

PB# 94-23

IDC SOIL RECLAMATION

9-1-98

23

IDC SOIL RECLAMATION
AMENDED S.P. - River Rd
(Shaw)

Approved 1-10-95

SEL# 9-1-98

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

14234

August 19 1994

Received of Shaw Engineering \$ 150.00
One Hundred Fifty and 00/100 DOLLARS
For Planning Board Application Fee #94-23

DISTRIBUTION:

FUND	CODE	AMOUNT
CP# 7478		150.00

By Dorothy H. Hansen
Town Clerk
Title

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Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553

NO. 94-23

August 19, 1994

RECEIVED FROM Shaw Engineering
Seven Hundred Fifty 00/100 DOLLARS
Site Plan minimum Escrow

Account Total \$ 750.00
Amount Paid \$ 750.00
Balance Due \$ -0-

J. Mason 8/19/94
Thyng Mason, Secy to the P.B.

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553

NO. 94-23

January 5, 1995

RECEIVED FROM Gra D. Conklin & Sons, Inc.
Two Thousand Four Hundred Fifty 84/100 DOLLARS
2% of \$122,542.00 (Cost Estimate) Inspection fee

Account Total \$ 2450.84
Amount Paid \$ 2450.84
Balance Due \$ -0-

J. Mason 1/5/95
Thyng Mason, Secy to the P.B.

**Environmental Assessment Form
And Attachments**

Relating To

I.D.C. Soil Reclamation

Location: 4.4 acres situated on the easterly side of River Road in the Town of New Windsor, Orange County, New York. (Tax Map Parcel: Section 9, Block 1, Lot 96)

Applicant: Ira D. Conklin & Sons, Inc.
92-94 Stewart Avenue
Newburgh, New York 12550

(914) 561-1512

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

Preparer For The Lead Agency: Shaw Engineering
744 Broadway
Newburgh, New York 12550

Gregory J. Shaw, P.E.
(914) 561-3695

Date Of Submission: February 28, 1994
November 3, 1994 (Amended)

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

November 3, 1994

**Chairman James Petro and
Members of the Planning Board**
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Amended Site Plan For I.D.C. Soil Reclamation
River Road

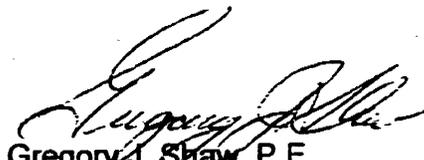
Dear Chairman Petro and Planning Board Members:

On behalf of I.D.C. Soil Reclamation I am pleased to submit, herewith, 14 copies of the Environmental Assessment Form with Attachments that is dated February 28, 1994 and containing an amendment date of November 3, 1994. This document is being submitted in accordance with SEQR for the purpose of assisting your Planning Board in revisiting the project's Determination Of Significance.

I.D.C. Soil Reclamation thanks you for your consideration of this project.

Respectfully submitted,

SHAW ENGINEERING


Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Ira D. Conklin III, I.D.C. Soil Reclamation

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- ◆ **Assessment Of Soil Remediation Unit Emissions**
- ◆ **Emergency Response Contingency Plan**

ENVIRONMENTAL ASSESSMENT FORM

5. Approximate percentage of proposed project site with slopes: 0-10% 100 % 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? 2 (in feet) As determined by borings in May, 1987
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: the site is 100 feet from Hudson River
 a. Name of Stream and name of River to which it is tributary Hudson River
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name _____ b. Size (in acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 0 acres.
- b. Project acreage to be developed: 2.47 acres initially; 2.47 acres ultimately.
- c. Project acreage to remain undeveloped 1.97 acres.
- d. Length of project, in miles: N.A. (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed N.A. %;
- f. Number of off-street parking spaces existing 6; proposed 13.
- g. Maximum vehicular trips generated per hour _____ (upon completion of project)? Refer to Traffic Study
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure 39 Avg height; 135 width; 190 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 245 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed? Facility operations or buffer area
- b. Will topsoil be stockpiled for reclamation? Yes No No topsoil available
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
 Yes No
6. If single phase project: Anticipated period of construction 6 months, (including demolition).
7. If multi-phased: N. A.
- a. Total number of phases anticipated _____ (number).
- b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
- c. Approximate completion date of final phase _____ month _____ year.
- d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 20; after project is complete 6.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
- b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No Parcel II: East of Conrail
16. Will the project generate solid waste? Yes No
- a. If yes, what is the amount per month _____ tons
- b. If yes, will an existing solid waste facility be used? Yes No
- c. If yes, give name _____; location _____
- d. Will any wastes **not** go into a sewage disposal system or into a sanitary landfill? Yes No
- e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
- a. If yes, what is the anticipated rate of disposal? _____ tons/month.
- b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) #2 Fuel oil and Gasoline
22. If water supply is from wells, indicate pumping capacity N. A. gallons/minute.
23. Total anticipated water usage per day 10,000 gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

25. Approvals Required:

	Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nov. 1993
City, Town Zoning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Aug. 1994
City, County Health Department	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other Local Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other Regional Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	
State Agencies NYSDEC	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	March 1994
Federal Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
- What is the zoning classification(s) of the site? Planned Industrial
- What is the maximum potential development of the site if developed as permitted by the present zoning?
N.A.
- What is the proposed zoning of the site? N.A.
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
N.A.
- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
Industrial and Residential
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? N.A.
 a. What is the minimum lot size proposed? _____
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge. Amended: Nov. 3, 1994

Applicant/Sponsor Name I.D.C. Soil Reclamation Date Feb. 28, 1994
 Signature [Signature] Title Engineer for Applicant

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer **Yes** if there will be any impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
 NO YES

Examples that would apply to column 2

- No** • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Yes** • Construction on land where the depth to the water table is less than 3 feet.
- No** • Construction of paved parking area for 1,000 or more vehicles.
- No** • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- No** • Construction that will continue for more than 1 year or involve more than one phase or stage.
- No** • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- No** • Construction or expansion of a sanitary landfill.
- No** • Construction in a designated floodway.
- Yes** • Other impacts Removal of existing storage tanks and regrading the site.

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) NO YES

- Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON WATER

3 Will proposed action affect any water body designated as protected?
(Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)
NO YES

Examples that would apply to column 2

- No • Developable area of site contains a protected water body.
- No • Dredging more than 100 cubic yards of material from channel of a protected stream.
- No • Extension of utility distribution facilities through a protected water body.
- No • Construction in a designated freshwater or tidal wetland.
- No • Other impacts: _____

4 Will proposed action affect any non-protected existing or new body of water?
NO YES

Examples that would apply to column 2

- No • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- No • Construction of a body of water that exceeds 10 acres of surface area.
- No • Other impacts: _____

5 Will Proposed Action affect surface or groundwater quality or quantity?
NO YES

Examples that would apply to column 2

- Yes • Proposed Action will require a discharge permit.
- No • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- No • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- No • Construction or operation causing any contamination of a water supply system.
- No • Proposed Action will adversely affect groundwater.
- No • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- No • Proposed Action would use water in excess of 20,000 gallons per day.
- No • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- No • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- No • Proposed Action will allow residential uses in areas without water and/or sewer services.
- No • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities
- No • Other impacts: _____

6 Will proposed action alter drainage flow or patterns, or surface water runoff?
NO YES

Examples that would apply to column 2

- No • Proposed Action would change flood water flows.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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- No • Construction activity would excavate or compact the soil profile of agricultural land.
- No • The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- No • The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)
- No • Other impacts: _____

IMPACT ON AESTHETIC RESOURCES

11. Will proposed action affect aesthetic resources? NO YES
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

Examples that would apply to column 2

- No • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- No • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- No • Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? NO YES

Examples that would apply to column 2

- No • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- No • Any impact to an archaeological site or fossil bed located within the project site.
- No • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- No • Other impacts: _____

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

Examples that would apply to column 2 NO YES

- No • The permanent foreclosure of a future recreational opportunity.
- No • A major reduction of an open space important to the community.
- No • Other impacts: _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON TRANSPORTATION

14. Will there be an effect to existing transportation systems?
 NO YES

Examples that would apply to column 2

- No • Alteration of present patterns of movement of people and/or goods.
- No • Proposed Action will result in major traffic problems.
- Yes • Other impacts: Refer to Assessment Of Traffic And Noise Impacts by John Collins Engineers, P.C.

IMPACT ON ENERGY

15. Will proposed action affect the community's sources of fuel or energy supply?
 NO YES

Examples that would apply to column 2

- No • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- No • Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- No • Other impacts: _____

NOISE AND ODOR IMPACTS

16. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?
 NO YES

Examples that would apply to column 2

- No • Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- No • Odors will occur routinely (more than one hour per day).
- No • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- No • Proposed Action will remove natural barriers that would act as a noise screen.
- Yes • Other impacts: Refer to Assessment Of Traffic and Noise Impacts by John Collins Engineers, P.C.

IMPACT ON PUBLIC HEALTH

17. Will Proposed Action affect public health and safety?
 NO YES

Examples that would apply to column 2

- No • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- No • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- No • Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- No • Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- No • Other impacts: _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**IMPACT ON GROWTH AND CHARACTER
OF COMMUNITY OR NEIGHBORHOOD**

18 Will proposed action affect the character of the existing community?
 NO YES

Examples that would apply to column 2

- NO • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- NO • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project
- NO • Proposed action will conflict with officially adopted plans or goals.
- NO • Proposed action will cause a change in the density of land use.
- NO • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- NO • Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- NO • Proposed Action will set an important precedent for future projects.
- NO • Proposed Action will create or eliminate employment.
- NO • Other impacts: _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? NO YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or
If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project changes.
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

DESCRIPTION OF SOIL RECLAMATION PROCESS

Description of Soil Reclamation Process

I.D.C. Soil Reclamation will thermally treat petroleum contaminated soils that are primarily generated by IDC customers during the replacement of underground fuel tanks, and accidental fuel leaks. Prior to transport to IDC's Facility, the contaminated soil will be tested to determine if the material is non-hazardous and conforms to all pre-acceptance criteria for the Thermal Treatment Controlled Waste, as set forth by the NYS Department of Environmental Conservation (NYSDEC). Once it has been determined that the sample has satisfied the criteria, it is "finger printed" for its characteristics and for future reference.

Prior to transport, the delivery of the petroleum contaminated soils will be scheduled with the Facility. This scheduling procedure will limit the maximum number of vehicles arriving at the site at one time to seventeen (17) tractor trailers. Trailers transporting additional material will be scheduled accordingly. IDC Facility will accept this contaminated soil between the hours of 6 AM to 6 PM, 6 days per week, excluding Sundays and specific holidays.

Upon arriving at the IDC Facility the tractor trailer will proceed around the storage/processing building to easterly truck scale where it will be weighed. The truck will then enter the building where a qualified IDC employee will visually inspect the transported material for the presence of any non-acceptable wastes. IDC personnel will then take appropriate samples of the soil to insure conformance with the original "finger printed" sample. This sampling procedure and the subsequent analysis will prevent the acceptance of any hazardous soil by IDC.

Once the soil characteristics are confirmed, the contaminated soil will be deposited onto the concrete floor in a designated area of the soil storage/processing building. This building will be 24,750 square feet in area, while having a height of 51 feet at its ridge. The concrete floor slab construction will contain a double impervious liner. Prior to processing, a qualified IDC employee will again visually inspect the material for the presence of any non-conforming waste. A loader will then remove the material to the designated stockpiling area where it will be screened of all oversized and non-processable material. The material screened from the soil will then be deposited into containers within the building that will consolidate the non-recyclable material for alternative disposal, i.e.: rocks four inches and larger, wood and plastic. If the non-recyclable rocks are contaminated with soil or petroleum product they will be washed before being deposited into the disposal/recycling container.

The screened soil will be taken by a loader to the Soil Remediation Unit (SRU) and placed directly into the hopper of the SRU for thermal treatment. The SRU will operate 24 hours per day, six days per week excluding Sundays and specific holidays. After treatment in the SRU the soil will conveyed by a screw auger, while injecting water into the treated soil for dust control, and deposited onto a designated area on the floor of the building. Based on the SRU operating a maximum of 24 hours per day, the water

usage is estimated at 10,000 gallons per day (GPD). The treated soil will then be taken by a loader outside of the building to the concrete holding bins until lab analysis confirms that the soil has met the NYSDEC Memo No. 1 Soil Guidance Criteria For Reuse.

All thermally treated material will be segregated on a daily basis. To insure that the contaminants have been removed from the soil, it will be sampled and tested in accordance with the NYSDEC Permit. After completion of the tests and the review of the results by qualified IDC personnel, the sterile material will be transported from the Facility as clean fill to a customer requiring same.

There will be no discharge from the soil reclamation process to the Town of New Windsor sanitary sewer system. The only waste water which will be discharged to the municipal sewer system will be that generated by IDC personnel.

Prepared By: Ira D. Conklin III
Ira D. Conklin & Sons, Inc.

VISUAL ASSESSMENT AND ENHANCEMENTS

EXISTING VISUAL ASSESSMENT OF SITE:

Southern approach on River Road traveling north:

The approach from the south is at a higher elevation than the site, with the site coming into full view only upon reaching the adjacent site to the south. The existing visual character upon initial approach is one of industrial blight.

The lands immediately to the east (right) of River Road throughout the area are composed of large visually open industrial tank facilities; with numerous steel tanks and open space between covered with asphalt. There are minimal trees with none along the roadway, thus giving no visual definition for the road or separation from road to site and/or definition of sites to each other. An open view of the Hudson River does not exist except on early approach, the Hudson River can be seen above the tanks however when reaching an elevation equal with the site a full view of the River does not exist. The rusted tanks and existing steel frame truck fill area interrupt the River view at all points.

The land to the west of the road is composed of a steep wooded bluff with native deciduous trees and along the roadway two story frame houses in poor condition dotted here and there offering no visual unity to the roadway corridor however every so often there are elderly street trees.

The view of the site itself is of the same character as its adjacent sites - open, highly visible containing a relatively flat piece of asphalt, numerous rusted storage tanks and offers no visual separation from the roadway or between adjacent sites. Similar to adjacent sites there is no visual definition of entry to the sites.

Northern approach on River Road traveling south:

This approach is similar to the southern approach but reversed. There are numerous other tank facilities along the roadway on the west side with far fewer homes. The existing view of the site itself is more visible upon this approach due to the orientation of the roadway relative to the site and the openness of the adjacent northern site.

View from Hudson River:

The view from the river is one of relatively flat terrain - the grade does not rise dramatically until after looking beyond the site past River Road. At this point the grade rises sharply and the deciduous trees and sparse view of homes on the slope can be seen. In the foreground only the rusted tanks can be seen due to the perspective and relative elevation of viewpoint. The adjacent sites all have similar visual character without any attempt made to screen the tanks.

PROPOSED VISUAL ENHANCEMENT

(Visual improvements from present state)

Traveling North and South River Road:

Improvement can only be done from within the site's property lines. Existing tanks will be removed thus improving the view from the road by reducing the undesirable visual impact of industrial type structures. The new office building in the foreground will be in a style to be compatible to the area's architecture. The proposed process and storage building will be colored a neutral tone thereby reducing its visibility, blend with the sky and river and will be partially screened by existing plantings at the adjacent site to the south; therefore no visual treatment along the south property line is necessary. At the entry points the visual openness of the site will be reduced by the use of planting and mounding on each side of the entry thus acting as a visual buffer and separation between adjacent sites and roadway. This will also serve to visually define the entry points. The asphalt area and storage building will be screened from the road with mounding and evergreen trees on both north and south side corners. The buffer areas were widened on both north and south sides such as much as feasible to provide this screening. Adjacent to the roadway along the property line large deciduous trees will be placed to define the road edge so the roadway appears visually separate from the site and will reflect the original character of the area. Entry sign will be done in neutral colors and all lighting near River Road will be in low level reflective lighting not appearing harsh or industrial in character.

From The Hudson River

The view of the proposed storage/processing building shall be mitigated by coloring the entire building with a non reflective taupe, green/grey color to blend in with the hillside rising beyond. The lower base will be a solid darker earthtone. The entire site shall be visually screened from the river by placing a berm within the property between the railroad tracks and the site. The berm will be wrapped around at the corners as feasible so the site is screened from the north and south. In areas where berming is not feasible, a low decorative retaining wall shall be placed to raise the grade elevation so planting of trees can be achieved at a higher elevation to better screen the building. The berm will undulate to appear natural and be planted with large evergreens and flowering trees in foreground. A flowering low maintenance groundcover shall be used on steep slopes facing the river. The view shall therefore mitigate negative views of the site so the viewers' eye moves up and past the site; recapturing the scenic quality of the Hudson River shoreline at this point. Trees indigenous to the area and on adjacent sites are proposed.

Prepared By: Carl Monte, L.A.
Sitework Services

STORMWATER MANAGEMENT

STORMWATER MANAGEMENT

Having been formerly used as a fuel oil terminal, the site is presently segmented into two separate drainage areas. On the easterly portion of the site is an area consisting of seven fuel storage tanks and a small building. This area is enclosed by an earth berm which provide retention for the fuel storage tanks. This retention area represents approximately 55% of the parcel that is proposed for development. Stormwater generated by this area ponds within contour elevation 5 where it ultimately infiltrates into the ground.

On the westerly portion of the site are two buildings and a truck fill station. The majority of this area's surface is macadam pavement with the balance being unvegetated earth. Stormwater generated within this area flows overland to the east where it enters a catch basin, and flows through an oil/water separator prior to discharging into a drainage ditch along the north property line. This stormwater flows in the ditch to the east, through a culvert under the Conrail railroad tracks, where it ultimately discharges into the Hudson River.

The development of the site will require the demolition of three buildings, the truck fill station, the seven storage tanks, and the retention area.. The majority of the site will be regraded, and surfaced with macadam pavement. Landscaped berms will be installed along the property lines to serve as visual buffers.

The development of the site will result in two drainage areas. The smaller of the two will be the new soil processing/storage building totaling an area of 24,750 S.F. (0.57 acres). Stormwater runoff from the building's roof will be conveyed to the east in a closed storm drainage system where it will discharge into the northerly drainage course. Upon entering the drainage course the stormwater will flow under the Conrail tracks into the Hudson River.

The balance of the developed site constitutes the larger drainage area. Stormwater within the drainage area will be collected by an open storm drainage system which will convey the flows to the west into an oil/water separator. After treatment within the separator the stormwater will be discharged to the north into the above reference northerly drainage course.. As under existing conditions, this stormwater will flow under the Conrail railroad tracks into the Hudson River. Presently the discharge of stormwater from the site operates under the SPDES Permit Number NY-0024261. This SPDES Permit will be transferred to the Soil Reclamation Facility. Only stormwater generated by the building's roof and the landscape/planting areas will flow from the site without the benefit of being treated in the oil/water separator.

Prepared By: Gregory J. Shaw, P.E.
Shaw Engineering

ASSESSMENT OF TRAFFIC AND NOISE IMPACTS

JOHN COLLINS ENGINEERS, P.C.

TRAFFIC • TRANSPORTATION ENGINEERS

11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266

October 25, 1994

Mr. Gregory J. Shaw, P.E.

Shaw Engineering

744 Broadway

Newburgh, New York 12550

Re: IDC Soil Reclamation Facility
River Road
Town of New Windsor, NY

Dear Greg:

As a follow up to our previous evaluation of the above site relative to traffic and noise, we have had the opportunity to review the latest site plans for the facility which modifies the location of the office and now proposed the construction of a building to house the reclamation equipment.

Based upon a review of the plan and other information relative to the proposed operation, the conclusions contained in our traffic evaluation dated February 24, 1994 are still valid and appropriate.

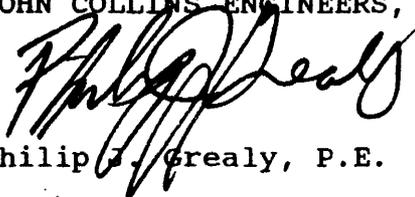
With respect to the noise evaluation included in that report and supplemented in our May 20, 1994 letter to Mark Edsall (copy attached), we offer the following additional comments based on the new plan.

As summarized in the May 20th letter, to insure compliance with the Town Code during evening hours, the installation of a noise barrier wall to provide the necessary attenuation was proposed. Now that the processing equipment will be located in an enclosed building,

the barrier will not be required since the presence of the building will result in better attenuation than that shown in the table contained in our May 20th letter. The layout of the facility including positioning of the equipment within the building together with the presence of the soil within the building will provide the necessary attenuation to insure that the Town Code requirements relative to noise in terms of both frequency and magnitude will be met throughout the day.

If you have any questions regarding this, please do not hesitate to contact us.

Sincerely,
JOHN COLLINS ENGINEERS, P.C.



Philip J. Grealy, P.E.

d.691.shaw

JOHN COLLINS ENGINEERS, P.C.

TRAFFIC-TRANSPORTATION ENGINEERS

11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266

May 20, 1994

Mr. Mark J. Edsall, P.E.
Town Engineer
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Re: IDC Soil Reclamation Facility
River Road
Town of New Windsor, NY

Dear Mark:

As a result of the April 27th Public Hearing on the above project, we are hereby submitting the additional information requested relative to the noise levels associated with the Soil Reclamation Unit proposed at this site. Since the time of the meeting, we have had the opportunity to collect additional noise measurements including some frequency data to address expected site noise conditions relative to the Town of New Windsor Code. In addition, we have been able to take additional measurements at various offset distances from the equipment to better identify the attenuation associated with the distance separation from the unit. In general, the levels associated with the equipment are low frequency and the following presents a summary of the expected noise levels by frequency for the unit at River Road. These levels would be lower at the residential building located on the west side of River Road opposite the site. These measurements are shown with and without the proposed noise attenuation barrier and represent estimates of the future noise levels with the equipment fully operational.

FREQUENCY RANGE (hz)	TOWN CODE ⁽¹⁾ REQUIREMENT	ESTIMATED LEVELS AT RIVER ROAD	
		W/O BARRIER	W/BARRIER ⁽³⁾
20 - 75	67	71	63
75 - 150	66	70	62
150 - 300	61	66	58
300 - 600	54	61	53
600 - 1,200	47	55	47
1,200 - 2,400	39	46	38
2,000 - 4,000	29	(2)	(2)
4,000 - 10,000	20	(2)	(2)

NOTES:

(1) MAXIMUM PERMISSIBLE SOUND PRESSURE LEVELS FOR NOISE FROM A FACILITY BETWEEN HOURS OF 7:00 PM AND 7:00 AM.
SOURCE: TABLE I-PAGE 4824 OF NEW WINDSOR TOWN CODE.

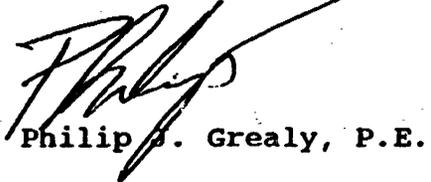
(2) LEVELS AT THESE FREQUENCIES WERE NOT MEASURABLE.

(3) REPRESENTS ESTIMATED LEVELS WITH NOISE ATTENUATION BARRIER IN PLACE.

As discussed at the meeting and as concluded in our original report, during normal working hours, the background noise levels along River Road are higher than those associated with the site. During the evening hours when the traffic levels on the road drop off, the installation of the proposed noise attenuation barrier will result in levels in compliance with the Town Code and thus, mitigating any potential impact at the adjacent residential building.

If you have any questions regarding this information, please do not hesitate to contact us.

Sincerely,
JOHN COLLINS ENGINEERS, P.C.



Philip P. Grealy, P.E.

dwp691.edsall

cc: James Loeb
John Ewasutyn
Gregg Shaw

JOHN COLLINS ENGINEERS, P.C.

TRAFFIC • TRANSPORTATION ENGINEERS

11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266

February 24, 1994

Mr. John Ewasutyn
Ira Conklin Inc.
P.O. Box 7457
Newburgh, New York 12550

Re: Proposed Soil Reclamation Facility
River Road
Town of New Windsor, NY

Dear John:

As per your request, we have completed our traffic and noise evaluations of the proposed Soil Reclamation Facility to be operated at the former Shotmeyer Terminal property on River Road in the Town of New Windsor, New York. The following summarizes the results of our evaluation relative to each of these areas:

1. Introduction and Background (Figure No. 1)

A Soil Remediation Facility is proposed to be operated on a site located on the east side of River Road generally opposite Silver Spring Road and immediately north of the Belcher Oil Company facility. This site formerly known as the Shotmeyer Terminal had previously operated as an oil distribution facility. The proposed Soil Remediation Facility involves the utilization of state of the art remediation units which includes a system consisting of a conveyor belt which feeds the contaminated soil into a rotating dryer/roaster that "cooks" the soil to remove contaminants. The

facility will be served initially by vehicular deliveries which will access the site via two driveway connections to River Road. Depending on the future level of usage, long term plans allow for the utilization of the rail spur which connects to the Conrail River Line.

2. Traffic Conditions

a) Existing Conditions (Figure No. 2)

In order to evaluate traffic conditions associated with the proposed facility it was necessary to first identify current traffic flows on River Road during both morning and afternoon Peak Hours and on a daily basis. Detailed traffic counts were collected in the vicinity of the site on February 2, February 7 and February 8, 1994 during morning and afternoon peak hours. This data was compared with available count information including daily volumes obtained from the New York State Department of Transportation (NYSDOT) for the River Road Corridor. Based on a comparison with the NYSDOT information, the existing peak hour traffic volumes were identified and are shown on Figure No. 2 for the AM and PM Peak Hours. The existing peak hours were generally found to occur between 7:30 AM - 8:30 AM and 4:30 PM - 5:30 PM.

b) 2000 Projected Traffic Volumes (Figures No. 3)

In order to account for background traffic increases along the River Road Corridor, historical data from the New York State

Department of Transportation (NYSDOT) was referenced. This data shows a slight decrease in daily volumes over the last few years. However, in order to account for potential future increases in volumes, the existing peak hour traffic volumes were projected to the year 2000 utilizing a growth factor of 1% per year. The resulting year 2000 Projected Traffic Volumes are shown on Figure No. 3.

c) Site Traffic Generation

In order to identify any potential traffic impact associated with the proposed Soil Reclamation Facility, estimates of the peak hour traffic generation were developed for the site. Based on information supplied by your office, it is estimated that a total of 12 tanker trucks will enter and exit the site per day over a five day week. These truck loads will generally be spaced over the course of the day.

For comparison purposes we have obtained copies of the historical information for the Shotmeyer Terminal when it was in operation and have summarized data for 1980 and 1981. During these years, the average gallons distributed per month were approximately 800,000 gallons with the peak months of January, February and March in the 1 million to 1.3 million range. Based on a delivery truck sizes of between 2,800 and 3,400 gallons, this equates to between 382 and 464 vehicles over the course of the month or assuming a seven day operation

approximately 12-14 truckloads entering and exiting the site per day. This corresponds to slightly higher volumes than expected with the proposed use.

d) Arrival/Departure Distribution (Figure No. 4)

Based on the expected distribution of truck traffic to and from the site, an arrival/departure distribution was developed. The distributions are shown on Figure No. 4.

e) 2000 Build Traffic Volumes (Figures No. 5 and 6)

Although the traffic generated at the site is expected to be spread out over the course of the day, to provide a conservative analysis, it was assumed that the truck traffic to and from the site would all occur over a two hour period equating to approximately six entering and six exiting trucks per hour. These site generated volumes shown on Figure No. 5 were combined with the 2000 Projected Traffic Volumes to obtain the 2000 Build Traffic Volumes which are shown on Figure No. 6.

f) Traffic Impact Analysis

In order to determine Levels of Service and operating conditions, it was necessary to conduct capacity analysis utilizing the procedures contained in the 1985 Highway Capacity Manual. A description of the analysis procedures follows:

The unsignalized intersection capacity analysis method utilized in this report was also performed in accordance with the procedures described in the 1985 Highway Capacity Manual. The procedure is based upon the utilization of gaps in the major traffic stream and it computes a Level of Service based upon the reserve capacities of each key movement. On roadways such as those in the vicinity of the site it can normally be expected that the uncontrolled major traffic stream will experience favorable operating conditions while the side street may experience some delays during peak periods when turning left or crossing the major traffic stream.

Utilizing the above procedures capacity analysis were conducted at the site driveway. A review of the analysis contained in Appendix "C" indicates that Levels of Service experienced during peak hours. Thus, the proposed Soil Reclamation Facility will not impact Levels of Service or operating conditions. In fact, in comparison to the previous use of the site will result in slightly fewer vehicular movements to and from the property. The final design of the access points will require review and approval from the Town and NYSDOT and we suggest that the plan be submitted for their review.

3. Noise Impact Analysis

Due to its location, the primary noise sources in the area are due primarily to vehicular traffic along River Road, rail activity along the Conrail line and more remotely from boat usage on the Hudson River.

a) Scope of Evaluation

This evaluation has been prepared to identify existing noise levels in the area, to project future noise levels for the No-Build and Build conditions and to determine any potential impact due to expected traffic noise increases as well as increases due to the noise associated with the operation of reclamation equipment.

Existing noise levels were measured to obtain the ambient (background) noise level at receptor locations in the vicinity of the site. At the time of the noise measurements, simultaneous vehicle classification traffic counts were also conducted to allow the development of a relationship between the existing traffic volumes and the measured noise levels. The existing traffic volumes and corresponding noise levels were then projected to the future Design Year of 2000 based on the traffic projections for the site. In addition, noise levels measurements were taken of the IDC Soil Reclamation Unit located at your Newburgh office. The existing and projected noise levels were then compared to recommended noise level guidelines.

A description of typical noise descriptors, governmental guidelines and the analysis methodology utilized in evaluating the noise levels is described in the following sections.

In addition, a discussion of construction noise considerations is presented in Section "F".

b) Characteristics Of Environmental Noise (Tables No. 1 and 2)

To characterize noise environments and to assess any impact on noise-sensitive areas, a single value of broad band noise levels is established using a frequency weighting that simulates human perception. Governmental noise criteria generally specify noise level guidelines in the units of A-weighted noise or decibels-A (dBA). The A-weighted noise measurement has been found to correlate well with the response of the human ear which is relatively insensitive to low frequencies. Table No. 1 provides a summary of some typical A-weighted noise levels. Federal guidelines stipulate noise impacts to be evaluated in terms of noise levels designated Leq or L10. The Leq (equivalent sound level) is an equivalent level "energy-averaged" over a specified period of time. This measure is useful for characterizing environmental noise since it specifically accounts for both the duration and magnitude of sound.

Community noise guidelines are specified by several agencies including the Environmental Protection Agency (EPA), the Federal Highway Administration (FHWA), and the Department of Housing and Urban Development (HUD). These agencies have established certain criteria for acceptable noise levels for various land uses and development types. A review of the FHWA guidelines which are summarized in Table No. 2 indicate that for Activity Category B, an exterior noise level of 67 dBA, expressed in terms of Leq, is recommended.

c) Existing Noise Levels (Figure No. 7)

A detailed noise measurement survey was conducted at several measurement locations (receptors) in the surrounding area to provide a representative sampling of existing noise levels. The receptors sampled included 4 locations which are identified on Figure No. 7.

The noise measurements were taken to identify existing noise levels and to develop the relationship between noise levels and existing traffic volumes. Noise measurements were taken with a Bruel & Kjaer Precision Integrating Sound Level Meter Type 2230, which was calibrated prior to actual measurements utilizing a standard acoustical calibrator. The actual measurements and calibration procedures followed were in conformance with American National Standards Institute (ANSI) standards.

During measurements, the microphones were located without obstruction from stationary objects at a height of 5 feet above ground surface. Measurements taken included an L-equivalent level (Leq) and L-maximum (Lmax) for each location. The measurements were taken over a three day period including February 2, 7 and 8 and were taken during different times of the day.

Existing noise levels represented in terms of Leq during peak hours ranged from 55 to 72 dBA range with the higher levels observed at receptors located closest to River Road. The maximum levels observed during daytime periods range from the low 80's to mid 90 dBA range. The highest Leq levels observed were at Receptor R1 which is located immediately adjacent to River Road between the site and the Belcher Oil Facility.

d) Noise Analysis Methodology

In order to evaluate the potential noise impacts, two criteria are generally utilized:

1. Will the predicted noise level exceed the recommended guidelines?
2. Will there be a significant increase above the existing levels?

As indicated previously, community noise guidelines are published by several federal agencies including the Environmental Protection Agency (EPA), the Federal Highway Administration (FHWA) and the Department of Housing and Urban Development (HUD). These guidelines establish recommended design noise levels for specific land uses. With respect to roadway traffic noise, the FHWA has established certain guidelines for various land use categories.

An Leq of 72 dBA is the recommended design level for commercial areas and a Leq of 67 dBA is recommended for residential areas. Table No. 2 summarizes the design levels/land use relationships for various land use categories and Table No. 3 summarizes the relationship between noise increases and significance of impacts.

With respect to the second criteria, it is important to note that in order to produce a 3 dBA increase in the sound pressure level, a doubling of the noise source must occur. Also, for sound propagation in air, as distance doubles from the sound source, the amplitude drops by half which is a drop of 6 dBA. This is only true when there is no reflection in the sound path. More typically, actual reductions of between 4 and 5 dBA for doubling of distance are encountered under typical field conditions.

e) Future Noise Levels

To evaluate potential noise impacts with respect to the proposed operation, existing noise levels were correlated to the existing traffic volumes and then projected to represent future conditions. To account for the site specific noise levels, reference was made to measurements taken of the mobile reclamation unit located at your office in Newburgh. The Leq readings with the equipment operational varied from 75 to 95 dBA at a reference distance of 15-feet. These levels were then modeled to account for the distance separation from surrounding receptors. The burner unit is proposed to be placed approximately 300' east of River Road. Adjusting for the sound propagation, at River Road, the resulting levels will be some 20 to 25 dBA lower or in the 60 to 70 dBA. These levels are in the same range as current levels due to existing traffic noise levels and therefore, any increases at adjacent receptors will be in a range which will not be critical in comparison to existing ambient levels.

f) Construction Noise Impacts

As indicated previously, there will be a temporary increase in noise levels due to construction activities on the site during the development of the property. In order to identify noise impacts during this phase, specific data is required, including an identification of the type of construction equipment which

will be used on the job site during construction. It can be anticipated that the types of equipment used on the site will be used for the following purposes:

- o Earth work and excavation
- o Removing of vegetation
- o Paving and construction of the driveways

For these activities the types of construction equipment generally utilized would include bulldozers, compressors, front end loaders, dump trucks and pavers. At a reference distance of 50 feet, the above equipment generally has levels ranging from 70 to 95 decibels (A-weighted dBA).

To limit any potential impact on adjacent residential areas, the hours of construction should be restricted to daytime hours.

4. Summary And Conclusion

Based on the results of the field measurements and projections of traffic noise levels in the surrounding area, the proposed Soil Remediation operation will result in increases in traffic and noise levels in the area; however, the additional traffic volumes can be processed at acceptable Levels of Service and the current ambient levels resulting from background traffic noise generally offset the significance of the noise level increases associated with the equipment operation.

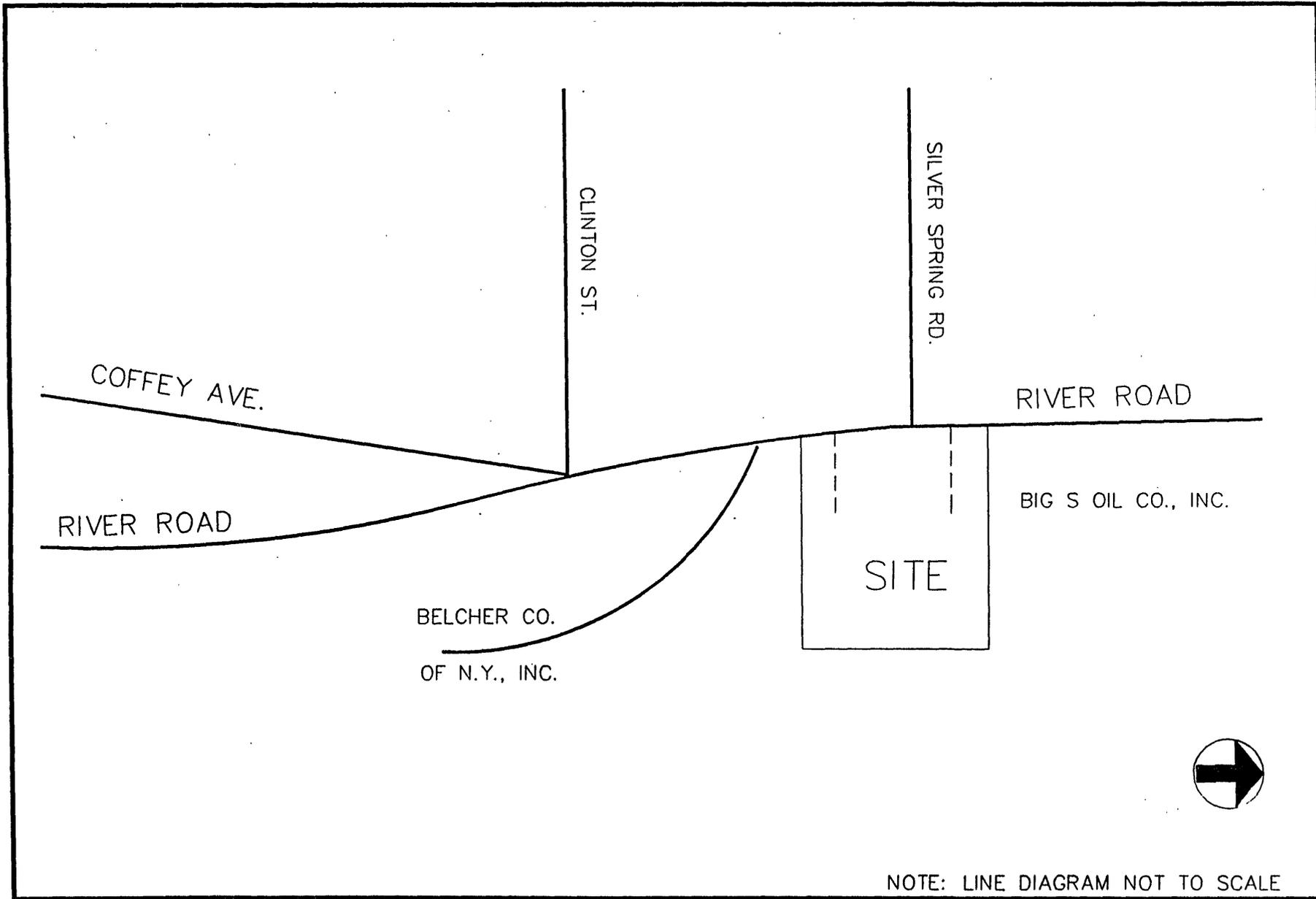
Sincerely,
JOHN COLLINS ENGINEERS, P.C.


Philip J. Grealy, P.E.

dwp691.2ewas

APPENDIX "A"

