Draft Environmental Impact Statement For

935 Union Avenue

935 Union Avenue
Town of New Windsor
Orange County, New York

Prepared by the office of:

M.A. Day Engineering, PC
3 Van Wyck Lane
Wappingers Falls, New York 12590
845-223-3202

Prepared for:

Banta Hospitality
842 Main Street
Poughkeepsie, New York 12603
845-474-8235

Volume I

June 2018
Revised March 2019

Draft Environmental Impact Statement

For the Proposed

935 Union Avenue Site Plan Application

Located at

935 Union Avenue
Town of New Windsor
Orange County, New York
NWPB No. 17-04

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842 Main Street
Poughkeepsie, New York 12603
(914)-474-8235

Lead Agency and Contact Person:

Genaro Argenio, Planning Board Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618

Date Submitted: _____

Date Accepted Complete: _____

Date of Public Hearing: _____

Due Date for Comments: _____

Involved Agencies

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

- Approval of Site Plan.

Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

- Water and Sewer Department - Water and Sewer Utilities
- Building Department - Building Permits

Orange County Health Department
1887 County Building
124 Main Street
Goshen, New York 10924

- Water Service Approval

NYSDOT:
- Highway Work Permit.

NYSDEC:
- General SPDES GP-0-15-002 permit.

Interested Agencies

- Town of New Windsor Town Board
- Town of New Windsor Highway Department
- Federal Aviation Administration
- Port Authority of New York and New Jersey
- NYS Office of Parks, Recreation and Historic Preservation
- New York State Health Department
- Orange County Department of Planning
- Orange County Department of Public Works
- City of Newburgh (SWPPP will be forwarded as a courtesy referral)
- Town of Newburgh
- New Windsor Historian
- Vails Gate Fire Department
- New Windsor Ambulance Corps.

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Table of Contents

1.0 EXECUTIVE SUMMARY

1.1 Format and Content of the DEIS

The Applicant shall closely examine State Environmental Quality Review Act (SEQRA) regulations for direction on the required content of a Draft Environmental Impact Statement ("DEIS"). Unless otherwise directed by the Scoping Document, the provisions of 6 NYCRR 617.9(b) apply to the content of the DEIS and are incorporated herein by reference. The Applicant will prepare a site-specific DEIS addressing all items in the Scoping Document that was accepted on November 8, 2017, at a regular meeting of the Planning Board of the Town of New Windsor.

The DEIS shall address all items outlined in this Scoping Document in accordance with the format outlined in the Scoping Document.

The DEIS document shall be written in the third person. The conclusions and opinions offered in the DEIS Document should be identified as those of the "Project Sponsor" or "Applicant".

Appropriate figures, tables, maps and diagrams shall be accompany all narrative discussions included in the DEIS Document. Whenever more appropriate, a graphic format will be used to describe subject matter.

The DEIS Document shall be reviewed to ensure consistency between the various sections of the DEIS Document. The DEIS shall be written so as to cross-reference information whenever possible to eliminate repeating information throughout the document.

Impacts should be explained in language that the layperson can readily understand. Technical studies and discussions should be summarized. If technical reports are required to be included in the DEIS Document, they will be included in the appendices of the DEIS Document.

All discussions of mitigation measures should consider all those measures mentioned in the Scoping Document. As deemed necessary by the lead agency, mitigation measures shall be incorporated into the Proposed Action.

The intent of the DEIS is to convey general and technical information for the Proposed Action and potential environmental impacts that may be caused by the Proposed Action to the Lead Agency, Involved Agencies, Interested Agencies and the general public interested in the project. The author of the DEIS Document should keep in mind the intent of the Document and the audience. Each section in the Document shall include enough information to ensure that most readers will understand and be able to make decisions based on the information provided.

The DEIS Document will become, upon acceptance by the Lead Agency, a document that will support objective findings on approvals requested as part of the application. The Author shall avoid subjective statements with respect to potential impacts. The DEIS Document should only include objective statements and conclusions based upon technical documents, reports, analyses, etc.

Reduced scale plans shall be printed on 11"x17" sheets and will be included in the appendices of the DEIS Document. Interested Agencies shall be provided with an electronic version using Adobe Portable Document (PDF) format on a CD. They will be informed where they may inspect a full size paper copy of the DEIS Document. Interested Agencies will also be informed as to how they can request and obtain a printed copy of the DEIS Document. The entire DEIS Document shall be provided, in PDF format, for posting on the Town of New Windsor's website, once it has been deemed "complete" by the Lead Agency.

1.2 Purpose of the DEIS

As previously mentioned, the intent or purpose of the DEIS is to convey general and technical information for the Proposed Action and potential environmental impacts that may be caused by the Proposed Action to the Lead Agency, Involved Agencies, Interested Agencies and the general public interested in the project.

The DEIS Document will become, upon acceptance by the Lead Agency, a document that will support objective findings on approvals requested as part of the application.

1.3 History of the Proposed Action

The Planning Board of the Town of New Windsor was originally confirmed as Lead Agency for State Environmental Quality Review Act (SEQRA) purposes and determined that the original proposal was a Type 1 action. A Positive Declaration was adopted on July 12, 2017. The Planning Board adopted the Final Scoping Document on November 8, 2017, to guide the preparation of a DEIS.

2.0 PROJECT DESCRIPTION

2.1 Site Location and Proposed Project

The subject property is a 2.81-acre parcel located at 935 Union Avenue (a.k.a. Route 300) in the Town of New Windsor, Orange County, New York. The tax map parcel no. is 4-1-12.11.

The site is located south of Interstate 84 by approximately 1.4 miles, 4,300 feet south of the intersection with Route 17K and west of the NYS Thruway by approximately 780'. The project is also due west of the Lake Washington which is on the opposite side of Union Avenue. The intersection of Liner Road is directly adjacent to the property on the north side. Liner Road abuts the project site on the north and west side of the property. The project site is approximately 3,000' north of Little Britain Road. The project site is also located approximately 1,000' south of the town line with the Town of Newburgh. Refer to figure 1.

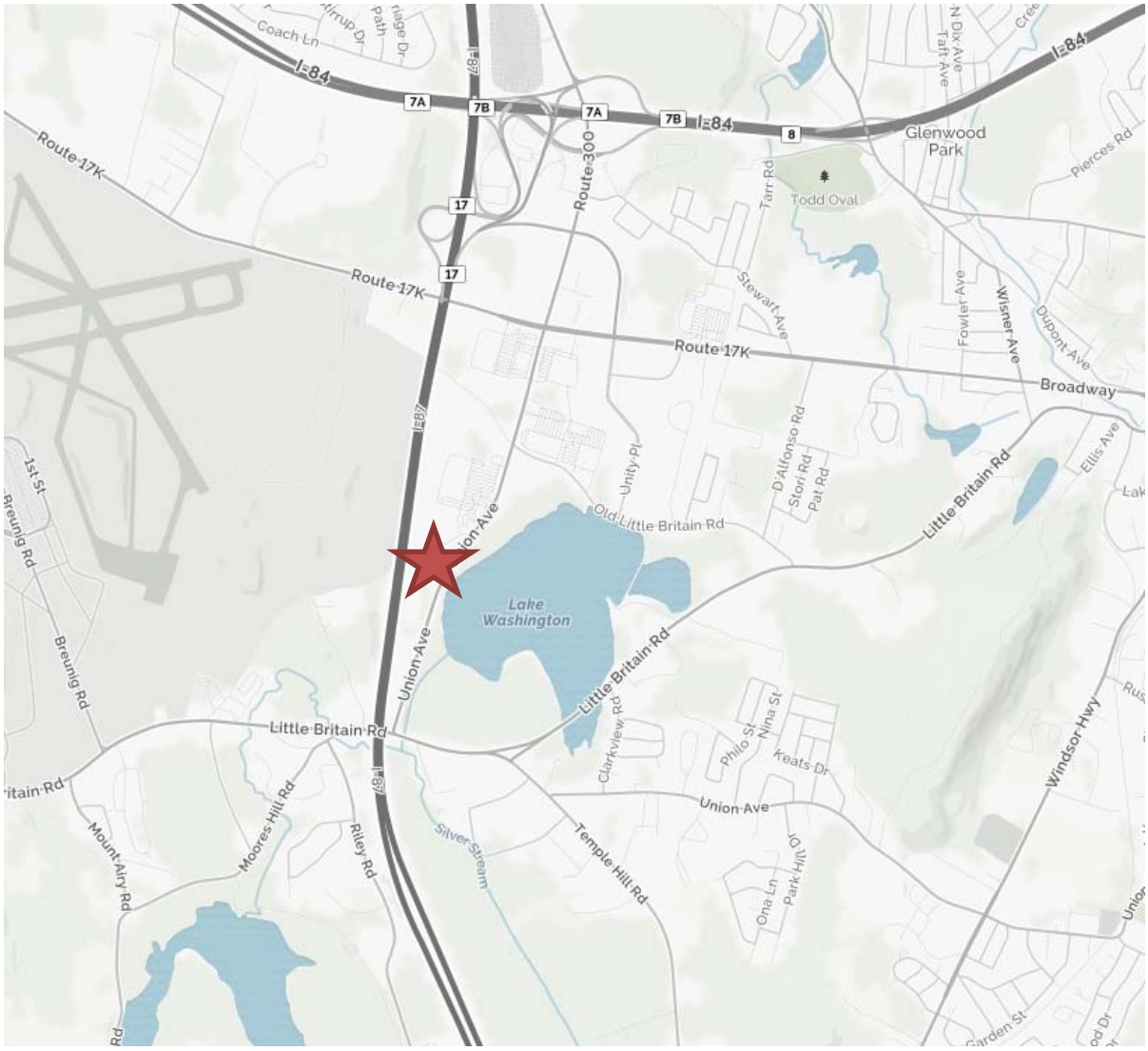

Figure 1- Site Map

The site currently contains a vacant 5,575 square foot wood-frame and masonry building that is the former location of the Banta's Steak and Stein restaurant. The site has been vacant for approximately 2 years. The site contains pavement, exterior lighting and other improvements that were once used by the restaurant.

The site has two access points on Union Avenue. There is approximately 1.38 acres (60,348 square feet) of impervious surfaces currently on the project site which includes the buildings, walkways and parking area. Refer to Exhibit #1 in Appendix C, the existing conditions survey, in the appendix of this document.

The site is currently served by gas and electric provided by Central Hudson Gas & Electric. The gas connection to the existing building is from the driveway which serves the Windsor Hospitality site. Sanitary sewer is provided by the Town of New Windsor (District 17) via a 10" diameter sanitary sewer collection line system located to the rear of the existing restaurant.

Water is also provided by the Town of New Windsor (District 6) from a water 12" diameter water main located on Route 300. Cable TV, telephone and data are also available to the site.

The project site is located in the HC (Highway Commercial) zone and is surrounded by commercial uses. There is a Days Inn being proposed to the southwest of the project site. There is a Diner located immediately to the south of the site. To the north, there is a self-storage facility. There is a large plaza further to the north. Lake Washington is located to the east of the project site immediately on the east side of Route 300. Stewart International Airport is located to west of the project site on the west side of the NYS thruway. The areas further to the south and west of the project site are primarily small businesses and residential uses. The area to the north and east of the project site are primarily commercial with residential uses located at the outskirts of the commercial uses. Refer to figure 2.

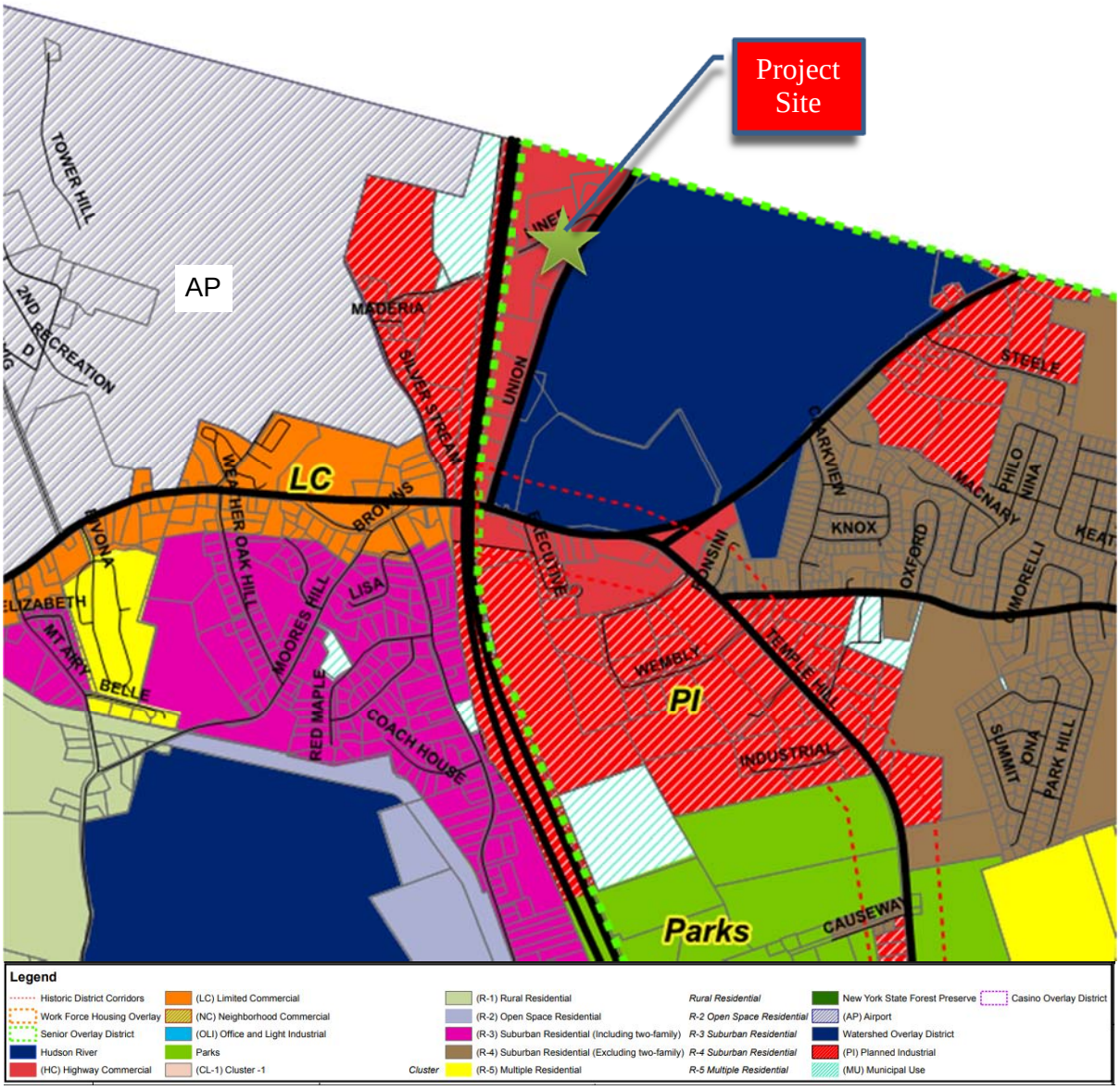

Figure 2- Zoning Map

The project site is located in the HC (Highway Commercial) zone. The adjacent zones include (AP) Airport to the west, LC (Limited Commercial) to the south on Little Britain Road. There is PI (Planned Industrial) zone on the west side of the NYS Thruway between the airport and the thruway and on the south and east side of Lake Washington. On the outskirts of the commercial and industrial zones there are residential zones such as R-1 (Rural Residential), R-2 (Open Space Residential), R-3 (Suburban Residential including two-family) , R-4 (Suburban Residential excluding two-family) and R-5 (Multiple Residential).

The project site contains a permanent easement on the north end of the property at the R.O.W line with Liner Road. The easement is 0.068 acres in size. The purpose of this easement is for

grading in the easement. The easement is listed as parcel no. 81 per the NYSDOT. The easement is bounded by some concrete monuments.

There is an existing sanitary sewer collection line that run along the southwest corner of the property. Currently there is no easement filed with the County. The proposed project will provide a permanent sewer easement. The easement is assumed to be 20 feet wide and centered on the existing sewer line.

There are no federal, state or local wetlands located on the project site.

2.2 Proposed Action

The Proposed Action involves the removal of an existing 5,575 square foot, wood-frame & masonry building on the subject parcel which has served as a restaurant for a number of years and constructing a four-story limited-service hotel with 93 rooms and requisite parking on the site. A limited-service hotel is defined as a hotel without restaurant or banquet facilities, the services and amenities offered to guests of a limited-service hotels are typically simple. The site will be landscaped with proper lighting and a re-aligned single entrance onto Union Avenue.

The main portion of the building is proposed to be approximately 214 feet long by approximately 60 feet. The canopy is proposed extend an additional 44’ past the front of the building to provide a covered reception area near the entry door of the hotel. The building height is proposed to be 45’-4” to the top of the roof parapet. The footprint of the building is proposed to be 13,797 square feet in size and a proposed gross floor area of 54,233 square feet.

The building is proposed be finished with an Exterior Insulated Finish System (EIFS) & stone cladding on all four elevations. There shall be egress windows on the front and rear elevations with ornamental grilles for the individual mechanical units in each room. Signage is proposed be placed on the front elevation and both of the end elevations of the main building. The canopy is proposed to be supported by columns wrapped in the same stone cladding as the main building. The canopy is proposed to be a monoslope roof structure with a standing seam metal roof finish and will slope towards the main building. Refer to figure 3 for a rendering of the proposed building. Refer to Exhibit #2 in the Appendix C of this document for the building elevations and canopy drawings.

The proposed action will require 93 parking spaces per §150-68, Off-Street Parking Requirements, in the Town of New Windsor Zoning Code which requires a minimum of 1 per rental room, plus additional spaces for conference rooms and restaurants. The proposed action will include 93 rental rooms with no restaurant or conference rooms. Therefore 94 parking spaces will be provided.

Figure 3- Proposed Rendering

The majority of the parking is proposed be in the front of the building with overflow parking to the northeast of the site and on the north elevation of the building. There is proposed be a 30' wide, single two-way, full-movement entrance from Union Avenue into the site. There is a 25' drive aisles being proposed to the left and right of the entrance as well as a drive lane around the rear of the building. Refer to Exhibit #3 in Appendix C of this document for the proposed Site Plan.

The site shall be regraded to accommodate the parking on the north end of the site and along the rear of the proposed building to accommodate the circulation road around the building. Once final grading is completed, the site is proposed be landscaped with ornamental trees and shrubs. All remaining disturbed areas shall be finished with topsoil, seed and mulch. Refer to Exhibit #4 in Appendix C of this document for the Landscaping Plan which also depicts the site grading.

Exterior site lighting at the parking areas and around the building is being proposed. There shall be pole mounted lights and wall mounted lights. The poles are proposed to be 18' high for the mole mounted lights. The wall mounted lighting are proposed to be mounted 12' above finished grade. There shall be 7 of each type of lighting fixture. Refer to Exhibit #5 in the Appendix C of this document for the Lighting Plan.

The site currently contains approximately 60,348 square feet of impervious surfaces for the building, walkways and the existing pavement. The balance of the project site is undeveloped

as woods and scrub growth. The amount of impervious surface area will increase to 1.68 acres which is an increase of 0.30 acres or 10.6% of the total acreage.

The project will be served by both central water and central sewer provided by the Town of New Windsor. It is estimated that the average daily demand at the hotel shall be 10,230 gallons per day using a multiplier of 110 gallons per day per sleeping unit. Applying a peaking factor of approximately 4, it is estimated that the peak demand will be 28.4 gallons per minute for the proposed action.

2.3 Project Purpose, Need and Benefits

The project sponsor has operated the site as a restaurant up until 2 years ago. Due to the increases in commercial development in the immediate area, the restaurant market has become saturated. The purpose of the proposed action is to create a use that will generate revenue for the project sponsor and to increase the tax base for the Town of New Windsor.

The proximity of the project site to the Stewart International Airport and Interstate 84 has generated a need for more limited-service hotels in the area. The project sponsor has conducted market research and the applicant beliefs that there is a need for this project at the project site.

It is the applicant's opinion that the proposed action will provide a benefit to the Town of New Windsor through an increased tax base since the assessed value of the proposed action shall be considerably higher than the assessed value of the existing structure. It is the applicant's opinion that the proposed action will not create more demand on community services such as schools, emergency services or public works. It is the applicant's opinion that the proposed action will create additional employment for the local area both during construction and post-construction.

The proposed action is in compliance with the 2009 Town of New Windsor's Comprehensive Plan Update which was accepted on May 6, 2009. There are 4 goals listed under Section III of the comprehensive plan which is entitled "Economic Development". The proposed action meets 3 of the 4 goals insofar as increasing the tax base, creating employment and generating public revenues.

