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

- - - - - X  
In the Matter of

UNITY PLACE WAREHOUSE  
(2021-29)

Northwest Corner of Old Little Britain Road  
& Unity Way  
Section 97; Block 2; Lots 14.1 & 19.12  
IB Zone

- - - - - X

Date: April 20, 2023  
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

- - - - - X

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

2                   CHAIRMAN EWASUTYN: Good  
3 evening, ladies and gentlemen. The  
4 Town of Newburgh Planning Board would  
5 like to welcome you to the meeting of  
6 the 20th of April. We have seven  
7 items on the agenda.

8                   After we officially call the  
9 meeting to order, Dominic Cordisco,  
10 our Attorney, has a comment to make.

11                   At this point we will start  
12 with a roll call vote.

13                   MR. GALLI: Present.

14                   MS. DeLUCA: Present.

15                   MR. DOMINICK: Present.

16                   MR. MENNERICH: Present.

17                   CHAIRMAN EWASUTYN: Present.

18                   MR. BROWNE: Present.

19                   MR. WARD: Present.

20                   MR. CORDISCO: Dominic  
21 Cordisco, Planning Board Attorney.

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

24                   MS. CONERO: Michelle Conero,  
25 Stenographer.

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

CHAIRMAN EWASUTYN: At this  
time we'll turn the meeting over to  
Dave Dominick.

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

(Pledge of Allegiance.)

MR. DOMINICK: Please put your  
cellphones on silent or vibrate.  
Thank you.

CHAIRMAN EWASUTYN: At this  
point, Dominic Cordisco, Planning  
Board Attorney, would like to speak  
to the audience.

MR. CORDISCO: Yes. So if  
you're here tonight for the Unity  
Place Warehouse, it was included in  
the agenda as an oversight. That  
matter had last been before the Board  
on March 16th, at which time there  
was a public hearing. That public  
hearing, at that time it was  
announced it would be carried over to

2           the May 20th meeting with the  
3           applicant to submit additional  
4           information to the Town by May 4th.  
5           That submission hasn't occurred, and  
6           it was a clerical oversight that it  
7           was included as part of this agenda.  
8           The applicant is not here tonight and  
9           they will not be speaking, nor would  
10          we be taking public comment on the  
11          Unity Place Warehouse. We apologize  
12          for any inconvenience. It will be on  
13          the May 20th agenda --

14                 MR. HINES: May 18th.

15                 MR. CORDISCO: May 18th. My  
16                 apologies. May 18th. My notes were  
17                 wrong as well. There were two  
18                 errors. My apologies for that.

19                 The Unity Place Warehouse will  
20                 be continued over to the May 18th  
21                 meeting.

22                 CHAIRMAN EWASUTYN: Thank you.

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

24                         (Time resumed: 8:14 p.m.)

25                 CHAIRMAN EWASUTYN: For the

2           record; Dominic Cordisco, can you  
3           mention item number 7, Unity Place?

4                   MR. CORDISCO:  Once again, the  
5           Unity Place Warehouse was included as  
6           a clerical error in connection with  
7           tonight's agenda.  It is not on  
8           tonight's meeting agenda.  It has  
9           been held over to the May 18th  
10          meeting, which was what was announced  
11          at the March 16th meeting.

12                   There have also been no new  
13          submissions for the Unity Place  
14          Warehouse.  If the applicant is to  
15          submit anything for the May 18th  
16          meeting, they were told to do so by  
17          May 4th.  You can check -- if you're  
18          interested, you can check the Town  
19          website thereafter, prior to the May  
20          18th meeting, for any materials.

21                   CHAIRMAN EWASUTYN:  Would  
22          someone make a motion to close the  
23          Planning Board meeting of the 20th of  
24          April?

25                   MR. MENNERICH:  So moved.

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MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Stephanie DeLuca. May I please have a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Motion carried.

(Time noted: 8:16 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 2023.

*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

DIBRIZZI LOT LINE CHANGE  
(2023-04)

13 Anchor Drive  
Section 121; Block 1; Lots 14 & 15  
R-1 Zone

- - - - - X

LOT LINE CHANGE

Date: April 20, 2023  
Time: 7:03 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: ROD MORRISON

- - - - - X

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



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CHAIRMAN EWASUTYN: The first item of business this evening is the DiBrizzi Lot Line Change. It's a lot line change located on 13 Anchor Drive. It's in an R-1 Zone. It's being presented by Kelly Libolt.

