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

----- X

In the Matter of

PATTON RIDGE SUBDIVISION
(2012-18)

Request for a Six-Month Extension
from March 7, 2019 until September 19, 2019

----- X

BOARD BUSINESS

Date: March 7, 2019
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: KIRK ROTHER

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. We'd like to welcome you to the Planning Board meeting of the 7th of March 2019. We have four items of Board business and one extension.

I'll call the meeting to order with a roll call vote starting with Frank Galli.

MR. GALLI: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

MR. DONNELLY: Michael Donnelly, Planning Board Attorney, present.

MS. CONERO: Michelle Conero, Stenographer.

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

MR. HINES: Pat Hines with McGoey, Hauser & Edsall Consulting Engineers.

CHAIRMAN EWASUTYN: At this point we'll turn the meeting over to Frank Galli.

MR. GALLI: Please stand.

(Pledge of Allegiance.)

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MR. GALLI: Silence your cell phones, please.

CHAIRMAN EWASUTYN: It's not shown on the agenda but the first item of business this evening is the Patton Ridge Subdivision, PB number 2012-18. It's before us tonight for a ninety-day extension.

Kirk Rother, the engineer, is here to discuss the status of the project.

MR. ROTHER: Yes, sir. Good evening, folks. As you'll recall, the subdivision is on Patton Road and Route 52. It received preliminary subdivision approval in 2013. There was quite a history before that even. We had gotten a zone change. It was originally commercially zoned. Shortly after we got the preliminary approval we were right in the midst of the recession, and really for the next two years or so not much happened on the application. 2015, 2016 we picked it up again, we made our applications to the Town Board, formed a drainage district, got the out-of-district sewer agreements in place and began the process of submitting to the Department of Health and DEC

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for those agency approvals. Still with the market being somewhat soft, it just went in spits and spurts. 2017, a lot of the documentation we had had lapsed, for example the flow acceptance letter from the City of Newburgh. We had to refresh those documents. Now, as of the fall, my client has asked that our office pick it back up and push it to the finish line. It's just really been a matter of our office kind of getting them back into the cue and getting it wrapped up.

I know I've been writing letters every six months saying that we're in the process of securing these agency approvals, which we have been, but it's start, stop, start, stop, start, stop. I understand this Board is just getting concerned because it's been five years it's been kicking around. The client does still want to pursue it. We do want to try to finish it up this year, in a few months, seeking final approval.

CHAIRMAN EWASUTYN: Any questions from the Board?

MR. BROWNE: Do you have a timeline that you're working on now?

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MR. ROTHER: No. I think in reality we can probably finish with the Board of Health and the DEC in maybe two or three months. We've gone one round with them two years ago. That all just timed out. We should be able to pick it up with them. They typically respond to our submittals in thirty days, at least the Department of Health does. So I would expect in let's say three months perhaps we can be back here with our approvals in place.

MR. BROWNE: Thank you.

CHAIRMAN EWASUTYN: Any other questions?

MR. DONNELLY: Two months would take us to September. Your second meeting is the 19th.

CHAIRMAN EWASUTYN: A six-month extension, that would be from the 7th of March until the 19th of when?

MR. DONNELLY: September.

CHAIRMAN EWASUTYN: That should give you ample time?

MR. ROTHER: I had asked for six months in our letter with a little disclaimer at the end of that saying hopefully we'll not need it.

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CHAIRMAN EWASUTYN: Thank you, Michael.

Would someone move for a motion to grant a six-month extension for the Patton Ridge Subdivision?

MR. WARD: So moved.

CHAIRMAN EWASUTYN: Motion from John Ward.

MR. GALLI: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. HINES: I would suggest, it's a 2012 project, some of the neighbors may have come and/or moved out of the area there. In discussing the extension previously I was recommending probably a final public hearing would be held so that if that neighborhood had transitioned, property owners don't get surprised the day a twelve-lot subdivision shows up in

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their backyard. Maybe that would be something the Board considers based on the extended amount of time since the preliminary public hearing.

CHAIRMAN EWASUTYN: So we would have a public hearing on the 19th of September?

MR. HINES: No, no.

CHAIRMAN EWASUTYN: When it's close to final?

MR. HINES: When their outside agency approvals are in and prior to issuing that final approval I think it would be appropriate. With that long of a lapse, people may have forgotten or may have moved out and new people could be there.

CHAIRMAN EWASUTYN: Good point.

MR. ROTHER: Thank you.

CHAIRMAN EWASUTYN: You're welcome.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of March 2019.

Michelle Conero

MICHELLE CONERO

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

----- X

In the Matter of

LANDS OF ZAZON
(2004-29)

Request for a Six-Month Extension
From March 7, 2019 until September 19, 2019

----- X

BOARD BUSINESS

Date: March 7, 2019
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: MR. ZAZON

----- X

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CHAIRMAN EWASUTYN: Frank, do you want to read the letter from Mr. Zazon?

MR. GALLI: Dear Joe, the Planning Board took up review of your letter of November 27, 2018 during it's meeting of December 6, 2018. You had requested two ninety-day extensions of the conditional final subdivision approval granted to this project many years ago. Your letter details well the extraordinary number of extensions granted. The Planning Board resolved to grant an extension of the conditional final subdivision approval until it's meeting on March 7, 2019. You and/or your client must appear on that date and provide the Planning Board with a reasonable factual explanation supporting these continuing requests for approval extensions. Unless the explanation given is satisfactory, the Planning Board is not inclined to grant any further extensions of approval. Be guided accordingly. Yours truly, Mike Donnelly."

MR. ZAZON: I don't think I'll be able to start working over there in the subdivision.

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The only solution for me is to sell it, to sell the property.

So please, I would like to have another extension of one year to have the opportunity, the chance to sell the property because I'm not able to do the work.

