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

- - - - - X

In the Matter of

LANDS OF RIVERA
(2022-24)

38 Rosaline Lane
Section 111; Block 2; Lots 20 & 21
R-1 Zone

- - - - - X

TWO-LOT SUBDIVISION

Date: January 19, 2023
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: DARREN DOCE

- - - - - X

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

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. The Town of Newburgh Planning Board would like to welcome you to their meeting of January 19th. We're going to start the meeting off with a roll call vote with Stephanie DeLuca.

MS. DeLUCA: Present.

MR. DOMINICK: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. WARD: Present.

MR. HINES: Pat Hines with MHE Engineers.

MS. CONERO: Michelle Conero, Stenographer.

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

MR. GABA: Stephen Gaba, Drake, Loeb, Planning Board Attorneys.

CHAIRMAN EWASUTYN: Great. At this time I'll turn the meeting over to Dave Dominick.

2 MR. DOMINICK: Please stand for
3 the Pledge of Allegiance.

4 (Pledge of Allegiance.)

5 MR. DOMINICK: Please silence
6 your cellphones or put them on
7 vibrate. Thank you.

8 CHAIRMAN EWASUTYN: The first
9 item the Planning Board has this
10 evening is the Lands of Rivera. It's
11 a two-lot subdivision on Rosaline
12 Lane. It's in an AR Zoning District.
13 Darren Doce of Vincent Doce will
14 discuss the project with us.

15 MR. DOCE: Good evening. I'm
16 Darren Doce representing Mr. Rivera.

17 Mr. Rivera owns two adjoining
18 parcels on Rosaline Lane. His
19 current lived in house is built on
20 the front parcel. We're proposing a
21 lot line change between the parcels
22 and a subdivision creating one
23 additional lot. There are two
24 existing lots now. There will be
25 three under this proposal.

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Since the last meeting we've sent out the adjoiner mailings.

We've received Town Board approval for three lots on a common drive and provided a turnaround at the end of the common drive for emergency vehicles.

We added a note that the building locations had to be staked out prior to getting a building permit.

We also submitted the current road agreement for Rosaline Lane which does not prohibit further subdivision of any of the parcels.

If the Planning Board feels that we're ready, we'd like to request a public hearing.

CHAIRMAN EWASUTYN: Comments from Board Members? Anyone?

MS. DeLUCA: No.

MR. DOMINICK: Mo.

MR. MENNERICH: No.

MR. BROWNE: No.

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MR. WARD: No.

CHAIRMAN EWASUTYN: Jim
Campbell, Code Compliance?

MR. CAMPBELL: I see you added
the turnaround. The depth is good.
The width just needs to be expanded
to 20 feet.

MR. DOCE: Okay.

MR. CAMPBELL: That would be
found in Appendix D.

MR. DOCE: The driveway I
thought was 12 feet. It has to be 20
feet?

MR. CAMPBELL: Or local
jurisdiction. I would think if the
fire company says it's adequate for
their trucks --

MR. DOCE: Okay.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: As Mr. Doce
mentioned, Dominic did get copies of
the access road and maintenance
agreement.

The Town Board did issue a

2 three lots on a common driveway
3 approval on the 28th of December.

4 Based on the plans to date, we
5 would recommend a negative
6 declaration for the lot line change
7 and subdivision.

8 It is subject to a public
9 hearing.

10 CHAIRMAN EWASUTYN: Steve Gaba,
11 Planning Board Attorney?

12 MR. GABA: As Pat just said, a
13 negative declaration is in line to be
14 adopted tonight.

15 If it's the Board's pleasure,
16 scheduling of a public hearing would
17 be appropriate.

18 CHAIRMAN EWASUTYN: Would
19 someone move for a motion to declare
20 a negative declaration for the Lands
21 of Rivera and set it for a public
22 hearing on the 16th of February?

23 MR. DOMINICK: I'll make a
24 motion.

25 MS. DeLUCA: Second.

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CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by Stephanie DeLuca. Can I have a roll call vote starting with John Ward.

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Motion carried.

You'll work with Pat Hines on the mailings.

MR. DOCE: Yes. Thank you.

(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 25th day of January 2023.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

VERIZON WIRELESS
(2022-18)

Pressler Road
Section 4; Block 2; Lot 43
AR Zone

----- X

CELLULAR TOWER

Date: January 19, 2023
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

----- X

MICHELLE L. CONERO
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CHAIRMAN EWASUTYN: The second item of business this evening is Verizon Wireless. It's a new cell tower on Pressler Road in an AR Zone.

I will let Pat Hines discuss this.

MR. HINES: The project has completed its balloon test for the visual analysis. The visual analysis came in late so it hasn't been reviewed by the Town's Consultant. It will be rescheduled for the next meeting as the Board so desires.

The work has been done. The visual assessment, the balloons were flown. We're awaiting Mike Musso from HDR, the Town's Wireless Consultant, his review of that information.

CHAIRMAN EWASUTYN: Would someone make a motion to reschedule Verizon Wireless for the meeting of February 2nd?

MR. WARD: So moved.

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MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward. I have a second by Ken Mennerich. Can I have a roll call vote starting with Stephanie DeLuca.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

(Time noted: 7:07 p.m.)

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I further certify that I am not
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Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

POSITIVE DEVELOPERS WAREHOUSE
(2022-16)

36 Racquet Road
Section 86; Block 1; Lot 26.31
IB Zone

----- X

SITE PLAN/WAREHOUSE

Date: January 19, 2023
Time: 7:07 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ
and JAMES MARTINEZ

----- X

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CHAIRMAN EWASUTYN: Our third item of business is Positive Developers Warehouse. It's a site plan/warehouse located on Racquet Road in an IB Zone. It's being represented by Engineering & Surveying Properties.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties. I'm here with James Martinez, the project engineer, regarding Positive Developers Warehouse on Racquet Road. This is a project we had presented back, I think in November originally. It's adjacent to Gold's Gym on Racquet Road.

There were some comments initially. We made a written submission in response to those comments in our December 22nd comment letter.