MR. MORRISON: Not quite. Good evening, everyone. I'm Rod Morrison, the principal engineer for the LRC Group. I'm a stand-in for Kelly. My firm helped to assemble the map here.

It's a simple lot line adjustment of .23 acres of two lots owned by Mr. DiBrizzi. It doesn't affect compliance with either lot. It simply gives him a little more space on the lot that has his home on it.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance, do you have anything to say?

MR. CAMPBELL: No comments.

CHAIRMAN EWASUTYN: Pat Hines with MHE?

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MR. HINES: Procedurally, the  
adjoiners' notices have been  
submitted to the neighboring  
properties for the notice.

The lot line change is a Type 2  
action under the State Environmental  
Quality Review Act. Lot line changes  
are not subject to a public hearing  
according to the Town of Newburgh's  
code.

We have no outstanding comments  
on this project.

CHAIRMAN EWASUTYN: Any comments  
from Board Members?

MR. GALLI: No additional.

MS. DeLUCA: No.

MR. DOMINICK: No.

MR. MENNERICH: No.

MR. BROWNE: None.

MR. WARD: No.

CHAIRMAN EWASUTYN: At this  
point we'll turn to Dominic Cordisco,  
Planning Board Attorney.

MR. CORDISCO: As Mr. Hines

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mentioned, this is a Type 2 action under SEQRA, so no environmental review is associated with this.

The plans are in proposed final form before the Board. It's a very straightforward project.

There is no public hearing for a lot line change.

If the Board would like to consider approval, there are no special conditions associated with the lot line change other than standard conditions which would be to present a plat with mylars in accordance with the standard conditions, including the fact that all fees be paid.

CHAIRMAN EWASUTYN: Would someone make a motion to approve the DiBrizzi lot line change?

MR. WARD: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward. I have a second

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by Dave Dominick. Can I please have  
a roll call vote starting with Frank  
Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Motion  
approved.

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

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

I, MICHELLE CONERO, a Notary Public  
for and within the State of New York, do  
hereby 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 2023.

*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

GRADOS SUBDIVISION  
(2023-07)

1 Carlile Circle  
Section 66; Block 3; Lot 18  
R-3 Zone

- - - - - X

TWO-LOT SUBDIVISION

Date: April 20, 2023  
Time: 7:08 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: PEDRO MONTES

- - - - - X

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

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CHAIRMAN EWASUTYN: The second item of business this evening is the Grados Subdivision. It's an initial appearance for a two-lot subdivision located on Carlile Circle in an R-3 Zone. It's being represented by Ramsey Land Surveying.

MR. MONTES: My name is Pedro Montes with Ramsey Land Surveying. I can answer any questions.

We're proposing a two-lot subdivision in an R-3 Zoning District.

We received the comments yesterday and we have done a revision of the plans per the advice from the Planning Board.

We have changed and removed the 100-foot buffer on the Federal wetlands, allowing the building to have more room on lot number 2. That's also been changed on the drawings I have in my hand.

Also, we also show the size of

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the culvert under the driveway.

For the rest we're waiting, for example, for the Highway Department, the requirement for approval. We have 500 feet from the highway.

I can answer any questions.

CHAIRMAN EWASUTYN: The purpose of getting the review comments the Wednesday before the meeting is so we can have discussion the night of the meeting. I think your effort is positive as far as addressing them with the new maps, but there's one or two steps before that.

Pat Hines will speak to that now.

MR. MONTES: Sure.

MR. HINES: The project is a two-lot subdivision of an 8.2, plus or minus, acre parcel of property in the R-3 Zone, located at the intersection of Meadow Avenue and Carlile Circle.

The bulk table has a couple



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clean-up items on it, where there's actual numbers instead of percentages.

As the applicant's representative stated, we coordinate with the highway superintendent, so his comments will be needed.

We mentioned the culvert size and the ability to get the 1-foot cover under the culvert that's proposed.

Standard Town water and sewer notes need to be added to the plans, and details for those connections.

I believe we provided you with the standard water and sewer notes. They should have been attached to the comments. If not, I will get them to your office.

