

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

LOT CONSOLIDATION

Date: February 16, 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  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

- - - - - X

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. The Town of Newburgh Planning Board would like to welcome you to our meeting of the 16th of February 2023. This evening we have four agenda items, one being a public hearing. Under Board business we have three items of discussion.

At this time I'll call the meeting and have Dave Dominick --

MR. DOMINICK: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. WARD: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board Attorney.

MR. HINES: Pat Hines with MHE Engineering.

MS. CONERO: Michelle Conero, Stenographer.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: At this point we'll turn the meeting over to John Ward.

MR. WARD: Please stand to say the Pledge.

(Pledge of Allegiance.)

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

CHAIRMAN EWASUTYN: The first item on the agenda this evening is Jones, a lot line change -- it's a lot line consolidation. It's located on Pheasant Hollow Road. It's zoned RR. It's being represented by Patricia Brooks.

MS. BROOKS: Good evening. So this is a lot consolidation of two parcels of land located at the end of Pheasant Hollow Lane. There are two vacant parcels, one being 5.55 acres in size and the other being 5.46, for a new consolidated parcel of 11.01 acres.

CHAIRMAN EWASUTYN: We'll have

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Dominic Cordisco speak first on the matter. Dominic.

MR. CORDISCO: As Pat Hines had noted in his comments, there was a question regarding the right to access in connection with the historic subdivision that was accomplished for this site back in 1990. Ms. Brooks was kind enough to send me all the documents, and so I've reviewed those and there are no restrictions there that would prevent this application from moving forward.

CHAIRMAN EWASUTYN: Thank you.

Pat Hines with McGoey, Hauser & Edsall.

MR. HINES: The adjoiners' notices have been sent. We received an affidavit from Ms. Brooks regarding that.

This is part of the Town's streamline lot line process where public hearings are not required.

It's a Type 2 action under

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

JONES, LLC

5

SEQRA.

I think the Board would be in a position to issue a final approval.

CHAIRMAN EWASUTYN: Comments from John Ward?

MR. WARD: No comment.

MR. BROWNE: No comment.

MR. MENNERICH: No comments.

MR. DOMINICK: No comments.

CHAIRMAN EWASUTYN: Would someone move for a motion to approve the lot line consolidation for Jones, LLC?

MR. DOMINICK: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by Ken Mennerich. May I please have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Motion  
carried.

MS. BROOKS: Thank you.

(Time noted: 7:03 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 22nd day of February 2023.

*Michelle Conero*

\_\_\_\_\_

MICHELLE CONERO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

DEIS  
VISUAL SIMULATION LOCATION

Date: February 16, 2023  
Time: 7:03 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

- - - - - X

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: The second item of business this evening is Britain Woods. It's here because of the visual simulation for Britain Woods as part of the DEIS attachment. It's located at 442 Little Britain Road (New York State Route 207). It's in an R-3 Zoning District. Ross Winglovitz, Engineering & Surveying Properties, will make the presentation.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties, here regarding the Britain Woods proposed development.

We're here this evening just to go over what the proposed viewshed analysis would include, what viewpoints the Board might want to see. We suggested five locations in this plan. One is on 207 opposite the driveway that comes from the union. Two, right at the entrance looking into the site. Three, on 207 behind the bank. Four, in the



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

entryway, the secondary entrance near the city. The fifth one from Stony Brook at the rear of the site. We can add, delete, remove. If the Board has other ideas, I'd be glad to hear them. We want to make sure everybody is on the same page before we actually do the renderings.

CHAIRMAN EWASUTYN: Dave Dominick, comments?

MR. DOMINICK: Ross, in workshop we talked about either moving or adding another visual point between 2 and 3. There were a couple residents at the public hearing that had some expression of concerns. Maybe put one there.

MR. WINGLOVITZ: Would it be okay to maybe move this one, 3? I think it's probably not that different. We could get two things. We could get a public -- what the public viewshed would look like and what they would potentially see as

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

well. I know there was concern about the building. Maybe we take this one directly up into the side.

MR. DOMINICK: So the Corbin Court, 3, move to the residence?

MR. WINGLOVITZ: Corbin Court is here, kind of in between. I would move it to the residence, which I think is right here.

MR. DOMINICK: I think that would be ideal.

We also discussed between point 1 and point 5, in the middle over on the left-hand side, looking in toward the project.

MR. WINGLOVITZ: So there's no public viewpoint. Not that there is one there either. This is vacant land. There's a bunch of lots here and then Old Little Britain Road I think. We could take a cross section from here, but it is private property. There is no public viewshed. I tried to keep to the

2 public viewsheds, but we'll accept  
3 whatever the Board asks.

