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May 4, 2020

Town of Newburgh Planning Board  
308 Gardnertown Road  
Newburgh, NY 12550  
**ATTN: John Ewasutyn, Chairman**

**RE: APPLICATION #2020-02  
50 MILL HOUSE ROAD  
TAX LOT # 8-1-52.2**

Dear Mr. Ewasutyn:

Please find attached 12 copies of the revised plan set for the above referenced project. The plans have been revised in accordance with a review comment letter prepared by the Orange County Planning Department dated March 11, 2020 and a comment letter from McGoey, Hauser and Edsall Consulting Engineers, D.P.C. dated April 2, 2020. Below is a comment by comment response to each letter:

**Orange County Planning:**

Comments:

1. In accordance with SEQR requirements a Phase 1A & 1B archaeology survey was completed for the project. The report has been submitted to New York State Historic Preservation Office for their review. In addition, below is the conclusion and recommendations directly from the report (copy attached).

*The Phase 1A had determined that based upon topographic characteristics and proximity to prehistoric sites, the property was assessed as having an above average potential for encountering prehistoric sites. Based upon topographic characteristics and proximity to historic sites, historic map documented structures and roads, the property was assessed as having a higher than average potential for encountering historic sites.*

*During the course of the Phase 1B archaeological field survey, 65 ST's were excavated. No prehistoric artifacts or features were encountered. No historic artifacts or features were encountered. No further work is recommended.*

2. An environmental subconsultant, Peter Torgersen, prepared a letter (copy attached) regarding the potential impact on the Bald Eagle. The letter was electronically submitted to the NYSDEC on April 17, 2020 and a response has not been received to date.

Advisory Comments:

Safe Drinking Water:

An application was made to the Ulster County Department of Health on February 27, 2020 for Realty Subdivision approval which is currently under review for the approval of the proposed well and septic systems located on Lots 1 & 4. It should be noted

that the proposed well on Lot 4 is located a distance greater than 200' away from the existing subsurface septic system on Lot 3. In addition, the existing driveway for Lot 3 provides a natural surface break in drainage patterns from the developed area of Lot 3 and the proposed area of Lot 4 therefore any speculative failure of the septic on Lot 4 will not impact the proposed improvements of Lot 4.

**Driveway Locations:**

In accordance with additional comments received from the Town Engineer and planning board members, the proposed driveway for Lot 4 has been combined with the existing driveway of Lot 3 and a common access easement has been shown on the plan and will be filed with the Ulster County Clerk's office.

**McGoey, Hauser & Edsall**

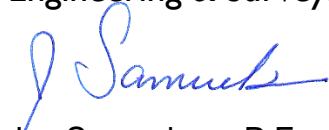
1. No response required.
2. No response required.
3. The following note has been added to the plans regarding the requirement of covenants to be filed for Lots 2, 3 & 4 in both Ulster and Orange County Clerk's Office.

*Lots 2, 3 & 4 (although considered as single lots for building purposes) encompass separate tax lots in the Town of Marlborough and the Town of Newburgh. Restrictive covenants shall be filed with the County of Ulster and county of Orange Clerks' offices ensuring that individual tax lots cannot not be sold, transferred, or foreclosed on separately.*

4. As stated above, a Phase 1A & 1B archaeology survey was completed for the project with a recommendation of no further studies.
5. As stated above, an environmental subconsultant, Peter Torgersen, prepared a letter (copy attached) regarding the potential impact on the Bald Eagle.
6. It is understood that a public hearing will not be scheduled until the Town of Marlborough completes SEQR. We anticipate that to be completed on May 18, 2020.

If you have any additional questions and/or comments, please don't hesitate to contact this office.

Sincerely,  
Engineering & Surveying Properties, PC



Jay Samuelson, P.E.  
Principal

encl

cc: David & Susan Young  
Patrick Hines, MHE  
Town of Marlborough Planning Board