



GOOD WILL FIRE DISTRICT

TOWN OF NEWBURGH

1 South Plank Road
Newburgh, NY 12550
845-562-1129



Britain Woods Newburgh, LLC.
100 Summit Lake Drive, Suite 235
Valhalla, New York 10595

9/5/2024

Engineering & Surveying Properties PC
71 Clinton Street
Montgomery, New York 12549

Attn: Mr. Ross Winglovitz, P.E.

Dear Mr. Winglovitz:

After review of the DEIS and accompanying attachments and figures from Engineering & Surveying Properties, P.C. the Good Will Fire District wishes to submit the following observations and comments. These comments are strictly based on Fire Protection and Life Safety.

With regard to the water flow proposed for the site:

Utilities

1. The entire site will be fed by a single 8" main tie in over 900 feet away. Appendix I2
2. There is no closed loop on site for all of the water lines. All of the water lines should be looped together. Appendix I2
3. The coefficient C (the efficiency of water flow) of 130, which was used for design, appears to be way too optimistic. A coefficient C of 100 would probably be a more realistic number. The higher the number the more favorable the design. What was the basis of design that allowed for the more favorable number to be used? The higher coefficient of 130 is fine for Appendix I2

Utilities

new pipe but as the pipe ages and any buildup or deterioration of the pipes occur, the flow will be affected. This is why we would recommend using the lower number to project a more accurate condition in the not too distant future.

4. After completion you can expect a 20-30 psi pressure drop [Appendix I2](#) over 900 ft between tie in and site entrance, and an additional 20+psi drop thorough the site.

5. There is no secondary water source tie in proposed for the site. Several years ago, a similar failed design at Zayer Plaza (now Target) on Rt 17K was built. When tested after construction by the fire department, it was found that only one hydrant at a time could provide water for [Appendix I2](#) firefighting efforts at a time. Eventually, a tie was made to a second source. If the project is allowed to move forward, it is highly suggested that a secondary source of water, possibly the City of Newburgh water system, be connected at the east end of the site.

6. Overall, we feel the system as proposed may prove to be insufficient for a full firefighting effort. [Utilities/Appendix I2](#)

With regard to the buildings:

Project Description

Site Plan

7. The site layout plan indicates there are several elevation changes and steep slopes around the building to the rear and sides. On the Type 2 first floor plan retaining walls are shown as close as 8 feet behind Units. This could present a problem with effective firefighting and rescue efforts. Has any consideration been given to increase the amount of flat terrain around the building? Minimal fairly level ground area around the buildings will have a detrimental effect on firefighting efforts and rescue operations. As found with the completion of the recent Farrell complex on Gardnertown Road, there is no firetruck access to the rear of any of the buildings. Firefighting and rescues of any type for all second floor and higher will require the use of ground ladders. Firetruck access limited to only the front of the units

Project
Description

8. The Type 1 buildings have an enclosed garage space **Building Floorplans** sandwiched between a mechanical space below and living space above. There is no direct access to Mech/Elect Rooms from the exterior of the building. The only access to this space is through the apartment living space. This does not appear to be a safe construction design.
9. However, The Type 2 units do not indicate any mechanical spaces similar to the Type 1 design. Are these mechanical spaces where the HVAC's, electrical panels, fire alarm systems, etc. If so, where are they in this type unit? **Building Floorplans**
10. Are there electric generators for each building? **Building Floorplans**
11. It is understood that the plantings shown on the drawings are only for diagrammatic purposes, but they must be positions such that they do not impede firefighting and rescue efforts or positioning of fire apparatus. **Landscaping**
12. Is there a site smoking policy? **Operation**
13. Is each unit within a building separated by fire walls? **Building Floorplans**
14. Some bedroom spaces are well in excess of 75 feet to an exit (ex: Type 2 - 2nd floor Unit 3 bedroom is about 70+feet to the top of the stairwell). With the limited space behind the buildings, it is crucial to have sufficient space outside to allow for rescue efforts. **Building Floorplans**
15. Will electric vehicles be allowed inside building areas? Have any considerations been made for electric vehicle charging stations in or around the garage areas? Is it a good practice to have electric vehicles in garages under living quarters? **Operation**

Community
Services

With regard to fire truck access:

Site Plan

16. A typical Aerial Ladder truck is 47 – 51 feet long
 - a) 26' width required for set up

- b) A typical 100ft aerial ladder with a typical wheelbase of 258" has a requires a 47.5 ft wall to wall turning radius (Maximum Cramp Angle: 40degrees Axle Track: 82.92 in. Wheel Offset: 5.30 in. Tread Width: 17.80 in. Chassis Overhang: 65.99 in. Wheelbase: 258.00 in. Inside Turn: 24 ft. 5 in. Curb to Curb: 40 ft. 2 in. Wall to Wall: 47 ft. 7 in.)
- c) During an emergency 2 aerials will occupy the full length of a unit so additional road width will be needed for other firefighting vehicles.

17. Many of the driveway areas do not appear to allow enough for firetruck access, especially aerial ladder trucks. The turn radius appears to be too tight and navigation of the apparatus. Site Plan

Unable to maneuver apparatus:

- a) Front entry circle impedes traffic
- b) Impossible to turn left on 1st curve circle and Bldg 7
- c) Unable to navigate turn between Bldgs 3 and 4
- d) Unable to navigate turn between Swim area 2 and Bldg 11
- e) Entrance to the site through the emergency access entrance does not allow enough space both in the driveway and while entering from the east on Rt 207.

18. Any structure fire in any of the units may require the use of 2 ladder trucks. This will take up the full length of unit. Seeing that a ladder requires a minimum of 26' in width, will there be sufficient space to operate more than one firetruck side by side. If so, what is the minimum clear road width in front of each unit. It appears as though there is insufficient room in front of the units for 2 firetrucks side by side with working space. Site Plan

Traffic

With regard to Traffic:

19. There are several items includes with our review of the traffic study. Also, there are several questionable areas in the study which leads to our suspect to the validity of the data interpretation.

20. The study was performed on April 25 – 28, 2023 Transportation

Traffic

a) The area of the traffic study had posted detours which changed the probable outcome for routine traffic assessment

b) There was ongoing road work during this period which altered the traffic pattern

21. According to a report by one of the largest traffic violations attorneys in New York and New Jersey **Transportation**

a) In New York State, April is the lowest rate of accidents of any month

b) This raises the question was April chosen to make the site look more attractive or to deceive the public and planning board?