4 MR. DOMINICK: That's it, John.

5 MR. HINES: There's a large  
6 house just -- I believe it's the  
7 Stellwag residence. I think that was  
8 the Board's intent.

9 MR. WINGLOVITZ: He was at the  
10 hearing -- the scoping session. That  
11 was part of the previous Ginsberg  
12 project.

13 So from someplace here you were  
14 thinking?

15 MR. DOMINICK: Yes.

16 MR. WARD: Yes.

17 MS. DeLUCA: Yes.

18 MR. WINGLOVITZ: This was an  
19 old mine area here, I think in the  
20 back. Okay. We can do that.

21 CHAIRMAN EWASUTYN: Ken Mennerich?

22 MR. MENNERICH: That sounds  
23 good with those changes.

24 CHAIRMAN EWASUTYN: I think  
25 there was some discussion of maybe to

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

have one or two more lines of sight looking at Stony Brook. Pat Hines suggested that.

MR. HINES: At the work session we discussed splitting the difference at number 5. There are some additional -- coming to your left from there. Yup. In that area.

MR. WINGLOVITZ: Okay. We can certainly do that.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I think with those three, four additions, yes.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: That covered the bases. Thank you.

CHAIRMAN EWASUTYN: Stephanie, do you have anything to add?

MS. DeLUCA: No. Not at this time. I agree with what was stated.

CHAIRMAN EWASUTYN: So you'll submit sets for the Board to have for our records, and then you'll make that part of your --

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. WINGLOVITZ: I'll move that  
one and add the other ones and split  
it.

Very good. Thank you very much.  
(Time noted: 7:07 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 22nd day of February 2023.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

PUBLIC HEARING  
TWO-LOT SUBDIVISION & LOT LINE CHANGE

Date: February 16, 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: DARREN DOCE

- - - - - X

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: The third item this evening is a public hearing for a two-lot subdivision. It's the Lands of Rivera. It's located on 38 Rosaline Lane in an R-1 Zone. It's being represented by Darren Doce of Vincent J. Doce & Associates.

At this time Mr. Mennerich will read the notice of hearing.

MR. MENNERICH: "Notice of hearing, Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange County, New York will hold a public hearing pursuant to Section 276 of the New York State Town Law on the application of Lands of Rivera, a two-lot subdivision and lot line change, Town project 2022-24. The project involves a two-lot subdivision and lot line change which will result in a total of three lots. Lot number 1, the lot change parcel, contains an existing single-

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

family house structure and fronts on Rosaline Lane, a private road. Lot 1 will be reduced in size, and the resulting larger parcel will be subdivided into two lots identified as lots number 2 and number 3. Access to the subdivision will be via a common driveway off of Rosaline Lane. All lots will be served by onsite wells and subsurface sanitary sewer disposal systems. The project site is known on the Town tax maps as Section 111; Block 2; Lots 20 and 21. The lots are located in the Town's R-1 Zoning District. A public hearing will be held on the 16th day of February 2023 at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7 p.m. or as soon thereafter as can be heard, at which time all interested persons will be given an opportunity to be heard. By order of the Town of Newburgh Planning Board. John P.



2 Ewasutyn, Chairman, Planning Board  
3 Town of Newburgh. Dated 24 January  
4 2023."

5 CHAIRMAN EWASUTYN: Thank you.  
6 Darren.

7 MR. DOCE: Thank you. I'm  
8 Darren Doce. I'm representing Mr.  
9 Rivera.

10 Mr. Rivera owns two tax parcels  
11 located on Rosaline Lane. One has  
12 frontage on Rosaline Lane, and that's  
13 where he currently resides. The  
14 other parcel adjoins the first to the  
15 rear.

16 What we're proposing is  
17 shifting the lot line between the two  
18 parcels by about 150 feet to the east  
19 and then subdividing the new larger  
20 lot into two single-family  
21 residential lots. Where there are  
22 two existing lots, there will now be  
23 three lots.

24 The lots will have individual  
25 wells and sewage disposal systems.

2 Access to the lots will be over  
3 the current driveway. It will become  
4 a common driveway servicing the three  
5 lots with an extension of about 100  
6 feet from the shale driveway that  
7 already exists.

8 With that, I'll answer any  
9 questions.

10 CHAIRMAN EWASUTYN: All right.  
11 At this time we'll turn the meeting  
12 over to the public. Is there anyone  
13 in the audience that has any  
14 questions or comments?