FIGURES

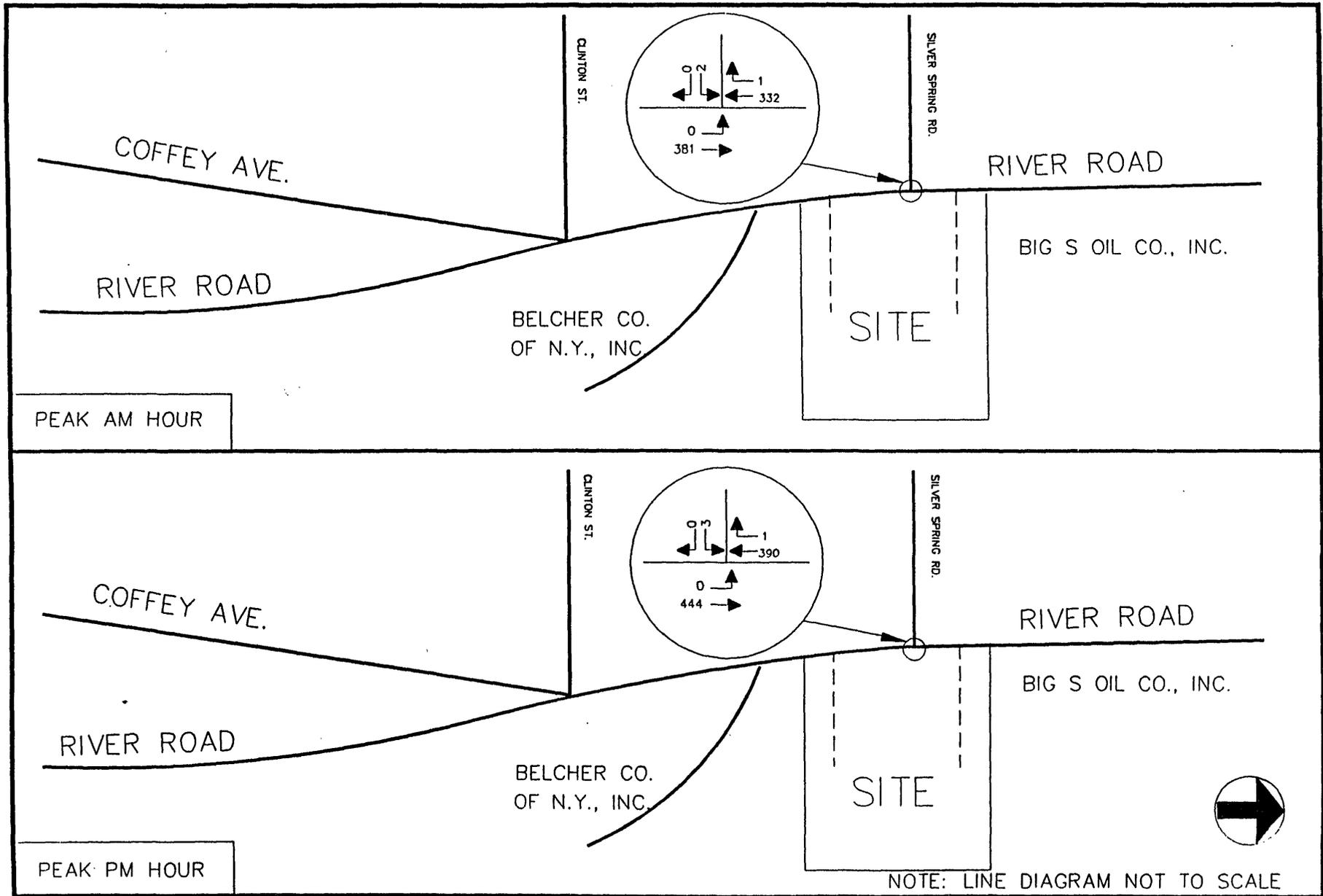


**SHOTMEYER TERMINAL
NEW WINDSOR, N.Y.**

SITE LOCATION

JOHN COLLINS ENGINEERS, P.C.
HAWTHORNE, NEW YORK

PROJECT NO. 691 DATE: FEB., 1994 FIG. NO. 1

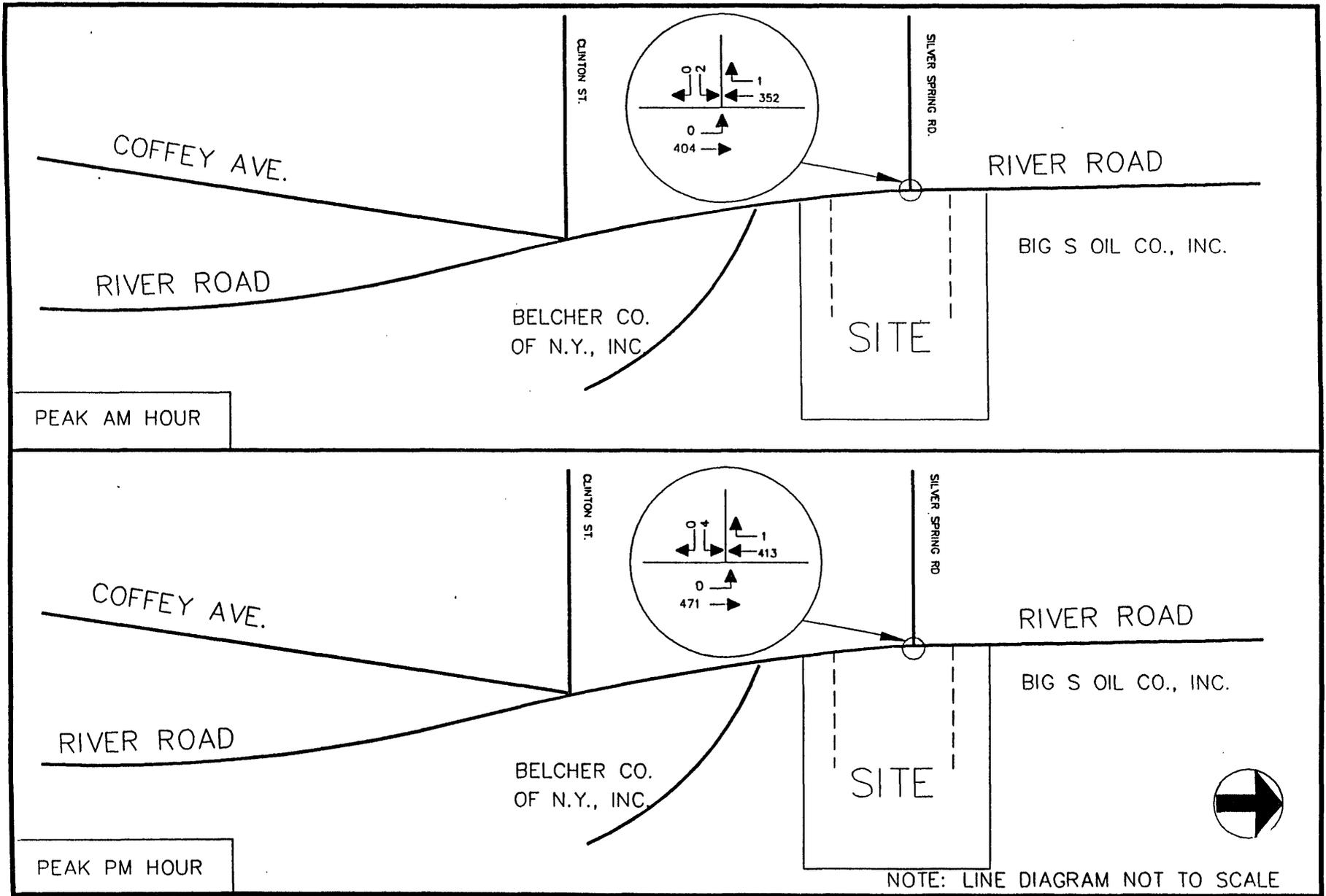


**SHOTMEYER TERMINAL
NEW WINDSOR, N.Y.**

JOHN COLLINS ENGINEERS, P.C.
HAWTHORNE, NEW YORK

1994 EXISTING TRAFFIC VOLUMES
PEAK AM/PM HOUR

PROJECT NO. 691 DATE: FEB., 1994 FIG. NO. 2

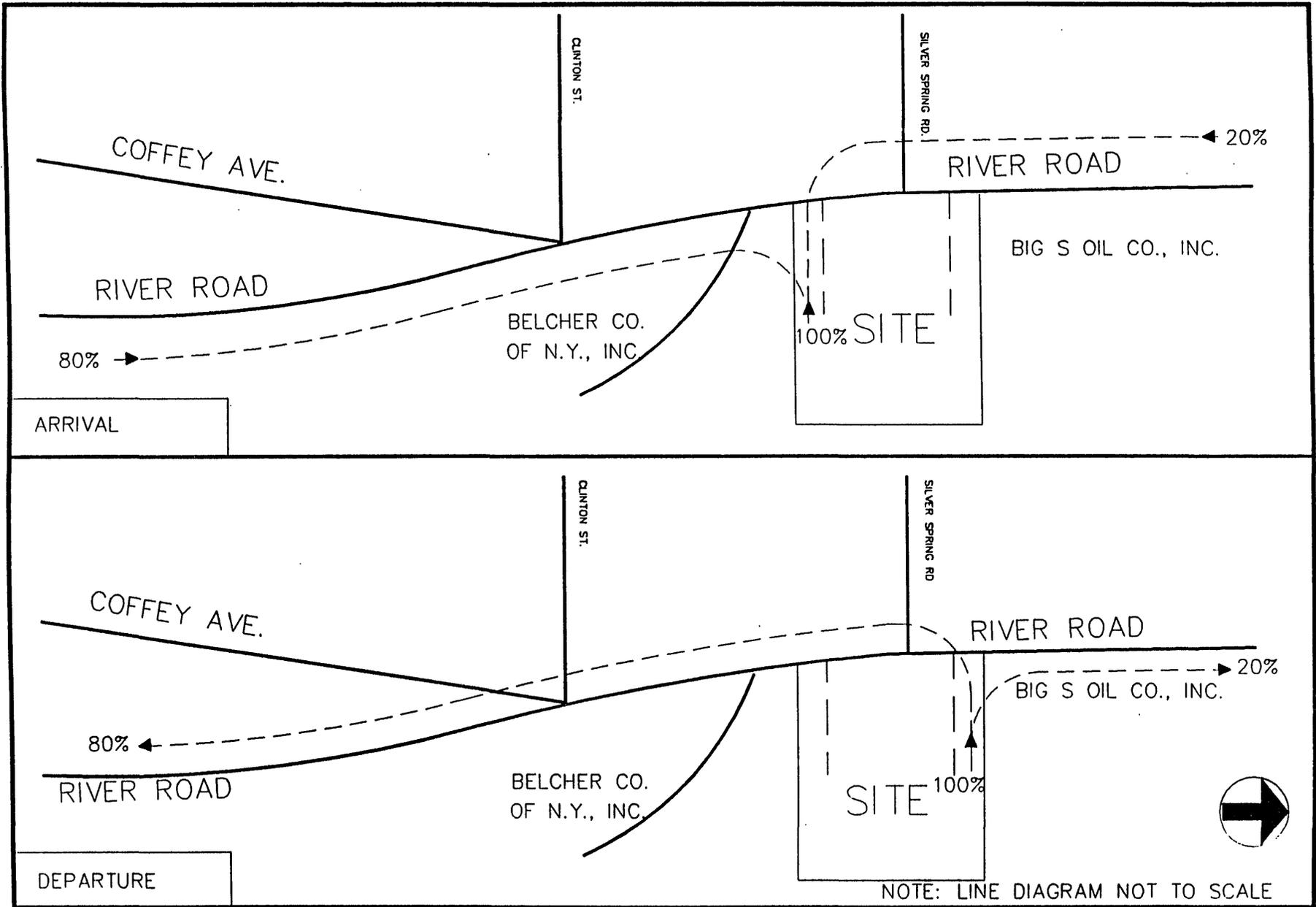


**SHOTMEYER TERMINAL
NEW WINDSOR, N.Y.**

JOHN COLLINS ENGINEERS, P.C.
HAWTHORNE, NEW YORK

2000 NO BUILD TRAFFIC VOLUMES
PEAK AM/PM HOUR

PROJECT NO. 691 DATE: FEB., 1994 FIG. NO. 3

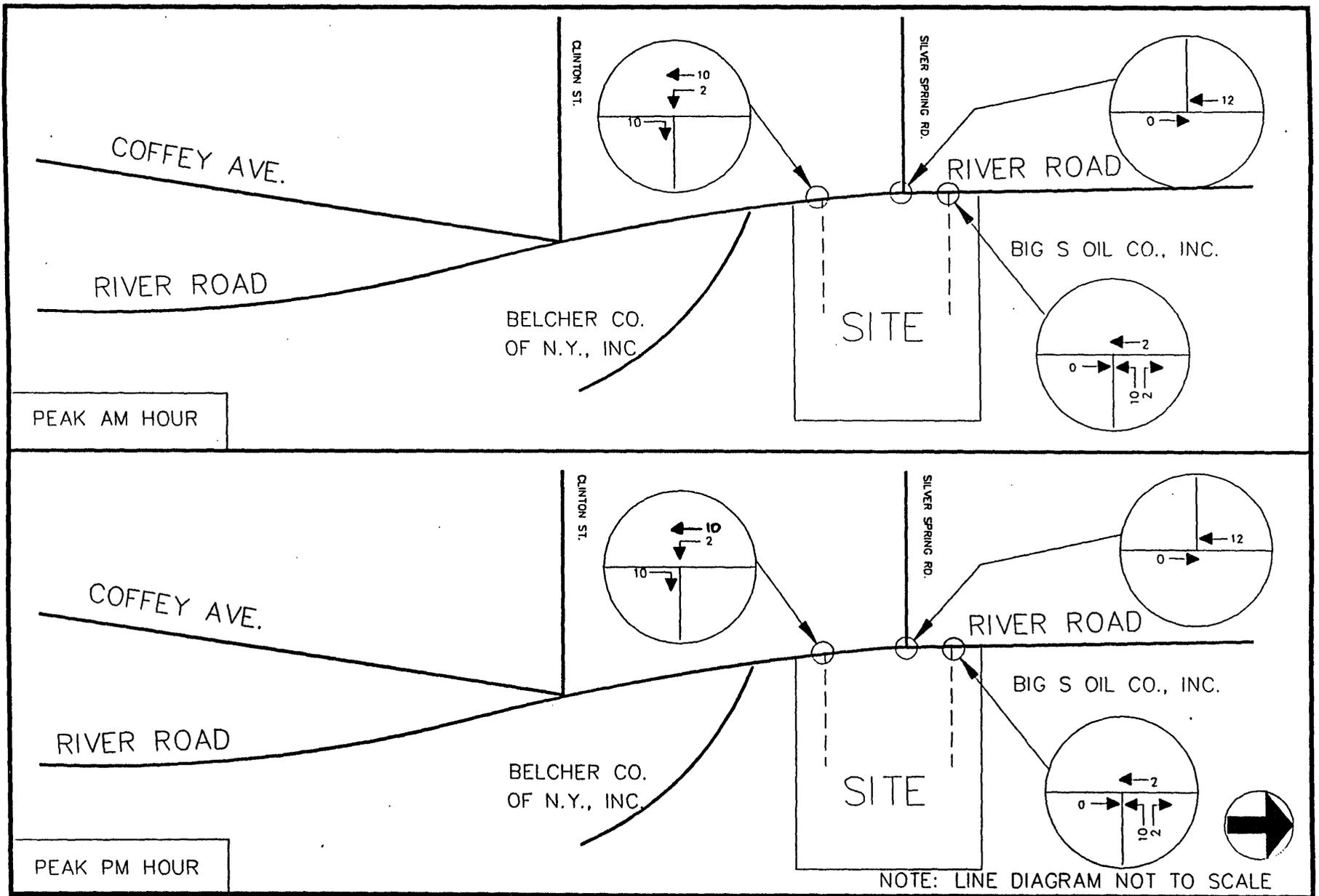


**SHOTMEYER TERMINAL
NEW WINDSOR, N.Y.**

ARRIVAL DEPARTURE DISTRIBUTION

**JOHN COLLINS ENGINEERS, P.C.
HAWTHORNE, NEW YORK**

PROJECT NO. 691 DATE: FEB., 1994 FIG. NO. 1

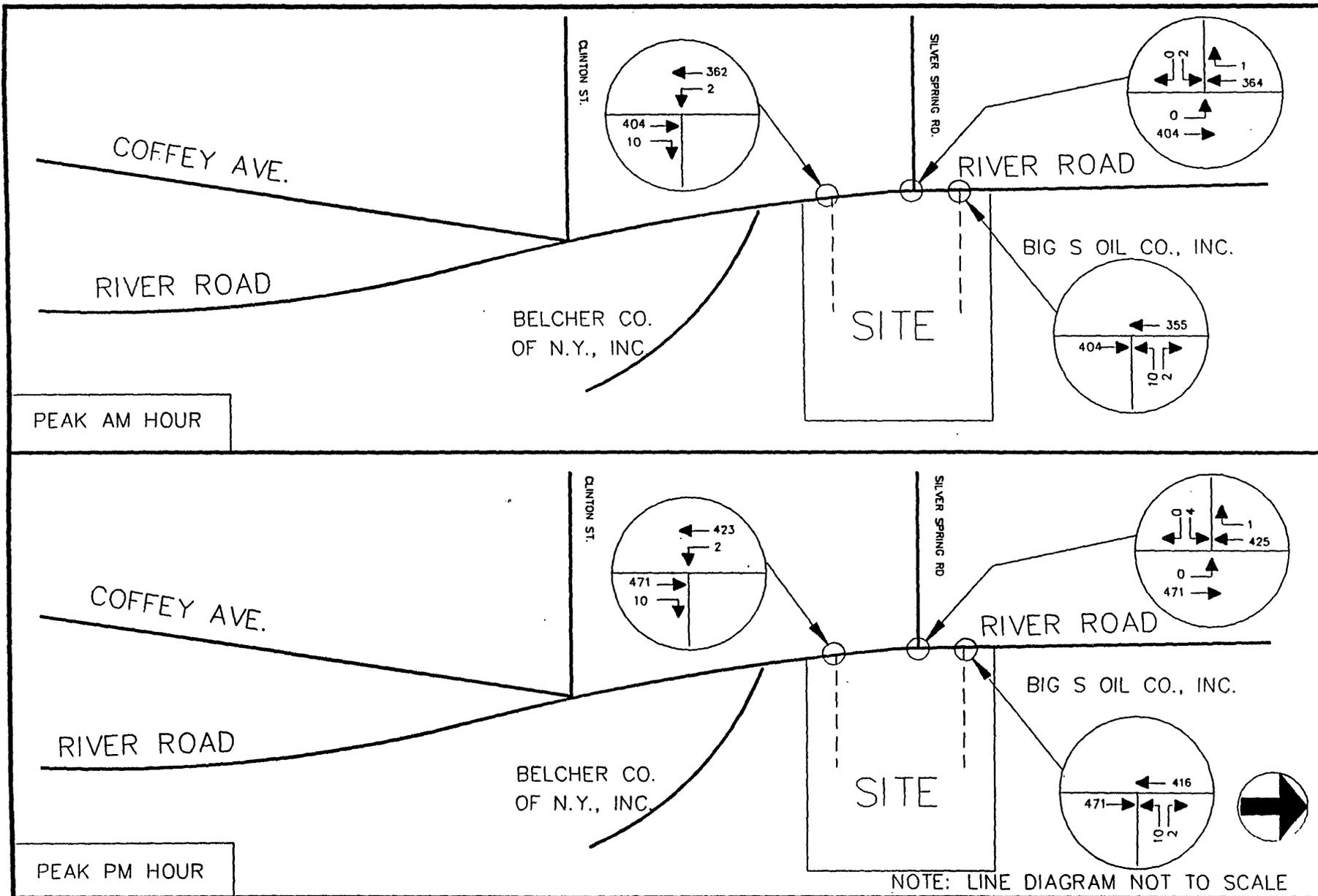


**SHOTMEYER TERMINAL
NEW WINDSOR, N.Y.**

JOHN COLLINS ENGINEERS, P.C.
HAWTHORNE, NEW YORK

SITE GENERATED TRAFFIC VOLUMES
PEAK AM/PM HOUR

PROJECT NO. 691 DATE: FEB., 1994 FIG. NO. 5

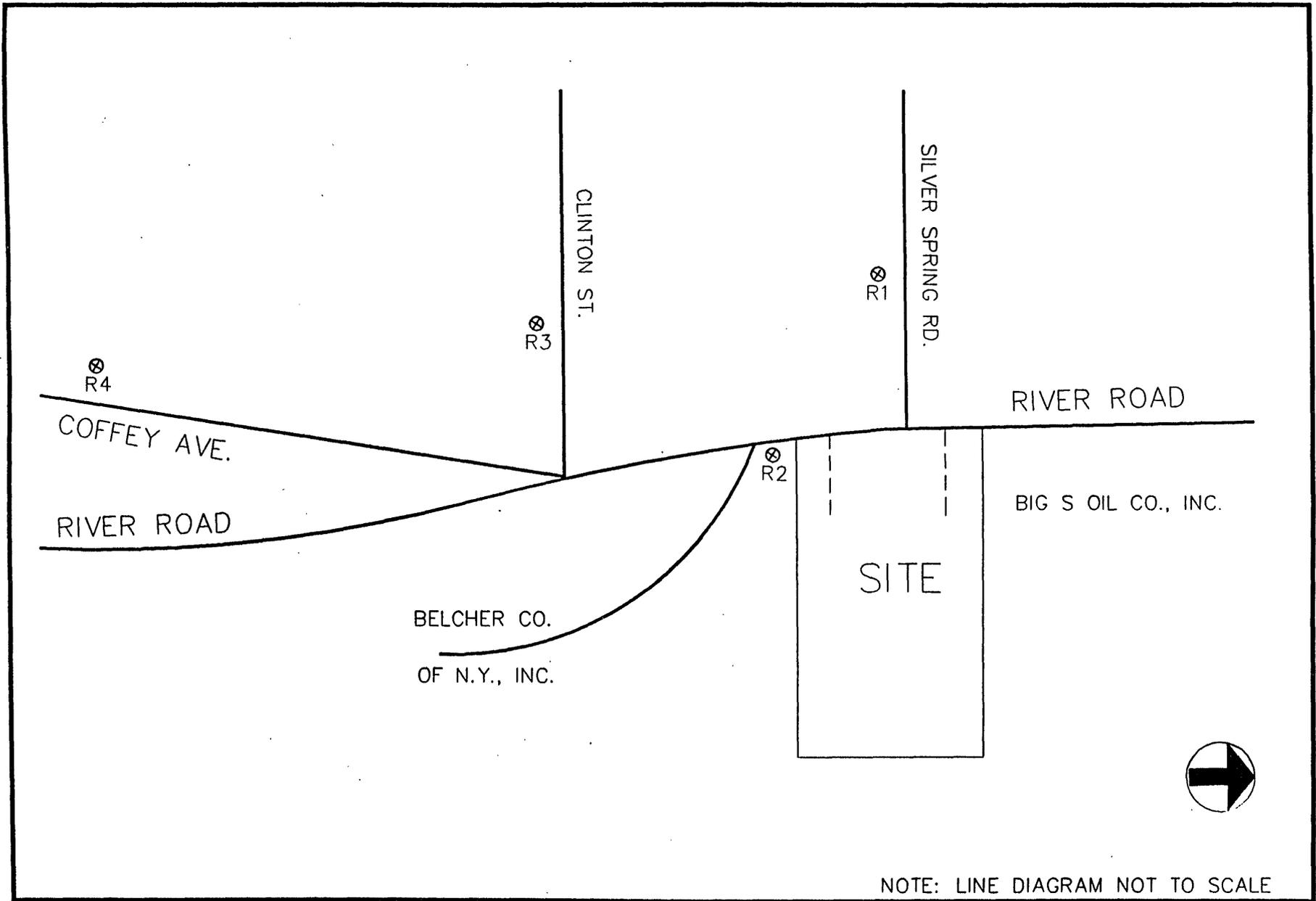


**SHOTMEYER TERMINAL
NEW WINDSOR, N.Y.**

**JOHN COLLINS ENGINEERS, P.C.
HAWTHORNE, NEW YORK**

2000 BUILD TRAFFIC VOLUMES
PEAK AM/PM HOUR

PROJECT NO. 691 DATE: FEB., 1994 FIG. NO. 6



NOTE: LINE DIAGRAM NOT TO SCALE

SHOTMEYER TERMINAL
NEW WINDSOR, N.Y.

NOISE RECEPTOR LOCATIONS

JOHN COLLINS ENGINEERS, P.C.
HAWTHORNE, NEW YORK

PROJECT NO. 691 DATE: FEB., 1994 FIG. NO. 7

APPENDIX "B"

TABLES

JOB NO. 691
FEBRUARY, 1994

TABLE NO. 1

RANGE OF TYPICAL ENVIRONMENTAL NOISE LEVELS*

<u>SITUATION</u>	<u>NOISE LEVELS (DBA)</u>
Discotheque	110
Jet Flyover at 1000 ft.	105
Inside Subway Train	98
Gas Lawn Mower at 3 ft.	95
Shouting at 3 ft.	78
Gas Lawn Mower at 100 ft.	70
Normal Speech at 3 ft.	65
Quiet Urban Daytime	50
Library	35
Optimum Sleeping Level	35 or less
Threshold of Hearing	5

*It should be noted that increases in noise levels less than 2-3 dBA are not noticeable by humans.

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TABLE NO. 2
FHWA DESIGN NOISE LEVELS¹

Activity Category	Design Noise Level (dBA)		Description of Activity Category ²
	L_{eq}	L_{10}	
A	57 (exterior)	60 (exterior)	Tracts where serenity and quiet are especially important.
B	67 (exterior)	70 (exterior)	Residences, motels, schools, churches, hospitals, etc.
C	72 (exterior)	75 (exterior)	Developed lands other than those above.
E	52 (interior)	55 (interior)	Building interiors.

- 1- Source: Federal Highway Administration, "Procedures for the Abatement of Highway Traffic Noise and Construction Noise", Federal Register 41 (80), Washington, D.C.
- 2- Either L_{eq} or L_{10} can be used - not both - and an hourly measure applies. The land-use descriptions are further qualified in the reference, and a category D is also reserved for undeveloped land. The interior noise levels may be established by subtracting from outdoor levels the attenuation expected of the particular wall and window constructions involved.

JOB NO. 691
FEBRUARY, 1994

TABLE NO. 3

SUBJECTIVE REACTION TO A CHANGE IN NOISE LEVEL

<u>CHANGE IN NOISE LEVEL (dBA)</u>	<u>SUBJECTIVE REACTION</u>
1	IMPERCEPTIBLE TO HUMAN RESPONSE
3	PERCEPTIBLE CHANGE
10	DOUBLING OR HALVING IN LOUDNESS

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APPENDIX "C"
CAPACITY ANALYSIS

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE WESTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	--	1	0	2
THRU	--	0	404	362
RIGHT	--	0	10	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	--	1	1	1

ADJUSTMENT FACTORS

Page-2

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	-----	---	---	-
WESTBOUND	0.00	90	20	N
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	---	---	---
WESTBOUND	0	100	0
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
WB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
SB	5.20	5.20	0.00	5.20
MINOR LEFTS				
WB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTEN-TIAL CAPACITY c (pcph)	ACTUAL MOVEMENT CAPACITY c (pcph)	>	SHARED CAPACITY c (pcph)	RESERVE CAPACITY c = c - v	LOS
		P	M		SH	R SH	
MINOR STREET							
WB LEFT	2	237	236	>	236	234	C
RIGHT	0	598	598	>	236	234	>C A
MAJOR STREET							
SB LEFT	2	710	710		710	708	A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK PM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE WESTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	--	0	0	2
THRU	--	0	471	423
RIGHT	--	1	10	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	--	1	1	1

ADJUSTMENT FACTORS

	<u>PERCENT GRADE</u>	<u>RIGHT TURN ANGLE</u>	<u>CURB RADIUS (ft) FOR RIGHT TURNS</u>	<u>ACCELERATION LANE FOR RIGHT TURNS</u>
EASTBOUND	----	---	---	-
WESTBOUND	0.00	90	20	N
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	<u>% SU TRUCKS AND RV'S</u>	<u>% COMBINATION VEHICLES</u>	<u>% MOTORCYCLES</u>
EASTBOUND	---	---	---
WESTBOUND	0	100	0
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	<u>TABULAR VALUES (Table 10-2)</u>	<u>ADJUSTED VALUE</u>	<u>SIGHT DIST. ADJUSTMENT</u>	<u>FINAL CRITICAL GAP</u>
MINOR RIGHTS				
WB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
SB	5.20	5.20	0.00	5.20
MINOR LEFTS				
WB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTEN-TIAL	ACTUAL	SHARED		RESERVE		LOS
		CAPACITY c (pcph) p	MOVEMENT CAPACITY c (pcph) M	CAPACITY c (pcph) SH	CAPACITY c (pcph) SH	CAPACITY c = c - v R SH		
MINOR STREET								
WB LEFT	0	184	183	>	183	>	183	> D
RIGHT	2	545	545	>	545	>	543	>A A
MAJOR STREET								
SB LEFT	2	651	651		651		649	A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION..... 2000 BUILD TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK AM HOUR
 OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE EASTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	2	--	0	0
THRU	0	--	381	332
RIGHT	0	--	0	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	1	--	1	1

ADJUSTMENT FACTORS

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND	-----	---	---	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	3	2	0
WESTBOUND	---	---	---
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
EB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
NB	5.20	5.20	0.00	5.20
MINOR LEFTS				
EB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTEN-TIAL	ACTUAL	SHARED	RESERVE		LOS
		CAPACITY c (pcph) P	MOVEMENT CAPACITY c (pcph) M		CAPACITY c (pcph) SH	c = c - v R SH	
MINOR STREET							
EB LEFT	2	263	263	>	263	>	260 > C
RIGHT	0	664	664	>	263	>	260 > C
				>	664	>	664 > A
MAJOR STREET							
NB LEFT	0	785	785		785		785 A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK PM HOUR
 OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES
 INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE EASTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	3	--	0	0
THRU	0	--	444	390
RIGHT	0	--	0	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	1	--	1	1

ADJUSTMENT FACTORS

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND	-----	---	---	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	3	2	0
WESTBOUND	---	---	---
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
EB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
NB	5.20	5.20	0.00	5.20
MINOR LEFTS				
EB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTEN-TIAL CAPACITY	ACTUAL MOVEMENT CAPACITY		SHARED CAPACITY	RESERVE CAPACITY	LOS
		c (pcph) P	c (pcph) M		c (pcph) SH	c = c - v R SH	
MINOR STREET							
EB LEFT	3	211	211	>	211	>	208 > C
RIGHT	0	612	612	>	211	>	208 > C
					612	>	612 > A
MAJOR STREET							
NB LEFT	0	730	730		730		730 A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK AM HOUR
 OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES
 INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE EASTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	2	--	0	0
THRU	0	--	404	352
RIGHT	0	--	0	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	1	--	1	1

ADJUSTMENT FACTORS

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND	-----	---	---	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	3	2	0
WESTBOUND	---	---	---
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
EB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
NB	5.20	5.20	0.00	5.20
MINOR LEFTS				
EB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE	POTENTIAL CAPACITY	ACTUAL MOVEMENT CAPACITY	SHARED CAPACITY	RESERVE CAPACITY	LOS
	v (pcph)	c _p (pcph)	c _M (pcph)	c _{SH} (pcph)	c _R = c _{SH} - v	
MINOR STREET						
EB LEFT	2	244	244	> 244	244 > 241	> C
RIGHT	0	644	644	> 644	644 > 644	> A
MAJOR STREET						
NB LEFT	0	764	764	764	764	A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK PM HOUR
 OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE EASTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	4	--	0	0
THRU	0	--	471	413
RIGHT	0	--	0	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	1	--	1	1

ADJUSTMENT FACTORS

Page-2

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND	-----	---	---	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	3	2	0
WESTBOUND	---	---	---
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
EB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
NB	5.20	5.20	0.00	5.20
MINOR LEFTS				
EB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTEN-	ACTUAL		SHARED	RESERVE		LOS
		TIAL	MOVEMENT			CAPACITY	C = C	
		CAPACITY	CAPACITY		CAPACITY	R	SH	
		c (pcph)	c (pcph)		(pcph)			
		P	M		SH			
MINOR STREET								
EB LEFT	5	190	190	>	190	>	186	> D
RIGHT	0	594	594	>	190	>	186	>D
				>	594	>	594	> A
MAJOR STREET								
NB LEFT	0	710	710		710		710	A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE EASTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	2	--	0	0
THRU	0	--	404	364
RIGHT	0	--	0	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	1	--	1	1

ADJUSTMENT FACTORS

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND	-----	---	---	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	3	2	0
WESTBOUND	---	---	---
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
EB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
NB	5.20	5.20	0.00	5.20
MINOR LEFTS				
EB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTEN-	ACTUAL		SHARED	RESERVE		LOS
		TIAL	MOVEMENT			CAPACITY	CAPACITY	
		CAPACITY	CAPACITY		CAPACITY	C = C - v	R SH	
		p	M		SH			
MINOR STREET								
EB LEFT	2	239	239	>	239	>	236	> C
RIGHT	0	632	632	>	239	>	236	> C
					632	>	632	> A
MAJOR STREET								
NB LEFT	0	753	753		753		753	A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION..... 2000 BUILD TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK PM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE EASTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	4	--	0	0
THRU	0	--	471	425
RIGHT	0	--	0	1

NUMBER OF LANES

	EB	WB	NB	SB
LANES	1	--	1	1

ADJUSTMENT FACTORS

Page-2

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND	-----	---	---	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	3	2	0
WESTBOUND	---	---	---
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
EB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
NB	5.20	5.20	0.00	5.20
MINOR LEFTS				
EB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION..... 2000 BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTENTIAL CAPACITY c (pcph) P	ACTUAL MOVEMENT CAPACITY c (pcph) M		SHARED CAPACITY c (pcph) SH		RESERVE CAPACITY c = c - v R SH		LOS
MINOR STREET									
EB LEFT	5	185	185	>	185	>	181	>	D
RIGHT	0	585	585	>	185	>	181	>	D
				>	585	>	585	>	A
MAJOR STREET									
NB LEFT	0	699	699		699		699		A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION..... 2000 BUILD TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE WESTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	--	10	0	0
THRU	--	0	404	355
RIGHT	--	2	0	0

NUMBER OF LANES

	EB	WB	NB	SB
LANES	--	1	1	1

ADJUSTMENT FACTORS

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	----	---	---	-
WESTBOUND	0.00	90	20	N
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	---	---	---
WESTBOUND	0	100	0
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
WB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
SB	5.20	5.20	0.00	5.20
MINOR LEFTS				
WB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE	POTENTIAL CAPACITY	ACTUAL MOVEMENT CAPACITY		SHARED CAPACITY	RESERVE CAPACITY	LOS
	v (pcph)	c (pcph) P	c (pcph) M		c (pcph) SH	c = c - v R SH	
MINOR STREET							
WB LEFT	22	243	243	>	243	221	> C
RIGHT	4	602	602	>	270 602	243 597	>C > A
MAJOR STREET							
SB LEFT	0	719	719		719	719	A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK AM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

IDENTIFYING INFORMATION

AVERAGE RUNNING SPEED, MAJOR STREET.. 40
 PEAK HOUR FACTOR..... .9
 AREA POPULATION..... 150000
 NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH
 NAME OF THE NORTH/SOUTH STREET..... RIVER ROAD
 NAME OF THE ANALYST..... NAC
 DATE OF THE ANALYSIS (mm/dd/yy)..... 02-22-1994
 TIME PERIOD ANALYZED..... PEAK PM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

INTERSECTION TYPE AND CONTROL

INTERSECTION TYPE: T-INTERSECTION
 MAJOR STREET DIRECTION: NORTH/SOUTH
 CONTROL TYPE WESTBOUND: STOP SIGN

TRAFFIC VOLUMES

	EB	WB	NB	SB
LEFT	--	10	0	0
THRU	--	0	471	416
RIGHT	--	2	0	0

NUMBER OF LANES

	EB	WB	NB	SB
LANES	--	1	1	1

ADJUSTMENT FACTORS

Page-2

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	----	---	---	-
WESTBOUND	0.00	90	20	N
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N

VEHICLE COMPOSITION

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	---	---	---
WESTBOUND	0	100	0
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

CRITICAL GAPS

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS				
WB	5.90	5.90	0.00	5.90
MAJOR LEFTS				
SB	5.20	5.20	0.00	5.20
MINOR LEFTS				
WB	7.10	7.10	0.00	7.10

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

CAPACITY AND LEVEL-OF-SERVICE

MOVEMENT	FLOW-RATE v (pcph)	POTENTIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY c (pcph) M		SHARED CAPACITY c (pcph) SH		RESERVE CAPACITY c = c - v R SH	LOS
MINOR STREET								
WB LEFT	22	189	189	>	189	>	167	> D
RIGHT	4	549	549	>	213	>	186	>D A
MAJOR STREET								
SB LEFT	0	660	660		660		660	A

IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH
 NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
 DATE AND TIME OF THE ANALYSIS..... 02-22-1994 ; PEAK PM HOUR
 OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

**SITE INVESTIGATION REGARDING
POSSIBLE PETROLEUM CONTAMINATION
BY FORMER FUEL OIL TERMINAL**

**SITE INVESTIGATION REGARDING POSSIBLE PETROLEUM CONTAMINATION
BY FORMER FUEL OIL TERMINAL**

In May of 1986 New England Pollution Control Co. Inc. performed a site inspection and a groundwater analytical survey of the subject property. The purpose of the survey was to determine the possibility of hydrocarbon contamination as the site had been used as a fuel oil terminal for many years. Groundwater, sediment and air samples were obtained and analyzed for the presence of hydrocarbons. The conclusion of the report stated "We feel that the site does not present a significant potential for on site or off site environmental impact. We do not fee that remedial activity is warranted at the present time."

A copy of the report is presented on the following pages:



New England Pollution Control Co., Inc.
7 Edgewater Place, Norwalk, CT 06855 203/853-1990

May 27, 1986

Mr. Myron T. Holman
Shotmeyer Oil Corporation
1 Valley Street
Mawthorne, NJ 07506

Re: Newburgh Terminal, New York

Dear Mr. Holman:

NEPCCO, Inc. has essentially completed a cursory site inspection and groundwater analytical survey at your Newburgh, New York Terminal. Although we have not fully tabulated the subsequent laboratory results, we have drawn some basic conclusion as indicated by this data.

Our summary and preliminary conclusions are as follows:

1. Each monitoring point was monitored for immiscible hydrocarbons using a sonic interface probe. Free floating hydrocarbons were absent during each monitoring instance. Based on the access matrix provided, there appears to be no free floating hydrocarbon pool present in the study area. The surficial sediments within the area of study also appears to be free of significant contamination by petroleum products.
2. Groundwater samples were collected from each monitoring point following bailing procedures by EPA standard protocol. Samples were analyzed for purgeable aromatic compounds and total hydrocarbons. As would be expected, minor concentrations of volatile organic components were found in certain samples, but it does not appear that a significant dissolved organic plume is present in the area.

Given the history of petroleum operations at the site, contamination of groundwater by dissolved organic components appears rather slight and does not present a major impact issue. Soil samples were collected at selected locations throughout the study area and analyzed for total hydrocarbons and EF Toxicity. Results of these analyses indicate an absence of significant contamination by metals and/or organic compounds indicative of petroleum operations.

3. Ambient air samples were also collected at selected locations throughout the site area determine the occurrence of organic vapor in the surficial sediments and surrounding area as a result of hydrocarbon contamination. Again, these results indicate the absence of any unusually high volatile organic concentrations at sampling sites. All samples were collected and analyzed by a New York State approved laboratory using EPA recommended analytical protocol.

Conclusion: We feel that the site does not present a significant potential for on site or off site environmental impact. We do not feel that remedial activity is warranted at the present time.

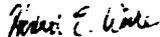
If we can be of any further assistance, please contact us at your convenience.

Sincerely,



Thomas A. Brigante, Jr.
Director, Project Management Division

Herbert E. Woike
Chief Hydrogeologist



Kimberlee W. Millberry
Senior Hydrogeologist



AVENEL, N.J.
 BATAVIA, N.Y.
 ROBBINSVILLE, N.J.
 DEERFIELD BEACH, FL.

repcco INC.
A WHOLLY OWNED SUBSIDIARY OF
 International Technology Corporation
 7 EDGEWATER PLACE
 NORWALK, CT 06855
 203-835-1990

JIL BORING/WELL LOG NO. #1 _____

PROJECT NAME: Shotmeyer Oil Corp. Newburgh Terminal		PROJECT NO.: 10138	PAGE: /
PROJECT LOCATION: Newburgh, New York		PERMIT NO.:	/
BORING LOCATION:		DATE COMPLETED: 5 / 20 / 87	
DRILLING EQUIPMENT: Portable Auger	DRILLMASTER: (Bovd)	COMPLETED DEPTH: 10 feet	
DRILLING METHOD: Hollow Stem Auger	STAFF GEOLOGIST: J. Bower		

SAMPLE & TYPE	DEPTH FT. - IN.	SOIL DESCRIPTION	BLOWS PER 6"	HNU (PPM)	MONITORING WELL CONSTRUCTION
	0.5	fill pea gravel			TYPE: Above grade WELL ELEVATION: unknown REFERENCE POINT: Grade DIAMETER: 4-inch SCREEN: .020 slotted 10 feet CASING: N/A WELL PACK: #2/#3 gravel
	2	Grey sand, some gravel			
	4	Grey Clay and silt, some gravel			
	6	Grey Clay, some pebbles (dry)			
	8				
	10	BOH			

Type of Sample Auger (Disturbed); - Split Spoon Sampling - LS Liner Sample (Disturbed); J Jar Sample (Disturbed); ST Shelby Tube (Undisturbed); RC Rock Core BS Bag Sample	REMARKS: Grey Clay appears to be a confining layer.	GROUNDWATER OBSERVATIONS: Groundwater elevation on the site is approximately 2 feet below grade.
--	---	--

AVENEL, N.J.
 BATAVIA, N.Y.
 ROBBINSVILLE, N.J.
 DEERFIELD BEACH, FL.

repcco
A WHOLLY OWNED SUBSIDIARY OF
International Technology Corporation
7 EDGEWATER PLACE
NORWALK, CT 06855
203-635-1990

JIL BORING/WELL LOG NO. #3

PROJECT NAME Shotmeyer Oil Corp. Newburgh Terminal		PROJECT NO. 10138	PAGE /
PROJECT LOCATION Newburgh, New York		PERMIT NO.	
BORING LOCATION		DATE COMPLETED 5 / 20 / 87	
DRILLING EQUIPMENT Portable Auger	DRILLMASTER (Bovd)	COMPLETED DEPTH 10 feet	
DRILLING METHOD Hollow Stem Auger	STAFF GEOLOGIST J. Bowen		

SAMPLE & TYPE	DEPTH FT. - IN.	SOIL DESCRIPTION	BLOWS PER 6'	HNU (PPM)	MONITORING WELL CONSTRUCTION
3	2	Brown black loam, Silt, some sand and gravel	5		TYPE: Above grade WELL ELEVATION: unknown REFERENCE POINT: Grade DIAMETER: 4-inch SCREEN: .020 slotted 10 feet CASING: N/A WELL PACK: #2/#3 gravel
			6		
			7		
			10		
3	4	Very soft Grey Clay, some gravel	2		
			14		
			4		
3	6	Dry Grey Clay, some gravel	12		
3	8.5	BOH	5		
			10		
			12		
			14		

Type of Sample Auger (Disturbed) - Split Spoon Sampling - LS Liner Sample (Disturbed) J Jar Sample (Disturbed) ST Shelby Tube (Undisturbed) RC Rock Core BS Bag Sample	REMARKS: Grey Clay appears to be a confining layer	GROUNDWATER OBSERVATIONS: Groundwater elevation on the site is approximately 2 feet below grade
--	--	---

APPENDIX 1
Lab Analysis Results

Shormeyer Petroleum
Newburgh Terminal, New York

ENVIROTEST 
Laboratories, Inc.

100 Broadway - Newburgh, New York 12550

(914) 562-0890

May 20, 1986

Kimberlee W. Millberry
Senior Hydrogeologist
New England Pollution Control
7 Edgewater Place
Norwalk, Connecticut 06855

SUBJECT: RESULTS OF FUEL OIL ANALYSES, SAMPLES FROM
SHOTMEYER PETROLEUM, NEPCCO PROJECT #10 128
RECEIVED 5/7/86.

Dear Ms. Millberry:

The results of the subject analysis are as follows:

Lab No.	Sample ID	Matrix	Results (as dodecane)
43896B	OW-1	water	320 ug/l
43896C	OW-2	water	120 mg/l
43896D	OW-3	water	860 ug/l
43896G	OW-6	water	8.9 ug/l
43896H	OW-1	soil	<0.5 mg/kg
43896I	OW-2	soil	<0.5 mg/kg
43896J	OW-3	soil	8.3 mg/kg
43896K	OW-4	soil	<0.5 mg/kg
43896L	OW-5	soil	<0.5 mg/kg
43896M	OW-6	soil	<0.5 mg/kg
43896N	OW-8	soil	<0.5 mg/kg

If there are any questions regarding this data, please do not
hesitate to contact our office.

Very truly yours,

ENVIROTEST LABORATORIES, INC.

Ronald A. Bayer
President

RAB/pkd

LAB#: 43896A DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed
 NAME: NEPCCO
 STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:
 SPL LOCATION: Trip Blank COLL'D BY:
 REPORT TO: Kim Millberry
 BILL TO:

VOLATILE ORGANICS ANALYSIS

monodichloromethane	:	Tetrachloroethylene	:
monoform	:	Trans-1,3-dichloropropene	:
monomethane	:	Trans-1,2-dichloroethylene	:
carbon tetrachloride	:	1,1,1-trichloroethane	:
chlorobenzene	:	1,1,2-trichloroethane	:
chloroethane	:	Trichloroethylene	:
1-chloroethylvinyl ether	:	Trichlorofluoromethane	:
chloroform	:	1,1,2-trichloro-1,2,2-	:
chloromethane	:	trifluoroethane	:
cis-1,3-dichloropropene	:	Vinyl chloride	:
tribromochloromethane	:		
1,1-dichloroethane	:	Benzene	:
1,2-dichloroethane	:	1,2-dichlorobenzene	:
1,1-dichloroethylene	:	1,3-dichlorobenzene	:
1,2-dichloropropane	:	1,4-dichlorobenzene	:
ethylene chloride	:	Ethylbenzene	:
1,1,2,2-tetrachloroethane	:	Toluene	:
		Total Xylenes	:

11 results in ug/l.

Remarks: All EPA 602 <1.0 ug/l.


 Ronald A. Bayer
 Laboratory Director 5-19-86

LAB#: 43896B DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: close
NAME: NEPCCO
STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:
SPL LOCATION: Shotmeyer #1 COLL'D BY:
REPORT TO: Kim Millberry
BILL TO:

VOLATILE ORGANICS ANALYSIS

Bromodichloromethane	:	Tetrachloroethylene	:
Bromoform	:	Trans-1,3-dichloropropene	:
Bromomethane	:	Trans-1,2-dichloroethylene	:
Carbon tetrachloride	:	1,1,1-trichloroethane	:
Chlorobenzene	:	1,1,2-trichloroethane	:
Chloroethane	:	Trichloroethylene	:
2-chloroethylvinyl ether	:	Trichlorofluoromethane	:
Chloroform	:	1,1,2-trichloro-1,2,2-	:
Chloromethane	:	trifluoroethane	:
Cis-1,3-dichloropropene	:	Vinyl chloride	:
Dibromochloromethane	:		
1,1-dichloroethane	:	Benzene	: 260
1,2-dichloroethane	:	1,2-dichlorobenzene	:
1,1-dichloroethylene	:	1,3-dichlorobenzene	:
1,2-dichloropropane	:	1,4-dichlorobenzene	:
Ethylene chloride	:	Ethylbenzene	:
1,1,2,2-tetrachloroethane	:	Toluene	: 48
		Total Xylenes	: 1230

All results in ug/l.

Remarks: All other 601 <1.0 ug/l.


Ronald A. Bayer
Laboratory Director 5-19-86

Laboratories, Inc.

LAB#: 43896C DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed
 NAME: NEPCCO
 STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:
 SPL LOCATION: OW-2 COLL'D BY:
 REPORT TO: Kim Millberry
 BILL TO:

VOLATILE ORGANICS ANALYSIS

monodichloromethane	:	Tetrachloroethylene	:
monochloroform	:	Trans-1,3-dichloropropene	:
monomethane	:	Trans-1,2-dichloroethylene:	:
carbon tetrachloride	:	1,1,1-trichloroethane	:
chlorobenzene	:	1,1,2-trichloroethane	:
chloroethane	:	Trichloroethylene	:
1,2-dichloroethylvinyl ether	:	Trichlorofluoromethane	:
chloroform	:	1,1,2-trichloro-1,2,2-	:
chloromethane	:	trifluoroethane	:
trans-1,3-dichloropropene	:	Vinyl chloride	:
tribromochloromethane	:		:
1,1-dichloroethane	:	Benzene	:
1,2-dichloroethane	:	1,2-dichlorobenzene	:
1,1-dichloroethylene	:	1,3-dichlorobenzene	:
1,2-dichloropropane	:	1,4-dichlorobenzene	:
ethylene chloride	:	Ethylbenzene	:
1,1,2,2-tetrachloroethane:	:	Toluene	: 97
	:	Total Xylenes	: 1860

11 results in ug/l.

Remarks: All other 602 <1.0 ug/l.


 Ronald A. Bayer
 Laboratory Director

5-19-86

Envirolest Laboratories, Inc.

(914) 562-0890

LAB#: 43896D DATE REC'D: 8/5/7 DATE COLL'D: 8/5/7 STATUS: closed
NAME: NEPCO
STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:
SPL LOCATION: OW-3 COLL'D BY:
REPORT TO: Kim Millberry
BILL TO:

VOLATILE ORGANICS ANALYSIS

Bromodichloromethane	:	Tetrachloroethylene	:
Bromoform	:	Trans-1,3-dichloropropene	:
Bromomethane	:	Trans-1,2-dichloroethylene:	
Carbon tetrachloride	:	1,1,1-trichloroethane	:
Chlorobenzene	:	1,1,2-trichloroethane	:
Chloroethane	:	Trichloroethylene	:
2-chloroethylvinyl ether	:	Trichlorofluoromethane	:
Chloroform	:	1,1,2-trichloro-1,2,2-	:
Chloromethane	:	trifluoroethane	:
Cis-1,3-dichloropropene	:	Vinyl chloride	:
Dibromochloromethane	:		
1,1-dichloroethane	:	Benzene	:
1,2-dichloroethane	:	1,2-dichlorobenzene	:
1,1-dichloroethylene	:	1,3-dichlorobenzene	:
1,2-dichloropropane	:	1,4-dichlorobenzene	:
Methylene chloride	:	Ethylbenzene	: 55
1,1,2,2-tetrachloroethane:		Toluene	: 15
		Total Xylenes	: 340

All results in ug/l.

Remarks: All EPA 602 <1.0 ug/l.


Ronald A. Bayer
Laboratory Director 5-19-86

Laboratories, Inc.

LAB#: 43898E DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed

NAME: NEPCO

STREET: 7 Edgewater Place

CITY: Norwalk

STATE: CT ZIP:

SPL LOCATION: OW-4

COLL'D BY:

REPORT TO: Kim Millberry

BILL TO:

VOLATILE ORGANICS ANALYSIS

monodichloromethane	:	Tetrachloroethylene	:
monoform	:	Trans-1,3-dichloropropene	:
monomethane	:	Trans-1,2-dichloroethylene	:
carbon tetrachloride	:	1,1,1-trichloroethane	:
chlorobenzene	:	1,1,2-trichloroethane	:
chloroethane	:	Trichloroethylene	:
1,1-dichloroethylvinyl ether	:	Trichlorofluoromethane	:
chloroform	:	1,1,2-trichloro-1,2,2-	:
chloromethane	:	trifluoroethane	:
trans-1,3-dichloropropene	:	Vinyl chloride	:
monobromochloromethane	:		
1,1-dichloroethane	:	Benzene	:
1,2-dichloroethane	:	1,2-dichlorobenzene	:
1,3-dichloroethylene	:	1,3-dichlorobenzene	:
1,2-dichloropropane	:	1,4-dichlorobenzene	:
ethylene chloride	:	Ethylbenzene	: 530
1,1,2,2-tetrachloroethane	:	Toluene	: 110
		Total Xylenes	: 1200

All results in ug/l.

Remarks: All other EPA 601 <1.0 ug/l.


 Ronald A. Bayer
 Laboratory Director

5-19-86

Envirolest Laboratories, Inc.

(914) 562-0890

LAB#: 43896F DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed
NAME: NEPCCO
STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:
SPL LOCATION: OW-5 COLL'D BY:
REPORT TO: Kim Millberry
BILL TO:

VOLATILE ORGANICS ANALYSIS

monochloromethane	:	Tetrachloroethylene	:
monochloroform	:	Trans-1,3-dichloropropene	:
monochloromethane	:	Trans-1,2-dichloroethylene	:
carbon tetrachloride	:	1,1,1-trichloroethane	:
chlorobenzene	:	1,1,2-trichloroethane	:
chloroethane	:	Trichloroethylene	:
1-chloroethylvinyl ether	:	Trichlorofluoromethane	:
chloroform	:	1,1,2-trichloro-1,2,2-	:
chloromethane	:	trifluoroethane	:
cis-1,3-dichloropropene	:	Vinyl chloride	:
1-bromochloromethane	:		
1,1-dichloroethane	:	Benzene	:
1,2-dichloroethane	:	1,2-dichlorobenzene	:
1,1-dichloroethylene	:	1,3-dichlorobenzene	:
1,2-dichloropropane	:	1,4-dichlorobenzene	:
ethylene chloride	:	Ethylbenzene	:
1,1,2,2-tetrachloroethane	:	Toluene	:
		Total Xylenes	:

11 results in ug/l.

Remarks: All EPA 601 <1.0 ug/l.


Ronald A. Bayer
Laboratory Director 5-19-86

ENVIROTEST Laboratories, Inc.

(914) 562-0890

LAB#: 43896G DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed
NAME: NEPCCO
STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:
SPL LOCATION: OW-6 COLL'D BY:
REPORT TO: Kim Millberry
BILL TO:

VOLATILE ORGANICS ANALYSIS

Bromodichloromethane	:	Tetrachloroethylene	:
Bromoform	:	Trans-1,3-dichloropropene	:
Bromomethane	:	Trans-1,2-dichloroethylene:	:
Carbon tetrachloride	:	1,1,1-trichloroethane	:
Chlorobenzene	:	1,1,2-trichloroethane	:
Chloroethane	:	Trichloroethylene	:
1,2-dichloroethylvinyl ether	:	Trichlorofluoromethane	:
Chloroform	:	1,1,2-trichloro-1,2,2-	:
Chloromethane	:	trifluoroethane	:
trans-1,3-dichloropropene	:	Vinyl chloride	:
1,1-dibromochloromethane	:		
1,1-dichloroethane	:	Benzene	:
1,2-dichloroethane	:	1,2-dichlorobenzene	:
1,1-dichloroethylene	:	1,3-dichlorobenzene	:
1,2-dichloropropane	:	1,4-dichlorobenzene	:
ethylene chloride	:	Ethylbenzene	:
1,1,2,2-tetrachloroethane:	:	Toluene	:
		Total Xylenes	:

11 results in ug/l.

Remarks: All EPA 602 <1.0 ug/l.


Ronald A. Bayer
Laboratory Director 5-19-86

EnviroTest Laboratories, Inc.

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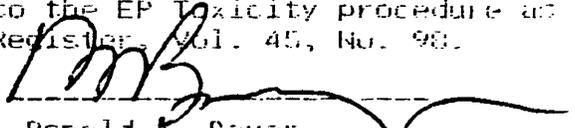
(914) 562-0890

LAB#: 43896H DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: closed
 LNAME: Nepee FNAME:
 STREET: CITY: STATE: ZIP:
 SPL LOCATION: OW-1

REPORT TO:
 BILL TO:

T COLL:	Cr+A :	COD :
F COLL:	Phenol:	HARD-T :
SPO :	CH :	Ca Hard:
F :	B :	SO3 :
NO3 :	Br :	Cl :
NO2 :	Color :	Alk :
T-PO4 :	Odor :	BOD-Inf:
O-PO4 :	Turb. :	BOD-Eff:
SO4 :	pH :	BOD-S :
HBA1 :	LI :	TSS-Inf:
S102 :	Cond. :	TSS-Eff:
H2S :	NH3-T :	MLSS :
NH3-C :	TKN :	MLVSS :
V.L. :	Ca :	K :
Tr :	Cr : <0.05	Se : <2 ug/l
VO :	Co :	Ag : <0.01
TDS :	Cu :	Hg :
SD :	Au :	Tl :
T-NOL :	Fe :	Sr :
Ca & Mg :	Pb : <0.05	Ti :
Al :	Mg :	V :
Cl :	Mn :	Zn :
As : <0.05 ug/l	Hg : <0.4 ug/l	THM :
Ba : <0.12	Ra :	TOL :
Bi :	Ni :	
Br :	Pd :	

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure as described in the May 19, 1980 Federal Register, Vol. 45, No. 98.


 Ronald A. Bayer
 Laboratory Director 5/22/86

EnviroTest Laboratories, Inc.

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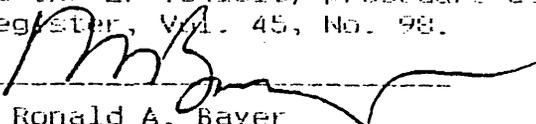
(914) 562-0890

LAB#: 43896I DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: closed
 NAME: Nepea FNAME:
 STREET: CITY:
 SPL LOCATION: OM-2 STATE: ZIP:

REPORT TO:
 BILL TO:

COLE:	Cr16 :	COD :
COLE:	Phenol:	HARD-T :
3PC :	CN :	Ca Hard:
:	B :	SO3 :
IG :	Br :	Cl :
JOE :	Color :	Alk :
1-PO4 :	Odor :	BOD-Inf:
2-PO4 :	Turb :	BOD-Eff:
TO4 :	pH :	BOD-S :
AS :	LI :	TSS-Inf:
02 :	Cond :	TSS-Eff:
2 :	NH3-T :	MLSS :
47-0 :	TKN :	MLVSS :
	Ca :	K :
	Cr :	Se :
	Co :	Ag :
	Cu :	Na :
	Au :	Tl :
	Pb :	Sr :
	Fe :	Ti :
	Pd :	V :
	Hg :	Zn :
	Mn :	THM :
	Mo :	TOC :
	Ni :	
	Pb :	

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure as described in the May 19, 1980 Federal Register, Vol. 45, No. 98.


 Ronald A. Bayer
 Laboratory Director 5/22/86

EnviroTest Laboratories, Inc.

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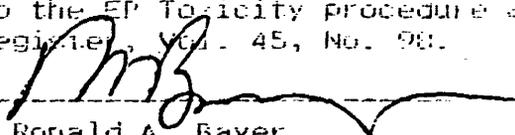
(914) 562-0890

LAB#: 438967 DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: 11050
 LNAME: Neppo FNAME:
 STREET:
 CITY: STATE: ZIP:
 SPL LOCATION: 0W-C

REPORT TO:
 BILL TO:

T COLI :	Cr6 :	COB :
F COLI :	Phenol :	HARD-T :
SPC :	CM :	Ca Hard :
F :	B :	SOS :
NO3 :	Br :	Cl :
NO2 :	Color :	Alk :
T-P04 :	Odor :	BOB-Inf :
O-P04 :	Turb :	BOB-El :
SO4 :	pH :	BOB-S :
MBAS :	LJ :	TSS-Inf :
SiO2 :	Cond :	TSS-El :
H2S :	NH3-F :	HLCG :
NH3-T :	TKN :	MLV5S :
	Ca :	K :
	Cr :	Se :
	Ce :	Ag :
	Co :	Na :
	Au :	Tl :
	Cu :	Sn :
	Pb :	P :
	Hg :	V :
	Mn :	Zn :
	Ba :	THM :
	Mo :	TOC :
	Li :	
	P :	

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure as described in the May 19, 1980 Federal Register, Vol. 45, No. 98.


 Ronald A. Bayer
 Laboratory Director 5/22/86

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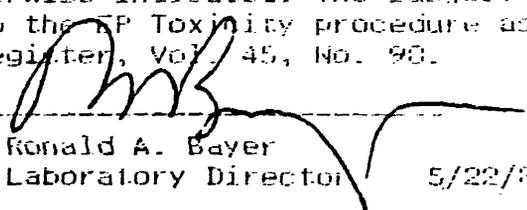
(914) 562-0890

LAB#: 43896L DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: closed
 LNAME: Nepea FNAME:
 STREET: CITY: STATE: ZIP:
 SPL LOCATION: GW-4

REPORT TO:
 BILL TO:

I COLL:	Cr+6 :	COD :
F COLL:	Phenol:	HARD-T :
BPC :	CN :	Ca Hard:
F :	B :	SO3 :
NO3 :	Br :	Cl :
NO2 :	Color :	Alk :
F-PO4 :	Odor :	BOD-Inf:
T-PO4 :	Turb :	BOD-RTI:
SO4 :	pH :	BOD-S :
MBAS :	LI :	TSS-Inf:
NH3 :	Cond :	TSS-LTI:
PH-C :	NHE-T :	MLSS :
	TEN :	MLVSS :
As :	Cu :	K :
Co :	Cr :	Se :
Fe :	Co :	Ag :
TC :	CU :	Na :
CS :	Al :	Tl :
F SOL :	Fe :	Sn :
P & P :	Pb :	Ti :
V :	Mg :	V :
W :	Mn :	Zn :
X :	Hg :	THM :
Y :	Mo :	TOC :
Z :	Ni :	
ad :	Pd :	

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the TP Toxicity procedure as described in the May 19, 1980 Federal Register, Vol. 45, No. 93.


 Ronald A. Bayer
 Laboratory Director

5/22/86

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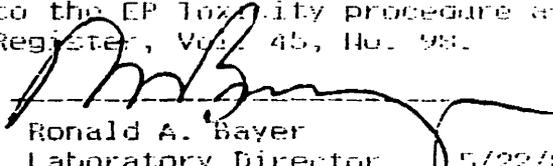
(914) 562-0890

LAB#: 43896L DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: closed
 LNAME: Nepco FNAME:
 STREET: CITY: STATE: ZIP:
 SP. LOCATION: 00-5

REPORT TO:
 BILL TO:

T COLI:	Cr+6 :	COD :
F COLI:	Phenol:	HARD-T :
SFC :	Cl :	Ca Hard:
F :	B :	S03 :
NO3 :	Br :	Cl :
NO2 :	Color :	Alk :
T-P04 :	Odor :	BOD-Inf:
O-P04 :	Turb :	BOD-Eff:
S04 :	pH :	BOD-C :
MBAS :	LT :	TSS-Inf:
S102 :	Cond :	TSS-Eff:
H2S :	NHS-T :	MLSS :
NHT-B :	TEN :	MLVSS :
VSS :	Cl :	F :
TS :	Cr :	Se :
VC :	Cd :	Ag :
TBC :	Cu :	Na :
CS :	AV :	Tl :
% SO ₄ :	Fe :	Cd :
C & A :	Pb :	Li :
Al :	Hg :	V :
Cl ₂ :	Mn :	Zn :
As : <2 ug/l	Hg : <0.14 ug/l	THM :
Kr : <0.12	Mg :	TOC :
Se :	Ni :	
Cs : <0.01	Pd :	

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP toxicity procedure as described in the May 19, 1980 Federal Register, Vol. 45, No. 98.


