sloping nature of the Site and the existing amount of mature vegetation to be retained, the proposed outdoor lighting from the Project will likely be well-screened from existing off-site residential locations. To determine the impact that the proposed site lighting will have on the surrounding area, a lighting plan was prepared. The goal of the lighting plan design is to safely illuminate the Project with even light distribution, without causing significant impacts to neighboring properties. The Lighting Plan is included in Appendix J and shows the amount of light distribution across the Site.

The Proposed Action will conform with the Town's and the City's Zoning Codes.

3.4.2.3 Mitigation Measures

Outdoor lighting fixtures selected for the Site meet International Dark-Sky Association (www.darksky.org) requirements, which reduce negative impacts on the nighttime environment. Dark Sky compliant products minimize glare while reducing light trespass and skyglow. All products approved in the program are required to be fully shielded and minimize the amount of blue light in the nighttime environment. The Lighting Plan design proposes fully shielded light fixtures and limits the foot-candles at the

boundary line. Since no off-site impacts to surrounding areas are expected from site lighting, no additional mitigation is proposed.

3.4.3 LANDSCAPING

3.4.3.1 Existing Conditions

Existing Vegetation types on the property are comprised of second growth woods and wooded wetlands. The property has varied, sloping topography from exposed limestone ridges to small isolated wet areas. Some portions of the property have landscape features and ornamental plantings associated with prior residential and agricultural uses, including stone walls and hedgerows.

3.4.3.2 Potential Impacts

The overall concept in designing the Proposed Action is to preserve the existing vegetation within the Site and maintain a natural buffer around the perimeter of the Site to the greatest extent practicable. Approximately 27.75 acres of the Site will be disturbed, leaving 20.20 acres, or 42% of the Site as undisturbed open space, of which 19.46 acres are considered usable open space that is not covered by wetlands. The limit of disturbance is shown on the grading plans in Appendix J.

The proposed residential units have also been set back from the perimeter property line to provide buffering from adjacent properties. The Project Site is bordered to the north and east by parcels that are similarly zoned R-3. The existing development to the north is a multi-family project similar to the Proposed Action. The existing vegetation to remain is primarily a deciduous species consisting of Maples, Oaks, Ash, and Beech.

In addition to preserving the existing vegetation within the Project Site and along the perimeters, a Landscape Plan is being proposed to supplement existing vegetation. The proposed Landscape Plan consists of a diverse mixture of native and specimen plant materials consisting of 188 Deciduous trees, 632 Deciduous shrubs, 69 Evergreen trees, 528 Evergreen shrubs, 873 Perennials and 145 Grasses. Appendix J includes a planting schedule that lists the proposed species on the Landscape Plan.

Many of the proposed plants are native to the north-east and suitable for the Site. The plants were selected based on hardiness for the area, disease resistance, deer resistance, habitat and aesthetics. The proposed deciduous trees are also compatible with the existing vegetation to remain. The ornamental deciduous trees were selected for their flowering for pollinators and a food source for existing wildlife.

Pursuant to Town of Newburgh Code §185-21.A, the existing development to the north is a similar type of development (multifamily) as what is being proposed, therefore, a buffer is not required. However, a buffer will be provided along the northerly portions of the site consisting of existing vegetation. The adjoining parcel west of the Project Site is undeveloped and similarly zoned as R-3. The proposed layout also provides a natural vegetative buffer containing existing vegetation to remain along the property line in accordance with §185-21.B.(2). The Plan also proposes a vegetative buffer between adjoining parcels and the proposed recreation amenities.

In accordance with §185-21.B.(4) the proposed layout provides an existing vegetative buffer along the existing public thoroughfare to the greatest extent practicable. Where this cannot be achieved, plantings are proposed to supplement existing vegetation. In accordance with §185-21.B.(6) the proposed stormwater management areas have been reasonably screened from public roads and adjacent properties. In accordance with §185-21.C, it is the opinion of the applicant that the proposed action is not dissimilar from adjoining uses or adjoining parcels, therefore this section is not applicable.

3.4.3.3 Mitigation Measures

The site plan has been developed in accordance with the Town of Newburgh Zoning Code. The following Mitigation Measures will be implemented and financed by the project sponsor:

a. The project has been laid out so that the nearest structure is over 214 feet from Little Britian Road.
b. Existing vegetation is preserved to the greatest extent practical between the proposed structures and Little Britain Road.
c. The existing vegetation that is being preserved will be supplemented by implementing the proposed Landscape Plan.
d. Architectural styles, colors, and construction materials that enhance and complement the overall natural setting and visual character of the project site will be utilized.

3.5 HISTORIC & ARCHEOLOGICAL RESOURCES

3.5.1 EXISTING CONDITIONS

In August 2004 and July 2005, CITY/SCAPE: Cultural Resource Consultants prepared a Phase 1A Literature Review & Sensitivity Analysis and a Phase 1B Archaeological Field Reconnaissance Survey for a previous development application that encompassed the Project Site and four additional parcels, one to the west and three to the east of the Project Site.

According to the Phase 1A Analysis, there are several prehistoric sites in the vicinity of the Project area. These sites are primarily located along the Hudson River to the east of the Project area. Given the presence of Quassaick Creek nearby, which was dammed to create a mill pond now known as Harrison Pond, there would be a potential for prehistoric remains to exist within the project area.

The Project Site is adjacent to a National Register Eligible site known as the Independence Property Lime Kilns site (USN 07114.000152) located on the north side of Little Britain Road just west of the Site's southwest property corner.

A second site, known as the Independence Property Barn Foundations site (USN 07140.002488), is located near to the proposed eastern entrance road from Little Britain Road. The Independence Property Barn Foundations site eligibility is currently listed as "Undetermined". However, according to a letter dated August 24, 2022, NYSOPRHP is prepared to make a determination of "Ineligible" for the site based on the survey results in their files, allowing the Proposed Action to proceed with work in the area without additional archaeological investigation or avoidance.

A former house on the Project Site, known as the Stansbrough-Monell farmhouse, is shown on maps of the area from the mid-19th century. The building, which was standing at the time of the archaeological investigations, was not eligible for the National Register listing according to the Phase 1A report and was demolished and removed from the site due to its derelict condition.

More recently, NYSOPRHP received the Notice of Intent for Designation of Lead Agency regarding the Proposed Action from the Town Planning Board on August 18, 2022, and responded in a letter dated August 24, 2022, stating "We are requesting that measures be taken to avoid any impacts to the [lime kilns]. That would involve securing the services of an archaeological consultant to confirm the location, site boundaries and current condition of the site to establish avoidance measures (protection of the site by a

fence and signage during construction)". The NYSOPRHP letter and Phase 1A/1B Archaeological Investigations are attached as Appendix E1 & E2, respectively.

3.5.2 POTENTIAL IMPACTS

Based on the findings of the Phase 1A cultural resource survey, a Phase 1B survey was conducted to determine the potential for presence of both historic and prehistoric cultural artifacts and is attached as Appendix E3. During the Phase 1B survey, a relatively sparse scatter of historic artifacts in the form of ceramic and glass fragments was recovered, not in sufficient quantities or concentration to indicate the presence of features such as middens, privy sites, or wells. Two barn foundations were located and were determined to require no additional investigation. Five limestone bedrock outcrops were identified and deemed to have no potential for use as prehistoric shelters or as sources of materials used in toolmaking.

The three lime kilns were documented but they are not located on the current Project Site and will not be affected by the proposed development. The proposed water and sewer main extensions to serve the Project will be installed in the Little Britain Road/NYS Route 207 right-of-way adjacent to the lime kilns. There will be no impact on the off-site lime kilns located on the adjacent property. There are no structures proposed for State or National Register listing located in the immediate project area.

The Phase 1B investigation concluded that no further investigation was recommended for the project parcels. The complete findings of the Phase 1A and 1B studies were submitted to OPRHP during the review of the former development. In a letter dated February 28, 2006, included in DEIS Appendix E1, OPRHP stated it "has no further archaeological concerns regarding this project".

As part of lead agency coordination for the Proposed Action, OPRHP issued a letter dated August 24, 2022 requesting additioanl information about the current Project. A response was submitted to OPRHP dated March 20, 2024, and on May 14, 2024 OPRHP issued an "No Impact" finding letter for the Proposed Action. All correspondence is included in DEIS Appendix E1.

3.5.3 MITIGATION MEASURES

Since there are no potential adverse effects on historical/cultural resources located on the Project Site, no mitigation measures are needed or proposed.

Off-site, the proposed water and sewer main extensions to serve the Project will be installed in the same trench in the Little Britain Road/NYS Route 207 right-of-way adjacent to the lime kilns in order to minimize the ground disturbance adjacent to kilns.

3.6 TRANSPORTATION

The engineering and consulting design firm, DTS Provident performed a Traffic Impact Study (TIS) for the Proposed Action. The purpose of the study was to evaluate the existing road network and intersections in the immediate vicinity of the Project Site. The study considered the potential impacts the Proposed Action may have on current and future traffic operations surrounding the existing road network, and proposed measures to mitigate those impacts. For future traffic operations, a design year of 2026 was used to evaluate future traffic conditions as a result of the Proposed Project. The 2026 design year was selected in consultation with the New York State Department of Transportation (NYSDOT) Region 8 Planning and Program Management Group. The TIS attachments are included as Appendix F.

3.6.1 EXISTING CONDITIONS

Vehicle and Pedestrian Access and Circulation

The vehicle and pedestrian access to and from the Site as well as circulation throughout the Site and on the adjacent roadways was analyzed. As illustrated on the Site Plans, there will be one driveway providing access to the Site along the north side of New York State (NYS) Route 207. This Site Driveway is in the Town of Newburgh. There will be an emergency-only access to the east, located in the City of Newburgh.

The driveway will consist of one entering lane and one exiting lane and will be approximately 26 feet wide at the entrance. This width is adequate to accommodate vehicles turning into and out of the Site, including emergency vehicles. Throughout the Site, the 26 feet wide driveway continues and opens up to approximately 36 feet wide at the parking areas. This width is more than adequate to accommodate vehicles making turning maneuvers into and out of the parking spaces.

Pedestrians will have various sidewalks and marked crosswalks to use throughout the site. Thus, there is appropriate vehicle and pedestrian access and circulation within the site.

Existing/Proposed Near-term Traffic Improvement Plans

The NYSDOT is planning to install a traffic signal (possibly with turn lanes) at the intersection of NYS Route 207/Little Britain Road and Old Little Britain Road. A design is currently being performed by an NYSDOT consultant. DTS Provident has held discussions with the NYSDOT consultant. The design approval is expected by June 2024 with letting in March 2025. A roundabout is also being studied for this intersection but is not likely to be installed.

Aside from the NYSDOT, discussions with relevant involved parties (Town of Newburgh, City of Newburgh, etc.) did not reveal any existing or proposed near-term significant traffic improvement plans in the vicinity of the site that would impact traffic patterns. There are some roads scheduled for resurfacing.

Roadway Descriptions

Descriptions of the main roadways surrounding or in the vicinity of the Project Site are:

Old Little Britain Road is a one lane per direction roadway generally travelling in the southeast-northwest direction. It is classified by the New York State Department of Transportations (NYSDOT) as Functional Class 17 – Urban Major Collector. Its lane widths are approximately 12 feet wide. It does not have shoulders, sidewalks, bus stops, or permitted parking along its length in the vicinity of the Site. The speed limit is posted as 30 mph. There is a 3-ton weight limit advisory sign. The intersections along its length are generally controlled by stop signs facing the minor roadways. The roadway surface condition appears to be generally satisfactory based upon visual observations. However, there are some portions showing signs of deterioration between Unity Place and Williams Avenue. The roadway is under the jurisdiction of the Town of Newburgh.

NYS Route 207/Little Britain Road is a one lane per direction roadway generally travelling in the southwest-northeast direction. It is classified as Functional Class 16 – Urban Minor Arterial. Its lane widths are approximately 12 feet wide. Its shoulder widths are approximately 6 feet wide on both sides of the roadway. There are no sidewalks, bus stops, or permitted parking along its length in the vicinity of the Site. There are some sidewalks on other portions of NYS Route 207. The speed limit is posted as 45 mph in the Town of Newburgh and 30 mph in the City of Newburgh, which transitions just northeast of Corwin Court. The intersections along its length in the vicinity of the site are generally controlled by stop signs. The roadway surface condition appears to be generally satisfactory. The roadway is under the jurisdiction of the NYSDOT. NYS Route 207 is a Snow Emergency Route.

Dalfonso Road is a one lane per direction roadway generally travelling in the north-south direction. It is classified as Functional Class 19 – Urban Local Road. Its lane widths are approximately 12 feet wide. It does not have shoulders, sidewalks, or permitted parking along its length in the vicinity of the Site. There are posted school bus stops along its length. The speed limit is posted as 30 mph. There is a 3-ton weight limit

advisory sign. The intersections along its length are generally controlled by stop signs. The roadway surface condition appears to be generally satisfactory. The roadway is under the jurisdiction of the Town of Newburgh.

Existing Automatic Traffic Recorder (ATR) Counts

Vehicle traffic volumes and vehicle traffic classifications were recorded through the use of Automatic Traffic Recorders (ATR's). ATR 1 was installed on Little Britain Road approximately 1,200 ft southwest of Corwin Court. ATR 2 was installed on Old Little Britain Road approximately 250 ft east of Dewey Drive. The ATR's generally match with the manual Turning Movement Counts described below in Section e. Additionally, the ATR data compared favorably with historical data from the NYSDOT contained in Appendix F.

Existing Turning Movement Counts

The study locations listed below were determined as a result of the DEIS Scoping Process and are shown on Figure 3.6A.

1. Route 207/Little Britain Road & Wisner Avenue/Route 207
2. Route 207/Little Britain Road & Corwin Court
3. Route 207/Little Britain Road & Site Driveway
4. Route 207/Little Britain Road & Old Little Britain Road
5. Old Little Britain Road & Dalfonso Road
6. Old Little Britain Road & Williams Avenue
7. Old Little Britain Road & Unity Place

Manual turning movement traffic counts were conducted on Tuesday April 25, 2023 from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM. Based upon the traffic counts conducted, the following Peak Roadway Hours were determined:

Peak Weekday AM Roadway Hour - 7:30 AM to 8:30 AM

Peak Weekday PM Roadway Hour - 4:00 PM to 5:00 PM

The Existing Traffic Volumes are illustrated in Figure No. 2 in Appendix F.

Intersection Capacity Analyses

Capacity analyses were conducted at the key intersections to identify the traffic impact, if any, associated with the proposed Project. The following is a brief description of the procedure utilized in the preparation of this analysis for all the study locations listed:

- Capacity analysis is a method by which traffic volumes are compared to calculated roadway and intersection capacities to evaluate future traffic conditions. The methodology utilized is described in the Highway Capacity Manual published by the Transportation Research Board. In general, the term "Level of Service" is used to provide a qualitative evaluation based on certain quantitative calculations related to empirical values. The definitions of Level of Service as contained in the Highway Capacity Manual appear in Appendix F.
- In general, Level of Service A represents the best traffic operating condition. Levels of Service for signalized and unsignalized intersections are defined in terms of average delay. Delay is used as a measure of driver discomfort, frustration, efficiency, etc.

Capacity analyses were performed for the key locations with the 2023 Existing, 2026 No-Build and 2026 Build Traffic Volumes utilizing Highway Capacity Software (Synchro) developed for the FHWA. The capacity analyses worksheets are contained in Appendix D of this Report.

NYSDOT Guidance Relating To Pandemic

Based upon discussions with the NYSDOT, no adjustment is needed to the recently counted traffic volumes due to the pandemic.

Accident History

The latest available seven years of accident data was obtained from the NYSDOT and the Town of Newburgh. This information is contained in Appendix F. While the data is similar, the NYSDOT data was utilized to review the crash history as it provides more detailed information including the accident type and apparent contributing factors. A summary table comparing the number of accidents to the statewide average is also illustrated in Appendix F. Although four of the six study locations have an average of one crash per year, all of the study locations have accident rates greater than the statewide average. Old Little Britain Road and Dalfonso Road averages 3.5 crashes per year while Little Britain Road and Wisner Court averages 4 crashes per year. There were no fatal crashes at any of the locations. The limited amount of traffic to be generated by the Project is not anticipated to significantly impact the number of crashes in the future.

Nearby Public Transportation

The nearest public bus stops are located at the Newburgh Shortline Transportation Center on NYS 17K, at the corner of Broadway and Fullerton Avenue, and at the corner of Broadway and Lake Street, all of which are more than ¾ of a mile away from the Site. There is signage on NYS Route 207/Little Britain Road directing traffic to the Ferry to reach the Metro-North Train Station in Beacon.

Local Road Conformity with Complete Streets Best Practices

Within the existing roadway network in the vicinity of the Site, there are generally no or limited sidewalks or biking paths that conform with Complete Streets Best Practices. There are some sidewalks to the northeast on portions of NYS Route 207/Little Britain Road and Wisner Avenue.

Within the Site, there will be sidewalks and crosswalks providing for a complete street design.

3.6.2 POTENTIAL IMPACTS

Estimated Project Completion Year

The estimated Project Completion Year is 2026 for analysis purposes.

Other nearby significant developments

Discussions with relevant involved parties (NYSDOT, Town of Newburgh, City of Newburgh, etc.) revealed some adjacent developments that could impact traffic patterns. The Town of Newburgh, the City of Newburgh, and the Town of New Windsor were contacted to obtain information on potential significant developments that could impact traffic in the vicinity of the Project Site. The Town of New Windsor mentioned two developments that may affect traffic within the vicinity of the Site. These two developments were the following:

- 935 Union Avenue (Hotel) – Town of New Windsor
- 321 Temple Hill Road (Warehouse) – Town of New Windsor

No developments were initially referenced from the Town of Newburgh or City of Newburgh. However, during the process of preparing this report, the following two developments were also considered as necessary to be included:

- NYS Route 207 – Stonegate (Residential) – Town of New Windsor
- Unity Place (Warehouse) – Town of Newburgh

Traffic volumes from the aforementioned adjacent developments were obtained from previous traffic impact studies for these developments. The volumes from these

adjacent developments are shown in Figure Nos. 4-7 in Appendix F. There are other proposed developments within the three municipalities, but they are not projected to impact traffic conditions in the study area and are accounted for in the annual background traffic growth rate described below.

Annual Background Traffic Growth Rate

To project to the future design year, a conservative compounded annual growth rate of 1.2% per year was applied to the existing traffic volumes to form the 2026 Grown Traffic Volumes illustrated on Figure No. 3 in Appendix F. This growth rate was determined based upon NYSDOT historical ATR data on Old Little Britain Road and NYS Route 207/Little Britain Road which illustrated an average growth rate of 1.2% per year from 2015-2019.

No-Build Traffic Volumes

The Grown Traffic Volumes were combined with the adjacent development traffic volumes to form the No-Build Traffic Volumes on Figure No. 8 in Appendix F.

Trip Generation and Trip Distribution

The ability of any roadway network to accommodate anticipated traffic volumes is measured by comparing Peak Hour Traffic Volumes to roadway capacities. Thus, it is essential to determine the hourly traffic volumes to be generated by the proposed Project and add them to the No-Build Traffic Volumes to determine the Build Traffic Volumes.

The Site-generated traffic volumes attributable to the proposed Project were determined based upon the trip generation rates contained in ITE's publication entitled, "Trip Generation", 11th Edition, utilizing Land Use Code 220 (Multifamily Housing [Low-Rise]). At the request of NYSDOT, the peak hour of generator trip generation rates were utilized instead of the standard peak hour of adjacent street traffic generation rates in order to be conservative. The estimated Site-generated traffic volumes are summarized in Table 3.6.2A.

Table 3.6.2A – Trip Generation Summary

PROPOSED MULTIFAMILY HOUSING – TOWN OF NEWBURGH, NY

			AM Peak Hour		PM Peak Hour	
LAND USE (CODE)	**SIZE**	**UNIT**	**Enter**	**Exit**	**Enter**	**Exit**
Multifamily Housing (220)	258	Dwelling Units	28	91	89	54

Note: - Trip Generation rates based upon Institute of Transportation Engineers' (ITE) "Trip Generation Manual", 11th Edition

The anticipated arrival/departure distribution patterns for the Project's traffic were developed based upon existing travel patterns, potential destinations, and the existing roadway network including connections to/from I-84 and I-87. The resulting arrival and departure distributions are illustrated on Figure Nos. 9 and 10 in Appendix F.

Build Traffic Volumes

The Site-generated Traffic Volumes were distributed to the roadway network in accordance with the arrival/departure distributions. The Site-generated Traffic Volumes for the proposed Project are illustrated on Figure No. 11 in Appendix F. The Site-generated Traffic Volumes for the proposed Project were combined with the 2026 No-Build Traffic Volumes to form the 2026 Build Traffic Volumes illustrated on Figure No. 12 in Appendix F.

Adequacy of Existing Road Infrastructure

The existing road infrastructure was evaluated in conjunction with the future traffic volumes of the roadways near the Site. Table 3.6.2B demonstrating the overall levels of service and delay comparing the Peak Weekday AM Hour and Peak Weekday PM Hour for the 2026 No Build and Build Conditions. More detailed Level of Service Tables including for each individual movement as well as Existing Conditions is contained in Appendix F.