CHAIRMAN EWASUTYN: Okay. And I'm going to turn to Mike Donnelly. I think it would be reasonable at this point to grant you an extension from the 7th of March to the 19th of September, similar to what we did with the project before you. I'm not even sure if we can grant a one-year full extension.

MR. DONNELLY: We generally grant for conditional finals ninety days and preliminaries six months. I think six months would be the normal extension.

MR. ZAZON: Okay. Thank you.

CHAIRMAN EWASUTYN: Is the Board in agreement with that then?

MR. BROWNE: Yes.

MR. GALLI: Yes.

MR. WARD: Yes.

CHAIRMAN EWASUTYN: Dave?

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MR. DOMINICK: Yes. That was a tough one.

MR. ZAZON: Thank you. I appreciate it.

CHAIRMAN EWASUTYN: Would someone make a motion to -- is there a project number on that letter?

MR. GALLI: It's 04-29, Lands of Zazon.

CHAIRMAN EWASUTYN: Would someone make a motion to grant a six-month extension from the 7th of March to the 19th of September for Zazon, project number 2004-29?

MR. DOMINICK: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: Motion by Dave Dominick. Second by Frank Galli. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. GALLI: Just for a refresher, where was that project located?

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CHAIRMAN EWASUTYN: That's right before you get to Fostertown Road on the left-hand side. It's a stately colonial house. Some trees fell down during the storm.

MR. ZAZON: Right. Yes.

MR. GALLI: Okay.

MR. HINES: That similar condition, this is a 2004 subdivision, a final public hearing probably would be appropriate prior to issuing the final approval.

MR. GALLI: Unless he sells it.

MR. DONNELLY: Then the purchaser can bring it forward.

MR. HINES: The issue with selling it is it's going to have a new purchaser with a 2004 job number.

MR. WARD: At least it's on record.

MR. ZAZON: Thank you, sir.

MR. HINES: It's probably fourteen or fifteen years since the original one.

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

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
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That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
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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 20th day of March 2019.

Michelle Conero

MICHELLE CONERO

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

----- X

In the Matter of

511 GARDNERTOWN ROAD
(2019-05)

511 Gardnertown Road
Section 60; Block 2; Lot 62
R-3 Zone

----- X

INITIAL APEARANCE
LOT LINE CHANGE

Date: March 7, 2019
Time: 7:08 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: UMBERTO BALDINUCCI

----- X

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CHAIRMAN EWASUTYN: Our first item of business is 511 Gardnertown Road. It's a lot line change, initial appearance, it's located on 511 Gardnertown Road, it's in an R-3 Zone. JMC Consulting is the representative. Umberto is here to speak.

MR. BALDINUCCI: Good evening, Mr. Chairman and Members of the Board. My name is Umberto Baldinucci, I'm with JMC. We're the civil engineers for the 511 Gardnertown Road lot line change application.

We're here today on behalf of Joseph Ruggerio and the Gardnertown Road, LLC to seek approval for the transfer of property between the two applicants.

The two parcels are located along Gardnertown Road which is located north of the property. The Thruway Authority is located to the west and Union Avenue is located to the east.

During the review of the Planning Board we've identified the Gardnertown Road, LLC property as lot number 1 at 10.11 acres. There's also the Ruggerio property we've identified as lot number 2, and it has a total acreage of 26.55

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511 GARDNERTOWN ROAD

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acres.

The proposed action involves the transfer of 2.8 acres of property from lot number 2 to lot number 1. With this potential lot line modification, lot number 1 would have a total acreage of 12.91 acres, lot number 2 would have a residual acreage of 23.75 acres.

Access to both parcels will continue to be maintained along Gardnertown Road.

The utility service connection will be available -- water service connection is along Gardnertown Road and sewer connections -- potential sewer connections on Union Avenue.

This concludes my presentation, and I'd be happy to answer any questions.

Again, we're seeking approval for the lot line change.

CHAIRMAN EWASUTYN: At this point we'll turn the meeting over to either Pat Hines or Jerry Canfield to lead off.

MR. HINES: I have a couple of comments here. There's a one-story metal building identified on the site that doesn't meet zoning bulk table requirements. As well there's a shed

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that is within the side yard -- front yard setback which is not permitted. I know you had mentioned that there's a possibility those buildings would be removed.

MR. BALDINUCCI: Yes. We did receive your comments. We contacted Joseph Ruggerio. We're currently trying to address all the comments you have.

The first comment was in regards to the two structures. He indicated that these two structures would be demo'd with this process -- with this application.

MR. HINES: This Board could not approve the lot line change until that occurs --

MR. BALDINUCCI: Correct.

MR. HINES: -- because they would create -- it loses any preexisting protection because of the change in the lot line.

Similarly, there's a large building that's identified as a two-story dwelling. I think it's a commercial building. The Board is going to need to know what activities are on there. I don't believe there's ever been a site plan approved for any use in that commercial

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building.

The site looks, I don't want to use the term junkyard, but it looks like a junkyard and operating as such.

MR. BALDINUCCI: We are coordinating with Joseph Ruggiero to provide proper responses to those comments.

MR. HINES: You're looking to defer these until another meeting then.

All the utilities servicing the structures on lot 2 should be shown, including the well and septic system. Those aren't shown right now. I want to make sure that they're not in the area -- if they do exist, they're not in the area to be transferred.

The next comment has to do with some grading activities which are evident on the southern portion of the site. They're obvious from the aerial photos.

We did receive some correspondence from the EPA today regarding potential impacts to wetlands on the site that I think your applicant is aware of.

There's a new driveway proposed off of

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Union Avenue. That will need to be approved by the highway superintendent. Also that new driveway will trigger the need for a site plan review for whatever activity we're looking to approve on the commercial or the large building on the site. I don't know what that is.

County Planning Board referral will be required.

