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

- - - - - X

In the Matter of

REORGANIZATIONAL MEETING - 2022

- Re-appointments for Town of Newburgh Planning Board for 2022
- Planning Board meeting dates for 2022
- Consultant work session meeting dates for 2022

- - - - - X

BOARD BUSINESS

Date: January 6, 2022  
 Time: 7:00 p.m.  
 Place: Town of Newburgh  
 Town Hall  
 1496 Route 300  
 Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
 FRANK S. GALLI  
 CLIFFORD C. BROWNE  
 KENNETH MENNERICH  
 DAVID DOMINICK  
 JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
 PATRICK HINES  
 JAMES CAMPBELL

- - - - - X

MICHELLE L. CONERO  
 3 Francis Street  
 Newburgh, New York 12550  
 (845) 541-4163

1 REORGANIZATIONAL MEETING 2022

2 CHAIRMAN EWASUTYN: Welcome to  
3 the Town of Newburgh Planning Board  
4 meeting of the 6th of January 2022.  
5 This is a reorganizational meeting.

6 At this time we'll call the  
7 meeting to order with a roll call vote.

8 MR. GALLI: Present.

9 MR. MENNERICH: Present.

10 CHAIRMAN EWASUTYN: Present.

11 MR. BROWNE: Present.

12 MR. DOMINICK: Present.

13 MR. WARD: Present.

14 MR. CORDISCO: Dominic  
15 Cordisco, Planning Board Attorney.

16 MS. CONERO: Michelle Conero,  
17 Stenographer.

18 MR. HINES: Pat Hines with MHE  
19 Engineering.

20 MR. CAMPBELL: Jim Campbell,  
21 Town of Newburgh Code Compliance.

22 CHAIRMAN EWASUTYN: At this  
23 time I'll turn the meeting over to  
24 Michelle Conero.

25 MS. CONERO: Please stand for

1 REORGANIZATIONAL MEETING 2022

2 the Pledge.

3 (Pledge of Allegiance.)

4 MS. CONERO: Please put your  
5 cellphones on silent.

6 CHAIRMAN EWASUTYN: The first  
7 item of business for this meeting,  
8 item number 1, is the reorganizational  
9 meeting for 2022. Mr. Mennerich will  
10 enter it into the record.

11 MR. MENNERICH: The first item  
12 on it is the reappointment for the  
13 Town of Newburgh Planning Board,  
14 myself as vice chairman of the  
15 Planning Board; Drake, Loeb, PLLC,  
16 Dominic Cordisco, Attorney for the  
17 Planning Board; MHE Engineering, Pat  
18 Hines representing the engineers and  
19 planners to the Planning Board; Karen  
20 Arent, KALA, RLA, Landscape Architect  
21 to the Planning Board; Creighton,  
22 Manning, Ken Wersted, PE, Traffic  
23 Engineer to the Planning Board; HDR,  
24 Michael Musso, PE, Telecommunications  
25 Consultant; Michelle L. Conero,

1 REORGANIZATIONAL MEETING 2022

2 Stenographer to the Planning Board.

3 Can I have a motion for those  
4 appointments?

5 MR. DOMINICK: I'll make a  
6 motion.

7 MR. WARD: Second.

8 MR. MENNERICH: Roll call vote.

9 MR. GALLI: Aye.

10 MR. MENNERICH: Aye.

11 CHAIRMAN EWASUTYN: Aye.

12 MR. BROWNE: Aye.

13 MR. DOMINICK: Aye.

14 MR. WARD: Aye.

15 MR. MENNERICH: The Board  
16 Members have the 2022 Planning Board  
17 meeting dates listed. We also have  
18 the listing for the work sessions,  
19 the consultants' work sessions.

20 Could somebody make a motion to  
21 approve these dates?

22 MR. GALLI: I'll make a motion.

23 MR. WARD: Second.

24 MR. MENNERICH: All in favor?

25 MR. GALLI: Aye.

1 REORGANIZATIONAL MEETING 2022

2 MR. MENNERICH: Aye.

3 CHAIRMAN EWASUTYN: Aye.

4 MR. BROWNE: Aye.

5 MR. DOMINICK: Aye.

6 MR. WARD: Aye.

7 MR. MENNERICH: Thank you.

8

9 (Time noted: 7:04 p.m.)

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

I, MICHELLE CONERO, a Notary Public  
for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a true  
record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that  
I am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 17th day of January 2022.

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MICHELLE CONERO

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

----- X

In the Matter of

HADID - CLEARING & GRADING  
(2021-10)

34 Susan Drive  
Section 46; Block 5; Lot 21  
R-1 Zone

----- X

CLEARING & GRADING

Date: January 6, 2022  
Time: 7:04 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

1 HADID - CLEARING & GRADING

2 CHAIRMAN EWASUTYN: The second  
3 item of business is Hadid, clearing  
4 and grading.

5 We received a letter from the  
6 attorney for Hadid. He asked that we  
7 not discuss the item this evening,  
8 that he's hoping to meet with the  
9 neighbors to see if they can meet and  
10 have a reasonable solution to the  
11 fill material. That will be off the  
12 agenda.

13

14 (Time noted: 7:05 p.m.)

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HADID - CLEARING & GRADING

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

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for and within the State of New York, do  
hereby certify:

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I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that  
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this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 17th day of January 2022.

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MICHELLE CONERO

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

- - - - - X  
In the Matter of

POPPY LANE  
(2021-26)

Between 114 & 118 Lester Clark Road  
Section 6; Block 1; Lots 113, 114 & 115  
AR Zone

- - - - - X

AMENDED SUBDIVISION

Date: January 6, 2022  
Time: 7:05 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ANDREI LUKIANOFF

- - - - - X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

1        P O P P Y   L A N E

2                    CHAIRMAN EWASUTYN:    The second  
3                    item is -- the third item, excuse me,  
4                    is Poppy Lane, project number 21-26.  
5                    It's located north of Lester Clark  
6                    Road, between 114 and 118 Lester  
7                    Clark Road, in an AR Zone.    It's  
8                    being represented by Engineering &  
9                    Surveying.

10                    I guess Ross decided not to  
11                    send anyone?

12                    Okay.    Let the record show that  
13                    Engineering & Surveying isn't here.

14                    Do you want to take a look?

15                    MR. HINES:    I hear people out  
16                    there.

17                    (Pause in the meeting.)

18                    MR. HINES:    No.

19                    CHAIRMAN EWASUTYN:    Let the  
20                    record show that no one was here from  
21                    Engineering & Surveying.

22                    (Time noted:    7:06 p.m.)

23                    (Time resumed:    7:37 p.m.)

24                    CHAIRMAN EWASUTYN:    I would  
25                    like to go back on the agenda to item

1        P O P P Y   L A N E

2            number 3, Poppy Lane. It's an  
3            amended subdivision located north of  
4            Lester Clark Road, between 114 and  
5            118 Lester Clark Road, in an AR Zone.  
6            We have a representative from Engineering &  
7            Surveying Properties here this  
8            evening.

9                        MR. LUKIANOFF: I'm Andrei  
10            Lukianoff. I'm from Engineering &  
11            Surveying Properties. We are here on  
12            behalf of Poppy Lane.

13                        We're trying to sort of continue  
14            on with the work that's being done on  
15            the property right now. We're  
16            coordinating right now with the town  
17            highway superintendent to address two  
18            different points.