Table 3.6.2B – Overall Level of Service Summary

	PEAK WEEKDAY AM HOUR			PEAK WEEKDAY PM HOUR		
	Existing	No-Build	Build	Existing	No-Build	Build
INTERSECTION	LOS Delay	LOS Delay	LOS Delay	LOS Delay	LOS Delay	LOS Delay
Old Little Britain Road & Unity Place	b 10.7	b 10.9	b 11.1	c 16.9	c 17.9	c 19.4
Old Little Britain Road & Williams Avenue	a 8.3	a 8.4	a 8.5	a 9.9	b 10.2	b 10.6
Old Little Britain Road & Dalfonso Road	b 11.6	b 12.0	b 12.2	c 16.9	c 17.9	c 18.7
Old Little Britain Road & Little Britain Road	c 18.2	c 21.6	A 8.2	f >99.9	f >99.9	C 34.3
Little Britain Road & Corwin Court	b 10.8	b 11.1	b 12.0	b 12.0	b 12.5	b 13.3
Little Britain Road & Wisner Avenue	c 16.3	c 19.1	d 25.3	c 21.6	d 28.2	e 42.7
Little Britain Road & Site Driveway	N/A	N/A	c 15.4	N/A	N/A	c 18.5

Notes:
Levels of Service for signalized intersections are denoted by uppercase letters.
Levels of Service for unsignalized intersections are denoted by lowercase letters.
Average delay is represented in seconds per vehicle.
Delay for unsignalized intersections is denoted by worst side-street approach.
Delay for all-way stops is provided for the overall intersection.

The majority of the Study Locations currently and will continue to operate at good levels of service and the proposed Project will have essentially no change in level of service or delays experienced at the intersections. The Site Driveway will also operate at a good level of service.

The southbound Old Little Britain Road approach to the unsignalized intersection of Old Little Britain Road and NYS Route 207/ Little Britain Road currently experiences poor levels of service during the Weekday Peak PM Hour. The NYSDOT is currently planning to signalize this intersection and is in the process of designing the improvements. There will also be some delays on the eastbound NYS Route 207/Little Britain Road approach at the three-way Stop intersection of NYS Route 207/ Little Britain Road and Wisner Avenue during the Peak PM Hour. It is noted that this intersection under existing conditions meets the peak hour traffic signal warrant in the peak PM hour. Delays are much less during the other periods of the day at both of the above locations.

A Queue Table illustrating the 95th Percentile queue lengths for each approach of each of the intersections is contained in Appendix F. Generally, the queue lengths are minimal at the intersections, and all meet the available storage lengths. However, the intersection of Old Little Britain Road and Little Britain Road demonstrated longer 95th percentile queue lengths for the southbound left-right turn lane for the Existing PM condition. The NYSDOT plans to signalize this intersection which will significantly reduce the queues.

Project's Impact to Pedestrians, Bicyclists, and Public Transportation

The Proposed Project is not projected to have a significant impact on pedestrians, bicyclists, or public transportation. Pedestrian and bicycle facilities are limited in the area and therefore no significant increase in pedestrians and bicyclists is expected. The closest public transportation is approximately ¾ of a mile away.

Emergency Vehicle and School Bus Access

The Site's access driveways and internal roadways are designed to accommodate emergency and school bus vehicles.

Sight Distances

The sightlines in both directions at the proposed entrance were analyzed to assure adequate sight distance. The posted speed limit on NYS Route 207/Little Britain Road is

45 MPH. As shown on Figure 3.6B, the minimum AASHTO required stopping sight distance of 360 feet for 45 MPH is provided looking both left and right from the proposed access location.

Air Quality

The first level of "air quality screening" as provided in NYSDOT's The Environmental Manual (TEM) is a traffic analysis consistent with the Highway Capacity Manual (HCM). A Traffic Impact Study was provided by DTS Provident Engineering, LLC dated February 2024 and is included in Appendix F. The TEM provides guidance to determine whether a microscale analysis is required based on the consideration of several standards.

A search for "sensitive" receptors within 1,500 feet of the Site was undertaken for this air quality analysis. Sensitive recptors are defined by the EPA to "…include, but are not limited to, hospitals, schools, daycare facilities, elderly housing and convalescent facilities". The receptors within 1,500 feet of the Proposed Action included residential parcels and commercial uses. No sensitive receptors were identified within the vicinity of the Site. However, the ambient air quality standards cited above were set to protect the public health and welfare, including sensitive individuals. Thus, in the end, all such receptors are subject to the same standards.

As per TEM I-1 Level of Service (LOS) Screening, intersections potentially impacted by the Project must be screened for overall Level of Service (LOS). If the LOS is A, B, or C, no further analysis is required. If any signalized intersections have LOS predicted D,E, or F, significant vehicle queuing may occur and further analysis may be required for up to the three worst intersections.

Traffic analyses and LOS summaries were developed from current traffic counts (both manual and automated traffic recorders) collected by representatives of DTS Provident Design Engineering, LLC, through previous traffic studies from projects within the vicinity (i.e., Town of New Windsor) and NYSDOT. Seven (7) intersections were analyzed in the A.M. and P.M. peak scenarios. LOS was analyzed in these scenarios for base/existing condition (2023), no build (2026), and build phase (2026). Similar LOS and delays of the unsignalized intersections will be experienced under the 2026 No-Build and 2026 Future Build Conditions.

Furthermore, the local topographical and meteorological characteristics at thus site are not conductive to the formations of climactic inversions, which are the result of a warm

layer of air that rises and traps a layer of cooler air at the ground level that prevents dispersion of pollutants, including vehicle emissions, dust and smoke. The Project will not utilize any fossil-fuel fired HVAC or hot water systems. The Proposed Action does not include any state regulated air emission sources. The short-term use of heavy equipment operations will result in a temporary, minor increase in pollutant emissions from various equipment used in the construction process. However, the major concern during the construction operation will be the control of fugitive dust during site clearing, excavation, demolition grading or blasting operations. Fugitive dust is essentially airborne soil particles caused by heavy equipment operations entraining the freshly exposed soil into the air. To a lesser extent, some fugitive dust emissions will arise from wind erosion of the exposed soils. All construction related air quality impacts will be of relatively short duration. Best construction management practices will be employed to reduce soil erosion and possible sources of fugitive dust. This generally includes the daily use of water/spray trucks in dry periods, anti-tracking pads at construction entrances, street sweeping at the entrances as needed and adherence to a Storm Water Pollution Prevention Plan (SWPPP), as discussed in Section 3.2.2, which provides Erosion and Sediment Control.

In addition, trucks, compressors, cranes, excavators, generators and other equipment will be maintained in good working condition and turned off when not in use. This will reduce the idling of unused equipment in adherence of state regulations as cited above. Vehicle idling will be discouraged to reduce potential air pollution. As a result of these findings, no further analysis in regard to potential air quality impacts due to construction is necessary for the Project as it would not result in a significant or extended impact on air quality as a result of the project.

3.6.3 MITIGATION MEASURES

Roadway Improvements

As described above, almost all intersections will operate at good levels of service under all conditions. For the intersection of Old Little Britain Road and NYS Route 207/Little Britain Road, vehicles are currently experiencing delays in the southbound approach during the Weekday Peak PM Hour. This is due to vehicles under Stop control making a left turn onto NYS Route 207/Little Britain Road and trying to find a gap in the

through traffic to be able to make their turn. The NYSDOT plans to signalize the intersection, which will improve the operations of the intersection.

At the intersection of NYS Route 207/Little Britain Road and Wisner Avenue, which is currently a three-way stop intersection, the addition of Stop Bars could be installed to improve the safety conditions at this intersection. There is significant open space within this intersection due to the width and limited pavement markings which can cause some confusion for drivers. This intersection had the highest accident rate of any of the Study locations.

Converting the Eastbound and Westbound approaches to a free movement instead of a stop movement was considered, however that would cause the southbound approach delays to increase. The installation of a traffic signal was also considered here but the delays occurring under the three-way stop scenario are not significant enough to require a change. It is noted that the intersection meets the peak hour signal warrant for the existing PM condition. Because of the limited right-of-way as well as the location of the existing buildings, it would be difficult to install a roundabout.

The Site Driveway will be constructed with an exclusive eastbound left-turn lane on NYS Route 207/Little Britain Road. There will also be an emergency-only access along NYS Route 207/Little Britain Road.

Mitigation for Environmental Impacts

The Applicant will install 20 Electric Vehicle (EV) charging stations to help mitigate environmental impact from the increased vehicles in the area.

3.7 UTILITIES

3.7.1 EXISTING CONDITIONS

Water Supply

The Project Site is located in the Town of Newburgh Consolidated Water District No. 1. Most developed areas in Town are served by this municipal water system. According to information provided in the Annual Water Quality Report for the reporting year 2022, the Consolidated Water District utilizes two sources of water. Chadwick Lake Filter Plant is supplied by the Chadwick Lake Reservoir and has the capacity to treat 3.2 million gallons of water per day (MGD). The Delaware Aqueduct Filter Plant's supply is taken from the New York City Department of Environmental Protection's (DEP) Delaware Aqueduct, which is comprised of four large reservoirs in the Catskill region. Raw water from the Aqueduct station 5A tap, located near the Town of Marlborough, is filtered and chlorinated by the Town of Newburgh in a water filter plant located on the Aqueduct tap. The total water treatment capacity from the Delaware Aqueduct is 6.0 MGD. Combined, these sources can safely yield approximately 9.2 MGD.

The water system serves around 23,300 customers through 6,763 service connections. The total amount of water produced in 2022 was 953 million gallons. The average daily water treated and pumped into the distribution system was 2.8 MGD. The Town's water peak flow is 5.0 MGD on a hot summer day. Based on the current peak demand level of 5.0 MGD, approximately 1.30 MGD is available for future uses.

The 2022 billing rate was $20 for the first 7,500 gallons, $4.66 per 1,000 gallons for the next 10,000 gallons, $5.36 per 1,000 gallons for the next 82,500 gallons, and $6.36 per 1,000 gallons thereafter. The minimum quarterly bill was $20.

During 2022, the Chadwick Lake Filter Plant was offline for construction of an additional holding tank in preparation for an extended shutdown of the Delaware Aqueduct planned for October 2024 for the DEP to perform routine maintenance of essential equipment at the Delaware Aqueduct Filter Plant's intake point. The maintenance requires the source water to be off for approximately an eight-month window but does not inhibit the daily water production.

There are Town water mains in Little Britain Road approximately 900 west of the Site, in Pat Road to the west of the Site, and a private dead-end line in the Stony Brook Condominiums to the north. Additionally, the City of Newburgh operates two water mains

that traverse the Site through an existing 20-foot-wide utility easement that runs parallel to NYS Route 207. The depths of these mains are both 4-feet below ground level.

Fire flow characteristics based on a field test performed on May 9, 2023 by representatives from Engineering & Surveying Properties, PC and the town water department at a hydrant located near 488 Little Britain Road on the north side of the road, indicate that normal operating static pressure at the hydrant was 81 psi, at an approximate hydrant elevation of 273 feet, with a residual pressure of 48 psi, at a flow of 1,000 gpm.

Sanitary Sewers

The Project Site is located adjacent to, but not within the Crossroads Sewer District. Other than an assumed subsurface disposal system for the demolished residence on the Site, there are no known on-site wastewater disposal facilities. The existing system will be abandoned.

The nearest municipal sewer main, operated by the City of Newburgh, is located within NYS Route 207/Little Britain Road near the southeasterly corner of the Site. This existing sanitary sewer line extends in an easterly direction into the City of Newburgh to a manhole at the intersection of Route 207 and Corwin Court. Additionally, the City of Newburgh has a sewer main that traverses the Site through an existing 20-foot-wide utility easement that runs parallel to NYS Route 207 at a depth of 4 feet. The nearest municipal sewer main operated by the Town of Newburgh is located within Unity Place 4,400-feet west of the Site.

Based on information in the Town's 2005 Comprehensive Plan Update, the Town provides sewer service to approximately 3,200 customers in ten separate sewer districts. In the early 1980's, the Town entered into an intermunicipal agreement with the City of Newburgh to treat two million gallons per day (MGD) of wastewater at the City of Newburgh Wastewater Treatment Facility. The agreement provided the Town access to the City's wastewater treatment system and a 2.0 MGD addition to the City sewer plant was constructed, expanding the system capacity from 2.0 to 4.0 MGD. Under the current sewer agreement between the Town and City of Newburgh, the Town is permitted capacity of 3.8 MGD of the treatment facility's capacity. The current Town sewage flow to the City is 1.4 MGD in dry periods and 2.0 MGD in wet periods, leaving an available capacity for future uses in the Town of 1.80 MGD.

The Crossroads Sewer District conveys sewerage to the City of Newburgh wastewater collection and treatment facilities. The City's sewage treatment plant is

located at 2 Renwick Street, Newburgh, New York. The wastewater treatment facility operates under NYSDEC Permit #NY0026310 and discharges treated effluent to the Hudson River.

Utility Systems

As the land is currently vacant, there is no existing electric, gas or cable services on the Site. The Project is located in the Central Hudson franchise area for gas and electric service. According to the Central Hudson website[4] there is existing natural gas service proximate to the Site. Overhead electrical lines and located adjacent to the Site along the north side of Little Britain Road. According to the Central Hudson website, they serve approximately 310,000 customers in eight counties.

The Project is located within the Spectrum franchise area for cable and internet services. Existing lines are located adjacent to the Site along the north side of Little Britain Road. According to both the Verizon and AT&T wireless network maps, the Project is within their 5G coverage areas. Heating oil distribution services are provided by a variety of local oil companies.

3.7.2 POTENTIAL IMPACTS

Water Supply

As outlined in Table 3.7.2, the project will require an average of 52,452 gallons of water per day.

Table 3.7.2 – Estimated Water Demand

Type of Use	# of Units	Demand Rate (gpd)	Average Daily Demand (gpd)
Apartments			
1-bedroom	110 units	110	12,100
2-bedroom	148 units	220	32,560
Clubhouse			
Lounge & Multi-Purpose Room	86 seats	10	860
Office	2 Employees	15	30
Fitness Center	12 Stations	50	600
Swimming Pool	150 Swimmers	10	1,500
Dog Wash	1 Station	500	500
20% Reduction for water saving fixtures			-698
Landscaping Irrigation	1 Lump Sum	7,500	5,000
		Total Demand:	**52,452**

[4] https://www.cenhud.com/en/my-energy/simply-better/natural-gas-finder/

Water for the Project will be provided by the Town of Newburgh. Water will be supplied to all proposed buildings through newly installed private water lines on the Project Site constructed by the Project Sponsor. To provide water to the development, the Applicant proposes to install an 8-inch diameter public watermain extension, approximately 1,300 linear feet in length, within the Little Britain Road/NYS Route 207 right-of-way from an existing hydrant located on Little Britain Road approximately 900 feet west of the Project Site to the proposed western roadway entrance. The public water main extension will be reviewed and approved by the Orange County Department of Health. Appendix I-2 contains the Engineering Report for the Water Main Extension.

The Applicant will also install approximately 5.842 feet of 8" diameter class 52 cement lined ductile iron pipe to serve the Project Site, which will connect the new water main extension. The proposed on-site water distribution system will begin at a connection point adjacent to the Project's western entrance road and continue throughout the site following the internal roadways. A use and occupancy permit from the NYSDOT will be required for the service connection portion of the private water system. Figure 3.7A shows the existing and proposed water mains that will supply water to the Site. Upon completion and inspection by the Town of Newburgh Water Department, the new water conveyance system will be owned and maintained by Project Sponsor.

Building codes mandate automatic fire protection for apartment buildings, therefore all of the multi-family residential structures will have sprinkler systems and Fire Department Connections (FDC). In addition, fire hydrants will be located throughout the Site. Based on NFPA guidelines, the Needed Fire Flow (NFF) water demand for the on-site hydrants is calculated to be 750 gpm. The municipal water system connection will readily provide adequate pressure and volume of water for fire-fighting purposes. There are no anticipated impacts that would require upgrades to the Town's water supply infrastructure.

Sanitary Sewers

The project will increase the need for sanitary sewage treatment by an average of 47,452 gallons per day and a peak hourly flow of 132 gallons per minute. The Applicant proposes to construct approximately 3,726 linear feet of 8" diameter gravity sewer main, 489 linear feet of 6" diameter sewer services, 75 linear feet of 4" diameter sewer services,

and 23 sewer manholes to serve the Project. Appendix I-3 contains the Engineering Report for a Sewer Main Extension.

Sewer service for the Project will be provided by the Town of Newburgh. Sewage produced on-site will be collected in a proposed series of gravity sewer mains that flow into a pump station located on the eastern side of the Site. The sewage will then be pumped through a proposed sewage forcemain to a Town of Newburgh sewer manhole located on Unity Place and ultimately flow to the City of Newburgh Wastewater Treatment Plant via existing sewer mains. The proposed sewage collection system, pump station and on-site forcemain will be owned and maintained by the Project Sponsor. A use and occupancy permit from the NYSDOT will be required for the service connection portion of the private sewer system.

A public sewer forcemain extension, approximately 4,725 linear feet in length, will be installed by the Applicant within the Little Britain Road/NYS Route 207 and Old Little Britain Road rights-of-way from the proposed southwestern corner of the project site to an existing sewer manhole located on Unity Place near its intersection with Old Little Britain Road approximately 3,300 feet to the west. There are no anticipated impacts that would require upgrades to the Town's sewer system infrastructure. The public sewer main extension will be reviewed and approved by the NYSDEC. Figure 3.7B shows the existing and proposed sewer mains that will serve the Site.

Since the Project is not within the Crossroads Sewer District, the Project Sponsor will apply to the Town of Newburgh to become an outside-of-district sewer user.

Drainage Facilities

The proposed project will require grading of the existing topography, as well as construction of impervious surfaces that will somewhat alter existing drainage patterns and increase the potential amount of runoff from the Site. A series of swales, catch basins, storm pipes, stormwater ponds and infiltration basins will be constructed in conjunction with the Project. The quantity of runoff from the Project has been estimated and tabulated in Section 3.2.2. Stormwater runoff will exit the Site from three different locations. The greatest amount of runoff from the Site will leave from the eastern boundary of the Project and flow toward Harrison Pond, which is a man-made pond on the Quassaic Creek, approximately 110 feet to the northeast. The least amount of runoff will flow north towards the Stony Brook Condominiums and ultimately into the Quassaic Creek. Runoff from the Site also exits through an existing drainage culvert under Little

Britain Road in the southwestern corner of the property and ultimately flows into the Quassaic Creek via a tributary that flows through Crystal Lake. There are no anticipated impacts that would require upgrades to the Town's drainage infrastructure.

Gas and Electric Services

The project will increase the demand for electricity and gas for building and site lighting, appliances, HVAC systems, and pool. Using the summary of annual household site consumption and expenditures in the Northeast—totals and intensities from 2020 data from the US Energy Information Administration[5], energy consumption for the Site is estimated to be 36.2 million Btu annually per household for a total of 9,340 million Btu annually. Electrical and gas service will be provided through Central Hudson in underground conduits.

Solid Waste Removal

The project will increase the production of solid waste. It is estimated that the 555 residents of the Project will produce 34.46 tons of solid waste per month based on a generation rate of 4.14 pounds per person per day. Garbage and recycling removal services will be provided by private haulers, and it is anticipated that there will be one or two pick-ups per week. Ensuring that trash is disposed of in a proper manner and that recyclable materials are processed and managed appropriately will be the responsibility of the contracted waste management company. All collected trash will be stored in screened and covered enclosures to control odor and limit its visibility. As waste from the site will be regularly collected, odor is not anticipated to be an issue.

The amount of solid waste that can be expected to be generated during construction of the Project from packaging or waste materials associated with construction materials brought to the site, is estimated to be approximately 720 tons based on a multi-family construction multiplier of 4.0 pounds/square foot provided by the EPA (Building-Related Construction and Demolition Material Amounts, 2003[6]).

[5] https://www.eia.gov/consumption/residential/data/2020/c&e/pdf/ce1.2.pdf

[6] https://www.epa.gov/sites/default/files/2017-09/documents/estimating2003buildingrelatedcanddmaterialsamounts.pdf

3.7.3 MITIGATION MEASURES

Water Supply

Although the use of water to supply the Project is considered to be an irreversible commitment of resources, no unavoidable adverse impacts are anticipated to groundwater resources. In an effort to reduce water demand and conserve as much water as possible, several mitigation measures will be integrated into the Project's construction.

All buildings will have water saving fixtures that reduce the amount of water utilized. All washrooms will be fitted with dual stage water closets with a maximum of 1.0 and 1.6 gallons per flush where state building code allows flows of up to 2.2 gallons per flush. Showers will be equipped with shower heads that only utilize 1.75 gallons per minute where state building code limits flows to 2.5 gallons per minute. Sink faucets will be limited to 1.0 gallon per minute where state building code limits flow to 2.2 gallons per minute. Energy-efficient washing machines for both laundry and dishes will be installed. The maintenance and operation of the pool will follow industry best management practices to reduce water evaporation and consumption.

In addition, the landscaping design incorporates native and drought tolerant plants and sustainable materials that require less water for survival. If irrigation systems are utilized, they will be low-volume or drip systems, which provide water to plants at their root zones. This approach not only preserves water resources, but also promotes healthier plants.

Furthermore, to prevent leaks and provide adequate health and safety measures, the system will contain all new mains which will be tested for leakage and will have hydrants and valves spaced appropriately. The water mains will be designed and constructed in accordance with the requirements of the Town of Goshen and the NYSDOH. Water meters will be installed at each building and will be monitored monthly to allow for early identification of water leaks within the water system.

Sanitary Sewers

The generation of sewage by the Proposed Action is an unavoidable adverse impact. The City of Newburgh WWTP has adequate capacity accommodate the additional sanitary sewer demand. However, the use of the water conservation devices and methods discussed above will reduce effluent flow to the wastewater treatment plant.

If the Project connects to the City of Newburgh water system, as discussed in Alternatives Section 4.4, the capacity of the City's sewer conveyance system will be evaluated, including the siphon within NYS Route 207/Little Britain Road at the Quassaick Creek crossing, and mitigation such as infrastructure upgrades will be proposed as needed.

