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

- - - - - X
In the Matter of

GAGLIANO - 55 SOUTH PLANK RD/18 BROOKSIDE AVE
(2021-30)

55 South Plank Road & 18 Brookside Avenue
Section 71; Block 5; Lots 8 & 18.1
R-3 Zone

- - - - - X

LOT LINE CHANGE

Date: April 7, 2022
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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROBERT WALSH

- - - - - X

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

1 GAGLIANO - 55 SOUTH PLANK RD/18 BROOKSIDE AVE

2 CHAIRMAN EWASUTYN: Good
3 evening everyone. The Town of
4 Newburgh Planning Board would like to
5 welcome you to their meeting of April
6 7, 2022. We have eight agenda items
7 and two Board Business matters.

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

10 MR. GALLI: Present.

11 MS. DeLUCA: Present.

12 MR. MENNERICH: Present.

13 CHAIRMAN EWASUTYN: Present.

14 MR. BROWNE: Present.

15 MR. DOMINICK: Present.

16 MR. WARD: Present.

17 MR. CORDISCO: Dominic
18 Cordisco, Planning Board Attorney.

19 MS. CONERO: Michelle Conero,
20 Stenographer.

21 MR. HINES: Pat Hines with MHE
22 Engineers.

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

25 MR. WERSTED: Ken Wersted,

1 GAGLIANO - 55 SOUTH PLANK RD/18 BROOKSIDE AVE

2 Creighton Manning Engineering,
3 Traffic Consultant.

4 CHAIRMAN EWASUTYN: Okay. At
5 this point we'll turn the meeting
6 over to Cliff Browne.

7 MR. BROWNE: Please stand for
8 the Pledge.

9 (Pledge of Allegiance.)

10 MR. BROWNE: Would you please
11 turn your cellphones on silent or
12 off. Thank you.

13 CHAIRMAN EWASUTYN: Our first
14 item of business this evening is
15 Gagliano - 55 South Plank Road/18
16 Brookside Avenue. It's a lot line
17 change. It's in an R-3 Zone. I
18 believe it's being represented by
19 Mr. Gagliano himself.

20 MR. WALSH: Actually, my name
21 is Robert Walsh. I'm here for the
22 applicant.

23 CHAIRMAN EWASUTYN: Thank you.
24 Can you come forward?

25 MR. WALSH: Yes. Where would

1 GAGLIANO - 55 SOUTH PLANK RD / 18 BROOKSIDE AVE

2 you like me?

3 CHAIRMAN EWASUTYN: Right in
4 the front here.

5 Pat, do you want to review the
6 history of the project?

7 MR. HINES: Sure. The project
8 is a simple lot line change between
9 two parcels that adjoin rear yards,
10 one of which is on Brookside Avenue,
11 the other on South Plank Road.

12 The project needed variances
13 for preexisting nonconforming bulk
14 requirements which were received from
15 the Zoning Board of Appeals.

16 The applicant sent out the
17 required adjoiners' notice.

18 We have no outstanding comments
19 on this.

20 CHAIRMAN EWASUTYN: Dominic
21 Cordisco, Planning Board Attorney.

22 MR. CORDISCO: Yes. Thank you,
23 Mr. Chairman. All the technical
24 requirements have been met at this
25 point for this simple lot line

1 GAGLIANO - 55 SOUTH PLANK RD / 18 BROOKSIDE AVE

2 change. There's nothing preventing
3 the Board from considering an
4 approval resolution at this time. It
5 is a Type 2 action and subject to
6 the Board's concerns, but there are
7 no special conditions that I would
8 recommend.

9 CHAIRMAN EWASUTYN: Having
10 heard from our Planning Board
11 Attorney, Dominic Cordisco, if
12 someone agrees, would someone move
13 for a motion to grant the approval of
14 the lot line change for Gagliano?

15 MR. DOMINICK: I'll make the
16 motion.

17 MR. WARD: Second.

18 CHAIRMAN EWASUTYN: I have a
19 motion by Dave Dominick. I have a
20 second by John Ward. Can I have a
21 roll call vote starting with Frank
22 Galli.

23 MR. GALLI: Aye.

24 MS. DeLUCA: Aye.

25 MR. MENNERICH: Aye.

1 G A G L I A N O - 5 5 S O U T H P L A N K R D / 1 8 B R O O K S I D E A V E

2 CHAIRMAN EWASUTYN: Aye.

3 MR. BROWNE: Aye.

4 MR. DOMINICK: Aye.

5 MR. WARD: Aye.

6 CHAIRMAN EWASUTYN: Motion

7 carried. Thank you.

8 MR. WALSH: Thank you.

9

10 (Time noted: 7:03 p.m.)

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G A G L I A N O - 5 5 S O U T H P L A N K R D / 1 8 B R O O K S I D E A V E

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 15th day of April 2022.

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

SLUSZKA TWO-LOT SUBDIVISION
(2021-22)

2103 NYS Route 300
Section 3; Block 1; Lot 82
AR Zone

----- X

PUBLIC HEARING

Date: April 7, 2022
Time: 7:04 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JONATHAN CELLA

----- X

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

1 SLUSZKA TWO-LOT SUBDIVISION

2 CHAIRMAN EWASUTYN: Our second
3 item of business this evening is
4 Sluszka. It's a two-lot subdivision
5 and also a site plan ARB approval.
6 It's located on Route 300 in an AR
7 Zone. I believe Jonathan Cella is
8 here this evening to represent
9 Talcott Engineering. Jonathan.

10 MR. CELLA: Thank you.

11 CHAIRMAN EWASUTYN: Mr. Mennerich
12 is going to read the notice of hearing.

13 MR. MENNERICH: "Notice of
14 hearing, Town of Newburgh Planning
15 Board. Please take notice that the
16 Planning Board of the Town of
17 Newburgh, Orange County, New York
18 will hold a public hearing pursuant
19 to Section 276 of the Town Law on the
20 application of Sluszka Subdivision,
21 two-family, Project Number 2021-22.
22 The project involves a two-lot
23 subdivision located at 2103 Route 300
24 in the Town of Newburgh. The project
25 involves separating an existing

1 SLUSZKA TWO-LOT SUBDIVISION

2 two-family dwelling into a 2.4 plus
3 or minus acre parcel of property with
4 a balance vacant parcel of 22.21 plus
5 or minus acres. The existing duplex
6 is served by onsite water and septic.
7 The existing duplex has access off of
8 Route 300. No proposed construction
9 on lot 2 is proposed at this time.
10 The site is known on the Town of
11 Newburgh tax maps as Section 3; Block
12 1; Lot 82. The project is located in
13 the Town's AR Zoning District. A
14 public hearing will be held on the
15 7th day of April, 2022 at the Town
16 Hall Meeting Room, 1496 Route 300,
17 Newburgh, New York at 7 p.m. at which
18 time all interested persons will be
19 given an opportunity to be heard. By
20 order of the Town of Newburgh
21 Planning Board. John P. Ewasutyn,
22 Chairman, Planning Board Town of
23 Newburgh. Dated 11 March 2022."

24 CHAIRMAN EWASUTYN: Thank you.
25 Jonathan.

1 SLUSZKA TWO-LOT SUBDIVISION

2 MR. CELLA: I am here regarding
3 the proposed two-lot subdivision in
4 an AR Zoning District. As stated,
5 it's dividing off a 2-acre lot for a
6 two-family house with the balance of
7 22 acres remaining vacant.

8 It's serviced by well and
9 septic, the existing residence.

10 There's no proposed development
11 on the balance at this time.

12 CHAIRMAN EWASUTYN: I know you
13 submitted, as far as your submission,
14 a rendering of the existing house for
15 what we would be approving tonight.
16 Can you put that up on the board?

17 MR. CELLA: This is the front
18 of the house facing Route 300. It's
19 not visible from the road through the
20 existing landscaping and tree lines.

21 CHAIRMAN EWASUTYN: At this
22 point we'll turn the meeting over to
23 the public. Is there anyone here
24 that has any comments or questions
25 about the application that Jonathan

1 SLUSZKA TWO-LOT SUBDIVISION

2 Cella has just spoken of?

3 (No response.)

4 CHAIRMAN EWASUTYN: Let the
5 record show that we had no public
6 comment.

7 At this time I'll turn the
8 meeting over to Frank Galli. Frank.

9 MR. GALLI: No additional comment.

10 MS. DeLUCA: None for me.

11 MR. MENNERICH: No questions.

12 MR. BROWNE: Nothing.

13 MR. DOMINICK: Nothing.

14 MR. WARD: No.

15 CHAIRMAN EWASUTYN: Jim Campbell,
16 do you have any questions or
17 comments?

18 MR. CAMPBELL: No additional
19 comments.

20 CHAIRMAN EWASUTYN: Pat Hines
21 with McGoey, Hauser & Edsall?

22 MR. HINES: We circulated the
23 project to DOT and did not hear back
24 from them.

25 We also sent the plans to

1 SLUSZKA TWO-LOT SUBDIVISION

2 Orange County Planning and received
3 back a Local determination.

4 It's here for ARB. We did note
5 that with the photograph submitted it
6 complies with your two-family
7 requirements that there's only one
8 door facing the street. The other
9 access is not facing the street. It
10 has that look of a single-family
11 house which is required for a
12 two-family. It's an existing
13 condition.

14 We have no outstanding comments
15 regarding the subdivision.

16 CHAIRMAN EWASUTYN: Thank you.
17 Dominic Cordisco, Planning Board
18 Attorney, can you speak of the
19 resolution?

20 MR. CORDISCO: Yes. This would
21 be a standard resolution requiring an
22 ARB approval for this two-lot subdivision.
23 There are no other special conditions
24 associated with this project.

25 CHAIRMAN EWASUTYN: Okay. So

1 SLUSZKA TWO-LOT SUBDIVISION

2 the first action before us this
3 evening, since there's no one from
4 the public who has any additional
5 questions or comments, would someone
6 move for a motion to close the public
7 hearing on the Sluszka Two-Lot
8 Subdivision?

9 MR. GALLI: So moved.

10 MS. DeLUCA: Second.

11 CHAIRMAN EWASUTYN: I have a
12 motion by Frank Galli. I have a
13 second by Stephanie DeLuca. Can I
14 have a roll call vote starting with
15 John Ward.