There was a lead agency coordination that was performed by

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the Board I think in early December.

We're here to discuss any comments the Board may have. We do have Pat's comments. Most of it involves us doing the engineering now at this point. I think we revised the plan to be consistent with the zoning. There were a couple zoning comments Pat had.

The other thing we had submitted was a traffic study. We did not get anything from Creighton, Manning on comments yet, but -- did you get the traffic study?

MR. HINES: I think Ken had some comments.

CHAIRMAN EWASUTYN: I think I have an extra.

MR. WINGLOVITZ: It was the Colliers Engineering response to comments from Creighton, Manning. It doesn't look good.

CHAIRMAN EWASUTYN: There are comments that were sent out.

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MR. WINGLOVITZ: So we will make sure -- I see he has it. You do have that.

The biggest issue is, obviously, the intersection of 17K and Racquet Road. That is already a failing intersection. Coming out of Gold's Gym and trying to make a left, it's not easy. We're going to survey that intersection and see what we can do there to improve the traffic flow as far as what room is available to do any kind of widening, especially on the turning movements in and out of Racquet Road. Once we have that information, we'll submit that back with the detailed design plans with what we can propose as mitigation along with routing traffic, Racquet Road to Rock Cut to the light, which that level of service is -- we're all good for both the intersection of Racquet and Rock Cut as well as Rock Cut and 17K.

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CHAIRMAN EWASUTYN: Comments from Jim Campbell. Do you have any comments?

MR. CAMPBELL: No comments.

CHAIRMAN EWASUTYN: Comments from Planning Board Members. John Ward?

MR. WARD: No comments right now.

MR. BROWNE: Nothing now.

MR. MENNERICH: The work you've outlined for 17K and Racquet Road definitely needs to be done from reading the reports.

MR. WINGLOVITZ: Understood.

MS. DeLUCA: I was going to ask what was the size of the vehicles that were coming out?

MR. WINGLOVITZ: We originally had done WB-62. As part of Ken's comments, he requested turning movements for a WB-67.

The biggest problem is entering. If you're headed in a

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westbound direction on 17K, you have to swing out into the oncoming traffic to make a right. I was there the other day and there was an exiting truck and they had no problem. Obviously they have the full movement of both lanes to cover. I haven't seen anybody coming in. Our study shows there is the one business down there that exists. You'd have to swing out. We're looking to see if we can improve that whole intersection as far as the turning movements in and out of there.

MS. DeLUCA: Okay.

CHAIRMAN EWASUTYN: I think the action before us this evening is to confirm our lead agency status.

MR. HINES: Yes. The thirty days has lapsed with no objections.

CHAIRMAN EWASUTYN: Does someone want to make that motion?

MR. MENNERICH: So moved.

MR. BROWNE: Second.

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CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Cliff Browne. Can I have a roll call vote starting with John Ward.

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Pat, is there anything else?

MR. WINGLOVITZ: We'll get the survey of the intersection done. We'll do the design plans next so you have that cued up. We'll get that submitted so it's available.

Thank you.

CHAIRMAN EWASUTYN: We're also discussing, I think Karen said, the Tree Preservation Law.

MR. WINGLOVITZ: Has that been discussed with the Town Board at all?

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I know we have to comply with it.
There was discussion of potential changes but I hadn't heard anything.

MR. HINES: There's been some interdepartmental discussion on that. The Town Board has not been involved. There may be changes coming.

MR. WINGLOVITZ: On this site I don't know the changes contemplated would affect it. We're pretty much disturbing a pretty large portion of the site.

One of the requests we had made was could the tree survey be limited to the disturbance area. In this site you can see there's not a lot that's not being disturbed. There's a buffer we're preserving along the residential. That's understood. I don't think it would make a big difference here. Other projects like Diversified or Britain Woods, there are a lot of acres not being touched.

MR. BROWNE: As of now the

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current law is in effect. As far as I know, there's nothing that we can put our fingers on to say when something else would happen. As of now it is what it is.

MR. WINGLOVITZ: Right. Thank you.

(Time noted: 7:12 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
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I further certify that I am not
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Michelle Conero

MICHELLE CONERO

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

- - - - - X
In the Matter of

BRITAIN WOODS
(2022-17)

442 Little Britain Road (NYS Route 207)
Section 97; Block 1; Lots 32.1, 32.2, 32.3 & 40.1
R-3 Zone

- - - - - X

DRAFT SCOPE REVIEW

Date: January 19, 2023
Time: 7:12 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ
and STANLEY SCHUTZMAN

- - - - - X

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CHAIRMAN EWASUTYN: The fourth item of business is Britain Woods. It's here tonight to discuss the draft scope. It's located on 442 Little Britain Road and New York State 207. It's in an R-3 Zone. Again it's being represented by Engineering & Surveying Properties, Ross Winglovitz.

MR. WINGLOVITZ: Ross Winglovitz with Stan Schutzman, Counsel for Farrell.

We had a public scoping in December. There were a number of comments as well as comments from your consultants. I believe they have been captured in the latest draft that was circulated between -- Dominic had captured a bunch of them originally, and then Ken and Pat added some additional just recently.

We would ask that if the Board is satisfied, we're okay with the scope, that it be adopted this

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evening and we will begin work on the environmental impact statement.

CHAIRMAN EWASUTYN: Steve Gaba with Drake, Loeb, Planning Board Attorney, can you discuss this matter?

MR. GABA: They're getting ready to prepare their environmental impact statement. The draft scope has been considered. You've held your public scoping session. The revised scope has been prepared. I believe the revised scope is acceptable -- if it is acceptable to the Board, they should take action to adopt it tonight as the scope for the environmental review.

CHAIRMAN EWASUTYN: Pat Hines with McGoey, Hauser & Edsall.

MR. HINES: We've revised the scope per the public scoping meeting and the comments from the consultants and circulated it recently to the Board Members. We believe it's in a

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form that should be adopted.

CHAIRMAN EWASUTYN: Comments from Board Members. John Ward?

MR. WARD: No comments.

