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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

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In the Matter of

2012 PLANNING BOARD REORGANIZATION

----- X

BOARD BUSINESS

Date: January 5, 2012  
Time: 7:00 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD

ALSO PRESENT: BRYANT COCKS  
PATRICK HINES  
GERALD CANFIELD

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MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018

1  
2 MR. BROWNE: Good evening, ladies and  
3 gentlemen. Welcome to the Town of Newburgh  
4 Planning Board meeting of January 5, 2012.

5 At this time I'll call the meeting to  
6 order with a roll call vote starting with Frank  
7 Galli.

8 MR. GALLI: Present.

9 MR. BROWNE: Present.

10 MR. MENNERICH: Present.

11 CHAIRMAN EWASUTYN: Present.

12 MR. PROFACI: Here.

13 MR. FOGARTY: Here.

14 MR. WARD: Present.

15 MR. BROWNE: The Planning Board has  
16 professional experts that provide reviews and  
17 input on the business before us, including SEQRA  
18 determinations as well as code and planning  
19 details. At this time I would ask them to  
20 introduce themselves.

21 MS. CONERO: Michelle Conero,  
22 Stenographer.

23 MR. CANFIELD: Jerry Canfield, Town of  
24 Newburgh, Code Compliance Supervisor.

25 MR. HINES: Pat Hines with McGoey,

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Hauser & Edsall Consulting Engineers.

MR. COCKS: Bryant Cocks, Planning Consultant.

MR. BROWNE: Thank you.

At this time I'll turn the meeting over to John Ward.

MR. WARD: Please stand to say the Pledge.

(Pledge of Allegiance.)

MR. WARD: Please turn your phones off or on vibrate.

MR. BROWNE: If you'll notice this evening, on the top of our agenda, this is also our reorganizational meeting, the first meeting of the year. At this time I'll turn it over to Joe Profaci for that.

MR. PROFACI: Thank you. This is the 2012 Planning Board reorganizational meeting. I'd like to go through the 2012 reappointments for the Town of Newburgh Planning Board.

The first is Kenneth Mennerich as Vice Chairman of the Planning Board. I'd like a motion for that.

MR. GALLI: So moved.

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REORGANIZATION

CHAIRMAN EWASUTYN: I'll second that motion.

MR. PROFACI: I'll take a roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: Okay. Motion carried.

The second is for Dickover, Donovan, Donnelly & Biagi, Attorney to the Planning Board. Do I have a motion for that?

MR. MENNERICH: So moved.

MR. FOGARTY: Second.

MR. PROFACI: I'll take a roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

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MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: Motion carried.

The third is for McGoey, Hauser & Edsall Consulting Engineers, P.C., Consulting Engineers to the Planning Board.

Can I have a motion for that, please?

MR. GALLI: So moved.

MR. WARD: Second.

MR. PROFACI: I'll take a roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: The fourth is for BC Planning, LLC, Consulting Planner to the Planning Board. A motion for that.

CHAIRMAN EWASUTYN: I'll move for that.

MR. MENNERICH: Second.

MR. PROFACI: I'll take a roll call

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REORGANIZATION

vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: Motion carried.

The fifth is for Creighton, Manning Engineering, LLP, Consulting Traffic Engineer to the Planning Board. Do I have a motion for that?

MR. GALLI: So moved.

MR. FOGARTY: Second.

MR. PROFACI: I'll take a roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: The sixth is for KALA,

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Consulting Landscape Architect to the Planning Board. I'll take a motion for that.

MR. MENNERICH: So moved.

CHAIRMAN EWASUTYN: Second.

MR. PROFACI: Roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: Seventh is HDR/LMS, Telecommunications Consultant to the Planning Board. Can I have a motion for that?

MR. GALLI: So moved.

MR. MENNERICH: Second.

MR. PROFACI: And a roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

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MR. WARD: Aye.

MR. PROFACI: Eighth is Michelle L. Conero, Stenographer to the Planning Board. A motion for that.

CHAIRMAN EWASUTYN: I'll move for that.

MR. WARD: Second.

MR. PROFACI: Roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: Ninth is adoption of the 2012 Planning Board meeting schedule. A motion for that.

CHAIRMAN EWASUTYN: I'll move for that.

MR. MENNERICH: Second.

MR. PROFACI: Roll call vote.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.



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MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: And tenth is the adoption of the 2012 consultants' work session meeting schedule. Can I have a motion for that?

CHAIRMAN EWASUTYN: I've move for that.

MR. PROFACI: A motion. And a second?

MR. MENNERICH: Second.

MR. PROFACI: Can I have a roll call vote for that, please.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

MR. PROFACI: Thank you very much.

CHAIRMAN EWASUTYN: Bryant, if you'd make a point to sending out an e-mail to all those that have been reappointed.

(Time noted: 7:08 p.m.)

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C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: January 30, 2012

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

----- X  
In the Matter of

RACHICHI SUBDIVISION  
(2011-31)

105 Coach Lane  
Section 95; Block 1; Lot 4.222  
R-2 Zone

----- X

CONCEPTUAL THREE-LOT SUBDIVISION

Date: January 5, 2012  
Time: 7:08 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD

ALSO PRESENT: BRYANT COCKS  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: SUSAN RACHICHI

----- X

MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018

1  
2 MR. BROWNE: The first agenda item this  
3 evening is the Rachichi Subdivision, project  
4 number 2011-31. It's a conceptual three-lot  
5 subdivision being presented by Charles Boowkos.  
6 I'm sorry.

7 MS. RACHICHI: He's not here. I'm  
8 here. I'm Susan.

9 MR. BROWNE: Susan. Okay.

10 MS. RACHICHI: I own the section, lot  
11 block 8;6;16 which has a twenty-foot deeded  
12 easement that goes to the back parcel, section  
13 95; block 1; lot 4.222. I would like to do a  
14 two-lot subdivision on that back parcel.