It is the applicant's opinion that the proposed actions also enhances and expands non-residential development along Route 300 as outlined in goal #3.

Goal #4 seeks to assure high design standards in the development of projects in the Town and that such development is well integrated with existing development in the Town. The proposed action meets this goal by using state of the art building materials along with architecturally pleasing building designs in an area of the Town where there are similar and uses. The proposed action will also benefit other businesses in the area through mutual patronage.

Section C, Recommendations, of the Economic Development section of the 2009 comprehensive plan states that "*The Town should encourage airport related development such*

as hotels, conference centers, medical, educational, and high-end research and office space to be constructed in this area in an attractive, economically sustainable and environmentally sensitive manner. It should reflect a combination of destination uses that would benefit the Airport and supporting a regional highway system, and uses that will serve and support the immediate region". The proposed action satisfies this recommendation by offering a hotel located in close proximity to the Airport that will be a destination use that benefits both the Airport and the regional highway system.

It is the applicant's opinion that the proposed action will bring positive fiscal impacts to the Town through increased tax revenues and increased employment without a demand on the local community services or schools.

2.4 Construction and Operation

It is anticipated that the construction process for the proposed action will begin mid-year of 2019. Construction of the project site should last approximately 10 months to a year depending on weather and the availability of the local trades. The anticipated hours of operation during the construction process shall be 8am until 5pm. Some operations may start sooner or end later due to specialized conditions. However, these conditions shall not be the norm. There is no work to be conducted during weekends or holidays.

2.5 Required Permits & Approvals

The proposed action will required permits from the following agencies

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

- Approval of Site Plan.

Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

- Water and Sewer Department - Water and Sewer Utilities
- Building Department - Building Permits

Orange County Health Department
1887 County Building
124 Main Street
Goshen, New York 10924

- Water Service Approval

NYSDOT:

- Highway Work Permit.

NYSDEC:

- General SPDES GP-0-15-002 permit.

The following is a list of interested parties who have expressed an interest in reviewing and commenting on the DEIS:

- Town of New Windsor Town Board
- Town of New Windsor Highway Department
- Federal Aviation Administration
- Port Authority of New York and New Jersey
- NYS Office of Parks, Recreation and Historic Preservation
- New York State Health Department
- Orange County Department of Planning
- Orange County Department of Public Works
- City of Newburgh (SWPPP will be forwarded as a courtesy referral)
- Town of Newburgh
- New Windsor Historian
- Vails Gate Fire Department
- New Windsor Ambulance Corps.

3.0 EXISTING CONDITIONS, POTENTIAL IMPACTS AND PROPOSED MITIGATION

3.1 Land Use, Zoning & Public Policy

3.1.1 Existing Conditions

The site currently contains a vacant 5,575 square foot wood-frame and masonry building that is the former location of the Banta's Steak and Stein restaurant. The site has been vacant for approximately 2 years. The site contains pavement, exterior lighting and other improvements that were once used by the restaurant.

There is an existing hotel and diner immediately to the south of the site. Further south on Route 300, there is the Orange County Highway garage, a granite dealer, an office building, and a motorcycle dealership. All of these uses are on the west side of Route 300. There is no development on the east side of 300 south of the project site within ½ mile of the project site.

To the north of the project site, there is a self-storage facility immediately to the north. There is a large commercial plaza further north on Route 300 with a fuel station, a bank, retail stores and a restaurant. Directly across the street from the large commercial plaza, there is a healthcare facility. Further north on Route 300, there are commercial plazas, fuel stations, restaurants on both sides of the road all within a ½ mile of the project site. Much of this development is in the Town of Newburgh.

Stewart International Airport is located to the west of the project site. Lake Washington is located on the east side of the project site directly across Route 300. Refer to figure 4.

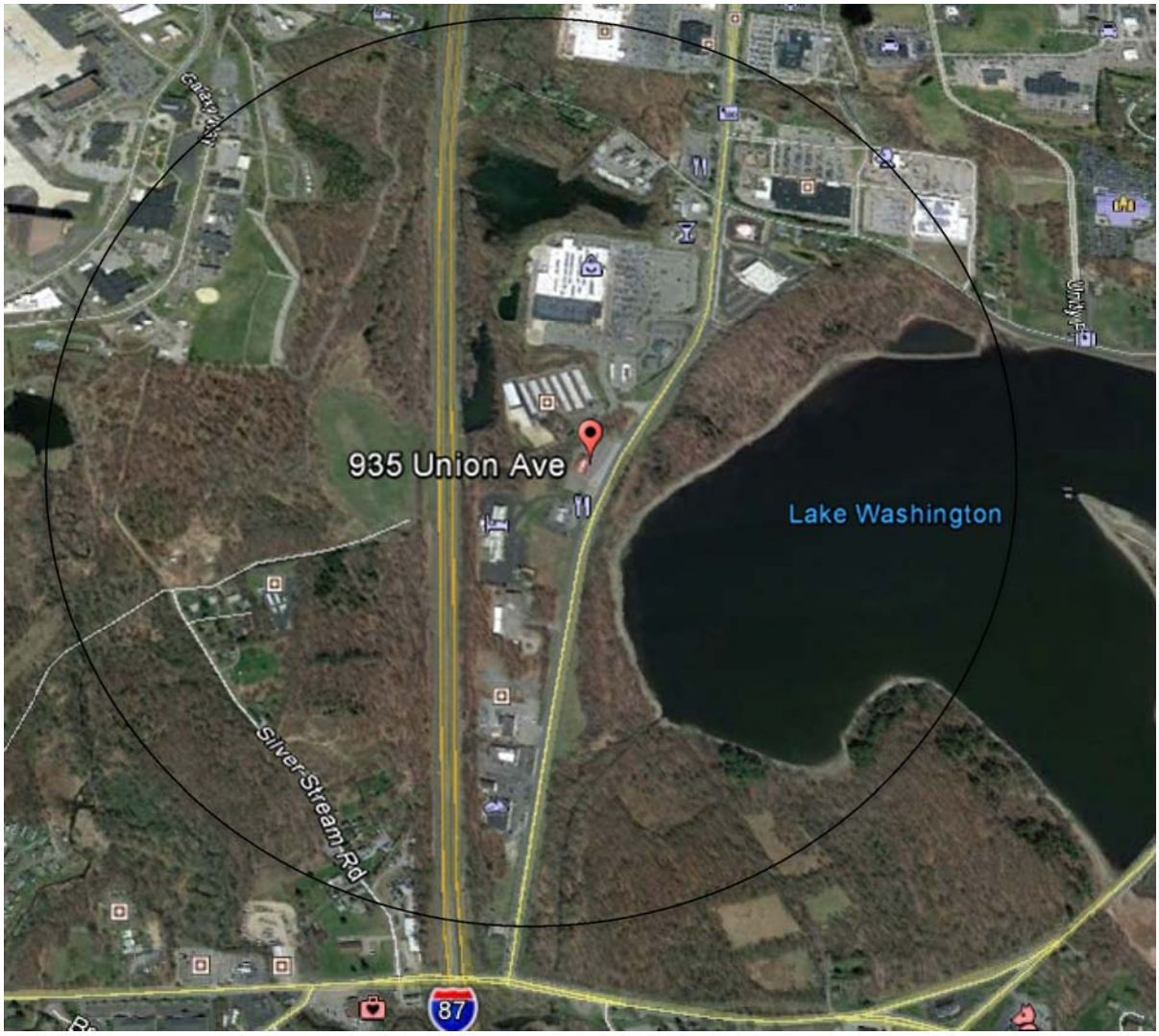

Figure 4 - Area Map with ½ Mile Radius from Project Site

The project site is located in the HC (Highway Commercial) zone. The adjacent zones include (AP) Airport to the west, LC (Limited Commercial) to the south on Little Britain Road. There is PI (Planned Industrial) zone on the west side of the NYS Thruway between the airport and the thruway and on the south and east side of Lake Washington. On the outskirts of the commercial and industrial zones there are residential zones such as R-1 (Rural Residential), R-2 (Open Space Residential), R-3 (Suburban Residential including two-family) , R-4 (Suburban Residential excluding two-family) and R-5 (Multiple Residential). Refer to figure 2 in section 2.1 of this document.

3.1.2 Potential Impacts

The proposed action involves the construction of a limited-service, 93-room hotel in the HC zone at a location where there is currently a vacant building.

The project site is located in the heart of a commercial area on Route 300 and is within close proximity to the Stewart International Airport. As outlined in Section 2.3 of this document, the proposed action meets 3 of the 4 goals outlined in the economic development section of the 2009 Town of New Windsor Comprehensive Plan. The recommendations of Section III of the Comprehensive Plan specifically mentions development of hotels near the Airport.

The proposed Action also complies with the strategies and priorities outlined in the 2003 Orange County Comprehensive Plan which was updated in 2010. The proposed action will provide development in the growth areas of the County and provide benefit and support the Airport as outlined in the recommended actions of the County's Comprehensive plan. Landscaping and other site improvements are proposed for the project in accordance with recommended actions outlined for redevelopment of existing commercial areas.

The proposed action is compatible with the current surroundings as there is a similar use immediately to the south of the project site and there are a number of restaurants in the vicinity of the site that will benefit from the proposed action. The proposed action will also support and benefit the Airport which is immediately to the west of the project site. The proposed action will benefit from the proximity to the NYS Thruway.

The proposed action is directly west of Lake Washington which serves as a source of potable water for the City of Newburgh. The proposed action will require a substantial amount of regrading to provide parking to the north end of the project site. The proposed action will also increase the amount of impervious surfaces on the site by 0.30 acres.

The project site is not directly adjacent to the New York State Thruway. The Applicant believes there will be no anticipated adverse impact to the thruway from the proposed action.

3.1.3 Proposed Mitigation

The proposed action will require substantial grading at the north end of the site to accommodate a new parking area for the proposed action. This impact will be mitigated by proper use of sediment and control measures on the site during the construction process. Refer to section 3.2.3.

The proposed action will also increase the amount of impervious area by 0.22 acres. The increase in the amount of impervious cover shall generate an increase in the amount of stormwater runoff from the site. In order to protect, Lake Washington and other adjacent areas, the increases in the peak rates of storm water runoff shall be mitigated by use of on-site storage using underground chamber and open swales as necessary to accommodate the attenuation of the post-development peak rates of runoff to the pre-development levels.

The SWPPP which is located in the Appendix B of this document addresses both the mitigation of the pre vs. post-development stormwater increases and the soil and erosion control measures required for the site during construction.

3.2 Geology, Soils and Topography

3.2.1 Existing Conditions

Map 31 of the "Soil Survey of Orange County, New York" lists the site soils to be "Mardin" MdB and a small area to the south identified as "Qu" or former quarry sites. The quarried area appears to be south of the existing diner.

Mardin soils tend to be deep, moderately well drained, gently sloping soils formed in glacial till deposits derived from stone, shale and slate.[1]

The soils are typically 0-8" of gravelly silt loam, 8"-20" channery silt loam, loam or gravelly loam, 20"-60" channery loam, channery silt loam, very channery loam.[2]

The soils are not prone to flooding and may have a high ground water of 1.5' to 2.0' due to a perched water table. Bedrock is greater than 5' deep.[3]

There are no visible rock outcroppings on the site.

No site borings were taken.

3.2.2 Potential Impacts

There is substantial grading proposed on the north end & west side of the project site to accommodate the additional parking area on the north end. This grading is between 0 and 6' of cut and is approximately 820 cubic yards of material to the removed.

There is also some regrading necessary on the west side & north end of the proposed building to allow for a roadway behind the building and parking area at the north end of the building. Both of these areas will require a retaining wall to create the necessary grading. The deepest cut will be 12' at the north end of the building and will be approximately 1,500 cubic yards.

In total approximately 1550 cubic yards of material that will be exported off the site.

Retaining walls shall be utilized to minimize grading on the site. Soil slopes shall be graded to 1:3 vertical to horizontal grading in order to stabilize the soil slopes.

Approximately 1.38 acres of the existing site is impervious cover. This would include the existing building, parking area, sidewalks, etc. There is 0.98 acres of forested area on the north

[1] *Page 37 of the "Soil Survey of Orange County, New York"*
[2] *Table 15 of the "Soil Survey of Orange County, New York"*
[3] *Table 17 of the "Soil Survey of Orange County, New York"*

end of the site and 0.45 acres of lawn and landscaped areas. The proposed action will also increase the amount of impervious surfaces on the site by 0.30 acres to 1.68 acres.

Due to current information about the site soils, blasting, at this point, is not anticipated. If blasting becomes a requirement, the project sponsor shall obtain a blasting permit from the Town of New Windsor and post any securities required for the permit. The blasting Contractor shall comply with all Federal, State and Local blasting laws.

3.2.3 Proposed Mitigation

The soil and erosion control plan which outlines the proposed grading has been prepared by the qualified professional. Refer to Exhibit #7 in Appendix C of this document.

This impact will be mitigated by proper use of sediment and control measures on the site during the construction process. A soil and erosion control plan will be prepared by the project sponsor which will assist the contractors during the construction process to mitigate any discharge offsite. For permanent post-construction stormwater management practices refer to section 3.5.3.

The soil and erosion control plan been prepared outlining the necessary soil and erosion control measures required to protect the site and the off-site areas. The Erosion and Sediment Control Plan has been prepared in accordance with the NYSDEC general storm water permit requirements, the New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), dated November, 2016 and the New York State Stormwater Management Design Manual (White Book), dated January 2015. Proper sedimentation and erosion control measures shall be established on site and inspected prior to the beginning of construction at the project site. Temporary sedimentation basins shall be installed during construction, as necessary, to keep sediment on the site.

The site will be inspected by a licensed professional at a frequency required and outlined in the New York State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-15-002. A copy of the inspection records will be maintained on the site in a location that is readily accessible to the Town of New Windsor, the NYDEC and the designated E&SC inspector.

During Construction, storm water will be controlled on the site using temporary drainage swales and temporary sedimentation basins during the construction process to mitigate and remove on-site sedimentation prior to stormwater discharging from the site.

The construction sequence shall begin with the installation of the construction entrance, silt fencing and other soil erosion control measures around the project site as outlined in the SWPPP. Temporary diversion swales and temporary sedimentation basins shall be installed where possible before the rough grading.

The existing building and other improvements shall be removed from the site and disposed of in an approved facility.

All topsoil shall be stockpiled on the northern end of the site where silt fence will be installed around the stockpiled topsoil.

The contractor will rough grade the site in accordance with the approved site plan. The temporary diversion swales and temporary sedimentation basins shall be modified as necessary during the rough grading process to provide protection to the newly graded areas and to direct storm water runoff to the temporary sedimentations via the temporary diversion swales.

Silt fencing shall be installed around all the new and existing catch basins once the binder course of asphalt has been installed.

The temporary diversion swales shall be maintained while the underground storm water chambers are installed and connected to the new drainage system.

Once the underground storm water chambers are completely installed, the new drainage system will be connected to the chambers.

Silt fencing shall remain on all catch basins to protect the underground storm water chambers until the final grading, seeding and mulch has been applied and the site becomes stabilized.

All construction generated debris shall be removed to a facility that is licensed to accept such debris.

All areas that are to remain undisturbed shall be protected during the construction process using orange barricade fencing.

No construction of any structures shall be constructed on steep slopes. Retaining walls shall be utilized to minimize the need for excessive land clearing and grading.

A construction entrance shall be constructed during the initial installation of the soil and erosion control measures. The construction entrance shall be maintained by the contractor to prevent any soil or sediment from being carried off-site by construction vehicles or construction related traffic leaving the site.

At this point, blasting is not anticipated. However, if blasting becomes an option, the project sponsor shall apply for a permit with the Town of New Windsor. The project sponsor shall retain the services of a blasting company licensed with the NYS Department of Labor to conduct all blasting operations necessary for the project site. All Federal, State and Local blasting regulations will be followed.

3.3 Groundwater

3.3.1 Existing Conditions

The project site is served by central water provided by the Town of New Windsor. There is no individual well on the site.

The project site is located approximately 770 feet due east of the former landfill commonly known as the "Silver Stream Road Landfill". Refer to figure 5.

This landfill was operated by the Town of New Windsor between the years of 1962 and 1978. During its operation, the landfill accepted approximately 3,000 drums of paint sludge and 9,000 drums from a drum recycling company. Other located industries used the site to dispose of industrial materials. Studies of the landfill began in 1983 and a closure plan was implemented in 1993.[4]

Since that time the Town of New Windsor monitors and maintains the landfill and reports to the NYSDEC on a periodic basis. Testing is done of the 14 monitoring wells surrounding the site. The results of the well testing is part of the reporting prepared by the Town of New Windsor.

[4] *Town of New Windsor Landfill Periodic Report – Site #336019, prepared by McGoey, Hauser and Edsall on September 1, 2016.*

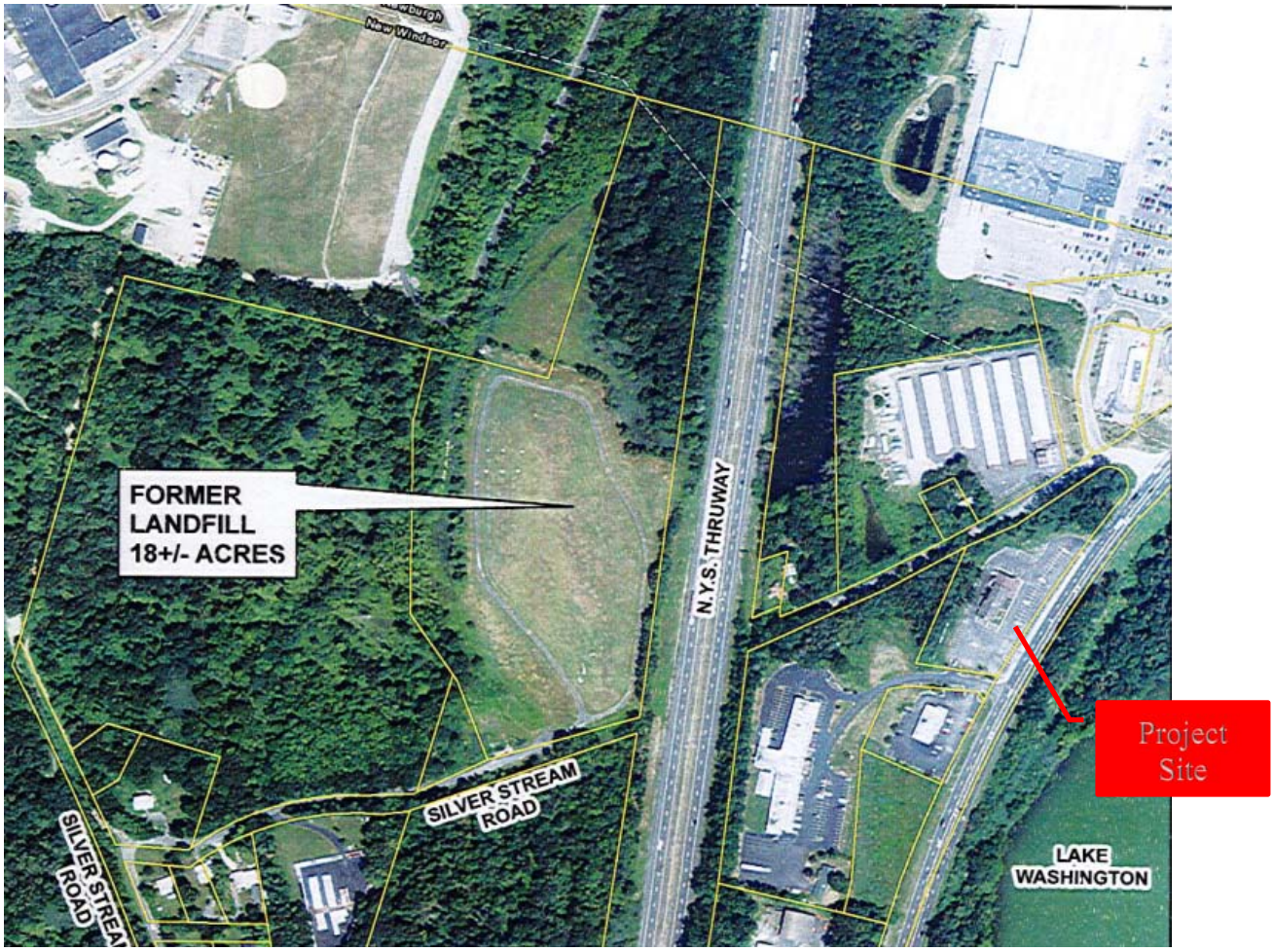

Figure 5- Silver Stream Road Landfill Location

Since the landfill was closed in 1993, the site has been reclassified from a 2A classification to a 4 classification. This classification is assigned to a site that has been properly closed but that requires continued site management consisting of operation, maintenance and/or monitoring.