19                        Number one, the road actually  
20            is nonconforming by current  
21            standards. We're kind of actually  
22            trying to get that property done,  
23            especially with the idea of the fire  
24            trucks trying to get up the hill and  
25            so on.

1        P O P P Y   L A N E

2                    The other one that's also being  
3                    addressed here is also the idea of  
4                    drainage. Everything here is going  
5                    downhill. Right now we're trying to  
6                    basically direct all the drainage  
7                    heading down toward Lester on this  
8                    one. What's going to end up  
9                    happening is we're going to end up  
10                    having a lot of puddling down here.  
11                    We are trying to coordinate with the  
12                    highway superintendent on that one to  
13                    try to get that going.

14                    It's still in the works. We're  
15                    trying to sort of be on the agenda so  
16                    as we're moving forward, we're still  
17                    trying to get this approved.

18                    CHAIRMAN EWASUTYN: Pat Hines,  
19                    you were making a suggestion that it  
20                    may be possible to declare a negative  
21                    declaration and set this for a public  
22                    hearing?

23                    MR. HINES: Yes. This is an  
24                    amended subdivision plan that's  
25                    before you now. The previous plan in

1        P O P P Y   L A N E

2            the late '80s just had notes that  
3            said private road and notes that said  
4            septic systems will be required.  
5            Moving forward we now require much  
6            more detail.

7            The project doesn't meet the  
8            Town's private road -- current private  
9            road standards in that there is not a  
10           cul-de-sac proposed. There's a  
11           hammer head, or half a hammer head  
12           turnaround which does comply with  
13           fire code appendix D. There's also  
14           not a negative 2 percent grade off of  
15           Lester Clark which also has to do  
16           with the drainage issues.

17           Your private road, Town code  
18           allows the Planning Board to issue  
19           waivers to the private road  
20           specifications and standards. They  
21           would be looking for both of those  
22           waivers, the hammer head in lieu of  
23           the cul-de-sac and the percent grade  
24           at the entrance, which also requires  
25           the highway superintendent to weigh

1        P O P P Y   L A N E

2                in on the percent grade at the  
3                intersection with the Town road.

4                        Another issue we have is that  
5                the late '80s plan said that an access  
6                and maintenance agreement would be  
7                required to be filed. I don't  
8                believe that ever occurred yet.

9                        Right now there are three lots  
10                before you. One of the lots was  
11                already previously built out. It  
12                would be great if you could get that  
13                owner to participate with this  
14                application. At a minimum, these  
15                three lots would have to enter into  
16                an access and maintenance agreement  
17                that would go to Dominic's office for  
18                review. I think we may have a  
19                standard --

20                                MR. CORDISCO: Yes.

21                                MR. HINES: -- that you can  
22                utilize.

23                        The project disturbs greater than  
24                1 acre but less than 5, so we'll need  
25                coverage under the DEC stormwater

1        P O P P Y   L A N E

2                permit for the residential.

3                        The septic systems I believe  
4                have been submitted to the Code  
5                Department.

6                        MR. CAMPBELL:    I do not know.

7                        MR. HINES:    So the septic  
8                systems either need the review by the  
9                Code Department or my office.

10                        MR. LUKIANOFF:    That will be  
11                updated.    I think right now -- we're  
12                still actually working on them right  
13                now.

14                        MR. HINES:    That's the status  
15                of our review.

16                        It is an amended subdivision.  
17                It would require a public hearing  
18                because this map would be required to  
19                be filed with the County.    They're  
20                not changing the lots in any way.  
21                It's just really updating what was  
22                approved in the late '80s to current  
23                standards.

24                        CHAIRMAN EWASUTYN:    Jim Campbell?

25                        MR. CAMPBELL:    No additional



1            P O P P Y   L A N E

2            comments.

3                    CHAIRMAN EWASUTYN:  Dominic Cordisco?

4                    MR. CORDISCO:  Nothing further,  
5                    sir.

6                    MR. GALLI:  Nothing.

7                    CHAIRMAN EWASUTYN:  Can we make  
8                    a SEQRA determination?

9                    MR. HINES:  Based on our review,  
10                    I do not see any significant  
11                    environmental impacts that haven't  
12                    been -- at all.  I would recommend a  
13                    negative declaration for the amended  
14                    subdivision.

15                    CHAIRMAN EWASUTYN:  And the  
16                    date that we would schedule it for?

17                    MR. HINES:  February 3rd.

18                    CHAIRMAN EWASUTYN:  Having  
19                    heard from Pat Hines and Dominic  
20                    Cordisco, would someone make a motion  
21                    to declare a negative declaration and  
22                    set this for a public hearing for the  
23                    3rd of February?

24                    MR. GALLI:  So moved.

25                    MR. WARD:  Second.

1        P O P P Y   L A N E

2                    CHAIRMAN EWASUTYN: I have a  
3        motion by Frank Galli. I have a second  
4        by John Ward. Can I have a roll call  
5        vote?

6                    MR. GALLI: Aye.

7                    MR. MENNERICH: Aye.

8                    CHAIRMAN EWASUTYN: Aye.

9                    MR. BROWNE: Aye.

10                   MR. DOMINICK: Aye.

11                   MR. WARD: Aye.

12                   CHAIRMAN EWASUTYN: I'm glad you  
13        showed up.

14                   MR. LUKIANOFF: I ended up  
15        actually putting it into the GPS. It  
16        was way off. I think I had my  
17        adventure that these guys were talking  
18        about.

19

20                   (Time noted: 7:43 p.m.)

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1        P O P P Y   L A N E

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

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6            I, MICHELLE CONERO, a Notary Public  
7        for and within the State of New York, do  
8        hereby certify:

9            That hereinbefore set forth is a true  
10        record of the proceedings.

11            I further certify that I am not  
12        related to any of the parties to this  
13        proceeding by blood or by marriage and that  
14        I am in no way interested in the outcome of  
15        this matter.

16            IN WITNESS WHEREOF, I have hereunto  
17        set my hand this 17th day of January 2022.

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MICHELLE CONERO

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

----- X  
In the Matter of

ADS PROPERTIES - CAR WASH  
(2021-04)

1295 Route 300  
Section 95; Block 1; Lot 14.1  
IB Zone

----- X

SITE PLAN

Date: January 6, 2022  
Time: 7:06 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: NICHOLAS RUGNETTA

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

1       ADS PROPERTIES - CAR WASH

2                   CHAIRMAN EWASUTYN: The fourth  
3                   item of business this evening is ADS  
4                   Properties. It's a car wash, project  
5                   number 21-04. It's located on  
6                   Route 300 in an IB Zone. It's being  
7                   represented by Pietrzak & Pfau.

8                   MR. RUGNETTA: Nicholas  
9                   Rugnetta from Pietrzak & Pfau  
10                  Engineering. I have Wayne Sheeley  
11                  with me, the applicant.

12                 What we did for this submission  
13                 of the ADS Properties car wash is we  
14                 submitted a plan showing the proposed  
15                 turn lane and also a document  
16                 outlining the configuration in the  
17                 site with regard to electronic groups  
18                 in the ground that would trigger a  
19                 sign and then, you know, speed up the  
20                 conveyor belt and do additional  
21                 things on the site to help move cars  
22                 through the site.

23                 I did speak with the DOT. They  
24                 were receptive of this turn lane. We  
25                 have to go ahead and design it.

1       ADS   P R O P E R T I E S   -   C A R   W A S H

2                    But with regard to that, we  
3                    just wanted to -- tonight we wanted  
4                    to clear up any concerns that the  
5                    Board has and potentially schedule a  
6                    public hearing.