16 MR. WARD: Aye.

17 MR. DOMINICK: Aye.

18 MR. BROWNE: Aye.

19 CHAIRMAN EWASUTYN: Aye.

20 MR. MENNERICH: Aye.

21 MS. DeLUCA: Aye.

22 MR. GALLI: Aye.

23 CHAIRMAN EWASUTYN: Motion
24 carried.

25 Having heard from our Planning

1 SLUSZKA TWO-LOT SUBDIVISION

2 Board Attorney, Dominic Cordisco, the
3 motion, Dominic, before us this
4 evening is to -- help me -- approve
5 the two-lot subdivision and grant ARB
6 approval?

7 MR. CORDISCO: That would be
8 correct, sir.

9 CHAIRMAN EWASUTYN: Would
10 someone then move for that motion?

11 MR. GALLI: So moved.

12 MR. WARD: Second.

13 CHAIRMAN EWASUTYN: I have a
14 motion by Frank Galli. I have a
15 second by John Ward. Can I have a
16 roll call vote starting with Frank
17 Galli.

18 MR. GALLI: Aye.

19 MS. DeLUCA: Aye.

20 MR. MENNERICH: Aye.

21 CHAIRMAN EWASUTYN: Aye.

22 MR. BROWNE: Aye.

23 MR. DOMINICK: Aye.

24 MR. WARD: Aye.

25 CHAIRMAN EWASUTYN: Motion

1 SLUSZKA TWO-LOT SUBDIVISION

2 carried.

3 Jonathan, just as a matter of
4 conversation, will you be sort of
5 picking up the ball for a while?

6 MR. CELLA: I'll try my best.
7 Yeah. I just met with his sister.
8 I'm going to try to assist as much as
9 I can.

10 CHAIRMAN EWASUTYN: If we can
11 be of any help, feel free to contact
12 Pat Hines,
13 Jim Campbell or Dominic Cordisco.

14 MR. CELLA: Thank you everyone.

15 CHAIRMAN EWASUTYN: And Ken
16 Wersted, also.

17

18 (Time noted: 7:10 p.m.)

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1 SLUSZKA TWO-LOT SUBDIVISION

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

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

9

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

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

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Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

ELM FARM SUBDIVISION
(2021-15)

Wells & Fostertown Roads
Section 39; Block 1; Lot 12.44
R-2 Zone

----- X

52-LOT SUBDIVISION

Date: April 7, 2022
Time: 7:10 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JASON PITINGARO

----- X

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

1 E L M F A R M S U B D I V I S I O N

2 CHAIRMAN EWASUTYN: Our third
3 item of business this evening is Elm
4 Farm Subdivision. It's a 52-lot
5 subdivision located on Wells and
6 Fostertown Roads in an R-2 Zone.
7 It's being represented by Jason
8 Pitingaro. Jason.

9 MR. PITINGARO: I probably do
10 not have to put this up here because
11 you're pretty familiar with this.
12 I'm Jason Pitingaro from Pitingaro &
13 Doetsch Engineers. We represent the
14 Elm Farm Associates partners who have
15 been before the Board for this
16 subdivision.

17 This application was a
18 subdivision of 52 lots that was
19 previously approved. The approval
20 had lapsed. We've been working with
21 this Board and some outside agencies
22 to renew the approval.

23 We were last before the Board a
24 couple months ago when we had a
25 public hearing. There were some

1 E L M F A R M S U B D I V I S I O N

2 comments in relation mainly to
3 traffic. It was the determination of
4 the Board that we should
5 reinvestigate the traffic to make
6 sure that there were not going to be
7 any new impacts that weren't
8 anticipated during the first approval
9 of the subdivision. When the
10 subdivision was originally approved,
11 it was approved in conjunction -- not
12 approved in conjunction but studied
13 in conjunction with a number of other
14 projects. Those projects have not
15 materialized. Even so, we did go
16 ahead and consult and have a traffic
17 engineer prepare responses, a traffic
18 study and further responses to Ken's
19 comments. We've supplied those.
20 Unfortunately, it was just yesterday.
21 I'm not sure if Ken's had an
22 opportunity to review those. I think
23 the results of the study show that
24 the traffic counts were less than
25 what was originally anticipated,

1 E L M F A R M S U B D I V I S I O N

2 which we kind of figured they would
3 be either due to COVID or just in
4 general. But I think what it will
5 demonstrate, or does demonstrate is
6 that there's not going to be any
7 further impact than what was
8 anticipated as part of the original
9 approval.

10 CHAIRMAN EWASUTYN: Ken
11 Wersted, will you talk on behalf of
12 the Planning Board?

13 MR. WERSTED: Certainly. As
14 Jason had explained, they did go out
15 and do some additional traffic
16 counts. They basically did an update
17 of the study that they originally did
18 in 2002 I believe. The counts
19 included two different things, one
20 was intersection turning movement
21 counts, so counting how many cars
22 turn through the respective
23 intersections. They had also put
24 down a counter on Wells Road to count
25 traffic going north and southbound.

1 E L M F A R M S U B D I V I S I O N

2 I understand that the traffic counter
3 on Wells Road had gotten ripped up
4 perhaps a couple of times. It was
5 reinstalled and it looked like it was
6 down for, cumulative, more than a
7 week. It might have been almost two
8 weeks. Within that they got a full
9 week's worth of information. They
10 have outlined the different traffic
11 volumes that have occurred through
12 2020 -- 2002 all the way to 2022.
13 The pandemic has influenced some of
14 that traffic volume. If you go back
15 to 2019, traffic volumes have
16 decreased from their original study.
17 Therefore, they have used the 2002
18 traffic counts to offer a
19 conservative analysis. We agreed
20 with their trip generation estimate
21 which was around 41 trips per the
22 a.m. peak hour and 54 trips in the
23 p.m. peak hour.

24 They had looked at travel
25 speeds out on the road which came

1 E L M F A R M S U B D I V I S I O N

2 back to be about 34 miles-per-hour
3 was the average. 39 miles-per-hour
4 was the 85th percentile. We concur
5 with their no build analysis and
6 their trip distribution.

7 As Jason had pointed out, there
8 were a number of projects originally
9 included back in 2002 that never came
10 to fruition. The intersections that
11 they studied were modeled to
12 determine how they would change with
13 and without the project. Because the
14 volumes out there are relatively low
15 and the project itself is only adding
16 a percentage, the intersection
17 operations out there weren't changing
18 substantially. The intersection of
19 Wells Road and Brewer was going to
20 operate at level of service A and B.
21 The site driveways would operate at
22 level of service A and B. Wells Road
23 and Fostertown Road itself would
24 operate at level of service A on
25 Fostertown and C on the side road.

1 E L M F A R M S U B D I V I S I O N

2 The cumulative increase in delay from
3 the project was pretty minimal, about
4 a half a second on average.

5 They had gone through and
6 looked at the sight distances for the
7 Wells Road intersection as well as Fostertown.
8 There are some restrictions there
9 given the topography of the road, but
10 they are meeting the stopping sight
11 distances there.

12 There were a number of comments
13 at the December Planning Board public
14 hearing and I did get your response.
15 I haven't fully read through it yet.
16 I know one of the comments was that
17 Stephanie DeLuca had brought up if
18 school traffic was included in that.
19 I did read your response to note that
20 the afternoon peak hour was 3:30 to
21 4:30. If the adjacent school has
22 similar hours as that, then the
23 analysis would have included some of
24 that concentration of traffic there.

25 Crash data was looked at at the

1 E L M F A R M S U B D I V I S I O N

2 study area. There were three, I
3 believe, crashes noted at the Wells
4 Road intersection over that three-
5 year period. They were all single
6 vehicle accidents, either hitting a
7 deer, a wall or a tree. There was, I
8 think, one noted as hitting a wall.
9 One of the adjoining neighbors there
10 had mentioned sometimes he goes out
11 and sees damage to his wall. So
12 that's kind of reflected in this.

13 Overall we haven't found that
14 the present proposal of the project
15 is going to have any substantial
16 traffic impacts outside of what was
17 originally studied back in 2002.

18 CHAIRMAN EWASUTYN: Thank you.
19 At this point we'll turn the meeting
20 over to Board Members for comment.
21 John Ward?

22 MR. WARD: I have a question.
23 One of the neighbors down on Wells
24 Road at the driveway there, did you
25 meet with him in reference --

1 E L M F A R M S U B D I V I S I O N

2 MR. PITINGARO: We didn't meet
3 with him, but I did go out there and
4 do some investigation. He was
5 concerned about his sight distance.
6 What we looked at from our office was
7 how this improvement would affect
8 him. I think it's going to make a
9 drastic improvement in what he's --
10 what's available to him from where he
11 is now.

12 MR. WARD: Very good. Thank you.

13 CHAIRMAN EWASUTYN: Dave Dominick?

14 MR. DOMINICK: Nothing, John.

15 MR. BROWNE: Nothing. Thank you.

16 CHAIRMAN EWASUTYN: No comment.

17 MR. MENNERICH: No questions.

18 MS. DeLUCA: Nothing.

19 MR. GALLI: No comment.

20 CHAIRMAN EWASUTYN: Jim Campbell,
21 Code Compliance?

22 MR. CAMPBELL: No additional
23 comments.

24 CHAIRMAN EWASUTYN: Pat Hines
25 with McGoey, Hauser & Edsall?

1 E L M F A R M S U B D I V I S I O N

2 MR. HINES: Yes. We commented
3 on the concern that was relayed to
4 Town Hall here regarding the traffic
5 counters and the snowplowing which
6 Ken Wersted addressed.

7 We did provide copies of the
8 previous 2015 approval for Dominic's
9 use. We concur with each of those
10 requirements with the exception that
11 the former deferral of recreation
12 fees which was referred to, that one
13 has expired. That will have to be
14 paid prior to signing of the maps at
15 this point.

16 Also, we wanted to confirm the
17 outside user agreement has been
18 executed and filed with the Town. I
19 did not have a copy of that in my
20 files. Those should be added to the
21 comments.

22 Since the project was last
23 before the Board, we have a new
24 highway superintendent. We wanted to
25 give him an opportunity to weigh in

1 E L M F A R M S U B D I V I S I O N

2 on those locations.

3 With those couple of comments
4 added, the previous comments remain
5 valid, or the previous conditions I
6 guess I want to say.

7 MR. WARD: ARB?

8 CHAIRMAN EWASUTYN: ARB is
9 covered through the Building Department.
10 Thank you for reminding me.

11 Tonight's approval would be
12 noted that ARB, the way the code is
13 written, I believe ten homes or
14 greater require an ARB approval. Is
15 that how it's written?

16 MR. HINES: Yes. And the idea
17 behind that is to prevent the cookie
18 cutter look of the houses. This
19 Board oftentimes defers to the
20 Building Department to make sure that
21 the houses are different in
22 architectural appearance and colors.

