

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

123 Grand Street, Newburgh, New York, 12550

Phone: (845) 569-7366 e-mail: [conservation@cityofnewburgh-ny.gov](mailto:conservation@cityofnewburgh-ny.gov)

### Council Members:

Chuck Thomas, Acting Chair

C. Kippy Boyle

Marcel Barrick

Deborah Dresser

Karen Eberle-McCarthy

Gail Fulton

Phil Prinzivalli



June 20, 2016

MEMO TO: Lisa Daily, Chair  
City of Newburgh Planning Board

FROM: Chuck Thomas, Acting Chair  
Conservation Advisory Council ("CAC")

RE: Proposed Project - Mid-Broadway Site  
91 Residential Units/Mixed Use

It is our understanding that the above-referenced project with revised plans is coming before the Planning Board for review. A partial set of plans for the project was reviewed by the CAC at our regularly scheduled meeting of June 2, 2016. The phase II evaluation on the project has revealed that there are materials that need to be removed from the site. We have also since learned that 14 Johnston Street is still standing; comments on the plans for Johnston Street at our meeting were made on the assumption that this was a vacant lot.

Also attached is the September 10, 2013 Comment Letter from the Shade Tree Commission. In 2014, the Shade Tree Commission was rolled into the newly-formed Conservation Advisory Council as the Urban Forestry Committee of the CAC. Subsequent to our 2013 Comments, the re-zoning has gone into effect. Several of our 2013 recommendations are now included in the Form-Based Code. However, the 2013 letter remains part of this review.

We offer the following comments and recommendations to the Planning Board and the applicant based on the current set of plans, but not including any elements that might be revealed when more materials are removed from the site. Our comments are also to be included in the official record of any Public Hearings.

### Overview:

The site is a 1.94 Acre site which is bounded by Broadway, Lander and Johnston Street. The mixed-use project will consist of 91 rental units, a supermarket and other ground floor commercial use. The site is located in two zones: the front on Broadway is located in the Broadway Corridor District; the rest is in the Downtown Neighborhood District. The proposed 111 parking spaces include on and off-site locations at the city-owned Ann Street Parking Lot and city-owned Lander St. lots.

### **Recommendations and Concerns:**

1. Interior Water Usage. The EAF referenced water use for the building. The projected use for the entire building at full occupancy was 18,775 gallons per day. Projections for the commercial areas were unavailable. The City of Newburgh is undergoing a long-term water crisis, therefore, the water use of the project is of major concern. The CAC recommends low-flow toilets and prohibiting apartment washer/dryers, since there will be a community laundry room where we recommend Energy-star rated units. According to the applicant, the building will meet the LEED for Residential Homes Standard and the NYSERDA MPP standards once completed. This rating doesn't include dishwashers, only showers, toilets and faucets. There are energy star dishwashers that can save around 1600 gallons of water over the lifetime of the product. <https://www.energystar.gov/products/appliances/dishwashers> This is a substantial amount of water over 91 units so we recommend use of energy-star units. Energy star products also save electricity. Similarly the washing machines and dryers that are going to be in the laundry rooms should also be energy star compliant.
2. Stormwater drainage. It was stated that the site drains at the corner of the DMV to Broadway which is a combined sewer outflow. Since this project was originally proposed, the rules and regulations that govern storm water in NY have been adopted by the City and have been written in the storm water permit for the waste water system. The project sponsor is still obligated to improve performance. According to the 2015 manual any increase in impervious that is proposed over what was impervious (ratio of pervious to impervious) is considered redevelopment and is held to a higher standard. Anything that was grass and becomes pavement is considered new development.
3. Collection Basin. The estimated projection of a reduction in run-off discharge, going from 4.1 cubic feet per second to 3.8 cubic feet per second is encouraging. The proposed retention tank for storm water was also addressed. The council asked if the water from there could be used to water the green areas on the project, it was stated by the applicant that something like that could be done. The council recommends this be done (see Stormwater Re-Use below). It is further recommended that the grassed area to be landscaped to the south of the apartments and east of the parking lots be used for stormwater management. Even if the area is at it's narrowest 4 feet wide, this still offers an area for stormwater catchment and conveyance before it drops into the swirl separator and then the stormwater detention chamber. Most of already slopes to the north where the stormwater detention chamber is, and it makes sense to include storm water management features for this area.
4. Re-Use of Stormwater. The Council recognizes the effort the applicant has made to date however the Council recommends that storm water be aggressively maintained within the site and that every effort be made to further reduce stormwater influx into the Combined Storm Sewer System (CSSS). In addition to the recommendations made previously, the council recommends that the northern portion of the parking area also be included in storm water retention efforts and that the runoff not be channeled through the 14 Johnston Street property to the CSSS but rather be collected and used on-site. This could be accomplished in a variety of ways including use of permeable pavement treatments, bioswales (see below), and collection and distribution to green areas from detention chambers.
- Bioswales. It was stated that even though this project is to inherit the visual aspects of the Liberty Street project standards it does not seem to be also following the recommended design standards as there are no bioswales proposed for this project. We recommend using rainwater from any surface or source as supplemental irrigation or as a sole source of irrigation on green infrastructure. This can include grassed walkways, bioswales, treepits that are designed to retain water or raingardens in all possible locations over the entire project, including the area on Broadway in order to adhere to the form based sidewalk and tree pit code that the city has adopted.
5. Pervious Surfaces. There is an excess of hardscape on this 1.94-acre site, surrounded by pavement on 3 sides. Asphalt is proposed to be used for the main parking lot, however the Council recommends that permeable pavement or pavers be utilized in the parking lot and for the front of the building. We recommend landscaping between the parking area and the building to increase visual appeal and to limit