Drainage Facilities

No adverse impacts are anticipated to drainage facilities. The proposed stormwater management network will capture and direct stormwater runoff to proposed stormwater facilities, which are designed to mitigate any increase in stormwater runoff quantity and pollution loading before discharging from the site. The Stormwater Pollution Prevention Plan outlines operation and maintenance procedures to keep the facilities functioning as designed. Two of the proposed stormwater facilities are designed as Infiltration Basins, which will reduce increases in stormwater runoff volumes from proposed impervious surfaces and promote groundwater recharge. In addition, the green stormwater practice of soil restoration of disturbed areas is incorporated into the Project Site design to effectively treat water quality and infiltrate runoff into the ground to the maximum extent possible.

Gas and Electric Services

Although the use of energy to supply the Project is considered an irreversible commitment of resources, no adverse impacts are anticipated to energy resources. Energy efficient appliances will be utilized to help reduce electric demand. In addition, buildings will contain insulated windows and walls to reduce the loss of heat in the winter and cool air in the summer months, which will decrease the amount of electricity needed to heat and cool the dwellings.

Solid Waste Removal

Solid waste production is an unavoidable adverse environmental impact of all new development. Recycling will reduce the amount of solid waste produced on-site that is disposed of in a landfill. Recycling receptacles for glass, aluminum, plastic, and paper will be encouraged to separate those items from other trash.

3.8 LAND USE & ZONING

3.8.1 EXISTING CONDITIONS

Land Use

There are no current land uses on the Project Site with the exception of four billboard signs adjacent to NYS Route 207. There is an existing 20-foot-wide utility easement through the southeastern portion of the Site that contains the City of Newburgh water lines. There are also remains of a former farmhouse and structures on the property.

Within one-half (1/2) mile of the Project Site, the existing land uses vary. Land use patterns in the vicinity of the project site are mixed, with predominantly residential uses located to the north and west, and a mix of commercial, residential, industrial, and institutional uses located to the south and east. The Stony Brook Condominium complex with two-to-three-story multiple family buildings abuts the northern site boundary. Pat Road, to the western Site, generally contains two-story single-family homes on lot sizes of one-half acre or less. Several residences that have access on Route 207 abut portions of the southeastern Site boundaries. Near the east of the site facing Route 207 is a commercial/warehouse building and sloping land leading to Harrison Pond, with a textile manufacturing plant and the School District's Chestnut Administrative Building with parking lot and field located north of the pond.

Route 207 is a major east-west thoroughfare in the Town and City of Newburgh. Across from the Project Site facing Route 207 are commercial uses including a business park containing a medical laboratory (MRI Lab), the one-story Corwin Court Professional Building, a new three-story office building, and a one-story credit union office building. Further to the east and across from the Project Site is a one-story plumbing/heating establishment. The commercial/warehouse building abutting the site to the east houses light industrial tenants including food distribution and electronics-related light industrial establishments. The Laborers' International Union Local 17 Training Academy is housed on a large parcel on the south side of Route 207 across from the southern portion of the project site. Several residential uses facing Route 207 across from the Project Site include an older wood frame residence with associated outbuildings (413 Little Britain Road) that is separated from Route 207 by a landscaped buffer.

Further from the Site to the west, the City of Newburgh Washington Lake Water Filtration Plant and the Kingdom Hall of Jehovah's Witnesses are located on NYS Route 207. Sloping, vacant land extends to the south of the business and residential uses

fronting Route 207, including several ponds that are located at the foot of Snake Hill. Land uses to the east intensify in the vicinity of Route 9W. Further east of the Project Site and the abutting light industrial uses are a mix of small businesses and residences on Route 207, including Lockwood Tavern.

North of the Site, NYS Route 17K provides access between the City of Newburgh to the east and Interstate Routes 87 and 84 to the west. The area in the vicinity of Route 207 contains several commercial services including banking, salon, deli and dry cleaner establishments. Further to the west the businesses along this commercial corridor transition to auto-related uses including car sales, larger commercial uses such as flooring and carpet sales establishments, and several big box retail uses.

Side streets intersecting with NYS Route 17K contain single family residential development. Wood frame homes in the area of McDowell Place have consistent setbacks and front porches that provide a distinct community character. Older housing facing Locust Street and the mix of industrial uses adjacent to Harrison Pond provide a historic mixed-use character associated with early industry and the growth of the City of Newburgh. Figure 3.8A depicts the existing land uses within one-half mile of the Project Site.

Zoning

The municipal boundary between the Town of Newburgh and the City of Newburgh runs north to south through the eastern portion of the Site. The site is comprised of six tax parcels, four located in the Town of Newburgh and two in the City of Newburgh. The Town parcels are identified by Section-Block-Lot as tax map numbers 97-1-32.1, 32.2, 32.3 & 40.1 and 41-1-2 & 3. The Town of Newburgh portion of the Site is within the R-3 Residential Zoning District and the Professional Office and Airport overlays. Permitted uses in the R-3 zone include single-family residential uses. Uses subject to Site Plan review by the Planning Board include the following:

1. Multiple dwellings: 3- or 4-family, 1-family attached, Garden-style dwellings
2. Conversion of existing dwellings for multifamily use
3. Cluster developments
4. Affordable housing
5. Membership clubs providing outdoor recreational and nonrecreational facilities

6. Places of worship parish houses, seminaries, convents, dormitories and related activities
7. Nursery schools for preschool children
8. Schools for general education, including colleges, with related facilities
9. Hospitals and nursing homes for general medical care
10. Substance abuse rehabilitation home
11. Community residence for the disabled
12. Funeral homes
13. Cemeteries
14. Public utility structures and rights-of-way
15. Senior citizen housing
16. 2-family dwellings, not to exceed 2 dwelling units per lots

The required minimum lot size in the R-3 zone for Multiple dwellings in accordance with §185-25 is 4 acres. Zoning Code §185-25 provides requirements for development of multiple dwellings and townhouses, as permitted in the R-3 zone. The entire site occupied by a multiple-dwelling or a townhouse development and related accessory structures must be maintained in single or group ownership or common control throughout the life of the development. The maximum number of dwelling units that may be approved in a townhouse or multiple-dwelling development other than a cluster development shall be computed by multiplying the usable area of the site, in acres, by the appropriate maximum number of dwelling units per acre for the district in which the site is located. Site Plans must indicate adequate design and management of open space areas according to all of the criteria contained in Article IX of the Town Code (Site Plan Review) with special attention to provision of recreation areas; protection and enhancement of site resources including landforms, soils, water bodies and natural vegetation; and protection or enhancement of scenic quality. In addition, the following design criteria are applicable to multiple-dwellings and townhouse residential development:

1. Access facilities shall be adequate for the estimated traffic to and from the site to assure the public safety and to avoid traffic congestion in the surrounding neighborhood.
2. Vehicular entrances and exits shall be clearly visible from the street and shall be at least 150 feet from the center line of any street intersection. At the intersection of such entrances and exits with the main street, sight

distances along the main street shall be sufficient to provide a clear line of sight in each direction equal to the distance traveled in 10 seconds at the posted speed limit.

3. The distance between the rear of a principal building and any other principal building shall not be less than 75 feet nor less than twice the height of the taller building.
4. The distance between the side of a principal building and the side of any other principal building shall be not less than the height of the taller of the two buildings.
5. The site shall be served by public sewer and water facilities which shall be approved by all agencies having jurisdiction.
6. Any parking or garage area, service or drying yard or active recreation area shall be screened so as to adequately protect the view of neighboring properties as well as to assure an attractive environment within the site.
7. There shall be provided on any townhouse or multiple-dwelling site common open space at the rate of 700 square feet per dwelling unit. Utilizing the latest edition of the New Practitioners Guide to Fiscal Impact Analysis, published by the Center For Urban Policy Research of Rutgers University, Exhibit 17, Regional and National Demographic Multipliers for Common Configurations of Standard Housing Types for Preschool Children, or other demographic data acceptable to the Planning Board, there shall be provided usable open space for the outdoor play of younger children at the rate of 100 square feet per one preschool-aged child (or fraction thereof) projected as being generated by the proposed housing type(s) according to the proposed number of bedrooms per unit. Such outdoor play area for children shall not be less than 25 feet in its least dimension and shall be reserved and maintained by the owner or homeowners' association and shall be suitably fenced or screened. Such outdoor play area for children may be counted as part of the required usable open space per dwelling unit.
8. In any townhouse or multiple-dwelling development, front, rear and side yards shall be established for each block bounded by streets.
9. A rear or side yard between any townhouse or multiple-dwelling site and the adjacent single-family use and two-family use on any properties in any

residential districts shall have a minimum width or depth in accordance with the following table which supersedes the Table of Use and Bulk Requirements.

Average total length of buildings facing residential zone boundary of less than 75 ft. and single story height	50 feet
Average total length of buildings facing residential zone boundary of 76 to 125 ft. or two story height	55 feet
Average total length of buildings facing residential zone boundary of 126 ft. or height above two stories on any side	60 feet

10. All buffer strips and screening shall be in accordance with the standards and requirements contained in § 185-21; except for property lines abutting multiple dwelling or townhouse use properties in residential zones, the buffer strip shall be at least 50 feet in depth, of which a maximum of 20 feet may be used for parking, and the 30 feet closest to the property line shall contain plantings, either existing or proposed, sufficient to screen the townhouse or multiple-dwelling site from adjacent uses. No off-street parking areas or spaces shall be located within 30 feet of any such side or rear lot line abutting multiple dwelling or townhouse use properties in residential zones. No off-street parking areas or spaces shall be located in any overall parcel's required front yard.

The Professional Office Overlay District is an overlay of various residential areas which are considered to be areas in transition from residential to commercial use. Residential uses are to be allowed and encouraged while office uses which have limited impact on residential uses and areas are encouraged. This is particularly true for areas along certain major roads. Within the Airport Overlay all structures and appurtenances shall remain below the height limitations shown on the Zoning Map. Any intrusion into such airspaces will require approval by the FAA before a permit or approval can be issued by the Town.

The City of Newburgh portion of the Site is within the Residential Low-Density (RL) Zoning District and the Neighborhood Commercial Overlay (NCO). The RL zone is characterized by detached, single-family dwellings per lot, with allowances for two- and three-family dwellings and other housing types, facilities and services that meet the needs

of the community and residents, provided they are at a scale and density compatible with the landscape character in the zone. The NCO is defined in § 300-47 with the purpose of recognizing the existing development pattern within the area of the City along the gateways to the City and westernmost portion of Broadway; and to allow multiple uses within buildings and within lots in order to promote market-driven uses and redevelopment within targeted areas of the City, as identified in the Future Land Use Plan.

There are several other zoning districts in the Towns of Newburgh and New Windsor and the City of Newburgh within one-half (1/2) mile of the Project Site as shown on Figure 3.8B. In the Town of Newburgh land to the west of the parcel adjacent to the Project Site is zoned R-2 Residential. In the R-2 zone the same uses are permitted as R-3 zone, and generally the same used are allowed subject to site plan review, with the exception that multiple dwellings and senior housing. The land to the northwest of the parcel adjacent to the Project Site is zoned IB Interchange Business. The IB zone permits a range of residential, commercial and warehouse distribution uses. The land to the north of the parcel adjacent to the Project Site is zoned B Business. The B zone permits a range of residential and commercial uses.

In the City of Newburgh there are four zoning districts within one-half (1/2) mile of the Project Site in addition to the RL zone. To the north is the R1 district, to the south is the Conservation Development District, to the east is the RH zone and in all directions is the Commercial District. The Town of New Windsor lies just south of the Project Site and contains three zoning districts within one-half (1/2) mile of the Project Site, the Planned Industrial (PI), Suburban Residential (R-4) and Watershed Overlay District.

Town of Newburgh Comprehensive Plan

The Town of Newburgh Comprehensive Plan dated October 2005 identifies a series of implementation recommendations focusing on three distinct areas of concern: Infrastructure and Utilities; Traffic and Transportation; and Planning and Zoning. The plan recommends the study of zoning regulations related to steep slope regulations; screening buffers; viewshed and ridgeline protection; subdivision requirements related to sidewalks, streetlights, street trees and treatment of planting strips; conversion of single-family homes to multiple family homes; clustering requirements; maximum number of homes per subdivision road; water and sewer district expansion; accessory uses; affordable housing; and, impact fees.

City of Newburgh Comprehensive Plan

In 2008, the City of Newburgh completed a Comprehensive Sustainable Master Plan to describe and define the current state of the City and set targets, goals and strategies to define the City as it grows in the 21st Century. With the participation of local stakeholder groups and public input, the Plan entitled “Plan-It Newburgh” created targets intended to be achieved before 2040. The Plan intends to preserve what the community values, and change what the community dislikes, while encouraging agreement on common objectives and coordinated implementation efforts. Plan-It Newburgh was focused around seven topic areas in order to present a framework of sustainability for the City. These include:

1. Social Well-Being
2. Governance
3. Housing
4. Natural Environment
5. Economic Development
6. Transportation
7. Municipal Services

The Plan calls for the preparation of a future land use plan and a comprehensive revision of the zoning code. The City completed the future land use plan as an addendum to Plan-It Newburgh in 2011, and in 2015, the City updated its zoning code. In 2018 the City published a Vision Plan to define the goals of the community in order to launch the comprehensive planning process that the City of Newburgh will undertake in the coming years. The Vision Plan is organized around the seven themes of the 2008 Comprehensive Plan, with the addition of Land Use and Zoning.

New York State Fire Code

The New York State Fire Code promulgates requirements for fire access to residential projects. Section 503 of the Code requires 26-foot-wide roads "in the immediate vicinity" (within 150 feet, or 300 feet if sprinklered) of all buildings over 30 feet in height (except 1- and 2-family dwellings) and 10 feet on either side of a hydrant. The Code provisions apply to private internal roads as well as roads to be dedicated, if they are necessary for fire equipment access. Certain sections of internal roadways could be narrower where they are not considered (by the code enforcement official) as "fire

apparatus access roads". The local code enforcement official has discretion to determine the appropriate fire access in a project before a building permit is issued.

Significant Trees

As required in Chapter 172 of the Town of Newburgh Code entitled "Tree Preservation and Protection" significant and specimen trees within the areas of the proposed development have been identified and mapped. A survey of trees on-site was conducted by Sawtooth Lands and Forestry by Forester Kelly Nywening in October 2023. In total, 130 specimen trees were tagged and catalogued, and a list of all the trees is included in Appendix D. A total of ten (10) sample plots were analyzed for the 47.95-acre Site, distributed as evenly as feasible throughout the Site with no overlaps. The total area of the sample plots was 5.07 acres. There were 17 different tree species identified on-site between the specimen trees and trees located within the sample plots.

Interpolation factors were determined for the disturbance area and the total Site area based upon the area of the sample plots. The interpolation factor for the Site was calculated by dividing the total Site area by the total size of the sample plots and likewise for the disturbance area. The interpolation factors for the total trees on-site is 47.95 / 5.07 = 9.46 and the disturbance area factor is 27.32 / 5.07 = 5.39. Table 3.8.1 details the disturbance of the trees on-site.

TABLE 3.8.1 – Tree Preservation and Disturbance

Tree Classification (Total Number of Trees)	Total DBH Within Sample Plots	Interpolation Factor (Site/Disturbance)	Total DBH (Inches) On Site	Disturbance Threshold	Total DBH (Inches) Disturbed
Specimen (130)	~~3715.2~~N/A	~~N/A~~All Specimen Trees were located	~~1,787.60~~3,715.20	1,857.6 (50%)	351.54
Significant (68)	1320.1	9.46 / 5.39	12,488.15	6,244.08 (50%)	7,115.34
~~Specimen (130)~~	~~3715.2~~	~~N/A~~	~~1,787.60~~	~~1,857.6 (50%)~~	~~351.54~~
Protected (1)	15.1	9.46 / 5.39	142.85	107.14 (75%)	81.39

3.8.2 POTENTIAL IMPACTS

Land Use

The primary land use impact due to the Proposed Action will be the replacement of predominantly vacant land with a residential development consisting of 258 multi-family dwellings. In conformance with the Town Code, the proposed residential unit density is six dwelling units per acre. Since all of the residential buildings will be located within the

Town of Newburgh, Table 3.8.2 provides the permitted density calculation for the portion of the project in the Town of Newburgh.

TABLE 3.8.2 – Permitted Density Calculation		
Parcel	**SF**	**Acre**
97-1-32.1	551,016	12.65
97-1-32.2	149,411	3.43
97-1-32.3	88,960	2.04
97-1-40.1	1,234,498	28.34
41-1-2	3,329	0.08
41-1-3	61,466	1.41
Subtotal	***2,088,680***	***47.95***
Lot Area Deductions	**SF**	**Acre**
Area Within City of Newburgh	64,795	1.49
Utility & Street ROW	22,126	0.51
Land Under Water	32,096	0.74
Floodplains	0	0
Steep Slopes	93,986	2.16
Total Deductions	***213,003***	***4.89***
Buildable Area	**1,875,677**	**43.06**
Units Permitted = 6 per Acre		**258 units**

A network of streets is proposed within the project. The main entrance from NYS Route 207 serving the development will be located on the western side of the Project. A emergency access drive is also proposed from NYS Route 207 near the eastern site boundary.

The proposed layout and building types have been designed to be compatible with surrounding land use patterns. Existing vegetation along NYS Route 207 and in the vicinity of residential areas to the north and west are expected to provide visual buffers to maintain the character of offsite areas. Other proposed measures to maintain the surrounding neighborhood character include use of pitched roof architecture of traditional design that is expected to be compatible with the residential architecture in the Newburgh area.

The proposed project will provide a transitionary use between the predominantly commercial and office development on the south side of NYS Route 207 and the single-family residential neighborhoods to the west, and to the north, where the site abuts multi-family condominium housing. The proposed housing will continue the pattern of low scale multi-family residential use that has been established adjacent to the north in the Stony Brook Condominium complex.

As described further in Section 3.4 - Aesthetic Resources, landscaping has been designed to preserve and enhance community character. Proposed tree plantings will create an attractive neighborhood setting. The removal of natural tree cover along the NYS Route 207 frontage will only occur in areas necessary to construct the entrances and grade the front of the site for the proposed stormwater ponds. Existing vegetation will be replaced by new plantings and lawn areas.

Zoning

The proposed project has been designed in conformance with regulations of the R-3 District in which it is located with the exception of building height and minimum distances between some of the proposed buildings, for which variances have been granted for each of the individual buildings involved. The proposed project also conforms to the requirements of the Professional Office Overlay and Airport Overlay Districts in which it is located. Professional Office Overlay allows mixed residential and office uses: the project proposal includes only residential use. Airport Overlay allows maximum heights between 641' and 741', to which the project proposal complies.

Table 3.8.2 indicates the compliance of the Proposed Project with the dimensional requirements of the Town of Newburgh Zoning Code for multifamily residential use in the R-3 zone with public water and sewer services. The Project complies with the required density for multiple dwellings, lot area, lot width, lot depth, yard requirements, building height, lot and building coverage.

TABLE 3.8.2 – R-3 Zoning District Bulk Requirements		
Multiple Dwellings per § 185-25		
Bulk Requirement	**Required**	**Provided**
Minimum Lot Area	4.0 acre	46.46 acres[3]
Minimum Lot Width	150 feet	1,644 feet
Minimum Lot Depth	150 feet	1,599 feet
Minimum Front Yard	50 feet[4]	127 feet
Minimum Rear Yard	50 feet	50 feet
Minimum 1 Side Yard	30 feet*	42 feet
Minimum Both Side Yards	30 feet*	212 feet
Habitable Floor Area Per Dwelling Unit	efficiency 450 SF 1-bedroom 600 SF 2-bedroom 800 SF 3-bedroom 900 SF	N/A 807 SF 1,254 SF N/A
Maximum Dwelling Units Per Useable Acre[1]	6.0[2]	5.55
Maximum Lot Building Coverage	35%	9.98%[3]
Maximum Building Height	35 feet	>35 feet
Maximum Lot Surface Coverage	60%	21.6%[5]

[1] Usable area excludes portions of site covered by water bodies, protected wetlands, 100-year floodplains, areas subject to tidal inundation, rights-of-way of existing public or private roads, and utility easements that would prevent use or development of underlying land.

[2] Maximum density must show compliance with §185-25(B)(2) regarding open space areas.

[3] Land area in the Town of Newburgh.

[4] Additional yard requirement per §185-18C(4)(b): Front yard abutting a state highway shall be at least 60 feet in depth, or 50 feet where the majority of existing, neighboring buildings within 300 feet are less than 60 feet.

[5] Based on land area in the Town of Newburgh

City of Newburgh land that is part of the Project Site will be subject to zoning and subdivision regulations of the City of Newburgh. No development is proposed on this land as part of the Proposed Project. Following project completion, this portion of the project site will conform with all applicable setback and other zoning regulations of the City of Newburgh.

Consistency with Other Land Development Regulations

Town of Newburgh Comprehensive Plan

The Project is consistent with the Town of Newburgh Comprehensive Plan Update policy to address the need for medium density housing in a location that is accessible to major transportation routes of the region. The proposed layout of Britain Woods is consistent with recommendations of the Comprehensive Plan that seek to have new construction avoid environmentally sensitive lands to the extent possible. The proposed pitched roof architecture and scale of the proposed buildings, and landscaped buffers are

expected to preserve the character of the surrounding residential areas, consistent with recommendations of the Comprehensive Plan.

Town of Newburgh Natural Resources Inventory

The Town of Newburgh does not currently have a publicly available Natural Resources Inventory.