15 CHAIRMAN EWASUTYN: Pat Hines is going  
16 to discuss with you what an easement entitles you  
17 to and where you may be deficient as far as  
18 allowing you to proceed with a two-lot  
19 subdivision and the procedure for getting Town  
20 Board approval for what's called an open  
21 development district.

22 MS. RACHICHI: Okay.

23 CHAIRMAN EWASUTYN: Mike Donnelly, our  
24 Planning Board Attorney, who isn't here with us  
25 this evening, has sent an explanation of Town Law

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280-A to your surveyor.

At this point, Pat, why don't you go forward, put up the map, and for the education of Ms. Rachichi explain to her what needs to be accomplished.

MR. HINES: The parcel in question here is about an 8 acre -- 8.5 acre parcel of land and it is abutted by an interstate highway, 84, on the lower portion of the map, it has a little frontage on the New York State Thruway, and the balance of the parcel creates a common lot line with the rear of the parcels on Coach Lane. The concern here is that the parcel apparently has an easement across a parcel of land you own but it doesn't own access to a public street. In order to subdivide a piece of property, the lot needs to have access to a public street or road created by a subdivision. The easement area shown would give someone rights to walk across or drive across to that parcel, but it doesn't give it legal access in order to subdivide because it needs to have access to that street. That's based on what's called New York State Town Law 280-A.

1  
2           There are certain ways to resolve that,  
3 one of which is to get a waiver from the Town  
4 Board allowing an open area development which  
5 allows access -- allows subdivision of parcels  
6 which don't have access to public streets.  
7 Because this is basically a landlocked parcel  
8 with the exception of an easement which doesn't  
9 give it legal access, the building inspector  
10 can't issue a building permit to a parcel that  
11 only has access by easement. The remedy for that  
12 would be that open area development. Your  
13 surveyor can probably assist you better with  
14 that. Because it doesn't have access to a  
15 street, this Board can't approve the subdivision  
16 on the parcel without that relief, the 280-A  
17 relief from the Town Board.

18           MS. RACHICHI: Okay.

19           MR. HINES: So that's -- it's a hurdle  
20 that we can't overcome at this Board. Your  
21 surveyor has both the letter from the attorney  
22 and my comment letter regarding that.

23           The step would be to petition the Town  
24 Board for an open area development. If that was  
25 granted, then you would come back to this Board

1  
2 for subdivision approval. Because it doesn't  
3 have access on a street, and the limited access  
4 highway, Route 84 and the Thruway, are  
5 specifically precluded from allowing that access.

6 CHAIRMAN EWASUTYN: I have here a copy  
7 of the understanding of Town Law Section 280-A  
8 that Mike Donnelly, our Attorney, put together.  
9 Take that with you. After reading it one or two  
10 or three times like I had to do myself, you'll  
11 understand how it's broken up into the sections,  
12 whether it be a variance --

13 MR. HINES: It explains the issue  
14 specifically to this lot, the access issue that  
15 you have. Your surveyor has that same letter.

16 CHAIRMAN EWASUTYN: We'll get back to  
17 you in the course of 48 hours, whether we refer  
18 you to the Town Board or whether you could make  
19 the direct petition to the Town Board. Our  
20 Attorney, Mike Donnelly, again isn't here this  
21 evening. We'll have Bryant Cocks e-mail him, get  
22 his advice as far as how to direct you, and we  
23 will get back to you and your surveyor.

24 MS. RACHICHI: Okay. Thank you.

25 CHAIRMAN EWASUTYN: Bryant, you may

1  
2 want to take the opportunity now to briefly  
3 review the subdivision.

4 Ms. Rachichi, Bryant Cocks, our  
5 Planning Consultant, will take the time to review  
6 with you, after your success with the Town Board,  
7 how you'll have to amend your subdivision.

8 MR. COCKS: The plan was very basic.  
9 There are some requirements under the Town of  
10 Newburgh subdivision regulations that need to be  
11 met, including setback lines, buildable area  
12 requirements and lot area requirements. Right  
13 now all this shows are two proposed house  
14 locations with no driveways, no utility lines  
15 leading up to it. So there's a list of  
16 information that I listed and faxed over to Mr.  
17 Boowkos, the requirements that will be -- that  
18 will need to be done on the plans before this can  
19 get approved by the Planning Board. After the  
20 Town Board approval comes in, he'll have this  
21 list of requirements that he needs to put on the  
22 plans before you come back here.

23 MS. RACHICHI: Okay.

24 MR. COCKS: I have them all listed.  
25 They're pretty basic and pretty standard for all



1 subdivisions in the Town. He'll be aware of what  
2 needs to go on there for it to be approved.  
3

4 MS. RACHICHI: And he has that also?

5 CHAIRMAN EWASUTYN: Here's a copy for  
6 you of both Pat Hines' review and --

7 MR. HINES: One of the major concerns  
8 is the lot geometry on lot 1. Being long and  
9 narrow, it may not meet the buildable area  
10 envelope. There may be a need to move that line  
11 or revise that lot line.

12 MR. COCKS: In this zone you need  
13 10,000 square foot of a perfect square or  
14 rectangle. With that lot geometry it's going to  
15 be tough -- it's probably not going to happen  
16 with that area you have the lot line right now.  
17 It will have to be shifted.

18 MS. RACHICHI: It can be moved down.

19 MR. HINES: The next step you have is  
20 the Town Board open area development, otherwise  
21 the landlocked parcel is basically landlocked for  
22 our purposes.

23 MS. RACHICHI: Okay.

24 CHAIRMAN EWASUTYN: Jerry Canfield,  
25 Code Compliance, do you have anything to add?

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MR. CANFIELD: I have nothing further.

MS. RACHICHI: Quite a few years ago I was before the Board and did do a subdivision and they didn't say the same thing. I mean --

MR. HINES: Which lot did you subdivide?

