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

----- X

In the Matter of

A. DUIE PYLE MAINTENANCE BUILDING  
(2019-09)

1000 Corporate Boulevard  
Section 95; Block 1; Lots 69.1 & 79  
IB Zone

----- X

SITE PLAN

Date: April 18, 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  
STEPHANIE DeLUCA  
KENNETH MENNERICH  
DAVID DOMINICK

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

APPLICANT'S REPRESENTATIVE: MICHAEL FINAN

----- X

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

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A. DUIE PYLE MAINTENANCE BUILDING

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. We'd like to welcome you to the Planning Board meeting of the 18th of April. We have two items on the agenda and one Board Business item.

At this time I'd like to call the meeting to order with a roll call vote.

MR. GALLI: Present.

MS. DeLUCA: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. DOMINICK: Present.

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

MS. CONERO: Michelle Conero, Stenographer.

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

CHAIRMAN EWASUTYN: At this point in the meeting I'd like to turn it over to Mike Donnelly.

MR. DONNELLY: Please stand for the Pledge of Allegiance.

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A. DUIE PYLE MAINTENANCE BUILDING

(Pledge of Allegiance.)

MR. DONNELLY: Would you please silence your cell phones.

CHAIRMAN EWASUTYN: Our first item of business this evening is A. Duie Pyle Maintenance Building. It's a site plan located on 1000 Corporate Boulevard in an IB Zone. It's being represented by Langan Engineering.

MR. FINAN: Good evening, Chairman and Members of the Board. My name is Michael Finan from the firm Langan Engineering. I'm filling in for Chuck Utschig this evening who is on vacation.

As I understand it, he went through the plan last time. Unless the Board wants me to do that again, I won't go through the plan since there haven't been many changes since the last time we presented to you.

We did address, in our opinion, the majority of the comments that were raised by your consulting engineer. There have been additional comments issued to us. We don't have any issues with those comments. We understand them. We had a discussion with

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Mr. Hines this morning, went through those comments, have no problem addressing those. Unless we have further questions, we'll just satisfy those comments through the course of the process.

We're here tonight hoping that the Board will consider setting a public hearing at your next meeting and I think starting the thirty-day review -- sending it to the County for their review.

CHAIRMAN EWASUTYN: Thank you, Michael. Frank, do you have any comments?

MR. GALLI: No.

CHAIRMAN EWASUTYN: Stephanie?

MS. DeLUCA: No.

MR. MENNERICH: No.

MR. BROWNE: Nothing additional.

CHAIRMAN EWASUTYN: Do you plan on having mechanical units on the roofs of any of the buildings?

MR. FINAN: Of the new building? I don't believe so.

Is there going to be any mechanical on the top of this structure?

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I think everything is within the building itself.

CHAIRMAN EWASUTYN: Thanks.  
Pat Hines.

MR. HINES: We have some technical comments, as the applicant's representative said, regarding the water and sewer system that we're looking to have addressed.

One of the major things since the last meeting is the stormwater pollution prevention plan has been updated to include the site as a stormwater hotspot to include the ten percent additional water quality volume. They also, at our request, discussed with their client the addition of some proprietary stormwater products on the existing collection system to provide some water quality treatment. Those were all due to the fact that the project is within the Washington Lake watershed.

I discussed at work session the change to the car wash area that will discharge to the sanitary sewer when the car wash is on.

One of the things is the

1 stormwater facility maintenance agreement  
2 will need to be provided for the entire site,  
3 which we have a boilerplate form that you can  
4 utilize prior to approval.  
5

6 We did circulate for the SEQRA  
7 lead agency. That time clock has not run out  
8 yet but the plans are in appropriate  
9 condition that they could be circulated to  
10 County Planning now that the stormwater  
11 pollution prevention plans have been  
12 updated.

13 In addition, the Planning Board  
14 should discuss whether or not it's going to  
15 hold a public hearing, and, if so, it could  
16 be scheduled.

17 We would recommend a negative  
18 declaration for the project based on the  
19 information submitted to date.

20 MR. DONNELLY: The notice of intent  
21 hasn't --

22 MR. HINES: We can't do that yet. It  
23 hasn't timed out yet.

24 CHAIRMAN EWASUTYN: Pat, we have to  
25 circulate now to the Orange County Planning

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Department. Today's date being the 18th of April, the next Planning Board meeting would be on May 16th which may not fall -- it may fall short. The following meeting would be the 6th of June. What is your recommendation to the Planning Board?

MR. HINES: I guess June 6th because County Planning wouldn't come back in time for the other. The notice of intent was circulated on April 4th, so on June 4th that will be timed out.

Were you able to bring the SWPPP?

MR. FINAN: Yes.

MR. HINES: We could send that out soon. It will be mid May before that thirty-day timeframe lapses as well.