Mr. George Heitzman, the Director of Remedial Bureau C from the NYSDEC provided a copy of the report prepared by McGoey, Hauser and Edsall which was dated September 1, 2016, and is included in Appendix B of this document.

3.3.2 Potential Impacts:

The Applicant believes there is little to no anticipated impacts to the groundwater due to the development of the Proposed Action. The proposal does require the discharge of stormwater to the groundwater through seepage into the site soils as part of the on-site stormwater treatment facilities.

The Applicant believes there are adverse impact on the existing groundwater plume or treatment since there is no well on the site to influence the direction of groundwater flow. The site is served by central water from the Town of New Windsor.

The Applicant believes there are no significant anticipated cumulative impacts on the groundwater in the area of the site. The proposed Action and the adjacent Windsor Hospitality Site shall both utilize current requirement and standards for stormwater treatment and discharge. There are no individual sewage disposal systems proposed on either site since both sites are served by the central sewer collection and treatment system operated by the Town of New Windsor. However, the use of road salt during the winter months may have an impact on groundwater for the two projects.

3.3.3 Proposed Mitigation:

Groundwater on the site will be protected through use of proper stormwater discharge methods which will removed excess sedimentation and other pollutants prior to the discharge to a sedimentation basin where the stormwater will percolate into the site soils.

Unavoidable adverse impacts to groundwater may include the use of road salt to control ice during the winter months in the parking lot and sidewalk locations on the site by private snow removal contractors. The use of alternative ice control measures will be incorporated whenever possible.

3.4 Infrastructure and Utilities:

3.4.1 Existing Conditions

The project site is served by central water provided by the Town of New Windsor. There is no individual well on the site. The site is also served by central sewer provided by the Town of New Windsor. There are no individual sewage disposal systems on site. The site is served by gas & electric by Central Hudson Gas & Electric.

The water and sewer use for the former restaurant was approximately 1,300 gallons per day during the height of operation.

The building is served be a 400 amp electrical service.

The kitchen was served with gas along with some of the heating systems.

The Town of New Windsor's Consolidated Water District (The District) utilizes groundwater wells as its primary source of raw water for distribution to its customers. The Town also has the ability to purchase raw water from the NYCDEP Catskill Aqueduct prior to treatment and

distribution as a backup to its groundwater supply. The District has an approximate average daily demand of approximately 3.2 Million Gallons Per day.

The Town has three primary groundwater wells located in the Moodna Creek valley near the Butterhill Park portion of the Town. These three wells have a permitted safe yield of approximately 4,500 gallons per minute, or 6.4 Million Gallons per day. These wells require treatment due to elevated levels of Manganese in the raw water. The Butterhill Water Filtration Plant removes iron and manganese to near non-detect levels through the oxidation -filtration process. Sodium Hypochlorite (chlorine) is utilized for disinfection of the finished water, and a blended phosphate is added for corrosion control prior to finished water being discharged into the existing distribution system. A second groundwater source located along Mt. Airy Road, Kroll Well, is also utilized by the Town to provide water to the Consolidated water district. This well has a permitted safe yield of 300 Gallons per minute. Water Quality of this source was found to have low levels of PFC's. A Granulated Activated Carbon Filtration System is currently under construction for treatment. Raw water is disinfected with Sodium Hypochlorite (chlorine) prior to entering the distribution system. The Riley road Water Filtration Plant is a conventional sand filtration plant, and treats raw water secured from the Catskill Aqueduct. This facility currently serves as the Town's back up supply. This WFP has a capacity of 3.0 MGD.

Currently the Town of New Windsor wastewater treatment plant (WWTP) has a capacity of 5 MGD. The current demand on the WWTP is 4.2 MGD.

3.4.2 Potential Impacts:

The existing sanitary sewer system collection line is located to the rear of the existing building. There is a concrete manhole identified as MH#60.[5] This manhole collects the sewer from the properties to the west and north of the site via a 10" collection line system. The collection line system continues to the south towards Union Avenue to MH#59, MH#58 and MH#57. An additional manhole was installed on the west side of Union Avenue for sanitary sewer service to the adjacent properties to the south. The collection line system that will serve the proposed action is a 10" diameter pipe.

The development of the site into a four-story limited-service hotel with 93 rooms will require and average daily use of approximately 10,230 gallons per day[6]. This number will more than likely be reduced due to an average annual occupancy rate of 65.9%.[7] Therefore, the anticipated usage of water and thus sewer will be closer to 6,742 gallons per day. The anticipated water and sewer use for the proposed development will result in an increase of approximately 5,442 gallons per day from the former restaurant use.

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[5] *Identified as MH#60 on a plan entitled "Plan & Profile" for the New Windsor Sewer District 17 (Sheet 13 of 30) prepared by Kartiganer Engineering and last dated May 16, 1975.*
[6] *Per "Design Standards for Intermediate-Sized Wastewater Treatment Systems, NYSDEC Division of Water"*
[7] *As reported by Statista for the year 2017.*

There is an existing 12" diameter water main directly in front of the site which will served the former restaurant and will serve the proposed action.

There is a current excess capacity of 0.8 MGD of sewer capacity at the existing WWTP.

At the end of this year, there will be an excess capacity of 3.4 MGD of water due to the water system improvements that the Town is currently involved in.

Based on information provided by the Town Water Department, the pressure at the water main on Union Avenue has been estimated to be 100 psi. The assumed flow in the water main on Union Avenue is greater than 800 gallons per minute since it is a 12" diameter water main. There are modifications that are being made to the water supply system that may affect the actual flow and pressures at the main on Union Avenue. The modifications being made should not adversely affect the flow or pressure. Actual pressure and flow testing will be done prior to the final design of the water supply and fire protection system serving the proposed action once and once all improvements are made to the water supply system.

Hotels on average use 14 kWh of electricity and 49 cubic feet of natural gas per square foot on an annual basis.[8] Therefore, the annual usage of electricity is anticipated to be 759,262 kWh and 2,657,417 cubic feet of natural gas for a gross floor area of 54,233 square feet. In a discussion with a Central Hudson Representative, it is believed that there is adequate capacity in the area of the proposed action and in the region.

The Windsor Hospitality project involves the addition of two new hotels with a combined number of 190 new rooms in addition to an existing 97-room hotel facility. The development of the proposed action creates 93 new rooms. Thus a total of 283 new rooms is being proposed for the two projects.

Assuming the modifiers used herein, the total anticipated increase in water and sewage usage shall be 20,515 gallons per day. Between the two project sites, the increase in the natural gas and electricity usage would be 7,972.251 cubic feet and 2,277,786 kWh, respectively.

3.4.3 Proposed Mitigation:

The development of the proposed action will involve the introduction of new energy saving technologies which are currently in use in the hotel industry. The new energy saving requirements of the new building codes will also be implemented. Water saving fixtures are also required under the current building codes which are required to reduce the use of water by 20%. The energy saving systems will be used in design of the new hotel facility which shuts off or reduces the use of electricity to the vacant or unoccupied rooms. This system is controlled by either the front desk or sensors in the room.

[8] *2012 Commercial Building Energy Consumption Survey (CBECS)*

3.5 Stormwater Management:

3.5.1 Existing Conditions

Currently the site is graded such that drainage travels from the rear (west side) of the property towards the east. The site drainage is picked up by existing catch basins along the existing concrete curb line at the front of the property adjacent to Union Avenue. Ultimately the drainage is picked up by a drainage manhole on the near the intersection of Union Avenue and the driveway for the Windsor Hospitality site. The runoff discharges into the NYS DOT system before discharging into Washington Lake.

A New York State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-15-002 permit will be required from the NYSDEC for the development of this site. A Notice of Intent (NOI) will be filed once final approvals are granted and before construction is started on the site.

A Stormwater Pollution Prevention Plan (SWPPP) was prepared for the proposed action and is included in the appendices of this document. In the SWPPP document, a pre-development vs. a post-development drainage analysis was performed. In the pre-development scenario, there are two drainage that discharge flow off of the site. These two areas are outlined as follows:

Drainage Area 1 (DA#1) is 2.81 acres encompasses the western portions of the site along with small portion of the Windsor Hospitality site. A single Design Point (DP#1) located at the existing drainage manhole within the Union Avenue (NYS Route 300) Right-of-way. The majority of the runoff is overland flow from the existing building and parking lot areas. This flow is intercepted by an existing 12 inch RCP pipe along the southwest property boundary which discharges to the existing storm sewer system along the southerly property boundary, which ultimately discharges to DP#1.

Drainage Area 2 (DA#2) is 0.29 acres and consists of small grass/woodland portions of the project site. The runoff consists of overland flow which is collected by an existing 12 inch RCP pipe within the Union Avenue Right-of-way.

Area	Total Area (Acres)	CN	T_c (minutes)
DA#1	2.81	90	12.8
DA#2	0.29	82	11.0

There parameters from the above table were modelled using the SCS-TR55 methodology and yielded the following results for the 1-year, 2-year, 10-year, 25-year and 100-year events for the two design points (DP) identified in the drainage analysis included in the SWPPP:

Design Point	1-year Event	2-Year Event	10-Year Event	25-Year Event	100-Year Event
DP#1	4.62 c.f.s	5.93 c.f.s.	9.10 c.f.s.	11.69 c.f.s.	16.37 c.f.s.
DP#2	0.34 c.f.s	0.47c.f.s.	0.82 c.f.s.	1.10 c.f.s.	1.64 c.f.s.

3.5.2 Potential Impacts:

The development of the proposed action involves grading and installation of stormwater facilities and on-site drainage attenuation. The use of the new drainage system and on-site attenuation provides for a decrease in the peak rates of runoff as follows:

Design Pont	**1-Year Event**	**2-Year Event**	**10-Year Event**	**25-Year Event**	**100-Year Event**
DP#1	0.38 c.f.s.	0.54c.f.s.	4.03 c.f.s.	8.55 c.f.s.	14.39 c.f.s.
DP#2	0.06 c.f.s.	0.08 c.f.s.	0.15 c.f.s.	0.20 c.f.s.	0.30 c.f.s.

In summary, there is a decrease in the anticipated peak rates of runoff as outlined below:

Storm	**Pre**	**Post**	**Delta**
1-year	4.62 c.f.s.	0.38 c.f.s.	-4.24 c.f.s.
2-year	5.93 c.f.s.	0.54 c.f.s.	-5.39 c.f.s.
10-year	9.10 c.f.s.	4.03 c.f.s.	-5.07 c.f.s.
25-year	11.69 c.f.s.	8.55 c.f.s.	-3.14 c.f.s.
100-year	16.37 c.f.s.	14.39 c.f.s.	-1.98 c.f.s.

The development of the proposed action will be in full compliance with the NYSDEC regulations for stormwater per the NYSDEC Stormwater Management Design Manual. Refer to the SWPPP in Appendix B of this report. Compliance measures for the design of the stormwater facilities outlines the six step process for stormwater site planning and practice selection.

Based on the results of the pre-development and post-development drainage analysis, the applicant believes there is no anticipated increase in stormwater that will impact the City of Newburgh potable water supply. All required sediment and erosion control measures will be employed during the development of the proposed action so as to limit impacts to the water supply and downstream properties. These measures are outlined in the SWPPP located in the appendices of this report.

Since both project will have to comply with the requirements of the NYSDEC regulations and both will result in a net decrease in stromwater runoff, no significant cumulative impacts are

anticipated for the development of the proposed action and the Windsor Hospitality project. Both projects will utilize mitigation with respect to stormwater and proper soil erosion and control measures as required by the NYSDEC design manual.

3.5.3 Proposed Mitigation:

The development of the proposed action utilize the soil erosion and sediment control measures outlined in the NYSDEC Stormwater Management Design Manual as well as the suggestions outlined in the EPA Phase II regulations.

During construction, temporary sedimentation basins will be used to control sediment-laden runoff on the site.

Section 6.0 of the SWPPP outlines the temporary soil erosion and sediment controls that will be put in place prior to and during development of the site. These measures are required by the NYSDEC.

An underground stormwater collection system is being proposed which will allow the collected stormwater to percolate into the underlying soils. This system will also allow attenuation of the peak rates of stormwater runoff. This underground stormwater system also prevents direct discharge of stormwater from the project site to surrounding water bodies.

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the proposed action and is included in the appendices of this report. This plan outlines the design methodology for the stormwater system and the implementation of temporary and permanent soil erosion and sediment control measures at the inception of construction and during construction.

The SWPPP outlines the stormwater treatment measures that were used as part of the design of the stormwater system. Water quality volume calculations were made so as to ensure capture and treatment of 90% of the average annual stormwater runoff. Refer to section 5.1 in the SWPP. Runoff Reduction Volume (RRv) by use of the underground stormwater collection and infiltration basins was implemented in the design of the stormwater system. Refer to section 5.2 in the SWPPP.

3.6 Traffic & Roadways:

3.6.1 Existing Conditions:

The proposed action is located on west side of Union Avenue (Route 300).

A detailed Traffic Impact Study (TIS) was prepared for the proposed action. There were three intersections that were analyzed in the TIS. They are as follows:

- Union Avenue (NYS Route 300) & Little Britain Road (NYS Route 207/300)
- Union Avenue & Days Inn/Diner Driveway
- Union Avenue and Liner Road

Refer to the TIS in the appendices of this document for more detailed information.

3.6.1.1 Inventory of Roads:

Union Avenue (NYS Route 300):

Union Avenue or NYS Route 300 as a minor arterial roadway that generally traverses in a north-south direction, and is designated Union Avenue in the vicinity of the traffic study area. Union Avenue is under the jurisdiction of the NYSDOT and provide five travel lanes (two northbound, two southbound and a one two-left turning lane) in the traffic study area. At its intersection with Little Britain Road, Union Avenue provides two left-turn lanes and one right-turn lane. Union Avenue has a posted speed limit of 45 mph in the traffic study area. Based on field observations, the pavement along Union Avenue in the study area is in good condition.

Little Britain Road (NYS 207):

Little Britain Road (NYS 207) is under the jurisdiction of NYSDOT and is classified as a minor arterial roadway that generally traverses in an east-west direction. Little Britain Road generally provides one moving lane in each direction within the study area. At the signalized intersection with Union Avenue, Little Britain Road provides a left turn lane and a through lane at its eastbound approach and a right turn lane and through lane at its westbound approach. Little Britain Road has a posted speed limit of 45 in the study area. Based on field observations, the pavement is in good condition along Little Britain Road in the study area.

Liner Road:

Liner Road is a local, town-maintained roadway that generally traverses in an east-west direction. Liner Road provides one moving lane in each direction from Union Avenue to its termination just east of Interstate 87. At the intersection with Union Avenue, Liner Road provides a left turn and a right turn lane at its eastbound. Based on field observations, the pavement along Little Britain Road is in good condition in the study area.
Existing traffic counts and vehicle movements were taken in January and February of this year. Information of the existing roadway geometry was taken as part of the TIS. Information about signal timing plans were obtained by the NYSDOT and utilized in the TIS. Turning movement and volumes shall be counted at 15-minute intervals during the peak travel times.

3.6.1.2 Existing Peak Hours Conditions:

Peak hour conditions were determined to be as follows:

- Weekday AM Peak Hour – 8:00 AM to 9:00 AM
- Weekday PM Peak Hour – 4:30 PM to 5:30 PM
- Saturday Peak Hour – 11:15 AM to 12:15 AM

Refer to figures 1 through 3 on the following pages and in the TIS in the appendices of this document. These figures represent the existing conditions for the peak hours analyzed. In the study area, the existing two-way traffic volumes range from approximately 1,497 to 2,042 vehicles per hour (vph) along Little Britain Road and 1,598 to 1,951 vph along Union Avenue.