15 Please raise your hand and give  
16 your name and your address.

17 MR. MARWIN: My name is Russ  
18 Marwin. I reside next door at 30  
19 Rosaline -- 26 Rosaline Lane.

20 A couple of questions I have.  
21 This will be something new to our  
22 private road, having three  
23 subdivisions. Does this constitute  
24 essentially a precedent that anybody  
25 could do this going forward? That's

2 one question I have.

3 The other is does it require a  
4 full survey of the entire property?  
5 There are many markings around the  
6 property, but it's hard to say what's  
7 done personally, what's done by a  
8 surveyor. I'm not sure exactly where  
9 the property lines are. I just want  
10 to be sure that a professional survey  
11 is done and professionally marked.

12 MR. DOCE: Yes, it was surveyed  
13 by a professional land surveyor.

14 MS. MARWIN: Is that who  
15 painted all the trees pink and orange?

16 CHAIRMAN EWASUTYN: Excuse me.  
17 Excuse me. It's good to speak, but  
18 please give your name and your  
19 address.

20 MS. MARWIN: I'm sorry. I also  
21 live next door. I'm Eileen Marwin.

22 I was just a little bit  
23 concerned because the markings have  
24 pink tape on some branches and just  
25 spray paint on other trees.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. MARWIN: We're not sure what the professional markings of the survey are, if they exist at all.

MR. DOCE: I'm not sure. I don't believe that was done by the surveyor. That might have been done by Mr. Rivera maybe marking trees that he thought would eventually come down. I know we have a surveyor that's going to go in and do some survey of existing trees as a requirement to determine what trees are there over a certain size. He might have started that. I'm not sure.

MR. MARWIN: So a survey is done?

MR. DOCE: Yes, a survey has been done. He found corners. What is missing is -- he'll be setting corners, property corners.

MR. MARWIN: Okay. That was one concern.

Going into the future for other

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

people, Rosaline Lane, is this essentially -- I don't know if this serves as a precedent, if anyone can do this going forward or -- so anyone could have done this? Is this kind of a variance or is this anyone could make a subdivision of their property in this way?

CHAIRMAN EWASUTYN: That's a tough one to answer, but Pat Hines will speak to you as far as they went before the Town Board.

Pat.

MR. HINES: Sure. The lots that are proposed meet the Town Code in this zone, so there were no variances to speak of that they had to go to the ZBA. They got a waiver from the Town Board for three lots on a common driveway. The Town Code only allows two lots to share a driveway, but there are provisions in the code, with Town Board approval, to allow up to three lots on a common

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

driveway. They did receive that waiver from the Town Board. That serves to reduce the amount of impact there. Should it have been a private road, there would have been a 50-foot wide easement and some additional grading and such to construct the road. They did get that approval.

They've shown that the lots are buildable by showing wells and septic systems that are designed by the applicant's representative that meet the appropriate codes.

They added a fire department turnaround at the end of the proposed common driveway. It meets the code.

Certainly anyone has the right to subdivide their property under the existing Town Code, as long as the lots meet that. This did not receive any variances. It meets the code, other than the waiver for the three lots on a common driveway.

MR. MARWIN: Thank you. That

2 answers my question.

3 MR. HINES: John, we did ask  
4 for copies of the private road access  
5 and maintenance agreement. Maybe  
6 Dominic would be better to speak to that.

7 MR. CORDISCO: Yes. Mr. Doce  
8 had provided that back in November.  
9 There were no restrictions of record  
10 that would prevent this application  
11 from moving forward. Sometimes in  
12 the chain of title there are  
13 restrictions on future ability for  
14 subdivisions. That is not present in  
15 this particular instance.

16 There's also been a common  
17 driveway maintenance agreement in  
18 draft form that would be required for  
19 the common lots -- excuse me, the  
20 three lots on the common driveway.  
21 I've reviewed an initial draft of  
22 that and provided some comments that  
23 are fairly minor in nature, but that  
24 is moving forward.

25 MR. MARWIN: Thank you.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: Additional comments or questions from the public?

(No response.)

CHAIRMAN EWASUTYN: I'll turn the meeting over to Planning Board Members. John Ward?

MR. WARD: In reference to the property being surveyed, your surveyor, normally he would stake it on each corner. Am I right? That's how you know the property lines. It should be public with the Town that you're able to look at the property, It's a tax citing there, this way you know where the lines are.

MR. MARWIN: Yes. Those stakes, at least I couldn't find any that are there now. There's a chance they may not exist at the moment.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I don't have any comments. From what I've seen, the plan as proposed is appropriate.

CHAIRMAN EWASUTYN: Ken Mennerich?



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. MENNERICH: I have no questions.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: Nothing further.

CHAIRMAN EWASUTYN: Stephanie DeLuca?

MS. DeLUCA: Nothing further.