22. DOT Accident data may not reflect local emergency agency data. Only 6 **Transportation** accidents were reported in the study for Little Britain and Old Little Britain. Fire department records have indicated an additional 5 accidents at that location in only the past 2 years. Over the past 4 years there have been at least 70 reported accidents between the City line, through the Little Britain/Little Britain and across Old little Britain road. Of these accidents approximately 25% were personal injury accidents and 1, located near the front of the Britain Woods site was a fatal. The additional traffic from Britain Woods will impact all of the locations of these accidents and will create potential hazards at the entrances to the site unless designed properly.

23. It is inaccurate to contain the peak traffic to a single hour between Dewey and D'Alfonso. Traffic is consistently heavy 10AM and 6PM (400 or more cars). **Transportation**

24. Entrance to Rt 207 from Old Little Britain is constantly a challenge since it is only a 1 way stop for Old Little Britain and the traffic rarely stops on Rt 207 to allow cars to exit from Old Little Britain. **Transportation**

25. Are school bus stops on the property or are the children expected to await the bus on the highway? Additional clear view distance may be required.

Transportation

26. Traffic control devices are lacking at the major intersections and in front of the site Transportation
27. Acceleration lanes for Emergency ^{appear} to be inadequate. During an emergency, or with large trucks and busses, additional time is required to enter and exit the site. Transportation
28. Will sidewalks be installed along the highway? Transportation
29. The study indicates there will be no impact on the traffic on D'Alfonso, which is the best route with traffic control to local shopping and a direct route to 17K and I 84. Local residents travel this way to avoid using Wisner Avenue in the City of Newburgh. The new residents from the Proposed Britain Woods will probably do the same when they find it is easier, faster and safer. Transportation
30. The study indicates there is Westbound traffic on D'Alfonso (a N-S road). This is confusing. It is also confusing how the study shows there will be no additional traffic impact on D'Alfonso Road. That will never happen and people will continue to cut through this neighborhood of almost 100 single family homes. Transportation
31. Typical of other errors, Old Little Britain and D'Alfonso is a 1-way stop, not 2-way as indicated by the study. Transportation
32. With larger vehicles like school busses, trash trucks, delivery vehicles and firetrucks and much longer line of sight and stopping distances is needed on Rt 207 in front of the site. Transportation
33. Emergency access driveway on the east end of the site: Transportation
 - a) Emergency exit only 20' wide should this be designed as a full service access point?
 - b) Turning into the site via the Emergency exit from east not practical
 - c) The vehicle speed of turn into sight is slow and there is insufficient clear sight on Rt 207

Traffic

d) Unless monitored 24/7, the speed on 207 routinely exceeds 55mph

Additional thoughts and considerations:

Electric Vehicles

Project Description

34. These type of condominium complexes attract a mobile generation who are likely to use more electric vehicles. **Operation**

- a) Where are charging stations
- b) Where are charging stations
- c) Are EV's allowed inside garages under bedrooms?
- d) Where is/are standby generators

Utilities

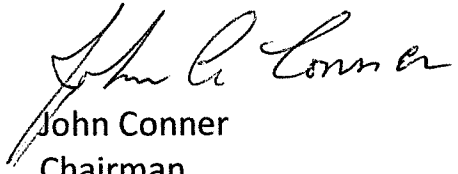
35. The sewer system as proposed in the area only holds 24 hours (What happens in extended power outage) **Utilities**

Traffic

36. There are additional planned construction sites that will impact the traffic flow in the same Old Little Britain/Little Britain Road corridor **Transportation**

- a) A warehouse facility is planned near Old Little Britain and Unity Place
- b) A hotel is proposed for Unity Place
- c) The additional planned and or proposed facilities will add an unknown amount of traffic. The increase in commercial, truck, transient and residential traffic will a detrimental impact on traffic flow on Old Little Britain and Unity Place.
- d) The Jehovah Witness convention center as well as the 2 Jehovah Witness buildings on Old Little Britain add several hundred vehicles on the same Old Little Britain Road corridor every week. This traffic impact was never studied for this project.
- e) A once quiet residential area is being transformed in a bad way.

Thank you for the opportunity to comment on the Britain Woods Residential Development.

A handwritten signature in black ink that reads "John Conner". The signature is written in a cursive style with a large initial "J" and "C".

John Conner

Chairman

Board of Fire Commissioners

Good Will Fire District

1 So. Plank Rd.

Newburgh, NY 12550



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

PROJECT NAME: BRITAIN WOODS DEIS
PROJECT NO.: 22-17
PROJECT LOCATION: 442 LITTLE BRITAIN ROAD (NYS ROUTE 207)
SECTION 97, BLOCK 1, LOT 32.1, 32.2, 32.3 & 40.1
CITY OF NEWBURGH SECTION 41, BLOCK 1, LOT 2 & 3
REVIEW DATE: 2 OCTOBER 2024
MEETING DATE: N/A
PROJECT REPRESENTATIVE: ENGINEERING & SURVEYING PROPERTIES, PC

EP

1. Local approvals identify outside Sewer User Agreement for the City of Newburgh. This should be revised to state "Town of Newburgh". **Exec Summary**
2. The sewer district creation is identified as the Town of Newburgh. It is unclear if a sewer district will be created or the project will be treated as an outside user. Discussion regarding the outside user should be expanded. **Exec Summary**
3. Discuss additional permits and approvals required for the water main extension. **Exec Summary**
4. A City of Newburgh Flow Authorization letter will be required of the project. Newburgh sewer is conveyed to the City of Newburgh sewage treatment plant. Intermunicipal Agreement identifies that notification and City approval prior to Town approval of any project is required. **Utilities**
5. Further description of the process for the water main extension to the site as well as a description of the on-site water service should be addressed. **Utilities**
6. The DEIS identifies that fire flow characteristic testing was performed by the applicant's engineer. Fire flow information pertaining to the flows and pressures within the proposed development should be provided. Fire flows from the internal hydrant system should also be addressed. Fire Department has requested this information. **Utilities**
7. Under the sanitary sewer section, update portions of the discussion regarding dry and wet weather flows to use Town of Newburgh 2023 flow records. **Utilities**
8. Sanitary sewer discussion should be further expanded to identify the process needed for outside user approval by the Town of Newburgh. **Utilities**
9. Provide response to the 19 April 2022 letter to the Army Corps of Engineers requesting a Jurisdictional Determination. Has any response to this letter been received? What is status of Army Corps Jurisdictional Determination. **Surface Water**