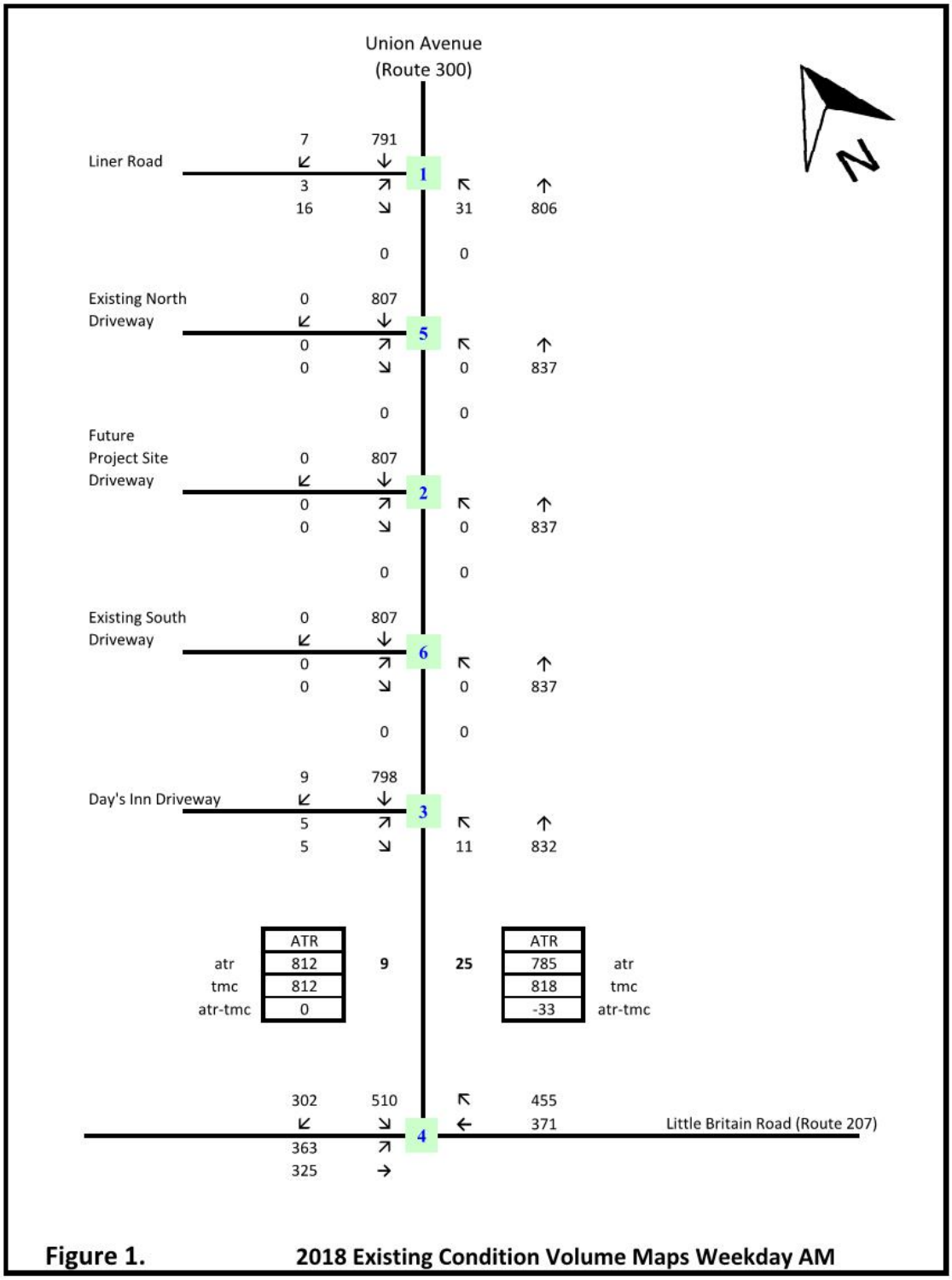


Figure 1. **2018 Existing Condition Volume Maps Weekday AM**

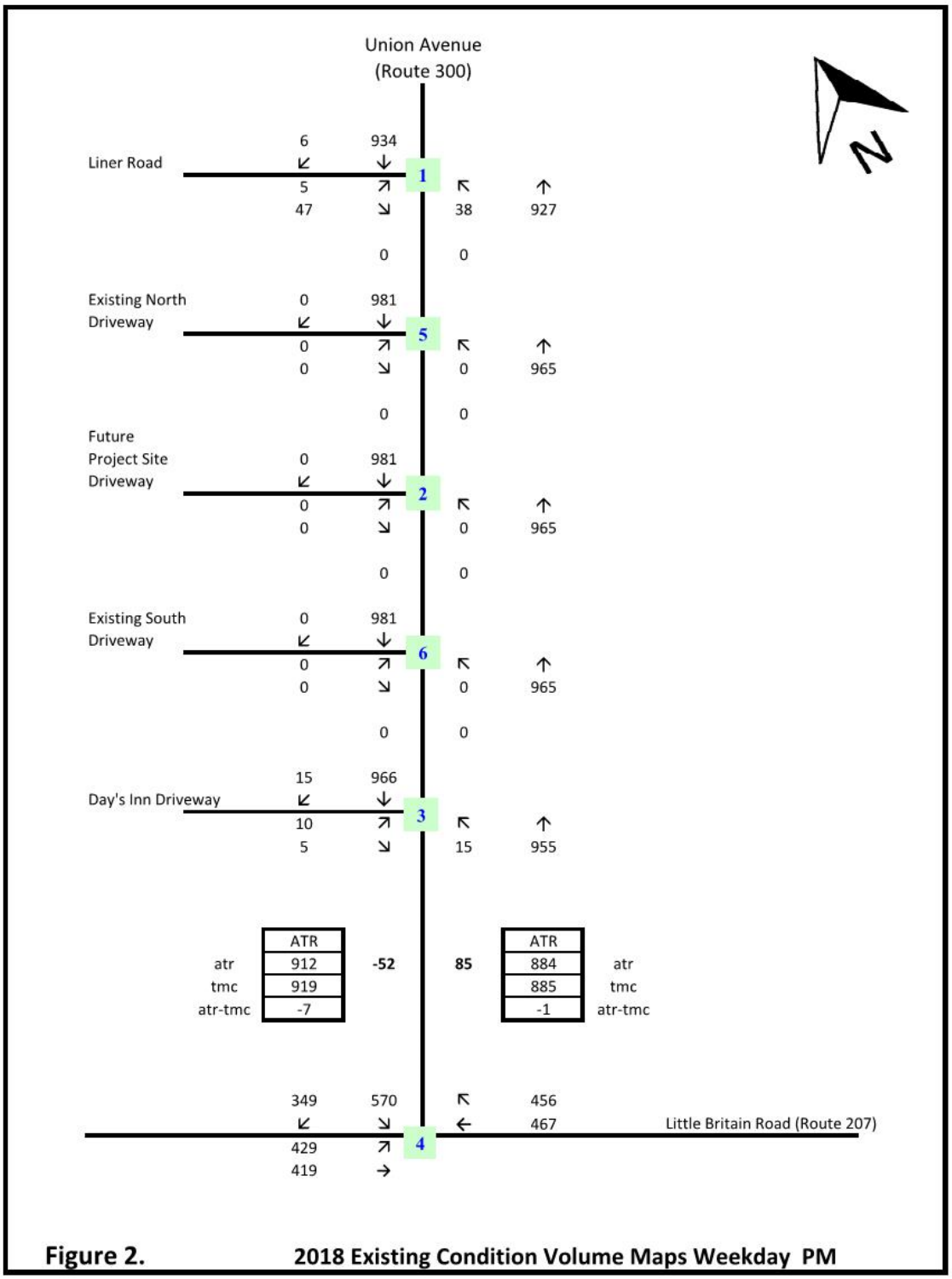


Figure 2. **2018 Existing Condition Volume Maps Weekday PM**

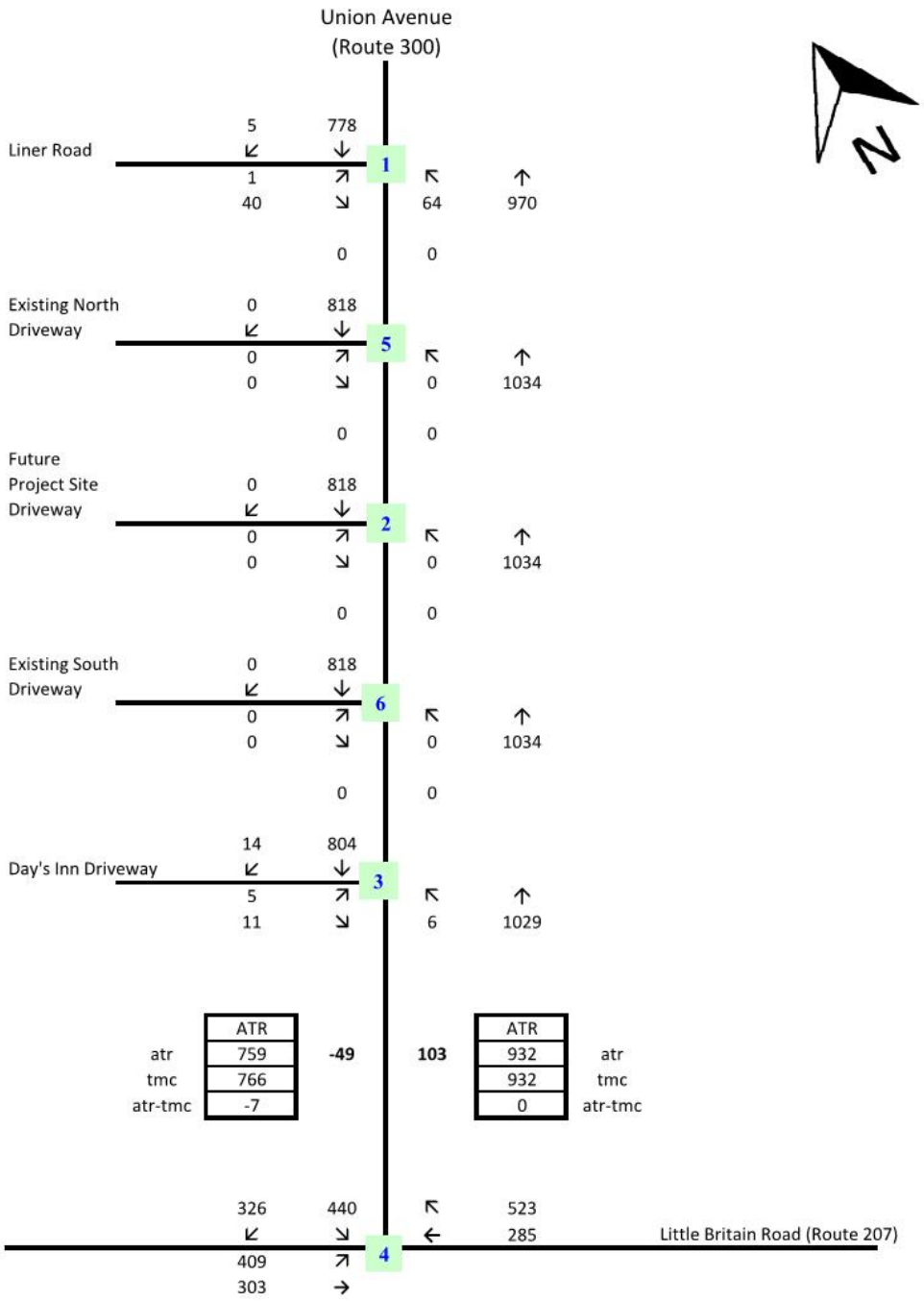


Figure 3. **2018 Existing Condition Volume Maps Saturday**

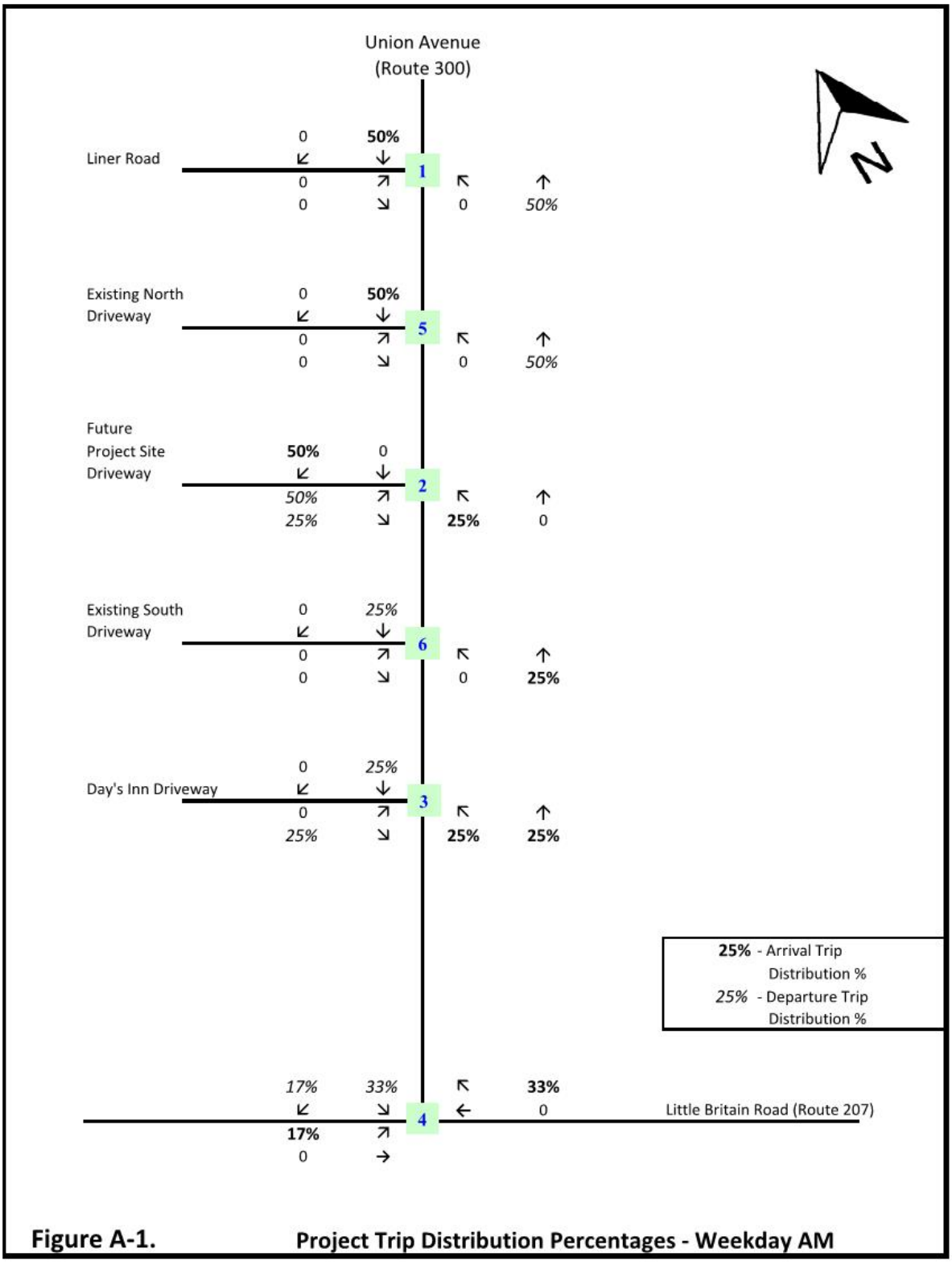


Figure A-1. **Project Trip Distribution Percentages - Weekday AM**

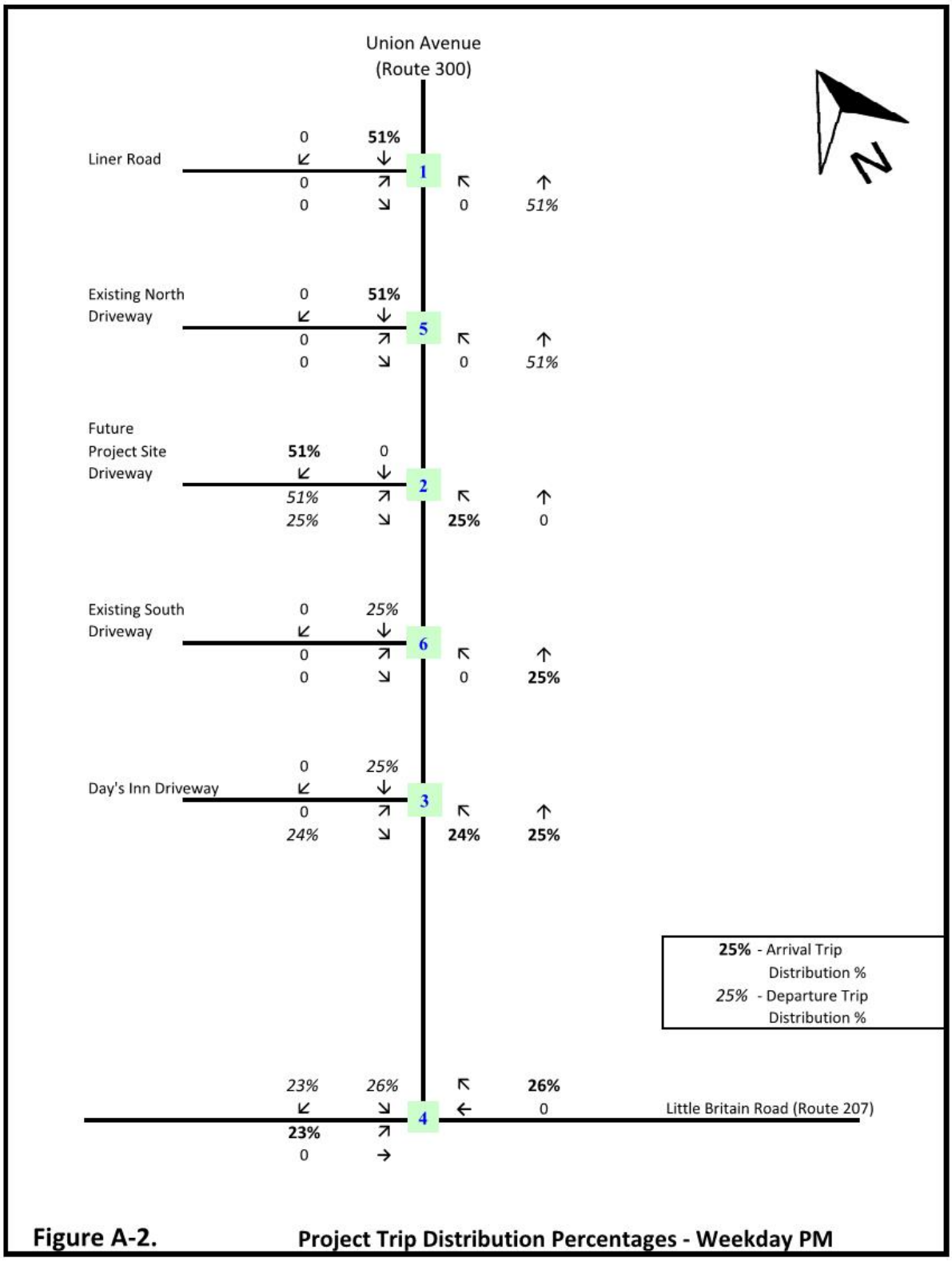


Figure A-2. **Project Trip Distribution Percentages - Weekday PM**

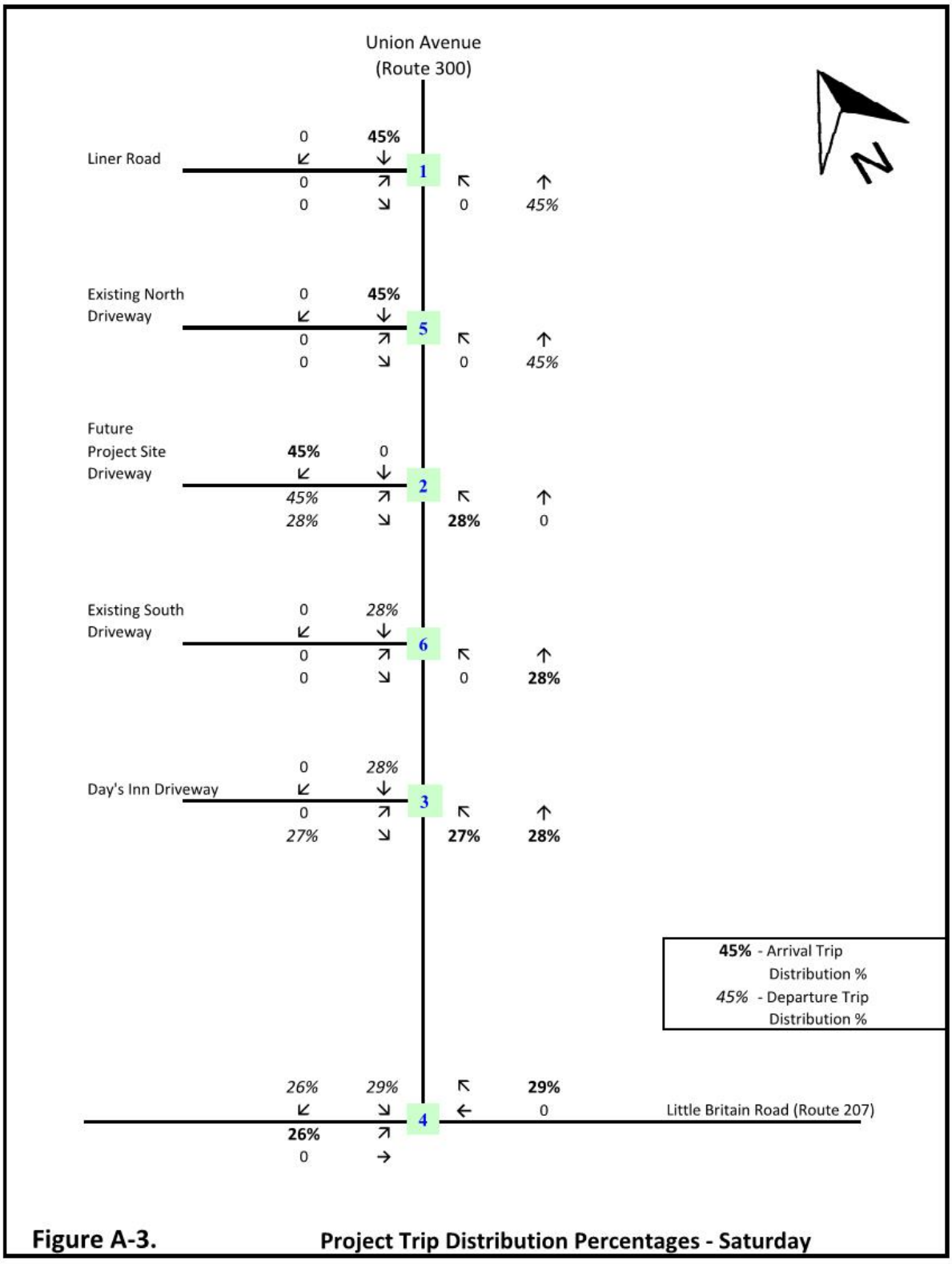


Figure A-3. **Project Trip Distribution Percentages - Saturday**

3.6.1.3 Existing Level of Service (LOS):

During peak hours, a LOS of D operations are considered to be acceptable operating conditions for a signalized and unsignalized intersections. As shown in the following table, all of the study area intersections lane groups/approaches operate at a LOS D or better under 2018 Existing Conditions during the peak hours analyzed.

2018 Existing Conditions Level of Service Analysis

Intersection	Weekday AM				Weekday PM				Saturday			
	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS
Signalized Intersections												
Union Avenue and Little Britain Road												
EB	L	0.77	22.3	C	L	0.87	44.4	D	L	0.77	19.2	B
	T	0.34	9.8	A	T	0.39	11.2	B	T	0.33	9.1	A
WB	T	0.76	38.0	D	T	0.89	54.6	D	T	0.68	35.5	D
	R	0.50	6.5	A	R	0.53	10.7	B	R	0.60	9.9	A
SB	L	0.68	35.5	D	L	0.82	52.3	D	L	0.64	31.5	C
	R	0.35	5.8	A	R	0.42	12.2	B	R	0.35	2.8	A
	Intersection		20.7	C	Intersection		32.8	C	Intersection		17.8	B
Unsignalized Intersections												
Union Avenue and Liner Road												
EB	L	0.02	21.2	C	L	0.03	23.0	C	L	0.01	23.3	C
	R	0.04	11.9	B	L	0.11	12.7	B	L	0.10	11.9	B
NB	L	0.05	10.0	A	LTR	0.06	10.5	B	LTR	0.09	10.0	B
Union Avenue and Days Inn Driveway												
EB	LR	0.06	16.0	C	LR	0.08	19.9	C	LR	0.08	14.7	B
NB	L	0.01	9.9	A	L	0.02	10.7	B	L	0.01	9.8	A

3.6.1.4 Accident History:

The following table summarizes the most recent three year's traffic accident data for each of the study area intersections compiled from the NYSDOT records for the period of October 13, 2014 through September 19, 2017 (see the TIS in the appendices of this document for accident records).