23 MR. PITINGARO: If there's any
24 benefit, I would say that the
25 difference in -- some of the

1 E L M F A R M S U B D I V I S I O N

2 differences in topographies and the
3 layout here would lend itself to
4 quite a variety of different home
5 styles.

6 MR. WARD: The street names,
7 the Town Board has to approve them.
8 Right?

9 MR. HINES: Yeah. I don't know
10 if that was done in the past.
11 Certainly that is one of the
12 conditions from the 2015 resolution.

13 MR. PITINGARO: They were
14 originally approved, but we will
15 reaffirm those approvals.

16 MR. WARD: Thank you.

17 CHAIRMAN EWASUTYN: Any
18 additional questions or comments from
19 Board Members?

20 MR. HINES: So if they were
21 approved, then you can provide that
22 document. You don't need to go back
23 to the Town Board. It would have
24 been catalogued by the Town Clerk's
25 office so there wouldn't be an issue.

1 E L M F A R M S U B D I V I S I O N

2 If you can, just provide that
3 documentation.

4 CHAIRMAN EWASUTYN: Thank you.
5 Dominic Cordisco?

6 MR. CORDISCO: We do have the
7 benefit of the 2015 approval
8 resolution, so thank you, Pat, for
9 providing that. It has a number of
10 specific conditions. I can go
11 through them if you'd like or we can
12 carry them forward in a proposed
13 final resolution that would include
14 all of these conditions since they're
15 so helpfully laid out here now, as
16 well as the additional updates that
17 we discussed tonight in connection
18 with providing proof that the road
19 names have been approved and the
20 other matters.

21 CHAIRMAN EWASUTYN: Does the
22 Board want to go through all the
23 conditions or do we want to accept
24 Dominic Cordisco's final resolution
25 which will state all of those? What

1 E L M F A R M S U B D I V I S I O N

2 would the Board like to do?

3 MR. GALLI: I'm fine with
4 accepting his.

5 CHAIRMAN EWASUTYN: Stephanie?

6 MS. DeLUCA: Yes.

7 MR. MENNERICH: Yes.

8 MR. BROWNE: Yes.

9 MR. DOMINICK: Yes.

10 MR. WARD: Yes.

11 MR. CORDISCO: I'd be happy to
12 read them if you'd like.

13 CHAIRMAN EWASUTYN: Would you
14 like to?

15 MR. CORDISCO: No, no. I was
16 only kidding.

17 CHAIRMAN EWASUTYN: Okay then.
18 Having heard from Pat Hines with
19 McGoey, Hauser & Edsall, having heard
20 from Ken Wersted, our Traffic
21 Consultant, and noting that Dominic
22 Cordisco, Planning Board Attorney,
23 will follow through on the conditions
24 of the approval that was granted in
25 2002 -- is that right?

1 E L M F A R M S U B D I V I S I O N

2 MR. CORDISCO: 2015.

3 MR. HINES: 2015.

4 CHAIRMAN EWASUTYN: 2015.

5 MR. CORDISCO: The project
6 dates back to 2000.

7 CHAIRMAN EWASUTYN: Thank you.
8 This approval will also take into
9 consideration ARB approval which will
10 be monitored by the Building
11 Department.

12 Would someone then move for a
13 motion to approve the 52-lot
14 subdivision known as Elm Farm subject
15 to the conditions of the original
16 resolution and any additional
17 add-ons.

18 MR. DOMINICK: I'll make that
19 motion, John.

20 MR. BROWNE: Second.

21 CHAIRMAN EWASUTYN: I have a
22 motion by Dave Dominick. I have a
23 second by Cliff Browne. Can I have a
24 roll call vote starting with Frank
25 Galli.

1 E L M F A R M S U B D I V I S I O N

2 MR. GALLI: Aye.

3 MS. DeLUCA: Aye.

4 MR. MENNERICH: Aye.

5 CHAIRMAN EWASUTYN: Aye.

6 MR. BROWNE: Aye.

7 MR. DOMINICK: Aye.

8 MR. WARD: Aye.

9 CHAIRMAN EWASUTYN: Thank you.

10 MR. PITINGARO: Thank you all
11 very much. Have a great evening.

12 CHAIRMAN EWASUTYN: Someone
13 asked a question, although you may
14 not know and it's not really as
15 relevant, do you believe that there's
16 a possibility the subdivision will be
17 named Elm Farm?

18 MR. PITINGARO: I would hope,
19 after all of this history, that it
20 remains named Elm Farm. That's why
21 I'm hopeful and pretty confident that
22 those street names are approved.
23 Those street names also reflect
24 trees, obviously. So yeah, I'm
25 hopeful that it will remain. It's

1 E L M F A R M S U B D I V I S I O N

2 outside of my control, but it will be
3 my suggestion.

4 CHAIRMAN EWASUTYN: Thank you.

5 MR. PITINGARO: I appreciate
6 the help of the Board. I personally
7 have been working on this since 2005
8 so I'm happy to see it approved
9 again. It followed me through I
10 think two or three firms. I'm happy
11 to get it approved again. Thank you.
12 Have a good night.

13

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

15

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

17

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

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

23 I further certify that I am not
24 related to any of the parties to this
25 proceeding by blood or by marriage and that

1 E L M F A R M S U B D I V I S I O N

2 I am in no way interested in the outcome of
3 this matter.

4 I N W I T N E S S W H E R E O F , I h a v e h e r e u n t o
5 s e t m y h a n d t h i s 1 5 t h d a y o f A p r i l 2 0 2 2 .

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Michelle Conero

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MICHELLE CONERO

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

----- X
In the Matter of

NORTHEAST BUSINESS CENTER
(2021-28)

500, 700 & 900 Corporate Boulevard
Section 95; Block 1; Lot 1.22
IB Zone

----- X

SITE PLAN

Date: April 7, 2022
Time: 7:23 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: CONNOR McCORMACK

----- X

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

1 N O R T H E A S T B U S I N E S S C E N T E R

2 CHAIRMAN EWASUTYN: Our fourth
3 item of business this evening is
4 Northeast Business Center. It's a
5 site plan. It's located on Corporate
6 Boulevard in an IB Zone. It's being
7 represented by Colliers Engineering &
8 Design.

9 MR. McCORMACK: Good evening
10 everyone. My name is Connor
11 McCormack with Colliers Engineering &
12 Design. I'm here again for the
13 project Northeast Business Center.

14 Just a recap of the history of
15 the project. It's had multiple
16 approvals starting back with the
17 original of the business park.
18 Again, a few years after that this
19 third building on this lot was
20 modified to be an office space. Now
21 we're back again going back to --
22 similar to the original approval
23 which is the warehouse use.

24 Since we were last here we
25 revised the plans to address the

1 N O R T H E A S T B U S I N E S S C E N T E R

2 comments, the most significant being
3 shifting the building to provide a
4 26-foot wide drive aisle meeting Fire
5 Code.

6 We raised the building
7 elevation to balance the site.

8 We conducted a parking study to
9 address some of Ken's comments, the
10 main concern being the removal of
11 some of the existing parking at the
12 end of the parking spaces there so
13 that there was sufficient parking for
14 the existing buildings during
15 construction and after. We found
16 that to be the case with our study.

17 We provided an additional water
18 quality structure to meet the
19 requirements of being in the Newburgh
20 watershed. We also conducted a site
21 visit to confirm some of the old
22 piping that had been installed that
23 was apparently called out on the
24 survey to confirm some of the larger
25 sizes that were there.

1 N O R T H E A S T B U S I N E S S C E N T E R

2 As it stands, we're proposing a
3 50,000 square foot building. We have
4 273 parking spaces, 12 trailer
5 loading bays.

6 The site is in the IB Zoning
7 District. It won't require any
8 variances as proposed.

9 I guess that would pretty much
10 be a summary of the changes since we
11 were last here.

12 CHAIRMAN EWASUTYN: Comments
13 from Board Members. John Ward?

14 MR. WARD: No comments.

15 MR. DOMINICK: No comment.

16 MR. BROWNE: Nothing.

17 MR. MENNERICH: No.

18 MS. DeLUCA: No.

19 MR. GALLI: No additional.

20 CHAIRMAN EWASUTYN: Jim Campbell,
21 Code Compliance?

22 MR. CAMPBELL: No additional
23 comments.

24 CHAIRMAN EWASUTYN: Ken Wersted
25 with Creighton, Manning?

1 N O R T H E A S T B U S I N E S S C E N T E R

2 MR. WERSTED: Nothing
3 additional. They've satisfied all of
4 our previous comments.

5 CHAIRMAN EWASUTYN: Pat Hines
6 with McGoey, Hauser & Edsall?

7 MR. HINES: We circulated lead
8 agency on November 21, 2021. No
9 objections were received, so this
10 Board would be lead agency for the
11 project.

12 We note that the adjoiners'
13 notices were submitted.

14 A City of Newburgh flow
15 acceptance letter will be required.
16 I don't believe that was required
17 when this was called High Tech Park
18 in the previous application, so we'll
19 need that as part of the Town's
20 agreement with the City of Newburgh.

21 The stormwater pollution
22 prevention plan has been submitted.
23 While the project was part of the
24 overall stormwater management in the
25 development of the corporate park,

1 N O R T H E A S T B U S I N E S S C E N T E R

2 water quality improvements were not
3 required at that time. The
4 applicants have added a bio-retention
5 area -- a rather large bio-retention
6 area to provide water quality
7 benefits as the project is in the
8 Washington Lake watershed.

9 We noted that tree clearing
10 notes have been added to the plans.
11 I believe the majority of the site is
12 a grass lawn condition now. It was
13 regraded during the original
14 construction of the first two
15 buildings.

16 The Planning Board should
17 discuss whether a public hearing
18 should be held.

19 MR. McCORMACK: If I can just
20 add one thing. Pat, we did send that
21 flow acceptance letter on the 31st.
22 I haven't heard back yet.

23 MR. HINES: You sent it to me
24 probably.

25 MR. McCORMACK: I copied you

1 N O R T H E A S T B U S I N E S S C E N T E R

2 and I sent it to the Town Engineer.