CHAIRMAN EWASUTYN: Are there any further questions or comments from the public?

MS. MARWIN: For the record, we're not opposed to the building. We just want to make sure that the property line is appropriately addressed.

CHAIRMAN EWASUTYN: Darren, just for a clear understanding, I was always under the opinion that you pay for corner markings, that a surveyor generally has one stake and then if you want more stakes you pay for those for each corner. Is that correct or not correct?

MR. DOCE: Well, you will pay

2 to have the individual lot staked. I  
3 believe he found corners on the  
4 Marwin line, a front corner, and he  
5 either set the rear corner or he  
6 found it. I mean it is there. If  
7 they wanted to go look for it, I  
8 believe it's -- you should find like  
9 a ribbon and an iron pin at the  
10 bottom.

11 CHAIRMAN EWASUTYN: Do you know  
12 the people who are subdividing the  
13 property?

14 MR. MARWIN: Acquaintances, yes.

15 MR. BROWNE: Just one comment  
16 on that. When you're going out on  
17 other people's property, be careful  
18 or be aware that it is private  
19 property. Technically you do need  
20 permission to go on their property.

21 MR. MARWIN: Of course. Yes.  
22 But I should be able to see it from  
23 my property.

24 MR. DOCE: They share a common --

25 MS. MARWIN: I was just

2 concerned because the spray painted  
3 trees, which I think are an attempt  
4 to identify the property line, were  
5 painted only on my side so as if to  
6 say -- you know, I just didn't think  
7 it was a professional way to mark the  
8 property lines. I wanted to make  
9 sure it was being done appropriately  
10 and professionally.

11 MR. BROWNE: I understand.

12 MR. MARWIN: Again, we're not  
13 opposed to the project. We just want  
14 to make sure the lines are respected.

15 CHAIRMAN EWASUTYN: Any further  
16 questions or comments?

17 (No response.)

18 CHAIRMAN EWASUTYN: Would  
19 someone move for a motion to close  
20 the public hearing on the two-lot  
21 subdivision for the Lands of Rivera?

22 MS. DeLUCA: So moved.

23 MR. MENNERICH: Second.

24 CHAIRMAN EWASUTYN: I have a  
25 motion by Stephanie DeLuca. I have a

2 second by Ken Mennerich. Can I have  
3 a roll call vote starting with John  
4 Ward.

5 MR. WARD: Aye.

6 MR. BROWNE: Aye.

7 CHAIRMAN EWASUTYN: Aye.

8 MR. MENNERICH: Aye.

9 MR. DOMINICK: Aye.

10 MS. DeLUCA: Aye.

11 CHAIRMAN EWASUTYN: The  
12 conditions of approval would be, one,  
13 Pat Hines' review and approval of the  
14 tree survey. What are the other  
15 conditions?

16 MR. HINES: A detail for the  
17 common driveway should be provided,  
18 compliance with the Tree Ordinance as  
19 you just mentioned, and the driveway  
20 common access and maintenance  
21 agreement in a form acceptable to  
22 Dominic.

23 CHAIRMAN EWASUTYN: Anything  
24 else, Dominic?

25 MR. CORDISCO: No, sir.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: Okay.  
Having heard the conditions of approval presented by Pat Hines and acknowledged by Dominic Cordisco, Planning Board Attorney, would someone move for that motion for approval?

MR. WARD: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward. I have a second by Dave Dominick. 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: Thank you.

MR. DOCE: Thank you.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 22nd day of February 2023.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

- - - - - X  
In the Matter of

VANTAGE CONSTRUCTION  
(2023-03)

Kings Hill Road  
Section 11; Block 1; Lot 66.21  
R-1 Zone

- - - - - X

FOUR-LOT MINOR SUBDIVISION

Date: February 16, 2023  
Time: 7:20 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: JOHN NOSEK

- - - - - X

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: The fourth and last agenda item this evening is Vantage Construction. It's an initial appearance for a four-lot minor subdivision located on the south side of Kings Hill Road at the Montgomery Town line. It's in an R-1 Zoning District. It's being represented by Nosek Engineering.

MR. NOSEK: Good evening, Board Members. For the record, John Nosek, Nosek Engineering.

I'm here tonight before the Board for a first-time submittal for a proposed four-lot subdivision, four lots plus the remaining lands, off of Kings Hill Road.

So just to orient yourself, this property line -- this is Kings Hill Road right here. This is actually the Town of Montgomery/Town of Newburgh property line. These lots are actually in the Town of Montgomery.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

What we're looking to do is to cut off one, two, three -- four single-family residential building lots with access off of Kings Hill Road.