Study Area Crash Summary - Intersection Locations

Intersection	Number of Crashes		Crash Trend											
	Avg/ Yr	3 Yr Total	Personal Injuries	Fatalities	Reported	Non Reported	Overtaking/ Sideswipe	Rear End	Right Angle Left Turn (with other car)	Left Turn (against other car)	Side-swipe	Ped/ Bike	Other	Unknown
Union Avenue and Liner Road	2	6	0	0	4	2	0	2	2	1	0	0	1	1
Union Avenue and Little Britain Road	9.3	28	4	0	21	7	4	13	3	0	1	0	6	0

Source: NYSDOT

During the time period reviewed, a total of 34 accidents reportable and non-reportable accidents, zero fatalities, four injuries and zero pedestrian/bicyclist-related accidents occurred in the study area intersections. A rolling total of accident data identified one High Accident Location (HAL-defined as where five or more accidents are reported at an intersection or along a corridor in a 12-month period) was identified in the study area at the intersection of Union Avenue and Little Britain Road.

The most commonly occurring types of accidents at these locations were rear-end collisions. Right-angle, left-turn, overtaking and sideswipes were other types of collisions which occurred at these intersections.

The most common accident factors at the study area intersections were vehicles following too closely and failure to yield right of way, with other factors including disregard of traffic control devices, turning improper, unsafe speed, illness, passing or lane usage improperly and driver inattention.

There were also a total of 40 reportable and non-reportable accidents, zero fatalities, 21 injuries and zero pedestrian/bicyclist-related accidents occurred along the roadway segments in the study area. A rolling total of accident data identified one High Accident Location (HAL-defined as where five or more accidents are reported (1) along Union Avenue corridor between Old Little Britain Road and Liner Road and (2) along Union Avenue corridor between Old Little Britain Road and Liner Road.

Study Area Crash Summary – Non-Intersection Locations

Road Segment	Number of Crashes		Crash Trend											
	Avg/ Yr	3 Yr Total	Personal Injuries	Fatalities	Reported	Non Reported	Overtaking/ Sideswipe	Rear End	Right Angle Left Turn (with other car)	Left Turn (against other car)	Right Turn (against other car)	Side-swipe	Head On	Other
Union Avenue Between Liner Road and Little Britain Road	8	24	14	0	20	4	2	6	6	2	1	1	1	5
Union Avenue Between Old Little Britain Road and Liner Road	5.3	16	7	0	9	7	3	5	1	1	1	0	0	4
Source: NYSDOT														

The most commonly occurring types of accidents along these road segments were rear-end collisions and right angle collisions.

The most common accident factor at the study area was vehicles passing or lane usage improperly while other factors included driver following too closely and driver inattention.

3.6.2 Potential Impacts:

3.6.2.1 No-Build Scenario:

The "No-Build" scenario is and interim scenario that establishes future baseline conditions without the development of the proposed action. The no-build year is the same year as the Build year (2019). No-Build traffic conditions are ascertained based on a background growth of 1.0% for 2018 to 2019. The 1% growth rate is based on the 2010-2035 NYTMTC Regional Transportation Plan and previous transportation studies conducted in the area. The no-build scenario also adds trips from pending projects such as the Windsor Hospitality, LLC, expansion with the construction of two new hotels and the existing restaurant assuming the restaurant was fully operational.

The following table identifies the discrete trips generated by the Windsor Hospitality, LLC development and the fully-operational on-site restaurant utilizing trip generation rates contained in the *Institute of Transpiration Engineers (ITE) Trip Generation Manual, 10th Edition.*

No Build Development Trip Generation

Building Component	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
Days Inn Hotel	53	37	90	59	57	116	76	59	135

Source:
Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition

The traffic from the No-Build projects were added to the grown 2018 traffic volumes to develop the 2019 N0-Build volumes. Traffic volumes for the 2019 No-Build conditions for the peak hours are shown on figures 4 through 6 on the following pages.

In addition, the proposed hotel will replace the on-site Steak and Stein restaurant, which is approximately 6,000 gross square feet. Although trips from this restaurant are excluded from the No Action analysis (and are presented for comparison purposes only), it should be noted that the No Action condition would get worse if the restaurant was fully operational. Trips generated from the on-site restaurant were calculated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition and are shown in the Table below.

On-Site Restaurant Development Trip Generation

Building Component	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
Restaurant	32	26	58	35	22	57	33	32	65

Source:
Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition

The following table presents a comparison to of 2018 Existing Conditions with 2019 No-Build LOS conditions for the study area intersections for the peak hours. All data can be found in the TIS in the appendices of this report.

2018 Existing and 2019 No Build Conditions Level of Service Analysis

Intersection	Weekday AM								Weekday PM								Saturday							
	2018 Existing				2019 No Build				2018 Existing				2019 No Build				2018 Existing				2019 No Build			
	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS
Signalized Intersections																								
Union Avenue and Little Britain Road																								
EB	L	0.77	22.3	C	L	0.79	24.6	C	L	0.87	44.4	D	L	0.93	55.2	E	L	0.77	19.2	B	L	0.80	22.0	C
	T	0.34	9.8	A	T	0.34	10.2	B	T	0.39	11.2	B	T	0.39	11.8	B	T	0.33	9.1	A	T	0.33	9.4	A
WB	T	0.76	38.0	D	T	0.78	39.9	D	T	0.89	54.6	D	T	0.90	56.3	E	T	0.68	35.5	D	T	0.70	38.0	D
	R	0.50	6.5	A	R	0.53	7.4	A	R	0.53	10.7	B	R	0.55	11.3	B	R	0.60	9.9	A	R	0.64	12.0	B
SB	L	0.68	35.5	D	L	0.70	36.8	D	L	0.82	52.3	D	L	0.83	52.6	D	L	0.64	31.5	C	L	0.66	33.2	C
	R	0.35	5.8	A	R	0.35	6.2	A	R	0.42	12.2	B	R	0.44	12.9	B	R	0.35	2.8	A	R	0.37	3.1	A
	Intersection		20.7	C	Intersection		21.9	C	Intersection		32.8	C	Intersection		35.1	D	Intersection		17.8	0.0	Intersection		19.4	B
Unsignalized Intersections																								
Union Avenue and Liner Road																								
EB	L	0.02	21.2	C	L	0.02	22.1	C	L	0.03	23.0	C	L	0.03	25.1	D	L	0.01	23.3	C	L	0.01	24.8	C
	R	0.04	11.9	B	R	0.04	12.1	B	R	0.11	12.7	B	R	0.12	13.3	B	R	0.10	11.9	B	R	0.10	12.2	B
NB	L	0.05	10.0	A	L	0.05	10.1	B	L	0.06	10.5	B	L	0.06	10.8	B	L	0.09	10.0	B	L	0.09	10.3	B
Union Avenue and Days Inn Driveway																								
EB	LR	0.06	16.0	C	LR	0.27	22.8	C	LR	0.08	19.9	C	LR	0.38	27.8	D	LR	0.08	14.7	B	LR	0.49	27.3	D
NB	L	0.02	9.9	A	L	0.06	10.3	B	L	0.02	10.7	B	L	0.07	11.2	B	L	0.01	9.8	A	L	0.07	10.3	B

As can be seen from the table above, under the No-Build scenario, the will be notable changes in the LOS for the intersection of Union Avenue and Little Britain Road for the eastbound left turn movement. It will deteriorate from a LOS of D to a LOS of E during the weekday PM peak hour.

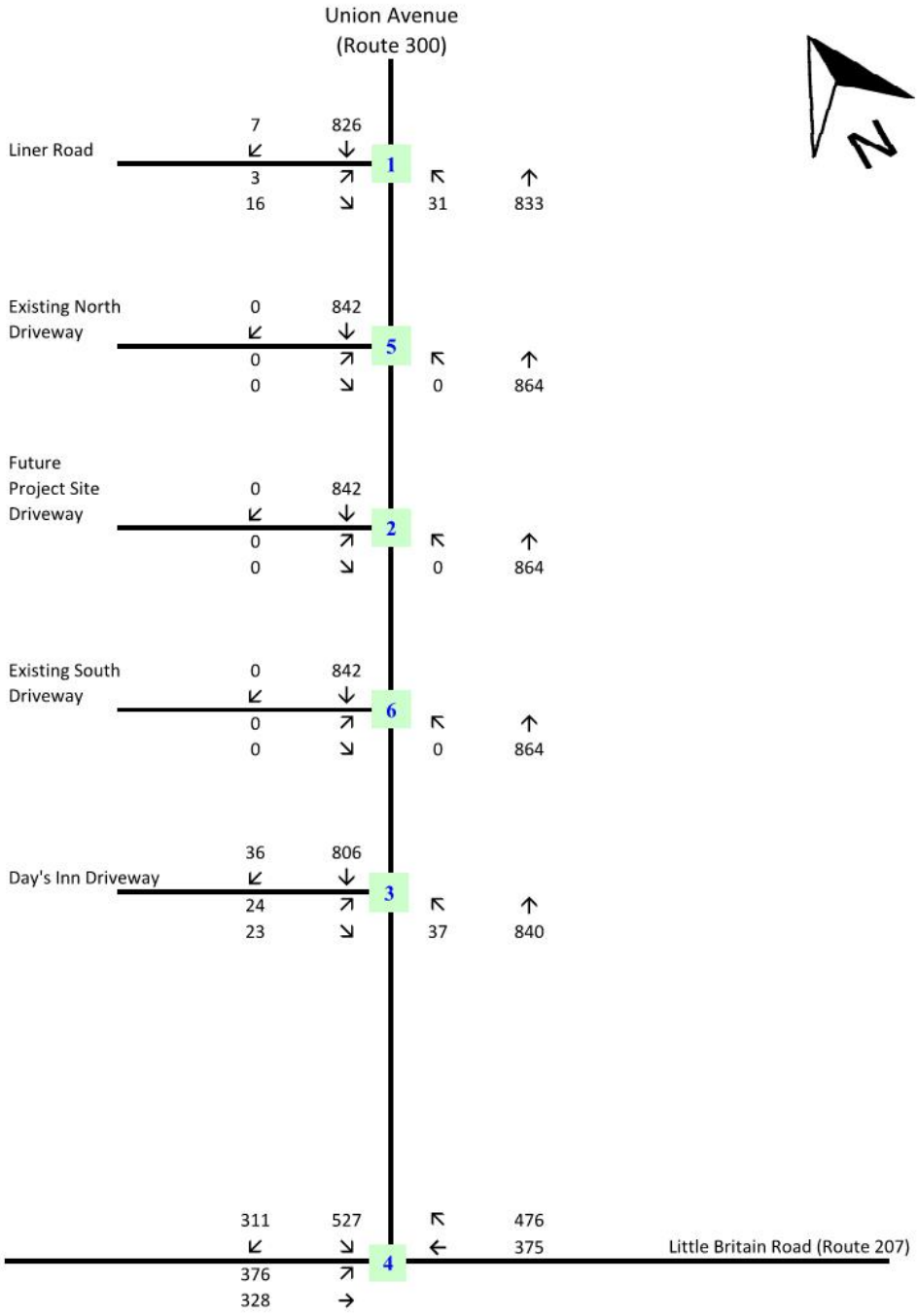


Figure 4. **2019 No Build Condition Volume Maps Weekday AM**

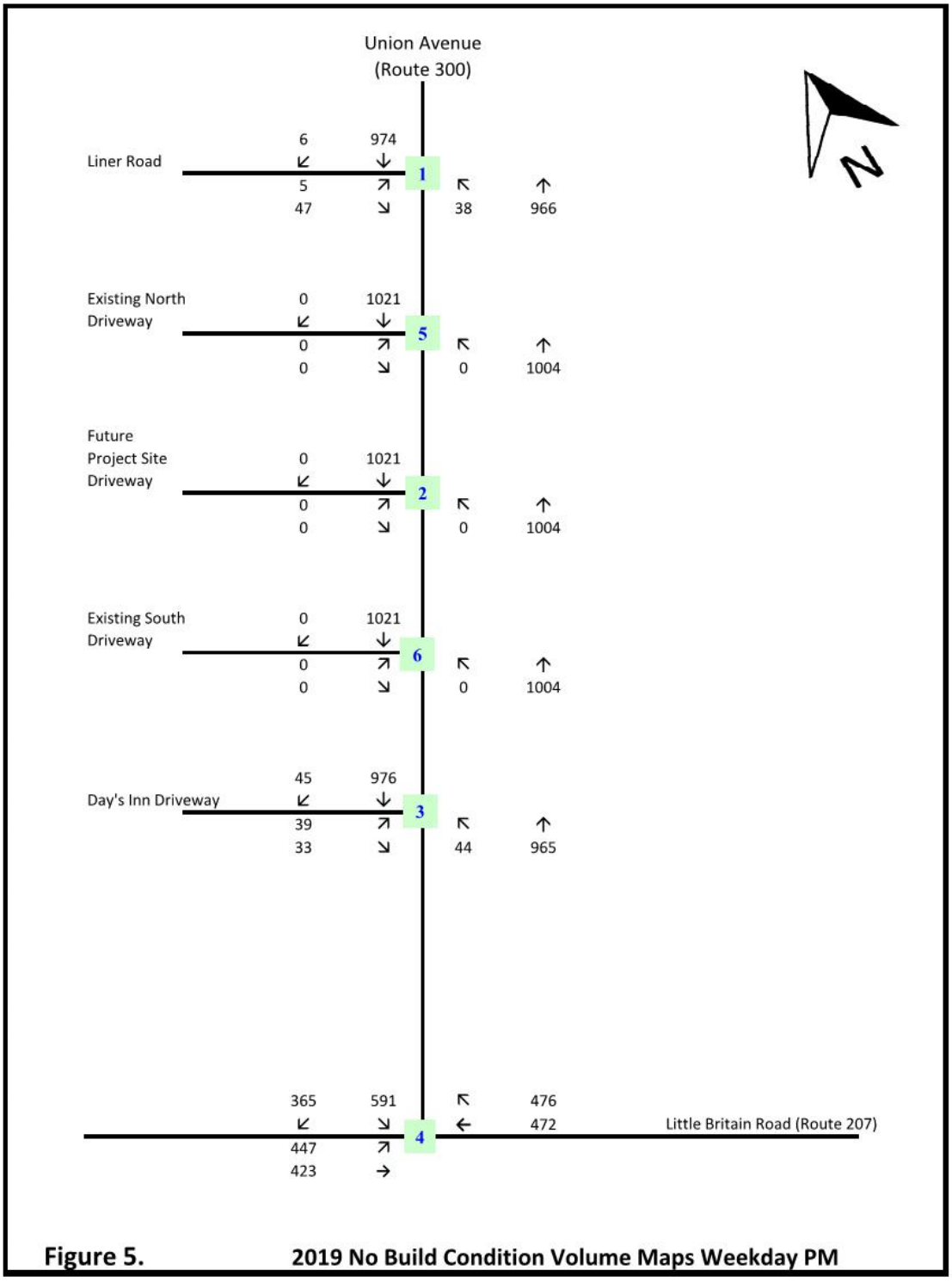


Figure 5. **2019 No Build Condition Volume Maps Weekday PM**

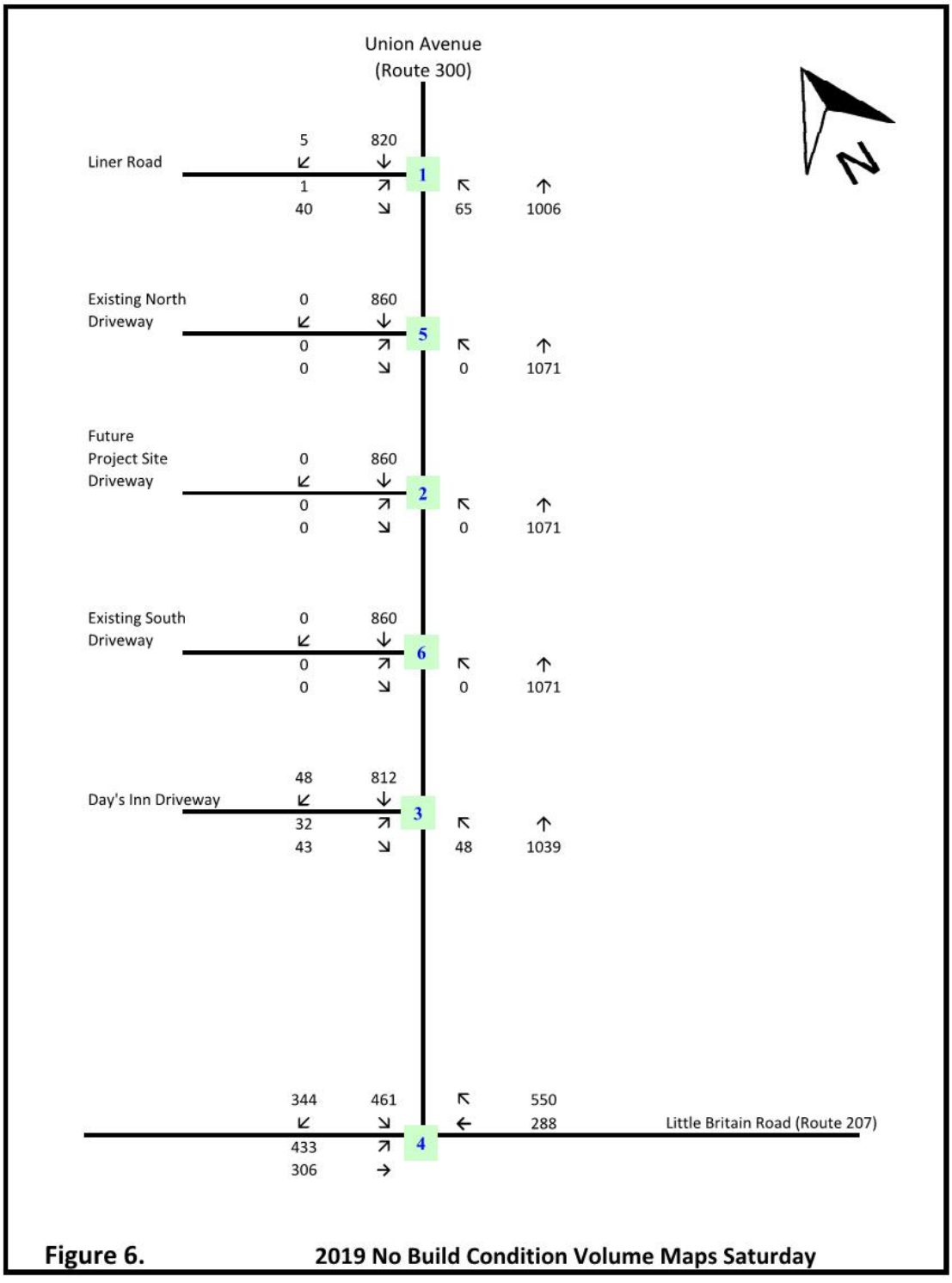


Figure 6. **2019 No Build Condition Volume Maps Saturday**

Refer to the TIS in the appendices of this document for a more thorough discussion of the No-Build scenario.

3.6.2.2 Build Scenario:

The Build scenario is a projection of the traffic conditions in the study area assuming the proposed action is developed along with the Windsor Hospitality, LLC site and the existing restaurant is fully operational. The projected trips are added to the existing trips to develop project traffic volumes.

The projected number of trips are generated based on data in the *ITE*. The proposed action would replace the existing Steak and Stein restaurant with the 93-room limited use hotel.

As shown in the following table, it is projected that the proposed action would generate approximately 17 less trips during the Weekday AM peak hour, 13 less trips during the Weekday PM peak hour and 3 additional trips during the Saturday peak hour when compared to the No-Build scenario.

Build Development Trip Generation

Building Component	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
Proposed Hotel	24	17	41	22	22	44	38	30	68

Source:
Based on Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition

Figures 7 through 9 on the following pages outline the project generated vehicle trips per for the peak hours analyzed.

Figures 10 through 12 show the 2019 Build traffic volumes for the Weekday AM, Weekday PM and Saturday peak hours, respectively.