MR. BROWNE: I looked through the scope myself and I find it acceptable.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: No comments.

MR. DOMINICK: No comments.

MS. DeLUCA: No comments.

CHAIRMAN EWASUTYN: Okay.

Would someone make a motion to adopt the revised scope for Britain Woods?

MR. BROWNE: So moved.

CHAIRMAN EWASUTYN: I have a motion by Cliff Browne.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a second by Ken Mennerich. Can I have a roll call vote starting with Stephanie DeLuca.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

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MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

MR. WINGLOVITZ: Thank you very
much.

(Time noted: 7:15 p.m.)

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

----- X
In the Matter of

MKJ PARK OFFICE & WAREHOUSE
(2022-32)

NYS Route 32, southwest of NYS Route 300
Section 34; Block 2; Lot 29.1
IB Zone

----- X

INITIAL APPEARANCE
SITE PLAN

Date: January 19, 2023
Time: 7:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: CHARLES BAZYDLO
and JOHN QUEENAN

----- X

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CHAIRMAN EWASUTYN: The fifth item on the agenda this evening is MKJ Office and Warehouse, initial site plan. It's located on Route 32/ New York State Route 300. It's in an IB Zone. It's being represented by Lanc & Tully.

MR. BAZYDLO: Good evening. My name is Charles Bazydlo, land use counsel for MKJ Park, LLC. We're here to introduce the project tonight, get some initial feedback from the Board, and perhaps take an initial step towards the SEQRA compliance for the project.

John Queenan is here from Lanc & Tully. He'll give you some more details about it.

Basically the project is a 173,000 square foot warehouse project. It includes 7,000 square feet of office space, 31 bays at the facility. It's off of Route 32 up near the intersection with Route 300.

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It's in compliance with the zone.
There are no variances associated
with the project.

We'll let John give a little
more detailed discussion about it

MR. QUEENAN: Good evening,
everyone. This might be a property
the Planning Board is a little bit
familiar with. It was recently here
under a different application, a
different use, and that one was
abandoned by the applicant. We're
now before you with a proposed
warehouse, as Charlie was mentioning.

The property is located on
Route 32. It's about 2,000 feet
southwest of the intersection of
Route 300. That's the Maisie's Deli
area there. We are on the western
side. If you're familiar, the
property has this -- it looks like a
flag lot. It opens up to the rear.
It's approximately 15 acres in size.
It's in the IB Zoning District. The

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warehouse/office use is an allowable use in that zone.

If you're familiar with it, we do have this 50-foot right-of-way. We're proposing access through that right-of-way which is owned by this property.

There is some coordination going on currently right here with the neighbor that this side does share access with. This neighbor does not have access to that driveway.

We're proposing a new driveway cut on 32 to accommodate this, a new access drive in. You'd come in to the property here.

We have proposed 147 car parking spaces which meets the current Town Code for the square footage of the office. Employees or visitors can come in, they'll be pulled off into the parking area which extends here and here.

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The office is located here.

The truck driver will continue.
There will be a controlled gate here
and into the truck yard.

The building is situated, of
course, here.

Our truck docks are along this
side. This is going to be 31 docks,
as Charlie mentioned. This is the
turnaround zone here. We did add
some trailer space parking,
approximately 25 spaces, located here
and up in the corner here.

We did provide loop access
around so that you can get to all
four sides of the building.

This is the Jeanne Drive side.
These are all the warehouses and
businesses up and down Jeanne Drive.

This is a residential
neighborhood to the north off of
Paffendorf. That's all currently IB
Zoning as well. What we did was we
provided a 75-foot buffer from our

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property line in that we'll maintain so we're shielded from that. What we're thinking is based on the topography of the property, the building -- we didn't put docks on this side or any parking on that side. We're keeping everything to this side, towards the more industrial use.

The building will sit into the hill. The proposed height is what the height of the zone is, it's 40 feet. We won't have any dock access or anything on this side as the warehouse will sit into the hill. It won't be totally 40 feet on this side. It's going to be built in. Your access and everything will be on this side.

There's a Federal wetland area located in this location. We do have a proposed disturbance to that. We also have a proposed mitigation area for that. An application will be

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made to the Army Corp of Engineers
for that.

We did do soil testing on the
property. It will be serviced by a
septic system. We did get acceptable
results back in this location here.
The map will be updated to
accommodate that in the future.

Stormwater management, that
will come as the plan is developed.
It will most likely be surface here
and underground under the parking lot
as this plan is further developed
along.

Water we're going to extend
from 32 in. There's an existing
water main out on 32 that will supply
our water.

Ultimately this is the sketch
that's before you tonight. We're
soliciting any of the Board's input
or comments.

I did receive Pat's comments.
I also did receive Ken Wersted's

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comments. I didn't see anything that surprised me in the comments. Obviously we're going to have to check all the boxes to get there.

The one significant comment that Pat did have was for fire access, only having one location due to the size of the building. We did try to reach out to the property owners on Jeanne Drive for connection. Nobody was open to that. Most likely we'll have to go to the State for a variance, which I have done on prior applications for that provision of the code.

That's pretty much it at this point.

CHAIRMAN EWASUTYN: For now, comments from Board Members. Stephanie DeLuca?

MS. DeLUCA: Again, what size are the trucks going to be on that road?

MR. QUEENAN: What size?

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MS. DeLUCA: The size of your trucks.

MR. QUEENAN: Standard trucks. Your standard 48, 53 footers.

MS. DeLUCA: Okay.

MR. QUEENAN: That's how we have it set up. We don't have an end user yet, so it's being built on spec.

MS. DeLUCA: Okay.

CHAIRMAN EWASUTYN: Any more questions, Stephanie?

MS. DeLUCA: No. No.

MR. DOMINICK: John, I like how you tried to mitigate as much noise on the southern side, I guess away from the residents, by having the loading docks opposite there. Just keep that in mind maybe with screening and planting as a buffer zone back there. You said it was 70 feet?