Those lots will be serviced by septic systems and private wells. We have done extensive soils testing in the area of all four lots, two perc tests, two test pits, to verify the acceptability of the soil for septic systems.

That's pretty much what we're looking to do.

There are DEC wetlands in this area here, but we're quite a ways away from it with any proposed development.

Then there are Federal wetlands which were delineated by Pete Torgersen, Torgersen Environmental, which were survey located by the surveyor and shown on the property. Again, we're not anywhere near those

2 wetlands with regard to proposed site  
3 activity.

4 CHAIRMAN EWASUTYN: Comments  
5 from Board Members. John Ward?

6 MR. WARD: Is there future  
7 development?

8 MR. NOSEK: There are no plans  
9 for any future development. Andy  
10 Bell, Mr. Bell, indicated that he  
11 might, perhaps down the road, maybe  
12 want to put one home on the overall  
13 piece, but there are no plans to  
14 subdivide it.

15 MR. WARD: Thank you.

16 CHAIRMAN EWASUTYN: Cliff Browne?

17 MR. BROWNE: I believe our Tree  
18 Preservation act covers the whole  
19 site. I don't know where that stands  
20 now as far as if anything changed. I  
21 think -- as of currently, I think the  
22 law requires you to do that tree  
23 preservation for the whole thing.

24 Is that right? Am I  
25 understanding that correctly?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. CORDISCO: As currently written, that's correct.

MR. BROWNE: My understanding is there are some things going on with the Town, but we have no idea if that's ever going to happen.

MR. NOSEK: I haven't actually read it. It's location of trees a certain diameter?

MR. BROWNE: It's a tree preservation -- Pat.

MR. HINES: The ordinance requires the location of kind of a hierarchy of trees, trees greater than 10 inches, trees greater than, I believe 14 inches, and trees greater than 24 inches. There's a maximum amount of trees that are permitted to be cleared. I don't think the ordinance really envisions smaller subdivisions on larger lots. We will discuss it with you. There are some changes to the ordinance under consideration. Those may occur

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

sooner than later, I don't know.

MR. NOSEK: These lots right here, 1 and 2, just for the Board's records, it's kind of -- it's a big open area here. There may be a few isolated trees. There's kind of a treeline down in this area here. Where the house, the well and the septic are, there are not very many trees. This one is open.

The common driveway coming in right now, there are some woodlands in here. I don't know how the trees fit into what trees are there. The same thing with this one right here. We certainly would try to minimize the amount of site disturbance.

MR. BROWNE: I think it would be best if you looked into the ordinance itself. Look into it and see what's currently required. My understanding is it affects the whole parcel, not just the pieces that you're subdividing off.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. NOSEK: Okay.

MR. BROWNE: Look at it and see what you can do with it, please.

MR. NOSEK: So I did get Mr. Hines' comments. We did submit to Mike Fraatz with the DEC a copy of our plan with a request for a site visit to confirm the wetlands for the validation. That's currently being worked on.

Like I said, we did have Mr. Torgersen locate the Federal wetlands. I guess perhaps a letter from him describing what he found. Is that pretty much what you're looking for, I assume?

MR. HINES: Yes. To make the file complete. I wouldn't venture to send you to the Army Corp of Engineers as you're not proposing to disturb those. We'll be sitting here a couple years from now waiting for that response.

MR. NOSEK: At least.

2 The sight distance, no problem.  
3 We'll show those.

4 A general note, revisions 4 and  
5 5, no problem.

6 Adding culverts. I'm fairly  
7 certain 15-inch culverts will  
8 suffice. There's not a lot -- the  
9 high point of Kings Hill occurs up in  
10 here. Everything is kind of draining  
11 this way, and it's also draining kind  
12 of this way. There's very little  
13 area tributary to these culverts. I  
14 would suspect the 15 inch to be fine.

15 A revision under the notes for  
16 test pits.

17 The common access easement and  
18 maintenance agreement for 3 and 4, we  
19 will provide that on the plans.

20 Limits of disturbance, we're  
21 going to try to keep under an acre.  
22 I don't know if that's possible. If  
23 we exceed an acre, I'll have to do a  
24 basic SWPPP.

25 I need to take a look at the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Tree Preservation ordinance, which is fine.

So I guess the last question, the adjoiners' notices to be sent out, that's a letter that kind of lets you know there's a public hearing coming? Is that essentially what it is?

MR. HINES: It's a notice that within ten days of your appearance here tonight needs to be sent to all properties within 500 feet just notifying. A similar notice for a public hearing would also have to be sent out. The Town Code has kind of a notification process that there is a project under review.

MR. NOSEK: Okay. Is it a standard letter or just a general letter?