7                    CHAIRMAN EWASUTYN:   Frank Galli?

8                    MR. GALLI:    No.   I'm all set.

9                    CHAIRMAN EWASUTYN:   Ken Mennerich?

10                   MR. MENNERICH:   How long do you  
11                   think it will take to get some feedback  
12                   from the DOT once you develop the plan?

13                   MR. RUGNETTA:   As far as detail  
14                   wise and a full design of the turn  
15                   lane?

16                   MR. MENNERICH:   Yes.

17                   MR. RUGNETTA:   I know they are  
18                   a little difficult on this side.   I  
19                   know they are also very busy.

20                   All we have to do is provide  
21                   them with the necessary details and a  
22                   plan submission and have them review  
23                   it.   I know they are currently  
24                   looking at our submission which  
25                   included the traffic study, the

1       ADS   P R O P E R T I E S   -   C A R   W A S H

2               stormwater plan and our design plans.  
3               Now we'll have to include also the  
4               plans for the turn lane.

5                       MR. MENNERICH:   The reason I'm  
6               asking is before you have a public  
7               hearing, I think the public would want  
8               to know that.   In addition, the  
9               Planning Board would like to know  
10              whether it's going to be approved or  
11              not.

12                      MR. RUGNETTA:   I did speak to  
13              the permitting engineer in Orange  
14              County and she spoke to the  
15              department in the DOT that does  
16              maintenance here.   She reviewed the  
17              plan with them which more or less  
18              showed this with the turn lane.   They  
19              were very receptive of it.   They said  
20              they don't have any issues, they  
21              would just need design plans.   They  
22              didn't see any issues with getting  
23              the curb cut and the turn lane.

24                      MR. MENNERICH:   Thank you.

25                      CHAIRMAN EWASUTYN:   Cliff Browne?

1       ADS   P R O P E R T I E S   -   C A R   W A S H

2                   MR. BROWNE:   That was the major  
3       issue, that right turn.   Thank you.

4                   CHAIRMAN EWASUTYN:   Dave Dominick?

5                   MR. DOMINICK:   I really like  
6       how creative you got with that to try  
7       to mitigate backup on 300.

8                   Approximately how many cars do  
9       you think could fit in that lane?

10                  MR. RUGNETTA:   I want to, for  
11       the Board and for everyone, make  
12       clear that the turn lane is not  
13       property for cueing.   It was to  
14       alleviate concerns regarding  
15       stacking, to get cars off of the main  
16       thorough way of Route 300.   I mean  
17       probably five cars, but we don't plan  
18       to utilize it as stacking.

19                  That's part of the electronic  
20       loop in the ground and speeding the  
21       conveyor, routing cars through the  
22       vacuum area.   This is to get cars off  
23       of 300, to the side of 300, get them  
24       in the lane going into the car wash  
25       and get everyone on site, if need be



1       ADS PROPERTIES - CAR WASH

2           into the vacuum area, speed things  
3           up. That was the goal of this.

4           MR. DOMINICK: Right. I was  
5           following that. Like I said, I think  
6           that's really creative on that part  
7           to do that.

8           The one question we had, and I  
9           think we discussed it a little bit in  
10          workshop, is we're still going to do  
11          the no left turn out of the facility  
12          onto 300. Correct?

13          MR. SHEELEY: Correct.

14          MR. RUGNETTA: We can. I know  
15          we had spoken about it.

16          MR. SHEELEY: That's fine.

17          MR. DOMINICK: Okay.

18          MR. SHEELEY: I agree that's  
19          safer.

20          MR. WARD: Did you talk to DOT  
21          in reference to the no left turn?

22          MR. RUGNETTA: No, I did not.  
23          I mean I don't think they are going  
24          to be opposed to it.

25          MR. WARD: It wouldn't hurt to

1       ADS   P R O P E R T I E S   -   C A R   W A S H

2               say something.  It might help you.

3               MR. RUGNETTA:  I know it was  
4               discussed here.  I don't think we  
5               came to a conclusion on whether it  
6               was something that the Board would  
7               like.  If that's something they would  
8               want --

9               MR. WARD:  That's a definite.  
10              I know the left turn there and it's  
11              treacherous.

12             MR. RUGNETTA:  It's difficult.

13             MR. WARD:  Plus people turning  
14             into there.  A left turn going  
15             northbound, you know, it's an accident  
16             waiting to happen.

17             MR. SHEELEY:  I agree.

18             MR. RUGNETTA:  We can put a right  
19             turn only.

20             MR. DOMINICK:  Also in regards  
21             to what John is saying, no left turn  
22             with curbing, I think Frank brought  
23             it up, directional curbing so you  
24             can't make the left.  I'm not sure of  
25             the technical term of that.

1       ADS PROPERTIES - CAR WASH

2                   MR. RUGNETTA:   Okay.

3                   MR. HINES:    A pork chop.

4                   MR. DOMINICK:  There you go, a  
5       pork chop.

6                   CHAIRMAN EWASUTYN:  John Ward?

7                   MR. WARD:    I already said what  
8       I had to say.  Thank you.

9                   CHAIRMAN EWASUTYN:  Okay.  Jim  
10      Campbell?

11                  MR. CAMPBELL:  I have no comments  
12      at this time.

13                  CHAIRMAN EWASUTYN:  Pat Hines?

14                  MR. HINES:    Our comments are  
15      similar to the Board's, the status of  
16      the DOT approval for the, I'll call  
17      it slip lane, turn lane in there, as  
18      well as developing plans that show  
19      the no left turn out.

20                  To schedule a public hearing, the  
21      Board would have to make a SEQRA  
22      determination prior to doing that.  I  
23      don't know if the Board is  
24      comfortable with the status of the  
25      traffic review yet.

1       ADS PROPERTIES - CAR WASH

2                   CHAIRMAN EWASUTYN: I'll poll the  
3       Board Members to see if they want to  
4       make a SEQRA determination now and  
5       schedule a public hearing, which  
6       would be -- let's see.

7                   MR. CORDISCO: It would be  
8       February 3rd.

9                   MR. HINES: I will note that DOT  
10      will need the SEQRA determination as  
11      well before they can issue a permit.

12                  MR. GALLI: I'm okay with that,  
13      John.

14                  MR. MENNERICH: I'm okay with  
15      that.

16                  MR. BROWNE: Yes.

17                  MR. DOMINICK: I agree, John.

18                  MR. WARD: Yes.

19                  CHAIRMAN EWASUTYN: All right.  
20      Let the record show that the Planning  
21      Board is going to declare a negative  
22      declaration on the ADS Properties  
23      site plan and schedule it for a public  
24      hearing for the 3rd of February.

25                  MR. WARD: So moved.

1       ADS   P R O P E R T I E S   -   C A R   W A S H

2                   MR. DOMINICK:   Second.

3                   CHAIRMAN EWASUTYN:   I have a  
4                   motion by John Ward.   I have a second  
5                   by Dave Dominick.   Can I have a roll  
6                   call vote starting with Frank Galli?

7                   MR. GALLI:   Aye.

8                   MR. MENNERICH:   Aye.

9                   CHAIRMAN EWASUTYN:   Aye.

10                  MR. BROWNE:   Aye.

11                  MR. DOMINICK:   Aye.

12                  MR. WARD:   Aye.

13                  CHAIRMAN EWASUTYN:   As soon as  
14                  you get any correspondence, I know  
15                  you will from the DOT, please e-mail  
16                  it to us.

