TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS

PROJECT NAME:	**ELKAY PARTNERS DEVLOPMENT**
PROJECT NO.:	**2024-29**
PROJECT LOCATION:	**SECTION 39, BLOCK 1, LOT 32**
REVIEW DATE:	**18 JUNE 2025**
MEETING DATE:	**25 JUNE 2025**
PROJECT REPRESENTATIVE:	**ENGINEERING & SURVEYING PROPERTIES, PC – LARA PRUSCHKI, PE**

1. The project is back before the Board for a third conceptual review. The current plan reverts back to the original October 2024, unit count of 168 multi-family complex with senior density bonus. In April of 2025, the applicants returned to the Board proposing a 156-unit facility. The plans have been revised to increase the unit count to the original and modify the interior parking to provide additional parking between the recreational facilities located within the island area between the structures.

2. This office circulated the Boards Notice of Intent for Lead Agency on 27 November 2024. That Notice of Intent identified 5 residential structures totaling 168 units. During the April meeting the Board authorized recirculation of the Full EAF for the 158-unit project. The applicant's representative did not provide the revised plans sheets to circulate and have now revised the plans back to 168 units, 3 structures. This office recommends that the Notice of Intent for Lead Agency be recirculated for the revised project. Dominic Cordisco's comments regarding this should be received.

3. It is recommended that the Adjoiners' Notices be resent identifying the proposed modifications to the project.

4. The project requires an NYSDEC Wetlands Permit due to encroachments into the adjoining regulated buffer area. The project should be submitted to New York State Department of Environmental Conservation to confirm the wetlands on the site based on January 2025, modifications to the wetlands regulations.

5. The plans should be revised to depict any improvements on Tax Lot 39-1-33.

6. Previous comments issued for the project continue to be applicable to the revised project.

7. The project requires referral to the Town Board under Zoning Chapter 185-48, Senior Citizen Housing B, C, D.

8. Specific attention is called to Zoning Section 185-48B (4) regarding the Senior Citizen Density Bonus for the project. It is noted that Town Board approval is required and that the maximum size of all additional senior units is limited to 1,000 square feet. Appropriate notes should be added to the plans regarding compliance with the referenced code section.

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

Patrick J. Hines
Principal
PJP/kmm

Michael W. Weeks, P.E.
Principal

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 applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Elkay Partners Development		
Project Location (describe, and attach a general location map): Brewer Road		
Brief Description of Proposed Action (include purpose or need): The project is located along Brewer Road on tax map parcel section 39, block 1, lot 32 in the Town of Newburgh R-3 zone. The proposed project consists of the construction of three (3) residential apartment buildings, totaling 168 units, with amenities including a clubhouse, pool, playground, dog park and basketball/pickleball courts. A total of 19 units will be reserved for senior citizen housing per the bonus density allowed in the Town of Newburgh code. The proposed layout is a loop road with some green space, including the dog park and pickleball/basketball court, on the interior and the apartment buildings around the exterior. There will be parking along the loop road as well as in several smaller parking lots located between the apartment buildings. The interior of the loop is also bisected to include an additional parking area. The proposed use of Multiple Dwellings is a permitted use within the R-3 zoning district subject to site plan review by the planning board per Town of Newburgh code §185 Attachment 9 (D)(1)(c) "Multiple dwellings in accordance with §185-25: Garden-style dwellings."		
Name of Applicant/Sponsor: Elkay Brewer LLC	Telephone: 929 - 445 - 3843 E-Mail: joseph@elkaypartners.com	
Address: 31 Elkay Drive		
City/PO: Chester	State: NY	Zip Code: 10918
Project Contact (if not same as sponsor; give name and title/role): Engineering & Surveying Properties, PC, c/o Lara Pruschki, PE	Telephone: 845 - 457 - 7727 E-Mail: lara@ep-pc.com	
Address: 71 Clinton Street		
City/PO: Montgomery	State: NY	Zip Code: 12549
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

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 Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Out of District Sewer Agreement Senior Density Bonus	TBD
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town of Newburgh Site Plan Approval	April 2024
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	Orange County Department of Health Watermain Extension	TBD
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDEC Sewermain Extension, SWPPP	TBD
h. Federal agencies ☑Yes ☐No	USACE Wetland Disturbance	TBD

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑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?
R-3, Residential Zone