Town of Newburgh Tree Preservation Law

Chapter 172 of the Town of Newburgh Code entitled Tree Preservation and Protection states:

"A. If the amount of significant tree or protected tree inches to be removed or disturbed exceeds the specified thresholds in § 172-4, the owner or applicant shall provide a reforestation plan, or a calculation of restitution, or a combination thereof. The reforestation plan shall comply with the restitution schedule set forth in Table 1. Tree selection for the reforestation plan shall be of varieties which create a diversified canopy of both deciduous and coniferous species. Trees under power and other overhead utility lines shall be of varieties which at mature height will not encroach on a ten-foot clearance space for the lines.

B. If a proposed development exceeds the allowable removal/disturbance threshold specified in § 172-4B or 172-4C, as applicable, the owner or developer shall, at the owner's or developer's election, either:

(1) Reforest appropriate areas within the site (or, upon approval of the authorized official, outside the site if appropriate locations within the site are not available) in accordance with the approved reforestation plan; or

(2) Pay restitution in accordance with the provisions hereof; or

(3) Provide a combination thereof.

(4) For each one tree inch diameter that is removed or disturbed beyond the threshold, owner or applicant shall replant 1.25 inches of new trees or provide the Town with $5 per inch of new tree diameter that would otherwise be required to be planted at the location for tree restitution at other locations. Notwithstanding the foregoing, for each one tree inch diameter of a tree that is described in § 172-4D, applicant shall replant two inches of new trees of the same type and species or provide the Town with $8 per two inches of new tree diameter that would otherwise

be required to be planted for tree restitution at other locations. Payment for restitution shall be made to the Town in cash prior to the signing of plans or the issuance of the permit, as the case may be. The replanting ratios may be increased by the Town Board upon recommendation of the Planning Board for properties in reservoir watersheds.

C. Any elective payment for tree restitution shall be placed in a designated tree restoration fund of the Town established by the Town Board and shall be used for reforestation projects in the Town."

The Proposed Action will result in the disturbance of 351.54 DBH inches of Specimen trees where 1,857.6 DBH inches are permitted by Chapter 172. In addition, the disturbance of 7,115.34 DBH inches of Significant trees is proposed where 6,244.08 DBH inches are permitted and the disturbance of 81.39 DBH inches of Protected trees is proposed where 107.14 DBH inches are permitted. The number of Significant trees proposed to be disturbed is greater than the permitted disturbance threshold. Although the Proposed Action includes a Landscaping Plan, the total DBH of trees proposed to be replanted is less than the total required DBH of replanted trees.

The calculated tree disturbance is greater than the Disturbance Threshold by 871.26 inches (7,115.34 – 6,244.08 = 871.26 inches). As a result, the Applicant is required to replant 1,089.08 Total DBH inches of trees (871.26 inches x 1.25 = 1089.08 inches). In accordance with 172-6.B, the proposed Landscaping Plan, which serves as the reforestation plan, includes 771 DBH of new trees (257 trees x 3-inch DBH average) to replace the trees proposed to be removed in the disturbance area in an amount beyond the Disturbance Threshold. The remaining restitution amount payable to the Town would be $1,590 (1,089.08 – 771 = 318 DBH X $5 = $1,590). With the planting of the 257 trees proposed in the landscaping plan and the payment of the $1,590 restitution fee, the Proposed Action complies with the Town of Newburgh Tree Preservation and Protection Law.

City of Newburgh Comprehensive Plan

Only 1.49 acres of the 47.95-acre Project Site are in the City of Newburgh and subject to the City's zoning regulations. Furthermore, there are no buildings proposed

within the City of Newburgh. The only improvements within City limits are 330 linear feet of the eastern roadway entrance and associated drainage and stormwater infrastructure.

City of Newburgh Natural Resources Inventory

In 2022, the City of Newburgh's Conservation Advisory Council was awarded a $50,000 grant from NYSDEC to create a Natural Resources Inventory (NRI), which will help identify and document areas within the City that need protection, including water resources, habitats, view sheds, wildlife, and natural areas crucial for climate resilience. In March 2023 the City issued a Request For Proposal (RFP) for consultant services to prepare a natural resources inventory.

The Quassaick Creek Estuary Preserve and Trail Project Biodiversity Survey and Natural Resources Inventory and Assessment Final Report by J. G. Barbour, Ecological Consultant, dated October 1, 2004, and revised December 7, 2004, describes eight segments of the Quassaick Creek from the Hudson River to North of Algonquin Park. When describing Segment 5 of the Creek, from Muchattoes Lake to NYS Rt. 17K, the report states "[n]orthwest and upstream from Muchattoes Lake there is only a very thin margin of vegetated stream corridor, most of it severely disturbed".

All proposed development will be at least 110 feet from the Quassaick Creek and its network of ponds/lakes.

Orange County Comprehensive Plan

The Proposed Action is consistent with the Land Use Plan and recommendations of the Orange County Comprehensive Plan. The County Plan recommends that future growth be directed to those areas that are urbanized and/or that have access to infrastructure. The Plan indicates that the Project Site falls within such an area as it is adjacent to the City of Newburgh where central water, sewer, and higher capacity roads exist, or could be efficiently extended to accommodate future growth. According to the County Plan, higher density residential development such as that proposed is preferred in the Growth Areas. NYS Route 207 is also designated as a Mixed-Use Corridor in the County Plan, which states that these corridors have the potential for an additional mix of development as well as in-fill development. The design of the Proposed Project with pitched roofs and architectural style of the proposed buildings, ample setbacks, preserved vegetation around the perimeter of the Site, and proposed landscaping are expected to ensure that Britain Woods will be consistent with County Plan recommendations for new

development, which call for attention to quality of design in order to address road access, corridor transportation capacity, and roadside appearance as well as in avoiding conflict with current land uses.

3.8.3 MITIGATION MEASURES

As described above, measures to ensure the compatibility of the Proposed Action with adjacent and nearby land uses have been incorporated into the proposed plans, including building design elements, front and side setbacks that are greater than the minimum required, preservation of existing vegetation around the perimeter of the Site, and proposed landscaping. No significant land use or zoning impacts are anticipated. The project is also consistent with the comprehensive plans of the Town, City and County, and no impacts on public policy are anticipated. No further mitigation measures are proposed.

3.9 SOCIO-ECONOMIC & FISCAL

3.9.1 EXISTING CONDITIONS

Demographics

According to the 2020 U.S. Census Quick Facts, the Town of Newburgh had a population of 31,985 people. The population density was 738 people per square mile. By comparison, the average population density throughout Orange County was 494 people per square mile. The Town of Newburgh's residential population is concentrated in the southeast portion of the Town. The proposed Project is situated in the southeastern portion of the Town and adjoins the Town/City of Newburgh boundary. According to US Census data, the population of the Town of Newburgh grew by 7.33% during the 2010 to 2020 period from 29,801 to 31,985. During the same timeframe, Orange County population grew by 7.6%. In 2022, the Town's population was estimated to be 31,791, a 0.6% decrease from 2020. During the same period, Orange County population increased 1.2%.

In 2020, the Town of Newburgh had 11,745 total Households. Approximately 3,502 or 29.8% of all households had children under the age of 18 years. In addition, 3,835 or 32.7% of all households had an individual residing therein that was 65 years of age or more. Approximately 9,202 or 78.4% of all households resided in owner-occupied housing units. Approximately 2,543 or 21.6% were renter occupied households.

In 2020 the number of households in the Town of Newburgh had increased by 9.1%, from 10,762 households in 2010. Despite this increase in number of households, the population density between 2010 and 2020 only grew 5.6%. This reflects the national trend toward smaller household sizes. Average household sizes in the Town are similar to County averages, but higher than the overall New York State average. Table 3.9.1A summarizes these differences for the most recent data from 2017-2021.

Table 3.9.1A – 2017-2021 Household Data

Area	*Persons Per Household*	*Owner-Occupied (%)*
Town of Newburgh	2.81	82.2
Orange County	2.92	68.9
New York State	2.60	54.4

Source: 2020 U.S. Census Quick Facts

Tax Revenue

The 2023 Orange County budget is $897,616,169. The local share which will be raised through property and sales tax is $518,290,391. The property tax rate is $2.73 per thousand dollars of full value and will raise $124,536,148. County sales tax will generate $393,754,243.

The 2023 Town of Newburgh budget is $33,885,925. The local share which is raised through property tax is $16,621,236. The property tax rate is $15.56 per thousand dollars of assessed value.

The 2023 Good Will Fire District budget is $703,405 all of which is raised through property taxes. The property tax rate is $6.04 per thousand dollars of assessed value.

The 2022-23 Newburgh Enlarged Central School District budget is $304,950,018. The local share which is raised through property tax is $110,864,396. The property tax rate is $17.63 per thousand dollars of full value.

Currently, the Project Site requires limited municipal services. The existing taxing jurisdictions include Orange County, Town of Newburgh, City of Newburgh, Newburgh Ambulance, Good Will Fire District, and the Newburgh Enlarged City School District. According to the 2022-2023 tax bills, the property generates just under $65,000 for the taxing jurisdictions based on an assessed property value of $661,300. The current breakdown of tax revenue for each jurisdiction is listed in Table 3.9.1B.

Table 3.9.1B – 2022-2023 Tax Revenue			
Taxing Jurisdiction	*Tax Rate per $1,000 of Assessed Value*	*Assessed Value*	*Total Property Tax Revenue per Year*
Town of Newburgh			
Orange County	11.091700	$541,000	$6,001
Town of Newburgh General Fund	10.913400	$541,000	$5,9041
Town of Newburgh Highway Fund	4.642300	$541,000	$2,5111
Newburgh Ambulance	0.407100	$541,000	$2201
Good Will Fire District	6.037000	$541,000	$3,2661
Consolidated Light	0.476500	$541,000	$258
Consolidated Water #1	1.460300	$541,000	$790
Newburgh Enlarged School District	71.391298	$541,000	$38,623
Newburgh Free Library	3.589386	$541,000	$1,942
Town of Newburgh Subtotal			$59,515
City of Newburgh			
Orange County	2.734000	$120,300	$329
City of Newburgh	21.475381	$120,300	$2,583
Newburgh Enlarged City School District	17.633519	$120,300	$2,121
Newburgh Free Library	0.886572	$120,300	$107
City of Newburgh Subtotal			$5,140
Total Project		$661,300	$64,655
Source: https://propertydata.orangecountygov.com/index.aspx			

3.9.2 POTENTIAL IMPACTS

Demographics

The total Town population and number of public school-age children are expected to increase as a result of the Proposed Action. Estimates were derived using common demographic multipliers to determine how much growth is anticipated in the community and the school district as a result of construction of the proposed project. Demographic multipliers published by the Rutgers University Center for Urban Policy Research (CUPR), indicate there would be 1.66 persons in the one-bedroom apartments and 2.51 persons in the two-bedroom apartments. As shown in Table 3.9.2A, based on a total of 258 residential units consisting of 110 one-bedroom units and 148 two-bedroom units, the population generated by the proposed Project is estimated to be 555 people with 43 being school-aged children.

Table 3.9.2A – Projected Population & School-Aged Children					
	# of 1-Bedroom Units	**1-Bedroom Multiplier**	**# of 2-Bedroom Units**	**2-Bedroom Multiplier**	**Estimate**
Population	110	1.66	148	2.51	554.08
School-Aged Children		0.08		0.23	42.84

Tax Revenue

All of the proposed structures constructed as part of the development will be located within the Town of Newburgh. Therefore, the assessed value of the lands in the Town of Newburgh will increase from $541,000 to $8,154,602 based on the income approach, which is determined from the Net Operating Income (NOI) divided by a capitalization rate of 9.5%. The assessed value of the lands in the City of Newburgh will remain the same since no structures will be built within the City limits.

Once constructed, the Proposed Action will require additional municipal services from the following taxing jurisdictions: Orange County, Town of Newburgh, Newburgh Ambulance, Good Will Fire District, and the Newburgh Enlarged City School District. The additional demand for services will be offset by the increased tax revenue generated by the Proposed Action. It is estimated that the property will generate $902,220 for the taxing jurisdictions based on a total assessed property value of $8,274,902, which is an increase of $837,565 over existing tax revenues. The projected breakdown of tax revenue for each jurisdiction is tabulated in Table 3.9.2B.

Table 3.9.2B – Projected Tax Revenue			
Taxing Jurisdiction	*Tax Rate per $1,000 of Assessed Value*	*Assessed Value*	*Total Property Tax Revenue per Year*
Town of Newburgh			
Orange County	11.091700	$8,154,602	$90,448
Town of Newburgh General Fund	10.913400	$8,154,602	$88,994
Town of Newburgh Highway Fund	4.642300	$8,154,602	$37,856
Newburgh Ambulance	0.407100	$8,154,602	$3,320
Good Will Fire District	6.037000	$8,154,602	$49,229
Consolidated Light	0.476500	$8,154,602	$3,886
Consolidated Water #1	1.460300	$8,154,602	$11,908
Newburgh Enlarged School District	71.391298	$8,154,602	$582,168
Newburgh Free Library	3.589386	$8,154,602	$29,270
Town of Newburgh Subtotal			$897,079
City of Newburgh			
Orange County	2.734000	$120,300	$329
City of Newburgh	21.475381	$120,300	$2,583
Newburgh Enlarged City School District	17.633519	$120,300	$2,121
Newburgh Free Library	0.886572	$120,300	$107
City of Newburgh Subtotal			$5,140
Total Project		$661,300	$902,220
Source: https://propertydata.orangecountygov.com/index.aspx			

School District

The Newburgh Enlarged City School District consists of seven K-5 elementary schools, two K-8 schools, two middle schools (grades 6-8), and one high school (grades 9-12 over 3 campuses). The School District allows parents to select the elementary school they wish their child to attend, based upon the academic theme of each school. Therefore, the projected 43 students will be dispersed among as many as 12 different schools. The Project will be constructed over several years and the student population is expected to gradually increase during that period. Therefore, based upon the dispersion of the projected 43 students throughout the School District, over a multiple year period, it is not anticipated that the proposed Project will have an adverse effect on the School District.

Economic Impact due to Loss of Open Space

When open space is converted to development, it can lead to increased demand for infrastructure such as roads, sewers, and schools. This can put a strain on local budgets and lead to higher taxes.

Studies have shown parcels that are proximity to open space can have an increased property value. When open space is lost, property values can decline, which can in turn hurt local economies by reducing tax revenue and making it more difficult to attract businesses and residents.

Open space provides a number of environmental benefits, such as clean air and water, flood control, and wildlife habitat. When open space is lost, these benefits are lost as well, which can damage the environment and lead to higher costs for businesses and individuals.

3.9.3 MITIGATION MEASURES

There are no adverse impacts related to the increased population anticipated. As discussed in section 3.10 Community Services, the Newburgh Enlarged City School District has capacity to accommodate the increase in student population. The provision of rental housing offers an alternative price point to single family housing and acts as mitigation to rising home costs in the region. Therefore, no further mitigation is proposed.

3.10 COMMUNITY SERVICES

3.10.1 EXISTING CONDITIONS

Police

Both the Town of Newburgh Police Department and City of Newburgh Police Department provide police service to their respective portions of the Project Site. The Town of Newburgh Police department is located at 300 Gardnertown Road, approximately 4 miles north of the Project Site. It is estimated that typical response times would be approximately eight minutes, depending on the location of the nearest patrol car, time of day and number of calls for service. A letter was sent to the Town of Newburgh Chief of Police dated June 13, 2023, requesting information about the Police Department, but to date has remained unanswered.

According to the Town's website[7], the Department employs 60 sworn officers and a civilian staff of 32, for a total of 92, who serve a population of approximately 31,791 people based on the 2022 US Census estimates. The current ratio of police personnel to population is one per 346 residents, or 2.89 police personnel per 1,000 residents. Planning standards for police personnel published in the Urban Land Institute's (ULI) Development Impact Assessment Handbook is 2.0 police personnel per 1,000 population. The current level of staffing in the Town of Newburgh is above the recommended standard.

The City of Newburgh Police department is located at 55 Broadway, approximately 2.5 miles east of the Project Site. It is estimated that typical response times would be approximately five minutes. A letter was sent to the City of Newburgh Chief of Police dated June 13, 2023, requesting information about the Department, but to date has not been answered.

According to the City's website[8], the Department's five-year average calls for service is 30,233 per year, with 34,205 calls received in 2022. There are 71 sworn officers and 17 non-sworn staff, for a total of 88, who serve a population of approximately 28,501 people based on the 2022 US Census estimates. The ratio of police personnel to population is one per 324 residents, or 3.09 police personnel per 1,000 residents. The current level of staffing in the City of Newburgh is above the ULI recommended staffing level.

[7] https://www.townofnewburgh.org/cn/webpage.cfm?tpid=4908
[8] https://www.cityofnewburgh-ny.gov/197/Police

Fire

Both the Good Will Fire District in the Town of Newburgh and the City of Newburgh Fire Department provide fire protection and basic medical services to their respective portions of the Project Site. The Good Will Fire District has one fire station located at 1 South Plank Road, approximately 1.5 miles north of the Project Site. The Good Will Fire District services the southeast corner of the Town of Newburgh. The following information was provided by Fire Chief Tom Van Zandt, in a letter dated June 27, 2023, which is included in Appendix I1. Typical response times depend on the time of day since the Fire Department is a 100% volunteer organization. Chief Van Zandt estimates response times would be approximately seven to ten minutes during a weekday and five to eight minutes on a weeknight or weekend. The Department responds to 190-240 calls for service per year. There are 30 active volunteer firefighters and no paid members in the Department. Equipment in service includes two Engine Trucks (1998 Pierce Saber 1500 psi Waterous Pump 1000 gallons & 2012 Sutphen 2000 psi Waterous Pump 1000 gallons), a Heavy Rescue Truck (2006 Supervac 300 psi Waterous Pump 330 gallons), two Fire Police Vehicles (2013 Chevy Tahoe & 2009 Ford F-350) and two Command Vehicles (2023 Chevy Tahoe & 2019 Chevy Tahoe). The Chief also states that "due to limitations of our current budget, we currently have no planned or anticipated department staff or facility expansion, or equipment procurement plans".

The Good Will Fire District serves a population of approximately 4,200 people based on the 2020 US Census. The ratio of fire department personnel to population is one per 140 residents, or 7.14 fire department personnel per 1,000 residents. Planning standards for fire personnel published in the Urban Land Institute's (ULI) Development Impact Assessment Handbook is 1.65 fire personnel per 1,000 population. The current level of staffing in the Good Will Fire District is above the recommended standard.

The City of Newburgh Fire Department is located at 22 Grand Street, approximately 2.5 miles east of the Project Site. The following information was provided by Fire Chief Francis Spinelli in a letter dated June 20, 2023, which is included in Appendix I1. Typical response times would be approximately three minutes if personnel are in quarters. Over the last four years the Department has responded to 2,731 to 3,174 calls for service per year. There are 53 paid firefighters in the Department. Equipment currently in service includes one Engine, one Truck, and three Chief Officer vehicles.

Reserve apparatus includes two Engines and one Truck. The Chief also indicated that there are no plans for additional equipment, or facility and apparatus replacement.

The City of Newburgh Fire Department serves a population of 28,501 people based on the 2022 US Census estimates. The ratio of fire department personnel to population is one per 538 residents, or 1.86 fire department personnel per 1,000 residents. Planning standards for fire personnel published in the Urban Land Institute's (ULI) Development Impact Assessment Handbook is 1.65 fire personnel per 1,000 population. The current level of staffing in the City of Newburgh is above the recommended standard.

Furthermore, mutual aid fire protection service is provided from neighboring fire districts based on Orange County protocol contingent upon the location of the call, type of call for service, and the geographic proximity of the fire department providing mutual aid response.

Ambulance

The Town of Newburgh Emergency medical Services (TONEMS) is located at 97 South Plank Road, approximately 2.5 miles north of the Project Site. The following information was provided in an email from TONEMS Executive Director, Chris Napolitano dated June 22, 2023, which is included in Appendix I1. Typical response times are expected to be four minutes when responding with lights and sirens. The Department responded to 3,626 calls for service in 2021 and 4,096 calls in 2022. There are 26 career EMTs, 13 volunteer EMTs and about 30 other members of the organization members. Equipment in service includes three ambulances and one fly car (Chevy Tahoe). The Chief also states that "TONEMS has increased staffing, equipment, training and programs in correlation with the demands of our community. We anticipate a continued growth in call volume. Currently we are exploring an additional ambulance and / or an additional fly car (possibly EV) to add to our fleet. TONEMS is also considering adding four Zoll AutoPulse Resuscitation devices".

The TONEMS serves a population of approximately 31,791 people based on the 2022 US Census estimates. ULI Handbook Planning standards indicate that approximately 36.5 calls for emergency medical service per 1,000 general population are made annually. Based on the current population in the Town of Newburgh approximately 1,160 calls for service would be expected per year, which is well below the number of actual calls received.

Schools

The Project Site is served by the Newburgh Enlarged City School District (NECSD). The School District serves most of the southern half of the Town, with one PreK School, nine Elementary Schools, two Middle Schools and one High School located in the Town. NECSD draws students from both the Town and the City of Newburgh and also has schools in the Town of New Windsor. The School District's elementary and middle schools are all magnet schools, where the student population is derived based upon specific interests rather than geographical location. The most recent available enrollment figures from NECSD as published by the New York State Education Department are listed in Table 3.10.1.