MS. RACHICHI: It was awhile ago. I would have to say at least fifteen years ago. I have the notes and everything from that. They didn't tell me you can't do anything with the land at that time. I was able to --

MR. HINES: To subdivide this parcel?

MS. RACHICHI: Yes. I have the notes and everything with me.

MR. HINES: And that map was filed?

MS. RACHICHI: I just didn't do the engineering. My daughter had gotten really sick and I just couldn't proceed.

CHAIRMAN EWASUTYN: Ken Mennerich and I thought we had also done a site inspection there.

MS. RACHICHI: You did. You came out and looked at it and everything. Okay.

CHAIRMAN EWASUTYN: To help you, if it is a help, when you read Mike Donnelly's

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explanation, 280-A, it might add some clarity to the issue.

MR. HINES: Do you happen to have a Town file number? That will help us look it up.

MS. RACHICHI: Yes.

CHAIRMAN EWASUTYN: Take your time.

MS. RACHICHI: Sorry.

CHAIRMAN EWASUTYN: That's quite all right.

MS. RACHICHI: I don't see a number but I just have the notes.

MR. HINES: Someone's written comments or your own?

MS. RACHICHI: They're typed. They had given me copies of everything that happened.

MR. HINES: We may be able to tell by who wrote them. `89.

MS. RACHICHI: My name was different. I got divorced since then.

MR. HINES: 1989.

CHAIRMAN EWASUTYN: That's when you were a Town councilman.

MR. FOGARTY: Yeah, I was.

MS. RACHICHI: Thank you. Thank you

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for your time.

CHAIRMAN EWASUTYN: If you have a number or e-mail you want to give Bryant Cocks, he'll be able to contact you in reference to how we can refer you and how you are referred to the Town Board. He'll notify you.

MS. RACHICHI: Thank you.

(Time nited: 7:16 p.m.)

C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: January 30, 2012

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

----- X  
In the Matter of

PETERBILT - UTICA TRUCK GENERAL  
(2011-25)

Route 17K  
Section 86; Block 1; Lot 35.12  
IB Zone

----- X

CONCEPTUAL SITE PLAN

Date: January 5, 2012  
Time: 7:16 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD

ALSO PRESENT: BRYANT COCKS  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: CHARLES BROWN & JAMES RAAB

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MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018

1  
2 MR. BROWNE: Our next item of business  
3 is Peterbilt - Utica Truck General, project  
4 number 2011-25. It's a conceptual site plan  
5 being presented by Jim Raab and Charles Brown.

6 MR. RAAB: I'm Jim Raab from Taconic  
7 Design Engineering. When we were here last the  
8 Planning Board and the Consultants gave us a  
9 number of things they thought needed to be done  
10 to this site to make it work for Peterbilt and  
11 the Planning Board. One of them was to move the  
12 parking and pavement at the frontage along  
13 Pomarico Drive, which we have done. We moved it  
14 back with a thirty-foot driveway here. We curbed  
15 the front along here, provided some landscape  
16 area in front of the building and a green area  
17 through here, pushing -- putting up ten -- twenty  
18 parking spaces back here and adding also five  
19 trailer spaces, all part of what was discussed in  
20 the last meeting.

21 As I put in the amended narrative for  
22 this application, after discussing it with the  
23 Planning Board and discussing it with our  
24 clients, there will be some trailers. It's not  
25 the norm, and they don't want it to be the norm,

1  
2 because basically they work on tractor trailers.  
3 There are those cases where somebody breaks down  
4 on 84 and they've got to get to this place and  
5 they'll bring trailers with them. We have  
6 supplied five tractor trailer spaces for that  
7 there.

8           Also, like I said, we pulled the  
9 parking back through here. We pulled all that  
10 paving out of here. Okay. That's all  
11 landscaped. It's shown over here on sheet 2. We  
12 have all this landscaping. We've even added more  
13 landscaping than 84 had on their 2006 site plan.  
14 They added more evergreens in this area here, and  
15 we'll be putting shrubs along the front of the  
16 building which will be extended out to here now.

17           Peterbilt will be taking care of the  
18 418 feet of paved area that's Pomarico Drive, as  
19 it is taken care of now. The remaining parcels  
20 on the other side take care of their part of the  
21 driveway down through there. We have not been  
22 able to find any maintenance agreement for  
23 Pomarico Drive. As hard as that is to believe,  
24 that's been the case. It's been pretty well  
25 searched by Utica Truck's attorneys and they

1 haven't been able to find one. We plan on --  
2 Utica Truck will take care of the paved area,  
3 okay, and also what's in their site of course.  
4 The paved area from 17K that comes into Pomarico  
5 Drive, the part that goes past their entrance.  
6

7 Charlie is going to address the traffic  
8 portion of this.

9 MR. BROWN: Thanks, Jim. Phil Grealy  
10 from John Collins, he did the traffic study for  
11 Pilot and also for 84 Lumber, the proposed  
12 expansion which was approved but obviously never  
13 built. He did send a letter, which we did  
14 forward, along with the data for both of those.  
15 I took that data and the information provided by  
16 our clients with respect to their source, and  
17 we're definitely under what 84 Lumber's existing  
18 traffic numbers were, the counts were, for their  
19 2005 traffic study. If you need any more  
20 information from Phil Grealy, he's online with  
21 this project. He concurred with that with me.

22 We're here to answer any questions from  
23 the Consultants or the Planning Board, and  
24 hopefully move this project along.

25 CHAIRMAN EWASUTYN: I'll turn to the



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Board Members for their comments. Frank Galli?

MR. GALLI: There was concern at the workshop about the paving in front of the building. Are you going to put new paving in all over the parking and in some other spots? The one section that's paved now, you're going to leave it?

MR. BROWN: We're going to overlay it.

MR. GALLI: You're going to pave over that?