The current use of that site is in question and complicates this from a simple lot line change to probably a site plan approval for some permitted use on lot 2.

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

MR. CANFIELD: Just to echo a little bit of what Pat said regarding the two-story structure or commercial structure, whatever it may be. I need to advise you that if you were to be referred to the ZBA it would be difficult to obtain the variances because there are no building permits on file for that structure. I think it's imperative that if you're going to demo the structures, then by all means you need to advise the Board before you continue which way

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you're going to go.

MR. BALDINUCCI: We're coordinating with Joseph Ruggerio and we'll be in touch with your office to coordinate our responses.

MR. DONNELLY: If there's going to be a demolition, it would need to be accomplished before the map was signed and released for filing.

MR. HINES: And a demolition permit obtained.

MR. CANFIELD: Right.

MR. HINES: Any demolition needs a demolition permit prior to being undertaken.

MR. BALDINUCCI: Okay.

CHAIRMAN EWASUTYN: Any comments from the Board?

MR. GALLI: I have no additional at this time.

CHAIRMAN EWASUTYN: Pat and Jerry, we'll hold off on this until they resubmit?

MR. CANFIELD: Yes, John. You can't take action until they determine what they're going to do with those buildings.

MR. DOMINICK: My only comment, John,

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is I echo what Pat said and just clean up the place. It's been like that for many years.

Pat and Jerry both asked questions. You had a total of three questions and you answered the same answer to all three questions which was very neutral and canned. I don't know if you were prepared for tonight.

MR. BALDINUCCI: We did receive the comments yesterday. We reached out to Joseph Ruggerio as soon as yesterday. We were able to talk to him today. He's under the opinion that he has original building permits. We're trying to coordinate with him about getting access to those documents. We're trying to get all the information and provide proper responses to the comments that were given to us.

MR. DOMINICK: Pretty much the same answer. Okay. Thank you.

MR. BALDINUCCI: Thank you.

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

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
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That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
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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 20th day of March 2019.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

LAKESIDE SENIOR HOUSING
(2019-06)

Lakeside Road
Section 86; Block 1; Lots 39.22 & 39.23
IB Zone

----- X

INITIAL APPEARANCE
AMENDED SITE PLAN

Date: March 7, 2019
Time: 7:14 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JAY DIESING

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

1
2 CHAIRMAN EWASUTYN: Our second item
3 of business this evening is the Lakeside
4 Senior Housing project. It's an initial
5 appearance with an amended site plan. It's
6 located on Lakeside Road in an IB Zone and
7 it's being represented by Mauri Architects.

8 MR. DIESING: Good evening, Chairman
9 and Board Members. I'm Jay Diesing with Mauri
10 Architects. I'm here tonight to discuss with you
11 an amended site plan for the Lakeside project.

12 Just a little background. The property
13 is about 19 acres. It's located in the
14 Interchange Business District adjacent to the Ice
15 Time sports complex.

16 The original approval included three
17 residential buildings on the property. They were
18 a mixture of one and two-bedroom apartment units
19 for seniors and there were 102 apartments total.
20 We're not proposing any change to that mix of
21 apartments or the quantity of apartments.
22 There's not really any area changes to the three
23 residential buildings.

24 What we're proposing is a new clubhouse
25 building that will be located on the entrance

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drive as you come into the property on the south side. In addition to the clubhouse there will be a pool, a pavilion and a tennis court.

The parking area that's indicated here was part of the prior approval, so there's no increase in parking as that's part of this proposal tonight.

The other part of our amended application is the architectural review of all the buildings. We're proposing some upgrades to the exterior of the residential buildings. What we're doing is we're adding some additional stone veneer to the outside of the building as some accents so it will be a little more attractive. We have a mixture of some different materials, some cedar shakes, some board and batten siding, there are some areas of decorative paneling and some enhanced trim work. It's really just to improve the overall aesthetics of the buildings. The original building had lower peak roofs. We just raised the peaks of some of the entrance roofs. The architecture of the clubhouse building is shown, similar material and styles. I do have samples of the materials here tonight.

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There's the carbon colored ledge stone and then the multi-color vinyl sidings that will be on the building, an accent standing seam metal roof that we have in a few locations and the charcoal colored shingles. Basically just an enhancement to the exterior of the buildings.

That's kind of a summary of what we're proposing as part of the amendment. I look forward to any questions you may have.

CHAIRMAN EWASUTYN: Questions from Board Members?

MR. GALLI: The second floor of the clubhouse, is that going to be office space for Farrell?

MR. DIESING: No. It's just a meeting room. I think there's a small office for a manager.

MR. GALLI: On the second floor, a meeting room?

MR. DIESING: Yes.

MR. GALLI: Is there elevator?

MR. DIESING: No. It's smaller than the code requires for an elevator. If you're under 3,000 square feet it doesn't require

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accessibility to another level.

CHAIRMAN EWASUTYN: At a later submission you'll have landscaping for --

MR. DIESING: Yeah. I noticed our engineer didn't really get as much landscaping as we hoped. We will embellish that for the next submission.

CHAIRMAN EWASUTYN: You'll coordinate that with KALA, Karen Arent, our landscape architect?

MR. DIESING: Yes.

CHAIRMAN EWASUTYN: Any outdoor furniture?

MR. DIESING: No built-in furniture. There will be a nice patio there. There will be a patio that surrounds the pool. There would probably be some typical chairs and tables, umbrellas and that type of thing.

CHAIRMAN EWASUTYN: Maybe on the detail sheet you'll show a little bit of that.

MR. DIESING: Sure.

CHAIRMAN EWASUTYN: Cliff?

MR. BROWNE: Even though the code doesn't require an elevator for that space,

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wouldn't it be appropriate for a senior operation like this?

MR. DIESING: It's something I could discuss with the owner.

MR. BROWNE: I think it would be appropriate, at least to discuss it a little bit further.