3 MR. HINES: That's one in the
4 same.

5 MR. McCORMACK: I sent it to
6 both is what I'm saying.

7 MR. HINES: I wear that hat
8 now, too. So I will follow up and
9 get that to the City of Newburgh.

10 MR. McCORMACK: Understood.

11 CHAIRMAN EWASUTYN: Any
12 additional questions from Board Members?

13 MR. DOMINICK: No.

14 MR. BROWNE: No.

15 MR. WARD: No.

16 MS. DeLUCA: No.

17 MR. MENNERICH: No.

18 MR. GALLI: No.

19 CHAIRMAN EWASUTYN: Pat, although
20 it's in the rear of the building, the
21 detention pond, would that need any
22 kind of railing or protection or
23 anything?

24 MR. HINES: The existing pond
25 has been there. This will be dry.

1 N O R T H E A S T B U S I N E S S C E N T E R

2 It fills up with six inches of water
3 at the most. I guess it's kind of in
4 the front of the building toward 17K.
5 The code requires anything that has
6 standing water to be fenced. This
7 will have water very rarely at a
8 maximum depth of six inches before it
9 goes into an overflow.

10 CHAIRMAN EWASUTYN: Okay. So
11 Mr. Cordisco, the action before us
12 this evening would be to declare a
13 negative declaration and poll the
14 Board Members to see if they want to
15 hold a public hearing?

16 MR. CORDISCO: Yes, sir.

17 CHAIRMAN EWASUTYN: Having
18 heard from Dominic Cordisco, Planning
19 Board Attorney, we'll take one action
20 at a time. Would someone move for a
21 motion to declare a negative
22 declaration on the Northeast Business
23 Center site plan?

24 MR. WARD: I'll make the
25 motion.

1 N O R T H E A S T B U S I N E S S C E N T E R

2 MR. GALLI: Second.

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

7 MR. GALLI: Aye.

8 MS. DeLUCA: Aye.

9 MR. MENNERICH: Aye.

10 CHAIRMAN EWASUTYN: Aye.

11 MR. BROWNE: Aye.

12 MR. DOMINICK: Aye.

13 MR. WARD: Aye.

14 CHAIRMAN EWASUTYN: Okay. Now
15 I'll poll the Board Members to see if
16 they want to have a public hearing.
17 John Ward?

18 MR. WARD: Yes.

19 CHAIRMAN EWASUTYN: Dave Dominick?

20 MR. DOMINICK: Yes.

21 CHAIRMAN EWASUTYN: Cliff Browne?

22 MR. BROWNE: No.

23 CHAIRMAN EWASUTYN: Myself, I
24 would pass on it. No.

25 MR. MENNERICH: No.

1 N O R T H E A S T B U S I N E S S C E N T E R

2 MS. DeLUCA: No.

3 MR. GALLI: No.

4 CHAIRMAN EWASUTYN: Okay. Let
5 the record show that the Planning
6 Board, under site plan, has a
7 discretion to waive public hearings
8 and that the majority of the Board
9 Members acted in favor of waiving the
10 public hearing.

11 At this point we haven't done
12 ARB approval on this yet. Have we?

13 MR. McCORMACK: Not to my
14 knowledge.

15 CHAIRMAN EWASUTYN: Excuse me?

16 MR. McCORMACK: Not to my
17 knowledge.

18 CHAIRMAN EWASUTYN: Okay. So
19 then you would then have to come back
20 before us to act on that. We can't
21 actually act on it until he has the
22 City flow rate.

23 MR. HINES: Yeah. As a
24 requirement of the intermunicipal
25 agreement, this Board cannot approve

1 N O R T H E A S T B U S I N E S S C E N T E R

2 anything without that City of
3 Newburgh acceptance letter.

4 CHAIRMAN EWASUTYN: Are there a
5 lot of revisions to the map?

6 MR. HINES: No.

7 CHAIRMAN EWASUTYN: So then the
8 next appearance would be for site
9 plan approval?

10 MR. HINES: Site plan approval
11 and ARB. The City of Newburgh is
12 very quick at getting me those back
13 once I send them to them.

14 CHAIRMAN EWASUTYN: All right.
15 So allowing for the agenda that we
16 have before us coming up on the 21st,
17 will you be prepared by the meeting
18 of the 5th of May?

19 MR. McCORMACK: Yes.

20 CHAIRMAN EWASUTYN: Is everyone
21 in agreement with that?

22 MR. GALLI: Yes.

23 MS. DeLUCA: Yes.

24 MR. MENNERICH: Yes.

25 CHAIRMAN EWASUTYN: Yes.

1 N O R T H E A S T B U S I N E S S C E N T E R

2 MR. BROWNE: Yes.

3 MR. DOMINICK: Yes.

4 MR. WARD: Yes.

5 CHAIRMAN EWASUTYN: Dominic?

6 MR. CORDISCO: Certainly.

7 CHAIRMAN EWASUTYN: Let the
8 record show that Northeast Business
9 Center site plan and ARB will be on
10 the agenda for the 5th of May 2022.

11 MR. McCORMACK: Thank you.

12

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

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N O R T H E A S T B U S I N E S S C E N T E R

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 15th day of April 2022.

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

PATTON RIDGE SUBDIVISION
(2012-18)

Patton Road & NYS Route 52
Section 47; Block 1; Lot 44
R-2 Zone

----- X

AMENDED SITE PLAN

Date: April 7, 2022
Time: 7:32 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: KIRK ROTHER

----- X

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

1 PATTON RIDGE SUBDIVISION

2 CHAIRMAN EWASUTYN: Our fifth
3 item of business this evening is the
4 Patton Ridge Subdivision. It's an
5 amended -- it's a subdivision.
6 Correct, Pat?

7 MR. HINES: Yes.

8 CHAIRMAN EWASUTYN: It's not an
9 amended site plan.

10 MR. HINES: It is not.

11 CHAIRMAN EWASUTYN: It's a
12 15-lot subdivision located on Patton
13 Road in an R-2 Zone. It's being
14 represented by Kirk Rother.

15 MR. ROTHER: Good evening,
16 Mr. Chairman, Board Members. Like
17 Mr. Pitingaro before me, I, too, am
18 working on a project that's been
19 around since 2005. This went through
20 a zone change and preliminary
21 approval with your Board. After
22 that, we went to get agency
23 approvals. Since our appearance
24 before your Board and the preliminary
25 approval which was granted in 2013,

1 PATTON RIDGE SUBDIVISION

2 the Town Board has granted
3 out-of-district sewer user status,
4 DEC sewer main extensions have been
5 secured, the sewer use agreement is
6 drafted, it just needs to be executed
7 and the fee associated with it needs
8 to be paid.

9 This proposes water main
10 extensions through our site as well
11 as a connection with the water main
12 at Route 52 to the existing water
13 main that ends at the top of the hill
14 here on Patton Ridge. Those
15 approvals are in place as well from
16 the Health Department.

17 This also would need a typical
18 realty subdivision approval from the
19 Health Department which we have now
20 as well.

21 The Town Board has created a
22 drainage district. I know that was
23 one of Pat's comments. I have that
24 resolution in my file. I'll
25 certainly get it to the Board.

1 P A T T O N R I D G E S U B D I V I S I O N

2 As far as the plan itself from
3 when we were here in 2013 and the
4 Board granted an approval, the lots,
5 the cul-de-sacs are identical.
6 Nothing changed. The only changes
7 that I can recall over that
8 protracted period of time was some
9 sewer laterals were revised per DEC
10 comment and the water profile on
11 Patton Road changed a little bit so
12 the existing hydrant here would be at
13 the high point. So that's really it.

14 We're here finally to initiate
15 the process of final subdivision
16 approval.

17 CHAIRMAN EWASUTYN: Jim Campbell,
18 Code Compliance, do you have any
19 questions, comments?

20 MR. CAMPBELL: No, I do not.

21 CHAIRMAN EWASUTYN: We'll start
22 the process of Board Members with
23 John Ward.

24 MR. WARD: I remember going
25 back to the first time, the drainage

1 PATTON RIDGE SUBDIVISION

2 going down to 52 was a big concern.

3 MR. ROTHER: So all of our
4 drainage in the subdivision now, it's
5 picked up on this side, it's piped to
6 the -- it's picked up on the north
7 side. It's piped to the south side
8 into this pretty large stormwater
9 management pond. There's actually a
10 36-inch culvert right here in the
11 corner. There's a drainage easement
12 along this property line that
13 benefits the development behind us.
14 So all of our runoff is now going
15 directly to that 36-inch culvert.

16 MR. WARD: Thank you.

17 MR. DOMINICK: Nothing further.

18 CHAIRMAN EWASUTYN: Cliff Browne?

19 MR. BROWNE: Nothing.

20 CHAIRMAN EWASUTYN: No comment.

21 MR. MENNERICH: On the easement
22 to the 36-inch pipe, do you have
23 rights to use that easement?

24 MR. ROTHER: I notice that's a
25 comment of Pat's. I need to have a

1 P A T T O N R I D G E S U B D I V I S I O N

2 surveyor look into that. I don't see
3 why we don't. I believe it's an
4 easement to the benefit of the Town.

5 MR. HINES: I just don't have
6 information on that.

7 MR. ROTHER: I'll have to look
8 into it.

9 MR. MENNERICH: Thank you.

10 MS. DeLUCA: Nothing. No
11 questions.

12 CHAIRMAN EWASUTYN: Frank
13 Galli?

14 MR. GALLI: Just the road
15 names. Do you have the road names?

16 MR. ROTHER: No. They're in
17 the works. I asked my client for
18 them. His first round weren't very
19 creative.

20 MR. HINES: A and B?

21 MR. ROTHER: Bernie Court and
22 something else.

23 Pat, one of your comments was
24 regarding grading on this adjoining
25 lot.

1 PATTON RIDGE SUBDIVISION

2 MR. HINES: Yes.

3 MR. ROTHER: Mr. Mennerich, you
4 have some relation to this?

5 MR. MENNERICH: That's my nephew's.

6 MR. ROTHER: Is it still the
7 same folks that are there?

8 MR. MENNERICH: Yes.

9 MR. ROTHER: They still live there?

10 MR. MENNERICH: Yes.

11 MR. ROTHER: So if the Board
12 recalls and if I remember, he had
13 like a ponding issue in his backyard.
14 He actually asked us to knock that
15 berm down so it would drain. If he's
16 still the same landowner, we're still
17 proposing to do it. I guess we just
18 need to see how we formalize that.

19 MR. HINES: I didn't recall
20 that history, so that helps.

21 MR. ROTHER: I had to think
22 about it a little bit myself.

23 MR. MENNERICH: The terrain is
24 actually such that you can knock that
25 down enough so that it's not ponding

1 P A T T O N R I D G E S U B D I V I S I O N

2 there?