Table 3.10.1 – School Enrollment Data

School	Location	Grades	2020-21 Enrollment	2021-22 Enrollment
Newburgh Pre-Kindergarten Center	300 Gidney Avenue, Newburgh	PreK	N/A	N/A
Balmville Elementary School	5144 Rte. 9W, Newburgh	K-5	354	325
Fostertown School	364 Fostertown Road, Newburgh	K-5	624	593
Gardnertown Leadership Academy	6 Plattekill Turnpike, Newburgh	K-5	559	550
Gidney Avenue Memorial School	300 Gidney Avenue, Newburgh	K-5	600	598
Horizons-on-the-Hudson Magnet School	137 Montgomery Street, Newburgh	K-5	394	376
Meadow Hill Global Explorations Magnet School	124 Meadow Hill Road, Newburgh	K-8	988	1,025
New Windsor School	175 Quassaick Avenue, New Windsor	K-5	417	398
Temple Hill Academy	525 Union Avenue, New Windsor	K-8	943	978
Vails Gate STEAM Academy	400 Old Forge Hill Road, New Windsor	K-8	514	510
Heritage Middle School	405 Union Avenue, New Windsor	6-8	908	865
South Middle School	33-63 Monument Street, Newburgh	6-8	902	846
Newburgh Free Academy	201 Fullerton Avenue, Newburgh	9-12	3,431	3,380
Total Enrollment			10,634	10,444

Source: https://data.nysed.gov/profile.php?instid=800000040250

The data shows that enrollment decreased in all NECSD schools between the 2020-21 and 2021-22 school year, with the exception of Meadow Hill and New Windsor Schools. Total student enrollment decreased by 190 pupils, or 1.8% over the same

timeframe. During the past twenty years student enrollment has steadily declined from a high of 12,716 in the 2003-04 school year.

An email was sent to the NECSD dated August 11, 2023, and a follow up email on September 12, 2023, requesting information from the School District, but to date has not been answered. A copy of the emails is included in Appendix I1.

Health Care Facilities

There are several hospitals which serve the Town of Newburgh and the surrounding region.

Montefiore St. Luke's Cornwall (MSLC) has two main campuses, with one located in Newburgh approximately 3 miles from the Project Site that provides in-patient care and a second in campus in Cornwall, NY for out-patient care. Additional outpatient sites in Fishkill, NY. MSLC employs 1,500 employees. MSLC operates approximately 242 hospital beds at its Newburgh campus and has numerous service specialties, including a regional center for neonatology and a cardiac catheterization lab. The Cornwall campus provides radiation oncology and infusion services, cardiac and pulmonary rehabilitation, a center for sleep medicine, physical therapy, pain management, palliative care, a balance center, and a speech and swallowing center.

Garnet Health Medical Center (GHMC) is located in Middletown, NY, approximately 22 miles from the project site. GHMC is the first new hospital built in New York State in over 20 years and provides 383 beds. GHMC employs over 2,400 healthcare professionals, with more than 600 doctors having privileges at the hospital. In addition to the main hospital, GHMC also provides several outpatient services, including diagnostic imaging and laboratory services.

Ellenville Regional Hospital (ERH) is located in Ellenville, NY, approximately 32 miles from the project site. ERH has 250 beds and offers Cardiology, Cardiac Rehabilitation, Gastroenterology, Hospice, Orthopedics, Oncology and Emergency Services. Crystal Run Healthcare is a multispecialty group practice with over 400 providers in over 40 medical specialties and more than 30 practice locations in the Hudson Valley and lower Catskill region. There is a facility located on Union Avenue, approximately 2 miles from the project site.

Recreational Facilities

There are two recreational facilities in the Town of Newburgh, the Alice Desmond Center for Community Enrichment and Chadwick Lake Park. The Desmond Center is

located on a 25-acre parcel on Albany Post Road and provides arts classes, film screenings, health & wellness programs, foreign language instruction, explore & expand educational programs, meet the author and speakers' series. Chadwick Lake Park is located off Route 300 and consists of 425 acres. Park amenities include a playground, natural playground, lighted basketball court, bocci courts, multi-purpose field, fishing, roller rink, wildflower garden, four-mile walking trail, amphitheater, gazebo, boat rentals, and pavilion rentals.

Additional County owned park facilities are available at Algonquin Park and Cronomer Hill Park. Algonquin Park is located on Powder Mill Road and Route 52, is 27 acres in size and includes picnic areas and passive recreation facilities. Cronomer Hill Park is located off Gardnertown and Powder Mill Road, is 5 acres in size and includes Lighted Multi-Purpose Fields, Soccer Field, six Lighted Tennis Courts, Playground, Dog Park, Comfort Stations, Benches, Observation Tower, Trails and Parking.

Planning standards set forth by the National Parks and Recreation Association (NPRA) suggest that 5 to 8 acres per 1,000 residents is a reasonable goal to meet recreation needs. Based upon a population of 31,985 people, the Town should have approximately 160 to 256 acres available for recreation. The combined parkland in Chadwick Lake Park, Algonquin Park and Cronomer Hill Park exceeds the NPRA Planning standards.

Garbage Collection & Recycling

There is no municipal garbage collection or recycling services provided in the Town of Newburgh. Home and business owners' contract for this service privately on an individual basis.

3.10.2 POTENTIAL IMPACTS

Police

It is anticipated that the proposed Project would add approximately 555 residents to the Town of Newburgh's current population of 31,791 people. Using the planning standard identified by the Urban Land Institute (ULI) of 2.0 police personnel per 1,000 people, the Project will create demand for 1.1 police personnel. With the Project, the ratio of current police personnel (92) to future population (32,346) will be 1 to 352 residents, or 2.84 police personnel per 1,000 residents. Therefore, the current police department level of staffing in the Town of Newburgh is above the recommended standard and no adverse impact from the Project is expected.

No additional residents will be added to the City of Newburgh.

Fire

The Project's 555 residents will create demand for 0.92 fire personnel, using the planning standard identified by ULI of 1.65 fire personnel per 1,000 population. Using the planning standard identified by the Urban Land Institute (ULI) of 1.65 fire personnel per 1,000 people, the Project will create demand for 0.92 fire fighters. With the Project, the ratio of current fire personnel (30) to future population (4,755) will be 1 to 158 residents, or 6.31 fire personnel per 1,000 residents. Therefore, the current number of fire fighters in the Good Will Fire District is above the recommended standard and no adverse impact from the Project is expected.

No additional residents will be added to the City of Newburgh.

Ambulance

Using the planning standard identified by ULI of 36.5 calls for emergency medical service per 1,000 general population annually, the Project's 555 residents will increase EMS calls on average by 20 calls annually. This equates to a 0.49% increase over the 4,096 calls received in 2022, which is an insignificant impact.

No additional residents will be added to the City of Newburgh.

Schools

The number of public school-age children is expected to increase as a result of the Proposed Action. Common demographic multipliers were used to determine how much growth is anticipated in the school district as a result of the Proposed Action. Demographic multipliers published by the Rutgers University Center for Urban Policy Research (CUPR), indicate there would be 0.08 public school-age children per one-bedroom apartment and 0.23 public school-age children per two-bedroom apartment. Table 3.9.2A indicates that based on a total of 258 residential units, consisting of 110 one-bedroom units and 148 two-bedroom units, the public school-age children generated by the proposed Project is estimated to be 43 children. Since NECSD enrollment decreased between the 2020-21 and 2021-22 school years by 190 pupils, no adverse impact from the Project is expected.

Health Care Facilities

Based on planning standards contained in the ULI Handbook, 4.0 hospital beds should be provided per 1,000 persons. Based on this standard, Project's 555 projected

residents have the potential to increase the need for beds in hospitals serving the Orange County area by just over 2 beds. Since there are 875 existing hospital beds within a 30-mile radius of the Project, this is not considered a significant impact.

Recreation

Based on planning standards set forth by the National Parks and Recreation Association of 5 to 8 acres of parkland per 1,000 people, the increased population resulting from the Project of 555 people would increase the parkland requirement between 3 and 5 acres. When combined with the 160 to 256 acres of parkland the Town should already have in order to meet this recommendation for its current population, the Town should have between 163 and 261 acres of parkland. The Town of Newburgh currently operates a park and recreational center to serve the recreational needs of its residents totaling 450 acres. No adverse impact from the Project is expected.

Garbage Collection & Recycling

The project will increase the production of solid waste. According to the New York State Solid Waste Management Plan dated February 2023, Orange County residents produce 4.14 pounds of municipal solid waste per day. Based on this rate, it is estimated that the 555 residents of the Proposed Action will produce 1.15 tons of solid waste per day. Garbage and recycling removal services will be provided by a private hauler, and it is anticipated that there will be one to two pick-ups per week. Solid waste will be transported to the Orange County Transfer Station #2 located on Orr Ave in Newburgh and to private recycling facilities. Ensuring that trash is disposed of in a proper manner and that recyclable materials are processed and managed appropriately will be the responsibility of the contracted waste management company.

All collected trash will be stored in screened and covered enclosures to control odor and limit its visibility. As waste from the site will be regularly collected, odor is not anticipated to be an issue. No adverse impact from the Project is expected.

3.10.3 MITIGATION MEASURES

Police

Although no significant impact is identified on police protection services, if the Town determines that additional police staffing is necessary, the tax revenue generated by the Proposed Action provides sufficient revenue to address this need. As shown in Table 3.9.2B of the Socio-Economic section 3.9, the anticipated tax revenue to the Town of Newburgh general fund is anticipated to be $88,994. Based upon a review of the 2023

Town of Newburgh Budget, the average salary for a police department employee is approximately $84,700. The projected tax revenue increase would be sufficient to cover the expense of additional police staffing resulting from the proposed Project.

No further mitigation measures relating to police protection services are proposed.

Fire

No mitigation measures relating to fire protection services are proposed.

Ambulance

No mitigation measures relating to emergency medical services are proposed.

Schools

Although no significant impact is identified on the school district, the tax revenue generated by the Proposed Action will support the additional students generated by the Proposed Action. As shown in Table 3.9.2B of the Socio-Economic section 3.9, the anticipated tax revenue to NECSD is anticipated to be $584,289. No further mitigation measures relating to schools are proposed.

Health Care Facilities

No mitigation measures relating to health care facilities are proposed.

Recreation

Although no significant impact is identified regarding recreation, the Proposed Action proposes to construct on-site recreational facilities and amenities to serve its residents and their guests. A clubhouse will be built adjacent to the main entrance road in the western portion of the Site. Outdoor clubhouse amenities include a children's playground, pool and sundeck, restrooms, dog wash, two tennis courts, and four pickleball courts. Indoor amenities include an exercise room, lounge area with a TV and fireplace, small kitchen, multi-purpose room, two offices and restrooms. Sidewalks and walking paths are also proposed throughout the development.

Garbage Collection & Recycling

The Project Sponsor will contract with a garbage removal and recycling service for the entire community, thus minimizing the number of garbage trucks entering and exiting the development. Trash receptacles will be stored in enclosed and covered areas and have appropriate screening. Fees to cover trash removal service would be paid for as part of the apartment rental fees.

4 ALTERNATIVES

4.1 NO ACTION

The No Action Alternative is the scenario that would occur if no development were to take place on the Project Site. This is effectively an open space preservation alternative. The site would remain in its current state with undeveloped vacant land. As such, none of the impacts from the Proposed Action would occur and none of the project benefits would be realized.

The environmental benefits of the No Action Alternative include no disturbance to the site, including no soil disturbance, tree clearing, or grading. No traffic would by generated by the Project. Community service requirements would remain as they currently exist. The parcels would continue to generate taxes based on the current assessed value and pay approximately $64,655 (based on 2022-2023 tax rates) and the local taxing jurisdictions would not receive an estimated $837,565 in increased taxes projected to be generated by the Project. Furthermore, the Applicant would not invest capital to construct the proposed development and infrastructure improvements, which consequently would not be distributed into the local economy both directly and indirectly.

4.2 TWO POINTS OF ACCESS

In the “Two Points of Access” layout the Project would be designed so that the western roadway entrance functions as the primary point of access to the development. The eastern roadway through the City of Newburgh would also serve as a full-service access. The “Two Points of Access” alternative would increase the overall disturbance of the Project by 0.35 acres and add 0.47 acres of impervious surface. With the addition of a second full-service entrance, a turn left-turn lane servicing both the access points would be warranted, increasing the off-site disturbance area. All other impacts would remain the same as the Proposed Action.

4.3 ALTERNATIVE STORMWATER DESIGN

An “Alternative Stormwater Design” scenario was considered in which the Project would be designed with no stormwater management facilities located within the City of Newburgh. Based on the existing topography and federal/state/local stormwater regulations, construction of an asphalt (impervious) roadway is not permitted without some sort of stormwater management. The only option then would be to pump the stormwater uphill into a stormwater management facility located in the Town. Pumping

stormwater is not recommended due to potential mechanical and power interruptions. In the Alternative Stormwater Design, catch basins, storm pipes and a pump would still be located within the City of Newburgh and would be subject to a stormwater agreement.

4.4 WATER AND SEWER SERVICE ALTERNATIVES

Since the Project Site is located partially within the City of Newburgh, water and sewer services could be provided by the City utilizing existing utility infrastructure in the vicinity of the Site. An existing City water main runs through a utility easement within the Project Site. Rather than installing a 1,300 linear foot water main extension within the Little Britain Road Right-of-way to the nearest existing Town of Newburgh water main, the Applicant could enter into an outside user agreement and connect to the City's water system. This alternative would reduce the off-site disturbance of the Project by approximately 0.30 acres.

A City of Newburgh sewer manhole is located within Little Britain Road adjacent to the Site. Rather than installing 4,725 linear foot public sewer forcemain extension, within the Little Britain Road/NYS Route 207 and Old Little Britain Road rights-of-way, an outside user agreement between the Town and City of Newburgh could be modified to permit a direct connection of the Site to the City's sewer infrastructure. This alternative would reduce the overall disturbance of the Project by approximately 1.08 acres. The capacity of the City's sewer conveyance system would be evaluated, including the siphon within NYS Route 207/Little Britain Road at the Quassaick Creek crossing, and mitigation such as infrastructure upgrades would be proposed as needed if this alternative was undertaken.

Additionally, there is a 12-inch water line that extends to the joint property boundary of Stony Brook Condominiums and Proposed Action at the north side of the Project Site. The Stony Brook Condominiums are supplied by a private water and sewer system that is owned and operated by the Stony Brook Condominiums Home Owners Association (HOA). The Stony Brook Condominiums HOA would need to provide permission to the Applicant for the Project to be able to connect to their existing water or sewer systems.

Table 4.0 – Alternatives Comparison of Impacts						
Area of Concern	**Proposed Action**	**No Action**	**Two Points of Access**	**Alternative Stormwater Design**	**Water Service Alternative**	**Sewer Service Alternative**
Number of Dwelling Units	258	0	258	258	258	258
On-Site Disturbance Area	27.75 Ac	0	28.10 Ac	27.50 Ac	27.75 Ac	27.75 Ac
Off-Site Disturbance Area	1.38 Ac	0	1.56 Ac	1.38 Ac	1.08 Ac	0.30 Ac
Additional Impervious Surface	9.56 Ac	0	10.03 Ac	9.56 Ac	9.56 Ac	9.56 Ac
Wetland Disturbance	0.532 Ac	0	0.532 Ac	0.532 Ac	0.532 Ac	0.532 Ac
Population	555	0	555	555	555	555
School Aged Children	43	0	43	43	43	43
Tax Revenue Increase	$837,565	0	$837,565	$837,565	$837,565	$837,565
Traffic Generation Peak Hour Trips	103 AM 132 PM	0	103 AM 132 PM	103 AM 132 PM	103 AM 132 PM	103 AM 132 PM
Water Demand	52,452 gpd	0	52,452 gpd	52,452 gpd	52,452 gpd	52,452 gpd
Sewer Demand	47,452 gpd	0	47,452 gpd	47,452 gpd	47,452 gpd	47,452 gpd

5 EFFECTS ON THE USE AND CONSERVATION OF ENERGY

The Proposed Action will affect the short- and long-term use of energy by increasing its consumption. In the short-term, during construction, diesel fuel and gasoline will be used to power construction vehicles and equipment, and electricity to power the temporary construction trailer. In the long-term, during operation, the project will increase the demand for electricity and gas for building and site lighting, appliances, HVAC systems, and pool. Using the summary of annual household site consumption and expenditures in the Northeast—totals and intensities from 2020 data from the US Energy Information Administration, energy consumption for the Site is estimated to be 36.2 million Btu annually per household for a total of 9,340 million Btu annually. Electrical and gas service will be provided by Central Hudson in underground conduits.

The Project Architect has indicated that the following sustainable building practices will be considered in the project's design to reduce energy consumption:

1. Building Airtightness
2. Low VOC products
3. Higher quality insulation
4. Better housing air sealing
5. Energy efficient appliances
6. Reuse site material as much as possible
7. Soil retention systems
8. Stormwater pollution prevention
9. Rainwater collection and retention
10. Community gardens
11. Native planting and landscaping
12. Rainwater harvesting

6 SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

The development of the proposed Project will result in some adverse environmental impacts which cannot be avoided. Many of these impacts, however, can be mitigated to some extent as described in detail in the preceding chapters. Some of these impacts will be temporary or short-term impacts associated with the construction phase of the project, while others will be long term impacts associated with occupancy of the project. The summary below includes brief descriptions of the mitigation measures proposed in Section 3.0 to minimize the unavoidable adverse impacts if this project is implemented.

Short Term Impacts

1. Presence of construction and delivery vehicles on the Site and on surrounding roads - The heaviest volume of construction traffic is expected to occur at the beginning of the construction period as tree clearing and rough grading is conducted, and when paving and building materials are transported to the site. Based upon engineering estimates, the proposed improvements will result in the cut of approximately 150,780 cubic yards of soil and the fill of approximately 146,487 cubic yards of earthen material during construction. Based on this estimation, cut volumes exceed fill volumes by approximately 4,293 cubic yards equating to 172 semi-trailer dump truck trips at 25 cubic yards per truck to haul away excess material from the Site. Site construction activities will comply with State, Town and City of Newburgh ordinances that relate to operations on a construction site.
2. Potential loss of soil to erosion - Erosion and sedimentation will be controlled during the construction period by temporary devices in accordance with a soil Erosion and Sediment Control Plan developed specifically for the project. Erosion and Sediment Control Measures and site stabilization will be implemented per the SWPPP and Erosion Control plans.

Long Term Impacts

1. Permanent alteration of the existing topography in areas of construction - While the area of disturbance includes 27.75 acres of the Project Site, this area encompasses land that has previously been disturbed for past uses. Secondary effects of changes in topography, such as erosion and increased rainfall runoff, will be controlled and mitigated through implementation of the engineered design plans

in strict accordance with both State and Town stormwater management requirements.

2. Permanent loss of wetland area - A small portion of Wetland “B” will be filled to construct the Project, permanently reducing the total area of wetlands on-site by 0.53 Ac acres (from 1.33 to 0.80 acres) by the disturbance of a 23,168 square foot area within the isolated, non-jurisdictional wetland areas.
3. Increase in local traffic - The project is expected to generate approximately 103 vehicular trips in the weekday AM peak hour, and 132 vehicular trips in the weekday PM peak hour. This represents the net increase in existing peak hour traffic on the local area network since the site is presently unoccupied. All studied intersections are projected to continue to operate at the same levels of service as in the No Build Conditions, with the exception of NYS Route 207(Little Britain Road) & Wisner Avenue intersection. Recommendations for mitigating off-site traffic conditions are presented in the Traffic section of this document.
4. Increase demand for community services - The new population projected to reside in this Project will increase the demand for police, fire protection, emergency medical services, school, community services, water supply, sewage disposal and solid waste disposal. Additional revenues provided via property taxes from the developed Project to the Town would offset the costs of the potential increase in Town services resulting from this project.

7 IRREVERSABLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Land

As a result of grading and construction activities, the project will modify 27.75 acres of the existing topography and soils on the Site. Approximately 4,293 cubic yards of soil will be removed from the Site and replaced with impervious surfaces.

Surface Water

The Proposed Action will result in an increased use of surface water for domestic water. Water will be supplied from the existing Town reservoir and DEP surface water system.

Vegetation & Habitat

As a result of the Proposed Action, 27.75 acres of the site's natural vegetation and habitat will be disturbed. After construction, 9.56 acres will be converted to impervious surface.

Wetlands

As a result of construction of the Project approximately 0.532 Ac acres (23,168 square-feet) of an on-site isolated, non-jurisdictional wetland will be permanently disturbed and filled.

Land Use

The proposed plan will commit the entire Project Site to residential use, for which it is zoned. Once committed to this use, the site would be unavailable for other uses for the foreseeable future.

Materials & Energy

Finite resources would be irretrievably committed by the Proposed Action such as materials and energy required to construct the Project and to maintain its use as a residential development after completion. Construction will involve a commitment of resources such as, concrete, asphalt, steel, lumber, paint products, and other building materials. When completed, the Proposed Action will also result in an increased demand for energy for heating, air conditioning, equipment, and lighting. The operation of construction equipment will result in consumption of fossil fuels and other finite energy sources.

8 GROWTH-INDUCING IMPACTS

The proposed residential development of the Project Site is expected to improve the conditions of the property along an established and developed corridor in the southeastern section of the Town of Newburgh. Introduction of residential use on the Site will be consistent with area land use patterns, which is primarily residential.

The proposed residential development of this Site is consistent with the current Town Comprehensive Plan. This development will induce a certain amount of growth in the local region in support services (such as professional services and home contractors) and commercial establishments that cater to residential populations. Use of Town facilities and services, such as Town parks, Town library, and municipal emergency services would experience a limited growth in demand from the proposed project.

No significant direct or indirect adverse impacts to community facilities, however, are anticipated as a result of this project, nor is growth resulting from increased demand for support services and facilities anticipated to cause adverse effects on the local area.