CHAIRMAN EWASUTYN: All right. Michael, it sounds like the earliest date we could schedule a public hearing for then would be the -- I'll move for a motion to set it for the 6th of June.

MR. BROWNE: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: Motion by Cliff

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Browne, second by Dave Dominick. I'll ask for a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

You'll work with Pat Hines' office as far as the mailings and all.

MR. FINAN: Absolutely. Thank you very much.

(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 27th day of April 2019.

  
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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

SERVISS  
(2019-10)

Easterly side of Union Avenue  
Section 34; Block 1; Lot 25.2  
R-2 Zone

----- X

INITIAL APPEARANCE  
THREE-LOT SUBDIVISION

Date: April 18, 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  
STEPHANIE DeLUCA  
KENNETH MENNERICH  
DAVID DOMINICK

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

APPLICANT'S REPRESENTATIVE: JAMES DILLIN

----- X

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CHAIRMAN EWASUTYN: Our second item of business this evening is Serviss. It's an initial appearance for a three-lot subdivision located on the easterly side of Union Avenue in an R-2 Zone. It's being represented by James Dillin.

MR. DILLIN: Good evening. I'm Jim Dillin and I'm representing Harry Serviss.

This property is like 98 acres. He purchased it I believe a year, year-and-a-half ago. I believe he's doing the logging. He has a logging permit. He's been doing the logging on it.

What he'd like to do with this application is subdivide the property into four lots, three residential lots along Union Avenue and the remaining lot just to remain not for residential purposes at this time.

There is quite a big hill on this. I don't know if there's going to be any more residential development on this property anyway. There's kind of a steep mountain up here behind it as you can see by the topography.

We're using just a small area here for

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SERVISS

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three lots. The lots are serviced by -- it has an existing water main along the side of the road. We're in the water district. These lots will be served by the water district. They'll have individual septic systems. This is just the initial presentation. We're working on preliminary testing now to design the septic systems.

We do have the Federal wetlands delineated on here. There is a slight piece that falls on lot number 3. Pat had raised some questions about that but we're going to be addressing that. It's real close. It's actually on the lot.

CHAIRMAN EWASUTYN: Pat Hines, do you want to open the meeting?

MR. HINES: As the applicant's representative said, the designs of the sanitary disposal systems are required.

The highway superintendent's comments for the driveway. At work session we discussed the driveways a little bit. We're looking to see if there's a possibility of combining two of the driveways in order to eliminate the number of

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curb cuts out onto Union Avenue. In addition to that, to show the sight distance at each of the driveways as well as any of the proposed access, the remaining land that could potentially be an access in the future. We want to make sure we're not boxing out or making sure the sight distance is adequate.

Culverts are required at the driveways.

There are standard water system connection details and notes that are required.

We did note that the water line for lot 3 is rather long, so we want the engineer to take a look at the pressure and determine if a larger line should be provided to reduce the friction loss there.

The EAF identified .9 acres of disturbance. We're going to look for a limit of disturbance plan on the grading to confirm that it's less than 1 acre of disturbance.

A roadway dedication parcel is proposed. Information will need to be provided regarding that to the Planning Board Attorney.

The project site is located within 500 feet of the Thruway, so Orange County Planning

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SERVISS

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referral is required. We can't refer that to the County at this point. We would need the septic designs and further details.

We will be preparing the adjoiner's notice which will need to be sent out prior to you coming the next time to the meeting. We'll work with your office on preparing that and getting it mailed out.

MR. DILLIN: Okay.

CHAIRMAN EWASUTYN: Pat, the note not for residential purposes at this time --

MR. HINES: The typical note. We typically require that it also says any use of that parcel will require Planning Board approval. You can't get a building permit on that lot without coming back. There are some additional notes that are required. I can give you a sample that we've used in the past.

CHAIRMAN EWASUTYN: Questions from Board Members. Frank Galli?

MR. GALLI: Nothing additional.

MS. DeLUCA: Not yet.

MR. MENNERICH: On lots 1 and 2, if you change the house location you can have a common

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SERVISS

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driveway coming in for those two lots.

MR. DILLIN: What common driveways are we talking about?

MR. HINES: They're not proposed.

MR. DILLIN: Which ones would you want me to combine?

MR. HINES: I'm going to leave that up to you. We'd rather see two than three. If lot 2 and 3 can share one or lot 1 and 2 can share one.

MR. DILLIN: Are we talking just the throat or are we talking about having easements?

MR. HINES: I'll leave that up to you, if you can work that out. We're looking to reduce the number of curb cuts there.

MR. DONNELLY: If you shared some distance you would still need an easement but it wouldn't require you to reconfigure the lot line. Generally we would like, when you have a shared driveway, a common driveway easement and maintenance agreement so we don't have problems later on with people not -- they come to the Town Hall and say my neighbor won't help pay for the maintenance. We want to make sure it's a private

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issue.

MR. DILLIN: Okay. I understand. I'll look into that.