The project does require a County Planning referral as the project is located within 500 feet of a State highway. That would be an action the Board could consider tonight.

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The applicant's representative identified our comment regarding the Federal wetlands along the eastern property boundary. There's a 100-foot buffer depicted on the map, but there is no 100-foot buffer required, either by the Federal regulations or our zoning. I think removing that 100 foot will give you some flexibility on that lot.

During work session we also talked about the small size of the building envelop on lot 1. With the possible flexibility on that lot, you may be able to move that rear property line, giving lot 1 a little more room to have possibly a deck. As the Building Department mentioned, there's no ability to put a deck on there right now without a variance.

MR. MONTES: That's true.

MR. HINES: If you want to take a look at that as you move forward.

We have a standard note

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requiring the staking of foundations on small lots like this in order to avoid issues which would land you before the ZBA. That note must be added.

We have a process where after tonight's meeting, your first meeting, for adjoiners' notices. Everyone within 500 feet needs to be notified. I will prepare that notice and get you the addresses, and then we'll work towards getting those mailed out. The Town physically mails them. After you place them in the envelop, stamp and address them, they're delivered here to Town Hall and the Town will mail them. That's a step that has to be done within ten days of tonight's meeting. I'll work with you on that.

That's what we have right now.

I think the Board could consider --

CHAIRMAN EWASUTYN: Questions.

MR. GRADOS: I just wanted to

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mention that the variance of 100 feet and the envelopes, we have them done, sir. I have them in the envelopes.

MR. HINES: You couldn't have that notice done because I do that. I don't know what you put in the envelop.

MR. GRADOS: I didn't put anything in the envelop. I put already -- I have the envelopes ready with the stamps.

MR. HINES: Great. I think I have your e-mail on the application. I'll get you that notice and how to coordinate that with the Personnel Department to get that done.

MR. GRADOS: Yes, sir.

CHAIRMAN EWASUTYN: So then would someone make a motion to circulate this to the Orange County Planning Department and to advise, which you already did, the applicant that the adjoiners' notice needs to be sent out?

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Pat, you'll do a coordination with the Highway Department?

MR. HINES: I will.

MR. GALLI: So moved.

MR. WARD: Second.

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

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. GALLI: Aye.

CHAIRMAN EWASUTYN: You pretty much understood everything?

MR. MONTES: Yes.

CHAIRMAN EWASUTYN: Since you made those maps, you can hand out one to everyone here. Might as well.

MR. HINES: I'll utilize these,

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too, for the submission to the County since they have been revised.

MR. MONTES: Thank you.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of April 2023.

*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

33 OLD LITTLE BRITAIN ROAD KINGDOM HALL  
(2022-31)

33 Old Little Britain Road  
Section 97; Block 3; Lot 13  
R-3 Zone

- - - - - X

SITE PLAN

Date: April 20, 2023  
Time: 7:14 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JOHN MONTAGNE

- - - - - X

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





2 We have actually, since the last  
3 time, looked at our calculations on  
4 that. It's slightly less than we had  
5 before, because we hadn't considered  
6 the trees that were considered dead  
7 and they were allowed to be brought  
8 out. We have even less trees we're  
9 removing at this point. So that's  
10 the tree side.

11 We do acknowledge that we do  
12 have to go before and talk to the  
13 highway superintendent about our curb  
14 cut, the design of that. I will pass  
15 along that one of the things that  
16 we've done is we've looked at the  
17 detailing of that intersection very  
18 carefully now. We have a couple of  
19 drainage structures on either side of  
20 the driveway that we're going to  
21 propose with another pipe that will  
22 allow us to close the -- put a solid  
23 cover on the drainage structure  
24 that's right there. We're going to  
25 improve the swale uphill on the west

2 side and the east side going  
3 downhill, and that will all be in the  
4 next set of plans that we submit to  
5 Pat's office.

6 The stormwater pollution plan,  
7 we acknowledge we submitted that and  
8 you're still in the process of  
9 reviewing that right now.

10 MR. HINES: After I did that  
11 comment, I did take some time to do  
12 an overview. There are comments  
13 further in the memo regarding that.

14 MR. MONTAGNE: Okay. We did  
15 actually have the water notes on the  
16 drawings the last time. Just to  
17 note, they're on sheet C-505.  
18 They'll be there when we resubmit  
19 after this meeting.