17                  MR. RUGNETTA:   No problem.

18                  CHAIRMAN EWASUTYN:   You'll work  
19                  with Pat Hines as far as the notice  
20                  for the hearing?

21                  MR. RUGNETTA:   Yes.   We'll get  
22                  you the plans.

23                  CHAIRMAN EWASUTYN:   I guess  
24                  that's it for now.

25                  MR. RUGNETTA:   All right.

1       A D S   P R O P E R T I E S   -   C A R   W A S H

2                   MR. SHEELEY: Thank you.

3                   MR. RUGNETTA: Thank you.

4                   (Time noted: 7:12 p.m.)

5

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

7

8                   I, MICHELLE CONERO, a Notary Public  
9       for and within the State of New York, do  
10       hereby certify:

11                   That hereinbefore set forth is a true  
12       record of the proceedings.

13                   I further certify that I am not  
14       related to any of the parties to this  
15       proceeding by blood or by marriage and that  
16       I am in no way interested in the outcome of  
17       this matter.

18                   IN WITNESS WHEREOF, I have hereunto  
19       set my hand this 17th day of January 2022.

20

21

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD  
----- X  
In the Matter of

RIVIAN - NEWBURGH, NY  
(2021-35)

1219-1221 Route 300  
Section 96; Block 1; Lot 6.2  
IB Zone

----- X

AMENDED SITE PLAN/ELECTRIC CAR CHARGE

Date: January 6, 2022  
Time: 7:12 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ANKUR DOSHI &  
BRADLEY SOHN

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

1 RIVIAN - NEWBURGH, NY

2 CHAIRMAN EWASUTYN: The fifth  
3 item of business this evening is  
4 Rivian - Newburgh, project number  
5 21-35. It's an initial appearance  
6 for an amended site plan/electric  
7 car charge located on Route 300 in an  
8 IB Zone. It's being represented by  
9 Rivian.

10 Gentlemen?

11 MR. DOSHI: Thank you all for  
12 letting us commence here and allowing  
13 us to introduce ourselves as Rivian  
14 Automotive. We're an electric vehicle  
15 manufacturer and we also are producing  
16 electric vehicle charging hardware,  
17 as you can see.

18 Our proposal today is to get  
19 feedback from you all and understand  
20 what determinations or what kind of  
21 considerations need to be made for our  
22 proposed charging station at 1219-  
23 1221 Route 300 in the Town of Newburgh.

24 As you can see, we have a couple of  
25 renderings here just to mainly show



1 RIVIAN - NEWBURGH, NY

2 what our charging equipment would look  
3 like. This is not supposed to be  
4 representative of the Newburgh site  
5 specifically. I just wanted to  
6 provide an understanding of how our  
7 chargers would look from a height  
8 perspective, from an aesthetics  
9 perspective.

10 So as you can see on this graphic,  
11 here's how our fast chargers would  
12 look from an aesthetic point of view.

13 Then here's another drawing  
14 that essentially indicates what our power  
15 cabinets would look like. So these are the  
16 devices that connect to our transformer  
17 and transform the electricity from AC  
18 to DC and allow us to connect to  
19 these dispensers that will then allow  
20 the end user to charge their vehicle.

21 And then of course we will need  
22 to have a utility transformer as well  
23 to provide that independent service on  
24 the electric utility side.

25 CHAIRMAN EWASUTYN: Can you,

1 RIVIAN - NEWBURGH, NY

2 for the record, give your name. If  
3 you have a business card, give it to  
4 the Stenographer.

5 MR. DOSHI: Yes. My apologies.  
6 My name is Ankur Doshi. I'm a project  
7 manager for the charging facility in  
8 the northeast for Rivian. I have a  
9 business card that I can provide.  
10 Should I provide it right now?

11 MR. HINES: If you have it.

12 MR. DOSHI: So at this time I  
13 would happily accept any and all of  
14 the Planning Board's comments.

15 CHAIRMAN EWASUTYN: Can you  
16 educate us on this. Are cars  
17 actually out on the road now? Will  
18 cars be introduced soon?

19 MR. DOSHI: Sure.

20 MR. SOHN: I'm Bradley Sohn. I  
21 work at Rivian Automotive on the real  
22 estate side of things, site  
23 acquisition, growth, development,  
24 et cetera.

25 We do currently have two

1 RIVIAN - NEWBURGH, NY

2 consumer facing vehicles out on the  
3 road today. One is the R1T which you  
4 see here. It's a full size pickup  
5 truck. One is what's called an R1S.  
6 It's a full size SUV. Think of like  
7 a Range Rover meets BMW X7 in terms  
8 of size. Or you can just box off  
9 this and that will essentially look  
10 like ours. Those two vehicles have  
11 hit the ground in consumer hands  
12 starting in October of 2021 and are  
13 being delivered daily as we speak  
14 currently.

15 So the ramp-up period is, you  
16 know, escalating as time goes on.  
17 These charging stations are to enable  
18 travelers going from city to city,  
19 metro to metro.

20 You know, if you don't have a  
21 garage where you charge at home, you  
22 come here in the City of Newburgh and  
23 you can charge at this location.

24 MR. GALLI: Town of Newburgh.

25 MR. SOHN: Town of Newburgh.

1 RIVIAN - NEWBURGH, NY

2 CHAIRMAN EWASUTYN: Questions  
3 from Board Members?

4 MR. GALLI: These charging  
5 stations are only for your cars?

6 MR. SOHN: Yes. These are  
7 particular to Rivian Automotive.

8 MR. GALLI: Okay. And do they  
9 pay when they pull up or is it when  
10 they -- how does that work?

11 MR. SOHN: Yes. So there will  
12 likely be a package where you can --  
13 when you buy the vehicle, where if  
14 you just come in, you plug it in and  
15 then it docks your account.

16 MR. GALLI: Okay. Do these  
17 transfer boxes need maintenance and  
18 upkeep?

19 MR. DOSHI: Yes. Very minimal  
20 maintenance and upkeep, of course.  
21 When that is necessary, of course.  
22 It's being done by our maintenance  
23 employees who will come out to the  
24 site, and of course work with the  
25 site host and the jurisdiction, if

1 RIVIAN - NEWBURGH, NY

2 need be, and, you know, make sure  
3 that we can do this safely and  
4 effectively and not really impact the  
5 use of these chargers by the public.

6 MR. GALLI: Where is your next  
7 closest?

8 MR. DOSHI: To this?

9 MR. SOHN: To this location?

10 Figure --

11 MR. GALLI: Albany area?

12 MR. SOHN: Yeah. Our next  
13 closest is probably going to be, call  
14 it 60 to 90 miles in all directions.  
15 But yeah, up in Albany for sure.

16 MR. GALLI: That's all I have,  
17 John.

18 CHAIRMAN EWASUTYN: Ken?

19 MR. MENNERICH: How long does  
20 the charge time take for the two  
21 vehicles that you sell?

22 MR. SOHN: It's 20 to 40  
23 minutes depending on how much battery  
24 you come into the station with.

25 MR. MENNERICH: Okay. That's

1 RIVIAN - NEWBURGH, NY

2 all I have.

3 CHAIRMAN EWASUTYN: The charging  
4 station is approximately 6 feet in  
5 height? I think it's 5'10", 11". So  
6 approximately 6 feet.

7 You're showing Hibernian at a  
8 height of 2 feet. Would you consider  
9 the Hibernian being maybe 3 feet,  
10 that way it does offset the visual  
11 impact of these stations sticking out?

