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

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In the Matter of:

MILL STREET LOT LINE CHANGE
(22-02)

North of Lester Clark Road, Between
114 and 118 Lester Clark Road
Section 6; Block 2; Lots 3.11, 74.11, 74.12
Reservoir Residential Zone

-----X

LOT LINE CHANGE

Date: February 17, 2022
Time: 7:00 p.m.

Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chair
CLIFFORD C. BROWNE
KENNETH MENNERICH
STEPHANIE DELUCA
DAVID DOMINICK
JOHN WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ., Board Counsel
PAT HINES, P.E., Town Engineer
JIM CAMPBELL, Code Compliance

APPLICANT'S REPRESENTATIVE: KATHLEEN BERNAL

Reported by: Kari L. Reed

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

1 Mill Street Lot Line Change

2 CHAIR EWASUTYN: Good evening, ladies
3 and gentlemen. We'd like to welcome you to the
4 Town of Newburgh Planning Board meeting of the
5 17th of February. This evening we have four
6 agenda items and one board business item. And at
7 this time we'll call the meeting to order with a
8 roll call vote.

9 MS. DeLUCA: Present.

10 MR. MENNERICH: Present.

11 CHAIR EWASUTYN: Present.

12 MR. BROWNE: Present.

13 MR. DOMINICK: Present.

14 MR. WARD: Present.

15 MR. CORDISCO: Dominic Cordisco,
16 Planning Board attorney.

17 MR. HINES: Pat Hines, with MEH
18 Engineering.

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

21 CHAIR EWASUTYN: At this time I'll turn
22 the meeting over to Stephanie DeLuca.

23 MS. DeLUCA: All rise, please.

24 (Pledge of Allegiance said.)

25 MS. DeLUCA: Please silence your phones

1 Mill Street Lot Line Change

2 or turn them off.

3 CHAIR EWASUTYN: The first item of
4 business is returning business. It's Mill Street
5 lot line change, Project Number 22-02, and it's a
6 lot line change located on Mill Street. It's in
7 the zoning of the reservoir area, and it's being
8 represented by James Engineering.

9 And you are?

10 MS. BERNAL: Kathleen Bernal.

11 CHAIR EWASUTYN: Thank you, Kathleen.

12 MS. BERNAL: All right.

13 CHAIR EWASUTYN: You did the mailing;
14 correct?

15 MS. BERNAL: Yes.

16 CHAIR EWASUTYN: Okay.

17 Pat Hines, followed by Dominic
18 Cordisco.

19 MR. HINES: Yeah, we have no
20 outstanding comments on this. It is a lot line
21 change, which is not considered a subdivision in
22 your code, so no public hearing is required. The
23 mailings to the 500 foot radius was required and
24 has been accomplished. As Mr. Cordisco stated at
25 the work session, it's a Type II under SEQRA, and

1 Mill Street Lot Line Change

2 we have no outstanding comments on it.

3 CHAIR EWASUTYN: Dominic Cordisco,
4 Planning Board Attorney.

5 MR. CORDISCO: Yes. There are no
6 special conditions associated with this lot line
7 change. And if the Board is satisfied with the
8 conditions in the plans, you could consider
9 closing the project out at this time.

10 CHAIR EWASUTYN: Okay. And your
11 recommendation to the Board?

12 MR. CORDISCO: would be to adopt the
13 approval resolution.

14 CHAIR EWASUTYN: Okay. Having heard
15 from Planning Board Attorney Dominic Cordisco,
16 would someone move to approve the lot line change
17 for Mill Street?

18 MR. DOMINICK: I make a motion.

19 MR. WARD: Second.

20 CHAIR EWASUTYN: I have a motion by
21 Dave Dominick, I have a second by, was that you,
22 John ward?

23 MR. WARD: Yes.

24 CHAIR EWASUTYN: Seconded by John ward.
25 May I please have a roll call starting with John

1 Mill Street Lot Line Change

2 Ward.

3 MR. WARD: Aye.

4 MR. DOMINICK: Aye.

5 MR. BROWNE: Aye.

6 CHAIR EWASUTYN: Aye.

7 MR. MENNERICH: Aye.

8 MS. DeLUCA: Aye.

9 CHAIR EWASUTYN: Thank you.

10 What happens is, Pat Hines has to sign
11 off on the maps that you're going to be
12 submitting to the Planning Board office so that I
13 could sign them. You'll have to sort of
14 coordinate, well, the three of us will have to
15 coordinate how to accomplish that task. And then
16 we'll arrange for a day you could bring in four
17 folded sets and I'll sign them, I'll give you two
18 to take back and we'll keep three for our record,
19 okay?

20 MS. BERNAL: Okay.

21 CHAIR EWASUTYN: So --

22 MR. HINES: Yeah, they'll need a Mylar
23 to file with the county too.

24 MS. BERNAL: A Mylar?

25 MR. HINES: I could work with

1 Mill Street Lot Line Change

2 Mr. James' office and his representative.

3 MS. BERNAL: Okay.

4 MR. HINES: If they want to contact me
5 we can work through it.

6 MS. BERNAL: Good.

7 CHAIR EWASUTYN: Thank you.

8 MS. BERNAL: Thank you.

9 Is that it?

10 (Laughter)

11 MR. HINES: You're all set.

12 MR. WARD: That's it.

13 CHAIR EWASUTYN: You're welcome to have
14 the floor, you're an articulate speaker, so.

15 MS. BERNAL: Thank you.

16 CHAIR EWASUTYN: You're welcome.

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

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Mill Street Lot Line Change
C E R T I F I C A T E

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

I, KARI L. REED, a Shorthand Reporter
(Stenotype) and Notary Public with and for the
State of New York, do hereby certify:

I reported the proceedings in the
within-entitled matter and that the within
transcript is a true record of such
proceedings.

I further certify that I am not
related, by blood or marriage, to any of the
parties in this matter 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 March, 2022.

Kari L Reed

KARI L. REED

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

-----X

In the Matter of:

GASLAND PETROLEUM - 42 SOUTH PLANK ROAD
(21-23)

42 South Plank Road
Section 71, Block 2, Lot 11
Zone: B

-----X

SITE PLAN

Date: February 17, 2022
Time: 7:05 p.m.

Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chair
KENNETH MENNERICH
CLIFFORD C. BROWNE
STEPHANIE DELUCA
DAVID DOMINICK
JOHN WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ., Board Counsel
PAT HINES, P.E., Town Engineer
JIM CAMPBELL, Code Compliance

APPLICANT'S REPRESENTATIVE: CHRISTOPHER LAPINE

Reported by: Kari L. Reed

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

1 Gasland Petroleum

2 CHAIR EWASUTYN: Our second item of
3 business is Gasland Petroleum. It's a site
4 plan, located on 42 South Plank Road, Project
5 Number 21-23. It's in the B zone. And it's
6 being represented by Christopher Lapine of
7 Chazen Companies.

8 MR. LAPINE: Sure. Good evening,
9 Mr. Chairman, members of the Board. My name is
10 Christopher Lapine, with LaBella Associates,
11 we're formerly a Chazen representative in the
12 application before you.

13 As you recall, we were before you in
14 the fall to discuss the redevelopment of this
15 half acre parcel located in the business
16 district at 42 South Plank Road. The current
17 facility has a 1,500 square feet convenience
18 store and four fuel pumps with eight fuel pump
19 positions.

20 The applicant is proposing to make some
21 improvements to the site but also to the
22 building itself. The intent is to demolish the
23 existing 1,500 square foot building and expand
24 the footprint to approximately 2,300 square
25 feet by shifting the building to the north with

Gasland Petroleum

setback areas.

The expansion is going to accommodate a few different things. One is currently they do not have an interior restroom, it's to the exterior of the building. They want to bring that interior, into the building. They also want to increase the cooler space within the facility, and have a grab and go deli to go along with it.

This project, as you recall, required a number of variances, and we were referred to the Zoning Board. We were before them in November and December, in which we had a public hearing. Those variances, I will summarize for you, was a minimum front yard setback off of Route 52 for the building and canopy; minimum front yard off of Fifth Avenue for the canopy; minimum required setback for a parked car, parking in required yards; minimum setback to intersection with minimum setback to storage tanks. The Zoning Board found within their review that the variances weren't going to be a detriment to the neighboring community and they granted all the variances. We received those

1 Gasland Petroleum

2 prior to the new year.

3 I do want to share with you, during the
4 course of the Zoning Board meeting we had
5 members of the public that came and commented
6 on this project. We took into account their
7 comments and we have incorporated them into the
8 site plan. I'd like to review those with you.

9 We were asked to dramatically decrease
10 the number of hardwood trees we had in the rear
11 of our property. There was a complaint about
12 the leaves that are going on the neighbors'
13 properties. We reduced them. We now have two
14 red maples I believe, or -- yeah, they're red
15 maples. They're called October Glory red
16 maples. And we have four big pines now in the
17 rear of the property. That modification was
18 made to accommodate the neighboring property
19 owners.

20 It was also discussed of people
21 congregating in the back of the facility
22 performing, you know, engaging in activities
23 that are not necessarily related to going into
24 a convenience store and picking up milk or
25 getting gas. So one of the things we discussed

Gasland Petroleum

1 was our plan incorporated a new cedar fence
2 that was going around the perimeter. What
3 we've done is we've brought that cedar fence to
4 each side of the building. We brought it to
5 the outside edge of the refuse enclosure here.
6 There will be no means of access for anybody to
7 come to the back of this building. We will
8 have a locked gate at this location so that
9 their lawn service can do the maintenance in
10 the back. But we feel that was something that
11 the neighbors had asked for and we have
12 incorporated it into our plans, a six foot high
13 fence. We worked with them to ensure that they
14 were satisfied with that. So I believe we
15 addressed some of the concerns that related to
16 this project from the neighbors during the
17 public hearing, and I wanted to share those
18 modifications with you.

20 I believe, if I recall, we might have
21 added one additional or two additional trees
22 also along the 52 corridor for screening. So
23 those are some of the changes that came out of
24 the Zoning Board following the variances. We
25 then enhanced our plan and put more detail into

Gasland Petroleum

1
2 the overall landscaping on the site and the
3 lighting and the detailed grading. I do want
4 to point out, as you're aware, that on the east
5 side of the site this is a totally open curb
6 cut, and the intent here is to break up the
7 kind of the free-for-all that takes place in
8 terms of the movement and create this
9 landscaped island here and identify this as
10 parking. I think overall this project itself
11 is going to certainly improve the vehicular
12 circulation on the site as well as the
13 pedestrian circulation, getting to the
14 convenience store and addressing the concerns
15 of neighbors with the mischief that takes place
16 in the back. Just as important, I think you're
17 going to have a building that fits more into
18 the character of the North Plank Avenue with
19 the adjoining residents to the north. I'm open
20 to any questions that you may have on this
21 proposal.

22 CHAIR EWASUTYN: Let's start with
23 Stephanie DeLuca. Stephanie, any questions?

24 MS. DeLUCA: No. I appreciate the
25 improvements and you listening to the concerns

1 Gasland Petroleum

2 of the neighbors. That was very thoughtful.
3 And because I was back there this past week and
4 it's, yeah, so I'm glad you addressed those
5 issues.

6 And then I guess the only other concern
7 was probably about how the traffic pattern
8 within that space there, how that was going to
9 be managed, if you can.

10 MR. LAPINE: So they currently have the
11 turn coming in from here, from Route 52. They
12 have the ability to come straight on into the
13 pump.

14 MS. DeLUCA: Okay.

15 MR. LAPINE: More short circuit it,
16 either parking in one of these spaces or come
17 up to the front of the building.

18 MS. DeLUCA: Okay.

19 MR. LAPINE: They can access back onto
20 Fifth Avenue or onto Route 52. We also have
21 some movement here from Fifth Avenue where
22 people have the ability to take a turn directly
23 into Fifth Avenue without accessing from Route
24 52, entering the site and then going back onto
25 Fifth Avenue. We do have two of the curb cuts

1 Gasland Petroleum

2 that we are retaining here as well. In the
3 event that if there's ever a backup at this
4 location, people still have the ability to turn
5 in.

6 MS. DeLUCA: And what about the
7 tankers, the fill trucks?

8 MR. LAPINE: The tankers are coming in
9 from Route 52 and they would be traveling
10 northbound.

11 MS. DeLUCA: Okay.

12 MR. LAPINE: They would be pulling in
13 at this particular location here. They would
14 probably move a little bit. One of the great
15 aspects of this particular client, he not only
16 operates the convenience stores, but he's, he
17 is a supplier of the gasoline. So he can, he
18 can set the times to when this is not an active
19 site, he can do it in the later part of the
20 evening or the earlier part of the morning. He
21 does have a number of trucks. So they would
22 most likely park in the particular location
23 where they're currently parked today to
24 continue the service there.

25 MS. DeLUCA: Thank you.

1 Gasland Petroleum

2 MR. MENNERICH: And the same on the
3 trucks, we've heard that sometimes the tankers
4 end up sticking out onto Fifth Avenue.

5 MR. LAPINE: Well, I can say this.
6 That's the benefit of putting in this island
7 right now, they'll no longer have the ability
8 to pull in and hang out onto Fifth Avenue.

9 MR. HINES: Yes.

10 MR. LAPINE: They're actually going to
11 have to pull in and stage their operations
12 internally.

13 MR. HINES: Actually, right now the way
14 the site functions, and uniquely they deliver
15 at ten a.m. to the site, which is about the
16 time I drive through here to come here to the
17 building, they pull in off of Fifth Avenue over
18 that wide open, and then the nose of the
19 tankers are facing Route 52 currently, and the
20 back of the tankers are around Fifth Avenue, so
21 they're --

22 MR. LAPINE: Yeah. They're, they're
23 going to, and we have talked to the operator,
24 they're going to have to come in on 52, off of
25 52 into the site, and they're going to have to

1 Gasland Petroleum

2 pull into this particular area here.

3 MR. HINES: So that's not what they're
4 doing right now. And Ken worsted has a similar
5 comment on that to show that.

6 MR. LAPINE: Yeah. We can, we can
7 detail that. I thought I had it on the
8 vehicular movement.

9 MR. HINES: well, the vehicular
10 movement shows a small tractor trailer, not a
11 tanker. It's the smallest tractor trailer in
12 the template.

13 MR. LAPINE: So what we show on that
14 particular template is they have their own
15 trucks that were made for them. They don't
16 have an assembly of tractor trailers. They've
17 got special, specialty trucks made for their
18 operations. That is the template that we
19 showed that came from the builder of this
20 vehicle. And that's what we were using for
21 this particular project. They have, they have
22 some existing sites that are very tight and
23 small, where you can't manage a tractor trailer
24 because of similar situations where the nose is
25 either sticking out onto a public right-of-way.

1 Gasland Petroleum

2 So they invested into a smaller trailer for
3 tight sites such as this.

4 MR. HINES: They have a smaller
5 gasoline delivery truck is what you're saying.

6 MR. LAPINE: Yes.

7 MR. HINES: Okay. You'll have to get
8 that to Ken worsted and show him that that's
9 what they're going to use.

10 MR. LAPINE: Okay. That's the, we had
11 that truck movement, that's the template we
12 received from their -- the company that built
13 their truck for them.

14 MR. HINES: So the only concern I have
15 with that is if this operator sells that site.

16 MR. DOMINICK: Yeah.

17 MR. WARD: Yeah.

18 MR. HINES: It may work for them but we
19 can't guarantee ownership long term. So that
20 may be an issue.

21 MR. LAPINE: Yeah.

22 CHAIR EWASUTYN: Ken Mennerich.

23 MR. MENNERICH: I guess as you
24 discussed in the work session, the landscape
25 strip along Fifth Avenue, you covered that,

1 Gasland Petroleum

2 right?

3 CHAIR EWASUTYN: Chris, I think at one
4 of the presentations I had suggested that you
5 maybe not consider landscaping along Fifth
6 Avenue, for the reason that when the street is
7 plowed of snow then all the snow winds up on
8 the landscape plants and/or salt. And the more
9 I look at the plan now, and I see that there's
10 parking parallel to that new island, I can see
11 where people would be, passengers, or maybe
12 drivers depending upon which direction they
13 would be stepping out, and before you know it
14 the plants would be non existing. So I was
15 wondering if you could do pavers there, similar
16 to your design on 9w when they first pull in
17 you have that island that was pavers.

18 MR. LAPINE: Yeah.

19 CHAIR EWASUTYN: And, you know, if you
20 wanted to still continue the concept maybe of
21 a, I think it's honey locusts on each, you
22 know, but something that really doesn't have
23 low branching --

24 MR. LAPINE: Okay.

25 CHAIR EWASUTYN: -- that over time is

1 Gasland Petroleum

2 going to be broken off. I don't think it's, I
3 don't think landscaping would be appropriate
4 there.

5 MR. LAPINE: So, so we're, where we're
6 parallel --

7 CHAIR EWASUTYN: Maybe something there,
8 yeah.

9 MR. LAPINE: -- with the vehicles we
10 can give some sort of a hardscape.

11 CHAIR EWASUTYN: Yes, hardscape would
12 be fine.

13 MR. LAPINE: Yes. Over here where we
14 still have these opportunities to add some
15 greenery. Maybe we continue that hardscape
16 along the edge where snow removal may
17 accumulate, and then the rest of the area we
18 provide with some green space in that.

19 CHAIR EWASUTYN: I don't necessarily
20 agree with that. I think a hardscape
21 throughout would maybe be more functional.

22 MR. LAPINE: Okay.

23 CHAIR EWASUTYN: Again, as you talk
24 about plants in the rear and plants up front.
25 what we never talk about is who's going to be

1 Gasland Petroleum

2 watering them. So they're picture perfect now.
3 And then between the heat off the roadway
4 during the summer, the lack of water, the lack
5 of care, it's a poor investment and it doesn't
6 really work. No one irrigates, no one waters.

7 MR. LAPINE: What if we did something
8 instead of like a tree or a shrub we did some,
9 a ground cover like ivy or something of that
10 nature that doesn't necessarily require --

11 MR. HINES: Concrete.

12 CHAIR EWASUTYN: Again, if you think
13 that that's going to hold up --

14 MR. LAPINE: Yeah.

15 CHAIR EWASUTYN: -- I mean, I would see
16 people thinking of ivy as, you know, a step
17 below. But if you want to, I'm not telling you
18 what you have to do. I know to plant ivy,
19 they're individual plants. If you want to have
20 something come in and for an example, I don't
21 know this to be a fact, put in 300, 400 plugs
22 of ivy and they're going to water it for the
23 first two years and fertilize it so it gets
24 established, you know, I'll dream that dream
25 with you. But I don't see that happening.

1 Gasland Petroleum

2 MR. LAPINE: Okay.

3 MR. HINES: I think that the Board's
4 saying they're okay with concrete.

5 MR. LAPINE: Yeah, no, I hear it. I'm
6 just thinking from a neighboring perspective if
7 they wanted any vegetation there.

8 CHAIR EWASUTYN: I'm fine. If you
9 guarantee that someone is going to go there
10 once a week and water for the first two years,
11 I'll go along with it.

12 MR. LAPINE: Okay.

13 CHAIR EWASUTYN: No different than the
14 two maples in the back.

15 MR. LAPINE: Yeah.

16 CHAIR EWASUTYN: You're accommodating
17 the public now by not having leaves fall in
18 their backyard. When the maples get mature and
19 the leaves start falling in the backyard again,
20 it's self defeating.

21 MR. LAPINE: It's just not as many
22 honey maples.

23 CHAIR EWASUTYN: Let's stay focused on
24 what's being said.

25 MR. LAPINE: Yeah.

1 Gasland Petroleum

2 CHAIR EWASUTYN: And also, who's going
3 to water the white pine? And that's what
4 happens with all these commercial sites,
5 they're not maintained. They're not a --
6 they're not a priority with the owner.

7 MR. LAPINE: Okay.

8 CHAIR EWASUTYN: Think about it, think
9 about it anyway. But that's my comment.

10 Cliff Browne?

11 MR. LAPINE: Okay.

12 MR. BROWNE: Basically all the things
13 that I've been talking or thinking about have
14 already been covered, and Ken and Stephanie
15 said a thank you for doing the work you did for
16 the, from the neighbors' comments in the
17 earlier comments.

18 MR. LAPINE: Okay.

19 MR. BROWNE: Thank you.

20 MR. LAPINE: You're welcome.

21 MR. DOMINICK: Yeah, I echo what Cliff
22 said here, nice job accommodating the neighbors
23 and being a good neighbor in the community. I
24 also agree with John, you don't need green
25 space in this particular project.

1 Gasland Petroleum

2 MR. LAPINE: Okay.

3 MR. DOMINICK: It's not everlasting.

4 And then to tag along with Pat's comment on the
5 special use vehicle created just for this
6 station, that's great for the present. But for
7 the future it's not a solution. And especially
8 if it becomes a turnkey operation and this
9 property is sold to another fuel company that
10 doesn't have special vehicles, we're back to
11 where we are now, blocking traffic, safety
12 hazards, Fifth Avenue, parts of the vehicles
13 sticking out obstructing views. It's back to
14 the mess again.

15 MR. LAPINE: Okay. I can, I can look
16 at that and look at another version of the
17 trailer. But just so people are aware, you
18 know, we do a number of gas stations, I do work
19 for different vendors. A number of people do
20 have different versions of trailers for tight
21 sites such as this that exist. And our, the
22 current owner and operator of this, he's not
23 the only one that does such a thing for some
24 fueling stations. I just wanted to throw that
25 out there. So it's not just him by himself,

1 Gasland Petroleum

2 there's a number of people that do this.

3 CHAIR EWASUTYN: In support of Pat
4 Hines' comments, and again, I'm just talking,
5 I'm not implying anything, the few times I have
6 driven by there, I notice a full size tanker
7 where his nose is practically jutting out onto
8 52. And, you know, I have yet to see a smaller
9 size tanker. And it seems like the way they
10 come in is they're heading west on Route 52,
11 they make that turn somehow onto Fifth Avenue
12 and somehow swing into the site because they're
13 preparing to offload and then getting directly
14 on 52. But think about it.

15 MR. LAPINE: Yeah. We'll revisit it.

16 CHAIR EWASUTYN: Okay.

17 John Ward.

18 MR. WARD: Ditto on the tanks. But
19 what we're basically asking, we'd like to see
20 the worst case scenario of a large truck in
21 there. We don't care who owns what. We're
22 looking at the town for the future if they do
23 sell it. So worst case scenario would make it
24 work.

25 MR. LAPINE: Okay.

1 Gasland Petroleum

2 MR. WARD: I would recommend the
3 curbing of the entrance by there, I would put
4 sloping curbs, because when they go through in
5 tractor trailers or whatever trucks, delivery
6 trucks, they're going to the hit the curb and
7 break it.

8 MR. LAPINE: Kind of like a mountable
9 curb design.

10 MR. WARD: Yeah.

11 MR. LAPINE: would there be an issue,
12 would it be acceptable to put a mountable curb
13 facing Fifth Avenue as well, or would you want
14 just a regular curb there?

15 MR. HINES: Work it out with Ken
16 worsted when you work out the truck turning.

17 MR. LAPINE: Okay.

18 MR. HINES: Yeah.

19 MR. WARD: And what materials is the
20 fence going to be?

21 MR. LAPINE: Right now it's considered
22 to be a white cedar.

23 MR. WARD: Is it possible like PVC?

24 MR. LAPINE: We can do the PVC.

25 MR. WARD: It's low maintenance.

1 Gasland Petroleum

2 MR. LAPINE: Maintenance it's low
3 maintenance, but they seem to develop the mold
4 more often, and they don't maintain, they
5 start, you know, with the heat over time, I
6 mean, some of them I've seen in a slightly kind
7 of dilapidated in the sense that they become
8 wavy and curvy, they don't maintain their
9 straight position when they're first installed.
10 But we can certainly consider the PVC, but
11 we've gotten more experience that the white
12 cedar is a little bit more longer lasting, and
13 they do reapply a stain to it every couple of
14 years. So I think it fits more in with the
15 character adjacent to the residential
16 neighborhood. But I can go either way. It's
17 just we were trying to be cognizant of the
18 neighbors as well.

19 MR. WARD: And with your island there,
20 the landscaping.

21 MR. LAPINE: This one right here?

22 MR. WARD: Yeah. Have you thought of a
23 small stone wall?

24 MR. LAPINE: well, I think the intent
25 here now from the direction I'm hearing is the

1 Gasland Petroleum

2 preference would be a hardscape here with sort
3 of a paver in the event somebody steps out or
4 if a truck drives over it, the concern also
5 about snow removal from Fifth Avenue building
6 up on this. My concern with looking at a stone
7 wall there, it may get damaged during the
8 course of snow removal. Maybe what we could do
9 from a stone wall perspective, we might be able
10 to blend the stone wall maybe in over here
11 where we have the landscaping. We've got some
12 ground cover here, but maybe we can introduce
13 the stone wall and put some grass type plants.

14 MR. BROWNE: Basically you've heard the
15 concerns, though, come back with something.

16 MR. LAPINE: Yeah.

17 CHAIR EWASUTYN: Pat Hines raised a
18 comment about paving the entire area rather
19 than piecemealing, wasn't that something, Pat?

20 MR. HINES: Yeah. And the Board's done
21 that on other -- you're going to be saw cutting
22 pavement and replacing pavement, so the look of
23 that after it's done is kind of a broken
24 patchwork. And we typically request that the
25 entire site be overlaid to make it look as a

1 Gasland Petroleum

2 new site. And you're investing all this in the
3 site and you're leaving, you know, a chunk of
4 pavement that's going to be looking like the
5 condition it's in today rather than the new
6 site that the rest of the facility will.

7 MR. LAPINE: I don't see that being an
8 issue.

9 MR. HINES: Just as an opportunity to
10 make the whole site new, so that's fine.

11 We had the comment regarding the truck
12 size, so if you can come back with that and
13 work with Ken worsted on that.

14 MR. LAPINE: Okay.

15 MR. HINES: You have notes on the plan
16 that say "connect to existing inverts." We're
17 going to want you to do a little bit more
18 research on that to show the inverts of the
19 pipe on Fifth Avenue to make sure that's
20 adequate slope from the sewer and such. We've
21 had incidents in the past where people say
22 connect to one and there's issues at the
23 construction phase with invert elevations and
24 such stuff working out, so if you could do
25 that.

1 Gasland Petroleum

2 Similarly, the size of the existing
3 water surface to the site, if you can work with
4 water department to identify that.

5 We did note the pedestrian scale
6 lighting. I think that will look good on the
7 site and it's consistent with the Town's
8 guidelines for these smaller sites.

9 We have a couple other comments on the
10 utilities. This will need to go to the County
11 Planning, and the Board will also need to
12 determine whether or not it wishes to hold a
13 public hearing.

14 We did note that during the rezoning
15 there was public comment, and it sounds like at
16 the Zoning Board appearances there was public
17 comment. And now this plan is the final plan,
18 so the Board may wish to hear that, comments on
19 this.

20 And also we suggested at our work
21 session that the plan be submitted to DOT. It
22 is a Type II action under SEQRA, but we believe
23 DOT should be advised of the work being under
24 done, being undertaken at the intersection, to
25 see if they have any comments on it as well.

1 Gasland Petroleum

2 We don't want to hear from them during the
3 construction that we missed notifying them. So
4 with the Board's consent and my office will
5 coordinate with DOT a submission to the plan to
6 them just for their advisement and potential
7 comments.

8 MR. LAPINE: Just for the record,
9 wasn't this circulated to the DOT and County
10 Planning as part of the lead agency process?

11 MR. HINES: So there was no lead
12 process because it's a Type II action.

13 MR. LAPINE: Got you, that's right.

14 MR. HINES: And we did not circulate to
15 County Planning yet because you were going to
16 the ZBA.

17 MR. LAPINE: Got you, okay.

18 MR. HINES: So the ZBA may have sent it
19 to County Planning, but this Board has not.

20 MR. LAPINE: Okay.

21 CHAIR EWASUTYN: Comments from Jim
22 Campbell?

23 MR. CAMPBELL: No additional comments,
24 thank you.

25 CHAIR EWASUTYN: Dominic Cordisco,

1 Gasland Petroleum

2 Planning Board Attorney?

3 MR. CORDISCO: Nothing at this time,
4 sir.

5 CHAIR EWASUTYN: Okay. So then the
6 action before the Board now is to circulate to
7 the Orange County Planning Department and also
8 circulate to the DOT.

9 MR. CORDISCO: That's correct, sir.

10 CHAIR EWASUTYN: Would someone move for
11 a motion to approve those actions?

12 MR. MENNERICH: So moved.

13 MR. WARD: Second.

14 CHAIR EWASUTYN: I have a motion by Ken
15 Mennerich, I have a second by John Ward. May I
16 please have a roll call vote starting with
17 John?

18 MR. WARD: Aye.

19 MR. DOMINICK: Aye.

20 MR. BROWNE: Aye.

21 CHAIR EWASUTYN: Aye.

22 MR. MENNERICH: Aye.

23 MS. DeLUCA: Aye.

24 CHAIR EWASUTYN: Thank you.

25 MR. LAPINE: Thank you. So I just

1 Gasland Petroleum

2 have another question. So that would be a 30
3 day circulation period for that?

4 CHAIR EWASUTYN: We would have to wait
5 to hear back from them before we could, and
6 moving in the direction that you addressed all
7 of the comments tonight, and hearing back from
8 the Orange County Planning Department, then we
9 could make a SEQRA determination, at which time
10 we will poll the Board members to see if they
11 want to have a public hearing or not.

12 MR. LAPINE: Okay. Thank you.

13 MR. HINES: So just one step in that
14 process, no SEQRA because it's a Type II, but
15 we do believe that the plans should be updated
16 and then we can consider the Planning comments.

17 CHAIR EWASUTYN: Okay. So you won't
18 have to, okay. So procedurally though we
19 couldn't do anything until we hear back from
20 the County.

21 MR. CORDISCO: That's correct. There's
22 no lead agency circulation because it's a Type
23 II action. It involves less than 4,000 square
24 feet of gross floor area, and as a result it's
25 Type II and there's no circulation.

1 Gasland Petroleum

2 MR. LAPINE: Does the Board, if I can
3 ask you, because we've had a number of public
4 hearings, that they may waive the public
5 hearing for that or --

6 CHAIR EWASUTYN: I think you're asking
7 if we'll poll the Board members --

8 MR. LAPINE: Yeah.

9 CHAIR EWASUTYN: -- this evening to see
10 if they want to hold a public hearing or waive
11 the public hearing, I think that's a reasonable
12 request.

13 I'll start with John Ward. John, do
14 you want to have a public hearing?

15 MR. WARD: I think yes because of
16 certain changes. And it's a positive change.
17 This way the public sees what you've done.

18 MR. LAPINE: Okay.

19 CHAIR EWASUTYN: Dave Dominick?

20 MR. DOMINICK: I agree. It's a busy
21 intersection, a busy corner and a busy
22 neighborhood, and I think the neighbors need to
23 weigh in.

24 CHAIR EWASUTYN: Cliff Browne?

25 MR. BROWNE: I agree.

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Gasland Petroleum

CHAIR EWASUTYN: I agree.

MR. MENNERICH: I agree.

MS. DeLUCA: I agree.

CHAIR EWASUTYN: So we'll hold a public hearing.

MR. LAPINE: Thank you very much.

CHAIR EWASUTYN: Okay.

(Time noted: 7:31 p.m.)

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Gasland Petroleum
C E R T I F I C A T E

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

I, KARI L. REED, a Shorthand Reporter
(Stenotype) and Notary Public with and for the
State of New York, do hereby certify:

I reported the proceedings in the
within-entitled matter and that the within
transcript is a true record of such
proceedings.

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 30th day of March, 2022.

Kari L Reed

KARI L. REED

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

-----X
In the Matter of:

RIVIAN AUTOMOTIVE
(21-35)

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

-----X
AMENDED SITE PLAN/ELECTRIC CHARGE

Date: February 17, 2022
Time: 7:32 p.m.

Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chair
KENNETH MENNERICH
CLIFFORD C. BROWNE
STEPHANIE DELUCA
DAVID DOMINICK
JOHN WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ., Board Counsel
PAT HINES, P.E., Town Engineer
JIM CAMPBELL, Code Compliance

APPLICANT'S REPRESENTATIVE: ANKUR DOSHI

Reported by: Kari L. Reed

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

1 Rivian Automotive

2 CHAIR EWASUTYN: The third item on our
3 agenda is Rivian Automotive. It's Project Number
4 21-35. It's an amended site plan/electric
5 charge. It's in an IB zone. And it's being
6 represented by Rivian Automotive.

7 MR. DOSHI: Yes, and I will be
8 representing Rivian today. My name is Ankur
9 Doshi. I'm a construction project manager for
10 Rivian's EV fast charging network. And I'm here
11 with my one colleague here, Steph Hanes, is
12 joining.

13 CHAIR EWASUTYN: For the record and for
14 the benefit of the stenographer do you have a
15 business card?

16 MR. DOSHI: I do, I do, and I can
17 provide them

18 CHAIR EWASUTYN: Thank you.

19 (Business cards handed out to the
20 Board.)

21 MR. DOSHI: It's nice to see some of
22 you all again. So yeah, thanks again for taking
23 the time to meet with us on this second meeting
24 to, it seems like at this point, really discuss
25 more along the lines of the architectural plans

1 Rivian Automotive

2 and kind of just making sure that the site looks
3 the way that the Town of Newburgh would like to
4 see it as well as the Architectural Review Board
5 and the engineering consults.

6 So just a quick high level overview
7 just to make sure that we're all on the same page
8 here. This site is located in the existing rear
9 parking lot of Cosimo's, which is that Italian
10 restaurant, delicious. I finally had it last
11 week, so it was --

12 MR. HINES: That is a unique
13 pronunciation.

14 MR. DOSHI: Cosimo's?

15 CHAIR EWASUTYN: There you go.

16 MR. DOSHI: I'm a little nervous, so
17 sorry for my mispronunciation.

18 So we're installing one utility
19 transformer. And kind of going in order here, we
20 have this utility transformer. We have this
21 switch gear assembly and Rivian power cabinets
22 within this Trex enclosure. It looks like we
23 unfortunately made a mistake with these, I think
24 these should be three feet in height, but they
25 look like they may not be. But they were done,

1 Rivian Automotive

2 the plans should be 36 inches in height as per
3 the feedback from the last discussion. So I
4 wanted to bring these to the Planning Board's
5 attention. We have six charging dispensers. And
6 in addition we do have one retaining wall which
7 you can see down below here.

8 So just to give some responses based on
9 our first meeting, then we can kind of go with
10 questions. So from the plan review we added an
11 additional site detail to depict a lot of the
12 adjacent buildings, town roads and site access
13 drives, so that should be page C 100 of the
14 drawing package. And then we did include a
15 parking analysis table on page C 111 that
16 indicates that the shopping center has a surplus
17 of 60 spaces with, with both Tesla and Rivian EV
18 stalls included. And that's based on parking
19 requirements for shopping centers greater than
20 25,000 square feet. So I know we have a comment
21 on that, so we can touch on it now if you'd like.

22 MR. HINES: I'm going to withdraw that
23 comment because I missed your chart, I saw the
24 other chart with just the six, so you're fine.

25 MR. DOSHI: Okay. I wasn't sure

1 Rivian Automotive

2 because this --

3 MR. HINES: Yeah.

4 MR. DOSHI: -- this is maybe a point
5 that we probably should have clarified, but
6 currently these stalls are, they're dedicated
7 stalls, meaning that currently Rivian drivers
8 only have, you know, first, they have essentially
9 have reserved spots more or less. We can change
10 it to enabled spots so it's basically 30 minute
11 general parking and non Rivian drivers have the
12 ability to park in those spots as well. So I
13 don't know if that distinction was made. I just
14 want to just make sure it's clear if it is
15 needed, but I know we do have ample parking, so.

16 MR. HINES: I think we got -- I missed
17 the one chart. I saw the chart where it said six
18 and zero and six and zero opposite that.

19 MR. DOSHI: Sure.

20 MR. HINES: So I think at the work
21 session we discussed this and with 54 excessive
22 parking spaces it seems to meet the code.

23 MR. DOSHI: All right.

24 MR. HINES: It sounds like some people,
25 if they really need to park there anyway, so --

1 Rivian Automotive

2 MR. DOSHI: Exactly, that's -- yeah,
3 we're not the parking police, so we know that
4 that's not something that we're going to be
5 enforcing, so to speak, but we are hoping that
6 things will work itself out.

7 MR. HINES: That chart, we noted in our
8 work session that it is responsive to our
9 previous comment.

10 MR. DOSHI: Okay, excellent. So that
11 should be coming, okay.

12 And then I wanted to cover a lot of the
13 architectural review elements that were brought
14 up in first set of questioning. So we have a
15 winchester gray Trex fence enclosure that we feel
16 matches the existing site the best. And just in
17 terms of, if you look at the neighboring
18 commercial buildings, they have a white facade
19 and they have gray and black accent colors. So
20 we do have alternative colors but we feel that,
21 you know, this gray color, which might look a
22 little odd from a printing standpoint, and I know
23 we have provided color samples so you can kind of
24 see how it looks initially when it's installed
25 and then with some weathering. So I wanted to

1 Rivian Automotive

2 bring that to also the attention. It's in the
3 Architectural Review Board submittal letter that
4 we have provided if you want to see those color
5 palettes. So that's the Trex fence color.

6 And then we have with that CMU, we have
7 with the retaining wall we are using a CMU split
8 face block, which we feel once again matches the
9 existing site with the, there's an existing trash
10 enclosure that uses a similar type of CMU block.
11 So we feel that that would be a, you know, kind
12 of good apples to apples match. But of course
13 once again with all these things we are, you
14 know, any feedback or comments that would make
15 the Planning Board more happy with the kind of,
16 with a lot of these design elements, please feel
17 free to provide that feedback.

18 And then I already explained the, there
19 are going to be shrubs that we are planting not
20 at two feet but at three feet per the last Zoning
21 Board meeting.

22 So I think other than that, since we
23 did discuss the stall count concern, I think
24 that's all I had in terms of the overview. So,
25 you know, any questions from the Planning Board

1 Rivian Automotive

2 or Engineering, Compliance, all yours.

3 CHAIR EWASUTYN: Before we get into
4 questions and answers, and I believe you gave a
5 nice presentation on the ARB, I was wondering if
6 the Board members would like to act on the ARB
7 and then get into some other questions while we
8 have that thought in mind if they want to, on the
9 ARB.

10 MR. BROWNE: John, a comment on the,
11 what you provided here. I personally appreciate
12 the image that you gave us as new and then as
13 weathered. I think that's the first time I've
14 ever seen that presented to the Board, how it
15 will look later as weathered, and I appreciate
16 that. Thank you.

17 MR. DOSHI: Of course, thank you.
18 That's good feedback.

19 CHAIR EWASUTYN: I'm going to start
20 with John Ward.

21 MR. WARD: I agree for the ARB.

22 CHAIR EWASUTYN: Dave Dominick?

23 MR. DOMINICK: Yeah, no objection to
24 the samples, very nice, it fits that area, that
25 site, it complements it very well.

1 Rivian Automotive

2 CHAIR EWASUTYN: Ken Mennerich?

3 MR. MENNERICH: Yeah, it's fine.

4 MS. DeLUCA: Yes, it looks very good.

5 CHAIR EWASUTYN: All right. would
6 someone move for a motion to approve the ARB for
7 Rivian subject to them completing the ARB form?

8 MR. WARD: So moved.

9 MR. DOMINICK: Second.

10 CHAIR EWASUTYN: I have a motion by
11 John Ward, I have a second by Dave Dominick. May
12 I have a roll call vote starting with John Ward.

13 MR. WARD: Aye.

14 MR. DOMINICK: Aye.

15 MR. BROWNE: Aye.

16 CHAIR EWASUTYN: Aye.

17 MR. MENNERICH: Aye.

18 MS. DeLUCA: Aye.

19 CHAIR EWASUTYN: Now we'll open the
20 general questions to Planning Board members,
21 starting with Stephanie DeLuca.

22 MS. DeLUCA: No, I don't have any at
23 the moment. Thank you.

24 CHAIR EWASUTYN: Ken Mennerich?

25 MR. MENNERICH: You did mention that

1 Rivian Automotive

2 the spaces could be used for other vehicles

3 besides the ones your company's --

4 MR. DOSHI: Yeah, so I think we did --
5 so a couple things, I want to make sure I clarify
6 this answer. So the spaces, the current spaces
7 from a signage point of view, I want to make
8 clear that currently we have them from a signage
9 point of view indicating that they're only for
10 Rivian drivers only, even though we have a 30
11 minute or a 45 minute maximum for those Rivian
12 drivers. But so that's the, maybe that's one
13 part of the question.

14 But to answer the other part of the
15 question, I think we had brought up this in the
16 prior meeting, but essentially these dispensers
17 are initially going to be used only by Rivian
18 drivers. And we, although we have a standard CCS
19 connector that will allow essentially
20 theoretically non Rivian drivers to utilize these
21 chargers, quite simply it's more of making sure
22 that we have the hardware and software that can
23 support other types of vehicles besides Rivians.
24 And so more or less the official answer I can
25 give you is we are, you know, there are plans to

1 Rivian Automotive

2 possibly open up the network at a later time but
3 once we feel like we have really nailed the
4 customer experience down and, you know, we're not
5 going to have issues once people start charging
6 their vehicles that are non Rivian drivers. So I
7 hope that answers kind of the types of questions
8 that maybe you were looking at to get answered.

9 MR. MENNERICH: Basically it sounds
10 like over time it may change?

11 MR. DOSHI: Correct. Correct.

12 MR. MENNERICH: Thank you.

13 CHAIR EWASUTYN: Cliff Browne?

14 MR. BROWNE: I have a couple questions
15 on the maintenance.

16 MR. DOSHI: Sure.

17 MR. BROWNE: So if a problem develops,
18 who and how is somebody contacted to repair the
19 equipment?

20 MR. DOSHI: Yes. So we have a series
21 of a couple things. So minor, minor equipment
22 issues that occur, they're usually going to be
23 solved through over-the-air updates. But those
24 are going to be of course the minor, the minor,
25 you know, technical issues that maybe come up.

1 Rivian Automotive

2 We of course, we have a crew of commissioning
3 engineers that are also kind of involved in the,
4 essentially the post installation, making sure
5 that from a reliability perspective we have
6 enough -- these sites are, you know, working from
7 a reliability perspective and of course a safety
8 perspective.

9 I think a lot of the key here is what
10 happens if -- there's many scenarios in which,
11 you know, there could be a possible safety
12 hazard, and I think that's what we want to
13 prevent. So to maybe answer the question from a
14 safety perspective, our equipment, say that there
15 is a fault, an electrical fault that happens in
16 between the power cabinets that are in the Trex
17 enclosure and the dispenser. We have a lot of
18 microelectronics in there that essentially within
19 350 milliseconds will stop, stop any kind of
20 electrical voltage, amperage, and will kind of
21 stop the conversion of power. So we have a
22 really good safety system within the hardware and
23 software. And then if you would, say you take
24 the handle out of your car by accident and you
25 are in the middle of a charge, there is a safety

1 Rivian Automotive

2 protocol that we use just like everyone else, I
3 forget what the standard name is, it's a J1772
4 standard, that essentially makes sure --
5 essentially we're following the same standard
6 that other electric vehicle device manufacturers
7 are utilizing, where if there is a mechanical
8 separation between the handle and your vehicle,
9 there will be an immediate shutting down from a
10 communication standpoint, which then turns off
11 the electrical output.

12 So basically at the dispenser level
13 and, you know, anything that's exterior from the
14 enclosure to the dispensers, if a car hits one of
15 the dispensers the communication will immediately
16 turn off, which will, you know, turn off the, the
17 energy conversion and voltage, yeah, the voltage.
18 So basically all in all we have safety features
19 in place to make sure that, you know, there won't
20 be any safety concerns with individuals utilizing
21 the chargers.

22 MR. BROWNE: From a turnaround
23 standpoint once you detect, someone detects an
24 issue or a problem, how long before a tech is
25 there to repair it?

1 Rivian Automotive

2 MR. DOSHI: Yeah. I mean, so at this
3 point we haven't, you know, in all honesty, we
4 haven't -- we don't have a live site at this
5 point, so I can't give you data to really support
6 what the expectation would be. I can tell you
7 that I would assume it would be --

8 MR. BROWNE: What's the projection?

9 MR. DOSHI: Within 24 to 48 hours.

10 MR. BROWNE: Okay.

11 MR. DOSHI: Yeah. Because I think, and
12 ideally it would be even quicker than that. I
13 think right now we are trying to understand what
14 our resources need to be from a deployment
15 standpoint, you know. We're trying to figure out
16 within these first hundred plus sites, how can we
17 really deploy those resources in an efficient
18 manner. So that is something of course that
19 we're working on. I can give you, I can give you
20 a response back on that because I think that is
21 an important point.

22 MR. BROWNE: Now, another area, not in
23 the technical part but in maintaining the
24 property itself, how and who do you -- how can
25 you handle actually taking care of the property?

1 Rivian Automotive

2 MR. DOSHI: Yes.

3 MR. BROWNE: You own the property,
4 you're basically an absentee owner, how do you
5 maintain it?

6 CHAIR EWASUTYN: They're leasing it.

7 MR. BROWNE: They're leasing it, okay.

8 MR. DOSHI: Yeah, so we're leasing it,
9 so that's going to be within our leasing
10 contract.

11 MR. BROWNE: Fine.

12 MR. DOSHI: We're leasing the property.

13 MR. BROWNE: I didn't know that. Okay.
14 Thank you.

15 MR. DOSHI: No problem.

16 MR. DOMINICK: Great, great explanation
17 and presentation, and we appreciate that. Just
18 to go back to Ken's question --

19 MR. DOSHI: Sure.

20 MR. DOMINICK: -- there about going
21 live and possibly opening up further down the
22 road. As a new company and setting up your grid
23 and as you're getting the product out in the
24 market, I think this is going to sit for a little
25 bit until it actually gets your product, people

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Rivian Automotive

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using your product and people stopping for

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recharge. Do you think, flipping it to be live

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now to do for generic use, if you want to call it

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that, would be ideal if you space out whatever

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they are, and then as your product continues to

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grow and to come online and then switch that

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software that you mentioned at the last meeting

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to Rivian only?

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MR. DOSHI: I mean, I think that's a

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great theoretical, and as, I guess I could say if

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this was -- if we were building from the ground

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up at a utility scale and we could really do more

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of a pilot investment and really kind of approach

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it in that way, I think that would make a lot of

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sense. Unfortunately I think the concern we have

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is of course our brand right now is hardly, you

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know, I think most people maybe have only heard

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of our brand from these planning board meetings,

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in all honesty, just getting feedback from

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people.

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So what I think what's concerning, you

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know, any publicity is good publicity, but I

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don't think we want negative publicity when it

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comes to people having a poor experience with our

Rivian Automotive

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2 charging stations, before we even have, you know,
3 the kinks determined and understood with our
4 customers specifically. So I think it's, I think
5 it's more of the industry going in a direction
6 where perhaps in the initial term a lot of these
7 charging stations might be more I'd say, I'll
8 call it privatized, so they can kind of work out
9 the kinks with their own customers who are maybe
10 going to be more loyal, and then eventually
11 they'll open them up because all the kinks will
12 kind of be determined. And I think the business
13 model is also changing as well with who's owning
14 what pieces of equipment and whatnot. So a lot,
15 a lot of things I think are in motion. But I
16 don't disagree with you. It's more of a
17 practicality with kind of the business.

18 MR. DOMINICK: Okay, I appreciate that.

19 MR. DOSHI: Yeah, sure.

20 CHAIR EWASUTYN: John.

21 MR. WARD: I want to thank you for your
22 presentation, it was very right to the point in
23 educating us. My question is, you explained the
24 safety and it shuts down if something is wrong.
25 But for the future and to think about, is there

1 Rivian Automotive

2 any mechanism to let somebody know what happened,
3 like the computer, it shut down, is there any
4 network?

5 MR. DOSHI: Yeah. This is actually a
6 really good point. I probably should have
7 mentioned this and I could have maybe shown a
8 graphic. We have a, kind of like, it's a really
9 bright beam, not bright in the sense that it's
10 going to blind you, but bright in the sense that
11 at night or during the day you can see on the
12 right, I can't remember if it's on the left or
13 the right side, I believe it's -- on one of the
14 faces of the dispenser, but basically when the
15 dispensers working it's green, when it's not
16 working it's red. If it's -- or sorry, if it's
17 open it's green, if it's being used it's red, and
18 if it needs maintenance it's in yellow. So there
19 is that, there's that way. We do have a little
20 LCD screen specifically just because it's more of
21 a requirement for folks understanding, you know,
22 what they're charging intake is, it's not, you
23 know, it's not for signage or anything like that,
24 I just want clarify that. But yeah.

25 MR. WARD: And my other point is, how

1 Rivian Automotive

2 do people contact that it's down?

3 MR. DOSHI: Another great question. So
4 because initially these charging stations will
5 only be used by Rivian drivers, Rivian drivers
6 will automatically have a membership, and with
7 that membership, you know, charging is included,
8 whether it's free now or in the future at some
9 fee. Because of that, a lot of that's going to
10 kind of be integrated with either your phone, of
11 course your car, that, you know, it's kind of in
12 a similar way as, I think Tesla does it where
13 there is some ability for kind of two way
14 communication between your car/your phone and
15 kind of their, their servers. So I think that's
16 kind of the main, the main way that things are
17 going to happen.

18 I know we are trying to focus more on
19 safety these days just because, you know, a lot
20 of times people are going to be maybe parking at
21 these stations and waiting for a charge at two in
22 the morning because they're on the middle of a
23 long route, and, you know, they want to protect
24 themselves physically. So I think just also
25 having a good light post right there will help

1 Rivian Automotive

2 with that. But I think that's something that we
3 are constantly trying to work on to figure out
4 how can we make these sites more safe 24/7. So
5 if it, once again, if you have feedback on
6 safety, if you have any creative ideas, I'm all
7 ears.

8 MR. WARD: Okay. And another thing. I
9 showed the Board the Car and Driver magazine, it
10 has what you're advertising, and it showed a lot
11 of details what you have. If they wanted to know
12 what it was, it was the February March issue,
13 2022.

14 MR. DOSHI: Excellent.

15 MR. WARD: Thank you.

16 MR. DOSHI: Of course.

17 CHAIR EWASUTYN: Jim Campbell, Code
18 Compliance?

19 MR. CAMPBELL: No comments at this
20 time.

21 CHAIR EWASUTYN: Pat Hines?

22 MR. HINES: Our only comment is this
23 needs to get an Orange County Planning referral
24 due to the entire site fronting on New York State
25 Route 300, and then the Planning Board should

1 Rivian Automotive

2 discuss whether they feel it should have a public
3 hearing for the amended site plan or that can be
4 waived.

5 CHAIR EWASUTYN: Okay. I'll poll the
6 Board members now to see if they want a public
7 hearing. John Ward?

8 MR. WARD: No.

9 MR. DOSHI: Dave Dominick?

10 MR. DOMINICK: No.

11 MR. BROWNE: No.

12 CHAIR EWASUTYN: I say no, and the
13 reason being is when Tesla was first established
14 at this site, the Planning Board opted then not
15 to have a public hearing. There is a charging
16 station at Walmart, which the public -- the
17 Planning Board didn't hold a public hearing on.
18 Actually, it wasn't even before the Planning
19 Board. And for the benefit of conservation and
20 energy, I would say no to having a public
21 hearing.

22 MR. MENNERICH: And I say no also.

23 MS. DeLUCA: No also.

24 CHAIR EWASUTYN: Okay. Let the record
25 reflect that the Planning Board waived the public

1 Rivian Automotive

2 hearing on the Rivian Automotive, that the
3 Planning Board granted ARB approval for the
4 Rivian. And now I'll poll the Board members to
5 circulate the Rivian's current application to the
6 Orange County Planning Department. May I have a
7 motion?

8 MR. MENNERICH: So moved.

9 MS. DeLUCA: Second.

10 CHAIR EWASUTYN: I have a motion by Ken
11 Mennerich, I have a second by Stephanie DeLuca.
12 May I have a role call vote starting with John
13 Ward?

14 MR. WARD: Aye.

15 MR. DOMINICK: Aye.

16 MR. BROWNE: Aye.

17 CHAIR EWASUTYN: Aye.

18 MR. MENNERICH: Aye.

19 MS. DeLUCA: Aye.

20 CHAIR EWASUTYN: Pat Hines will discuss
21 with you plans and circulating to the Orange
22 County Planning Department.

23 MR. HINES: Yeah. I have these plans
24 electronically, so I will utilize those to
25 circulate it. There's a --

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Rivian Automotive

CHAIR EWASUTYN: Dominic Cordisco?

MR. CORDISCO: This is a Type II action under SEQRA for these two reasons, it's less than 4,000 square feet of space and it's also a retrofit of an existing facility and its appurtenances for green infrastructure, so it's not subject to SEQRA. But nonetheless, the Board cannot take action until the County Planning Department has had at least 30 days for its review and comment.

MR. DOSHI: Got it, okay. Thank you.

CHAIR EWASUTYN: Excellent presentation, thank you.

MR. DOSHI: Thank you so much. Thank you everyone, I appreciate it.

(Time noted: 7:54 p.m.)

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Rivian Automotive
C E R T I F I C A T E

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

I, KARI L. REED, a Shorthand Reporter
(Stenotype) and Notary Public with and for the
State of New York, do hereby certify:

I reported the proceedings in the
within-entitled matter and that the within
transcript is a true record of such
proceedings.

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 30th day of March, 2022.

Kari L Reed

KARI L. REED

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

-----X
In the Matter of:

CHADWICK WOODS
(19-02)

174 South Route 300
Section 14; Block 1; Lot 51
RR Zone

-----X
FIVE LOT SUBDIVISION

Date: February 17, 2022
Time: 7:55 p.m.

Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chair
CLIFFORD C. BROWNE
KENNETH MENNERICH
STEPHANIE DELUCA
DAVID DOMINICK
JOHN WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ., Board Counsel
PAT HINES, P.E., Town Engineer
JIM CAMPBELL, Code Enforcement

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

Reported by: Kari L. Reed

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

1 Chadwick woods

2 CHAIR EWASUTYN: The fourth item of
3 business this evening is Chadwick woods, a five
4 lot subdivision located on Route 300 in an RR
5 zone. And it's being represented by Charles
6 Brown from Talcott Engineering.

7 MR. BROWN: Thank you, John.

8 Since our last appearance in May we had
9 submitted to the DOT, per the County Planning
10 Department's request, we had wetlands flagged
11 and surveyed. We also have proposed rain
12 guards to the houses, from Pat's comments to
13 the design at this time. The outside water
14 line is orange, the water line, the water main,
15 because there's only four houses serviced by
16 it. We have increased the size of the water
17 service to the first lot from an inch and a
18 quarter to an inch and a half. We revised the
19 water service notes. I had a little trouble
20 getting details from the water department on
21 the tapping colors. He said it's not advanced
22 enough to look at it yet. We fit the building
23 envelope. That's it.

24 CHAIR EWASUTYN: I'm sorry.

25 MR. BROWN: That's all right.

1 Chadwick woods

2 CHAIR EWASUTYN: Are you finished with
3 your comments?

4 MR. BROWN: Yes.

5 CHAIR EWASUTYN: So at this point I'll
6 ask for comments, starting with Stephanie
7 DeLuca.

8 MS. DeLUCA: No, not right now.

9 CHAIR EWASUTYN: Ken Mennerich?

10 MR. MENNERICH: No comments, I'll wait
11 for Pat to go over his.

12 CHAIR EWASUTYN: Okay.

13 Cliff Browne?

14 MR. BROWNE: Most of my comments will
15 be addressed by Pat with his comments.

16 CHAIR EWASUTYN: Okay.

17 Dave Dominick?

18 MR. DOMINICK: No addition.

19 CHAIR EWASUTYN: John Ward?

20 MR. WARD: No addition.

21 CHAIR EWASUTYN: At this point we'll
22 turn the meeting over to Pat Hines with McGoey,
23 Hauser & Edsall.

24 MR. HINES: Yeah. We noted that the
25 water line you stated was downsized. We need a

1 Chadwick woods

2 copy of that design report. The town standard
3 is eight inch. We have made exceptions for
4 small water mains like this in the past, but we
5 just don't have the design report that you
6 submitted to the County, if we could get that.

7 The other comment regarding that is the
8 location of the nearest fire hydrant on the
9 existing main is a consideration. It may have
10 to be six inch because you're providing a
11 hydrant on the end, and the four inch line
12 can't supply, it has to be a minimum of a six
13 inch to supply a hydrant. So we'll be looking
14 for that report. But there may be, there may
15 be, based on the location of the nearest
16 hydrant, the water department may be okay with
17 the smaller line. We need that information.

18 We are looking for the status of the
19 DOT's approval for the access and utilities.

20 MR. BROWN: We submitted that to them
21 last May. I haven't heard anything yet about
22 them.

23 MR. HINES: So the construction of the
24 private roadway requires compliance with the
25 town's stormwater management regulations. And

1 Chadwick woods

2 I noted that you did identify that rain guards
3 would be provided, but that was kind of
4 deferred for the future, and we need that
5 design now for this approval.

6 MR. BROWN: Okay.

7 MR. HINES: So we'll be looking for
8 that design. We did provide Ray from your
9 office the water main tapping details. I
10 forwarded them, hopefully they were in that
11 set.

12 MR. BROWN: Actually you forwarded the
13 notes again.

14 MR. HINES: What was that?

15 MR. BROWN: You just forwarded the
16 revised water notes again, there was no tapping
17 details.

18 MR. HINES: I thought I did. Okay,
19 I'll look at that, but I thought I gave you the
20 details. But if I just gave you the notes,
21 that wasn't my intention.

22 CHAIR EWASUTYN: Yeah, that's what it
23 was in the comments.

24 MR. HINES: It was just the notes,
25 okay. I thought I had sent you the whole

1 Chadwick woods

2 details.

3 CHAIR EWASUTYN: It was three pages of
4 notes.

5 MR. HINES: I will do that then. Sorry
6 about that, I thought I was sending it.

7 We have a comment on the SWPPP
8 regarding the model that you utilized and the
9 length of sheath flow which needs to be
10 revised. We did note that the water service
11 laterals were upsized and were HTPE. We have
12 allowed that in the past, but that will need a
13 specific approval from the water department.

14 And a public hearing is required, but I
15 think we need the updated SWPPP and the water
16 details or additional information regarding
17 those prior to doing a SEQRA determination.

18 CHAIR EWASUTYN: Jim Campbell, Code
19 Compliance?

20 MR. CAMPBELL: No additional comments
21 at this time.

22 CHAIR EWASUTYN: So I guess, hearing
23 from Pat Hines, his comments need to be
24 addressed, and at which time, once we reset it
25 on the agenda that they have been addressed,

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Chadwick woods

then we can make a, right, Dominic, a SEQRA
determination?

MR. CORDISCO: That's correct.

CHAIR EWASUTYN: And schedule a public
hearing.

MR. BROWN: All right, thank you.

(Time noted: 8:00 p.m.)

Chadwick woods

C E R T I F I C A T E

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:

I, KARI L. REED, a Shorthand Reporter (Stenotype) and Notary Public with and for the State of New York, do hereby certify:

I reported the proceedings in the within-entitled matter and that the within transcript is a true record of such proceedings.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of March, 2022.

Kari L Reed

KARI L. REED

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

-----X
In the Matter of:

PLANNING BOARD BUSINESS:

LONGVIEW FARM
(2006-39)

Requesting a Six Month (180 Day)
Extension

-----X

DISCUSSION

Date: February 17, 2022
Time: 8:00 p.m.

Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chair
CLIFFORD C. BROWNE
KENNETH MENNERICH
STEPHANIE DELUCA
DAVID DOMINICK
JOHN WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ., Board Counsel
PAT HINES, P.E., Town Engineer
JIM CAMPBELL, Code Compliance

Reported by: Kari L. Reed

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

1 Longview Farm

2 CHAIR EWASUTYN: The last item of
3 business this evening is a Board business item.
4 This is for Longview Farm. They're requesting a
5 six month extension or 180 day extension from
6 February 17th, 2022 through August 17th, 2022.
7 And Ken Mennerich will read the letter received
8 from Thomas DePuy.

9 MR. MENNERICH: The letter is dated
10 February 1st, 2022. "Honorable John Ewasutyn,
11 Town of Newburgh Planning Board, 308 Gardnertown
12 Road, Newburgh, New York 12550, regarding
13 Longview Farm, Summer Kim Corp., Sections 1 and
14 2, Town of Newburgh Job 2006-039.

15 "Dear Mr. Chairman, on behalf of Summer
16 Kim Corp. and Kyra Corp., we wish to request to
17 be placed on your February 17th, 2022 Planning
18 Board agenda to request a six month extension of
19 the approval on the referenced project. The
20 current extension expires on March 3rd, 2022.

21 "The following is an update as to the
22 previously noted road blocks. With respect to
23 the lands of Summer Kim, Section, Block and Lot
24 20-1-140, which represents the majority of the
25 subdivision, it is presently in foreclosure.

1 Longview Farm

2 Mr. Hankin is in the process of taking full
3 ownership and clearing the title. Mr. Hankin has
4 obtained a judgment of foreclosure and was
5 looking to possibly take ownership in September,
6 but held up due to backlog in courts."

7 Second item. "The lands of Kyra Corp.,
8 section, Block and Lot 20-1-1, is presently in a
9 bankruptcy procedure in California under Kim
10 staples' name, which is being released.

11 Mr. Hankin is in the process of foreclosing on
12 that property to take full ownership and clear
13 title. Mr. Hankin has obtained a judgment of
14 foreclosure and is looking to possibly taking
15 ownership in September, but held up due to the
16 backlog in courts.

17 "As soon as full title is taken, we
18 will request to be on the Planning Board agenda
19 to obtain final approval. As previously
20 discussed, a public hearing will be requested to
21 gain any new input. Thank you.

22 "Very truly yours, Thomas N DePuy,
23 PE/LS."

24 CHAIR EWASUTYN: Any questions from the
25 Board members?

1 Longview Farm

2 MS. DeLUCA: No.

3 CHAIR EWASUTYN: Would someone move to
4 grant approval for the Longview Farm six month
5 extension starting February 17th, 2022 through to
6 August 17th, 2022?

7 MR. MENNERICH: So moved.

8 MS. DeLUCA: Second.

9 CHAIR EWASUTYN: I have a motion by Ken
10 Mennerich to approve and a second by Stephanie
11 DeLuca. May I please have a roll call vote
12 starting with John Ward?

13 MR. WARD: Aye.

14 MR. DOMINICK: Aye.

15 MR. BROWNE: Aye.

16 CHAIR EWASUTYN: Aye.

17 MR. MENNERICH: Aye.

18 MS. DeLUCA: Aye.

19 CHAIR EWASUTYN: Motion carried.

20 Would someone make a motion to close
21 the meeting of February 17th, 2002?

22 MS. DeLUCA: I make a motion.

23 MR. WARD: Second.

24 CHAIR EWASUTYN: I have a motion by
25 Stephanie DeLuca, I have a second from John Ward.

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Longview Farm

May I please have a roll call vote starting with
John ward.

MR. WARD: Aye.

MR. DOMINICK: Aye.

MR. BROWNE: Aye.

CHAIR EWASUTYN: Aye.

MR. MENNERICH: Aye.

MS. DeLUCA: Aye.

(Time noted: 8:05 p.m.)

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Longview Farm
C E R T I F I C A T E

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

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I further certify that I am not
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IN WITNESS WHEREOF, I have hereunto set
my hand this 29th day of March, 2022.

Kari L Reed

KARI L. REED