



January 8, 2016

**Via Overnight Mail**

Chairwoman Lisa Daily and Members  
of the City Planning Board  
City of Newburgh  
City Hall  
83 Broadway  
Newburgh, New York 12550

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■ Also admitted in D.C.  
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**Re: Mill Street Partners, LLC – Mid-Broadway Redevelopment Opportunity**

Chairwoman Dailey and Members of the City Planning Board:

This firm represents Mill Street Partners, LLC (“Mill Street”), the Preferred Developer selected by the City of Newburgh (“City”) for the Mid-Broadway Redevelopment Project at the property adjacent to Broadway, Johnston Street and Lander Street (“Site”). We are writing in connection with Mill Street’s submission of its formal Site Plan Application to develop a Mixed Use with Residential building at the Site (“Application”). We respectfully request that this matter be placed on your Board’s January 19, 2016 Regular Meeting Agenda in order to commence the formal review of this Application.

As we explained when we appeared before your Board in December 2015, the Application is being submitted in accordance with the Development Agreement between the City and Mill Street, dated October 23, 2012 (“Development Agreement”). On October 26, 2015, the City Council adopted a Resolution authorizing the City Manager to sign an amendment to the Development Agreement extending the deadline for Mill Street to secure all necessary approvals and public funding for one (1) year from the execution of this amendment (“DA Amendment”). See City Council Resolution No. 282-2015.

Unfortunately, Mill Street has yet to receive an executed DA Amendment from the City, despite the City Council authorizing the execution of such Amendment almost three (3) months ago. The City’s delay in executing the DA Amendment is prejudicing Mill Street’s ability to obtain pre-development funding that would advance certain portions of the project plans. Although Mill Street has already secured approval to receive such funding, the money will not be released until Mill Street provides to its lenders a copy of the executed DA Amendment to demonstrate the City’s continued commitment to this project. As such, the City’s

delay is impacting Mill Street's ability to provide your Board with full engineering details at this time.

Nonetheless, the City's delay in executing the DA Amendment should not impede your Board's review of this Application. There are several preliminary steps, which can be undertaken at this juncture to keep the review process moving per the City Council's urging. This would include initiating the requisite review under the New York State Environmental Quality Review Act ("SEQRA") by declaring your Board's intent to serve as the Lead Agency. We respectfully request that your Board take such action during the January 19, 2016 Regular Meeting.

Submitted herewith are three (3) hard copies and one (1) digital set of the following materials in furtherance of this request:

- Completed Land Development Application Packet for Site Plan Approval, dated November 19, 2015<sup>1</sup>;
- Revised Long Environmental Assessment Form ("Long EAF"), prepared by VHB, Inc., dated January 8, 2016;
- Phase I and Phase II Environmental Site Assessments, prepared by Ecosystems Strategies, Inc., dated February 26, 2013 and June 10, 2013, respectively; and
- Site Plan Drawings, prepared by Magnusson Architecture and Planning, P.C., dated January 8, 2016.

In addition, Mill Street is providing two (2) checks payable to the City of Newburgh: (i) a check in the amount of \$11,680.00 to cover the City's Site Plan Application Fees in this matter; and (ii) a check in the amount of \$500.00 to cover the initial escrow deposit for professional services required during the review process.

**A. Mill Street's Site Plan Complies With All Applicable Zoning Standards, As Well As All Criteria For Site Plan Approval**

As your Board will recall from our preliminary meeting on December 15, 2015, the Site consists of approximately 1.94 acres with frontage along Broadway, as well as Lander and Johnston Streets. Mill Street is proposing to redevelop the underutilized and substantially abandoned Site with a five (5) story building. The first floor of the building would include approximately 13,800 square feet of retail space with frontage along Broadway. This space would consist of a 11,935 square foot area most likely utilized as a local grocery store, and a 1,865 square foot area supporting a smaller retail use. In addition, the building would contain

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<sup>1</sup> Pursuant to the guidance of the Assistant Corporation Counsel, a blank Owner's Proxy Statement Form (page 38 of the Application Packet) is included in this Packet so that the appropriate party in the City can complete the information requested.

ninety-one (91) residential units. A parking lot consisting of 111 spaces would be located in the rear of the Site with access to and from both Lander and Johnston Streets. The proposed layout is substantially similar to the layout your Board reviewed under the City's prior zoning in 2013.

As a result of a recent rezoning, the Site is now located within two (2) zoning districts. The portion of the Site fronting Broadway is located within the Broadway Corridor (BC) District. The remainder of the Site is located within the Downtown Neighborhood (DN) District. Due to the split zoning of the Site, it is our understanding that City Staff is proposing to apply the "most restrictive" use and area standards to this Application. See City Zoning Code § 300-24. As explained below, in most cases this results in applying the DN District standards to the proposed development.

No variances would be required to accommodate the proposed redevelopment, even if the "most restrictive" standards from either District are applied. With respect to use, Mill Street's proposed "Mixed Use with Residential" building is permitted as-of-right subject to Site Plan Approval in both the BC and DN Districts. See id. § 300-129. As a use that is "customarily incidental and subordinate to the principal uses" in the Building, the parking area in the rear of the Site would be a permitted accessory use. See id. § 300-31(D). As illustrated on the Zoning Compliance Chart Mill Street is providing herewith, the proposed layout would also comply with all Lot Standards, and other applicable area regulations in the City Zoning Code, under either the BC or DN District requirements. See Site Plan Drawings, submitted herewith.

We respectfully submit that this proposed Site Plan also complies with the Criteria for Site Plan approval set forth in Section 300-89 of the City Zoning Code. As illustrated by the elevations and renderings included in the enclosed Site Plans Drawings, the proposed layout and design of the building is consistent with the character of the City's downtown neighborhood, with appropriate and attractive architectural features "compatible . . . with traditional structures in the surrounding area." See City Zoning Code § 300-89(A) (standards for development layout and design). The proposed landscaping along the perimeter of the Site, as well as within the parking lot, will provide the appropriate buffers as required under the City's landscaping criteria. See id. § 300-89(C). There is also ample room on the Site to provide for safe driveway access, loading and vehicular circulation for both emergency and non-emergency vehicles in accordance with the City's parking, circulation and loading standards. See id. § 300-89(D). In addition, Mill Street is proposing a 4,221.94 square foot outside playground and seating area in the rear of the building for residents to satisfy the City's parkland reservation requirements for residential developments. See id. § 300-89(E).

With respect to stormwater management, peak runoff will be controlled using a subsurface arched chamber detention system. A pretreatment unit will also be installed upstream of the storage units to reduce debris, floatables and any oils. As discussed above, upon the City's execution of the DA Amendment, Mill Street will be able to direct its engineering consultants to finalize the details of this plan so your Board may confirm that such stormwater management system meets the City's criteria concerning nonpoint source pollution protection plans. See id. § 300-89(B). These plans will also include the requisite details pertaining to proposed grading and erosion and sediment control measures during construction. See id.

Finally, during our last meeting with your Board the City Engineer asked for details concerning the disposition of any hazardous materials present at the Site in accordance with the “Miscellaneous Standards” for Site Plan Approval. See id. § 300-89(F)(6). Specifically, the City Engineer inquired whether the prior dry cleaning use of a portion of the Site resulted in any impacts, which must be addressed prior to redevelopment. Mill Street is providing your Board with the Phase I and Phase II Environmental Site Assessments performed by Ecosystems Strategies, Inc. (“Ecosystems”) in 2013. As established by the Phase II Environmental Site Assessment submitted herewith (“Phase II”), Ecosystems concluded that the former dry cleaning operation had limited impacts upon the Site. Of most importance, no significant concentrations of tetrachloroethylene (PCE) were discovered in the soil or gas borings in the vicinity of this prior use. See Phase II at 8-9.

The Phase II recognized the presence of degraded gasoline in the soil at a depth of approximately twelve (12) feet in the immediate vicinity of a former underground storage tank. See id. at 9-10. The extent of the impacted soil in this area will be quantified during pre-construction excavation activities, and remediated in accordance with all applicable local, state and federal requirements. See id.; see also City Zoning Code § 300-89(F)(6). In addition, low-levels of PAHs, metals and PCBs were detected in the northern portion of the Site. Ecosystems concluded that the soil in these areas is consistent with background fill material and demolition debris found throughout urban areas, and can be reused during the redevelopment in accordance with all applicable regulations. See Phase II at 9. To the extent that any soil would be excavated rather than reused on-Site, such soil would be managed in accordance with all applicable health and safety protocols and environmental regulations. See id.

The management of the materials on the Site during construction would thus be consistent with the City’s Site Plan requirements. See City Zoning Code § 300-89(F)(6).

**B. Reducing The Required On-Site Parking To 111 Spaces Is Warranted Under All Three (3) Criteria For Site Plan Approval**

The only aspect of this Application, which requires administrative relief from your Board, is Mill Street’s proposal to maintain 111 on-Site parking spaces. Although the BC District Regulations do not require on-Site parking, the “most restrictive” application of the City Zoning Code would require applying the DN District standards to the entire Site. Under this approach, a total of 121 parking spaces would be required on-Site. This includes ninety-one (91) spaces for each residential unit, as well as thirty (30) spaces for the 13,800 square feet of retail space on the first floor.<sup>2</sup>

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<sup>2</sup> As confirmed with City Staff and your Board last month, for purposes of calculating the “most restrictive” parking standards under the DN District Requirements, the use of this first floor commercial space is considered “Retail,” requiring 1 parking space per every 300 square feet. See City Zoning code § 300-157 (referring to the parking requirements set forth in the Bulk and Area Table for the Commercial and Industrial District). Since Retail uses are permitted “by right: no Site Plan required” in the DN District, the first 5,000 square feet of space on the first floor is exempt from parking requirements. See id. The remaining 8,800 square feet would require a total of thirty (30) spaces. See id.

While this “most restrictive” approach would require 121 parking spaces, we respectfully submit that the facts here support “reduc[ing] the amount of off-street parking required . . . up to twenty five percent (25%)” through your Board’s Site Plan approval authority. See City Zoning Code § 300-89(D)(3). Here, a reduction of only approximately eight percent (8%) would be required.

In the alternative, your Board should utilize its authority to “modify the required off-street parking requirements” by issuing a Special Parking Permit allowing the redevelopment of the Site with 111 on-Site parking spaces. See *id.* §§ 300-70(D) (Parking Special Permit) & 300-157 (Parking Standards in the Form Based Code).

In either case, the Record here demonstrates that the Application meets all three (3) criteria required for your Board to modify the applicable parking requirements. Specifically:

1. 111 on-Site parking spaces are adequate “given the use and zoning district” here. Although the “most restrictive” zoning standard is applied initially to calculate the numerical requirement at the Site, a large portion of the Site is located within the BC District. Again, the BC District Regulations do not require any on-Site parking for residential or commercial uses. See *id.* § 300-157. The proposed 111 on-Site spaces, therefore, provide far more parking than would be required at the Site if the BC District Regulations were applied.

Similarly, the 111 proposed parking spaces on-Site would be adequate to support the proposed uses at the Site. Each residential unit is assigned one (1) parking space in accordance with the DN District regulations. The remaining twenty (20) parking spaces would be sufficient to serve the demand created by the retail uses at the Site. The size and location of the retail spaces in the proposed building would support local neighborhood commercial uses. These uses are not parking dependent uses, such as supermarkets or movie theaters, since they would serve primarily residents in the immediate vicinity of the Site, rather than attracting patrons from nearby neighborhoods or communities. Indeed, a grocery store is expressly defined as a “neighborhood retail” use under the City Zoning Code. See *id.* § 300-6.

2. There is “[a]dequate on-street parking within 500 feet” of the Site. In addition to the twenty (20) on-Site spaces reserved for patrons of the retail uses, there are at least eighteen (18) public parking spaces directly adjacent to the Site along Broadway. See Parking Plan, included in the Site Plan Drawing submitted herewith. There are also at least nineteen (19) additional public parking spaces directly adjacent to the Site along Johnston Street. See *id.* Moreover, there is a municipal parking lot on Lander Street across from the Site (“Lander Street Parking Lot”). This public parking lot provides up to fifty-two (52) additional spaces for patrons using the retail uses at the Site. There are also municipal parking lots within five hundred (500) feet of the Site on Ann Street (62 spaces), Broadway (12 spaces) and Dubois Street (32 spaces). This combination of available spaces within five hundred (500) feet of the Site provides more than sufficient parking to accommodate any demand created by the retail uses at the Site.

3. Mill Street “can secure a written agreement for shared parking from a use within five hundred (500) feet” of the Site. The Development Agreement provides that upon

Mill Street's request, the City shall authorize a License Agreement to allow Mill Street to use exclusively twenty-six (26) parking spaces in the Lander Street Parking Lot. See Development Agreement ¶ 5.03. Although Mill Street does not anticipate the need to take advantage of this Provision given the amount of public parking already available within the vicinity of the Site, your Board may rely on the City's duty under the Development Agreement to enter into a License Agreement with respect to the Lander Street Parking Lot to reduce the applicable on-Site parking requirement to 111 spaces.

As all three (3) criteria are satisfied in by this Application, it is well within your Board's authority and discretion to modify the required amount of on-Site parking to 111 spaces for this Application. See City Zoning Code § 300-89(D)(3) (Site Plan Approval); see also id. § 300-70(D) (Special Parking Permit).

### **Conclusion**

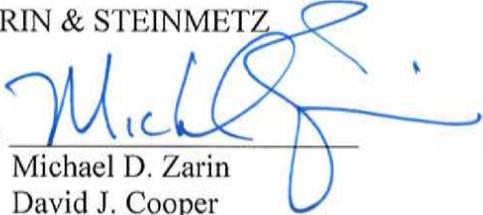
Mill Street looks forward to appearing before your Board on January 19<sup>th</sup> to continue the review of this Application. Mill Street appreciates the efficiency in which your Board and your Staff have reviewed the Application to date. Again, at this juncture, Mill Street submits that your Board has sufficient information to commence the SEQRA review process by formally declaring it intent to serve as Lead Agency and circulating a notice to all involved and interested agencies of such intent.

As discussed above, upon the City's execution of the DA Amendment, Mill Street will be able to complete all project design documents, including the civil engineering details and any other reports your Board would require to complete its review of the subject Application. Given the City's continuing duty to maintain "close coordination and collaboration" with Mill Street in order to "consummate the Development" at the Site, we expect that the DA Amendment will be executed shortly. See, e.g., Development Agreement Whereas Clause 5 & ¶ 1.04. At such time, Mill Street anticipates being able to provide your Board with such documents to support the issuance of a Negative Declaration in accordance with SEQRA.

In the interim, should your Board require any further in formation prior to January 19, 2016, please do not hesitate to contact us.

Respectfully submitted,

ZARIN & STEINMETZ

By: 

Michael D. Zarin

David J. Cooper

cc (via email):

Mayor Judy Kennedy

Members of the Newburgh City Council

Michael Ciaravino

Alexandra Church, AICP

Michelle Kelson, Esq.

Robert H. Feller, Esq.

David Schiff, AICP, PP

Patrick Normoyle & Magnus Magnusson, Mill Street Partners

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part I is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Mid-Broadway Redevelopment		
Project Location (describe, and attach a general location map): 140 Broadway, Newburgh, New York 12550 (Block: 3, Lots: 21-38)		
Brief Description of Proposed Action (include purpose or need): The Action includes the construction of a building with 91 housing units and first-floor retail space (+/- 13,800 sq. ft.). The addition of 111 off-street parking spaces is also included in the Proposed Action. The project will be a redevelopment project on mostly vacant land (an abandoned 3-story building to be razed is the only structure. The site consists of +/- 1.94 acres, primarily City of Newburgh owned property and one privately owned property (14 Johnston St.). The proposed development will range from four to five stories and have frontage on Broadway, Lander, and Johnston Streets. Other components of the proposed development include a loading dock, outdoor seating, and a play area behind the building. Adequate infrastructure (i.e. water, sewer, gas, electric, etc.) is available to serve the proposed development.		
Name of Applicant/Sponsor: Mill Street Partners		Telephone: (212) 253-7820 E-Mail: patrick@excelsiorhousing.com
Address: 42 West 39th Street, 15th Floor		
City/PO: New York	State: NY	Zip Code: 10018
Project Contact (if not same as sponsor; give name and title/role): Same as sponsor		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): City of Newburgh		Telephone: (845) 569-7300 E-Mail:
Address: 83 Broadway		
City/PO: Newburgh	State: NY	Zip Code: 12550

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan Approval	11/20/15
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County GML, Newburgh Water/Sewer Dept., Architectural Review Committee	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County DOH	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSHFA	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No  
 If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No  
 If Yes, identify the plan(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No  
 If Yes, identify the plan(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 The parcels that front on Broadway are zoned Broadway Corridor (BC). The parcels that front on Johnston Street and Lander Street are zoned Downtown Neighborhood (DN)

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Newburgh Enlarged City School District

b. What police or other public protection forces serve the project site?  
Newburgh Police Department

c. Which fire protection and emergency medical services serve the project site?  
Newburgh Fire Department and Mobile Life Support Services, Inc. (EMS provider for the City)

d. What parks serve the project site?  
Downing Vaux Park and Audrey Carey Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Mixed-use with residential: residential and retail

b. a. Total acreage of the site of the proposed action? 1.94 acres  
 b. Total acreage to be physically disturbed? 1.94 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.94 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: 24 months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	One building consisting of a total of 91 units
At completion of all phases	_____	_____	_____	One building consisting of a total of 91 units

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 64 ft height; 210 ft width; and 188 ft length

iii. Approximate extent of building space to be heated or cooled: 107,980 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 18,775 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: City of Newburgh
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

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d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ TBD gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
 Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: Newburgh Wastewater Treatment Plant
- Name of district: Orange County Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_  
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. Parking lot curbing and rooftop capture  
 \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
A subsurfaced arched chamber detention system has been designed. The stormwater detention system is designed to store excess runoff from the proposed development and thereby control the peak runoff. A pretreatment unit will be installed upstream of the storage to reduce floatables, debris, oil.  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No  
 iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
Construction vehicles  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
Heating of buildings

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.  
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_  
 iii. Parking spaces: Existing 0 Proposed 111 Net increase/decrease +111  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

---

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 TBD  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
 local utility  
 iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: As permitted by City  
 • Saturday: Must notify Building Inspector  
 • Sunday: Must notify Building Inspector  
 • Holidays: Must notify Building Inspector  
 ii. During Operations:  
 • Monday - Friday: TBD for retail component  
 • Saturday: TBD for retail component  
 • Sunday: TBD for retail component  
 • Holidays: TBD for retail component

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
Construction vehicles and equipment during permitted construction hours

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
Outdoor security lighting ground building and in parking area. Cut-off shades will be utilized to limit light spillage.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally describe proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ +/- 15 tons per \_\_\_\_\_ month (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): Vacant land, urban residential

ii. If mix of uses, generally describe: \_\_\_\_\_

---

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.38	1.8	+0.42
• Forested	-	-	-
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	-	-	-
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	-	-	-
• Wetlands (freshwater or tidal)	-	-	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: <u>Landscaped areas</u>	0.56	0.14	-0.42

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes; explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities:  
SUNY Orange Newburgh Campus, St. Luke's Cornwall Hospital

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection:  
 \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
 \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
 \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 Two active spills are recorded for the Site (1300610 and 1300608). Both events relate to conditions identified during site investigation services. Remediation of both spills is anticipated as part of site redevelopment.  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): 546031 , 336042 , 336055  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
 546031 - Phase 2 of the remedial project started in 2011, and is anticipated to take five to seven years.  
 336042 - The riverfront barrier wall and off shore dredging components of the remedy were largely completed in the fall of 2010.  
 336055 - Site Remediation is complete.

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 14-26 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: Mardin Loam (MdB), group (D) \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: 40 % of site  
 Poorly Drained: 60 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

---

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 The site is an urban, previously \_\_\_\_\_ and white tailed deer. \_\_\_\_\_  
 developed area; common wildlife species \_\_\_\_\_  
 would be songbirds, squirrels, raccoons, \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
ii. Name: <u>East End Historic District, New York State Armory</u>	
iii. Brief description of attributes on which listing is based:	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Describe possible resource(s): <u>View of Mount Beacon and Newburgh Historic District</u>	
ii. Basis for identification:	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Hudson River</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):	
iii. Distance between project and resource: <u>Approximately 0.75 miles.</u>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: <u>Hudson River</u>	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Mill Street Partners Date 1/8/16

Signature David Schiff, AICP  Title Planning Consultant



E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District, New York State Armory
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



**PHASE I**

**ENVIRONMENTAL**

**SITE ASSESSMENT**

**February 26, 2013**

---

**Site Identification:** Mid- Broadway Project  
132-148 Broadway Street  
6-18 Johnston Street  
6,8, and 14 Lander Street  
City of Newburgh  
Orange County, New York

**Tax Lot Identification:** Parcels 30-3-21 through 30-3-38

**Property Description:** Approximately 1.96-acre property containing  
overgrown/vacant land and a small residential  
structure

**ESI File: EN13029.10**

---

**Prepared By:**



**Ecosystems Strategies, Inc.**

24 Davis Avenue, Poughkeepsie, NY 12603

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**PHASE I**

**ENVIRONMENTAL**

**SITE ASSESSMENT**

**February 26, 2013**

**ESI File: EN13029.10**

**Prepared By:**

**Ecosystems Strategies, Inc.  
24 Davis Avenue  
Poughkeepsie, New York 12603**

**Prepared For:**

**Excelsior Housing Group, LLC  
1 Wolfs Lane – Suite 10  
Pelham, New York 10803**

Phase I Environmental Site Assessment services performed by Ecosystems Strategies, Inc. have been conducted in accordance with ASTM Method E 1527-05.

The undersigned has reviewed this [Phase I Environmental Site Assessment](#) and certifies to Excelsior Housing Group, LLC that the information provided in this document is accurate as of the date of issuance by this office.



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Paul H. Ciminello  
President

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## 1.0 INTRODUCTION

### 1.1 Purpose of the Investigation

This Phase I Environmental Site Assessment (Phase I ESA) identifies recognized environmental conditions (RECs) and/or other significant environmental liabilities resulting from or associated with the storage, use, transport, or disposal of hazardous or regulated materials on the property located at 132-148 Broadway Street, 6-18 Johnston Street, and 6, 8, and 14 Lander Street, City of Newburgh, Orange County, New York (property descriptions are presented in Sections 2.1 and 3.3.2).

### 1.2 Methodology

This Phase I ESA has been prepared in conformance with guidelines set forth by the American Society for Testing and Materials (ASTM) Method E1527-05 (no exceptions to or deletions from this practice have occurred, with the exception that no access was available to the interior portion of the on-site structure). The detailed Scope of Services adhered to in this investigation is provided as Appendix F. This environmental site assessment was performed under the direct supervision and responsible charge of a qualified environmental professional (see Appendix E), following the requirements for “all appropriate inquiry” as defined in 40 CFR Part 312.

Ecosystems Strategies, Inc. (ESI) performed the following work:

1. Investigation of the subject property's history and characteristics through the analysis of available historic maps, local and regional maps, local governmental and/or Tribal records, and information provided by subject property representatives and other knowledgeable individuals (see Section 5.0 for references).
2. Review of Federal, State, and/or Tribal regulatory-agency computer databases and printed records for documentation of potential environmental liabilities relevant to the property, consistent with (or exceeding) applicable ASTM requirements.
3. Inspection of the property by Danielle Bonneau of ESI on February 8, 2013 (no representative of the User was present during the site inspection).

### 1.3 Limitations

This Phase I ESA is an evaluation of the property described in Section 2.1 below and is not valid for any other property or location. It is a representation of the property analyzed as of the dates that services were provided. This Phase I ESA cannot be held accountable for activities or events resulting in environmental liability after the respective dates of the site inspection or historic and regulatory research.

This Phase I ESA is based in part on certain information provided in writing or verbally by federal, state, and local officials (including public records) and other parties referenced herein. The accuracy or completeness of this information was not independently verified. Unless specifically noted, the findings and conclusions contained herein must be considered not as scientific certainties, but as probabilities based on professional judgment.

## 1.4 Key Definitions

Definitions of some common terms found in ASTM Standard 1527-05, as used in this Phase I ESA, are provided below.

### Activity and Use Limitations (AULs)

Legal or physical restrictions or limitations on the use of, or access to, a site or facility to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or ground water on the property, or to prevent activities that could interfere with the effectiveness of a response action. AULs may include institutional and/or engineering controls.

### Key Site Manager

The person identified by the owner or operator of a property as having good knowledge of the uses and physical characteristics of the property.

### Practically Reviewable

Information that is provided by a source in a manner and in a form that yields information relevant to the property without the need for extraordinary analysis of irrelevant data is Practically Reviewable. Records must be for a limited geographic area. Records arranged chronologically, lacking adequate address information to be located geographically, in large databases that are not sorted by zip code, or are so numerous to be unmanageable are not generally practically reviewable (i.e. data cannot be feasibly reviewed for its impact on the property).

### Reasonably Ascertainable

Information that is (1) publicly available, (2) obtainable from its source within reasonable time and cost constraints, and (3) practically reviewable is Reasonably Ascertainable.

### Recognized Environmental Conditions (RECs)

The presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate (1) an existing release, (2) a past release, or (3) a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. Material threat means a physically observable or obvious threat that is reasonably likely to lead to a release that is threatening and might result in impact to public health or the environment.

The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

### User

Any party, including its successors and assigns, seeking the completion of an environmental site assessment in conformity with ASTM Standard 1527-05.

## 2.0 SITE LOCATION AND DESCRIPTION

### 2.1 Description of the Subject Property

The subject property as defined in this Phase I ESA consists of the approximately 1.96-acre property located at 132-148 Broadway Street, 6-18 Johnston Street, and 6, 8, and 14 Lander Street, City of Newburgh, Orange County, New York (identified as Orange County tax lot parcels: 30-3-21 through 30-3-38). A Site Location Map is provided on Page 5.

Development of the subject property, as described by the User, will occur in two Phases: Phase I, will encompass the southern portion of the subject property and will contain tax lot parcels 21 through 37, and Phase II, will encompass the northern portion of the subject property and will contain tax parcel 38. The subject property is located on the northern side of Broadway (County Route 17K), on the western side of Lander Street, and on the eastern side of Johnston Street.

A three-story residential building is located on the western-central portion of the property. The remainder of the property contains maintained, vacant land on the southern portion of the property, overgrown, vacant land on the eastern portion of the property, and a paved parking area on the northwestern portion of the property. A map illustrating the layout of the property is provided on Page 6 and photographs of the property are provided in Appendix A.

#### 2.1.1 Site Topography

Information on the subject property's topography was obtained from the review of the United States Geological Survey Topographic Map of the Newburgh, New York Quadrangle (a copy of the relevant portion of this map, with the subject property indicated, is provided in Appendix B). According to the Topographic Map, the property is located in an area with overall easterly downward slopes to the east, towards the Hudson River. The property has surface elevations that range from approximately 120 to 140 feet above mean sea level. Field observations confirm that the property is relatively level.

The topographic map did not indicate the presence of any soil/gravel mining operations or unusual topographic patterns indicative of landfilling activities on the subject property. No on-site structures are depicted on the topographic map (the property is located in an urban area where only selected landmark buildings are depicted).

#### 2.1.2 Site Geology

No information regarding site-specific investigations of the subsurface (e.g., test pits or borings) was readily available; therefore, no documented determinations are provided in this Phase I ESA.

A review of the Geologic Map of New York and the Surficial Geologic Map of New York (lower Hudson sheets) indicates that soils on the subject property are likely to consist of glacial till deposits overlying sedimentary rock. Soil maps presented in the USDA NRCS Soil Survey of Orange County, New York (Soil Survey), indicate that the Urban Land and Mardin gravelly silt loam (3-8% slopes) soil series are likely to be located on the property. The Urban Land designation is provided for areas where at least 50% of the surface is covered by buildings, parking areas or other impervious structures, and specific soil and bedrock characteristics are generally not well known. The Mardin gravelly silt loam is a deep, moderately well drained, gently sloping soil formed in glacial till deposits derived from sandstone, shale, and slate. The presence of an on-site structure suggests that soils located on the property may have been altered by cutting, regrading and/or filling activities.

Depth to bedrock in the Mardin gravelly silt loam soil type is likely to be greater than 60 inches below grade. No bedrock was observed on the property.

### 2.1.3 Subsurface Hydrogeology

No site-specific investigation of groundwater depth or direction of flow has been reviewed by this office; therefore, no documented determinations are provided in this Phase I ESA.

The Soil Survey notes a generalized groundwater depth of greater than 2.0 feet in Urban Land and Mardin soils. Shallow groundwater flow in the vicinity of the property is likely to follow surficial topography and be to the east, toward the Hudson River (located approximately 0.37-mile from the property). Groundwater flow is likely to be tidally influenced.

### 2.1.4 Surface Hydrology and Wetlands

Information regarding on-site surface hydrology was obtained from the review of applicable maps, including the New York State Department of Environmental Conservation (NYSDEC) Freshwater Wetlands Map and the United States Department of the Interior National Wetlands Inventory Map, and from observations made during the site inspection. According to these sources, there are no surface waterbodies, wet areas, or regulated wetlands on or near the property. A copy of the relevant section of the federal wetlands map is included in Appendix B.

### 2.1.5 Sensitive Environmental Receptors

Sensitive Environmental Receptors (SERs) are valued physical, biological, and/or man-made features that may be adversely impacted by environmental contamination, and where a discharge or release could pose a greater threat than a discharge or release to other less valued areas. SERs include (but are not limited to) potable supply wells, wetlands, and protected wildlife habitat.

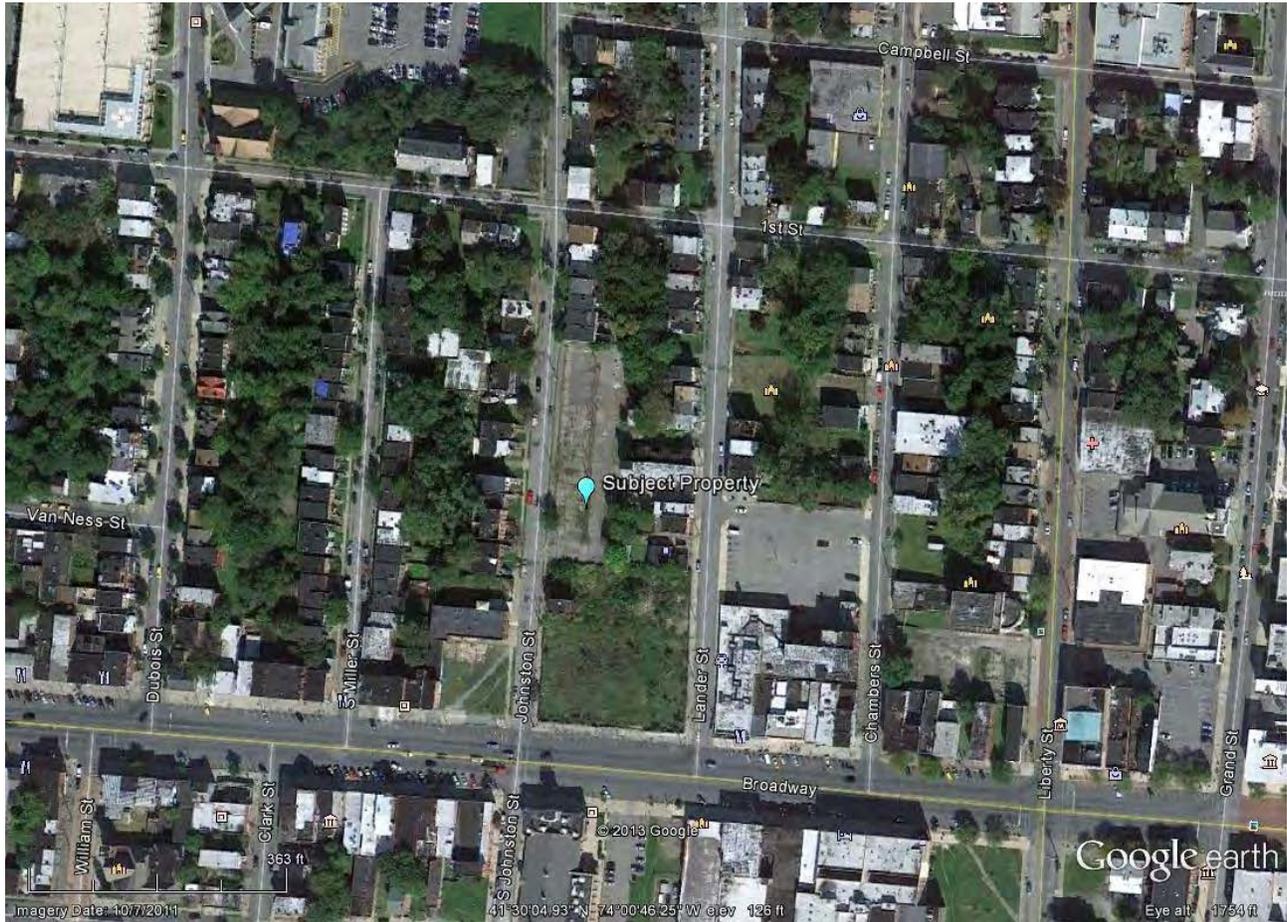
The review of maps and observations made during the site inspection indicate that no SERs are likely to be located on or in the immediate vicinity of the subject property.

## 2.2 Description of Adjoining and Surrounding Area Properties

The subject property is located in an urban, mixed-use area comprised primarily of single-family residential and commercial properties. A description of the adjoining and nearby properties is provided in Table 1, below.