12 MR. GALLI: The plants in front  
13 of it.

14 MR. DOSHI: I see. So once  
15 again, I want to make this clear.  
16 This is not a representation of the  
17 Newburgh site.

18 CHAIRMAN EWASUTYN: What I'm  
19 saying to you is the submittal that  
20 you had given talked about replacing  
21 an oak tree --

22 MR. DOSHI: Yes.

23 CHAIRMAN EWASUTYN: -- to go to  
24 a 2-inch caliber. You also talked  
25 about removing plants and then putting

1 RIVIAN - NEWBURGH, NY

2 in Hibernian. You're putting in  
3 Hibernian at a height of 24 inches.  
4 I'm saying the scale of the charging  
5 station is 6 feet. To keep things in  
6 proportion would you consider  
7 Hibernian at a height of 3 feet?

8 MR. DOSHI: Yes. Absolutely.  
9 Absolutely.

10 CHAIRMAN EWASUTYN: At some  
11 point in time your final plan will  
12 list the species, the caliber, the  
13 size of the container. There will be  
14 a landscape bond that's necessary --

15 MR. DOSHI: Okay.

16 CHAIRMAN EWASUTYN: -- with a  
17 two-year warranty.

18 Cliff Browne?

19 MR. BROWNE: Two of the questions  
20 you already talked about. The charge  
21 time, you said it takes from 20 minutes  
22 to 40 minutes?

23 MR. DOSHI: Correct.

24 MR. BROWNE: When a car pulls  
25 in at maybe a 50-mile range remaining,

1 RIVIAN - NEWBURGH, NY

2 you're looking at a 40-minute charge  
3 to what, 80 percent, 90 percent?

4 MR. DOSHI: I think that sounds  
5 about right.

6 MR. SOHN: Yeah. You want to  
7 pull into the station with as little  
8 battery as possible to make it quicker.

9 MR. BROWNE: To make it quicker?

10 MR. SOHN: Make it quicker,  
11 yeah. Now you'd be -- if you would  
12 have an empty glass of water, you  
13 would go to your faucet to fill it  
14 up, you're going to crank the faucet,  
15 turn it on until it gets to the very  
16 end. If you go with a half full  
17 glass of water, you're going to  
18 slowly put it on. That's essentially  
19 how the battery takes the electricity  
20 in from the equipment.

21 MR. BROWNE: Okay. At this  
22 Newburgh location we talked about the  
23 other things around the area where  
24 people could go to while they're  
25 doing the charging thing. From a



1 RIVIAN - NEWBURGH, NY

2 practical standpoint, they'd have to  
3 get out of their car, walk through  
4 lousy weather, like the snow and the  
5 rain and the ice and whatnot. I  
6 don't see that as being that practical,  
7 although it's not part of the  
8 application per se.

9 Would you expect that people  
10 would just sit in their car and wait  
11 for that 20, 40 minutes to get their  
12 charge?

13 MR. SOHN: It could go either  
14 way. You know, if you want to grab a  
15 coffee, use the rest room, do what  
16 you need to do, then yeah, definitely  
17 possible. Get a smoothie. You would  
18 leave your vehicle, plug it in, lock  
19 it, get what you need and then come  
20 back to your car. On the other hand,  
21 you may not need that and you'd sit  
22 in your car.

23 MR. BROWNE: Is there any  
24 thought to any of your stations  
25 providing that kind of facility?

1 RIVIAN - NEWBURGH, NY

2 Like now if you go to a Speedway,  
3 you go to whatever, you pump the gas,  
4 you go in there, you go to the  
5 bathroom, you get your coffee. Are  
6 you anticipating doing that type of  
7 thing at any of your locations?

8 MR. SOHN: Yeah. Well, at this  
9 specific location all of those  
10 offerings are currently on site,  
11 which is why we had chose this  
12 location. You have a diner, you have  
13 a smoothie, and a number of other  
14 operators as well. That's why from  
15 our perspective we want to allow the.  
16 customers to have as many options as  
17 possible so when they pull into the  
18 station they're not forced to sit in  
19 their cars. They can go use the rest  
20 room, grab a coffee, a soda, a bite to  
21 eat. Whatever it may be.

22 MR. BROWNE: Just kind of a  
23 curiosity standpoint. As of now  
24 what's your projection for how many  
25 vehicles you can produce over the

1 RIVIAN - NEWBURGH, NY

2 next year? Any idea?

3 MR. SOHN: I don't know, to be  
4 completely honest with you, that  
5 specific number.

6 MR. BROWNE: You don't have a  
7 projection? It's just not out there?  
8 I would think that you'd have -- to do  
9 what you're doing now, I would think  
10 your company has to have some sort of  
11 a business projection for how many  
12 vehicles you're going to put out.

13 MR. SOHN: So the number that  
14 we had released, call it back in  
15 November, was around 55,000 vehicles  
16 that were already preordered. That  
17 number since then has gone up. So  
18 that number -- I do not know what  
19 that current number is.

20 MR. BROWNE: Okay. Do you have  
21 any idea what percentage of that  
22 number is northeast, west, south,  
23 where they are going physically?

24 MR. SOHN: I cannot speak to  
25 that.

1 RIVIAN - NEWBURGH, NY

2 MR. BROWNE: Just curious. I  
3 know it has nothing to do with the  
4 application itself. I was just  
5 curious. Actually, until I saw this  
6 application I had never heard of the  
7 brand.

8 MR. DOSHI: Sure. Understood.

9 So we're basically looking to --  
10 our goal is to electrify the main  
11 thoroughfares throughout the country  
12 because we know that a lot of people  
13 will have the ability to charge at  
14 home at a slower pace. If they are  
15 going on a road trip or they need to  
16 go across a couple states, as some of  
17 us did to come here, we're going to  
18 need to charge up just like you need  
19 to go to a gas station. That's why  
20 we think that Newburgh -- the Town of  
21 Newburgh is a great location for  
22 spacing out our charging stations  
23 about every 60 or 70 miles. We find  
24 that this is a great location, also  
25 right off the highway, has the

1 RIVIAN - NEWBURGH, NY

2 amenities we need. The shopping  
3 center is in a location where -- I  
4 think we tried to focus on getting  
5 spots that were not extremely popular  
6 to the typical cars so we could make  
7 sure that we were not disturbing the  
8 current flow of existing vehicles.  
9 Also we wanted to make sure we could  
10 use the green space that would be  
11 right next to our charging equipment  
12 or our charging dispensers. We wanted  
13 to make sure everything was together  
14 and not -- that's kind of the reason  
15 for why that location was  
16 specifically chosen on that property.

17 Overall for the Town, we've  
18 been looking at a lot of different  
19 properties in this area and within  
20 the radius. We felt that this was  
21 the best mix of all the attributes  
22 that we kind of discussed. In  
23 talking with the landlord, we wanted  
24 to pursue this location further.

25 MR. BROWNE: Once again, though,

1 RIVIAN - NEWBURGH, NY

2 your charging stations are proprietary  
3 to your brand?

4 MR. SOHN: Correct. From a  
5 software perspective.

6 MR. DOSHI: From a software  
7 perspective.

8 MR. BROWNE: Does that mean then  
9 that if a Ford comes along and they  
10 want to plug in --

11 MR. SOHN: Our software would  
12 not allow them to do that currently.

13 MR. BROWNE: Okay.

14 MR. DOSHI: Currently.

15 MR. SOHN: Like Ankur was saying,  
16 the reason why the Town of Newburgh  
17 is at this pivotal junction is because  
18 you have I-87, I-84. We're trying to  
19 get the customer on both highways at  
20 once. With the amenities on this  
21 property, it made the most sense for us.

