



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

PROJECT NAME: ELKAY PARTNERS DEVELOPMENT
PROJECT NO.: 2024-29
PROJECT LOCATION: SECTION 39, BLOCK 1, LOT 32
REVIEW DATE: 10 OCTOBER 2025
MEETING DATE: 16 OCTOBER 2025
PROJECT REPRESENTATIVE: ENGINEERING & SURVEYING PROPERTIES, PC – LARA PRUSCHKI, PE

The applicant’s representative submitted a Draft Scoping document for the DEIS for the project.

1. Under Section E Aesthetic Resources, A: Photo simulation will be provided from areas selected by the Planning Board as Lead Agency. Areas to be studied should be determined with coordination with the Planning Board.
2. The Planning Board should discuss the intersections proposed for the Traffic Study. The following intersections are proposed, Brewer Road and Foster Town Road, Brewer Road and Vermont Drive Brewer Road and primary site access, and Hy Vue Drive and Old North Plank Road.
3. The Traffic Study identifies an analysis of existing weekday AM and PM peak hour volume. Saturday volume should be incorporated into the study.
4. Under the Utility Section: Discuss approvals required for water district extensions including NYCDEP approvals. Discuss sanitary sewer district extension or Outside User Agreement proposed.
5. Surface water resources should specifically address wetland delineation jurisdiction and impacts.
6. Under Plants and Animals: Confirm that on-site field surveys will be conducted in addition to the searches of the DEC and US Fish and Wildlife Data Base. Provide the on-site Flora and Fauna Report as an appendix.
7. Under Utilities: Provide an analysis of all downstream pump stations for both water and sewer.
8. Under Permits and Approvals E3 D: Outside User Agreement identifies the City of Newburgh as the approved agency. Outside User Agreement would be with the Town of Newburgh. A sewer flow acceptance letter will eventually be required from the City of Newburgh.
9. Under Permits and Approvals Item E: Sewer district creation discuss sewer creation versus Outside User Agreement.
10. Under Watermain Extension: Include NYCDEP, NYSDEC Water Conservation requirements and expansion of the Towns water taking permit.

NEW YORK OFFICE

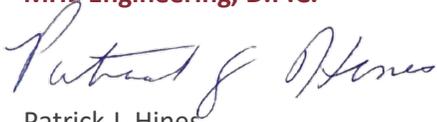
33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

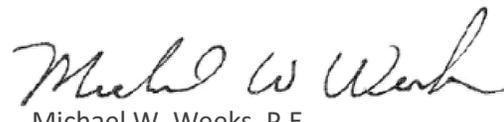
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11. Under Land Resources Potential Impacts : Potential impacts should blasting be identified. Mitigation measures be taken.
12. Under Surface Resource Item D: Remove discuss on-site drainage pattern including distance to and drainage towards Harrisons Pond.
13. Add a section regarding potential cultural resources impacts. A Cultural Resources Survey of surrounding properties should be provided. Include cultural resources information as Appendix.

Respectfully submitted,
MHE Engineering, D.P.C.



Patrick J. Hines
Principal
PJP/kmm



Michael W. Weeks, P.E.
Principal

**DRAFT
SCOPING DOCUMENT**

FOR

**ELKAY PARTNERS
RESIDENTIAL DEVELOPMENT
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)**

**TOWN OF NEWBURGH PLANNING BOARD
ORANGE COUNTY, NEW YORK**

Lead Agency and Contact Person:

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

Preparer and Contact Person:

Engineering & Surveying Properties, P.C.
71 Clinton Street
Montgomery, New York 12549
ATTN: Lara Pruschki, P.E.
(845) 457-7727

Date of Adoption: _____

INTRODUCTION

This document identifies the issues to be addressed in the Draft Environmental Impact Statement (DEIS) proposed by Elkay Brewer, LLC (the "Applicant") for the proposed Elkay Partners Residential Development (the "Project" or "Proposed Action") in the Town of Newburgh. This scope contains the items described in 6 NYCRR Part 617.9 (b) (1) through (7).