9 APPENDICES

A Project Application & SEQR Documentation
- A1 Project Application
- A2 Full Environmental Assessment Form
- A3 Lead Agency Notice
- A4 Positive Declaration
- A5 Involved Agency Responses
- A6 Public Scoping Session Notice & Transcript
- A7 DEIS Scoping Document

B RESERVED

C Water Resources
- C1 ACOE Wetland Map & Report
- C2 Stormwater Pollution Prevention Plan (SWPPP)

D Tree Inventory

E Cultural Resources
- E1 Correspondence with SHPO
- E2 Phase 1A & 1B Archaeological Survey
- E3 Supplemental Phase 1B Archaeological Field Reconnaissance Survey

F Traffic Impact Study

H Fiscal Analysis Calculations

I Community Services
- I1 Correspondence with Community Services
- I2 Water Main Extension Engineering Report
- I3 Sewer Main Extension Engineering Report

N

NORTH

LEGEND

LOCATED TREE TO BE REMOVED

LOCATED TREE TO REMAIN

LOCATED TREE WITHIN A SAMPLE PLOT

SAMPLE AREA PLOTS (TYP)

TREE TO BE REMOVED (TYP)

TREE TO REMAIN (TYP)

LIMIT OF DISTURBANCE (TYP)

NYS ROUTE 207
(AKA LITTLE BRITAIN ROAD - PAVED SURFACE)

CORWIN COURT
(PAVED SURFACE)

STRATFORD DRIVE
(GRAVEL SURFACE)

No.	DATE	DESCRIPTION
1	04/23/24	REVISED PER COMMENTS FROM PB

TREE CRITERIA

- PROTECTED: ((CIRCUMFERENCE, HEIGHT, AND SPREAD) EQUAL TO OR GREATER THAN 50% OF THE SIZE IDENTIFIED ON THE NEW YORK BIG TREE CHAMPIONS LIST)
- SPECIMEN: (TRUNK DIAMETER OF 24 INCHES OR LARGER AT DBH)
- SIGNIFICANT: (TRUNK DIAMETER OF 14 INCHES OR LARGER AT DBH)

TREE PLAN NOTES

1. TREE IDENTIFICATION BY KELLY NYWENING, ARBORIST OF SAWTOOTH LANDS AND FORESTRY.
2. TREE LOCATIONS SHOWN ON PLAN WERE LOCATED BY SAWTOOTH LANDS AND FORESTRY ON OCTOBER 15, 2023.
3. AREA INTERPOLATION CALCULATION:
   TOTAL AREA OF SITE: 47.95 ACRES (10 SAMPLE PLOTS REQUIRED)
   TOTAL AREA TO BE DISTURBED: 27.32 ACRES
   TOTAL AREA OF SAMPLE PLOTS: 5.07 ACRES

   INTERPOLATION FACTOR OF TREES ON SITE = 47.95/5.07= **9.46**
   INTERPOLATION FACTOR OF TREES TO BE DISTURBED = 27.32/5.07 = **5.39**

TOWN OF NEWBURGH TREE PRESERVATION AND PROTECTION TABLE

TREE CLASSIFICATION (TOTAL NUMBER OF TREES)	TOTAL DBH WITHIN SAMPLE PLOTS	INTERPOLATION FACTOR (SITE/DISTURBANCE)	TOTAL DBH INCHES ON SITE	DISTURBANCE THRESHOLD	TOTAL DBH INCHES DISTURBED	OVER THRESHOLD	DBH INCHES REPLANTINGS REQUIRED	DBH INCHES PROPOSED FOR REPLANTING	RESTITUTION FEE AFTER REPLANTINGS
SPECIMEN (130)	N/A	ALL SPECIMEN TREES ON SITE HAVE BEEN LOCATED	3715.20	1857.6 (50%)	351.54	NO	0	0	$0.00
SIGNIFICANT (68)	1320.1	9.46 / 5.39	12488.15	6244.08 (50%)	7115.34	YES	1089.08	771	$1,590
PROTECTED (1)	15.1	9.46 / 5.39	142.85	107.14 (75%)	81.39	NO	0	0	$0.00

DRAWING STATUS	ISSUE DATE: 04/23/2024		
THIS SHEET IS PART OF THE PLAN SET ISSUED FOR	SHEET NUMBER		
☐ CONCEPT APPROVAL	N/A	OF	N/A
☐ PLANNING BOARD APPROVAL	N/A	OF	N/A
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☑ OTHER:	1	OF	3
☐ FOR BID / ~~CONSTRUCTION~~	N/A	OF	N/A

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80 0 40 80 160

1 inch = 80 ft.

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TREE PRESERVATION PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	D-100
DATE: 02/28/2024	SCALE: 1" = 80'	
REVISION: 1 - 04/23/2024	TAX LOT: VARIOUS	

SPECIMEN TREES

DESCRIPTION	TAG	SPECIES	DIAMETER	TREE CLASS
1. NM 26.3	1	Norway Maple	26.3	Specimen
2. Sycamore 25.9	2	Sycamore	25.9	Specimen
3. Sycamore 24.5	3	Sycamore	24.5	Specimen
4. Silver Maple 31	4	Silver Maple	31	Specimen
5. Walnut 24.3	5	Black Walnut	24.3	Specimen
6. Catalpa 34.1	6	Catalpa	34.1	Specimen
7. Pin Oak 32.3	7	Pin Oak	32.3	Specimen
8. Walnut 24.6	8	Black Walnut	24.6	Specimen
9. Walnut 30	9	Black Walnut	30	Specimen
10. Walnut 31.6**	10	Black Walnut	31.6	Specimen
11. Catalpa 27.2**	11	Catalpa	27.2	Specimen
12. Red Oak **	12	Red Oak	28.7	Specimen
13. Pin Oak 26	13	Pin Oak	26	Specimen
14. NM 26.2	14	Norway Maple	26.2	Specimen
15. Cottonwood 27.3	15	Cottonwood	27.3	Specimen
16. Cottonwood 33.2	16	Cottonwood	33.2	Specimen
17. Cottonwood 33	17	Cottonwood	33	Specimen
18. Cottonwood 38.1	18	Cottonwood	38.1	Specimen
19. Red maple 24.0	19	Red Maple	24	Specimen
20. Cottonwood 36.1	20	Cottonwood	36.1	Specimen
21. Cottonwood 27.1	21	Cottonwood	27.1	Specimen
22. Tulip 28.9	22	Tulip	28.9	Specimen
23. Black Oak 24.6	23	Black Oak	24.6	Specimen
24. Sycamore 24.9	24	Sycamore	24.9	Specimen
25. Catalpa 25.4	25	Catalpa	25.4	Specimen
26. Walnut 26.3	26	Black Walnut	26.3	Specimen
27. Catalpa 28.4	27	Catalpa	28.4	Specimen
28. Black Cherry 28.4	28	Black Cherry	28.4	Specimen
29. Sycamore 26.2	29	Sycamore	26.2	Specimen
30. Sycamore 27.6	30	Sycamore	27.6	Specimen
31. Sycamore 40.8	31	Sycamore	40.8	Specimen
32. White Oak 29.6	32	White Oak	29.6	Specimen
33. Sycamore 34.6	33	Sycamore	34.6	Specimen
34. White Oak 24.7	34	White Oak	24.7	Specimen
35. NM 26.3	35	Norway Maple	26.3	Specimen
36. NM 26.9	36	Norway Maple	26.9	Specimen
37. White Oak 26.3	37	White Oak	26.3	Specimen
38. Red Oak 31.9	38	Red Oak	31.9	Specimen
39. Walnut 24.7	39	Black Walnut	24.7	Specimen
40. Red Oak 25.5	40	Red oak	25.5	Specimen
41. Tulip 32.1	41	Tulip	32.1	Specimen
42. NM 26.3	42	Norway Maple	26.3	Specimen
43. Red Oak 27.1	43	Red Oak	27.1	Specimen
44. Black Oak 27.9	44	Black Oak	27.9	Specimen
45. Black Oak 30.0	45	Black Oak	30	Specimen
46. NM 25.0	46	Norway Maple	25	Specimen
47. Red maple 25.1	47	Red Maple	25.1	Specimen
48. Black Oak 29.1	48	Black Oak	29.1	Specimen
49. Black Oak 33.9	49	Black Oak	33.9	Specimen
50. NM 24.9	50	Norway Maple	24.9	Specimen
51. Pin Oak 34.1	51	Pin Oak	34.1	Specimen
52. Red Oak 28.1	52	Red Oak	28.1	Specimen
53. Black Oak 36.2	53	Black Oak	36.2	Specimen
54. Black Oak 38.9	54	Black Oak	38.9	Specimen
55. Black Oak 24.2	55	Black Oak	24.2	Specimen
56. Pin Oak 29.9	56	Pin Oak	29.9	Specimen
57. Red Maple 27.7	57	Red Maple	27.7	Specimen
58. Black Oak 24.3	58	Black Oak	24.3	Specimen
59. Red Oak 30.2	59	Red Oak	30.2	Specimen
60. White Oak 32.0	60	White Oak	32	Specimen
61. Black Oak 27.1	61	Black Oak	27.1	Specimen
62. Pin Oak 27.6	62	Pin Oak	27.6	Specimen
63. Red Oak 30.7	63	Red Oak	30.7	Specimen
64. Pin Oak 26.7	64	Pin Oak	26.7	Specimen
65. Black Oak 25.2	65	Black Oak	25.2	Specimen
			1,867.8	SUM

DESCRIPTION	TAG	SPECIES	DIAMETER	TREE CLASS
66. Pin Oak 28.9	66	Pin Oak	28.9	Specimen
67. Black Oak 24.5	67	Black Oak	24.5	Specimen
68. Black Oak 24.0	68	Black Oak	24	Specimen
69. Pin Oak 27.7	69	Pin Oak	27.7	Specimen
70. Pin Oak 24.1	70	Pin Oak	24.1	Specimen
71. Sycamore 26.6	71	Sycamore	26.6	Specimen
72. Walnut 29.2	72	Black Walnut	29.2	Specimen
73. Red Oak 31.6**	73	Red Oak	31.6	Specimen
74. Pin Oak 26.9	74	Pin Oak	26.9	Specimen
75. Basswood 25.1	75	Basswood	25.1	Specimen
76. Pin Oak 32.2	76	Pin Oak	32.2	Specimen
77. Pin Oak 27.0	77	Pin Oak	27	Specimen
78. NM 25.4	78	Norway Maple	25.4	Specimen
79. Red Oak 34.7	79	Red Oak	34.7	Specimen
80. Walnut 27.4	80	Black Walnut	27.4	Specimen
81. Pin Oak 31.0	81	Pin Oak	31	Specimen
82. Pin Oak 27.3	82	Pin Oak	27.3	Specimen
83. Black Oak 39.8	83	Black Oak	39.8	Specimen
84. Black Oak 29.8	84	Black Oak	29.8	Specimen
85. White Oak 25.1	85	White Oak	25.1	Specimen
86. Black Oak 37.5	86	Black Oak	37.5	Specimen
87. Cottonwood 29.4	87	Cottonwood	29.4	Specimen
88. Pin Oak 25.4	88	Pin Oak	25.4	Specimen
89. Black Oak 27.2	89	Black Oak	27.2	Specimen
90. Pin Oak 35.8	90	Pin Oak	35.8	Specimen
91. Tulip 37.7	91	Tulip	37.7	Specimen
92. Tulip 32.7	92	Tulip	32.7	Specimen
93. Black Oak 32.5**	93	Black Oak	32.5	Specimen
94. Red Oak 26.6	94	Red Oak	26.6	Specimen
95. Black Oak 24.3**	95	Black Oak	24.3	Specimen
96. Sycamore 28.5	96	Sycamore	28.5	Specimen
97. Cottonwood 28.8	97	Cottonwood	28.8	Specimen
98. Cottonwood 26.0	98	Cottonwood	26	Specimen
99. Cottonwood 25.2	99	Cottonwood	25.2	Specimen
100. Norway Spruce 35.2	100	Norway Spruce	35.2	Specimen
101. Norway Spruce 31.1	101	Norway Spruce	31.1	Specimen
102. Sugar Maple 24.5	102	Sugar Maple	24.5	Specimen
103. Walnut 28.5	103	Black Walnut	28.5	Specimen
104. Norway Spruce 24.7	104	Norway Spruce	24.7	Specimen
105. Mulberry 25.9	105	Mulberry	25.9	Specimen
106. NM 25.8	106	Norway Maple	25.8	Specimen
107. Silver Maple 31.6	107	Silver Maple	31.6	Specimen
108. Walnut 28.5	108	Black Walnut	28.5	Specimen
109. NM 26.9	109	Norway Maple	26.9	Specimen
110. NM 25.8	110	Norway Maple	25.8	Specimen
111. Black Oak 36.6	111	Black Oak	36.6	Specimen
112. Scarlet Oak 26.7	112	Scarlet Oak	26.7	Specimen
113. Pin Oak 24.5	113	Pin Oak	24.5	Specimen
114. Basswood 26.2	114	Basswood	26.2	Specimen
115. Silver Maple 30.5	115	Silver Maple	30.5	Specimen
116. Sugar Maple 29.7	116	Sugar Maple	29.7	Specimen
117. NM 25.8	117	Norway Maple	25.8	Specimen
118. NM 29.7	118	Norway Maple	29.7	Specimen
119. Pin Oak 25.0	119	Pin Oak	25	Specimen
120. NM 24.5	120	Norway Maple	24.5	Specimen
121. NM 26.5	121	Norway Maple	26.5	Specimen
122. NM 24.5	122	Norway Maple	24.5	Specimen
123. Black Oak 30.9	123	Black Oak	30.9	Specimen
124. NM 24.4	124	Norway Maple	24.4	Specimen
125. NM 27.3	125	Norway Maple	27.3	Specimen
126. Hickory 29.2	126	Hickory	29.2	Specimen
127. Hickory 27.6	127	Hickory	27.6	Specimen
128. NM 24.8	128	Norway Maple	24.8	Specimen
129. Pin Oak 30.8	129	Pin Oak	30.8	Specimen
130. Walnut 27.8	130	Black Walnut	27.8	Specimen
			1,847.4	SUM
			3,715.2	TOTAL SUM

No.	DATE	DESCRIPTION
1	04/23/24	REVISED PER COMMENTS FROM PB

DRAWING STATUS	ISSUE DATE: 04/23/2024	
THIS SHEET IS PART OF THE PLAN SET ISSUED FOR	SHEET NUMBER	
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☐ PLANNING BOARD APPROVAL	N/A	OF N/A
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF N/A
☐ NYSDEC APPROVAL	N/A	OF N/A
☐ NYSDOT APPROVAL	N/A	OF N/A
☑ OTHER: _____	2	OF 3
☐ FOR BID / ~~CONSTRUCTION~~	N/A	OF N/A

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TREE PRESERVATION PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	
DATE:	SCALE:	D-101
02/28/2024	AS NOTED	
REVISION:	TAX LOT:	
1 - 04/23/2024	VARIOUS	

SIGNIFICANT & PROTECTED PLOT TREES

TREE #	SPECIES	DIAMETER	TREE CLASS	NOTES
TR1-01	White Ash	17.0		Dead
TR1-02	Pin Oak	19.3	Significant	
TR1-03	White Ash	14.7		Dead
TR1-04	Apple	15.1	Protected	
TR1-05	Black Cherry	14.7	Significant	
TR1-06	Black Cherry	14.4	Significant	
TR1-07	White Ash	14.2		Dead
TR2-01	Silver Maple	16.4	Significant	
TR2-02	White Ash	14.0		Dead
TR2-03	Silver Maple	19.8	Significant	
TR2-04	Black Oak	14.8	Significant	
TR2-05	Silver Maple	16.8	Significant	
TR2-06	Swamp White Oak	19.9	Significant	
TR2-07	Swamp White Oak	17.9	Significant	
TR2-08	Swamp White Oak	15.4	Significant	
TR2-09	Red Maple	20.2	Significant	
TR2-10	Catalpa	23.0	Significant	
TR2-11	Catalpa	18.8	Significant	
TR2-12	Black Oak	18.5	Significant	
TR2-13	Black Oak	15.1	Significant	
TR3-01	Sycamore	18.4	Significant	
TR3-02	Black Cherry	18.3		Dead
TR3-03	Black Walnut	31.2	Significant	
TR3-04	Catalpa	15.3	Significant	
TR3-05	Catalpa	19.0	Significant	
TR3-06	Black Walnut	23.5	Significant	
TR3-07	Sugar Maple	15.8	Significant	
TR3-08	White Ash	14.1		Dead
TR3-09	Black Cherry	15.7		Dead
TR3-10	Pin Oak	22.9	Significant	
TR3-11	Red Oak	28.7	Significant	
TR3-12	Black Walnut	14.1	Significant	
TR3-13	Catalpa	23.2	Significant	
TR3-14	Catalpa	21.6	Significant	
TR3-15	Black Cherry	20.3	Significant	
TR3-16	Catalpa	27.2	Significant	
TR3-17	Catalpa	18.4	Significant	
TR4-01	Catalpa	19.9	Significant	
TR4-02	Mulberry	14.2		Dead
TR4-03	White Ash	20.0		Dead
TR4-04	Catalpa	21.5	Significant	
TR4-05	Hickory	22.2	Significant	
TR5-01	Black Cherry	14.3	Significant	

TREE #	SPECIES	DIAMETER	TREE CLASS	NOTES
TR5-02	Black Oak	33.0	Significant	
TR5-03	Mulberry	15.6	Significant	
TR5-04	Black Cherry	14.1		Dead
TR5-05	Black Cherry	14.2		Dead
TR5-06	Black Cherry	14.2	Significant	
TR5-07	Black Cherry	17.5	Significant	
TR5-08	Black Cherry	16.0	Significant	
TR5-09	Black Cherry	17.0	Significant	
TR5-10	Black Oak	32.5	Significant	
TR5-11	White Ash	19.8		Dead
TR6-01	Mulberry	17.5	Significant	
TR6-02	Sugar Maple	21.2	Significant	
TR6-03	Sugar Maple	23.3	Significant	
TR6-04	Black Oak	21.8	Significant	
TR6-05	Black Walnut	16.4	Significant	
TR6-06	White Ash	14.2		Dead
TR6-07	White Ash	16.3		Dead
TR7-01	Cottonwood	22.6	Significant	
TR7-02	Cottonwood	18.5	Significant	
TR7-03	Cottonwood	21.4	Significant	
TR7-04	Mulberry	15.9	Significant	
TR7-05	Black Walnut	17.0	Significant	
TR7-06	Black Walnut	14.8	Significant	
TR7-07	Sycamore	28.5	Significant	
TR7-08	Cottonwood	36.5		Dead
TR7-09	Black Walnut	19.4	Significant	
TR7-10	Black Walnut	15.4	Significant	
TR7-11	Black Oak	24.6	Significant	
TR8-01	Black Walnut	16.1	Significant	
TR8-02	Black Walnut	20.1	Significant	
TR8-03	Basswood	16.3	Significant	
TR8-04	Black Oak	30.8	Significant	
TR9-01	Black Walnut	18.8	Significant	
TR9-02	Black Walnut	14.3	Significant	
TR9-03	Black Walnut	15.2	Significant	
TR9-04	White Cedar	19.8	Significant	
TR9-05	Black Walnut	19.4	Significant	
TR9-06	Black Walnut	14.8	Significant	
TR9-07	Black Walnut	17.6	Significant	
TR9-08	Black Walnut	15.9	Significant	
TR9-09	Black Walnut	14.4	Significant	
TR10-01	Black Cherry	14.1		Dead

SUMMARY

TREE TYPE	TOTAL DIAMETER
Protected	15.10
Dead	271.40
Significant	1320.10
TOTAL	1606.60

No.	DATE	DESCRIPTION
1	04/23/24	REVISED PER COMMENTS FROM PB

DRAWING STATUS	ISSUE DATE: 04/23/2024		
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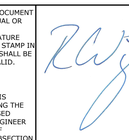
☐ PLANNING BOARD APPROVAL	N/A	OF	N/A
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☑ OTHER: _____	3	OF	3
☐ FOR BID / ~~CONSTRUCTION~~	N/A	OF	N/A



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TREE PRESERVATION PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	D-102
DATE: 02/28/2024	SCALE: AS NOTED	
REVISION: 1 - 04/23/2024	TAX LOT: VARIOUS	

New York State
Parks, Recreation and
Historic Preservation

KATHY HOCHUL
Governor

RANDY SIMONS
Commissioner Pro Tempore

May 14, 2024

Patrick Hines
Principal/Town Consultant
MHE Engineering, D.P.C.
33 Airport Center Drive
New Windsor, NY 12553

Re: OPRHP
Britain Woods Multi-Family
442 Little Britain Rd, Newburgh, NY 12550
22PR05894

Dear Patrick Hines:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above. If you have any questions, please contact Bradley Russell at the following email address:

Bradley.Russell@parks.ny.gov

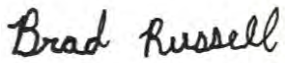
Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

Please refer to the OPRHP Project Review (PR) number noted above. If you have any questions for all future correspondence about this project. If you have any questions, please contact me via email at the address listed below.

Sincerely,



Bradley W. Russell, Ph.D.
Historic Preservation Specialist - Archaeology
bradley.russell@parks.ny.gov

via e-mail only

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Montgomery, NY 12549

Goshen Office:
262 Greenwich Ave, Ste B
Goshen, NY 10924

(845) 457 - 7727
www.EngineeringPropertiesPC.com

March 20th, 2024

ATTN: Bradley Russell, Ph.D

RE: W.O. # 1146.01
BRITAIN WOODS MULTI-FAMILY
442 LITTLE BRITAIN ROAD (NYS ROUTE 207)
NEWBURGH, NY
TOWN PROJECT # 22-17
22PR05894

Dear Mr. Russell

This letter is in response to your correspondence to Patrick Hines of MHE Engineering, DPC dated August 24, 2022. Please find the attached Site Plan for the current development proposal for the Site. It is noted that the APE for the project entitled "Independence (Formerly Known as Britain Commons) included four additional parcels that are no longer a part of the current Proposed Action. The APE is shown on the attached Figure 3 from the Phase 1B along with the current site boundary. The Proposed Action includes Parcels 1, 3, 4, 5, 6 & 7 as shown on Figure 5 from the Phase 1B. The current development does not include Parcels 2, 8, 9 or 10. The Independence Property Lime Kilns site (USN 07114.000152) is located on Parcel 2.