20 We also looked at the septic  
21 system design. I know there was a  
22 note about the size of the septic  
23 tank. The calculations of that tank  
24 are actually 1,500 gallons. We've  
25 updated that, and those calculations

2 are in there for you. There is a  
3 water and sewer report that was  
4 provided that has that information.

5 MR. HINES: It looks like a  
6 fairly elaborate septic system. I  
7 didn't know the reasoning.

8 MR. MONTAGNE: The reason why  
9 it's a three-bed system, New York  
10 State allows you to do -- what the  
11 Department of Health allows you to do  
12 is, instead of having a 100-percent  
13 expansion area, you can do a  
14 three-bed system where you always  
15 rest one bed for a year. It's a  
16 mechanical valve that you shut off.  
17 It's an allowed system. The nice  
18 thing about it is you only build  
19 once. You build it, you rest it for  
20 a year, open it the next time, and  
21 you manage it that way. We're going  
22 to most likely be before the Town  
23 Building Department for the septic  
24 system review, because our volume is  
25 under the 1,000 gallons per day.

2 We're open to working with the Town  
3 with whatever they're more  
4 comfortable with. It is a pretty  
5 standard system.

6 MR. HINES: I had a couple  
7 comments on that. It looked like the  
8 details had some reference to pumps  
9 and such.

10 MR. MONTAGNE: In that first  
11 set, we missed that. It's a gravity  
12 system.

13 MR. HINES: And we'll review  
14 that septic system once it passes  
15 through here. The Building  
16 Department will, as a matter of course,  
17 issue you the permits on that.

18 MR. MONTAGNE: Perfect.

19 Okay. The next comment, again,  
20 comes back to the highway  
21 superintendent. I talked about the  
22 drainage. Identification, looking at  
23 the swale along the roadway. We have  
24 incorporated now, as I said, to the  
25 east and to the west a swale

2 improvement. Part of the bank  
3 looking to the east has to be laid  
4 back a little bit to get our sight  
5 distance, so we'll be working in that  
6 swale area anyway, and that will all  
7 be part of the review by the highway  
8 superintendent on the curb cut  
9 application.

10 MR. HINES: The rest are all  
11 technical comments on the SWPPP. I  
12 don't think we need to hit each one  
13 of those.

14 We did receive the County  
15 Planning comments back. There was a  
16 mandatory comment in that referral  
17 addressing the Washington Lake  
18 reservoir.

19 MR. MONTAGNE: I saw that.

20 MR. HINES: We checked again.  
21 This site is not tributary to the  
22 Washington Lake reservoir. A small  
23 portion of it is tributary to what's  
24 called the Lockwood Basin. It's a  
25 smaller pond area below the reservoir

2 system. It's not tributary to the  
3 water supply, as was mentioned in  
4 County Planning's comments.

5 MR. MONTAGNE: Okay. The only  
6 other thing that I wanted to show the  
7 Board tonight is, you had asked about  
8 the entrance and the sign. We had  
9 proposed, at the entrance, two small  
10 faces blanketing the entranceway.  
11 It's the sign with just the two faces  
12 as you would come in. The sign faces  
13 themselves are 19 square feet. They  
14 meet the sign requirement if we were  
15 going to do a podium sign where you  
16 had two faces. We're taking the two  
17 faces and putting one on one side and  
18 one on the other, if that's  
19 acceptable to the Board. Then it  
20 would have a stacked stone on it that  
21 would look like a real stacked stone  
22 or veneer.

23 CHAIRMAN EWASUTYN: Jim  
24 Campbell, Code Compliance, comments  
25 on the sign?

2 MR. CAMPBELL: Being that  
3 you're in an R-3 District, I believe  
4 you're limited to 4 square feet.

5 MR. MONTAGNE: 4 square feet?

6 MR. CAMPBELL: Yes. I  
7 mentioned that at one of the earlier  
8 meetings.

9 MR. MONTAGNE: That would be  
10 pretty small.

11 MR. CAMPBELL: If you want to  
12 submit that and I'll get it reviewed.  
13 I don't have a copy of that one.

14 MR. MONTAGNE: We just finished  
15 it today and brought it to show as a  
16 concept to see what the Board's  
17 pleasure was.