22 MR. BROWNE: Thank you.

23 CHAIRMAN EWASUTYN: Dave Dominick?

24 MR. DOMINICK: Frank asked one  
25 of my questions about where is your

1 RIVIAN - NEWBURGH, NY

2 next closest charging station.

3 On a full charge what is the  
4 range your vehicle gets?

5 MR. SOHN: 300 to 400. It's  
6 hard to say. It depends on the air  
7 conditioning, the heat, are you towing  
8 a trailer, et cetera.

9 MR. DOSHI: The terrain will  
10 definitely affect it.

11 MR. DOMINICK: I'm sure there's  
12 different mitigating factors that go  
13 into that.

14 Just going off of where Cliff  
15 was going, you say you have two  
16 models on the market now, currently  
17 on the market. How many models total  
18 are currently on the market?

19 MR. SOHN: Being driven on the  
20 road today?

21 MR. DOMINICK: Yes.

22 MR. SOHN: Two. The R1T, which  
23 is the pickup truck, and the R1S.

24 MR. DOMINICK: What's the total  
25 number? Just two?

1 RIVIAN - NEWBURGH, NY

2 MR. SOHN: I thought you meant  
3 the models itself.

4 MR. DOMINICK: You have two  
5 models. What's the total number?

6 MR. SOHN: I don't know that.

7 MR. DOSHI: They're rolling  
8 out. I think it's kind of more of  
9 like an exponential curve every  
10 couple of weeks.

11 I think initially we were doing  
12 dozens, but that was three months  
13 ago. We're slowly ramping up. We  
14 would have to probably get back to  
15 you if you needed that information.  
16 We don't want to say a number I  
17 guess.

18 MR. DOMINICK: I understand. I  
19 would just be curious to know.

20 If your charging station is  
21 unique to your product, to your brand,  
22 and you only have 20,000 vehicles of  
23 the two models, not much action is  
24 going to be here.

25 You have Tesla on this



1 RIVIAN - NEWBURGH, NY

2 property. Two doors down you have  
3 Wal-Mart that has a universal  
4 charging station. Is there any way  
5 your software would recognize another  
6 brand, another product to get more  
7 traffic into this site?

8 MR. DOSHI: Yes. So I think  
9 the one point that probably should  
10 just be made is, once again, I think  
11 we wanted to stress the point that  
12 it's a software -- it's currently a  
13 software incompatibility.

14 Our charging equipment uses a  
15 standard CCS port which is that  
16 standard port that basically all  
17 non-Tesla charging stations utilize.  
18 So I just want to make that point  
19 clear, that it's currently only going  
20 to support Rivian vehicles. That's  
21 because of the software incompatibility.

22 Also, I think we have to  
23 understand that we know that this is  
24 going to be -- in two or three years  
25 we feel that these are going to be

1 RIVIAN - NEWBURGH, NY

2 much more utilized of course. But I  
3 think we know that there is going to  
4 be a six to nine-month gap where of  
5 course they're not going to be  
6 utilized to capacity. That's why  
7 we're here working on these leases,  
8 to make sure that we can get the  
9 right utilization for the equipment.

10 MR. SOHN: You have to build it  
11 now to get the numbers you want on  
12 the streets in two to three years.  
13 What we're doing is we're forecasting  
14 out. There's a number that we have  
15 to hit with this site and a lot of  
16 the other sites across the board that  
17 enables us to get to that number.

18 Part of the other reason why  
19 we're building out our own charging  
20 network is because of reliability and  
21 maintenance. We want this to be a  
22 very ease of use for our customers.  
23 We don't want them to have to deal  
24 with other cars waiting in line  
25 possibly at our stations. We want

1 RIVIAN - NEWBURGH, NY

2 this to be, you know, you're part of  
3 the Rivian club, you come up, you get  
4 to use our charging stations.

5 MR. DOMINICK: One final  
6 question. If you're in charge of  
7 land acquisition, where was the next  
8 charging station -- where is your  
9 next location for a charging station?

10 MR. SOHN: All over. Next in  
11 terms of what? If you could define  
12 next.

13 MR. DOMINICK: So if you're  
14 going to build this in the Town of  
15 Newburgh at the town plaza there and  
16 your range is only 50 or 60 miles and  
17 I'm traveling, if I go south --

18 MR. GALLI: 400 miles.

19 MR. DOMINICK: 400 miles. Is  
20 Philadelphia -- will I make it to  
21 Philadelphia?

22 MR. SOHN: Yes.

23 MR. DOMINICK: Will I make it to  
24 Akron, Ohio?

25 MR. SOHN: Between Akron, Ohio

1 RIVIAN - NEWBURGH, NY

2 you would probably have a couple  
3 stops in between. You would be  
4 enabled on the Rivian network to get  
5 where you want to go.

6 I think all major metros, Boston  
7 to D.C., down to Atlanta, down to  
8 Miami, up through Louisiana, Texas. if  
9 there's an interstate, that's where we're  
10 hunting.

11 MR. DOMINICK: Pretty much the  
12 east coast right now?

13 MR. SOHN: Nationally.

14 MR. DOMINICK: That's it.  
15 Thank you.

16 CHAIRMAN EWASUTYN: John Ward?

17 MR. WARD: How many do you have  
18 built already, established around the  
19 country?

20 MR. DOSHI: Currently we don't  
21 have any in service. They're all  
22 being -- some of them have been  
23 essentially built, just pending our  
24 equipment that needs to be installed,  
25 our Rivian specific equipment. But

1 RIVIAN - NEWBURGH, NY

2 they've already been vetted and  
3 approved by the jurisdiction and the  
4 utilities.

5 Then other ones -- we're really  
6 going to be -- 2022 is going to be  
7 the year where we're going to try to  
8 hit massive goals to be able to  
9 electrify these stations.

10 A lot of it really came down to  
11 limitations on supply chain logistics  
12 and understanding that our equipment  
13 was not going to be ready as early as  
14 we thought it was, just like many  
15 other manufacturers in the space.

16 We are confident that we --  
17 we're going to be building many of  
18 these. Especially by June you will  
19 see many of them in the ground  
20 throughout the country.

21 MR. WARD: And I know you have  
22 a vision with all this, but how many  
23 do you think you'll have, period?  
24 Like right now you don't have any.

25 MR. DOSHI: Yup.

1 RIVIAN - NEWBURGH, NY

2 MR. WARD: How many do you  
3 forecast, say two years from now?

4 MR. DOSHI: So I believe that  
5 we have a public number out.

6 MR. SOHN: It's 600 by the end  
7 of 2023. Where that number goes  
8 after 2023 is hard to say.

9 What we're going to do is  
10 understand where people want to travel  
11 to, how to enable certain routes maybe  
12 on the adventure side of things.

13 These vehicles are off-roading.  
14 We want to make sure that they can  
15 get to wherever they want to be on  
16 their adventure, their journey.

17 The number is 600 at the end of  
18 2023. From there we could take this  
19 anywhere.

20 MR. WARD: Very good.

21 MR. GALLI: Do you guys have a  
22 charger at home? Are you driving a  
23 Tesla?

24 MR. SOHN: Unfortunately we're  
25 not all driving race cars.

1 RIVIAN - NEWBURGH, NY

2 MR. BROWNE: From a competition  
3 standpoint, basically you guys are  
4 going with mostly off-road vehicles  
5 at this point versus like Tesla?  
6 It's all off-road vehicles?