 Ronald A. Bayer
 Laboratory Director 5/22/86

EnviroTest Laboratories, Inc. ---

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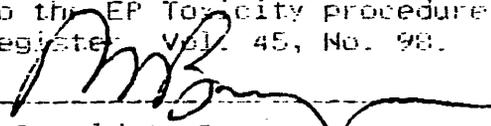
(914) 562-0890

LAB#: 43896M DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: closed
 LNAME: Neppo FNAME:
 STREET: CITY: STATE: ZIP:
 SPL LOCATION: 0W-6

REPORT TO:
 BILL TO:

T COLI:	Cr+6 :	COD :
F COLI:	Phenol:	HARD-T :
SFC :	CN :	Ca Hard:
F :	B :	SOB :
H03 :	Br :	Cl :
NO2 :	Color :	Alk :
T-PO4 :	Odor :	BOD-Inf:
O-PO4 :	Turb :	BOD-Ext:
SO4 :	pH :	BOD-C :
MBAS :	LI :	TSS-Inf:
SI02 :	Cond :	TSS-Ext:
H2S :	NHS-T :	MLSS :
URS-C :	TRH :	MLVSS :
VAL :	Ca :	I :
TH :	Cr : <0.05	Se : <2 ug/l
V1 :	Co :	Ag : <0.01
TBC :	Cd :	Hg :
SO :	As :	Pb :
% SOL :	Fe :	Sr :
C & O :	Pb : <0.05	Tl :
Al :	Hg :	V :
Sb :	Hr :	Zn :
As : <2 ug/l	Hc : <0.4 ug/l	THM :
Ba : 0.2	Mo :	TOC :
Be :	NI :	
Cd : <0.01	Pd :	

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure as described in the May 19, 1980 Federal Register Vol. 45, No. 98.


 Ronald A. Bayer
 Laboratory Director 5/22/86

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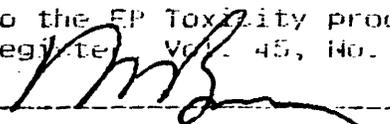
(914) 562-0890

LAB#: 43896N DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: closed
 LNAME: Nepeco FNAME:
 STREET: CITY: STATE: ZIP:
 SFL LOCATION: OW-8

REPORT TO:
 BILL TO:

T COLI :	Cres :	COD :
F COLI :	Phenol :	HARD-T :
CFU :	CH :	Ca Hard :
F :	B :	SOS :
NO3 :	Br :	Cl :
NO2 :	Color :	Alk :
T-PO4 :	Odor :	BOD-Inf :
Or-PO4 :	Turb :	BOD-Eff :
SO4 :	PH :	BOD-S :
MEAS :	LI :	TSS-Inf :
SI02 :	Cond. :	TSS-Eff :
H2S :	HHS-I :	MLSS :
TRV-C :	TEN :	MLV5 :
Va :	Ca :	K :
TS :	Cr : <0.05 :	Se : <2 ug/l :
Vc :	Co :	Ag : <0.01 :
TD :	Cu :	Na :
TC :	Al :	Tl :
TCOL :	Fe :	Sr :
LEAD :	Pb : <0.05 :	Ti :
SI :	K2 :	V :
	Mn :	Zn :
	Hg : <0.4 ug/l :	THM :
	Mo :	TOC :
	Ni :	
	Po :	

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure as described in the May 19, 1980 Federal Register Vol. 45, No. 98.


 Ronald A. Bayer
 Laboratory Director 5/22/86

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**

APPENDIX 2
Air Quality Analysis Results

CHAIN OF CUSTODY

Client: SHOT MEYER PETROLEUM Sample No: 1-6, E
Address: _____ Sample Date: 5/7/86
_____ Hour: 10:00 AM - 1
Authorization _____
Project No.: 10138 Date Received: 5/7/86
Lot No.: _____

Sample Description: Water and sediment samples from
6 on-site wells and adjacent area (soil) [2 - vials each
& 1 liter where enough water for water / 1 liter each
soil + one soil sample w/o a well (#8)]
Preservatives: N/A

Field Analysis

Flow	_____	pH	_____	Dissolved Oxygen	_____
Water Temp.	_____	Depth of Sample	_____		
Staff Gauge Height	_____	Precipitation	_____		

Collected by:	Date	Released to:	Date
<u>J. Millberry</u>	<u>5/7/86</u>	<u>ENVIRUTEST LABS</u>	<u>5/7/86</u>

Request 1 week turn around
Send Results to:
Attn: Kimberlee W. Millberry

REPORT OF RESULTS

Your ID Shotmeyer Petroleum Date Received 05-07-86

EMI ID 60507-NEP Date Analyzed 05-07-86

LABORATORY ANALYSIS OF AIR SAMPLES/SAMPLING MEDIA

***All Values In mg/m^3 ***

← Benzene, Toluene, Xylenes (Total) →

<u>#1</u>	<u>#2</u>	<u>#3</u>	<u>#4</u>	<u>#5</u>	<u>#6</u>
<0.05	<0.05	<0.05	<0.05	<0.05	<0.05



Jan D. Owen F.D.

Authorized Signature

**ASSESSMENT OF
SOIL REMEDIATION UNIT EMISSIONS**

ASSESSMENT OF SOIL REMEDIATION UNIT EMISSIONS

The Soil Remediation Unit (SRU) equipped with an afterburner and baghouse to limit the emissions within the requirements of the NYSDEC General Processes Emission Sources Guidelines Part 212. This is accomplished by the following process:

The petroleum contaminated soil is initially heated in the rotary kiln to approximately 450 ° Fahrenheit. Following the rotary kiln the particulate matter and gasses are conveyed to a baghouse system which filters the particulate matter down to 0.05 grains per dry standard cubic foot (DSCF). The fugitive particulate matter and the gasses enter a proprietary afterburner where greater than 99% of the hydrocarbons are destroyed at approximately 1,600 ° Fahrenheit. The afterburner is designed to meet the NYSDEC Air Emissions Part 212 Requirements.

The majority of the emissions from the unit stack will be water vapor, carbon dioxide, carbon monoxide, oxides of nitrogen and sulfur oxides. An extremely minute amount of hydrocarbons and dust will also be emitted. An analogy of this process is best illustrated in a test which was performed on a comparable SRU by the State of Maryland. The test results indicated hydrocarbon emissions at a level of about 7 to 10 parts per million, which is approximately 1,000 times lower than exhaust from an automobile. A comparison is made that a SRU that processes 50,000 tons of petroleum contaminated soil per year will be equivalent in hydrocarbon emissions to that of a residential high efficiency oil furnace that burns 1,200 gallons of fuel per year. After incineration the soil exiting the SRU is sprayed with water to add moisture and limit dust emissions.

The following is a summary of the emissions generated by the Soil Remediation Unit:

Prepared By: Ira D. Conklin III
Ira D. Conklin & Sons, Inc.

PROCESS EMISSIONS SUMMARY

MAIN BURNER REQUIREMENTS:	17,000,000 BTU/HR	AT	138,000 BTU/GAL	=	123 GAL/HR
AFTERBURNER REQUIREMENTS:	10,814,000 BTU/HR	AT	138,000 BTU/GAL	=	78 GAL/HR

GAS VOLUMES

8904 ACFM Process at 300° F (148.89° C) (Calculation # 3)
35040 ACFM For both burners (Calculation # 7)
7900 SCFM Dry gas for total process
3198 SCFM Main Burner
9261 SCFM Both Burners

FUEL AND ASH PARAMETERS

0.05 % Sulphur	7.4 LB/GAL # 2 diesel fuel
20 LB NO ₂ /1000 gallons of fuel	300° F Baghouse air temperature
5 LB CO/1000 gallons of fuel	1600° F Afterburner temperature
0.34 LB of Particulates/1000 gallons of fuel	

PROCESS PARAMETERS

25 TONS/HR PROCESSING OF HYDROCARBON CONTAMINATED SOIL UP TO 10,000 PPM (1%) AT 98% CONTROL.
ANNUAL OPERATING HOURS AT 21 HOURS/DAY, (3 HOURS/DAY MAINTENANCE) 7 DAYS/WEEK, 52 WEEKS/YEAR.
ANNUAL OPERATING HOURS = 21 HR/DAY X 7 DAYS/WK X 52 WK/YR = 7,644 HOURS/YEAR

CONVERSIONS

273° K = 0° C	453.59 grams = 1 pound
46 g/mol NO ₂	0.0283 meter ³ = 1 FT ³
64 g/mol SO ₂	180 g/mol C ₁₂ H ₃₆
28 g/mol CO	78 g/mol C ₆ H ₆

PARTICULATE EMISSIONS

Particulates from Fuel per AP42, Table 1.3-1 Distillate Oil (as PM₁₀)

$$\begin{array}{rclclclcl}
 \text{PROCESS:} & \frac{123 \text{ GAL}}{\text{HR}} & \times & \frac{0.00034 \text{ LB}}{\text{GAL}} & = & 0.04 \text{ LB/HR} \\
 \\
 \text{AFTERBURNER:} & \frac{18 \text{ GAL}}{\text{HR}} & \times & \frac{0.00034 \text{ LB}}{\text{GAL}} & = & \underline{0.03 \text{ LB/HR}} \\
 \\
 & & & \text{TOTAL BURNER PARTICLUATES} & = & 0.07 \text{ LB/HR}
 \end{array}$$

Assume 0.03 gr/dscf in gas stream discharged from baghouse. This has been demonstrated to be a reasonable emission limit from a Site Reclamation Systems, Mobile Soil Remediation Unit (MSRU).

$$\begin{array}{rclclclcl}
 \text{PARTICULATES} & = & \frac{7900 \text{ FT}^3}{\text{MIN}} & \times & \frac{60 \text{ MIN}}{\text{HR}} & \times & \frac{0.03 \text{ GR}}{\text{FT}^3} & \times & \frac{1 \text{ LB}}{7000 \text{ GR}} & = & \underline{2.03 \text{ LB/HR}} \\
 \\
 & & & & & & \text{TOTAL ALLOWABLE PARTICULATES} & = & 2.10 \text{ LB/HR}
 \end{array}$$

$$\text{ANNUAL PARTICULATE EMISSIONS} = 2.1 \text{ LB/HR} \times 7,644 \text{ HR/YR} = \underline{16,042 \text{ LB/YR}}$$

EMISSION RATE POTENTIALS FOR PARTICULATES

From AP-42 Sect. 8.1, Table 8.1-1; Emission factors for conventional Asphalt Plants

$$\text{Hourly - ERP}_{\text{PM}} = \frac{45 \text{ LB}_{\text{PM}}}{\text{TON}} \times \frac{25 \text{ TONS}}{\text{HR}} = 1125 \text{ LB/HR} \times 7644 \text{ HR/YR} = \underline{8599500 \text{ LB/YR}}$$

$$\text{CONTROL EFFICIENCY} = \frac{(1125 - 2.1)}{1125} \times 100 = \underline{99.8\%}$$

EMISSONS OF SULPHUR DIOXIDE AS SO₂ (SOX)

$$\text{SO}_2 \text{ OF PROCESS BURNER} = \frac{123 \text{ GAL}}{\text{HR}} \times 0.05\% \text{ S} \times \frac{7.4 \text{ LB}}{\text{GAL}} \times \frac{64 \text{ SO}_2}{32 \text{ S}} = .91 \text{ LB/HR}$$

$$\text{SO}_2 \text{ OF AFTERBURNER} = \frac{78 \text{ GAL}}{\text{HR}} \times 0.05\% \text{ S} \times \frac{7.4 \text{ LB}}{\text{GAL}} \times \frac{64 \text{ SO}_2}{32 \text{ S}} = \underline{.58 \text{ LB/HR}}$$

$$\text{HOURLY EMISSIONS FROM PROCESS AND AFTERBURNER} = 1.49 \text{ LB/HR} = \underline{1.4 \text{ LB/HR}}$$

$$1.49 \text{ LB/HR} \times 7644 \text{ HR/YR} = 11390 \text{ LB/YR} \times \frac{1 \text{ TON}}{2000 \text{ LB}} = \underline{5.7 \text{ TON/YR}}$$

EMISSION RATE POTENTIALS = ACTUAL EMISSIONS: ASSUME NO CONTROL

EMISSIONS OF NITROGEN OXIDE AS NO₂ (NOX)

$$\text{NO}_2 \text{ OF PROCESS BURNER} = \frac{123 \text{ GAL}}{\text{HR}} \times \frac{0.02 \text{ LB NO}_2}{\text{GAL}} = 2.46 \text{ L}$$

$$\text{NO}_2 \text{ OF AFTERBURNER} = \frac{78 \text{ GAL}}{\text{HR}} \times \frac{0.02 \text{ LB NO}_2}{\text{GAL}} = \underline{1.56 \text{ L}}$$

$$\text{HOURLY EMISSIONS FROM PROCESS AND AFTERBURNER} = 4.02 \text{ L}$$

$$4.02 \text{ LB/HR} \times 7644 \text{ HR/YR} = 30729 \text{ LB/YR} \times \frac{1 \text{ TON}}{2000 \text{ LB}} =$$

EMISSION RATE POTENTIALS = ACTUAL EMISSIONS: ASSUME NO CONTROL

EMISSIONS OF VOLATILE ORGANIC COMPOUNDS (VOC)

EMISSION RATE POTENTIAL FOR VOC

Uncontrolled VOC from Soil Contaminants =

$$\frac{25 \text{ TONS}}{\text{HR}} \quad \frac{2000 \text{ LBS}}{\text{TON}} \quad 0.01 \text{ (CONC.)} \quad = \quad \frac{500 \text{ LB VOC}}{\text{HR}} \quad \times \quad \frac{7644 \text{ HR}}{\text{YR}} \quad = \quad 3822000 \text{ LB}$$

ACTUAL EMISSIONS OF VOC = (at 98.00% control)

$$500 \text{ LB/HR} \quad \times \quad 2 \% \text{ UNCONTROLLED} \quad = \quad 10 \text{ LB/HR}$$

$$\text{TOTAL POUNDS PER YEAR OF VOC} = \quad \frac{10 \text{ LB}}{\text{HR}} \quad \times \quad \frac{7644 \text{ HR}}{\text{YR}} \quad = \quad 76440 \text{ LB/YR}$$

EMISSIONS OF BENZENE

Assume all Benzene from gasoline in soil at 1% total contamination, and 5% benzene in gasoline.

Assume 99% control of Benzene in the afterburner. This is an emission limit which has been demonstrated to be reasonable in a MOBILE SOIL REMEDIATION UNIT (MSRU).

EMISSION RATE POTENTIALS FOR BENZENE =

$$\frac{15 \text{ TONS}}{\text{HR}} \times \frac{2000 \text{ LB}}{\text{TON}} \times \frac{.01 \text{ LB GAS}}{\text{LB SOIL}} \times \frac{0.05 \text{ LB BENZ}}{\text{LB GAS}} = \frac{25 \text{ LB BENZ}}{\text{HR}} \times \frac{7644 \text{ HR}}{\text{YR}} = 191,100 \text{ LB/YR}$$

ACTUAL EMISSIONS OF BENZENE AT 99% CONTROL =

$$25 \text{ LB/HR} \times 1\% \text{ uncontrolled} = 0.25 \text{ lb/hr}$$

$$191100 \text{ LB/YR} \times 1\% \text{ UNCONTROLLED} = 1911 \text{ LB/YR}$$

EMISSIONS OF CARBON MONOXIDE (CO)

CONCENTRATIONS OF CO IN STACK GAS =

CO per AP42, Table 1.3-1, Distillate Oil (as CO) =

$$\text{Process Burner} = \frac{123 \text{ GAL}}{\text{HR}} \times \frac{0.005 \text{ LB CO}}{\text{GAL FUEL}} = 0.615 \text{ LB/HR}$$

$$\text{Afterburner} = \frac{78 \text{ GAL}}{\text{HR}} \times \frac{0.005 \text{ LB CO}}{\text{GAL FUEL}} = \underline{0.390 \text{ LB/HR}}$$

$$\text{TOTAL POUNDS OF CO IN STACK GAS} = 1.005 \text{ LB/HR}$$

$$\text{TOTAL POUNDS/YEAR OF CO} = \frac{1.005 \text{ LB}}{\text{HR}} \times \frac{7644 \text{ HR}}{\text{YR}} = 7682 \text{ LB/YR}$$

EMERGENCY RESPONSE CONTINGENCY PLAN

EMERGENCY RESPONSE CONTINGENCY PLAN

I.D.C. Soil Reclamation is required to obtain from the NYSDEC a Solid Waste Management Facilities Permit in accordance with Article 27, Title 7 of 6NYCRR Part 360. An integral component of this Permit is the preparation of a Emergency Response Contingency Plan. At a minimum, this written plan addresses the following issues:

- ◆ an evacuation plan for facility personnel;
- ◆ a list of relevant emergency equipment maintained at the facility such as fire extinguishing systems, spill control equipment, and alarm systems;
- ◆ a list of names addresses and telephone numbers of emergency coordinators;
- ◆ a description of arrangements between the facility and the local police department, fire departments, and hospitals to coordinate emergency services and familiarize them with the layout of the facility, properties of material handled and associated hazards;

The Emergency Response Contingency Plan as prepared by Ira D. Conklin & Sons, Inc. is as follows:

I.D.C. SOIL RECLAMATION

81 RIVER ROAD

NEW WINDSOR, NY 12553

EMERGENCY RESPONSE

CONTINGENCY PLAN

Prepared By:

**Ira D. Conklin & Sons, Inc.
81 River Road
New Windsor, NY 12553**

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APPENDIX

A.

DOT (Department of Transportation)
USCG (United States Coast Guard)
CHRIS (Chemical Hazard Response
Information System Guides)
(Extract) For emergency response
guidelines for gasoline (including
wastewater/gasoline-fuel oil mixture.

SECTION I

GENERAL INFORMATION

NAME: I.D.C SOIL RECLAMATION

FACILITY
MAILING ADDRESS: 81 River Road
New Windsor, NY 12553

FACILITY LOCATION: 81 River Road
New Windsor, NY 12553

ADDITIONAL INFORMATION: Ira D. Conklin & Sons, Inc.
NYS DEC Part 364
Permit #3A-165

REGULATORY APPLICABILITY:

This Emergency Response Contingency Plan has been prepared in accordance with:

Title 6 NYCRR, PART 360, (Solid Waste Management Facilities)
NYS Department of Environmental Conservation for the storage
of Petroleum Contaminated Soil in aboveground storage tanks.

DESCRIPTION OF ACTIVITIES:

The facility stores petroleum contaminated soil in a 24,700 square foot building to be processed in an on-site Soil Remediation Unit (SRU) which thermally strips the petroleum content from the soil. After processing it exits the SRU into covered concrete bins located on the eastern side of the property for eventual disposal off-site.

CORNWALL QUADRANGLE
NEW YORK
7.5 MINUTE SERIES

WAPPINGER



580000m. E. 2'30" 580000

590000 74°00'
FEET 41' 30"

540 000
FEET

4590000m. N.

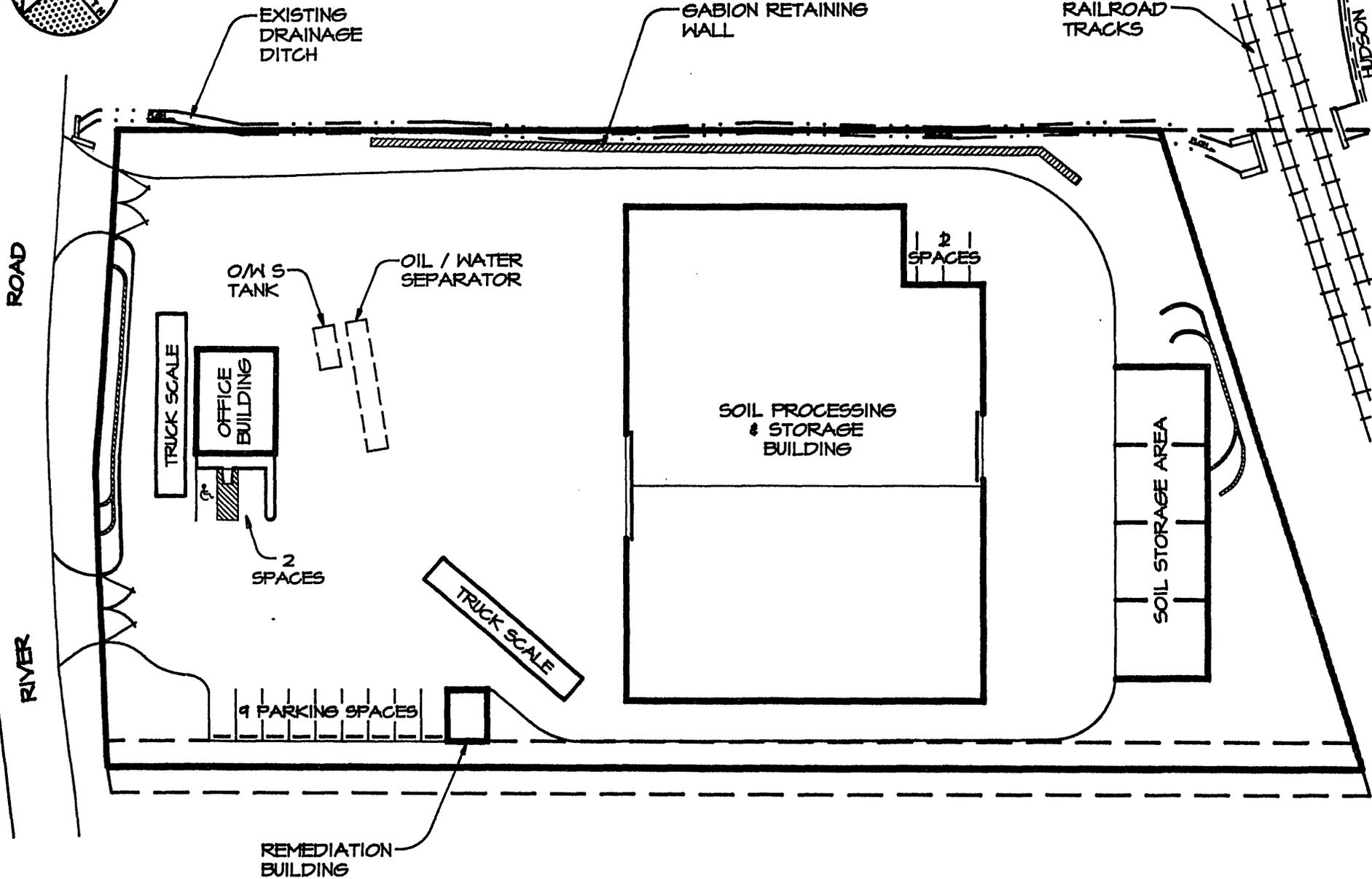
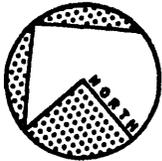
27'30"

530 000

SITE

H U D S O N R I V E R

ORANGE CO
HITCHCOCK



ILLUSTRATIVE SITE PLAN

NOT TO SCALE

TABLE 1

ESTIMATE OF MAXIMUM INVENTORY STORED IN
STORAGE TANKS

<u>TANK #</u>	<u>STORAGE TANK DESCRIPTION</u>	<u>CAPACITY</u>	<u>DESCRIPTION</u>
# 1	Steel aboveground diked tank	4,000 Gal.	Diesel
# 2	Double wall steel underground storage tank	8,000 Gal.	Waste water from oil/water separator

NOTE:

For the purpose of this Contingency Plan, inventory on-site is defined as all regulated materials in storage at the facility. It is a hypothetical inventory of the maximum amount on-site at any time during the life of the facility.

It is not expected to have the maximum capacity on hand at any time due to the in-house process system.

EMERGENCY TELEPHONE NUMBERS

CONTACT	WHEN TO CALL	NUMBER
Quassaick Fire Dept.	Fire emergency, explosion, ventilation	914-561-3112
New Windsor Volunteer Ambulance Corp.	Medical Emergency Requiring Transportation to Hospital	914-565-3320
New Windsor Police	1st Aid Emergency Evacuation Assistance	914-564-2200
St. Lukes Hospital	Situation Requiring Medical Advice	914-561-4400
Poison Control Center	Situation Requiring Medical Advice	914-358-6200
National Response Center	When an incident threatens human health or the environment off-site	1-800-424-8802
NYS DEC	When an incident threatens human health or the environment off-site	1-800-457-7362
DEC Spill Response Hot Line	To report spills	518-457-7362
Weather Information	For prevailing wind conditions during emergencies (from Pough.)	800-992-7433
Stewart Airport	Notification of possible wind impairment	914-562-2100
Ira D. Conklin & Sons	Spill Response	1-800-677-7745
Allwash, Inc.	Spill Response (large scale only)	1-800-633-9274

EMERGENCY TELEPHONE NUMBER - CONT'D.

CONTACT	WHEN TO CALL	NUMBER
Chemtrec	When a commercial chemical product known by Trade Name is involved.	1-800-424-9300

SECTION II

EMERGENCY COORDINATORS

PRINCIPAL EMERGENCY COORDINATORS

NAME: John Scandurra TITLE: General Manager
OFFICE TEL. NO: (914) 561-1591
OFFICE HOURS: 8 A.M. - 5 P.M.
HOME TEL. NO: 914-564-6446

OR

ALTERNATE EMERGENCY COORDINATORS

NAME: Richard Wein TITLE: Industrial Waste
Coordinator
OFFICE TEL. NO: (914) 561-1512
OFFICE HOURS: 8 A.M. - 5 P.M.
HOME TEL. NO: (914) 561-5558

NAME: Ira D. Conklin, Jr. TITLE: President
OFFICE TEL. NO: (914) 561-1512
OFFICE HOURS: 8 A.M. - 5 P.M.
HOME TEL. NO: (914) 562-2712

"AFTER HOURS" EMERGENCY COORDINATORS

NAMES: John Scandurra & Richard Wein

NOTE: The Principal Emergency coordinator (John Scandurra) is on call 24 hours a day. Richard Wein is backup coordinator at all times.

The Duties and Responsibilities of the Emergency Coordinator remain with the on-scene Coordinator, in the above order of responsibility

DUTIES OF THE EMERGENCY COORDINATOR

The on-scene Emergency Coordinator must be thoroughly familiar with ALL aspects of this Contingency Plan, ALL material process operations, ALL chemical handling activities on-site, the location and characteristics of materials handled and the plant site layout.

AUTHORITY TO COMMIT RESOURCES

The on-scene Emergency Coordinator, identified herein by order of responsibility, has the authority to commit additional resources necessary to implement emergency procedures, if, in his opinion, failure to do may result in either:

1. An imminent or actual human health hazard,

OR

2. A potential significant adverse impact to either property or the environment.

IRA D. CONKLIN & SONS, INC.

SECTION III

IMPLEMENTATION CRITERIA

This Contingency Plan must be implemented whenever any imminent or actual incident involving chemicals could threaten human health (on-site or off-site) or cannot be contained on-site:

SPILLS

The Contingency Plan must be implemented whenever:

- * A spill could result in the release of flammable liquids or vapors creating a fire or gas explosion hazard.
- * A spill could cause the significant release of toxic liquids or fumes into an area.
- * A spill cannot be contained on-site resulting in off-site soil contamination and/or ground or surface water pollution.

FIRES

The Contingency Plan must be implemented whenever:

- * A fire involves or threatens to involve hazardous materials.
- * A fire could spread and ignite hazardous materials at the site, or cause heat induced explosions.
- * Use of water or water and fire suppressant could result in contaminated run-off.

EXPLOSIONS

- * An imminent danger exists that an explosion could occur, resulting in a safety hazard due to flying fragments or shock waves.
- * An imminent danger exists that an explosion could ignite hazardous materials at the site.
- * An imminent danger exists that an explosion could result in the release of toxic materials.
- * An explosion has occurred.

SECTION IV

EMERGENCY RESPONSE PROCEDURES

COMMUNICATION: There is telephone communications strategically placed throughout the facility. An open-air intercom system is also in place.

EMERGENCY PROCEDURES:

1. * Any employee discovering a fire that is not readily controllable with equipment and materials at hand must:
 - notify the Quassaick Fire Department and the Emergency Coordinator.
- * Any employee discovering a discrepancy in tank volume or any other potential hazard involving the petroleum products or natural gas.
 - notify the Emergency Coordinator.
- * The Emergency Coordinator or one of his designees will conduct a head count of all employees to determine whether any employees are in the affected area.
- * The Emergency Coordinator will identify the character, exact source, amount and extent of any released material.
- * The Emergency Coordinator will assess the potential hazards to human health and the environment, and notify the appropriate parties identified in this document.
- * IF there is a potential threat to human health, or the environment OFF-SITE the Emergency Coordinator will IMMEDIATELY notify and report to:

NATIONAL RESPONSE CENTER.....(800) 424-8802

AND

NYS DEC..... (800) 457-7362

{OR 914-255-5453}

The reports will include the following:

- * Name and telephone number of the reporter.
- * Name and address: Ira D. Conklin & Sons, Inc.
81 River Road
New Windsor, NY 12553
- * Time and type of incident (e.g.; spill occurred 3:30 p.m.).
- * Identification and quantity of materials involved (e.g.; 6000 gallons of fuel oil onto concrete pad).
- * The extent of injuries (e.g.; no injuries).
- * The possible hazards to the environment and human health outside the facility (e.g.; possible contamination of surface water).
- * IF there is a potential threat OFF-SITE, and the Emergency Coordinator determines that evacuation of local areas may be advisable, he must immediately notify the NEW WINDSOR POLICE DEPARTMENT AT 914-564-2200.
- * Extra caution is to be taken for containerized material fires due to the potential for container rupture, explosion or due to heat releasing hot liquids, flammable vapors or poisonous gases.

2. CONTAINMENT AND CONTROL

- * The Emergency Coordinator will take all necessary measures to contain the hazard within the smallest area possible and to prevent its spread to off-site receptors (i.e.; stream tributary, sewer lines, etc.) with the assistance of Emergency Personnel.
- * In case of a spill, absorbent material will be placed on the spill to keep risk of fire, explosions, or other hazards at a minimum. Apply non-reactive sorbent materials. Contaminated soil will be collected and managed as a solid waste.

- * The Emergency Coordinator will employ one or more of the following measures to ensure maximum protection of the safety and health of employees, and Emergency Response Personnel.

Use of appropriate protection equipment, dismiss all non-essential personnel, and advise the Off-Site Emergency Response Personnel on the hazards of the materials involved, location and potential hazard of materials not involved, and other site specific information as appropriate.

3. FOLLOW-UP ACTIONS:

- * Following containment and control of the emergency, the Emergency Coordinator will provide for collection, treatment, and disposal of any waste materials and any contaminated soil, water or other materials generated by the Emergency Response Personnel.
- * The Emergency Coordinator will ensure that all emergency equipment is restored to full operational status.
- * The Emergency Coordinator, assisted by other qualified personnel, will investigate the cause of the emergency, and will take steps to prevent a reoccurrence of such or similar incidents.
- * Notify NYS DEC officials before resuming operations affected by the close-down, if any.

NYS DEC.....518-457-7362

AND 914-255-5453

EMERGENCY RESPONSE CHECKLIST

DATE: _____ TIME: _____ NAME OF PERSON REPORTING: _____

EXTENSION: _____ LOCATION: _____

INCIDENT: (CIRCLE) FIRE EXPLOSION SPILL OF: _____

<u>ACTION</u>	<u>REFERENCE</u>	<u>COMPLETE</u>
REPORT TO: Fire Dept. (561-3112)	for all major fires	()
NRC (800)424-8802	to NRC, NYS DEC	()
NYS DEC 1-800-457-7362	ONLY if threat to	()
(914)255-5453	OFF-SITE HEALTH or	()
Weather Information 800-992-7433	For prevailing winds	()
Stewart Airport (914)564-2100	Notification of possible visual impairment	()
Evacuation & Roll Call	Assigned to: _____	()
Assess nature and extent of released material, source, amount	Material: _____ Quantity: _____ Source: _____	() () ()
Assess Potential Hazards	To Emergency Response Personnel To the Environment To Off-Site areas	() () ()
Request Additional Assistance from:	Reason for Request	()
Fire Dept (561-3112)		()
Ambulance (565-3320)		()
Police (564-2200)		()
Spill Contractor	Large Scale Clean Up	()

EMERGENCY RESPONSE CHECKLIST - CONT'D.

<u>ACTION</u>	<u>REFERENCE</u>	<u>COMPLETE</u>
Complete the Response	Do not wash waste water residue into storm drains, or the ground surface area	()
Clean-Up & Restoration of Emergency Equipment	To do:	()
Report to NYS DEC (914)255-5453	When resuming operations	()
Written Report to NYS DEC	Within 15 days	()

SECTION V

EMERGENCY EQUIPMENT

<u>DESCRIPTION</u>	<u>LOCATION</u>	<u>CAPABILITIES</u>
Fire Extinguisher	In all areas of potential fire hazard as defined by local fire dept.	Dry powder for chemicals. Water to cool equip. Foam for petro. fire.
Heavy Construction (Empty Tanks)	Yard In storage area	
Spill Absorbent Materials Booms Pads		Gasoline/fuel-oil and water

SECTION VI

COORDINATION AGREEMENTS

Following are brief descriptions of Emergency Assistance arrangements agreed to by local Emergency Response units:

QUASSAICK FIRE DEPARTMENT - (914) 561-3112

- the Department will inspect the site at least once a year in order to familiarize themselves with:
 - the places facility personnel would normally be working,
 - entrances to the site,
 - location of fuel oil storage areas.

NEW WINDSOR POLICE DEPARTMENT - (914) 564-2200

- the Department's primary function, in case of an emergency, is to maintain civil order in the streets adjacent to the site, to provide emergency medical assistance and to assist in the possible evacuation of the outside area.

ST. LUKES HOSPITAL - (914) 561-4400

HORTON HOSPITAL - (914)343-2424

- the Emergency Room at the Hospital is open 24 hours a day. All medical emergencies are received at the Emergency Room entrance.

SECTION VII

EVACUATION PLAN

EVACUATION CRITERIA

In the event that a fire, explosion or gasoline-oil spill emergency could pose an imminent threat to personnel health, life or safety, the Emergency Coordinator will evacuate the site. If evacuation is called for, the Emergency Coordinator will notify the New Windsor police Department (914)564-2200) of the potential threat to persons outside the plant site.

Examples of situations which would warrant partial or complete evacuation of the site include:

- Explosions, or potential explosions, which could result in either airborne debris (including tank fragments) or building (off-site) collapse.
- Fire, or potential for a major fire, which either cannot be contained or may result in the generation of smoke or toxic fumes.
- Spills or chemical reactions resulting in toxic fumes.
- All incidents where necessary protective equipment is not available to site Personnel.

SECTION VIII

ADMINISTRATION

NOTIFICATION AND REPORTING OF INCIDENTS

There are two types of immediate notification which MAY be required for incidents involving chemicals.

A. If the Emergency Coordinator determines there has been a RELEASE, FIRE, OR EXPLOSION which could:

- threaten human health or the environment outside the facility,

OR

- cause gasoline or fuel-oil to enter "waters of the state",

He shall immediately (upon discovery) notify (by telephone)

1. The National Response Center (800)424-8802

AND

2. The NYS Department of Environmental Conservation
(NYS DEC) 1-800-457-7362
914-255-5453

In both cases, the Emergency Coordinator will report the following information:

1. Name and telephone number of reporter.
2. Name and address of facility.
3. Time and type of incident (i.e.; release, fire).
4. Name and quantity of material(s) involved, to the extent known.
5. The extent of injuries, if any; and
6. The possible hazards to human health, or the environment, outside the facility.

B. In addition, if the Emergency Coordinator determines that evacuation of local areas may be advisable, he must immediately advise local authorities. In this case the appropriate local authority is the New Windsor Police Department - (914) 564-2200.

NOTIFICATION BEFORE RESUMING OPERATIONS

If the Contingency Plan was implemented and immediate notification was made to the NYS DEC, the Emergency Coordinator will notify (telecom) the NYS DEC (914)255-5453 or 800-457-7362 that:

- All Petroleum Contaminated Soil (including clean-up residues) are contained on-site.
- All emergency equipment is cleaned and fit for its intended use before operations are resumed.

WRITTEN REPORTS

Within 15 days after an incident involving hazardous waste, the Emergency Coordinator will submit a written report on the incident to the NYS DEC. The report must include:

- Name, address and telephone number.
- Date, time and type of incident (i.e.; spill).
- Name and quantity of material (s) involved.
- The extent of injuries, if any.
- An assessment of actual or potential hazards to human health or the environment, where this is applicable.
- Estimated quantity and disposition of recovered material that resulted from the incident.

RECORD KEEPING

The Emergency Coordinator shall see that all incidents requiring implementation of the Contingency Plan are recorded and kept on file for at least three years. This record shall contain the date, time and details of the incident. Both a copy of the completed "Emergency Response Check List" and the copy of the written report to the NYS DEC shall be kept to satisfy this requirement.

APPENDIX A

DEPARTMENT OF TRANSPORTATION

AND

UNITED STATES COAST GUARD

CHRIS (CHEMICAL HAZARD RESPONSE INFORMATION SYSTEM)

GUIDES IN CASE OF EMERGENCIES INVOLVING CHEMICALS.

CHEMICAL NAME	DOT HAZARD CLASS	US DOT ID NO.	NAME OF GUIDE
Fuel oil (Diesel)	Combustible Liquid	1993	Oils, Fuel: 2-D
Gasoline	Flammable Liquid	1203	Gasolines- Automotive

OILS: DIESEL

ODS

<p>Common Synonyms Fuel oil 1-D Fuel oil 2-D</p>	<p>City Code</p> <p>Yellow-green</p> <p>Like or less of odor</p> <p>Pure at 20°C.</p>	
<p>See coverage of sections Can be determined Aids correct use Labels and relative discharge ratings Safety data sheets and pollution control agencies</p>		
Fire	<p>Comments: Fire begins with dry distillate, soot, or carbon dioxide Water may be ineffective on fire Can explode containers with vapor</p>	
Exposure	<p>CALL FOR MEDICAL AID</p> <p>LEADS Irritation to skin and eyes. Irritation if inhaled. Remove contaminated clothing and shoes. Flush affected areas with plenty of water. IF IN EYES, hold eyelids open and flush with plenty of water. IF SWALLOWED and victim is CONSCIOUS, have victim drink water or milk. DO NOT INDUCE VOMITING</p>	
Water Pollution	<p>Dangerous to aquatic life at high concentrations. Feeding to organisms. May be dangerous if it enters water intake.</p> <p>heavy local health and welfare effects heavy operators of nearby water intakes</p>	
<p>1. RESPONSE TO DISCHARGE (See Response Methods Handbook) Material containment Spills to be removed Chemical and physical treatment</p>		<p>2. LABEL</p> <p>2.1 Category: None 2.2 Class: Not pertinent</p>
<p>3. CHEMICAL REACTIONS</p> <p>3.1 pH Compatibility Class: Miscellaneous Hydrocarbon mixture 3.2 Peroxide: Not applicable 3.3 MSD/UN Designation: 3.1/1270 3.4 DOT ID No.: 1270 3.5 CAS Registry No.: Data not available</p>		<p>4. OBSERVABLE CHARACTERISTICS</p> <p>4.1 Physical State (at shipping): Liquid 4.2 Color: Light brown 4.3 Odor: Like fuel oil</p>
5. HEALTH HAZARDS		
<p>5.1 Personal Protective Equipment: Goggles or face shield. 5.2 Operations Following Spill: If liquid is ignited, an increased frequency of hand movements will occur. 5.3 Treatment of Exposure: PREVENTION: do NOT allow vomiting. GOGG: wipe off, wash with soap and water. EYES: wash with copious amounts of water for at least 15 min. 5.4 Threshold Limit Value: no single TLV applicable. 5.5 Short Term Inhalation Limit: Data not available 5.6 Toxicity by Ingestion: Class 1; LD₅₀ = 8 to 16 g/kg 5.7 Skin Toxicity: Data not available 5.8 Vapor (and/or) Aerosol Characteristics: Vapors cause a slight stinging of the eyes or respiratory system if present in high concentrations. The effect is temporary. 5.9 Liquid or Solid (and/or) Characteristics: Minimum hazard. If spilled on clothing and allowed to evaporate, may cause stinging and reddening of the skin. 5.10 Skin Threshold: Data not available 5.11 MSD Values: Data not available</p>		

<p style="text-align: center;">6. FIRE HAZARDS</p> <p>6.1 Flash Point (T-C) 167°F C.C.; (D-C) 167°F C.C. 6.2 Flammable Limits in Air: 1.0-6.0 vol % 6.3 Fire Extinguishing Agents: Dry chemical, foam, or carbon dioxide 6.4 Fire Extinguishing Agents that do to Good: Water may be ineffective 6.5 Special Hazards of Combustion: Products: Not pertinent 6.6 Behavior in Fire: Not pertinent 6.7 Ignition Temperature (T-C) 280-300°F (D-C) 450-540°F 6.8 Smoldering Hazard: Not pertinent 6.9 Burning Rate: 4 common. 6.10 Adiabatic Flame Temperature: Data not available 6.11 Self-Heating Ability to Fuel Status: Data not available 6.12 Floor Temperature: Data not available</p> <p style="text-align: center;">7. CHEMICAL REACTIVITY</p> <p>7.1 Reactivity with Water: No reaction 7.2 Reactivity with Common Oxidants: No reaction 7.3 Stability During Transport: Stable 7.4 Extinguishing Agents for Solids and Liquids: Not pertinent 7.5 Polymerization: Not pertinent 7.6 Initiator of Polymerization: Not pertinent 7.7 Water Reactions (Relevant to Products): Data not available 7.8 Reactivity Group: 2</p> <p style="text-align: center;">8. WATER POLLUTION</p> <p>8.1 Aquatic Toxicity: 204 mg/l/24 hr/youngest Anemone (fish)/TL₅₀/sea water 8.2 Waterfowl Toxicity: >20 mg/kg A.D./mixture 8.3 Biological Oxygen Demand (BOD): Data not available 8.4 Food Chain Concentration Potential: None</p> <p style="text-align: center;">9. SHIPPING INFORMATION</p> <p>9.1 Grades of Purity: Diesel Fuel 1-D (ASTM), Diesel Fuel 2-D (ASTM) 9.2 Storage Temperature: Ambient 9.3 Inert Atmosphere: No requirement 9.4 Venting: Open (Stake structure)</p>	<p style="text-align: center;">10. HAZARD ASSESSMENT CODE (See Hazard Assessment Handbook) A-T-U</p> <p style="text-align: center;">11. HAZARD CLASSIFICATIONS</p> <p>11.1 Code of Federal Regulations: Combustible liquid 11.2 MSD Hazard Rating for Bulk Water Temperature: Not listed 11.3 NFPA Hazard Classification: Category Classification Health Hazard (Blue) _____ 0 Flammability (Red) _____ 2 Reactivity (Yellow) _____ 0</p> <p style="text-align: center;">12. PHYSICAL AND CHEMICAL PROPERTIES</p> <p>12.1 Physical State at 15°C and 1 atm: Liquid 12.2 Molecular Weight: Not pertinent 12.3 Boiling Point at 1 atm: 280-340°F = 143-177°C = 591-612°F = -18 to -34°C = 289 to 239°K 12.4 Freezing Point: 0 to -30°F = -18 to -34°C = 289 to 239°K 12.5 Critical Temperature: Not pertinent 12.6 Critical Pressure: Not pertinent 12.7 Specific Gravity: 0.841 at 15°C (liquid) 12.8 Liquid Surface Tension: (est.) 35 dynes/cm = 0.825 N/m at 20°C 12.9 Liquid Water Vapor Sat. Vapor: (est.) 30 dynes/cm = 0.29 N/m at 20°C 12.10 Vapor (and) Specific Gravity: Not pertinent 12.11 Ratio of Specific Heats of Vapor (Heat): Not pertinent 12.12 Latent Heat of Vaporization: Not pertinent 12.13 Heat of Combustion: -10,400 Btu/lb = -10,500 cal/g = 422 x 10³ J/kg 12.14 Heat of Decomposition: Not pertinent 12.15 Heat of Solution: Not pertinent 12.16 Heat of Polymerization: Not pertinent 12.17 Limiting Value: Data not available 12.18 Flash Vapor Pressure: None</p>
SDS	

GASOLINES: AUTOMOTIVE (<4.23g lead/gal)

GAT

<p>Chemical Synonyms Motor Fuel Petrol</p>	<p>Vapour hazard</p> <p>Flammable, irritating vapor is produced.</p>	<p>Corrosive to pipe brass or zinc</p>	<p>Gasoline odor</p>
<p>Flammable, irritating vapor is produced.</p>			
<p>Keep containers & pumps. Keep pumps away from all open flames and off fire department. Stay away and use water cover to "break down" vapor. Clean and remove discharged material. Heavy metal health and pollution control agencies.</p>			
Fire	<p>FLAMMABLE Flammable during vapor that may occur. Vapor may explode if ignited in an enclosed area. Extinguish with dry chemical, foam, or carbon dioxide. Vapor may be extinguished on the. Can explode containers with water.</p>		
Exposure	<p>CALL FOR MEDICAL AID. VAPOR Irritating to eyes, nose and throat. If inhaled, may cause dizziness, headache, difficult breathing or loss of consciousness. Move to fresh air. If breathing has stopped, give artificial respiration. If breathing is difficult, give oxygen. LIQUID Irritating to skin and eyes. If swallowed, will cause nausea or vomiting. Remove contaminated clothing and shoes. Flush affected areas with plenty of water. IF IN EYES, hold eyes open and flush with plenty of water. IF SWALLOWED and vomit a CONSCIOUS, have victim drink water or milk. DO NOT INDUCE VOMITING.</p>		
Water Pollution	<p>HARMFUL TO AQUATIC LIFE IN VERY LOW CONCENTRATIONS Feeding to livestock. May be dangerous if it enters water intakes. Heavy metal health and pollution control agencies.</p>		
<p>1. RESPONSE TO DISCHARGE (See Response Methods Handbook) Clean up using high absorbability. Evaluate area. Dispose and flush.</p>		<p>2. LABEL 2.1 Category: Flammable liquid 2.2 Class: 2</p>	
<p>3. CHEMICAL DESIGNATIONS 3.1 O&G Compatibility Class: Intermediate hydrocarbon mixture 3.2 Paraffinic (Mixture of hydrocarbons) 3.3 MSD/SH Designation: 3.1/1300 3.4 DOT ID No.: 1300 3.5 CAS Registry No.: Data not available</p>		<p>4. OBSERVABLE CHARACTERISTICS 4.1 Physical State (as shipped): Liquid 4.2 Color: Colorless to brown 4.3 Odor: Gasoline</p>	
<p>5. HEALTH HAZARDS</p>			
<p>5.1 Personal Protective Equipment: Protective goggles, gloves. 5.2 Symptoms Following Exposure: Irritation of mucous membranes and stimulation followed by depression of central nervous system. Breathing of vapor may also cause dizziness, headache, and malnutrition or, in more severe cases, weakness, coma, and respiratory arrest. If liquid enters lungs, it will cause severe irritation, coughing, gagging, respiratory distress, and later, signs of bronchopneumonia and pneumonia. Swallowing may cause irregular heartbeats. 5.3 Treatment of Exposure: INHALATION: Remove person and administer oxygen unless not if liquid is in lungs. ORIENTATION: do NOT induce vomiting; stomach should be irrigated by doctor if appreciable quantity is swallowed. EYES: wash with copious quantity of water. SKIN: wipe off and wash with soap and water. 5.4 Threshold Limit Value: 300 ppm 5.5 Short Term Exposure Limit: 500 ppm for 30 min. 5.6 Toxicity by Ingestion: Class 2; LD50 = 0.5 to 0.6 g/kg. 5.7 Lethal Toxicity: None 5.8 Vapor (flame) Irritant Characteristics: Vapor causes a slight stinging of the eyes or respiratory system if present in high concentrations. The effect is temporary. 5.9 Liquid or Solid Irritant Characteristics: Irritant to skin. If spilled on clothing and allowed to remain, may cause staining and softening of the skin. 5.10 Skin Threshold: 0.50 ppm 5.11 MELN Value: Data not available</p>			

<p>6. FIRE HAZARDS 6.1 Flash Point: -99° C.C. 6.2 Flammable Limits in Air: 1.4%-7.4% 6.3 Fire Extinguishing Agents: Foam, carbon dioxide, dry chemical 6.4 Fire Extinguishing Agents Not to be Used: Water may be ineffective 6.5 Special Hazards of Combustion: Pyrolytic gases 6.6 Behavior in Fire: Vapor is heavier than air and may travel considerable distance to a source of ignition and flash back. 6.7 Ignition Temperature: 850° F 6.8 Standard Hazard Class: Class I, Group D 6.9 Burning Rate: 4 in/min. 6.10 Adiabatic Flame Temperature: Data not available 6.11 Self-Heating Air to Fuel Ratio: Data not available 6.12 Flame Temperature: Data not available</p>	<p>7. CHEMICAL REACTIVITY 7.1 Reactivity With Water: No reaction 7.2 Reactivity with Common Materials: No reaction 7.3 Stability During Transport: Stable 7.4 Extinguishing Agents for Adults and Children: Not pertinent 7.5 Polymerization: Not pertinent 7.6 Inhibitor of Polymerization: Not pertinent 7.7 Heat of Reaction (Exothermic to Endothermic): Data not available 7.8 Reactivity Group: 20</p>
<p>8. WATER POLLUTION 8.1 Aquatic Toxicity: 90 ppm/24 hr/pure American shad/TL₅₀/fresh water 91 mg/l/24 hr/pure American shad/TL₅₀/salt water 8.2 Waterway Toxicity: Data not available 8.3 Biological Oxygen Demand (BOD): 5%, 5 days 8.4 Food Chain Concentration Potential: None</p>	<p>9. SHIPPING INFORMATION 9.1 Grade or Purity: Various octane ratings, utility specifications 9.2 Storage Temperature: Ambient 9.3 Inert Atmosphere: No requirement 9.4 Packing: Open (flame arrester) or pressure-relief</p>

<p>10. HAZARD ASSESSMENT CODE (See Hazard Assessment Handbook) A-7-A-V-W</p>	<p>11. HAZARD CLASSIFICATIONS 11.1 Grade of Federal Regulations: Flammable liquid 11.2 CAS Hazard Rating for Bulk Water Transportation: Category Rating Fire: _____ 3 Health: _____ Vapor Irritant: _____ 1 Liquid or Solid Irritant: _____ 1 Poison: _____ 2 Water Pollution: _____ Hazard Toxicity: _____ 1 Acute Toxicity: _____ 2 Anesthetic Effect: _____ 2 Reactivity: _____ Other Chemicals: _____ 0 Water: _____ 0 Self Reaction: _____ 0</p> <p>11.3 NFPA Hazard Classification: Category Contribution Health Hazard (Skin): _____ 1 Flammability (Flam): _____ 3 Reactivity (Yellow): _____ 0</p>
<p>12. PHYSICAL AND CHEMICAL PROPERTIES 12.1 Physical State at 15°C and 1 atm: Liquid 12.2 Molecular Weight: Not pertinent 12.3 Boiling Point at 1 atm: 140-300° F = 60-150° C = 323-477° K 12.4 Freezing Point: Not pertinent 12.5 Critical Temperature: Not pertinent 12.6 Critical Pressure: Not pertinent 12.7 Specific Gravity: 0.721 at 20°C (68°F) 12.8 Liquid Surface Tension: 19-23 dynes/cm = 0.019-0.023 N/m at 20°C 12.9 Liquid Vapor Immersion Tension: 40-51 dynes/cm = 0.040-0.051 N/m at 20°C 12.10 Vapor (flam) Specific Gravity: 3.4 12.11 Ratio of Specific Heats of Vapor (flam): (mol) 1.054 12.12 Latent Heat of Vaporization: 130-150 Btu/lb = 71-81 cal/g = 3.0 - 3.4 x 10⁵ J/kg 12.13 Heat of Combustion: -18,720 Btu/lb = -10,400 cal/g = 425 x 10⁵ J/kg 12.14 Heat of Decomposition: Not pertinent 12.15 Heat of Solution: Not pertinent 12.16 Heat of Polymerization: Not pertinent 12.18 Limiting Value: Data not available 12.27 Reid Vapor Pressure: 7.4 psi</p>	
<p>NOTES</p>	



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

22 April 1996

MEMORANDUM

TO: George J. Meyers, Town Supervisor

FROM: Mark J. Edsall, P.E., Town Consulting Engineer

SUBJECT: TPS TECHNOLOGIES, INC. "STACK TEST" BURN
FIELD OBSERVATIONS 18 APRIL AND 19 APRIL 1996
MHE JOB NO. 87-56.2/T93-37

As per your request, on 18 April 1996 and 19 April 1996 the undersigned and Michael Babcock, Town Building Inspector, visited the TPS Technologies (Ira D. Conklin) site during a portion of the time where a "Stack Test" run was being performed under the review of the New York State Department of Environmental Conservation.