MR. QUEENAN: Right now we have 75 to the drive. It's my intent to keep that as much existing as

2 possible because we're not -- I'm not
3 going to fight grade back there to
4 try to get this warehouse level.
5 These roads are going to come up.
6 We're trying to keep that vegetation,
7 that's why I went to 75. I figured
8 20, 25 of it would probably be
9 earthwork and grading and replant.
10 That would leave the 50 foot.

11 MR. DOMINICK: Also just keep
12 in mind light pollution from the
13 neighbors as well.

14 In addition, you said you had
15 147 parking spots for employees and
16 visitors?

17 MR. QUEENAN: Yes.

18 MR. DOMINICK: Let's try to do
19 6 or 8 EV charging stations --

20 MR. QUEENAN: Okay.

21 MR. DOMINICK: -- for those
22 individuals that visit or are going
23 to be employed at this site. We can
24 look into that.

25 MR. QUEENAN: Okay.

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MR. DOMINICK: That's all I had.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: When you mentioned the building was going to be set into the hill, is there going to be a wall at the back towards the residential property?

MR. QUEENAN: No. The building will act as the wall. So we're going to come here and we'll be at -- I'm just going to pick a grade. There's about a 30-foot difference from this area to this area. We don't want to cut 30 feet and end up with a huge wall in the back. Beginning right -- as this starts to come up, you're going to transition from being at grade and this will start to become buried. It's like a residential house with like a garage under scenario.

MR. MENNERICH: Instead of looking like a 40-foot building, it

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will look like a 30-foot building?

MR. QUEENAN: Correct.

Correct. That will avoid us having to put up a large retaining wall and sink the building down in.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I think at this point the major hurdle is getting that access okayed.

MR. QUEENAN: Yes. This plan did get sent to the DOT.

MR. BROWNE: The second access, for that to be taken care of, that may alter your whole thing.

MR. QUEENAN: Just based on what the property could offer because it's limited with frontage, it's one of the major hurdles.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: No comments at this time.

CHAIRMAN EWASUTYN: Jim Campbell?

MR. CAMPBELL: You already

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touched base on the two separate accesses.

Just note that the building will be required to be sprinklered.

Also, an aerial fire apparatus access road is required. That should be noted.

MR. QUEENAN: Okay.

MR. CAMPBELL: That's it.

CHAIRMAN EWASUTYN: Pat Hines, McGoey, Hauser & Edsall.

MR. HINES: We touched on the comment regarding the single access point. That would need approval from the Department of State for code variances.

The wetlands, you'll need an Army Corp permit. We would like to have all of the information that's submitted to the Army Corp submitted to the Planning Board for their files as well.

Just note that it's about a one-to-one ratio. I don't know if

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the Army Corp is going to require additional mitigation. That may impact the plan as well.

The 75-foot buffer, you explained that the building will serve as a retaining wall in the back. We were concerned with the amount of grading that will be required. We don't have the grading plan yet.

The 26-foot fire access road was discussed.

There's no accessible parking depicted on the plan.

MR. QUEENAN: The symbols didn't come up. I have them boxed out here. We'll get them on.

MR. HINES: DOT will be involved as the project fronts there.

County Planning will be required.

The Tree Preservation Ordinance would apply. The recently adopted Tree Preservation Ordinance. We'll

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need those trees delineated, marked out and a report on compliance with the Tree Preservation Law.

We didn't note any stormwater management or septic system as you identified which needs to be added.

A traffic study would certainly be warranted. Ken Wersted's comments identifies that.

The EAF identifies potentially archeologically sensitive sites from the Office of Parks, Recreation & Preservation. A phase 1-A and B will probably be required to address their comments.

Adjoiners' notices will be required to be sent out. I'll work with you, John, on preparing those and getting you the mailing list. We'll get those mailed out as well. Just note that they may have to be mailed out again if the building shrinks. There's a 10 percent based on --

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MR. QUEENAN: We only go up.

MR. HINES: Not on this site
you're not.

MR. QUEENAN: Understood.

CHAIRMAN EWASUTYN: At this
point we'll turn the meeting over to
Steve Gaba with Drake, Loeb.

MR. GABA: The applicant has
presented you basically with a sketch
plan under the Town Code. The
initial action -- one of the initial
actions that can be taken by the
Planning Board is you can make a
favorable report or an unfavorable
report in regard to the sketch plan.
I think, however, there just isn't
enough detail for the Planning Board
to take a position one way or the
other on this yet.

The other issue is SEQRA
review. Ordinarily if you were
presented with a plan that's just not
approvable, the Board might want to
hold off on circulating for lead

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agency. The only reason -- one of the only reasons it's not approvable is the lack of the second access. Since they say they're applying for a variance, I think it would be appropriate for the Board to circulate for lead agency. You want to start your SEQRA review at the earliest time possible. The plans may change and you may have to provide additional copies of the plans to the involved agencies down the road, but at least you could begin the process if the Board was so inclined.

CHAIRMAN EWASUTYN: We'll open it up for discussion with your team in a minute, but right now I'll move for a motion from the Board to circulate for lead agency. Would someone make that motion?

MR. DOMINICK: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a

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motion by Dave Dominick. I have a second by Ken Mennerich. May I please have a roll call vote starting with Stephanie DeLuca.

MS. DeLUCA: I'm going to say no. Not at this time.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Discussion on the sketch plan.

MR. BAZYDLO: Mr. Chairman, you already did what I was going to ask, to take initial action to circulate for lead agency. I think that's about all we can really ask the Board to do tonight.

I appreciate the comments from the Board. We'll begin to address the concerns.

CHAIRMAN EWASUTYN: For the record, your name, sir?

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MR. BAZYDLO: Charlie Bazydlo.
CHAIRMAN EWASUTYN: Thank you.
(Time noted: 7:25 p.m.)