GENERAL GUIDELINES

- The Draft Environmental Impact Statement ("DEIS") shall address all items in this Scoping Document and conform to the format outlined in this Scoping Document. If appropriate, impact issues listed separately in this outline may be combined in the DEIS, provided all such issues described in this Scoping Document are addressed as fully in a combined format as if they were separately addressed.
- The document should be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of the "Project Sponsor," "Applicant" or "the Developer."
- Narrative discussions should be accompanied by appropriate charts, graphs, maps and diagrams whenever possible. If a particular subject matter can most effectively be described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site shall include adjacent homes, other neighboring uses and structures, roads, water bodies and a legend.
- The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections.
- Environmental impacts should be described in terms that the layperson can readily understand (e.g., truckloads of fill and cubic yards rather than just cubic yards).
- All discussions of mitigation measures should consider at least those measures mentioned in the Scoping Document. Where reasonable and necessary, mitigation measures should be incorporated into the Proposed Action if they are not already included.
- Where specific impacts are currently unknown or where they may vary based on the specific end user of the Project, analysis provided should assess a worst-case scenario.

The DEIS is intended to convey general and technical information regarding the potential environmental impacts of the Proposed Project to the Town of Newburgh Planning Board (as Lead Agency), as well as several other agencies involved in the review of the Proposed Project. The DEIS is also intended to convey the same information to the interested public. The Preparer of the DEIS is encouraged to keep this audience in mind as it prepares the document. Enough detail should be provided in each subject area to ensure that most readers of the document will understand, and be able to make decisions based upon, the information provided.

As the DEIS will become, upon acceptance by the Lead Agency, a document that may, if appropriate, support objective findings on approvals requested under the application, the Preparer is requested to avoid subjective statements regarding potential impacts. The DEIS should contain objective statements and conclusions of facts based upon technical analyses. Subjective evaluations of impacts where evidence is inconclusive or subject to opinion should be prefaced by statements indicating that "It is the Applicant's opinion that...". The Town of Newburgh Planning Board reserves the right, during review of the document, to require that subjective statements be removed from the document or otherwise modified to indicate that such subjective statements are not necessarily representative of the findings of the Lead Agency.

DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action consists of the construction of one 60-unit, one 36-unit and one 72-unit apartment buildings and a clubhouse with a pool and tennis/pickleball courts on Town of Newburgh tax lot 39-1-32. The tax lot is in the Town of Newburgh R-3 zoning district. Access to the proposed project will utilize one new entrance drive on Brewer Road. The proposed development will be served by public water and sewer services.

SEQRA STATUS

The proposed project is a Type I Action pursuant to SEQRA Part 617.4 (b) (6) (i). After initiating a coordinated review, the Town of Newburgh Planning Board circulated its notice of intent to be SEQRA Lead Agency in November 2024. Subsequently, on August 21, 2025, 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 hereby sets the following procedures to receive Agency and Public comments on this Draft Scope:

- A public scoping session shall be held in-person on _____, 2025, at _____ pm, at Town of Newburgh Town Hall at 1496 NYS Route 300, Newburgh, New York.
- In addition, written comments on the Draft Scope are invited. Written comments shall be accepted by the Contact person identified below until _____, 2025, at _____ pm. Written comments shall be accepted by e-mail or by mail.
- 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.

Contact Person: John Ewasutyn, Chairman
 Town of Newburgh Planning Board
 21 HUDSON VALLEY PROFESSIONAL PLAZA
 Newburgh, New York 12550
 Telephone: (845) 564-7804
planningboard@townofnewburgh.org

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

INTERESTED AGENCIES

U.S. Army Corps of Engineers
 NYSDEC, Environmental Notice Bulletin
 Newburgh Enlarged City School District
 Cronomer Valley Fire Department
 Town of Newburgh Police Department
 Town of Newburgh Emergency Medical Services
 Mobile Life Emergency Medical Services
 U.S. Fish and Wildlife Services

CONTENTS OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

COVER SHEET

- Name and location of the project
- Identification of document as the Draft Environmental Impact Statement
- Date of submittal to the Planning Board and any revision dates
- Lead agency, project sponsor and contact information for each
- Date of acceptance by Lead Agency or placeholder
- Date of public hearing or placeholder
- Date which public comments will be due

TABLE OF CONTENTS

- Including listings of tables, figures, maps, charts & any items that may be submitted under a separate cover (and identified as such).

I. EXECUTIVE SUMMARY

The Executive Summary should consist of a brief but precise summary of the DEIS that adequately and accurately summarizes the document.

- A. An introduction including purpose of the DEIS, summary of required site approvals, a relevant history of the current SEQRA process that has occurred (i.e., relevant dates establishing Lead Agency, the date of adoption of the Positive Declaration, date of the acceptance of the Scoping Document)
- B. Project Site Existing Conditions- provide a short description of the subject property and characterize its location and natural features as well as provide a brief history of the use of the property and where existing changes to its natural state have occurred.
- C. Project Overview of all aspects of the project including project layout, proposed buildings, parking, circulation, traffic or other offsite improvements, and utilities.
- D. Summary of purpose, including the Applicant's goals and objectives, public need and benefits
- E. Required permits and approvals, including list of involved and interested agencies.
- F. Summary of significant beneficial and adverse environmental impacts in each subject area identified and discussed further in Section III
- G. Summary of proposed mitigation measures proposed in each subject area identified and discussed further in Section III
- H. Description of alternatives analyzed including a table comparing the impacts of the proposed project with the impacts of each alternative analyzed
- I. Description of the issues considered in EAF review/Scoping and determined to be non-significant or not relevant, stating reasons why those issues were not included in the Final EIS Scope

II. DESCRIPTION OF THE PROPOSED ACTION

A. SITE DESCRIPTION

1. Location, tax map designation and acreage
2. Zoning and discussion of surrounding land uses
3. Context with surrounding area, including a site location map
4. Access and discussion of surrounding road network
5. Existing Uses/Structures
6. Existing Utilities

7. Existing Easements

B. PROJECT DESIGN AND LAYOUT

1. Site Disturbance
 - a. Area of Site disturbance
 - b. Description of natural areas and areas of the Site to remain undisturbed.
 - c. Proposed impervious surface area (buildings, driveways, roads, etc.)
2. Structures
 - a. Building areas
 - b. Layout of buildings and structures
 - c. Sample building elevations
 - d. Recreational Amenities
3. Site access, vehicular and pedestrian circulation, and parking
 - a. Description of on-site vehicle & pedestrian circulation
 - b. Description of location & ownership of roads and emergency access, if necessary.
 - c. Proposed pavement area and pavement type
 - d. Number of parking spaces and layout, including an analysis of the computation of parking spaces for each building and structure
 - e. Description of access to nearby sidewalks
 - f. Any improvements to public rights of ways or other public improvements
 - g. Description of access to nearby public transportation facilities
4. Utilities
 - a. Sewer
 - b. Water
 - c. Drainage
 - d. Electric and Natural Gas
 - e. Garbage and Recycling
 - f. Energy and Utility saving features
5. Landscaping, Lighting & Signage Plans
 - a. Conformity with Town requirements
 - b. Description of existing and proposed landscape buffers in relation to potential Site visibility
 - c. Description of Site lighting, including hours of operation
 - d. Location & description of proposed signs

C. CONSTRUCTION AND PROJECT PHASING

1. Construction
 - a. Duration of construction and hours of operation
 - b. Description of anticipated construction activities, including site preparation, earthwork, removal of materials off-site, stockpiling, rock removal and blasting, if necessary
 - c. Proposed construction phasing plan
 - d. Construction Best Management Practices (BMPs)
 - e. Access points and parking for deliveries and construction workers
 - f. Number of Construction workers and estimated vehicle traffic

- g. Number of truckloads anticipated for earthwork import/export
- h. Identify short-term impacts resulting from construction activity, such as noise, air quality, stormwater and traffic.
- i. Discuss the potential short-term noise impact if blasting is to occur, and the Site conditions that would affect noise propagation such as terrain, existing vegetation, etc., and identify methods to avoid or reduce adverse effects to offsite areas including the surrounding residential neighbors.
- j. Discuss conformance with the Town's Zoning Code and NYS Department of Environmental Conservation Program Policy entitled, "Assessing and Mitigating Noise Impacts."

D. OPERATION AND MAINTENANCE OF THE PROJECT

- 1. Project Operation
 - a. Ownership of buildings and infrastructure improvements
- 2. Project Maintenance
 - a. Stormwater management facilities
 - b. Landscaping
 - c. Snow & Ice removal

E. PERMITS AND APPROVALS REQUIRED

- 3. 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. Senior Housing Density Bonus – Town of Newburgh Town Board
 - d. Outside Sewer User Agreement – City of Newburgh
 - e. Sewer District Creation - Town of Newburgh
- 4. 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
- 5. 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
- 6. Federal
 - a. none

D. PROJECT PURPOSE, NEED & BENEFIT

- 1. Public Need
- 2. Objectives of the Project Sponsor
- 3. Benefits of the Proposed Action

III. ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND PROPOSED MITIGATION MEASURES

This section describes the environmental conditions in and around the Project Site and identifies the potentially significant adverse impacts caused by the proposed development as determined in Part 2 of the FEAF, in consultation with involved agencies and the public as part of the scoping process. The Scoping process is intended to identify the extent and detail of information needed for the preparer to adequately address each impact, including an identification of relevant existing information, and required new information, including the required methodology(ies) for obtaining new information. Where appropriate, the DEIS will discuss both construction and operation impacts.

For each of the following topics to be addressed, existing site conditions will be defined, proposed site conditions shall be described, potential impacts of the proposed action will be identified and described, and mitigation measures designed to avoid, minimize or offset potential impacts are to be proposed. The extent of off-site areas studied for the existing conditions should be defined for each issue. To the extent that the DEIS relies upon any previous analysis or studies performed on the Site, the previous analysis shall be discussed to the extent relevant, and the prior studies shall be referenced to a place where they can be located or incorporated in the DEIS as appendices.

A. LAND RESOURCES - Geology, Soils & Topography

1. Existing Conditions

- a. Provide topographic mapping at 2-foot contour intervals and a description of Site topography
- b. Describe significant topographic or geological features, if any, on the Project Site or indicate that none are present
- c. Soil types and characteristics shall be identified as presented in the Orange County Soil Survey or USDA database, including building site development limitations, permeability, hydrologic group, depth to bedrock and seasonal high-water table for each soil type located within the Project Site
- d. Identify Soils of Statewide Importance, if any
- e. Identify Site slope ranges (0 -15%, 15-25% & >25%)
- f. Identify depth to rock by conducting borings or test pits, as necessary, to determine the extent of rock and potential for blasting anywhere cuts are proposed.

2. Potential Impacts

- a. Provide grading plan and describe potential impacts from site grading with respect to bedrock depth, soil erosion, slope stabilization and rock removal
- b. Discuss the disturbance of areas of steep slopes >15%
- c. Provide estimate of cut and fill to construction the Project
- d. Discuss rock removal, if required, and discuss method(s) to be used
- e. Discuss any disturbance of Soils of Statewide Importance
- f. Discuss proposed retaining walls
- g. Discuss the potential for soil compaction resulting from construction

3. Mitigation Measures

- a. Provide and discuss an erosion and sediment control plan, designed in accordance with the NYS Department of Environmental Conservation's "New York Standards and Specifications for Erosion and Sedimentation Control" (current version) and Town of Newburgh requirements,
- b. Provide blasting plan, if required
- c. Discuss measures to overcome high seasonal water table, as needed.
- d. Provide plan for excess cut, or for imported fill, if required
- e. Discuss construction phasing and staging to limit the time periods during which areas of disturbance would be left open.
- f. If a waiver from the NYSDEC maximum disturbance limit of 5 acres is proposed, additional appropriate mitigations will be provided
- g. Mitigation will be proposed for other identified adverse environmental impacts as necessary

B. SURFACE WATER RESOURCES

1. Existing Conditions

- a. Identify existing on-Site surface water and off-Site receiving surface waters, including wetlands, streams, and other natural water features will be discussed and presented graphically
- b. All resources will be described in terms of jurisdiction, classification, size and any applicable regulated areas including buffers
- c. Map and discuss the extent of FEMA designated floodplains and floodways or conclude that these areas are not present on the Site
- d. Discuss existing on-Site drainage patterns, including distance to and drainage towards Harrison's Pond.
- e. Discuss relevant State and Town stormwater regulations
- f. Quantify pre-development stormwater flow peak rates by calculating runoff using the appropriate techniques. Provide analysis of the 1, 10, and 100-year storms using site specific runoff coefficients.

2. Potential Impacts

- a. Quantify, map and describe encroachments, if any, into any on-site surface waters or associated regulated areas, including whether encroachments are temporary or permanent, and discuss the potential effect on the quality and function of these resources.
- b. Quantify post-development stormwater flow peak rates for the 1, 10, and 100-year storms using site specific runoff coefficients
- c. Discuss impact to floodplain elevations (if any)
- d. Describe potential impacts to downstream drainage systems, such as degradation by erosion and sedimentation resulting to construction
- e. Describe the components and functions of the proposed stormwater management system facilities, including the method of collecting, treating, reuse or conveyance of stormwater
- f. Analyze pre- and post-construction pollutant loading

3. Mitigation Measures

- a. Discuss permitting standards that must be met for impacts to any regulated wetland or waterbody in accordance with the NYS Department

of Environmental Conservation's "Stormwater Management Design Manual." (current version) and Town of Newburgh requirements.

- b. Summarize the Stormwater Pollution Prevention Plan (SWPPP) designed for the Site, including a discussion of the erosion and sediment control plan, and provide SWPPP as an Appendix
- c. Discuss ownership and maintenance (both short and long term) of the stormwater management system
- d. Mitigation will be proposed for other identified adverse environmental impacts as necessary

C. PLANTS & ANIMALS

1. Existing Conditions

- a. Discuss the potential presence of rare, threatened, and endangered species based on available data from appropriate outside agencies - New York State Department of Environmental Conservation (NYSDEC) and the US Fish and Wildlife Service

2. Potential Impacts

- a. Quantify and discuss impacts to the Site's rare, threatened or endangered species or ecologically significant communities and habitats, if any
- b. Correspondence with NYSDEC and USFWS will be provided in the Appendix
- c. Discussion of the amount of disturbance in each of the ecological communities on the site including loss of tree canopy and the impacts on related species that occupy the Project Site.

3. Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary

D. AGRICULTURAL RESOURCES

1. Existing Conditions

- a. Discuss whether the Site is located within an agricultural district and what portions of the Site are considered agricultural
- b. Describe the timeframe for when the Site was last used for agricultural purposes
- c. Describe and quantify agricultural soil groups found on the Site

2. Potential Impacts

- a. Quantify and describe the agricultural soil that will be permanently transformed
- b. Describe the loss of agricultural productive soils and how this will affect the agricultural district

3. Proposed Mitigation

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary

E. AESTHETIC RESOURCES**a. Visual****1. Existing Conditions**

- a. Description of aesthetic resources of the surrounding area
- b. Provide views into Project Site from surrounding land uses, including from neighboring residential areas
- c. Provide views into Project Site from area roadways
- d. Describe the relation of Site to surrounding area, based on topographical location and orientation of Project Site to surrounding area

2. Potential Impacts

- a. Provide description, using graphic and/or photographic analysis as appropriate, of changes in views into Site from the areas identified above during and after construction of the proposed project, including views from these areas and from areas within the Site
- b. Discuss standards for buffers and fencing adjacent to neighboring residential areas pursuant to the Town of Newburgh's Zoning Code.

3. Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary

b. Lighting**1. Existing Conditions**

- a. Describe the existing nighttime lighting levels at the Site.
- b. Discuss Site conditions that would affect light propagation such as terrain, existing vegetation, etc.

2. Potential Impacts

- a. Discuss the Project's proposed lighting
- b. Discuss conformance with the Town's Zoning Code

3. Mitigation Measures

- a. Discuss methods to avoid or reduce adverse effects from Site lighting to off-site areas, including night-sky friendly lighting and limiting foot-candles at the property boundary line
- b. Mitigation will be proposed for other identified adverse environmental impacts as necessary

c. Landscaping**1. Existing Conditions**

- a. Describe the existing on-Site vegetation

2. Potential Impacts

- a. Discuss and present graphically the overall limits of clearing, areas that will remain vegetated, and the development's proposed landscaping plan
- b. Address the use of native species in proposed landscaping plan
- c. Discuss conformance with the Town's Zoning Code

3. Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary

F. **TRANSPORTATION**

1. Existing Conditions

- a. Discuss and illustrate vehicle (resident, services, and emergency) and pedestrian access to and circulation through the Site
- b. Identify any existing or proposed near-term traffic improvement plans within the vicinity of the Site by NYSDOT, Orange County or Town of Newburgh that may affect traffic patterns
- c. Provide a description of the classification, jurisdiction, width of pavement, number of travel lanes per direction, presence of shoulders, sidewalks, bike accommodations, on-street parking & bus stops, speed limit, traffic controls and advisory signs, and roadway surface condition of the following roadways:
 - i. Brewer Road
 - ii. North Plank Road (NYS Route 32)
 - iii. Fostertown Road (County Route 86)
- d. Record vehicle traffic volumes and vehicle classifications on the surrounding roadway network either manually or through the use of ATR (automatic traffic data recorder) counters to determine the peak hours.
- e. Turning movement traffic counts shall be performed on weekdays during times when local schools are in session, during the morning (7-9 am) and afternoon (4-6 pm) peak periods.
- f. Perform detailed intersection capacity analyses of the existing weekday A.M. and P.M. peak-hour volumes using the current version of Synchro or Highway-Capacity-Software, based on the Highway Capacity Manual for the following intersections:
 - i. Brewer Road & Fostertown Road (County Route 86)
 - ii. Brewer Road & Vermont Drive
 - iii. Brewer Road & Primary Site Access
 - iv. Brewer Road & Hy Vue Drive
 - v. Brewer Road & Old North Plank Road
- g. Following NYSDOT guidance for data collection during the pandemic, compare traffic volumes to pre-pandemic conditions and make note of any specific volume adjustments.
- h. Provide an analysis of the accident history based on available State and Town Police records of affected roadways (listed in c. above) and affected intersections (listed in e. above), detailing the number, type, contributory factors, and conditions, for the most recent seven-year period and compare accident rates to the statewide average for similar roadways (provide tables in the Traffic Impact Study summarizing the data)
- i. Identify nearest public transportation stops
- j. Discuss status and local road network conformity with complete streets best practices

2. Potential Impacts

- a. Identify the estimated Project completion year and coordinate with the New York State Department of Transportation (NYSDOT) Planning Division at Poughkeepsie to determine the appropriate future “Design Year”
- b. Identify other significant developments that would generate traffic in the Project vicinity, including developments in other adjacent municipalities, which will generate a substantial volume of traffic on Brewer Road through the study area, and determine how much traffic these developments will add to the study intersections during the peak hours (projects to be included will be confirmed by the Town)
- c. Based on historical traffic growth and the volumes of traffic to be added by the identified vicinity developments, establish an annual background traffic growth rate to grow the existing traffic volumes to the “Design Year”, which will be reflective of the anticipated increase in general traffic activity in the area by that time
- d. Grow the existing traffic volumes at the intersections identified in Section E.1.g. above using the annual background traffic growth rate and add the vicinity development traffic volumes to get the future “No-Build” traffic volumes
- e. Develop the anticipated trip generation and trip distribution patterns from the Project using accepted sources, such as the Institute of Transportation Engineers’ publication, *Trip Generation, Latest Edition*, or surveys of similar local facilities
- f. Add the Project generated traffic to the “No-build” traffic volumes to determine the “Build” levels of service and queuing at the intersections identified in Section F.1.f. above, provide a summary of this data in tables in the DEIS
- g. Analyze the adequacy of the existing road infrastructure to accommodate the increased traffic
- h. Provide a discussion of the Project’s potential impact, if any, to pedestrian, bicycle and public transportation
- i. Discuss emergency and school bus access to Site
- j. Discuss air quality at the Site and potential impacts of construction and future development traffic at peak periods. The Environmental Procedures Manual procedures should be followed and include addressing, but not limited to, Carbon Monoxide (CO) and particulates

3. Mitigation Measures

- a. Provide a discussion of road improvements (as needed) or, for larger improvements providing area-wide benefits, contributions to improvements, possibly including:
 - i. Additional lanes
 - ii. Sight distance improvements
 - iii. Road geometry improvements
 - iv. Pedestrian, Bicycle and transit improvements
 - v. Necessary traffic control
 - vi. Responsibility for improvements
 - vii. Schedule for improvements
- b. Mitigation will be proposed for other identified adverse environmental impacts as necessary

G. UTILITIES**1. Existing Conditions**

- a. Water Supply
 - i. Describe existing Water Districts, public water supply facilities, including source, capacity, distribution infrastructure, and current usage
 - ii. Discuss lack of existing Town infrastructure currently servicing the Site
- b. Sanitary Sewers
 - i. Describe existing Sanitary Sewer Districts, public sewer treatment facilities, including capacity, distribution infrastructure, and current usage
 - ii. Discuss lack of existing Town infrastructure currently servicing the Site
 - iii. Address the existing Town of Newburgh Intermunicipal Agreement with the City of Newburgh
- c. Utility Systems
 - i. Describe services required and availability of electric, gas and telecommunications facilities from utility providers

2. Potential Impacts

- a. Quantify the Project demand on effected utilities, including water supply, sewage generation, increased drainage, energy needs and solid waste generated
- b. Identify the location of connection to each utility system and any offsite improvements required for the Project
- c. Calculate fire flow requirements based on NFPA guidelines and discuss the water supply system's ability to provide required fire suppression demands
- d. Identify necessary permits and provide correspondence from service providers in an Appendix
- e. Identify anticipated issues with need to upgrade infrastructure
- f. Identify the need for outside user status for sanitary sewer

3. Mitigation Measures

- a. Discuss proposed use of sustainable design elements and use of water conservation measures
- b. Mitigation will be proposed for other identified adverse environmental impacts as necessary

H. LAND USE & ZONING**1. Existing Conditions**

- a. Discuss the current use of Site
- b. Discuss and present graphically existing generalized land uses within one-half (1/2) mile of the Project Site
- c. Discuss and present graphically existing zoning of the Site and within one-half (1/2) mile of the Project Site
- d. Discuss Town of Newburgh Master Plan recommendations

- e. Discuss New York State Fire Code requirements
- f. Identify and map significant and specimen trees within the areas of proposed development

2. Potential Impacts

- a. Describe the conversion from vacant land to a developed site
- b. Discuss the Project's compatibility with zoning and surrounding land uses, with particular emphasis on impact to character of surrounding residential neighborhoods
- c. Discuss the Project's consistency with the Town Zoning Code, Town and City Comprehensive Plan, Town Natural Resources Inventory and Orange County Comprehensive Plan
- d. Evaluate Project's compliance with the Town of Newburgh Tree Preservation Law

3. Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary

I. SOCIO-ECONOMIC & FISCAL

1. Existing Conditions

- a. Discuss existing demographic conditions, including existing population, distribution, density, household size and composition, and population growth trends within Orange County and the Town of Newburgh utilizing the most current US census data
- b. Examine the annual budget for the Orange County, Town of Newburgh, Cronomer Valley Fire Department, Newburgh Enlarged City School District and any special districts
- c. Provide the current taxes paid to each taxing jurisdiction
- d. Correspondence from Town of Newburgh, Cronomer Valley Fire Department and Newburgh Enlarged City School District will be included in an Appendix of the DEIS

2. Potential Impacts

- a. Provide the projected population that will reside in the Project
- b. Identify the number of school age children produced by the Project, and the impact on the school district.
- c. Provide the Project assessed valuation and calculate the property taxes that will be collected by each taxing jurisdiction from the Project
- d. Discuss fiscal impacts on emergency services, Town and County roadways and schools, and tax revenues from the Project as well as the cost of providing services by the taxing authorities.
- e. Document the economic impacts resulting from the loss of open space.

3. Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary

J. COMMUNITY SERVICES**1. Existing Conditions**

- a. Identify existing station locations, staffing levels, equipment availability, annual number of calls for service, and estimated response times to the Site for the following emergency services:
 - i. Police
 - ii. Fire
 - iii. Ambulance
- b. Identify existing locations of Schools that serve the Site and provide current enrollment numbers
- c. Identify existing locations of health care facilities in the vicinity of the Site
- d. Identify existing locations of public parks and recreation in the vicinity of the Site
- e. Identify existing garbage collection and recycling services in the vicinity of the Site
- f. Correspondence community service providers will be included in an Appendix of the DEIS

2. Potential Impacts

- a. Discuss the impacts additional residents generated by the Project will have on emergency service providers and their abilities to service the Project based on information obtained from each service provider, including response times
- b. Calculate the number of school aged children that will reside in the proposed development based on recognized planning methodologies, supplemented with data supplied by the Newburgh Enlarged City School District
- c. Discuss the impacts additional residents will have on community services - health care facilities, public parks and recreation, and garbage collection and recycling services

3. Mitigation Measures

- a. Discuss the proposed on-site recreational facilities and amenities
- b. Mitigation will be proposed for other identified adverse environmental impacts as necessary

IV. ALTERNATIVES

This section of the DEIS will evaluate and compare alternatives to the proposed action, which are listed below. The evaluation and comparison will include a conceptual site plan and a tabular comparison of quantified impacts, such as trip generation comparisons with the proposed action. The following alternatives will be studied:

- A. No Action - Describe the "No-Build" alternative as required under 6 NYCRR 617.9.b.5.

V. EFFECTS ON THE USE AND CONSERVATION OF ENERGY

This section will discuss the energy resources to be used if the Proposed Action is implemented, anticipated levels of consumption. It will describe the Applicant's commitment to environmental sustainability and summarize sustainable and green

building practices to be employed. A description of the effect of the proposed action on the short- and long-term use and conservation of energy resources will be provided.

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

This section will identify significant long-term and short-term adverse environmental impacts that can be expected to occur if the Proposed Action is implemented, regardless of the mitigation measures considered in Section III, if any.

VII. IRREVERSABLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section will identify those natural and human resources listed in Section III that will be consumed, converted or made unavailable for future use if the Proposed Action is implemented.

VIII. GROWTH-INDUCING IMPACTS

This section will provide a qualitative discussion of short and long-term growth inducing aspects that may impact on future development in the Town of Newburgh

IX. APPENDICES

- A. SEQR Documentation (FEAF, Positive Declaration of Environmental Significance, Final Scoping Document)
- B. Relevant correspondence regarding the Project
- C. Studies, reports, exhibits and information considered and relied upon in preparing DEIS
 - a. Preliminary Geotechnical Report
 - b. Stormwater Pollution Prevention Plan (SWPPP)
 - c. Traffic Impact Study
 - d. Water System Engineering Report
 - e. Sanitary Sewer System Engineering Report
 - f. Fiscal Analysis