**Table 1: Land Uses in the Vicinity of the Subject Property**

Direction	Adjoining Use(s)	Vicinity Use(s)
North	<ul style="list-style-type: none"> <li>single/multi-family residential</li> </ul>	<ul style="list-style-type: none"> <li>single/multi-family residential</li> <li>St. Luke's Cornwall Hospital</li> </ul>
East	<ul style="list-style-type: none"> <li>single/multi-family residential</li> <li>small commercial</li> </ul>	<ul style="list-style-type: none"> <li>single/multi-family residential</li> <li>small commercial</li> </ul>
South	<ul style="list-style-type: none"> <li>small commercial</li> </ul>	<ul style="list-style-type: none"> <li>small commercial</li> <li>paved parking lots</li> </ul>
West	<ul style="list-style-type: none"> <li>single/multi-family residential</li> <li>small commercial</li> </ul>	<ul style="list-style-type: none"> <li>single/multi-family residential</li> <li>small commercial</li> </ul>



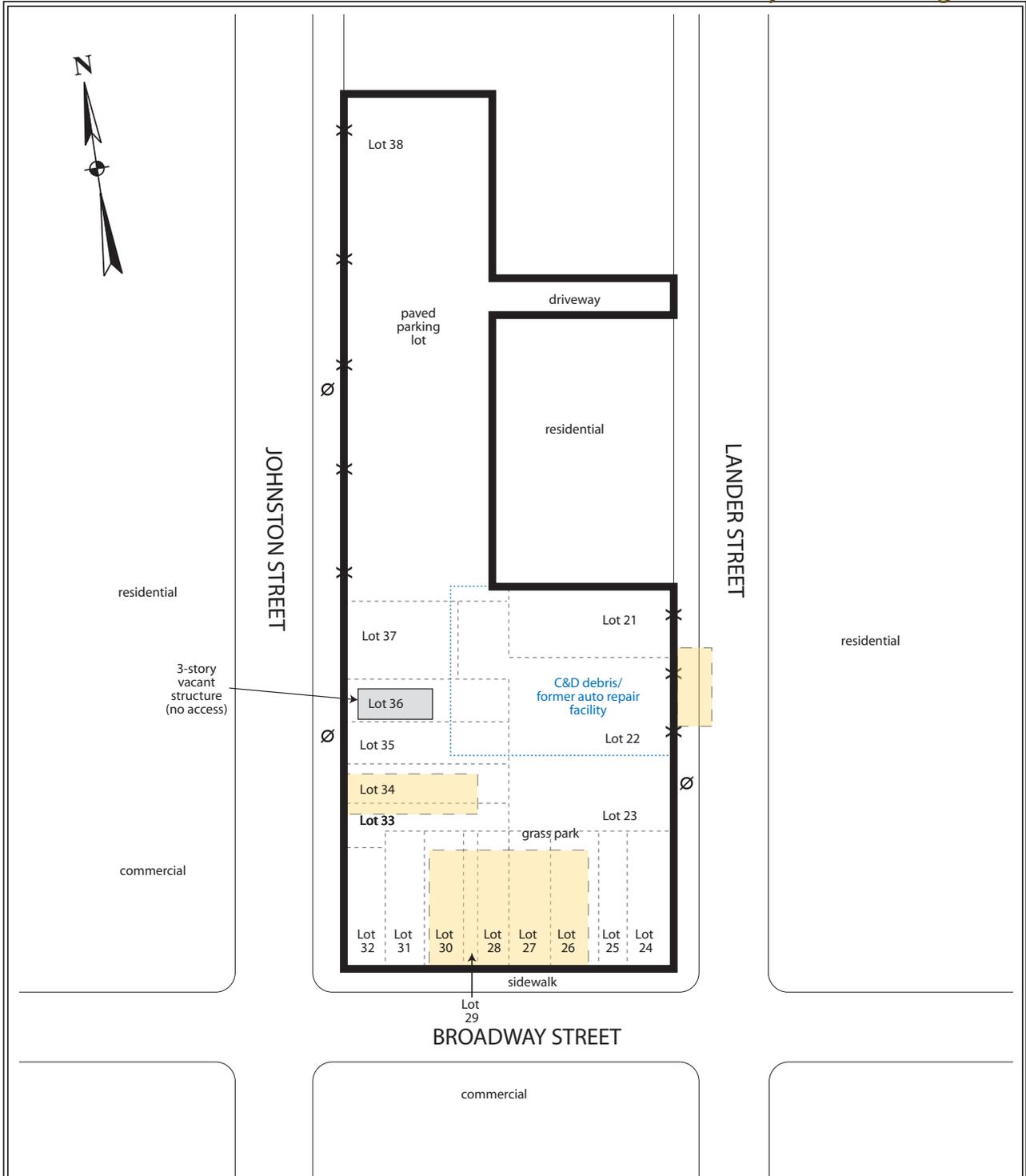
**Site Location Map**  
Mid-Broadway Project  
132-148 Broadway Street  
6-18 Johnston Street  
6, 8, and 14 Lander Street  
City of Newburgh  
Orange County, New York



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Note: All lots contained former on-site structures.  
 All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

**Selected Site Features Map**

132-148 Broadway Street  
 6-18 Johnston Street  
 6, 8 & 14 Lander Street  
 City of Newburgh, Orange County, New York

- Legend:
- subject property border
  - chain link fence
  - lot lines
  - areas of recorded PBS tanks
  - transformer

ESI File: EN13029.10
February 2013
Scale: 1" = 90' approximately
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## **3.0 INVESTIGATION**

### **3.1 Site History**

The history of the subject property was researched using interviews with knowledgeable individuals, and reviews of ownership records, historic maps and aerial photographs, and local records. This review included both standard environmental record sources (as specified in ASTM 1527-05) and additional sources (if such sources were judged to be reasonably ascertainable and sufficiently useful, accurate, and complete in light of the objective of the records review). Refer to Sections 3.1.3, 3.1.4, and 3.3.2.1 for available (current/past) Site Ownership and Site Use information.

Available data (Aerial Photographs, Sanborn Fire Insurance Maps, and Local Records) indicate that the property was utilized for residential and commercial purposes from circa 1890 to circa 2005. According to available information, all structures with the exception of the current on-site structure at 14 Johnston Street (Lot 36) were demolished in or prior to 2005. The property is currently vacant. Reasonably ascertainable information indicating the property use was not available prior to 1890.

#### **3.1.1 User-Reported Information**

ASTM Practice E 1527-05, Section 6, requires that the User (the party seeking to complete the environmental site assessment of the property) provide specific information to the Environmental Professional in order to meet the requirements for "all appropriate inquiry". Representatives of the User (Excelsior Housing Group LLC) have not responded to a questionnaire provided by ESI, which requested information regarding the subject property as specified in Section 6 (a copy of the questionnaire is provided in Appendix G).

#### **3.1.2 Interview with Key Site Manager**

Patrick Normoyle (representing the User) (see Section 3.1.1, above) was identified as a Key Site Manager for the subject property and was additionally interviewed by ESI personnel regarding property features and site history and use (note: Mr. Normoyle was not present at the time of the site inspection). Pertinent information from this interview is provided in relevant report sections, where appropriate.

#### **3.1.3 Ownership Records**

Property ownership information, based on interviews with the Key Site Manager and a review of City of Newburgh Assessor's Office and Building Department records, is presented in Table 2, below. This ownership summary does not constitute a title search.

**Table 2: Ownership Information**

Parcel ID	Owner	Date of Ownership
30-3-21 through 35, 37 & 38	City of Newburgh	7/20/2009
	132 Broadway Associates LLC	N/A
30-3-36	Newburgh Commercial & Development Corp.	7/11/2011
	McMillian, Deborah Hubbard	1/28/2002
	Jemerson, Deetra Hubbard	5/20/1999
	Hubbard, Herman	N/A
Note: "Date of ownership" indicates a point in time during which the subject property was owned by the specified entity, based on interviews of property representatives and Assessor's Office and/or Building Department records.		

### 3.1.4 Sanborn Fire Insurance Maps

A summary of the information obtained from the review of historic Sanborn Fire Insurance Company Maps dated 1884, 1890, 1913, 1957, 1967, 1969, and 1971 is provided below. Copies of relevant Sanborn maps are provided in Appendix C (note: subject property outlines on these maps, as drawn by ESI, may vary depending on map accuracy, and are approximations chosen to best reflect likely on-site historic uses).

1884: Municipal water is depicted as being available to the property. No petroleum or chemical bulk storage tanks are noted on the subject property, adjoining properties, or in the surrounding area. Small commercial structures are located on the southern portion of the property along Broadway, and small dwellings are located on the western portion of the property along Johnston Street. The southeastern portion of the property contains small commercial structures/dwellings and the northeastern portion of the property contains a dwelling. The remaining portions of the subject property contain small sheds or are vacant. The properties adjoining the subject property to the north, east, and west are small commercial structures/dwellings; the adjoining property between the northeastern and southeastern portions of the subject property contains a Stone Yard. The adjoining property to the south contains an armory and small commercial structures/dwellings. No indications of potential environmental conditions were noted on adjoining or nearby properties. The surrounding area is moderately developed with primarily commercial/residential structures.

1890: The eastern-central portion of the subject property (previously vacant) now contains the "L. Bates & Son Carpenters and Builders" property including a woodworking and machinery facilities. A notation on the southern portion of the machinery facility indicates that a horizontal steam boiler was located in the cellar of the property. The adjoining property to the south of the northeast on-site dwelling now contains stables, and the adjoining property to the north now contains more dwellings. No other significant changes are noted on the subject property or adjoining properties.

- 1913: The eastern-central portion of the subject property (previously containing the “L. Bates & Son Carpenters and Builders”) property now contains the “Sloan and Clapper Garage”, which, according to notations, is heated by steam. Notations also indicate that an 845-gallon gasoline tank is located underground on or near the subject property. The adjoining property to the north of the “Sloan and Clapper Garage” (previously noted as containing a Stone Yard), now contains the “Star Theatre” heated by steam. The adjoining property to the south of the northeast on-site dwelling (previously noted as containing stables), now contains an undertaker, a livery, and a carriage repairs and painting facility. No other significant changes are noted on the subject property or adjoining properties.
- 1957: (Note: quality of this map made distinguishing notations and details difficult). The northwestern and northeastern portions of the subject property (previously noted as containing dwellings) are now vacant. The southeastern portion of the property (previously noted as containing the “Sloan and Clapper Garage”) is now an “Auto Sales and Service” facility. The south-central portion of the property (previously containing supply storage) now contains an auto repair facility. The adjoining property to the north of the “Auto Sales and Service” facility (previously the “Star Theatre”) is now an auto service facility. The adjoining property to the south of the northeast on-site dwelling (previously noted as containing an undertaker, a livery, and a carriage repairs and painting facility) now contains a private garage and dance studio. The adjoining property to the north of the northeast portion of the property (previously noted as a dwelling) now contains a veterinary hospital. The adjoining property to the southeast of the subject property (previously noted as containing flats and dwellings) now contain a large store. No other significant changes are noted on the subject property or adjoining properties.
- 1967: (Note: quality of this map made distinguishing notations and details difficult). The southeastern portion of the property (previously noted as containing the “Auto Sales and Service” facility) is now an office. No other significant changes are noted on the subject property. The adjoining property to the south of the northeast on-site dwelling (previously noted as containing a private garage and dance studio) now contains a parking garage and a vacant building. The adjoining property to the south (previously noted as an armory) is now used for a store and for bowling. The adjoining property to the east of the subject property (previously noted as containing flats) now contains municipal parking.
- 1969: No significant changes are noted on the subject property, adjoining properties, or in the surrounding area.
- 1971: No significant changes are noted on the subject property, adjoining properties, or in the surrounding area.

### 3.1.5 Aerial Photographs

A summary of the information obtained from the review of aerial photographs dated 1995, 2001, 2006, and 2009 is provided below. The small scale and quality of the photographs made distinguishing details difficult. Copies of these photographs are provided in Appendix C.

- 1995: (The quality of the photograph and the presence of large trees made distinguishing details difficult). No significant changes are noted on the subject property, adjoining properties, or in the surrounding area (compared to 1971 Sanborn map).
- 2001: Several parcels on the southern portion of the property along Broadway (previously noted as containing stores) are now vacant. The adjoining property to the southeast (previously noted as containing stores) is also vacant. No other significant changes are noted on the subject property, adjoining properties, or in the surrounding area.

2006: The subject property is now vacant land, with the exception of a single dwelling remaining on the western-central portion of the subject property. No other significant changes are noted on the subject property, adjoining properties, or in the surrounding area.

2009: No other significant changes are noted on the subject property, adjoining properties, or in the surrounding area.

### 3.1.6 Municipal and Regulatory Agency Records

#### Assessor's Office Records

City of Newburgh Assessor's office records for the subject property were reviewed on February 8, 2013. No information pertinent to the environmental integrity of the subject property was contained in these records. According to an official at the Assessor's Office, the property cards available at the Assessor's Office only contained current on-site conditions; information regarding historical property conditions was archived. Archived property records cards were not available before the date of this Phase I ESA. A summary of the readily available property ownership information is provided in Table 2.

#### Building Department Records

##### *Block and Lot Records*

City of Newburgh Building Department records for the subject property were reviewed on February 8, 2013. The following table summarizes permits/documents available for each parcel included in the subject property:

**Table 3: Building Department Records**

Parcel	Document Type	Date	Environmental Notes	Other Notes
30-3-21 (14 Lander St.)	N/A	N/A	N/A	Former motor vehicle repair shop; demolished in Feb. 2005
30-3-22 (8 Lander St.)	Asbestos Monitoring	Jan. 2005	Air monitoring results did not exceed EPA clean air standards	Former 2-story commercial structure (Loring Coat Company circa 1991, M&M Photo Service Lab circa 1990 partial demolition circa 1986; demolished in Feb. 2005)
	Spill Response/Tank Closure	Oct. 2004	Ira D. Conklin & Sons, Inc. responded to spill at site; cut and cleaned two 275-gallon ASTs located in the basement; disposed of tanks and approximately 1,320 lbs of oil-soaked debris	
	Application and Permit		Installation of gas service (Central Hudson) to Loring Coat Company	
30-3-23 (6 Lander St.)	Asbestos Abatement	Jan. 2005	Removal of roofing material (ACM) by Greycore Environmental	Former 4-family dwelling; demolished in Feb. 2005
30-3-24 (132 Broadway)	Combustible Permit	March 1954	Two 55-gallon drums of kerosene in cellar for heating apartment	Former 2-story commercial/residential; demolished in Feb. 2005

Parcel	Document Type	Date	Environmental Notes	Other Notes
<b>30-3-25 (136 Broadway)</b>	Building Inspection	Feb. 1974	Oil central heating (no Combustible Permit)	Former restaurant; demolished in 1989
<b>30-3-26 (138 Broadway)</b>	Combustible Permit Building Permit	Sept. 1975 May 1952	One 2,000-gallon fuel oil UST Installation of oil burner to connect to on-site 2,000-gallon fuel oil tank	Former 4-story commercial/hotel structure; demolished in 1989
<b>30-3-27 (140 Broadway)</b>	Combustible Permit	Oct. 1953	One 275-gallon fuel oil tank in cellar	4-story structure; demolished in 1989
<b>30-3-28 (142 Broadway)</b>	Combustible Permit Application	Sept. 1975 Jan. 1987	Two 275-gallon fuel oil tanks in cellar Application to discontinue gas service to building (Central Hudson)	4-story residential/office structure, demolished in 1989
<b>30-3-29 (142 ½ Broadway)</b>	Combustible Permit Building Inspection	March 1954 Feb. 1974	55-gallon kerosene drum in shoe repair shop with pump Building heated with gas	1-story commercial structure; demolished in Feb. 2005
<b>30-3-30 (144-144 ½ Broadway)</b>	Combustible Permit Asbestos Abatement	March 1954 Jan. 2005	One 550-gallon fuel oil UST located outside Removal of roofing material (ACM)	4-story commercial/residential structure including dry cleaners; fire in 1989, building condemned; demolished in Feb. 2005
<b>30-3-31 (146 Broadway)</b>	Combustible Permit Asbestos Abatement Asbestos Monitoring	March 1954 Jan. 2005 Jan. 2005	Two 275-gallon fuel oil tanks located in cellar Removal of linoleum (ACM) by Greycore Environmental Air monitoring results did not exceed EPA clean air standards	1-story commercial; demolished in Feb. 2005
<b>30-3-32 (148 Broadway)</b>	Application	Jan. 1987	Application to discontinue gas service to building (Central Hudson)	2-story commercial/residential structure; demolished in Feb. 2005
<b>30-3-33 (6-8 Johnston St.)</b>	N/A	N/A	N/A	1-story commercial; demolished in 1987
<b>30-3-34 (10 Johnston St.)</b>	Asbestos Abatement Asbestos Monitoring Application Combustible Permit	Jan. 2005 Jan. 2005 Sept. 2004 March 1954	Removal of roofing material (ACM) Air monitoring results did not exceed EPA clean air standards Application to discontinue gas service to building (Central Hudson) One 275-gallon fuel oil tank in rear yard	2-story commercial/residential; demolished in Feb. 2005
<b>30-3-35 (12 Johnston St.)</b>	N/A	N/A	N/A	1-story residential, demolished in Feb. 2003; fire in 1991, building condemned

Parcel	Document Type	Date	Environmental Notes	Other Notes
30-3-36 (14 Johnston St.)	Application	2011	Application to discontinue gas service to building (Central Hudson)	2-story commercial structure; demolished in Feb. 2003; fire in 1991, building condemned
	Combustible Permit	March 1954	One 55-gallon kerosene drum with pump under porch	
30-3-37 (16 Johnston St.)	Combustible Permit	Dec. 1963	One 55-gallon kerosene drum with pump on first floor	3-story residential structure; demolished Feb. 2005
	Combustible Permit	Jan. 1957	One 55-gallon fuel oil drum in rear yard	
	Combustible Permit	March 1954	One 55-gallon kerosene drum with pump in third-floor closet	
30-3-38 (18-46 Johnston St.)	N/A	N/A	N/A	Parking lot; no information regarding previous structures

All properties had city violations filed in July 1991 for on-site debris, overgrown/unmaintained vegetation, and sidewalks in poor condition. No other references were found to permits/documents potentially pertaining to the on-site storage or use of petroleum products or chemicals, or to activities potentially associated with the handling of hazardous materials.

### Local Agency Interviews

#### *Newburgh City Historian*

A request was made on February 7, 2013 to the City of Newburgh Historian for information regarding previous uses of the subject property. According to available information, Lot 22, located at 8-12 Lander Street, was previously used as an auto dealership and repair facility. No other information regarding former uses of the subject property was available. According to available information, adjoining properties to the west of the subject property on Johnston Street were formerly utilized as an auto garage and dealership, a plate glass and mirror manufacturer, a clothing manufacturer, and as a "storage battery service"; adjoining properties to the north of the subject property on Lander Street were formerly utilized as an auto dealership and repair facility, a dress manufacturer, and a handbag manufacturer. No other information was available for review.

#### *Health Department*

A request was made on February 8, 2013 to search the available Health Department records for information regarding the subject property. No response from this agency has been received by this office as of the date of this Phase I ESA.

## **3.2 Review of Federal and State Agency Records**

### **3.2.1 Methodology**

Federal and state computer databases and printed records were reviewed for documentation of environmental conditions and/or liabilities relevant to the property (see Section 3.2.2, below). The following ASTM Standard Environmental Record Sources (as available for the subject property's locality) were reviewed (search distances are consistent with, or exceed, ASTM requirements).

- Federal National Priority List (1.0 mile) and delisted National Priority List sites (0.5 mile)
- Federal CERCLIS list and CERCLIS NFRAP site list (0.5 mile)
- Federal RCRA CORRACTS facilities list (1.0 mile)
- Federal RCRA non-CORRACTS TSD facilities list (0.5 mile)
- Federal RCRA generators list (subject/adjoining properties)

Federal ERNS list (subject property)  
Federal, State, and Tribal Institutional Control / Engineering Control registries (subject property)  
State- and Tribal-equivalent NPL (1.0 mile)  
State- and Tribal-equivalent CERCLIS (0.5 mile)  
State and Tribal Brownfield and voluntary cleanup sites (0.5 mile)  
State and Tribal leaking storage tank lists (0.5 mile)  
State (including locally administered) and Tribal registered storage tank lists (subject/adjoining)  
State and Tribal landfill and/or solid waste disposal site lists (0.5 mile)

The following Additional Environmental Record Sources (as available for the subject property's locality) were reviewed in order to enhance and supplement the review of standard sources:

State spill file records (0.125 mile)  
State MOSF list (0.5 mile)  
State radon data (by local municipality as available)  
Federal and State wastewater discharge permits (subject/adjoining properties)

A copy of relevant portions of a database search conducted by Environmental Data Resources, Inc. for ESI is provided in Appendix D. Not all of the sites contained in the attached database search may be referenced in Section 3.2.2. Some sites may have been excluded based on either ASTM requirements, ESI's scope of services or professional opinion, and/or information obtained during the review of historic records and the site inspection. Some information may have been deemed to not be practically reviewable (e.g., records lack adequate address information). Sites or additional information not included in the database search may also be referenced based on ESI's knowledge of the subject property area.

### **3.2.2 Findings of Regulatory Records Review**

#### **Federal Hazardous Waste-Contaminated Sites**

The subject property is not identified on the United States Environmental Protection Agency's (USEPA) National Priority List (NPL) of uncontrolled or abandoned hazardous waste sites identified for priority remedial actions. One NPL site is located within one mile of the property.

The "Consolidated Iron and Metal" site (US EPA ID#: NY0002455756), located 0.36-mile to the east-southeast of the subject property on Washington Street is listed as an inactive car and scrap metal junk yard. On-site contamination includes metals, VOCs, PCBs, and PAHs. This site is located along the Hudson River, and therefore contamination would most likely travel to the east towards the river and away from the subject property. Based on ESI's review of available information (distance and direction of the site, presumed direction of groundwater/surface water flow, etc.) it is unlikely that this site will impact the environmental integrity of the subject property.

No delisted NPL sites are located within a half mile of the property.

The subject property is not identified on the USEPA's CERCLIS list of sites that are proposed to the NPL or that are in the screening and assessment phase for possible proposal to the NPL. Two CERCLIS sites are located within a half mile of the property.

The abovementioned "Consolidated Iron and Metal" site is listed as CERCLIS site. No additional information regarding this site is provided in available information.

The "Dupont Stauffer Duramate" site (US EPA ID#: NYD980766182), located approximately 0.47-mile to the northeast of the subject property on South Street, is listed as a CERCLIS site. According to available information, this site is listed as a low priority for further assessment. No other information regarding the site is listed in available records. Based on ESI's review of available information (distance and direction of the sites, site statuses, etc.) it is unlikely that this site will impact the environmental integrity of the subject property.

The subject property is not identified on the USEPA's CERCLIS No Further Remedial Action Planned (NFRAP) list, which are former CERCLIS sites that were delisted because no significant hazardous waste contamination was found, or because the site has been remediated. No CERCLIS NFRAP sites are located within a half mile of the property.

The subject property is not identified on readily available USEPA Institutional Control/Engineering Control registries.

### **State Sites**

#### *Inactive Hazardous Waste Disposal Sites*

The subject property is not identified on the NYSDEC's Registry of Inactive Hazardous Waste Disposal (IHWDS) sites (a state equivalent to the federal NPL), and has not been listed as a site under investigation for inclusion in the IHWDS Registry (a state equivalent to the federal CERCLIS List). Two NYSDEC IHWDS sites are located within one mile of the property.

The "Consolidated Iron and Metal" site (NYSDEC ID: 336055), located 0.42-mile east-southeast of the subject property at 1 Washington Street, is a former car and scrap metal junk yard and smelting facility, and due to previous site activity, the soils and groundwater on the property are contaminated with metals and PCBs. The NYSDEC has assigned this site a classification code of "2", indicating that the site presents a significant threat to the public health or environment and that action is required.

The "American Felt and Filter Corp." site (NYSDEC ID: 336036), located 0.90-mile south of the subject property on Walsh Avenue, is a former felt and felt products manufacturing facility, and due to previous site activity, the soils and groundwater on the site are contaminated with VOCs. The NYSDEC has assigned this site a classification code of "2", indicating that the site presents a significant threat to the public health or environment and that action is required.

Based on ESI's review of reported information (distance and direction to the site, local topography, etc.), there is no evidence to suggest a threat to the environmental integrity of the subject site.

#### *Voluntary Cleanup, Brownfields Cleanup, and Environmental Restoration Programs*

The subject property is not identified as participating in the NYSDEC's Voluntary Cleanup (VCP), Brownfields Cleanup (BCP), or Environmental Restoration (ERP) programs, which are designed to provide NYSDEC oversight of significantly contaminated properties. No participating sites are located within a half mile of the subject property.

#### *Registry of Institutional and Engineering Controls in New York State*

The subject property is not identified on the NYSDEC's Registry of Institutional and Engineering Controls in New York State.

### **Federal Hazardous Waste Handlers**

The USEPA Resource Conservation and Recovery Information System (RCRIS) database details facilities that report treatment, storage or disposal of hazardous waste (TSD facilities) or generation or transportation of hazardous waste. Facilities that have been notified by the USEPA to take corrective action with regard to their handling of hazardous waste are classified as CORRACTS facilities.

#### *CORRACTS AND/OR TSD FACILITIES*

The subject property is not registered with the USEPA as a CORRACTS and/or TSD facility for hazardous waste or materials, and no CORRACTS and/or TSD facilities are located within one mile of the property.

#### *GENERATORS OR TRANSPORTERS (NON-CORRACTS)*

The subject property is not registered with the USEPA as a generator or transporter of hazardous waste, and no generators or transporters of hazardous waste are located on adjoining properties.

#### **Landfills and Solid Waste Disposal Facilities**

The NYSDEC's Facility Register does not list the subject property as an active or inactive landfill or solid waste disposal facility. Three solid waste facilities/landfills are located within a half mile of the property. None of these facilities appear to pose a threat to the environmental integrity of the subject site.

#### **Chemical Bulk Storage**

A review of NYSDEC records indicates that the subject property is not registered as a chemical bulk storage (CBS) facility. Observations made during the site inspection did not indicate the presence of chemical bulk storage on the subject property. No adjoining properties are registered with the NYSDEC as CBS facilities.

Note: This database review does not rule out the possibility that un-regulated chemical bulk storage containers may exist on adjoining properties.

#### **Petroleum Bulk Storage**

##### SUBJECT PROPERTY

A review of the NYSDEC petroleum bulk storage (PBS) database indicates that the subject property is not registered as a PBS facility. No evidence of aboveground or underground PBS tanks was noted on the subject property during the site inspection.

According to Building Department records, PBS tanks used for heating former on-site structures were located on the subject property. According to local records, the following PBS tanks were located on the subject property:

- Two 275-gallon fuel oil ASTs at 8 Lander Street (Lot 22); spill reported and tanks cut, cleaned, and removed from the property in October 2004;
- One 2,000-gallon fuel oil UST at 138 Broadway (Lot 26), noted in Combustible Permit filed in May 1952;
- One 275-gallon fuel oil AST located in cellar at 140 Broadway (Lot 27), noted in Combustible Permit filed in October 1953;
- Two 275-gallon fuel oil ASTs located in cellar at 142 Broadway (Lot 28), noted in Combustible Permit filed in September 1975;
- One 550-gallon fuel oil UST located at 144-144 ½ Broadway (Lot 30), noted in Combustible Permit filed in March 1954;
- Two 275-gallon fuel oil ASTs located in cellar at 146 Broadway (Lot 31), noted in Combustible Permit filed in March 1954; and,
- One 275-gallon AST located outdoors at 10 Johnston Street (Lot 34), noted in Combustible Permit filed in March 1954.

Additionally, Combustible Permits for 55-gallon drums of fuel oil and/or kerosene were filed for the properties located at 132 Broadway, 142 ½ Broadway, 14 Johnston Street, and 16 Johnston Street (Lots 24, 29, 36, and 37, respectively). A review of Sanborn maps indicates that an 845-gallon gasoline UST was located on the properties/under the adjoining sidewalk to the east of the properties located at 8-14 Lander Street (Lots 22 and 21, respectively). The tank was noted in Sanborn maps from circa 1913 to circa 1971.

No information regarding the closure/removal of these tanks prior to the demolition of on-site structures has been reviewed by this office (with the exception of the removal of the two 275-gallon fuel oil tanks from Lot 22), and therefore this Phase I ESA cannot rule out the potential for petroleum bulk storage tanks being located on the subject property.

Note: This database review does not rule out the possibility that un-regulated petroleum bulk storage containers may exist at the Site.

#### ADJOINING PROPERTIES

A review of the NYSDEC PBS database indicates that no adjoining properties are registered as PBS facilities. No evidence of aboveground or underground PBS tanks was noted on adjoining properties during the site inspection.

Note: This database review does not rule out the possibility that un-regulated petroleum bulk storage containers may exist at the adjoining properties.

#### **Major Oil Storage Facilities**

The subject property is not listed with the NYSDEC as a major oil storage facility (MOSF) and no MOSFs are located within a half mile of the subject property.

#### **Federal Chemical and Petroleum Spills**

The USEPA Emergency Response Notification System (ERNS) database details initial reports of releases of oil and hazardous substances as reported to federal authorities. There are currently no chemical or petroleum spills on record for the subject property.

#### **State Chemical and Petroleum Spill and Leaking Underground Storage Tank Events**

A review of the NYSDEC spill database (maintained since 1986) indicates that one spill event is known to have occurred on the subject property.

Spill number 0408302 was reported for the residential structure located at 8-12 Lander Street (Lot 22) in October 2004. According to available information, an unreported amount of water with oil sheen was noted in the basement of the subject property in the vicinity of the two fuel oil ASTs. The water was discharged from the property and all water/oil soaked debris was removed from the property along with the two fuel oil tanks. This spill event was closed in October 2004, and clean-up standards are listed as having been met. Based on available information, this spill event is not likely to have significantly impacted the environmental integrity of the subject property.

Available information indicates that twenty-three spill events are known to have occurred within 0.125-mile of the subject property and twenty-six leaking underground storage tank [LUST] events have occurred within a half mile of the subject property.

Information in these spill file records was reviewed to determine the possible impact from these releases to the subject property. The data considered included distance and direction from the subject property, cause of the spill, type and quantity of spilled material, and NYSDEC and caller comments. Based on ESI's review of this information, no reported spills were identified which might impact the subject property.

### **Air Discharges**

No NYSDEC permits for air discharges from the subject property are known to exist. No operations likely to require a NYSDEC air discharge permit were noted on the subject property.

### **Wastewater Discharges**

No USEPA National or NYSDEC State Pollutant Discharge Elimination System (NPDES or SPDES) permit is known to exist for the subject property. No wastewater discharges are known to exist on the subject property. No adjoining properties are registered as NPDES or SPDES facilities.

### **Radon**

Information on radon levels was obtained from New York State Department of Health (NYSDOH) documents. No regulatory standards for radon levels currently exist in New York State. The USEPA has established a guidance value (the level where mitigation measures may be appropriate) for radon concentrations of 4.0 or greater picoCuries/liter (pCi/l). Other regulatory authorities (e.g., OSHA) have established guidance levels that are directly related to specific site activities (a determination as to applicable radon guidance levels is beyond the scope of this Phase I Environmental Site Assessment). A summary of available radon information for the subject property's vicinity is provided below in Table 4.

**Table 4: Basement Radon Levels in Vicinity of Subject Property**

All radon levels provided in picoCuries/liter (pCi/l)

<b>NYSDOH Radon Information</b>	<b>Orange County</b>	<b>City of Newburgh</b>
Number of Homes Tested	2,273	263
Average Radon Level	2.96	3.32
Percent of Homes >4.0 pCi/l	39.2%	46.0%

Average radon levels for the City of Newburgh are below the USEPA's guidance value of 4.0 pCi/l; however, more than a third of the homes tested in the subject property's vicinity had levels in excess of this guidance value. These data support the conclusion that elevated radon levels may be present on the subject property. According to available information, radon testing has not been conducted on the subject property. The absence of any residential use of the property suggests that radon testing is not required at this time.

## **3.3 Site Inspection**

### **3.3.1 Protocol**

The site inspection was conducted on February 8, 2013 in order to address any potential concerns raised during the investigation of the site's history (Section 3.1) and the regulatory agency records review (Section 3.2), and to identify any additional indications of contamination from the use, storage, or disposal of hazardous or regulated materials. To the extent possible, site structures, vegetation, topography, surface waters, and other relevant site features were examined for any obvious evidence of existing or previous contamination or unusual patterns (e.g., vegetative stress, soil staining, surface water sheen, or the physical presence of contaminants), which would indicate that the environmental integrity had been or could be impacted.

Section 3.3.2 describes the physical characteristics of the subject property. Section 3.3.3 is divided into topics on specific environmental conditions or concerns, actual or potential, noted on the subject property during the site inspection. Section 3.3.4 describes the physical characteristics of adjoining properties as they concern the potential or actual environmental condition of the subject property.

A Selected Site Features Map illustrating the general layout of the subject property and the locations of specific areas of concern (if any) is provided on Page 6. Photographs of the subject property are provided in Appendix A.

### **3.3.2 Physical Characteristics of the Subject Property**

Note: Access to the interior of the on-site structure was not available during the site inspection.

#### **3.3.2.1 Property**

The subject property is an irregular-shaped, approximately 1.96-acre parcel, which has approximately 550 feet of frontage on the eastern side of Johnston Street, 220 feet of frontage on the northern side of Broadway, and 250 feet of frontage on the western side of Lander Street. One, three-story vacant residential building is located on the western-central portion of the property at 14 Johnston Street (Lot 36). The remainder of the property is composed of a maintained, grass-covered park on the southern portion of the property, overgrown land on the eastern-central portion of the property, a paved driveway and parking lot on the northern portion of the property.

Chain-link fences define the northern border and portions of the western and eastern borders; the remaining property lines are undefined.

#### **3.3.2.2 Structures**

According to available information and on-site observations, the on-site building is a three-story masonry structure with a full basement and a flat roof. Exterior siding is brick and the roof is likely to be covered by asphaltic materials (note: the roof was not accessible during the site inspection). City of Newburgh Assessor's Office records indicate that the building dates from 1960; Sanborn maps, however, suggest a construction date between 1890 and 1913. Interior structural materials could not be observed during the site inspection.

According to available information, commercial/residential structures were historically located on every parcel on the subject property. No remnant portions of these former structures (i.e. foundations, walls, etc.) were noted on the subject property; however, a significant amount of construction and demolition debris was noted on the eastern-central portion of the property (see Debris Areas subsection).

#### *Potable Water Supply*

According to available information, the subject property is serviced by the municipal water system. No water supply wells were noted on the subject property during the site inspection and no on-site uses of groundwater are known to exist for the subject property. Former on-site structures were likely connected to the municipal water system.

#### *Sewage Disposal System*

According to available information, the on-site structure is connected to the municipal sewer system. Former on-site structures were likely connected to the municipal sewer system.