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 25th day of January 2023.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

LONGVIEW FARM
(2006-39)

Barbara Drive Extension & Holmes Road
Section 20; Block 2; Multiple Lots
AR Zone

----- X

27-LOT SUBDIVISION

Date: January 19, 2023
Time: 7:25 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: THOMAS DePUY
and STANLEY SCHUTZMAN

----- X

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

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CHAIRMAN EWASUTYN: The next item of business this evening is Longview Farm. It's a 27-lot subdivision. It's on Barbara Drive Extension and Holmes Road. It's in an AR Zone. It's being represented by T.M. DePuy Engineering & Land Surveying. Tom DePuy I think is representing the applicant.

MR. DePUY: Yes. I also have legal counsel here in case there are any questions.

This project has been in front of the Board for a long time. It's a 27-lot subdivision. It kind of connected all the previous subdivisions that we had done.

We're proposing it to be in four sections. Section 1 represents the four lots that were previously subdivided and approved. Section 2, we want to bring Dara Drive through and connect it to -- Dara Drive into the Palmerone Subdivision. That will

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interconnect this road here. Section 3 would be to extend Barbara Drive down to the intersection of the interior road and then interconnect this road to here. Section 4 would take Barbara Drive and bring it down and connect it to Merritt Lane down there. That creates the four sections.

Basically I'm in front of the Board to ask for final approval. We've had several workshops with the Town's Consultants. I think we're getting down to the end where we have some comments that we've gotten from Pat Hines. I don't see any problem with any of the questions brought up.

Just a few other things is we have put together a -- we had to search out whether district X was ever filed, which it wasn't. We're going to create a separate drainage district that will cover this whole area to take care of the stormwater

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management. We have several stormwater management features. We have a pond here, we have some sand filters here, we have some other filters here and here that filter the water before they go into this pond that was an agricultural pond at the time. We have put a planning report together and have a preliminary petition together. We're ready to go in front of the Town Board, because I think that's one of the requirements that we're looking at.

We had updated all the storm-water. We brought it all up to today's standards. We re-filed the NOI.

I believe the one issue we do have is the box culvert which is right here. There's some remediation work that needs to be done on it. We've got a plan in place as part of the project. We had gone over what needs to be done. Conduits need to

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be removed and stuff like that.

We also updated the application and we updated the long form EAF.

I think the only issue that came up later was that when they reidentified the bat species in the area, part of this is in that sensitive area. We've basically got a note on the plan -- really there's no trees to be removed here. This was an old orchard that was decommissioned, so it's pretty much grassland and brush. There's really no trees on site. We still put a note on there if there were any trees that had to be removed, they had to be removed between November 1st, I believe, and March 31st. So just to cover us for any issues like that.

The only other thing I think Pat brought up, we do have a soil mitigation plan that's required. That's all detailed on the subdivision. It was approved by the

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Health Department. When the lots are built on, each lot has to be mitigated either with cross plowing, disk or roto tilling. It's just to guarantee the lead arsenic is not above certain concentrations. We had done a study with the County at the time. All the other subdivisions were required to do it. This one also will be required to do it.

CHAIRMAN EWASUTYN: Thank you.

Questions from Board Members.
Stephanie DeLuca?

MS. DeLUCA: No. Not at this time.

MR. DOMINICK: Not at this time.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: What's in the conduits or in the culvert?

MR. DePUY: That was part of the Central Hudson installation. It's electric.

MR. MENNERICH: Underground electric?

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MR. DePUY: Underground electric. What they did was penetrated the box culvert and came through it instead of going down and around it. Our initial contact with Central Hudson is that there's electric running down this way, so they're probably going to bring the electric in this way where hopefully they can abandon those conduits, or we'll have the conduits relocated out of the culvert and back around.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: The soil mitigation, that's the plan that was in place on the preliminary?

MR. DePUY: It was on the preliminary, yes.

MR. BROWNE: And that's still -- what's the right way to say it? It's still current as far as approvals go?

MR. DePUY: Yes.

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MR. HINES: That's incorporated into the Health Department approval for the realty subdivision.

MR. BROWNE: That's all good then?

MR. HINES: That's current.

MR. DePUY: That's all current, yes.

MR. BROWNE: Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: You have down blacktop curbing --

MR. DePUY: Yes.

MR. WARD: -- on the plan. We've been doing concrete curbing since this even came up.

MR. DePUY: Okay.

MR. WARD: The Town doesn't have a machine to fix the blacktops if they're screwed up or whatever. All the projects that come in front of us, we're doing concrete curbs.

MR. DePUY: Okay.

MR. WARD: Thank you.

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MR. DePUY: The only other -- we were going to propose a curb of asphalt which isn't excluded. I guess I could meet with the highway superintendent. We'll put concrete curbs in if it's required.

MR. WARD: Thank you.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance?

MR. CAMPBELL: No comments.

CHAIRMAN EWASUTYN: We do have to circulate, I believe, for lead agency again.

MR. GABA: Recirculate. It's been away since 2006 and changes in circumstances, a new EAF has been submitted. We'll be recirculating for lead agency.

CHAIRMAN EWASUTYN: Anything else?

MR. GABA: Well, I think it's appropriate that there be -- I know Pat has a number of technical comments. Eventually a public

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hearing on this before approval.

MR. DePUY: Is that required by code or --

MR. GABA: When you've been away this long, it's appropriate to hold another public hearing.

MR. HINES: The code has a provision for a final public hearing. It's often waived by default. I think your last public hearing on this was in 2008.

MR. DePUY: Yeah, 2008.

MR. HINES: There may have been some change in the neighborhood. It's certainly up to the Board.

CHAIRMAN EWASUTYN: Pat, do you have comments in reference to this?

MR. HINES: I do. My first comment just identifies that the project is before you for a 27-lot subdivision.

When you refer to phasing, I know we had this conversation, you're going to file the plat in phases?

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MR. DePUY: I believe that's what they want to do. We had sections with the Health Department. I will call the Health Department and go back over the sections with them. So they're going to want to file this part of the map, and then the next filing would be this part and then that part.

MR. HINES: We're looking for preliminary on the whole thing and final on each phase?

MR. DePUY: Final on section 2. Yes.

MR. HINES: The Health Department permits and approvals are still valid. We have copies of those.