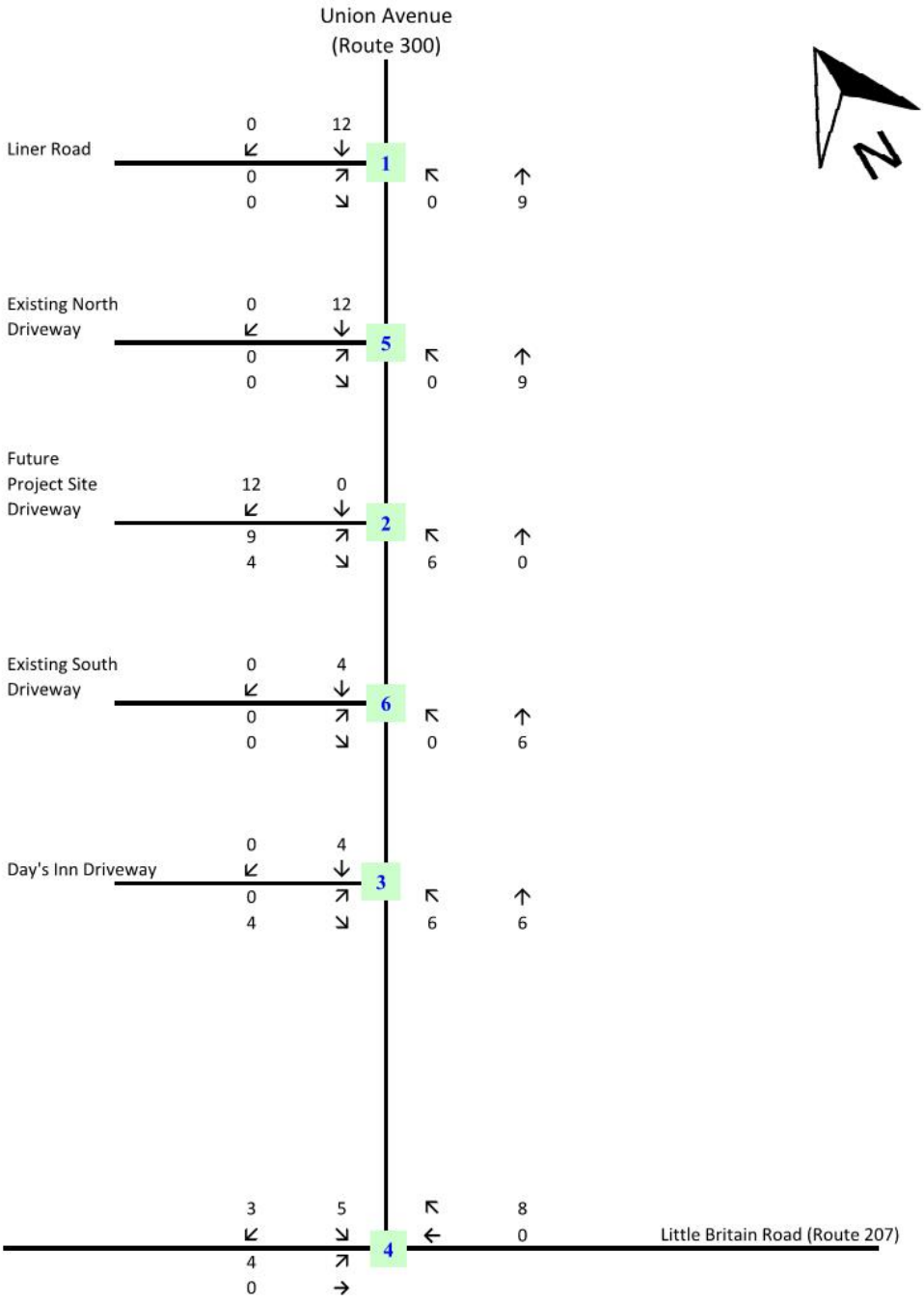


Figure 7. **Project Generated Vehicle Trips Weekday AM**

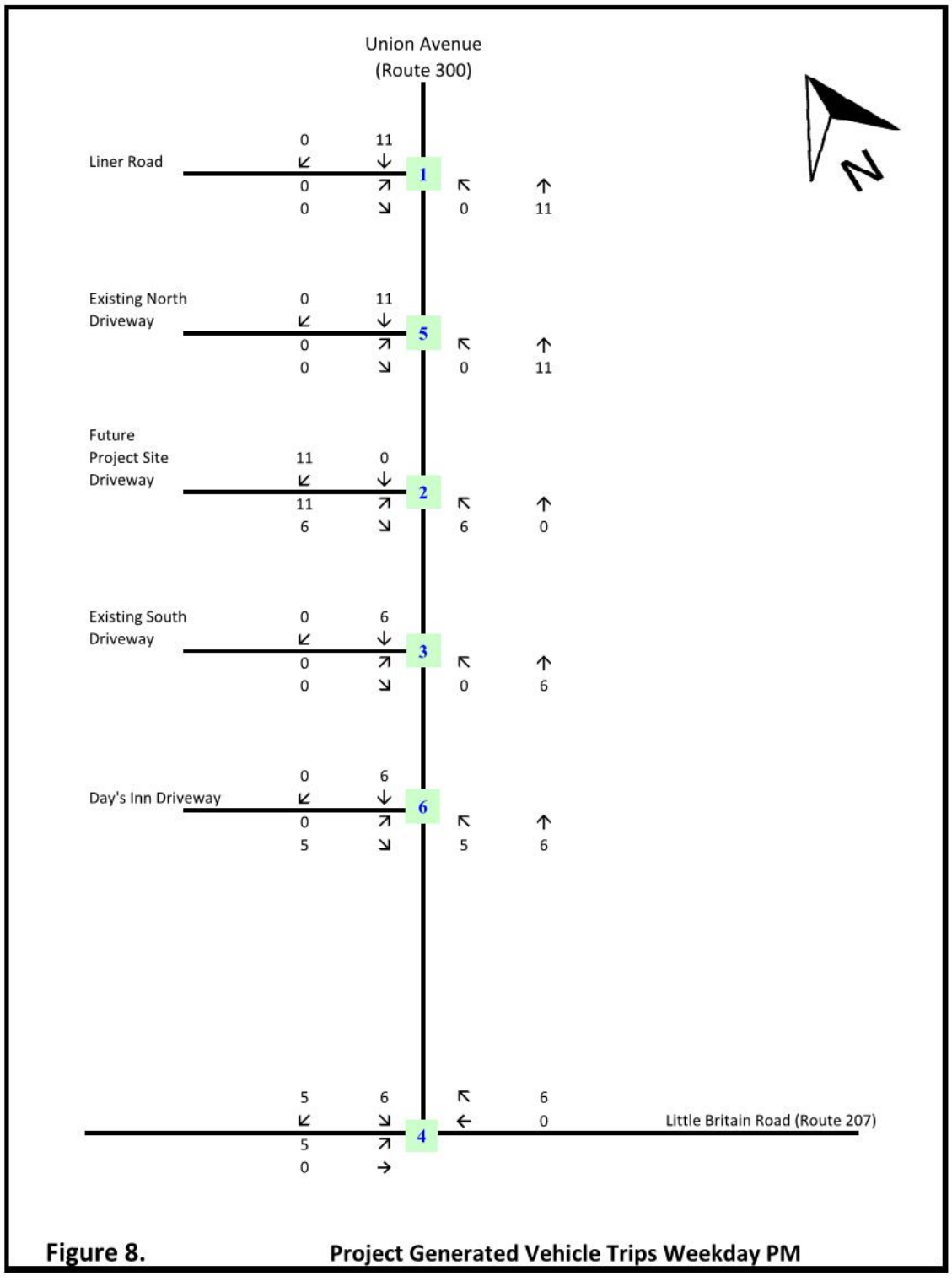


Figure 8. **Project Generated Vehicle Trips Weekday PM**

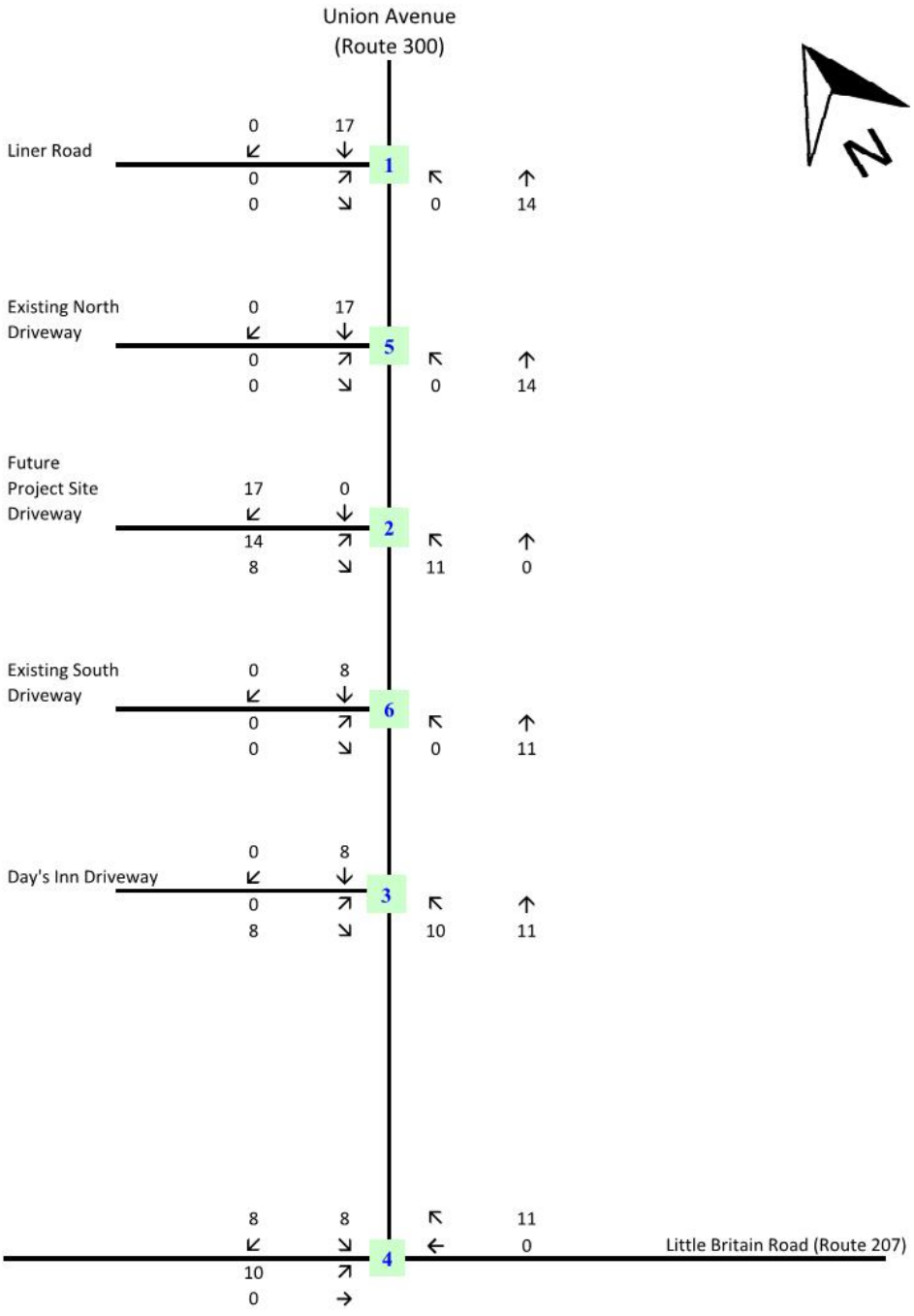


Figure 9. **Project Generated Vehicle Trips Saturday**

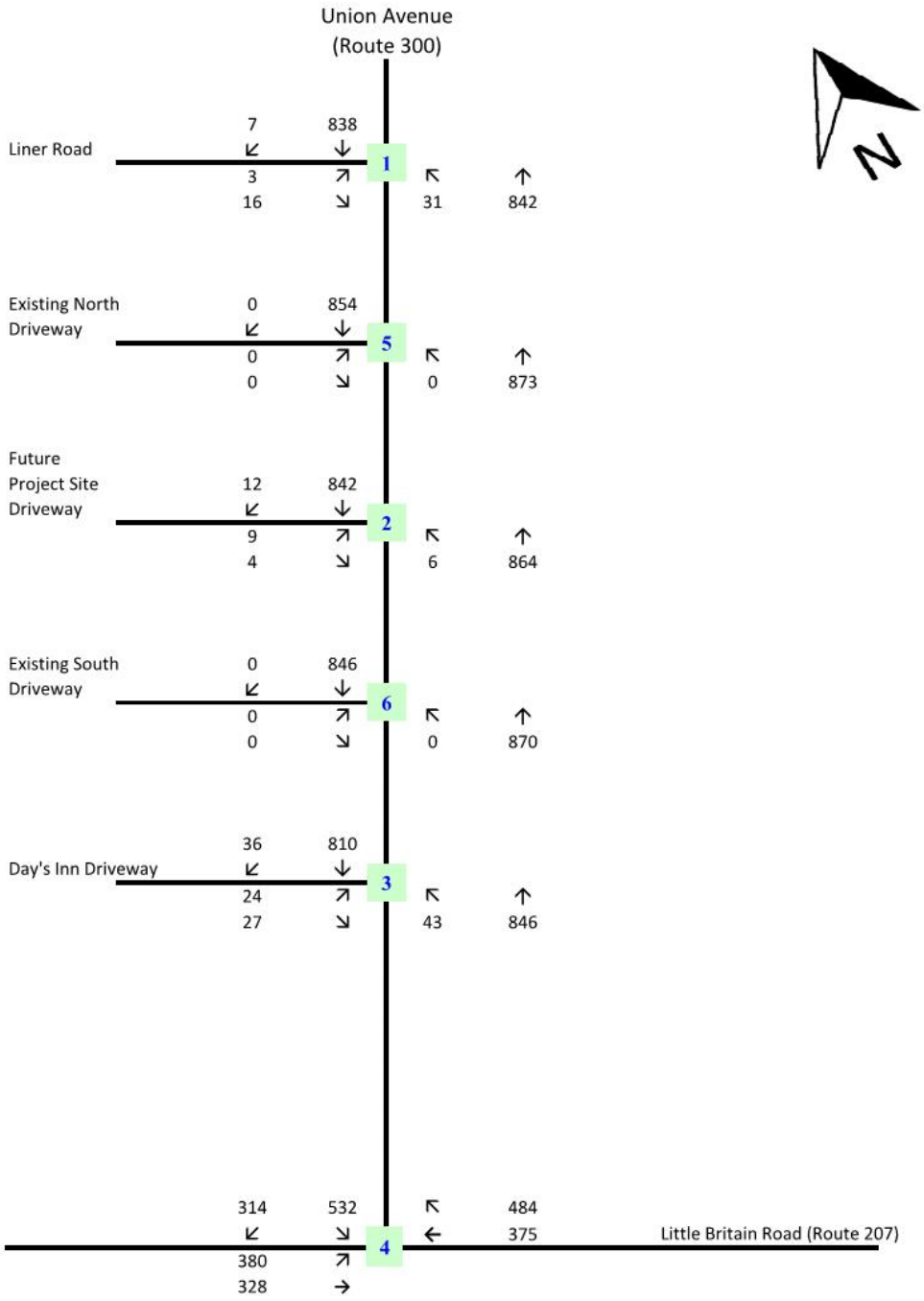


Figure 10. **2019 Build Condition Volume Maps Weekday AM**

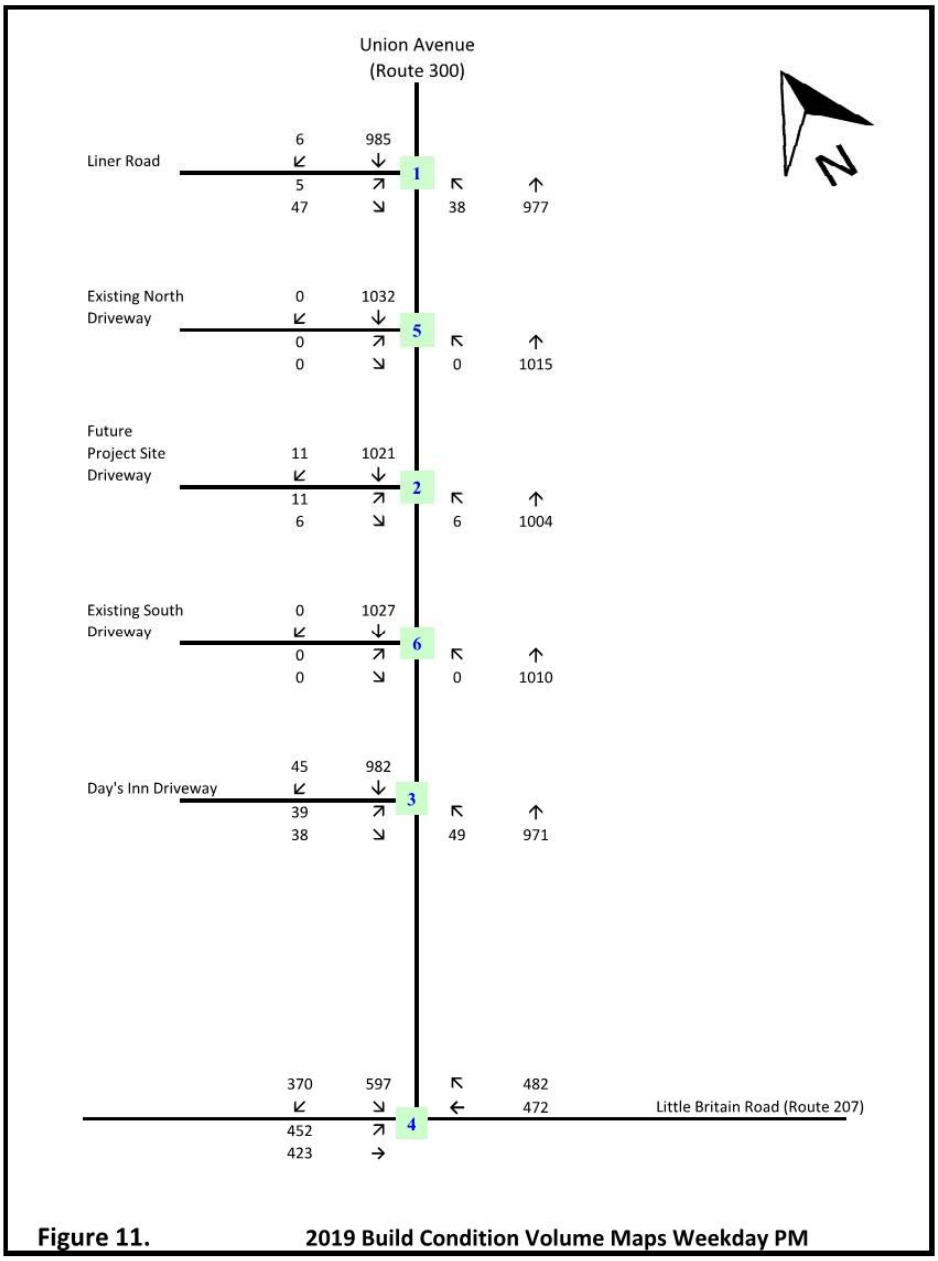


Figure 11. **2019 Build Condition Volume Maps Weekday PM**

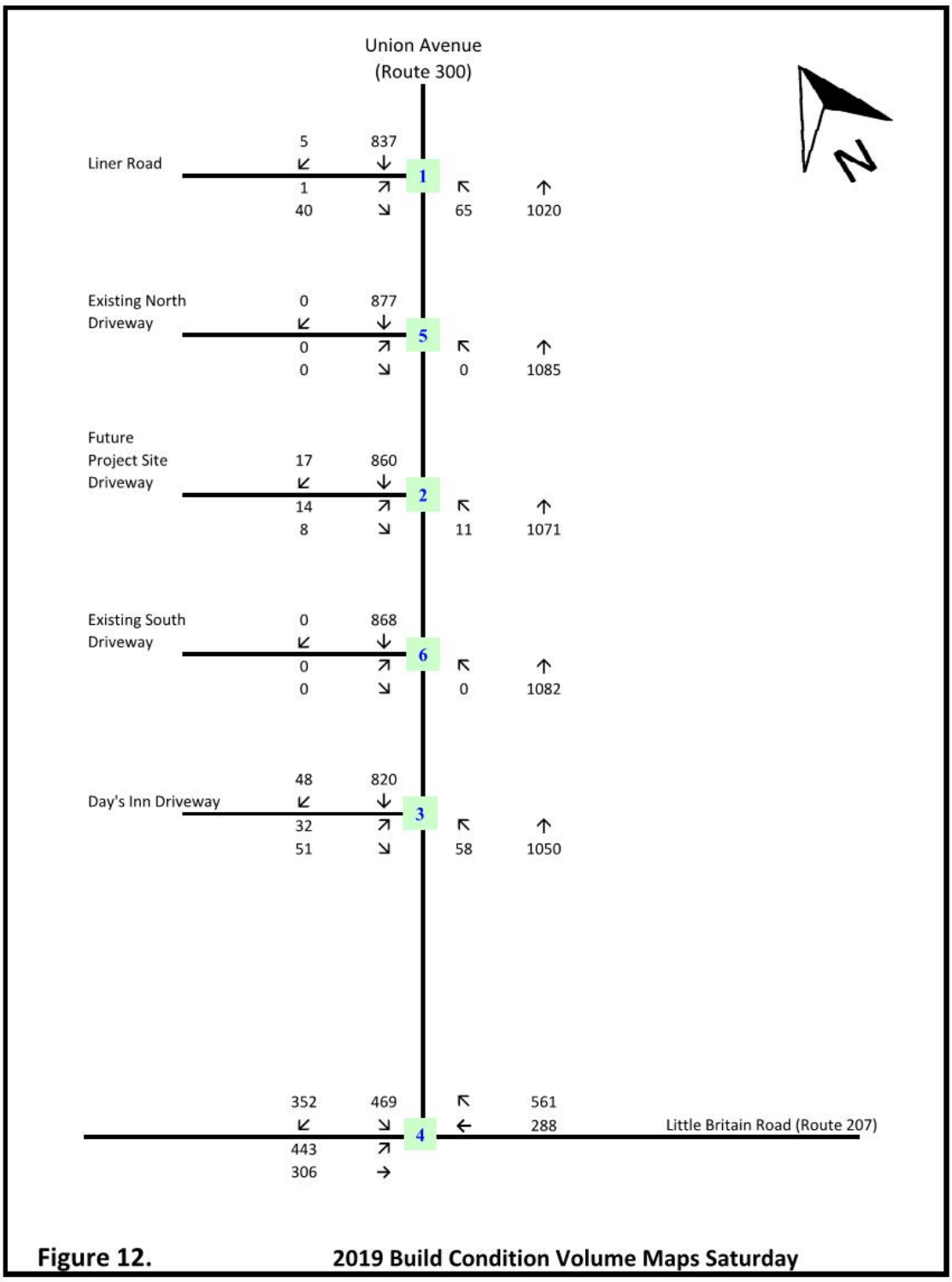


Figure 12. **2019 Build Condition Volume Maps Saturday**

The following table presents a comparison of the 2019 No-Build and Build scenarios for the traffic study area intersections:

2019 No Build and With Build Conditions Analysis

Intersection	Weekday AM								Weekday PM								Weekday PM							
	2019 No Build				2019 With Build				2019 No Build				2019 With Build				2019 No Build				2019 With Build			
	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS
Signalized Intersections																								
Union Avenue and Little Britain Road																								
EB	L	0.79	24.6	C	L	0.79	25.3	C	L	0.93	55.2	E	L	0.94	57.9	E	L	0.80	22.0	C	L	0.81	23.0	C
	T	0.34	10.2	B	TR	0.34	10.2	B	TR	0.39	11.8	B	TR	0.39	11.9	B	TR	0.33	9.4	A	TR	0.33	9.4	A
WB	T	0.78	39.9	D	L	0.78	40.4	D	L	0.90	56.3	E	L	0.90	56.7	E	L	0.70	38.0	D	L	0.71	38.9	D
	R	0.53	7.4	A	TR	0.54	7.8	A	TR	0.55	11.3	B	TR	0.56	11.5	B	TR	0.64	12.0	B	TR	0.66	12.9	B
SB	L	0.70	36.8	D	LT	0.70	37.2	D	LT	0.83	52.6	D	LT	0.83	52.6	D	LT	0.66	33.2	C	LT	0.68	33.8	C
	R	0.35	6.2	A	R	0.36	6.3	A	R	0.44	12.9	B	R	0.45	13.0	B	R	0.37	3.1	A	R	0.38	3.3	A
	Intersection		21.9	C	Intersection		22.2	C	Intersection		35.1	D	Intersection		35.7	D	Intersection		19.4	B	Intersection		20.0	C
Unsignalized Intersections																								
Union Avenue and Liner Road																								
EB	L	0.02	22.1	C	L	0.02	22.4	C	L	0.03	25.1	D	L	0.03	25.5	D	L	0.01	24.8	C	L	0.01	25.4	D
	R	0.04	12.1	B	R	0.05	12.1	B	R	0.12	13.3	B	R	0.12	13.4	B	R	0.10	12.2	B	R	0.10	12.3	B
NB	L	0.05	10.1	B	L	0.05	10.2	B	L	0.06	10.8	B	L	0.06	10.8	B	L	0.09	10.3	B	L	0.09	10.4	B
Union Avenue and Proposed Project Site Driveway																								
EB					LR	0.09	18.5	C					LR	0.09	20.4	C					LR	0.16	20.0	C
NB					L	0.01	10.1	B					L	0.01	10.9	B					L	0.02	10.1	B
Union Avenue and Days Inn Driveway																								
EB	LR	0.27	22.8	C	LR	0.33	22.1	C	LR	0.38	27.8	D	LR	0.41	28.9	D	LR	0.49	27.3	D	LR	0.54	29.9	D
NB	L	0.06	10.3	B	L	0.07	10.4	B	L	0.07	11.2	B	L	0.08	11.3	B	L	0.07	10.3	B	L	0.09	10.4	B

All intersections have equal or better LOS under the Build conditions as compared to the No-Build conditions.

3.6.3 Proposed Mitigation:

Since the Build scenario would lessen the impacts on the existing intersections in the traffic study area, no mitigation is being proposed.

All intersections analyzed will have a LOS equal or better than the Existing or No-Build conditions.

3.7 Community Services

3.7.1 Existing Conditions:

3.7.1.1 Police Department:

The site of the proposed action is served by the Town of New Windsor Police Department located on Commerce Drive.

3.7.1.2 Fire Department & Ambulance:

The site is also served by the Vails Gate Fire Department located at 872 Blooming Grove Turnpike and the New Windsor Volunteer Ambulance Corps. also located on Commerce Drive in the Town of New Windsor.

3.7.1.3 Emergency Responder Calls:

A request was made to the Town of New Windsor Police Department for the number of Emergency Response requests that were made to the existing site. A copy of the database search is included in the Appendix D of this report.

There were a total of 123 calls to the emergency response services between the dates of January 9, 2000 through June 6, 2018, for the project site (935 Union Avenue). The reasons for the calls are numerous. These calls were responded to by the Police Department, Fire Department or Ambulance Corps depending on the nature of the call. Thus, the average number of calls per year is 6.6 calls for the approximately 18.5 years between January of 2000 and June of 2018 listed in the database search of calls.

3.7.1.4 Community Parks:

The proposed action is also served by a number of community parks with varying types of amenities throughout the town. Some of the parks have lighting and events can be scheduled after dusk to allow use of the parks by the residents. The parks are maintained by the Town of New Windsor Recreation Department.

Kristi Babcock Memorial Park:

The Kristi Babcock Memorial Park is located at 660 Mt. Airy Road and has four softball/baseball fields, three soccer fields, on football or multipurpose field, two playgrounds, a pavilion with full service concession stand, two separate restrooms facilities and a walking path around the soccer fields. The park closes at dusk unless there is scheduled activity.

Ruscitti Park:

The Ruscitti Park is located at 244 Union Avenue and has one baseball field, basketball courts, pavilion, playground and restrooms during events only. The park is open from 8:30am to 4:30pm.

San Giacomo Park:

The San Giacomo Park is located at 402 Union Avenue and has one baseball field, basketball courts, pavilion, playground and restrooms. The park closes at dusk.

Plum Point Park:

The Plum Point Park is located at Route 9W and Plum Point and has scenic views of the Hudson River, a pavilion and a playground. The park closes at dusk.

There are also a number of neighborhood parks such as Beaver Dam Park, Bull Road Park, Butterhill Park and Little Falls Park.

3.7.2 Potential Impacts:

The proposed action will convert the former restaurant site into a 93-room limited service hotel.

A request was made to the Town of New Windsor Police Department for the number of Emergency Response requests that were made to the existing Windsor Hospitality, LLC site (915 Union Avenue) in order to get a representative sample of emergency response calls for a hotel use in the Town of New Windsor. A copy of the database search is included in the appendices of this report.

There were a total of 398 calls to the emergency response services between the dates of January 9, 2000 through June 6, 2018, for the hotel located on the Windsor Hospitality, LLC site (915 Union Avenue). The reasons for the calls are numerous. These calls were responded to by the Police Department, Fire Department or Ambulance Corps depending on the nature of the call. Thus, the emergency responders received an average of 21.5 calls per year from the existing Windsor Hospitality, LLC hotel site between January of 2000 and June of 2018 listed in the database search of calls.

The existing hotel on the Windsor Hospitality, LLC site has 97 rooms. Therefore the number of calls per room averages 0.22 calls per room for one year.

Assuming similar conditions and using the average of 0.22 calls per room per year, the proposed action would generate a similar number of 20.6 calls per year (0.22 calls per room per year x 93 rooms). This is an increase of 14.0 calls per year for the proposed action at the existing project site.

The Windsor Hospitality, LLC, project will create 190 new rooms in addition to the existing 97 rooms currently existing. The proposed action will create 93 new rooms for a total number of rooms of 380 between the two sites.

Thus the cumulative impacts with the Windsor Hospitality, LLC project along with the proposed action will result in an average number of calls of 83.6 calls per year assuming conditions will be similar.

The impact on the community parks is anticipated to be minimal.

3.7.3 Proposed Mitigation:

The proposed action will be increasing the tax base of the property and thus contributing additional tax revenues to both the Town of New Windsor, The Vails Gate Fire District, New Windsor Ambulance and to the Town of New Windsor General Fund.

The proposed hotel building will be constructed using state-of-the-art fire protection equipment and systems. Fire alarm systems will be utilized in the building to provide immediate identification of the location of any smoke, heat or fire.

No mitigation is proposed for the impact on the community parks as the potential impacts are anticipated to be minimal.

3.8 Fiscal Impacts

3.8.1 Existing Conditions:

Taxes levied on the project site (Tax Map ID# 4-1-12.11) for tax year 2018 are listed as in the following tables for the County, Town and School:

2018 County/Town Taxes			
Description	**Rate per $1,000 or Units**	**Value or Units**	**Taxes Due**
County	21.251100	$170,500.00	$3,623.31
Town	20.231000	$170,500.00	$3,449.39
Highway Department	9.494700	$170,500.00	$1,618.85
NW Ambulance	1.092300	$170,500.00	$186.24
Vails Gate Fire	3.874500	$170,500.00	$660.60
Sewer District 17 Bond	0.457600	345 Units	$157.87
New Windsor Water 6	2.876500	$170,500.00	$490.44
Total			**$10,186.70**
2017-2018 School Taxes (Newburgh CSD District)			
Description	**Rate per $1,000 or Units**	**Value or Units**	**Taxes Due**
Newburgh CSD	144.943881	$170,500.00	$24,712.93
Library Tax	6.629243	$170,500.00	$1,130.29
Total			**$25,843.22**

Therefore, the total taxes levied for the project site for tax year 2018 is $36,029.92.

3.8.2 Potential Impacts:

It is estimated that the assessed value of the proposed action would be approximately $9,765,000 based on current construction costs of hotels of similar size in the region and a discussion with the Town of New Windsor Tax Assessor[9]. The assessed value of the proposed action would be $1,635,637.50[10]. Assuming the use of the same rates, the new taxes would be as follows:

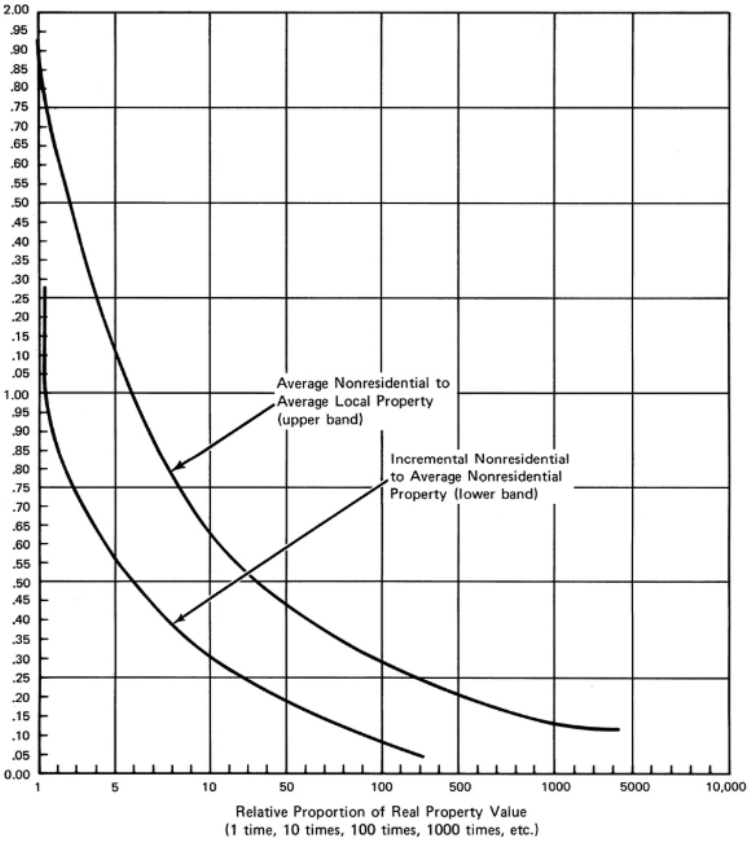
Projected County/Town Taxes			
Description	**Rate per $1,000 or Units**	**Value or Units**	**Taxes Due**
County	21.251100	$1,635,637.50	$34,759.10
Town	20.231000	$1,635,637.50	$33,090.58
Highway Department	9.494700	$1,635,637.50	$15,533.65
NW Ambulance	1.092300	$1,635,637.50	$1,786.61
Vails Gate Fire	3.874500	$1,635,637.50	$6,337.28
Sewer District 17 Bond	0.457600	2714 Units[11]	$1,241.93
New Windsor Water 6	2.876500	$1,635,637.50	$4,704.91
Total			**$97,454.05**
Projected School Taxes (Newburgh CSD District)			
Description	**Rate per $1,000 or Units**	**Value or Units**	**Taxes Due**
Newburgh CSD	144.943881	$1,635,637.50	$237,075.65
Library Tax	6.629243	$1,635,637.50	$10,843.04
Total			**$247,918.69**

Therefore, the projected taxes levied for the proposed action shall be $345,372.74.

3.8.2.1 Summary of Costs to the Community:

A fiscal impact analysis was prepared for the proposed action to determine what the fiscal impacts would be on the community once the proposed action was developed. The proportional Valuation Fiscal Impact Methodology was utilized in the analysis. This methodology uses an average costing approach to project what the fiscal impacts will be on the community based on current proportions of community costs for non-residential properties. Refinement coefficients are used (Exhibit 6-3 from the "*The Fiscal Impact Handbook*".

[9] *Mr. Todd Wiley, Town Assessor*
[10] *Based on a current equalization rate of 16.75%*
[11] *The Number of Units was increased from 345 to 2714 based on the increased water usage from the existing use to the 93-room limited use hotel.*



Source: Case Studies of Nonresidential Impact—Rutgers University, Spring, 1977.

EXHIBIT 6-3

REFINEMENT COEFFICIENTS FOR THE PROPORTIONAL VALUATION FISCAL IMPACT METHOD

The information provided in the analysis were obtained from the Town of New Windsor Adopted Budget, The Town of New Windsor Tax Rolls and discussions with both Mr. Todd Wiley, the Town Tax Assessor and Mr. Jack Finnegan, the Town Comptroller.

The analysis is found on the following page.

Fiscal Impact Analysis - 935 Union Avenue, Town of New Windsor					
Proportional Valuation Method					
Fiscal Year 2017-2018					
Item No.	**Description**				
1	**Total Municipal Expenses - 2018**	$36,594,159.00		From 2018 Town Budget	
2	**Total Local Real Property Value**	$499,369,352.00		From 2018 Tax Rolls	
3	**Total Number of Parcels in Town**	9,552		From 2018 Tax Rolls	
4	**Total Non-Residential Real Property Value**	$112,542,314.00		From 2018 Tax Rolls	
5	**Total Number of Non-Residential Parcels**	867		From 2018 Tax Rolls	
6	**Average Real Property Value**	$52,279.04		Item 2 / Item 3	
7	**Average Non-Residential Real Property Value**	$129,806.59		Item 4 / Item 5	
8	**Proposed Action Market Value**	$9,765,000.00		Estimate from Town Tax Assessor	
9	**Real Property Value of Non-Residential Parcels**	2.48		Item 7 / Item 6	
10	**R.P. Value of Proposed Action to Average Non-Residential R.P. Value**	75.2		Item 8 / Item 7	
Total Existing Municipal Expenditures Attributable to Non-Residential Uses					
11	**Total Municipal Expenses - 2018**	$36,594,159.00		From 2018 Town Budget	
12	**Proportion of Non-Residential Value to Total Local Real Property Value**	0.23		Item 4 / Item 2	
13	**Refinement Coefficient:**	1.3		Upper Curve from Exhibit 6-3	
14	**Average Non-Residential Real Property Value**	$129,806.59		Item 4 / Item 5	
15	**Average Real Property Value**	$52,279.04		Item 2 / Item 3	
16	**Total Existing Expenditures Attributable to Non-Residential Uses**	$10,721,340.25		Item 11 x Item 12 x Item 13	
Municipal Costs Assigned to Project					
17	**Total Existing Expenditures Attributable to Non-Residential Uses**	$10,721,340.25		Item 16	
18	**Refinement Coefficient:**	0.18		Lower Curve from Exhibit 6-3	
19	**Proportional Real Property Value for Proposed Action**	75.2		Item 8 / Item 7	
20	**Proportional Real Property Value for Proposed Action**	0.087		Item 8 / Item 4	
21	**Municipal Costs Allocated to the Proposed Action**	**$162,795.93**		Item 17 x Item 18 x Item 20	
Assign Total Annual Non-Residential Facility Costs to Component Service Categories					
	Incoming Non-Residential Use Cost Distribution:				
22	General Government - 6%	$9,767.76		Item 21 x 6%	
23	Public Safety - 75%	$122,096.95		Item 21 x 75%	
24	Public Works - 15%	$24,419.39		Item 21 x 15%	
25	Health & Welfare - 2%	$3,255.92		Item 21 x 2%	
26	Recreation & Culture - 2%	$3,255.92		Item 21 x 2%	
Revenues Assigned to Proposed Action					
27	**Estimated Property Value of Proposed Action**	$9,765,000.00		Estimate from Town Tax Assessor	
28	**Equalization Rate**	16.75%		From Town Tax Assessor	
29	**Estimatd Assessed Value of Proposed Action**	$1,635,637.50		Item 27 x Item 28	
30	**Rate for Sewer Bond**	0.457600		From Town Tax Assessor	
31	**County Tax Revnue**	21.251100	$34,759.10		
32	**Town Tax Revenue**	20.231000	$33,090.58		
33	**Highway Tax Revenue**	9.497000	$15,533.65		
34	**New Windsor Ambulance**	1.092300	$1,786.61		
35	**Vails Gate Fire**	3.874500	$6,337.28		
36	**Sewer District 17 Bond**	2714	$1,241.93	Estimated from Projected Flows	
37	**New Windsor Water District 6**	2.876500	$4,704.91		
38	**Total Town Revenues**		$97,454.05		
39	**Newburgh Central School District Tax**	144.943881	$237,075.65		
40	**Library Tax**	6.629243	$10,843.04		
41	**Total School & Library Revenues**		$247,918.69		
42	**Occupancy Tax - 5% of Lodging**	5%			
43	**Number of Rooms**	93			
44	**Average Annual Occupancy Rate**	65.90%		As Reported by Statisca	
45	**Room Rate**	$150.00		Average Room Rate	
46	**Annual Projected Sales**	$3,355,463.25			
47	**Total Annual Sales Tax Revenues**	$167,773.16			
Total Anticipated Municipal & School District Revenues Generated by the Proposed A		**$513,145.90**		From Property & Sales Tax	
Anticipated Revenues vs. Municipal Expenses		**315.2%**			

In summary, the proposed action will have projected costs of $162,795.93 attributed to the community after development. These costs are based on General Government, Public Safety, Public Works, Health & Welfare and Recreation & Culture.

The proposed action, once developed, will generate a projected amount of revenue of $345,372.74 from County Taxes, Town, Highway Taxes, Fire & Ambulance Taxes, Sewer and Water fees, School Taxes, and Library Taxes.

The proposed action will also generate a sales tax of 5% of its total sales. This value was estimated $167,773.16 based on 93 rooms, and average annual occupancy rate of 65.9% and an average room rental rate of $150 per night.

Therefore the total projected revenues for the proposed action is $513,145.90 per annum utilizing tax rates for fiscal year 2018 obtained from the Town of New Windsor Tax Assessor's office.

Based on the fiscal impact analysis, the proposed action will generate 315.2% of its costs to the community.

3.8.3 Proposed Mitigation:

There will be a substantial surplus in revenue from the proposed action when compared to the costs to the community. Therefore, no mitigation is proposed.