MR. HINES: I provide the notice and the mailing list. Similar to the public hearings, you address, stamp and bring them, after setting

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

up an appointment, to the personnel office. They're physically mailed from the Town Hall.

MR. NOSEK: Okay. And you'll get that to us --

MR. HINES: Correct.

MR. NOSEK: -- with the letter?

MR. HINES: Yup.

CHAIRMAN EWASUTYN: I was polling Board Members and then you started to make comments. I'd like to complete polling the Board Members.

MR. NOSEK: I'm sorry?

CHAIRMAN EWASUTYN: I was going around polling Board Members.

MR. NOSEK: Okay.

CHAIRMAN EWASUTYN: Cliff Browne spoke and then you began taking the floor, but I'd like to continue on with what was in motion.

MR. NOSEK: Okay. Got you.

CHAIRMAN EWASUTYN: So I'd like to turn to Ken Mennerich to see if he



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

has any comments.

MR. MENNERICH: I don't have any questions at this time.

CHAIRMAN EWASUTYN: Thank you. Dave Dominick?

MR. DOMINICK: John, you mentioned that it's possible there might be an additional house in the future on that one area developed. Can you elaborate more on that?

MR. NOSEK: This area is kind of like a nice open field in here. It's kind of like an ideal, so to speak, location for a home with privacy. Just from a home value standpoint, the best location would probably be right up in here. The topo drops off this way. It's kind of wooded in here and then it does get more wooded. There is another open field back in here. As you can see, it's quite a distance from the roadway. This would really be the ideal location for a future home on

2 lot 5.

3 MR. DOMINICK: So there is  
4 potential for growth?

5 MR. NOSEK: Yes.

6 MR. DOMINICK: With that in  
7 mind, and since the economy changes,  
8 developers or property owners  
9 envision changes, could you provide  
10 us with an ultimate development plan  
11 for this?

12 MR. NOSEK: We could. Again,  
13 his intention is not to subdivide at  
14 this time. We're not looking to come  
15 back to the Board any time in the  
16 near future to do a subdivision.  
17 I'll leave that up to the Board, if  
18 they want to see an overall  
19 development plan.

20 CHAIRMAN EWASUTYN: Stephanie  
21 DeLuca?

22 MS. DeLUCA: No. No further  
23 questions.

24 CHAIRMAN EWASUTYN: I'll poll  
25 the Board Members to see if they want

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

to have an overall development plan for the proposal that John Nosek has before us.

John Ward?

MR. WARD: No.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I'm interested but I don't think it's appropriate at this time. However, there are codes in place that there's a minimum timeframe before future things can be done.

MR. NOSEK: I think we would agree that should a subdivision ever come back for any further lot, even one more lot, at that time an overall subdivision plan would be prepared. I think that's a reasonable request.

MR. BROWNE: That was enough. Thank you.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I think what you're proposing is a reasonable request.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: Yes.

CHAIRMAN EWASUTYN: Stephanie DeLuca?

MS. DeLUCA: I agree with Ken Mennerich.

CHAIRMAN EWASUTYN: I'm going to agree myself. Thank you.

So at a later time, when you do come back -- I think you should have a note on the final subdivision plan --

MR. NOSEK: Okay.

CHAIRMAN EWASUTYN: -- that states that.

I can't think of anything else. Pat Hines?

MR. HINES: No. Mr. Nosek touched on each of my comments there.

At this point we will prepare an adjoiners' notice and work with his office to get those sent out, and then there's some work to do prior to coming back.

CHAIRMAN EWASUTYN: Maybe just

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

for the benefit of the Board, if Mr. Bell can be present at the next meeting.

MR. NOSEK: He asked me to tell the Board he would have been here but he has COVID. That's the only reason why he's not here. I told him this is one time the Board will be very happy that you're not here.

CHAIRMAN EWASUTYN: Thanks for the COVID update.

(Time noted: 7:32 p.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 22nd day of February 2023.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

- - - - - X

In the Matter of

MONARCH WOODS SENIOR HOUSING  
(2019-28)

Request for a Six-Month Extension of Approval  
from February 16, 2023 until August 16, 2023

- - - - - X

BOARD BUSINESS

Date: February 16, 2023  
Time: 7:32 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

- - - - - X

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: This evening we have under discussion three items of business.

I'll ask Ken Mennerich to read the first one, Monarch Woods Senior Housing.

