

**NEGATIVE DECLARATION
TOWN OF NEWBURGH PLANNING BOARD**

US Crane

Determination: Please take notice that, according to the provisions of 6NYCRR, Part 617.7, the Town of Newburgh Planning Board, as lead agency, having reviewed and considered an environmental assessment form, plans, stormwater management report and traffic study for the proposed use, has determined that the actions as cited and described below will not have an adverse impact on the environment and the Planning Board has, therefore, adopted a resolution to this effect.

Lead Agency: Town of Newburgh Planning Board

Contact Person: Mr. John P. Ewasutyn, Chairman
Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, New York 12550
(845) 564-7804

SEQRA Status: Type I Action

Location: 18 Route 17K

Tax Map Parcel: 97-1-21

Action: Site Plan Special Use Permit LHI overlay Zoning District

Project Description, Background and Reasons Supporting the Negative Declaration:

The proposed project involves the construction of a new 66,000± square foot building for altering and fabricating steel. The use of an existing car wash building as a truck wash bay and utilization of an existing commercial garage for parking cranes, rigging and elevators. The project involves the continued use of paved parking areas for vehicle, crane, trailer and equipment parking. The project involves the continued parking of passenger vehicles and other motor vehicles for the existing Auto Auction storage facility on the site. The project involves an action by the Town of Newburgh Town Board to designate the parcel light and heavy overlay district (LHI) pursuant to Section 185-48.4 of the Town Zoning Law. The project will be served by existing municipal water and sewer services.

Stormwater management improvements are proposed and an SWPPP has been prepared for the site.

Impact on Land –The proposed project is located on a 97.9± acre parcel of property located in the IB zoning district with a proposed LHI overlay. The project site contains extensive NYSDEC regulated wetlands and associated buffers. The project also contains a mapped floodplain area. The project is located on a portion of the site outside the regulated wetlands associated buffer and floodplains. The construction of the 66,000± square foot structure is proposed in an area which currently contains

impervious paved surfaces. An overall reduction in impervious surfaces on the site will occur based on proposed site modifications and the installation of landscape features in support of the project. The project will utilize existing paved surfaces to park construction vehicles, cranes, and trailers associated with the use. Soil erosion and sediment control plan and a Stormwater Pollution Prevention plan has been developed to mitigate impacts associated with redevelopment of the site. Green infrastructure practices and proprietary Stormwater Best Management Practices have been incorporated into the site plan. A landscaping plan has been prepared to stabilize disturbed portions of the site to reduce impervious surfaces in the post development condition.

Impacts on Water – The project will be served by the Town of Newburgh municipal water system. Adequate flow and pressure exist in the project area to provide for potable and fire flow water. The project proposes to install proprietary Best Management Practices to mitigate potential water quality impacts from stormwater. Overall development of the project site will serve to reduce impervious surfaces on the site. A 4% reduction in impervious surfaces in the post development condition has been identified in the Stormwater Pollution Prevention Plan.

Impact on Traffic, Transportation and Air The project site is utilized as a vehicle storage area for a large Auto Auction facility located in the Town of Newburgh. Truck traffic to the site will increase slightly due to the proposed use. A traffic analysis has been prepared by the Applicant's representative and reviewed by the Town's Traffic Engineering Consultant. The results of the traffic study identifies a insignificant increase with no reduction in level of service at the site access drive. Timing of the vehicles entering and exiting the site are at off peak hours based on the proposed use of the facility as a steel fabricating and crane storage staging area. Existing Auto Auction facility will continue to operate on portions of the site not dedicated to the US Crane operation. A highway work permit will be required to undertake work within the NYSDOT right of way. The project has been submitted to NYSDOT for necessary review and approval. No significant impacts to air resources have been identified based on a review of the project.

Impact on Wildlife, Threatened or Endangered Species and Agricultural Lands – The scope of the project is such that impact to threatened or endangered species will not occur. The project is proposed to be a redevelopment project of an existing car parking/storage facility. No tree removal or significant disturbance of pervious surfaces is proposed. The project will result in a reduction of approximately 4% impervious surface in the immediate area of the project. The project has avoided environmentally sensitive areas located on the project site including NYSDEC regulated wetlands and adjacent area and the Quassaick Creek which traverses the project site.

Impact on Historic Resources –There are no historic resources located on the project site. No impact on historic resources has been identified.

Impacts on Energy, Noise and Odor and Public Health –The Planning Board has evaluated impacts on energy, noise, odor and public health. The existing commercial nature of this site combined with the busy Route 17K corridor will not negatively impact any potentially sensitive receptors in the area. Discussions of noise impacts at a Public Hearing have resulted in the Applicant proposing to relocate the structure approximately 20± feet further into site to provide for visual screening and noise barriers/fencing along the common property line with parcels which front on NYS Route 17K and/or Stewart Avenue.

Aesthetic and Community Resource Impacts – The Planning Board has required the Applicant develop the plan in substantial conformance with the Town of Newburgh Design Guidelines. Access to Stewart Avenue has been limited to an emergency access drive in order to reduce impacts to the Stewart Avenue corridor. The proposed structure has been located so as to screen the crane parking and steel fabricating use from adjoining properties. Landscaping and other aesthetic features have been incorporated into the plan to mitigate visual impacts associated with the project. It is noted that the project is located in the IB interchange business zone and is a permitted use with site plan/special use approval in the zone. The Applicant has applied to the Town Board for the LHI overlay zone on the parcel.

Date of Action: 16 March 2017

Date of Mailing: 8 May 2017

Involved Agencies: Town of Newburgh Planning Board
308 Gardnertown Rd.
Newburgh, New York 12550
(845) 564-7804

New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561

New York State Department of Transportation
4 Burnett Blvd
Poughkeepsie, New York 12603

Orange County Health Department
124 Main Street
Goshen, New York 10924

Town Board
Town of Newburgh
1496 Route 300
Newburgh, New York 12550

Orange County IDA
4 Crotty Road
New Windsor, New York 12553

Interested Agencies/Parties:

Orange County Planning Department
124 Main St.
Goshen, New York 10924