MR. BROWN: Yeah. It will be overlaid. The final, when it done, it will all be the same.

MR. HINES: That just --

MR. BROWN: Over existing paving?

MR. HINES: That needs to be noted on the plans. I know the new pavement areas are shown. If you can show the old paved areas will be overlaid.

MR. BROWN: Right.

MR. GALLI: That's all right now.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I don't have any other comments at this time.

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CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I think you've done a good job of addressing all the Planning Board's comments for the landscaping.

MR. BROWN: Thank you.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: I'm fine with the revisions.

CHAIRMAN EWASUTYN: Tom Fogarty?

MR. FOGARTY: From what I understand, all the issues that were going to go to ZBA have all been addressed.

MR. BROWN: Correct.

MR. FOGARTY: You're saying this is going to generate less traffic than 84 Lumber?

MR. BROWN: 84 Lumber, the existing counts they had, not including what they worked on for their proposed expansion. In other words, what 84 Lumber was operating at in 2005 when John Collins did their counts.

MR. RAAB: That information has been sent to Ken Wersted.

CHAIRMAN EWASUTYN: We did get a response from Ken Wersted. Ken Wersted had

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visited the site in Albany on three consecutive days and he noticed the site and advised us accordingly.

John Ward?

MR. WARD: You had down about the lighting being 19 feet. I'd like to keep it to the guidelines of 16 feet with the tractors and all. They're 14 foot 6.

MR. BROWN: They will clear it.

MR. WARD: This way keep to the guidelines.

MR. BROWN: That's fine.

MR. RAAB: That's not a problem.

MR. WARD: That's what I'm trying to say.

MR. BROWN: Okay.

MR. WARD: I mentioned about the blacktop. I appreciate you doing that, too.

MR. RAAB: We were going to do that anyway. We'll note it on the plan.

CHAIRMAN EWASUTYN: At this point I'll turn to our Consultants. Jerry Canfield, Code Compliance?

MR. CANFIELD: I have nothing.

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Nothing at this time.

CHAIRMAN EWASUTYN: Pat Hines, Drainage Consultant?

MR. HINES: Our first comment just notes that they addressed our previous comments, taking down two of the three pavilion type structures, eliminating a majority of the variances. I know Bryant will discuss the rest of those.

Curbing on the site has been proposed along the building frontage, the immediate frontage of the building, and some landscaping. It wasn't proposed along the driveway existing. Where they're pulling that pavement back, it would create a drainage issue and require a pretty extensive closed pipe drainage system be installed and put the drainage to the rear of the site. I think they met -- went well along to meet the intent of the Planning Board by curbing up against the building. I don't have a problem with leaving the curbing out of that public portion along Pomarico Drive where they were going to add all of that landscaping. We discussed it at work session and it didn't seem

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2 to be a problem. I think cleaning up the site  
3 will go a long way.

4 CHAIRMAN EWASUTYN: If you would give  
5 us your verbiage and I'll move for a motion from  
6 the Board to approve your recommendation and the  
7 reasoning for it in the record. If you would  
8 give us exact verbiage for that motion.

9 MR. HINES: Sure. We're recommending  
10 that the site plan be approved with the curbing  
11 as shown, without entirely curbing the front  
12 access and public accessible portions due to the  
13 drainage issues on the site and the need for a  
14 quite extensive drainage system which would be  
15 required should the curbing be put in that area.  
16 So with that recommendation, we're okay with  
17 that. They've met the intent of the Board's  
18 curbing commercial sites by providing it along  
19 the frontage and along the west side of the  
20 building.

21 MR. FOGARTY: So moved.

22 CHAIRMAN EWASUTYN: I have a motion  
23 from Tom Fogarty. Do I have a second of that  
24 motion?

25 MR. GALLI: Second.

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CHAIRMAN EWASUTYN: I have a second by Frank Galli. Any discussion of the motion?

MR. BROWNE: I think it should be noted that this vote is strictly about the curbing and limited to the curbing.

MR. HINES: And just a small portion of that curbing.

CHAIRMAN EWASUTYN: Let the record show I have a motion by Tom Fogarty. I have a second by Frank Galli. I have discussion by Cliff Browne. That will be made part of the record. Any further discussion?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself yes. So carried.

MR. HINES: Our next comment has to do

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2 with the site notes need to be cleaned up. The  
3 plans were revised. It says there's going to be  
4 no trailer parking. As we discussed, we're  
5 making provisions for that, should it happen. No  
6 additional paving which we're now going to do.  
7 Those notes need to be cleaned up.

8 Just a statement that the existing site  
9 doesn't exceed an acre of disturbance. There  
10 will be less here now because of the removal of  
11 portions of the pavement in the front along  
12 Pomarico Drive. We take no exception to the  
13 stormwater remaining the same on the site.

14 CHAIRMAN EWASUTYN: Thank you. Any  
15 questions -- further questions from the Board  
16 Members?

17 MR. GALLI: Nothing on that.

18 MR. BROWNE: No.

19 MR. MENNERICH: No.

20 MR. FOGARTY: I have no comment.

21 CHAIRMAN EWASUTYN: At this point I'll  
22 turn to Bryant Cocks, Planning Consultant.

23 MR. COCKS: The applicant revised the  
24 plans, as mentioned, to eliminate the need for  
25 four variances that were previously shown on the

1  
2 site plan, one is for the amount of accessory  
3 structures on the site, one of them which  
4 encroached on the front yard setback, the third  
5 was for the free-standing sign. The signage  
6 chart now shows the 84 Lumber sign and Peterbilt  
7 sign exceeding 29 square feet.

8 MR. BROWN: 28.56. I was actually  
9 surprised. I learned a little geometry on that.

10 MR. COCKS: Also, the parking lot was  
11 revised to show a 20-space lot, and that removed  
12 the need for a variance for additional parking.  
13 The 8 spaces are mislabeled as 9 spaces in front  
14 of the building.