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

Utilities

10. Last complete paragraph on page 6 for the sewer main extension report should be evaluated as it discusses hydrants and valves. [Appendix I3](#)
11. The sanitary sewer Report identifies that the proposed force main connects to the first manhole located on the south end of Unity Place. This manhole is a force main clean out manhole, with a 3-inch force main which continues in a northerly direction. The first gravity manhole in Unity Place is located several hundred feet north of the manhole depicted. Analysis of the proposed connection point and Unity Place downstream capacity should be undertaken. [Appendix I3](#)
12. Table 1 in the Sewer Report identifies estimated sewer demand utilizing a demand rate of 10 gallons per day, per unit for the lounge and multipurpose room use. NYS Design Standards for intermediate size wastewater treatment system utilizes 20 gallons per day per seat for a lounge, bar use and lounge, “bar use” or 10 gallons per day for a “banquet hall”. Confirm the use of the room and the design flow utilized. [Appendix I3](#)
13. Table 1 NYS intermediate size wastewater treatment system states 10 gallons per day per person for health club. Fifty gallons per day per station is used for the proposed “fitness center”. [Appendix I3](#)
14. Appendix B Pump Station Calculations the Engineering Report states SDR21 where the calculations said schedule 26. This should be clarified. [Appendix I3](#)
15. Appendix B Pump Station Calculations Ten States Standard Section 49.61 identifies that C value not to exceed 120 is allowed for design of friction loss in PVC force mains. [Appendix I3](#)
16. Confirm the sewage pump manufacturers recommended duty cycle. [Appendix I3](#)
17. Confirm that proposed pumps are capable of passing solids of at least 3 inches in diameter. Identify other protective measures regarding solids are proposed in the pump station. [Appendix I3](#)
18. Air relief valves must be placed at high points in the first force main to prevent air locking per 10 States Standards Section 49.2. [Appendix I3](#)
19. Address draining valves at the low points of the proposed sanitary sewer force main. [Appendix I3](#)
20. Clarify ownership of the sanitary sewer force main. Additional information regarding operation and maintenance of the force main should be included in the DEIS regarding the private force main. [Appendix I3 & Utilities](#)
21. The Water Report identifies similar gallons per day usage rates as the Sanitary Sewer Report. These should be further clarified. [Appendix I2](#)
22. The Water Report should use C value of 120 for cement line ductile iron pipes. [Appendix I2](#)

23. Project received a “No Impact” letter from the Office of Parks, Recreation Historic Preservation. It is noted that the former “lime kilns” are located immediately west of the project site. Plans should address protection of these facilities during off-site water, sewer and traffic work. A discussion regarding protection of the lime kilns should be incorporated into the FEIS. The 24 August 2022 letter identifies the “independence property lime kilns”. Office of Parks, Recreation Historic Preservation (OPRHP) stated “we are requesting that measures be taken to avoid any impacts to the site. That would involve securing the services of an Archeological Consultant to confirm the location, site boundaries and current condition of the site to establish avoidance measures. This may necessitate adjustments to the Site Plan to avoid disturbance of the site depending on the precise location of the kilns and their relationship to the entrance road and nearby stormwater management area in the southwest corner of the planned development”. Since the OPRHP letter the water and sewer mains are proposed to extend in the vicinity of the kilns. A Work Plan should be prepared and implemented in order to protect the historic features. The proposed water line extension proposed will run along the shoulder of the highway between the roadway and the kilns. Office of Parks, Recreation and Historic Preservation approval of the work plan should be received. **Historic & Arch Resources**
24. The project has a Figure 3.1E identifying general cuts and fill depths. Cut and fill depths should be identified on Figure 3.1B, which would provide the ability to determine impacts regarding depth to bedrock. Adding a column to the figure identifying finish grades and foundation depths in the area of these test pits will provide an evaluation of potential rock impact. A discussion regarding proposed foundations and utilities which will be below proposed grade should also be provided with appropriate analysis as to potential impacts for rock to be encountered. **Land**
25. The discussion on agricultural soils should be expanded. The statement that the site contains a total of 24 acres of agricultural soils should be expanded. The group number for this agricultural soil and impacts associated with loss of agricultural soils should be specifically addressed. **Land**
26. Discussion regarding bedrock and ground water should be expanded to address impacts associated with bedrock removal. Impacts related to blasting or mechanical removal of the rock should be further discussed. Bedrock was identified in the areas of Buildings 1, 2, 8 and 10 and along the entrance to NYS Route 207. Discussions regarding impacts of utility installation should be further clarified. An evaluation of potential bedrock along proposed utility routings should be addressed. **Land**
27. The discussion regarding blasting identifies rock processing activities. Additional discussion should be included in the document regarding rock processing, will a crusher be utilized at the site. Noise and dust impacts from crushing should be appropriately addressed. The quantity and time frames for blasting activities should be addressed. Discussions regarding blasting requirements should also be incorporated into the document. Seismograph and air monitoring should be discussed. **Land**
28. The document should discuss whether a Clearing or Grading Permit will be sought for clearing and grading of the site prior to all other approvals being obtained. Public Hearings are required to be held if clearing and grading permit is proposed. The public hearing notice for the DEIS did not identify Chapter 83 for Clearing and Grading Permit. **Land**