18 MR. CAMPBELL: You may be over  
19 on the size. We'll review it.

20 MR. MONTAGNE: Josh, do you  
21 want to comment?

22 MR. MODGLIN: I was thinking we  
23 saw somewhere on the overlay -- I'm  
24 sorry. You need an address?

25 CHAIRMAN EWASUTYN: Please.

2 MR. MODGLIN: I'm Josh Modglin  
3 with JWCS.

4 I was reading it was 20 square  
5 feet, but then there were 4 square  
6 feet. There was a little bit of  
7 confusion. Maybe we can get clarity  
8 on the actual code as to which one  
9 applies. I thought it was 20 square  
10 feet.

11 MR. CAMPBELL: That's what  
12 we'll review. Basically for the  
13 religious use, it really doesn't  
14 address it. That's the problem.

15 MR. MODGLIN: Got you.

16 MR. CAMPBELL: I believe with  
17 the comprehensive plan, I think they  
18 are addressing that, revising that.  
19 I'm not sure on that, though. We'll  
20 review what you --

21 MR. MODGLIN: We'll submit this  
22 and you can provide some comments back.

23 MR. CAMPBELL: Yes.

24 MR. MODGLIN: Thank you.

25 CHAIRMAN EWASUTYN: Are we



2 saying he's going to leave you with  
3 this tonight?

4 MR. CAMPBELL: If he wants to.

5 MR. MONTAGNE: I can leave  
6 this. When we get done, I'll go in  
7 the back and take it off the board.

8 CHAIRMAN EWASUTYN: Pat Hines  
9 mentioned the Orange County Planning  
10 Department.

11 Dominic Cordisco will speak to  
12 the Planning Board Members as far as  
13 their 239 review, which we did  
14 receive.

15 Dominic.

16 MR. CORDISCO: Even though the  
17 County Planning Department was  
18 mistaken in whether this was part of  
19 the City's watershed for Washington  
20 Lake or not, most of the comments  
21 that the County is recommending are  
22 practices that are already being  
23 incorporated by the Town. Certainly,  
24 you know, their comments will be  
25 considered, but they're factually

2 incorrect.

3 My recommendation would be  
4 that, if this project moves to  
5 approval, then at that time the Board  
6 would include, as part of its report  
7 back to the County, what steps are  
8 being taken, but that the factual  
9 underpinnings were incorrect  
10 regarding that.

11 CHAIRMAN EWASUTYN: We did that  
12 not too long ago as far as making  
13 that part of the final approval.

14 MR. CORDISCO: Yes, sir.

15 CHAIRMAN EWASUTYN: Comments  
16 from Board Members?

17 MR. GALLI: No additional.

18 MS. DeLUCA: Nothing.

19 MR. DOMINICK: Nothing.

20 MR. MENNERICH: No.

21 MR. BROWNE: I'm just curious  
22 on your septic system. The direction  
23 you're going is because of cost or  
24 space or --

25 MR. MONTAGNE: It's actually

2 just for long-term maintenance. The  
3 church itself manages its own  
4 property with their own volunteers.  
5 It's just the easiest way to ensure  
6 that they'll take care of it. It  
7 will be set and they won't have to go  
8 back in and worry about  
9 reconstruction years from now.

10 MR. BROWNE: Thank you.

11 MR. WARD: No comments.

12 CHAIRMAN EWASUTYN: So at this  
13 point Pat Hines will advise us.

14 MR. HINES: I think there are  
15 some details in the SWPPP that we  
16 need addressed. There are some  
17 pretty broad-brush comments.

18 I don't know if you saw the  
19 infiltration rates. Those are things  
20 you may need to take a look at.

21 The stormwater facility does  
22 not have an outlet to it, it relies  
23 completely on infiltration. The DEC  
24 design manual has a certain number of  
25 infiltration testing to be done. I

2 think there was only one currently  
3 done within the area. There will  
4 need to be more of those. More  
5 importantly was the infiltration  
6 rate. The model had it at 4 inches  
7 per hour, where your testing -- the  
8 one test identified it as less than  
9 that.

10 MR. MONTAGNE: We're going to  
11 go out next week to do additional  
12 testing, and, you know, if you want  
13 to be notified, we can let you know.