MR. DIESING: Sure.

MR. BROWNE: I don't know. To my mind, if you're doing a senior thing there it should be accessible to seniors of all conditions.

MR. DIESING: Sure. There is open space downstairs for meetings. It may be something where if people can't make it upstairs they meet downstairs. I will discuss it with the owner.

MR. BROWNE: Thank you.

CHAIRMAN EWASUTYN: Dave?

MR. DOMINICK: I echo what Cliff said about that. I was thinking the same thing. If you could look at that we'd appreciate it.

Was there supposed to be a sidewalk leading out to the main entrance and some type of shelter near the road or no?

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MR. HINES: There is a sidewalk proposed. Because of the senior use, the shelter, which was typically used for buses, school buses, you won't have that use here. The sidewalk is there but there was no -- it's only a fifty-foot right-of-way that goes out. There really wasn't a lot of room there.

MR. DOMINICK: I remember it was tight.
Thank you.

CHAIRMAN EWASUTYN: John?

MR. WARD: My question was with the lighting around the pool and the tennis for safety wise. If you could address that.

MR. DIESING: Sure.

MR. WARD: Like John said, for furniture, are there going to be any benches or anything like that? If you're going to have pull-out chairs for the pool, is there a storage area? Things like that should be shown.

MR. DIESING: Okay.

CHAIRMAN EWASUTYN: Maybe also if you're going to have any HVAC units on the outside of the building, show them.

MR. DIESING: There would be, yes. I

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will show that.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: I have nothing additional.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: The area where the clubhouse, pool, pavilion and courts are were originally outside the limits of disturbance. We're looking to have the engineer take a look at the impacts to the stormwater management facilities. There is a large bio-retention area in the vicinity of that which may be able to be modified to treat that runoff.

MR. DIESING: He has shown that as enlarged. He's working further on his SWPPP. We will submit that to you.

MR. HINES: The clubhouse sewer flow will need a revision to the City of Newburgh flow acceptance letter for that use.

MR. DIESING: Mr. Hines, on that it's our anticipation this would be used for the folks in the community. They don't anticipate outside groups using it. Theoretically the number of people wouldn't increase. Would you agree that

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we wouldn't need an increase in the sewer flow?

MR. HINES: No. I think it's based on DEC's hydraulic loading for the square footage.

MR. DIESING: Okay.

MR. HINES: It's either bedroom count or square footage and the combination of those two.

MR. DIESING: Okay.

MR. HINES: The existing ground cover in that area should be identified. There is a lack of landscaping. What it looks like today and -- I don't know if that was cleared.

MR. DIESING: It hasn't been cleared yet.

MR. HINES: We have that Indiana bat issue on that site I believe, which is why the clearing wasn't done. It wouldn't be able to be cleared until November.

MR. DIESING: Okay. We were going to ask if we could clear that prior to March 31st. Is that a possibility?

MR. HINES: Not if you're asking me. You would need a clearing and grading permit from the Town for that.

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MR. DIESING: Okay. Is that something I could submit for or is it too late?

MR. HINES: I don't envision that. It requires a public hearing.

MR. DIESING: Okay.

MR. CANFIELD: How much square footage?

MR. HINES: I don't know what the square footage is.

MR. DONNELLY: If you're under the threshold it may be Jerry's office.

MR. DIESING: I'll find out the square footage of the area and maybe we can talk.

MR. HINES: In that clearing and grading there's a schedule of what approvals are needed based on the amount of square footage.

MR. DIESING: Okay.

MR. HINES: I guess the only problem being is that it's part of the entire site plan. The whole site -- I don't know if we can piecemeal it, saying this piece of the site --

MR. DIESING: It hasn't been cleared. I think they did stop short, obviously.

MR. HINES: The project proposes architectural revisions. We're familiar with

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your client. He has built many projects in Town and has upgraded the architecture on each one of those.

It's amended site plan. It will have to go to Orange County Planning due to the proximity to Route 84, it's within 500 feet. It went last time.

It does require a public hearing unless the Board determines to waive it. Amended site plan requires a public hearing.

I think we have some additional comments to be addressed prior to scheduling that. You've got lighting, the HVAC, the changes to the plan. We'll need a new architectural ARB form identifying the materials you talked about tonight.

MR. DIESING: I think we submitted that.

CHAIRMAN EWASUTYN: There's no mention of cedar on there. Simulated shakes is what you meant by cedar?

MR. DIESING: Yes.

CHAIRMAN EWASUTYN: We did receive that.

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MR. CANFIELD: John, I have a question. With respect to it's an amended site plan, the original site plan had limits of clearing.

MR. HINES: Yes.

MR. CANFIELD: That was approved. Would it be appropriate to amend the limits of clearing or to still entertain the clearing and grading?

MR. HINES: I think we're amending the limits of clearing. I think the applicant's representative is faced with the timeframe for clearing the trees and is trying to craft a way around that in the next twenty-three days.

MR. CANFIELD: You're not going to come back here -- okay.

MR. HINES: Unless he can get through your office.

MR. CANFIELD: You still need to identify what it is.

MR. DIESING: I will. I'll follow up with you.

MR. CANFIELD: Okay.

MR. DIESING: Thank you.

CHAIRMAN EWASUTYN: Pat, you'll work

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with Jay as far as submitting to the Orange
County Planning Department?

MR. HINES: Yes. We'll have to
re-notice the neighbors as well.

MR. BROWNE: One more. Just a comment.
Your approved architecture, I like what you
presented. It looks a lot better.

MR. DIESING: Thank you.

MR. BROWNE: Thank you.

CHAIRMAN EWASUTYN: Anybody else?

(No response.)