7 MR. SOHN: It's not that  
8 they're off-road vehicles. It's that  
9 they are able to go off road.

10 MR. BROWNE: Like a Jeep or  
11 whatever?

12 MR. SOHN: Yeah. Jeep, Ford,  
13 F-150, Silverado. A lot of people  
14 take those off-roading because  
15 they're pickup trucks. You can take  
16 these off-roading as well.

17 MR. BROWNE: Okay. So from a  
18 competition standpoint you're kind of  
19 going in that direction more than  
20 just a straight highway sedan thing?

21 MR. DOSHI: I think a lot of  
22 our vision as a company is to try to  
23 help people understand that they can  
24 drive somewhere and find an adventure  
25 versus trying to drive somewhere just

1 RIVIAN - NEWBURGH, NY

2 to get from point A to point B. We  
3 pride ourselves on trying to put up  
4 these sites.

5 Also as you'll see, they're not  
6 always going to be in these large  
7 metro areas. We're going to put them  
8 in areas where we want people to come  
9 out, even though it might not be  
10 directly on their route. It might be  
11 close enough to be directly on their  
12 route and they can really experience  
13 another location that could provide  
14 another adventure.

15 MR. BROWNE: I was trying to  
16 get in my mind how coming in this  
17 late in the game against big players,  
18 where your thinking is going as far  
19 as the company goes. Thank you.

20 CHAIRMAN EWASUTYN: Jim Campbell?

21 MR. CAMPBELL: No additional  
22 comments. Everything has already  
23 been said or is in the consultants'  
24 comments.

25 CHAIRMAN EWASUTYN: Pat Hines?



1 RIVIAN - NEWBURGH, NY

2 MR. HINES: So both myself and  
3 the traffic consultant for the Town  
4 had comments regarding this.

5 We now have six sites dedicated  
6 to Tesla. Now you'll have six  
7 parking spots dedicated to your  
8 product which are proprietary, both  
9 of them apparently.

10 We want to get a handle on the  
11 total number of parking on the site  
12 so that we don't end up having  
13 insufficient parking for non-Tesla,  
14 non-Rivian, whatever the next one down  
15 the road is.

16 I just wonder how many different  
17 brands of chargers the Planning Board  
18 is going to have out there if they're  
19 all being proprietarily constructed.

20 We need just a total parking  
21 count and less twelve to make sure  
22 the site -- it's difficult to park  
23 there now.

24 I don't know if the owner of  
25 that restaurant wants to be called a

1 RIVIAN - NEWBURGH, NY

2 diner. Your landlord might take  
3 exception to that.

4 We want to just get a handle on  
5 that because the facility is crowded  
6 oftentimes.

7 I know these are kind of in the  
8 back right now, but the Tesla spots  
9 are often empty and that parking lot  
10 is crowded.

11 I think we should get a handle  
12 on the number of spots versus how  
13 many are tied up for the electric  
14 parking.

15 It is an amended site plan. It  
16 would have to go to County Planning,  
17 which we probably have enough  
18 information at this point to send it  
19 to County Planning.

20 We did comment on the detail  
21 for your facility. The cement blocks  
22 look like they're just regular CMU  
23 blocks with not any kind of  
24 architectural features on the face or  
25 anything. We were wondering if you

1 RIVIAN - NEWBURGH, NY

2 could take a look at that to dress up  
3 what the charger is going to look  
4 like.

5 There are some plans for further  
6 development to the rear of this site  
7 as well as some parcels that were  
8 recently sold on Orr Avenue. There  
9 may be some more activity there.  
10 There are not a lot of people seeing  
11 it right now, but there could be.

12 MR. DOSHI: Sure.

13 MR. HINES: That's all we had on  
14 it.

15 CHAIRMAN EWASUTYN: There is an  
16 ARB form that you did kind of  
17 complete but it didn't really say  
18 anything. At some point in time you  
19 will need to give us the colors that  
20 are being proposed for the physical  
21 elements there.

22 MR. HINES: We worked with  
23 Tesla when they were before us to  
24 make it match the restaurant  
25 building. They did a good job of

1 RIVIAN - NEWBURGH, NY

2 doing that.

3 MR. DOSHI: Understood. So is  
4 that something in which we would be  
5 garnering comments from you all to  
6 kind of make sure that we can match  
7 the existing facade for our -- I mean  
8 that's something we would, of course,  
9 be talking to the property manager  
10 about.

11 MR. HINES: This Board has  
12 architectural review authority. A  
13 rendering such as that showing the  
14 colors you're proposing and such  
15 would be very helpful for the Board  
16 if that is your colors or if there's  
17 a standard. They would like it to  
18 fit into that site plan so it looks --

19 MR. DOSHI: Absolutely. Okay.

20 MR. HINES: -- similar to the  
21 buildings and such so it doesn't  
22 stand out.

23 CHAIRMAN EWASUTYN: You'll work  
24 with Pat Hines. Pat Hines will make  
25 the submission to the Orange County

1 RIVIAN - NEWBURGH, NY

2 Planning Department. Pat Hines will  
3 explain to you what he needs.

4 MR. HINES: We'll do adjoiners'  
5 notices as well at this point.

6 CHAIRMAN EWASUTYN: Do you  
7 understand how that works, the  
8 adjoiners' notices?

9 Pat, you might want to explain  
10 that.

11 MR. HINES: Within ten days of  
12 a project appearing before the Board,  
13 which is tonight, there's a  
14 requirement that you send out a  
15 notice. I will do the notice, I will  
16 get you the addresses, but you will  
17 physically stuff the envelopes, stamp  
18 them, address them and make an  
19 appointment to bring them to the  
20 personnel department here. I'll give  
21 you all of this. You don't have to  
22 write it all down now. You can contact  
23 me. We physically mail them. It's  
24 only first-class stamps. It's not  
25 certified mail. The Town physically

1 RIVIAN - NEWBURGH, NY

2 mails them so we know it's done.

3 I can work with whoever is going  
4 to be the lead on that. We will  
5 accomplish that within the ten days  
6 as well.

7 MR. DOSHI: Great.

8 CHAIRMAN EWASUTYN: There is a  
9 contact person working in the area?

10 MR. DOSHI: So I'm probably the  
11 closest to the area. I'm in northern  
12 New Jersey. I'm about an hour  
13 and-a-half away. I guess I would be  
14 the dedicated contact from a locality  
15 perspective.

16 MR. SOHN: We also have another  
17 teammate that can get up here within  
18 a couple hours notice.

19 MR. HINES: If you want to give  
20 me another card, I'll contact you.

21 MR. SOHN: Absolutely. Yes.

22 CHAIRMAN EWASUTYN: Thank you.

23 MR. DOSHI: Thank you.

24 MR. SOHN: Thank you.

25 (Time noted: 7:37 p.m.)

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R I V I A N - N E W B U R G H , N Y

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

I, MICHELLE CONERO, a Notary Public  
for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a true  
record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that  
I am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 17th day of January 2022.