#### *Heating/Cooling*

According to available information, the on-site structure is heated with natural gas. According to available records, a Combustible Permit was granted for this property for the storage of a 55-gallon drum of kerosene for on-site heating in 1954. No other information regarding heating or cooling for this structure was reviewed in available records.

According to available records, Combustible Permits were granted for numerous lots on the subject property between 1954 and 1975. Lots 24, 36, 29, and 37 had Combustible Permits for 55-gallon drums of kerosene and/or fuel oil for on-site heating. Lots 26, 27, 28, 30, 31, and 34 had permits for aboveground or underground fuel oil petroleum bulk storage tanks for on-site heating. No information regarding the installation, maintenance, or closure/removal of these tanks was available to this office (See Building Department Records).

### **3.3.3 Specific On-Site Environmental Conditions**

#### **Debris Areas**

A significant amount of construction and demolition debris was noted on the eastern-central portion of the subject property extending from the rear of the on-site structure to Lander Street. The debris appeared to consist of plaster and wood, as well as old tires and household debris. Construction and demolition debris is a potential source of materials containing lead and asbestos.

Scattered household debris was also noted on the western portion of the property in the paved parking lot. None of these materials were judged by this office to pose a threat to the environmental integrity of the subject property.

#### **Petroleum Storage**

No small quantities or containers of petroleum products, aboveground storage tanks, or indications of underground petroleum bulk storage tanks (e.g., fill ports or vent pipes) were observed on the subject property; however, petroleum products may be located inside of the on-site structure.

No overt evidence of petroleum bulk storage on the subject property was noted; however, According to available information, PBS tanks were historically located underground or in the basements of on-site structures. No information regarding the closure/removal of these tanks prior to the demolition of on-site structures has been reviewed by this office (with the exception of the removal of two 275-gallon fuel oil tanks from Lot 22), and therefore this Phase I ESA cannot rule out the potential for petroleum bulk storage tanks being located on the subject property.

#### **Chemical Storage**

No small quantities of chemicals, aboveground chemical bulk storage tanks, or indications of underground chemical bulk storage tanks (e.g., fill ports or vent pipes) were observed on the subject property; however, chemical products may be located inside of the on-site structure (no access was available).

#### **Asbestos-Containing Materials and Lead Based Paint**

Asbestos-containing materials (ACMs) are those materials containing over 1% of any type of asbestos. The presence or absence of asbestos within a material can only be determined through the physical analysis of material samples.

A wide variety of building products incorporated asbestos from the early 1900s to the mid-1990s. Asbestos is commonly present in products such as flooring materials plasters, ceiling tiles, textured paints, thermal insulation, joint compounds, roofing materials, and fireproofing agents,

because of its thermal and resilient qualities. The National Emission Standards for Hazardous Air Pollutants requires the inspection and removal of suspect asbestos-containing building materials (ACBM) that could be impacted by renovations or demolition activities. In addition, the 1973 National Emission Standards for Hazardous Air Pollutants partially banned the use of spray-applied ACBM in new buildings. The federal government expanded these regulations in 1975 and 1978 to ban the use of all types of ACBM in new buildings.

The presence or absence of lead-based paint (paint containing 0.5% lead by weight) can only be determined through the material analysis of paint samples. However, given that the manufacture of lead-based paint (LBP) has been regulated since 1978, a building's date of construction is often used to help assess the likelihood that LBP was used during initial construction and/or subsequent maintenance work. The presence of deteriorated paint is indicative of a potential health risk in that paint dust and chips containing lead could be inhaled and/or ingested.

No materials suspected of containing asbestos, or having painted surfaces likely to contain lead, were observed during the site inspection (access to the interior of the on-site structure was not available at the time of the site inspection). The likely date of construction of the current and former on-site buildings (pre-1950) suggest that asbestos-containing materials (ACMs) and lead-based paint (LBP) may have been used during initial building construction and/or during subsequent maintenance work.

Pre-demolition asbestos surveys of several former structures on the subject property were available in local records. According to available information, asbestos abatement was conducted in January 2005 by Greycore Environmental for the former structures located at 144-144 ½ Broadway (Lot 30), 146 Broadway (Lot 31), and 10 Johnston Street (Lot 34). According to available information, asbestos-containing roofing material was removed from Lots 30 and 34 and asbestos-containing linoleum was removed from Lot 31.

Additionally, asbestos air-monitoring was conducted in January 2005 by Greycore Environmental for the above-mentioned properties as well as the former structure at 8 Lander Street (Lot 22). According to available information, all air-monitoring results came in below EPA clean-air standards. No other information regarding asbestos abatement or monitoring was available for review.

All structures with the exception of Lot 36 have since been demolished; however, remaining construction materials noted on the eastern-central portion of the subject property may contain asbestos or having painted surfaces likely to contain lead. Additionally, debris from former on-site structures could be present in subsurface soils; such materials, should any exist, could contain asbestos or lead-based paint.

### **Wastewater Discharges**

The term "wastewater" indicates water that: (1) is or has been used in an industrial or manufacturing process; (2) or is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant; (3) or conveys or has conveyed sewage (water originating on or passing through or adjacent to a site, such as stormwater flows, is not generally considered to be wastewater). No evidence of wastewater discharges into drains, ditches, or streams on or adjacent to the property was observed on the subject property.

### **Interior Floor Drains/Sumps/Conduits**

The interior portion of the on-site structure could not be accessed at the time of the site inspection.

### **Stormwater Management and Exterior Drains/Sumps/Conduits**

No exterior stormwater catch basins, drains, sumps, or other potential significant conduits to the subsurface, or indications of liquid discharges into drains, ditches, or streams on or adjacent to the property, were observed on the subject property.

### **Staining/Corrosion/Leaks**

No evidence of corrosion, leaks, or staining (indicative of an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products onto the subject property, including paved areas) was observed during the site inspection.

### **Topographic Irregularities**

A large mound of soil and construction and demolition debris was noted on the eastern-central portion of the property. This pile may be an indication of subsurface materials on the subject property. No other overt topographic irregularities (e.g., sinkholes or berms) indicative of the presence of non-natural materials (including debris) in the subsurface were observed on the subject property.

### **Vegetative Features**

No overt areas of stressed or dying vegetation indicative of the presence of contaminants in surface or subsurface soils were observed on the subject property.

### **Pits, Ponds, or Lagoons**

No pits, ponds, or lagoons exhibiting evidence (e.g., discolored water, distressed vegetation, obvious wastewater discharge) of holding liquids or sludge containing hazardous substances or petroleum products were observed on the subject property.

### **Surface Waters**

No surface water bodies are located on the subject property.

### **Odors**

No unusual odors indicative of the presence of contamination were noted.

### **Polychlorinated Biphenyls**

An inspection for the presence of equipment likely to contain polychlorinated biphenyls (PCBs) was conducted by this office. PCBs were widely used in equipment such as transformers, capacitors, and hydraulic equipment until 1979 when the USEPA regulated their use in this capacity. If florescent lamp fixtures containing ballasts manufactured before July 2, 1979 are present on-site, the ballasts will most likely contain PCBs. According to the EPA, ballasts manufactured between 1979 and 1998 that do not contain PCBs, should be labeled "No PCBs". If a ballast is not labeled "No PCBs", it is best to assume it contains PCBs. No fluorescent ballasts were observed on-site during the site inspection, however, access to the interior portions of the remaining on-site building was not provided.

Utility company-owned transformers were noted on the western and eastern portions of the subject property near along Johnston Street and Lander Street, respectively. A cleanup of a release from this transformer would be the responsibility of the utility company. No staining indicative of a release was noted on the unit, the pole, or on the ground around the base of the pole.

#### **3.3.4 Environmental Concerns at Adjoining and Nearby Properties**

Adjoining and nearby properties were observed from the subject property and from public thoroughfares for the purpose of identifying any recognized environmental conditions or other potential environmental concerns. No conditions likely to significantly impact the subject property were observed during the site inspection.

## 4.0 CONCLUSIONS AND RECOMMENDATIONS

Ecosystems Strategies, Inc. (ESI) has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-05 of the properties located at 132-148 Broadway Street, 6-18 Johnston Street, and 6, 8, and 14 Lander Street, City of Newburgh, Orange County, New York. Any exceptions to, or deletions from, this practice are described in Section 1.2 of this report. This assessment has revealed evidence of the following recognized environmental conditions (RECs) in connection with the property:

- Historical use of on-site parcels as a dry cleaner and as automobile repair facilities and presence of a topographic irregularity;
- Possible petroleum bulk storage tanks (PBS) located on the property; and,
- Significant quantity of construction and demolition debris located on property

An environmental condition is considered “de minimis” when that condition generally does not present a threat to human health or the environment and generally would not be the subject of an enforcement action if brought to the attention of appropriate government agencies. Conditions determined to be de minimis are not recognized environmental conditions. This assessment has revealed evidence of the following de minimis conditions in connection with the property:

- Potential presence of lead based paint and/or ACMs
- Potential presence of elevated levels of radon

ESI's conclusions and recommendations (in **bold**) regarding these RECs, and any other potential environmental liabilities associated with the property, are presented below. Cost estimates for any proposed investigations and/or remedial actions are provided in *italics* where appropriate.

1. The subject property has been utilized for residential and commercial purposes as early as 1884. According to available information, Lots 21 and 22 and a portion of Lot 37 on the subject property were formerly utilized as automobile dealership and repair facilities from circa 1957 to circa 1971 and Lot 30 was formerly utilized as a dry cleaner (dates unknown). The property has been vacant since on-site structures were demolished circa 1989 to circa 2005, with the exception of one vacant on-site residential structure. The potential exists that debris from the demolition of former on-site structures may be present in the subsurface (such debris could contain lead based paint, asbestos, or other regulated materials).

**No further investigation of historic records is recommended (see, however, Paragraph 2, below). Any future development activities at the property should be conducted with an awareness of the potential presence of subsurface debris and provision should be made for the proper management of any materials that warrant special handling. Also, see recommendation below.**

2. No overt evidence of petroleum bulk storage tanks was noted on the subject property during the site inspection; however, according to available information, PBS tanks were historically located underground or in the basements of the former on-site structures. No information regarding the closure/removal of these tanks prior to the demolition of on-site structures has been reviewed by this office (with the exception of the removal of two 275-gallon fuel oil tanks from Lot 22), and therefore this Phase I ESA cannot rule out the potential for petroleum bulk storage tanks being located on the subject property.

Additionally, a spill event (spill number: 0408302) was reported for Lot 22 of the subject property in October 2004 resulting from oil sheen being noted in stagnant water in the vicinity of the fuel oil tank in the then-vacant structure. According to available information, clean-up standards have been met, and the spill was closed in October 2004.

The following is recommended:

- A ground-penetrating radar (GPR) survey be conducted on the property in order to confirm the presence or absence of subsurface petroleum storage tanks and utility lines;
- Soil and soil gas borings and possibly a few monitoring wells should be extended on-site in order to determine the presence or absence of subsurface contamination from the former PBS tanks and/or historical on-site operations. Soil, soil gas, and possibly groundwater samples should be analyzed for volatile organic compounds and semi-volatile organic compounds (PAHs only); and
- The interior of the on-site structure should be inspected and a determination should be made regarding the presence or absence of additional fuel oil tanks within the structure.

*Estimated cost of GPR survey: \$2,000*

*Estimated cost of soil borings: \$8,000 – \$12,000 (upper range includes monitoring wells)*

3. Interior portions of the current on-site structure were not accessible at the time of the site inspection; however, the likely dates of construction of the current and former on-site buildings (pre-1950) suggest that asbestos-containing materials (ACMs) and lead-based paint (LBP) may have been used during initial building construction and/or during subsequent maintenance work. Remaining construction materials noted on the eastern-central portion of the subject property may contain asbestos or having painted surfaces likely to contain lead. Additionally, debris from former on-site structures could be present in subsurface soils; such materials, should any exist, could contain asbestos or lead-based paint.

**No further investigation is recommended. Any suspect material encountered during maintenance, renovation, or demolition activities should be tested for asbestos or lead, or, in the absence of analytical data, be treated as though it contained asbestos or lead. All maintenance, renovation, or demolition activities should be conducted in accordance with applicable regulations.**

4. A large quantity of construction and demolition debris (primarily wood) and scattered household debris is located on the eastern-central portion of the subject property from the rear of the on-site structure to Lander Street. Additionally, scattered household debris is located on the northwestern portion of the property (paved parking lot). None of the household debris is likely to negatively impact the environmental integrity of the subject property; however, construction and demolition debris may contain asbestos-containing materials and/or lead-based paint.

**It is recommended that debris materials be segregated into appropriate waste streams (i.e., those which can be disposed of as non-regulated solid waste and those which require special handling) and be disposed of off-site. Any regulated wastes encountered in on-site debris (e.g., construction and demolition debris) should be managed in accordance with applicable local, state and federal regulations, including (as necessary) sampling and analysis of materials for asbestos and leachable concentrations of lead.**

5. Elevated concentrations of radon may be present at the subject property; however, in the absence of current on-site residential use, radon testing is not necessary at this time.

**No further investigation is recommended; however, if future development plans for the property includes residential development, radon testing will be recommended.**

## 5.0 SOURCES OF INFORMATION

### 5.1 Maps and Documents

Environmental Data Resources, Inc. Report, February 1, 2013.

New York State Department of Environmental Conservation, Freshwater Wetlands Map of the Newburgh, New York Quadrangle, accessed online January 31, 2013 via Environmental Resource Mapper at [www.dec.ny.gov](http://www.dec.ny.gov).

Sanborn Fire Insurance Company Maps dated 1884, 1890, 1913, 1957, 1967, 1969, and 1971.

United States Department of Agriculture, Natural Resources Conservation Service, Soil Survey for Site County, Site State, dated October 1981.

United States Department of the Interior National Wetlands Inventory Map of the Newburgh, New York, Quadrangle, dated accessed online January 31, 2013 via [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html).

United State Geological Survey, Aerial Photographs dated 1995, 2001, 2006, and 2009.

United States Geological Survey Topographic Map of the Newburgh, New York Quadrangle, dated 1957 digital image provided by MyTopo.com.

University of the State of New York, Geologic Map of New York, Fisher, *et al.*, editors (dated 1970, reprinted 1995) and Surficial Geologic Map of New York, D. Cadwell, editor (dated 1989), Lower Hudson Sheets.

### 5.2 Local Agency Records

City of Newburgh Assessor's Office records, reviewed February 8, 2013.

City of Newburgh Building Department records, reviewed February 8, 2013.

### 5.3 Communications

Patrick Normoyle, representing the Excelsior Housing Group LLC (the User), various dates, February 2013.

Mary R. McTamaneay, City of Newburgh Historian, February 7, 2013.

Elizabeth McCean, Records Management Officer, various dates, February 2013.

## 6.0 Environmental Professional Statement

The following statements are required by 40 CFR 312.21(d) of the environmental professional(s) responsible for conducting and preparing the Phase I Environmental Site Assessment report.

**I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.**

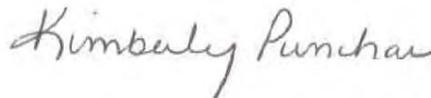
*and*

**I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.**



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Paul H. Ciminello  
President, Ecosystems Strategies, Inc.



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Kimberly Puchar  
Director of Environmental Investigations, Ecosystems Strategies, Inc.

# **PHASE II ENVIRONMENTAL SITE ASSESSMENT**

## **Mid-Broadway Project**

**132-148 Broadway  
6-18 Johnston Street  
6, 8, & 14 Lander Street**

**City of Newburgh, Orange County, New York**

**June 10, 2013**

**ESI File: EN13029.20**

**Prepared By:**



**Ecosystems Strategies, Inc.**

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## PHASE II ENVIRONMENTAL SITE ASSESSMENT

### Mid-Broadway Project

132-148 Broadway  
6-18 Johnston Street  
6, 8, & 14 Lander Street

City of Newburgh, Orange County, New York

June 10, 2013

ESI File: EN13029.20

**Prepared By:**

Ecosystems Strategies, Inc.  
24 Davis Avenue  
Poughkeepsie, New York 12603

**Prepared For:**

Excelsior Housing Group, LLC  
1 Wolfs Lane - Suite 10  
Pelham, New York 10803

The undersigned has reviewed this Phase II Environmental Site Assessment and certifies to Excelsior Housing Group, LLC that the information provided in this document is accurate as of the date of issuance by this office.

Any and all questions or comments, including requests for additional information, should be submitted to the undersigned.



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Paul H. Ciminello  
President

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## 1.0 INTRODUCTION

### 1.1 Purpose

This Phase II Environmental Site Assessment (Phase II ESA) documents environmental fieldwork performed by Ecosystems Strategies, Inc. (ESI) at the “Mid-Broadway Project” property, located in the City of Newburgh at 132-148 Broadway, 6-18 Johnston Street, and 6, 8, and 14 Lander Street. Investigative and analytical activities were performed in order to address potential environmental liabilities on specified portions of the property that were identified during a Phase I Environmental Site Assessment conducted by ESI (see Section 1.4, below). The specific purpose of this Phase II ESA is to summarize the work performed by ESI and ESI’s subcontractors, and to suggest, if appropriate, further investigative and/or remedial options regarding identified on-site conditions.

This Phase II ESA describes all fieldwork methodologies for the work conducted by ESI, includes discussions of the resulting analytical data from collected samples, and provides conclusions and recommendations drawn from the fieldwork and analytical data.

### 1.2 Limitations

This written analysis summarizes the site characterization activities conducted on specified portions of the above-referenced property and is not relevant to other portions of this property or any other property. It is a representation of those portions of the property analyzed as of the respective dates of fieldwork. This Phase II ESA cannot be held accountable for activities or events resulting in contamination after the dates of fieldwork.

Services summarized in this Phase II ESA were performed in accordance with generally accepted practices and established New York State Department of Environmental Conservation (NYSDEC) protocols. Unless specifically noted, the findings and conclusions contained herein must be considered not as scientific certainties, but as probabilities based on professional judgment.

### 1.3 Site Location and Description

The Mid-Broadway Project is an approximately 2.96-acre parcel located on the northern side of Broadway and is bounded to the west by Johnston Street and to the east by Lander Street. The property is generally level, and shallow groundwater flow in the vicinity of the property is likely to follow surficial topography and be to the east, toward the Hudson River (located approximately 0.4-mile from the property). Groundwater was encountered during subsurface investigations from depths of approximately 10 to 12 feet below surface grade (bsg).

The property contains a paved parking lot, a large mound of construction and demolition debris mixed with soil, a vacant, three-story structure, and a maintained lawn. The specified areas of environmental investigation which may have been impacted by historic usage of conditions on the property (the Site) consist of the northern portion of the property containing the soil/debris mound and the southern portion containing the lawn. [Note: three leaking drums were observed on the northwestern portion of the property during the investigation that displayed visual and olfactory indications of release to underlying soils. Spill number 1300608 was reported to the Department of Environmental Conservation by ESI). Impacts from this event appear to be minimal and the closure of this spill is not the subject of this Phase II ESA.

A Fieldwork Map indicating specific Site characteristics is provided in Appendix A.

#### 1.4 Previous Environmental Reports

A Phase I Environmental Site Assessment (Phase I ESA) report issued by ESI in November 2012 identified the following potential environmental concerns:

1. Historic use of lots on the north-northeastern portion of the property as automobile repair facilities, and use of a lot on the southwestern portion by a dry cleaner;
2. Potential presence of subsurface debris from the demolition of former on-site structures;
3. Notations on historic maps indicating a gasoline underground storage tank (UST) near the former northeastern automobile repair facility;
4. Likely presence of fuel oil petroleum bulk storage (PBS) tanks in the basements of former on-site structures; and,
5. The presence of a large quantity of demolition debris (primarily wood and brick) mixed with soil located on the north-northeastern portion of the property.

Based on these findings, the Phase I ESA recommended that a ground-penetrating radar (GPR) survey be conducted to confirm the presence or absence of subsurface storage tanks, and that the presence or absence of subsurface contamination be documented through the collection of soil gas samples and the extension of test pits and soil borings.

A Geotechnical Engineering Report, prepared for the subject property by SESI Consulting Engineers, PC in March 2013, documents the extension of ten soil borings to depths from 14 to 20 feet bsg. According to communications between Mr. Patrick Normoyle of the Excelsior Housing Group, LLC and Michael St. Pierre of the SESI Consulting Engineers, PC, a petroleum odor was encountered at approximately 10 feet bsg in soil boring B-6 located on the northwestern portion of the property to the south of the current on-site structure. No other indications of contamination were observed by SESI personnel.

## 2.0 SUBSURFACE INVESTIGATION

### 2.1 Summary of Services

The following services were conducted by ESI on the Site:

- Conducted a GPR survey in the areas of the former dry cleaner, the suspect PBS tanks, and the suspect gasoline UST;
- Extended ten test pits to a maximum depth of 12 feet bsg in the areas of the former automobile repair facilities, the former dry cleaner, the former structures containing PBS tanks, and in the soil/debris mound;
- Extended five soil borings to a maximum depth of 20 feet bsg in the areas of the former dry cleaner and the suspected gasoline UST;
- Extended two soil gas borings to a maximum depth of 6 feet bsg in the area of the former dry cleaner and two sub-slab vapor borings to a maximum depth of 18 inches bsg in the area of the former automobile repair facilities; and,
- Documented the on-site presence or absence of contamination through sampling and laboratory analysis of soil gas samples for volatile organic compounds (VOCs), and subsurface soil samples for VOCs, polycyclic aromatic hydrocarbons (PAHs), Target Analyte List (TAL) metals, and polychlorinated biphenyls (PCBs).

This Phase II ESA is divided into individual sections that document fieldwork methodology (Section 2.2) and laboratory results (Section 2.3), and present ESI's conclusions and recommendations (Section 3.0). A Fieldwork Map indicating the location of investigative activities and associated selected site features is provided in Appendix A.

### 2.2 Fieldwork Methodology

#### 2.2.1 Site Preparation Services

Prior to the initiation of fieldwork, a request for a complete utility markout of the subject property was submitted by ESI as required by New York State Department of Labor regulations. Confirmation of underground utility locations was secured and a field check of the utility markout was conducted prior to the extension of soil borings.

A GPR survey was conducted on April 9, 2013 by Enviroprobe Service, Inc. under the supervision of ESI personnel. The GPR survey was performed in accessible areas of the Site to pre-screen areas of proposed test pits and/or soil borings. A subsurface anomaly was found in the area of the suspected gasoline UST and was outlined by Enviroprobe personnel (approximately 10 feet by 4 feet along the length of the sidewalk parallel to the eastern property border). No other features were identified by the GPR survey on the Site. [Note: the survey was not conducted on the northern portions of the property due to the presence of significant debris.]

## 2.2.2 Fieldwork Screening Techniques

A MiniRAE 2000 (Model PGM 7600) photo-ionization detector (PID) was utilized by ESI personnel to screen all encountered material for the presence of any volatile organic vapors where appropriate. Prior to the initiation of fieldwork, this PID was properly calibrated to read parts per million calibration gas equivalents (ppm-cge) of isobutylene in accordance with protocols set forth by the equipment manufacturer.

An assessment of subsurface soil characteristics, including soil type, the presence of foreign materials, field indications of contamination (e.g., unusual coloration patterns, or odors), and instrument indications of contamination (i.e., PID readings) was made by ESI personnel during the extension of each test pit and soil boring. ESI personnel maintained independent field logs documenting physical characteristics, PID readings, and any field indications of contamination for all encountered material at each boring and test pit location, and relevant information from these logs is summarized in Appendix B.

## 2.2.3 Extension of Test Pits

### *Summary of Work*

Extension of test pits and excavation of soils was conducted on April 9, 2013 by Mannain Excavators under the supervision of ESI personnel. Test pits were extended using an excavator in order to document any indications of subsurface contamination, characterize the composition of suspected buried debris, and to provide a profile of subsurface materials in order to facilitate additional fieldwork activities at the Site.

Ten test pits were extended in the vicinity of the following Site locations:

- northern former auto repair facility (TP-1 and TP-2);
- northeastern former auto repair facility (TP-3 and TP-4);
- soil/debris mound (TP-5);
- former dry cleaner (TP-6 and TP-7);
- former structures reportedly containing PBS tanks (TP-8); and,
- down-gradient of the soil/debris mound (TP-9) and the gasoline UST (TP-10).

### *Fieldwork Observations*

Subsurface materials encountered during the extension of test pits generally consisted of: regraded native soils containing demolition materials (brick, rock, wood, etc.); a layer of apparent ash; and apparent underlying, likely undisturbed native soils containing gravel. Areas of former structures generally contained mostly demolition material with some apparent regraded native soils overlying subslab foundations, indicating that exterior walls of former structures had been collapsed into the structure and regraded with on-site soils mixed with demolition debris. Areas not containing former structures generally contained regraded soils containing demolition materials overlying native, likely undisturbed soils.

The apparent ash layer was generally encountered either below the regraded soils with demolition debris or under slab foundations, indicating that this layer was deposited on-site prior to development. The soil/debris mound generally consisted of demolition debris (brick, wood, wire, concrete, etc.), household debris, and disturbed soils.

No field evidence of contamination was observed at any test pit sampling location. Groundwater was observed on the northwestern portion of the property at approximately 10 feet bsg (TP-2).

## 2.2.4 Extension of Soil Borings

### *Summary of Work*

Soil borings were extended on April 17, 2013 by Jade Environmental, Inc. under the supervision of ESI personnel using a truck-mounted Geoprobe direct-push corer equipped with disposable acetate sleeves (used to prevent the cross contamination of soil samples). Sampling was conducted at each boring location at four foot intervals to a maximum depth of 20 feet bsg or until refusal was reached. The sampling instrument was decontaminated prior to the initiation of fieldwork and after the collection of each sample. Decontamination procedures were consistent with established NYSDEC protocols.

Seven soil borings were extended in the vicinity of the following Site locations:

- former dry cleaner (SB-1, SV-1\*; and SV-2\*);
- suspect gasoline UST (SB-2, SB-3, and SB-4); and,
- geotechnical boring B-6 (SB-5; see Section 1.4).

\* SV borings were utilized as soil gas survey locations (see Section 2.2.5).

### *Fieldwork Observations*

Subsurface materials were generally consistent with observations made during the extension of test pits in areas without former structures.

Staining and petroleum odors were observed in SB-2 (located immediately south of the previously identified UST), at depths of approximately 8 to 20 feet bsg. Elevated PID readings (subsequently supported by laboratory data) were also detected in SB-2, SB-3, and SB-4, all located in the vicinity of the UST, prompting ESI to report a spill event for this location (spill number 1300610). No other evidence of contamination was encountered in any other soil boring.

Groundwater was observed in borings extended on the southwestern and northeastern portions of the Site (SB-1, SB-2, SB-3, and SB-4) at depths below 10 feet bsg.

## 2.2.5 Soil Gas Survey

### *Summary of Work*

Soil gas was sampled from two soil borings extended on April 17, 2013 (SV-1 and SV-2), and from two locations beneath a concrete slab on April 19, 2013. The slabs were breached by ESI personnel using a handheld drill.

Four soil gas samples were collected in the vicinity of the following Site locations:

- former dry cleaner (SV-1 and SV-2); and,
- former automobile repair facilities (SV-3 and SV-4)

### *Fieldwork Observations*

The former building slabs consisted of 6 inches of concrete and were observed to be in good condition. No evidence of contamination was observed during sub-slab vapor sampling.

## 2.2.6 Sample Collection

All samples collected by ESI were obtained in a manner consistent with NYSDEC sample collection and decontamination protocols. All field personnel wore dedicated, disposable gloves, and all samples were placed into laboratory supplied containers. Soil samples were collected directly from exposed areas in the test pits and from the acetate sleeves extended through the soil borings. Notations were made regarding physical characteristics of the sampled material. A sufficient volume of material was collected at each sample location for the required analyses and for potential additional analyses. The sample collection instrument was decontaminated, as warranted, prior to the collection of each material sample, to avoid cross-contamination between samples. Soil collection for VOC analysis was conducted following field protocols specified in USEPA Method 5035.

Soil sample containers were placed in a cooler immediately after sample collection and were maintained at cold temperatures prior to transport to the laboratory. All samples were transported on the following day via courier to York Analytical Laboratories, Inc. (York Laboratories), a New York State Department of Health-certified laboratory (ELAP Certification Number 10854) for chemical analyses. Appropriate chain-of-custody procedures were followed.

Soil gas samples were collected by inserting a hollow, 1-inch PVC pipe into the boring hole and lowering an "air-stone" filter attached to ¼" Teflon tubing into the rod to the invert of the boring. The pipe was then removed, and the boring was sealed using a non-VOC containing caulk in order to prevent the infiltration of surface air. Each soil-gas boring was purged for at least a period of five minutes, using a GilAir 3 air-sampling pump, at a rate of approximately 4 liters/minute.

Sub-slab vapor samples were collected by breaching the slabs utilizing a concrete drill and extending the bit approximately 18 inches into the sub-grade material. The end of the sample tubing (¼" Teflon tubing) was attached to an "air stone" filter and inserted through the slab breach. The remaining space was sealed off with a non-VOC containing material to prevent surface air from entering the system. Before purging, a properly calibrated PID was used to measure volatile organics by connecting the PID to the inserted Teflon tubing. A GilAir-3 vacuum pump was utilized to purge the standing air from the tubing. At least three borehole and tubing volumes were purged at a rate of 0.2 liters per minute prior to collection.

All soil gas samples were collected using six-liter stainless steel, laboratory supplied Summa canisters with one-hour calibrated flow controllers. For each sampling canister, the pre- and post-sample canister pressure, start and stop times, and location of each sampling point was recorded.

## 2.3 Laboratory Analysis

### 2.3.1 Guidance Levels

The term "guidance level", as defined in this Phase II ESA, refers to the concentration of a particular contaminant above which remedial actions are considered more likely. The overall objective of setting guidance levels is to assess the integrity of on-site soils and soil gas relative to conditions which are likely to present a threat to public health or the environment, given the existing and probable future uses of the Site. On-site soils and soil gas with contaminant levels exceeding these guidance levels are considered more likely to warrant remediation. No independent risk assessment was performed as part of this investigation.

The guidance levels identified for organic compounds and metals detected in soils are based on the NYSDEC Brownfields Program (6 NYCRR Part 375-6) Table 375-6.8(a): Unrestricted Use Soil Cleanup Objectives (SCOs), and (as warranted) on NYSDEC Technical and Administrative Guidance Memorandum #4046 (TAGM 4046), including subsequent NYSDEC memoranda.

Few official guidance levels currently exist for VOCs in soil gas. The New York State Department of Health (NYSDOH) Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated October 2006, contains "air guideline values" for five compounds (methylene chloride, polychlorinated biphenyls, tetrachlorodibenzo-p-dioxin, tetrachloroethene [PCE], and trichloroethene [TCE]). Compounds detected in soil gas are compared to these available guideline values.

All data presented in this Phase II ESA have been analyzed in accordance with applicable guidance levels.

### 2.3.2 Sample Submission

Submission of samples for laboratory analysis was based on fieldwork observations made by ESI, including the presence or absence of elevated PID readings, unusual odors, discoloration, or, any other unusual patterns. A sufficient number of samples were submitted for analysis to provide a general screening of the areas of potential environmental concern.

All samples were accompanied by proper chain of custody documentation and sample information was recorded in the field logbook.

Test pit samples were analyzed for semi-volatile organic compounds (SVOCs) via USEPA Method 8270 (PAHs only), TAL metals via various USEPA Methods and PCBs via USEPA Method 8082. Soil boring samples were analyzed for VOCs via USEPA Method 8260, PAHs and TAL metals. Soil gas samples were analyzed for VOCs via USEPA Method TO-15.

### 2.3.3 Laboratory Results and Discussion

A summary of the results of the laboratory analyses conducted on soil and soil gas samples is presented below. Data summary tables and the laboratory reports are provided in Appendices B and C, respectively, recommendations regarding these findings are located in Section 3.0.

#### *Soil Sample Results*

Field observations indicated petroleum contamination in SB-2 (directly south of the UST). Elevated concentrations of Methylene Chloride (550 ppb; guidance level 50 ppb) were detected at SB-2 (12 feet bsg). Methylene Chloride was detected in all other soil boring samples at concentrations below guidance levels. No other VOCs were detected above reporting limits in any sample.

The laboratory report indicated that SB-2 contained high levels of interference in the sample, resulting in elevated reporting limits. In order to provide a clearer representation of VOCs in SB-2, a list of tentatively identified compounds (TICs) was provided by the laboratory. Twelve TICs were tentatively identified in SB-2 at high estimated concentrations. These compounds include aromatic petroleum hydrocarbons associated with gasoline. No other VOCs were detected in soil borings (no other samples were run for TICs).

The following PAHs were detected at concentrations exceeding SCOs in TP-5, TP-7, and TP-9/TP-10:

- Benzo(a)anthracene (guidance level: 1,000 ppb) at concentrations between 2,920 ppb (TP-9/TP-10) and 49,100 ppb (TP-7);
- Benzo(a)pyrene (guidance level: 1,000 ppb) at concentrations between 2,180 ppb (TP-9/TP-10) and 47,800 ppb (TP-7);

- Benzo(b)fluoranthene (guidance level: 1,000 ppb) at concentrations between 2,400 ppb (TP-9/TP-10) and 41,800 ppb (TP-7);
- Benzo(k)fluoranthene (guidance level: 800 ppb) at concentrations between 1,900 ppb (TP-9/TP-10) and 52,200 ppb (TP-7);
- Chrysene (guidance level: 1,000 ppb) at concentrations between 2,690 ppb (TP-9/TP-10) and 51,200 ppb (TP-7);
- Dibenzo(a,h)anthracene (guidance level: 330 ppb) at concentrations between 6,650 ppb (TP-5) and 13,000 ppb (TP-7) [Note: not detected in TP-9/TP-10]; and,
- Indeno(1,2,3-cd)pyrene (guidance level: 500 ppb) at concentrations between 711 ppb (TP-9/TP-10) and 28,000 ppb (TP-7).

Anthracene, benzo(g,h,i)perylene, fluoranthene, phenanthrene, and pyrene were also detected in TP-5, TP-7, and TP-9/TP-10 at concentrations below SCOs. Low levels of PAHs were also detected in TP-1/TP-2 and SB-5 at concentrations below SCOs. No PAHs were detected in TP-4, SB-1, SB-2, SB-3, SB-4 (12'), or SB-4 (16'), and no other PAHs were detected in any sample. The PAHs found in these samples are associated with heavy petroleum products (e.g. fuel oil or motor oil) but may be attributed to other sources.