15 MR. BROWN: Right. The parking table  
16 is correct.

17 MR. COCKS: The table is correct. That  
18 was just mislabeled.

19 MR. HINES: My comment was reversed  
20 then.

21 MR. COCKS: Just the bulk table should  
22 list the use as having a retail component along  
23 with the motor vehicle service station. The  
24 proposed fence will need to be detailed on the  
25 site plan. That will be reviewed during the ARB



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process.

Other than that, just ARB is the only outstanding comment that I have.

We will need to refer this to the Orange County Planning Department.

MR. BROWN: We're prepared to do the ARB tonight with the exception of the gate. As far as the building, we're prepared to present that tonight.

CHAIRMAN EWASUTYN: Do you want to do your ARB presentation?

MR. BROWN: If you want to do that now, we'll do that now.

CHAIRMAN EWASUTYN: As far as the motion, we can't act on the project tonight because we have to wait to hear back from the County.

MR. BROWN: Assuming we get a quick response from the County, can we get a slot on the 19th Planning Board?

CHAIRMAN EWASUTYN: The scheduling for the 19th is complete. It's something we could do, if we have a response, under Board Business. Let us manage the scheduling.

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MR. BROWN: Okay.

CHAIRMAN EWASUTYN: You just manage your business.

MR. CROSSLEY: Good evening. Doug Crossley, I'm working with Utica General.

These are the renderings. These are the ARB forms. Basically the first page you see on the renderings is a front elevation as it faces Pomarico Drive. Presently 84 Lumber is an open canopy there. That's the part of the building that they're going to enclose and make offices and retail space.

So basically they're going to be using this stone work on the bottom, as you see on the front facade, for about four feet up, and then on top of that would be this different type of metal siding panel. It's different than the metal building siding that you see there presently. It's an AZEK siding that has a little more detail and a little more relief. They'll be doing that across the front elevation, across the side elevation where the overhead doors and main parking are. They'll be painting the rest of the building to match that where the siding is not

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2 going to be replaced. The new windows  
3 that are there are going to be just an Anderson  
4 Teraco window with mansards over the top of them  
5 just to -- a wooden mansard roof with a black  
6 shingle there.

7 The doors on the exterior will be  
8 either -- in the front main entrance will be a  
9 brushed anodized aluminum entry and/or just pass  
10 doors and will be painted.

11 You see all three elevations showing.  
12 Basically the colors are pretty close. The  
13 overhead doors are going to be added, the  
14 mansards and the new siding.

15 So that, in a nutshell, is what they're  
16 proposing.

17 CHAIRMAN EWASUTYN: Comments from Board  
18 Members?

19 MR. GALLI: The signage on the  
20 building, is that included in the signage  
21 calculation for the sign out front?

22 MR. BROWN: No. The sign calculation  
23 out front is actually based upon the frontage on  
24 17K. That's limiting. The frontage on Pomarico  
25 Drive is extensive, 800 feet.

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MR. RAAB: Plus we have another 300 feet on Racquet Road to go with it.

MR. GALLI: It's to be the corporate color on the Peterbilt sign?

MR. RAAB: Yes.

MR. CROSSLEY: I believe the owner's intent is to do only one sign, although the rendering shows two.

CHAIRMAN EWASUTYN: Bryant, what will you need to have shown on the final site plan?

MR. COCKS: We will need a final signage chart for the site, what's going to be on the building and what's going to go in.

MR. BROWN: I can break them out based upon the frontage.

MR. COCKS: Absolutely. Then if you could just get me a copy of the architecturals, and also Karen for her review.

MR. GALLI: That's all I had, John.

MR. BROWNE: Do you have specs for the shingles? You talked about a couple of different colors or shades for the doors and that kind of thing.

MR. CROSSLEY: The doors will be the

1  
2 same color as the siding. They're meant to blend  
3 in because they're really exit doors, they're not  
4 entrance doors. The only entrance door is at the  
5 retail area where you see -- which will be a  
6 brushed anodized aluminum. The mansards would  
7 just be a heavy architectural shingle, a black  
8 residential shingle but the architectural  
9 shingle.

10 MR. BROWNE: Do you have the actual  
11 specs for that?

12 MR. CROSSLEY: Okay.

13 MR. BROWNE: Our inspectors need to  
14 know what's put there and what was approved.

15 MR. CROSSLEY: Okay.

16 MR. BROWNE: So we should be seeing  
17 that as well.

18 MR. CROSSLEY: Okay.

19 MR. RAAB: We would have had it in the  
20 ARB application.

21 MR. CROSSLEY: You just want us to --

22 MR. BROWNE: It should be listed  
23 someplace.

24 MR. GALLI: We want to see it on the  
25 plan.

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MR. RAAB: We had one listed on the plan. We have it, I believe, in the ARB application.

MR. CROSSLEY: There isn't. They don't call out a category for shingles. We can add that. It's not a problem.

MR. GALLI: It says material on the roof.

MR. CROSSLEY: The mansard is not a roof. I was assuming it was the main part of the roof. Those mansards are more decorative.

MR. BROWNE: When the guys look at it for inspection, they need to know what they're looking for. All that material should be spec'd, whatever it is. I'm sure Charlie and Jim know about that stuff.

CHAIRMAN EWASUTYN: Jerry, you can be specific. What does the building department look for?

MR. CANFIELD: Typically we refer back to the ARB application, the submittal, the submittal of colors, the color chart, the form that the Planning Board requests. If you could fill that out, Doug, if you're going to submit

1  
2 any materials. The rendering. Part of the  
3 process also is the architectural drawings are submitted  
4 to Karen Arent for her review as well to make  
5 sure that it complies with what the ARB  
6 application called for.