MR. DIESING: Okay. Thank you very
much.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of March 2019.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

182 SOUTH PLANK ROAD
(2019-08)

182 South Plank Road
Section 64; Block 2; Lot 8.21
B Zone

----- X

INITIAL APPEARANCE
AMENDED SITE PLAN

Date: March 7, 2019
Time: 7:25 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JUSTIN DATES

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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CHAIRMAN EWASUTYN: Our third item of business this evening is 182 South Plank Road, an initial appearance for amended site plan. It's located in a B Zone. It's being represented by Maser Consulting, Justin Dates.

MR. DATES: I have some photos of the existing building.

My name is Justin Dates from Maser Consulting. We're representing the Farrell Building Company for this proposed site plan application on South Plank Road.

Just to orient everyone to the map, we did an updated layout, grading and drainage for the project. Back in 2010 this particular site gained approvals from the Planning Board and Zoning Board of Appeals for a 3,000 square foot eating and drinking establishment. There are twenty parking spaces and a single-story building.

So fast forward to today, there's a new owner and applicant. They are looking to convert the space or change the use of that prior approval to an office use.

As you can see, the building was built

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as part of the prior application. We did an updated as-built survey of the property. That's what we've based the plan on that you're looking at.

So a couple things. It's in the B Zoning District. We meet all the bulk table requirements with the exception of three. As you can see, the lot is very narrow and linear. On the north is Old South Plank Road, on the south is 52 or South Plank Road. Setbacks along 52, minimum is 60 feet and then along Old South Plank Road is 40 feet. With the depth of just about 71 feet on average, you'd have no place for a building on this particular lot. The prior application was granted variances, area variances for relief from the front yard setbacks and also the lot depth. This application would require renewal of those three area variances as well.

As I mentioned, along 52 or South Plank 60 foot is required. The current building location provides 14.1 feet. The 40 foot on Old South Plank Road, minimum setback is 20.5 feet. I mentioned the requirement in the zone for lot depth. The minimum is 125, we're at just 71

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feet. So we'll need the area variances for those three bulk table requirements.

As I mentioned, the prior application was a 3,000 square foot single-story building. This proposed application, they are looking to expand for a small second story, just under 900 square feet. They'd be looking to add a dormer on either side of the western end of the building. That was shown on architectural drawings that we had provided. You can see we adjusted the roof line on that western end of the building.

Again, all office space totaling 3,890 square feet.

Based on the Town Code for parking, you would need the same twenty parking spaces.

The improvements outside the building really haven't changed from the prior application. The same number of spaces that are required. We slightly modified some of the grading just based on the as-built condition of the finished floor out there.

They've actually added two other entrance points to the building. Prior it had north, east and west. They've added two doors on

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182 SOUTH PLANK ROAD

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the southern side of the building for access. We did have to add -- we had a sidewalk along the front of the building there to gain access to those two entry points.

That summarizes the amendments to the application. We would request from the Board a referral to the ZBA to pursue our variances. That's it.

CHAIRMAN EWASUTYN: Comments from Board Members. John Ward?

MR. WARD: On 52 I'm pretty sure it's supposed to have a stonewall.

MR. DATES: On 52 we have stonewalls just off the building on this side and we have ones that flank either side of the access to -- our driveway access at 52.

MR. WARD: Thank you.

MR. DATES: You're welcome.

CHAIRMAN EWASUTYN: Dave?

MR. DOMINICK: Justin, do you have any tenants yet?

MR. DATES: Not to my knowledge. I'm sorry. Farrell Building Company would have a small space in here. I think there's about four

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182 SOUTH PLANK ROAD

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suites. There's an opportunity for a couple of different tenants.

MR. DOMINICK: Really not high volume traffic tenants?

MR. DATES: No. All office. All offices.

MR. DOMINICK: Okay. That's it.

MR. BROWNE: I'm good.

CHAIRMAN EWASUTYN: Justin, a question came up about there's a lot of signage proposed on this site.

MR. DATES: Yes. Do you want me to touch on that?

CHAIRMAN EWASUTYN: Please.

MR. DATES: So I did talk to the applicant today after reviewing Mr. Hines' letter. We will be removing the post free-standing sign. We recognize that based on the setback of the building from the property lines we are not warranted a free-standing sign on the latest code. He's going to do a sign package just on the building that would be code compliant.

CHAIRMAN EWASUTYN: No other questions.

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182 SOUTH PLANK ROAD

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Frank Galli?

MR. GALLI: Is twenty parking spaces going to be enough for three offices?

MR. DATES: Yeah.

MR. GALLI: Six parking spaces per office? Six people per office?

MR. DATES: When you split this up into four separate tenants, six then.

MR. GALLI: Okay.

CHAIRMAN EWASUTYN: Pat Hines, comments for the Board?

MR. HINES: Just per Frank's comment, it does meet your code for the parking. Twenty spaces is based on one space per 200 square feet.

My first comment just identifies that it was before the Board for a 3,000 square foot eating and drinking establishment. It's now proposed for a two-story office building.

There will be the addition of dormers, which you will revise the architectural review, which the Board will go over.

The third comment identifies the variances that are required. In addition, the 71 foot lot depth requirement will need that

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variance as well because of the change of use.
Those three variances are identified.

We just talked about the free-standing signs and the fact that one will be eliminated. Those were incorporated with the stonewalls on the site. The stonewalls will stay in that location I believe.

John, the stonewalls, I have the original approval. These walls are consistent with the original landscaping approvals.

We need to coordinate with DOT and County Planning because of the State highway.

I think the referral to the ZBA would be appropriate at this point.

CHAIRMAN EWASUTYN: Mike Donnelly, would you discuss the referral to the ZBA?

MR. DONNELLY: Let me just clarify. Pat, the lot depth required and provided is what?

MR. HINES: It's 125 feet required, 71 feet is available. That did receive a variance previously for the eating and drinking but it hasn't changed. I don't know if that rides with it or since they're going back they need to --

MR. DONNELLY: We'll note they may need

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to reconsider that in view of the change.

How about the signs 15 feet off?

MR. HINES: That's the one they're eliminating now.

MR. DATES: The free-standing sign that was previously approved, we're going to be removing that.

MR. DONNELLY: The variances required would be the front yard on Route 52, 14.1 feet where 60 feet are required. We will note in the referral letter that the Board previously granted a variance of 15.5 feet. On the Old South Plank Road front yard, a variance of 25.5 feet where 40 feet are required, and we will note again that a variance for 27.70 feet was previously granted. We will suggest to the Board they may need to reconsider the lot depth variance for a depth of 71 feet where 125 is required in view of the change of use.

CHAIRMAN EWASUTYN: Michael, is it 40 feet and they are providing 20.5?

MR. DONNELLY: 25.5 I thought.

MR. DATES: 20.5 is the amount. 40 is required and we've provided 20.5.

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182 SOUTH PLANK ROAD

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MR. DONNELLY: 20.5. I had 25.

CHAIRMAN EWASUTYN: On the table it shows 20.5.

MR. HINES: My 25.5 should be 20.5. The original one was also 27.7.

MR. DONNELLY: 27.7.

MR. DATES: It was --

MR. HINES: 20.7.

MR. DATES: It was 20.7.

MR. CANFIELD: I have a question of Mike. We're going under the understanding because it's a change of use the existing variances granted would lose it's protection so resend.

MR. DONNELLY: We'll suggest they may consider whether that's true. That's their call.

MR. HINES: That holds true for the lot depth. The other ones the building was constructed contrary to the previous --

MR. DONNELLY: I will note that.

MR. CANFIELD: It's just the lot width that's the question then.

CHAIRMAN EWASUTYN: Would someone move for a motion to refer this to the ZBA for the

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182 SOUTH PLANK ROAD

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three area variances that were discussed by Mike Donnelly, and also we'll circulate to the Orange County Planning Department and DOT.

MR. GALLI: So moved.

MR. WARD: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. DATES: Thank you.

CHAIRMAN EWASUTYN: Thank you for submitting the old site plan.

MR. DATES: You're welcome. Thank you.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of March 2019.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

BJ'S WHOLESALE CLUB - NEWBURGH
(2019-07)

NYS Route 17K & Auto Park Place
Section 97; Block 2; Lots 44, 45 & 46.2
IB Zone

----- X

INITIAL APPEARANCE
SITE PLAN

Date: March 7, 2019
Time: 7:38 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: ANDREW FETHERSTON
LARRY WOLINSKY

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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CHAIRMAN EWASUTYN: Our last item of business this evening is BJ's Wholesale Club. It's located on New York State Route 17K and Auto Park Place. It's an initial appearance for a site plan in an IB Zone. It's being represented by Maser Consulting.

MR. FETHERSTON: Good evening, Mr. Chairman, Members of the Board. Andrew Fetherston, Maser Consulting. I'm here representing BJ's Club on Route 17K.

This is Unity Place on the west and on the south and the east is Auto Park Place. This is the entrance to the bus transit facility. The off ramp from northbound 87 is right on this side.

There's three lots here, 1, 2 and 3. 1 and 2 are going to be combined. That lot line that runs down the center is going to be removed. There was also shown to be -- what we had on the plan was shown to be a 50-foot proposed right-of-way. That note was in error. That came from a prior plan. That right-of-way does exist but it would be abolished with this proposal.

The entire shopping center would be

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11.29 acres in size including the bank or just under 10 acres excluding the bank.

What we're proposing is the BJ's building would have the integral tire sales shop. There would also be propane sales. There would be a six two-sided pump gas station in the rear. Loading docks are in the rear of the building here, compactor.

We have 422 spaces where 415 are required by code. We meet the requirements for the quantity of landscape islands.

The coverage, as was noted by your engineer, is right there. We're just under to meet the coverage requirements.

CHAIRMAN EWASUTYN: Under by how much?

MR. FETHERSTON: 1 percent. It was carefully done.

The project is seeking a number of variances. One is for the cover, if you will, the roof over the gas pumps from the side yard, the rear yard on the BJ's facility, the free-standing signs in the front, the vehicle display pads that we're showing in the front. The pavement and the vehicle pads also encroach into

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what would be the required landscape buffer from the front.

The right-of-way on 17K, as you'd imagine, is very wide. At it's narrowest point here, edge of pavement to property line is 35 feet. Heading to the west it just keeps growing, getting larger and larger. It's a consistent 35 feet on the other side.

One of the other components of the project is that the applicant would, jointly with the owner, bury the utilities that are in front of this property. The electric, cable TV, communications, all of those overhead utilities, at least in front of this property, are proposed to be put underground.

The site discharges to a large culvert that was installed when Unity Place went in. That is tributary to Brookside Pond and Quassaick Creek. It's not tributary to Washington Lake.

Larry, do you want to talk about the process?

MR. WOLINSKY: Sure. Larry Wolinsky, the law firm of Jacobowitz & Gubits, also representing the application.

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I'm sure you're all aware by now that we received a call late this afternoon -- I received a call from Mr. Donnelly advising us that there was a zoning compliance issue with the display of cars along the right-of-way. What I had previously understood was that that had already been approved by a variance on a prior application. What I did not understand until late today was that prior application was the application for the actual relocation of the auto dealership into this property area, so that that would effectively be accessory to that use. Since in this current proposed iteration of this plan and the shopping center the auto dealership was not included, it created an issue.

One of the things that we collectively came up with is this idea of whether we can -- I can't show it to you yet because it's not been done yet -- whether we can incorporate the auto dealership component of the site into the overall shopping center. We spoke with Mr. Barton, the owner, and we have an authorization to go ahead and do that. I believe he's here this evening as well. It's not going to change the variance

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request because they're driven primarily by the BJ's project, although it will make this variance request feasible where it wouldn't otherwise have been feasible, as best as I understand it.