14 MR. HINES: We're good as long  
15 as you do that proper amount.

16 MR. MONTAGNE: We'll do pre-  
17 soak and everything else we need to.

18 MR. HINES: We would need that  
19 information before we're in a  
20 position to recommend a SEQRA  
21 determination.

22 MR. MONTAGNE: Okay.

23 CHAIRMAN EWASUTYN: Thank you.

24 MR. MONTAGNE: At the next  
25 meeting are we -- do we have a public

2 hearing or anything that we --

3 CHAIRMAN EWASUTYN: Pat will  
4 elaborate on what he just said.

5 MR. HINES: The Board needs to  
6 make a SEQRA determination prior to  
7 scheduling the public hearing.  
8 That's their policy. You would have  
9 to come back at least one more time  
10 before the Board would be in a  
11 position to schedule your public  
12 hearing. They need to make that neg  
13 dec or pos dec decision prior to  
14 that.

15 MR. MONTAGNE: We're actually  
16 looking at two meetings then?

17 MR. HINES: At a minimum, yes.

18 MR. MONTAGNE: I guess we'll  
19 have to do that. Our concern is that  
20 we're getting into the construction  
21 season. We'd like to try to move it  
22 along. That's all.

23 Thank you very much.

24

25 (Time noted: 7:23 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 2023.

*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

SAFE HAVEN SELF-STORAGE  
(2022-04)

14 Crossroads Court  
Section 95; Block 1; Lot 74  
IB Zone

- - - - - X

AMENDED SITE PLAN - PHASING

Date: April 20, 2023  
Time: 7:24 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: ROSS WINGLOVITZ

- - - - - X

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

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CHAIRMAN EWASUTYN: The Planning Board's fourth item this evening is Safe Haven Self-Storage. It's an amended site plan. It's located at 14 Crossroads Court in an IB Zone. Engineering & Surveying Properties are representing the application.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties, here tonight with Bernard Mittelman, the applicant.

This project was before the Board last year and received a site plan approval in the fall of 2022. Bernard has been working on renovating the interior of the building. He has not, as of yet, worked on the exterior.

There were two components to this. There was interior storage for the self-storage and then he had proposed onsite outdoor storage for



2 RVs, boats, campers, so forth.

3 What he'd like to do at this  
4 point is actually separate the two  
5 into two different phases. Anything  
6 as far as access and safety regarding  
7 the building is complete, and that  
8 would be in phase 1, and so that he  
9 can get a CO for the first phase,  
10 which would be the self-storage into  
11 the building. The second phase would  
12 be for him to make the necessary  
13 renovations to the existing parking  
14 areas to allow for the outdoor  
15 storage. Right now outdoor storage  
16 has slowed significantly as far as  
17 the demand, and he did not want to  
18 invest that money right away in  
19 making those renovations. He wanted  
20 to get the building up and  
21 operational first before he decided  
22 to move into the outdoor storage.

23 MR. GALLI: Ross, all the  
24 landscaping and stuff is going to be  
25 done as part of phase 1? I know not

2 the fencing. The landscaping and  
3 stuff in front of the building and  
4 all that?

5 MR. WINGLOVITZ: Yes.  
6 Everything was in place. It was all  
7 existing. All that was done. There  
8 were a couple access points that  
9 needed to be constructed, and that  
10 was about it.

11 MR. GALLI: Thank you.

12 CHAIRMAN EWASUTYN: Stephanie  
13 DeLuca?

14 MS. DeLUCA: No. Nothing right  
15 now.

16 MR. DOMINICK: Ross, with phase  
17 2 what construction has to be done?

18 MR. WINGLOVITZ: There are  
19 landscaped islands that need to be  
20 relocated in order to work for larger  
21 RVs and boat storage. Some of them  
22 will be taken out, some will be  
23 added, and fencing are the two  
24 primary things that need to be done.

25 MR. DOMINICK: You said outdoor

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storage has slowed down. It's a caveat that you might not even do phase 2. Right?

MR. WINGLOVITZ: Correct. He has to make a business decision after he gets the building up and operational.

MR. DOMINICK: Okay. That's all I have.

MR. MENNERICH: Does the applicant have a timeframe that he's -- if he's going to proceed, when that would be?

MR. WINGLOVITZ: Bernard, any idea? The market.