Metals were detected above SCOs in all samples (with the exception of SB-3) including:

- Lead (SCO guidance level: 63 ppm) in TP-1, TP-4, TP-5, TP-7, TP-9/TP-10, and SB-4 (16') at concentrations between 79 ppm (SB-4 (16')) and 1,450 ppm (TP-5);
- Zinc (SCO guidance level: 109 ppm) in TP-1, TP-5, TP-7, TP-9/TP-10, and SB-4 (16') at concentrations between 123 ppm (SB-4 (16')) and 868 ppm (TP-5);
- Barium (SCO guidance level: 350 ppm) in TP-5 at concentrations of 723 ppm; and,
- Mercury (total; SCO guidance level: 0.18 ppm) in TP-5 at concentrations of 0.225 ppm.

Numerous other metals including beryllium, chromium, and iron were detected in samples at concentrations below SCO guidance levels. The primary contaminants of concern are lead and zinc which occur at the highest concentrations at TP-1/TP-2, TP-5, TP-7, and TP-9/TP-10.

Elevated concentrations of total PCBs (560 ppb, SCO 100 ppb) were detected at TP-7. No PCBs were detected in any other sample.

#### *Soil Gas Sample Results*

The data indicate that a variety of petroleum-related VOCs are present in soil gases at low levels; however, no VOCs were detected above established guidance levels. Petroleum-based compounds such as benzene, xylene, and toluene as well as other solvents such as acetone, methylene chloride, and 2-butanone (methyl ethyl ketone) were detected in samples and at generally higher concentrations in SV-1, SV-3, and SV-4.

No concentrations of tetrachloroethylene (PCE) were detected in samples collected in the vicinity of the dry cleaner; however, low levels of PCE were detected in samples collected from the vicinity of the automobile repair facilities, indicating that PCE was likely utilized as a de-greaser in former on-site activities.

### 3.0 CONCLUSIONS AND RECOMMENDATIONS

This office has completed the services summarized in Section 2.0 on specified portions of the Mid-Broadway Project property located at 132-148 Broadway, 6-18 Johnston Street and 6, 8, and 14 Lander Street. Fieldwork was conducted to document the presence or absence of subsurface contamination resulting from the historic use of the property (former dry cleaning and automotive repair facilities) and the presence of on-site debris and suspect petroleum bulk storage tanks.

Based on the services provided and data generated, the following conclusions and recommendations (in **bold**) have been made.

1. The presence of an underground storage tank on the northeastern portion of the Site was confirmed by the GPR Survey, and field evidence of petroleum contamination was encountered in a soil boring extended directly south of the tank. Laboratory data support the conclusion that degraded gasoline is likely present in soils in the vicinity of the UST. Spill number 1300610 was reported by ESI based on these findings. No determination was made regarding the impact to groundwater. Three leaking drums were also noted on the northwestern portion of the Site and spill number 1300608 was reported based on these findings.

**It is recommended that the UST, leaking drums, and any encountered petroleum contaminated soils be removed from the Site. It is recommended that monitoring wells be installed in the vicinity of the UST in order to document the integrity of groundwater on the subject property. Documentation of all closure and removal activities, including property off-site disposal of all regulated materials, should be provided to the NYSDEC in support of spill file closure.**

2. PAHs, metals, and PCBs have been documented in subsurface soils at concentrations exceeding guidance levels. These findings are consistent with the presence of poor quality fill materials and demolition debris in Site soils and low-level impacts from former commercial activities (no significant concentrations of PCE were found in soil and soil gas, suggesting limited impacts from the former dry cleaner). Excavation during future Site development is likely to generate contaminated soil and debris materials requiring special handling.

**It is recommended that notification of Site conditions should be provided to third parties such as construction personnel so that any prospective development activities likely to involve disturbance of fill material or other contaminated materials are managed in accordance with applicable NYSDEC regulations, including implementation of a site-specific Health and Safety Plan, proper sampling of soils slated for off-site disposal, and proper dust and runoff control.**

PAHs and metals have been documented in the soil/debris mound, and all soils and demolition debris within the mound should be handled as regulated waste.

**It is recommended that debris materials be segregated into appropriate waste streams (i.e., those which can be disposed of as non-regulated solid waste and those which require special handling) and be disposed of off-site. Regulated waste should be managed in accordance with applicable local, state and federal regulations.**

3. Low levels of VOCs have been documented in soil gas in the vicinity of the former automobile repair facilities and in the vicinity of the former dry cleaner. No PCE was detected in samples from the vicinity of the dry cleaner, indicating that the former dry cleaner did not significantly impact the Site. VOC impacts to soil gas may diminish following removal of the UST and buried debris and remediation of petroleum impacted soils, but no definitive statement can be made at this time. The collection of additional soil gas data is warranted subsequent to initial remedial activities. No comment can be made regarding temporal changes to soil gas concentrations. Current levels of VOCs do not imply the need for any sub-slab interceptor system.

**It is recommended that an additional soil gas investigation be conducted prior to Site development.**

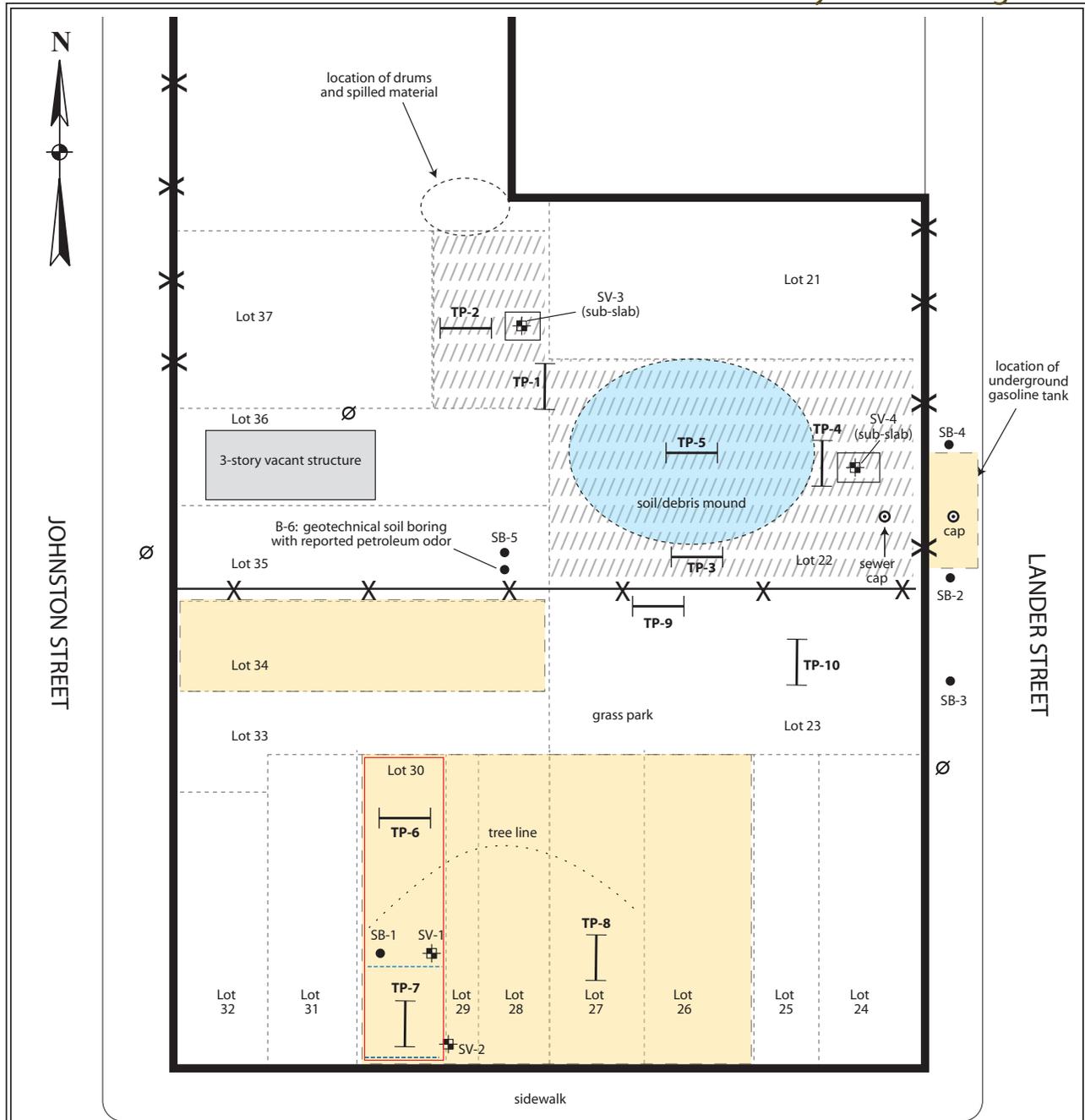


Ecosystems Strategies, Inc.

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**APPENDIX A**

***Fieldwork Map***



Note: All lots contained former on-site structures.  
 All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

<p><b>Fieldwork Map</b>                  132-148 Broadway Street                  6-18 Johnston Street                  6, 8 &amp; 14 Lander Street                  City of Newburgh, Orange County, New York</p>	<p>Legend:  subject property border  transformer   chain link fence  lot lines   areas of recorded PBS tanks  former auto repair facility   test pit location  soil vapor location  soil boring location   area of former drycleaner  remnant wall of former structure</p>	<p>ESI File: EN13029.20</p>
		<p>June 2013</p>
		<p>Scale: 1" = 45' approximately</p>
		<p>Appendix A</p>



## Land Development Application

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

www.cityofnewburgh-ny.gov

Check all that apply:

(\*Supplemental submissions are necessary. See checklists below.)

### Site Plan\*

- Preliminary
- Final
- Modification
- Extension of Time

### Subdivision\*

- Preliminary
- Final
- Modification
- Extension of Time
- Resubdivision

**Special Use Permit\***

### State Environmental Quality Review Act (SEQRA)\*

- Part 1 of the *Short* Environmental Assessment Form.
- Entire *Short* Environmental Assessment Form.
- Full* Environmental Assessment Form.

Environmental Assessment Forms available from City of Newburgh Planning Board or online at <http://www.dec.state.ny.us/website/dcs/seqr/seqrldd.html>

Submissions will not be accepted without use of the NYS DEC EAF mapper, available at <http://www.dec.ny.gov/eafmapper/>

### Chapter 269 Coastal Consistency Determination\*

- Coastal Assessment Form

### GML 239 Determination

- Submission required

- Other:** \_\_\_\_\_
- Other:** \_\_\_\_\_

For Internal Use Only:	
Application Receipt Date:	Index No.:
	Special Permit No.:
	Rect. No.:
	Meeting Date:
	Public Hearing:
	Action Date:
	P.B. Fee Paid:
	Escrow Fee Paid:



## **Land Development Application Instructions**

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### **A. OVERVIEW**

The Land Development Application is reviewed by the Planning Board and must be completed for site plan, subdivision, and special use permit approvals. These applications require a substantial amount of information in order to comply with New York State and City of Newburgh laws. Compiling and preparing this information takes time and often requires the assistance of a licensed professional. In order to efficiently process every application and, if necessary, have it reviewed by the appropriate Boards and Departments, it is important to strictly adhere to all deadlines. Please give yourself enough time to complete all of the required information before you make any submission. *Administrative staff will not accept incomplete or late applications.*

### **B. LAND DEVELOPMENT APPLICATION PROCESS**



## Land Development Application Instructions Site Plan Application Instructions

City of Newburgh, New York, Planning Board

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### 1. Site Plan Applications

#### a. Pre-Application Planning Board (optional)

Prior to a formal appearance before the City Planning Board, the applicant may attend an optional Pre-Application Planning Board Workshop to discuss the applicant's site development proposals informally with the Planning Board. During this workshop, the Planning Board guides the applicant toward productive use of his or her land within the regulations to avoid and minimize potential environmental impacts. The Planning Board also provides the applicant with their general impressions of the proposed site plan application, their suggestions, and advice, which may be incorporated into the formal submission.

To attend a Pre-Application Planning Board Workshop, the applicant must complete and submit to the Land Use Board Secretary the following: (1) a *Land Development Application* (see below), (2) a schematic showing sufficient information for the City Planning Board to provide informal comments and direction to the applicant, and (3) a request for placement on the next City Planning Board Meeting agenda. If the submission is sufficient, it is placed on the agenda for the next Planning Board Meeting. The Department of Code Compliance is located in the Old Courthouse at 123 Grand Street, and the submission deadline for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### Planning Board Meeting

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

#### b. Post-Application Technical Workshop

In advance of filing a formal application, the applicant must attend a mandatory post-application Technical Workshop to obtain the City staff's technical expertise for the required submission materials, as well as a roadmap through the review and approvals process. To be placed on the Technical Workshop agenda, the applicant must complete and submit all required items listed on the *Primary Checklist* below to the Land Use Board Secretary. If the application is complete and sufficient, City staff will address the completed application at a Technical Workshop. The deadline for submitting an application package for an upcoming Post-Application Technical Workshop is 12:00 PM on the third Friday of the month.



## Land Development Application Instructions Site Plan Application Instructions

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

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### Technical Workshop Session

First Wednesday of the month at 10:00 AM  
Department of Code Compliance, 123 Grand Street

At the Technical Workshop, the applicant will meet with the City Engineer, City Attorney, City Building Inspector, Department of Planning and Development, City Department of Fire Prevention and City Planning Board Chairperson (or designated representative) to discuss the proposed site plan and to determine which site plan requirements may be necessary in developing and submitting the required plan. City staff will alert the applicant to all permits and approvals the project requires and provide detailed, technical advice to help complete the required plan. For example, the Engineer may give technical advice to help the applicant meet stormwater regulations or make proper sewage connections. The applicant must follow this technical assistance to complete the plan prior the official Planning Board meeting. In addition, the Engineer and City Planner may provide the applicant with discretionary assistance, suggesting improvements the applicant can make to mitigate any site problems and ensure that the project's benefit to the applicant outweighs any negative effect on surrounding neighbors.

### c. Formal Application for Site Plan Approval

Following the Technical Workshop, the applicant must submit to the Department of Code Compliance a formal *Land Development Application* using instructions and advice from the workshop. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting, and the applicant must submit all required items listed on the *Final Checklist* below. The deadline for submitting a final application for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

### Planning Board Meeting

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

After receiving a complete site plan application, the Planning Board, at its discretion, may hold a public hearing within 62 days of the application's submission. At the applicant's expense, notice of the hearing must be mailed to adjacent neighbors and published in the newspaper. The applicant must obtain a list of all properties within 500 feet of the subject



## **Land Development Application Instructions Site Plan Application Instructions**

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property from the Assessor and obtain a copy of the public hearing notice from the Planning Board Secretary. Then, the applicant must stamp, address, and stuff envelopes and return them with sufficient time for the Planning Board Secretary to mail the notices. At least ten days prior to the hearing, the Planning Board Secretary will publish the public notice in the newspaper, mail the notices by regular mail, and prepare affidavits of the publication and mailing, which the applicant must retrieve and submit to the Planning Board at the Department of Code Compliance. These affidavits then become part of the application.

Unless the Planning Board and applicant agree otherwise, the Planning Board will make a decision regarding the site plan application within 62 days after the public hearing concludes, or if no hearing is held, within 62 days of the complete application's submission. A copy of the decision will be filed in the City Clerk's office and mailed to the applicant within five days of the decision. Within six months of a site plan approval, the applicant must submit multiple copies of the approved site plan to the Planning Board at the Department of Code Compliance for stamping and signing. Following this, the Planning Board will forward a copy of the approved site plan to the Building Inspector and applicant, after which the Building Inspector may issue a building permit and certificate of occupancy. Site plan approval expires if the applicant fails to obtain necessary permits or comply with required conditions within one year of its issuance.



## Land Development Application Instructions Subdivision Application Instructions

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

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### 2. Subdivision Applications

#### a. Sketch Plan Meeting

Prior to submitting a formal subdivision application, the applicant may attend an optional meeting with the Planning Board to informally review and discuss a sketch plan of the proposed street layout. To schedule a Sketch Plan Meeting with the Planning Board, the applicant must complete and submit the following to the Land Use Board Secretary: (1) a *Land Development Application* (see below), (2) a sketch plan containing all items listed on the sketch plan checklist in Part III of the application, and (3) a request for placement on the next City Planning Board Meeting agenda. If the submission is sufficient, it is placed on the agenda for the next Planning Board Meeting. The deadline for submitting a sketch plan for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### Planning Board Meeting

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

#### b. Preliminary Plat Application

After the optional Sketch Plan Meeting, the applicant must submit to the Land Use Board Secretary all required items listed on the *Primary Checklist* below, including the completed preliminary plat. Additionally, the applicant must deliver written notice via certified mail or hand delivery to the City Clerk stating the date of submission and including a copy of the completed application. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting. The deadline for submitting a preliminary plat for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### Planning Board Meeting

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

Within 62 days of receiving the preliminary plat application, the Planning Board will submit the plat and the applicant's preliminary cost estimate for any performance bond to the City Engineer for review and approval, respectively. Also within this timeframe, the Planning Board will hold a public hearing on the preliminary plat. At the applicant's expense, notice of the hearing with a description of the project must be mailed to adjacent neighbors and published in the newspaper. The applicant must obtain a list of all properties within 300 feet of the subject property from the Assessor and obtain a copy of the public



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hearing notice from the Land Use Board Secretary. Then, the applicant must stamp, address, and stuff envelopes and return them with sufficient time for the Land Use Board Secretary to mail the notices. At least ten days prior to the hearing, the Land Use Board Secretary will publish the public notice in the newspaper, mail the notices by regular mail, and prepare affidavits of the publication and mailing, which the applicant must retrieve and submit to the Land Use Board Secretary. These affidavits then become part of the application.

After the public hearing and within 62 days of the application's submission, the Planning Board will approve, conditionally approve, or disapprove the preliminary plat and provide the applicant with a written statement describing terms for conditional approval, reasons for disapproval, and required public improvements that are waived upon request. If approved, the Planning Board will endorse the original and photographic Mylar, as well as any conditions, and return the photographic Mylar to the applicant. Following this, the applicant should submit one print each of the approved plat to the City Engineer, the City Clerk, and the Assessor.

### **c. Final Plat Submission**

Within six months of receiving written notice of the Planning Board's final decision regarding the preliminary plat, the applicant must submit by certified mail to the Land Use Board Secretary all required items listed on the *Final Checklist* below, including the final plat. Additionally, the applicant must deliver, via certified mail or hand delivery, written notice stating the date of submission with a copy of the completed application to the City Clerk. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting. The deadline for submitting a final plat for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### **Planning Board Meeting**

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

Within 62 days from the date of submission of the final plat application, the Planning Board will approve, conditionally approve, or disapprove the plat. If approved, the Planning Board will endorse the original and photographic Mylar, as well as any conditions, and return the photographic Mylar to the applicant. Then, the applicant should submit one print each of the approved plat to the City Engineer, the City Clerk, and the Assessor. Prior to final subdivision plat approval, either appropriate public improvements must be installed and approved, or the applicant must submit an acceptable performance bond.



## **Land Development Application Instructions Special Use Permit Application Instructions**

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### **3. Special Use Permit Applications**

#### **a. Preliminary Conference-**

Before submitting a formal *Land Development Application* for a Special Use Permit, the applicant must attend a Preliminary Conference with the Building Inspector to discuss the nature of the proposed use and to determine what information to include in a site plan, if necessary. To schedule a Preliminary Conference, the applicant must complete and submit all required items listed on the *Primary Checklist* below to the Land Use Board Secretary. If the submission is complete and sufficient, the Building Inspector will schedule the Preliminary Conference. The applicant must follow any technical assistance and instructions received at the Preliminary Conference when completing the application and any necessary site plan.

#### **b. Formal Application for Special Use Permit**

Following the Preliminary Conference, the applicant must submit to the Land Use Board Secretary a formal *Land Development Application* using instructions and advice from the conference. If approved for inclusion, the application is placed on the agenda for the next Planning Board Meeting, and the applicant must submit all required items listed on the *Final Checklist* below. The deadline for submitting a final application for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month.

#### **Planning Board Meeting**

Third Tuesday of the month at 7:30 PM  
Council Chambers, 83 Grand Street, Third Floor

After receiving a complete special use permit application, the Planning Board must hold a public hearing within 62 days of the application's submission. At the applicant's expense, notice of the hearing with a brief description of the proposed special use must be mailed to adjacent neighbors and published in the newspaper. The applicant must obtain a list of all properties within 300 feet of the subject property from the Assessor and obtain a copy of the public hearing notice from the Land Use Board Secretary. Then, the applicant must stamp, address, and stuff envelopes and return them with sufficient time for the Planning Board Secretary to mail the notices. At least ten days prior to the hearing, the Land Use Board Secretary will publish the public notice in the newspaper, mail the notices by regular mail, and prepare affidavits of the publication and mailing, which the applicant must submit to the Land Use Board Secretary. These affidavits then become part of the application. Additionally, the applicant must post a notice on a sign purchased from the City Clerk. The sign must be posted in public view in a conspicuous location within three days after the



## **Land Development Application Instructions Special Use Permit Application Instructions**

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Planning Board schedules the hearing and must remain there until the day after the hearing is closed.

Unless the Planning Board and applicant agree otherwise, the Planning Board will make a decision regarding the special use permit application within 62 days after the public hearing concludes. The Planning Board may approve, modify, or deny the application, and if the Board approves the application, it may attach conditions necessary to accomplish the Zoning Ordinance's objectives. These conditions may include a time limitation, erection of a solid board fence entirely around the site to a height of six feet before the use requested is initiated, or another condition that the Planning Board deems necessary. Additionally, special use permit applicants must comply with all building code and other ordinance requirements.

A copy of the decision will be filed in the City Clerk's office and mailed to the applicant within five days of the decision. Once granted, the special use permit expires without further action if the permittee fails to exercise the special use permit approval, obtain other necessary permits, or comply with required conditions within one year of its issuance without renewal or if the special permit use ceases for more than 24 consecutive months. If a permittee fails to comply with special use permit conditions, the permittee will receive notice of the City's intention to revoke the permit at least ten (10) days prior to a Planning Board hearing thereon. After it reviews the matter at the hearing, the Planning Board may revoke the special use permit.



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### **4. Application Referrals**

For all land development applications, the Planning Board will make the following application referrals.

#### ***SEQRA Review***

Upon receipt of a complete application, the Planning Board initiates the SEQRA process by circulating the application and EAF to all involved agencies or by issuing a positive or negative declaration within 20 days. If the proposed project will have a significant effect on the environment, the Planning Board will issue a positive declaration, requiring the submission of a draft environmental impact statement (DEIS). Time periods for decision-making do not begin to run until the Planning Board accepts a DEIS or issues a negative declaration.

#### ***County Review***

The Planning Board will refer a site plan or special use permit application to the Orange County Department of Planning if the site plan or proposed special use falls within 500 feet of:

1. The municipal boundaries,
2. Any existing county or state park or recreational area,
3. Any existing or proposed county or state roadway,
4. Any existing or proposed right-of-way for a streams and drainage channel owned by the County for which the County has established channel lines, or
5. Any existing or proposed county- or state-owned land on which a public building or institution is situated.

The County may issue recommendations to the Planning Board a minimum of 30 days of receiving the application and a maximum of up to two (2) days prior to a regularly scheduled meeting where a board will be taking action. The County and City may agree to an extension beyond this time period.

For subdivision applications, the Planning Board, in its discretion, may submit the preliminary plat to the Orange County Department of Planning for review. If the proposed subdivision is five lots or more, the preliminary plat is submitted to and approved by the Orange County Department of Health.

#### ***Conservation Advisory Council Review***

At its discretion, the Planning Board may refer any site plan or special use permit application to the City's Conservation Advisory Council (CAC) for review and recommendations. The 30-day CAC review time period runs concurrently with the Planning Board's required 62-day review timeframe.

When the Planning Board receives a land development application for a property within the City's Waterfront Revitalization Area Boundary, it must refer the applicant's



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completed coastal assessment form (CAF), along with the completed land development application and Short or Full EAF, to the CAC within ten days of receipt. The CAC may require the applicant to submit any other information deemed necessary and must submit a written coastal consistency recommendation to the Planning Board within 30 days of the referral, unless extended by mutual agreement between the advisory agency and applicant. Following this, the Planning Board must release a consistency determination based on the CAF and the CAC's recommendation. If the CAC does not submit its recommendation within 30 days, the Planning Board will make its determination without the recommendation.

### ***Architectural Review Commission Review***

If a land development application affects a parcel within the East End Historic District or Colonial Terraces Architectural Design District, the Planning Board will refer the application package, including the applicant's completed certificate of appropriateness (COA) application, to the Architectural Review Commission (ARC) for review and recommendations. The ARC may issue recommendations to the Planning Board within 30 days of receiving the application.

### **C. PRIMARY CHECKLIST**

The applicant must submit to the Land Use Board Secretary an application package containing the following *Primary Checklist* items, as well as a completed *Land Development Application* (see below), to schedule the following:

- Placement on the site plan Post-Application Technical Workshop agenda,
- Placement on the Planning Board meeting agenda for a subdivision preliminary plat, OR
- A special-use-permit Preliminary Conference.

**The deadline for submitting an application package for an upcoming Post-Application Technical Workshop is 12:00 PM on the third Friday of the month.**

**The deadline for submitting a preliminary plat for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month**

**Application packages not received by these deadlines will not be placed on the agendas. NO EXCEPTIONS.**

There is no deadline for submitting an application package for a Preliminary Conference. The Building Inspector will schedule these conferences on a case-by-case basis as completed application packages are received.



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<input type="checkbox"/>	<b>Completed Land Development Application and Primary Checklist items.</b>
<b>Pre-Application Process.</b>	
<input type="checkbox"/>	<b>Technical Workshop</b> to review Site Plan Application
<input type="checkbox"/>	<b>Preliminary Plat Review</b> at Planning Board Meeting
<input type="checkbox"/>	<b>Preliminary Conference</b> with Building Inspector to review Special Use Permit Application
<b>Fees.</b> All applications must include the appropriate fee, by check, made payable to "City of Newburgh".	
<input type="checkbox"/>	<p><b>Subdivision Fee</b>  Parks, open space, and minor subdivisions: \$0.05 per square foot of subdivided area  Lot line change and two-lot subdivision with existing residential structure: \$200  Minor subdivision of 4 lots or fewer: \$200  Major subdivision of 5 lots or more: \$200, plus \$50 per lot  Inspection of public improvements: 3% of the value of bonded improvements  Public hearing: \$150, plus \$50 for obtaining a public hearing notification list from the City Assessor</p>
<input type="checkbox"/>	<p><b>Site Plan</b>  Residential (4 or fewer dwelling units): \$200  Residential (5 or more dwelling units): \$200, plus \$100 per unit  Commercial: \$1,000, plus \$100 per 1,000 square feet of floor area  Inspection of public improvements: 2% of the value of bonded improvements</p>
<input type="checkbox"/>	<p><b>Recreation fee in lieu of land (at Board's discretion)</b>  As determined by the Planning Board</p>
<input type="checkbox"/>	<p><b>Special Use Permit</b>  Residential: \$150  Commercial: \$250</p>
<input type="checkbox"/>	<p><b>Public Hearing Fee</b>  \$150, plus \$50.00 for obtaining a public hearing notification from the City Assessor</p>
<input type="checkbox"/>	<p><b>Escrow Fee for professional services required in review process</b>  The application shall, in addition to any fees established pursuant to Chapter 266 and in addition to any fees established by Chapter 158 of this Code, pay the actual cost of the following services which may be reasonably required by the Planning Board in the processing of the application: Engineering Services; Review during construction, inspection services; Planning services.   The sums of money deposited pursuant to this subsection shall be placed in an escrow account to cover such costs, which account shall be drawn against in the course of the review of the particular application. Initial deposit shall be \$500. Subsequent deposits shall be required as needed. Any amount remaining in the account on completion of review shall be refunded.</p>
<input type="checkbox"/>	<b>Affidavit of Public Hearing Notice</b>



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	<p>Submit affidavit showing notice mailed to adjacent property owners and published in newspaper. See <i>Land Development Application</i> Process above for specific details.</p>
<input type="checkbox"/>	<p><b>For Site Plans: Submit Two (2) Hardcopies</b> The applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in the submitted site plan. All applicants must submit two (2) hardcopies of required plans with their application.</p> <p><input type="checkbox"/> <b>For Subdivision Plats: Submit one (1) Original Mylar, One (1) Photographic Mylar, and one (1) Contact Prints of Preliminary Plat</b> The applicant must complete the appropriate subdivision checklist in the <i>Land Development Application</i> below and include that information in the submitted plat. All applicants must submit with their application one (1) original mylar, one (1) photographic mylar at the same scale, and one (1) contact print of the preliminary or final plat at a standard sheet size of 22" by 34" by 44".</p> <p><input type="checkbox"/> <b>For Special Use Permits: Three (3) Hardcopies of Site Plan</b> Pursuant to Newburgh City Code a special use permit application must include a site plan, although the Planning Board may waive site plan approval if the special use permit does not involve physical alteration or disturbance on a site. At a minimum, the special use permit application must include a plan showing the size and location of the lot, as well as the location of all buildings and proposed facilities, including access drives, parking areas, and all streets within 200 feet of the lot lines. If required, the applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in the submitted site plan. All applicants must submit three (3) hardcopies of required plans with their application. The applicant may submit one plan for multiple special uses on the same parcel(s). Additionally, Code Article XII provide numerous policies, factors, and specific standards for special uses. Special use permit applicants should review these sections in detail when preparing their submittals.</p> <p><input type="checkbox"/> <b>Digital Submission.</b> The applicant <i>must</i> provide a complete set of digital plans in .pdf/ .tiff format at 300 dpi/ppi or greater.</p>
<input type="checkbox"/>	<p><b>Short or Full Environmental Assessment Form.</b> Applicants must complete a SEQRA Form and submit it with their application package. The appropriate SEQRA Form depends on the project's location, type, and size. Consult additional SEQRA guidance online at <a href="http://www.dec.ny.gov/regs/4490.html">http://www.dec.ny.gov/regs/4490.html</a> to determine the appropriate SEQRA Form and select it from the following list:</p> <p><u>Part 1 of the Short Environmental Assessment Forms (Short EAF):</u> Use the Short EAF For Type II Actions listed in 6 NYCRR Section 617.5. Part 1 of the Short EAF is available at <a href="http://www.dec.ny.gov/permits/6191.html">http://www.dec.ny.gov/permits/6191.html</a>.</p>



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	<p><b>Entire Short Environmental Assessment Form (Short EAF):</b> Use the entire Short EAF for Type I Actions that fall under the threshold contained in Part 617.4 or that are Unlisted Actions. The Short EAF is available at <a href="http://www.dec.ny.gov/permits/6191.html">http://www.dec.ny.gov/permits/6191.html</a>.</p> <p><b>Full Environmental Assessment Form (Full EAF):</b> Use the Full EAF for applications that exceed any Type I threshold in Part 617.4. of the Full EAF is available at <a href="http://www.dec.ny.gov/permits/6191.html">http://www.dec.ny.gov/permits/6191.html</a>.</p> <p>Note: The City recommends that you use the EAF Mapper Application (<a href="http://www.dec.ny.gov/eafmapper/">www.dec.ny.gov/eafmapper/</a>) that will generate partially completed EAFs.</p>
<input type="checkbox"/>	<p><b>Coastal Assessment Form (CAF).</b></p> <p>A completed CAF is required for properties located inside the City’s Waterfront Revitalization Area Boundary. Consult the following map to determine whether subject property falls within this boundary:  <a href="http://docs.dos.ny.gov/communitieswaterfronts/LWRP/Newburgh_C/Original/NewburghSI.pdf">http://docs.dos.ny.gov/communitieswaterfronts/LWRP/Newburgh_C/Original/NewburghSI.pdf</a>.</p> <p>If a CAF is required, the applicant must review Code Chapter 159 at <a href="http://ecode360.com/28160802">http://ecode360.com/28160802</a>, complete the CAF, and submit the completed CAF with the application package. The Planning Board will make a referral to the Conservation Advisory Council for an Advisory Opinion.</p>
<input type="checkbox"/>	<p><b>Certificate of Appropriateness (COA)</b></p> <p>If the subject property falls within the East End Historic District or Colonial Terraces Architectural Design District, the applicant must obtain a COA from the Architectural Review Commission (ARC) for any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of a landmark. In addition, a COA is required for any material change in the appearance of such a property, its light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements visible from the public street or alley that affect the appearance and cohesiveness of a district and its designated properties. To determine whether the subject property falls within one of these districts, consult the ARC’s district maps at: <a href="http://www.cityofnewburgh-ny.gov/architectural-review-commission">http://www.cityofnewburgh-ny.gov/architectural-review-commission</a>.</p> <p>If a COA is required, the applicant must review Code Chapter 300, Article V (available at <a href="http://ecode360.com/10875977">http://ecode360.com/10875977</a>).</p> <p>Additionally, the applicant must consult the Design Guidelines for Newburgh’s East End Historic District (available at <a href="http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/eehd-designguide2008.pdf">http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/eehd-designguide2008.pdf</a>) or consult the Colonial Terraces Design Guidelines (available at <a href="http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/colonialterraceguidelines.pdf">http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/colonialterraceguidelines.pdf</a>).</p>



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<p>The applicant must complete the COA application (available at <a href="http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/arc-application-0409.pdf">http://www.cityofnewburgh-ny.gov/sites/newburghny/files/file/file/arc-application-0409.pdf</a>) and submit it with the application package.</p>
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### D. FINAL CHECKLIST

For a formal application for site plan approval, a special use permit, or a final subdivision plat, the applicant must submit to the Land Use Board Secretary an application package containing the following *Final Checklist* items, as well as a completed *Land Development Application* (see below). **The deadline for submitting an application package for an upcoming Planning Board Meeting is 12:00 PM on the first Friday of the month. Application packages not received by this day and time will not be placed on the agenda. NO EXCEPTIONS.**

<input type="checkbox"/>	<p><b>Seven (7) Copies of Completed Land Development Application and Final Checklist Items OR one (1) Original Copy plus one (1) digital set of application materials in .pdf format on a CD.</b></p>
<input type="checkbox"/>	<p><b>For Site Plans: Thirteen (13) Hardcopies OR one (1) Original Copy plus one (1) digital set of application materials in .pdf/ .tiff format on a CD.</b></p> <p>The applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in their site plan. All applicants must submit thirteen (13) hardcopies of required plans with their application.</p>
<input type="checkbox"/>	<p><b>For Subdivision Plats: One (1) Original Mylar, One (1) Photographic Mylar, and either five (5) Contact Prints of Preliminary Plat OR one (1) digital set of Preliminary Plat in .pdf/ .tiff format on a CD.</b></p> <p>The applicant must complete the appropriate subdivision checklist in the <i>Land Development Application</i> below and include that information in their plat. All applicants must submit with their application one (1) original mylar, one (1) photographic mylar at the same scale, and five (5) contact prints of the preliminary or final plat at a standard sheet size of 22" by 34" by 44".</p>
<input type="checkbox"/>	<p><b>For Special Use Permits: Thirteen (13) Hardcopies of Site Plan OR one (1) Original Copy plus one (1) digital set of application materials in .pdf/ .tiff format on a CD.</b></p> <p>Pursuant to Newburgh City Code a special use permit application must include a site plan, although the Planning Board may waive site plan approval if the special use permit does not involve physical alteration or disturbance on a site. At a minimum, the special use permit application must include a plan showing the size and location of the lot, as well as the location of all buildings and proposed facilities, including access drives, parking areas, and all streets within 200 feet of the lot lines. If required, the applicant must complete the separate site plan checklist in the <i>Land Development Application</i> below and include that information in the submitted site</p>



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plan. All applicants must submit six (6) hardcopies of required plans with their application. The applicant may submit one plan for multiple special uses on the same parcel(s). Additionally, Code Article XII provide numerous policies, factors, and specific standards for special uses. Special use permit applicants should review these sections in detail when preparing their submittals.