7 MR. CROSSLEY: At what point do we  
8 submit them? When we're ready for a building  
9 permit?

10 MR. HINES: Now.

11 MR. CANFIELD: The ARB needs to be done  
12 prior.

13 CHAIRMAN EWASUTYN: We'll act on  
14 approving it tonight. Just the details, Karen  
15 will make sure that they're spec'd out. The  
16 actual action of approval will come once we get  
17 that and go through it. Karen doesn't approve  
18 the projects, she just reviews it for detail.

19 Ken?

20 MR. MENNERICH: Doug, on this last  
21 sheet, is this the new siding wrapping around  
22 here?

23 MR. CROSSLEY: Yes. Then it will be  
24 painted further down, the entire building.

25 MR. MENNERICH: The entire side. And

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the other side is --

MR. CROSSLEY: Will be fully new siding. Because there's so many openings, it made more sense just to put all new down there than to try to patch it.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: I have no comment.

MR. FOGARTY: I have no further questions.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: What's the height of the building? The total height?

MR. CROSSLEY: I think it's 19 -- between 19 and 20 feet at the ridge.

MR. WARD: I know we have a light plan but we don't have -- where are the lights going to be on the building?

MR. CROSSLEY: They're shown on the site plan.

MR. WARD: They are?

MR. RAAB: Yes, sir. If you look -- John, if you look on the lighting -- I think it's the last or next to the last sheet.



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MR. CROSSLEY: Sheet 3.

MR. WARD: All right.

MR. BROWN: Two on the end and three on the front.

MR. WARD: I know it's not on here. With diesel trucks I would like to see signs for not idling on the property because that's a major New York State law. Just put it in there. Like handicap parking, the same idea, if you can have signs up.

MR. RAAB: Have a sign up about the idling?

MR. WARD: Yes, because in review of your site up in Albany, there was a truck sitting there idling. When they go in for the parts or whatever. It's a standard procedure, you're supposed to have the sign up. Whether they abide by it or not, you should have it there.

MR. BROWN: Is that a standard sign now that references the State law? Probably, huh?

MR. WARD: Yeah.

MR. BROWN: Okay. I'll find it.

MR. WARD: Port Authority has it with the buses.

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MR. RAAB: I've seen it. I know what you're talking about. They have it over at Pilot.

MR. CANFIELD: It's a DEC requirement.

MR. WARD: That's what I'm trying to say.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: Mechanicals, are they on the site plan, or should we see the mechanicals on this?

CHAIRMAN EWASUTYN: Are there any mechanicals, Doug, on this?

MR. CROSSLEY: There only will be air handlers inside the building and small condensers, ground mounted, on the end of the building.

MR. BROWNE: Where would they be?

MR. CROSSLEY: Probably on the next page. They would be located right here on the end of the building. They're small residential. There's only ten tons of cooling in the project. There's only two small pad mounted condensers. Nothing on the roof. They would have to be screened.

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CHAIRMAN EWASUTYN: In the final plans show where they'll be located.

MR. CROSSLEY: Okay.

MR. BROWNE: This is the only building on the site; is that correct?

MR. HINES: One of the other existing pavilion buildings is to remain, the furthest east one.

CHAIRMAN EWASUTYN: This is the only building of a practical use.

MR. BROWNE: Okay. Thank you.

CHAIRMAN EWASUTYN: I'll move for a motion from the Board to approve the ARB for the Peterbilt site plan proposed before us this evening.

MR. MENNERICH: So moved.

MR. FOGARTY: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Tom Fogarty. Any discussion of the motion?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

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MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

At this point I'll move for a motion to grant conceptual approval for the Peterbilt - Utica Truck General and to refer it to the Orange County Planning Department.

MR. PROFACI: So moved.

CHAIRMAN EWASUTYN: I have a motion by Joe Profaci. Do I have a second?

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: A second by Ken Mennerich. Any discussion of the motion?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

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MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

Charlie, if you'll see that Bryant gets copies of the plans for circulation to the Orange County Planning Department.

MR. BROWN: We actually brought them with us tonight.

MR. RAAB: I'll get them to Bryant.

CHAIRMAN EWASUTYN: It's optional whether the Planning Board wants to hold a public hearing. I'll poll the Board Members to see if they want to hold a public hearing. Frank Galli?

MR. GALLI: I think they eliminated all the zoning issues we had, took care of the actual -- the last time we had a public hearing on that the concern was traffic. I think it's less traffic. They took care of all the zoning issues and there's no drainage problems. I don't feel we need a public hearing.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I'm in favor of a public hearing.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I don't think we need

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CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: No.

CHAIRMAN EWASUTYN: Tom Fogarty?

MR. FOGARTY: No.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Yes.

CHAIRMAN EWASUTYN: Myself, I don't believe there's a need for a public hearing.

Let the record show that the Planning Board -- the majority of the Planning Board Members waived the public hearing for the site plan for Utica Truck General, formerly the 84 Lumber site.

All we can really do is circulate. It will be up to Bryant to see how soon the County wants to respond.

MR. RAAB: Okay.

CHAIRMAN EWASUTYN: I would appreciate it if you'd let Bryant manage that.

MR. RAAB: Absolutely.

MR. BROWN: Yes. Thank you.

(Time noted: 7:40 p.m.)

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C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: January 30, 2012

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

----- X  
In the Matter of

COLANDREA SITE PLAN  
(2011-30)

Route 17K  
Section 100; Block 5; Lot 37.21  
IB Zone

----- X

CONCEPTUAL SITE PLAN

Date: January 5, 2012  
Time: 7:40 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD

ALSO PRESENT: BRYANT COCKS  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: GREGORY SHAW

----- X

MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018



1  
2 MR. BROWNE: Our next item of business  
3 is Colandrea Site Plan, project number 2011-30.  
4 It's a conceptual site plan being represented by  
5 Gregory Shaw.