3 MR. ROTHER: Yeah. We actually
4 show it on the grading plan.

5 MR. MENNERICH: Okay.

6 MR. ROTHER: I believe he asked
7 us to do that at either the public
8 hearing or when we met out there. I
9 don't remember.

10 MR. HINES: It would probably
11 be cleaner as a condition to get some
12 form of approval from that landowner.
13 I believe there's some work on that
14 property.

15 MR. ROTHER: It definitely involves
16 entering onto that property, yeah.

17 MR. CORDISCO: It could be in
18 the form of a license. It would just
19 be a temporary potential disturbance.
20 That along with the other easement
21 should be confirmed.

22 MR. ROTHER: Okay.

23 MR. CORDISCO: My
24 recommendation would be that that
25 would be confirmed as a condition of

1 P A T T O N R I D G E S U B D I V I S I O N

2 the approval.

3 CHAIRMAN EWASUTYN: Okay. Can
4 you talk now on the condition of
5 approval for the 15-lot subdivision
6 known as Patton Ridge?

7 MR. ROTHER: Mr. Chairman, just
8 to -- it's 16 lots. It's actually 16
9 lots and then a stormwater management
10 parcel.

11 CHAIRMAN EWASUTYN: I stand
12 corrected. Thank you.

13 MR. CORDISCO: The Board had
14 previously granted preliminary
15 approval for this project. Those
16 conditions would be carried forward
17 in addition to the ones that were
18 discussed tonight regarding the
19 drainage district formation for the
20 drainage lot. Also, the homes are
21 shown to the edges of the building
22 envelopes, and so as a result there
23 should be a field stakeout on the
24 plat plan submitted when building
25 permits are sought for those

1 P A T T O N R I D G E S U B D I V I S I O N

2 individual lots.

3 Would that be a note that
4 should be added to the plan as well
5 so that the subdivision plat makes it
6 clear?

7 MR. HINES: Yes. That should
8 appear on the subdivision plat.

9 MR. ROTHER: The note is
10 actually already on there. It's note
11 15.

12 MR. CORDISCO: Thank you. The
13 snow storage areas should also be
14 shown as easements. The street trees
15 need to be relocated out of the
16 right-of-way. The road deeds need to
17 be approved. Rec fees need to be
18 paid. The ARB review is deferred to
19 the Building Department at the time
20 of building permits being sought.

21 MR. HINES: Maybe if we could
22 just refer to my comments. There are
23 a couple of other things there.

24 MR. CORDISCO: Okay. Sure.

25 MR. HINES: There are some rain

1 P A T T O N R I D G E S U B D I V I S I O N

2 gardens that have been shown to
3 upgrade the plans to comply with
4 existing stormwater. We have that on
5 the Zazon subdivision right now and
6 it's causing some issues with the
7 drainage district and who is going to
8 operate and maintain those. That's
9 the intent of my comment 13, is that
10 we have something in the deeds for
11 those lots, that those must be there
12 and remain and be maintained by the
13 homeowners.

14 MR. CORDISCO: I do include a
15 catchall that says that your comments
16 have to be addressed.

17 MR. HINES: That's fine.

18 MR. WARD: Pat, you mentioned
19 staking out the locations?

20 MR. HINES: Yeah. I have that
21 as a note. I was just advised that
22 it's note 15.

23 MR. WARD: I just want to make
24 sure.

25 MR. HINES: Mr. Rother just

1 P A T T O N R I D G E S U B D I V I S I O N

2 pointed that out. We'll check that.
3 If it's there, that's fine.

4 MR. ROTHER: Would you like me
5 to read it, Pat?

6 MR. HINES: We'll check it as
7 it goes.

8 MR. ROTHER: Okay.

9 CHAIRMAN EWASUTYN: Any
10 additional questions or comments from
11 Planning Board Members?

12 MS. DeLUCA: No.

13 MR. MENNERICH: No.

14 CHAIRMAN EWASUTYN: All right.
15 Having heard from Pat Hines with
16 McGoey, Hauser & Edsall and Planning
17 Board Attorney, Dominic Cordisco, as
18 far as the conditions of approval for
19 the 16-lot Patton Ridge Subdivision,
20 would someone then move for a motion
21 to grant that approval?

22 MR. GALLI: So moved.

23 MR. WARD: Second.

24 CHAIRMAN EWASUTYN: I have a
25 motion by Frank Galli. I have a

1 P A T T O N R I D G E S U B D I V I S I O N

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

5 MR. WARD: Aye.

6 MR. DOMINICK: Aye.

7 MR. BROWNE: Aye.

8 CHAIRMAN EWASUTYN: Aye.

9 MR. MENNERICH: Aye.

10 MS. DeLUCA: Aye.

11 MR. GALLI: Aye.

12 CHAIRMAN EWASUTYN: Motion
13 carried.

14 MR. ROTHER: Thank you very
15 much.

16

17 (Time noted: 7:41 p.m.)

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PATTON RIDGE SUBDIVISION

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 15th day of April 2022.

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

RIVIAN - NEWBURGH, NY
(2021-35)

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

- - - - - X

AMENDED SITE PLAN

Date: April 7, 2022
Time: 7:41 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ANKUR DOSHI

- - - - - X

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

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

2 CHAIRMAN EWASUTYN: Our sixth
3 item of business this evening is
4 Rivian - Newburgh, New York. It's an
5 amended site plan located in an IB
6 Zone. It's being represented by
7 Rivian Automotive.

8 MR. DOSHI: Good evening,
9 Chairman and Board.

10 CHAIRMAN EWASUTYN: Please. So
11 Pat, why don't you update us --

12 MR. HINES: Sure.

13 CHAIRMAN EWASUTYN: -- on the
14 project.

15 MR. HINES: The project
16 proposes six electrical vehicle
17 charging stations to be located to
18 the rear of the Shoppes at Newburgh,
19 Cosimo's facility.

20 We asked the applicant to provide
21 a parking calculation showing that
22 those six spots and the Tesla parking
23 spots being dedicated to those
24 proprietary vehicles still provided
25 enough parking on the site, and

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

2 that's been done. There is adequate
3 parking even without those spaces.

4 The applicants have sent the
5 adjoiners' notice out.

6 We circulated to the Orange
7 County Planning Department. I don't
8 believe we've heard back, but that
9 would be timed out at this point.

10 The project is of a scale that
11 I don't believe landscape bonding
12 should be required. The efforts to
13 bond and secure that landscaping
14 would far exceed the amount of
15 landscaping that's there and any
16 efforts to plant that. That would be
17 just a condition of the closeout of
18 their building permit, that that
19 landscaping be confirmed.

20 We do not have any other
21 outstanding comments. We would
22 recommend approval.

23 CHAIRMAN EWASUTYN: Final comments
24 from Planning Board Members?

25 MR. GALLI: No additional.

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

2 MS. DeLUCA: No.

3 MR. MENNERICH: None.

4 CHAIRMAN EWASUTYN: None.

5 MR. BROWNE: Nothing.

6 MR. DOMINICK: No.

7 MR. WARD: No.

8 CHAIRMAN EWASUTYN: Jim Campbell,
9 Code Compliance?

10 MR. CAMPBELL: No additional
11 comments.

12 CHAIRMAN EWASUTYN: Dominic
13 Cordisco, Planning Board Attorney,
14 can you give us conditions of
15 approval for the Rivian - Newburgh
16 location?

17 MR. CORDISCO: Thank you,
18 Mr. Chairman. There would be no
19 specific conditions of this approval
20 since there would be no landscaping
21 security required. It is the
22 standard conditions, that they would
23 have to address any comments that the
24 engineer may have and payment of
25 fees. The matter is not subject to

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

2 SEQRA. The County Planning
3 Department has timed out. The action
4 before the Board tonight would be
5 consideration of approval for an
6 amended site plan for this particular
7 project.

8 CHAIRMAN EWASUTYN: Having
9 heard from Planning Board Attorney,
10 Dominic Cordisco, he's recommending
11 that we move forward with approval
12 for the amended site plan. Would
13 someone make that motion?

14 MR. DOMINICK: I'll make a
15 motion.

16 MR. MENNERICH: Second.

17 CHAIRMAN EWASUTYN: I have a
18 motion by Dave Dominick. I have a
19 second by Ken Mennerich. Can I have
20 a roll call vote starting with John Ward.

21 MR. WARD: Aye.

22 MR. DOMINICK: Aye.

23 MR. BROWNE: Aye.

24 CHAIRMAN EWASUTYN: Aye.

25 MR. MENNERICH: Aye.

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

2 MS. DeLUCA: Aye.

3 MR. GALLI: Aye.

4 CHAIRMAN EWASUTYN: Sorry to
5 make you come this far.

6 MR. DOSHI: I appreciate the
7 approval. Thank you.

8 (Time noted: 7:46 p.m.)

9

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

11

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

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

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

22 IN WITNESS WHEREOF, I have hereunto
23 set my hand this 15th day of April 2022.

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

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

GOLD'S GYM
(2022-07)

15 Racquet Road
Section 85; Block 1; Lot 26.21
IB Zone

----- X

AMENDED SITE PLAN

Date: April 7, 2022
Time: 7:48 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JAY DIESING

----- X

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

1 GOLD'S GYM

2 CHAIRMAN EWASUTYN: Our seventh
3 item of business this evening is
4 Gold's Gym. It's an initial
5 appearance for an amended site plan.
6 It's located on 15 Racquet Road in an
7 IB Zone. It's being represented by
8 Mauri Architects.

9 MR. DIESING: Good evening.
10 I'm Jay Diesing with Mauri
11 Architects. I just have a small
12 project to discuss with you tonight
13 for Gold's Gym.

14 As you know, Gold's Gym is 15
15 Racquet Road. It's about a 7-acre
16 parcel in the Interchange Business
17 Zoning District. Gold's is proposing
18 to add a small chiropractic suite on
19 the first floor of the building. A
20 chiropractic office is permitted in
21 the IB Zoning District. Technically
22 it is a change of use for a portion
23 of the building so it's under your
24 purview to review and hopefully
25 approve it.

1 GOLD'S GYM

2 It's about 837 square feet
3 that's going to be located right
4 adjacent to the main entrance or the
5 lobby of the building.

6 There are no site improvements
7 being proposed as part of this
8 project. It's really just the
9 interior renovation of the building.

10 Having said that, our bulk
11 requirements or our bulk regulations
12 in the IB District that are pending
13 are all in compliance. Our parking
14 is in compliance with the code. As I
15 said, there were no site changes.