The utility plans for the current project are also attached showing the proposed off-site utility lines that will be installed in the NYS Route 207 right-of-way, and passing within 15 feet of the kilns.

If you have any questions or need additional information, please don't hesitate to contact this office.

Engineering & Surveying Properties, PC

Ross Winglovitz, P.E.
Principal

cc: John Ewasutyn, Town of Newburgh, Planning Board Chairman
Patrick Hines – MHE Engineering DPC
Dominic Cordisco, Esq. – Drake Loeb PLLC

Fig. 3: Area of Potential Effect (APE) (Source: Tim Miller Associates, Inc. 2005) Original scale: 1" = 400'.
(Note: APE - heavy dashed black line. Non-affected parcels (Portion of Parcel 2 & Parcel 7) - thin black line)

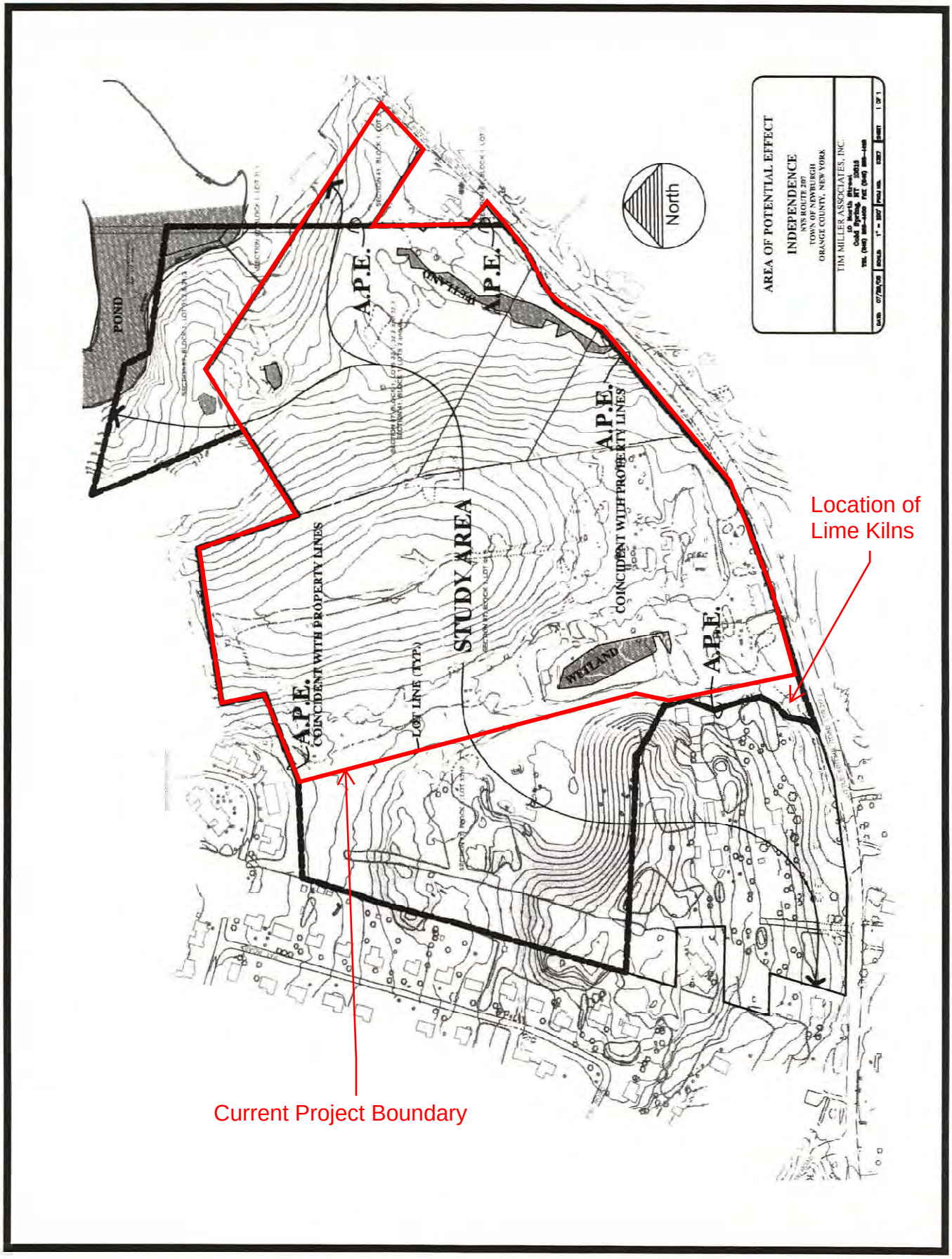
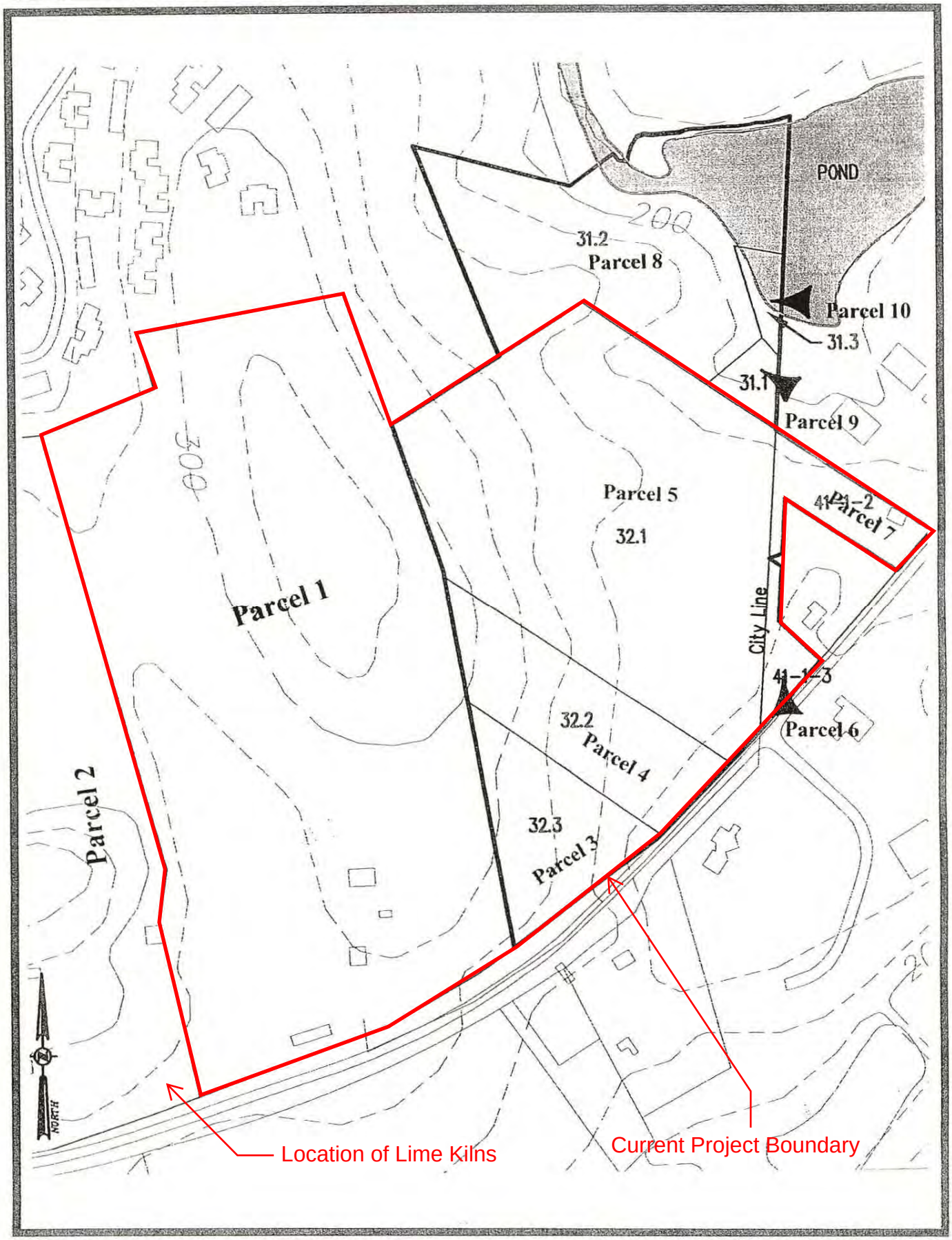


Fig. 5: Diagram showing Relationship between Parcel 1 & 2 (Tested in 2004) and Parcel 3-10 (Tested in May 2005)
Source: Tim Miller Associates, Inc., May 2004) Original scale: 1"=300'



LOCATION MAP

SCALE: 1" = 2,000'

GENERAL NOTES

1. TAX MAP IDENTIFICATION NUMBER:
   TOWN OF NEWBURGH SBL: 97 - 1 - 32.1
   97 - 1 - 32.2
   97 - 1 - 32.3
   97 - 1 - 40.1
   CITY OF NEWBURGH SBL: 41 - 1 - 2
   41 - 1 - 3
2. TOTAL AREA OF SUBJECT PARCEL: 47.95 ± ACRES.
3. BOUNDARY AND PLANIMETRIC INFORMATION BASED UPON FIELD SURVEY AS PERFORMED BY ENGINEERING & SURVEYING PROPERTIES, PC ON JULY 6TH, 2021.
4. THE TOPOGRAPHY SHOWN HEREON WAS COMPILED BY ENGINEERING & SURVEYING PROPERTIES PC, FROM USGS 1M HYDRO-FLATTENED DIGITAL ELEVATION MODELS (DEMS) AS DERIVED FROM 2012 SOURCE LIDAR. THE DEMS WERE PROVIDED BY NYS.GIS.GOV AND CORRESPOND TO ACTUAL SURVEY OBSERVATIONS TAKEN IN THE FIELD. CONTOURS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
5. OWNER: BRITAIN WOODS NEWBURGH, LLC
   100 SUMMIT LAKE DRIVE, SUITE 235
   VALHALLA, NEW YORK, 10595
6. APPLICANT: FARRELL BUILDING COMPANY, INC.
   2317 MONTAUK HIGHWAY
   BRIDGEHAMPTON, NY, 11932
7. ALL PROPOSED LOT SHALL BE SERVICED BY PUBLIC SEWER & WATER.
8. THIS PROJECT HAS INDICATED THE INTENTION TO PROVIDE ADEQUATE FIRE FLOW BY THE PROPOSED INSTALLATION OF SPRINKLER SYSTEMS MEETING NFPA REQUIREMENTS, AND IS; THEREFORE, CONSIDERED EXEMPT FROM THE NEEDED FIRE FLOW GUIDELINES OF THE INSURANCE SERVICES OFFICE (ISO). THE PROPOSED SPRINKLER SYSTEM DESIGN HAS NOT BEEN EVALUATED BY THE ORANGE COUNTY DEPARTMENT OF HEALTH FOR COMPLIANCE WITH NFPA REQUIREMENTS.

LIST OF DRAWINGS

No.	DATE	DESCRIPTION
1	09/18/23	PREPARED FOR PB SUBMISSION
2	03/20/24	REVISED PER DEIS COMMENTS

BULK REQUIREMENTS

TOWN OF NEWBURGH - ZONING DISTRICT R-3
PROPOSED USE: MULTIPLE DWELLINGS (USE §185-25)

MINIMUM BUILDING REQUIREMENTS	REQUIRED	PROPOSED
LOT AREA	4.00 ACRES	± 46.46 ACRES
LOT WIDTH	150 FEET	> 150 FEET
LOT DEPTH	150 FEET	> 150 FEET
FRONT YARD	40 FEET	> 40 FEET
REAR YARD	50 FEET	> 50 FEET
SIDE YARD (ONE / BOTH)	25 / 50 FEET	> 25 / 50 FEET
MAXIMUM ALLOWABLE		
BUILDING HEIGHT	35 FT	< 35 FT
LOT COVERAGE (BUILDINGS)	35 %	9.51%
IMPERVIOUS COVERAGE	60 %	33.69%

BULK REQUIREMENTS

CITY OF NEWBURGH - ZONING DISTRICT RL
PROPOSED USE: APARTMENTS

MINIMUM BUILDING REQUIREMENTS	REQUIRED	PROPOSED
LOT AREA	0 SQFT	64,795 SQFT
LOT WIDTH	45 FEET	> 45 FEET
LOT DEPTH	80 FEET	> 80 FEET
FRONT YARD	10 FEET	> 10 FEET
REAR YARD	20 FEET	> 20 FEET
SIDE YARD (ONE / BOTH)	10 / 20 FEET	> 10 / 20 FEET
MAXIMUM ALLOWABLE		
BUILDING HEIGHT	45 FT	< 45 FT
MAXIMUM LOT COVERAGE	50 %	13.35 %

DENSITY CALCULATIONS

TOWN OF NEWBURGH - ZONING DISTRICT R-3
MULTIPLE DWELLINGS §185-25

PARCEL AREA:	S-B-L		
TOWN OF NEWBURGH:	97 - 1 - 32.1	±551,016 SF	= ±12.65 AC
	97 - 1 - 32.2	±149,411 SF	= ±3.43 AC
	97 - 1 - 32.3	±88,960 SF	= ±2.04 AC
	97 - 1 - 40.1	±1,294,498 SF	= ±28.34 AC
CITY OF NEWBURGH:	41 - 1 - 2	±3,329 SF	= ±0.08 AC
	41 - 1 - 3	±61,466 SF	= ±1.41 AC
		TOTAL AREA= ±2,088,680 SF	= ±47.95 AC

LOT AREA DEDUCTIONS		
AREAS WITHIN THE CITY OF NEWBURGH	64,795 SF	= 1.49 AC
UTILITY RIGHTS OF WAY AND DESIGNATED STREETS	22,126 SF	= 0.51 AC
LAND UNDER WATER (PONDS, WETLANDS (ACOE & DEC)	32,096 SF	= 0.74 AC
FLOODPLAINS	0 SF	= 0.00 AC
STEEP SLOPES	93,986 SF	= 2.16 AC
TOTAL DEDUCTIONS	213,003 SF	= 4.89 AC

TOTAL BUILDABLE AREA ±2,088,680 SF - 213,003 SF = ±1,875,677 SF OR ±43.06 AC

UNITS PERMITTED:
43.06 AC * (6 UNIT / 1 ACRE) = 258 UNITS

TOTAL UNITS PERMITTED: 258 UNITS
TOTAL UNITS PROPOSED: 258 UNITS

PARKING REQUIREMENTS

TOTAL UNIT COUNT: 258 UNITS

TOTAL SPACES REQUIRED: 2 SPACES PER UNIT X 258 UNITS = 516 SPACES

TOTAL SPACES PROVIDED:

SURFACE PARKING = 310 SPACES
GARAGE PARKING = 242 SPACES
CLUBHOUSE PARKING = 31 SPACES
TOTAL SPACES = 583 SPACES

DRAWING STATUS	ISSUE DATE: 03/20/2024		
THIS SHEET IS PART OF THE PLAN SET ISSUED FOR	SHEET NUMBER		
☐ CONCEPT APPROVAL	N/A	OF	N/A
☑ PLANNING BOARD APPROVAL	1	OF	40
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☐ OTHER	N/A	OF	N/A
☐ FOR BID	N/A	OF	N/A
☐ FOR CONSTRUCTION	N/A	OF	N/A

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ROSS WYNGOVETZ, P.E.
NEW YORK LICENSE # 071701

80 0 40 80 160
1 inch = 80 ft.

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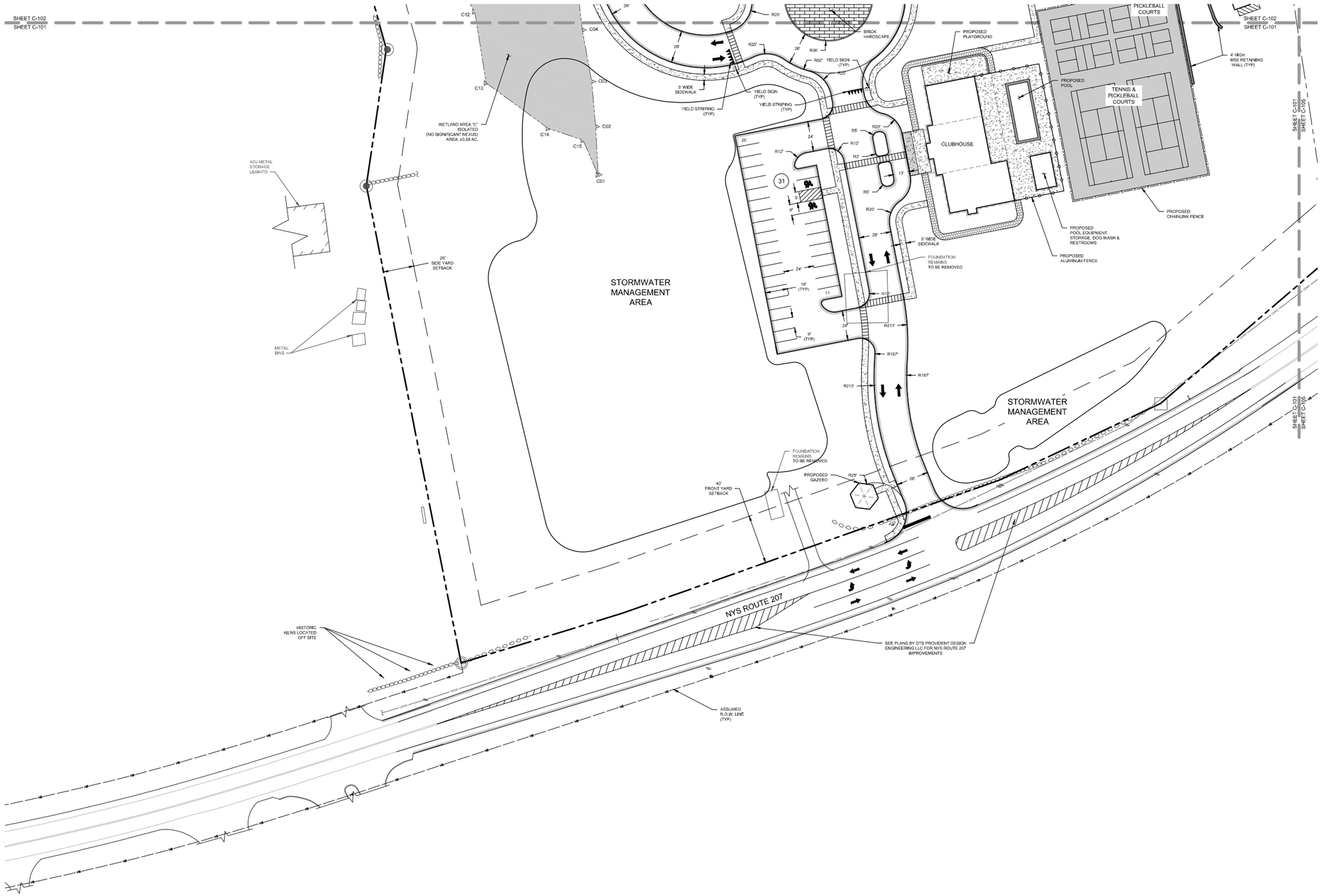
OVERALL PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	
DATE:	SCALE:	O-100
12/05/2022	1" = 80'	
REVISION:	TAX LOT:	
2 - 03/20/2024	VARIOUS	

D:\1146.01 - Britain Woods\1146.01 - Site Plan.dwg
Date Printed: Mar 20, 2024, 3:48pm



No.	DATE	DESCRIPTION
1	09/18/23	PREPARED FOR PB SUBMISSION
2	03/20/24	REVISED PER DEIS COMMENTS

DRAWING STATUS	ISSUE DATE: 03/20/2024		
THIS SHEET IS PART OF THE PLAN SET ISSUED FOR	SHEET NUMBER		
☐ CONCEPT APPROVAL	N/A	OF	N/A
☑ PLANNING BOARD APPROVAL	2	OF	40
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☐ OTHER	N/A	OF	N/A
☐ FOR BID	N/A	OF	N/A
☐ FOR CONSTRUCTION	N/A	OF	N/A

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ROSS WINGLOVITZ, P.E.
NEW YORK LICENSE # 071701

30 0 15 30 60
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SITE PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	C-101
DATE: 12/05/2022	SCALE: 1" = 30'	
REVISION: 2 - 03/20/2024	TAX LOT: VARIOUS	

