

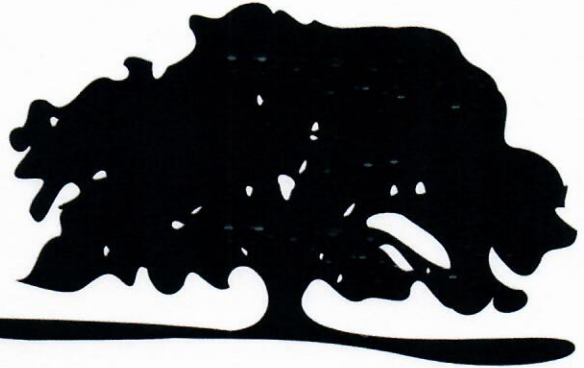
## Conservation Advisory Council | City of Newburgh, New York

The Heritage Center, 123 Grand St., Newburgh, NY 12550

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### Council Members:

Chuck Thomas, Chair  
Marcel Barrick  
Kippy Boyle  
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Karen Eberle-McCarthy  
Gail Fulton  
Alison Filosa



City of Newburgh Engineering and Planning Departments  
City of Newburgh Industrial Development Agency  
83 Broadway  
Newburgh NY 12550

RE: Request for tree removal at 5 Scobie Drive on behalf of the Newburgh IDA

The IDA has requested approval off a clear-cutting project on the 15 +/- acre site at the above location. The site is the location of a former City of Newburgh landfill. After some time and ownership passed the site was acquired by the City of Newburgh IDA. The applicant is marketing the site for redevelopment by a use that will not impact the subsurface issues that may be present.

The applicant, Newburgh IDA, requested that the Newburgh Conservation Advisory Council review the clear-cutting proposal. According to the IDA the site has been "repopulated with trees; an inspection did not find any trees of any value." They note further that the site is "adjacent to the city yard." It appears that fill and detritus from the "city yard" has over the years made its way to the site and that the NYS DOT may have also filled areas of the site.

The applicant states that the IDA must clear-cut the trees before March 31 to avoid disturbing the nesting of the endangered Indiana Bat per state regulation. The IDA notes that an application for a SWPP will be filed with the city as well as an application to permit the cutting per the City regulation that a permit must be obtained to cut any tree with a diameter of 8 inches or more at a height of 54 inches. The applicant provided a sketch plan indicating proposed buffers around the property that will not be cut and that the proposed impact area will be approximately 11 acres of the 15-acre site. The Community Composting Corp., a possible tenant for the site, has indicated that they plan a buffer on the north side of the property that will exceed the noted 100 feet since a 200-foot buffer is proscribed for composting operations to operate proximal to a surface waterbody. The stream that runs along the north boundary is channelized as it runs through the developed area of the city until it meets the Quassaick Creek on the south side of Broadway. The stream flooded during the recent super storm episodes and negatively impacted the Broadway roadway. A robust buffer is truly necessary to prevent additional runoff into the stream. A visual buffer is proposed to be maintained around the remainder of the property.

The City of Newburgh Conservation Advisory Council conceptually supports the clear-cutting of this property to allow the redevelopment of a commercial facility that will contribute to the tax base of our community with the following considerations.



The maintenance of a robust buffer consisting of landscaping and plantings or maintenance of native plants particularly on the northern side of the property to protect the stream course there from negative impacts.

The CAC recognizes that all shade trees have value and we dispute the assertion that the trees have no value. The CAC firmly believes in the importance of a tree canopy over our city for so many reasons - shade, carbon sequestration, CO2 absorption, temperature moderation, storm water runoff, aesthetics and more. The CAC will be happy to provide scientific literature to that effect along with U.S. Bureau of Lands & Forests canopy recommendations. Even crime can be reduced where shade trees are situated. It is well recognized that a shade canopy of approximately 40% is advantageous for a city.

As such, we recommend that a multi-year Public Benefit Plan be put into effect to provide for replacement of city-owned trees throughout our city to be funded by this, and other tree removal operations. We recognize that this proposal is a start-up in rejuvenating economic development of our city and as such should not be held responsible for a one to one replacement of trees, nor is that the goal of the CAC. Rather we recommend that over the planned life of a proposal coming to fruition on this and other properties that a systematic tree planting effort be required.

In this case the CAC proposes the applicant fund purchase and planting of 10 trees per year for a period of 5 years. The cost per tree is estimated at \$300.00 making a yearly cost of \$3,000.00 per year. This cost could be borne by the IDA as applicant or by the ultimate leasee or purchaser of the property.

The CAC was disappointed that the IDA was not represented at the meeting so we could engage in a fruitful dialog about this proposal. The purpose of economic development is to make a better city and the CAC asserts that by working together to accomplish this we can make a better city.

Thank you for your consideration of these comments.

Respectfully Submitted

  
Charles Thomas  
Chair CAC

CC:

City of Newburgh Engineering and Planning Departments  
City of Newburgh Industrial Development Agency