**Digital Submission.** For digital submissions, documents must be in .pdf/ .tiff format at 300 dpi/ppi or greater.



**Land Development Application**  
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**PART I – General Information:**

**A. Project Name:** \_\_\_\_\_

**B. Applicant:** (If Applicant is not owner, Owner must complete attached proxy statement, in Part VI of this form, confirming authorization of Applicant.)

Name:			
Address:			
City:		State:	Zip:
Phone:			
Fax:			
Email:			

**C. Property Owner of Record (if different from Applicant):**

Name:			
Address:			
City:		State:	Zip:
Phone:			
Fax:			
Email:			

**D. Person Preparing Plan or Plat:**

Name:			
Address:			
City:		State:	Zip:
Phone:			
Fax:			
Email:			

**E. Applicant Representative:** (Applicant must complete attached proxy statement, in Part VII of this form, confirming authorization of Applicant Representative.)

Name:			
Relationship to Applicant:			
Firm:			
Address:			
City:		State:	Zip:
Phone:			
Fax:			
Email:			



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### F. Property Interest of Applicant (check one):

- Owner. (include Owner's Affidavit attached)
- Purchaser or holder of an option to purchase wherein the purchase agreement or option are binding and subject to cancellation only if the Planning Board does not approve that for which the application is made. (Applicant must attach a copy of contract.)
- Holder of a lease for one (1) year or more from the date of application. (Applicant must attach copy of lease.)
- A verified agent of one (1) of the above. (include Owner's Proxy Statement attached)

### G. Property Information:

Street Address:					
City:	Newburgh	State:	NY	Zip:	12550
Location:	On the _____ side of _____ (Street)				
	_____ feet _____ (Direction)				
	of _____ (Street)				
Tax Map Designation:	Section:		Block:		Lot(s):
	Section:		Block:		Lot(s):
	Section:		Block:		Lot(s):
Tax Map No.:					
Zoning District:					

### H. List all contiguous holdings in the same ownership:

Section:		Block:		Lot(s):	
Section:		Block:		Lot(s):	
Section:		Block:		Lot(s):	



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### I. Regulatory Compliance – Application Checklist for Permits

To facilitate the approval process, the City of Newburgh requests that applicants indicate below all permit applications that are **pending**, have been **approved** or have been **rejected** for the subject property. The following checklist will help familiarize City authorities with the project that is the subject of the current application. Please indicate all applications submitted for the property in question, including those that were prepared for projects separate from the current one. Intentionally omitting any items from this checklist is cause for delay or rejection of the application(s) being considered.

Board, Commission or Inspector	Date(s) of Prior Approval(s)	City Identifier Reference(s)	Previous Action(s) on Application(s)	New Permit(s) Applied for
Zoning Board of Appeals				<input type="checkbox"/>
Architectural Review Commission				<input type="checkbox"/>
Building Inspector				<input type="checkbox"/>
City Engineer				<input type="checkbox"/>
Public Works				<input type="checkbox"/>
Orange County				<input type="checkbox"/>
Other:				<input type="checkbox"/>



## Land Development Application – Site Plan

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

Phone: (845) 569-7400

Fax: (845) 569-0096

www.cityofnewburgh-ny.gov

### **PART II – Site Plan Submission Requirements**

*A site plan application must include sufficient plans and descriptive information. Site plans must be prepared by a licensed professional engineer, architect, or landscape architect and must include information from the following checklist, provided to help guide the applicant's site plan preparation. In addition to this checklist, all site plan applicants should consult the required site plan information in Newburgh City Code § 300 Article XI and site plan review criteria in § 300-89. The City of Newburgh Planning Board may require additional material or revisions prior to granting approval.*

#### **Check**

- | <b><u>Box</u></b>        | <b><u>Requirement</u></b>   |
|--------------------------|---|
| <input type="checkbox"/> | VICINITY MAP ( $\geq$ 1,000 feet to the inch)   |
| <input type="checkbox"/> | EXISTING CONDITIONS MAP   |
| <input type="checkbox"/> | FIELD SURVEY OF BOUNDARY LINES (certified by licensed surveyor)   |
| <input type="checkbox"/> | SITE PLAN (drawn to scale on appropriate-sized sheet of paper; include the following information on the site plan and all sheets submitted in site plan application): |
| <input type="checkbox"/> | PROJECT NAME  |
| <input type="checkbox"/> | SECTION, BLOCK, LOT NUMBER  |
| <input type="checkbox"/> | STREET NAMES  |
| <input type="checkbox"/> | PROJECT SITE BOUNDARIES   |
| <input type="checkbox"/> | FIRE LANES  |
| <input type="checkbox"/> | DATE OF PLAN  |
| <input type="checkbox"/> | NORTH ARROW   |
| <input type="checkbox"/> | SCALE OF PLAN   |
| <input type="checkbox"/> | OWNER'S NAME AND ADDRESS  |
| <input type="checkbox"/> | DEVELOPER'S NAME AND ADDRESS  |
| <input type="checkbox"/> | SEAL OF ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT  |
| <input type="checkbox"/> | OWNER'S LETTER OF AUTHORIZATION (if applicant is not the owner)   |
| <input type="checkbox"/> | NAMES OF ALL ADJACENT PROPERTY OWNERS WITHIN 500 FT OF PERIMETER  |
| <input type="checkbox"/> | ZONING/SCHOOL/OVERLAY/SPECIAL DISTRICT BOUNDARIES WITHIN 500 FT OF PERIMETER  |
| <input type="checkbox"/> | PROPERTY BOUNDARIES   |
| <input type="checkbox"/> | BUILDING/SETBACK BOUNDARIES IF DIFFERENT FROM ZONING REQUIREMENTS   |
| <input type="checkbox"/> | EXISTING STREET AND LOT LINES FROM CITY'S OFFICIAL/TAX MAP  |
| <input type="checkbox"/> | EASEMENTS   |
| <input type="checkbox"/> | AREAS DEDICATED TO PUBLIC USE   |
| <input type="checkbox"/> | LOCATION, USE & DIMENSIONS OF EXISTING AND PROPOSED STRUCTURES  |
| <input type="checkbox"/> | LOCATION, HEIGHT, SIZE, MATERIALS & DESIGN OF ALL PROPOSED SIGNS  |



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- TRAFFIC FLOW PATTERNS, ENTRANCES, EXITS, LOADING/UNLOADING AREAS, CURB CUTS ON AND WITHIN 100 FT OF SITE
- LOCATION, SIZE, DIMENSIONS, ACCESS, EGRESS, CIRCULATION PATTERNS, DESIGN, HANDICAPPED ACCESS & SIGNS FOR OFF STREET PARKING AREAS
- LOCATION OF PRESENT/PROPOSED SEWAGE LINES, SEPTIC SYSTEMS
- LOCATION OF PRESENT & PROPOSED WATER SUPPLY SYSTEM
- LOCATION OF PRESENT & PROPOSED TELEPHONE, CABLE, ELECTRICAL SYSTEMS
- LOCATION OF PRESENT & PROPOSED STORM DRAINAGE SYSTEM
- LOCATION OF ALL OTHER PRESENT & PROPOSED OVERHEAD/UNDERGROUND UTILITY SYSTEMS
- EROSION AND SEDIMENTATION CONTROL PLAN
- EXISTING & PROPOSED TOPOGRAPHY
- FEMA FLOODPLAIN BOUNDARY LOCATIONS (include additional information if parcel is within one-hundred-year floodplain)
- LIGHTING PLAN
- LANDSCAPING/PLANTING/GRADING PLAN
- NEW CONSTRUCTION/STRUCTURE ALTERATIONS TABLE (containing the following information):
  - USES INTENDED FOR STRUCTURE (give estimated structure area for each use)
  - ESTIMATED NUMBER OF EMPLOYEES
  - MAXIMUM SEATING CAPACITY
  - NUMBER OF PARKING SPACES EXISTING AND REQUIRED FOR USE
- ELEVATIONS (scale: 1/4 inch = 1 ft) & DESIGN FEATURES OF PROPOSED/ALTERED/EXPANDED EXTERIOR FAÇADES
- SOIL LOGS/PERCOLATION TEST RESULTS/STORMWATER RUNOFF CALCULATIONS (if requested)
- DISPOSITION PLANS FOR CONSTRUCTION/DEMO WASTE
- SEQRA SHORT EAF OR DRAFT EIS
- CULTURAL RESOURCE SURVEY (if appropriate)
- COMPLETE PROPOSED DEVELOPMENT (if applicant wishes to develop in stages)
- HAZARDOUS MATERIALS ASSOCIATED WITH PROPOSED INDUSTRIAL USE
- USE, STORAGE, TREATMENT & DISPOSAL OF HAZARDOUS MATERIALS
- VIEWSHED ANALYSES (only for WG, PWD, and part of DN Districts, as well as additional locations the Planning Board identifies during site plan review process)
- OTHER MATERIALS REQUESTED BY PLANNING BOARD



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### Sample Format:

- Plan shall include a table, similar to the one below, showing the relationship indicated for relevant zoning limits and requirements:

Zoning Limit	Variance Required?	Variance Submitted?	Variance Type Required? (If Any)
Number of Parking Spaces	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Lot Area/Dwelling	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Lot Size	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Buffer Strip	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Building Height	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Front Yard	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Side Yard	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

- The site plan submitted to the Planning Board for its approval shall carry the following endorsement and acknowledgement:

Approved by Resolution \_\_\_\_\_ of the Planning Board of the City of Newburgh, New York, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to all requirements and conditions of said Resolution. Any change, erasure, modification or revision of this plan, as approved, shall void this approval.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



**Land Development Application – Site Plan**

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**SITE PLAN PREPARER'S ACKNOWLEDGEMENT:**

This site plan has been prepared in accordance with this checklist and the City of Newburgh Laws, to the best of my knowledge.

By: Magnus Magnusson (Licensed Professional)

Date: JANUARY 8<sup>th</sup>, 2016

**ALL FOLDED PLANS SHALL BE FOLDED WITH THE TITLE BLOCK AND STAMP OF APPROVAL EXPOSED**



## Land Development Application – Subdivision

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### **PART III – Subdivision Submission Requirements**

*The following checklist provides the specifications for a sketch plan and preliminary and final subdivision plats. All plans shall be drawn to a convenient scale, not more than 100 feet to an inch, and shall include the information listed below. For preliminary and final plats, applicant must refer to City Code Chapter 266 (available at <http://ecode360.com/10874509>) for more information about plat requirements, design standards, and drainage, water, sewage, easement, block, lot, open space, natural feature protection, and public improvement specifications. This list is provided as a guide only is for the convenience of the applicant. The City of Newburgh Planning Board may require other material or revisions prior to granting approval.*

#### **A. SKETCH PLAN SUBMISSION**

Prior to submitting a preliminary plat and application for approval of a subdivision, the subdivider may choose to submit a sketch plan of the proposed street layout to the City Planning Board for informal discussion and review. The sketch plan must include the following:

##### **Check**

##### **Box      Requirement**

- SECTION, BLOCK, LOT NUMBER
- NAME AND ADDRESS OF RECORD OWNER
- LOCATION MAP OF PROPERTY
- NORTH ARROW
- SCALE OF MAP
- PROPERTY BOUNDARIES (DEED PLOT TO SCALE-MINIMUM)
- ADJACENT ROADS
- EXISTING PROPERTY ZONING
- APPROXIMATE LOCATION OF STREAMS AND WATER BODIES
- APPROXIMATE LOCATION OF EXISTING STRUCTURES
- APPROXIMATE PROPOSED SUBDIVISION PROPERTY LINES
- SEWER AVAILABILITY (PUBLIC)
- WATER AVAILABILITY (PUBLIC)

#### **B. PRELIMINARY PLAT SUBMISSION**

A professional engineer and land surveyor must prepare the preliminary plat legibly and clearly in pencil or ink. The plat must have a horizontal scale of 1” to 50 feet and a vertical scale of 1” to 5 feet. If more than one sheet is required, the plat must include a key map on each sheet indicating relationship to streets. Along with the preliminary plat, the applicant



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should prepare and submit a cost estimate for any performance bond. The preliminary plat must include the following:

### Check

#### Box    Requirement

- All information required for sketch plan.
- Approximate metes & bounds of prepared subdivision.
- Adjoining property locations & ownership.
- Location, widths, purpose, and grantee of all easements and rights-of-way on the property.
- Topography-2' contour interval unless otherwise allowed by the Planning Board.
- Location of all areas subject to flooding or ponding.
- Location & limits of all “designated wetland” areas; delineate proposed 100' buffer strip around wetland.
- Subdivision name and location.
- Location of all water courses.
- Location and uses of all structures and improvements (water, sewer, storm drainage, roads, drives, etc.) on the property including location and use of all structures within 100' of the property.
- Zoning table showing what is required in the particular zone and what the applicant in each category of the bulk table required.
- Zoning boundaries, if within the area of the proposed subdivision.
- Date of the plat preparation and/or plat revisions.
- Preliminary design and details of Sanitary Sewage Disposal Systems.
- A note requiring the design of a septic disposal system (if no public sewer is available within 100') by a licensed engineer and requirement that it/they must be constructed in accordance with this design under review by the engineer in accordance with Orange County Laws, Rules & Regulations.



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- Name and width of adjacent streets.
- Proposed road profiles and cross sections in accordance with the City of Newburgh specifications.
- Proposed lot areas.
- Numbering on proposed lots.
- Preliminary design of all proposed drainage systems.  
Note: At the request of the Planning Board, a complete drainage Engineering report shall be submitted for approval by the Planning Board.
- Proposed locations of new structures.
- Locations and proposed grade and cross section of driveways to each individual proposed lot.
- If the subdivision application is being made by other than the record owner of the property, a statement shall be submitted signed by the record owner indicating that the applicant has authorization to act on the owners behalf. This letter shall be signed by the record owner of the property.
- Prior to the commencement of the required Public Hearing, furnish evidence that the necessary informational mails have been made to all applicable property owners as required.
- All necessary application fees to the City of Newburgh must be paid prior to preliminary approval by the City of Newburgh Planning Board.
- Environmental Assessment Statement- (Long or Short Form as delineated by the City of Newburgh Planning Board).
- Seal and signature of design professional preparing plan.
- A notarized affidavit from the record owner that he is the owner of the land proposed for subdivision and, if the subdivider is not the record owner, that the subdivider may act for him (See subsection G below).

### C. FINAL PLAN SUBMISSION

A professional engineer and land surveyor must prepare the final plat legibly and clearly in pencil or waterproof ink. The plat must have a horizontal scale of 1" to 50 feet and a vertical



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scale of 1" to 5 feet. If more than one sheet is required, the plat must include a key map on each sheet indicating relationship to streets. The final plat must include the following:

### Check

#### Box    Requirement

- All information required for sketch plan and preliminary approval.
- Completed deeds of dedication for all proposed roads which are to be dedicated to the City of Newburgh at the completion of the project.
- Complete construction plans and specifications, if applicable for all infrastructure improvements, including but not necessarily limited to streets, curbs, sidewalks, drainage, water supply, sewer systems, fire alarms.
- Final design and details of sanitary sewage disposal systems.
- Prior to final approval, evidence shall be submitted to the City of Newburgh Planning that the plans have received final approval from Orange County Department of Health, the New York State Department of Health, the New York Department of Environmental Conservation and any other Necessary review agencies having jurisdiction.
- Monumentation of all major corners of subdivision.

### D. FOR ALL PLAT SUBMISSIONS

Subdivision plat shall be accompanied by separate sheets of construction plans (if required) and shall be submitted to the Planning Board for approval as follows:

### Check

#### Box    Requirement

- A copy of this checklist with indications by the designer preparing the plans that all applicable requirements of this checklist have been met.
- All mylars & maps must have sufficient space for Planning Board stamp (3"x5") above or to the left of the project information located at the bottom right hand corner of the maps. Maps will not be accepted for signing without sufficient space.
- All plans folded shall be folded with the title block & stamp of approval exposed.



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### E. ENDORSEMENT

Every plat submitted for Planning Board approval must carry the following endorsement:

Approved by Resolution \_\_\_\_\_ of the Planning Board of the City of Newburgh, New York on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to all requirements and conditions of said resolution. Any change, erasure, modification or revision of this plat, as approved, shall void this approval. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
City Engineer

### F. SITE PLAN PREPARER'S ACKNOWLEDGEMENT

Every plat submitted for Planning Board approval must carry the following preparer's acknowledgement:

**The plat for the proposed subdivision has been prepared in accordance with the City of Newburgh Planning Board checklist.**

**Applicant's Name:** \_\_\_\_\_

**Preparer's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



## **Land Development Application – Subdivision**

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### **G. AFFIDAVIT OF OWNERSHIP**

An affidavit of ownership or permission from the owner must be submitted with this application. If the property owner is a business organization, such as a corporation or limited liability company (LLC), additional requirements apply. An owner who is a business organization must submit either the papers of incorporation demonstrating the applicant is an officer of the company or manager/member, a Power of Attorney, or a corporate resolution permitting the application to be made on behalf of the business organization.

Please submit either the Owner's Affidavit or Owner's Proxy Statement and appropriate accompanying documentation if the owner is a business entity.

---



**Land Development Application – Special Use Permit**  
City of Newburgh, New York, Planning Board  
123 Grand Street, Newburgh, New York 12550  
Phone: (845) 569-7400 Fax: (845) 569-0096  
www.cityofnewburgh-ny.gov

**PART IV – Specific Information for Special Use Permit Applications**

*Newburgh Code Sections 300 provide numerous policies, factors, and specific standards for special uses. Special use permit applicants should review these sections in detail, include in the application any required information outlined in Section 300 ARTICLE XII, and ensure the application refers to any relevant standards for special uses. The applicant may submit one application for multiple special uses on the same parcel(s). Additionally, applications must include any legal descriptions, maps, plot plans, drawings, photographs, or other information that the Planning Board requires, and the Board may request that the applicant reproduce this information for distribution to Planning Board members. The Planning Board will not accept and process the application until it is complete and correct and the proper fee is paid. If a question in Part IV is not applicable, the applicant should write “N/A” or “Not Applicable” in response.*

- (1) Describe the special use you desire to make of the property.

- (2) Describe the nature and condition of surrounding and adjacent structures and uses.

- (3) What is the property being used for at the present time?



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- (4) Will the proposed use increase traffic congestion, impact pedestrian safety, or impact current roads? Describe how. If not, why won't it?

--

- (5) Will off-street parking be provided for customers/ employees /occupants?  Yes  No  
If yes:

How many spaces? _____	Size of each space? _____ Ft. x _____ Ft.
------------------------	---

- (6) List any churches, schools, theaters, public buildings, parks, playgrounds and recreational facilities that are located within 500 feet of the exterior property lines of the property on which the proposed use is to be located:

--

- (7) How many persons will be employed by the use?

Full-time employees?	Part-time employees?
----------------------	----------------------

- (8) State the maximum number of customers, clients, patients or patrons expected to be on the premises at any one time:

--



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- (9) State the size of the lot on which the use will be located both in square footage and dimensions of front, side, and rear lot lines:

Square Footage: \_\_\_\_\_ Ft.

Front Lot Line: \_\_\_\_\_ Ft.    Side Lot Line: \_\_\_\_\_ Ft.    Rear Lot Line: \_\_\_\_\_ Ft.

- (10) State the dimensions of the building or structure to be used in the project. If more than one building or structure is to be used, list each individually:

Building No.: \_\_\_\_\_    Size: \_\_\_\_\_ Ft. x \_\_\_\_\_ Ft.    No. of Stories: \_\_\_\_\_

Building No.: \_\_\_\_\_    Size: \_\_\_\_\_ Ft. x \_\_\_\_\_ Ft.    No. of Stories: \_\_\_\_\_

Building No.: \_\_\_\_\_    Size: \_\_\_\_\_ Ft. x \_\_\_\_\_ Ft.    No. of Stories: \_\_\_\_\_

- (11) How many square feet of usable space is in each building?

Building No.: \_\_\_\_\_    Usable Sq. Ft.: \_\_\_\_\_    Sq. Ft. devoted to proposed use: \_\_\_\_\_

Building No.: \_\_\_\_\_    Usable Sq. Ft.: \_\_\_\_\_    Sq. Ft. devoted to proposed use: \_\_\_\_\_

Building No.: \_\_\_\_\_    Usable Sq. Ft.: \_\_\_\_\_    Sq. Ft. devoted to proposed use: \_\_\_\_\_

- (12) State the distance of the building(s) in which the project will be located from all front, rear and side property lines. If more than one building or structure is to be used, list each individually:

Building No.: \_\_\_\_\_

Distance from the  
property lines:

Front: \_\_\_\_\_ Ft.    Rear: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.

Building No.: \_\_\_\_\_

Distance from the  
property lines:

Front: \_\_\_\_\_ Ft.    Rear: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.

Building No.: \_\_\_\_\_

Distance from the  
property lines:

Front: \_\_\_\_\_ Ft.    Rear: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.    Side: \_\_\_\_\_ Ft.

- (13) What products, commodities, or merchandise will be sold on the premises?



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(14) What services will be provided on the premises?

(15) Will vehicles be repaired on the premises?  Yes  No

(16) Will auto painting or bodywork be done on the premises?  Yes  No

(17) Where will vehicles be stored while waiting to be repaired?

(18) Will vehicles parked overnight on the premises be stored inside or outside?

(19) Will vehicles be sold on the premises?  Yes  No

(20) Will tools be used on the premises?  Yes  No

If yes, explain what type, quantities, and impact:

(21) Will the crafting of parts be done on the premises?  Yes  No

If yes, explain:



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(22) Is the premises connected to a public sewer?  Yes  No

(23) Will facilities other than the public sewer be provided for disposing of oil based waste products and effluents? If so, describe.

--

(24) Describe the proposed use's impact on the public water, drainage, and sewer systems, as well as any other municipal facility.

--

(25) What is the *maximum* noise level and vibration level that will be produced by machines to be employed in the project at any given time?

Noise Level?	Vibration Level?
--------------	------------------

(26) Will solid, liquid, or gaseous waste products be produced by the project?  Yes  No  
If yes, describe:

--

(27) Will odors be created by the project?  Yes  No  
If yes, describe:



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- (28) Will dust be created by the use?  Yes  No  
If yes, describe:

- (29) Will glare be produced by the project?  Yes  No  
If yes, describe:

- (30) Will electrical interference or discharges be produced by the project?  Yes  No  
If yes, describe:

- (31) Will radioactivity be created by the use?  Yes  No  
If yes, describe:

- (32) What fire prevention and safety devices will be installed? I.e. exit doors, fire escapes, sprinkler systems, standpipe system, paint spray booth, fire extinguishers, etc.



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- (33) Describe how premises is accessible to fire, police, and other emergency vehicles.



**Land Development Application  
Owner Affidavit**

City of Newburgh, New York, Planning Board  
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**PART V – Signatures - To Be Completed by Applicant**

On this the 07<sup>th</sup> day of JANUARY, 2016 before me, Lisa Rondon (name of notary), the undersigned officer, personally appeared Magnus Magnusson (name of affiant), known to me (or satisfactorily proven) to be the person(s) whose name(s) (is or are) subscribed to the within instrument and acknowledged that (he, she or they), first being duly sworn, deposes and swears that:

- I am the owner of the property located at:
- I am authorized to act on behalf of the owner of the property located at:

Street Address: 140 Broadway  
City: Newburgh State: NY Zip: 12550

\_\_\_\_\_  
Signature of Affiant

Magnus Magnusson  
Printed Name of Affiant

Subscribed and sworn to before me this 7<sup>th</sup> day of JAN, 2016

Lisa Rondon  
Signature of Notary Public

Lisa Rondon  
Printed Name of Notary

Date Commission Expires:  
12-17-17

STATE OF NY )  
NY ) ss. (city/town)  
COUNTY OF \_\_\_\_\_ )

**LISA RONDON**  
Notary Public, State of New York  
No. 01RO6067817  
Qualified in Richmond County  
Commission Expires Dec. 17, 2017



# Land Development Application

## Owner's Proxy Statement

City of Newburgh, New York, Planning Board

123 Grand Street, Newburgh, New York 12550

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COMPLETE THIS FORM ONLY IF APPLICANT IS OTHER THAN OWNER.  
THE FOLLOWING STATEMENT MUST BE SIGNED AND NOTARIZED

### A. Property Information:

Street Address:	14 Johnston Street				
City:	Newburgh	State:	NY	Zip:	12550
Tax Map Designation:	Section: 30	Block: 3	Lot(s): 36		

### B. Property Owner:

Name:	Newburgh Commercial Development Corp.				
Address:	333 Broadway				
City:	Newburgh	State:	NY	Zip:	12550
Phone:	(845) 562-5662				

### C. Applicant: (Party making application on owner's behalf)

Name:	Mill Street Partners, LLC				
Address:	42 West 39th Street				
City:	New York	State:	NY	Zip:	10018
Phone:	(914) 557-5875				

### D. Owner Proxy Statement:

I, Victor Cappelletti swear that I am the owner of the subject property, and, \_\_\_\_\_, the – Agent /Corporate Officer /Contractor / Other \_\_\_\_\_  of said owner or owners is duly authorized to perform said work and to make and file this application; that all statements contained in the application are true to the best of his/her knowledge and belief; that work will be performed in the manner set forth in the application and in the plans and specifications filed therewith.

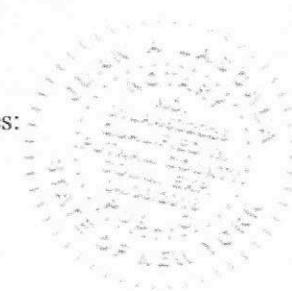
Owner Signature: [Signature] Date: 1-7-16

Subscribed and sworn to before me this 7<sup>th</sup> day of Jan., 2016

[Signature]  
Signature of Notary Public

Jeanmarie L. Laska  
Printed Name of Notary

Date Commission Expires: 4-30-2018





**Land Development Application  
Corporation Authorization Statement**  
City of Newburgh, New York, Planning Board  
123 Grand Street, Newburgh, New York 12550  
Phone: (845) 569-7400 Fax: (845) 569-0096  
www.cityofnewburgh-ny.gov

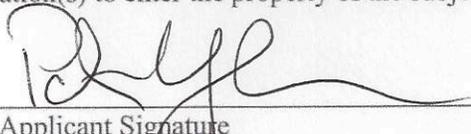
**To Be Completed If Corporate Applicant**

STATE OF \_\_\_\_\_ )  
 ) ss. (city/town)  
COUNTY OF \_\_\_\_\_ )

Victor Cappelletti, being duly sworn deposes and says that he/she is the

\_\_\_\_\_  
(title)  
Newburgh Commercial Development Corp.  
(name of corporation)

a New York (enter name of State of incorporation) corporation, the applicant named the foregoing application and knows the contents thereof and the same is true to his own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters he believes it to be true. The signature of the applicant and owner also grants consent for City Staff or City Board or Commission members responsible for of the review or approval of this application(s) to enter the property of the subject application.

  
Applicant Signature

Date 1/7/16

Patrick Normoyle  
(Print Name Above)

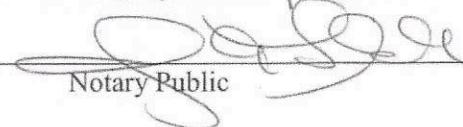
  
Property Owner Signature(s)

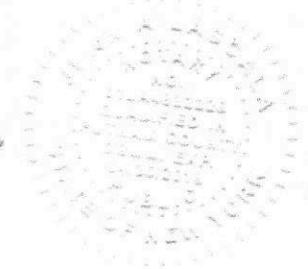
Date 1-7-2016

Victor Cappelletti  
(Print Name Above)

Sworn to before me

This 7<sup>th</sup> day of January, 2016

  
Notary Public



## ATTACHMENT 1

### Mid Broadway Redevelopment Project Parcels

<b>SBL</b>	<b>Address</b>	<b>Assessed Value</b>
30-3-24	132 Broadway	2,100
30-3-25	136 Broadway	2,100
30-3-26	138 Broadway	1,600
30-3-27	140 Broadway	1,300
30-3-28	142 Broadway	1,300
30-3-29	142A Broadway	500
30-3-30	144 Broadway	1,300
30-3-31	146 Broadway	1,500
30-3-32	148 Broadway	2,100
30-3-33	6 Johnston Street	1,000
30-3-34	10 Johnston Street	1,600
30-3-35	12 Johnston Street	1,600
30-3-36	14 Johnston Street	35,000
30-3-37	16 Johnston Street	4,300
30-3-38	18 Johnston Street	154,100
30-3-23	6 Lander Street	1,800
30-3-22	8 Lander Street	5,800
30-3-21	14 Lander Street	2,400



# Mid-Broadway Development -

# Planning Board Submission 01/08/16

91-Unit Affordable Family Housing & Retail

140 Broadway, Newburgh, NY

Sheet List	
Sheet Number	Sheet Name
00	COVER
A-01	EXISTING CONDITIONS/ SURVEY
A-01a	SURVEY/PROPOSED BUILDING OVERLAY
A-02	SITE PLAN
A-03	ZONING ANALYSIS
A-03a	FLOOD INSURANCE RATE MAP
A-04	CELLAR PLAN
A-05	1st FLOOR PLAN
A-06	2nd FLOOR PLAN
A-07	3rd FLOOR PLAN
A-08	4th FLOOR PLAN
A-09	5th FLOOR PLAN
A-10	ROOF & BULKHEAD PLANS
A-11	SOUTH & NORTH ELEVATIONS
A-12	EAST & WEST ELEVATIONS
A-13	COURTYARD ELEVATIONS
A-14	BUILDING SECTIONS
A-15	WALL SECTIONS
A-16	TYPICAL APARTMENT LAYOUTS
A-17	RENDERED PERSPECTIVE STUDIES
B4	Site Photographs
L-1.1	Landscape Plan
L-2.1	Landscape Details
L-3.1	Lighting Plan

Client:  
**Mill Street Partnership**  
 42 West 39th Street, 15th Floor  
 New York NY 10018  
 Tel (212) 253 7820 Fax (212) 253 1276

Architect:  
**Magnusson Architecture & Planning PC**  
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 New York NY 10018  
 Tel (212) 253 7820 Fax (212) 253 1276

Civil Engineer:  
**Tectonic**  
 Corporate Office  
 P.O. Box 37, Pleasant Hill Rd 70 Mountainville, NY 10953  
 Tel (845) 534 5959

Structural Engineer:  
**Mulhern & Kulp**  
 20 S. Maple Street, Suite 150  
 Avonlea, PA 19002  
 Tel (215) 646 8001 Fax (215) 646 8310

MEP Engineer:  
**Johnson & Urban, LLC**  
 295 State Route 24  
 Coles Neck, NJ 07722  
 Tel (732) 772 1500 Fax (732) 772 1515

Energy Consultant:  
**Steven Winters Associates**  
 307 Soverly Avenue, Suite 1701,  
 New York, NY 10001  
 Tel (212) 254 5800

Landscape Architect:  
**Pouder Design Group PC**  
 228 Merryall Road  
 New Milford, CT 06776  
 Tel (860) 779 7612

PROJECT SITE



LOCATION MAP



# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

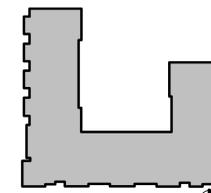
Application #:

## MILL STREET PARTNERS

42 West 39th Street 15th Floor,  
New York, NY 10018  
Tel (212) 253 7820 Fax (212) 253 1276



**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

NUMBER	DATE	DESCRIPTION
	04/19/13	HFA Submission
	07/19/13	Site Plan Re-Submission
	12/05/13	HCR Submission
	11/20/15	Workshop Submission
	01/06/15	Planning Board Submission

Revisions:

Architect:

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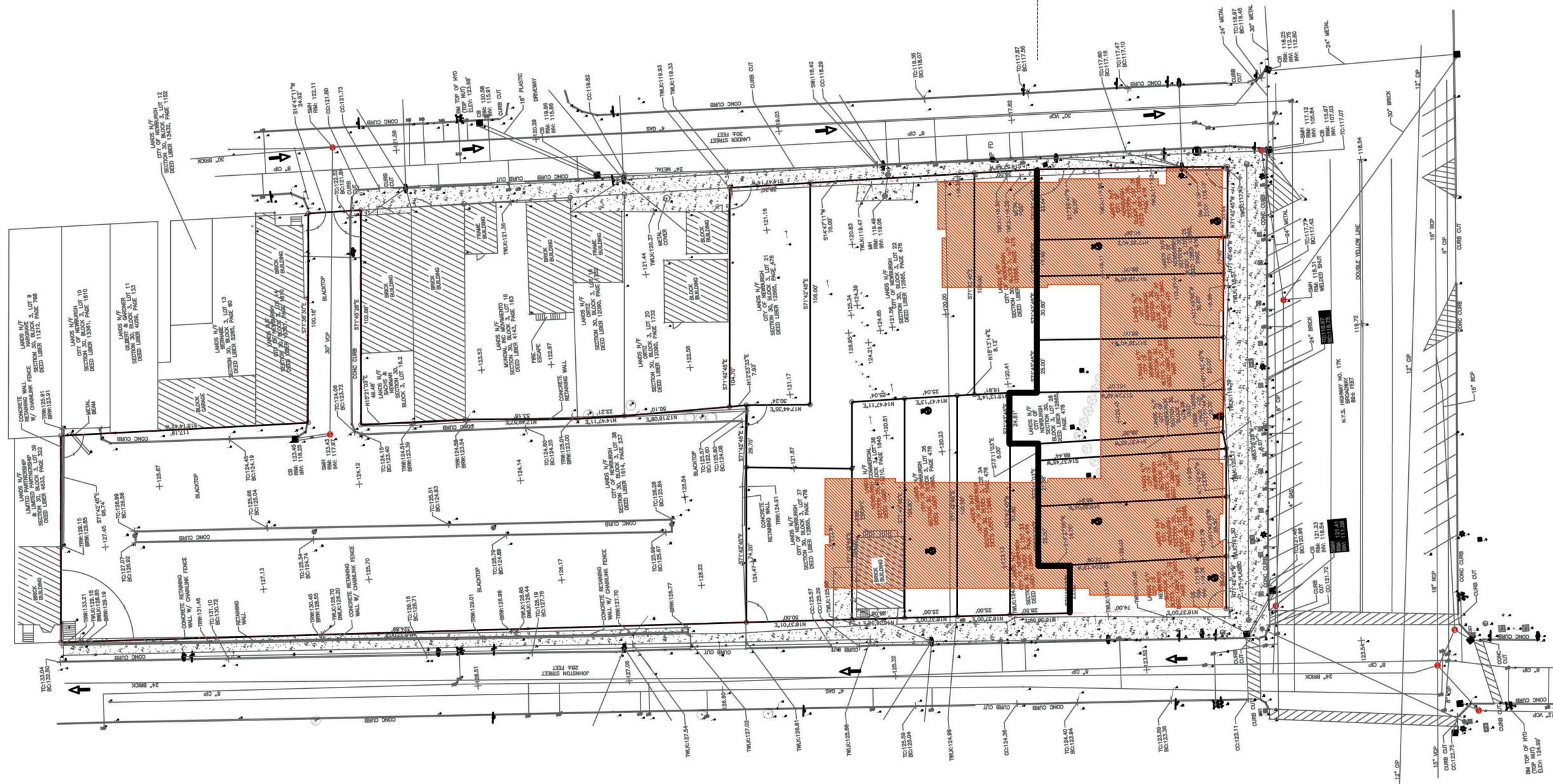
Contractor to promptly notify Architect of any material variations between field conditions and existing conditions as indicated in Contract documents

Seal:

DOWNTOWN NEIGHBORHOOD (DN)  
DISTRICT



BROADWAY CORRIDOR (BC)  
DISTRICT



Drawing Title:  
**SURVEY/PROPOSED  
BUILDING  
OVERLAY**

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-01a**  
Scale:  
Drawn by: Author  
Checked by: Checker

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

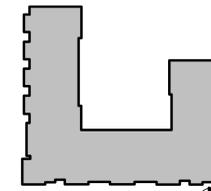
Application #:

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

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Tel (860) 779 7612

Do Not Scale Plans  
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Seal:

Drawing Title:  
**SITE PLAN**

Project Number: 12008  
Date: 01/08/16 Drawing #: **A-02**  
Scale: 1" = 20'-0"  
Drawn by: Author  
Checked by: Checker

PROJECT SUMMARY							
Flr	Retail S.F.	Residential S.F.	Total FA	1BR	2BR	3BR	Total DU
C	0	3,384	3,384				
1	13,800	8,830	22,530	0	0	5	5
2	0	22,556	22,556	8	11	2	21
3	0	22,190	22,190	12	11	2	25
4	0	22,143	22,143	12	11	2	25
5	0	13,907	13,907	8	6	1	15
R	0	1,270	1,270				
	<b>13800</b>	<b>94,280</b>	<b>107,980</b>	<b>40</b>	<b>39</b>	<b>12</b>	<b>91</b>

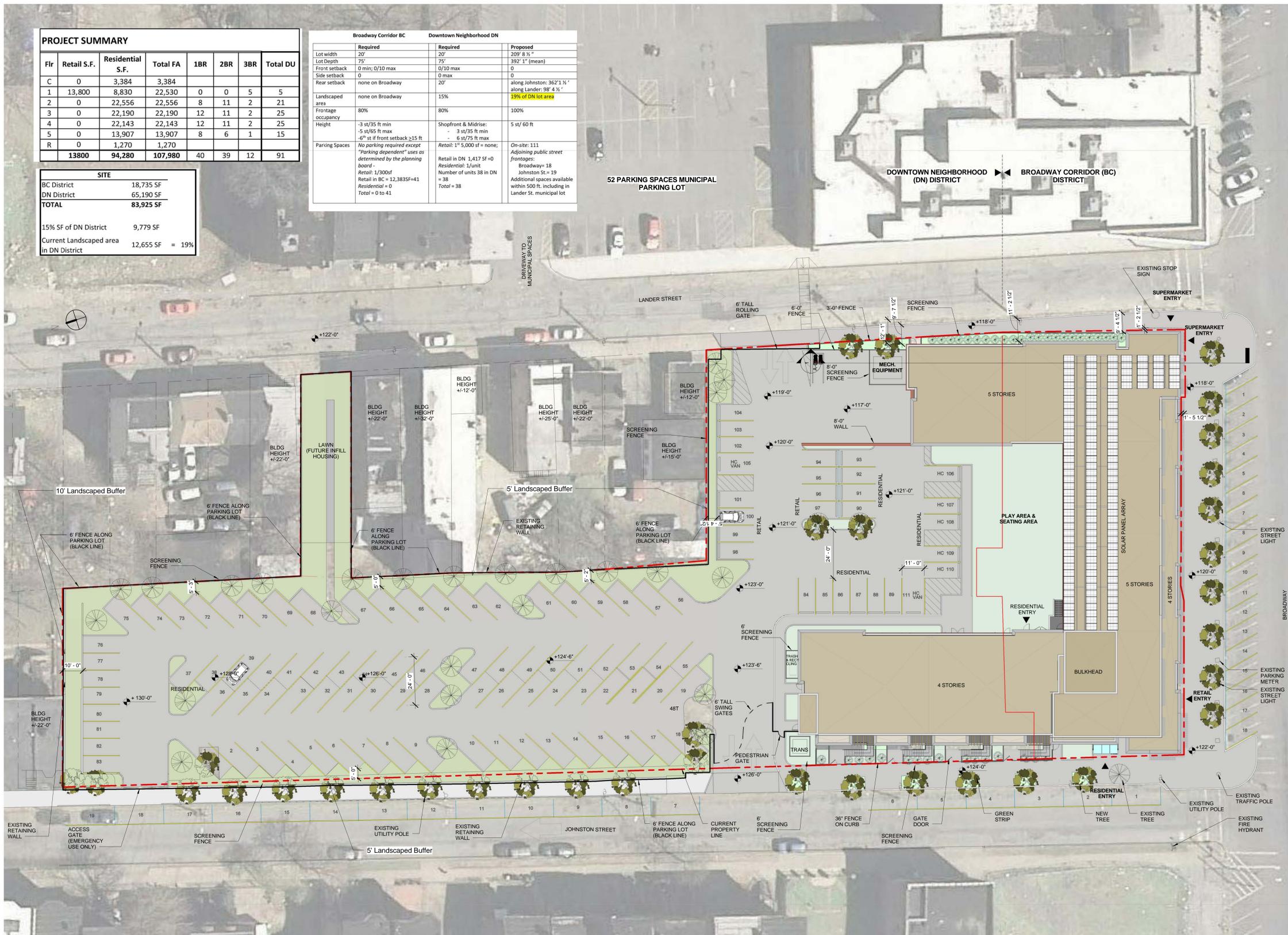
SITE	
BC District	18,735 SF
DN District	65,190 SF
<b>TOTAL</b>	<b>83,925 SF</b>
15% SF of DN District	9,779 SF
Current Landscaped area in DN District	12,655 SF = 19%

	Broadway Corridor BC	Downtown Neighborhood DN	Proposed
Lot width	20'	20'	209' 8 1/2"
Lot Depth	75'	75'	392' 1" (mean)
Front setback	0 min; 0/10 max	3 ft/35 ft min	0
Side setback	0	0 max	0
Rear setback	none on Broadway	20'	along Johnston: 362' 1 1/2' along Lander: 98' 4 1/2'
Landscaped area	none on Broadway	15%	19% of DN lot area
Frontage occupancy	80%	80%	100%
Height	-3 ft/35 ft min -5 ft/65 ft max -6 ft if front setback > 15 ft	Shopfront & Midrise: - 3 ft/35 ft min - 6 ft/75 ft max	5 ft/60 ft
Parking Spaces	No parking required except "Parking dependent" uses as determined by the planning board - Retail: 1/300sf Retail in BC = 12,383SF=41 Residential = 0 Total = 0 to 41	Retail: 1 <sup>st</sup> 5,000 sf = none; Retail in DN 1,417 SF = 0 Residential: 1/unit Number of units 38 in DN = 38 Total = 38	On-site: 111 Adjoining public street frontages: Broadway: 18 Johnston St. = 19 Additional spaces available within 500 ft, including in Lander St. municipal lot

52 PARKING SPACES MUNICIPAL PARKING LOT

DOWNTOWN NEIGHBORHOOD (DN) DISTRICT

BROADWAY CORRIDOR (BC) DISTRICT



# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

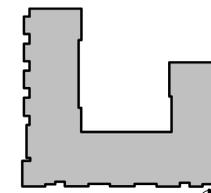
Application #:

## MILL STREET PARTNERS

42 West 39th Street 15th Floor,  
New York, NY 10018  
Tel (212) 253 7820 Fax (212) 253 1276



### SUSTAINABILITY TARGET: LEED FOR HOMES



Key Plan

NUMBER	DATE	DESCRIPTION
1	04/19/13	HFA Submission
2	07/19/13	Site Plan Re-Submission
3	12/05/13	HCR Submission
4	11/20/15	Workshop Submission
5	01/06/15	Planning Board Submission

### Revisions:

Architect:  
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New York, NY 10001  
Tel (212) 254 5800

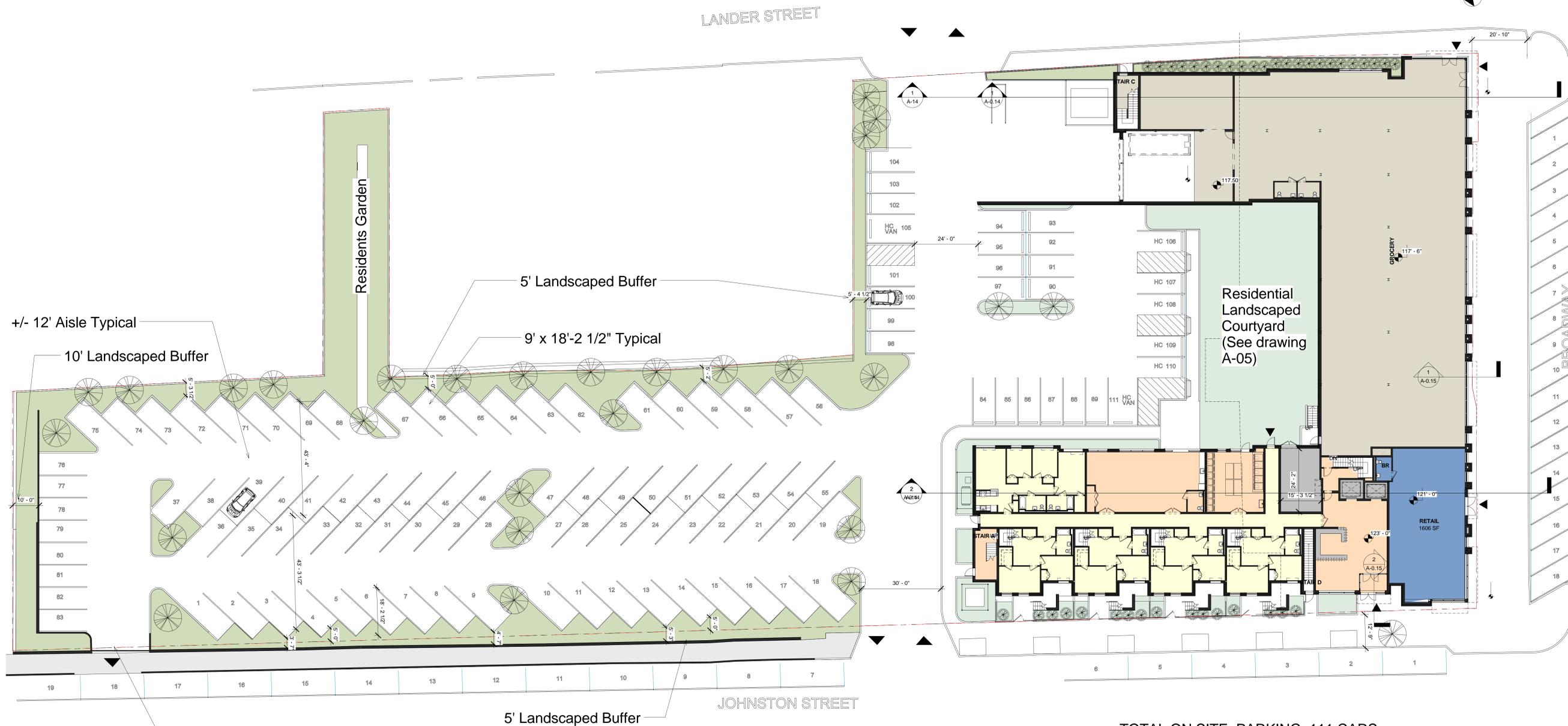
Landscape Architect:  
**Powder Design Group PC**  
228 Merryll Road  
New Milford, CT 06776  
Tel (860) 779 7612

Do Not Scale Plans  
Contractor to promptly notify Architect of any material  
variations between field conditions and existing  
conditions as indicated in Contract documents

Seal:

Drawing Title:  
**PARKING**

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-02a**  
Scale: 1/16" = 1'-0"  
Drawn by: Author  
Checked by: Checker

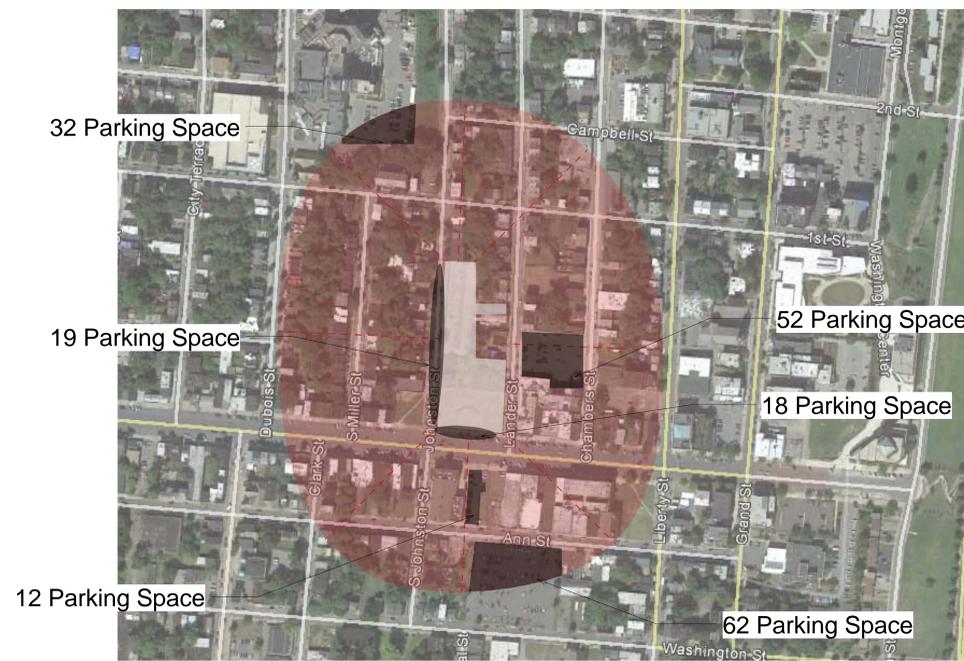


TOTAL ON SITE PARKING: 111 CARS

TOTAL STREET PARKING: 37 CARS

1 1ST FLOOR / PARKING  
1/16" = 1'-0"

PARKING	
On Site Parking	111
On Street Parking (Broadway St.)	18
On Street Parking (Johnston St.)	19
Lander's St. Municipal Parking	52
Ann's St. Municipal Parking	62
Broadway's St. Municipal Parking	12
Dubois' St. Parking	32
<b>TOTAL</b>	<b>306</b>
Total On-Site and-Off Site	148
Total 500 ft Parking Lots	158



PARKING SPACES WITHIN 500 FT OF SITE

1/7/2016 2:02:47 PM

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

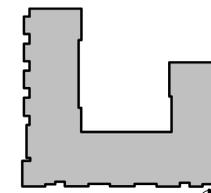
Application #:

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
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Revisions:

Architect:

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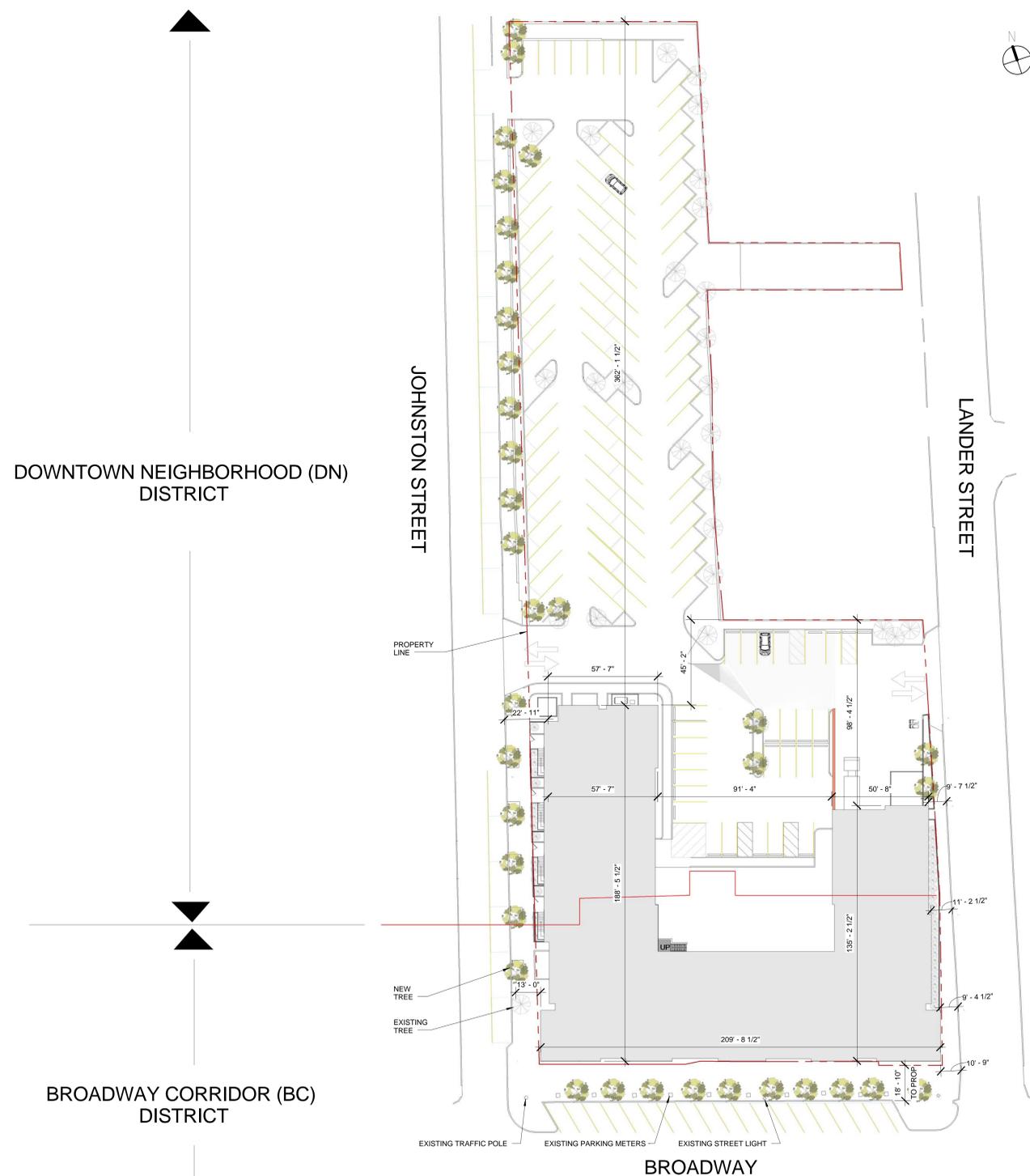
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Seal:

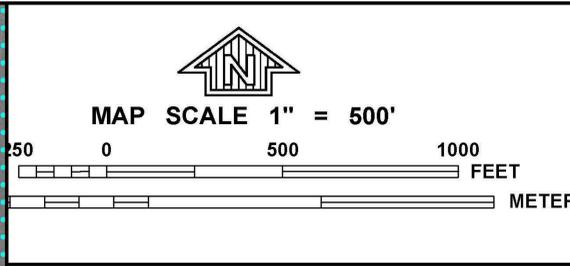
Drawing Title:  
**ZONING ANALYSIS**

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-03**  
Scale: 1" = 30'-0"  
Drawn by: Author  
Checked by: Checker

"The final drawings will include all items necessary to be in compliance with LEED for Homes provisions indicated in Attachment B9 Green Building Criteria Checklists included with this Unified Funding 2013 application for Mid-Broadway Redevelopment"



1 ZONING ANALYSIS - MASSING & SETBACKS  
1" = 30'-0"



**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 0144E**

**FIRM**  
FLOOD INSURANCE RATE MAP

for ORANGE COUNTY, NEW YORK  
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
NEWBURGH, CITY OF	360626
NEWBURGH, TOWN OF	360627

**PANEL 144 OF 630**  
**MAP SUFFIX: E**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
36071C0144E

**EFFECTIVE DATE**  
AUGUST 3, 2009

**Federal Emergency Management Agency**

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

SITE

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

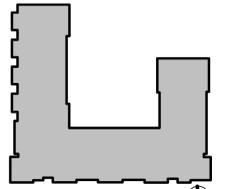
Application #:

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Revisions:

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Drawing Title:  
**FLOOD INSURANCE RATE MAP**

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-03a**  
Scale:  
Drawn by: Author  
Checked by: Checker

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

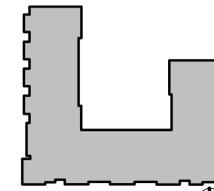
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Seal:

Drawing Title:

**CELLAR PLAN**

Project Number: 12008

Date: 11/19/15 Drawing #:

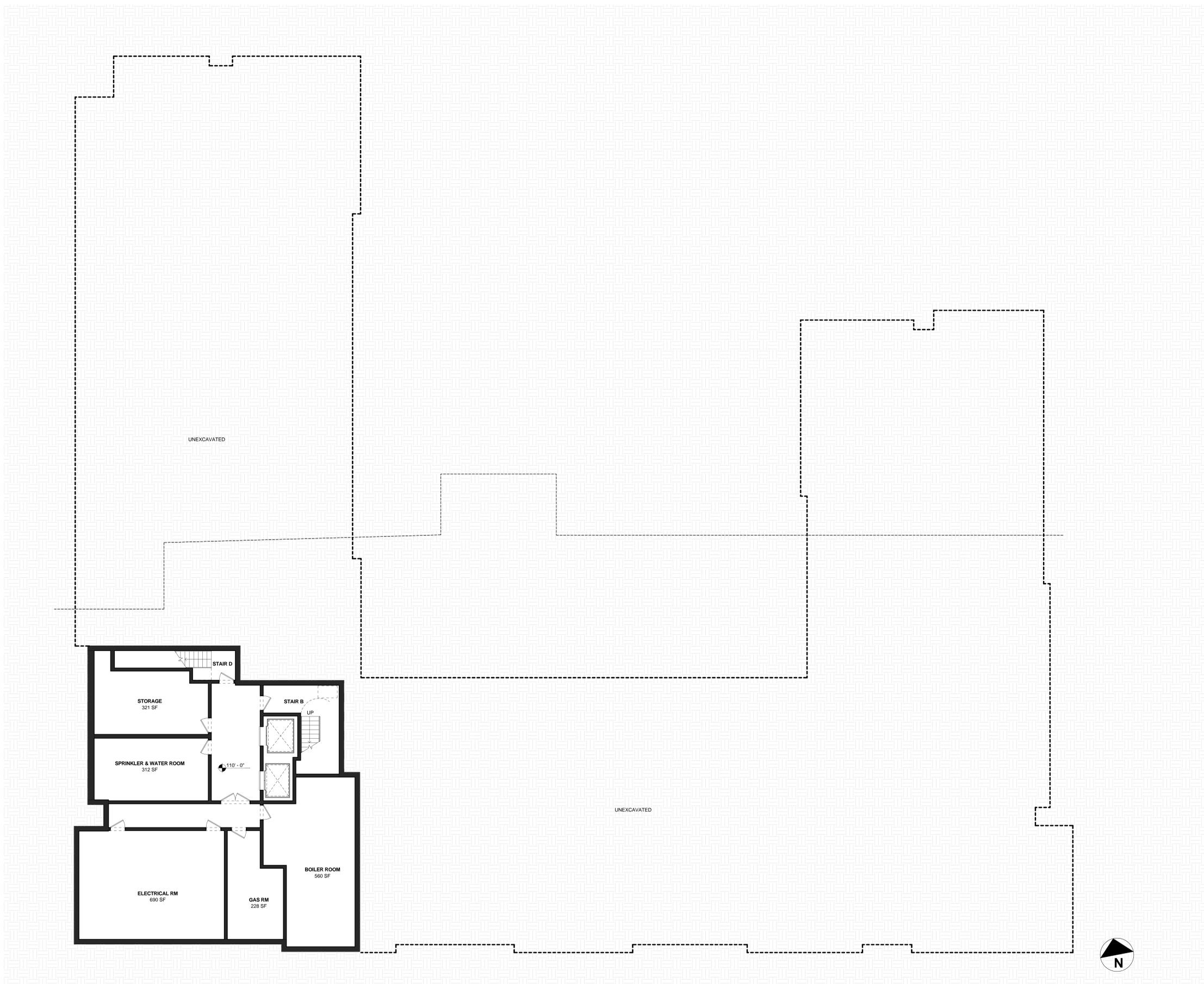
Scale: 1/8" = 1'-0"

Drawn by: Author

Checked by: Checker

**A-04**

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1 CELLAR  
1/8" = 1'-0"

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

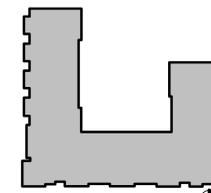
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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
	04/19/13	HFA Submission
	07/19/13	Site Plan Re-Submission
	12/05/13	HCR Submission
	11/20/15	Workshop Submission
	01/06/15	Planning Board Submission

Revisions:

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Tel (860) 779 7612

Do Not Scale Plans  
Contractor to promptly notify Architect of any material  
variations between field conditions and existing  
conditions as indicated in Contract documents

Seal:

Drawing Title:  
**1st FLOOR PLAN**

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-05**  
Scale: 1/8" = 1'-0"  
Drawn by: Author  
Checked by: Checker

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

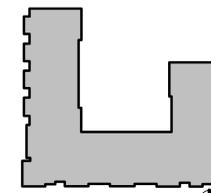
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
	04/19/13	HFA Submission
	07/19/13	Site Plan Re-Submission
	12/05/13	HCR Submission
	11/20/15	Workshop Submission
	01/06/15	Planning Board Submission

Revisions:

Architect:

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conditions as indicated in Contract documents

Seal:

Drawing Title:  
**2nd FLOOR PLAN**

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-06**  
Scale: 1/8" = 1'-0"  
Drawn by: Author  
Checked by: Checker



1/7/2016 2:03:49 PM

1 2ND FLOOR  
1/8" = 1'-0"

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

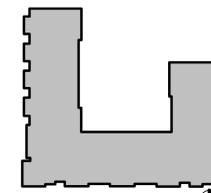
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
	04/19/13	HFA Submission
	07/19/13	Site Plan Re-Submission
	12/05/13	HCR Submission
	11/20/15	Workshop Submission
	01/06/15	Planning Board Submission

Revisions:

Architect:

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conditions as indicated in Contract documents

Seal:

Drawing Title:  
**3rd FLOOR PLAN**

Project Number: 12008

Date: 11/19/15 Drawing #:

Scale: 1/8" = 1'-0"

Drawn by: Author

Checked by: Checker

**A-07**

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① 3RD FLOOR  
1/8" = 1'-0"

1/7/2016 2:04:00 PM

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

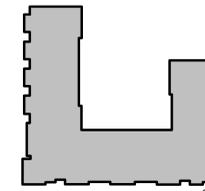
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
04/19/13		HFA Submission
07/19/13		Site Plan Re-Submission
12/05/13		HCR Submission
11/20/15		Workshop Submission
01/06/15		Planning Board Submission

Revisions:

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Do Not Scale Plans  
Contractor to promptly notify Architect of any material variations between field conditions and existing conditions as indicated in Contract documents.