impervious surfaces. We recommend permeable pavers for the resident's courtyard. We recommend the inclusion of permeable pavement throughout the parking and other to be paved areas. Where a grass 'strip' is proposed, on the Lander Street side, we recommend replacing grass with clover, or other groundcover which is low-maintenance and will retain stormwater.

6. Trees & Sidewalks: Form-based Code sidewalk and tree pit specifications are recommended to be met. The Council recommends permeable materials and additional plantings be used for the enlarged tree pits to increase stormwater retention and decrease the area of hardscape. [Applicant comments: There is the possibility to have 67 large trees and 29 medium size trees which helps exceed the new development requirements due to vegetation planting.] The applicant has been asked to inherit the visual aspect of the Liberty Street project, the aesthetics, stamping, texturing of sidewalks, arrangements of trees and the relationship between the sidewalk to street and the tree as well any parking in the area. The concept of recycling the city bluestone is to be used as edge treatment is supported.
7. Solar Panels. A small, unspecified portion of the roof is to use solar panels. The CAC recommended a solar roof over the parking lot, unless shading by surrounding structure prevents this application, which would provide energy savings and protect vehicles. We recommend that the applicant do further investigation on the NYSERDA incentives available for commercial projects. Will the energy produced be used to increase affordability for residents such as common area lighting?
8. Public Benefit. It is recommended that the applicant make provision for a Public recreation area, since children currently use it as a playground. With the concentration of units proposed the tenants should have access to an activity area. This recommendation could be fulfilled through the assessment of a recreation impact fee utilized to provide recreation opportunities in the neighborhood.
10. The applicant should provide a watering and maintenance plan to help assure long term success of the new landscape installations. Although a critical component of a successful site, maintenance is often overlooked during the design process.
11. We also recommend collecting the roof runoff and directing it to landscaping elements as irrigation rather than sending it to the City of Newburgh storm sewer system. Can water from the building be directed to the park area to recharge ground water? This may already be part of the plan; however, we did not have access to all plan sheets. We recommend using rainwater from any surface or source as supplemental irrigation or as a sole source of irrigation on green infrastructure. This can include grassed walkways, bioswales, treepits that are designed to retain water or raingardens in all possible locations over the entire project, including the area on Broadway which are recommended to adhere to the form based sidewalk and tree pit code that the city has adopted.
12. Rain Garden. We recommend using rainwater from any surface or source as supplemental irrigation or as a sole source of irrigation on green infrastructure. This can include grassed walkways, bioswales, treepits that are designed to retain water or raingardens in all possible locations over the entire project, including the area on Broadway which are recommended to adhere to the form based sidewalk and tree pit code that the city has adopted.
13. Curbing to include ADA ramps at the corners on Lander and Johnston.

Cc: \_\_\_\_\_, Mill Street Partners  
Chad Wade, Assistant Engineer  
City Manager  
Planning Department  
City Council