29. The discussion regarding erosion and sediment control identifies that disturbed areas that have established final grade or temporary grade and will be idle for more than 14 days will be stabilized immediately to minimize potential exposure to erosion sediment. It is noted that if greater than 5 acres or proposed to be disturbed this stabilization time frame becomes reduced to 7 days. **Land**
30. The basis for the statement which states that rock removal by blasting is not anticipated should be further discussed. Basis for this should be determined. The removal of 20,000 yards of material by mechanical means will result in long-term impacts associated with noise from the mechanical rock removal. As stated above blasting impacts protocols and procedures be further expanded. Time frame for mechanical removal of rock should be addressed. **Land**
31. It should be noted that 1 or all of the 3 wetlands on the site could be potentially considered wetlands of unusual importance by NYSDEC if and when proposed freshwater wetland jurisdiction and classification regulations are updated. The new regulations are expected in effect 1 January 2025. The project site most likely be located in a “urban area” which may impact areas developable on this site due to the potential for required buffers under the new regulations. **Surface Water**
32. The DEIS should identify and discuss if any of the 3 wetlands on the site are classified as vernal pools. **Surface Water**
33. Discussion regarding passive recreation trails to be incorporated into the plans should be included in the document. **Community Services**
34. During the DEIS Public Hearing it was noted that a potential to relocate the primary access road was to be evaluated. Additional traffic and geotechnical information should be provided, if the access drive is relocated. **Transportation, Land**
35. The project is identified as having a public sewer force main extension. There is no indication that the Town of Newburgh intends to accept dedication of the public sewer force main. Force main as proposed serves only subject project. This project is proposed to be an outside user of the Town of Newburgh’s sewer system. Further information and discussions with the Town of Newburgh Town Board would be required to determine if the public sewer force main would be accepted. **Utilities**
36. Public comments regarding the operation and maintenance of the proposed sanitary sewer pump station and proposed sewer force main have been received. Expanded discussions of the required operation and maintenance including requirements for inspection and maintenance of the sanitary sewer pump station. Approval from NYSDOT for installation of private force main will be required. **Utilities**
37. Applicant’s engineer to verify the drainage area to the south east of the existing pipe, under NYS Route 207, as it appears the drainage area that goes off site does not follow existing contours. Also, verify the drainage area of the pipe under NYS Rte. 207 that feeds the wetlands, as it appears this drainage area does not follow the existing contours. **Surface Water**

Surface Water

38. Revise the curve numbers for woods in both existing and proposed conditions. Hydrologic Group B soils must have a CN of 55. Hydrologic Group C soils must use a CN of 70 and Hydrologic Group D soils must use a CN of 77. **Appendix C2**
39. Applicant's engineer to verify the curve number calculation for area PR-A2, as this area only has 0.01 acres of impervious, which is only about 20 linear feet of roadway. Grasscrete, while pervious, cannot be considered grass in the curve number calculation. Use a gravel road in the curve number calculation for the areas with grasscrete. **Appendix C2**
40. Applicant's engineer to verify the curve number calculation for area PR-C1-B, as this area does not appear to have any woods, yet over 1.5 acres of woods is called out in the CN calculation. **Appendix C2**
41. Revise the TC for area PR-A2, as the provided calculation shows it starting in a grass area, yet the plan shows it in grasscrete pavers which should not be considered as grass. **Appendix C2**
42. Show the infiltration testing locations on a plan that shows the location of the proposed basins along with the proposed grading. **Appendix C2**
43. Applicant's engineer to show that the proposed stormwater pipes are sized appropriately, as they are almost all 15" diameter pipes and not capable of handling the required flow. **Appendix C2**
44. Provide ACOE approval for the proposed wetland disturbance of over 23,000 sq. ft. **Surface Water**
45. The SWPPP calls out basin A1 as a detention basin, but the basin has infiltration. Call out the basin as an infiltration basin in the SWPPP report. **Appendix C2**
46. Basin A1 and C1 both have infiltration rates, but no infiltration testing has been provided. Provide infiltration testing in accordance with the NYSDEC Stormwater Design Manual and provide the infiltration results on the plan. Note that a minimum of 4 infiltration tests and deep tests are required per infiltration basin. **Appendix C2**
47. This office recommends installing an underdrain in both of the proposed infiltration basins with a valve that is to remain closed. This office recommends using a safety factor of 2 for all infiltration rates for infiltration basins due to the fact that infiltration rates rarely stay the same after the project is constructed. **Appendix C2**
48. It appears that basin A1 does not meet the separation requirements to ground water, as mottling was found 3ft. deep while it appears the bottom of the basin is 2 ft. below existing grade. Revise the plans to be in compliance with the NYSDEC Stormwater Design Manual. **Appendix C2**
49. Applicant's engineer to verify that there is no conflict at the pipe crossing from FES B7 and the outlet from CB 52. **Appendix C2**
50. The forebays on the plan for basin C1 have the same name, while the model has two different forebays for basin C1. Revise the names of the forebays on the plans to match the model. **Appendix C2**

Surface Water

- 51. Applicant's engineer to verify that the model does not count any storage volume for the forebays and detention basins below the lowest outlet elevation. **Appendix C2**
- 52. Applicant's engineer to verify that two roof leaders are sufficient per building. **Appendix C2**
- 53. Show that the proposed swales will not create erosive velocities as defined by the NYS Standards and Specifications for Erosion and Sediment Control. **Appendix C2**
- 54. Provide level spreaders for the pipe outlets in accordance with the NYS Standards and Specifications for Erosion and Sediment Control. Confirm that the NYSDOT will accept with the first 200 ft. of the northeastern road running onto NYS Route 207.

**Site Plan /
Transportation**

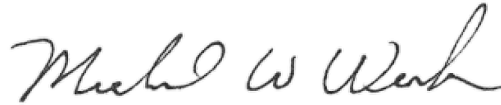
Respectfully submitted,

MHE Engineering, D.P.C.



Patrick J. Hines
Principal

PJH/kbw/lm



Michael W. Weeks, PE
Principal



October 13, 2024

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

RE: Review for Britain Woods, NYS Route 207, Town of Newburgh, NY; CM Project #121-001.27,
Town Project #22-17, NYSDOT #22-190

Dear Mr. Ewasutyn:

We have received the updated Britain Woods DEIS last revised May 17, 2024. After reviewing the studies assumptions, findings, and conclusions, we offer the following technical comments:

Project
Descrip



Traffic



1. Section 2.4 – Construction and Project Phasing: The anticipated construction period suggests a Spring 2024 start date, this should be updated to reflect the current estimated start and completion dates.
2. Section 2.4 – Short-term Impacts Resulting from Construction Activity: Last paragraph, clarify the typical operating hours on weekend and holidays – “9:00 AM to 8:00 AM.”
3. Section 2.5.A Project Operation: Clarify what amenities in the clubhouse may be available as early as 5 am and as late as 10 pm. Will there be a rental office with hours of operation?
4. Section 2.7.A Public Need: Does the applicant have an estimate on the occupancy rate of apartments in the Town, City, or surrounding area?
5. Section 3.6.1 Existing/Proposed Near-term Traffic Improvement Plans: What’s the status of the NYSDOT design approval for work at the NYS-207/Old Little Britain intersection? What is the preferred design alternative and lane arrangement?
6. Section 3.6.1 Existing Turning Movement Counts: The public stated that there potentially were road closures during the period of traffic counts. Verify these claims and/or substantiate that the provided volumes are still applicable.
7. Section 3.6.1 Accident History: There have been reports of several sever crashes near the project site, some resulting in fatalities. Confirm the number of fatalities, date of occurrence and circumstances to the best ability based on available information from news, police, and NYSDOT reports, even if these occurred outside this project’s study period.
8. Section 3.6.2 Estimated Project Year of Completion: Will the results of the analysis be substantively different if the approval/construction period were delayed and completion of the project weren’t until 2027 or 2028?
9. Section 3.6.2 Other Nearby Significant Developments: Did the City of Newburgh identify any relevant projects that would affect the traffic study area? Identify the size and number of trips estimated from each of the respective other developments.
10. Appendix F Figure 4 – 935 Union Ave Volumes – the trips from the project on Route 300 to the City of Newburgh may favor the Old Little Britain Road route rather than Route 207, or, depending on the time of day, might avoid Old Little Britain Road and Route 207 altogether by using Route 17K.
11. Appendix F Figure 6– Stonegate Volumes – the trips from that project should be extended to their site driveway to confirm the volumes entering and exiting and the distribution to and from the east into the Britain Woods study area.

Traffic

12. Section 3.6.2 Trip Generation and Trip Distribution/Appendix F Figure 9, 10: We concur with the trip generation estimate. The trip distribution indicates a heavy flow to/from Wisner Avenue (61%-76%) and Unity Place (0 to 25%) with zero percent using Delfonso Road. Different arrival and departure percentages are used. Given the location of the project, being centrally located to various roads and destinations, the trip distribution will vary depending on the workplace and shopping patterns of residents. Some additional explanation or analysis may be necessary to test the sensitivity of the trip distribution.
13. Section 3.6.2 Adequacy of Existing Road Infrastructure
 - a. Table C-1 – Rt 207/Wisner – the project will increase delays on intersection approaches from 4 to 10 seconds depending on the approach in the AM peak hour and 8 to 24 seconds depending on the approach. What mitigation is recommended at this location?
 - b. Table C-2 – Rt 207/Corwin Court – the project will increase delays on intersection approaches by 1 second or less during the peak hours. It is our opinion that these results will be similar at other adjacent unsignalized intersections and driveways including Carroll St, Laborers Local 17, etc. The project does not appear to have any capacity impacts in these locations.
 - c. Table C-3 – Rt 207/Old Little Britain Rd - Include the No-Build conditions assuming the NYSDOT signal project is complete. Confirm the lane configurations proposed for these improvements. With a traffic signal in place, the project is expected to increase delays by less 1 second in the AM peak hour and 2 to 7 seconds depending on the approach in the PM peak hour. Without the NYSDOT project delays from the project would be significant.
 - d. Table C-4 - Old Little Britain/Delfonso Rd - the project will increase delays on intersection approaches by 1 second or less during the peak hours, subject to the projects trip distribution patterns. We expect delays on Delfonso Rd to increase if project traffic were to use it to access Route 17K, Target, Stewart Ave, etc.
 - e. Table C-5 – Old Little Britain/Williams Ave - the project will increase delays on intersection approaches by 1 second or less during the peak hours. No improvements appear necessary.
 - f. Table C-6 – Old Little Britain/Unity Pl - the project will increase delays on intersection approaches by 2 seconds or less during the peak hours. No improvements appear necessary.
 - g. Table C-7 – Rt 207/Site Driveway West – An eastbound left turn lane is proposed on Route 207. Left turns entering the project will operate with minimal delays. The exit movement from the site will operate at LOS C with a reasonable 15 to 19 seconds of average delay. We expect left turn movements will be more difficult compared to right turn movements. It should be confirmed with NYSDOT if a two-way left turn lane will be provided allowing a short receiving lane for exiting left turn traffic or if a striped left turn lane will be provided as shown on in Appendix F's Appendix F8 – Left Turn Lane Concept Plan.
 - h. Table C-8 – Peak Hour Queue Summary – The table isn't labeled but we presume it would be C-8. The impacts of the project on approach queues are similar to that of the delay impacts. Queues at Route 207/Wisner are between 1 and 4 vehicles depending on the peak hour and approach. We expect a larger impact from the project at Route 207/Old Little Britain if the NYSDOT project isn't completed. No significant effects are expected at the other study area intersections.
 - i. Table F-1 – Accident Summary
 - i. This table summarizes the number of crashes and crash rates at the study area intersections – a total of 86 crashes. We presume the other 134 crashes reported occurred on the segments, some of which the public have reported as "serious."

Traffic

Provide a table summarizing the segment related crashes. Were there any crashes reported around the project's site driveway?

- ii. Consider providing a dot or heat map illustrating crash locations and frequency.
- iii. Identify the study period for the crashes reported.
- iv. The number of injury, fatal, and non-reportable crashes do not add up to the total reported. Is the difference "Property Damage" crashes?
- v. All of the locations reported in the table to date indicate higher than average crash rates. Have any PIL's or HAL's locations been identified by NYSDOT or safety related improvements been considered?

14. Section 3.6.2 Sight Distance – Appendix F7 provides a sight distance diagram and the DEIS provides figure 3.6B.

- a. The sight distance looking to the right (west on Route 207) is approximately 780 and adequate for design speeds of over 60 mph – well above the posted speed limit (45 mph) and expected 85th-percentile speed.
- b. The sight distance looking left (east on Route 207) is estimated at 360 feet and looking across the inside of the horizontal curve of the road. Figure 3.6B indicates that the site has or will be graded back enough to not block this sight line and presumably vegetation will be maintained. For intersection sight distance, 360 feet is adequate for about 33 mph, well below the posted speed limit and presumed 85th percentile speed. It is adequate for the minimum stopping sight distance, which in our opinion would be applicable for a very low traffic generator, but not this project.
- c. What is the 85th-percentile speed on the westbound approach of Route 207?
- d. What improvements or site work is necessary to achieve the recommended intersection sight distance looking left? If clearing and grading of the horizontal curve is necessary, does the vertical curve of Route 207 then become a factor?
- e. What is the intersection sight distance looking straight for a vehicle to turn left into the site? Is it adequate?