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MICHELLE CONERO

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

- - - - - X

In the Matter of

PIETROGALLO LOT LINE  
(2021-20)

Paddock Place  
Section 58; Block 4; Lots 2, 15 & 16  
R-2 Zone

- - - - - X

LOT LINE CHANGE

Date: January 6, 2022  
Time: 7:43 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

- - - - - X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163



1           PIETROGALLO LOT LINE

2                   MR. CORDISCO:  Mr. Chairman, I  
3           did get a response from Dave Donovan  
4           on Pietrogallo.  If you'd like me to  
5           provide that clarification, I'm happy  
6           to do so.

7                   CHAIRMAN EWASUTYN:  The sixth  
8           item of business is Pietrogallo, a  
9           lot line change.  It's located on  
10          Paddock Place in an R-2 Zone.

11                   Dominic Cordisco, Planning Board  
12          Attorney, will bring us along on it.

13                   MR. CORDISCO:  Yes.  During the  
14          work session Mr. Campbell pointed out  
15          a potential discrepancy between the  
16          original referral that this Board  
17          made to the Zoning Board of Appeals  
18          regarding the side yard setback which  
19          was an existing nonconformity.  That  
20          was identified in my letter based on  
21          the plans at that time, the 13.6  
22          feet.

23                   It turns out that the plans that  
24          have been now presented to this  
25          Board, after the Zoning Board has

1           PIETROGALLO LOT LINE

2           considered their application and  
3           granted the variances, it identifies  
4           the setback as a slightly smaller  
5           setback of 12.8 feet.

6                     I contacted Mr. Donovan, and he  
7           responded very timely I might add,  
8           indicating that he had the file in  
9           front of him. He took a look at the  
10          file, and the plans that were  
11          presented to the ZBA had the 12.8  
12          feet identified.

13                    So in my opinion, there's no  
14          need for a re-referral or any further  
15          action by the Zoning Board in  
16          connection with that matter.

17                    CHAIRMAN EWASUTYN: So now that  
18          we've clarified that, we're in a  
19          position to approve the lot line  
20          change?

21                    MR. HINES: Yes. The lot line  
22          change would be a Type 2 action and  
23          we only -- we did circulate the  
24          adjoiners' notices which were one of  
25          the steps we had to do since it was

1           PIETROGALLO LOT LINE

2           here last.

3                   I believe procedurally the  
4           Board is in a position to act on it.

5                   CHAIRMAN EWASUTYN: Having heard  
6           from Dominic Cordisco and Pat Hines,  
7           we clarified that the side yard as  
8           presented to the ZBA was 12.8 inches.  
9           Is that correct?

10                   MR. CORDISCO: 12.8. 12.8 feet.

11                   CHAIRMAN EWASUTYN: Can someone  
12           move for a motion to approve the lot  
13           line change for Pietrogallo?

14                   MR. WARD: So moved.

15                   MR. GALLI: Second.

16                   CHAIRMAN EWASUTYN: I have a  
17           motion by John Ward. I have a second  
18           by Frank Galli. Can I have a roll  
19           call vote, please?

20                   MR. GALLI: Aye.

21                   MR. MENNERICH: Aye.

22                   CHAIRMAN EWASUTYN: Aye.

23                   MR. BROWNE: Aye.

24                   MR. DOMINICK: Aye.

25                   MR. WARD: Aye.

1 PIETROGALLO LOT LINE

2 CHAIRMAN EWASUTYN: Jonathan  
3 will be very happy with that.

4 (Time noted: 7:45 p.m.)

5

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

7

8 I, MICHELLE CONERO, a Notary Public  
9 for and within the State of New York, do  
10 hereby certify:

11 That hereinbefore set forth is a true  
12 record of the proceedings.

13 I further certify that I am not  
14 related to any of the parties to this  
15 proceeding by blood or by marriage and that  
16 I am in no way interested in the outcome of  
17 this matter.

18 IN WITNESS WHEREOF, I have hereunto  
19 set my hand this 17th day of January 2022.

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD  
----- X  
In the Matter of

PATTON RIDGE  
(2021-18)

Request for a Six-Month Extension  
of Preliminary Subdivision Approval  
through June 17, 2022

----- X

BOARD BUSINESS

Date: January 6, 2022  
Time: 7:45 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

1 PATTON RIDGE

2 CHAIRMAN EWASUTYN: The last  
3 item of business which Ken Mennerich  
4 will read is Patton Ridge requesting  
5 a six-month extension.

6 MR. MENNERICH: This letter is  
7 to John Ewasutyn, Chairman, dated  
8 December 16, 2021, regarding Patton  
9 Ridge subdivision, Patton Road/New  
10 York Route 52. Town of Newburgh Tax  
11 ID 47-1-44. Newburgh Planning Board  
12 task number 2012-18.

13 "Dear Chairman Ewasutyn, kindly  
14 let this letter serve to request an  
15 extension of the preliminary  
16 subdivision approval that was granted  
17 to the Patton Ridge project on  
18 November 7, 2013. At this time the  
19 project has secured water and sewer  
20 main extensions from the Orange  
21 County Department of Health and New  
22 York State Department of  
23 Environmental Conservation  
24 respectively. The last agency  
25 approval needed is realty subdivision

1           PATTON RIDGE

2           approval from the Health Department  
3           which is pending the DEC sewer  
4           extension approval. Plans were last  
5           submitted to the Health Department in  
6           October and we are awaiting their  
7           approval. Based on recent telephone  
8           inquiry, we were advised that the  
9           subdivision approval should be issued  
10          before year's end. Once that happens,  
11          we plan to ask to be on the Planning  
12          Board agenda in January 2022 to start  
13          moving toward final approval. In  
14          consideration of the foregoing, the  
15          applicant requests an extension of the  
16          preliminary approval for the project  
17          which would take effect on December 17,  
18          2021 and reign in effect through  
19          June 17, 2022. Should you have any  
20          questions or comments, please feel  
21          free to contact our office.

22          Respectfully, Kirk Rother, P.E."

23                   CHAIRMAN EWASUTYN: Would someone  
24          move for a motion to grant the  
25          extension, as written in the letter, from

1       P A T T O N   R I D G E

2               December 17, 2021 to June 17, 2022?

3               MR. MENNERICH:   So moved.

4               MR. GALLI:    Second.

5               CHAIRMAN EWASUTYN:  I have a  
6               motion by Ken Mennerich.  I have a  
7               second by Frank Galli.  Can I have a  
8               roll call vote, please?

9               MR. GALLI:    Aye.

10              MR. MENNERICH:  Aye.

11              CHAIRMAN EWASUTYN:  Aye.

12              MR. BROWNE:  Aye.

13              MR. DOMINICK:  Aye.

14              MR. WARD:    Aye.

15              CHAIRMAN EWASUTYN:  Can I have  
16              a motion to close the Planning Board  
17              meeting of the 6th of January 2022?

18              MR. GALLI:    So moved.

19              MR. WARD:    Second.

20              CHAIRMAN EWASUTYN:  I have a  
21              motion by Frank Galli.  I have a  
22              second by John Ward.  Can I have a  
23              roll call vote starting with Frank  
24              Galli?

25              MR. GALLI:    Aye.



1           P A T T O N   R I D G E

2                           MR. MENNERICH:   Aye.

3                           CHAIRMAN EWASUTYN:   Aye.

4                           MR. BROWNE:   Aye.

5                           MR. DOMINICK:   Aye.

6                           MR. WARD:   Aye.

7

8                           (Time noted:   7:50 p.m.)

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PATTON RIDGE

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

I, MICHELLE CONERO, a Notary Public  
for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a true  
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IN WITNESS WHEREOF, I have hereunto  
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\_\_\_\_\_  
MICHELLE CONERO