CHAIRMAN EWASUTYN: You'll work with Pat Hines as far as the notice to the adjoining property owners.

MR. DILLIN: Okay. I would agree with everything that Pat said.

CHAIRMAN EWASUTYN: Thank you.

MR. DOMINICK: John, I have a question.

CHAIRMAN EWASUTYN: Go ahead.

MR. DOMINICK: Pat, we mentioned something in workshop about the case in the future for the Town road.

MR. HINES: That's why I asked for the sight distance at the remaining lands there. There's a strip of land between proposed lot 3's flag lot and the Federal wetlands. If there is future development, it's probably the only frontage I think left on this lot.

MR. DONNELLY: We want to make sure that works.

MR. HINES: We want to see the sight distance there as well.



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MR. DILLIN: I don't know if you can remember, but a year or so ago there was a subdivision right across the street from there that had several driveways. We happen to enjoy very good sight distances on our side because we're on the outside of it. I think it's 35 there. I'm not sure. I know we have almost 500 feet probably.

MR. DONNELLY: Just demonstrate it on the plan, that's all.

MR. DILLIN: I'll put the distances on.

MR. DOMINICK: Good.

MR. GALLI: Is the logging all done? I think the logging is all done.

MR. DILLIN: I don't know if it's done.

MR. HINES: My office has been out there. The actual commercial logging portion of it is done. We did receive one complaint -- the Town received a complaint so I sent some field personnel out there. The logging was performed consistent with the approval. The applicant apparently is removing firewood, the tops and some of the slash that was left on his own as well as some trees that the loggers missed in

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their logging process. I think that permit is closed out in the beginning of June, so that will end anyway by default. There is some activity in there that some of the neighbors thought was logging. We've been out there and looked and didn't find any issues.

CHAIRMAN EWASUTYN: Any additional questions or comments from the Board?

MR. GALLI: This will be set up for a public hearing also in the future?

CHAIRMAN EWASUTYN: It's required for subdivisions.

(Time noted: 7:13 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 27th day of April 2019.

*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

TRINITY SQUARE  
(2006-53)

Request for an Extension of  
Preliminary Site Plan Approval

----- X

BOARD BUSINESS

Date: April 18, 2019  
Time: 7:13 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

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

----- X

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TRINITY SQUARE

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CHAIRMAN EWASUTYN: At this point we have one item of Board Business. I'll ask Mr. Mennerich to read that.

MR. MENNERICH: The letter is from Vincent J. Doce Associates dated April 5, 2019 to John P. Ewasutyn, Planning Board Chairman, Town of Newburgh Planning Board, 308 Gardnertown Road, Newburgh, New York 12550, regarding Anthony Cocchia Junior (Trinity Square site plan), South Plank Road (New York State Route 52), Section 60, Block 2, Lot 4.1, application number 2006-53. Dear Mr. Ewasutyn, at the November 1, 2018 Planning Board meeting the preliminary site plan approval for the Trinity Square project, project 2006-53, was given an extension that expires May 1, 2019. Mr. Cocchia is requesting another six-month extension of this approval. If you have any questions or comments, please feel free to contact our office. Thank you for your time and consideration. Respectfully, Darren C. Doce.

CHAIRMAN EWASUTYN: Comments or questions from the Board?

(No response.)

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CHAIRMAN EWASUTYN: Mike Donnelly, your recommendation?

MR. DONNELLY: As I mentioned at work session, this is a rather old approval. It was granted in July of 2007. By code the site plan approval in it's final form is only good for a period of three years. At the end of that three years you have to surrender the final approval. It was given a preliminary approval which does not have a durational provision. That's been extended consistently since until now.

My recommendation at the work session was that if you grant this extension, you direct the applicant to appear before it expires to explain the reason for the delay and what his future plans are so we don't lose track of what's going on here.

CHAIRMAN EWASUTYN: Is the Board in favor of that?

MR. GALLI: Yes.

MS. DeLUCA: Yes.

MR. MENNERICH: Yes.

MR. BROWNE: Yes.

MR. DOMINICK: Yes.

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TRINITY SQUARE

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CHAIRMAN EWASUTYN: So the motion is to grant a six-month extension for the Cocchia/Trinity Square site plan. That date would be June, July, August, September, October -- November, Pat?

MR. HINES: Yes.

CHAIRMAN EWASUTYN: November, on or about the 1st, 2019 at which point, sometime between then and now, the applicant should come forward to update the Planning Board as to what his intentions are with the property.

I think it's really up for sale. There is a for sale sign on it.

Would someone move for that motion?

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli, second by Stephanie. I'll ask for a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: Aye.

At this point I'll move for a motion to close the Planning Board meeting of the 18th of April 2019.

MR. GALLI: So moved.

MR. DOMINICK: Second.

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

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

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



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*Michelle Conero*

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MICHELLE CONERO