6 MR. SHAW: Good evening. Tonight I'm  
7 representing the gentleman right behind me, Cosmo  
8 Colandrea, who is the record owner and applicant  
9 of the project that's before you.

10 It's a 5.4 acre parcel on the south  
11 side of Route 17K. Probably the Board is  
12 familiar with it being the Colandrea Buick, GMC  
13 dealership.

14 Presently -- let me back up for a  
15 second. It is in the IB zone which requires a  
16 minimum of 40,000 square feet. As I just  
17 mentioned, being 5.4 acres, we're far in excess  
18 of that. We butt up, to the rear of the property  
19 to the south, against an R-2 zone. With that,  
20 minimum setbacks for -- minimum requirements for  
21 setbacks and buffers to a residential district  
22 come into play but our separation distances are  
23 far in excess of that, as required.

24 I may point out Mr. Colandrea's land  
25 holdings are substantial in that area, as he owns

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numerous adjacent parcels.

Presently on the site is an existing building, about 17,000 square feet. As with all new car dealerships, certainly areas are reserved for display, for service, parts and storage and office.

What he is proposing is to install two additions on the property. The addition to the east will be about 4,000 square feet in size. With that there will be an addition to the south which is going to be about 4,150 square feet in size. It's about a 48 percent expansion to his existing building. Those three uses, within those additions, again will be for parts, storage, display and service.

With respect to parking that is available on the site, we feel, and Mr. Colandrea feels he has more than enough. We've designated 16 spaces for customers and visitors, 15 spaces for employees. With respect to car service, we've reserved 20 spaces and car storage 208 spaces, which is substantial. With that there's also an overflow area for vehicle storage to the south behind the edges of the macadam pavement.

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2 We will not be introducing any  
3 additional stormwater. The site presently has a  
4 macadam cover. At least majority of it is.  
5 Where the new additions will be built, we are  
6 just removing the macadam pavement and installing  
7 another permeable surface, that being the roofs  
8 of the two additions.

9 Not part of this application but along  
10 with this application will be a lot line change.  
11 The site plan indicates this lot line change of  
12 about 1.4 acres. Presently the entrance to the  
13 dealership and the sanitary sewer service to the  
14 dealership is on an adjacent parcel which is  
15 owned by Mr. Colandrea. What we will be doing is  
16 submitting an application into this Board to  
17 transfer 1.4 acres of property from that easterly  
18 parcel and to incorporate it into the dealership  
19 parcel, thereby increasing the size of the parcel  
20 from 5.4 to 6.8 acres in size.

21 This plan is being submitted for  
22 conceptual review tonight. We understand that  
23 we're on a State highway and that in turn forces  
24 the Board to refer it out to the Orange County  
25 Department of Planning. As with all projects,

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we'd like to move it along as quickly as we can, realizing there's constraints that the Board has.

Thank you.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: Any reason why you wouldn't be doing the lot line change at the same time?

MR. SHAW: We plan on coming in immediately with the lot line change. The application that we submitted was just for the site plan. That will follow right behind this application.

MR. GALLI: Good.

MR. HINES: We're looking to get those approved at the same time, though; correct?

MR. SHAW: Yes. I understand that if the Board was so inclined to give site plan approval, they couldn't until the lot line plan was filed in Goshen.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: No questions.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: So the additional space is for what use?

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2 MR. SHAW: It's for all the uses. It's  
3 for the service area, it's for the parts and  
4 storage and it's for the office, conference and  
5 rest rooms. It is not for the display area.  
6 That square footage will remain the same.

7 MR. PROFACI: Okay. Thank you.

8 CHAIRMAN EWASUTYN: Tom Fogarty?

9 MR. FOGARTY: I don't have any  
10 comments. It's pretty straightforward.

11 CHAIRMAN EWASUTYN: John Ward?

12 MR. WARD: No comment.

13 CHAIRMAN EWASUTYN: At this point I'll  
14 turn to our Consultants. Jerry Canfield, Code  
15 Compliance?

16 MR. CANFIELD: In the work session one  
17 of Pat Hines's comments was with respect to the  
18 need for a sprinkler system. From the time the  
19 building was constructed until now there has been  
20 several building code upgrades or changes. The  
21 current fire code requires a repair garage; and  
22 Greg, you can look at the fire code, 903-2.1.1,  
23 chapter 9 of the fire code deals with sprinkler  
24 systems. A garage area over 12,000 square feet  
25 needs to be sprinklered. I know on your existing

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2 plan where it says 11,590 for the service area,  
3 if the total garage area with these additions  
4 exceeds 12,000 square feet, then you need to  
5 consider installing a sprinkler system throughout  
6 the building. That's a New York State Fire Code  
7 issue, it's not a local ordinance. I know we  
8 have a local ordinance in the Town of Newburgh,  
9 but the State code in this case supercedes. You  
10 may want to just examine your total square  
11 footage of that and the applicability of that.

12 MR. SHAW: I will double check that but  
13 I believe the numbers that are reflected on the  
14 plan with respect to the service area, 11,590  
15 square feet, that's existing and proposed  
16 combined.

17 MR. CANFIELD: Okay.

18 MR. SHAW: Again, I have to double  
19 check but I don't believe there will be another  
20 number that will be added to it which will throw  
21 it over the 12,000 square foot threshold.

22 MR. CANFIELD: Okay. The other  
23 unseparated use issues we can deal with at the  
24 time of the building permit.

25 MR. SHAW: Right.

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MR. CANFIELD: That's all I have, John.

CHAIRMAN EWASUTYN: Pat Hines, Drainage  
Consultant?

MR. HINES: Our first comment was  
discussed, it had to do with the timing of the  
lot line change. That's been handled already.

Jerry just handled the sprinkler  
comment.

We're just noting that no additional  
stormwater management is required as the addition  
is occupying the existing impervious surfaces.

As Tom said, it's pretty straight-  
forward. There's not a lot here.