16 The only thing on the exterior
17 of the building that we would be
18 doing is adding a small sign. So
19 right to the right of the entrance is
20 an 18 square foot sign for the
21 chiropractic office that would be
22 added. We have a tabulation on the
23 plan showing that with the addition
24 of that signage we're still under the
25 maximum amount of signage that's

1 GOLD'S GYM

2 permitted for this building.

3 That's basically a summary. I
4 look forward to any questions you may
5 have.

6 CHAIRMAN EWASUTYN: Frank
7 Galli?

8 MR. GALLI: No additional.

9 CHAIRMAN EWASUTYN: Stephanie DeLuca?

10 MS. DeLUCA: I was just curious
11 about your hours of operation?

12 MR. DIESING: It will be the
13 same hours as the gym.

14 MS. DeLUCA: The same hours as
15 the gym?

16 MR. DIESING: Yes.

17 MS. DeLUCA: 5:30 in the morning?

18 MR. DIESING: Well, probably
19 not that early. I honestly don't
20 know. It wouldn't be open any
21 different hours from the gym. It may
22 be closed while the gym is open that
23 early.

24 MS. DeLUCA: Got you.

25 MR. DIESING: Good question.

1 G O L D ' S G Y M

2 CHAIRMAN EWASUTYN: Just a
3 matter of record, how many employees
4 associated with the new location?

5 MR. DIESING: There would be a
6 receptionist and then there's two
7 chiropractic bed areas. So, you
8 know, there would probably be two,
9 three, four employees at a time.

10 CHAIRMAN EWASUTYN: And are
11 there other services being provided
12 besides that of a chiropractor?

13 MR. DIESING: Not that I'm
14 aware of.

15 CHAIRMAN EWASUTYN: Thank you.
16 That's all my questions.

17 Cliff Browne?

18 MR. BROWNE: Nothing.

19 MR. DOMINICK: You mentioned
20 just the one sign, the square foot
21 sign on the exterior of the building.
22 Anything on 17K under their main
23 parent sign?

24 MR. DIESING: On the pylon?

25 MR. DOMINICK: Yes.

1 GOLD'S GYM

2 MR. DIESING: It's my understanding
3 that they're pursuing or they're
4 considering an upgrade to that sign.
5 They may be back to the Town to do
6 that. Nothing as part of this
7 application. It may be added as part
8 of that whole sign redo when that
9 happens, but not right now.

10 MR. DOMINICK: Thank you.

11 MR. DIESING: Sure.

12 CHAIRMAN EWASUTYN: John Ward?

13 MR. WARD: No comments.

14 CHAIRMAN EWASUTYN: Jim Campbell,
15 for the record, how was this referred
16 to the Planning Board?

17 MR. CAMPBELL: Basically as Jay
18 said, it's an allowed use but it's a
19 change of use for this facility. It
20 does need an amended site plan.

21 CHAIRMAN EWASUTYN: Pat, the
22 next steps associated with this?

23 MR. HINES: So I did check.
24 The project is further than 500 feet
25 from Route 17K so there's no County

1 GOLD'S GYM

2 Planning referral required. However,
3 the Town Code requires any project
4 which appears before this Board to
5 send out notifications within ten
6 days of this meeting to the adjoining
7 landowner. We need to comply with
8 that notification. It doesn't
9 provide anything other than a notice
10 that the project is before you.

11 Then the Board should consider
12 whether or not a public hearing would
13 be held for this project, noting that
14 all the improvements are within an
15 existing structure.

16 CHAIRMAN EWASUTYN: If in due
17 diligence you receive -- you send out
18 the adjoining property notices, when
19 would be the most reasonable time to
20 reschedule this for an agenda item,
21 subject to the fact we still have to
22 talk about a public hearing?

23 MR. HINES: I would think the
24 May 5th one. I depend on the other
25 offices in the Town to provide the

1 GOLD'S GYM

2 mailing lists and such. I can't
3 speak for them. I don't want to
4 schedule it too early so that we can
5 get them out and have the ten days.

6 CHAIRMAN EWASUTYN: That's
7 reasonable.

8 Dominic Cordisco, Planning
9 Board Attorney, do you have anything
10 to add?

11 MR. CORDISCO: Nothing further
12 at this time.

13 CHAIRMAN EWASUTYN: I'll poll
14 the Board Members to see if they want
15 to have a public hearing. John Ward?

16 MR. WARD: No.

17 CHAIRMAN EWASUTYN: Dave Dominick?

18 MR. DOMINICK: No.

19 MR. BROWNE: No.

20 MR. MENNERICH: No.

21 MS. DeLUCA: No.

22 MR. GALLI: It would just be an
23 interior change of the building.
24 Nothing on the outside. It's not
25 going to change anything. I don't

1 G O L D ' S G Y M

2 think we need a public hearing on it.

3 CHAIRMAN EWASUTYN: Ken Mennerich
4 just mentioned that they are
5 advertising massages. Is that within
6 the same part of the building?

7 MR. DIESING: I'm not aware of
8 that. I can find out. When we meet
9 on the 5th, I can report back to you
10 on that.

11 CHAIRMAN EWASUTYN: Maybe for
12 the record we should have a list of
13 -- just for the record, as to all the
14 activities that are being proposed if
15 there is something other than the
16 chiropractor's office.

17 MR. DIESING: Okay.

18 CHAIRMAN EWASUTYN: Thank you.
19 Let the record show that the Planning
20 Board, on the discussion of site plan
21 review, can waive the public hearing.
22 The majority of the Board was in
23 favor of the public hearing and we
24 will schedule this application for
25 the meeting of the 5th of May.

1 G O L D ' S G Y M

2 MR. MENNERICH: We voted
3 against the public hearing.

4 CHAIRMAN EWASUTYN: Right.
5 Isn't that what I said? I apologize.
6 Let the record show that the Planning
7 Board, on the discussion of site plan
8 approval, waived the public hearing
9 -- I thought I said that, but thank
10 you for correcting me -- for Gold's Gym.

11 MR. DIESING: Thanks everyone.

12 MR. HINES: Jay, I'll work with
13 you on that mailing.

14 MR. DIESING: Very good. Thank
15 you.

16
17 (Time noted: 7:55 p.m.)

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G O L D ' S G Y M

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of April 2022.

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

HEALTH FIRST
(2022-08)

52 Route 17K
Section 97; Block 2; Lot 7.22
IB Zone

----- X

SITE PLAN

Date: April 7, 2022
Time: 7:56 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JOE BASTONE &
RODNEY HYATT

----- X

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

1 HEALTH FIRST

2 CHAIRMAN EWASUTYN: Our last
3 item of business, item 8, is Health
4 First. It's an initial appearance
5 for a site plan. It's located on
6 Route 17K in an IB Zone. It's being
7 represented by TPG Architects.
8 Gentlemen.

9 MR. BASTONE: Good evening,
10 Mr. Chairman and the Board. My name
11 is Joseph Bastone and I'm with
12 Metropolis Group. We are code and
13 zoning municipal consultants. With
14 me as well is Rodney Hyatt who is an
15 AVP with Health First. He's actually
16 with the administrative entity that administers
17 the Health First health insurance
18 coverage.

19 We are proposing a new
20 location in the Crossroads Plaza. It
21 is a change of use. It is currently
22 -- it used to be the old Radio Shack
23 site. That was the mercantile use.
24 Based on a flag at the Building
25 Department, we're here asking for a

1 HEALTH FIRST

2 use change to a B, Business,
3 occupancy for the purposes of this
4 site.

5 Health First has been a
6 healthcare provider to the
7 underserved for over twenty-five
8 years. They have locations in Long
9 Island, Westchester, Sullivan and
10 Rockland counties. They see a need
11 here to serve the community with
12 healthcare coverages for this
13 community in conjunction with Hudson
14 Valley Hospital.

15 We're happy to answer any
16 questions about operations and any
17 concerns with how we will be doing
18 business here in the community.

19 It is a use change as required
20 and we respectfully request approval.

21 This client has been paying rent
22 on this site pre-pandemic and has
23 gone through an extensive financial
24 cost to maintain this site because of
25 the need for health coverage in this

1 HEALTH FIRST

2 community. We're respectfully
3 requesting consideration for approval
4 so that it can be submitted to Orange
5 County for approval and then we can
6 make our application with the
7 Building Department so that we can
8 start construction, build this
9 beautiful site and then serve the
10 community the way that it's
11 designated to.

12 CHAIRMAN EWASUTYN: Do you
13 gentlemen have business cards for the
14 stenographer?

15 MR. BASTONE: Yes.

16 CHAIRMAN EWASUTYN: Would you
17 take a moment before we turn it over
18 to the Planning Board Members.

19 MR. BASTONE: Sure.

20 CHAIRMAN EWASUTYN: First we'll
21 turn it over to Jim Campbell, Code
22 Compliance. This was referred to the
23 Planning Board?

24 MR. CAMPBELL: Yes. Just like
25 the last application, it is an

1 HEALTH FIRST

2 allowed use in the zone. It's a
3 change of use for this facility,
4 therefore they need a site plan.

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

8 MR. WARD: No comments.

9 CHAIRMAN EWASUTYN: Okay. Dave
10 Dominick?

11 MR. DOMINICK: Pre-pandemic,
12 whoa. Tell us about employees, hours
13 of operation. Just walk us through
14 some of that business model.

15 MR. HYATT: Sure. So my name
16 is Rodney Hyatt. I'm the assistant
17 vice president of facilities for HF
18 Management Services. We're the
19 administration company. Health First
20 is the largest not-for-profit health
21 insurance provider in New York State.

22 So this location will have
23 approximately eight employees. We
24 chose the site because it's on the
25 bus route. The primary coverage that

1 HEALTH FIRST

2 we sell the most and we serve the
3 most is for people on Medicaid. A
4 lot of those people don't have cars
5 and being on the bus route was
6 critical for us. That was one of the
7 driving reasons for this particular
8 location. The bus actually stops
9 right in front of our location. So
10 they'll come off the bus right there
11 in front of our location.

12 So help me. What else do you
13 want me to answer?

14 MR. DOMINICK: Hours of operation.

15 MR. HYATT: Okay. So it should
16 be six to seven days a week between 9
17 to 5 or 9 to 6 Monday through Sunday.

18 MR. DOMINICK: Do you have any
19 other employees that had territories
20 outside of this area that will work
21 in this facility?

22 MR. HYATT: So we do have field
23 sales reps, because we're not allowed
24 to solicit directly to the seniors.
25 They have to request us to tell them

1 HEALTH FIRST

2 about the product. We can't just go
3 cold call. So everything is client
4 driven. People can walk into our
5 store and have a right-on-the-spot,
6 walk-in appointment. We don't
7 market -- we market the product to
8 the market but they have to request
9 information for us to make contact
10 and make the sales pitch to them.