So what we've proposed to do is quickly, very quickly, and Andrew says that it can be done during the week next week and gotten back in, amend the application to sweep the car dealership in as part of the shopping center. It will have a ripple affect on the numbers in the bulk table. Again, it won't affect the variance. It could affect things such as coverage, total area, all that kind of thing. So we need to have a proper application before you. If we're going to do that, it also requires revision of the environmental assessment form so that when we ultimately circulate for lead agency we're circulating on a correct document. So that's what we would plan to do. We could do it very quickly. What we thought would be a good way to approach this was to give us that brief window of time to get an amended application back in to you, and then if there's any availability to reappear on the second meeting of this month to

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do those initial lead agency and variance referral actions. So from a process and procedure point, that's what we were contemplating. Thank you.

CHAIRMAN EWASUTYN: At this point I'd like to turn the meeting over to Adrian Goddard. Is Adrian here?

MR. GODDARD: I'm here.

CHAIRMAN EWASUTYN: Thank you, Adrian. Adrian, I always find it more educating, I'm not taking away from you, Larry, or from Andrew by any means, you're great speakers, but if you would talk to us about the life of this project. Obviously there's an agreement between you and Ronny Barton to have your needs represented on the site plan. I think that's why the car pads are being shown. Talk to us about BJ's. I'm not familiar with BJ's at all.

MR. GODDARD: BJ's is a public company, it has about 300 stores. This is one of the typical prototypes, about 90,000 square feet. It will do a lot of sales here. They've gone through the process. We have a lease set up with them. It seems like a particularly appropriate

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use for this location. It will generate -- it's a net new tenant to the Town. It's a net new source of sales tax, property tax and employment and so on. I know it's something that's sort of been on the boards here for some time.

BJ's has never wavered in it's desire to be in the Town of Newburgh and this is the site they want. It's a company that's on the move and they are very excited about coming here.

There's also at this point no intention of making any kind of application for any kind of preferential IDA type treatment. So this is an entirely clean deal from that perspective.

CHAIRMAN EWASUTYN: Ronny, your needs for the car pads out front?

MR. BARTON: Visibility, John. So obviously this is a big footprint that's going in front of the showroom. The concern is always, you know, people driving by. Even with people knowing where you are, it can be blocked. So the impact of having that visual auto dealer display on 17K is extremely important. It's one of the reasons why that site hasn't been developed for the last 25 years.

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When Adrian came, you know, he believed that we would be able to recognize the needs of the dealership, even though we're going to put that 90,000 square foot box in the front yard, and still make this work. So this is what we've been working on for, I don't know, the last six months or so.

MR. GODDARD: At least, yeah.

CHAIRMAN EWASUTYN: I'll turn it over to the Board Members. Frank Galli?

MR. GALLI: It's early on in the planning stage. I actually like the pads for the cars. The reason being it keeps them in a spot where they're not all over 17K like some other locations. It keeps it neat and clean, not like some other locations on 17K with cars.

Saying that, there's going to need to be landscaping. We're not to that part yet. There's going to be a lot of landscape issues and things like that that need to dress it up. It's a big box.

MR. GODDARD: That's part of what we -- pardon me.

CHAIRMAN EWASUTYN: By all means.

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MR. GODDARD: The burying of the utility lines in the front is all with a view to making this look as good as it can. The idea of landscaping this is entirely --

MR. GALLI: I think landscaping is going to be a big part of this.

MR. GODDARD: Making it look good from BJ's point of view, too.

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

CHAIRMAN EWASUTYN: Thank you.

Cliff Browne?

MR. BROWNE: Again, with the pads out front, from a sales/psychological standpoint, whatever, how do you see them tying that into your dealership in the back rather than just saying how come those cars just parked on the front lawn out there? How are you going to make those cars representative of your dealership?

MR. BARTON: So each one of them stands in front of the parking area. The parking area is behind them. So you've got a 20-foot diameter circle that these cars will be positioned on. You take a Corvette or some of the Cadillac and

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stuff and you place them out there in front of the parking area where all the customers are going to be and it will be an impactful site as you're driving down the road.

MR. BROWNE: Have you seen this type of thing done elsewhere, the state, the country, whatever, what you're describing now?

MR. BARTON: Yeah. There's a lot of dealerships that have display areas out in front. I mean frankly it's the reason why people are parking all over the front lawn at some of the stores. You know, that's --

MR. BROWNE: Where I'm coming from is we have these cars parked out in the front and then you have this huge shopping center behind it. You're going to be buried behind that pretty much. How do they tie those cars in the front to your dealership way in the back?

MR. FETHERSTON: Can I interject for a second? I didn't mention that there's a Barton sign in the front, in addition to a BJ's sign in the front, in addition to a bank sign in the front. So there will be signage in the front as well.

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CHAIRMAN EWASUTYN: No banners?

MR. BARTON: No.

CHAIRMAN EWASUTYN: Honest question.

MR. BARTON: No banners. With the pylon sign out front and with the cars there, I think it's going to be adequate.

The other thing is that the showroom itself, that big parking lot area, when people pull into that they're going to be looking directly at the showroom. The service department is blocked almost entirely by this building. When the showroom gets placed on the map, if the Board is in agreement with the direction that we're going by including the dealership in the shopping plaza, you'll see that visibility wise westbound traffic will have an issue but eastbound traffic will still get a very similar view of the showroom that it gets today.

MR. BROWNE: When we get into the architectural and all that can that be depicted so we can get --

MR. GODDARD: A hundred percent.

MR. BROWNE: -- an overall on that aspect?

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MR. GODDARD: That part is obviously important to BJ's also. So yes.

MR. BROWNE: Thank you.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: First, I love the concept of BJ's. It's going to save me from traveling across the river, Middletown or anywhere else.