We talked about the culvert. Security for stormwater, Town roads, landscaping will be required as a condition of approval. Those amounts will be approved by the Town Board.

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Offers of dedication, et cetera will be required as a condition of approval.

We discussed the soil mitigation plan.

We discussed the culvert that's been an issue on the site for two decades or so. The conduits. The drainage district. The Town has searched high and low to determine the status of drainage district X, as it was originally called. We do concur that a drainage district should be applied to this entire parcel itself to operate and maintain the stormwater improvements.

Some of the stormwater features cross lot lines, or the stormwater improvements. I know there's a note on here regarding grading will be done --

MR. DePUY: Prior.

MR. HINES: -- prior. I just wanted to bring that to the Board's

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attention and Counsel's attention to make sure that note appears. It may need to be in the deeds. I don't know the legalities of that note. I think it's a good note but I want to make sure it's enforceable should the project be turned over to some other entity. I guess that would be by section.

MR. DePUY: Yes.

MR. HINES: We may have to modify that note a little bit now that it's a phased approval.

The cul-de-sac has to revert to adjoining landowners. I believe that's part of the lot line change that we have before us. The Dara Drive temporary, which has been there, has to revert to the neighbors. I think the neighbors are party to this now.

MR. DePUY: That's right.

MR. HINES: New applications were received.

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We just talked about the cross grading note.

The asphalt curb. Again, the highway superintendent at the original approval wanted the asphalt curb. We've had two newer highway superintendents since. Mark Hall will need to be consulted on that for his approval.

There's a drainage easement on sheet 5 that runs along the south property line. I just don't know who that easement is in favor of. Access and maintenance of that may be difficult. I guess it would be in favor of the drainage district.

MR. DePUY: It would be in favor of the drainage district.

MR. HINES: We need to incorporate that into the drainage district.

Currently Barbara Drive has some form of island in the center of it for some reason.

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MR. DePUY: It has an island here. The owner had done that. Stanley had checked it. That all reverts back to the original developer. We have the right to take that all out.

MR. HINES: Those lots on Barbara Drive have replacement septic systems on the plan. I don't know if that's a remnant or why they have replacement septic systems.

MR. DePUY: These two here, that was a request of the Health Department. We had the septic systems in place. These were done under a minor subdivision. When we went back they asked us to show replacement because they didn't want us digging down through the existing septic system to do the testing and everything.

MR. HINES: So it's in case the existing septic fails?

MR. DePUY: Fails, yeah. We

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had to show --

MR. HINES: Because they're on private property now is the issue, or outside the control -- at least some of the lots may be outside the control of the applicant.

MR. DePUY: Right.

MR. HINES: And then you'll need a 5-acre waiver from the Town Board, too, for the stormwater management. I believe you're going to be over 5 acres on some of your phases.

MR. DePUY: Okay.

MR. HINES: That will be issued by the Town Board.

CHAIRMAN EWASUTYN: Mr. Gaba, now that we're going to move to recirculate for lead agency, should we wait the thirty days to hear back or can we set a public hearing at this meeting, and, if we did, should we set it for thirty days thereafter or can we set it within the thirty-

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day window?

MR. GABA: You can set it within the thirty-day window if you want. As long as you don't take action until you determine who the lead agency is going to be, you're fine. Holding the public hearing is not an issue.

CHAIRMAN EWASUTYN: Any additional questions or comments?

MR. HINES: No. John, it's typically your policy to close SEQRA before your public hearing. I don't know if -- I understand this has quite a history and has had a negative dec in the past. I just wanted to clarify that.

MR. GABA: Do you want to wait to schedule the public hearing until you're done with SEQRA?

CHAIRMAN EWASUTYN: That's why I asked the question.

MR. GABA: Okay.

CHAIRMAN EWASUTYN: We have

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thirty days to wait then. Is that what we're saying?

MR. GABA: If that's what we're saying, you should have a motion to recirculate. I don't think you need to do anything else tonight.

CHAIRMAN EWASUTYN: Can I have a motion to recirculate for lead agency for Longview Farms, the 27-lot subdivision?

MR. MENNERICH: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Dave Dominick. Can I have a roll call vote starting with Stephanie DeLuca.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Let's talk

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about dates. Pat, we might as well move now to set it for the next meeting which would be allowing for circulation. What would be a good date to reschedule this for?

MR. HINES: It would have to be March 2nd. Thirty days won't lapse. Your meeting in February would be the 16th and it's already the 19th of this month.

CHAIRMAN EWASUTYN: Are we continuing a public hearing on March 2nd or -- no. I think the one we're continuing for Unity Place would be the 16th of March. Correct?

MR. HINES: Correct.

CHAIRMAN EWASUTYN: Can I have a motion to set Longview Farms for the meeting of the 2nd of March?

MS. DeLUCA: So moved.

CHAIRMAN EWASUTYN: I have a motion by Stephanie DeLuca. Can I have a second?

MR. MENNERICH: Second.

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CHAIRMAN EWASUTYN: Second by Ken Mennerich. Can I have a roll call vote starting --

MR. BROWNE: Excuse me. Would this be a public hearing?

CHAIRMAN EWASUTYN: We just discussed that. We have to wait because then we have to make a SEQRA determination.

MR. BROWNE: Thank you.

CHAIRMAN EWASUTYN: At which point we make the SEQRA determination, talking down the road on the 2nd, then two meetings thereafter, what would be the date of that, Pat?

MR. HINES: On March 2nd?

CHAIRMAN EWASUTYN: Yes. We're rescheduling this for March 2nd. Correct?

MR. HINES: For the SEQRA, yes. So then the next date for the public hearing would be April 6th.

CHAIRMAN EWASUTYN: So we'll

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take one step at a time. That's what tentatively we're discussing, the public hearing.

So we're taking a roll call vote. We had a motion by Dave Dominick, I believe, and a second by Ken Mennerich.

MR. DOMINICK: That was Stephanie and Ken.

CHAIRMAN EWASUTYN: Stephanie and Ken. I apologize. We had discussion. We're doing a roll call vote.

MR. MENNERICH: For April 6th?

CHAIRMAN EWASUTYN: For March 2nd.

MR. HINES: March 2nd it will be on the agenda for consideration of the SEQRA determination.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: For now
make yourself a note it's on the
agenda for the 2nd of March.

MR. DePUY: You need no
additional submittal from me?

MR. HINES: We may need plan
sets for circulation.

MR. DePUY: That was my question.

MR. HINES: I'll work with you
on it.

MR. DePUY: Okay. All right.
Thank you very much.

(Time noted: 7:42 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 5th day of January 2023.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

JONES, LLC
(2023-01)

Pheasant Hollow Road
Section 2; Block 1; Lots 61.3 & 92.121
RR Zone

----- X

INITIAL APPEARANCE
LOT LINE CONSOLIDATION

Date: January 19, 2023
Time: 7:43 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: STEVEN PAULI

----- X

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

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CHAIRMAN EWASUTYN: The next item of business is Jones, LLC. It's an initial appearance for a lot line consolidation. It's located on Pheasant Hollow Road in an RR Zone. It's being represented by --

MR. PAULI: Steven Pauli.

CHAIRMAN EWASUTYN: Thank you, Steve.

MR. PAULI: Yes. And again, this is a lot consolidation of two parcels owned by Alden Jones.

All of the parcels are Town of Newburgh tax map Section 2, Block 1, Lots 92.121 and 61.3.

There are two lots, one being 5.46 acres, the second one being 5.55 acres. The consolidated lot resulted in 11.01 acres. That's it, the consolidation.

CHAIRMAN EWASUTYN: Jim Campbell, any comments?

MR. CAMPBELL: No comments for this one.

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CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: This project meets your definition for lot line change. It's not considered a subdivision. No public hearing will be required, however the code does require your standard adjoiners' notices be sent to all parcels within 500 feet. I'll coordinate that with the applicant's representative to have that done.

Dominic Cordisco had requested copies of the existing private road access, maintenance, easements, whatever exists.

CHAIRMAN EWASUTYN: Steve Gaba, do you have anything to add?

MR. GABA: No. Pat covered it.

CHAIRMAN EWASUTYN: So it is a Type 2 action. The only thing we'll be doing tonight is to have Pat Hines work with the applicant to address and mail the adjoiners' notice.

We have to wait thirty days?

MR. HINES: There's no

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timeframe. They have to be done within ten days. Once that's completed, it could be rescheduled before the Board. For lot line changes you don't have a public hearing, so the neighbors that get noticed kind of don't have a forum.

CHAIRMAN EWASUTYN: What would be the date then if we were to bring it back so we could mention that now?

MR. HINES: I think that would be -- the second meeting in February would be appropriate.

CHAIRMAN EWASUTYN: That would be the 16th?

MR. HINES: The 16th of February.

CHAIRMAN EWASUTYN: Steve, you'll mark your calendar.

MR. PAULI: Yes.

MR. HINES: Steve, I'll work with you on those adjoiners' notices.

MR. PAULI: Thank you, Pat.

The only change to the map that

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we submitted was that since we did the survey, a new deed was filed from Carey Jones, who passed away, to her husband, Mr. Jones. This map reflects it. I do have a copy of the new deed to submit.

CHAIRMAN EWASUTYN: Okay. You can give that to the Planning Board Attorney, Steve Gaba.

MR. PAULI: Very good. I'll hand that to him right now.

MR. GABA: You know the easements you need to submit?

MR. PAULI: I do.

MR. GABA: Make sure those are in so we can look at them before the next meeting.

MR. PAULI: Very good.

CHAIRMAN EWASUTYN: So we'll see you on the 16th of February.

MR. PAULI: Yes. Very good. Thank you.

(Time noted: 7:48 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 25th day of January 2023.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

A AMERICAN GRANITE & MARBLE
(2023-02)

179 South Plank Road
Section 60; Block 3; Lot 14.2
B Zone

----- X

INITIAL APPEARANCE
SITE PLAN

Date: January 19, 2023
Time: 7:49 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
PATRICK HINES
JAMES CAMPBELL

----- X

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

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CHAIRMAN EWASUTYN: The last item of business is A American Granite & Marble. It's an initial appearance for a site plan located in a B Zone.

John Millen, the representative for the site plan, is occupied in a class currently so he couldn't make it to the meeting. We're going to work with this project and update Jonathan on the discussion.

Pat Hines, do you want to bring us along on this?

MR. HINES: Sure. This project is before the Board for an outdoor storage/amended site plan. The granite business moved into a strip mall along Route 52. They were cutting and processing granite in the rear of the project. I believe that came to the attention of the Building Department. Now they're looking to get the approval for outdoor storage of their products.

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The plan currently shows it at the rear property line. Outdoor storage is limited to not be closer to any side or rear yard by 10 feet. Right now it doesn't meet zoning. They could either make the outdoor storage smaller or move it into the lot. Right now their current proposal would require a variance.

The outdoor storage is a chain link fence with slats. I wanted the Planning Board to weigh in on whether they thought that was appropriately screened. It is kind of behind a dumpster enclosure on the site.

This also requires adjoining's notices.

It will require submission to Orange County Planning because it's on a State highway.

CHAIRMAN EWASUTYN: Jim Campbell, do you have anything to add?

MR. CAMPBELL: The question did come up as far as if the use was

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allowed. The Zoning Board, in 2021, did do an interpretation that had the granite place as retail and not manufacturing, so it is allowed.

CHAIRMAN EWASUTYN: Is the Board satisfied with slats in the chain link fence for screening?

MR. BROWNE: Yes.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Yes.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Yes.

MR. DOMINICK: Yes.

MS. DeLUCA: Okay.

CHAIRMAN EWASUTYN: It's asphalt. Nothing will really grow there.

MS. DeLUCA: And there's nothing behind it.

MR. DOMINICK: It's asphalt.

CHAIRMAN EWASUTYN: We do have to circulate to the Orange County Planning Department you said?

MR. HINES: Yes. It's an amended site plan on a State highway.

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CHAIRMAN EWASUTYN: Would someone make a motion to circulate A American Granite to the Orange County Planning Federation, and also to start the adjoiners' notice circulation?

MR. WARD: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: Motion by John Ward. Second by Cliff Browne. Can I please have a roll call vote starting with Stephanie DeLuca.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Pat Hines, you'll update Jonathan Millen?

MR. HINES: I will speak to him, yes. He has the option to come back and get referred to the ZBA or modify the enclosure.

(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 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 25th day of January 2023.

Michelle Conero

MICHELLE CONERO

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

- - - - - X

In the Matter of

REORGANIZATIONAL PORTION OF MEETING
Reappointments for 2023

- Reappointments for the Town of Newburgh Planning Board for 2023
- Planning Board meeting dates for 2023
- Consultant Work Session meeting dates for 2023

- - - - - X

BOARD BUSINESS

Date: January 19, 2023
 Time: 7:55 p.m.
 Place: Town of Newburgh
 Town Hall
 1496 Route 300
 Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
 CLIFFORD C. BROWNE
 STEPHANIE DeLUCA
 KENNETH MENNERICH
 DAVID DOMINICK
 JOHN A. WARD

ALSO PRESENT: STEPHEN GABA, ESQ.
 PATRICK HINES
 JAMES CAMPBELL

- - - - - X

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

2 CHAIRMAN EWASUTYN: Under Board
3 business tonight we have our
4 reorganization meeting.

5 At this point in the meeting
6 Ken Mennerich will take over the
7 meeting.

8 MR. MENNERICH: I think we all
9 got copies of the Planning Board
10 meeting dates and consultants' work
11 session meeting dates. Does anybody
12 have any questions or comments they
13 want on either of those?

14 (No response.)

15 MR. MENNERICH: Seeing no
16 comments, would somebody make a
17 motion that we accept both of these
18 schedules?

19 MR. DOMINICK: I'll make a
20 motion.

21 MS. DeLUCA: Second.

22 MR. MENNERICH: Motion by Dave,
23 second by Stephanie. Roll call vote
24 starting with Stephanie.

25 MS. DeLUCA: Aye.

2 MR. DOMINICK: Aye.

3 MR. MENNERICH: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. BROWNE: Aye.

6 MR. WARD: Aye.

7 MR. MENNERICH: The next item
8 of business is the consultants to the
9 Planning Board. I guess we'll go
10 through these one at a time.

11 The first one in the stack is
12 Michelle as Stenographer. Would
13 somebody recommend --

14 CHAIRMAN EWASUTYN: I'll make
15 that motion.

16 MR. MENNERICH: A second?

17 MR. BROWNE: Second, Cliff.

18 MR. MENNERICH: Cliff. John
19 first. Roll call starting with John.

20 MR. WARD: Aye.

21 MR. BROWNE: Aye.

22 CHAIRMAN EWASUTYN: Aye.

23 MR. MENNERICH: Aye.

24 MR. DOMINICK: Aye.

25 MS. DeLUCA: Aye.

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MR. MENNERICH: The second proposal is from Karen Arent for Landscape Architect expertise to the Planning Board. Does somebody want to make a motion to reappoint Karen Arent?

MR. WARD: So moved.

MR. BROWNE: Second.

MR. MENNERICH: John Ward. Cliff seconded. Go ahead, John.

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: The next recommendation is for legal representation from Drake, Loeb, Attorneys at Law. The proposal was submitted by Dominic Cordisco. Would somebody like to make the motion?

CHAIRMAN EWASUTYN: I'll make a motion to approve Drake, Loeb for

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Planning Board Attorney.

MS. DeLUCA: Second.

MR. MENNERICH: John Ewasutyn made the motion and Stephanie seconded it. Roll call starting with Stephanie.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

MR. MENNERICH: The next proposal is from MHE Engineering concerning engineering services to the Planning Board. Would somebody make a motion?

MR. DOMINICK: I'll make that motion.

CHAIRMAN EWASUTYN: I'll second.

MR. MENNERICH: Motion made by Dave and seconded by John. Roll call starting with John Ward.

MR. WARD: Aye.

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MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: At this point would someone make a motion to close the meeting of the 19th of January?

MR. MENNERICH: Wait, John. We have --

CHAIRMAN EWASUTYN: I'll rescind that motion.

MR. MENNERICH: Creighton, Manning has submitted a proposal for professional Traffic Engineering consultant services to the Planning Board. Would somebody make a motion for accepting that?

MR. DOMINICK: I'll make the motion.

MR. MENNERICH: A second?

MR. BROWNE: Second.

MR. MENNERICH: Motion made by

2 Dave and seconded by Cliff. John
3 Ward.

4 MR. WARD: Aye.

5 MR. BROWNE: Aye.

6 CHAIRMAN EWASUTYN: Aye.

7 MR. MENNERICH: Aye.

8 MR. DOMINICK: Aye.

9 MS. DeLUCA: Aye.

10 MR. BROWNE: Before we close,
11 John, a question. Is there anything
12 with the tower consultant?

13 CHAIRMAN EWASUTYN: I thought
14 about that. Have we gotten any
15 feedback?

16 MR. HINES: I've written to
17 solicit a proposal -- basically a
18 solicitation for proposals from
19 several firms. I will get that out
20 and we'll get them on board. Right
21 now Mike Musso is finishing up the
22 ones he has. We're okay for now.
23 Eventually he wants to bow out of
24 that.

25 CHAIRMAN EWASUTYN: All right,

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everyone. Thank you.

Anything else?

(No response.)

CHAIRMAN EWASUTYN: Okay then.
May I have a motion to close the
Planning Board meeting of the 19th of
January?

MR. MENNERICH: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: I have a
motion by Ken Mennerich. I have a
second by Dave Dominick. Can I have
a roll call vote starting with
Stephanie DeLuca.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

(Time noted: 8:02 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 25th day of January 2023.

Michelle Conero

MICHELLE CONERO