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 City School District

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

c. Which fire protection and emergency medical services serve the project site?
Cronomer Valley Fire Department

d. What parks serve the project site?
Chadwick Lake Park, Cronomer Hill Park, Algonquin Park, Downing 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)?
Residential

b. a. Total acreage of the site of the proposed action? ±29.67 acres
b. Total acreage to be physically disturbed? ±7.66 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? ±29.67 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 the proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated 2
- Anticipated commencement date of phase 1 (including demolition) 8 month 2025 year
- Anticipated completion date of final phase 12 month 2028 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
Phase I - Clubhouse & Eastern building with water and sewer interconnects
Phase II - Remaining 2 buildings and amenities

f. Does the project include new residential uses? ☑ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				96 Units
At completion of all phases				156 Units

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

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ 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: Stormwater management

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑ Other specify: Stormwater

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

iv. Approximate size of the proposed impoundment. Volume: < 3 million gallons; surface area: TBD acres

v. Dimensions of the proposed dam or impounding structure: < 14 feet height; TBD length

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

D.2. Project Operations

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

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): Federal wetland located on site / potentially NYSDEC wetland, site submitted to NYSDEC for parcel jurisdictional determination

_____

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:
The proposed action will disturb 0.04 acres of potential wetland adjacent area to construct access to additional parking and provide fire apparatus access to the rear portion of the building.

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

iv. Will the 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:

c. Will the proposed action use, or create a new demand for water? ☑ Yes ☐ No
219 bedrooms x 110 gpd/bedroom
If Yes:

i. Total anticipated water usage/demand per day: 24,090 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: Town of Newburgh Consolidated Water District
- 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:
Water main extension to be installed to service the proposed site
- Source(s) of supply for the district: Chadwick Lake Reservoir & NYC DEP

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), what is the maximum pumping capacity: _____ gallons/minute.

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

i. Total anticipated liquid waste generation per day: 24,090 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: City of Newburgh Sewer Treatment Plant
- Name of district: Outside User Agreement
- 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 a 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: Sewer main to be installed to serve the proposed site

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?

221,003 Square feet or ±5.07 acres (impervious surface)

1,292,556 Square feet or ±29.6 acres (parcel size)

ii. Describe types of new point sources. Buildings, roads, parking lots, sidewalks and recreational areas

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)?

On-site stormwater management facilities

- If to surface waters, identify receiving water bodies or wetlands: Federal wetlands (potential NYSDEC wetlands)
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the 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)

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)

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_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (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 truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing 0 Proposed 364 Net increase/decrease + 364

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: 3,600 kWh/year/unit x 168 units = 604,800 kWh / year

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Central Hudson

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: 7 AM - 7 PM
- Saturday: 7 AM - 7 PM
- Sunday: -
- Holidays: -

ii. During Operations:

- Monday - Friday: 24/7
- Saturday: 24/7
- Sunday: 24/7
- Holidays: 24/7

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 when operating on site from 7 AM - 7 PM.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☑ Yes ☐ No

Describe: Trees will be removed to accommodate construction.

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:

The proposed project will have dark sky friendly lighting fixtures.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☑ Yes ☐ No

Describe: Trees will be removed to accommodate construction.

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 the 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: 2 tons per Day (unit of time)
- Operation : 0.5 tons per Day (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Recycle in accordance with NYS law
- Operation: Recycle in accordance with NYS law

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: NYSDEC approved off site facility
- Operation: Orange County Transfer Station

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 the 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): _____

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	0.00	5.07	+ 5.07
• Forested	23.21	15.55	- 7.66
• 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)	6.46	6.46	0.0
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Lawn	0.00	2.59	+ 2.59

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:

_____

_____

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: _____

_____

_____

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): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

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? > 5 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:

BnB Bath-Nassau channery silt loam	70 %
ESB Erie extremely stony soil	3 %
MdB, MdD Mardin gravelly silt loam	27 %

d. What is the average depth to the water table on the project site? Average: > 2 feet

e. Drainage status of project site soils:
☐ Well Drained: _____ % of site
☐ Moderately Well Drained: _____ % of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 40 % of site
☑ 10-15%: 20 % of site
☑ 15% or greater: 40 % 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 Federal Waters 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: _____

m. Identify the predominant wildlife species that occupy or use the project site:
Deer

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

If Yes:
i. Species and listing (endangered or threatened):

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

If Yes:
i. Species and listing:

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: ORANc01

b. Are agricultural lands consisting of highly productive soils present? ☑ Yes ☐ No
i. If Yes: acreage(s) on project site? 25.4 acres
ii. Source(s) of soil rating(s): NYS Agriculture and Markets

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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

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? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Cronomer Hill Park, Downing Park, Algonquin Park, Chadwick Lake Park

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Local park

iii. Distance between project and resource: ~ 3 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

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

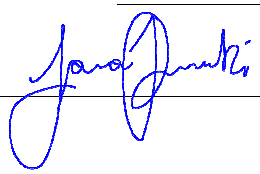
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Engineer

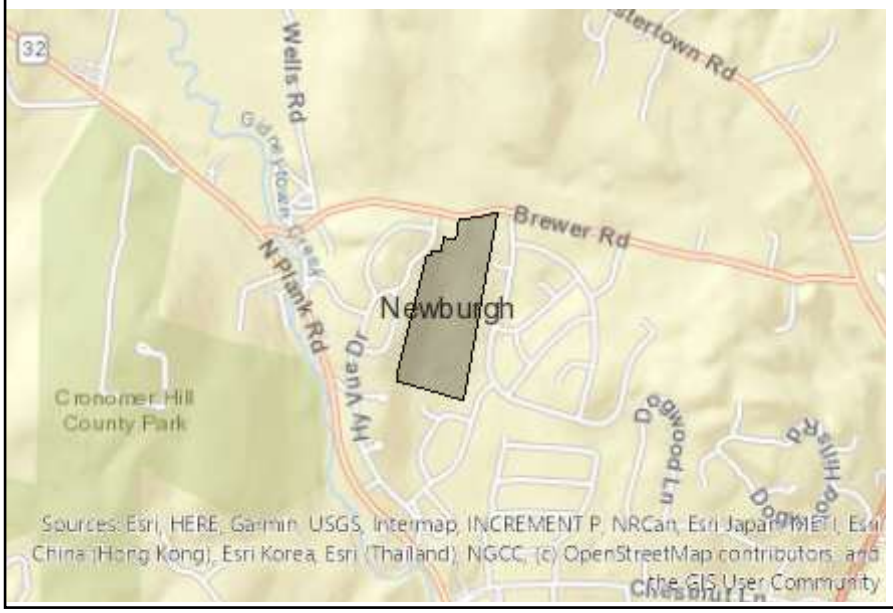
~~Applicant/Sponsor Name~~ Lara Pruschki, PE Date 06/10/2025

Signature  Title Professional Engineer

PRINT FORM

EAF Mapper Summary Report

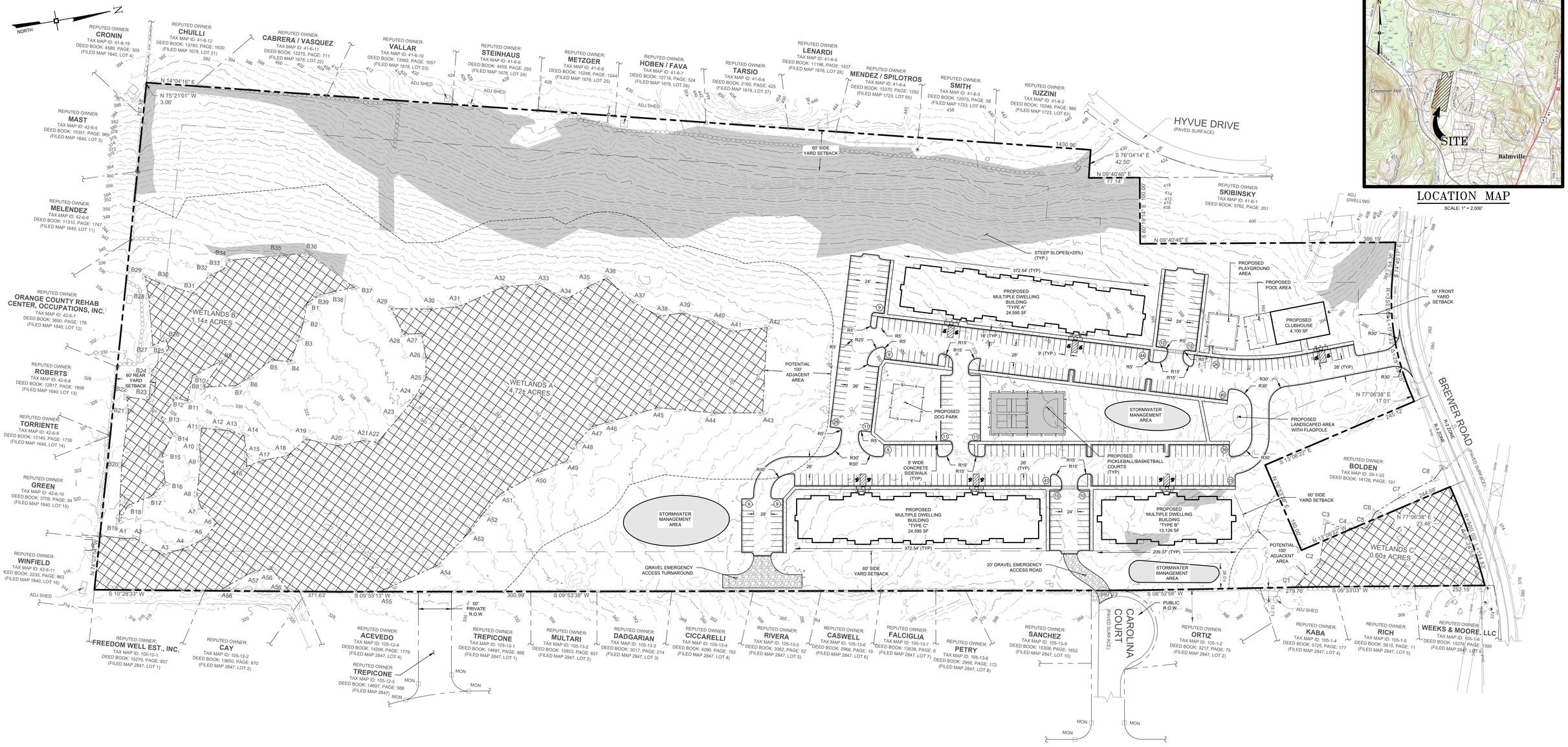
Friday, April 12, 2024 11:48 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ORANc01
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



LEGEND

- BUILDING LINE
- BUILDING GARAGE LINE
- BUILDING ROOF LINE
- CONCRETE PAD LINE
- CONCRETE HATCH
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- CURB LINE
- LIMIT OF DISTURBANCE LINE
- SWPPP DRAINAGE AREA BOUNDARY LINE
- DRIVEWAY LINE
- EASEMENT LINE
- SILT FENCE LINES
- FENCE LINES
- GUIDERAIL LINES
- MATCHLINES
- PARKING STALL STRIPE
- SWPPP (CONSTRUCTION) PHASING LINE
- PROPERTY LINE
- ROAD CENTERLINE
- EDGE OF PAVEMENT LINE
- SEPTIC SYSTEM LATERALS
- BUILDING SETBACK LINES
- SEWER MAIN LINES
- SEWER SERVICE LINES
- SEWER FORCE MAIN LINES
- EDGE OF SIDEWALK LINES
- STORM DRAIN LINES
- STRIPING LINE
- LIMIT OF TREE CLEARING LINES
- WATER MAIN LINES
- WATER SERVICE LINES
- LIMIT OF WETLAND DISTURBANCE LINE
- LIMIT OF WETLAND MITIGATION LINE
- DRAINAGE SWALE

- EXISTING BUILDING LINE
- EXISTING MAJOR CONTOUR LINE
- EXISTING MINOR CONTOUR LINE
- EXISTING CURB LINE
- EXISTING EDGE OF PAVEMENT LINE
- EXISTING EASEMENT LINE
- EXISTING SILT FENCE LINES
- EXISTING FENCE LINES
- EXISTING GUIDERAIL LINES
- ADJACENT PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING ROAD CENTERLINE
- EXISTING SEWER MAIN LINES
- EXISTING SEWER SERVICE LINES
- EXISTING SEWER FORCE MAIN LINES
- EXISTING EDGE OF SIDEWALK LINES
- EXISTING STORM DRAIN LINES
- EXISTING LIMIT OF TREE LINES
- EXISTING WATER MAIN LINES
- EXISTING WATER SERVICE LINES
- LIMIT OF ACOE WETLAND
- LIMIT OF NYSDEC WETLAND
- LIMIT OF NYSDEC WETLAND BUFFER LINE
- MUNICPAL BOUNDARY

- WATER MAIN GATE VALVE
- WATER MAIN AIR RELEASE VALVE
- BORING LOCATION
- SPOT GRADE ELEVATION
- PERC TEST LOCATION
- DEEP TEST HOLE LOCATION
- WETLAND FLAG LOCATION AND DESIGNATION
- GAS VALVE
- LIGHT POLE
- SIGN & POST
- WELL LOCATION
- SEWER CLEANOUT
- FIRE HYDRANT
- WATER SERVICE CURB STOP
- UTILITY POLE
- STONE CHECK DAM
- ROAD STATIONING LABEL
- GARAGE FLOOR ELEVATION
- FIRST FLOOR ELEVATION
- BASEMENT FLOOR ELEVATION
- LOWEST SEWERABLE ELEVATION
- CATCH BASIN
- YARD DRAIN
- FILTER FABRIC DROP INLET PROTECTION
- STORM DRAINAGE MANHOLE
- SEWER MANHOLE
- STORM DRAINAGE PIPE END SECTION
- END SECTION RIP-RAP OUTLET PROTECTION
- POND OUTLET STRUCTURE
- RETAINING WALL LINES (HATCH 135)
- EDGE OF PAVEMENT WITH CURB

DENSITY CALCULATION

TOWN OF NEWBURGH - ZONING DISTRICT R-3

SENIOR CITIZEN HOUSING §185-48

PARCEL AREA:	±1,292,574 SF	±29.67 AC
LOT AREA DEDUCTIONS:		
UTILITY RIGHTS OF WAY AND DESIGNATED STREETS	±0 SF	±0.00 AC
LAND UNDER WATER (PONDS, WETLANDS (ACOE & DEC)	±283,632 SF	±6.51 AC
FLOODPLAINS	±0 SF	±0.00 AC
STEEP SLOPES (25% OR GREATER)	±194,801 SF	±4.47 AC
TOTAL DEDUCTIONS =	**±478,433 SF**	**±10.98 AC**

TOTAL BUILDABLE AREA = ±1,292,574 SF - ±478,433 SF = ±814,141 SF OR ±18.69 AC

UNITS PERMITTED (MULTI-FAMILY):
(29.67 AC - 10.98 AC) * 9 UNITS = 168.21 UNITS
BASE DENSITY: 18.69 AC * 6 UNITS = 112.14 UNITS
BONUS DENSITY: 18.69 AC * 3 UNITS = 56.07 UNITS*

UNITS PROPOSED
BUILDINGS "TYPE A":
1 BEDROOM: 42 UNITS
2 BEDROOM: 15 UNITS
3 BEDROOM: 3 UNITS
TOTAL: 60 UNITS

BUILDINGS "TYPE B":
1 BEDROOM: 24 UNITS
2 BEDROOM: 12 UNITS
TOTAL: 36 UNITS

BUILDINGS "TYPE C":
1 BEDROOM: 54 UNITS
2 BEDROOM: 18 UNITS
TOTAL: 72 UNITS

TOTAL PROPOSED: 168 UNITS

* A MINIMUM OF 19 UNITS (⅛ OF BONUS DENSITY) WILL BE SENIOR CITIZEN HOUSING PER §185-48

GENERAL NOTES

1. TAX MAP IDENTIFICATION NUMBER: SECTION 39 BLOCK 1 LOT 32.
2. TOTAL AREA OF SUBJECT PARCEL: 29.673± ACRES.
3. BOUNDARY AND PLANIMETRIC INFORMATION BASED UPON SURVEY DONE BY ENGINEERING AND SURVEYING PROPERTIES, PC ON APRIL 2, 2024.
4. THE WETLANDS SHOWN HEREON WERE DELINEATED BY JIM ULRICH OF ALPINE ENVIRONMENTAL CONSULTANTS, INC. ON JULY 23, 2023 AND WERE LOCATED BY GPS METHOD BY ENGINEERING AND SURVEYING PROPERTIES, PC ON AUGUST 29, 2023.
5. THE TOPOGRAPHY SHOWN HEREON WAS COMPILED BY ENGINEERING & SURVEYING PROPERTIES PC, FROM USGS 1M HYDRO-FLATTENED DIGITAL ELEVATION MODELS (DEMS) AS DERIVED FROM 2012 SOURCE LIDAR. THE DEMS WERE PROVIDED BY NYS.GIS.GOV AND CORRESPOND TO ACTUAL SURVEY OBSERVATIONS TAKEN IN THE FIELD. CONTOURS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
6. OWNER: ELKAY BREWER LLC
31 ELKAY DRIVE
CHESTER, NY 10918