Seal:

Drawing Title:  
**4th FLOOR PLAN**

Project Number: 12008

Date: 11/19/15 Drawing #:

Scale: 1/8" = 1'-0"

Drawn by: Author

Checked by: Checker

**A-08**



1/7/2016 2:04:08 PM

1 4TH FLOOR  
1/8" = 1'-0"

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

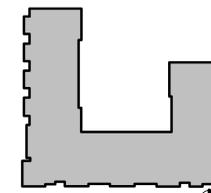
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
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	12/05/13	HCR Submission
	11/20/15	Workshop Submission
	01/06/15	Planning Board Submission

Revisions:

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Do Not Scale Plans

Contractor to promptly notify Architect of any material variations between field conditions and existing conditions as indicated in Contract documents

Seal:

Drawing Title:  
**5th FLOOR PLAN**

Project Number: 12008

Date: 11/19/15 Drawing #:

Scale: 1/8" = 1'-0"

Drawn by: Author

Checked by: Checker

**A-09**

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5TH FLOOR  
1/8" = 1'-0"

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

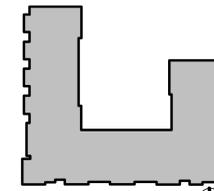
Application #:

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
	04/19/13	HFA Submission
	07/19/13	Site Plan Re-Submission
	12/05/13	HCR Submission
	11/20/15	Workshop Submission
		Planning Board Submission
	01/06/15	Submission

Revisions:

Architect:



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conditions as indicated in Contract documents

Seal:

## ROOF & BULKHEAD PLANS

Project Number: 12008

Date: 11/19/15 Drawing #:

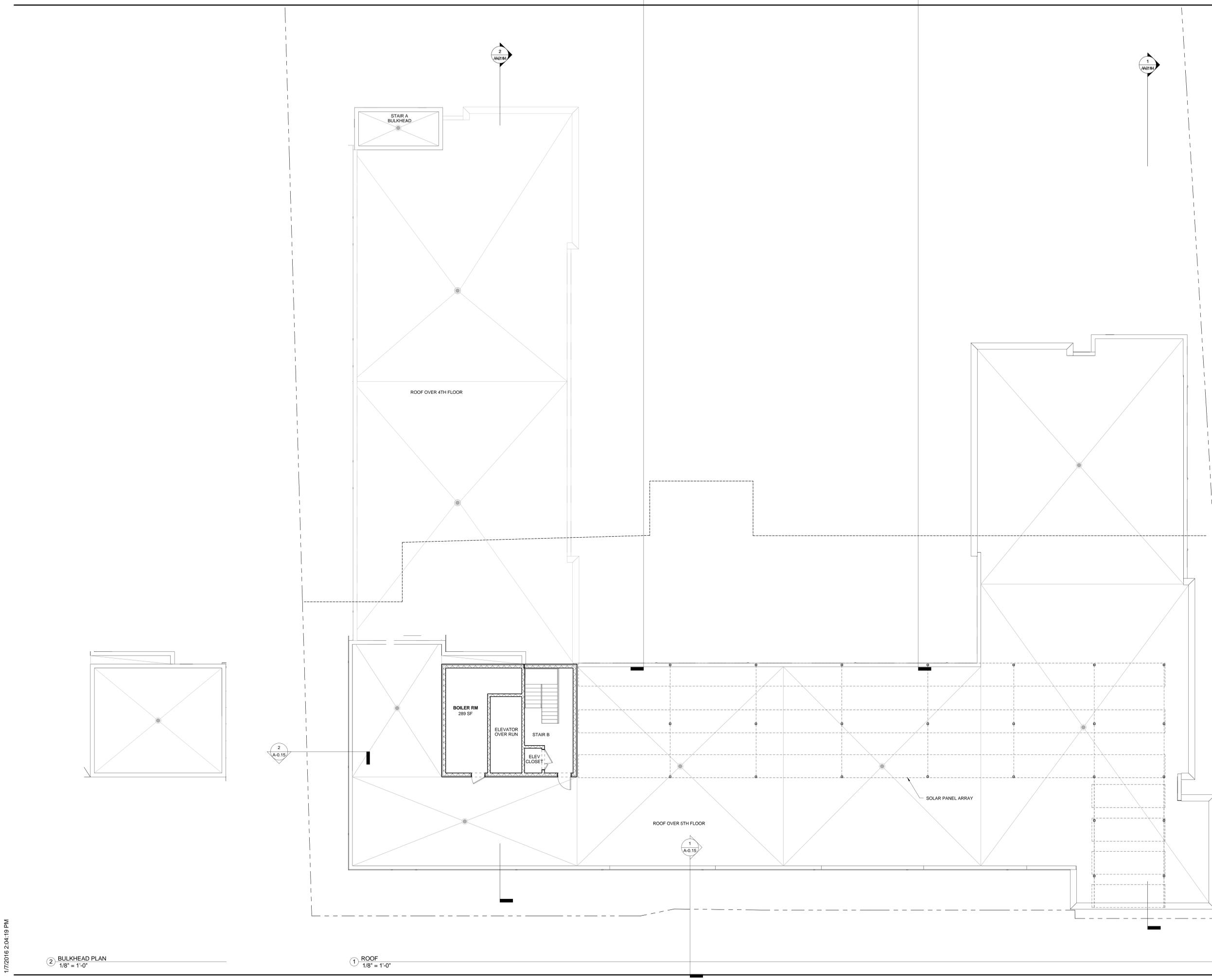
Scale: 1/8" = 1'-0"

Drawn by: Author

Checked by: Checker

# A-10

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2 BULKHEAD PLAN  
1/8" = 1'-0"

1 ROOF  
1/8" = 1'-0"

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

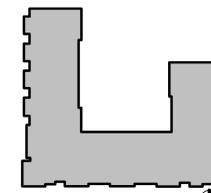
Application #:

## MILL STREET PARTNERS

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### SUSTAINABILITY TARGET: LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
	04/19/13	HFA Submission
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	01/06/15	Planning Board Submission

Revisions:

Architect:



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Do Not Scale Plans  
Contractor to promptly notify Architect of any material  
variations between field conditions and existing  
conditions as indicated in Contract documents

Seal:

Drawing Title:

## SOUTH & NORTH ELEVATIONS

Project Number: 12008

Date: 11/19/15 Drawing #: A-11

Scale: 1/8" = 1'-0"

Drawn by: Author

Checked by: Checker

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1 BROADWAY - SOUTH ELEVATION  
1/8" = 1'-0"



2 NORTH ELEVATION  
1/8" = 1'-0"

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

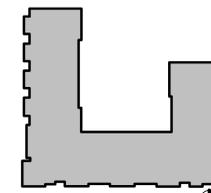
Application #:

## MILL STREET PARTNERS

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### SUSTAINABILITY TARGET: LEED FOR HOMES



Key Plan

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NUMBER	DATE	DESCRIPTION
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	01/06/15	Planning Board Submission

Revisions:

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Seal:

Drawing Title:

## EAST & WEST ELEVATIONS

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-12**  
Scale: 1/8" = 1'-0"  
Drawn by: Author  
Checked by: Checker

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1 LANDER ST - EAST ELEVATION  
1/8" = 1'-0"



2 JOHNSTON ST - WEST ELEVATION  
1/8" = 1'-0"

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

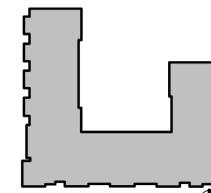
Application #:

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

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NUMBER	DATE	DESCRIPTION
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	01/06/15	Planning Board Submission

Revisions:

Architect:



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conditions as indicated in Contract documents

Seal:

Drawing Title:  
**COURTYARD  
ELEVATIONS**

Project Number: 12008

Date: 11/19/15 Drawing #: A-13

Scale: 1/8" = 1'-0"

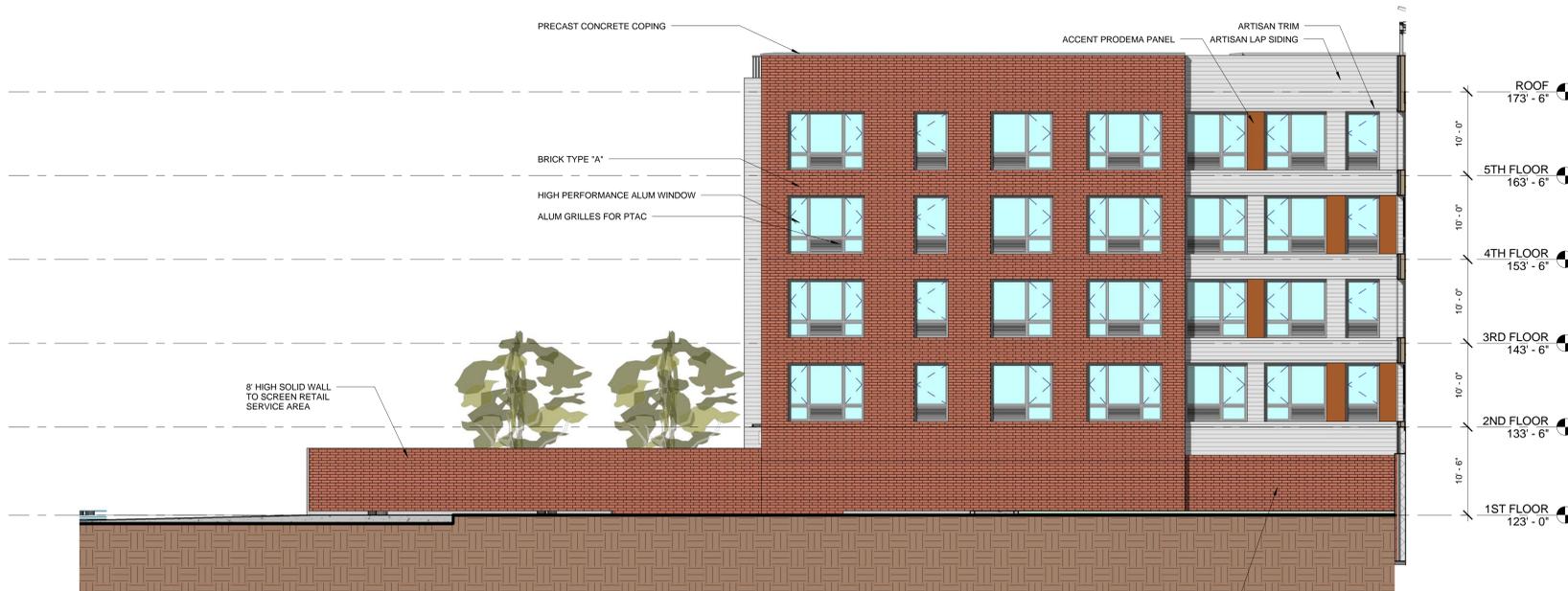
Drawn by: Author

Checked by: Checker

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① WEST COURTYARD ELEVATION  
1/8" = 1'-0"



② EAST COURTYARD ELEVATION  
1/8" = 1'-0"



SOUTH ELEVATION IN BROADWAY STREET CONTEXT

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

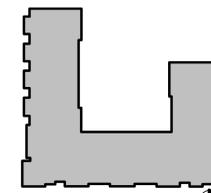
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

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NUMBER	DATE	DESCRIPTION
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Revisions:

Architect:



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Seal:

Drawing Title:

## BUILDING SECTIONS

Project Number: 12008

Date: 11/19/15 Drawing #: \_\_\_\_\_

Scale: 1/8" = 1'-0"

Drawn by: Author

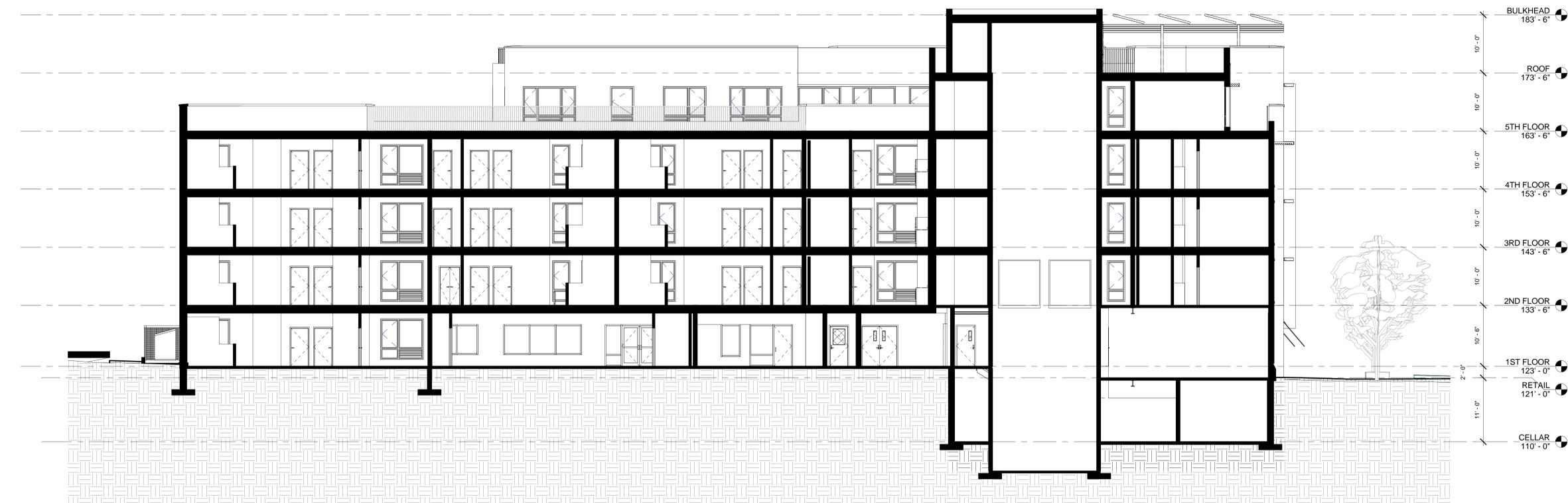
Checked by: Checker

**A-14**

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① EAST-WEST SECTION  
1/8" = 1'-0"



② NORTH-SOUTH SECTION  
1/8" = 1'-0"

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

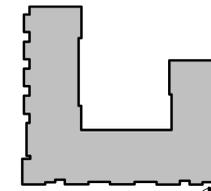
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

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Revisions:

Architect:



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Seal:

Drawing Title:

## WALL SECTIONS

Project Number: 12008

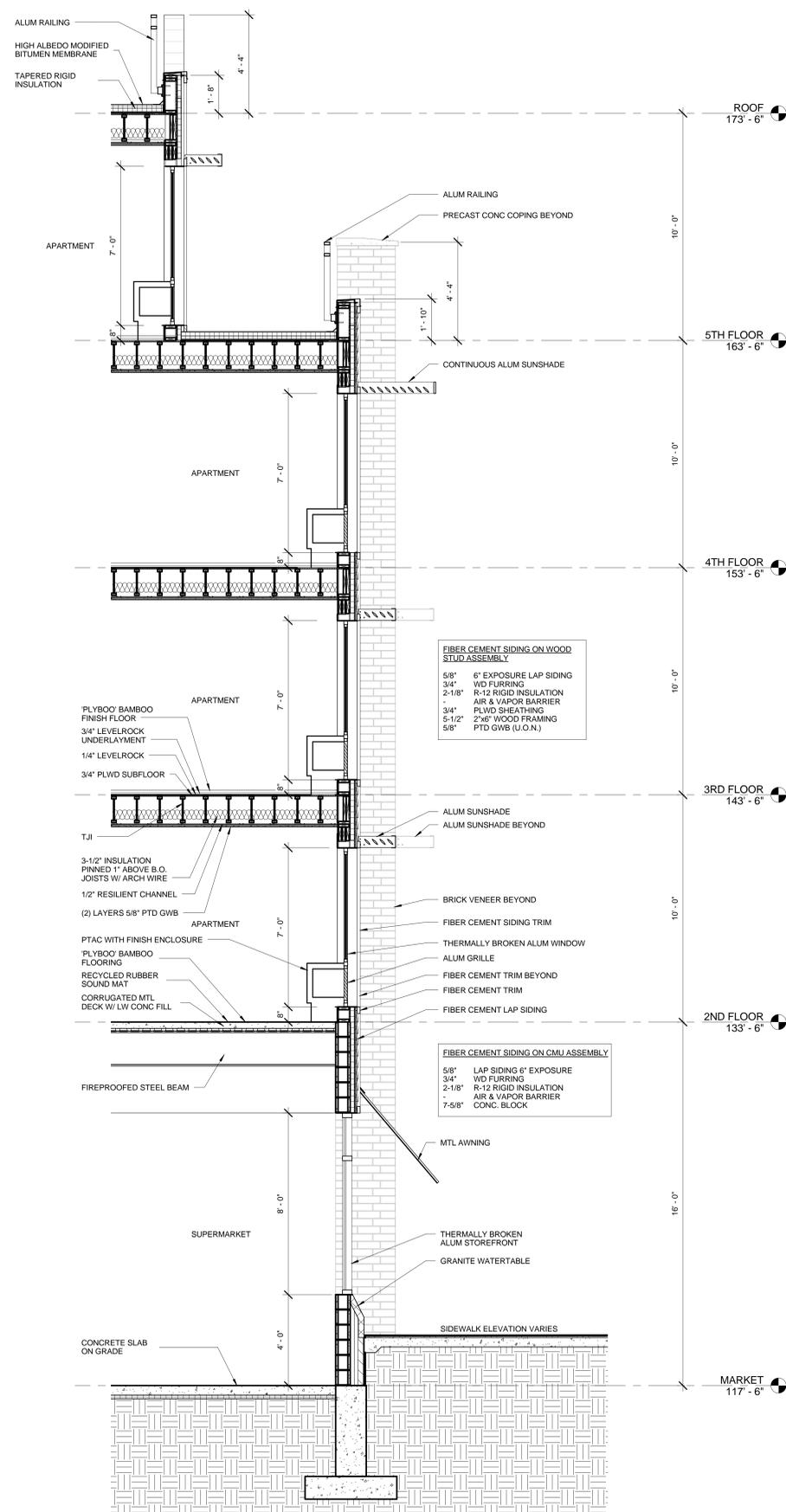
Date: 11/19/15 Drawing #:

Scale: 3/8" = 1'-0"

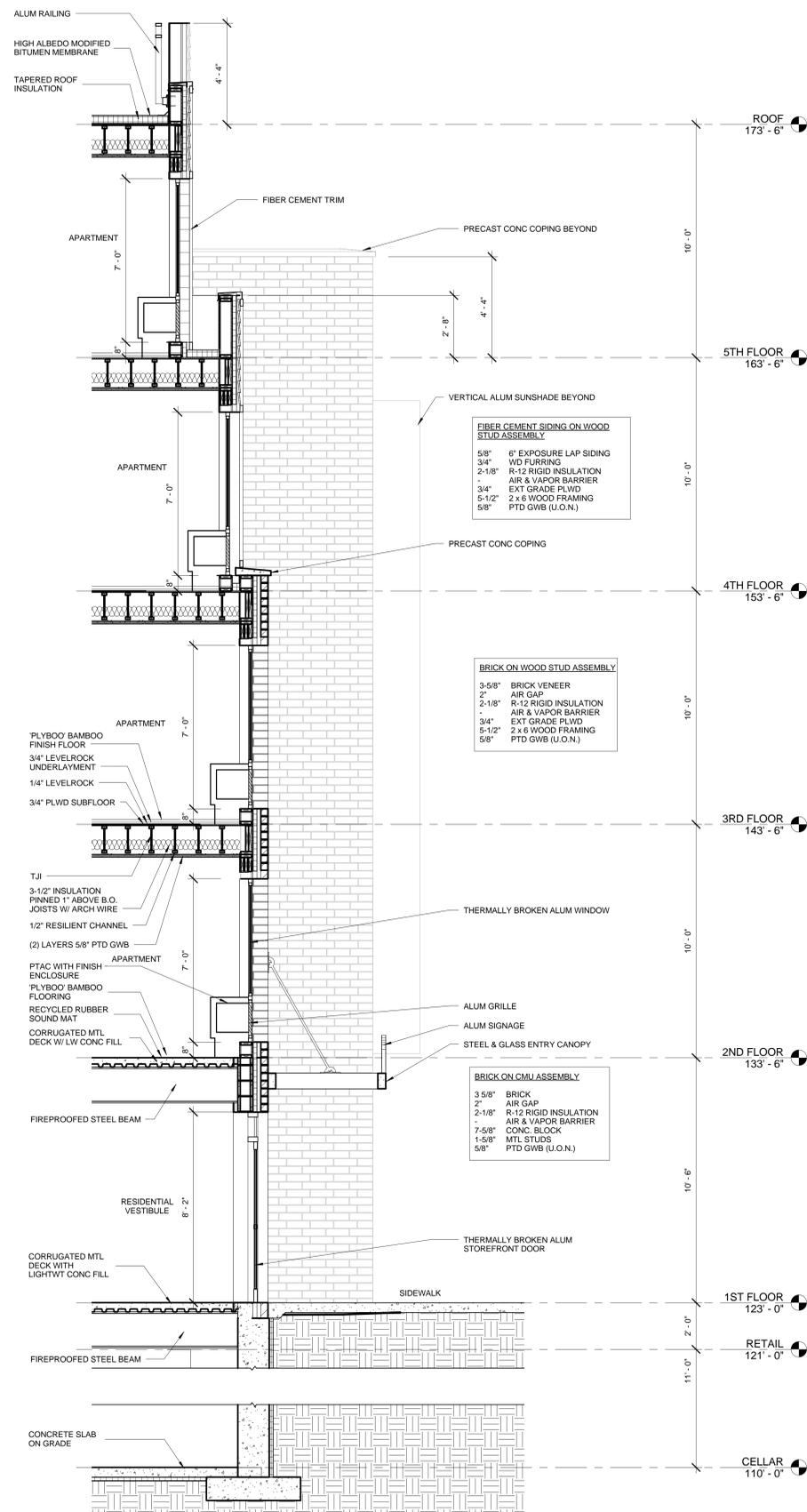
Drawn by: Author

Checked by: Checker

# A-15



2 WALL SECTION THRU BROADWAY RETAIL  
3/8" = 1'-0"



1 WALL SECTION THRU RESIDENTIAL ENTRY  
3/8" = 1'-0"

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

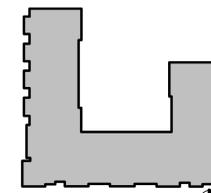
Application #:

## MILL STREET PARTNERS

42 West 39th Street 15th Floor,  
New York, NY 10018  
Tel (212) 253 7820 Fax (212) 253 1276



**SUSTAINABILITY TARGET:**  
LEED FOR HOMES



Key Plan

Issued:

NUMBER	DATE	DESCRIPTION
	04/19/13	HFA Submission
	07/19/13	Site Plan Re-Submission
	12/05/13	HCR Submission
	11/20/15	Workshop Submission
	01/06/15	Planning Board Submission

Revisions:

Architect:

**MAG**  
Magnusson Architecture & Planning PC  
42 West 39th Street 15th Floor,  
New York, NY 10018  
Tel (212) 253 7820 Fax (212) 253 1276

Civil Engineer:  
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Corporate Office  
PO Box 37, Pleasant Hill Rd 70 Mountainville, NY 10953  
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Structural Engineer:  
**Mulhem & Kulb**  
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Arliner, PA 19002  
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MEP Engineer:  
**Johnson & Urban, LLC**  
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Helmstedt, NJ 07733  
Tel (732) 772 1500 Fax (732) 772 1515

Energy Consultant:  
**Steven Winters Associates**  
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New York, NY 10001  
Tel (212) 254 5800

Landscape Architect:  
**Powder Design Group PC**  
228 Meryall Road  
New Milford, CT 06776  
Tel (860) 779 7612

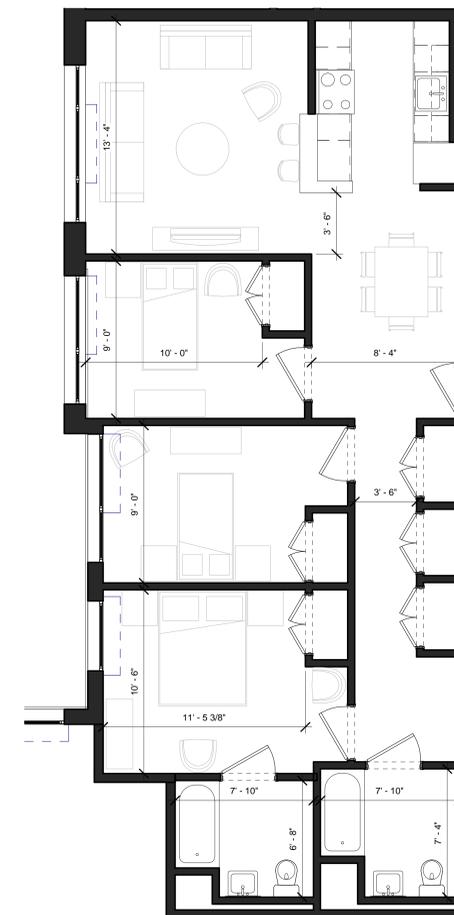
Do Not Scale Plans  
Contractor to promptly notify Architect of any material  
variations between field conditions and existing  
conditions as indicated in Contract documents

Seal:

Drawing Title:

## TYPICAL APARTMENT LAYOUTS

Project Number: 12008  
Date: 11/19/15 Drawing #: A-16  
Scale: 1/4" = 1'-0"  
Drawn by: Author  
Checked by: Checker



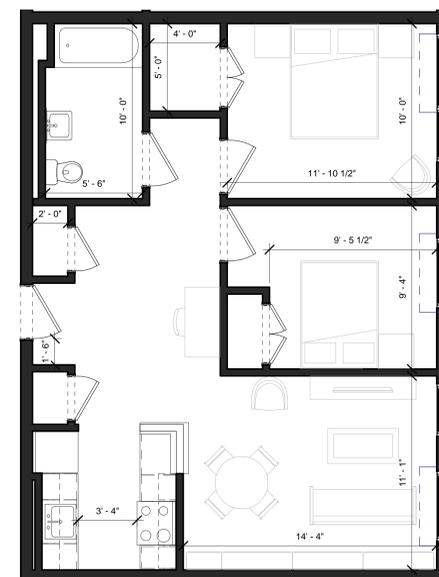
③ 3 BEDROOM-1037 SF  
1/4" = 1'-0"



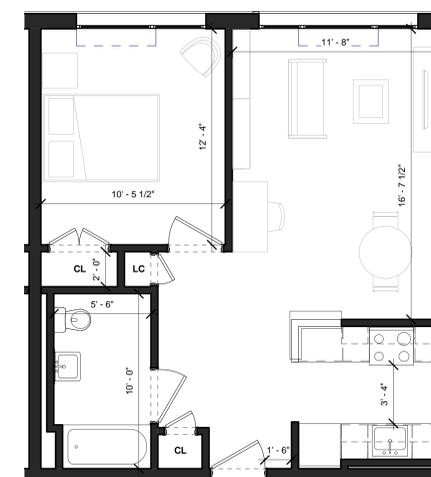
⑤ DUPLEX - 2ND FLOOR  
1/4" = 1'-0"



④ DUPLEX - 1ST FLOOR-1270 SF  
1/4" = 1'-0"



② 2 BEDROOM-740 SF  
1/4" = 1'-0"



① 1 BEDROOM-590 SF  
1/4" = 1'-0"

FURNITURE N.I.C. - SHOWN FOR REFERENCE



VIEW LOOKING EAST DOWN BROADWAY



VIEW LOOKING WEST UP BROADWAY

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

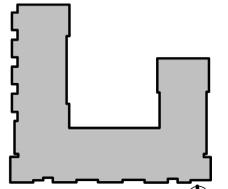
Application #:

## MILL STREET PARTNERS

42 West 39th Street 15th Floor,  
New York, NY 10018  
Tel (212) 253 7820 Fax (212) 253 1276



**SUSTAINABILITY TARGET:**  
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Key Plan

NUMBER	DATE	DESCRIPTION
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	07/19/13	Site Plan Re-Submission
	12/05/13	HCR Submission
	11/20/15	Workshop Submission
	01/06/15	Planning Board Submission

**Revisions:**

**Architect:**

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**Landscape Architect:**

**Powder Design Group PC**  
228 Ferryall Road  
New Milford, CT 06776  
Tel (860) 779 7612

Do Not Scale Plans  
Contractor to promptly notify Architect of any material variations between field conditions and existing conditions as indicated in Contract documents

**Seal:**

**Drawing Title:**

## RENDERED PERSPECTIVE STUDIES

Project Number: 12008  
Date: 11/19/15 Drawing #: **A-17**  
Scale:  
Drawn by: Author  
Checked by: Checker



1) VIEW OF THE SITE LOOKING NORTH ON BROADWAY



2) VIEW OF THE SITE CORNER OF JOHNSTON AND BROADWAY LOOKING EAST



3) VIEW OF THE SITE LOOKING SOUTH ON LANDER



4) STREET VIEW OF THE SITE LOOKING SOUTH ON JOHNSTON



5) STREET VIEW OF THE SITE LOOKING SOUTH ON JOHNSTON



KEY MAP & AERIAL VIEW LOOKING NORTH



6) STREET VIEW OF THE SITE LOOKING EAST ON BROADWAY



# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

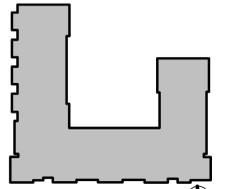
Application #:

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Revisions:

Architect:

**MIAE**  
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Tel (860) 779 7612

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Seal:

Drawing Title:  
**Site Photographs**

Project Number: 12008  
Date: 11/19/15 Drawing #: **B4**  
Scale:  
Drawn by: Author  
Checked by: Checker

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

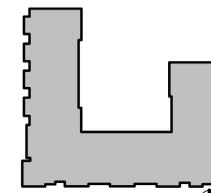
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:**  
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Revisions:

Architect:

**MAGNUS**  
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Tel (860) 779 7612

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Seal:

Drawing Title:

**Landscape Plan**

Project Number: 12008

Date: 11/19/15 Drawing #: \_\_\_\_\_

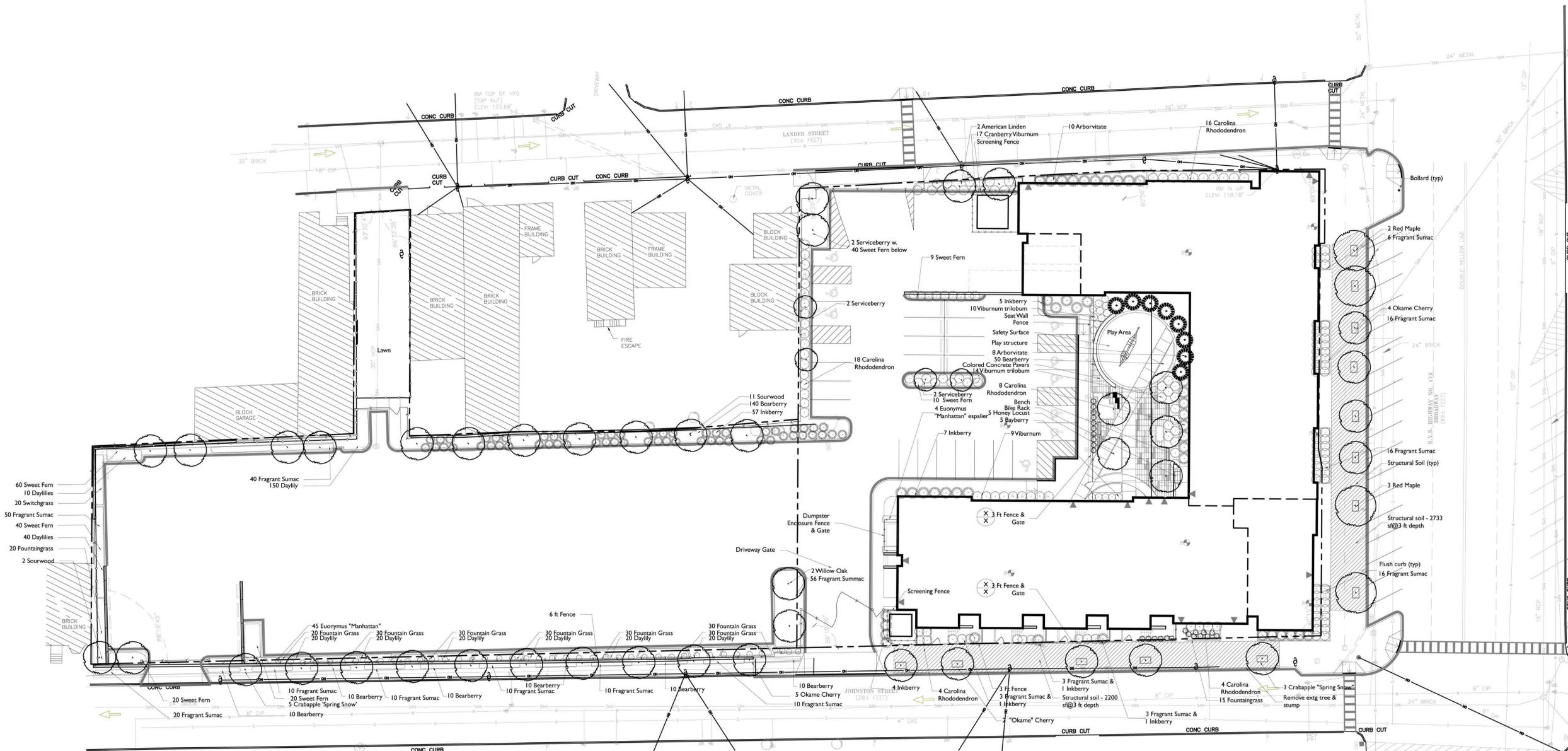
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Drawn by: Author

Checked by: Checker

**L-1.1**

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### Plant Schedule

Quantity	Botanical Name	Common Name	Size	Remarks
5	Acer rubrum 'Autumn Flame'	Red Maple	2.5 inch cal	B&B
6	Amelanchier canadensis	Shadblow Serviceberry	10-12 ft	Multistem, B&B
250	Arctostaphylos uva-ursi	Bearberry	2 gal	
45	Euonymus 'Manhattan'	Manhattan Euonymus	5 gal	
4	Euonymus 'Manhattan'	Manhattan Euonymus	10 gal espalier	
5	Gleditsia tricanthos 'Shadomaster'	Thornless Honeylocust	2.5 inch cal	B&B
320	Hemerocallis 'Hyperion'	Yellow Daylily	2 gal	
70	Ilex glabra	Inkberry	30-36"	
8	Malus 'Spring Snow'	Fruitless crabapple	2.5 inch cal	
199	Myrica gale	Sweetfern	2 gal	
3	Myrica pennsylvanica	Bayberry	5 gal	
11	Daylindendron arboreum	Sourwood	2.5 inch cal	B&B
250	Pennisetum alopecuroides 'Hamelin'	Dwarf Fountain Grass	2 gal	
10	Prunus 'Okame'	Okame Cherry	2.5 inch cal	
2	Quercus phellos	Willow Oak	2.5 inch cal	B&B
50	Rhododendron carolinianum	Carolina Rhododendron	30-36"	
450	Rhus aromatica	Fragrant Sumac	2 gal	
18	Thuja 'Emerald Green'	Emerald Green Arborvitae	6 ft ht.	
2	Tilia americana	Basswood	2.5 inch cal	B&B
50	Viburnum trilobum	American Cranberrybush Viburnum	30-36"	

1/17/2016 2:07:09 PM

# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

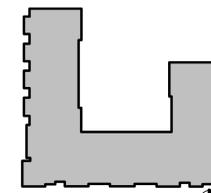
Application #:

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Do Not Scale Plans

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Seal:

Drawing Title:

**Landscape Details**

Project Number: 12008

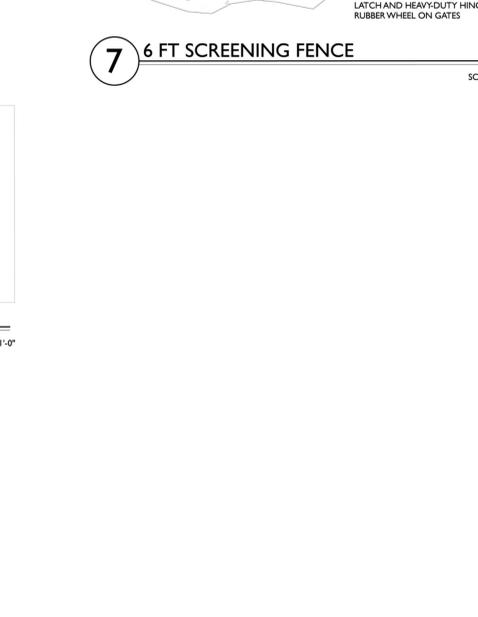
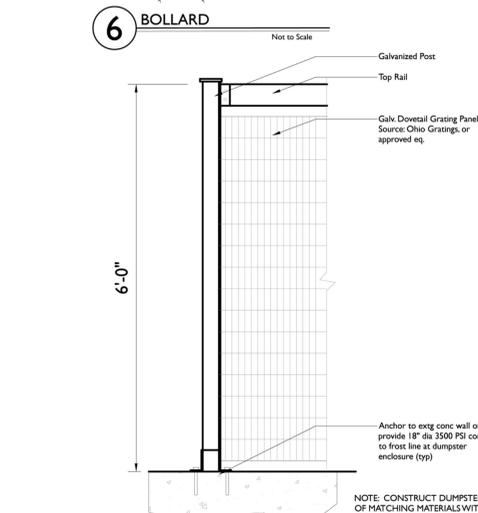
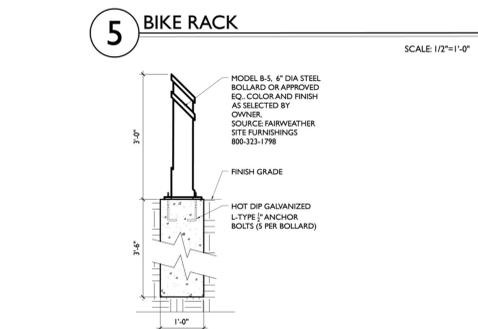
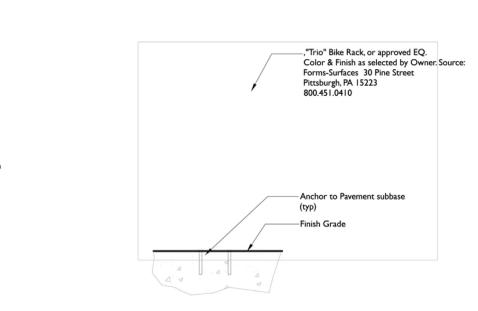
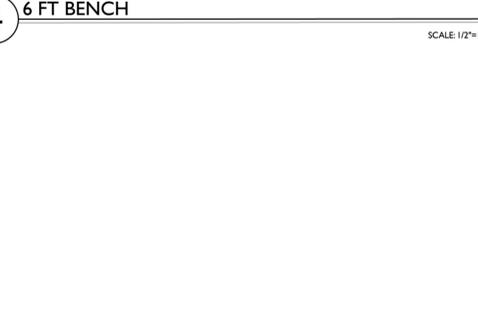
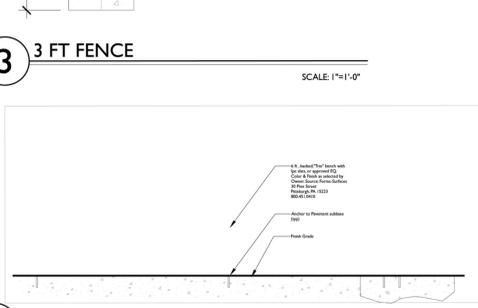
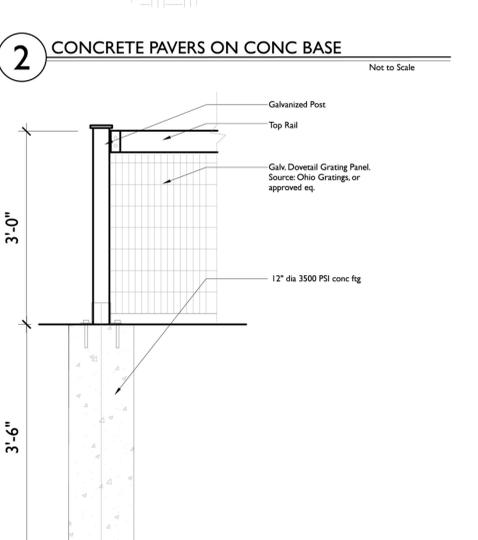
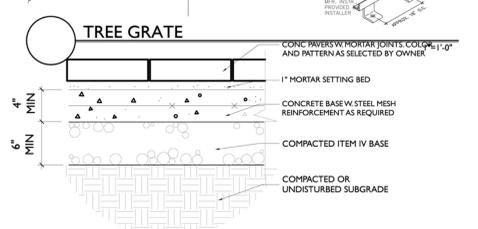
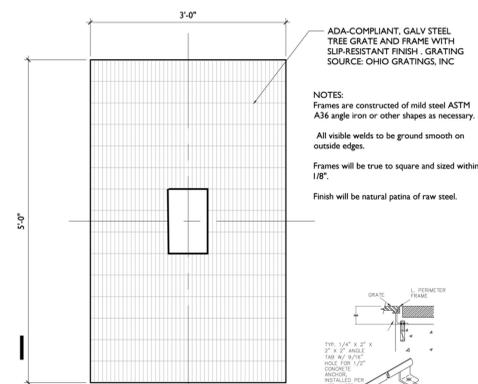
Date: 11/19/15 Drawing #: L-2.1