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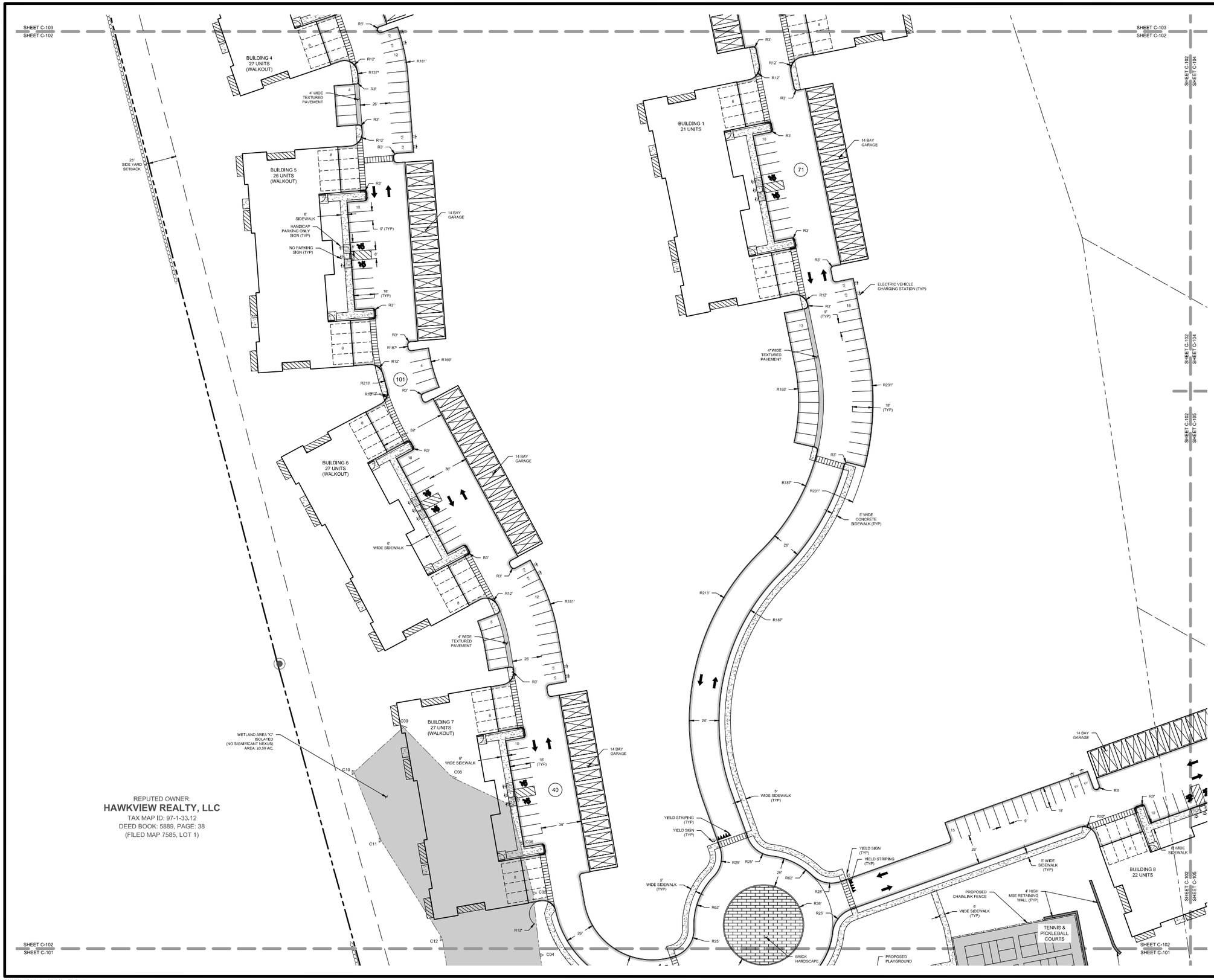
Date Printed: Mar 20, 2024, 3:51pm



REPUTED OWNER:
HAWKVIEW REALTY, LLC
TAX MAP ID: 97-1-33.12
DEED BOOK: 5889, PAGE: 38
(FILED MAP 7585, LOT 1)

No.	DATE	DESCRIPTION
1	09/18/23	PREPARED FOR PB SUBMISSION
2	03/20/24	REVISED PER DEIS COMMENTS

DRAWING STATUS	ISSUE DATE: 03/20/2024		
THIS SHEET IS PART OF THE PLAN SET ISSUED FOR	SHEET NUMBER		
☐ CONCEPT APPROVAL	N/A	OF	N/A
☑ PLANNING BOARD APPROVAL	3	OF	40
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☐ OTHER	N/A	OF	N/A
☐ FOR BID	N/A	OF	N/A
☐ FOR CONSTRUCTION	N/A	OF	N/A

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NEW YORK LICENSE # 071701

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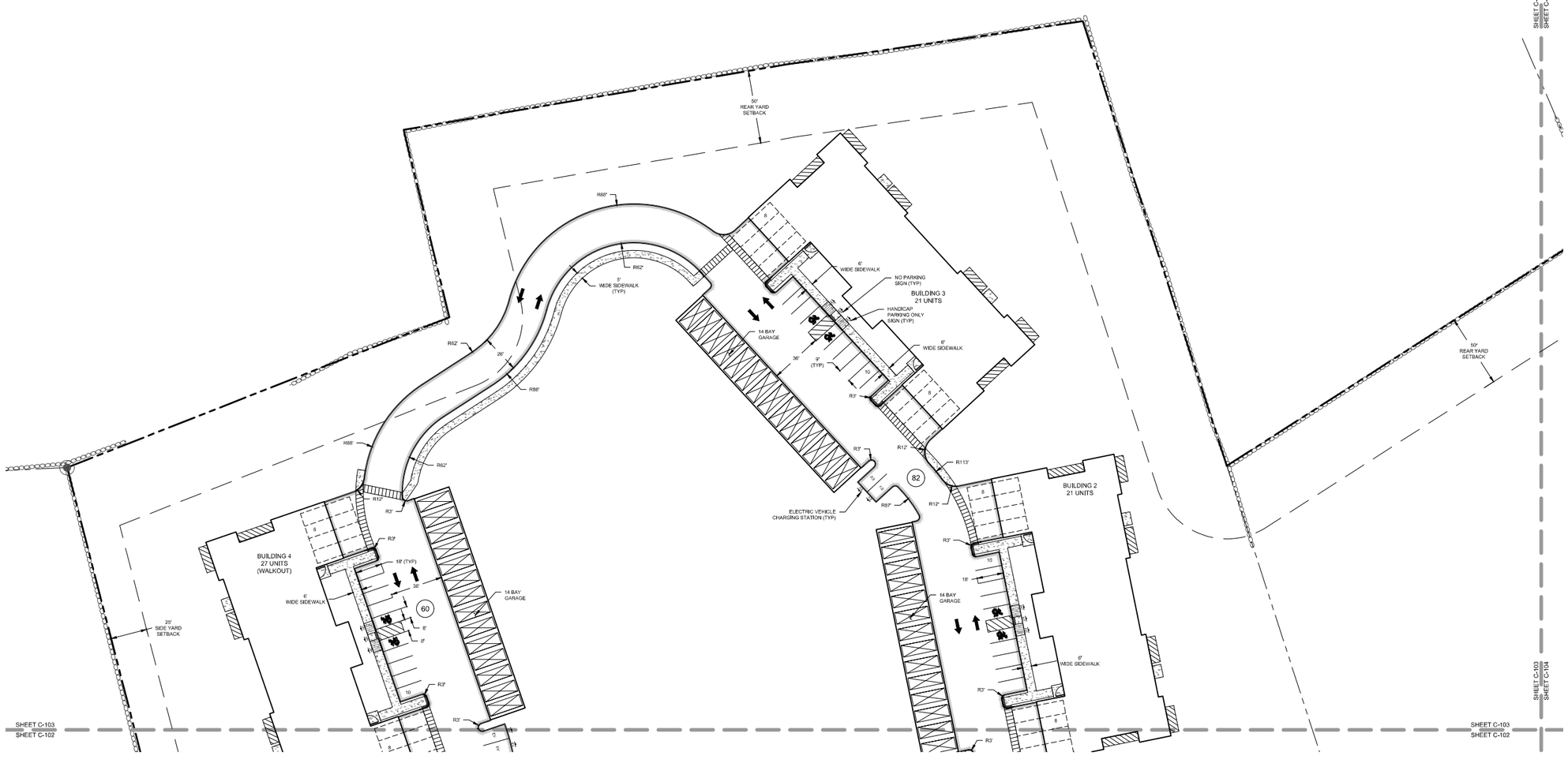
SITE PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	C-102
DATE: 12/05/2022	SCALE: 1" = 30'	
REVISION: 2 - 03/20/2024	TAX LOT: VARIOUS	

REPUTED OWNER:
STONY BROOK CONDOMINIUMS, INC
TAX MAP ID: 110-1-1
DEED BOOK: 2749, PAGE: 32
(FILED MAP 8869)



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☐ CONCEPT APPROVAL	N/A	OF	N/A
☑ PLANNING BOARD APPROVAL	4	OF	40
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☐ OTHER	N/A	OF	N/A
☐ FOR BID	N/A	OF	N/A
☐ FOR CONSTRUCTION	N/A	OF	N/A

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NEW YORK LICENSE # 071701

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TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	C-103
DATE: 12/05/2022	SCALE: 1" = 30'	
REVISION: 2 - 03/20/2024	TAX LOT: VARIOUS	

REPUTED OWNER:
WISNER NEWBURGH REALTY, LLC
TAX MAP ID: 97-1-31.2
DEED BOOK: 14041, PAGE: 797

REPUTED OWNER:
207 PROPERTY GROUP, LLC
TAX MAP ID: 97-1-31.1
DEED BOOK: 4844, PAGE: 235

REPUTED OWNER:
207 PROPERTY GROUP, LLC
TAX MAP ID: 41-1-1
DEED BOOK: 4844, PAGE: 235

SHEET C-103
SHEET C-104

SHEET C-102
SHEET C-104

SHEET C-104
SHEET C-105

TOWN OF NEWBURGH
CITY OF NEWBURGH

B03
B02
B01
B04
B05
B06
WETLAND AREA "B"
ISOLATED
(NO SIGNIFICANT NEXUS)
AREA: ±0.07 Ac.

25'
SIDE YARD
SETBACK

ENGINEERED RETAINING
WALL BY OTHERS

R62'
R62'
R12'
6' WIDE
CONCRETE
SIDEWALK (TYP)
R3'
30'
BUILDING 11
22 UNITS
14 BAY
GARAGE
R387'
R613'
PROPOSED
GRASSCRETE
PAVERS

STORMWATER
MANAGEMENT
AREA

10'
SIDE YARD
SETBACK

R213'
R12'
104
BUILDING 10
22 UNITS
14 BAY
GARAGE
25'
SIDE YARD
SETBACK

A14
A13
A15
A12
A16
A11
A17
A10
A18
WETLAND AREA "A"
ISOLATED
(NO SIGNIFICANT NEXUS)
AREA: ±0.67 AC.

PROPOSED
CONCRETE
PAVEMENT SECTION
10'
FRONT YARD
SETBACK
PROPOSED
GRASSCRETE
PAVERS
R25'
10'
SIDE YARD
SETBACK
PROPOSED
BREAKAWAY
FENCE
RELOCATE EXISTING
UTILITY POLE
NYS ROUTE 207
ASSUMED
R.O.W. LINE
(TYP)
4' WIDE
TEXTURED
PAVEMENT
R137'
26'

No.	DATE	DESCRIPTION
1	09/19/23	PREPARED FOR PB SUBMISSION
2	03/20/24	REVISED PER DEIS COMMENTS

DRAWING STATUS	ISSUE DATE: 03/20/2024
THIS SHEET IS PART OF THE PLAN SET ISSUED FOR	SHEET NUMBER
☐ CONCEPT APPROVAL	N/A OF N/A
☑ PLANNING BOARD APPROVAL	5 OF 40
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A OF N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A OF N/A
☐ NYSDEC APPROVAL	N/A OF N/A
☐ NYSDOT APPROVAL	N/A OF N/A
☐ OTHER	N/A OF N/A
☐ FOR BID	N/A OF N/A
☐ FOR CONSTRUCTION	N/A OF N/A

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ROSS WINGLOVETZ, P.E.
NEW YORK LICENSE # 071201

30 0 15 30 60
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SITE PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	DRAWN BY:	
1146.01	ZS	C-104
DATE: 12/05/2022	SCALE: 1" = 30'	
REVISION: 2 - 03/20/2024	TAX LOT: VARIOUS	

D:\1146.01 - Britain Woods\1146.01 - Site Plan.dwg
Date Printed: Mar 20, 2024, 4:11pm

SHEET C-104
SHEET C-105

SHEET C-102
SHEET C-105

BUILDING 9
22 UNITS

BUILDING 8
22 UNITS

14 BAY GARAGE

14 BAY GARAGE

4' WIDE TEXTURED PAVEMENT

6' WIDE SIDEWALK

WETLAND AREA "A"
ISOLATED
(NO SIGNIFICANT NEXUS)
AREA: ±0.67 AC.

NYS ROUTE 207

CORWIN COURT

TOWN OF NEWBURGH
CITY OF NEWBURGH

47'
FRONT YARD
SETBACK

ASSUMED
R.O.W. LINE
(TYP)

SHEET C-101
SHEET C-105

REPUTED OWNER:
207 PROPERTY GROUP, LLC
TAX MAP ID: 41-1-1
DEED BOOK: 4844, PAGE: 235

No.	DATE	DESCRIPTION
1	09/18/23	PREPARED FOR PB SUBMISSION
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☐ CONCEPT APPROVAL	N/A	OF	N/A
☑ PLANNING BOARD APPROVAL	6	OF	40
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☐ OTHER	N/A	OF	N/A
☐ FOR BID	N/A	OF	N/A
☐ FOR CONSTRUCTION	N/A	OF	N/A

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ROSS WINGLOVITZ, P.E.
NEW YORK LICENSE # 071201

30 0 15 30 60
1 inch = 30 ft.

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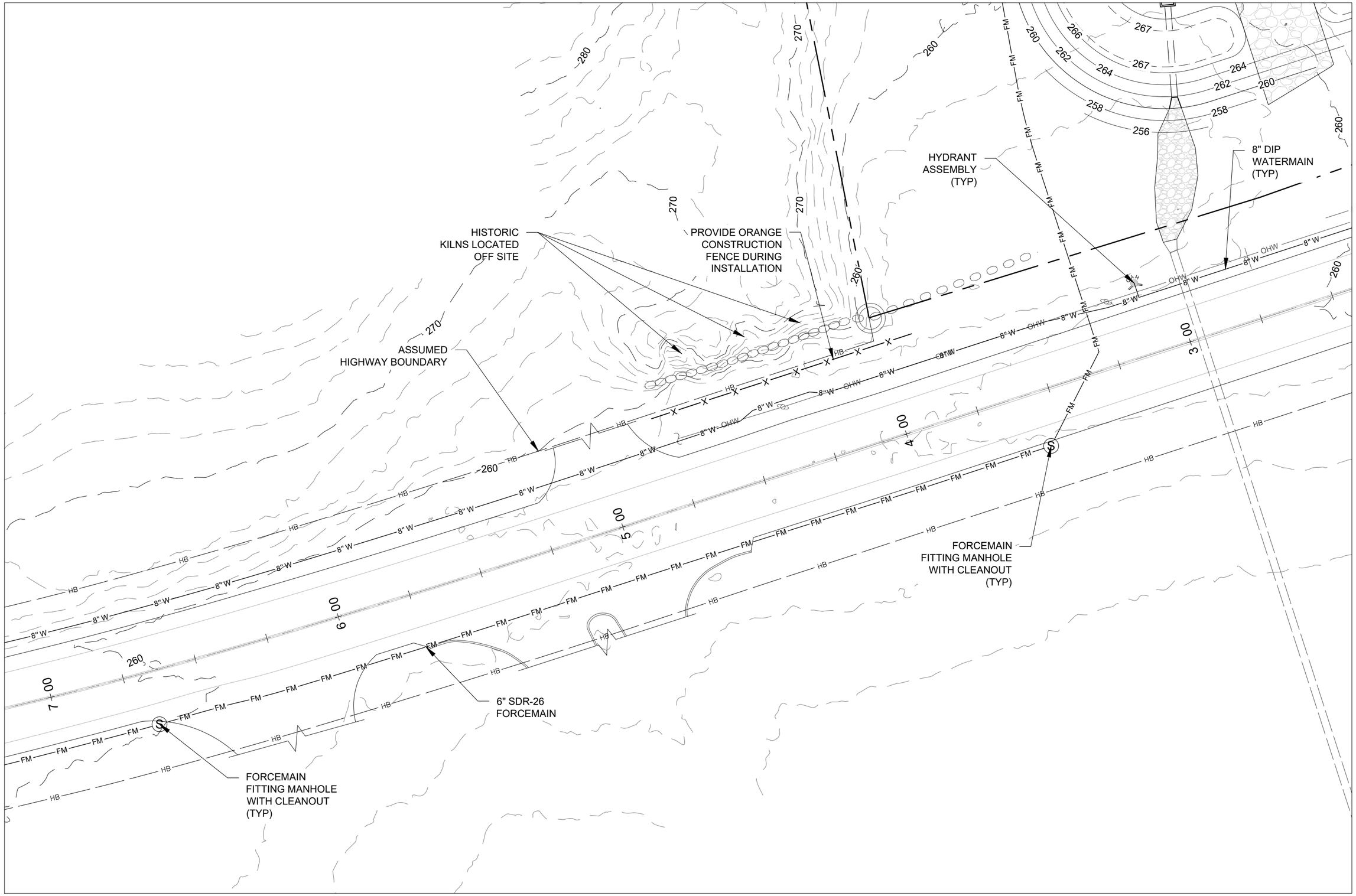
SITE PLAN

BRITAIN WOODS
NEW YORK STATE ROUTE 207
TOWN OF NEWBURGH & CITY OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #:	1146.01	DRAWN BY:	ZS
DATE:	12/05/2022	SCALE:	1" = 30'
REVISION:	2 - 03/20/2024	TAX LOT:	VARIOUS

C-105

Z:\1146.01 – Britain Woods\1146.01 – Site Plan.dwg
Date Printed: Mar 20, 2024, 4:11pm



ENGINEERING & SURVEYING PROPERTIES
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MONTGOMERY OFFICE
71 CLINTON STREET
MONTGOMERY, NY 12549
Ph: (845) 457-7727
WWW.EP-PC.COM

DATE: 02/15/2024
SCALE: 1" = 30'
JOB # 1146.01
SHEET # F-1

BRITAIN WOODS
NEW YORK STATE ROUTE 207
T/C OF NEWBURGH
ORANGE COUNTY, NEW YORK

PROPOSED OFF-SITE
UTILITIES FIGURE

Drawing Name: Z:\1146.01 – Britain Woods\1146.01 – Site Plan.dwg Date Printed: Feb 15, 2024, 3:23pm

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Goshen, NY 10924

(845) 457 - 7727
www.EngineeringPropertiesPC.com

Jully 20, 2023

Town of Newburgh Planning Board
1496 NYS Route 300
Newburgh, NY 12550
ATTN: John Ewasutyn, Chairman

RE: W.O. # 1146.01
BRITAIN WOODS MULTI-FAMILY
442 LITTLE BRITAIN ROAD (NYS ROUTE 207)
NEWBURGH, NY
TOWN PROJECT # 22-17
22PR05894

Dear Mr. Russell

This letter is in response to your correspondence to Pat Hines of MHE Engineering, DPC dated August 24, 2022. Please find the attached Site Plan for the current development proposal for the Site. It is noted that the APE for the project entitled “Independence (Formerly Known as Britain Commons) included four additional parcels that are no longer a part of the current Proposed Action. The current Action includes Parcels 1, 3, 4, 5, 6 & 7, and does not include Parcels 2, 8, 9 or 10.

If you have any questions or need additional information, please don’t hesitate to contact this office.

Engineering & Surveying Properties, PC

Ross Winglovitz, P.E.
Principal

cc: Patrick Hines – MHE
Dominic Cordisco, Esq. – Drake Loeb

NEW YORK STATE OF OPPORTUNITY. Parks, Recreation, and Historic Preservation

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

August 24, 2022

Patrick Hines
Principal/Town Consultant
MHE Engineering, D.P.C.
33 Airport Center Drive
New Windsor, NY 12553

Re: OPRHP
Britain Woods Multi-Family
442 Little Britain Rd, Newburgh, NY 12550
22PR05894

Dear Patrick Hines:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

I have reviewed the proposed project and a related Phase IB archaeological survey from 2006 (06SR56136) that covers the property in question.

Please be advised that there is a National Register Eligible site located along Little Britain Road in the southwest corner of your project area. It is called the *Independence Property Lime Kilns* site (USN 07114.000152). Based on your plans, it looks quite close to the western entrance road to the planned development. We are requesting that measures be taken to avoid any impacts to the site. That would involve securing the services of an archaeological consultant to confirm the location, site boundaries and current condition of the site to establish avoidance measures (protection of the site by a fence and signage during construction). This may necessitate adjustments to the site plan to avoid disturbance of the site depending on the precise location of the kilns and their relationship to the entrance road and possibly the nearby stormwater management area in the southwest corner of the planned development.

A second site is located very near to the eastern entrance road from Little Britain Road, the *Independence Property Barn Foundations* site (USN 07140.002488). Its eligibility is currently listed as “Undetermined”. However, based on the survey results that we have on file, I am prepared to make a determination of “Ineligible” for the site, allowing you to proceed with work in the area without additional archaeological investigation or avoidance.

Please respond to these comments using the token/link provided in this consolidated response.

OFFICE OF PARKS · RECREATION · HISTORIC PRESERVATION
NEW YORK STATE
Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643

February 28, 2006

Gail Guillet
City/Scape: Cultural Resource Consultant
166 Hillair Circle
White Plains, New York 10605

Re: DEC
Independence (Formerly Known as Britain Commons)
Little Britain Road
Newburgh, Orange County
05PR04545

Dear Ms. Guillet:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) with regard to the potential for this project to affect significant historical/cultural resources. OPRHP has reviewed the archaeological report submitted for this project. Based on our review of that report, the OPRHP has no further archaeological concerns regarding this project.

Please note that if state and or federal permits are necessary, the project will need to be reviewed in accordance with Section 14.09 of the State Historic Preservation Act or Section 106 of the National Historic Preservation Act. While archaeological issues with the site have been addressed, it may be necessary to conduct further review for architectural resources.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director

RLP:bsa