11 So we have approximately
12 twenty-five reps already working here
13 in Orange County. It's all by
14 appointment. They will go to the
15 people's homes to meet with them or
16 they'll meet in a public place, like
17 a Starbucks, if the customer doesn't
18 want us coming to their house. But
19 most of the business -- it's really
20 half and half between going to the
21 homes, because a lot of these
22 members, they have serious health
23 conditions and they can't get out of
24 their house.

25 Once a year, as many of you

1 HEALTH FIRST

2 probably know, Medicare, there's an
3 enrollment season where they can
4 change plans once a year. We're
5 really driving to complete this
6 construction and build and open for
7 September, because this year's
8 Medicare enrollment season starts in
9 the beginning of October and goes
10 through January. That's the prime
11 time of the year that people are
12 trying to switch plans.

13 Our competitors in the area are
14 MVP Health, Affinity Health which is
15 2.5 miles away from us. Affinity
16 Health is in Fishkill and Emblem is
17 in Poughkeepsie. So we don't have
18 any immediate competition anywhere
19 near us here in Newburgh.

20 MR. DOMINICK: Thank you, Rodney.
21 I appreciate --

22 MR. HYATT: Thank you very
23 much.

24 MR. DOMINICK: -- your detailed
25 explanation very much. Thank you.

1 HEALTH FIRST

2 MR. HYATT: You're welcome.

3 CHAIRMAN EWASUTYN: Cliff Browne?

4 MR. BROWNE: I just kind of
5 figured out through this conversation
6 that you're selling the insurance,
7 you're not providing health services
8 at this location?

9 MR. HYATT: That is correct.
10 We're a health benefit plan provider.

11 CHAIRMAN EWASUTYN: Why two
12 years earlier or a year and-a-half
13 earlier did you not apply for what's
14 before us this evening?

15 MR. HYATT: We signed the lease
16 and a month later the pandemic
17 happened just as we were finishing
18 construction. We were a month away
19 from finishing construction documents
20 and we were in the pandemic at that
21 point. We finished the construction
22 documents in May of 2020 and then
23 everything was suspended because of
24 the pandemic. We couldn't do construction.

25 MR. BASTONE: And that's a

1 HEALTH FIRST

2 great question, Mr. Chairman, because
3 not only did they take that time to
4 finish the design, they actually
5 redid their design to make it a
6 touchless environment that would be
7 very well received for the patrons
8 that come into the store for service
9 providing. So they not only paid the
10 rent, they paid their architect twice
11 --

12 MR. HYATT: We did a redesign.

13 MR. BASTONE: -- to do the
14 first set of drawings, and then they
15 went to a complete touchless
16 environment to be COVID sensitive and
17 making sure that the patrons that
18 come in would feel safe and protected
19 without having a lot of contamination
20 opportunities.

21 MR. HYATT: That's right.

22 CHAIRMAN EWASUTYN: Since
23 you're showing it now on the easel,
24 can you just give us the color for
25 your Health First signage on the

1 HEALTH FIRST

2 outside of the building?

3 MR. BASTONE: It will be a
4 white box sign with black letters and
5 a green leaf. It will be --

6 MR. HYATT: It's actually a
7 stainless steel silver tone on the
8 back. That's a halo lit sign. The
9 light is inside the back of the
10 letters and it reflects onto that
11 silver backing. It's gorgeous,
12 especially at night.

13 CHAIRMAN EWASUTYN: Okay. Ken
14 Mennerich?

15 MR. MENNERICH: Does this type
16 of insurance plan get regulated by
17 New York State?

18 MR. HYATT: Absolutely. So
19 people on Medicaid, they're in a
20 poverty type situation where they
21 can't afford health insurance so the
22 Government and the State provide
23 Medicaid health insurance. They pay
24 the premium to companies like us and
25 MVP and Emblem to provide the plan.

1 HEALTH FIRST

2 They don't administer and provide the
3 health insurance, they just pay for
4 it. So the tax money comes to
5 companies like us and we provide the
6 plan. The member can choose whose
7 plan they want to be in, but they're
8 basically all the same. There's very
9 little difference between our plan
10 and MVP or Affinity. It's really a
11 cookie cutter type of plan.

12 MR. MENNERICH: And then
13 they're served through Health First?
14 It's not that they go to all the
15 different doctors and hospitals?

16 MR. HYATT: So as I stated, we
17 are the largest not-for-profit
18 hospital sponsored program. We are
19 leaders in this type of program which
20 is actually catching on nationally.
21 It's kind of like an HMO. It's a
22 hospital management organization
23 where these hospitals like -- Hudson
24 Valley and Northwell are partners of
25 ours so they are in our network. If

1 HEALTH FIRST

2 you go to our network partners, your
3 coverage is stronger. If you go to a
4 non-partner, you might have an out of
5 pocket, but that's how it works. We
6 are administering the health plan.
7 The hospitals and doctors provide the care.

8 MR. MENNERICH: Okay.

9 MR. HYATT: Does that answer
10 your question?

11 MR. MENNERICH: Yes, it does.
12 Thank you.

13 CHAIRMAN EWASUTYN: Stephanie
14 DeLuca?

15 MS. DeLUCA: No. It's been
16 pretty thorough. Thank you.

17 MR. HYATT: Thank you.

18 MR. GALLI: Not-for-profit, how
19 did you afford the rent?

20 MR. HINES: That's where their
21 profit went.

22 MR. HYATT: The lease is
23 actually paid for by the administration
24 company, HF Management Services. We
25 are the leaseholder.

1 HEALTH FIRST

2 MR. GALLI: Does the bus run
3 there on Sunday?

4 MR. HYATT: I don't know.

5 MR. GALLI: I don't know if it
6 runs on Sundays. This gentleman is
7 shaking his head. He would know.

8 UNIDENTIFIED SPEAKER: No, it
9 does not.

10 MR. GALLI: So you might not be
11 open Sundays. Or you might be.

12 MR. HYATT: We do offer other
13 products, like Medicare Advantage.
14 Medicare Advantage is people that
15 have reached the age to qualify for
16 Medicare yet they have financial
17 conditions that they want better
18 coverage than Medicare so they say
19 hey, Government, I paid my Medicare
20 taxes, you owe me coverage, but I
21 want something better so I'm going to
22 this private plan called Medicare
23 Advantage which gives me the best
24 doctors and all of the things that
25 somebody that can afford it would

1 HEALTH FIRST

2 want in their coverage. The
3 Government subsidizes that. So that
4 money you paid out to the Government
5 is actually going towards that
6 product and the member pays the
7 difference. They end up with this
8 Medicare Advantage, which is what I
9 call the Rolls Royce of senior
10 healthcare coverage.

11 MR. GALLI: Well, if you look
12 at this table, I think a few of us
13 would know quite a bit about it.

14 MR. DOMINICK: John mentioned
15 location. How many structures or
16 buildings do you have total?

17 MR. HYATT: We have thirty in
18 the New York City/Metro area
19 including Yonkers. This is our first
20 venture into building a site. This
21 will be our flagship for Orange
22 County.

23 I actually have a little sales
24 pitch here that I can read to you.
25 Do you mind if I read it? It will be

1 HEALTH FIRST

2 a minute.

3 MR. WARD: You went this far.
4 Go.

5 MR. HYATT: All right. So
6 Health First is New York's largest
7 not-for-profit health insurer. We
8 are offering high quality,
9 affordable plans to fit every life
10 stage including Medicaid plans,
11 Medicare Advantage plans, long-term
12 care plans, qualified health plans
13 and individual and small group plans.
14 We proudly serve members in New York
15 City and on Long Island as well as in
16 Westchester, Rockland, Sullivan and
17 Orange County. In August of 2019
18 Health First expanded its region to
19 the Hudson Valley. An important part
20 of our growth strategy is an
21 opportunity to bring our local
22 approach and access to high quality,
23 affordable healthcare to more
24 residents of Orange County. We
25 started offering Medicaid Child

1 HEALTH FIRST

2 Health Plus Essential plan and Health
3 and Recovery plans followed by
4 Medicare in January of 2020 and
5 Complete Care in January of 2021
6 which is another product line.
7 Orange County continues to be our
8 long-term community focus into the
9 Hudson Valley where we now have over
10 26,000 members here in Orange County,
11 making Health First one of the
12 fastest growing plans in the market
13 here today. We plan to continue
14 moving forward thoughtfully and
15 thoroughly so that our expansion
16 efforts meet the needs and wants of
17 our new communities. It is in this
18 light that we seek your approval to
19 establish a local regional retail
20 sales location in Newburgh this year,
21 our first in the Hudson Valley. A
22 Health First office will reinforce
23 our commitment to the community while
24 providing us the market visibility we
25 need to allow us to grow our

1 HEALTH FIRST

2 membership in the region.

3 I'll just add that this
4 location is not just selling. We
5 actually have member services in the
6 location. People can come in and say
7 what's going on with my claim, I lost
8 my ID card. We also provide services
9 to the members that have the
10 coverage.

11 MR. WARD: Thank you.

12 MR. HYATT: And overall as a
13 company we have 1.78 million members
14 in New York.

15 CHAIRMAN EWASUTYN: Congratulations.

16 MR. BASTONE: This is Tom Basset.
17 He's the site director for Health
18 First.

19 CHAIRMAN EWASUTYN: Would you
20 give my best to Muriel?

21 MR. BASTONE: Yes, I will.

22 CHAIRMAN EWASUTYN: I never met
23 her, but I spoke to her I think on a
24 daily basis for the last five years.

25 MR. BASTONE: And may I say

1 HEALTH FIRST

2 that you are a kind soul and you are
3 very patient. You have earned
4 yourself a ton of brownie points
5 because she can be annoying.

6 MR. HYATT: That's in the
7 record now, Joe.

8 MR. BASTONE: That's all right.

9 CHAIRMAN EWASUTYN: She's good.
10 She's driven. God bless her.

11 MR. BASTONE: Well, I have to
12 tell you in all seriousness, we are
13 very passionate about this project.
14 They're a great, great client and
15 they certainly do something so
16 positive. As a son of two elderly
17 parents who are on Medicaid, I can
18 tell you that navigating that for
19 your parents who can't do it for
20 themselves is a tremendous challenge.
21 I personally take this as a
22 commitment to help them in a small
23 way to help someone else who doesn't
24 have the support of a child to help
25 them in their elderly years to find

1 HEALTH FIRST

2 the care that they so desperately
3 need.

