



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

PROJECT NAME: HUDSON PLACE (OVERLOOK FARMS)
PROJECT NO.: 19-23
PROJECT LOCATION: SECTION 9, BLOCK 1, LOTS 10, 11,12, 56.21 & 56.22
REVIEW DATE: 15 MAY 2026
MEETING DATE: 21 MAY 2026
PROJECT REPRESENTATIVE: JMC ENGINEERING

1. This office is continuing to review the revised SWPPP that has been submitted. Any approvals should be conditioned on approval of the revised SWPPP and coverage under the NYSDEC Construction Stormwater Permit.
2. The applicants have provided a SEQRA Consistency Technical Memo identifying the changes to the project versus the original project scope. The detailed SEQRA analysis identifies no potential significant environmental impacts from the project. Current modifications to the plan result in a smaller size club house, revisions to the club house access and parking, modifications from tennis courts to pickle ball courts and slight modifications to the site plan area around the club house. Applicants' conclusion identifies less overall site disturbance, less impervious surface and less tree removal from the site.
3. Original conditions of approval should remain in any amended approval for tracking purposes.
4. We would recommend that the conditions of approval contain a requirement that a preconstruction meeting prior to any clearing and grading or excavation activity on the site must be held with representatives of the Building Department, Engineering Department, Water, NYSDOT Representatives. Preconstruction meeting will also review all requirements of the Towns Stormwater Management Ordinance and NYSDEC Construction Stormwater SPDES Permit.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in blue ink that reads 'Patrick J. Hines'.

Patrick J. Hines
Principal

A handwritten signature in blue ink that reads 'Quinn M. Mullarkey'.

Quinn M. Mullarkey, P.E.
Senior Engineer

PJH/kmm

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| Site Planning | Environmental Studies |
| Civil Engineering | Entitlements |
| Landscape Architecture | Construction Services |
| Land Surveying | 3D Visualization |
| Transportation Engineering | Laser Scanning |

May 7, 2026

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

RE: JMC Project 17088
Overlook Farms a Farrell Community
5417 Route 9W
Town of Newburgh, NY

Dear Chairman Ewasutyn and Members of the Board:

Thank you for the opportunity to appear before your Board last month. We are pleased to provide this submission in response to comments received from your Board and it's Consultants. Accordingly, on behalf of Farrell Communities at Overlook Ponds LLC, the Applicant for the above referenced project, we have enclosed twelve 12 copies each of the below listed documents in support of a request for Amended Site Plan Approval for the Overlook Farms a Farrell Community project. As requested, we will also provide a full digital submission via email.

1. JMC Drawing C-100 "Layout Plan", last revised 5/7/2026.
2. SEQRA Technical Memorandum, dated 05/07/2026

The enclosed SEQRA Technical Memorandum provides an analysis of potential environmental impacts associated with the project. Based on the comparison, the proposed amendment would not cause any new significant adverse environmental impacts when compared to the approved project. In fact, the amendment will result in several minor environmental benefits compared to the original project including less overall disturbance, less impervious surface and less tree removal.

In addition, as requested by your Board, we have revised the enclosed Layout Plan to include benches at the pickleball courts and a bike rack at the clubhouse.

We would appreciate being heard at the next available Planning Board meeting and we look forward to discussing the project further at that time. In the interim, please let us know if you have any questions or require additional information.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

Anthony Guccione, Jr.

Anthony Guccione, Jr., RLA
Principal

cc: Mr. Patrick Hines, via hard copy & email
Mr. Ken Wersted, PE, via email
Mr. Dominic Cordisco, via email
Ms. Karen Arent, via email
Mr. Brian DeSesa, via email
Mr. Peter Gaito, Jr., via email
Stan Schutzman, Esq., via email

[https://jmcpc.sharepoint.com/sites/17088/shared documents/admin/ltr_ewasutyn 05-07-2026.docx](https://jmcpc.sharepoint.com/sites/17088/shared%20documents/admin/ltr_ewasutyn%2005-07-2026.docx)



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SEQRA TECHNICAL MEMORANDUM
May 07, 2026

AMENDMENT TO THE OVERLOOK FARMS A FARRELL COMMUNITY PROJECT
5417 ROUTE 9W, TOWN OF NEWBURGH, NY

I. INTRODUCTION

We are pleased to provide this SEQRA Technical Memorandum, on behalf of Farrell Communities at Overlook Ponds LLC, the Applicant for the Overlook Farms a Farrell Community project, located in the Town of Newburgh, New York.