Along the same lines with what Cliff is saying, I too question the pads. You have 422 parking spaces. It's a large parking lot basically directly off 17K. Most big box stores or shopping centers sit further back off of the main thoroughfare. This is right parallel with it. Now you're going to put these 12 pads in front of a parking lot. The cars are going to kind of blend in. I don't see how they're going to distinguish themselves from dealership to cars.

MR. FETHERSTON: Well the front -- from the edge of pavement to the property line is 35 feet. From the edge of pavement on 17K to our curb line is going to be more like 45 or almost 50 feet. These cars are going to sit in the

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front of the drive aisle essentially, so you won't have the parking right up against those pads for the cars. You're going to have, you know, a drive aisle separating that. We have the landscape island here, you'll have the landscape islands on the ends.

MR. DOMINICK: I'm not a big fan of the pads. I don't see it. I'm not a big fan of the other people that park in the grass on 17K, the other dealers. They get the tire tracks on the lawn, they mess it up and it looks like heck after awhile.

MR. FETHERSTON: The way that's done you're absolutely right. We were going to have concrete pavers or something like that. This was not going to be a mud mess.

MR. DOMINICK: And then also, with that you're also limited on greenery and landscaping, which I hope we can get a better picture on the next iteration.

Then also, along Auto Park Place there's always an average of 40 to 50 vehicles for inventory. Will that still remain there?

MR. FETHERSTON: Auto Park Place?

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MR. BARTON: No. It can't. It's a private road. We park the cars on there. With the additional traffic -- if you'll notice the entrance off of 17K, it's not for trucks. That means all the delivery trucks and stuff coming in around the back. There's also a pull off there for fuel.

MR. DOMINICK: The gas station.

MR. BARTON: There's no way that the trucks can stay on Auto Park Place.

CHAIRMAN EWASUTYN: That's it, Dave?

MR. DOMINICK: Yes.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I'm not a fan of the way the car pads are for a few reasons. It looks like you just placed them wherever you wanted it. Some are angled different ways. If you're going to landscape, how are you going to not destroy everything? You have two that you didn't mention down by the gas pumps which makes it a total of 12. If you're talking about car pads, I don't know why you'd have them there, you know. To me landscape or something there because it's gas pumps instead of cars. I'm a car buff but, how

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would you put it, we have Toyota, we went through the same thing. They're on a hill. Everybody goes to the Toyota. It's not a matter of seeing the place, it's reputation. Reputation, people go to a dealer. We have stonewalls in front of Kia. That's an option to put a stonewall there. As a visual, with the cars there, I'm not a fan for it at all.

You're talking about going westbound, say down by Target. As a visual with Hertz with the fence, as seeing the backside of BJ's, if you can increase the height of the fence that's there already for screening for the back of the building, too.

That's what I have for now.

CHAIRMAN EWASUTYN: I think the beauty of this new site and its neighbor as far as the truck rentals and everything in the rear yard of that other business, if you could actually consider something like John is saying, maybe eight feet high to minimize the visual impact, to have something that's going to be not standing in nature, and then you'll have all these boxes back there.

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I have one or two quick questions. In the breezeway proposed for BJ's, will you be merchandising merchandise in the breezeway?

MR. FETHERSTON: What I see, we're --

CHAIRMAN EWASUTYN: Let me speak to Adrian. Sometimes you're too quick with the answers.

MR. FETHERSTON: I'm a BJ's member.

CHAIRMAN EWASUTYN: I've never been to a BJ's. That's what makes you and I not have much in common.

MR. GODDARD: He probably knows better than I do.

CHAIRMAN EWASUTYN: Do they store items in the breezeway?

MR. FETHERSTON: A lot of times it's plants. In the summer it's wreaths and roping.

MR. DOMINICK: Seasonal?

MR. FETHERSTON: Mostly it's plants, it's greenery.

CHAIRMAN EWASUTYN: Jerry, that's fine; correct?

MR. CANFIELD: I'm sorry?

CHAIRMAN EWASUTYN: That's fine;

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correct?

MR. CANFIELD: I still didn't hear you.

CHAIRMAN EWASUTYN: That's fine?

That's standard?

MR. DONNELLY: Do they do sales in that location or you have to bring the item inside?

MR. FETHERSTON: You pick the one you want and bring it inside. Everything is done inside.

CHAIRMAN EWASUTYN: I think my only other question is with the tire shop. The used tires will be stored on the outside?

MR. FETHERSTON: No. They're all stored inside.

CHAIRMAN EWASUTYN: Those were my questions.

Jerry Canfield?

MR. CANFIELD: This is a concept plan. As details become available we'll have a more in-depth review. I'm sure Pat will say the same.

One thing we did touch on is the signage. At some point we will need a comprehensive signage plan and then we can identify compliance with our new signage

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ordinance.

MR. FETHERSTON: Right.

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

CHAIRMAN EWASUTYN: Pat Hines, this is early because they're going to resubmit.

MR. HINES: They have my comments. Some of them are going to apply, some of them are going to not apply on the change. We'll take a look at it again when it's resubmitted.

CHAIRMAN EWASUTYN: Will this call for another application fee since they are changing the original application or does it still work under the same application?

MR. HINES: I think Adrian would certainly offer a new application fee.

CHAIRMAN EWASUTYN: Think about it, Adrian.

MR. GODDARD: I thought about it.

CHAIRMAN EWASUTYN: I guess we have no further questions.

MR. FETHERSTON: Thank you.

MR. WOLINSKY: Thank you.

CHAIRMAN EWASUTYN: If there's no

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further business this evening, I'll move for a motion to close the Planning Board meeting of the 7th of March.

MR. BROWNE: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: Motion by Cliff Browne, second by Dave Dominick. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 8:03 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of March 2019.

Michelle Conero

MICHELLE CONERO