4 MR. HYATT: Thank you, Joe.

5 MR. WARD: Thank you.

6 CHAIRMAN EWASUTYN: Pat Hines,
7 the action before us this evening?

8 MR. HINES: So there are two
9 steps in this process. Unlike the
10 previous project, this one is located
11 within 500 feet of the State highway
12 so it requires a County Planning
13 referral, which, with the Board's
14 consent tonight, we will send out.

15 Then the adjoiners' notice is
16 also a step in the process, which I
17 will work with Joe, I guess, on.

18 MR. HYATT: Yes.

19 MR. BASTONE: Yes. Thank you.

20 MR. HINES: So that process is
21 I will prepare an adjoiners' notice,
22 I will work with the assessor's
23 office in getting that mailing list
24 and I will provide the notice and the
25 mailing list to you. Those are put

1 HEALTH FIRST

2 in a first-class, stamped, addressed,
3 sealed envelope and brought to the
4 Personnel Department, Charlene Black.
5 I will provide you with her contact
6 information when I give you the
7 notices. The Town physically mails
8 them so there's no certified mailing
9 fees and such. I'll work with you on
10 that process. The County Planning
11 has thirty days to respond or it
12 times out. The May meeting would be
13 before that, but I think a project of
14 this type I may be able to work with
15 the County to get that response
16 sooner.

17 MR. BASTONE: Thank you.

18 MR. HINES: They're going to
19 love your bus route strategy. That's
20 one of their comments all the time
21 about bus routes. We may be able to
22 get that quicker. If the Board
23 authorizes us to send that out, we
24 can do it as soon as tomorrow.

25 MR. BASTONE: Thank you so

1 HEALTH FIRST

2 much.

3 MR. HYATT: Thank you.

4 CHAIRMAN EWASUTYN: Do we want
5 to speak on dates now of the 5th of
6 May or do we want to wait until we
7 hear -- it would be the 5th of May or
8 the 19th of May. What are you
9 recommending?

10 MR. HINES: I think I can
11 encourage the County to respond.
12 This seems like a relatively minor
13 application with not a lot of
14 impacts.
15 It may have a benefit to the community.

16 CHAIRMAN EWASUTYN: Having
17 heard from Pat Hines of McGoey,
18 Hauser & Edsall, would someone make a
19 motion to reschedule Health First
20 site plan for the 5th of May?

21 MR. DOMINICK: I'll make the
22 motion.

23 MR. WARD: Second.

24 CHAIRMAN EWASUTYN: I have a
25 motion by Dave Dominick. I have a

1 HEALTH FIRST

2 second by John Ward. May I please
3 have a roll call vote.

4 MR. GALLI: Aye.

5 MS. DeLUCA: Aye.

6 MR. MENNERICH: Aye.

7 CHAIRMAN EWASUTYN: Aye.

8 MR. BROWNE: Aye.

9 MR. DOMINICK: Aye.

10 MR. WARD: Aye.

11 CHAIRMAN EWASUTYN: Thank you.

12 MR. BASTONE: Thank you very
13 much.

14 MR. HYATT: Thank you very
15 much.

16 Mr. Chairman, I just want to
17 let you know that on May 5th I will
18 not be available to come to the
19 meeting, but Joe will be here
20 representing us with anyone else
21 that's necessary.

22 CHAIRMAN EWASUTYN: It was a
23 pleasure having you here this
24 evening.

25 MR. HYATT: Thank you so much.

1 HEALTH FIRST

2 I look forward to serving this
3 community.

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5 (Time noted: 8:12 p.m.)

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1 HEALTH FIRST

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

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

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

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

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 15th day of April 2022.

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Michelle Conero

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MICHELLE CONERO

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

- - - - - X

In the Matter of

LANDS OF ZAZON
(2004-29)

Request for a Six-Month Extension
From April 7, 2022 to October 7, 2022

- - - - - X

BOARD BUSINESS

Date: April 7, 2022
Time: 8:12 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

- - - - - X

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

1 LANDS OF ZAZON

2 CHAIRMAN EWASUTYN: We have two
3 items of Board Business this evening.
4 I'll have Mr. Mennerich read the
5 first one which is the Lands of
6 Zazon, project number 04-29.

7 MR. MENNERICH: The letter is
8 dated March 21st of 2022 to John --
9 Mr. John Ewasutyn, Chairman, Town of
10 Newburgh Planning Board, regarding
11 Lands of Zazon, project 2004-29.
12 "Dear Mr. Ewasutyn, please let this
13 letter serve as our request for a
14 six-month extension, two 90-day
15 extensions of conditional final
16 approval for the above-referenced
17 project. The project received
18 conditional final approval on
19 April 15, 2021 and received an
20 extension at the October 7, 2021
21 Planning Board meeting. We are
22 currently waiting for the offer of
23 road dedication and stormwater
24 maintenance agreements to be
25 finalized. We will coordinate

1 L A N D S O F Z A Z O N

2 submission of maps and mylars for
3 signature in the near future. Thank
4 you for your attention to this
5 matter. Should you have any
6 questions or require anything
7 further, please do not hesitate to
8 contact this office. Very truly
9 yours, Pietrzak & Pfau, PLLC."

10 CHAIRMAN EWASUTYN: Dominic
11 Cordisco, do you have anything to
12 add?

13 MR. CORDISCO: No, sir.

14 CHAIRMAN EWASUTYN: Having
15 heard the request from Pietrzak &
16 Pfau for the Lands of Zazon, would
17 someone move for a motion then to
18 grant that six- month extension until
19 October 7, 2022?

20 MR. GALLI: So moved.

21 MS. DeLUCA: Second.

22 CHAIRMAN EWASUTYN: I have a
23 motion by Frank Galli, a second by
24 Stephanie DeLuca. Can I have a roll
25 call vote starting with John Ward.

1 L A N D S O F Z A Z O N

2 MR. WARD: Aye.

3 MR. DOMINICK: Aye.

4 MR. BROWNE: Aye.

5 CHAIRMAN EWASUTYN: Aye.

6 MR. MENNERICH: Aye.

7 MS. DeLUCA: Aye.

8 MR. GALLI: Aye.

9 (Time noted: 8:14 p.m.)

10

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

12

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

16 That hereinbefore set forth is a true
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22 this matter.

23 IN WITNESS WHEREOF, I have hereunto
24 set my hand this 15th day of April 2022.

25

1 L A N D S O F Z A Z O N

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Michelle Conero

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MICHELLE CONERO

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

----- X
In the Matter of

HAMMOND FIVE-LOT SUBDIVISION
(2020-08)

Request for a Six-Month Extension
From April 7, 2022 to October 7, 2022

----- X

BOARD BUSINESS

Date: April 7, 2022
Time: 8:14 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

----- X

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

1 HAMMOND FIVE-LOT SUBDIVISION

2 CHAIRMAN EWASUTYN: The second
3 request for extension is the Hammond
4 Five-Lot Subdivision. Again
5 Mr. Mennerich will read that.

6 MR. MENNERICH: The letter is
7 dated March 17, 2022 to John
8 Ewasutyn, Chairman, Town of Newburgh
9 Planning Board, regarding Planning
10 Board file project 2020-08, minor
11 residential subdivision for John and
12 Carmen Hammond, Section 1, Block 1,
13 Lot 63.23. "Dear Chairman Ewasutyn and
14 Board Members, I'm writing on behalf
15 of my clients, John and Carmen
16 Hammond, whose final approval for the
17 above-referenced subdivision is
18 scheduled to expire on April 22,
19 2022. Mr. and Mrs. Hammond are
20 currently in the process of selling
21 the premises, but no closing is
22 expected to occur prior to the
23 approval expiration date. For that
24 reason my client is requesting a
25 six-month extension of the approval

1 HAMMOND FIVE-LOT SUBDIVISION

2 through a date agreeable to the Board
3 in October 2022. Kindly acknowledge
4 receipt of this letter and place this
5 matter on the next available Planning
6 Board agenda for discussion and
7 action and advise when scheduled so
8 my clients and I may appear and
9 answer any questions the Board may
10 have in connection with the request.
11 Thank you for your consideration of
12 my clients' request. In the
13 meantime, if you have any questions,
14 please do not hesitate to contact
15 me." It's signed by Todd Kelson.

16 CHAIRMAN EWASUTYN: We did
17 speak to Todd Kelson and we did
18 suggest that we can manage this
19 extension without his being present.

20 Dominic Cordisco, do you have
21 anything to add?

22 MR. CORDISCO: No, sir.

23 CHAIRMAN EWASUTYN: At this
24 point, having heard from Ken Mennerich
25 on the request for an extension on

1 HAMMOND FIVE-LOT SUBDIVISION

2 the Hammond Five-Lot Subdivision
3 through October 7, 2022, would
4 someone please make a motion to grant
5 that?

6 MR. GALLI: So moved.

7 MS. DeLUCA: Second.

8 CHAIRMAN EWASUTYN: I have a
9 motion by Frank Galli, a second by
10 Stephanie DeLuca. May I please have
11 a roll call vote starting with John Ward.

12 MR. WARD: Aye.

13 MR. DOMINICK: Aye.

14 MR. BROWNE: Aye.

15 CHAIRMAN EWASUTYN: Aye.

16 MR. MENNERICH: Aye.

17 MS. DeLUCA: Aye.

18 MR. GALLI: Aye.

19 CHAIRMAN EWASUTYN: And would
20 someone make a motion please to close
21 the Planning Board meeting of the 7th
22 of April 2022?

23 MR. WARD: So moved.

24 MS. DeLUCA: Second.

25 CHAIRMAN EWASUTYN: I have a

1 HAMMOND FIVE-LOT SUBDIVISION

2 motion by John Ward. Who was the
3 second?

4 MS. DeLUCA: Me.

5 CHAIRMAN EWASUTYN: Stephanie
6 DeLuca. Thank you. I'll ask for a
7 roll call vote starting with Frank
8 Galli.

9 MR. GALLI: Aye.

10 MS. DeLUCA: Aye.

11 MR. MENNERICH: Aye.

12 CHAIRMAN EWASUTYN: Aye.

13 MR. BROWNE: Aye.

14 MR. DOMINICK: Aye.

15 MR. WARD: Aye.

16

17 (Time noted: 8:17 p.m.)

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1 HAMMOND FIVE-LOT SUBDIVISION

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

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

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11 I further certify that I am not
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17 set my hand this 15th day of April 2022.

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