The site is 32.71 acres in size and is bordered by Route 9W to the east, Morris Drive to the north and agricultural lands to the south and west. It is located within the Town's "R-3" Residence and "B" Business Districts. The applicant is proposing the construction of eleven 12-unit buildings, one 11-unit building and three 20-unit buildings for a total of 15 buildings containing 203 market rate residential apartment housing units, with 23 of the units being designated for senior market rate housing. The project also proposes a clubhouse building, a 25,000 square foot retail building and a sewage treatment plant to serve the development.

The project was subject to a full environmental review pursuant to the State Environmental Quality Review Act and its implementing regulations ("SEQRA"). The Town of Newburgh Planning Board served as Lead Agency for the coordinated SEQRA process. As described below, the Planning Board found in its SEQRA Findings Statement that the proposed amendment will not create any significant adverse environmental impacts.

The Applicant is now proposing an Amendment to the approved Site Plan for which Amended Site Plan Approval is being requested to include:

- Change the size and configuration of the clubhouse, reducing it from 5,085 square feet to 4,150 square feet.
- Modify the clubhouse parking lot to provide a loop configuration rather than a dead end to better accommodate vehicular circulation, drop-offs and emergency access.
- Remove the two tennis courts and replace them with two pickleball courts which are in higher demand and more popular based on current recreational trends.
- The other amenities in the vicinity of the clubhouse have been reconfigured to accommodate the revised clubhouse shape.
- All other aspects of the project remain the same as previously approved.

The proposed changes are located within the previously analyzed and approved limits of disturbance. As a result of the modified club house, parking lot and amenities reconfiguration, the overall limits of disturbance on the project would be reduced by approximately 4,788 square feet. The proposed modification will also reduce the overall impervious coverage by 0.12 acres (5,227 SF).

This Technical Memorandum has been prepared to determine whether the Proposed Amendment has the potential to generate any new significant adverse environmental impacts as compared to the previously approved project.

II. NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

The proposed development has already been the subject of an extensive review under SEQRA. It was determined that the project is a Type I Action under SEQRA. The Planning Board of the Town of Newburgh, acting as lead agency, conducted a detailed environmental review of the proposed action, including the clearing of the site, and concluded that the proposed action will not create any significant adverse environmental impacts. As such, the Planning Board adopted a Negative Declaration on June 16, 2022.

The Resolutions of Site Plan and ARB Approval issued on May 8, 2023, remain in effect. The Planning Board has granted all necessary extensions. All prior approved conditions shall apply to the Project except as they may be modified through this amendment process. The analyses contained in this Technical Memorandum compare the potential impacts of the Proposed Amendment and the Approved Site Plans.

III. POTENTIAL EFFECTS OF THE PROPOSED AMENDMENT

The purpose of this Technical Memorandum is to determine whether the Proposed Amendment has the potential to generate any new potentially significant adverse environmental impacts not previously analyzed or analyzed herein. The following analyses address each of the relevant technical areas contained in the Negative Declaration for the Overlook Farms a Farrell Community project.

This Technical Memorandum compares the potential impacts of the Proposed Amendment to those of the previously Approved Site Plan.

Accordingly, for the reasons in this Technical Memorandum, the Proposed Amendment would not cause a new significant adverse environmental impact when compared to the approved project.

A. Impact on Land

The Proposed Amendment would result in less overall site disturbance as compared to the Approved Project.