I don't think he knows.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: So what I'm hearing is that there's a strong possibility that phase 2 will never happen. Phase 1 needs to be something that when phase 1 is completed, it's the finished product.

MR. WINGLOVITZ: Correct.

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MR. BROWNE: I don't think --  
the way the plans are currently, I  
don't think it's portrayed that way.

MR. WINGLOVITZ: I'm sorry. It  
doesn't have --

MR. BROWNE: I don't think it's  
portrayed that way, to be a finished  
project in phase 1 at this point.

MR. WINGLOVITZ: Again,  
everything -- all the improvements in  
phase 1 are really interior to the  
building, other than a handicap  
access. Then the phase 2 was --  
really the only site improvements  
were the phase 2 improvements, which  
were the removing of the islands and  
the fencing.

MR. BROWNE: Personally, as one  
Member, I would like to see just  
phase 1 presented as phase 1 with  
nothing else so we can see the whole  
thing as phase 1, because from what  
I'm hearing, I don't think phase 2  
will ever be done. It doesn't sound

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like it to me.

MR. WINGLOVITZ: Then it would remain as it is today, which is a parking lot right now.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Basically the first plan was exactly like that with the parking lot, and you said you weren't going to do outdoor parking. With fencing around and everything else, if you go with phase 1 and phase 2, we need a time limit for 1 and a time limit you do have to put phase 2 in if we're going to approve anything, because you just can't come in and say --

MR. WINGLOVITZ: Phase 1, you're almost complete and ready to occupy the building. Phase 1 would be in the next month or so, two months.

MR. WARD: What I'm saying to you is, you say because it's the market with the storage. How are we

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supposed to approve something that might never happen, with the landscaping and everything?

CHAIRMAN EWASUTYN: Dominic Cordisco has a comment on what we're discussing. Dominic.

MR. CORDISCO: So in the Town of Newburgh, site plans are valid for one year. This project already has site plan approval, so that year is ticking. The applicant is basically applying now for an amended approval which would allow phasing of the project.

The difficulty is is that it's phasing just for phase 1, for instance, without the outdoor storage and the fencing. If that second phase is not then completed within a year's timeframe, there's no longer a valid site plan approval, if you will. It seems as though the second phase of this project would likely require some kind of amended approval

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or site plan approval in the future.

To go to Mr. Browne's comment, it appears that it's actually really a standalone approval at this time, just for indoor storage rather than any outdoor storage.

MR. WINGLOVITZ: I mean, it would be subject to the statutory timeframes for site plan approval if he didn't complete phase 2 and needed to get an extension or come back for another approval for the outdoor storage. I think that makes it clear.

CHAIRMAN EWASUTYN: Okay. Jim Campbell, Code Compliance?

MR. CAMPBELL: One of my concerns with it being phased was that it was going to be interior, exterior. The exterior of the building does need some clean-up, touch-up work to it. The landscaping, I believe, also needs some touch-up. I didn't want it to

2 be pushed to the side that that's  
3 going to be phase 2.

4 MR. GALLI: He just said that  
5 was part of phase 1 when I asked him,  
6 and landscaping.

7 MR. WINGLOVITZ: All of the  
8 landscaping is -- what Jim is saying  
9 is it's showing its age and it needs  
10 to be maintained. Right?

11 MR. CAMPBELL: Yes.

12 MR. WINGLOVITZ: Fresh mulch in  
13 the beds, weeds pulled, plants, so  
14 forth.

15 MR. CAMPBELL: I know some  
16 blocks were broken away on the  
17 masonry and stuff like that. I just  
18 didn't want that going by the wayside  
19 and saying that's going to be phase  
20 2. That's all.

21 CHAIRMAN EWASUTYN: Okay. So  
22 can you bring this forward as to what  
23 we should be expecting if we approve  
24 phase 1, what will be completed  
25 between now and when you apply for a



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certificate of occupancy?

MR. WINGLOVITZ: We can break that out and not show phase 2. It would just be the self-storage -- interior self-storage site plan.

For the most part, I mean, basically the site remains as is with the existing landscaping and existing islands. I mean, this was a nice facility, so there's a lot of landscaping and amenities that were there, albeit they do need to be refreshed, as Jim noted. Other than that, there's not a lot to show on the plan basically.