15. Section 3.6.3 Roadway Improvements

- a. What happens if the NYSDOT project does not complete the proposed signal and roadway improvements at the Route 207/Old Little Britain Road intersection?
- b. Do the intersection crash reports indicate or does the applicant's engineer have a sense of why the Route 207/Wisner Ave, an all-way stop intersection, has the highest crash rate and will adding stop bars improve the condition? Is any mitigation necessary to address project related delay increases?

If you have any questions about the above comments, please don't hesitate to contact our office.

Respectfully,
Creighton Manning Engineering, LLP



Kenneth Wersted, PE, PTOE
Associate

C: Pat Hines – MHE
Dominic Cordisco – PB Attorney
Jim Campbell – Code Enforcement
Jim Osborne- Town Engineer
Karen Arent – Landscape Architect
Jason Brenner - NYSDOT

The City of Newburgh Office of the Corporation Counsel

Michelle Kelson
Corporation Counsel

City Hall – 83 Broadway
Newburgh, New York 12550

Jeremy Kaufman
Assistant Corporation Counsel

Tel. (845) 569-7335
Fax (845) 569-7338

Tiombe Tallie Carter
Assistant Corporation Counsel

July 30, 2024

John P. Ewasutyn, Chairperson
Town of Newburgh Planning Board
21 Hudson Valley Professional Plaza
Newburgh, New York 12550

Re: City of Newburgh Comment Letter #4
Project Name: Britain Woods Multi-Family
Project Number: 2022-17

Dear Chairperson Ewasutyn:

The City of Newburgh (“City”) has received and reviewed the following materials for the subject-referenced project to date:

- Letter of Transmittal from MHE Engineering, dated August 8, 2022 (30 pages)
- Materials contained on a flash drive provided by MHE Engineering
- Positive Declaration statement pursuant to SEQRA, dated October 13, 2022 (4 pages)
- Full Environmental Assessment Form, dated May 26, 2022 (13 pages)
- Scoping Document prepared by Engineering & Surveying Properties, P.C., undated (16 pages)
- Applicant Response Letter prepared by Engineering & Surveying Properties, P.C., dated November 21, 2023 (3 pages)
- Draft Environmental Impact Statement (“DEIS”) (124 pages), with Figures (44 pages) and Appendices (951 pages)

The applicant has addressed none of the outstanding concerns and items articulated by the City in its last comment letter, dated January 31, 2024.

For convenience and ease of reference, the City’s comments and alternatives for consideration in connection with the project are again listed below:

Water Concerns

Utilities

1. There are currently 30” and 20” drinking water transmission mains, along with a 12” sewer main, that all traverse the southeast portion of the proposed project lands in the Town and City of Newburgh. These mains are considered critical infrastructure and supply the entire population of the City of Newburgh with drinking water and fire suppression water services. These mains must be correctly located and accurately shown on the survey/plan set along with corresponding easements. The applicant’s engineer has called in a “Survey” 811 Utility mark-out for these utilities. The City has obtained property owner consent to enter onto these lands to clear the necessary trees and perform exploratory excavations to positively locate these three mains so the applicant’s surveyor can accurately depict them on the survey. The applicant’s engineer should submit a FOIL request with the City to obtain any available mapping for these utilities.

CNB Engineering, 1/9/24: Comment outstanding:

Engineered plans and details related to the three-sided box culvert requested for utility protection shall be provided for review by City staff. The entity responsible for ownership and maintenance of the three-sided box should be memorialized on the plans.

2. Any proposed vehicular crossings over/across easement lands that benefit the City shall be engineered and constructed to adequately protect existing utility infrastructure, including water and sewer mains.

CNB Engineering, 1/9/24: Comment outstanding:

Appropriate notes and narrative should be added to the Site Plan and the DEIS as appropriate to document the installation of the three-sided box prior any work being conducted near or utilizing the proposed road crossing. The general location of the existing City-owned utilities through the project site shall be shown as delineated with orange snow fencing and appropriate signage placed at regular intervals alerting the contractor to the presence of the utilities and advising contractors to keep out of the area.

3. All existing City of Newburgh utility easements should be shown on the survey/plans. The City may require expanded easement rights depending on the final applicant proposal.

CNB Engineering, 1/9/24: Comment outstanding:

The City requests deeds of record showing easement rights for review.

Sewer Concerns

Utilities

4. Based on the information provided, the City does not consent to connection into the City’s sewer system. The City requires additional information with respect to the proposed connection

Utilities

into the City's sewer system. The City has the following concerns related to the proposed sewer connection:

- a. Appropriate metering will be required to track the sewer usage and bill the Town for the conveyance of sanitary sewer into the City's sewer system per the current intermunicipal agreement. An amended intermunicipal agreement may be necessary.
- b. The applicant shall confirm all proposed points of connection to the City's sewer system on the Site Plan.
- c. The City's sewage collection system in the area of Route 207 has limited capacity. If the applicant wishes to pursue the possibility of a connection to the City's sewer main along Route 207, then a hydraulic analysis must be prepared to confirm that the existing sewer located along Route 207, including the existing siphon under the Quassaick Creek, has sufficient capacity to adequately serve the proposed development without creating sanitary sewer overflows or sewage backups. Upgrades to the existing collection system will likely be required to facilitate the proposed development.
- d. Alternatively, the proposed development could connect to the existing Town sewer at a point upstream of the existing metering station located at Broadway/17K crossing the Quassaick Creek. The Town of Newburgh may need to expand the sewer district to serve this development.

CNB Engineering, 1/9/24: Comment satisfied (The proposed direct connection to the City sewer system has been eliminated.)

5. Any proposed vehicular crossings over/across easement lands that benefit the City shall be engineered and constructed to adequately protect existing utility infrastructure, including sewer mains.

CNB Engineering, 1/9/24: Comment outstanding:

Appropriate notes and narrative should be added to the Site Plan and the DEIS as appropriate to document the installation of the three-sided box prior any work being conducted near or utilizing the proposed road crossing.

6. All existing sewer utility easements should be shown on the survey/plans. The City may require expanded easement rights depending on the final applicant proposal.