The Proposed Amendment would create approximately 4,788 square feet less site disturbance as compared to the Approved Site Plan. Aside from the clubhouse, it's parking lot and the project amenities, for which the disturbance area has been

reduced, all other aspects of the project remain consistent with the Approved Site Plan.

Soil Erosion and Sediment Control Plans have been developed, as well as a Stormwater Pollution Prevention Plan for the site in compliance with the NYSDEC and Town of Newburgh requirements. Phased development will be undertaken to limit the amount of land area disturbed at one time, which remains consistent with the Approved Site Plan. Landscaping Plans have been developed to identify re-vegetation of all areas which are disturbed and not proposed to be covered by impervious buildings and/or pavement.

B. Water, Sanitary Sewer and Stormwater

There is no change in water demand or sanitary sewer generation for the project, and the proposed stormwater management system remains consistent with the previously approved system.

There is no proposed change in the number of residential units or retail building area, and a small decrease in the size of the clubhouse. As a result, the Proposed Amendment will not result in a change to the estimated water demand or sanitary sewer generation. As with the approved project, the amended project will be served by an on-site sanitary collection system and sewage treatment plant. Although the impervious surface and disturbance areas have slightly decreased as a result of the Amended Site Plan, the Stormwater Pollution Prevention Plan (SWPPP) proposes the same stormwater management facilities as it did with the Approved Plan. As a result, the SWPPP continues to provide the same, if not improved required water quality treatment and mitigation of peak stormwater flow rates.

C. Transportation/Traffic

Traffic impacts associated with the Proposed Amendment will not change as compared to the Approved Site Plan.

The proposed amendment will continue to propose site access from NYS Route 9W and a secondary access point from Morris Drive. There will be no change in the proposed number of residential units or retail square footage. Therefore, no change in traffic trip generation will be created by the Proposed Amendment.

D. Wildlife, Threatened or Endangered Species

The Proposed Amendment would reduce the area of land disturbance and preserve more potential habitat than the approved project.

The Proposed Amendment reduces the area of land disturbance by approximately 4,788 square feet maintaining more potential habitat for wildlife as compared to the approved project. The proposed reduction in land disturbance will result in the removal of 12 less trees. Two of these trees are identified as significant trees and

one tree is classified as a specimen tree as outlined by the Chapter 172 “Tree Preservation and Protection” of the Town of Newburgh code.

E. Historic and Cultural Resources

As with the Approved Project, the Proposed Amendment would not have any adverse impact to cultural or archeological resources.

No cultural or archeological resources have been identified on the project site. The project site has been significantly altered by human activity due to past agricultural practices.

F. Energy, Noise, Odor and Public Health

As with the Approved Project, the Proposed Amendment will not result in any significant adverse long-term noise or air quality impacts.

With the exception of noise during construction, there will be no impact on energy, noise, odor or public health as a result of the Proposed Amendment. Buffers will be consistent with or greater than the Approved Project. Construction of the project will be limited to hours permitted by the Town of Newburgh code. The proposed sanitary sewer treatment system on the site is a proprietary package plant, the majority of which will be buried on the site consistent with the plans for the Approved Project. Odors associated with the sewage treatment plant have been evaluated. As with the approved project, all proposed structures will comply with NYS Energy Code requirements.

G. Aesthetic and Community Resources

The Proposed Amendment does not propose any changes that would result in an increased impact to Aesthetic and Community Resources.

The Proposed Amendment is limited to modifications to the clubhouse, it’s parking lot and associated project amenities. None of these modifications would result in an increased impact to Aesthetic and Community Resources.

IV. CONCLUSION

Based on the foregoing, the Proposed Amendment would not cause any new significant adverse environmental impact when compared to the Approved Project. As described in this Technical Memorandum, the Proposed Amendment would yield several environmental benefits as compared to the Approved Project, including less overall site disturbance, less impervious surface and less tree removal resulting in increased preservation of wildlife habitat.