Scale:

Drawn by: Author

Checked by: Checker

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# Mid-Broadway Redevelopment

Block: 3 Lot: 21-38

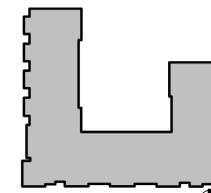
Application #:

## MILL STREET PARTNERS

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**SUSTAINABILITY TARGET:  
LEED FOR HOMES**



Key Plan

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NUMBER	DATE	DESCRIPTION
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Revisions:

Architect:



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Seal:

Drawing Title:

**Lighting Plan**

Project Number: 12008

Date: 11/19/15 Drawing #:

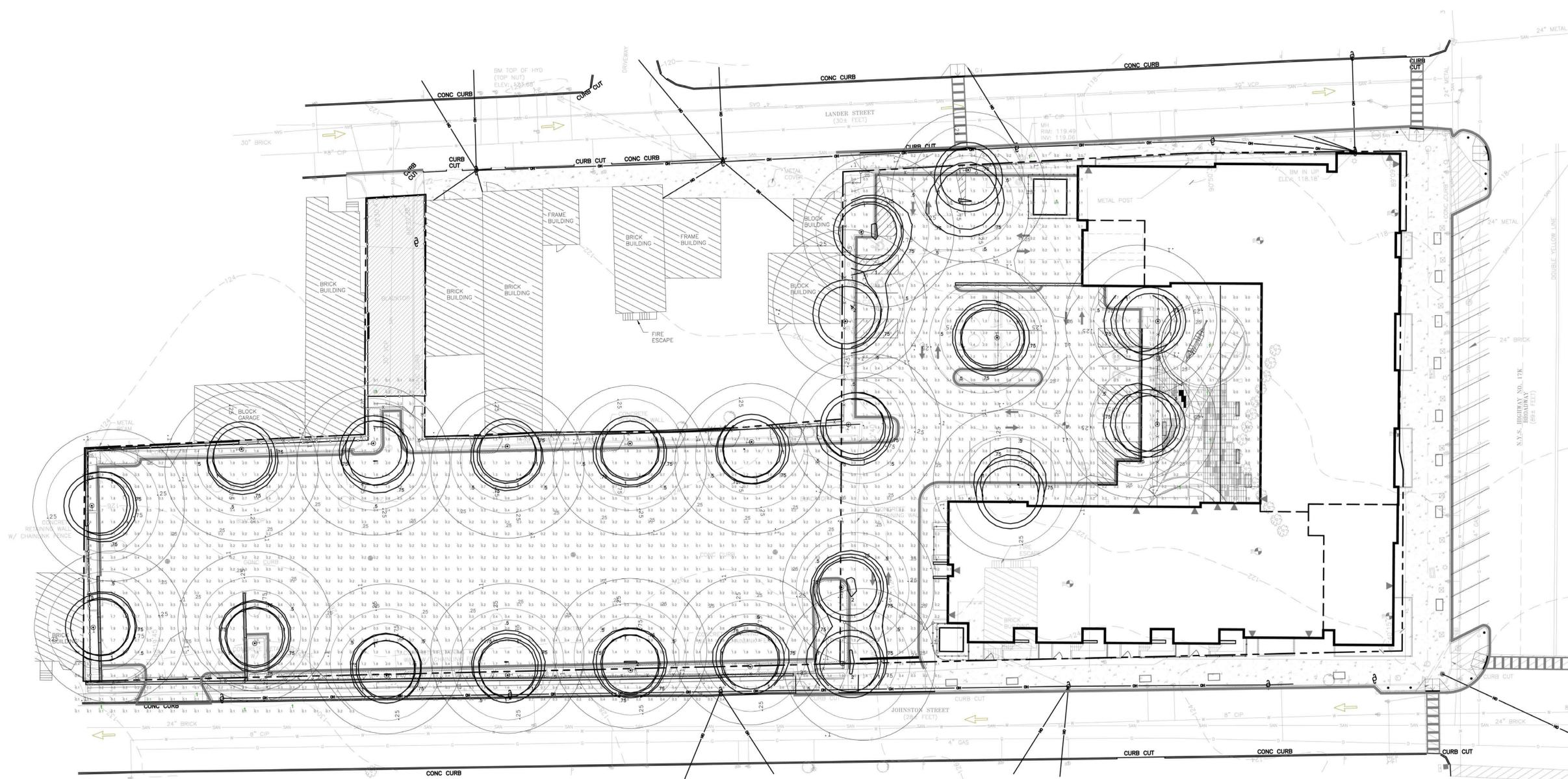
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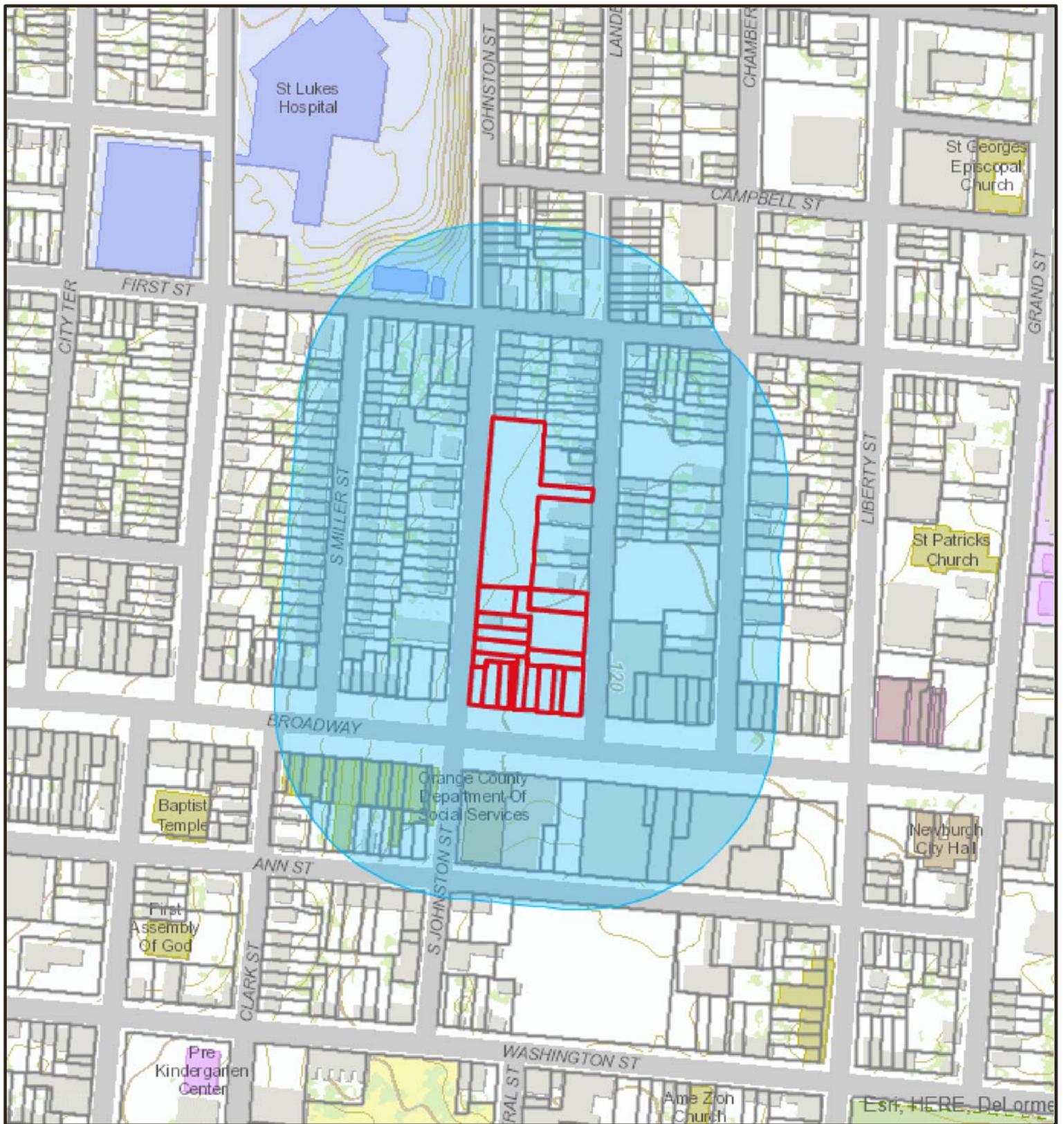
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**L-3.1**

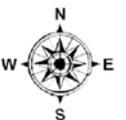
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500 Foot Radius

# Mid-Broadway Mixed Use



Orange County G.I.S. Division 22 Wells Farm Rd Goshen, New York 10924 Phone: 845.615.3790

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Printed: Jan 06, 2016

# Parcels

Parcel ID	Municipal Code	S-B-L	First Name	Last Name
33110003000000020030000000	331100	30-2-3		NEWBURGH COMMUNITY LAND BANK INC
33110003000000010070000000	331100	30-1-7	MARIA L	LEONOR
33110003000000050320000000	331100	30-5-32		NEWBURGH COMMERCIAL DEVELOPMENT CORP
33110003000000030270000000	331100	30-3-27		THE CITY OF NEWBURGH
33110003000000020200000000	331100	30-2-20		SOLIS LARRY
33110003600000020030000000	331100	36-2-3		MCCANN NEWBURGH REAL ESTATE INVESTORS CORPORATION
33110003600000030061000000	331100	36-3-6.1		HOUSE OF REFUGE CHURCH OF GOD IN CHRIST INC
33110003000000020160000000	331100	30-2-16		ROSEBUD PROPERTIES I. LLC.
33110003000000030390000000	331100	30-3-39		WORKS III ASSOCIATES LP C/O DWELLING GROUP INC
33110003000000040202000000	331100	30-4-20.2		CITY OF NEWBURGH
33110003000000020130000000	331100	30-2-13		NEWBURGH PROPERTY MANAGEMENT LLC C/O
33110003600000020090000000	331100	36-2-9		155 BROADWAY LLC
33110003600000020160000000	331100	36-2-16		HABITAT FOR HUMANITY OF GREATER NEWBURGH, INC.
33110003000000050101000000	331100	30-5-10.1		CHAVIS ANTHONY L
33110003000000010250000000	331100	30-1-25		NEWBURGH COMMUNITY LAND BANK INC
33110002300000070220000000	331100	23-7-22		ELLA BELLA FINE HOME RESTORATION LLC
33110003000000010120000000	331100	30-1-12		US BANK NATIONAL ASSOC
33110003000000020450000000	331100	30-2-45		BRIAR PARTNERS, INC.
33110003600000030200000000	331100	36-3-20		CITY OF NEWBURGH.
33110003600000020230000000	331100	36-2-23		COOPER JAMES & MARY
33110003600000020132000000	331100	36-2-13.2		HABITAT FOR HUMANITY OF GREATER NEWBURGH, INC.
33110003000000050340000000	331100	30-5-34		RIPRAP LLC
33110003000000030350000000	331100	30-3-35		THE CITY OF NEWBURGH
33110003000000010260000000	331100	30-1-26		168 BROADWAY ASSOCIATES LLC
33110003000000010140000000	331100	30-1-14		SMS ASSOCIATES II LP C/O DWELLING GROUP INC
33110003000000010110000000	331100	30-1-11		NEWBURGH COMMUNITY LAND BANK INC
33110003000000030090000000	331100	30-3-9		FEDERAL NATIONAL MORTGAGE ASSOCIATION
33110003000000020100000000	331100	30-2-10		ROSEBUD PROPERTIES II LLC
33110003000000040300000000	331100	30-4-30		W H G OF NEW YORK INC C/O WILLIAM GIAMETTA PRES
33110002300000060060000000	331100	23-6-6		LIFE RESTORATION CHURCH INCORPORATED
33110003000000040280000000	331100	30-4-28		RAC DEVELOPMENT OF NEWBURGH LLC
33110002300000070210000000	331100	23-7-21		CITY OF NEWBURGH
33110003000000020490000000	331100	30-2-49		CO-TYRONE DEVELOPMENT CORP
33110003000000010030000000	331100	30-1-3		NEWBURGH COMMUNITY LAND BANK INC
33110003000000010090000000	331100	30-1-9	ELIZABETH	OHUCHE
33110003000000020380000000	331100	30-2-38		NEWBURGH COMMUNITY LAND BANK INC
33110003000000030040000000	331100	30-3-4	KELVIN & DEBORAH	FORD
33110002300000060050000000	331100	23-6-5		SHAPIROS FURNITURE, LLC.
33110003000000020280000000	331100	30-2-28		HUDSON CAPITAL 168 LLC
33110003000000030280000000	331100	30-3-28	JAMES S	MILLER
33110003000000010490000000	331100	30-1-49		DUBOIS STREET REDEVELOPMENT LP
33110003000000010270000000	331100	30-1-27		170 BROADWAY REALTY CORP

Parcel ID	Municipal Code	S-B-L	First Name	Last Name
33110003000000020141000000	331100	30-2-14.1		MEDINA ZENON
33110003000000020290000000	331100	30-2-29		162 HUDSON LLC
33110003000000040080000000	331100	30-4-8		JOHN M SCHMIDT D/B/A PUEBLO APTS.
33110003000000040210000000	331100	30-4-21		NEWBURGH HOUSING DEVELOPMENT FUND COMPANY INC
33110002300000060180000000	331100	23-6-18		NEWBURGH COMMUNITY LAND BANK INC
33110003000000020240000000	331100	30-2-24		HUDSON CAPITAL 168 LLC
33110003000000030100000000	331100	30-3-10		NEWBURGH COMMUNITY LAND BANK INC
33110003000000040100000000	331100	30-4-10		PUEBLO APARTMENTS LLC
33110003000000030120000000	331100	30-3-12		NEWBURGH COMMUNITY LAND BANK INC
33110003000000020390000000	331100	30-2-39		NEWBURGH COMMUNITY LAND BANK INC
33110003000000030380000000	331100	30-3-38	JAMES S	MILLER
33110003000000020370000000	331100	30-2-37		CESAR STANLEY D
33110003000000010190000000	331100	30-1-19		NEWBURGH COMMUNITY LAND BANK INC
33110003000000040220000000	331100	30-4-22		K-C NEWBURGH INC C/O R I M PLUMBING & HEATING SUPPLY INC
33110003000000020190000000	331100	30-2-19		NEWBURGH COMMUNITY LAND BANK INC
33110003000000040180000000	331100	30-4-18	JENNIFER E	LOEB
33110003000000010200000000	331100	30-1-20		NEWBURGH COMMUNITY LAND BANK INC
33110002300000070240000000	331100	23-7-24	JEAN CLAUDE	FRANCOIS
33110003000000020350000000	331100	30-2-35	PATRICIA	CANIGAN
33110002300000060140000000	331100	23-6-14		MCLEAN JOE LOUIS
33110002300000060100000000	331100	23-6-10		LIFE RESTORATION CHURCH INC
33110003000000010040000000	331100	30-1-4		ARLINE JAMES L & ROSE L
33110003000000040070000000	331100	30-4-7		HABITAT FOR HUMANITY OF GREATER NEWBURGH
33110003000000030060000000	331100	30-3-6		NEWBURGH COMMUNITY LAND BANK INC
33110003000000050270000000	331100	30-5-27		GIL GUARIEN J
33110003000000040090000000	331100	30-4-9		PUEBLO APARTMENTS LLC
33110003000000040040000000	331100	30-4-4		LIFE RESTORATION CHURCH INC
33110002300000070160000000	331100	23-7-16	OLGA	MENDOZA
33110003000000010150000000	331100	30-1-15		CULBRETH EDNA
33110003000000050360000000	331100	30-5-36		SYLVESTER JOHN M & MARIA C
33110003000000050280000000	331100	30-5-28		LIARDI CARMELO & MOIRA
33110003000000020420000000	331100	30-2-42		NEWBURGH COMMUNITY LAND BANK INC
33110003000000020210000000	331100	30-2-21	DOMINIC	MOFFA
33110003600000020180000000	331100	36-2-18		159 NEWBURGH INC
33110003000000040270000000	331100	30-4-27		PETERSON RICHARD F SR
33110003000000030310000000	331100	30-3-31		THE CITY OF NEWBURGH
33110003000000020310000000	331100	30-2-31		BOUBARIS JOHN & ROSE
33110003000000030320000000	331100	30-3-32		THE CITY OF NEWBURGH
33110003000000030250000000	331100	30-3-25		THE CITY OF NEWBURGH
33110003000000020340000000	331100	30-2-34		MCARTHUR HORACE
33110003000000030162000000	331100	30-3-16.2		SACHS STUART & NEWMAN HILARY 52 UNDERHILL AVE
33110003000000050410000000	331100	30-5-41		46 CHAMBER STREET LLC
33110003600000050070000000	331100	36-5-7	JOHN	BOUBARIS
33110003000000030190000000	331100	30-3-19		ORTIZ JERRY
33110003000000010230000000	331100	30-1-23		CLARK SAMUEL F III

Parcel ID	Municipal Code	S-B-L	First Name	Last Name
3311000360000003008000000	331100	36-3-8		KAROUNIS ILIAS A & KOKOROS STELLA
3311000230000007009000000	331100	23-7-9		J&M REALTY GROUP LLC
3311000300000004032000000	331100	30-4-32		HUMLEY INC
3311000300000002022200000	331100	30-2-22.2		NEWBURGH MINISTRY INC
3311000300000004017000000	331100	30-4-17	JENNIFER E	LOEB
3311000300000005035000000	331100	30-5-35	ROA	RYAN
3311000300000003042000000	331100	30-3-42		NEWBURGH VENTURES CORP PO BOX 2574
3311000300000005031000000	331100	30-5-31		NEWBURGH COMMERCIAL DEVELOPMENT CORP
3311000230000006019000000	331100	23-6-19		65 LANDER LLC
3311000300000003014000000	331100	30-3-14		NEWBURGH COMMUNITY LAND BANK INC
3311000300000005037000000	331100	30-5-37		36-38 CHAMBER ST MANAGER L P
3311000300000001016000000	331100	30-1-16	PETCHULA D	MARTIN
3311000300000004020100000	331100	30-4-20.1		NEWBURGH COMMUNITY LAND BANK INC
3311000300000002041000000	331100	30-2-41	JUAN	RODRIGUEZ
3311000360000003009000000	331100	36-3-9	DANIEL	SHEEHAN
3311000300000002011000000	331100	30-2-11		NEWBURGH COMMUNITY LAND BANK INC
3311000230000006013000000	331100	23-6-13		HERAS JESUS S HERAS CONCEPCION
3311000300000001024000000	331100	30-1-24		CLARK SAMUEL F III
3311000230000006011000000	331100	23-6-11		LANDER STREET REALTY CORP
3311000300000004013000000	331100	30-4-13		SANCHEZ JOSE N DELIA F
3311000360000003010000000	331100	36-3-10		119 BROADWAY NEWBURGH INC
3311000300000002005000000	331100	30-2-5		NEWBURGH COMMUNITY LAND BANK INC
3311000300000004003000000	331100	30-4-3		LIFE RESTORATION CHURCH INC
3311000300000001013000000	331100	30-1-13		SMS ASSOCIATES II LP C/O DWELLING GROUP INC
3311000230000006008000000	331100	23-6-8	MONICA	CORONATTI
3311000360000002007000000	331100	36-2-7		159 NEWBURGH INC
3311000300000002012000000	331100	30-2-12	BARBARA	REILLY
3311000230000007003000000	331100	23-7-3		DRON ALEJANDRO & RUBAJA CARINA (UX)
3311000230000006001100000	331100	23-6-1.1		SHAPIROS FURNITURE, LLC.
3311000230000007010000000	331100	23-7-10	JUAN J	RODRIGUEZ
3311000300000005042000000	331100	30-5-42		BOUBARIS ROSE & JOHN
3311000300000002008000000	331100	30-2-8		NORTH PLANK DEVELOPMENT COMPANY
3311000300000002009000000	331100	30-2-9		45 JOHNSTON STREET NEWBURGH LLC
3311000360000002004000000	331100	36-2-4		CHESAPEAKE ASSOCIATES LLC
3311000360000002011000000	331100	36-2-11		POLONA DEVELOPMENT & PRESERVATION SERVICES CO LLC
3311000360000002002200000	331100	36-2-2.2		NEW LIFE PENTECOSTAL CHURCH INC
3311000360000002010000000	331100	36-2-10		HYUN VOK LLC
3311000300000003018000000	331100	30-3-18		MOVIMIENTO MISIONERO MUNDIAL INC
3311000300000004039000000	331100	30-4-39		CITY OF NEWBURGH
3311000300000001048000000	331100	30-1-48		NEWBURGH COMMUNITY LAND BANK INC
3311000300000002052000000	331100	30-2-52		ORTA MINERVA TORRES & ANTONIO
3311000300000003005000000	331100	30-3-5	MARVIN	SANFORD
3311000300000003040000000	331100	30-3-40		WORKS III ASSOCIATES LP C/O DWELLING GROUP INC
3311000360000003001200000	331100	36-3-1.2		CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY
3311000300000002047000000	331100	30-2-47		WHITE KEVIN D HODGE BRIAN C BARON RUDOLPH C BROWN TOD

Parcel ID	Municipal Code	S-B-L	First Name	Last Name
33110003600000030232000000	331100	36-3-23.2		SAFE HARBORS OF THE HUDSON HOUSING DEVELOPMENT FUND COMPANY INC
33110003600000020010000000	331100	36-2-1		NEWBURGH COMMERCIAL DEVELOPMENT CORP
33110003000000020510000000	331100	30-2-51		NEWBURGH COMMUNITY LAND BANK INC
33110003000000040380000000	331100	30-4-38		NEWBURGH COMMUNITY LAND BANK INC
33110003000000030130000000	331100	30-3-13		ALL BUDJET TAXI CO INC
33110003000000050391000000	331100	30-5-39.1		HOLY TRINITY CHURCH OF UNITY OF NEWBURGH NY INC
33110003000000030230000000	331100	30-3-23		THE CITY OF NEWBURGH
33110003000000040120000000	331100	30-4-12	MOISES	SANTIAGO
33110003000000020460000000	331100	30-2-46		HACKETT ROY S
33110003000000020320000000	331100	30-2-32		SOUTH MILLER HOUSING LLC
33110002300000070200000000	331100	23-7-20		THE CITY OF NEWBURGH
33110003000000030020000000	331100	30-3-2		CENTRAL HUDSON GAS & ELECTRIC CORP
33110003000000040020000000	331100	30-4-2		LIFE RESTORATION CHURCH INC
33110003000000050330000000	331100	30-5-33		RIPRAP LLC
33110003000000010220000000	331100	30-1-22	HORACE	MCARTHUR
33110002300000070230000000	331100	23-7-23	JEAN CLAUDE	FRANCOIS
33110003000000040400000000	331100	30-4-40		BOUBARIS JOHN & ROSE
33110003000000010050000000	331100	30-1-5		HARRIS LORETTA B
33110003000000030360000000	331100	30-3-36		NEWBURGH COMMERCIAL DEVELOPMENT CORP
33110003000000020040000000	331100	30-2-4		NEWBURGH COMMUNITY LAND BANK INC
33110003000000020060000000	331100	30-2-6		173 FIRST STREET ASSOCIATES LP
33110003600000020120000000	331100	36-2-12		NEWBURGH COMMERCIAL DEVELOPMENT CORP
33110003000000050300000000	331100	30-5-30		NEWBURGH COMMERCIAL DEVELOPMENT CORP
33110003000000050200000000	331100	30-5-20		EGLISE EVANGELIQUE HAITIENNE OF CMA OF NEWBURGH
33110003000000050260000000	331100	30-5-26		WHG OF NEW YORK
33110003000000030240000000	331100	30-3-24		THE CITY OF NEWBURGH
33110003000000020330000000	331100	30-2-33		NEWBURGH COMMUNITY LAND BANK INC
33110003000000010060000000	331100	30-1-6		BANCROFT YONETTA LEWIS JANIS A
33110003000000050440000000	331100	30-5-44		BOUBARIS ROSE & JOHN
33110003000000040060000000	331100	30-4-6		JACAS SIMON
33110003600000040011000000	331100	36-4-1.1		BURNETT ASTON
33110003000000040370000000	331100	30-4-37		41 LANDERS STREET LLC
33110003000000050430000000	331100	30-5-43		NEWBURGH COMMUNITY LAND BANK INC
33110003000000020480000000	331100	30-2-48		CITY OF NEWBURGH.
33110003000000040250000000	331100	30-4-25		HERASME REYNALDO MOLASCO HECTOR
33110003000000030330000000	331100	30-3-33		THE CITY OF NEWBURGH
33110003000000010210000000	331100	30-1-21		HOUSE OF GOD HEBREW PENTECOSTAL CHURCH INC
33110003000000030430000000	331100	30-3-43		DELITE PROPERTIES LLC
33110002300000070170000000	331100	23-7-17	GEORGELINE	NICHOLAS
33110003000000030080000000	331100	30-3-8		FEDERAL NATIONAL MORTGAGE ASSOCIATION
33110003000000010080000000	331100	30-1-8		SMITH ESTHER L
33110003000000020270000000	331100	30-2-27		HUDSON CAPITAL 168 LLC
33110003000000040310000000	331100	30-4-31		NEWBURGH COMMUNITY LAND BANK INC
33110003600000020080000000	331100	36-2-8		BOUBARIS JOHN & ROSE
33110002300000070040000000	331100	23-7-4		CITY OF NEWBURGH

Parcel ID	Municipal Code	S-B-L	First Name	Last Name
33110003000000010470000000	331100	30-1-47		NEWBURGH COMMUNITY LAND BANK INC
33110003000000010281200000	331100	30-1-28.12		ARIAS SONIA
33110003000000020530000000	331100	30-2-53		FEDERAL NATIONAL MTG ASSOC
33110003000000030410000000	331100	30-3-41		WORKS III ASSOCIATES LP C/O DWELLING GROUP INC
33110003000000020070000000	331100	30-2-7		POWELL CLIFTON & BACON KEVIN
33110003000000050212000000	331100	30-5-21.2		NEWBURGH COMMUNITY LAND BANK INC
33110003000000030070000000	331100	30-3-7		NEWBURGH COMMUNITY LAND BANK INC
33110002300000060161000000	331100	23-6-16.1		NEWBURGH COMMUNITY LAND BANK INC
33110003000000020170000000	331100	30-2-17		NEWBURGH COMMUNITY LAND BANK INC
33110002300000010011000000	331100	23-1-1.1		ST LUKES HOSPITAL C/O CARL F DEMO ADMIN PROJECT LIFE-OLD NURSES QTS
33110002300000070180000000	331100	23-7-18		LABRADOR ASSOCIATES LP
33110003000000010100000000	331100	30-1-10		POLCARO EVA
33110003600000020051000000	331100	36-2-5.1		LJU REALTY CORP
33110003000000030010000000	331100	30-3-1	CARLA P	MERINO
33110003000000040410000000	331100	30-4-41		HOLY DELIVERANCE APOSTOLIC FAITH TEMPLE INC C/O DOUGLAS GIBSON
33110003000000020300000000	331100	30-2-30		164 BROADWAY LLC
33110003000000030290000000	331100	30-3-29		THE CITY OF NEWBURGH
33110003000000030260000000	331100	30-3-26		THE CITY OF NEWBURGH
33110003000000030030000000	331100	30-3-3		RIVERA RAFAEL SARA LOPEZ-
33110003000000040260000000	331100	30-4-26		120-124 BROADWAY NEWBURGH INC
33110003000000020360000000	331100	30-2-36		SANCHEZ ALVARO REYES & REYES EMMA MARIN & GUEVARA JUAN G
33110003000000020180000000	331100	30-2-18		NEWBURGH COMMUNITY LAND BANK INC
33110002300000070110000000	331100	23-7-11		CALLAGHAN MARJIE
33110002300000070120000000	331100	23-7-12		JAFFARI WAQAR
33110003000000030220000000	331100	30-3-22		THE CITY OF NEWBURGH
33110003000000040050000000	331100	30-4-5		LIFE RESTORATION CHURCH INC
33110003000000030370000000	331100	30-3-37		THE CITY OF NEWBURGH
33110003600000040032000000	331100	36-4-3.2		CITY OF NEWBURGH CITY HALL
33110003000000020430000000	331100	30-2-43	CORINA	TITO
33110003000000020440000000	331100	30-2-44	HONEEL A	SENIOR
33110003000000040240000000	331100	30-4-24		116 BROADWAY STAR LLC
33110002300000060070000000	331100	23-6-7		NEWBURGH COMMUNITY LAND BANK INC
33110003000000040110000000	331100	30-4-11	ISMAEL	CORDERO
33110003000000010170000000	331100	30-1-17		THRUWAY BUILDERS INC
33110003000000020010000000	331100	30-2-1	GERALDINE	HERRING
33110002300000070080000000	331100	23-7-8		DELSAP LLC
33110003600000020210000000	331100	36-2-21		CHESAPEAKE ASSOCIATES LLC
33110003000000050290000000	331100	30-5-29		FRANCIS FRITZROY
33110003000000020020000000	331100	30-2-2	MICHAEL	ACEVEDO
33110003000000040160000000	331100	30-4-16	JENNIFER E	LOEB
33110003000000010180000000	331100	30-1-18		THRUWAY BUILDERS INC
33110003000000030340000000	331100	30-3-34		THE CITY OF NEWBURGH
33110003000000040230000000	331100	30-4-23	JIN YONG	LIU
33110003000000030210000000	331100	30-3-21		THE CITY OF NEWBURGH
33110003600000040022000000	331100	36-4-2.2		SERVIDIO JOHN RD 2 BOX 248

Parcel ID	Municipal Code	S-B-L	First Name	Last Name
33110003600000020190000000	331100	36-2-19		BREITSCHWERD THOMAS W BREITSCHWERD DINA M
33110003000000040330000000	331100	30-4-33		NEWBURGH COMMUNITY LAND BANK INC
33110003000000030300000000	331100	30-3-30		THE CITY OF NEWBURGH
33110003600000020150000000	331100	36-2-15		HABITAT FOR HUMANITY OF GREATER NEWBURGH, INC.
33110002300000070151000000	331100	23-7-15.1		NEIGHBORS UNITED FOR JUSTICE IN HOUSING
33110002300000060150000000	331100	23-6-15		THAWE CLAUDETTE
33110003000000020400000000	331100	30-2-40		NEWBURGH COMMUNITY LAND BANK INC
33110003000000020260000000	331100	30-2-26		HUDSON CAPITAL 168 LLC
33110003000000020250000000	331100	30-2-25		HUDSON CAPITAL 168 LLC
33110003000000040360000000	331100	30-4-36		41 LANDERS ST LLC
33110003000000030440000000	331100	30-3-44		DELITE PROPERTIES LLC
33110003000000020500000000	331100	30-2-50		NEWBURGH COMMUNITY LAND BANK INC
33110003000000040290000000	331100	30-4-29		WHG OF NEW YORK INC C/O
33110003000000040190000000	331100	30-4-19		NEWBURGH COMMUNITY LAND BANK INC
33110003000000030110000000	331100	30-3-11		BRANANDDAN PROPERTIES LLC
33110002300000060120000000	331100	23-6-12		SMITH LYNN
33110002300000060090000000	331100	23-6-9		MAGWOOD ELAINE C
33110003000000030200000000	331100	30-3-20		NEWBURGH COMMUNITY LAND BANK INC
33110003000000010020000000	331100	30-1-2	ALEXANDER	PETTY
33110003600000030050000000	331100	36-3-5		HOUSE OF REFUGE CHURCH OF GOD IN CHRIST INC
33110003600000020170000000	331100	36-2-17		HABITAT FOR HUMANITY OF GREATER NEWBURGH, INC.
33110003000000040010000000	331100	30-4-1		PATEN OF ORANGE COUNTY INC
33110002300000070190000000	331100	23-7-19		LABRADOR ASSOCIATES LP