MR. MENNERICH: The letter is dated January 24, 2023, attention John Ewasutyn, Chairman, and Board Members, regarding project 1325.01, Monarch Woods Senior Community, Monarch Drive, approval extension request. "Dear Chairman Ewasutyn and Board Members, Engineering & Surveying Properties, PC is currently working on obtaining approval from required outside agencies, including New York State DEC for the wetland disturbances and sewer main extension, and New York State DOT for the emergency access entrance from New York State Route 52. Along with these outside agency approvals, we are working on complying with the



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

requirements of the newly adopted Tree Preservation laws within the Town of Newburgh, requiring additional time for surveying and preparation of plans. ESP is working to satisfy all other conditions of preliminary approval voted on on July 7, 2022, a resolution prepared thereafter, filed with the Town Clerk on August 31, 2022 and transmitted to me, as applicant's representative, on September 19, 2022.

We have received approval from Orange County Department of Health for water main extension and approval for senior citizen housing from the Town of Newburgh Town Board.

As we continue to work on the documents, we are hereby requesting, as may be necessary, an extension from the six-month requirement continued in the written resolution of the preliminary approval to grant additional time to complete these

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

conditions, or, in the alternative,  
readopt the preliminary approval. If  
you have any additional questions  
and/or comments, please do not  
hesitate to contact this office.  
Sincerely, Engineering & Surveying  
Properties, Ross Winglovitz, PE."

CHAIRMAN EWASUTYN: Ross, do  
you have anything to add?

MR. WINGLOVITZ: No, other than  
we did get the DEC approval. That  
came in early this week or late last  
week.

The only thing we're waiting  
for is DOT for the emergency  
entrance.

We have the new Tree Ordinance  
that we have to deal with. We're  
scheduled to have the trees  
identified so we can map that and  
comply with that as well.

DOT and the Tree Ordinance are  
the only two things left.

CHAIRMAN EWASUTYN: Any

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

comments from Board Members?  
Stephanie DeLuca?

MS. DeLUCA: No.

MR. DOMINICK: Nothing.

MR. MENNERICH: Would your  
preference be to go with just a six-  
month extension rather than going  
back to preliminary?

MR. WINGLOVITZ: A six-month  
extension, no preliminary, I think  
would be fine.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: No questions.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: No questions.

CHAIRMAN EWASUTYN: So Pat,  
what would be the dates for the --

MR. HINES: It would be from  
tonight until August 16th.

CHAIRMAN EWASUTYN: Would  
someone make a motion to grant a six-  
month extension for Monarch Woods  
Senior Housing starting from February  
16, 2023 and carrying through to

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

August 16, 2023?

MR. DOMINICK: I'll make a motion.

MS. DeLUCA: Second.

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.

(Time noted: 7:36 p.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 22nd day of February 2023.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

- - - - - X  
In the Matter of

POPPY LANE  
(2021-26)

Request for a Six-Month Extension of Approval  
from February 16, 2023 until August 16, 2023

- - - - - X

BOARD BUSINESS

Date: February 16, 2023  
Time: 7:36 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

- - - - - X

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN EWASUTYN: Ken Mennerich, would you read the next item of business? I believe that's Poppy Lane.

MR. MENNERICH: The letter is dated November 2, 2023 to the Town of Newburgh Planning Board, 308 Gardnertown Road, Newburgh, New York, attention John Ewasutyn, Chairman, and Board Members, Town project number 2021-26, Poppy Lane, Section 6; Block 1; Lots 113, 114 and 115, off of Lester Clark Road, Lots 2, 3 and 4 of the Monticello Subdivision, filed map 8866 dated 5/18/1988, extension request. "Dear Chairman Ewasutyn and Board Members, Engineering & Surveying Properties, PC is currently working with our client on finalizing the conditions of final approval from the Planning Board as granted on November 19, 2022. As the project was referred to the Planning Board by the Building

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Department for approval of modifications to the improved private road, we were not clear if it was a site plan which had a conditional approval timeframe of twenty-four months or if it were a conditional subdivision approval which has a timeframe of six months, to November 19, 2022.

Based on our e-mail correspondence with Pat Hines and Dominic Cordisco, it is our understanding that this is an amended subdivision plan and would therefore need an extension of the conditional approval.

Our client is in the process of working with their bonding company to post the required construction bond, one of the conditions of approval.

As we continue to work to fulfill the conditions of the approval, we are respectfully requesting an extension of the



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

conditional final approval to grant additional time to complete these conditions.

If you have any additional questions and/or comments, please don't hesitate to contact this office. Sincerely, Engineering & Surveying Properties, Ross Winglovitz, PE, Principal."

CHAIRMAN EWASUTYN: Okay. As noted in Ross's correspondence, I guess there's been e-mail correspondence between Pat Hines and Dominic Cordisco. Can you bring forth your opinion on this?