For the test burn, the plant was being run by Galson Company of East Syracuse, with the cooperation of TPS representatives. The operations were being observed and tests being taken by representatives of the New York State Department of Environmental Conservation, with additional testing samples being taken by TPS. The laboratory being utilized was Envirotest Labs of Newburgh, New York. Present from TPS during our observations were David A. Edwards, P.E., Facility Manager and Blair W. Dominiak, Manager of Regulatory Compliance.

On 18 April 1996 sand "spiked" with no lead and sand "spiked" with low lead gasoline was being introduced into the process. Rate of application was approximately 25 tons per hour, with sampling being taken at multiple points in the stack. Sampling includes, but is not limited to, NOx, carbon monoxide, total particulates, sulfur dioxide, benzene and lead.

During our discussions with Dave Edwards, he advised that they had performed a noise evaluation regarding the operations, with all results being below or at the compliance threshold for the Town Law. He advised us that they had identified two (2) equipment items which were

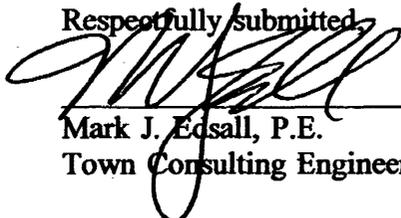
22 April 1996

**MEMORANDUM
PAGE 2**

contributing to the higher levels for certain octave bands; TPS has decided to install noise insulation materials to these two (2) equipment items so as to lessen their noise generation and bring the overall site to an operation point well below the noise limits of the Town Code. As well, Dave Edwards indicated that they would provide a noise "curtain" at the bottom of the building doors to also lessen noise generation while the doors are open.

We also visited the site on 19 April 1996. At the time of our visit, TPS was processing clayey soil materials spiked with fuel oil. Based on our observations of the operating equipment, it appears that a processing rate of approximately 15 tons per hour was occurring. Generally, the operation appeared nearly identical to the previous day's operations. While we were on site on 19 April 1996 we had the opportunity to review and discuss the operation with Mike Merriman of NYSDEC. At the time we left the site, NYSDEC representatives were conferencing to discuss the ongoing operations and test. No test data was available from the operations at this time; therefore, we may wish to request same once the final results are distributed.

Respectfully submitted,



Mark J. Edsall, P.E.
Town Consulting Engineer

MJEmk

cc: Michael Babcock, Town Building Inspector
James Petro, Planning Board Chairman

A:4-22-E.mk



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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26 January 1996

Ira D. Conklin & Sons, Inc.
92-94 Stewart Avenue
P.O. Box 7457
Newburgh, New York 12550

ATTENTION: IRA D. CONKLIN, III, PRESIDENT

SUBJECT: I.D.C. SOIL RECLAMATION SITE PLAN
NWPB NOS. 93-37, 94-23 AND AMENDMENTS

Dear Ira:

This letter is being written to supplement and correct information provided in our previous letter to you dated 15 January 1996. Subsequent to issuance of that letter, we have received your letter of 18 January 1996 and have reviewed the record information concerning the subject applications. Based on that review, it appears that note no. 11 included on the amended utility plan (Application No. 94-23) included an error which modified the hours of operation previously approved by the Town Planning Board. Based on our review of the Town records, and as accepted by the Planning Board at their meeting of 24 January 1996, the hours of operation, as previously approved by the Planning Board (per Note 11 on 93-37 application drawing), are as follows:

"I.D.C. will accept and transport soil between the hours of 6:00 a.m. to 6:00 p.m., Monday through Friday. I.D.C. will operate the soil remediation unit only within hours of 6:00 a.m. to 10:00 p.m., six days per week. This excludes maintenance on the unit."

Ira D. Conklin
& Sons, Inc.

Page 2

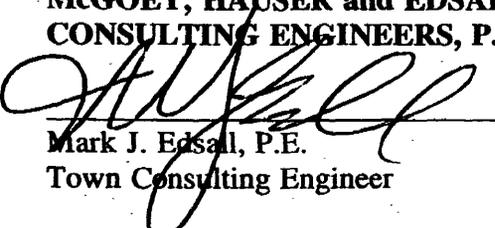
26 January 1996

We are hopeful that this appropriately corrects and clarifies the approval as granted by the Town Planning Board, correcting the information referenced in our 15 January 1996 letter.

If you have any further questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours,

**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.**



Mark J. Edsall, P.E.
Town Consulting Engineer

MJEmk

cc: George J. Meyers, Town Supervisor
TPS Technologies, 81 River Road, New Windsor, NY
James Petro, Planning Board Chairman

A:CONKLIN2.mk

TOWN OF NEW WINDSOR555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1763

15 January 1996

Ira D. Conklin & Sons, Inc.
92-94 Stewart Avenue
P.O. Box 7457
Newburgh, New York 12550

ATTENTION: IRA D. CONKLIN, III, PRESIDENT

SUBJECT: I.D.C. SOIL RECLAMATION SITE PLAN
NWPB NOS. 93-37, 94-23 AND AMENDMENTS

Dear Ira:

The Town of New Windsor has received copies of correspondence, Permit Transfer, Renewal, Extension & Correction notifications and other permit correction correspondence in connection with your site plan located on River Road within the Town. In making a review of the content of these items, the Town has become aware of an apparent inconsistency between the permit issued by NYSDEC and the approval granted by the Town of New Windsor Planning Board.

Reference is made to the "Permit Transfer, Renewal, Extension & Correction" notification dated 13 November 1995 from the New York State Department of Environmental Conservation, addressed to T.P.S.T. Soil Recyclers of New York, Inc. Under Section C - Correction of Special Conditions, Paragraph I, the hours of operation were apparently amended to permit operation of 21 hours per day, Monday thru Saturday.

Please be advised that the plan approved by the Town of New Windsor Planning Board included a note as follows:

"I.D.C. will accept and transport soil between the hours of 6:00 a.m. to 6:00 p.m., Monday thru Saturday. I.D.C. will operate the soil remediation unit only within the hours of 6:00 a.m. to 6:00 p.m., six days per week. This excludes maintenance on the unit."

Ira D. Conklin
& Sons, Inc.

Page 2

15 January 1996

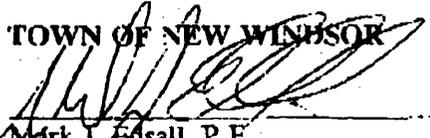
Please be advised that the hours of operation are a condition of the approval from the Town of New Windsor Planning Board; therefore, notwithstanding the limits referenced in the NYSDEC permit, the hours of operation as approved and restricted by the Town of New Windsor Planning Board remain in full force and effect as a condition of your site plan approval. Compliance with these hours of operation is required.

You are reminded that any other conditions of the approval granted by the Planning Board also remain in full force and effect and are not modified by any permits issued by other regulatory agencies. There is, of course, the opportunity for Ira D. Conklin & Sons, Inc. to apply to the Planning Board for an amendment of any of the approval conditions, by application to the Town Planning Board.

If you have any questions concerning the above, please do not hesitate to contact the undersigned.

Very truly yours,

TOWN OF NEW WINDSOR


Mark J. Edsall, P.E.

Town Consulting Engineer

MJEmk

cc: George J. Meyers, Town Supervisor
TPS Technologies, 81 River Road, New Windsor, NY
James Petro, Planning Board Chairman

A:CONKLIN.mk

94-23

SITE PLAN FEES - TOWN OF NEW WINDSOR

APPLICATION FEE:.....\$ 100.00
~~150.00~~

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ — Pd

MULTI-FAMILY SITE PLANS:

_____ UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS).....\$ _____
_____ UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS).....\$ _____
TOTAL ESCROW PAID:.....\$ _____

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00

PLAN REVIEW FEE (MULTI-FAMILY): A. ~~\$150.00~~ 100.00
PLUS \$25.00/UNIT B. X

TOTAL OF A & B: \$ 100.00

RECREATION FEE: (MULTI-FAMILY)

\$1,000.00 PER UNIT

_____ @ \$1,000.00 EA. EQUALS: \$ X
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$ 122,542.00

A. ~~4% OF FIRST \$50,000.00~~ A. _____
B. 2% OF REMAINDER COST EST. B. 2450.84

TOTAL OF A & B: \$ 2450.84 Pd CK
032677

TOTAL ESCROW PAID:.....\$ 750.00

TO BE DEDUCTED FROM ESCROW: 674.00

RETURN TO APPLICANT: \$ 76.00

ADDITIONAL DUE: \$ _____

I.D.C. SOIL RECLAMATION AMENDED SITE PLAN (94-23)

James Loeb, Esq., and Ira D. Conklin III appeared before the board for this proposal.

MR. LOEB: Good evening ladies and gentlemen, I'm accompanied by Ira D. Conklin III. The plan that you have is an amendment to the plan that you previously approved. The amendment deals with the construction of a storage building. You'll recall that when we were before you, there were questions raised about what you going to do when it rains and at that time, we told you that just like an outside baseball game, there would be no game when it rained. Well, we thought about it again number one and number two, we just have been through the wettest summer that anybody had and Ira said this is kind of foolish, we're making this tremendous investment designing this first class project and plant and if it rains as much as it's rained this year, we're not going to be able to play very often. So we've laid out the change in the plan which is really the building.

MR. VAN LEEUWEN: Taking the tanks out?

MR. LOEB: Just what we show there.

MR. CONKLIN: All the tanks will come out now, we're not going to have any tanks any longer, no.

MR. LANDER: You're not going to store in the tanks?

MR. CONKLIN: No, everything will be underneath one roof. We're dumping under one pad all the materials stored under the one pad the material is treated and brought outside and that will have a tarp type cover over the outside storage. But basically, everything that is contaminated will be under the roof, no chance for rain to get on it either while we're dumping or after.

MR. KRIEGER: Machine will be under the roof too?

MR. CONKLIN: Yes.

MR. PETRO: Soil not being in a tank doesn't have any DEC implications?

MR. CONKLIN: No. What we're worried about is the rain water getting on contaminated soil and the runoff from that and as long as it's under a roof, the tanks were just for the roof, more than for anything else and we're just trying to keep it, now instead of dumping outside and bringing it inside, we're trying to dump inside and keep it inside.

MR. VAN LEEUWEN: How high is the building going to be at the peak?

MR. CONKLIN: 51 feet at the peak.

MR. VAN LEEUWEN: Will that fit in the zoning code?

MR. EDSALL: No, that is one of the variances they need.

MR. LOEB: We're here to request that you refer us to the Zoning Board. We need two variances, one is the front yard setback. We have a new office building and it has got to be 50 feet back. We've got 35 feet back and then of course the usual New Windsor variance of height and what we're proposing 51 feet and because of where it's situated, we can only have a building 12 feet high. So obviously, we've got to go to the Zoning Board. What we hope is to achieve those variances and come back before you for review of the amended site plan. We believe that in the long run, this is a better proposal because of the building and enclosing more of our operation.

MR. LANDER: Ira, going into this building type operation here, has the DEC mandated this or have they told you you need a cover on the materials that will be stored outside, anything new come up from the DEC?

MR. CONKLIN: No, DEC has not mandated it, however, they can't in their infinite wisdom, they can't lead you in any way, other than smile when you say you're going to put up a building and we've got a lot of smiles.

MR. LANDER: I would think so.

MR. PETRO: Also for the minutes, I'd like for you to state once again use of the property from the first approval that you received is not being changed in any way, shape or form?

MR. CONKLIN: No.

MR. PETRO: You're just putting a roof over the operation?

MR. CONKLIN: Yes, we're going to have not an outside dumping area, we're going to dump inside rather than transfer to an inside storage.

MR. PETRO: Item number 3, do you feel that that is absolutely necessary?

MR. EDSALL: Well, we have a full EAF. Now, what I am suggesting is that we make sure that we have on record an amended copy of the EAF which is a necessary item. I'm not looking to ask for any other increase in SEQRA review at this point, I believe the same full EAF just amended to reflect this would be fine.

MR. LOEB: We have no problem with that at all, Jim.

MR. EDSALL: Maybe just something that would be worthwhile getting into the record. I'm sure you'll get into it with the ZBA, but looking for 51 foot height, I believe that is less than the height of the existing tanks that are out there now?

MR. CONKLIN: Height of the existing tanks there now are somewhere around 50, 55, could be even 60, I never took a tape measure myself and measured them. They are six or seven tiers of steel and I think they are about six or seven feet in width so but I've never taken a tape to it.

MR. VAN LEEUWEN: I would take a tape to it.

MR. EDSALL: It may be that your finished building for

this application may be lower than the existing tanks. Second item I believe would be worthwhile having on record is you're looking to have a 30 and 24 foot side yard setback, I believe from recollection, I don't have the plan here, at least one of the tanks is closer than the closest point of the buiding you're proposing?

MR. CONKLIN: You're right, it is closer.

MR. EDSALL: So, in fact, although they are different structure types, your building in fact is going to be set back further than some of the tanks that are there now.

MR. PETRO: The hours of operation will not be changed from the original application?

MR. CONKLIN: No, I think we're going from a good scenario to a better scenario now that the unit will be underneath and in a building where before we were worried about a sound barrier, now we'll have the building around it for the sound barrier. We'll not have to worry about any rain water on a concrete pad, how are we going to deal with that.

MR. VAN LEEUWEN: Are the processors going inside the building too?

MR. LOEB: Yes.

MR. PETRO: We're going to have ample time to go over this, does anyone--

MR. VAN LEEUWEN: I make a motion to approve.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Ira D. Conklin site plan amendment on River Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER NO
MR. LANDER NO
MR. PETRO NO
MR. VAN LEEUWEN AYE

MR. PETRO: You have now been referred to the local Zoning Board. Good luck. Once you have all your variances and everything is on the plan, we'll certainly put you on the next agenda.

MR. VAN LEEUWEN: I'd like to send the Zoning Board a message that we're very much in favor.

MR. PETRO: Yes and there was a public hearing held and no opposition.

MR. LOEB: That would be very helpful if the board would indicate.

MR. EDSALL: For the record, I believe the only question we had at the previous public hearing was noise. The final attachments to the EAF that we did receive indicated that the noise barrier would decrease the noise levels for the units to a level below the town ordinance and as well below the background noise that was anticipated because of traffic on River Road. Obviously, by moving the equipment inside they are further decreasing the noise so therefore the only concern that this board heard about during the public hearing being noise is now being further decreased.

MR. PETRO: I believe also for the minutes I believe we had one person show up for the public hearing.

MR. LANDER: Noise and they were questioning stockpiling the material outside, odors.

MR. BABCOCK: The other thing that you can keep in mind is the ZBA will have a public hearing on this for the variances so.

MR. EDSALL: He will be going in understanding what we have heard in the past.

MR. KRIEGER: I'd suggest that you be prepared to

August 24, 1994

24

address yourself as I say that may be the only public hearing so maybe there to the appearance, facade, appearance, I'm sure that is going to be a question.

MR. LOEB: We'll be prepared for that and we anticipate submitting updated noise calculations based upon change in the site plan with the building. They of course are better.

MR. LANDER: What type of building are you going to put up?

MR. CONKLIN: Free span Butler building steel.

MR. LOEB: Thank you very much.

I.D.C. SOIL RECLAMATION SITE PLAN (94-23)

James R. Loeb, Esq. appeared before the board for this proposal.

MR. LOEB: Thank you, Mr. Chairman. I'm here tonight representing Ira D. Conklin and Sons, Inc. and I.D.C. Soil Reclamation. I am accompanied by Ira Conklin, Jr. and Ira D. Conklin III. This plan was before you on several occasions, on April 27, 1994 for the public hearing. You granted approval to our site plan for the soil reclamation project. We came back before you in August with what we think is a better plan which involved a building which would house the soil reclamation unit itself. You denied approval because we needed two variances. You sent us to the Zoning Board of Appeals and I'm pleased to tell you that on October 24 of 1994 following a public hearing, the Zoning Board of Appeals granted the height variance and the front yard setback variance and we are here before you to night. We've submitted at your request a revised full environmental assessment form, that has been sent to the DEC indicating that this board wished to retain lead agency status that has just gone out and we're ready to proceed. Greg is going to go over the site plan with you. If you have questions, we have Carl Monte, our landscape architect and Phill Grealy, our traffic and noise consultant with us this evening. I would like to submit two letters to the board. We received one from Affron Fuel Oil and one from Lightron. These are our neighbors and in each case, the letters indicate that they support the project. The letters are addressed jointly to the Zoning Board and the Planning board. They were part of the record at the Zoning Board hearing. You may also wish to know that at the hearing, not only did no one appear in opposition but somebody appeared in support which was very nice for us. And if you are ready, we can have Greg review the site plan.

MR. PETRO: I'm all set.

MR. SHAW: I'm sure the board is familiar with the piece of property. Previously on this site was seven large fuel storage tanks, five have been removed as

have the buildings, presently two exist, they are proposed to be demolished also under the scheme. The parcel is a 2.5 acre parcel located in the PI zone. As Mr. Loeb mentioned, we have been before the Zoning Board of Appeals and obtained a front yard variance for a new 1,200 square foot office building, which is located on the westerly portion of the property and also a variance for building height for the main structure. This proposal before you incorporates two primary structures and two accessory structures. The primary structures are as I mentioned the 1,200 square foot office building and the 25,000 square foot soil processing and storage building. With the previous proposal before this board, the processing, the thermally stripping of the material was to be done outdoors, everything else was going to be within the structure so concerns such as possible noise, possible vibrations, possible glare have now been eliminated. There are two other accessory structures, one is on the easterly portion of the project and that is for the soil base and I'll explain the process in a minute and the last structure is located in this area, it's a remediation building, which is going to be installed to take care of some of the by-products that exists from this being a former fuel storage tank. Vehicles entering the site will be coming in through the northerly entrance and they'll be queuing around the building, again it gives us a very large staging area. As the trucks pass along the southerly building line, they'll be placed on this scale where the material will be weighed in the trucks, at that point they will pull up and then back into the building and deposit their material. Then the trucks in turn will leave the site. The material will be processed within the building and will be removed from the building through the easterly overhead door and the processed material will be placed in these bins which will be buried in the landscape berm. I'll just touch on that briefly. Prior to the material leaving the site, the material will be tested to make sure it's sterile. Then the material will be loaded into tractor trailers again be brought in this fashion and placed on the westerly scale for final weighing. Then the trucks will be departing through the southerly entranceway. With respect to parking for this facility, we're providing 13 spaces consistent

with the previous plan. This facility has not been increased in size from the previous proposal to this board. We're providing two parking spaces along this building line, 9 employee parking spaces along the southerly property line and spaces adjacent to the building. With respect to utilities, we're going to be connecting both the office building and the soil processing storage building into the town's water and sewer systems. There will be no discharging of processed water whatsoever into the town system. The only water which will be utilized by this operation will be water utilized by the employees in the rest room areas and break room and also the injection of water into the processed material after it has been thermally stripped and that is primarily for dust control, flow is discharged into the town sewer system. As I mentioned, we'll be connecting into the town's water system and again, water will be provided to the office building and into the break room and the rest room and the soil processing building, the storm drainage system really will consist of two separate systems. There will be a system strictly for the roof approximately 25,000 square feet. That storm water will be collected from the roof, piped and discharged in this culvert adjacent to the Con Rail property. The balance of the site which will be paved will be collected by a separate storm drainage system and brought to an area located between the office and the soil processing building. There, it will be treated by an oil water separator and then discharged into the drainage ditch which is the northerly property line. One final point with respect to this facility if the board remembers, Ira D. Conklin went through an elaborate effort in providing landscaping for this property, as you'll see, we've provided landscaping along the northerly property line, the southerly property line, also the easterly and we went through an elaborate effort creating berms and plantings to create a berm in this area with landscaping associated with it. We have followed that through with this scheme so we're consistent with the previous plan in that respect. That is a brief overview. As Mr. Loeb mentioned, myself or traffic consultant or landscape architect would be happy to answer any specific questions which you may have.

MR. PETRO: Greg, the remediation building is not on this plan, I didn't see it on this plan, Greg.

MR. SHAW: Correct.

MR. PETRO: What's the building going to be used for?

MR. SHAW: Maybe you can ask Ira.

MR. CONKLIN: Right now there we found some contaminated soil underneath where the old loading rack was and we're designing a system now to treat the ground under there. There is a pump and you pump water up there through a carbon filter system and back out, purifies the water so it treats the ground and the water that is underneath the property.

MR. PETRO: Done in that building, remediation building?

MR. CONKLIN: Yes, like at Mobil, they have a big tower that sticks out, this would be a low trace system, there's no tower but it's a shed like building and it basically pumps both water and air from the ground and cleans the ground.

MR. PETRO: Greg, you said the underground drain is going to take the water off the roof, 25,000 square foot roof into the culvert back there?

MR. SHAW: Correct.

MR. PETRO: You're going to have piping underground, I don't see anything here with the culverts. Do you have culverts?

MR. SHAW: You'd have to look on to drawing 2, which is the utility plan that has the piping associated with both systems.

MR. PETRO: I see, you're going to the property line and from the property line, just goes by surface.

MR. SHAW: Discharge in approximately in this area to

flow into this northerly drainage ditch through the culvert into the river.

MR. SCHIEFER: Greg, what's a gabion retaining wall, metal or--

MR. SHAW: No, it's rock face, you have seen them on state highways, chicken wire.

MR. SCHIEFER: That is what I thought, thank you.

MR. VAN LEEUWEN: It's fencing, it's a lot stronger than chicken wire.

MR. LANDER: Retaining wall on this side.

MR. SHAW: Yes, to a maximum height of six feet, I believe these are masonry walls which are really for landscaping purposes. We have a few here and a few back here.

MR. A. LANDER: How high is the berm out in front of the office building?

MR. SHAW: Maybe about three feet. We really tried to accentuate the berms on the easterly property line.

MR. VAN LEEUWEN: Are all the tanks gone yet? Are they still there?

MR. SHAW: Five have been removed, two remain and the structures have been demolished.

MR. VAN LEEUWEN: The building is gone too?

MR. CONKLIN: Yes, the only two tanks that are left are the two that we did use on the original plan.

MR. VAN LEEUWEN: But if this goes through, you're going to take them down too?

MR. CONKLIN: Yes.

MR. PETRO: How many employees do you plan on having there?

MR. CONKLIN: I would say, if we can run three shifts.

MR. PETRO: Shift at a time?

MR. CONKLIN: Shift at a time would be probably be eight.

MR. PETRO: I was comparing that to the parking, it's a big site and there's really not that much parking but I realize there's not much required either, you have approximately double what's required.

MR. SHAW: Correct, we have 13.

MR. PETRO: These are existing curb cuts, I believe?

MR. SHAW: Correct.

MR. VAN LEEUWEN: I don't have any problem, Mr. Chairman.

MR. LANDER: No.

MR. PETRO: Highway approval is on 8/29/94.

MR. EDSALL: Because there are other involved agencies, there was the need to issue another, I use the word another because we had done it once before on the previous plan, I issued a lead agency coordination letter, one inconsistency in the letter which was brought to my attention is that there is a typo, instead of calling the office building 1,200, it's called out as 12,000. Luckily. It's called out as more. If no one is concerned with 12,000, they surely won't be concerned with 1,200. In either case, that is in the record. If anyone does contact me as your contact person, I'll explain to them that in fact that is a typographical error. The letter was issued yesterday and it has been sent to all the agencies who were previously notified and I would understand and assume that if they were not interested in lead agency last time, they won't be this time. But there's the 30 day period and I made sure that went out in time.

MR. PETRO: 12,000 to 1,200, I don't think we'd have an office building with one parking spot for 12,000 square foot so that is--

MR. EDSALL: I'm bringing to your attention, that letter is out, the clock has started and you'll be in a position at your next meeting to take the lead agency roll and run through the SEQRA process.

MR. VAN LEEUWEN: This is an amendment to the site plan, isn't it?

MR. EDSALL: Correct.

MR. VAN LEEUWEN: We have to do the SEQRA all over again?

MR. EDSALL: When you change the plan to this extent, that is what I suggest.

MR. LANDER: How about public hearing?

MR. EDSALL: That is your decision.

MR. PETRO: We cannot take lead agency.

MR. EDSALL: If there's more than one agency that has the right to assume that roll, you must send out a coordination or competition letter.

MR. PETRO: We have to wait 30 days.

MR. EDSALL: Yes, and that went out yesterday, I sent it out as soon as I received the documentation from Greg.

MR. LANDER: Greg, is it a steel building?

MR. SHAW: Yes, would you like to see the design for this?

MR. EDSALL: As far as the decision on the public hearing, I would think that you'd want to review the scope of the changes and decide if you need a public hearing tonight, otherwise there's no ability.

MR. PETRO: My question to the attorney was do we have the power or can we as a board find that it is necessary or unnecessary to have a public hearing before we take lead agency.

MR. VAN LEEUWEN: I make a motion that we waive public hearing.

MR. SCHIEFER: Second it.

MR. VAN LEEUWEN: It's an amendment to the site plan, we had a public hearing on the original site plan, I don't see a need for another one.

MR. PETRO: To finish my sentence, the Planning Board attorney has informed us that we can go along with the motion before us at this point. Is that correct?

MR. KRIEGER: Yes.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board under its discretionary judgment under paragraph 48-19C of the town zoning local waive the public hearing for the Ira D. Conklin amended site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE

MR. SCHIEFER: There's not much else we can do. We'll see you at the next meeting. At that time, we need within 30 days, which is going to be December meeting, December 14 meeting. At that time, we should have the letter stating that we can proceed. We just can't go any further.

MR. LOEB: Thank you very much.

REGULAR ITEMS:

I.D.C. SOIL RECLAMATION SITE PLAN (94-23) - RIVER ROAD

James R. Loeb, Esq., Gregory Shaw of Shaw Engineering and Ira D. Conklin III appeared before the board for this proposal.

MR. LOEB: Good evening, Mr. Chairman and board members, my name is James Loeb. I'm appearing tonight for the Ira D. Conklin and Sons Soil Reclamation plan. I'm accompanied by Ira D. Conklin III and Greg Shaw, our project engineer. You recall that we received site plan approval from this board in May for what we believe to have been a good plan but we came back to you in August with a better plan which has incorporated the construction of a building to house the SRU unit and the soil because we were concerned that weather conditions would prevent us from operating as efficiently as we could without that building. We presented the plan to you, you denied the plan because we needed two area variances, one for the front yard setback of the small office building and one because the building itself exceeded the height limitations. We went to the Zoning Board of Appeals. There was a public hearing at which we received support from some persons who were in attendance including letters of support and the Zoning Board of Appeals granted us both the variances. We returned to you at your first meeting in November. At that meeting, we reviewed the plans again. You passed a resolution in which you determined to exercise your power to waive the public hearing on the site plan approval. Your consultant circulated a lead agency competition letter in November, the 30 days have passed and I certainly hope and trust that there are no other agencies raising their hand.

MR. PETRO: We have had no response.

MR. LOEB: And we're hopeful tonight to conclude the site plan review process. I have put up one board. We have two others here as well as the plan. The board

that we put up shows the basic landscaping proposal as well as the design of the building which is going to be most visible because it's next to the road. We're ready to respond to any questions that the board has.

MR. PETRO: Jim, what was the response at the Zoning Board, just for the record?

MR. LOEB: We received the two variances that we sought. The setback front yard setback 15 feet and the height variance of 39 feet.

MR. PETRO: What was the turnout at that public hearing?

MR. LOEB: We had the former owner of the property, not the one we bought it from, the prior owner who arrived to indicate that he and his family were pleased that we cleaned up the site. We had a letter from the adjoining property owner in favor of it and a letter from the property owner next to the adjoining property owner in favor of it and I have submitted copies of those letters to this board in November.

MR. PETRO: Mr. Krieger is also the Zoning Board attorney, can you add anything to that?

MR. KRIEGER: No, what I was going to say what Mr. Loeb has said is a correct representation of what occurred within as far as I remember it for the record, additionally, I have had at least one owner of property very near to this development who had previously spoken at the Planning Board here indicate his complete satisfaction with the project, an agreement with what was transpiring and that is why he has made no formal appearance again.

MR. PETRO: Okay, Ron or Carmen, on number 2 on Mark's comments, I'd like to take care of that while we could and being we had no responses from any other outside agencies, we can.

MR. LANDER: Make a motion that the Town of New Windsor Planning Board assume lead agency.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency in the Ira D. Conklin Soil Reclamation site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. PETRO: Any of the members have any comments on the site plan itself? I know we have gone over the landscaping at the last meeting. I asked if they'd bring it back in so we can review it one more time and make sure that it has properly been done up, I think they have a couple nice plans before us. Greg, can you just touch on the landscaping a little bit, please, and tell us once again for the record what you plan on planting and some sizes and what you plan on doing.

MR. SHAW: Okay, I'll do the best that I can. Again, this was prepared by Carl Monte, our landscape architect.

MR. PETRO: Greg, before you start, let me ask Ira right now the property as it stands, I don't think there's any landscaping at all?

MR. CONKLIN: There is not, no.

MR. SHAW: There's three primary views that Mr. Monte addressed in his preparation of the landscape plan. One was a vehicle traveling in the southerly direction and to mitigate visually, he has put in these plantings which again I can refer to the landscape plan, if you want the details of the type of plantings and calipers and the shrubs, et cetera. Also vehicles traveling in a northerly direction. Again he's created a bermed area with plantings in this particular area also. We do have cross sections of the remaining two planting

areas which is immediately along River Road on our property which would mitigate the views in an easterly direction. And finally there's the berming of the landscaping along the soil bins which is easterly side of the property. So those four areas identified maybe we can go to the cross-sections. What we have on this particular board you're looking at and it being the middle view, you identified this treatment at River Road, you'll see the new office which is proposed for construction between the office and River Road and a small knee wall, masonry retaining wall and plantings which would be between as I mentioned the office and River Road. The lower view identified as concept section and elevations, this is a view from the river. Again, we're creating a berm in this area bringing in earth and raising up the elevations and putting the plantings on top of it to minimize visually the building. As you can see in this growth is identified, if I can just find it on the plan, it may be a ten year growth, see that the majority of the building is not visual except for the ridge line referring to a portion at the top of the building. As Mr. Lander has done, if you refer to drawing 4 of 6, you'll see a detailed landscaping scheduled which he identifies the trees, the shrubs, their size and their caliper. Those are the four primary areas which the landscape architect addressed with a major, major emphasize being placed on views from the Hudson River looking westward.

MR. VAN LEEUWEN: When the trees go in, how big are they going to be when you plant them?

MR. CONKLIN: Greg, I think it shows them underneath that one. I think that will be when they first go in.

MR. VAN LEEUWEN: Cause you don't want to put them in too big because when you put them in big, you're going to lose them.

MR. PETRO: Anything else on the landscaping, gentlemen?

MR. LANDER: No, I think they've done a nice job.

MR. VAN LEEUWEN: I'm inclined to agree with you.

MR. PETRO: I want to start with number 3 on the comments and I think Andy has some information and we have a letter, do you want to touch on that and we'll go with Andy as far as the full EAF or Andy, do you want to do the whole thing? Do you want to touch on that?

MR. KRIEGER: On the environmental assessment form?

MR. PETRO: Yes.

MR. KRIEGER: I hadn't planned on it, other than Mark's comments.

MR. EDSALL: I believe that all the areas of concern that were identified both at the initial review for the original application and as well for the modifications that were made as part of this amendment are addressed in the full EAF and the attachments as well. They have had concern for those issues that were raised by the public during the initial review. So the full EAF seems to address those concerns and obviously the concerns that the board had identified.

MR. PETRO: So at this time there's no outstanding concerns, is that correct?

MR. EDSALL: I believe it's acceptable, yes.

MR. KRIEGER: My review of the plan, the documents would indicate the same as Mark has indicated.

MR. PETRO: Do any of the members have anything to add or discuss?

MR. LANDER: Do we have anything from the DOT?

MR. PETRO: Yes, we have the original letter dated March 30, 1994 on the original plan.

MR. EDSALL: Just one comment I just had requested from Greg as part of the record information they submit that they provide us with the profiles for the visual analysis, although they have been presented and

reviewed by the board in the colorized versions that we have had before us more than once, I don't believe that the record that the Planning Board has includes the profiles themselves. So I just suggested that they include that into the record somewhere along the process, if not during the week cause obviously I don't think Myra can file the poster boards.

MR. PETRO: Profiles for what again?

MR. EDSALL: Those are the visual profiles that are part of the environmental review but we should have some copies in the file.

MR. PETRO: Other than these?

MR. EDSALL: What you're looking at now which obviously will not fold and fit in the file, Greg has assured me he will provide us with a copy.

MR. PETRO: Okay. Back to the DOT, Mark, I have this March 30, 1994.

MR. EDSALL: March 30 letter makes it clear to me that number one, the DOT did not object to this board assuming the position of lead agency. As well it is outlined no concern or objection to application. However, they have advised us that if any work is required within the right-of-way as we all know a permit would be required. That is consistent with my suggestion in comment #4 any approval action relative to this application should be condition on the applicant receiving the approval and/or a necessary permit from the NYSDOT relative to the River Road access. It is also worthwhile to note in the March 30 letter that the DOT has agreed with the traffic portion of the full EAF.

MR. LOEB: Yes.

MR. PETRO: But the condition for work inside the DOT right-of-way that would go with any application so basically just reminding this applicant that you have to do that.

MR. EDSALL: That is the normal procedural condition.

MR. LOEB: For the record, we should state that our plan does not envision any work, we're going to use the existing curb cuts, we see no reason to go to the DOT. We don't believe we have to. We have at this time no need to get a permit from them. We're going to use that access.

MR. EDSALL: For the record to protect the board and the building inspector, they have acknowledged that should they decide to do any work, they'll apply for the required permit.

MR. LOEB: That is correct.

MR. PETRO: Can we have a motion or action for number three?

MR. DUBALDI: So moved.

MR. KRIEGER: If I may, proposed in connection with this proposed resolution in writing has been prepared and circulated to the members of the board, I would ask them at this point to consider it carefully and consider whether or not the movement or anybody else would care to adopt the proposed resolution as a motion.

MR. DUBALDI: I include it in my motion, Mr. Chairman.

MR. PETRO: Do you want it as a separate motion?

MR. KRIEGER: No, in other words, if this is the movement's motion, adopt that.

MR. PETRO: Can we have a motion then?

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec in the Ira D. Conklin Amended site plan on River Road. Any further comments from the board members? If not, roll call.

IRA D. CONKLIN SITE PLAN - RIVER ROAD

James R. Loeb, Esq. and Gregory Shaw of Shaw Engineering appeared before the board for this discussion.

MR. LOEB: It's a pleasure to be here again and I'd like the record to indicate that Ira D. Conklin, Jr. is here.

MR. PETRO: Mr. Loeb, I received a letter June 19, 1995 from Ira D. Conklin Soil Reclamation, Inc., River Road. There seems to be that there's three field changes in Progress. I have previewed them and looked at them and for the rest of the board and for also the information I asked them to come in. Personally, I felt they were minor in nature but I also wanted the board to review it along with me and Mr. Conklin and Mr. Shaw and Mr. Loeb. So if you can go over those three field changes briefly for the board, we'd be glad to hear it.

MR. LOEB: It's my please to introduce Greg Shaw, the engineer on the project and he will review those field changes with you, Mr. Chairman, and members of the board.

MR. SHAW: The plan that I am presenting before you tonight is a copy of the site plan that was approved by your board. So this plan does not reflect the field changes, it reflects that which this board approved, I believe it was in late 1994. If I may refer to the letter that your chairman mentioned, June 19, 1995 from IRA D. Conklin & Sons, Inc. to Chairman James Petro and the Planning Board. Field change number one. In the easterly portion of the site which is this area in particular, the soil storage area was reduced by approximately 50% and the masonry retaining wall facing along the Hudson River was deleted. And if I may just read from the letter because it's probably the quickest way of getting through these. In the development of the design drawings, the new soil processing building. Additional area was allocated form thermally treated soil and this reduced the need for storage capacity within the soil storage area. Also with the elimination of the northerly portion of the soil

storage area, the height of the landscaped berm could be maintained without the masonry retaining wall. The of the walls was considered a positive change as the landscape berm is visually more attractive than a masonry wall as viewed from the Hudson River. That is field change number one.

MR. PETRO: The masonry wall had no other purpose just to keep the oil soil in? There was nothing for contamination or nothing like that?

MR. SHAW: Nothing whatsoever. There was a side benefit, it created a very small flat area for planting. But other than that, that had no benefit.

MR. VAN LEEUWEN: How high is the wall?

MR. SHAW: How high was the proposed wall, approximately 6 1/2 feet at the top.

MR. STENT: What's that in relationship to the natural berm that is there?

MR. SHAW: The berm is going to be the top of the wall was to be elevation 14 and our berm is also at elevation 14, so with the deletion of the wall as I said we're still going to maintain that height so we have not compromised the landscape berm whatsoever.

MR. VAN LEEUWEN: Going to put all the shrubbery in?

MR. SHAW: Absolutely. Field change number two. Due to the change in topo along the northerly property line, an earth retaining wall was and continues to be required. In lieu of constructing the specified gabion type wall, a wall system consisting of steel sheeting was installed. That was the field change. And the reason for that change was the appropriateness of the gabion type earth retaining wall system was re-evaluated due to wall's proximity to a drainage course that discharges into the Hudson River. That drainage course is along the entire northerly property line.

MR. PETRO: Mark, do you see any problems with that

type of construction for the retaining wall?

MR. EDSALL: No, not at all. I believe they have constructed them in a manner that there is enough room for the truck traffic and I believe it was monitored during construction to see that they are put in proper.

MR. SHAW: It was to minimize the disturbance to the stream which was the reason for that change and finally the field change number three consisted of three parts, the raising of the finish floor elevation of the soil processing building by two feet. The addition of a retaining wall along the southerly property line which was a result again of raising the grade two feet and the raising of the final grading by an average of two feet throughout the site and the deletion of the storm drainage system. The reason for that change was primarily our concern and if I may just read the first paragraph. The raising of the finish floor elevation of the soil processing building was a direct result of the Hudson River's influence on the site and the marginal soil bearing capacity for the soil processing buildings foundation. In the original layout of the site, we recognized that the hundred year flood elevation of the Hudson River as elevation 8. This resulted in establishing the building's floor elevation at elevation 10.5. With the potential for the site and its building to be affected by the Hudson River during a Nor-Easter storm, the field decision was made to raise the floor slab by two feet to elevation 12.5 so that was the reason for raising the finish floor elevation. With that raise in elevation, comes the raise in grade along the southerly property line that in turn triggered the small wall. And finally, now that we have had this increase in elevation and we can drop the grade from the back of the site to the front of the site, we deleted the storm drainage system to the oil/water separator. That oil/water separator is installed. I saw it today, the outlet piping from the separator to this water course will remain as designed so water will flow via piping and basins to the stream. We have just changed the routing of water to overland flow to the oil/water separator rather than through pipes underground.

MR. VAN LEEUWEN: The water will go aboveground instead of underground?

MR. SHAW: Correct. This is still the low point of the site.

MR. VAN LEEUWEN: Property pitches towards the road?

MR. SHAW: Correct, we have not changed the low point and where the water is going to go.

MR. EDSALL: Greg, the changes in the grade increased slopes on the finished surfaces?

MR. SHAW: Yes.

MR. EDSALL: Obviously, that improves the drainage on the surface, whereas previously it was a little bit flatter and it worked.

MR. PETRO: Better drainage piping.

MR. SHAW: Absolutely.

MR. PETRO: Well, again, number one I believe that you have reduced the footprint as far as the storage of the soil so reducing the size of something certainly doesn't--

MR. VAN LEEUWEN: I like the idea.

MR. PETRO: --command a problem with the site plan. I think the raising of the whole site having the sheet flow to the drainage again you're just sending the water in the same spot by a different method. On number three, the wall along the, what's that northerly side was constructed and Mark said it looks fine and there's no problem with that?

MR. SHAW: Correct.

MR. PETRO: And you did that to improve the situation with the stream, is that right?

MR. SHAW: Well, our concern was the disturbance to the

stream with the gabion type wall. The beauty with the steel sheeting you can drive it in place as opposed to excavating, opening up the earth, installing the wall and backfilling.

MR. PETRO: Nothing else with the site plan has been altered or changed?

MR. SHAW: The only other change is that this remediation building was relocated to this portion of the site, to this portion of the site and your board approved that field change maybe about three months ago.

MR. EDSALL: Yeah, that was something we talked about.

MR. SHAW: That is the only change.

MR. EDSALL: Greg, do you have new plans that show the new grading and such?

MR. SHAW: In fragmented pieces. I do not have one composite drawing.

MR. EDSALL: I think one thing the board should discuss, ask whether or not you do want to have a record plan or not.

MR. VAN LEEUWEN: I think we should get a plan, just give it to Mark.

MR. BABCOCK: How about an as-built at the time of the C.O. we require that anyway, as-built showing the--

MR. PETRO: I think that would suffice.

MR. EDSALL: Put it in the Planning Board files.

MR. BABCOCK: Greg, do you have a problem submitting an as-built at the time of the C.O.?

MR. SHAW: Absolutely not.

MR. LOEB: We had already indicated at the original approval you asked for that and we agreed that we'd do

that.

MR. BABCOCK: With the changes.

MR. LOEB: With the changes, yes.

MR. SHAW: That probably be the best this way, there's no interim drawing, you'll have what's built and that will be the end of it.

MR. VAN LEEUWEN: Motion?

MR. PETRO: Once again, Greg, just for the minutes, there is no other changes, other than what you have specified at this time?

MR. SHAW: Correct.

MR. PETRO: And the change in the use of the property has not changed?

MR. SHAW: No, that has not changed.

MR. LANDER: So moved.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve the field changes to the Ira D. Conklin & Sons site plan on River Road only subject to I believe would be that we receive an as-built plan for our files. Any further discussion from the board members?

MR. EDSALL: My want to enter into the record from a SEQRA standpoint there is no affect on your environmental review and these are just minor field adjustments for grade and such.

MR. PETRO: So read in.

ROLL CALL

MR. VAN LEEUWEN AYE

MR. LANDER AYE

June 28, 1995

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MR. STENT	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

MR. DUBALDI: Motion to adjourn.

MR. VAN LEEUWEN: Second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. STENT	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

Respectfully Submitted By:



Frances Roth
Stenographer

7/2/95

IRA CONKLIN:

MR. EDSALL: I want to get into the record I sent a memo to the planning board chairman following my site visit with Mike for the site compliance for completion for Ira Conklin. There's nothing significant in my view that was changed but we just want to let you know that things like gabion walls in some cases they decided to put sheet pile wall, they put in a chain link fence extension and eliminated some guiderails. They moved some landscaping because of some final grading adjustments, I think overall the landscaping looks rather good for a commercial site but a lot of those things were noted, they are on the record in the planning board files, we just wanted to let you know that they've gotten to that point and they had one problem with the handicapped ramp which they have now torn out and redone. So it's basically in our mind in substantial compliance. We wanted to let you know there's some minor adjustments that had to be made.

MR. LANDER: Landscaping in the rear of the property, did they do that?

MR. EDSALL: It's in, obviously there's the spacing right now whenever you start off with plantings they have to grow to maturity.

MR. LANDER: They are not mums, are they?

MR. EDSALL: No, they put in some evergreens that were 6, 7 footers, not as if they put in any cheap plantings or downsized, we looked for the sizing compared to what they told us and there was consistency.

MR. BABCOCK: The numbers in the rear exceed what the plan did cause I started counting and I was halfway through and I exceeded what was on the plan so--

MR. EDSALL: Because they had reduced that storage area, that building in the back they crunched down, they didn't leave that vacant, they put in additional landscaping.

MR. VAN LEEUWEN: You guys see a problem?

MR. EDSALL: No.

MR. PETRO: Any of the members have any problem with what Mr. Edsall described?

MR. BABCOCK: If the board would like to take a ride through and look.

MR. VAN LEEUWEN: I have been down there, very nice job.

MR. LANDER: There is no problem.

MR. STENT: No problem.

MR. KRIEGER: Just for the board's information, doesn't require any action on the part of the planning board, but the supervisor has received a letter voicing certain procedural questions with regard to SEQRA compliance, among others, from an individual named Dr. Edelstein of Orange Environment. I have, at the request of the supervisor, responded to that letter provided with the response that it required and among other things, he's calling to question the public notice procedures provided by the planning board. I advised him that in our opinion, it was adequate for the purposes that were intended and apparently, he was not aware of the existence of the draft environmental impact statement as was provided to this board without being asked for very early in the application process. I made him aware of the existence of that and I just want the board to be aware that that is going on as I say it requires no action on the part of the planning board at this point, just an informational thing.

MR. PETRO: Do you have anything else under Ira Conklin?

MR. EDSALL: No.

IRA CONKLIN

MR. PETRO: Lastly, Ira Conklin, Mark, do you want to talk about that a little bit? I want to say that before you start, are you looking for some sort of a clarification tonight on the hours of operation?

MR. EDSALL: Well, basically what I'd like to do is put in the record what I found and I believe it's factual so the board really won't have to take any action other than say yeah, you're right, that is what the records show.

MR. PETRO: Is there an urgency to do so tonight?

MR. EDSALL: Yeah, only because the supervisor asked me that this be resolved and I would like to correct the letter that I had sent out. So I think it's urgent in the fact that I don't like having a letter out to an applicant that has information that we have now proven to be incorrect. Quickly, the bottom line is that the original application 93-37 in your attachments, you'll see a copy of the actual note allowed operations from 6, 6 a.m. to 6 p.m. Monday through Friday for delivery and it allowed operation of the process between 6 a.m. and 10 p.m. six days per week and then it excluded maintenance on the unit. Apparently, what happened was is that a subsequent utility plan submitted to this board for approval as part of the several minor amendments for some reason the hours of operation on that plan were reflected as 6 a.m. to 6 p.m.. I went back and all the minutes and Myra did the same so we doublechecked, there's no case where the planning board changed what they initially approved. There were discussions about hours but the board never modified what you originally approved. So it is my conclusion that the original hours that you approved are still valid and this plan just has a typographical error for the hours of operation. So what I'd like to do is if the board has no objection to that, I'm just going to correct our letter to the applicant.

MR. PETRO: Any objection from any of the board members?

January 24, 1996

38

MR. DUBALDI: No.

MR. LANDER: No.

MR. PETRO: You'll take care of that?

MR. EDSALL: Yes.

MR. PETRO: Anything else?

MR. ESDALL: No.

MR. LUCAS: How did I do, George?

MR. DUBALDI: I move we adjourn.

MR. LANDER: Second it.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

Respectfully Submitted By:

Frances Roth 1/30/96
Frances Roth
Stenographer



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TELEPHONE #914-563-4615
FAX NUMBER 914-563-4693

TO: Greg Shaw

ATTN; _____

FAX NUMBER: 561-3027

NUMBER OF PAGES (INCLUDING COVER SHEET) 9

FROM: Myra

DATE SENT: 12-10-96 TIME SENT: _____

MESSAGE: _____

TELEPHONE OR FAX ACKNOWLEDGEMENT OF THIS TRANSMISSION IS REQUESTED:

YES _____ NO ✓



1763

15 January 1996

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

Ira D. Conklin & Sons, Inc.
92-94 Stewart Avenue
P.O. Box 7457
Newburgh, New York 12550

ATTENTION: IRA D. CONKLIN, III, PRESIDENT

SUBJECT: I.D.C.SOIL RECLAMATION SITE PLAN
NWPB NOS. 93-37, 94-23 AND AMENDMENTS

Dear Ira:

The Town of New Windsor has received copies of correspondence, Permit Transfer, Renewal, Extension & Correction notifications and other permit correction correspondence in connection with your site plan located on River Road within the Town. In making a review of the content of these items, the Town has become aware of an apparent inconsistency between the permit issued by NYSDEC and the approval granted by the Town of New Windsor Planning Board.

Reference is made to the "Permit Transfer, Renewal, Extension & Correction" notification dated 13 November 1995 from the New York State Department of Environmental Conservation, addressed to T.P.S.T Soil Recyclers of New York, Inc. Under Section C - Correction of Special Conditions, Paragraph I, the hours of operation were apparently amended to permit operation of 21 hours per day, Monday thru Saturday.

Please be advised that the plan approved by the Town of New Windsor Planning Board included a note as follows:

"I.D.C. will accept and transport soil between the hours of 6:00 a.m. to 6:00 p.m., Monday thru Saturday. I.D.C. will operate the soil remediation unit only within the hours of 6:00 a.m. to 6:00 p.m., six days per week. This excludes maintenance on the unit."

Ira D. Conklin
& Sons, Inc.

Page 2

15 January 1996

Please be advised that the hours of operation are a condition of the approval from the Town of New Windsor Planning Board; therefore, notwithstanding the limits referenced in the NYSDEC permit, the hours of operation as approved and restricted by the Town of New Windsor Planning Board remain in full force and effect as a condition of your site plan approval. Compliance with these hours of operation is required.

You are reminded that any other conditions of the approval granted by the Planning Board also remain in full force and effect and are not modified by any permits issued by other regulatory agencies. There is, of course, the opportunity for Ira D. Conklin & Sons, Inc. to apply to the Planning Board for an amendment of any of the approval conditions, by application to the Town Planning Board.

If you have any questions concerning the above, please do not hesitate to contact the undersigned.

Very truly yours,

TOWN OF NEW WINDSOR



Mark J. Edsall, P.E.

Town Consulting Engineer

MJEmk

cc: George J. Meyers, Town Supervisor
TPS Technologies, 81 River Road, New Windsor, NY
James Petro, Planning Board Chairman

A:CONKLIN.mk



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

1763

15 January 1996

Ira D. Conklin & Sons, Inc.
92-94 Stewart Avenue
P.O. Box 7457
Newburgh, New York 12550

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SUBJECT: I.D.C.SOIL RECLAMATION SITE PLAN
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15 January 1996

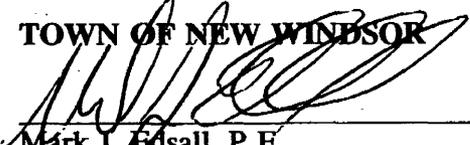
Please be advised that the hours of operation are a condition of the approval from the Town of New Windsor Planning Board; therefore, notwithstanding the limits referenced in the NYSDEC permit, the hours of operation as approved and restricted by the Town of New Windsor Planning Board remain in full force and effect as a condition of your site plan approval. Compliance with these hours of operation is required.

You are reminded that any other conditions of the approval granted by the Planning Board also remain in full force and effect and are not modified by any permits issued by other regulatory agencies. There is, of course, the opportunity for Ira D. Conklin & Sons, Inc. to apply to the Planning Board for an amendment of any of the approval conditions, by application to the Town Planning Board.

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Very truly yours,

TOWN OF NEW WINDSOR



Mark J. Edsall, P.E.

Town Consulting Engineer

MJEmk

cc: George J. Meyers, Town Supervisor
TPS Technologies, 81 River Road, New Windsor, NY
James Petro, Planning Board Chairman

A:CONKLIN.mk



IRA D. CONKLIN & SONS, INC.

92-94 STEWART AVENUE • P.O. BOX 7457 • NEWBURGH, N.Y. 12550

TELEPHONE (914) 561-1512 • FAX (914) 561-1798

January 18, 1996

Town of New Windsor Planning Board
ATTN: Chairman James Petro and Planning Board Members
555 Union Avenue
New Windsor, New York 12553

SUBJECT: Hours of Operation Clarification
LOCATION: IDC/TPS Soil Reclamation Facility

Gentlemen:

On January 17, 1996, I received a letter from Mark Edsall, Town Engineer stating a difference in hours of operation at the facility. In our New York State Department of Environmental Conservation permit, which allows us to operate 21 hours vs Town of New Windsor permit, which I believed to be "acceptance of soil 5 days a week 6:00 a.m. - 6:00 p.m. and operate the facility 16 hours a day, 6 days a week". I knew of this difference and fully intended to comply with the Town Planning Boards granted permit hours. However, I was very surprised at the hours which Mark has stated as being approved by the Town Planning Board.

Enclosed you will find a copy of a letter dated January 17, 1996 from John Collins Engineers PC with respect to hours as well as copies of the minutes of several town meetings where I stated the hours publicly. Also you will find a copy of the final approved site plan with Note #11 which addresses the hours of operation. Please review this issue and clarify for me the hours of operation. We have hired and are presently training people for the 2nd shift. If we cannot operate 16 hours, a layoff will have to occur. It takes us time to train and test employees not to mention the affect it would have on these new employees who have taken the positions in hopes of career opportunities.

My hope is that the original approved site plan hours of operation will be carried thru onto the amended site plan.

Sincerely,

IRA D. CONKLIN & SONS, INC.

Ira D. Conklin, III,
President

IDC/dmc

ENCL.

CC: Mark Edsall

NOTES CONTINUED

11. I.D.C. WILL ACCEPT AND TRANSPORT SOIL BETWEEN THE HOURS OF 6:00 A.M. TO 6:00 P.M., MONDAY THROUGH FRIDAY. I.D.C. WILL OPERATE THE SOIL REMEDIATION UNIT ONLY WITHIN HOURS OF 6:00 A.M. TO 10:00 P.M., SIX DAYS PER WEEK. THIS EXCLUDES MAINTENANCE ON THE UNIT.
12. THE SOUND ATTENUATION BARRIER MUST BE IN PLACE WHEN OPERATING THE SOIL REMEDIATION UNIT.

SITE PLAN
STAMPED APP'D 9-1-94
APPLICATION 93-37

RAILROAD
TRACKS (TYP)

EXISTING
DRAINAGE
DITCH

NOTES CONTINUED

11. I.D.C. WILL ACCEPT AND TRANSPORT SOIL BETWEEN THE HOURS OF 6:00 A.M. TO 6:00 P.M., MONDAY THROUGH SATURDAY. I.D.C. WILL OPERATE THE SOIL REMEDIATION UNIT ONLY WITHIN HOURS OF 6:00 A.M. TO 6:00 P.M., SIX DAYS PER WEEK. THIS EXCLUDES MAINTENANCE ON THE UNIT.
12. LOCATION OF EXISTING SANITARY SEWER LATERAL OBTAINED FROM THE TOWN OF NEW WINDSOR SEWER DISTRICT 9 FILES.
13. PRIOR TO INSTALLATION OF SITE UTILITIES, CONTRACTOR SHALL EXCAVATE AND LOCATE END OF EXISTING SANITARY SEWER LATERAL. SHOULD THE LATERAL'S LOCATION AND ELEVATION BE OTHER THAN THAT ASSUMED, THE DESIGN ENGINEER SHALL BE NOTIFIED AND THE DESIGN DRAWINGS SHALL BE MODIFIED ACCORDINGLY.
14. STORM DRAINAGE SYSTEM BASED UPON A TEN YEAR, 1 HR STORM HAVING A RAINFALL INTENSITY OF 1.9 INCHES PER HOUR.

PARKING SCHEDULE

PARKING SCHEDULE:

OFFICE BLDG.:	1,200 S.F.
SOIL PROCESSING & STORAGE BLDG.:	24,750 S.F.
COVERED SOIL STORAGE AREA:	4,200 S.F.
REMEDICATION EQUIPMENT STRUCTURE:	300 S.F.

OFFICE USE:

1 SPACE PER 200 S.F. OF
FLOOR AREA:
(1,200 S.F. / 200 S.F. PER SPACE)

REQUIRED

6 SPACES

PROVIDED

6 SPACES

SOIL PROCESSING & STORAGE USE:
(EMPLOYEE PARKING)

TOTAL: 6 SPACES

7 SPACES

13 SPACES

*AMENDED UTILITY PLAN
REVISION OF 94-23 APP'D 1-10-95 (STAMA)*



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

23 January 1996

MEMORANDUM

TO: New Windsor Planning Board Members

FROM: Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT: IDC SOIL RECLAMATION SITE PLAN
NEW WINDSOR PLANNING BOARD NO. 93-37, 94-23 AND AMENDMENTS

Reference is made to the attached letter dated 15 January 1996 which I issued pursuant to a review requested by the Town Supervisor.

Subsequent to my letter, Ira D. Conklin & Sons issued a letter to the Town Planning Board dated 18 January 1996. A copy of this letter and the attachments are enclosed with this memorandum.

Subsequent to receipt of Ira Conklin's letter, I have reviewed the previous plans and records for this application. It appears that there is an inconsistency between the hours of operation referenced on the plan notes for Application 93-37 and the notes indicated on Application 94-23. A review of the minutes relative to Application 94-23, which was an amendment application, would not support a conclusion that the hours of operation were being further restricted by the Town Planning Board.

In line with the above, the Board may wish to consider the fact that the hours of operation listed on the amended utility plan may be in error and, in fact, may not reflect the hours of operation actually approved by the Planning Board. If this is the case, with your authorization, I will reissue my letter to Ira D. Conklin & Sons, correcting this issue.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
Encl.as
A:1-23-4E.mk

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/12/95

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 94-23

NAME: I.D.C. SOIL RECLAMATION - AMENDED SITE PLAN
APPLICANT: IRA D. CONKLIN & SONS, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
01/10/95	PLANS STAMPED	APPROVED
12/14/94	P.B. APPEARANCE . 12/20/94 RECEIVED 1 SET OF LANDSCAPE PLANS AS REQUESTED BY PB . BOND ESTIMATE REQUIRED	LA:ND APPR. COND.
11/09/94	P.B. APPEARANCE	WAIVE P.H. NEXT AGEN
11/02/94	WORK SESSION APPEARANCE	REVISE & NEXT AGENDA
11/02/94	WORK SESSION APPEARANCE	NEXT AGENDA
08/24/94	P.B. APPEARANCE . NEED AMENDED COPY OF FULL E.A.F.	REFER TO Z.B.A.
08/17/94	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/05/95

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 94-23

NAME: I.D.C. SOIL RECLAMATION - AMENDED SITE PLAN

APPLICANT: IRA D. CONKLIN & SONS, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	08/19/94	MUNICIPAL HIGHWAY	08/29/94	APPROVED
ORIG	08/19/94	MUNICIPAL WATER	08/22/94	APPROVED
ORIG	08/19/94	MUNICIPAL SEWER	11/07/94	SUPERSEDED BY REV1
ORIG	08/19/94	MUNICIPAL FIRE . A SPRINKLER SYSTEM IS REQUIRED UNDER TITLE 9 EXEC. B NYCRR	09/01/94	APPROVED
ORIG	08/19/94		11/07/94	SUPERSEDED BY REV1
ORIG	08/19/94		11/07/94	SUPERSEDED BY REV1
REV1	11/07/94	MUNICIPAL HIGHWAY	11/14/94	APPROVED
REV1	11/07/94	MUNICIPAL WATER	11/09/94	APPROVED
REV1	11/07/94	MUNICIPAL SEWER . MAINTAIN WATER/SEWER SEPARATION - CROSSING WATER SERVICE	11/09/94	APPROVED
REV1	11/07/94	MUNICIPAL FIRE	11/07/94	APPROVED
REV1	11/07/94		/ /	
REV1	11/07/94		/ /	

SITE PLAN FEES - TOWN OF NEW WINDSOR

APPLICATION FEE:.....\$ 100.00
~~150.00~~

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ - Pd

MULTI-FAMILY SITE PLANS:

_____ UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)....\$ _____
_____ UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS)....\$ _____
TOTAL ESCROW PAID:.....\$ _____

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00

PLAN REVIEW FEE (MULTI-FAMILY): A. ~~\$150.00~~ 100.00
PLUS \$25.00/UNIT B. ~~X~~
TOTAL OF A & B: \$ 100.00

RECREATION FEE: (MULTI-FAMILY)

\$1,000.00 PER UNIT

_____ @ \$1,000.00 EA. EQUALS: \$ X
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$ 122,542.00

A. ~~4% OF FIRST \$50,000.00~~ A. _____
B. 2% OF REMAINDER COST EST. B. 2450.84

TOTAL OF A & B: \$ 2450.84 Pd CK
032677

TOTAL ESCROW PAID:.....\$ 750.00

TO BE DEDUCTED FROM ESCROW: 674.00

RETURN TO APPLICANT: \$ 76.00

ADDITIONAL DUE: \$ _____

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

December 30, 1994

**Chairman James R. Petro and
Members of the Planning Board**
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Construction Estimate IDC Soil Reclamation Facility
Amended Site Plan Application

Gentlemen:

We have presented below for your consideration our construction estimate for the site improvements for IDC Soil Reclamation Facility. Our estimate is as follows:

CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Macadam Pavement	6,050 S.Y.	\$ 10	\$ 60,500
Pavement Markings	220 L.F.	\$.40	\$ 88
Concrete Curbing	230 L.F.	\$ 9	\$ 2,070
Concrete Sidewalk	260 L.F.	\$ 3	\$ 780
Curb Bumpers	9	\$ 15	\$ 135
Handicap Sign/Striping	1	\$ 100	\$ 100
Guardrail	325 L.F.	\$ 10	\$ 3,250
Chain Link Fence	541 L.F.	\$ 6	\$ 3,246
Masonry Retaining Walls	705 S.F.	\$ 5	\$ 3,525
Gabion Walls	1,370 S.F.	\$ 5	\$ 6,850
Storm Drain Piping	696 L.F.	\$ 15	\$ 10,440
Catch Basins	7	\$ 800	\$ 5,600
Flushing Basins	9	\$ 800	\$ 7,200

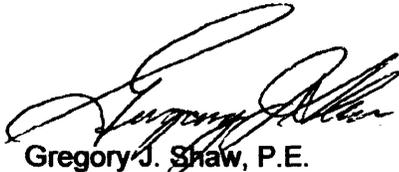
<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Seeding	1,515 S.Y.	\$.50	\$ 758
Shrubs	224	\$ 25	\$ 5,600
Trees	52	\$ 100	\$ 5,200
Lightpoles	8	\$ 900	\$ 7,200
Total			\$122,542

We are also enclosing a check for the inspection fee in the amount of \$2,450.84 which represents 2% of the estimate amount.

Thank you for your attention to this matter.

Respectfully submitted,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: Ira D. Conklin III, Via Fax 561-1798
James Loeb, Esq., Via Fax 565-1999

*OK by Mark E.
by phone 1/5/95
@*

Site Plan

CHECK NO. 032677

IRA D. CONKLIN & SONS, INC.

NET

\$2,450.84

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3696

December 30, 1994

**Chairman James Petro and
Members of the Planning Board**
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Amended Site Plan For I.D.C. Soil Reclamation
River Road

Gentlemen:

Enclosed please find 6 copies of the drawings (6 sheets) entitled "Amended Partial Site Plan, New Facility For I.D.C. Soil Reclamation", which contains an issue date of November 1, 1993 and an amendment date of November 3, 1994. Having received Site Plan Approval, these drawings are being submitted for your Board's Approval Stamp and Signature.

Thank you for your attention to this matter.

Respectfully submitted,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Ira D. Conklin III, Via Fax 561-1798
James Loeb, Esq., Via Fax 565-1999

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 94- 23

FOR WORK DONE PRIOR TO: 01/04/95

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----		
										EXP.	BILLED	BALANCE
94-23	86825	08/17/94	TIME	MJE	WS	IDC	70.00	0.40	28.00			
94-23	85670	08/23/94	TIME	MCK	CL	C/RVW COMMENTS	25.00	0.50	12.50			
94-23	86851	08/23/94	TIME	MJE	MC	IDC AMENDMENT	70.00	0.50	35.00			
94-23	85394	08/24/94	TIME	MJE	MN	IDC AM DISAPP> ZBA	70.00	0.10	7.00			
94-23	86857	08/24/94	TIME	MJE	MC	IDC AMENDMENT	70.00	0.10	7.00			
94-23	88661	09/16/94	TIME	MJE	MC	IDC	70.00	0.30	21.00			
94-23	88806	09/21/94	TIME	MJE	MC	IDC ZBA REF	70.00	0.40	28.00			
94-23	91224	10/25/94	TIME	MJE	MC	IDC	70.00	0.30	21.00			
									139.50			
94-23	92939	10/31/94				BILL 94-570 11-14-94 PD						-159.50
												-159.50
94-23	91425	11/02/94	TIME	MJE	WS	IDC	70.00	0.40	28.00			
94-23	92082	11/07/94	TIME	MJE	MC	IDC W/LOEB	70.00	0.30	21.00			
94-23	92083	11/08/94	TIME	MJE	MC	IDC L/A COORD LTR	70.00	0.40	28.00			
94-23	92087	11/08/94	TIME	MJE	MC	IDC	70.00	0.50	35.00			
94-23	92310	11/08/94	TIME	MCK	CL	LTR-LEAD AGENCY	25.00	0.50	12.50			
94-23	92092	11/09/94	TIME	MJE	MC	IDC	70.00	0.10	7.00			
94-23	92322	11/09/94	TIME	MCK	CL	IDC/RVW COMMENTS	25.00	0.50	12.50			
94-23	92594	11/15/94	TIME	MJE	MC	IDC GEN'L	70.00	0.20	14.00			
									317.50			
94-23	91112	11/08/94				EXP. POSTAGE				23.20		
										23.20		
94-23	93965	11/30/94				BILL 94-655 12/13/94						-181.20
												-340.70
94-23	94903	12/08/94	TIME	MJE	MC	IDC W/LOEB	70.00	0.30	21.00			
94-23	95096	12/12/94	TIME	MJE	MC	IDC	70.00	0.20	14.00			
94-23	95099	12/13/94	TIME	MJE	MC	IDC REG DEC RVW	70.00	0.40	28.00			
94-23	95100	12/14/94	TIME	MJE	MC	IDC	70.00	0.40	28.00			
94-23	95101	12/14/94	TIME	MJE	MC	RVW IDC W/ATTY	70.00	0.20	14.00			
94-23	95168	12/14/94	TIME	MCK	CL	I/RVW COMMENTS	25.00	0.50	12.50			
94-23	95526	12/27/94	TIME	MJE	MC	IDC	70.00	0.50	35.00			
									470.00	23.20	-340.70	152.50
						TASK TOTAL			470.00	23.20	-340.70	152.50
									470.00	23.20	-340.70	152.50
						GRAND TOTAL			470.00	23.20	-340.70	152.50

WHEREAS, Ira D. Conklin & Sons, Inc. filed an application with the Planning Board of the Town of New Windsor on August 18, 1994 for approval of new facility for I.D.C. Soil Reclamation for property located on River Road in the Town of New Windsor and identified on the tax maps as Section 9, Block 1, Lot 98, and

WHEREAS, the application was for approval of an amendment to the previously approved site plan, and

WHEREAS, together with the required plans, the applicant presented a Full Environmental Assessment Form together with attachments dated November 3, 1994, and

WHEREAS, the Planning Board caused a Lead Agency coordination letter together with a copy of the Full EAF to be sent to all other involved and interested agencies in accordance with the mailing list annexed to this resolution as an exhibit, and

WHEREAS, no other involved agency has objected to the Planning Board serving as Lead Agency, and

WHEREAS, the Planning Board has reviewed and considered the Full Environmental Assessment Form together with the attachments thereto, and

WHEREAS, the Planning Board is now prepared to proceed, the Planning Board makes the following determinations:

1. That the Planning Board is and serves as Lead Agency on this application.
2. That it is hereby determined that the action proposed is an Unlisted Action.

3. That the Planning Board as Lead Agency has determined that the proposed action described in the annexed Negative Declaration will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

4. That the determination of non-significance of action, also known as a Negative Declaration, be issued by the Planning Board and filed in the office of the Planning Board with a copy served upon those agencies who have previously received a copy of the Lead Agency coordination letter of November 8, 1994.

The foregoing resolution was presented by
and seconded by

The vote on the resolution was as follows:

B.D.
94-23

-----x
In the Matter of the Application of

IRA D. CONKLIN & SONS/IDC SOIL
RECLAMATION.

FORMAL DECISION
GRANTING AREA
VARIANCES

#94-34.
-----x

WHEREAS, IRA D. CONKLIN & SONS, 92-94 Stewart Avenue, Newburgh, N. Y. 12550, has made application for a 15 ft. front yard and 39 ft. maximum building height variance for construction of soil processing and storage buildings located on River Road in a PI zone; and

WHEREAS, a public hearing was held on the 24th day of October, 1994 before the Zoning Board of Appeals at the Town Hall, New Windsor, N. Y.; and

WHEREAS, the applicant appeared by James R. Loeb, Esq., Gregory Shaw, P.E., Carl Monte, Landscape Architect, Philip Grealy, P.E. and Ira D. Conklin, III; and

WHEREAS, there were two spectators present for the hearing; and

WHEREAS, there were two letters from neighboring property owners received by the Zoning Board of Appeals; and

WHEREAS, one person in the audience spoke in favor of the application and no one spoke in opposition thereto or voiced any questions; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence presented by the applicant showed that:

(a) The property is in an industrial/commercial area zoned PI with some residential properties in the area mixed in.

(b) The property is presently improved by an abandoned, non-operating, oil storage and dispensing facility containing oil tanks and a terminal building with dispensing equipment.

(c) The applicant proposes to remove the items listed in (b) above and to erect two buildings on the site with landscaping improvements including various plantings and berms in accordance with plans and drawings displayed at the hearing.

(d) Letters were received from neighboring property owners and presented to the Board by the applicant and speaker, both letters said the project would be an improvement in the

area.

(e) Of the two buildings constructed, the large building would have a peaked roof which would be approximately 10 ft. higher than the height of the existing tanks at the peak of the roof but 14 ft. lower than the existing tanks at the eaves of the roof.

(f) Only a small triangular portion of the larger building would appear from the river above the landscaping after same is fully grown. This portion would be painted in a color to match and consistent with the existing background.

(g) The large building height is the minimum necessary to accommodate the loading and off-loading of tractor dump trucks of soil necessary to the operation of the facility.

(h) The noise of the facility would be wholly contained within the large building and no appreciable noise would escape into the neighborhood.

(i) The large building would be insulated so as to reduce the aforesaid noise.

(j) The small building is located closer to the front than allowed by the Zoning Local Law so as to permit space for the smooth and orderly movement of trucks to, from and at the site. It is so situated by the applicant in such a way as to permit adequate turn around and traveling space.

(k) If the front yard variance applied for said smaller building is granted, the building will be no closer to the existing roadway than are other structures in the neighborhood on that road.

(l) The proposed facility is for the processing of soil contaminated by hydrocarbons but will be constructed in such a way as to capture all emissions therefrom within the building and would not allow said contaminants into the soil by shielding the contaminated soil from the rain.

(m) Emissions and the leaching of contaminated soil are controlled by the NYS DEC for which permits are necessary to operate the facility and which is monitoring the action.

(n) The traffic will not be increased over present levels and beyond that which the roadway in front of the facility can handle.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. None of these variances will produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method which can produce the benefit sought except the granting of all of the variances

requested by the applicant.

3. The requested variances are substantial in relation to the town regulations, but nevertheless are warranted since the effect of the variances would only be to make the project consistent with the character of the surrounding neighborhood and district.

4. None of the variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulties in this matter are self-created since the applicant is proposing new construction. Nevertheless, the Board feels that the awarding of the variances are justified because construction of this project will make the property an addition to the neighborhood and will make it consistent with the present character and appearance of the neighborhood and zoning district.

6. It is the finding of this Board that the benefit to the applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that all variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT the variances requested in paragraphs "1" through "7" on page one of this decision, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: January 23, 1995.

/s/

Chairman

NEW WINDSOR ZONING BOARD OF APPEALS

(9-1-98)

-----x
In the Matter of the Application of

IRA D. CONKLIN & SONS/IDC SOIL
RECLAMATION.

FORMAL DECISION
GRANTING AREA
VARIANCES

#94-34.
-----x

WHEREAS, IRA D. CONKLIN & SONS, 92-94 Stewart Avenue, Newburgh, N. Y. 12550, has made application for a 15 ft. front yard and 39 ft. maximum building height variance for construction of soil processing and storage buildings located on River Road in a PI zone; and

WHEREAS, a public hearing was held on the 24th day of October, 1994 before the Zoning Board of Appeals at the Town Hall, New Windsor, N. Y.; and

WHEREAS, the applicant appeared by James R. Loeb, Esq., Gregory Shaw, P.E., Carl Monte, Landscape Architect, Philip Grealy, P.E. and Ira D. Conklin, III; and

WHEREAS, there were two spectators present for the hearing; and

WHEREAS, there were two letters from neighboring property owners received by the Zoning Board of Appeals; and

WHEREAS, one person in the audience spoke in favor of the application and no one spoke in opposition thereto or voiced any questions; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The evidence presented by the applicant showed that:
 - (a) The property is in an industrial/commercial area zoned PI with some residential properties in the area mixed in.
 - (b) The property is presently improved by an abandoned, non-operating, oil storage and dispensing facility containing oil tanks and a terminal building with dispensing equipment.
 - (c) The applicant proposes to remove the items listed in (b) above and to erect two buildings on the site with landscaping improvements including various plantings and berms in accordance with plans and drawings displayed at the hearing.
 - (d) Letters were received from neighboring property owners and presented to the Board by the applicant and speaker, both letters said the project would be an improvement in the

area.

(e) Of the two buildings constructed, the large building would have a peaked roof which would be approximately 10 ft. higher than the height of the existing tanks at the peak of the roof but 14 ft. lower than the existing tanks at the eaves of the roof.

(f) Only a small triangular portion of the larger building would appear from the river above the landscaping after same is fully grown. This portion would be painted in a color to match and consistent with the existing background.

(g) The large building height is the minimum necessary to accommodate the loading and off-loading of tractor dump trucks of soil necessary to the operation of the facility.

(h) The noise of the facility would be wholly contained within the large building and no appreciable noise would escape into the neighborhood.

(i) The large building would be insulated so as to reduce the aforesaid noise.

(j) The small building is located closer to the front than allowed by the Zoning Local Law so as to permit space for the smooth and orderly movement of trucks to, from and at the site. It is so situated by the applicant in such a way as to permit adequate turn around and traveling space.

(k) If the front yard variance applied for said smaller building is granted, the building will be no closer to the existing roadway than are other structures in the neighborhood on that road.

(l) The proposed facility is for the processing of soil contaminated by hydrocarbons but will be constructed in such a way as to capture all emissions therefrom within the building and would not allow said contaminants into the soil by shielding the contaminated soil from the rain.

(m) Emissions and the leaching of contaminated soil are controlled by the NYS DEC for which permits are necessary to operate the facility and which is monitoring the action.

(n) The traffic will not be increased over present levels and beyond that which the roadway in front of the facility can handle.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. None of these variances will produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method which can produce the benefit sought except the granting of all of the variances

requested by the applicant.

3. The requested variances are substantial in relation to the town regulations, but nevertheless are warranted since the effect of the variances would only be to make the project consistent with the character of the surrounding neighborhood and district.

4. None of the variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulties in this matter are self-created since the applicant is proposing new construction. Nevertheless, the Board feels that the awarding of the variances are justified because construction of this project will make the property an addition to the neighborhood and will make it consistent with the present character and appearance of the neighborhood and zoning district.

6. It is the finding of this Board that the benefit to the applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that all variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

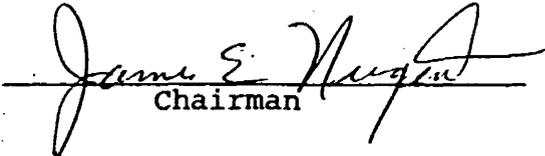
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT the variances requested in paragraphs "1" through "7" on page one of this decision, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: January 23, 1995.


Chairman



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: IDC SOIL RECLAMATION AMENDED SITE PLAN
PROJECT LOCATION: RIVER ROAD
SECTION 9-BLOCK 1-LOT 98
PROJECT NUMBER: 94-23
DATE: 14 DECEMBER 1994
DESCRIPTION: THE APPLICATION INVOLVES AN AMENDMENT OF THE PREVIOUS IDC SITE PLAN ON THE EAST SIDE OF RIVER ROAD. THE PROJECT WAS PREVIOUSLY REVIEWED AT THE 24 AUGUST 1994 AND 9 NOVEMBER 1994 PLANNING BOARD MEETINGS.

1. At this time, it is my understanding that the Applicant has provided all additional information and has made any necessary revisions to the site plan application package, as requested by the Planning Board.
2. On 8 November 1994 a Lead Agency Coordination Letter was issued to all involved agencies. As of this date, I am aware of no responses from any of those agencies indicating an interest to assume the position of Lead Agency. As such, it is my recommendation that the Board formally assume the position of Lead Agency for the application/project.
3. The Board has had submitted for its review, a Full Environmental Assessment Form with attachments. As well, the Applicant's consultants previously made a presentation to the Planning Board relative to mitigation of potential environmental impacts of the project.

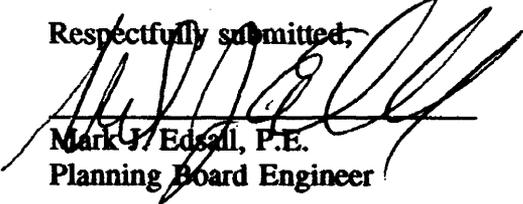
The Board may wish to further discuss these documents and any potential environmental impacts of the application/project. Following same, the Board should make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance. I recommend that a formal notice of determination be adopted by the Board and appropriately circulated.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: IDC SOIL RECLAMATION AMENDED SITE PLAN
PROJECT LOCATION: RIVER ROAD
SECTION 9-BLOCK 1-LOT 98
PROJECT NUMBER: 94-23
DATE: 14 DECEMBER 1994

4. Any approval action relative to this application should be conditioned on the Applicant receiving the approval and/or a necessary permit from the NYSDOT relative to the River Road access.
5. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(9) of Chapter 19 of the Town Code.
6. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:IDC2.mk

RESULTS OF P.B. MEETING

DATE: December 14, 1994

PROJECT NAME: I.O.C. Soil Reel. PROJECT NUMBER 94-23

LEAD AGENCY:

* NEGATIVE DEC: (see file)

M) L S) 0 VOTE: A 3 N 0

* M) D S) V VOTE: A 4 N 0

CARRIED: YES NO

* CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED: _____

M) S) VOTE: A 4 N 0 APPR. CONDITIONALLY: 12-14-94

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS: _____

Want profile included in plans - (Greg Shaw)

Bond Estimate

Shaw Engineering

Consulting Engineers

744 Broadway
P. O. Box 2569
Newburgh, New York 12550
(914) 561-3695

December 20, 1994

**Chairman James Petro and
Members of the Planning Board**
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Amended Site Plan For I.D.C. Soil Reclamation
River Road

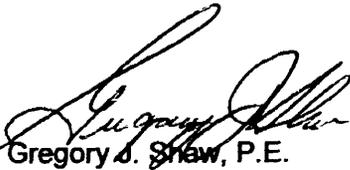
Gentlemen:

On December 14 your Board approved the Site Plan for the above referenced project. A condition of this approval was that you receive a copy of the illustrative landscape plans for your files. To satisfy this condition we are enclosing a copy of the three drawings prepared by Carl D. Monte, LA, which were presented to your Board during the project's review.

We trust the enclosed drawings fulfills this condition.

Respectfully submitted,

SHAW ENGINEERING



Gregory J. Shaw, P.E.

Principal

GJS:mmv
Enclosure

cc: Ira D. Conklin III, Via Fax 561-1798
James Loeb, Esq., Via Fax 565-1999

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: December 14, 1994

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Planning Board of the Town of New Windsor, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of the Action: I.D.C. Soil Reclamation site plan amendment.

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: The Town of New Windsor Planning Board has had placed before it an application for site plan approval of the Ira D. Conklin & Sons soil reclamation facility located on River Road within the Town. The project involves, in general, a soil reclamation facility where petroleum contaminated soil is thermally stripped of its petroleum content. The process to be used is the same as that presently permitted by New York State Department of Environmental Conservation for applicant's mobil soil reclamation unit. The site is the former Shotmeyer oil site. The applicant proposes to demolish seven fuel storage tanks. The site development, in general, includes a 1,200 sq. ft. office building, and a 24,750 sq. ft. soil storage and process building with a height of 51' at the roof ridge line. There will be no disposal of contaminated soils on site and no discharge from the reclamation process to the Town's sanitary sewer system.

Location: East side of River Road, Town of New Windsor as shown on the location map, Section 9, Block 1, Lot 98.

Reasons Supporting This Determination: An expanded, Full EAF was completed with attachments describing the following:

1. Description of Soil Reclamation Process.
2. Visual Assessment and Enhancements.
3. Stormwater Management.
4. Assessment of Traffic and Noise Impacts.
5. Site Investigation regarding possible Petroleum contamination by former oil terminal.
6. Assessment of Soil Remediation Unit Emissions.
7. Emergency Response Contingency Plan.

On March 19, 1994, the Planning Board viewed the site and attended a "test burn" of the mobil Soil Reclamation Unit on the site, in order to make a firsthand, independent evaluation of the proposal.

The proposed project is consistent with past and present use of this area of the Town. On October 24, 1994 the New Windsor Zoning Board of Appeals granted applicant's request for a 15' front yard variance and a 39' building height variance. These variances were granted following a public hearing which was held by the Zoning Board of Appeals after public notice of the hearing was published in the official newspaper of the Town and mailed to surrounding property owners. No use variances were requested. Site remediation, storm water management, SPDES discharges and air emissions will all meet state requirements.

Impacts on traffic were evaluated using data collected in February, 1994 and projections of the volume expected in the year 2000. The evaluation determined that the proposed project will not impact levels of service or operating conditions on surrounding roads.

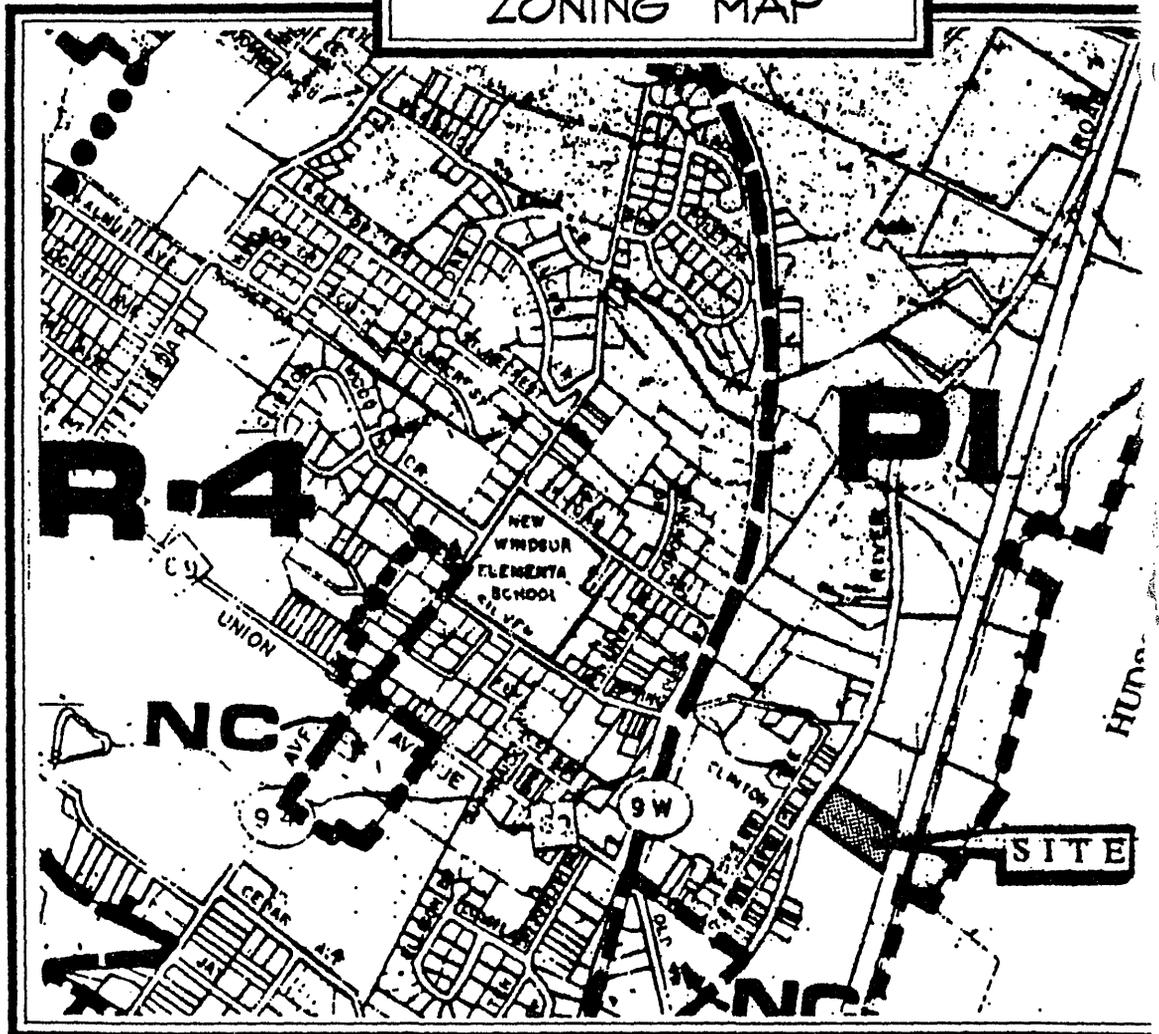
Noise generation during construction and operation were evaluated at four receptor sites using data collected in February, 1994. The Planning Board made an independent evaluation of noise levels during the "test burn" period. Noise levels will be increased, but current ambient levels offset those increases. The storage and process building will further reduce operational noise.

A visual assessment of existing and proposed conditions was conducted from both land and river perspectives. The proposed storage and processing building is approximately 10' higher at the ridge line of the building than several of the existing fuel storage tanks, but the storage tanks have a solid bulk unlike the proposed building. The building is lower than the existing natural ridge line to the west of the site. On September 26, 1994 the applicant's licensed landscape architect presented to the Planning Board photographs of existing conditions and architectural renderings of the project as built together with the landscaping plans proposed to buffer and enhance the site. The visual impact of the proposed building will be mitigated by appropriate coloring. The visual impact of the site will be mitigated by vegetated berms, trees and landscaping.

For Further Information:

Contact Person: Mark J. Edsall, P.E.
Planning Board Engineer
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553
(914) 562-8640

ZONING MAP



Distribution:

NYS Department of Environmental Conservation, New Paltz
NYS Department of Environmental Conservation, Albany
NYS Parks, Recreation and Historic Preservation
NYS Department of Transportation, Poughkeepsie
Orange County Department of Health
Town of New Windsor Supervisor
Town of New Windsor Town Clerk
Orange County Department of Planning
State Clearing House Administrator
NY District Office, US Army Corp. of Engineers
Applicant
Planning Board Chairman
Planning Board Attorney



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
4 BURNETT BOULEVARD
POUGHKEEPSIE, N.Y. 12603

ALBERT J. BAUMAN
REGIONAL DIRECTOR

JOHN C. EGAN
COMMISSIONER

March 30, 1994

Mark J. Edsall, P.E.
Planning Board Engineer
Town Of New Windsor Planning Board
555 Union Avenue
New Windsor
New York 12553

Re: State Environmental Quality Review
Ira D. Conklin Soil Reclamation
Town Of New Windsor, Orange County

Dear Mr. Edsall:

We have completed our review of the above referenced document in connection with the lead agency designation and the traffic related impacts posed by the proposed Soil Reclamation facility.

We have no objection to the Town of New Windsor Planning Board being the lead agency for this proposal. However, we would like to inform you that a state highway work permit will be required for any curb cuts and/or work within the River Road right-of-way.

Our review of the traffic impact study have indicated that the methodology utilized in the traffic analysis, including the existing traffic volumes, background growth rate, trip generation and the design year traffic volumes is reasonable.

For highway work permit review process, an application and final site plans should be forwarded to this department's local maintenance residency office.

If we can be of further assistance, please feel free to contact this office at (914) 431-7905.

Very truly yours,

Wai K. Cheung
Civil Engineer II
By:

Akhter A. Shareef
Civil Engineer I

RECEIVED MAR 31 1994

WHEREAS, Ira D. Conklin & Sons, Inc. filed an application with the Planning Board of the Town of New Windsor on August 18, 1994 for approval of new facility for I.D.C. Soil Reclamation for property located on River Road in the Town of New Windsor and identified on the tax maps as Section 9, Block 1, Lot 98, and

WHEREAS, the application was for approval of an amendment to the previously approved site plan, and

WHEREAS, together with the required plans, the applicant presented a Full Environmental Assessment Form together with attachments dated November 3, 1994, and

WHEREAS, the Planning Board caused a Lead Agency coordination letter together with a copy of the Full EAF to be sent to all other involved and interested agencies in accordance with the mailing list annexed to this resolution as an exhibit, and

WHEREAS, no other involved agency has objected to the Planning Board serving as Lead Agency, and

WHEREAS, the Planning Board has reviewed and considered the Full Environmental Assessment Form together with the attachments thereto, and

WHEREAS, the Planning Board is now prepared to proceed, the Planning Board makes the following determinations:

1. That the Planning Board is and serves as Lead Agency on this application.
2. That it is hereby determined that the action proposed is an Unlisted Action.

3. That the Planning Board as Lead Agency has determined that the proposed action described in the annexed Negative Declaration will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

4. That the determination of non-significance of action, also known as a Negative Declaration, be issued by the Planning Board and filed in the office of the Planning Board with a copy served upon those agencies who have previously received a copy of the Lead Agency coordination letter of November 8, 1994.

The foregoing resolution was presented by
and seconded by

The vote on the resolution was as follows:

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: December 14, 1994

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Planning Board of the Town of New Windsor, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of the Action: I.D.C. Soil Reclamation site plan amendment.

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: The Town of New Windsor Planning Board has had placed before it an application for site plan approval of the Ira D. Conklin & Sons soil reclamation facility located on River Road within the Town. The project involves, in general, a soil reclamation facility where petroleum contaminated soil is thermally stripped of its petroleum content. The process to be used is the same as that presently permitted by New York State Department of Environmental Conservation for applicant's mobil soil reclamation unit. The site is the former Shotmeyer oil site. The applicant proposes to demolish seven fuel storage tanks. The site development, in general, includes a 1,200 sq. ft. office building, and a 24,750 sq. ft. soil storage and process building with a height of 51' at the roof ridge line. There will be no disposal of contaminated soils on site and no discharge from the reclamation process to the Town's sanitary sewer system.

Location: East side of River Road, Town of New Windsor as shown on the location map, Section 9, Block 1, Lot 98.

Reasons Supporting This Determination: An expanded, Full EAF was completed with attachments describing the following:

1. Description of Soil Reclamation Process.
2. Visual Assessment and Enhancements.
3. Stormwater Management.
4. Assessment of Traffic and Noise Impacts.
5. Site Investigation regarding possible Petroleum contamination by former oil terminal.
6. Assessment of Soil Remediation Unit Emissions.
7. Emergency Response Contingency Plan.

On March 19, 1994, the Planning Board viewed the site and attended a "test burn" of the mobil Soil Reclamation Unit on the site, in order to make a firsthand, independent evaluation of the proposal.

The proposed project is consistent with past and present use of this area of the Town. On October 24, 1994 the New Windsor Zoning Board of Appeals granted applicant's request for a 15' front yard variance and a 39' building height variance. These variances were granted following a public hearing which was held by the Zoning Board of Appeals after public notice of the hearing was published in the official newspaper of the Town and mailed to surrounding property owners. No use variances were requested. Site remediation, storm water management, SPDES discharges and air emissions will all meet state requirements.

Impacts on traffic were evaluated using data collected in February, 1994 and projections of the volume expected in the year 2000. The evaluation determined that the proposed project will not impact levels of service or operating conditions on surrounding roads.

Noise generation during construction and operation were evaluated at four receptor sites using data collected in February, 1994. The Planning Board made an independent evaluation of noise levels during the "test burn" period. Noise levels will be increased, but current ambient levels offset those increases. The storage and process building will further reduce operational noise.

A visual assessment of existing and proposed conditions was conducted from both land and river perspectives. The proposed storage and processing building is approximately 10' higher at the ridge line of the building than several of the existing fuel storage tanks, but the storage tanks have a solid bulk unlike the proposed building. The building is lower than the existing natural ridge line to the west of the site. On September 26, 1994 the applicant's licensed landscape architect presented to the Planning Board photographs of existing conditions and architectural renderings of the project as built together with the landscaping plans proposed to buffer and enhance the site. The visual impact of the proposed building will be mitigated by appropriate coloring. The visual impact of the site will be mitigated by vegetated berms, trees and landscaping.

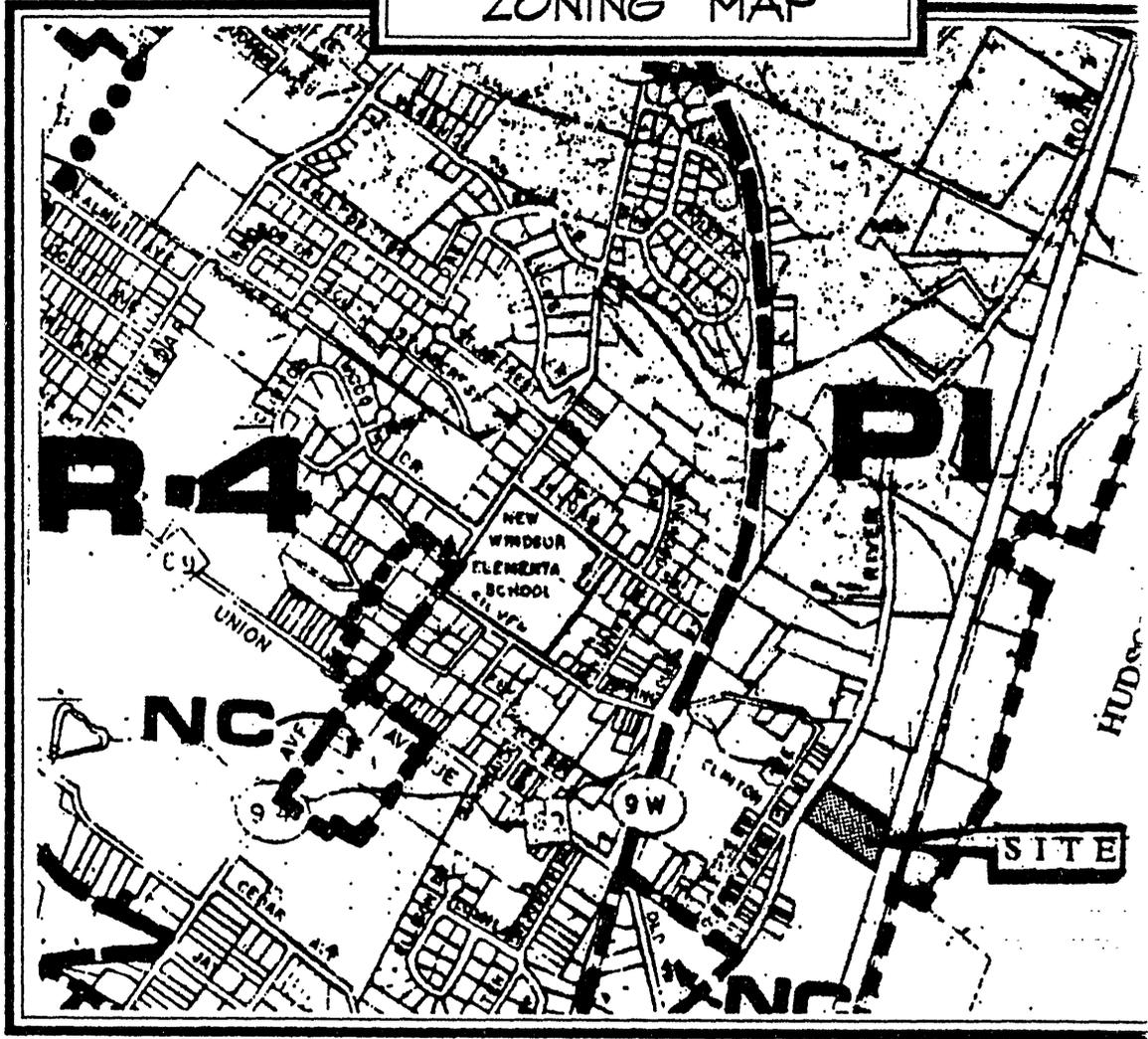
For Further Information:

Contact Person: Mark J. Edsall, P.E.
Planning Board Engineer
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553
(914) 562-8640

Distribution:

NYS Department of Environmental Conservation, New Paltz
NYS Department of Environmental Conservation, Albany
NYS Parks, Recreation and Historic Preservation
NYS Department of Transportation, Poughkeepsie
Orange County Department of Health
Town of New Windsor Supervisor
Town of New Windsor Town Clerk
Orange County Department of Planning
State Clearing House Administrator
NY District Office, US Army Corp. of Engineers
Applicant
Planning Board Chairman
Planning Board Attorney

ZONING MAP



#1 ZBA 9-26-94
SET UP FOR P/H

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 94-23

DATE: 21 SEPT 1994

APPLICANT: IRA D. CONKLIN & SONS
92-94 STEWART AVE
NEWBURGH NY 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 15 NOV 93

FOR (~~SUBDIVISION~~ - SITE PLAN)

LOCATED AT RIVER ROAD

ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 9 BLOCK: 1 LOT: 9B

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

LOT FRONT YARD SETBACK AND
BUILDING HEIGHT FOR PROCESSING
AND STORAGE BLDG.


MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>PI</u> USE <u>A-15</u>		
MIN. LOT AREA	<u>40 000 SF</u>	<u>107 535</u>
MIN. LOT WIDTH	<u>150 FT</u>	<u>245</u>
REQ'D FRONT YD	<u>50 FT</u>	<u>35 FT</u>
REQ'D SIDE YD.	<u>15 FT</u>	<u>24 FT</u>
REQ'D TOTAL SIDE YD.	<u>40 FT</u>	<u>54 FT</u>
REQ'D REAR YD.	<u>20 FT</u>	<u>78 FT</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>—</u>
MAX. BLDG. HT.	<u>6' FT NULL = 12'</u>	<u>51 FT</u>
FLOOR AREA RATIO	<u>0.60</u>	<u>0.27</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>—</u>
DEV. COVERAGE	<u>N/A %</u>	<u>— %</u>
O/S PARKING SPACES	<u>13</u>	<u>13</u>

* OTHER BLDGS
EXIST ON SITE
BUT PLAN
INDICATES NO
NEED FOR
VARIANCE

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/12/95

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 94-23

NAME: I.D.C. SOIL RECLAMATION - AMENDED SITE PLAN
APPLICANT: IRA D. CONKLIN & SONS, INC.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/19/94	REC. CK #7479 (SHAW)	PAID		750.00	
08/24/94	P.B. ATTY. FEE	CHG	35.00		
08/24/94	P.B. MINUTES	CHG	27.00		
11/09/94	P.B. ATTY. FEE	CHG	35.00		
11/09/94	P.B. MINUTES	CHG	36.00		
12/14/94	P.B. ATTY. FEE	CHG	35.00		
12/14/94	P.B. MINUTES	CHG	36.00		
01/04/95	P.B. ENGINEER FEE	CHG	470.00		
01/12/95	RET. TO APPLICANT	CHG	76.00		
		TOTAL:	750.00	750.00	0.00

Please issue a check in
the amount of \$76.00 to:

~~Ira D. Conklin & Sons, Inc.
92-94 Stewart Ave.
Newburgh, N.Y. 12550~~

Shaw Engineering
P.O. Box 2569
Newburgh, N.Y. 12550



Hudson River Sloop CLEARWATER Inc.

112 Market Street, Poughkeepsie, N.Y. 12601 Tel.: 914/454-7673 Fax: 914/454-7953

James Petro, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

10 November 1994

RE: Redevelopment of former Shotmeyer Terminal by I.D.C.

Dear Mr. Petro:

I have had an opportunity to review Ira D. Conklin & Sons, Inc.'s proposal to construct and operate a soil reclamation facility at the former Shotmeyer Terminal. I would like to call the following to your attention (as lead agency for the proposed activity).

The proposed facility is not a water-dependent use, and as such is wholly inconsistent with the New York State Coastal Zone Management Act. The proposed soil reclamation facility is equally inconsistent with local and regional waterfront planning policies and objectives, including the Hudson River Greenway and the Hudson River Estuary Management Plan.

The site is presently zoned Planned Industrial, and has in fact been used as a fuel oil terminal in the past. However, the site has been inactive for some time, which presents an excellent opportunity to restore it for the use and enjoyment of neighboring communities, which desperately need improved access to their waterfront.

Once industrial, always industrial no longer applies as communities throughout the region realize the value of their waterfronts. The Hudson River Valley Greenway, Hudson River Estuary Management Plan and local waterfront revitalization plans are all excellent examples of initiatives which recognize the social, economic and environmental benefits of revitalized waterfront areas. The proposed activity is wholly inconsistent with local, regional and state waterfront planning policies and objectives, and as such has no place on the New Windsor waterfront.

I look forward to your reply.

Sincerely,

Nonna B. Shtipelman
Environmental Associate

RESULTS OF P.B. MEETING

DATE: November 9, 1994

PROJECT NAME: I.D.C. Soil Reclam. PROJECT NUMBER 94-23

LEAD AGENCY: _____ * NEGATIVE DEC: _____

M) ___ S) ___ VOTE: A ___ N ___ * M) ___ S) ___ VOTE: A ___ N ___

CARRIED: YES _____ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) V S) S VOTE: A 5 N 0

WAIVED: YES NO _____

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___ YES ___ NO ___

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____

M) ___ S) ___ VOTE: A ___ N ___ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Received 2 letters from: Affron Fuel + Lighters
Must wait 30 days from 11/14/94 for Lead Agency

Put on 12/14 agenda

LIGHTRON

OF CORNWALL, INC.

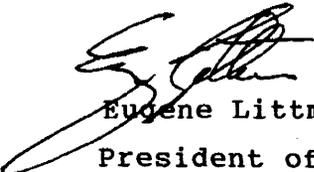
October 18, 1994

Planning Board
Zoning Board of Appeals
555 Union Avenue
New Windsor, New York 12553

Gentlemen;

I am the principal in the entity owning property on River Road in the Town of New Windsor which is in the immediate vicinity of lands of IDC Soils Reclamation, Inc. I am familiar with the proposal to develop a soil reclamation project on those lands and I write this letter to express my support of that project.

Very truly yours,



Eugene Littman

President of Littman Industries, Inc

85496

MAILING ADDRESS
P.O. BOX 4270, NEW WINDSOR, NY 12553-0270
Tel. (914) 562-5500

PLANT AND SHIPPING ADDRESS
65 RIVER ROAD, NEW WINDSOR, NY 12553
FAX (914) 562-3082

Received at 11/9/94 P.B. Meeting @

Affron Fuel Oil, Inc.

P.O. Box 67, Newburgh, NY 12550 (914) 562-0440

October 18, 1994

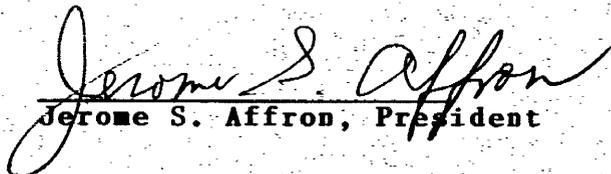
Planning Board
Zoning Board of Appeals
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

Gentlemen:

I am the principal of ACS Property, Inc., the entity that owns lands immediately adjacent to lands of IDC Soils Reclamation, Inc. on River Road in the Town of New Windsor. I have seen the plans for the proposed soil reclamation project that are before both of your Boards and I want to let you know that I support the project and hope that the approvals which the applicant seeks from you are speedily granted.

Very truly yours

ACS Property, Inc.


Jerome S. Affron, President

JSA/ac

Received at 11/9/94 P.B. Meeting @

Shaw Engineering

Consulting Engineers

744 Broadway
P. O. Box 2569
Newburgh, New York 12550
(914) 561-3695

November 4, 1994

**Chairman James Petro and
Members of the Planning Board**
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Amended Site Plan For I.D.C. Soil Reclamation
River Road

Gentlemen:

Enclosed please find the following documents for the above referenced project which are being submitted to your Board for Amended Site Plan Approval:

- 8 copies of the drawing entitled "Amended Partial Site Plan, New Facility For I.D.C. Soil Reclamation", which contains an issue date of November 1, 1993 and an amendment date of November 3, 1994;
- 14 copies of the Environmental Assessment Form with Attachments that is dated February 28, 1994 and containing an amendment date of November 3, 1994

We trust the above documents are in order for your Board's review.

Respectfully submitted,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Mr. Ira D. Conklin III w/Drawings And EAF

REGULAR ITEMS:I.D.C. SOIL RECLAMATION SITE PLAN (94-23) - RIVER ROAD

James R. Loeb, Esq., Gregory Shaw of Shaw Engineering and Ira D. Conklin III appeared before the board for this proposal.

MR. LOEB: Good evening, Mr. Chairman and board members, my name is James Loeb. I'm appearing tonight for the Ira D. Conklin and Sons Soil Reclamation plan. I'm accompanied by Ira D. Conklin III and Greg Shaw, our project engineer. You recall that we received site plan approval from this board in May for what we believe to have been a good plan but we came back to you in August with a better plan which has incorporated the construction of a building to house the SRU unit and the soil because we were concerned that weather conditions would prevent us from operating as efficiently as we could without that building. We presented the plan to you, you denied the plan because we needed two area variances, one for the front yard setback of the small office building and one because the building itself exceeded the height limitations. We went to the Zoning Board of Appeals. There was a public hearing at which we received support from some persons who were in attendance including letters of support and the Zoning Board of Appeals granted us both the variances. We returned to you at your first meeting in November. At that meeting, we reviewed the plans again. You passed a resolution in which you determined to exercise your power to waive the public hearing on the site plan approval. Your consultant circulated a lead agency competition letter in November, the 30 days have passed and I certainly hope and trust that there are no other agencies raising their hand.

MR. PETRO: We have had no response.

MR. LOEB: And we're hopeful tonight to conclude the site plan review process. I have put up one board. We have two others here as well as the plan. The board

that we put up shows the basic landscaping proposal as well as the design of the building which is going to be most visible because it's next to the road. We're ready to respond to any questions that the board has.

MR. PETRO: Jim, what was the response at the Zoning Board, just for the record?

MR. LOEB: We received the two variances that we sought. The setback front yard setback 15 feet and the height variance of 39 feet.

MR. PETRO: What was the turnout at that public hearing?

MR. LOEB: We had the former owner of the property, not the one we bought it from, the prior owner who arrived to indicate that he and his family were pleased that we cleaned up the site. We had a letter from the adjoining property owner in favor of it and a letter from the property owner next to the adjoining property owner in favor of it and I have submitted copies of those letters to this board in November.

MR. PETRO: Mr. Krieger is also the Zoning Board attorney, can you add anything to that?

MR. KRIEGER: No, what I was going to say what Mr. Loeb has said is a correct representation of what occurred within as far as I remember it for the record, additionally, I have had at least one owner of property very near to this development who had previously spoken at the Planning Board here indicate his complete satisfaction with the project, an agreement with what was transpiring and that is why he has made no formal appearance again.

MR. PETRO: Okay, Ron or Carmen, on number 2 on Mark's comments, I'd like to take care of that while we could and being we had no responses from any other outside agencies, we can.

MR. LANDER: Make a motion that the Town of New Windsor Planning Board assume lead agency.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency in the Ira D. Conklin Soil Reclamation site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. PETRO: Any of the members have any comments on the site plan itself? I know we have gone over the landscaping at the last meeting. I asked if they'd bring it back in so we can review it one more time and make sure that it has properly been done up, I think they have a couple nice plans before us. Greg, can you just touch on the landscaping a little bit, please, and tell us once again for the record what you plan on planting and some sizes and what you plan on doing.

MR. SHAW: Okay, I'll do the best that I can. Again, this was prepared by Carl Monte, our landscape architect.

MR. PETRO: Greg, before you start, let me ask Ira right now the property as it stands, I don't think there's any landscaping at all?

MR. CONKLIN: There is not, no.

MR. SHAW: There's three primary views that Mr. Monte addressed in his preparation of the landscape plan. One was a vehicle traveling in the southerly direction and to mitigate visually, he has put in these plantings which again I can refer to the landscape plan, if you want the details of the type of plantings and calipers and the shrubs, et cetera. Also vehicles traveling in a northerly direction. Again he's created a bermed area with plantings in this particular area also. We do have cross sections of the remaining two planting

areas which is immediately along River Road on our property which would mitigate the views in an easterly direction. And finally there's the berming of the landscaping along the soil bins which is easterly side of the property. So those four areas identified maybe we can go to the cross-sections. What we have on this particular board you're looking at and it being the middle view, you identified this treatment at River Road, you'll see the new office which is proposed for construction between the office and River Road and a small knee wall, masonry retaining wall and plantings which would be between as I mentioned the office and River Road. The lower view identified as concept section and elevations, this is a view from the river. Again, we're creating a berm in this area bringing in earth and raising up the elevations and putting the plantings on top of it to minimize visually the building. As you can see in this growth is identified, if I can just find it on the plan, it may be a ten year growth, see that the majority of the building is not visual except for the ridge line referring to a portion at the top of the building. As Mr. Lander has done, if you refer to drawing 4 of 6, you'll see a detailed landscaping scheduled which he identifies the trees, the shrubs, their size and their caliper. Those are the four primary areas which the landscape architect addressed with a major, major emphasize being placed on views from the Hudson River looking westward.

MR. VAN LEEUWEN: When the trees go in, how big are they going to be when you plant them?

MR. CONKLIN: Greg, I think it shows them underneath that one. I think that will be when they first go in.

MR. VAN LEEUWEN: Cause you don't want to put them in too big because when you put them in big, you're going to lose them.

MR. PETRO: Anything else on the landscaping, gentlemen?

MR. LANDER: No, I think they've done a nice job.

MR. VAN LEEUWEN: I'm inclined to agree with you.

MR. PETRO: I want to start with number 3 on the comments and I think Andy has some information and we have a letter, do you want to touch on that and we'll go with Andy as far as the full EAF or Andy, do you want to do the whole thing? Do you want to touch on that?

MR. KRIEGER: On the environmental assessment form?

MR. PETRO: Yes.

MR. KRIEGER: I hadn't planned on it, other than Mark's comments.

MR. EDSALL: I believe that all the areas of concern that were identified both at the initial review for the original application and as well for the modifications that were made as part of this amendment are addressed in the full EAF and the attachments as well. They have had concern for those issues that were raised by the public during the initial review. So the full EAF seems to address those concerns and obviously the concerns that the board had identified.

MR. PETRO: So at this time there's no outstanding concerns, is that correct?

MR. EDSALL: I believe it's acceptable, yes.

MR. KRIEGER: My review of the plan, the documents would indicate the same as Mark has indicated.

MR. PETRO: Do any of the members have anything to add or discuss?

MR. LANDER: Do we have anything from the DOT?

MR. PETRO: Yes, we have the original letter dated March 30, 1994 on the original plan.

MR. EDSALL: Just one comment I just had requested from Greg as part of the record information they submit that they provide us with the profiles for the visual analysis, although they have been presented and

reviewed by the board in the colorized versions that we have had before us more than once, I don't believe that the record that the Planning Board has includes the profiles themselves. So I just suggested that they include that into the record somewhere along the process, if not during the week cause obviously I don't think Myra can file the poster boards.

MR. PETRO: Profiles for what again?

MR. EDSALL: Those are the visual profiles that are part of the environmental review but we should have some copies in the file.

MR. PETRO: Other than these?

MR. EDSALL: What you're looking at now which obviously will not fold and fit in the file, Greg has assured me he will provide us with a copy.

MR. PETRO: Okay. Back to the DOT, Mark, I have this March 30, 1994.

MR. EDSALL: March 30 letter makes it clear to me that number one, the DOT did not object to this board assuming the position of lead agency. As well it is outlined no concern or objection to application. However, they have advised us that if any work is required within the right-of-way as we all know a permit would be required. That is consistent with my suggestion in comment #4 any approval action relative to this application should be condition on the applicant receiving the approval and/or a necessary permit from the NYSDOT relative to the River Road access. It is also worthwhile to note in the March 30 letter that the DOT has agreed with the traffic portion of the full EAF.

MR. LOEB: Yes.

MR. PETRO: But the condition for work inside the DOT right-of-way that would go with any application so basically just reminding this applicant that you have to do that.

MR. EDSALL: That is the normal procedural condition.

MR. LOEB: For the record, we should state that our plan does not envision any work, we're going to use the existing curb cuts, we see no reason to go to the DOT. We don't believe we have to. We have at this time no need to get a permit from them. We're going to use that access.

MR. EDSALL: For the record to protect the board and the building inspector, they have acknowledged that should they decide to do any work, they'll apply for the required permit.

MR. LOEB: That is correct.

MR. PETRO: Can we have a motion or action for number three?

MR. DUBALDI: So moved.

MR. KRIEGER: If I may, proposed in connection with this proposed resolution in writing has been prepared and circulated to the members of the board, I would ask them at this point to consider it carefully and consider whether or not the movement or anybody else would care to adopt the proposed resolution as a motion.

MR. DUBALDI: I include it in my motion, Mr. Chairman.

MR. PETRO: Do you want it as a separate motion?

MR. KRIEGER: No, in other words, if this is the movement's motion, adopt that.

MR. PETRO: Can we have a motion then?

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec in the Ira D. Conklin Amended site plan on River Road. Any further comments from the board members? If not, roll call.

ROLL CALL

MR. LANDER AYE
MR. DUBALDI AYE
MR. PETRO AYE
MR. VAN LEEUWEN AYE

MR. PETRO: As far as the site plan goes, Ron, Carmen and Hank, do you have any other comments? We have seen it a number of times.

MR. VAN LEEUWEN: I make a motion Mr. Chairman to approve.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Ira D. Conklin site plan on River Road. Subject to that the profiles that they have copies of the profiles presented to us sometime during the week, Greg, please.

MR. EDSALL: Jim, I'm sure that motion also included the normal bond estimate.

MR. PETRO: Chapter 19 of Town Code. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER AYE
MR. DUBALDI AYE
MR. PETRO AYE
MR. VAN LEEUWEN AYE

I.D.C. SOIL RECLAMATION/CANADA OIL CORP.

MR. NUGENT: Request for 15 ft. front yard and 39 ft. maximum building height variance for construction of soil processing and storage building located on River Road in a PI Zone.

Gregory Shaw, P.E. of Shaw Engineering and Ira D. Conklin, III appeared before the board for this proposal.

MR. SHAW: With me tonight is Ira Conklin, III who's a principal in the I.D.C. Soil Reclamation venture. There's a little story with this project and maybe I can just take a step back and explain. In the earlier part of 1994, we made an application to the Town of New Windsor Planning Board for a soil processing facility for I.D.C. on the subject site. After a thorough environmental review, a public hearing and review by the Town's consultants, we received site plan approval, I believe it was probably in May or June of this year and with that is a copy of the approved site plan. We have given a little extra thought since this approval on the ultimate development of the site and what we're now proposing and we're going before the Planning Board for an amended site plan approval, not a new approval, is a construction of a new building on this site and that building is approximately 24,000 square feet in size. Cost to my client probably somewhere between three quarters of a million to a million dollars. With this amended site plan comes the variances. One variance is for a front yard setback for the new office building. With this being in the PI zone, we're required to provide 50 feet. We're providing 35 feet. And we're also requiring a building height variance, okay, permitted in this zone is 12 feet and we're proposing a maximum building height at the ridge of 51 feet. Now, you may think that is rather substantial but not in light of the existing site. What we have brought is a board showing photos of the site taken from different angles.

MR. NUGENT: The big building is 51 foot, not the office?

MR. SHAW: Correct, thank you. What I'd like to pass out is a sketch which was prepared by my office showing what's physically on the site now. There are two tanks that are indicated, both of which are 41 feet high and again in comparison to our structure which is 51 feet high at the ridge and these tanks are in closer proximity to the property lines than our building is going to be one tank which you'll note is 11 feet from the easterly lot line and the second tank is 23 feet from the northerly lot line.

MR. TORLEY: Would you mind pointing those out on the picture which one is which?

MR. CONKLIN: These two tanks right here.

MR. TORLEY: One is that is the northern line.

MR. CONKLIN: This one is the northern one actually this is the westerly one and this is the easterly one towards the river.

MR. LANGANKE: Did you say they were empty tanks?

MR. SHAW: Yes. Presently on the site I believe there is a total of seven tanks, the one in front of you which is an old sketch reflects five of the tanks being removed and two remaining. What we're proposing or maybe I can just take a step back and explain how this operation is going to be utilized. Vehicles will be coming in from River Road, primarily in the northerly direction. It would enter the site, come behind the rear of the building, it would queue in this area, it would be weighed, it would pull over in this area back up through the overhead door, okay, deposit the material. Then it would pull out, be weighed again and go down River Road in a southerly direction. I know one of the criteria that this board evaluates in every application is whether the variances are minimized and in this case, I can say they are. With respect to the building height, while 51 feet may sound a lot, we need that height to unload vehicles. The vehicles that will be coming in here, the trucks will have carriages in the back, probably 40 feet in length and when you lift them up to deposit a material, unfortunately, you need

that much headroom. So that is the reason, that is what sets the height of this building. With respect to the new office building, which will be adjacent to River Road, again, as I explained how the vehicles would move and queue and stage and leave the site, if we were to take this building and simply push it back 15 feet to eliminate the variance, there's not enough room for the movement of the trucks. We spend a good amount of time doing a circulation study within the site as to how these vehicles could stage, enter the building, leave and hit the scales all at the same time and this 15 feet becomes critical if it wasn't, we would not be asking for a variance. So with that, that is a brief overview. We've brought some boards which we'll be prepared to review at the public hearing next month. We plan on bringing before this board a noise and traffic consultant, a landscape architect, myself and an engineer who's familiar with the process to answer any questions which the board may have or the public. But again, we've already had one public hearing so I would think that the input at that point would probably be minimum because of that.

MR. TORLEY: One quick question, you may or may not know the answer to this, the transfer building up over in Newburgh for the dump, is that about the same size as what you're talking about far as height?

MR. CONKLIN: I'm not familiar with the building.

MR. TORLEY: The transfer station up near Stewart?

MR. CONKLIN: I would say--

MR. BABCOCK: The back of the building definitely.

MR. CONKLIN: I would say it's about the same.

MR. BABCOCK: The back of the building is two stories high, about that.

MR. SHAW: I want to point out this important to look at, this is a view from the river and again we'll get into detail but we plan on doing substantial planting and creating a berm between the building and river but

I may point out that we're 51 feet high at this point at the eaves we're 27, right, so for the most part, you can probably say 2/3 of the building is probably between somewhere between 30 and 35 feet in height. It's only 51 feet at the ridge line, unfortunately, with the zoning ordinance that determines building height so that is what we ask a variance on. Again, this is the architecture of the building which will be adjacent to River Road.

MR. KRIEGER: I'm familiar with it cause I've seen it in the Planning Board, the members of the board are adequately familiar with what they are going to do, the concept of why they are even bothering with this.

MR. NUGENT: I happen to know.

MR. KRIEGER: What they are going to do with this property it seems to me you may have gotten the cart before the horse there.

MR. NUGENT: Do you want to explain a little bit about the procedure so that the members know?

MR. BABCOCK: What's the use here?

MR. SHAW: That I'll turn it over to Ira who has firsthand knowledge of this operation.

MR. CONKLIN: I don't know if you know the background of our company. My grandfather started the company, my dad has run the company since the early 50's. We primarily replace underground storage tanks from gasoline stations, hospitals, schools for the fuel oil storage and in doing that work, we encounter contaminated soil with gasoline or hydrocarbons or fuel. We generate just from our own customers 30 thousand tons a year of soils. And three years ago, there was 11 landfills, there's one I think right now. There was two a couple months ago but that is closed, one landfill left, and what we do with this is to bring the soil in from a site, store it in the building, we take soil and thermally treat it, we heat the soil up to 450 degrees on the exit temperature. The emissions that go out, everything is controlled by the DEC. We

have standards we have to meet and criterias we have to meet. Carbon monoxide puts out 90 parts per million, this runs, machine runs between 27 and 32 parts oer million so it puts out less COs than a car does. The process basically takes the good and bad out of the soil. So when the soil is cleaned, it won't grow grass and it won't have any hydrylicarbons in it. If you leave it out in a field for a couple years, the natural germination will take over on the top couple inches and will start to grow grass again but it becomes inert or sterile when the soil comes out. So our customers have a need. Again, if a customer wants to landfill it, as you know, Catskill Landfill was taking a lot of material now they are experiencing gasolines and oils coming out in the leach aid system and they are going back to the people proportionately and charging back. So even though you brought the soil to them, you're still responsible for it. So everybody is being billed backwards accordingly so we're stopping that process.

MR. LANGANKE: Do you lose a lot of volume in this process and where are you going to go? Are you going to put it back into the landfill?

MR. CONKLIN: Soil can be used as clean fill. At the end of every day, we have Envirotest comes in and takes a sample of the soil. Even though we may pay them directly, the results go to the DEC. DEC gives us a 3 day turnaround and says okay, the material's good enough for fill needs to meet some criteria then it can go from there. Jack Devitt has an agreement with us for 300,000 yards for his fill and we have made arrangements to haul some soils to our properties we own so it is going to be for clean fill.

MR. LANGANKE: If you bring in like 80,000 pounds and you put it through your process, how much do you have left after the process?

MR. CONKLIN: You'll probably lose about 20 percent due to water weight. You still reintroduce water back into it to keep any dust down on it, but about 20 percent.

MR. LANGANKE: Does it have a uniform color or does that change according to what you bring in?

MR. CONKLIN: It all has pretty much is a uniform color from the soils we handle around here. What I will do at the public hearing, I'll bring a jar of the unprocessed and the processed. If anybody's riding around town sometime at Forge Hill Apartments right now we're burning throughout the State. We have a little bit more experience now than we did when we first went before the board. We've burned around 15,000 tons so far this year. We're going to burn about 300 tons down at Forge Hill so if you happen to be driving down there.

MR. LANGANKE: You have a mobile unit?

MR. CONKLIN: We have a mobile unit permitted throughout New York State and we have done probably 8 jobs or so so far.

MR. KRIEGER: Correct me if I am wrong. The mobile unit is the same unit as waht is going to be here?

MR. CONKLIN: Yes.

MR. KRIEGER: You'll be able to take it out on the job but the purpose of it is that a lot of work is here where they can bring the dirt to it, you can process it and have a place to store the clean dirt and more efficiently process it.

MR. CONKLIN: Correct. If you remember Vails Gate in Five Corners, there was a pile of dirt there forever and the site was too small to bring a plant in on that site and for the smaller customer with 100 tons or 200 tons or homeowner with 30 yards out of the leaky fuel oil tank, what I do, you can bring it down here and we'll take care of it down there.

MR. LANGANKE: Is that going to cut the costs of this operation? I understand what you're doing right now is pretty expensive and is this going to save people money?

MR. CONKLIN: It will not probably save money in the forefront but in long term, if the landfill comes back

to you 5 years from now and hits you with a bill for a couple thousand or a couple million, it will be a lot cheaper.

MR. TORLEY: There's no stack at this facility?

MR. CONKLIN: No, there's not.

MR. TORLEY: Are you intending to go to the railroad?

MR. CONKLIN: We don't have any, we would like to some day be able to do that but we have no plans right now to do that.

MR. LANGANKE: You said you heat the material to 450 degrees?

MR. CONKLIN: Right.

MR. LANGANKE: What temperatures do you use to get the material to that temperature?

MR. CONKLIN: Usually around anywhere between 600 to 800 degrees in the kiln and it's always at 1,500 degrees in the afterburn.

MR. TORLEY: Natural gas in the kiln?

MR. CONKLIN: Gas or diesel fuel. We're using diesel fuel because it's easier to get, we're going to talk to Central Hudson and they are going to run natural gas in.

MR. LANGANKE: I think it's a great idea.

MR. TORLEY: Improve the environment.

MR. KANE: That will improve the looks of the property down there.

MR. NUGENT: I'll accept a motion.

MR. LANGANKE: I make a motion we set I.D.C. up for a public hearing.

September 26, 1994

20

MR. TORLEY: Second it.

ROLL CALL

MR. KANE	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

REVIEW NAME: IDC SOIL RECLAMATION AMENDED SITE PLAN
PROJECT LOCATION: RIVER ROAD
SECTION 9-BLOCK 1-LOT 98
PROJECT NUMBER: 94-23
DATE: 14 DECEMBER 1994
DESCRIPTION: THE APPLICATION INVOLVES AN AMENDMENT OF THE PREVIOUS IDC SITE PLAN ON THE EAST SIDE OF RIVER ROAD. THE PROJECT WAS PREVIOUSLY REVIEWED AT THE 24 AUGUST 1994 AND 9 NOVEMBER 1994 PLANNING BOARD MEETINGS.

1. At this time, it is my understanding that the Applicant has provided all additional information and has made any necessary revisions to the site plan application package, as requested by the Planning Board.
2. On 8 November 1994 a Lead Agency Coordination Letter was issued to all involved agencies. As of this date, I am aware of no responses from any of those agencies indicating an interest to assume the position of Lead Agency. As such, it is my recommendation that the Board formally assume the position of Lead Agency for the application/project.
3. The Board has had submitted for its review, a Full Environmental Assessment Form with attachments. As well, the Applicant's consultants previously made a presentation to the Planning Board relative to mitigation of potential environmental impacts of the project.

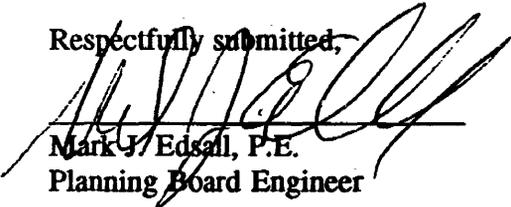
The Board may wish to further discuss these documents and any potential environmental impacts of the application/project. Following same, the Board should make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance. I recommend that a formal notice of determination be adopted by the Board and appropriately circulated.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: IDC SOIL RECLAMATION AMENDED SITE PLAN
PROJECT LOCATION: RIVER ROAD
SECTION 9-BLOCK 1-LOT 98
PROJECT NUMBER: 94-23
DATE: 14 DECEMBER 1994

4. Any approval action relative to this application should be conditioned on the Applicant receiving the approval and/or a necessary permit from the NYSDOT relative to the River Road access.
5. The Planning Board should require that a **bond estimate** be submitted for this **Site Plan** in accordance with Paragraph A(1)(9) of Chapter 19 of the Town Code.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:IDC2.mk

I.D.C. SOIL RECLAMATION SITE PLAN (94-23)

James R. Loeb, Esq. appeared before the board for this proposal.

MR. LOEB: Thank you, Mr. Chairman. I'm here tonight representing Ira D. Conklin and Sons, Inc. and I.D.C. Soil Reclamation. I am accompanied by Ira Conklin, Jr. and Ira D. Conklin III. This plan was before you on several occasions, on April 27, 1994 for the public hearing. You granted approval to our site plan for the soil reclamation project. We came back before you in August with what we think is a better plan which involved a building which would house the soil reclamation unit itself. You denied approval because we needed two variances. You sent us to the Zoning Board of Appeals and I'm pleased to tell you that on October 24 of 1994 following a public hearing, the Zoning Board of Appeals granted the height variance and the front yard setback variance and we are here before you to night. We've submitted at your request a revised full environmental assessment form, that has been sent to the DEC indicating that this board wished to retain lead agency status that has just gone out and we're ready to proceed. Greg is going to go over the site plan with you. If you have questions, we have Carl Monte, our landscape architect and Phill Grealy, our traffic and noise consultant with us this evening. I would like to submit two letters to the board. We received one from Affron Fuel Oil and one from Lightron. These are our neighbors and in each case, the letters indicate that they support the project. The letters are addressed jointly to the Zoning Board and the Planning board. They were part of the record at the Zoning Board hearing. You may also wish to know that at the hearing, not only did no one appear in opposition but somebody appeared in support which was very nice for us. And if you are ready, we can have Greg review the site plan.

MR. PETRO: I'm all set.

MR. SHAW: I'm sure the board is familiar with the piece of property. Previously on this site was seven large fuel storage tanks, five have been removed as

have the buildings, presently two exist, they are proposed to be demolished also under the scheme. The parcel is a 2.5 acre parcel located in the PI zone. As Mr. Loeb mentioned, we have been before the Zoning Board of Appeals and obtained a front yard variance for a new 1,200 square foot office building, which is located on the westerly portion of the property and also a variance for building height for the main structure. This proposal before you incorporates two primary structures and two accessory structures. The primary structures are as I mentioned the 1,200 square foot office building and the 25,000 square foot soil processing and storage building. With the previous proposal before this board, the processing, the thermally stripping of the material was to be done outdoors, everything else was going to be within the structure so concerns such as possible noise, possible vibrations, possible glare have now been eliminated. There are two other accessory structures, one is on the easterly portion of the project and that is for the soil base and I'll explain the process in a minute and the last structure is located in this area, it's a remediation building, which is going to be installed to take care of some of the by-products that exists from this being a former fuel storage tank. Vehicles entering the site will be coming in through the northerly entrance and they'll be queuing around the building, again it gives us a very large staging area. As the trucks pass along the southerly building line, they'll be placed on this scale where the material will be weighed in the trucks, at that point they will pull up and then back into the building and deposit their material. Then the trucks in turn will leave the site. The material will be processed within the building and will be removed from the building through the easterly overhead door and the processed material will be placed in these bins which will be buried in the landscape berm. I'll just touch on that briefly. Prior to the material leaving the site, the material will be tested to make sure it's sterile. Then the material will be loaded into tractor trailers again be brought in this fashion and placed on the westerly scale for final weighing. Then the trucks will be departing through the southerly entranceway. With respect to parking for this facility, we're providing 13 spaces consistent

with the previous plan. This facility has not been increased in size from the previous proposal to this board. We're providing two parking spaces along this building line, 9 employee parking spaces along the southerly property line and spaces adjacent to the building. With respect to utilities, we're going to be connecting both the office building and the soil processing storage building into the town's water and sewer systems. There will be no discharging of processed water whatsoever into the town system. The only water which will be utilized by this operation will be water utilized by the employees in the rest room areas and break room and also the injection of water into the processed material after it has been thermally stripped and that is primarily for dust control, flow is discharged into the town sewer system. As I mentioned, we'll be connecting into the town's water system and again, water will be provided to the office building and into the break room and the rest room and the soil processing building, the storm drainage system really will consist of two separate systems. There will be a system strictly for the roof approximately 25,000 square feet. That storm water will be collected from the roof, piped and discharged in this culvert adjacent to the Con Rail property. The balance of the site which will be paved will be collected by a separate storm drainage system and brought to an area located between the office and the soil processing building. There, it will be treated by an oil water separator and then discharged into the drainage ditch which is the northerly property line. One final point with respect to this facility if the board remembers, Ira D. Conklin went through an elaborate effort in providing landscaping for this property, as you'll see, we've provided landscaping along the northerly property line, the southerly property line, also the easterly and we went through an elaborate effort creating berms and plantings to create a berm in this area with landscaping associated with it. We have followed that through with this scheme so we're consistent with the previous plan in that respect. That is a brief overview. As Mr. Loeb mentioned, myself or traffic consultant or landscape architect would be happy to answer any specific questions which you may have.

MR. PETRO: Greg, the remediation building is not on this plan, I didn't see it on this plan, Greg.

MR. SHAW: Correct.

MR. PETRO: What's the building going to be used for?

MR. SHAW: Maybe you can ask Ira.

MR. CONKLIN: Right now there we found some contaminated soil underneath where the old loading rack was and we're designing a system now to treat the ground under there. There is a pump and you pump water up there through a carbon filter system and back out, purifies the water so it treats the ground and the water that is underneath the property.

MR. PETRO: Done in that building, remediation building?

MR. CONKLIN: Yes, like at Mobil, they have a big tower that sticks out, this would be a low trace system, there's no tower but it's a shed like building and it basically pumps both water and air from the ground and cleans the ground.

MR. PETRO: Greg, you said the underground drain is going to take the water off the roof, 25,000 square foot roof into the culvert back there?

MR. SHAW: Correct.

MR. PETRO: You're going to have piping underground, I don't see anything here with the culverts. Do you have culverts?

MR. SHAW: You'd have to look on to drawing 2, which is the utility plan that has the piping associated with both systems.

MR. PETRO: I see, you're going to the property line and from the property line, just goes by surface.

MR. SHAW: Discharge in approximately in this area to

flow into this northerly drainage ditch through the culvert into the river.

MR. SCHIEFER: Greg, what's a gabion retaining wall, metal or--

MR. SHAW: No, it's rock face, you have seen them on state highways, chicken wire.

MR. SCHIEFER: That is what I thought, thank you.

MR. VAN LEEUWEN: It's fencing, it's a lot stronger than chicken wire.

MR. LANDER: Retaining wall on this side.

MR. SHAW: Yes, to a maximum height of six feet, I believe these are masonry walls which are really for landscaping purposes. We have a few here and a few back here.

MR. LANDER: How high is the berm out in front of the office building?

MR. SHAW: Maybe about three feet. We really tried to accentuate the berms on the easterly property line.

MR. VAN LEEUWEN: Are all the tanks gone yet? Are they still there?

MR. SHAW: Five have been removed, two remain and the structures have been demolished.

MR. VAN LEEUWEN: The building is gone too?

MR. CONKLIN: Yes, the only two tanks that are left are the two that we did use on the original plan.

MR. VAN LEEUWEN: But if this goes through, you're going to take them down too?

MR. CONKLIN: Yes.

MR. PETRO: How many employees do you plan on having there?

MR. CONKLIN: I would say, if we can run three shifts.

MR. PETRO: Shift at a time?

MR. CONKLIN: Shift at a time would be probably be eight.

MR. PETRO: I was comparing that to the parking, it's a big site and there's really not that much parking but I realize there's not much required either, you have approximately double what's required.

MR. SHAW: Correct, we have 13.

MR. PETRO: These are existing curb cuts, I believe?

MR. SHAW: Correct.

MR. VAN LEEUWEN: I don't have any problem, Mr. Chairman.

MR. LANDER: No.

MR. PETRO: Highway approval is on 8/29/94.

MR. EDSALL: Because there are other involved agencies, there was the need to issue another, I use the word another because we had done it once before on the previous plan, I issued a lead agency coordination letter, one inconsistency in the letter which was brought to my attention is that there is a typo, instead of calling the office building 1,200, it's called out as 12,000. Luckily. It's called out as more. If no one is concerned with 12,000, they surely won't be concerned with 1,200. In either case, that is in the record. If anyone does contact me as your contact person, I'll explain to them that in fact that is a typographical error. The letter was issued yesterday and it has been sent to all the agencies who were previously notified and I would understand and assume that if they were not interested in lead agency last time, they won't be this time. But there's the 30 day period and I made sure that went out in time.

MR. PETRO: 12,000 to 1,200, I don't think we'd have an office building with one parking spot for 12,000 square foot so that is--

MR. EDSALL: I'm bringing to your attention, that letter is out, the clock has started and you'll be in a position at your next meeting to take the lead agency roll and run through the SEQRA process.

MR. VAN LEEUWEN: This is an amendment to the site plan, isn't it?

MR. EDSALL: Correct.

MR. VAN LEEUWEN: We have to do the SEQRA all over again?

MR. EDSALL: When you change the plan to this extent, that is what I suggest.

MR. LANDER: How about public hearing?

MR. EDSALL: That is your decision.

MR. PETRO: We cannot take lead agency.

MR. EDSALL: If there's more than one agency that has the right to assume that roll, you must send out a coordination or competition letter.

MR. PETRO: We have to wait 30 days.

MR. EDSALL: Yes, and that went out yesterday, I sent it out as soon as I received the documentation from Greg.

MR. LANDER: Greg, is it a steel building?

MR. SHAW: Yes, would you like to see the design for this?

MR. EDSALL: As far as the decision on the public hearing, I would think that you'd want to review the scope of the changes and decide if you need a public hearing tonight, otherwise there's no ability.

MR. PETRO: My question to the attorney was do we have the power or can we as a board find that it is necessary or unnecessary to have a public hearing before we take lead agency.

MR. VAN LEEUWEN: I make a motion that we waive public hearing.

MR. SCHIEFER: Second it.

MR. VAN LEEUWEN: It's an amendment to the site plan, we had a public hearing on the original site plan, I don't see a need for another one.

MR. PETRO: To finish my sentence, the Planning Board attorney has informed us that we can go along with the motion before us at this point. Is that correct?

MR. KRIEGER: Yes.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board under its discretionary judgment under paragraph 48-19C of the town zoning local waive the public hearing for the Ira D. Conklin amended site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE

MR. SCHIEFER: There's not much else we can do. We'll see you at the next meeting. At that time, we need within 30 days, which is going to be December meeting, December 14 meeting. At that time, we should have the letter stating that we can proceed. We just can't go any further.

MR. LOEB: Thank you very much.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: IDC SOIL RECLAMATION AMENDED SITE PLAN
PROJECT LOCATION: RIVER ROAD
SECTION 9-BLOCK 1-LOT 98
PROJECT NUMBER: 94-23
DATE: 9 NOVEMBER 1994
DESCRIPTION: THE APPLICATION INVOLVES AN AMENDMENT TO THE PREVIOUSLY APPROVED IDC SITE PLAN. THE SCOPE OF THE CHANGES WERE REVIEWED AT THE 24 AUGUST 1994 PLANNING BOARD MEETING, AT WHICH TIME THE APPLICATION WAS REFERRED TO THE ZONING BOARD OF APPEALS.

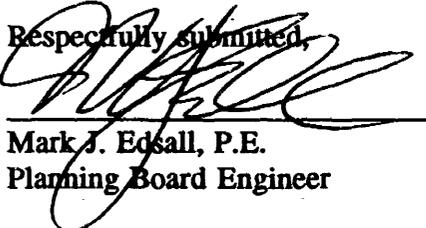
1. It is my understanding that the Applicant has received all necessary variances with regard to this proposed site plan amendment. A record of same should be in the Planning Board files.
2. As I indicated in my August review comments, it is my recommendation that the Board review the proposed changes to the site plan and, as well, their potential environmental impacts.
3. We have received a revised Full Environmental Assessment Form for this application. I have issued a follow-up Lead Agency Coordination Letter to all the agencies previously contacted for the Board's initial SEQRA review of the IDC Soil Reclamation project review. Attached to this Lead Agency Coordination Letter was the Full EAF, with attachments, including the amended site plan (all as prepared by the Applicant's Engineer).
4. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan Amendment**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: IDC SOIL RECLAMATION AMENDED SITE PLAN
PROJECT LOCATION: RIVER ROAD
SECTION 9-BLOCK 1-LOT 98
PROJECT NUMBER: 94-23
DATE: 9 NOVEMBER 1994

5. It is my understanding that Scenic Hudson has been in contact with the New York State Department of Environmental Conservation with regard to their concerns with regard to this proposed operation. It is also my understanding that the NYSDEC would be responding to the indicated concerns, which were addressed to that State agency.
6. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:IDC.mk

I.D.C. SOIL RECLAMATION AMENDED SITE PLAN (94-23)

James Loeb, Esq., and Ira D. Conklin III appeared before the board for this proposal.

MR. LOEB: Good evening ladies and gentlemen, I'm accompanied by Ira D. Conklin III. The plan that you have is an amendment to the plan that you previously approved. The amendment deals with the construction of a storage building. You'll recall that when we were before you, there were questions raised about what you going to do when it rains and at that time, we told you that just like an outside baseball game, there would be no game when it rained. Well, we thought about it again number one and number two, we just have been through the wettest summer that anybody had and Ira said this is kind of foolish, we're making this tremendous investment designing this first class project and plant and if it rains as much as it's rained this year, we're not going to be able to play very often. So we've laid out the change in the plan which is really the building.

MR. VAN LEEUWEN: Taking the tanks out?

MR. LOEB: Just what we show there.

MR. CONKLIN: All the tanks will come out now, we're not going to have any tanks any longer, no.

MR. LANDER: You're not going to store in the tanks?

MR. CONKLIN: No, everything will be underneath one roof. We're dumping under one pad all the materials stored under the one pad the material is treated and brought outside and that will have a tarp type cover over the outside storage. But basically, everything that is contaminated will be under the roof, no chance for rain to get on it either while we're dumping or after.

MR. KRIEGER: Machine will be under the roof too?

MR. CONKLIN: Yes.

MR. PETRO: Soil not being in a tank doesn't have any DEC implications?

MR. CONKLIN: No. What we're worried about is the rain water getting on contaminated soil and the runoff from that and as long as it's under a roof, the tanks were just for the roof, more than for anything else and we're just trying to keep it, now instead of dumping outside and bringing it inside, we're trying to dump inside and keep it inside.

MR. VAN LEEUWEN: How high is the building going to be at the peak?

MR. CONKLIN: 51 feet at the peak.

MR. VAN LEEUWEN: Will that fit in the zoning code?

MR. EDSALL: No, that is one of the variances they need.

MR. LOEB: We're here to request that you refer us to the Zoning Board. We need two variances, one is the front yard setback. We have a new office building and it has got to be 50 feet back. We've got 35 feet back and then of course the usual New Windsor variance of height and what we're proposing 51 feet and because of where it's situated, we can only have a building 12 feet high. So obviously, we've got to go to the Zoning Board. What we hope is to achieve those variances and come back before you for review of the amended site plan. We believe that in the long run, this is a better proposal because of the building and enclosing more of our operation.

MR. LANDER: Ira, going into this building type operation here, has the DEC mandated this or have they told you you need a cover on the materials that will be stored outside, anything new come up from the DEC?

MR. CONKLIN: No, DEC has not mandated it, however, they can't in their infinite wisdom, they can't lead you in any way, other than smile when you say you're going to put up a building and we've got a lot of smiles.

MR. LANDER: I would think so.

MR. PETRO: Also for the minutes, I'd like for you to state once again use of the property from the first approval that you received is not being changed in any way, shape or form?

MR. CONKLIN: No.

MR. PETRO: You're just putting a roof over the operation?

MR. CONKLIN: Yes, we're going to have not an outside dumping area, we're going to dump inside rather than transfer to an inside storage.

MR. PETRO: Item number 3, do you feel that that is absolutely necessary?

MR. EDSALL: Well, we have a full EAF. Now, what I am suggesting is that we make sure that we have on record an amended copy of the EAF which is a necessary item. I'm not looking to ask for any other increase in SEQRA review at this point, I believe the same full EAF just amended to reflect this would be fine.

MR. LOEB: We have no problem with that at all, Jim.

MR. EDSALL: Maybe just something that would be worthwhile getting into the record. I'm sure you'll get into it with the ZBA, but looking for 51 foot height, I believe that is less than the height of the existing tanks that are out there now?

MR. CONKLIN: Height of the existing tanks there now are somewhere around 50, 55, could be even 60, I never took a tape measure myself and measured them. They are six or seven tiers of steel and I think they are about six or seven feet in width so but I've never taken a tape to it.

MR. VAN LEEUWEN: I would take a tape to it.

MR. EDSALL: It may be that your finished building for

this application may be lower than the existing tanks. Second item I believe would be worthwhile having on record is you're looking to have a 30 and 24 foot side yard setback, I believe from recollection, I don't have the plan here, at least one of the tanks is closer than the closest point of the building you're proposing?

MR. CONKLIN: You're right, it is closer.

MR. EDSALL: So, in fact, although they are different structure types, your building in fact is going to be set back further than some of the tanks that are there now.

MR. PETRO: The hours of operation will not be changed from the original application?

MR. CONKLIN: No, I think we're going from a good scenario to a better scenario now that the unit will be underneath and in a building where before we were worried about a sound barrier, now we'll have the building around it for the sound barrier. We'll not have to worry about any rain water on a concrete pad, how are we going to deal with that.

MR. VAN LEEUWEN: Are the processors going inside the building too?

MR. LOEB: Yes.

MR. PETRO: We're going to have ample time to go over this, does anyone--

MR. VAN LEEUWEN: I make a motion to approve.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Ira D. Conklin site plan amendment on River Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER NO
MR. LANDER NO
MR. PETRO NO
MR. VAN LEEUWEN AYE

MR. PETRO: You have now been referred to the local Zoning Board. Good luck. Once you have all your variances and everything is on the plan, we'll certainly put you on the next agenda.

MR. VAN LEEUWEN: I'd like to send the Zoning Board a message that we're very much in favor.

MR. PETRO: Yes and there was a public hearing held and no opposition.

MR. LOEB: That would be very helpful if the board would indicate.

MR. EDSALL: For the record, I believe the only question we had at the previous public hearing was noise. The final attachments to the EAF that we did receive indicated that the noise barrier would decrease the noise levels for the units to a level below the town ordinance and as well below the background noise that was anticipated because of traffic on River Road. Obviously, by moving the equipment inside they are further decreasing the noise so therefore the only concern that this board heard about during the public hearing being noise is now being further decreased.

MR. PETRO: I believe also for the minutes I believe we had one person show up for the public hearing.

MR. LANDER: Noise and they were questioning stockpiling the material outside, odors.

MR. BABCOCK: The other thing that you can keep in mind is the ZBA will have a public hearing on this for the variances so.

MR. EDSALL: He will be going in understanding what we have heard in the past.

MR. KRIEGER: I'd suggest that you be prepared to

address yourself as I say that may be the only public hearing so maybe there to the appearance, facade, appearance, I'm sure that is going to be a question.

MR. LOEB: We'll be prepared for that and we anticipate submitting updated noise calculations based upon change in the site plan with the building. They of course are better.

MR. LANDER: What type of building are you going to put up?

MR. CONKLIN: Free span Butler building steel.

MR. LOEB: Thank you very much.

RESULTS OF P.B. MEETING

DATE: August 24, 1994

PROJECT NAME: J.D.C. Soil Rec. Amended PROJECT NUMBER 94-23

S.P.

LEAD AGENCY:

NEGATIVE DEC:

M) S) VOTE: A N

M) S) VOTE: A N

CARRIED: YES NO

CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) Y S) L VOTE: A 0 N 4 YES NO ✓

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Need an amended copy of full E.A.F.

P.B. # 94-23 Application Fee

561-3695
SHAW ENGINEERING
744 BROADWAY, P.O. BOX 2569
NEWBURGH, NY 12550

7478

29-1/213

Aug 18 1994

PAY TO THE ORDER OF Town Of New Windsor

\$ 150.00

One Hundred Fifty ^{00/100}

DOLLARS



FOR Application Fee To Plan 5d

⑈007478⑈ ⑆021300019⑆ 51510 00390⑈

P.B. # 94-23 Escrow

561-3695
SHAW ENGINEERING
744 BROADWAY, P.O. BOX 2569
NEWBURGH, NY 12550

7479

29-1/213

Aug 18 1994

PAY TO THE ORDER OF Town Of New Windsor

\$ 750.00

Seven Hundred Fifty ^{00/100}

DOLLARS



FOR Escrow Fee To Plan 5d

⑈007479⑈ ⑆021300019⑆ 51510 00390⑈

Shaw Engineering

94-23
Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

August 18, 1994

**Chairman James Petro and
Members of the Planning Board**
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Amended Site Plan For I.D.C. Soil Reclamation
River Road

Gentlemen:

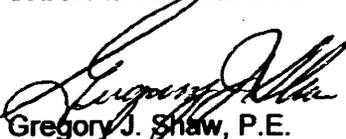
Enclosed please find the following documents for the above referenced project which are being submitted to your Board for Amended Site Plan Approval:

- 10 copies of the drawing entitled "Amended Partial Site Plan, New Facility For I.D.C. Soil Reclamation", which issue date of August 16, 1994;
- a copy of the "Application For Site Plan Approval";
- a copy of the "Proxy Statement" which is executed by the Owner;
- a "Short Environmental Assessment Form" and a "Site Plan Checklist";
- checks in the amounts of \$150.00 for the Site Plan Application Fee, and \$750.00 for the Escrow Fee

We trust the above documents are in order to be placed on the August 24th Agenda of the Planning Board.

Respectfully submitted,

SHAW ENGINEERING


Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Mr. Ira D. Conklin III w/Enclosure



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN OF New Windsor P/B # 94-23

WORK SESSION DATE: 2 Nov 94

REAPPEARANCE AT W/S REQUESTED: No

APPLICANT RESUB.
REQUIRED: New Plans (AF)

PROJECT NAME: TDC s/p Ann

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Iron III, John G, Greg Shaw

TOWN REPS PRESENT:	BLDG INSP.	<input checked="" type="checkbox"/>
	FIRE INSP.	<input checked="" type="checkbox"/>
	ENGINEER	<input checked="" type="checkbox"/>
	PLANNER	<input type="checkbox"/>
	P/B CHMN.	<input type="checkbox"/>
	OTHER (Specify)	<input type="checkbox"/>

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- My review orig P/H comments & correlate changes and effect
- get variances.
- Myra fee re submittal deadline
- screening of bldg color.
- need for P/H - old P/H & ZBA

Now agenda



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 94- 23

DATE PLAN RECEIVED: RECEIVED NOV - 7 1994

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

_____ has been

reviewed by me and is approved

disapproved

If disapproved, please list reason _____

Fred Sayre 11/14/94
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 94 - 23

DATE PLAN RECEIVED: RECEIVED NOV - 7 1994

The maps and plans for the Site Approval I. D. C. Soil Reclamation

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved Water lines have been marked, out-located

disapproved _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT DATE

John D. D'... Carro 11/9/94
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 7 November 1994

SUBJECT: IDC Soil Reclamation

Planning Board Reference Number: PB-94-23
Dated: 7 November 1994
Fire Prevention Reference Number: FPS-94-064

A review of the above referenced subject site plan was conducted on 7 November 1994.

This site plan is accepted.

Plans Dated: 3 November 1994 Revision 2

Robert F. Rodgers C.C.A. (mvz)
Robert F. Rodgers, C.C.A.

RFR/mvz



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., [REDACTED], SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 94-23

DATE PLAN RECEIVED: RECEIVED AUG 19 1994

The maps and plans for the Site Approval New Facility (Amended Plan)
I.D.E. Soil Reclamation
Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved: water Available on Riv. Rd

disapproved _____

If disapproved, please list reason _____

<u>[Signature]</u>	DATE
HIGHWAY SUPERINTENDENT	8/22/94
<u>[Signature]</u>	DATE
WATER SUPERINTENDENT	
_____	DATE
SANITARY SUPERINTENDENT	



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

1-3

TOWN/VILLAGE OF New Windsor P/B #

WORK SESSION DATE: 17 Apr 94 APPLICANT RESUB. REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: IDC s/p Am

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Greg

MUNIC REPS PRESENT: BLDG INSP.
 FIRE INSP. WAKE MAN
 ENGINEER
 PLANNER
 P/B CHMN.
 OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- want to get '1/1 app'l on orig, but provide a new upgrade
- main bldg and office bldg setback need variances
- change "storage" to "soil storage"
- need waiver re sprinkler for bldg
- they -

Agenda 8/24 for ZBA referral

4MJ91 pbwsform

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

(This is a two-sided form)

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project New Facility for I.D.C. Soil Reclamation
2. Name of Applicant Ira D. Conklin & Sons, Inc. Phone 561-1512
Address 92-94 Stewart Avenue, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Canada Oil Corp. Phone _____
Address 1 Valley Street, Hawthorne, N.J. 07506
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Gregory J. Shaw, P.E. Phone 561-3695
Address 744 Broadway, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney James R. Loeb Phone 565-1100
Address One Corwin Court, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Gregory J. Shaw, P.E. Phone 561-3695
(Name)
7. Location: On the east side of River Road
(Street)
0 feet opposite of Silver Spring Road
(Direction) (Street)
8. Acreage of Parcel 4.44 9. Zone PI, 9A. School Dist Newburgh
9B. If this property is within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District, please complete the attached Agricultural Data Statement.
10. Tax Map Designation: Section 9 Block 1 Lot 98
11. This application is for Soil Reclamation Facility

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) N/A

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE
SS.:
STATE OF NEW YORK

Myron T. Holman being duly sworn, deposes and says that he resides at 1 Valley Street Hawthorne in the County of Passaic and State of New Jersey and that he is ~~(the owner in fee)~~ of Vac President (Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized Gregory J. Shaw & James R. Loeb to make the foregoing application as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

15th day of November 1993

Myron T. Holman
(Owner's Signature)

Gregory J. Shaw
(Applicant's Signature)

Joseph F. Jansky Jr.
Notary Public

Treasurer
(Title)

Notary Public, State of New York
Residing in Orange County
Registration No. 1953255
Commission Expires Jan. 31, 1994

RECEIVED AUG 19 1994

PROJECT I.D. NUMBER

617.21

94 - 23

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Ira D. Conklin & Sons, Inc.	2. PROJECT NAME New Facility for I.D.C. Soil Reclamation
3. PROJECT LOCATION: Municipality <u>Town of New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>East side of River Road immediately opposite of Silver Spring Road</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Reclamation of soil by incineration</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>2.47</u> acres Ultimately <u>2.47</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>NYSDEC Solid Waste Management</u> <u>NYSDEC Air Discharge Permit</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No <u>N/A</u>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Ira D. Conklin & Sons, Inc.</u> Date: <u>Nov. 1, 1993</u> Signature: <u>[Signature]</u> <u>Engineer For Approval</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

Yes

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

Yes

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

No

C7. Other impacts (including changes in use of other quantity or type of energy)? Explain briefly:

No

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

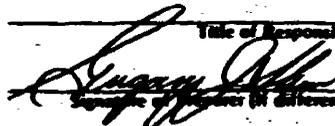
Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officers in Lead Agency



Signature of Officer (if different from responsible officer)

Date

RECEIVED AUG 19 1994

94-23

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Canada Oil Corp. _____, deposes and says that ^{it} conducts
business ^{resides} at 1 VALLEY ST, HAWTHORNE
(Owner's Address)

in the County of PASSAIC

and State of NEW JERSEY

and that ^{it} he is the owner in fee of Tax Map Designation 9,
Block 1, Lot 98

which is the premises described in the foregoing application and
that he has authorized Gregory J. Shaw & James R. Loeb
to make the foregoing application as described therein.

Date: Nov. 10, 1993

Miguel T. Holman
(Owner's Signature)

Josephine Barrella
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

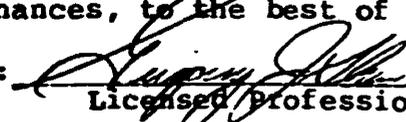
ITEM

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Site Plan Title | 29. <input checked="" type="checkbox"/> Curbing Locations |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s) | 30. <input checked="" type="checkbox"/> Curbing Through Section |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es) | 31. <input type="checkbox"/> Catch Basin Locations |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name | 32. <input type="checkbox"/> Catch Basin Through Section |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 33. <input checked="" type="checkbox"/> Storm Drainage |
| 6. <input checked="" type="checkbox"/> Drawing Date | 34. <input checked="" type="checkbox"/> Refuse Storage |
| 7. <input checked="" type="checkbox"/> Revision Dates | 35. <input type="checkbox"/> Other Outdoor Storage |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET | 36. <input checked="" type="checkbox"/> Water Supply |
| 9. <input checked="" type="checkbox"/> Site Designation | 37. <input checked="" type="checkbox"/> Sanitary Disposal Sys. |
| 10. <input type="checkbox"/> Properties Within 500 Feet of Site | 38. <input type="checkbox"/> Fire Hydrants |
| 11. <input type="checkbox"/> Property Owners (Item #10) | 39. <input checked="" type="checkbox"/> Building Locations |
| 12. <input checked="" type="checkbox"/> PLOT PLAN | 40. <input checked="" type="checkbox"/> Building Setbacks |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser) | 41. <input type="checkbox"/> Front Building Elevations |
| 14. <input checked="" type="checkbox"/> Metes and Bounds | 42. <input type="checkbox"/> Divisions of Occupancy |
| 15. <input checked="" type="checkbox"/> Zoning Designation | 43. <input checked="" type="checkbox"/> Sign Details |
| 16. <input checked="" type="checkbox"/> North Arrow | 44. <input checked="" type="checkbox"/> BULK TABLE INSET |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners | 45. <input checked="" type="checkbox"/> Property Area (Nearest 100 sq. ft.) |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 46. <input checked="" type="checkbox"/> Building Coverage (sq. ft.) |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas | 47. <input checked="" type="checkbox"/> Building Coverage (% of Total Area) |
| 20. <input checked="" type="checkbox"/> Existing Vegetation | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. Ft.) |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress | 49. <input checked="" type="checkbox"/> Pavement Coverage (% of Total Area) |
| <u>PROPOSED IMPROVEMENTS</u> | |
| 22. <input checked="" type="checkbox"/> Landscaping | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.) |
| 23. <input checked="" type="checkbox"/> Exterior Lighting | 51. <input checked="" type="checkbox"/> Open Space (% of Total Area) |
| 24. <input checked="" type="checkbox"/> Screening | 52. <input checked="" type="checkbox"/> No. of Parking Spaces Proposed. |
| 25. <input checked="" type="checkbox"/> Access & Egress | 53. <input checked="" type="checkbox"/> No. of Parking Required. |
| 26. <input checked="" type="checkbox"/> Parking Areas | |
| 27. <input checked="" type="checkbox"/> Loading Areas | |
| 28. <input checked="" type="checkbox"/> Paving Details (Items 25-27) | |

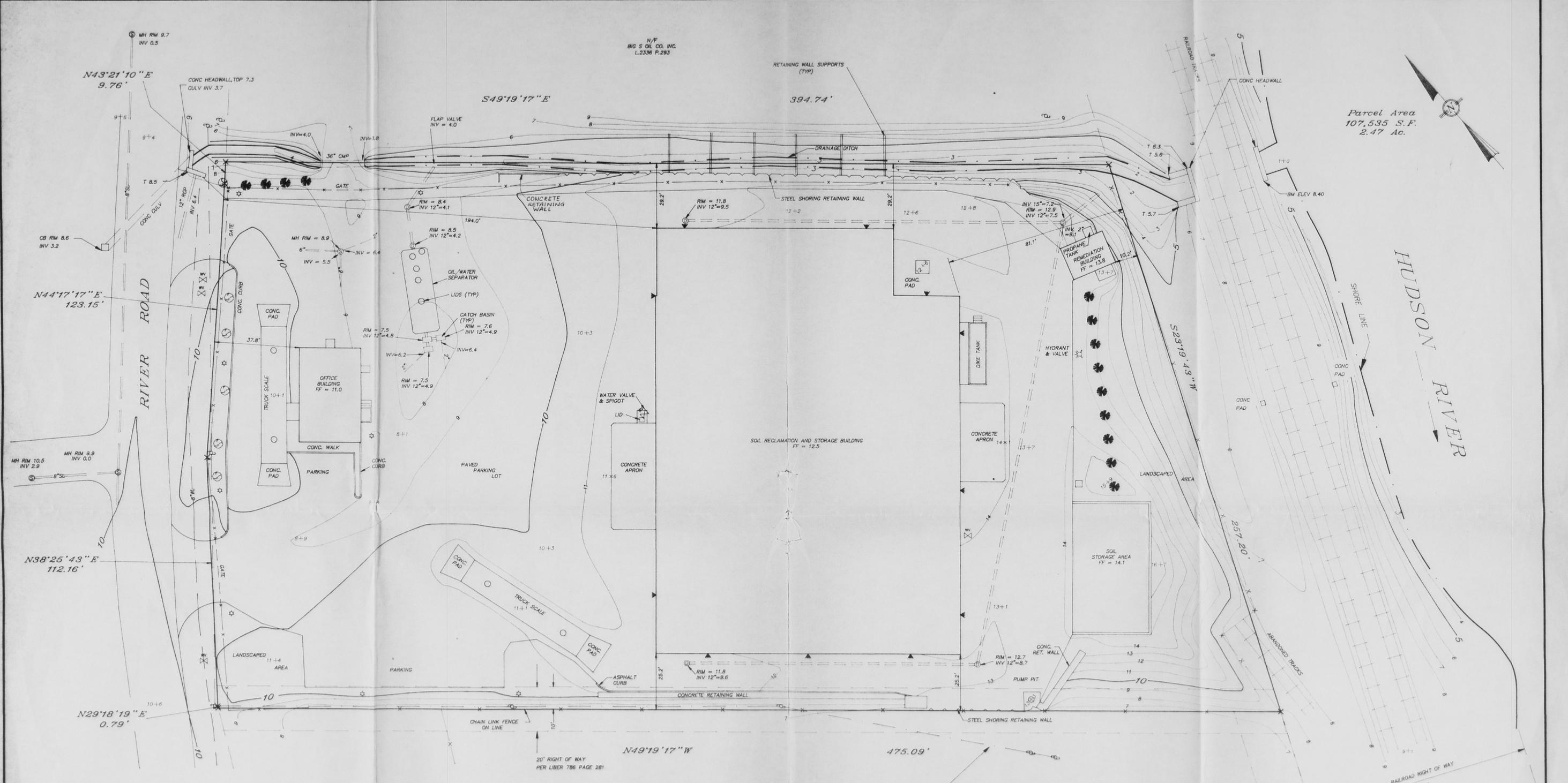
This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: 
 Licensed Professional

Date: Nov 1, 1993 Aug 18, 1994



Parcel Area
107,535 S.F.
2.47 Ac.

HUDSON RIVER

LEGEND

- 8" AC WATER LINE ——— 8" WL ———
- 8" SANITARY SEWER LINE & MANHOLE ——— 8" SL ———
- DRAINAGE LINE & FLUSHING BASIN ——— 8" DL ———
- UTILITY POLE & OVERHEAD WIRES ——— 6" U ———
- WATER VALVE ——— W ———
- SPOT ELEVATION ——— 6+1 ———
- SPOT LIGHT ——— * ———
- LIGHT POLE ——— * ———
- 5' CONTOUR ——— 5 ———
- 1' CONTOUR ——— 1 ———

GENERAL NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.
2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL LAND SURVEYOR'S INKED SEAL, SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
3. CERTIFICATION SHALL RUN ONLY TO THE PERSONS FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF, TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

SPECIAL NOTES

1. BEING A PORTION OF LANDS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS AS SECTION 9 BLOCK 1 LOT 98, BOUNDARIES SHOWN FROM PREVIOUS SURVEY PREPARED BY THE UNDERSIGNED.
2. OFFSETS SHOWN ARE AT RIGHT ANGLES TO THE PROPERTY LINES, UNLESS OTHERWISE NOTED.
3. NO CERTIFICATION IS MADE FOR ITEMS NOT VISIBLE AT GROUND SURFACE AT THE TIME OF SURVEY.
4. THIS PLAN WAS PREPARED PRIOR TO THE RECEIPT OF A TITLE REPORT OR ABSTRACT OF TITLE AND IS THEREFORE SUBJECT TO EASEMENTS AND OTHER GRANTS NOT VISIBLE, IF ANY.
5. ELEVATIONS SHOWN HEREON ARE REFERENCED TO U.S.G.S. DATUM. CONTOUR INTERVAL: ONE (1) FOOT.

CERTIFICATION

I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 24 August 1995 performed in accordance with the code of practice adopted by the N.Y.S. Association of Professional Land Surveyors, Inc., and is, to the best of my knowledge and belief, correct.



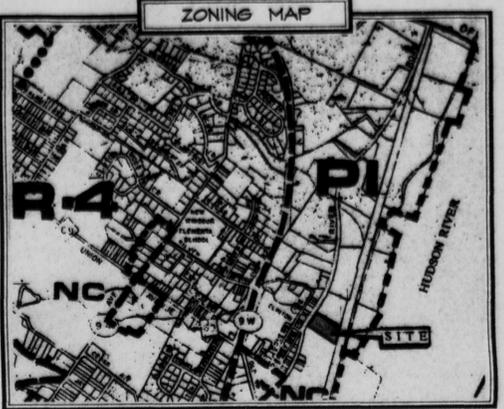
Grevas & Hildreth P.C. LAND SURVEYORS 33 OLSSACK AVENUE, NEW WINDSOR, NEW YORK 12553 TEL: (514) 262-8667		SURVEY FOR: I.D.C. SOIL RECLAMATION	
REVISIONS DATE DESCRIPTION	ACAD/CONKAB	TOWN OF NEW WINDSOR Drawn: MBH Checked: Scale: 1"=20' Date: 12 Sept 1995 Job No: 93-060	ORANGE COUNTY NEW YORK BOUNDARY/TOPOGRAPHIC SURVEY

AS-BUILTS 11/21/95



NOTES

- ZONING DISTRICT: P1 ZONE
- RECORD OWNER & APPLICANT: IRA D. CONKLIN & SONS, INC. 42-44 STEWART AVENUE NEWBURGH, NEW YORK 12550
- TOTAL PARCEL AREA: PARCEL I, 2.478 ACRES (107,595 S.F.) WEST OF CONRAIL PARCEL II, 1.878 ACRES (82,604 S.F.) EAST OF CONRAIL 4.448 ACRES (190,199 S.F.)
- TAX MAP DESIGNATION: SECTION 4, BLOCK 1, LOT 4B
- BOUNDARY, PLANIMETRIC AND TOPOGRAPHIC INFORMATION TAKEN FROM A MAP ENTITLED "BOUNDARY / TOPOGRAPHIC SURVEY, IRA CONKLIN & SONS" PREPARED BY GREVAS AND HILDRETH, P.C., AND DATED SEPTEMBER 20, 1985.
- THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED APPROXIMATE, AND THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS AND ELEVATIONS PRIOR TO EXCAVATION. NEW YORK STATE INDUSTRIAL CODE REQUIRES TWO (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING, OR BLASTING. UNDERGROUND UTILITIES CENTER TELEPHONE NO. IS 1-800-245-2828.
- ELEVATIONS INDICATED ARE REFERENCED TO U.S.S. DATUM.
- EXISTING ON-SITE RAILROAD TRACK (SPUR) IS SCHEDULED TO BE REMOVED AND RE-INSTALLED AT A FUTURE DATE.
- THE REMEDIATION EQUIPMENT STRUCTURE SHALL BE USED SOLELY FOR THE STORAGE OF REMEDIATION EQUIPMENT.



ZONING SCHEDULE

ZONE: P1 - PLANNED INDUSTRIAL
USE: IS

BULK REGULATIONS - P1 ZONE	REQUIRED	PROVIDED
MIN. LOT AREA	40,000 S.F.	107,595 S.F. (PARCEL I)
MIN. LOT WIDTH	150 FT.	245 FT.
FRONT YARD SETBACK	50 FT.	35 FT. *
SIDE YARD SETBACK (ONE)	15 FT.	25 FT.
SIDE YARD SETBACK (BOTH)	40 FT.	54 FT.
REAR YARD SETBACK	20 FT.	81 FT.
FLOOR AREA RATIO (PARCEL I)	0.60	0.28
MAX. BUILDING HEIGHT (6' / FT. OF MIN. DISTANCE TO NEAREST LOT LINE)		
NEW OFFICE BUILDING - (85 FT.)	17'-6"	17 FT.
SOIL PROCESSING & STORAGE BLDGS. - (25 FT.)	12'-6"	51 FT. *
COVERED SOIL STORAGE AREA (ACCESSORY STRUCTURE)	15'-0"	12 FT.
REMEDIATION EQUIPMENT STRUCTURE (ACCESSORY STRUCTURE)	15'-0"	12 FT.

* DENOTES VARIANCE OBTAINED FROM THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS, ON OCT. 24, 1994.

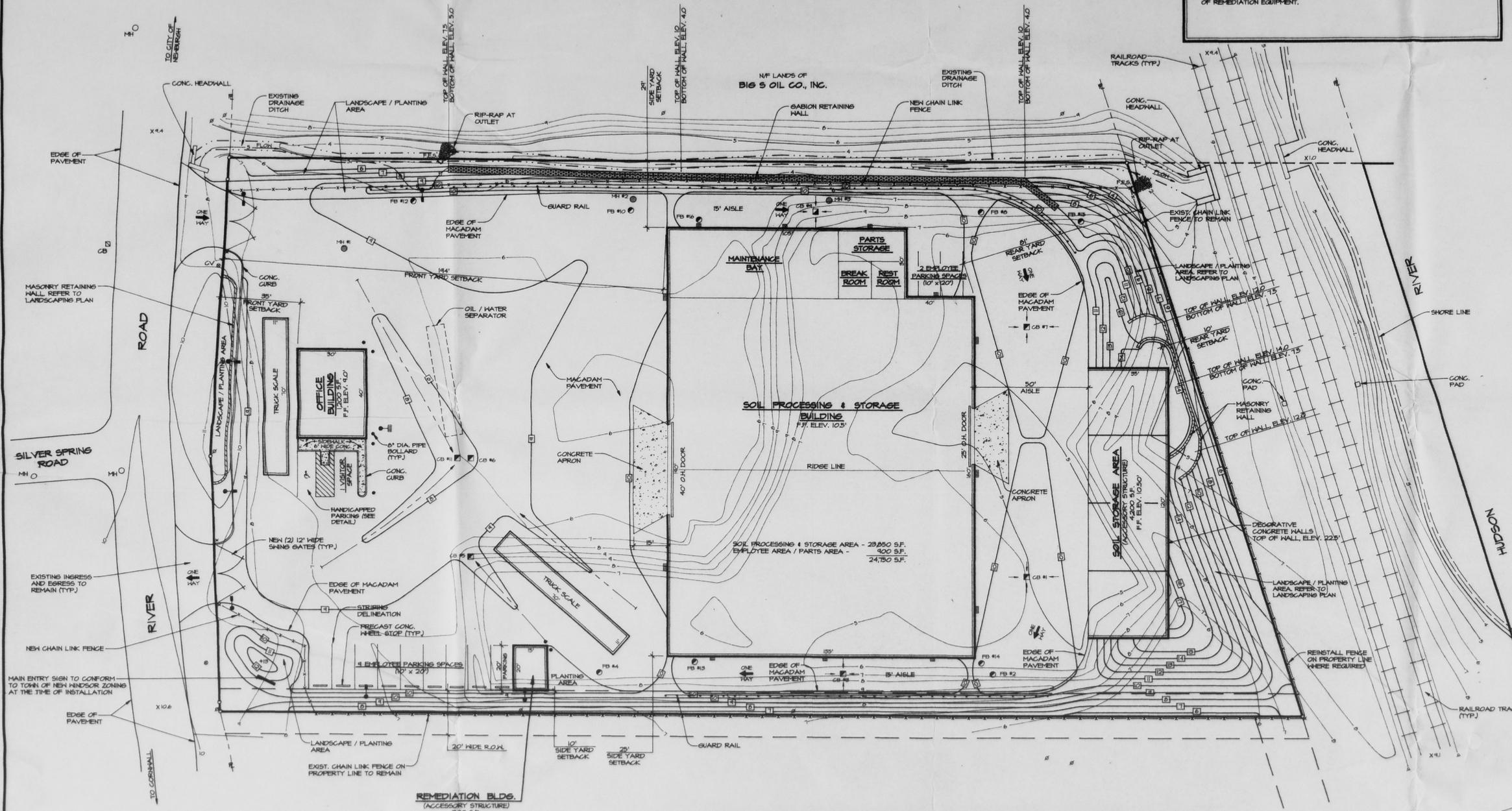
COVERAGES:	REQUIRED	PROVIDED
BUILDING COVERAGE % OF PARCEL I		28,480 S.F. 28.3 %
PAVEMENT COVERAGE % OF PARCEL I		56,542 S.F. 51.2 %
OPEN SPACE COVERAGE % OF PARCEL I		22,063 S.F. 20.5 %

PARKING SCHEDULE

OFFICE USE:	REQUIRED	PROVIDED
OFFICE BLDGS. 1,200 S.F.		
SOIL PROCESSING & STORAGE BLDGS. 24,750 S.F.		
COVERED SOIL STORAGE AREA 4,200 S.F.		
RE-EDIFICATION EQUIPMENT STRUCTURE 300 S.F.		
1 SPACE PER 200 S.F. OF FLOOR AREA (1,200 S.F. / 200 S.F. PER SPACE)	6 SPACES	6 SPACES
SOIL PROCESSING & STORAGE USE (EMPLOYEE PARKING)		
TOTAL:	6 SPACES	7 SPACES 15 SPACES

LEGEND

EXISTING	NEW
1' CONTOUR	FINISH GRADE
5' CONTOUR	CATCH BASIN No. 5
BOUNDARY	FLUSHING BASIN No. 4
ADJ. PROPERTY LINE	SAN. MANHOLE No. 2
UTILITY POLE	FLARED END SECTION
WATER VALVE	DRAINAGE SHALE
SAN. MANHOLE	MASONRY RETAINING WALL
CATCH BASIN	GABION WALL
	HALL PACK LIGHTING
	LIGHTING POLES



TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL

SITE PLAN APPROVED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON JAN 10 1995
BY CARMEN R. D'ARALDO, JR.
SECRETARY

Shaw Engineering
Consulting Engineers
744 Broadway
Newburgh, N.Y. 12550

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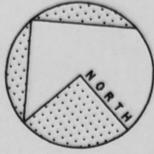
ISSUE	REVISION	DATE
2	AS PER SITE PLAN AMENDMENTS	11-9-1994
1	AS PER PLANNING BOARD COMMENTS OF APRIL 27, 1994	5-17-1994

Drawn By: J.R.J.
Checked By: G.J.S.
Scale: 1"=20'
Date: 11-1-1993

Drawing:
AMENDED PARTIAL SITE PLAN

Project:
NEW FACILITY FOR
I. D. C. SOIL RECLAMATION
RIVER ROAD
TOWN OF NEW WINDSOR, N.Y.

Project No. 9311



NOTES

1. LOCATION OF EXISTING SANITARY SEWER LATERAL OBTAINED FROM THE TOWN OF NEW HINDSOR SEWER DISTRICT 4 FILES.
2. PRIOR TO INSTALLATION OF SITE UTILITIES, CONTRACTOR SHALL EXCAVATE AND LOCATE END OF EXISTING SANITARY SEWER LATERAL. SHOULD THE LATERAL'S LOCATION AND ELEVATION BE OTHER THAN THAT ASSUMED, THE DESIGN ENGINEER SHALL BE NOTIFIED AND THE DESIGN DRAWINGS SHALL BE MODIFIED ACCORDINGLY.
3. WATER METER SHALL BE LOCATED IN THE HEATED AREA (PARTS / BREAK ROOM / REST ROOM) OF THE SOIL PROCESSING AND STORAGE BUILDING. THE WATER SERVICE FOR THE OFFICE BUILDING SHALL BE CONNECTED TO THE PIPING ON THE DISCHARGE SIDE OF THE METER.

LEGEND

- | | | | |
|--|---------------------|--|----------------------------|
| | EXISTING 1' CONTOUR | | NEW CATCH BASIN No. 5 |
| | EXISTING 5' CONTOUR | | NEW FLUSHING BASIN No. 4 |
| | BOUNDARY | | NEW SANITARY MANHOLE No. 2 |
| | ADJ. PROPERTY LINE | | CURB VALVE |
| | UTILITY POLE | | STORM SEWER |
| | VALVE | | WATER SERVICE |
| | 6" WATER MAIN | | 6" SANITARY SEWER |
| | 8" SANITARY SEWER | | FLARED END SECTION |
| | 12" STORM SEWER | | MASONRY RETAINING WALL |
| | | | GABION HALL |

UTILITY MATERIAL SPECIFICATIONS

- SANITARY SEWER SERVICE:**
1. PIPING: PVC SDR-35 AS MANUFACTURED BY JOHNS-MANVILLE OR EQUAL.
- WATER SERVICE:**
1. PIPING: COPPER, TYPE 'K'.
- STORM SEWERS AND ROOF DRAINS:**
1. PIPING: 12" PIPE, AS MANUFACTURED BY ADVANCED DRAINAGE SYSTEM.

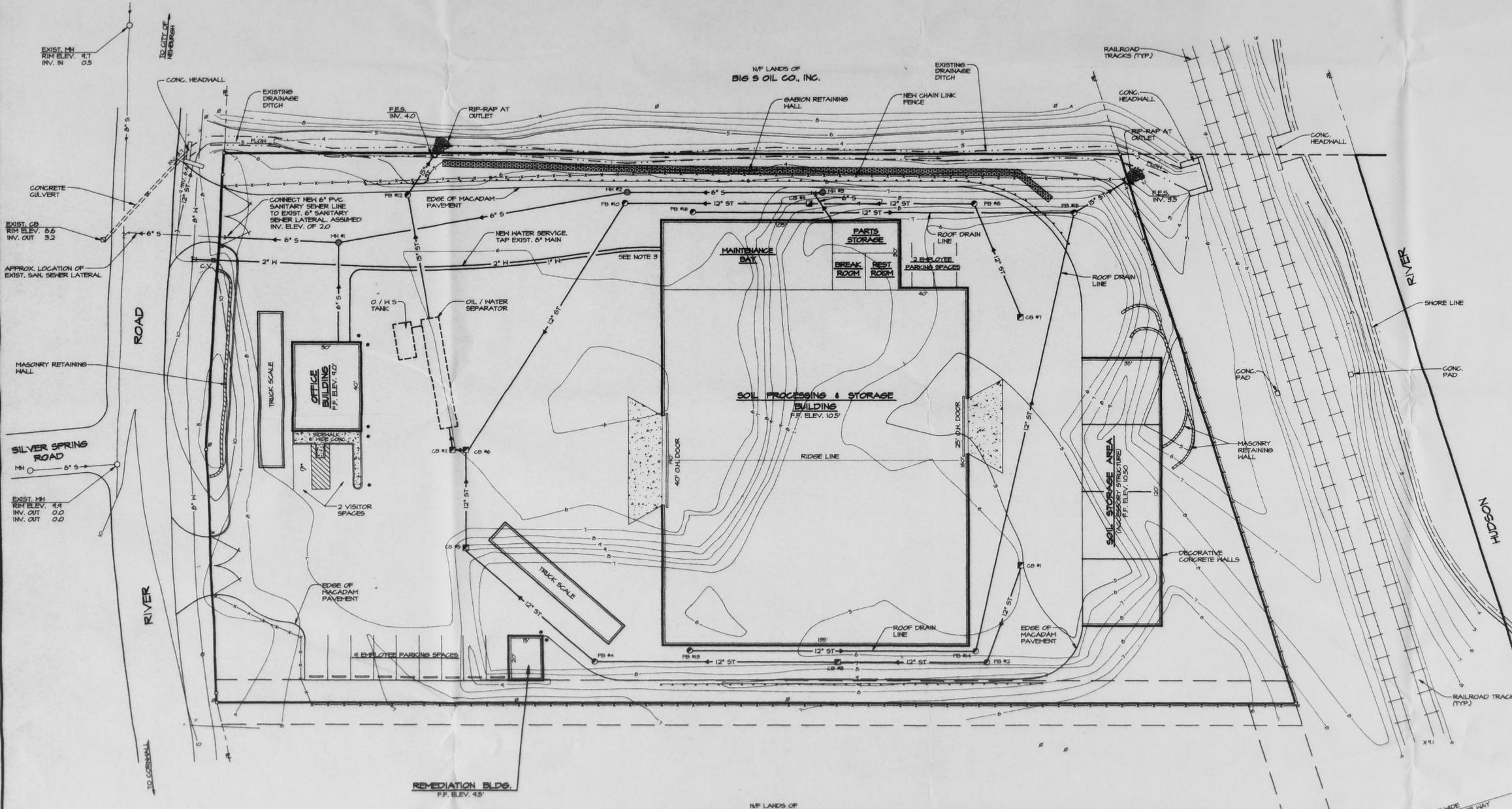
CATCH BASIN SCHEDULE

CATCH BASIN No.	RIM ELEV.	INV. IN	FROM		INV. IN	FROM	INV. OUT
			IN	OUT			
1	4.5						7.5
2	4.6	7.2	CB No. 1				7.2
3	4.5	6.8	FB No. 2				6.8
4	4.8	6.2	CB No. 3				6.2
5	6.8	5.8	FB No. 4				5.8
6	7.7	5.5	CB No. 5	5.5	FB No. 10		5.5
7	4.5						7.5
8	10.0	7.2	CB No. 7				7.2
9	4.5	6.8	FB No. 8				6.8
10	4.8	6.4	CB No. 9				6.4
11	7.8	5.4	CB No. 6				5.4
12	10.0	4.4	STRUCTURE SEPARATOR				4.4
13	4.4						7.5
14	4.4	6.2	FB No. 13				6.2
15	6.7	4.25	FB No. 16	4.25	FB No. 14		4.25
16	4.4						7.5

* DENOTES FLUSHING BASIN

SANITARY SEWER MANHOLE SCHEDULE

MANHOLE No.	RIM ELEV.	INV. IN	FROM	INV. IN	FROM	INV. OUT
1	6.5	2.5	MH No. 2	2.5	OFFICE BLDG.	2.5
2	4.8	3.8	MH No. 3			3.8
3	4.1					4.1



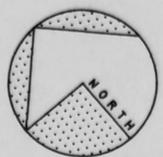
SITE PLAN
BY TOWN OF NEW HINDSOR
ON JAN 10 1995
BY CARMEN R. SUGALDA, JR.
SECRETARY

Shaw Engineering
Consulting Engineers
744 Broadway Newburgh N.Y. 12550

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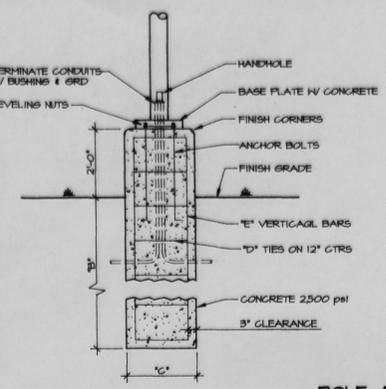
ISSUE	REVISION	DATE

Drawn By: J.R.J. Drawing: **UTILITY PLAN**
Checked By: G.J.S. Project: **NEW FACILITY FOR I.D.C. SOIL RECLAMATION**
Scale: 1"=20'
Date: 11-3-1994
RIVER ROAD TOWN OF NEW HINDSOR, N.Y. Project No. 9311

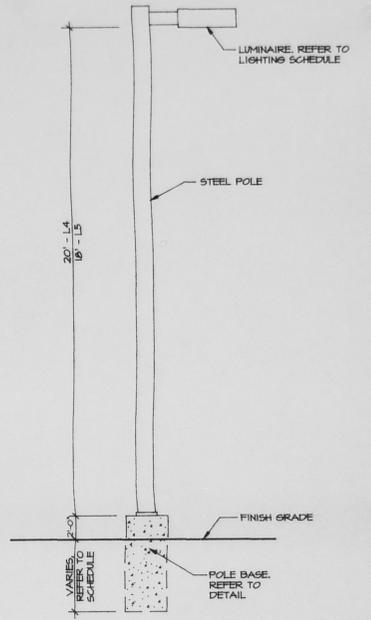


LIGHTING SCHEDULE	
L1	LUMARK WALL PACK MHXL (75W MH) MTS. # 15-07 AVG. TILT FACTOR 1 LUMENS 14,000 LIGHT LOSS FACTOR 1 AVG. FC LEVEL 1 TO 1.5
L2	LUMARK WALL PACK MHXP-FC-10-120V-LL (70W MH) MTS. # 10-07 AVG. TILT FACTOR 1 LUMENS 5,000 LIGHT LOSS FACTOR 1 AVG. FC LEVEL 1 TO 1.0
L3	LUMARK MHXL 400 (WALL MTS. FOR 2 AND POLE ADAPTER FOR 1) MTS. # 30-07 TILT ANGLE 60 DEGREES LUMENS 30,000 LIGHT LOSS FACTOR 1 AVG. FC LEVEL 1
L4	GARCO 250W MH LUMINAIRE W/ FM DISTRIBUTION MTS. 20' STEEL POLE
L5	GARCO 175W MH LUMINAIRE W/ FM DISTRIBUTION MTS. 18' STEEL POLE NOTE: THIS UNIT TO BE USED ONLY WHEN SCALE IS OPERATIONAL

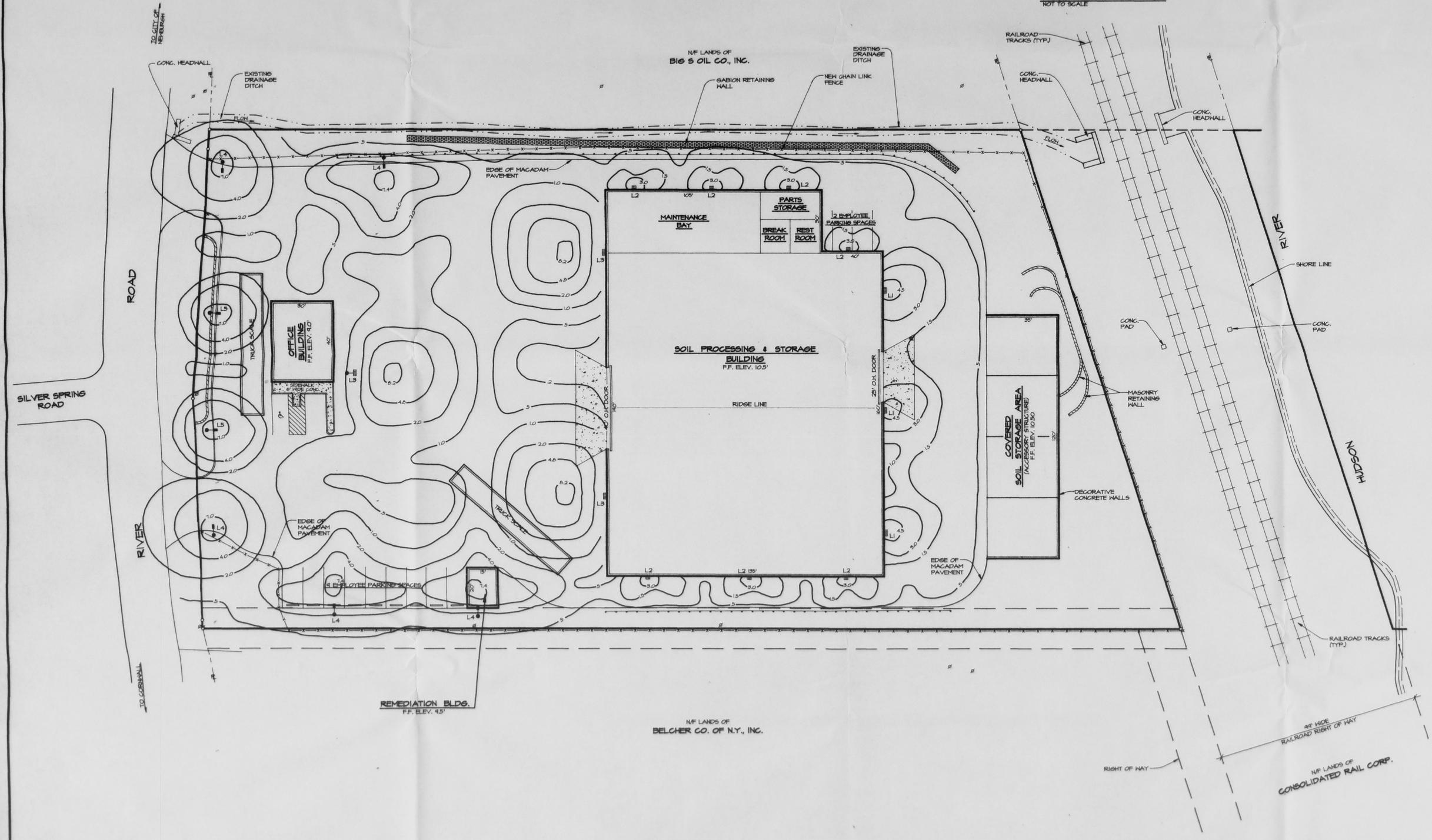
POLE BASE SCHEDULE				
POLE HEIGHT	FOOTING BELOW GRADE	FOUNDATION DIAMETER	HOOP TIES	VERTICAL REINFORCEMENTS
15' TO 20'	4'	2'	#5	4 - #4
21' TO 30'	5'	2'	#5	4 - #4
31' TO 40'	7'	2'-6"	#4	6 - #6
45'	7'-6"	2'-6"	#4	6 - #6



POLE BASE DETAIL
NOT TO SCALE



LIGHT POLE DETAIL
NOT TO SCALE



SITE PLAN APPROVAL GRANTED BY TOWN OF NEW HENSDOR PLANNING BOARD ON JAN 10 1995 BY CASHEN S. ENOCH, JR. SECRETARY

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Consulting Engineers
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ISSUE	REVISION	DATE

Drawn By: J.R.J.
Checked By: G.J.S.
Scale: 1"=20'
Date: 11-3-1994

Drawing: LIGHTING PLAN
Project: NEW FACILITY FOR I. D. C. SOIL RECLAMATION
RIVER ROAD TOWN OF NEW HENSDOR, N.Y.

3 OF 6
Project No. 9311

PLANT SCHEDULE	Common Name	Qty	Size	Root	Remarks
SHRUBS					
01	Artemisia tridentata	5	30"-36"	B&B	
02	Cornus rugeliana	3	3"	one	
03	Cotoneaster horizontalis	23	18"-24"	con.	Alt. Low everg. var.
04	Eleagnus umbellata	25	4"-8"	con.	
05	Euonymus alatus	15	18"-24"	con.	
06	Euonymus alatus	15	18"-24"	con.	
07	Euonymus alatus	15	18"-24"	con.	
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98	Euonymus alatus	15	18"-24"	con.	
99	Euonymus alatus	15	18"-24"	con.	
100	Euonymus alatus	15	18"-24"	con.	
TREES					
01	Acer rubrum	1	2 1/2"-3"	B&B	
02	Betula nana	1	4"-6"	B&B	Alt. 2nd yr. sapling
03	Cornus rugeliana	1	2 1/2"-3"	B&B	Single leader tree form
04	Osobacca indica	1	2 1/2"-3"	B&B	Multi LA select
05	Juniperus virginiana	1	7"-8"	B&B	Full
06	Pinus strobus	1	10"-12"	B&B	
07	Pinus strobus	1	10"-12"	B&B	
08	Pinus strobus	1	10"-12"	B&B	
09	Pinus strobus	1	10"-12"	B&B	
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48	Pinus strobus	1	10"-12"	B&B	
49	Pinus strobus	1	10"-12"	B&B	
50	Pinus strobus	1	10"-12"	B&B	
PERENNIALS					
01	Phlox subulata	5	gal		
02	Phlox subulata	5	gal		
03	Phlox subulata	5	gal		
04	Phlox subulata	5	gal		
05	Phlox subulata	5	gal		
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50	Phlox subulata	5	gal		

1. TREE PLANTING DETAIL

PLANTING NOTES

- Contractor shall check soil pH prior to start of work and amend as required to balance.
- Lawn exists on entire site, contractor shall repair all lawn as specified in each area. When required, all lawn surface that is removed shall be disposed of and not place lawn area top surface of two (2) inches back in plant bed area. This can be used for berm mounding base construction however use of roundup or equal herbicide is required two weeks prior to planting start beds are graded.
- Use 4" topsoil depth for beds. Use 2" min. for lawn and ground cover areas.
- Layout of beds must be coordinated and approved by LA.
- Contractor shall notify LA 7 days prior to planting.
- No tree shall be placed within 10' of a water line or closed drain line.
- Set all plants in staggered rows unless indicated otherwise as hedge or row.
- All plants shall be planted from March 30 - June 15 or from Sept. 1 - Oct. 30 and shall be guaranteed for one year from date of completion.
- Mulch shall be placed at 2" min. depth in all plant beds and at bases of each tree and be dark shredded or root type no nuggets will be acceptable.
- All plants must meet American Association of Nurserymen standards.

Seeding areas:

- Supplier: Lots Seed Co. Boundbrook, NJ or equal.
- General prep: Rough grade apply topsoil and seed (see specific treatment for wildflowers).
- Use soil bank when required see general notes this sheet.
- All seeded areas shall be covered with straw. If hand seeded and watered for two weeks.
- Hydroseeded option: apply in two step process. Place all seed mix with 10% of mulch fiber then apply balance mulch, fiber binder, separately. See hydroseed detailed specifications.

CV: Seed for steep slopes unimaintainable due to access:

- Crown vetch shall be seeded as follows: Crown vetch seed at 30#/acre and mixed with 40#/acre hard fescue. Use Erosion fabric when required (See General Notes). Spring seed only.

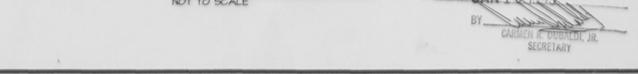
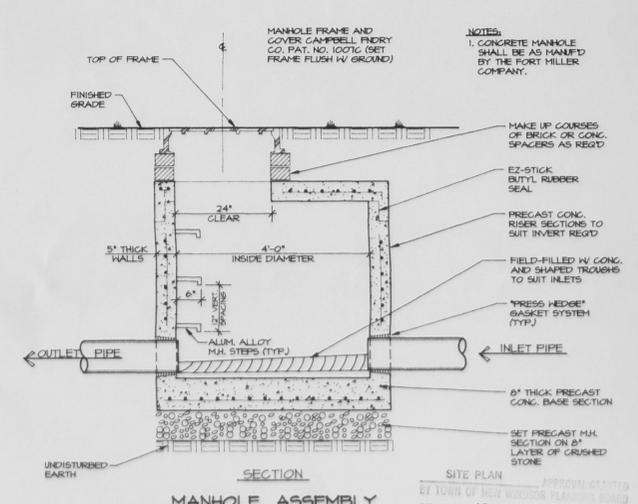
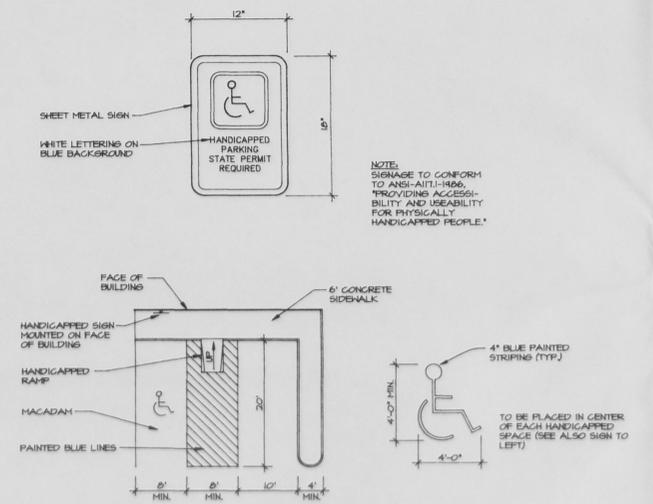
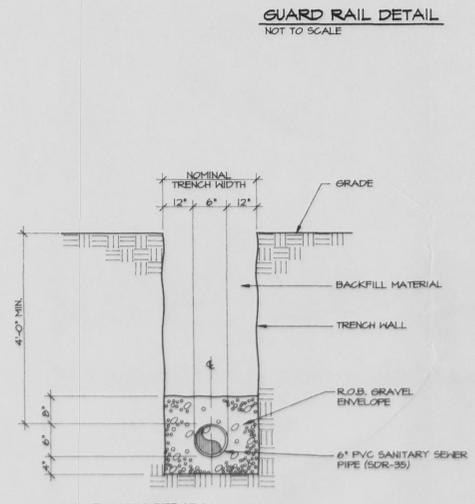
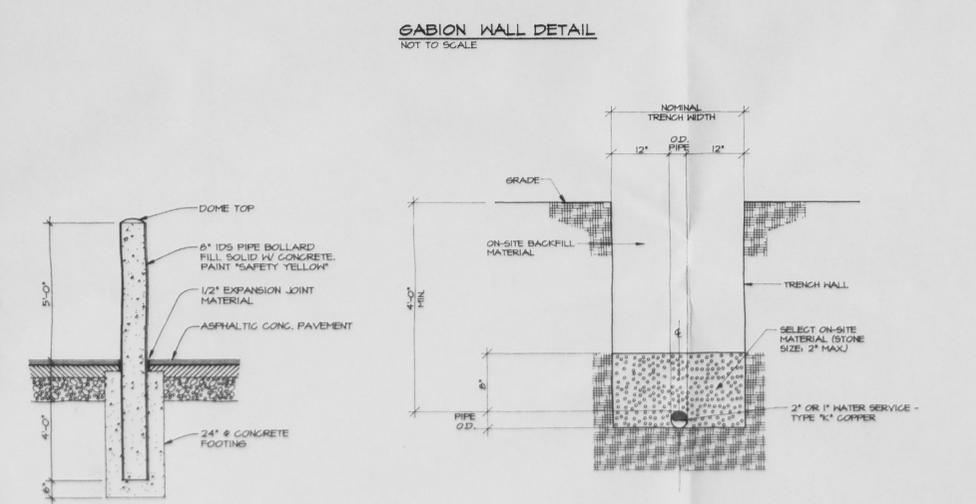
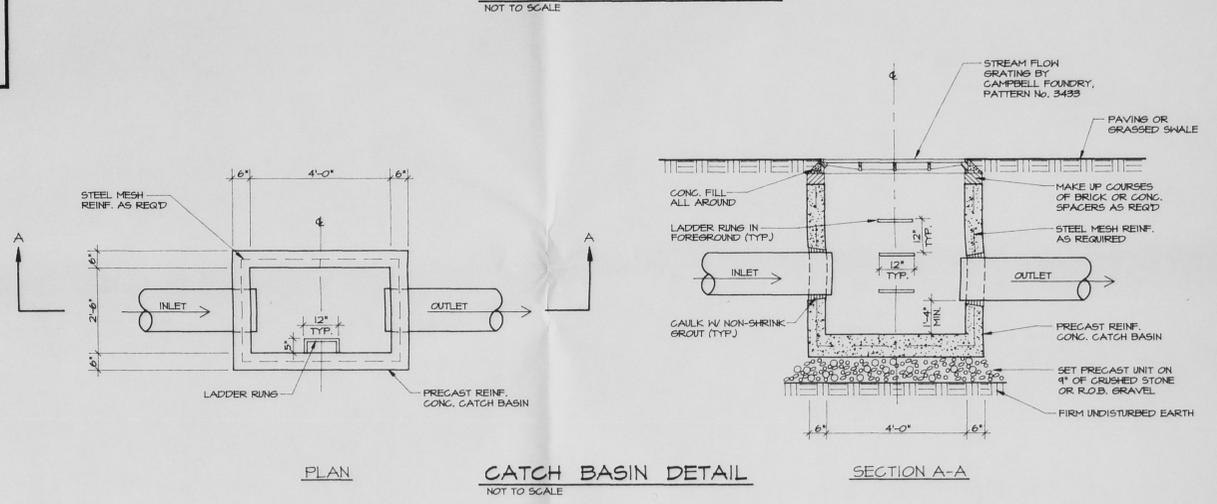
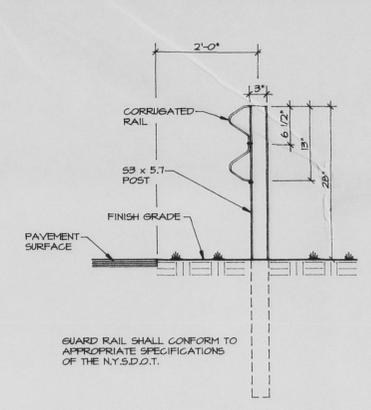
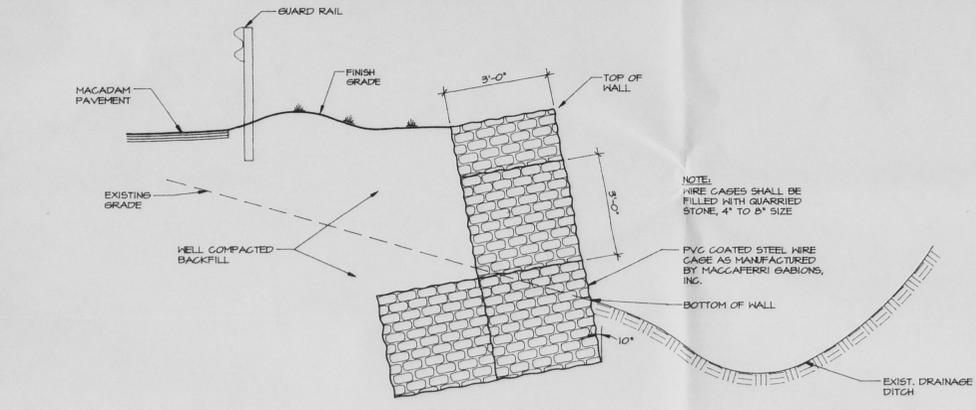
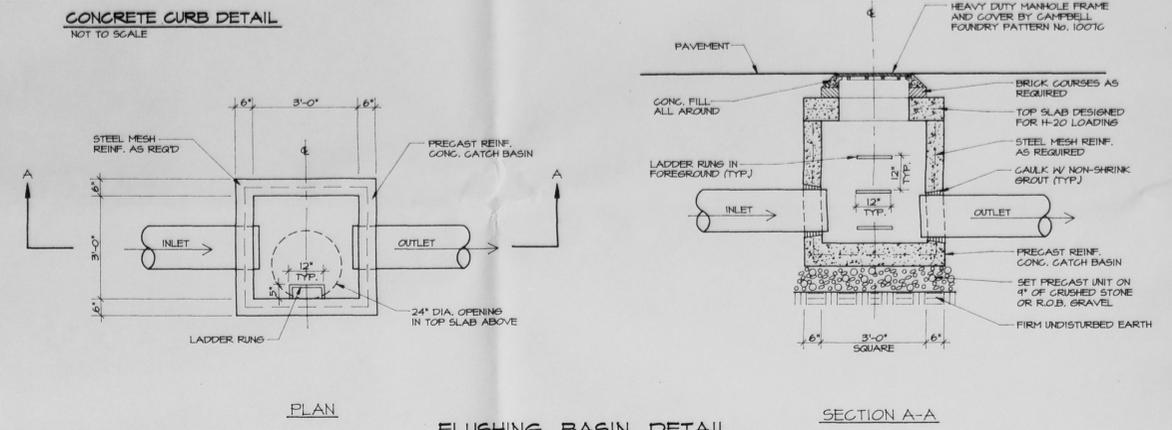
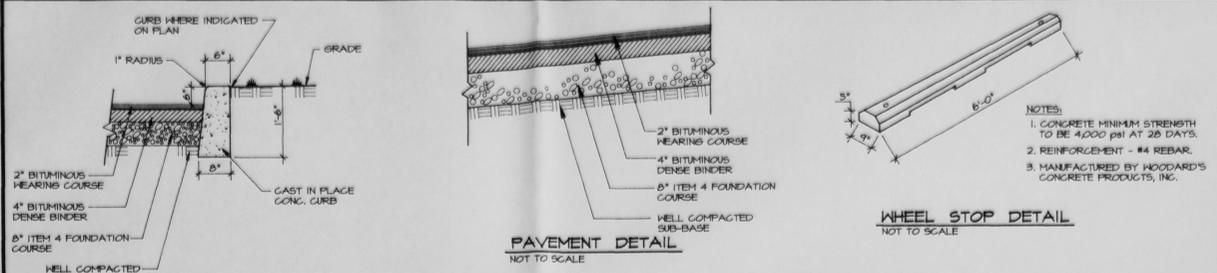
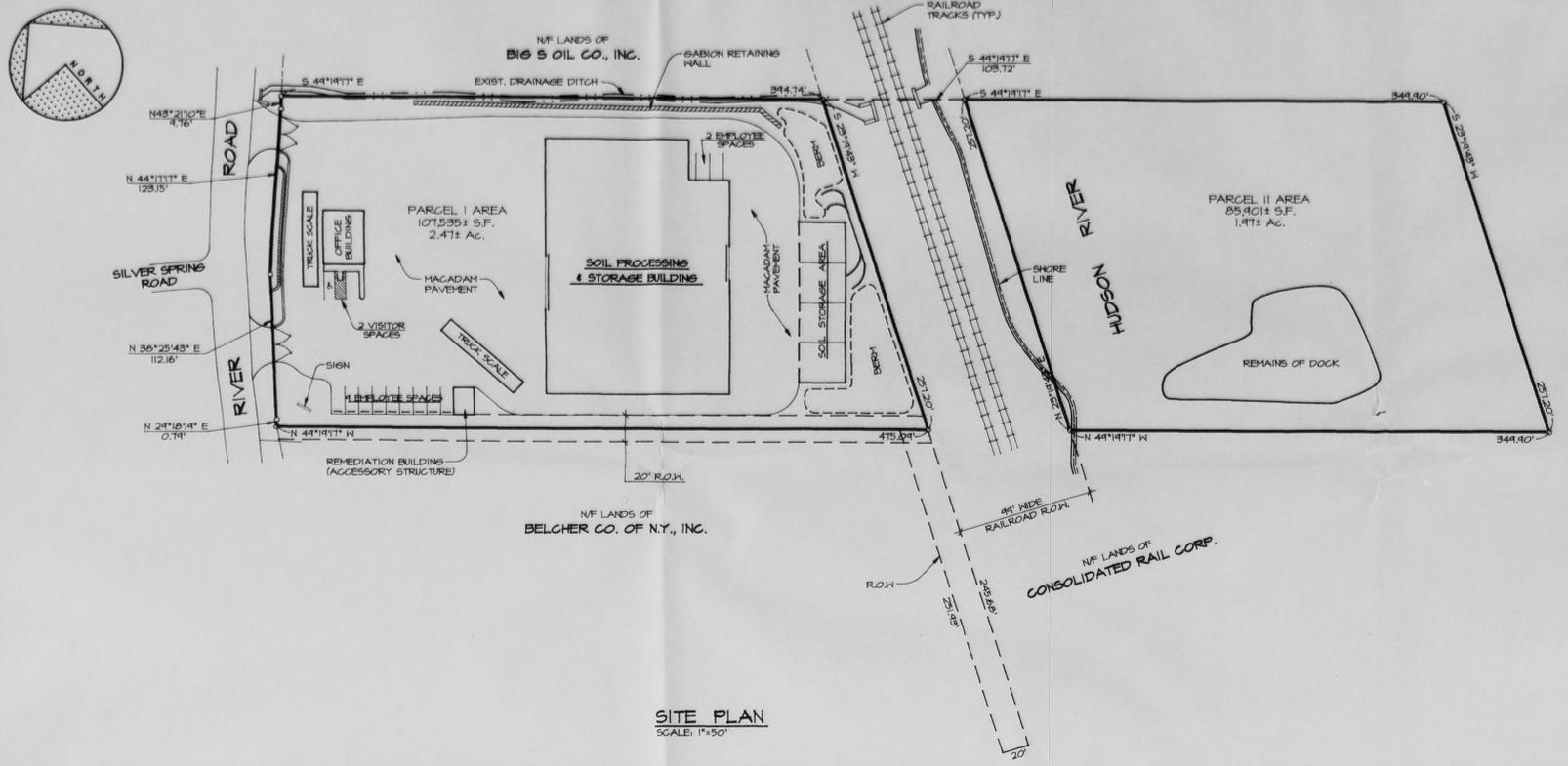
S-1: Seed for general use areas:

- Use Tri-Plex General mix - 60% Nassau Blue, 20% Jamestown Chewings Fescue, 20% Palmer perennial Rye Rate 4#/1000 SF Spring/Fall

S-2: Seed for most steep slopes low maintenance:

- Reclaim Conservation Mix 65% Reel 1 Tall Fescue, 15% Nassau kentucky blue, 10% Palmer II Rye, 10% Sabre and other mixes. Rate 4#/1000SF Spring/Fall

WF: Seed mix for



Shaw Engineering
Consulting Engineers
744 Broadway
Newburgh N.Y. 12550

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2	AS PER SITE PLAN AMENDMENTS	11-8-1984
1	NO REVISION	5-17-1984
ISSUE	REVISION	DATE

Drawn By: J.R.J.
Checked By: G.J.S.
Scale: AS SHOWN
Date: 11-1-1993

Project: NEW FACILITY FOR I. D. C. SOIL RECLAMATION
RIVER ROAD
TOWN OF NEW WINDSOR, N.Y.

APPROVAL STAMP BY TOWN OF NEW WINDSOR PLANNING BOARD ON JAN 1-9 1995
BY: GARDEN E. FERRARO, JR. SECRETARY

DETAILS
5 OF 6
Project No. 9311

EROSION CONTROL NOTES

Erosion Control Objectives
 Erosion Control Objectives are first, to minimize the opportunity for the soil to be moved by the wind, precipitation and runoff, and second to contain sediment that does not move close to its place of origin and thus, prevent it from reaching a waterbody or damaging other lands. The first goal is met by leaving the land that is disturbed unprotected for as short a time as possible. The second goal is met by installing appropriate control measures before land disturbing activities begin and then maintaining these measures as long as they are needed.

Measures
 Land Grading
 - Finish land surfaces will be graded as indicated on the Partial Site Plan.
 - Cut slopes will be 2:1 or flatter. The embankment slopes shall be roughened by grooving across the slope.
 - Berm construction shall be placed and compacted in 4" lifts. All base soil shall be earth fill, free of any debris, large rocks and impervious material.
 - Soil stabilization shall be achieved on all slopes 2:1 or steeper using Anti-wash Geo Jute mesh, Bellon Industries, Atlanta, GA or equal. This shall be placed immediately after hand seeding or prior to hydroseed method.
 - Areas which are to be topsoiled shall be scarified to a minimum depth of three inches prior to placement of topsoil.
 - As soon as final grades are reached the graded areas will be stabilized.
 - Final grading shall contain adequate gradients so as to prevent water from standing on the surface of lanes for more than 24 hours after the end of a rainfall.

Silt Fence
 - Silt fence shall be installed at the easterly base of the new landscape/planting area, and along the edge of the existing drainage ditch on the north side of the site.

Temporary Seeding
 - Temporary seed bare soil within 15 days of exposure unless construction will begin within 30 days. If construction is suspended, or sections completed, areas should be seeded and mulched immediately.
 - Apply temporary seeding consisting of Ryegrass (annual or perennial) at 30 lbs per acre.

Permanent Seeding
 - Refer to Drawing 5, "Landscape Plan 4 Details" for locations and specifications of Seeding Areas."

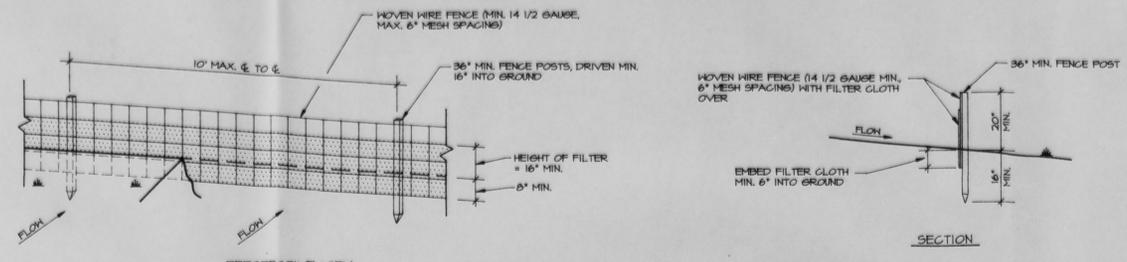
Topsoil/Mulching
 - Preserve existing topsoil and friable fine textured subsoils that must be stripped from the excavated site and applied after final grading where vegetation will be established. Complete rough grading and final grade, allowing for depth of topsoil to be added. Scarify all compact, slow permeable, medium and fine textured subsoil areas. Scarify at approximately right angles to the slope direction in soil area that are steeper than 5 percent. Remove refuse, woody plant parts, stones over 3 inches in diameter, and other litter.
 - Topsoil shall have at least 2 percent by weight of fine textured stable organic material, and no greater than 6 percent. Topsoil shall have not less than 20 percent fine textured material (passing the No. 200 sieve) and not more than 15 percent clay. Topsoil shall be relatively free of stones over 1 1/2 inches in diameter.
 - Topsoil shall be placed at a uniform depth of 2 inches for the Landscape/Planting Area, and 4 inches for the bed areas. Topsoil shall not be placed when it is partly frozen, muddy, or on frozen slopes or over ice, snow, or standing water. Topsoil placed and graded on slopes steeper than 5 percent shall be promptly fertilized, seeded, mulched and stabilized by "tracking" with suitable equipment.
 - If soil is compacted or crusted, surface should be loosened to at least two inches by disking or other suitable methods. Straw mulch (small grain) is preferred applied at 2 tons per acre, and anchored with wood fiber mulch (hydromulch) at 500-750 lbs. per acre. The wood fiber mulch must be applied through a hydroseeder immediately after mulching.

Maintenance
 - All erosion and sediment control measures will be inspected for stability and operation following every runoff producing rainfall but in no case less than once every week. Any needed repairs will be made immediately to maintain all measures as designed.
 - Sediment shall be removed from behind the silt fence when it becomes about 6 inches deep at the fence. Insure that no concentrated flows are directed towards the fence. Replace the silt fence when "bulges" develop in the fence.
 - All seeded areas will be fertilized, re-seeded as necessary, and mulched to maintain a vigorous, dense vegetative cover.
 - Remove sediment from vehicles prior to exiting the site. If the existing macadam pavement is regraded prior to the stabilization of the site, construct a stabilized construction entrance. Sediment spilled, dropped, or washed onto existing macadam roadways must be removed immediately.
 - Maintain dust control measures through dry weather periods until all disturbed areas are stabilized.

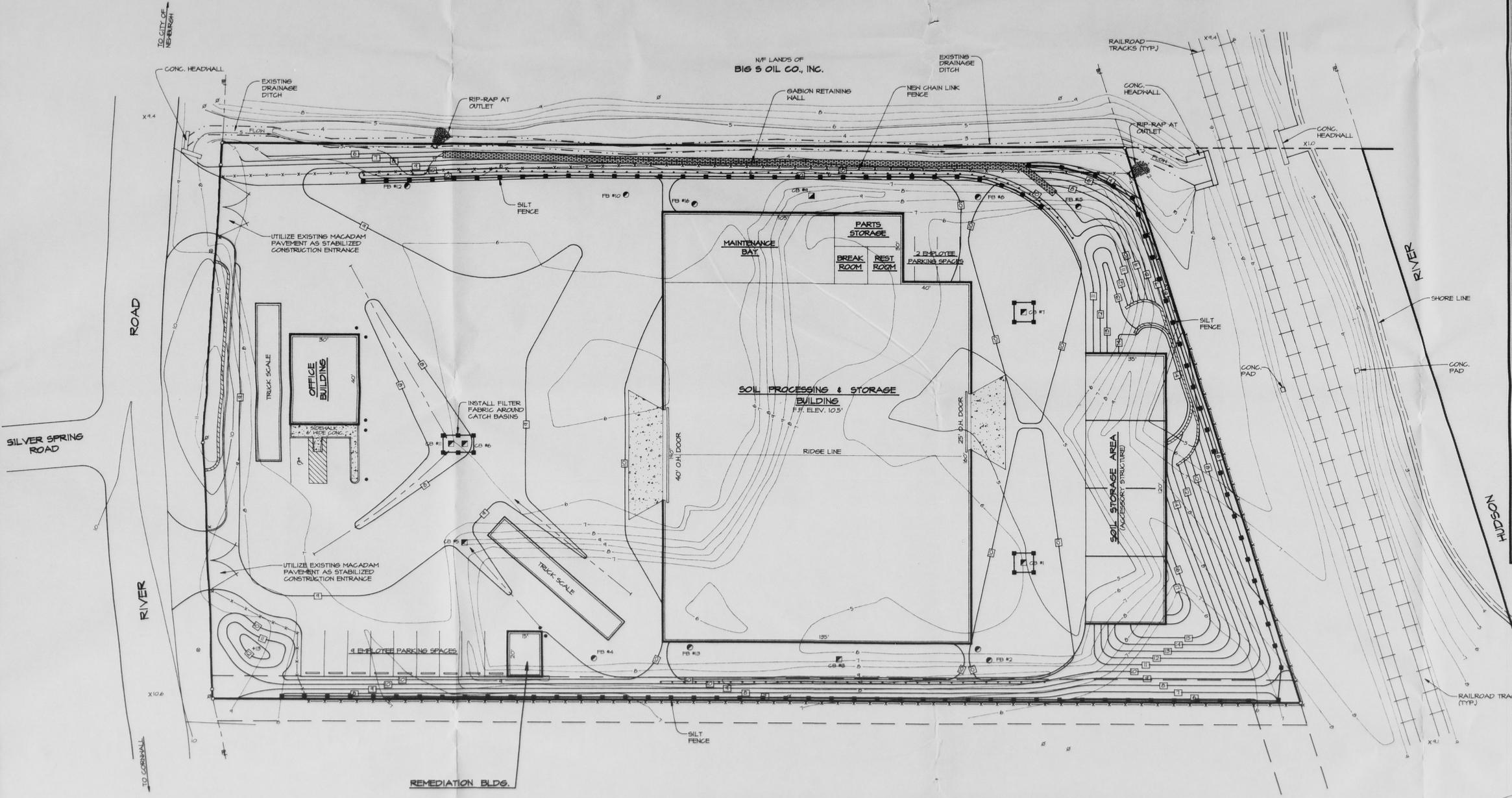
Inspections
 - The qualified representative of the owner shall inspect at least once every 7 calendar days and within 24 hours of the end of a rainfall that is 1/2 inch or greater the disturbed areas of the construction site that have not been finally stabilized and the structural control measures. Where portions of the construction area have been finally stabilized, inspection of such portions shall be conducted at least once every month until the entire site is finally stabilized.
 - The term "finally stabilized" means that all the soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% the cover for the area has been established, or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed.

CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

1. HOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 2. FILTER CLOTH TO BE FASTENED SECURELY TO HOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
 3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
 4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.
- POSTS:**
 STEEL EITHER 1" OR 1 1/2" TYPE OR 2" HARDWOOD
- FENCE:**
 HOVEN WIRE, 14 1/2 GAUGE 6" MAX. MESH OPENING
- FILTER CLOTH:**
 FILTER X, MIRAFI 1000, STABILINEX T40N OR APPROVED EQUAL
- PREFABRICATED UNIT:**
 GEOFAB, ENVIROFENCE, OR APPROVED EQUAL



SILT FENCE DETAIL
 NOT TO SCALE



Shaw Engineering
 Consulting Engineers
 744 Broadway Newburgh, N.Y. 12550

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1	AS PER SITE PLAN AMENDMENTS	11-9-1994
ISSUE	REVISION	DATE

Drawn By: J.R.J.
 Checked By: C.J.S.
 Scale: 1"=20'
 Date: 5-17-1994

Project: **EROSION & SEDIMENT CONTROL PLAN**
 NEW FACILITY FOR **I. D. C. SOIL RECLAMATION**
 RIVER ROAD TOWN OF NEH WINDSOR, N.Y.

APPROVED BY TOWN OF NEH WINDSOR PLANNING BOARD ON **JAN 14 1995**
 BY **CARMEN R. DUBALDI, JR.** SECRETARY

6 OF 6
 Project No. 9311

PLANT BUFFER
 SCREEN VIEW OF ASPHALT
 AND BUILDING
 FROM NORTH APPROACH
 ON RIVER ROAD

RIVER ROAD EDGE TREATMENT
 FORMAL DECIDUOUS TREES
 UNDERSTORY SHRUB BUFFER
 MOUNDED SLIGHT TO SCREEN
 ILLUMINATED TREES

SILVER SPRING ROAD

ACCESS

PLANTED BERM
 SCREEN BUILDING & SITE FROM RIVER
 - MIXTURE DENSE EVERGREENS,
 DECIDUOUS TREES & SHRUBS
 - BASE OF BERM CROWN VETCH ON
 RIVER SIDE
 - WILDFLOWERS IN ACCESSIBLE AREAS

HUDSON RIVER

SCALE

SOIL PROCESSING &
 STORAGE BUILDING

DECORATIVE RETAINING WALLS
 - INCREASE PLANT HEIGHTS
 - UNIT MASONRY
 - BROWN TEXTURED FINISH
 - ONLY TOP 2' VISIBLE FROM RIVER

EMPLOYEE PARKING

EGRESS

LAWN

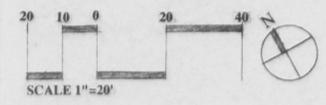
PROPERTY LINE

EXISTING PLANTING

20' WIDE ROW

COVERED SOIL STORAGE
 - DECORATIVE CONCRETE WALLS
 - BEIGE COLORED TEXTURED
 - SCREEN BY EVERGREEN PLANTING
 - PLACE RAISED DECORATIVE
 RETAINING WALLS ON RIVER SIDE TO
 INCREASE PLANT HEIGHTS

MAIN ENTRY
 ORNAMENTAL PLANTING
 - FLOWERING SHRUBS
 MOUNDED TO DEFINE ENTRY
 ENTRY SIGNS
 DECORATIVE LIGHTING
 PLANTS SCREEN ASPHALT

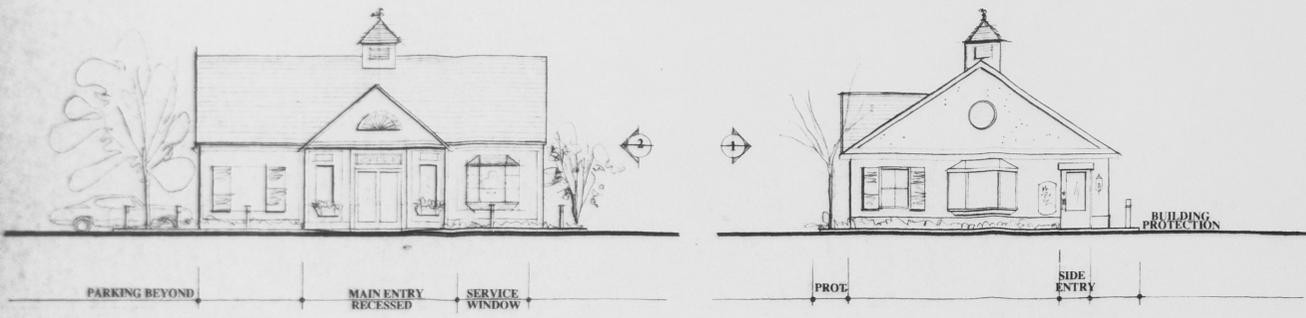


IDC Soil Reclamation
ILLUSTRATIVE
SITE PLAN

New Windsor, NY

Carl D. Montie, IA
 914-779-3988 212-866-6790

SEPTEMBER 1994

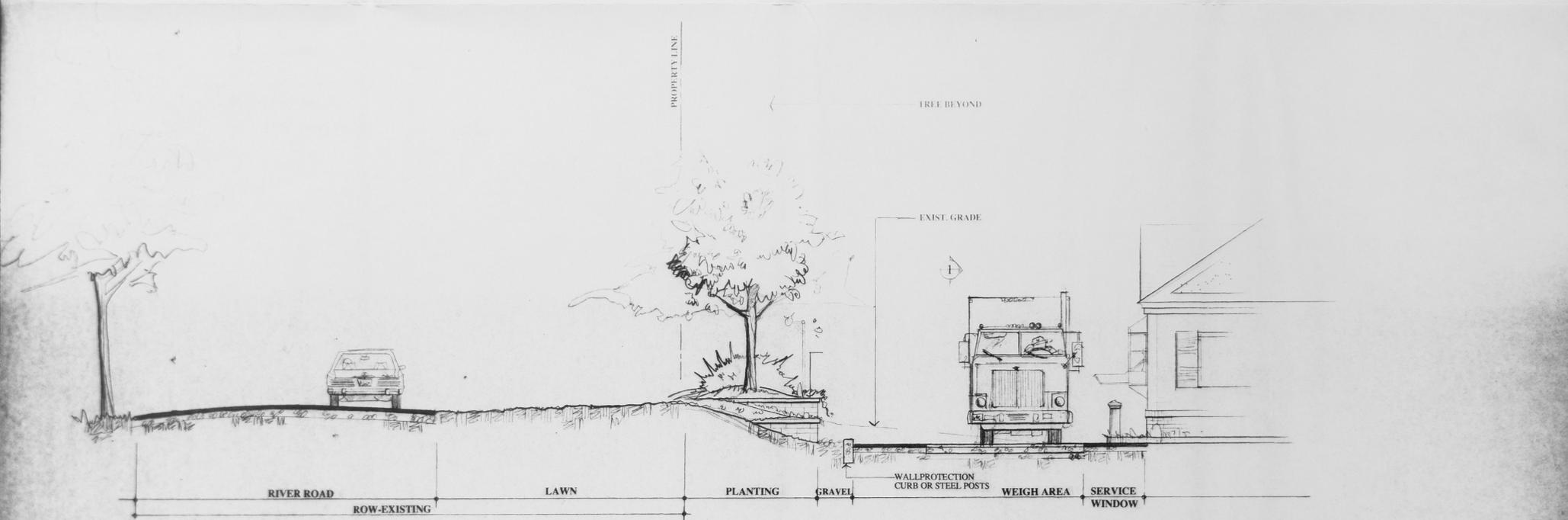


1 OFFICE BUILDING
FRONT ELEVATION FROM RIVER ROAD

1/8"=1'-0"

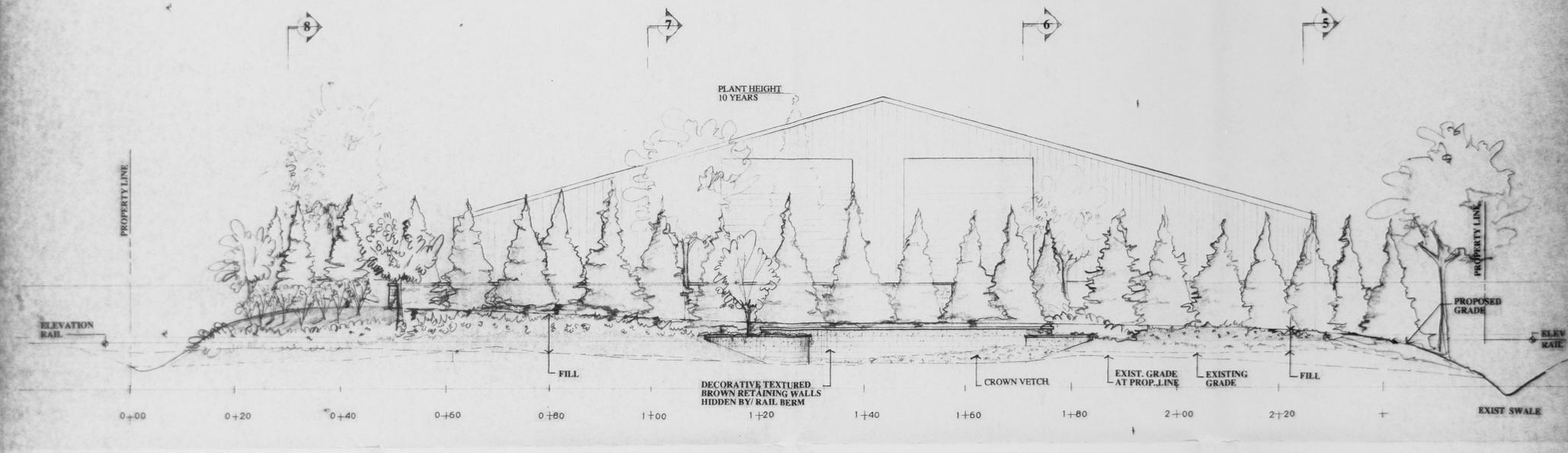
2 OFFICE BUILDING
SOUTH SIDE ELEVATION/FACING NORTH

1/8"=1'-0"



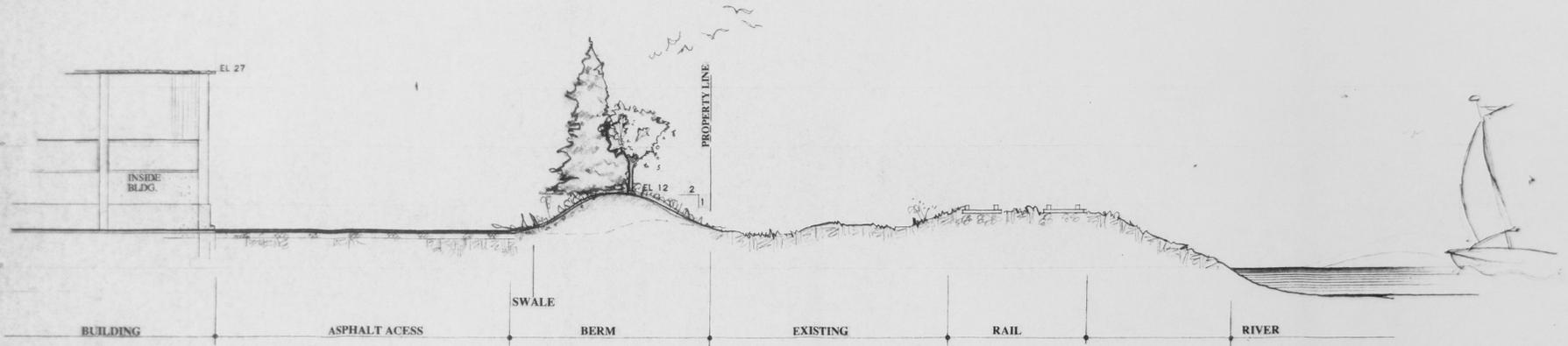
3 TREATMENT AT RIVER ROAD
TYPICAL SECTION/ELEVATION

1/4"=1'-0"

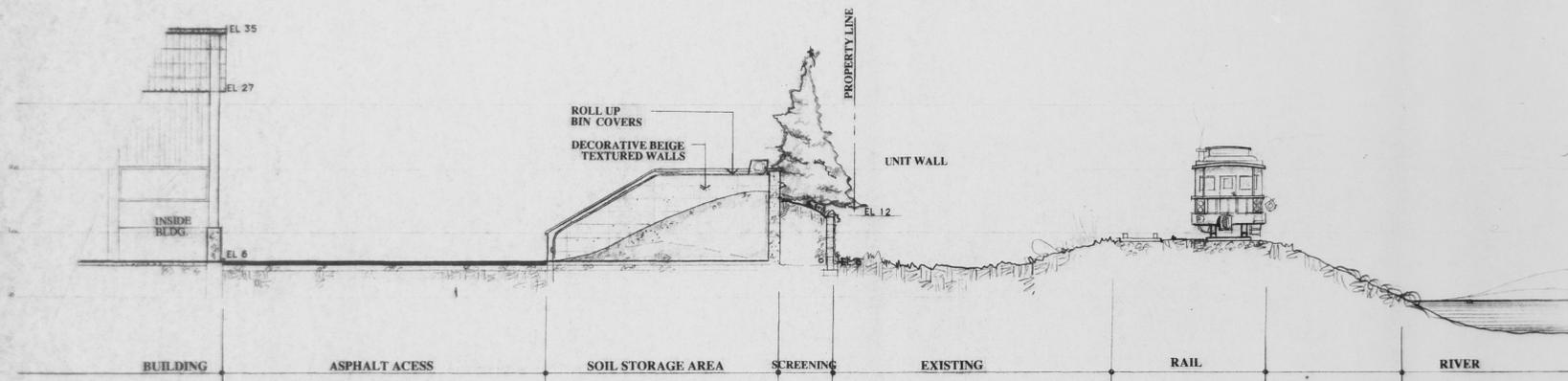


4 PLANTED SCREEN BERM FROM RIVER
PROFILE/ELEVATION FACING WEST- VIEWING PROPERTY

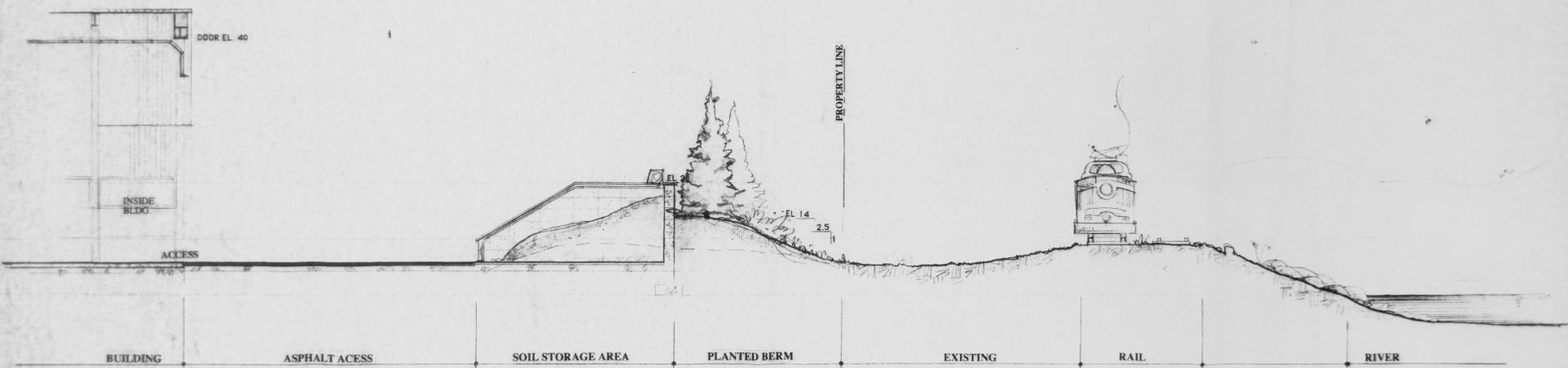
1"=10'



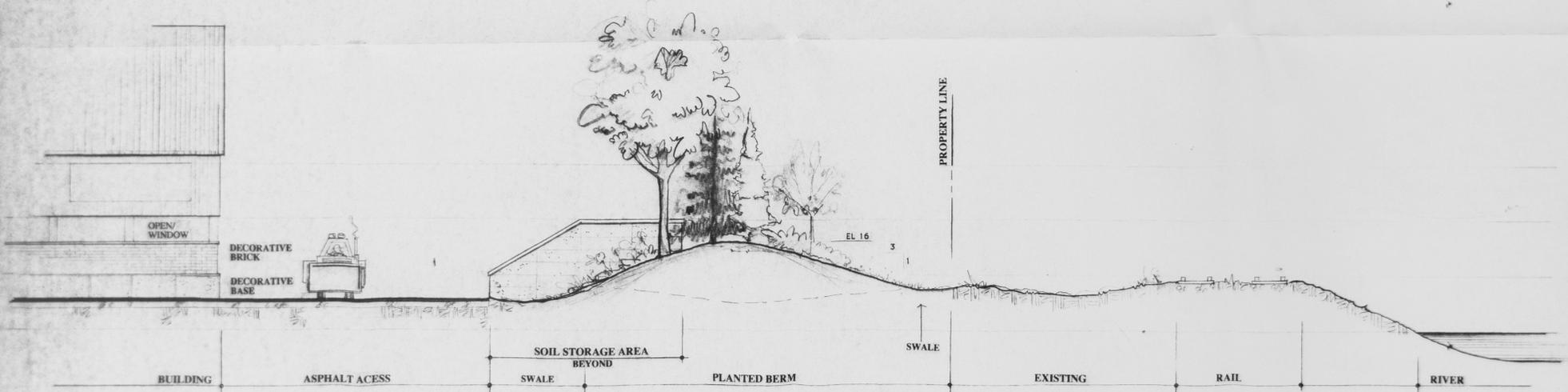
5 BUILDING SCREENING FROM RIVER
SECTION/ NORTH END



6 BUILDING & SOIL STORAGE AREA SCREENING
SECTION @ RETAINING WALL HIGH POINT



7 BUILDING & SOIL STORAGE AREA SCREENING
SECTION @ HIGH POINT MOUNDING ON STORAGE AREA



8

UTILITY MATERIAL SPECIFICATIONS

SANITARY SEWER SERVICE.
1. PIPING: PVC SDR-35 AS MANUFACTURED BY JOHNS-MANVILLE OR EQUAL.

WATER SERVICE.
1. PIPING: COPPER, TYPE "K".

STORM SEWERS AND ROOF DRAINS.
1. PIPING: 4" PIPE, AS MANUFACTURED BY ADVANCED DRAINAGE SYSTEM.

CATCH BASIN SCHEDULE

CATCH BASIN No.	RIM ELEV.	INV. IN	FROM	INV. IN	FROM	INV. OUT
1	6.7					6.7
2	6.7					6.7
3	6.7	6.6	CB No. 1	6.6	CB No. 2	6.6
4	4.1	6.0	SEPARATOR			6.0
5	4.5	5.6	FB No. 4			5.6
6	11.9					9.5
7	11.1	8.8	FB No. 6			8.8
8	11.0	7.8	FB No. 7	7.8	FB No. 9	7.5
9	11.9					9.5

* DENOTES FLUSHING BASIN

SANITARY SEWER MANHOLE SCHEDULE

MANHOLE No.	RIM ELEV.	INV. IN	FROM	INV. IN	FROM	INV. OUT
1	4.8	5.8	PUMP STATION	6.0	OFFICE BLDG.	6.0

NOTES

- ZONING DISTRICT: P1 ZONE
- RECORD OWNER & APPLICANT: IRA D. CONKLIN & SONS, INC. 42-44 STEWART AVENUE NEWBURGH, NEW YORK 12550
- TOTAL PARCEL AREA: PARCEL I: 2.41 ACRES (107,594 S.F.) WEST OF CONRAIL PARCEL II: 1.173 ACRES (50,901 S.F.) EAST OF CONRAIL 4.443 ACRES (193,454 S.F.)
- TAX MAP DESIGNATION: SECTION 9, BLOCK 1, LOT 98
- BOUNDARY, PLANIMETRIC, AND TOPOGRAPHIC INFORMATION TAKEN FROM A MAP ENTITLED "BOUNDARY / TOPOGRAPHIC SURVEY, IRA CONKLIN & SONS" PREPARED BY GREVAS AND HILDRETH, P.C., AND DATED SEPTEMBER 30, 1993.
- THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED APPROXIMATE, AND THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS AND ELEVATIONS PRIOR TO EXCAVATION. NEW YORK STATE INDUSTRIAL CODE REQUIRES TWO (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING, OR BLASTING UNDERGROUND UTILITIES. CENTER TELEPHONE No. 15 1-800-245-2828.
- ELEVATIONS INDICATED ARE REFERENCED TO U.S.G.S. DATUM.
- EXISTING ON-SITE RAILROAD TRACK (SPUR) IS SCHEDULED TO BE REMOVED AND RE-INSTALLED AT A FUTURE DATE.
- THE REMEDIATION EQUIPMENT STRUCTURE SHALL BE USED SOLELY FOR THE STORAGE OF REMEDIATION EQUIPMENT.

NOTES CONTINUED

- I.D.C. WILL ACCEPT AND TRANSPORT SOIL BETWEEN THE HOURS OF 6:00 A.M. TO 6:00 P.M., MONDAY THROUGH SATURDAY. I.D.C. WILL OPERATE THE SOIL REMEDIATION UNIT ONLY WITHIN HOURS OF 6:00 A.M. TO 6:00 P.M., SIX DAYS PER WEEK. THIS EXCLUDES MAINTENANCE ON THE UNIT.
- LOCATION OF EXISTING SANITARY SEWER LATERAL OBTAINED FROM THE TOWN OF NEW WINDSOR SEWER DISTRICT # FILES.
- PRIOR TO INSTALLATION OF SITE UTILITIES, CONTRACTOR SHALL EXCAVATE AND LOCATE END OF EXISTING SANITARY SEWER LATERAL. SHOULD THE LATERAL'S LOCATION AND ELEVATION BE OTHER THAN THAT ASSUMED, THE DESIGN ENGINEER SHALL BE NOTIFIED AND THE DESIGN DRAWINGS SHALL BE MODIFIED ACCORDINGLY.
- STORM DRAINAGE SYSTEM BASED UPON A TEN YEAR, 1 HR STORM HAVING A RAINFALL INTENSITY OF 1.8 INCHES PER HOUR.

VICINITY MAP

ZONING SCHEDULE

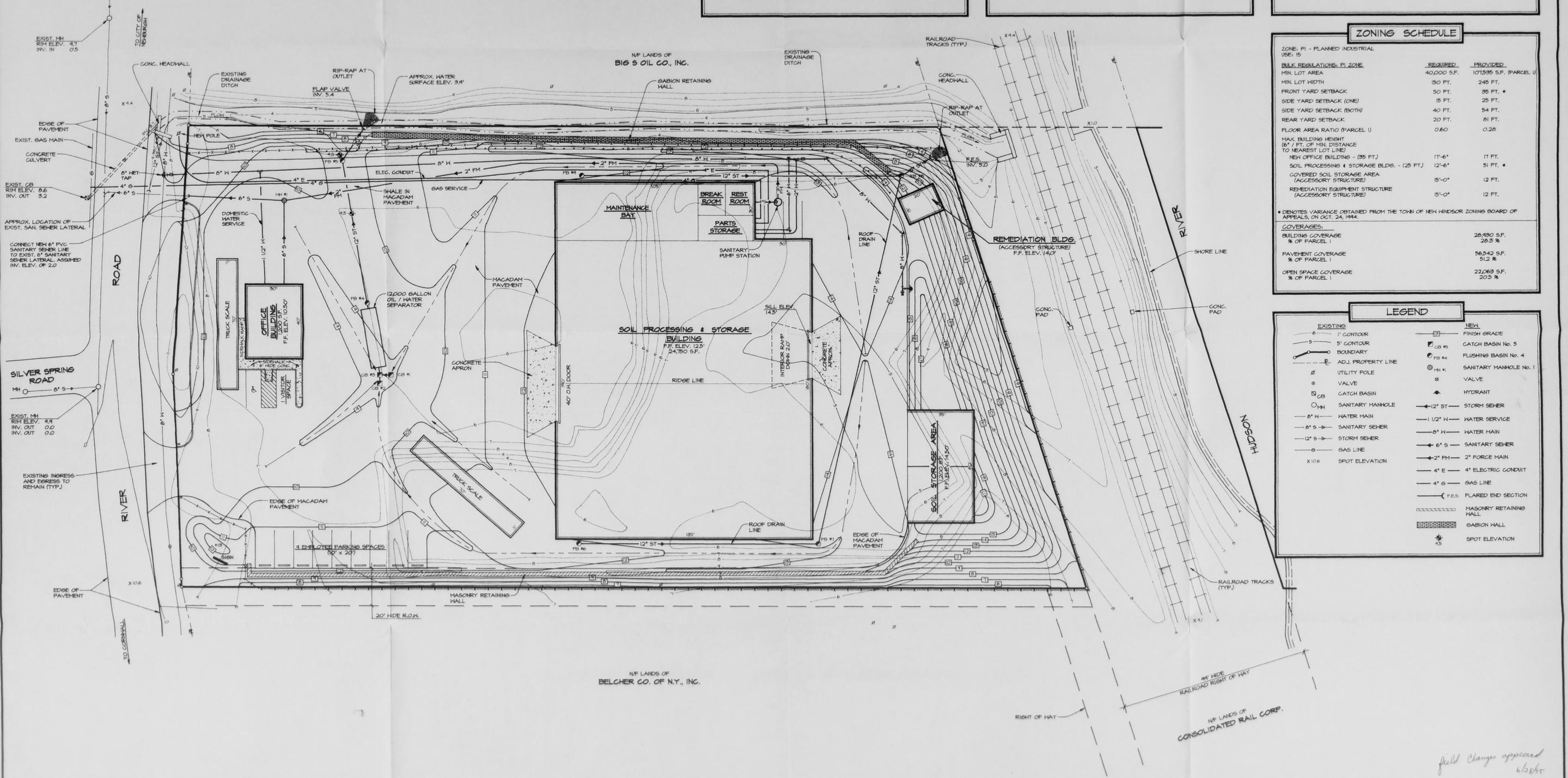
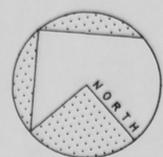
ZONE: P1 - PLANNED INDUSTRIAL USE: I5	REQUIRED	PROVIDED
BULK REGULATIONS: P1 ZONE		
MIN. LOT AREA	40,000 S.F.	107,595 S.F. (PARCEL I)
MIN. LOT WIDTH	150 FT.	245 FT.
FRONT YARD SETBACK	50 FT.	35 FT.
SIDE YARD SETBACK (ONE)	15 FT.	25 FT.
SIDE YARD SETBACK (BOTH)	40 FT.	54 FT.
REAR YARD SETBACK	20 FT.	81 FT.
FLOOR AREA RATIO (PARCEL I)	0.60	0.26
MAX. BUILDING HEIGHT (6' / FT. OF MIN. DISTANCE TO NEAREST LOT LINE)		
NEW OFFICE BUILDING - (35 FT.)	17'-6"	17 FT.
SOIL PROCESSING & STORAGE BLDG. - (25 FT.)	12'-6"	51 FT.
COVERED SOIL STORAGE AREA (ACCESSORY STRUCTURE)	15'-0"	12 FT.
REMEDATION EQUIPMENT STRUCTURE (ACCESSORY STRUCTURE)	15'-0"	12 FT.

* DENOTES VARIANCE OBTAINED FROM THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS, ON OCT. 24, 1994.

COVERAGES:		
BUILDING COVERAGE % OF PARCEL I	28,490 S.F.	28.3 %
PAVEMENT COVERAGE % OF PARCEL I	56,542 S.F.	51.2 %
OPEN SPACE COVERAGE % OF PARCEL I	22,063 S.F.	20.5 %

LEGEND

EXISTING	NEW
1' CONTOUR	FINISH GRADE
5' CONTOUR	CB #5 CATCH BASIN No. 5
BOUNDARY	FB #4 FLUSHING BASIN No. 4
ADJ. PROPERTY LINE	SM SANITARY MANHOLE No. 1
UTILITY POLE	SV VALVE
VALVE	HYDRANT
CB CATCH BASIN	12" ST. STORM SEWER
SM SANITARY MANHOLE	1 1/2" W. WATER SERVICE
6" W. WATER MAIN	8" W. WATER MAIN
8" S. SANITARY SEWER	6" S. SANITARY SEWER
12" S. STORM SEWER	2" FM 2" FORCE MAIN
GAS LINE	4" E. 4" ELECTRIC CONDUIT
X10.0 SPOT ELEVATION	4" G. GAS LINE
	F.E.S. FLARED END SECTION
	MASONRY RETAINING WALL
	GABION WALL
	45 SPOT ELEVATION



Shaw Engineering
Consulting Engineers
744 Broadway Newburgh N.Y. 12550

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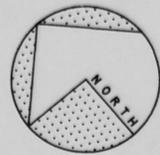
ISSUE	REVISION	DATE
2	RAISE FINISH GRADES 2 FT.	4-7-1995
1	DELETE SITE STORM DRAIN PIPING, RAISE FINISH GRADES	5-28-1995

Drawn By: J.R.J.
Checked By: G.J.S.
Scale: 1"=20'
Date: 2-23-1995

Drawing: AMENDED UTILITY PLAN
Project: NEW FACILITY FOR I. D. C. SOIL RECLAMATION
RIVER ROAD TOWN OF NEW WINDSOR, N.Y.

1 OF 1
Project No. 9311

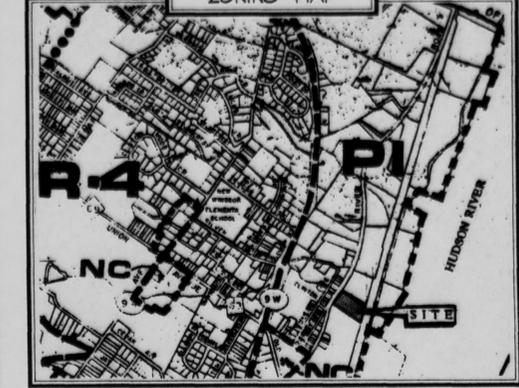
field changes approved 6/2/95



NOTES

- ZONING DISTRICT: P1 ZONE
- RECORD OWNER & APPLICANT: IRA D. CONKLIN & SONS, INC. 42-44 STEWART AVENUE NEWBURGH, NEW YORK 12550
- TOTAL PARCEL AREA: PARCEL 1: 2.478 ACRES (107,535 S.F.) WEST OF CONRAIL PARCEL 11: 1.174 ACRES (50,910 S.F.) EAST OF CONRAIL 4.444 ACRES (193,436 S.F.)
- TAX MAP DESIGNATION: SECTION 9, BLOCK 1, LOT 4B
- BOUNDARY, PLANIMETRIC AND TOPOGRAPHIC INFORMATION TAKEN FROM A MAP ENTITLED "BOUNDARY / TOPOGRAPHIC SURVEY, IRA CONKLIN & SONS" PREPARED BY REVAS AND HILDRETH, P.C., AND DATED SEPTEMBER 20, 1989.
- THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED APPROXIMATE, AND THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS AND ELEVATIONS PRIOR TO EXCAVATION. NEW YORK STATE INDUSTRIAL CODE REQUIRES TWO (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING, OR BLASTING. UNDERGROUND UTILITIES CENTER TELEPHONE No. 15 1-800-245-2828.
- ELEVATIONS INDICATED ARE REFERENCED TO U.S.G.S. DATUM.
- EXISTING ON-SITE RAILROAD TRACK (SPUR) IS SCHEDULED TO BE REMOVED AND RE-INSTALLED AT A FUTURE DATE.
- THE REMEDIATION EQUIPMENT STRUCTURE SHALL BE USED SOLELY FOR THE STORAGE OF REMEDIATION EQUIPMENT.

ZONING MAP



ZONING SCHEDULE

ZONE: P1 - PLANNED INDUSTRIAL
USE: I5

BULK REGULATIONS: P1 ZONE	REQUIRED	PROVIDED
MIN. LOT AREA	40,000 S.F.	107,535 S.F. (PARCEL 1)
MIN. LOT WIDTH	150 FT.	245 FT.
FRONT YARD SETBACK	50 FT.	35 FT. *
SIDE YARD SETBACK (ONE)	15 FT.	25 FT.
SIDE YARD SETBACK (BOTH)	40 FT.	54 FT.
REAR YARD SETBACK	20 FT.	81 FT.
FLOOR AREA RATIO (PARCEL 1)	0.60	0.28
MAX. BUILDING HEIGHT (6' / FT. OF MIN. DISTANCE TO NEAREST LOT LINE)		
NEW OFFICE BUILDING - (35 FT.)	17'-6"	17 FT.
SOIL PROCESSING & STORAGE BLDGS. - (25 FT.)	12'-6"	51 FT. *
COVERED SOIL STORAGE AREA (ACCESSORY STRUCTURE)	15'-0"	12 FT.
REMEDATION EQUIPMENT STRUCTURE (ACCESSORY STRUCTURE)	15'-0"	12 FT.

* DENOTES VARIANCE OBTAINED FROM THE TOWN OF NEW HAVEN ZONING BOARD OF APPEALS ON OCT. 24, 1994.

COVERAGES:

BUILDING COVERAGE % OF PARCEL 1	26,430 S.F.	28.3 %
PAVEMENT COVERAGE % OF PARCEL 1	56,542 S.F.	51.2 %
OPEN SPACE COVERAGE % OF PARCEL 1	22,063 S.F.	20.3 %

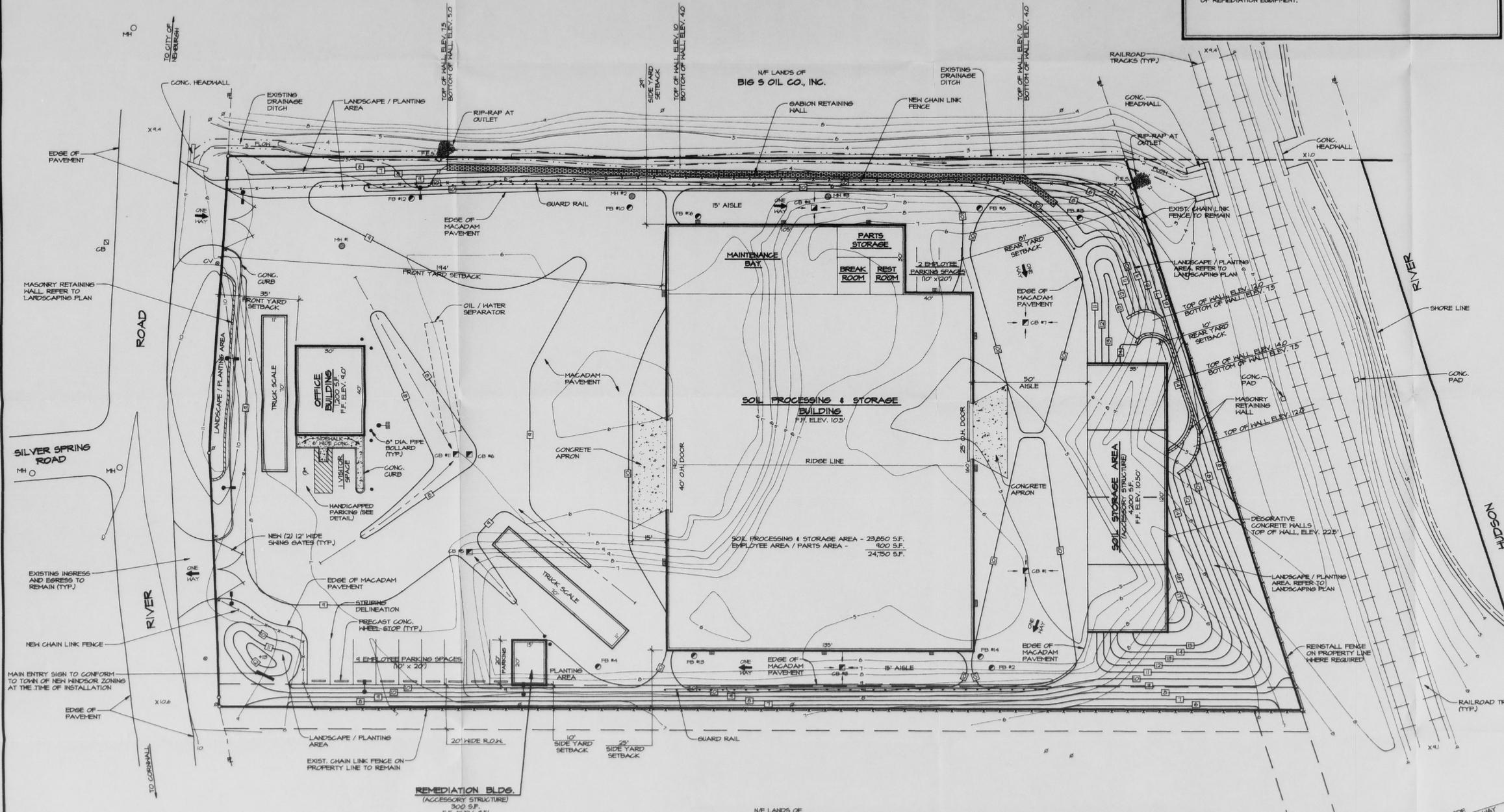
PARKING SCHEDULE

PARKING SCHEDULE:

OFFICE BLDGS.	1,200 S.F.		
SOIL PROCESSING & STORAGE BLDGS.	24,750 S.F.		
COVERED SOIL STORAGE AREA	4,200 S.F.		
REMEDATION EQUIPMENT STRUCTURE	300 S.F.		
OFFICE USE:		REQUIRED	PROVIDED
1 SPACE PER 200 S.F. OF FLOOR AREA (1,200 S.F. / 200 S.F. PER SPACE)		6 SPACES	6 SPACES
SOIL PROCESSING & STORAGE USE:			
(EMPLOYEE PARKING)		TOTAL: 6 SPACES	7 SPACES

LEGEND

EXISTING	NEW
6" 1' CONTOUR	FINISH GRADE
5" 5' CONTOUR	CATCH BASIN No. 5
BOUNDARY	FLUSHING BASIN No. 4
ADJ. PROPERTY LINE	SAN. MANHOLE No. 2
UTILITY POLE	FLARED END SECTION
WATER VALVE	DRAINAGE SHALE
SAN. MANHOLE	MASONRY RETAINING WALL
CATCH BASIN	GABION WALL
	HALL PACK LIGHTING
	LIGHTING POLES



N/4 LANDS OF BELCHER CO. OF N.Y., INC.

TOWN OF NEW HAVEN PLANNING BOARD STAMP OF APPROVAL

THIS SITE PLAN IS AN AMENDMENT TO THE PREVIOUSLY APPROVED SITE PLAN FOR 12.6% SOIL RECLAMATION DESIGNATED AS TOWN OF NEW HAVEN PLANNING PROJECT NUMBER 93-ST.

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ISSUE	REVISION	DATE
2	AS PER SITE PLAN AMENDMENTS	11-3-1994
1	AS PER PLANNING BOARD COMMENTS OF APRIL 27, 1994	5-17-1994

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Checked By: G.J.S.	Project: RIVER ROAD TOWN OF NEW HAVEN, N.Y.	Project No. 9311
Scale: 1"=20'		
Date: 11-1-1993		