CNB Engineering, 1/9/24: Comment outstanding:

The City requests deeds of record showing easement rights for review.

Stormwater Concerns

Surface
Water

7. The proposal currently depicts a stormwater management area (stormwater pond) within the City's boundary. This may cause issues with MS4 compliance and dual inspections. The City suggests redesigning the SWPPP to remove the stormwater pond from parcel 41-1-2. If the applicant opts to keep the stormwater pond on site as proposed, the City will issue a series of stormwater-related comments and requirements with respect to the proposed installation.

CNB Engineering, 1/9/24: Comment outstanding:

- a. The applicant's engineer shall add an additional drainage area and drainage point along Little Britain Road near the proposed roadway located in the City's portion of the project. This additional drainage area and design point shall evaluate the pre vs. post development impacts for the proposed stormsewer outfall that will discharge to the drainage system along Little Britain Road.
 - b. The newly proposed stormsewer outfall shown along Little Britain Road in the City shall be revised to show the stormsewer connected to the existing catch basin and stormsewer drainage system along Little Britain Road. The data obtained from comment-a above shall be used to evaluate the existing stormsewer system to be sure that there aren't downstream impacts from the increase in stormwater as a result of this project and connection. Plans shall clarify ownership and maintenance of all stormsewer pipes and catch basins.
 - c. Show the municipal boundary line on all drainage and SWPPP documents.
 - d. Sheet#F-1 Location Map in the SWPPP document shows the Catskill Aqueduct as passing directly through the site. Please confirm the location of the Catskill Aqueduct as it relates to site and the Location Map.
8. The applicant should note the distance to Harrison's Pond and the Quassaick Creek from all properties along the eastern boundary of the project that lie within the City. The applicant also needs to note any and all stormwater or runoff impacts into Harrison's Pond.

CNB Engineering, 1/9/24: Comment outstanding:

- a. Discharge through Design Point A will be through the City's MS4. The City will coordinate with the Town to determine how to authorize the MS4 related documents because this project has stormwater facilities in both the Town and the City with the Town being the lead on the project.
- b. As part of the MS4 annual reporting, the City will require documentation of the maintenance and inspection conducted at the stormwater facilities that contribute to the City's MS4, including the contributing conveyance system. This shall be documented and forwarded to the City Engineering Department annually for the reporting year of March

10th of a given year through March 9th of the following year. Additionally, the City of Newburgh will require legal rights to inspect all facilities that contribute stormwater the City's MS4. The SWPPP and DEIS shall be updated appropriately. The applicant should clarify what entity shall own and maintain the stormwater facilities in perpetuity.

Traffic

Traffic Concerns

9. The applicant needs to provide a traffic study and traffic counts for both proposed access drives, as well as Corwin Court. Based on project size, the traffic study should include corridor, volume, speed, travel time, delay, parking, and pedestrian elements.

CNB Planning, 12/18/23, CNB Engineering, 1/9/24: Comment outstanding:

- a. Page 66 Roadway Descriptions. The applicant incorrectly notes the ownership and maintenance of Little Britain Road. Little Britain Road is City owned and maintained for its entirety in the City of Newburgh.
- b. Page 68 Accident History. Counts are provided for the intersection of Little Britain Road and "Wisner Court." The applicant should clarify the correct secondary street: Wisner Avenue or Corwin Court.
- c. Page 71 Table 3.6.2B. The project's future build conditions shows that Peak PM hours LOS for Little Britain Road & Wisner Avenue intersection will degrade from a LOS "C" to a LOS "E". The applicant proposes no mitigation measures, except for the painting of stop bars. This proposed mitigation is unacceptable considering the anticipated level of service degradation.
- d. Page 72 Pedestrian, Bicyclist... The applicant notes no significant impacts on bicycle or pedestrian transportation. No analysis of the impact of was provided. The City believes that the addition of 258 rental units directly adjacent to the City may have impacts that should be analyzed.
- e. Page 72 Air Quality. The Portions of the project in the City of Newburgh are potential Environmental Justice Areas, and therefore the City looks forward to the noted evaluation of air quality "using microscale dispersion modeling."
- f. Page 74. The intersection of Little Britain Road and Wisner Avenue is incorrectly noted as being under NYSDOT jurisdiction. The intersection and both roads are entirely owned and maintained by the City of Newburgh.
- g. Page 74. No conclusive mitigation is proposed for the aforementioned intersection. The applicant should propose and model mitigation to the intersection of Little Britain Road and Wisner Avenue.

Traffic

- h. The entire TIS shall be provided in Appendix F.
- i. Neither the DEIS nor the TIS contain a sight line/distance analysis for the driveways. Both studies should be revised to include this analysis for future build conditions. The sight lines shall also be documented on the Site Plan.
- j. The “Nearby Public Transportation” section doesn’t speak to public bus stops in the area, specifically along the Route 300 commercial corridor. Several commercial developments have established bus stops for the Transit Orange Newburgh Area local bus.
- k. Although accident data is provided for a couple of intersections in the City of Newburgh, accident data from the City of Newburgh doesn’t seem to be documented in Appendix F. The City’s accident data should be reviewed to ensure that it aligns with the NYSDOT data.

10. The City will require a sidewalk installation along the entirety of parcel 41-1-2 in any areas adjacent to a public street.

CNB Planning, 12/18/23, CNB Engineering, 1/9/24: Comment outstanding:

The applicant has proposed sidewalks on all portions of the project in the City. The proposed sidewalk shall be extended to the northeast to provide connection to the existing sidewalk along Little Britain Road and southwest to at least Corwin Court with a crossing. There are several commercial destinations, e.g., restaurants, pharmacies, banks, etc., within walking distance that may alleviate additional trips.

11. The applicant should investigate the possibility of limiting the second entrance to the site (located on the City parcel) to emergency vehicles only, with installation of an appropriate knock-down gate on either side of the emergency access road.

CNB Planning, 12/18/23: Comment satisfied. The applicant has agreed to review this possibility.

Scoping Document

CNB Planning, 12/18/23: Comment Outstanding:

Staff comments continue on items 12 through 24, below.