MR. HINES: As stated in the letter, I believe that Engineering & Surveying Properties thought that they were getting a site plan where the project was a subdivision. It came back, and I believe that it is an amended subdivision approval which was granted. We had e-mail conversations regarding that. Myself

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

and Dominic both concurred it was an amended subdivision.

CHAIRMAN EWASUTYN: Dominic?

MR. CORDISCO: That's correct.

CHAIRMAN EWASUTYN: So what would be the dates that this would be granted from and to?

MR. CORDISCO: It would be from tonight until August 16th, unless there's --

MR. HINES: We're doing it a little bit retroactive. We're probably giving it a nine-month extension at this point. Because of the issue regarding the typing of the action, I think that it would be appropriate to extend it from tonight until August 16th.

CHAIRMAN EWASUTYN: Based upon the original 19th of November 2022?

MR. CORDISCO: Correct.

CHAIRMAN EWASUTYN: Having heard from Pat Hines with McGoey, Hauser & Edsall and Dominic Cordisco,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Planning Board Attorney, would someone move for a motion to grant the six-month extension to the Poppy Lane project starting from the 16th of February 2023 until the 16th of August 2023?

MR. MENNERICH: So moved.

MR. BROWNE: Second.

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.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 22nd day of February 2023.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

UNITY SQUARE  
(2021-29)

Consultants' Workshop

----- X

BOARD BUSINESS

Date: February 16, 2023  
Time: 7:40 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

----- X

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

2                    CHAIRMAN EWASUTYN:    Ken  
3                    Mennerich will read the last item of  
4                    business.

5                    MR. MENNERICH:    This is from  
6                    John Cappello, dated January 31, 2023  
7                    to the Planning Board, Town of  
8                    Newburgh.    The subject is Unity  
9                    Square application, request for a  
10                    technical meeting.    "Dear John, in an  
11                    effort to respond to some of the  
12                    concerns raised at the public hearing  
13                    regarding traffic on Old Little  
14                    Britain Road, Elliot and the design  
15                    team have completed a possible  
16                    redesign of the project to provide  
17                    all truck ingress and egress from  
18                    Unity Place.    Before we fully  
19                    resubmit the plans and our responses  
20                    to all the questions raised, we were  
21                    hoping to be able to arrange a  
22                    consultants' workshop so Phil Grealy  
23                    and the team can present and discuss  
24                    the redesign with Pat and Ken  
25                    Wersted, and whoever else you think

2            necessary at the meeting. Please let  
3            me know what you think, and thank you  
4            for considering this option." John  
5            Cappello signed it.

6            CHAIRMAN EWASUTYN: First, Pat,  
7            when is the date of the next  
8            consultants' meeting?

9            MR. HINES: It would be  
10           February 28th at 1 p.m.

11           CHAIRMAN EWASUTYN: Comments  
12           from Board Members as far as  
13           approving this consultants' meeting  
14           on the 28th of February at 1 p.m.?

15           MR. HINES: John, I would need  
16           to move that to 2.

17           CHAIRMAN EWASUTYN: Excuse me?

18           MR. HINES: I need to start at  
19           2:00 on that date. I just checked  
20           the calendar.

21           CHAIRMAN EWASUTYN: Stephanie  
22           DeLuca?

23           MS. DeLUCA: No questions.

24           MR. DOMINICK: No issues, John.

25           MR. MENNERICH: It's okay.

2                   MR. BROWNE:   Good.

3                   MR. WARD:    Good.

4                   CHAIRMAN EWASUTYN:  All right.

5                   Would someone make a motion to  
6                   approve a consultants' meeting for  
7                   the Unity Square application with  
8                   their team and our team?  That will  
9                   be Pat Hines and Ken Wersted.

10                  MR. HINES:    I think John  
11                  Cappello would be there, so Dominic  
12                  would need to be there as well.

13                  MR. DOMINICK:  So moved.

14                  MR. WARD:    Second.

15                  CHAIRMAN EWASUTYN:  I have a  
16                  motion by Dave Dominick and a second  
17                  by John Ward.  Can I have a roll call  
18                  vote starting with John Ward.

19                  MR. WARD:    Aye.

20                  MR. BROWNE:  Aye.

21                  CHAIRMAN EWASUTYN:  Aye.

22                  MR. MENNERICH:  Aye.

23                  MR. DOMINICK:  Aye.

24                  MS. DeLUCA:  Aye.

25                  CHAIRMAN EWASUTYN:  Good.  I



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

think that's all for this evening.

Would someone make a motion to close the Planning Board meeting of the 15th of February?

MR. WARD: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: Motion by John Ward. Second by Stephanie DeLuca. 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: 7:43 p.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 22nd day of February 2023.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO