

Conservation Advisory Council | City of Newburgh, New York

The Heritage Center, 123 Grand St., Newburgh, NY 12550

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Council Members:

Chuck Thomas | Chair

Gail Fulton

Zachary German

Chris Knasiak

Lesly Mejia

Mark Sanchez-Potter



**Conservation Advisory Council
Minutes of Meeting
September 9, 2024
6:30 p.m. – Heritage Center**

- **Roll Call**

Present:

**Chuck Thomas, Chairperson, Gail Fulton,
Chris Knasiak, Lesly Mejia, Mark Sanchez-Potter**

Excused Absence:

Zachary German

Also Present:

**Tallie Carter, Assistant Corporation Counsel
J.K. Gentile, Secretary**

Guests:

Kathy Lawrence, Peggy Kurtz/Joule Community Power

Meeting called to order 6:40p.m.

- **Public Comment on Agenda Items**

No comment.

- **Projects**

Site Plan Review

5 Scobie Drive

Owner: Scobie Industrial Partners, LLC

Applicant: Erik Cooney

Site Plan to construct a warehouse distribution facility on a vacant lot.

Andrew Fetherston, Colliers Engineering & Design appeared before the Council and gave an overview of the proposed project, followed by a Q & A:

Question: Will any part of the parking lot be permeable paved?

Applicant response: The DEC requires all surface space be sealed with impermeable material. He said the areas covered by building, pavement and sidewalks will be an impervious cap. He said the landscaped areas, including the basins, will have liners.

Question: Is the lighting proposed LED?

Applicant response: yes.

Question: Will the site be lit throughout the night?

Applicant response: The Planning Board is currently discussing whether the lighting should be on timers or motion, depending on the needs of the end user.

The Chairperson responded he has concerns on how the LED lighting would affect the Gidneytown creek amphibians and other wildlife.

Applicant referred to the lighting plan to demonstrate the lighting in the direction of the creek is measured at 0.0 footcandle.

Question: Has a noise study been conducted?

Applicant response: A noise study has not been considered.

Question: Are EV charging stations proposed?

Applicant response: They are considering EV charging stations.

Applicant was asked to discuss the floodplain area.

Applicant response: The Planning Board commissioned an independent floodplain consultant to review, and their report is pending.

Question: Does the site's slope run north to west?

Applicant response: The site drains north to west, down to the Gidneytown creek.

Question: Are there five total ponds?

Applicant response: Yes.

Question: Is the whole surface impervious?

Applicant response: Yes, the limit of disturbance is 12.9 acres. The landscaped areas will have an impermeable membrane under the soil.

Question: Where will the water runoff end up when the basins and landscaped areas are filled with water?

Applicant response: It will sheet off and into the creek.

Question: Where will the parking lot water runoff go?

Applicant response: Into the basins following stormwater management regulations.

Question: Where will the basin water runoff go to when filled up?

Applicant response: The basins are designed for a 100-year storm.

The Chairperson said we are having 500-year storms.

Applicant response: The site will be evaluated by the DEC.

Question: Do they propose that the contaminated water in the basins will evaporate?

Applicant response: The lined, bio-retention areas will filter the water through a media and then be carried out by underdrains to the creek.

Question: Is the system capable of filtering the gas and oil residue from the parking lot.?

Applicant response: The filters are specifically designed for hot spots, i.e. trucking facilities, loading docks.

Question: Regarding the integrity of the bio-retention liners, do they require replacement in time.?

Applicant response: Unable to not speak on the life expectancy of the bio-retention liners.

Question: Would the DEC monitor the site post construction for the condition of the ponds and flow into the Gidneytown creek?

Applicant response: Will get the answer to that question and provide after the meeting.

Question: Please confirm that the plowed snow would runoff to the bioretention ponds.

Applicant response: Confirmed.

Question: Are there plans for solar panels?

Applicant response: It is possible, that would be an end user decision.

Question: Is there a proposed fuel filling station or fuel storage?

Applicant response: No

Question: Is the roof a flat design?

Applicant response: The roof design is pitched with drainage to the basins.

Question: What is the medium material of the filter system?

Applicant response: A mulched bark, a medium material specified by the New York State DEC.

Question: Is the mulched bark material qualified to remove petroleum products?

Applicant response: Yes.

Question: Must the medium be changed periodically?

Applicant response: Yes, the medium material must be maintained.

Question: What types of trees are proposed in the landscape plan?

Applicant response: Non-invasive local trees.

Question: Is there a possibility of radiation gases?

Applicant response: There will be a system underneath the building to expel gases up and out, but not able to answer regarding radiation gases.

Question: What is the rise measurement from the creek level to the basin area?

Applicant response: Over twenty feet.

Question: Where will the excavated water go during construction?

Applicant response: The water would be captured and disposed of following the DEC permit regulations. The DEC had approved the Remediation Action Work Plan for the site.

The CAC reviewed the Coastal Assessment Form.

Determination: Project is consistent with the LWRP. The CAC recommended water sampling of the pools and Gidneytown creek post construction.

The Council made a unanimous motion to accept the Coastal Assessment Form.

Coastal Policy Consistency Review

Washington's Headquarters State Historic Site

Woodchuck control/lethal removal project

New York State Office of Parks, Recreation and Historic Preservation

The CAC reviewed the Coastal Assessment Form.

Determination: Project is consistent with the LWRP. The CAC recommended attempts to relocate the woodchucks before resorting to lethal removal.

The Council made a unanimous motion to accept the Coastal Assessment Form.

- **Environmental Justice Fellows 2024 Program**

Kathy Lawrence reported on the current work the EJF's have been engaged in: tree care outreach at Newburgh Free Academy, Calvary Presbyterian, Dupont and Wisner Streets and South Middle School, spotted lanternfly removal, and pollinator plan care at Ward Brothers Park. She reported that Saturdays, 9a.m.-5p.m., are mandatory days for morning tree maintenance and afternoon team building. The EJF, using the proposed fall tree planting sites, canvassed for tree stewards and attended the 9/8/24 Creek Fest event. The EJF celebration is scheduled for October 12, 2024 at Tyrone Crabb Memorial Park. The program will continue after the celebration December.

Administration

- Approval of Minutes -August 2024

Chris Knasiak motion to accept the August Minutes.

Gail Fulton seconded the motion.

The motion passed unanimously.

- Monthly Financial Report – Expenses paid to cover Ms. Fulton's attendance to the ReLeaf conference.
- Volunteer Hours: The tracking and reporting – The Chairperson encouraged all members to actively report their hours.
- Training – The Assistant Corporation Counsel said a link to mandatory training videos will be sent out shortly.
- 2023 Annual Report -The Chairperson stated that he is working on a draft for the members to review. Mr. Sanchez-Potter volunteered to assist the Chairperson to draft the 2023 annual report.
- The Chairperson reported that the Hudson River Foundation requested a letter of support for a project to build equitable climate resilience of climate justice communities in the Hudson River Watershed. The letter of support is due October 15, 2024. The description letter has been printed for the Council's review. Item to be placed on the October agenda to discuss and formulate a letter of interest to submit.

- CAC Website - The Assistant Corporation Counsel advised the Council to review the City's website, and the recommendations letter drafted by the Chair dated March 4, 2024. Item to be discussed at the October meeting.

Old Business

- NYSDEC Urban and Community Forestry Grant -The City is waiting to receive the contract.
- Shoreline Planting Plan -draft letter - The Council unanimously agreed to remove from the agenda.

- **On-going Updates**
Sub-Committees:

- Urban Forestry Sub-Committee.
 - 1) Fall tree planting plan- Ms. Knasiak reported the Environmental Justice Fellows are conducting important work to establish tree stewards, and she continues to work with the consulting arborist to confirm the site locations and the tree purchase.
 - 2) Volunteer report -Tabled.
 - 3) Tree Planting Brochures -Tabled.

The Assistant Corporation Counsel asked if there is a committee meeting scheduled.

Mr. Knasiak said a meeting is pending. Gail Fulton volunteered to be on this subcommittee.

- Newburgh Climate Ready Sub-Committee

Mr. Sanchez Potter said the CAC is the official Climate Smart Communities task force for the City of Newburgh, an official meeting will be held at the next CAC meeting. He said two community engagement events will be scheduled in the Fall for the "heating and cooling campaign".

The Assistant Corporation Counsel said once the City Manager signs the agreement to have a separate Climate Smart Communities Taskforce website, the website will need to be updated from its initial draft.

Also reported, said Zachary German is working on the list of actions that we can do to gain points for the Climate Smart Community Program.

- DEC Natural Resource Inventory Grant

The Assistant Corporation Counsel reported the public engagement survey is pending Executive Office approval.

- EPA Enhanced Air Quality Monitoring for Communities - No update to report.

- Restoration Advisory Board /Stewart Air National Guard Water Project
The Chairperson reported that the RAB will hold a poster session October 23, 2024, from 5p.m. to 7p.m. at the Armory and a meeting is scheduled for October 24, 2024.
- LWRP Update – Locally Adopted on 7-10-17 -No update to report.
- Tree Permit -Local Code Revision -No update to report.
- **Calendar of Upcoming events (webinars, training, community events)**
 - 9-09-24 City Council Meeting
 - 9-13-24 Greater Newburgh Parks Conservancy Stakeholders Meeting
 - 9-10-24 Architectural Review Council Meeting
 - 9-11-24 Downing Park Conservancy Meeting
 - 9-13-24 Downing Park Olmsted Network Annual Conference
 - 9-17-24 Planning Board Meeting
 - 9-18-24 City of Newburgh Community Power Renewable Electricity Program Public Information Session
 - 9-23-24 City Council Meeting
 - 9-24-24 Zoning Board of Appeals Meeting
- **Public comment on general CAC non-agenda items:**
Peggy Kurtz, Community Coordinator, Joule Community Power. Joule Community Power is the program administrator hired by the City to manage the City’s Community Choice Aggregation Program (CCA). Ms. Kurtz is organizing the community outreach campaign. The first information session will be held September 18, 2024, 7:30p.m. at the Newburgh Activity Center.

Mark Sanchez-Potter made Motion to Adjourn
Chris Knasiak seconded.
The motion passed unanimously.

Meeting concluded 8:34 p.m.