3.9 Visual Character

3.9.1 Existing Conditions:

The location of the proposed action is the site of the former Steak and Stein restaurant. The building currently remains on the site and is unoccupied. The site is maintained but the building is showing its age. There is minimal landscaping around the site which was maintained while the restaurant was in operation.

The following photos depict the existing conditions of the site as of the writing of this document:

Figure 6 - Project Site at North End of Property Looking South

Figure 7 - Project Site from North End Looking Southwest

Figure 8 - Project Site from Union Avenue Looking Southwest

Figure 9 - Project Site from Union Avenue Looking West

Figure 10 - Project Site from Union Avenue Looking West North West

Figure 11 - Project Site from Union Avenue Looking North West

Figure 12 - Project Site Looking Northwest

Figure 13 - Project Site from South Looking North

The site of the proposed action is not in the vicinity of any of the parks in the Town of New Windsor. Thus there is no visual impacts on any of the existing Town parks or neighborhood parks.

3.9.2 Potential Impacts:

The Proposed Action involves the removal of an existing 5,575 square foot, wood-frame & masonry building on the subject parcel which has served as a restaurant for a number of years and constructing a four-story limited-service hotel with 93 rooms and requisite parking on the site. The site will be landscaped with proper lighting and a re-aligned single entrance onto Union Avenue. The access to the south of the property will remain with minor improvements.

Figure 14- Proposed Rendering of Proposed Hotel

The main portion of the proposed building will be approximately 214 feet long by approximately 60 feet. The canopy will extend an additional 44' past the front of the building to provide a covered reception area near the entry door of the hotel. The building height is 45'-4" to the top of the roof parapet. The footprint of the building shall be 13,797 square feet in size. The gross floor area shall be 54,233 square feet.

The building will be finished with an Exterior Insulated Finish System (EIFS) & stone cladding on all four elevations. There shall be egress windows on the front and rear elevations with ornamental grilles for the individual mechanical units in each room. Signage will be placed on the front elevation and both of the end elevations of the main building. The canopy shall

be supported by columns wrapped in the same stone cladding as the main building. The canopy will be a monoslope roof structure with a standing seam metal roof finish and will slope towards the main building. Refer to figure 3 for a rendering of the proposed building. Refer to Exhibit #2 in the appendix of this document for the building elevations and canopy drawings.

The proposed action will require 93 parking spaces per §150-68, Off-Street Parking Requirements, in the Town of New Windsor Zoning Code which requires 1 per rental room, plus additional spaces for conference rooms and restaurants. The proposed action will include 93 rental rooms with no restaurant or conference rooms. Therefore 94 parking spaces will be provided.

A plan entitled "Property Cross-Sections" is included in the appendices of this document. Refer to Exhibit #8 in the Appendix of this document for the cross-sections through the property.

3.9.3 Proposed Mitigation:

The proposed action involves the demolition of the former Steak and Stein restaurant and the construction of a 4-story, 93-room, limited-service hotel. The existing structure in its current state is in poor condition and lacks any architectural or aesthetic value.

The building will be architecturally pleasing and will enhance the streetscape of Union Avenue in the area of the proposed action.

No mitigation is necessary.

3.10 Flora and Fauna

3.10.1 Existing Conditions:

The existing site consists of a vacant 5,575 square foot wood-frame and masonry building that is the former location of the Banta's Steak and Stein restaurant. The site has been vacant for approximately 2 years. The site contains pavement, exterior lighting and other improvements that were once used by the restaurant. The north end of the site is a wooded area. Refer to figures 15 and 16 which show the site in its current condition.

Figure 15- Site Photograph of the site from the North End Looking South

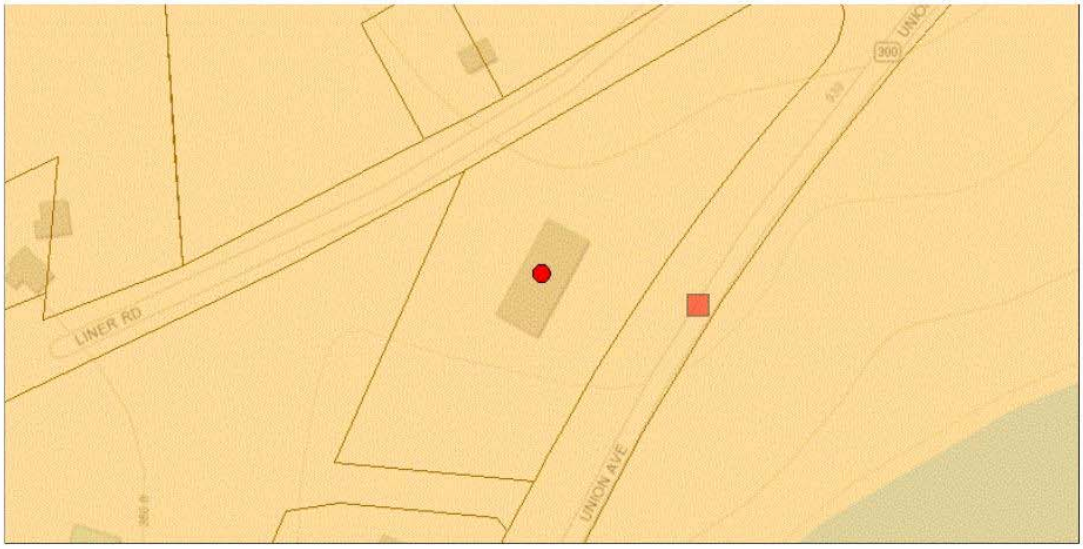
Figure 16 - Project Site on South End Looking North

There is an existing hotel and diner immediately to the south of the site. Further south on Route 300, there is the Orange County Highway garage, a granite dealer, an office building, and a motorcycle dealership. All of these uses are on the west side of Route 300. There is no development on the east side of 300 south of the project site within ½ mile of the project site.

An inquiry was made to the NYSDEC using the on-line Environmental Resource Mapper for the project site. The information returned from the system indicated that the location is in the vicinity of State-Listed Bats which are considered rare animals.

The returned information from the Environmental Resource Mapper for the site of the proposed action is located on the following two pages:

Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18	**Easting:**	577177.234	**Northing:**	4594020.873
Longitude/Latitude	**Longitude:**	-74.075	**Latitude:**	41.494

The approximate address of the point you clicked on is:
Banta's Steak & Stein

County: Orange
Town: New Windsor
USGS Quad: CORNWALL-ON-HUDSON

DEC Region

Region 3:
(Lower Hudson Valley) Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester counties. For more information visit http://www.dec.ny.gov/about/607.html.

Rare Plants and Rare Animals

This location is in the vicinity of Rare Animals

This location is in the vicinity of State-Listed Bats

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

A request was made to the United States Department of the Interior Fish and Wildlife Service with respect to a list of threatened or endangered species that occur in the project site and in the vicinity of the project site. A formal response was received that identify a total of 5 threatened, endangered, or candidate species that may be impacted due to the proposed action. They are as follows:

3.10.1.1 Mammals:

Indiana Bat *Myotis sodalist* – Endangered
There is a final critical habitat for the Indiana Bat.
The project site is outside the critical habitat

Northern Long-eared Bat *Myotis septentrionalis* – Threatened
No critical habitat has been designated for this species.

3.10.1.2 Reptiles:

Bog Turtle *Clemmys muhlenbergii* – Threatened
No critical habitat has been designated for this species.

3.10.1.3 Clams:

Dwarf Wedgemussel *Alasmidonta heterodon*
No critical habitat has been designated for this species

3.10.1.4 Flowering Plants:

Small Whorled Pogonia *Isotria medieoloides*
No critical habitat has been designated for this species

There are not critical habitats within the project area under the U.S. Department of the Interior's jurisdiction.

The following pages outline the response from the U.S. Department of the Interior.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
http://www.fws.gov/northeast/nyfo/es/section7.htm

In Reply Refer To: April 14, 2018
Consultation Code: 05E1NY00-2018-SLI-1763
Event Code: 05E1NY00-2018-E-05380
Project Name: 935 Union Avenue - Hotel

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: http://www.fws.gov/northeast/nyfo/es/section7.htm

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/

eagle_guidance.html). Additionally, wind energy projects should follow the Services wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

Project Summary

Consultation Code: 05E1NY00-2018-SLI-1763

Event Code: 05E1NY00-2018-E-05380

Project Name: 935 Union Avenue - Hotel

Project Type: DEVELOPMENT

Project Description: Parking expansion for existing hotel

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/41.494250444943404N74.07533953377754W

Counties: Orange, NY

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat *Myotis sodalis* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Reptiles

NAME	STATUS
Bog Turtle *Clemmys muhlenbergii* Population: Wherever found, except GA, NC, SC, TN, VA No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6962 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/182/office/52410.pdf Habitat assessment guidelines: https://ecos.fws.gov/ipac/guideline/assessment/population/182/office/52410.pdf	Threatened

Clams

NAME	STATUS
Dwarf Wedgemussel *Alasmidonta heterodon*	Endangered

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/784
Species survey guidelines:
https://ecos.fws.gov/ipac/guideline/survey/population/363/office/52410.pdf

Flowering Plants

NAME	STATUS
Small Whorled Pogonia *Isotria medeoloides*	Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/1890
Species survey guidelines:
https://ecos.fws.gov/ipac/guideline/survey/population/742/office/52410.pdf

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

A Habitat Suitability Assessment Report was prepared for the Threatened and Endangered species that were identified by the U.S. Department of the Interior. This report was prepared by Mr. Michael Nowicki of Ecological Solutions, LLC, and dated April 14, 2018. A copy of this report is included in the appendices of this document.

To summarize the report:

Dwarf wedgemussel - There is no potential habitat for the Dwarf wedgemussel as there are tributaries located on the project site.

Small whorled pogonia - There is no potential habitat for the Small whorled pogonia on the project site since there are no older forest or wooded areas on the project site.

Indiana bats - The proposed action will not adversely the Indiana bats since the site is generally developed except for a maintained field area with a small wooded fringe along the property boundary. Furthermore, the trees are generally young growth with a 2 inch dbh average and not over 25 feet tall. The trees are sporadically located and do not offer any characteristics associated the Indiana bat roosting or maternal colony use.

Northern long-eared bat - The Northern long-eared bat requires/occupies the same habitat niche as the Indiana bat. Therefore the proposed action in not likely to adversely affect this species.

3.10.2 Potential Impacts:

The majority of the site is developed with the exception of the forested area on the north end of the property which is the only area on the site where there will be new disturbance.

The Habitat Suitability Assessment Report explains that the habitats for the five threatened, endangered, or candidate species does not exist on the site.

Therefore, no impacts are anticipated to endangered or protected species that have been identified to be on the project site or in the vicinity of the project site.

3.10.3 Proposed Mitigation:

The Applicant believes there will be no adverse impacts. Therefore, no mitigation is being proposed.

4.0 CONSTRUCTION IMPACTS

Once approved, the project will begin construction once the Town of New Windsor Building Department issues a building permit.

Before construction begins, the soil and erosion controls will be installed in accordance with the SWPPP.

It is anticipated that construction should last approximately 12 months once construction begins. The Contractor shall work between the hours of 7AM and 5PM during the work week. Weekend and Holiday work are not anticipated for normal work. There may be exceptions if there is utility work that needs to be done during these times.

During construction, the project sponsor shall retain the services of a firm or individual that is qualified in the inspection of the project site with respect to the SWPPP requirements. That person shall provide written reports on a weekly basis to the project sponsor and the Town of New Windsor Building Department regarding the conditions at the site and any possible violations of the conditions outlined in the SWPPP.

Blasting is not anticipated at this point. However, in the event blasting becomes necessary, the project sponsor will employ the services of a blaster certified to work in the Town of New Windsor. The blaster will follow all Federal, State and Local blasting laws.

There will be temporary construction impacts such as noise & construction vehicles in the area of the proposed action. However, these impacts will be minor and will only last during the construction phase of the proposed action.

It is the applicant's opinion that the cumulative construction impacts for both the proposed action and the Windsor Hospitality, LLC, project should be minimal. There should be no traffic back-ups during the construction as construction vehicles can easily access both sites.

All materials for the proposed action will be staged on the north end of the site once rough grading is completed. This area is easily reached from the driveway entrance between the two sites. Staging and construction vehicles for the Windsor Hospitality, LLC, site will be on that property. There will be no conflicts with either construction vehicles or material staging.

Both sites have adequate room for the Contractor's employee parking, job trailers and other construction appurtenances.

5.0 PROJECT ALTERNATIVES

5.1 No-Build Alternative

The No-Build Alternative will leave the existing site in its current condition. The existing structure would remain in its current condition in lieu of a new architecturally pleasing 4-story 93-room limited service hotel.

The parking area would also remain in its current condition in lieu of a new parking area that would be freshly landscaped.

The existing street scape along Union Avenue would remain as it is.

There would be no benefit to the community from the increased tax revenues.

There would be less of an impact on the emergency services since the proposed action may generate additional calls based on the data collected for the last 18.5 years for similar uses.

Notwithstanding the above, the No-Build alternative is not considered to be realistic, since the site is privately owned property that is zoned for the proposed action development and is relatively suitable for the development.

5.2 Other Alternatives

Per zoning, other alternatives for the site would include continuing the use of the current restaurant on the site as this is permitted in the HC zone. The site is 2.81 acres in size and thus is excluded from many of the permitted uses such as Indoor/Outdoor Recreation, Places of Worship, Dog Kennels, Private Schools and Recreational Motor Vehicle and Mobile Home Sales.

The owners of the project site have been unsuccessful in soliciting a tenant that is willing to continue the use of the existing restaurant due to the very competitive restaurant market in the immediate area of the proposed action.

Other uses allowed on the project site include retail stores and banks. The project sponsors feel that the site is too limited in size to generate a large enough retail facility to compete with the retail centers immediately to the north of the project site on Union Avenue. The site will only allow a small retail center with limited parking. A small retail plaza would not compete with the current retail plazas to the north of the site.

Building and construction sales are allowed in the HC zone. However, there is currently large retail stores in the immediate vicinity that sell building and construction products.

The project sponsor believes that the best use of the property is the proposed action as it will enhance the community, provide support to the Airport and conform to the 2009 Town of New Windsor's Comprehensive Plan Update.

6.0 OTHER ENVIRONMENTAL IMPACTS

6.1 Unavoidable Adverse Impacts

The proposed action has the potential to increase demand on community services such as the Town of New Windsor Police Department and the Vails Gate Fire and Ambulance services.

As outlined in section 3.7"Community Services" of this document an analysis of the data from January of 2000 to June of 2018 regarding the emergency responder calls that were generated for the adjacent Windsor Hospitality, LLC site (Days Inn). It was determined that the hotel had generated 21.5 calls per year for the 18.5 years of data obtained. A straight-line projection based on the number of rooms for the proposed action yield 20.6 calls per year.

This is an increase of 14 emergency responder calls per year to the project site than were made over the last 18.5 years while the former Steak and Stein restaurant was in operation.

This is felt to an unavoidable adverse impact due to the increased intensity of the use. The development of the proposed action, however, will generated increased revenues to the Town, Vails Gate Fire and Ambulance, School District to mitigate the unavoidable adverse impact.

The proposed project would also have adverse impacts on the environment that cannot be avoided. Some of these are short-term impacts that would occur primarily during the construction phases. Most of these impacts arise from the alteration of existing site conditions. There are, however, other adverse impacts that would have permanent or long-term environmental effects. Most of these are an unavoidable consequence of the urbanization process.

The following adverse impacts that cannot be avoided if the project is implemented are identified:

- Replacement or disturbance of on-site soils during the course of development, including blasting, if required.
- Disturbance to forest through site grading, construction of infrastructure and habitation of the site;
- An increase in impervious surfaces and alteration of stormwater runoff;
- An increase in the usage of water, the generation of wastewater, and in energy usage; and,
- Change in the existing land use and character of the project area

6.2 Irreversible & Irretrievable Commitment of Resources

The Proposed Action involves the removal of an existing 5,575 square foot, wood-frame & masonry building on the subject parcel which has served as a restaurant for a number of years and constructing a four-story limited-service hotel with 93 rooms and requisite parking on the site.

The main portion of the proposed building will be approximately 214 feet long by approximately 60 feet. The canopy will extend an additional 44' past the front of the building to provide a covered reception area near the entry door of the hotel. The building height is 45'-4" to the top of the roof parapet. The footprint of the building shall be 13,797 square feet in size. The gross floor area shall be 54,233 square feet.

The proposed action will provide 94 parking spaces.

The majority of the site is developed with the exception of the north end of the property where there is a 0.98-acre area which is currently forested. A portion of this forested area will be converted to parking and roadways for the proposed action.

The proposed action will also increase the amount of impervious surfaces on the site by 0.30 acres to 1.68 acres.

Some areas of existing undeveloped land will be committed to development parking areas, roads, and landscaped areas. Some existing soils will be altered and replaced with paving. The existing natural resources that could be made unavailable for future use include the forested areas on the north end of the project site.

Resources will be consumed during construction of the site, including fossil fuels and construction materials.

Non-renewable fossil fuels will be irretrievably lost through the use of gasoline and diesel powered construction equipment during demolition and construction.

Development of the site will generate an increased demand for electricity and natural gas. Increased commitments will be made for the use of central water and sanitary sewage disposal, solid waste disposal and municipal services such as police and fire protection.

Commitments will also be made for the use of renewable and/or recyclable resources such as construction and building materials including timber, steel, concrete, and glass. The need for demolition/construction jobs and related service-oriented industries will be an irretrievable commitment of labor resources.

6.3 Growth-Inducing, Cumulative & Secondary Impacts

The site is within the HC zoning district. The development potential of the site is limited to those activities permitted by the Town of New Windsor Zoning Ordinance. Permitted and specially permitted uses include but are not limited to commercial uses. The proposed project is consistent with the currently allowed use of the property, and will therefore be in conformance with the Town of New Windsor Zoning Ordinance.

The land in the surrounding area is predominantly commercial and the proposed action, therefore, does not represent a precedent setting action for development in this area. The corridor along Union Avenue is intensively developed with a variety of commercial uses that support the surrounding residential communities and the Airport.

Major transportation corridors near the site include Union Avenue, Route 207, Interstate -84 and the New York State Thruway. The Thruway facilitates traffic in a north/south direction and connects with Interstate-84 south of the project site. The conclusions of the Traffic Impact Study are that the studied intersections within the immediate area of the site are not deteriorated by the proposed development of the proposed action. Overall, operating characteristics will be improved or remain acceptable with the construction of the proposed action.

6.4 Effects of Energy Use and Conservation

The existing and proposed primary energy sources for the project are electricity, fuel oil, and natural gas. Electricity and natural gas will be provided by Central Hudson Gas and Electric Corporation for lighting, cooling, and operating internal equipment.

Central Hudson Gas and Electric is able to provide sufficient electric and gas service to the proposed 93-room, limited-service hotel. In addition, lighting fixtures will utilize energy saving lamps and ballasts. Energy-reducing systems shall be incorporated in the design of the hotel rooms that reduce energy levels in each room when unoccupied.

The new hotel shall be constructed in conformance with the energy conservation regulations of the New York State Energy Conservation Construction Codes. In addition, low-flow water conservation plumbing devices will be installed on all showerheads and faucets consistent with the New York State Environmental Conservation Law. The impact of these water conservation devices is a reduction in the demand water, particularly for hot water, therefore reducing energy demand to heat water.

7.0 APPENDICES – VOLUME II

The following information is located in the appendices of this document:

7.1 SEQRA Documentation

- Long Form Environmental Assessment
- Declaration of Positive Declaration
- Scoping Document

7.2 Reports

- McGoey, Hauser & Edsall Report of Town Landfill – September, 2016
- Stormwater Pollution Prevention Plan
- Traffic Impact Study
- Threatened and Endangered Species Habitat Suitability Assessment Report

7.3 Exhibits

- Existing Conditions Survey
- Building Elevations
- Site Plan
- Landscaping Plan
- Lighting Plan
- Sheet 31 of Orange County Soil Survey
- Grading, Soil & Erosion Plan
- Section Thru Property & Building

7.4 Correspondence

- U.S. Department of the Interior Fish and Wildlife Service – April 14, 2018
- NYS Department of Environmental Conservation – May 3, 2018
- Mr. Todd Wiley (Email) – June 21, 2018
- Emergency Response Calls – January, 2000 – June, 2018

7.5 Consultant's Qualifications

- M.A. Day Engineering Firm Resume
- Marissa Tarallo, PE, PTOE Resume
- Michael Nowicki, B.S. Resume
- Stephen Whalen, R.A. Resume