APPLICANT: ELKAY BREWER LLC
31 ELKAY DRIVE
CHESTER, NY 10918

PARKING REQUIREMENTS

TOTAL UNIT COUNT: 168 UNITS

TOTAL SPACES REQUIRED: 2 SPACES PER UNIT X 168 UNITS = 336 SPACES

TOTAL SPACES PROVIDED:
SURFACE PARKING = 338 SPACES
CLUBHOUSE PARKING = 26 SPACES
TOTAL SPACES = 364 SPACES

BULK REQUIREMENTS

TOWN OF NEWBURGH - ZONING DISTRICT R-3
PROPOSED USE: MULTIPLE DWELLINGS WITH SENIOR CITIZEN HOUSING (USE §185-25)

MINIMUM BUILDING REQUIREMENTS	REQUIRED	PROPOSED
LOT AREA	10 ACRES	±29.673 ACRES
LOT WIDTH	300 FEET	±505.3 FEET
LOT DEPTH	300 FEET	±1921 FEET
FRONT YARD	50 FEET	±96.0 FEET
REAR YARD*	50 FEET	±1041.9 FEET
SIDE YARD (ONE / BOTH)*	30 / 60 FEET	±67.3 / ±139.0 FEET*
HABITABLE FLOOR AREA (PER DWELLING UNIT)	1-BEDROOM 600 SF 2-BEDROOM 800 SF 3-BEDROOM 900 SF	1-BEDROOM 770 SF / 966 SF 2-BEDROOM 1,118 SF 3-BEDROOM 1,176 SF
MAXIMUM ALLOWABLE		
DWELLING UNITS PER ACRE**	6.0	< 6.0
BUILDING HEIGHT	35 FT	< 35 FT
LOT BUILDING COVERAGE	35 %	±7.6 %
LOT SURFACE COVERAGE	60 %	±27.1 %
HABITABLE FLOOR AREA SENIOR BONUS DENSITY* (PER DWELLING UNIT)	1000 SF	770 SF / 966 SF

* BASED UPON SECTION §185-25 C(9) AVERAGE TOTAL LENGTH OF BUILDINGS >126 FT
** BASED UPON SECTION §185-48 SEE DENSITY CALCULATIONS ON THIS SHEET

No.	DATE	DESCRIPTION
1	04/04/24	REVISED PER ARCHITECT DESIGN
2	09/11/24	REVISED FOR SUBMISSION
3	11/20/24	REVISED PER PB COMMENTS
4	02/14/25	REVISED PER NYSDEC WETLAND BUFFER
5	02/28/25	REVISED PER NYSDEC WETLAND BUFFER
6	05/20/25	REVISED UNIT COUNT

DRAWING STATUS — ISSUE DATE: 05/20/2025

THIS SHEET IS PART OF THE PLAN SET ISSUED FOR — SHEET NUMBER

☑ CONCEPT APPROVAL	1	OF	1
☐ PLANNING BOARD APPROVAL	N/A	OF	N/A
☐ OCDOH REALTY SUBDIVISION APPROVAL	N/A	OF	N/A
☐ OCDOH WATERMAIN EXTENSION APPROVAL	N/A	OF	N/A
☐ NYSDEC APPROVAL	N/A	OF	N/A
☐ NYSDOT APPROVAL	N/A	OF	N/A
☐ OTHER: _____	N/A	OF	N/A
☐ FOR BID / ~~CONSTRUCTION~~	N/A	OF	N/A

ROSS WINGLOVITZ, P.E.
NEW YORK LICENSE # 071701

1 inch = 60 ft.

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SKETCH PLAN

ELKAY PARTNERS DEVELOPMENT
BREWER ROAD
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JOB #: 2078.03	DRAWN BY: KAB/LAP	
DATE: 09/21/2023	SCALE: 1" = 60'	SK-01
REVISION: 6 - 05/20/2025	TAX LOT: 39-1-32	