CHAIRMAN EWASUTYN: Bryant Cocks,  
Planning Consultant?

MR. COCKS: There were no zoning or  
setback issues.

As Greg mentioned, they did provide a  
buffer area at the back of the site.

The only comment I had was just to  
revise the EAF to include threatened and  
endangered species from the DEC environmental  
resource map.

Also, this has to be referred to the

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Orange County Planning Department.

CHAIRMAN EWASUTYN: When do you propose to have some kind of architectural rendering as far as the addition?

MR. COLANDREA: We're waiting for some approvals from D'Angelo. We hope at the same timeframe when he comes in with the lot line change we'll be prepared to present that.

CHAIRMAN EWASUTYN: Any additional questions?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a motion from the Board to grant conceptual approval for the Colandrea site plan and to refer it to the Orange County Planning Department.

MR. WARD: So moved.

MR. PROFACI: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward. I have a second by Joe Profaci. Any discussion of the motion?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.



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MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So  
carried.

As we did with the application before,  
Utica Truck General, I'll poll the Board Members  
to see if they want to have a public hearing on  
the Colandrea Site Plan.

MR. GALLI: No.

MR. BROWNE: No.

MR. MENNERICH: No.

MR. PROFACI: No.

MR. FOGARTY: No.

MR. WARD: No.

CHAIRMAN EWASUTYN: No.

Let the record show that the Planning  
Board waived the requirement for public hearing  
for the Colandrea Site Plan.

MR. SHAW: Thank you. We're preparing  
the lot line change.

CHAIRMAN EWASUTYN: You'll get plans to

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Bryant Cocks so he can send those to the Orange  
County Planning Department.

MR. SHAW: Yes.

(Time noted: 7:49 p.m.)

C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify  
that I recorded stenographically the  
proceedings herein at the time and place  
noted in the heading hereof, and that the  
foregoing is an accurate and complete  
transcript of same to the best of my  
knowledge and belief.

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DATED: January 30, 2012

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

----- X  
In the Matter of

CRONK ESTATES II  
(2010-07)

Request for a 90-Day Extension of  
Conditional Final Subdivision Approval

----- X

BOARD BUSINESS

Date: January 5, 2012  
Time: 7:50 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD

ALSO PRESENT: BRYANT COCKS  
PATRICK HINES  
GERALD CANFIELD

----- X

MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018

1  
2 MR. BROWNE: Under Board Business we  
3 have two items. The first is Cronk Estates II,  
4 project number 2010-07.

5 The applicant is requesting a 90-day  
6 extension of conditional final subdivision  
7 approval which will run from February 4, 2012  
8 to May 4, 2012.

9 CHAIRMAN EWASUTYN: I'll move for  
10 that motion.

11 MR. PROFACI: So moved.

12 MR. FOGARTY: Second.

13 CHAIRMAN EWASUTYN: I have a motion by  
14 Joe Profaci. I have a second by Tom Fogarty.  
15 I'll ask for a roll call vote starting with Frank  
16 Galli.

17 MR. GALLI: Aye.

18 MR. BROWNE: Aye.

19 MR. MENNERICH: Aye.

20 MR. PROFACI: Aye.

21 MR. FOGARTY: Aye.

22 MR. WARD: Aye.

23 CHAIRMAN EWASUTYN: Myself yes. So  
24 carried.

25 (Time noted: 7:51 p.m.)

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C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: January 30, 2012

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

----- X  
In the Matter of

GROVE & VITE SUBDIVISIION  
(2011-12)

Request for a 90-Day Extension of  
Conditional Final Subdivision Approval

----- X

BOARD BUSINESS

Date: January 5, 2012  
Time: 7:51 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD

ALSO PRESENT: BRYANT COCKS  
PATRICK HINES  
GERALD CANFIELD

----- X

MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845) 895-3018

1  
2 MR. BROWNE: And the next item is Grove  
3 & Vite Subdivison, project 2011-12. The  
4 applicant is requesting a 90-day extension of  
5 conditional final subdivision approval which will  
6 run from February 4, 2012 to May 4, 2012.

7 MR. PROFACI: So moved.

8 MR. GALLI: Second.

9 CHAIRMAN EWASUTYN: I have a motion by  
10 Joe Profaci. I have a second by Frank Galli.  
11 I'll ask for a roll call vote starting with Frank  
12 Galli.

13 MR. GALLI: Aye.

14 MR. BROWNE: Aye.

15 MR. MENNERICH: Aye.

16 MR. PROFACI: Aye.

17 MR. FOGARTY: Aye.

18 MR. WARD: Aye.

19 CHAIRMAN EWASUTYN: Myself yes. So  
20 carried.

21 At this point I would like to  
22 congratulate everyone for their reappointment.

23 Last year we had 33 new applications.  
24 I would like to think, for the benefit of the  
25 Town, we'll have a constructive year.

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With that, I wish you all a happy new year.

We'll close the first meeting of the new year. I'll move for that motion.

MR. FOGARTY: Do you want to mention our site visit on Saturday?

CHAIRMAN EWASUTYN: Please. Thank you. Why don't you mention it.

MR. FOGARTY: Go ahead.

CHAIRMAN EWASUTYN: You mentioned it.

MR. FOGARTY: On Saturday we're going to do a field visit out to the New York City site where they're going to be putting in the shaft to repair the Delaware Aqueduct. That's on Saturday at 9 o'clock.

CHAIRMAN EWASUTYN: Thank you. I appreciate that.

MR. BROWNE: And we're meeting at the --

MR. FOGARTY: Hudson Diner.

CHAIRMAN EWASUTYN: Again, I think I had a motion on the table. I'll move for that. I'll repeat that again. I'll move for a motion to close the meeting.



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MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: A motion by Frank Galli and a second by John Ward. I'll move for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

Thank you all.

(Time noted: 7:55 p.m.)

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C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: January 30, 2012