Project
Descrip

12. Page 3, Paragraph 3. Under the heading, “Description of the Proposed Action,” the City of Newburgh zoning designation is incorrect. The zone is “Low Density Residential with a Neighborhood Commercial Overlay.” **Done**

- Project Descrip** 13. Page 6, Section II(D)(1)(C). Should read, “Outside Sewer User Agreement.” Additional approvals may be needed from the City depending on the final project scope. **Done**
- Surface Water** 14. Page 8, Section III(B)(1)(d). Should read, “Discuss existing on-site drainage patterns, including drainage towards Harrison’s Pond.” **Done**
15. Page 9, Section III(B)(2)(a). Should read, “Quantify, map and describe encroachments, if any, into any on-site surface waters or associated regulated areas, including whether encroachments are temporary or permanent, and discuss the potential effect on the quality and function of these resources, including City of Newburgh WPO and other regulations.” **Done**
16. Page 9, Section III(B)(3)(a). Should read, “Discuss permitting standards that must be met for impacts to any regulated wetland or waterbody in accordance with the NYS Department of Environmental Conservation’s “Stormwater Management Design Manual” (current version), Town of Newburgh requirements, and City of Newburgh requirements.” **Done**
- Aesthetics** 17. Page 10, Section III(C)(3). Should add subparagraph (b) to read, “Discuss standards that must be met for buffers and fencing adjacent to neighboring residential areas in accordance with the City of Newburgh Zoning Code.” **Done -> D(a)(2)(b)**
18. Page 9, Section III(C)(b)(2). Should be renumbered and read, “Discuss conformance with the Town’s Zoning Code and the City of Newburgh’s Zoning Code.” **Done -> D(b)(2)(b)**
- Cultural** 19. Page 10, Section III(~~D~~^E)(1)(c). Should read, “Provide a Phase 1A/1B Archaeological Survey of the Site following the standards of the New York State Office of Parks Recreation and Historic Preservation to be included in the Appendix on all project parcels, including specifically sites and test pits within the City of Newburgh’s boundaries.” **Done**
- Traffic** 20. Page 11, Section III(~~E~~^F)(1)(c)(ii). Should read, “Old Little Britain Road and Little Britain Road.” **Done**
- Utilites** 21. Page 14, Section III(~~F~~^G)(3)(b). Should read, “Discuss upgrade of sewer conveyance system within NYS Route 207/Little Britain Road and at the Quassaick Creek Crossing.” **Done**
- Land Use & Zoning** 22. Page 14, Section III(~~G~~^H)(1)(d). Should read, “Discuss Town of Newburgh Master Plan and City of Newburgh Master Plan recommendations.” **Done**
23. Page 14, Section III(~~G~~^H)(2)(c). Should read, “Discuss the Project's consistency with the Town and City Zoning Code, Town and City Comprehensive Plan, Town and City Natural Resources Inventory, City Comprehensive Plan, and Orange County Comprehensive Plan.” **Done**
24. Page 14, Section III(G)(2)(c). Include City of Newburgh in all considerations as well. **Done**

General Concerns

**Land
Use &
Zoning**

25. A portion of the project contemplates use and improvements of property known as 280 Little Britain Road (Section 41, Block 1, Lot 2), which is located in the City. The City has an established zoning code and procedures that govern the use of property within the City boundary. The applicant should submit a “Request for Informational Report” to the City’s Department of Code Compliance to obtain a ruling on use and bulk area requirements. The City urges the applicant to familiarize itself with Chapter 300 of the City’s Code of Ordinances, which contains the City’s zoning requirements.

CNB Planning, 12/18/23: Comment outstanding:

No Request for Informational Report has been submitted to date.

**Project
Description**

26. The applicant needs to clarify the western boundary of parcels 41-1-2 and 41-1-3 with respect to the location of the Town/City boundary line. The current Site Plan conflicts with the County Tax Map. The application should also clarify a discrepancy between the deed description and County tax map location of the municipal boundary, as listed on Exhibit B of the easement deed.

CNB Planning, 12/18/23: Response noted.

Please provide written correspondence with Orange County Tax Map if available.

**Project
Description**

27. The applicant needs to clarify the right-of-way/easement/farm road visible on the Site Plan on parcel 41-1-2.

CNB Planning, 12/18/23: Response noted.

**Project
Description**

28. The applicant needs to clarify any and all existing or proposed easements within the City or which affect any parcel within the City of Newburgh.

CNB Planning, 12/18/23: Response noted.

Please provide draft updated easement language when available.

**Project
Description**

29. The applicant needs to clarify the nature and age of the stone walls visible on the Site Plan on parcel 41-1-2.

CNB Planning, 12/18/23: Comment Outstanding:

Please clarify into an affirmative response with Archeological commentary or SHPO commentary.

General
Already
Complete

30. The applicant needs to clearly locate the lime kilns on the Site Plan.

CNB Planning, 12/18/23: Comment satisfied.

31. The applicant should add the City of Newburgh Fire District, MLS, and TONEMS to Fire and Emergency providers on the Environmental Assessment Form.

CNB Planning, 12/18/23: Comment satisfied.

32. The applicant needs to clarify any structures or improvements on parcel 41-1-2, and clarify whether they are primary structures on the parcel, or accessory to other primary structures for the project.

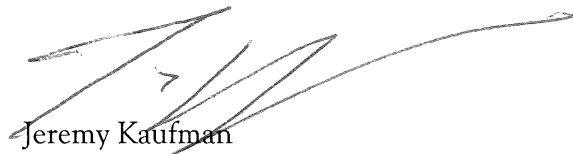
CNB Planning, 12/18/23: Comment satisfied.

33. The current Environmental Assessment Form should list the zoning designation for parcel 41-1-2 in the City as “Low Density Residential with a Neighborhood Commercial Overlay.”

CNB Planning, 12/18/23: Comment satisfied.

The City of Newburgh again thanks the Town Planning Board and its advisors for its time, attention, and efforts in consideration of the above.

Very truly yours,



Jeremy Kaufman
Assistant Corporation Counsel

- cc: Todd Venning, City Manager
- Alexandra Church, City of Newburgh Director of Planning and Development
- Dominic Cordisco, Town of Newburgh Planning Board Attorney
- J.K. Gentile, City of Newburgh Secretary to the Land Use Boards
- Jason Morris, P.E., City of Newburgh Commissioner of Public Works & City Engineer
- Michael Neppel, City of Newburgh Chief of Staff
- Alan J. Sorensen, AICP, Orange County Commissioner of Planning
- F.J. Spinelli, City of Newburgh Fire Chief