CHAIRMAN EWASUTYN: Dominic Cordisco, can you give us conditions for approval for the amended site plan for phase 1?

MR. CORDISCO: Well, just if I may, John. In connection with the landscaping, this is -- I assume that there's no landscaping security currently in place because of the age

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of the facility.

MR. HINES: There was not. During the review there were no landscaping improvements required for the initial approval.

MR. CORDISCO: Right. There are landscaping tune-ups, for lack of a better word, that --

MR. WINGLOVITZ: Maintenance.

MR. CORDISCO: -- maintenance that should, and I think would, appropriately be happening now since the site is going back into an active use. So towards that end, do you believe that there would be some landscaping maintenance security now that could be potentially required? I'm trying to drive at the conditions of approval. The question is to meet Mr. Campbell's comments and others from the Board as to a freshening up of the site.

MR. HINES: I would suggest possibly one of two ways. Either a

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signoff from the Building Department that the landscaping is acceptable, or, in the alternative, that Karen Arent review the site with regard to, I guess, sprucing up the existing landscape. Again, the facility is there. It's there today. It looks like it does today. I haven't been there to see if there's grass growing there. Maybe either one of those two ways it could be addressed.

MR. CORDISCO: I would suggest that Karen, her only involvement would be if the landscaping was being redesigned, which I don't believe that's the proposal. I think a condition that requires signoff from the Building Department that the landscaping has been maintained and refreshed, and any other item that needs to be addressed as part of the ongoing maintenance of the site since it has been, you know, not used for several years now, would be

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appropriate conditions of approval.

Apart from that, there are revisions to the plans to show only phase 1 with an understanding that the applicant may choose to move forward with phase 2 at a separate time, but that would require a further amended application to the Board.

MR. WARD: John, I have a question. What stops him from outdoor storage?

MR. HINES: I was going to say on the phase 1, state there is no outdoor storage permitted.

MR. CORDISCO: The fact that they don't have fencing, because outdoor storage requires fencing, so it would be a violation of Town Code.

MR. WARD: It should be on the plan.

MR. CORDISCO: It never hurts to have a note on the plan.

Those would be the conditions.

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CHAIRMAN EWASUTYN: One more time. Now that we collected our thoughts, can you summarize what the final resolution will state. And then we'll act on approving phase 1?

MR. CORDISCO: The conditions I would recommend would be landscaping maintenance and refreshing to the satisfaction of the Building Department, together with any other site maintenance that needs to be undertaken, once again to the satisfaction of the Building Department, a revised plan that shows only phase 1 at this time, along with a note on the plan that states that outdoor storage is not permitted, and if the applicant seeks to have outdoor storage in the future, an amended site plan application would need to be made and obtained.

CHAIRMAN EWASUTYN: Is that satisfactory to the Board Members?

MR. GALLI: Yes.

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MS. DeLUCA: Yes.

MR. DOMINICK: Yes.

MR. MENNERICH: Yes.

CHAIRMAN EWASUTYN: Yes.

MR. BROWNE: Yes.

MR. WARD: Yes.

CHAIRMAN EWASUTYN: Having heard from Planning Board Attorney Dominic Cordisco about the conditions of approval for Safe Haven Self-Storage Phase 1, would someone make a motion to approve phase 1 subject to those conditions?

MR. DOMINICK: So moved.

MR. HINES: Are they giving up phase 2? Is that what I heard?

CHAIRMAN EWASUTYN: Are they giving it up?

MR. WINGLOVITZ: That's what it sounded like to me based on the motion.

MR. HINES: I just want to make sure the applicant --

MR. WINGLOVITZ: Right. We

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have to come back to the Board if we want to pursue phase 2.

Bernard, do you understand that?

MR. DOMINICK: I'll make that motion.

CHAIRMAN EWASUTYN: We have a motion by Dave Dominick. We have a second by?

MR. GALLI: Second.

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

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. GALLI: Aye.

CHAIRMAN EWASUTYN: Motion carried.

MR. WINGLOVITZ: Thank you.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 27th day of April 2023.

*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

THE ENCLAVE  
(2022-25)

Route 300 & Gardnertown Road  
Section 34; Block 1; Lots 46, 52, 12 & 53.5  
R-3 Zone

- - - - - X

DEIS SCOPING SESSION

Date: April 20, 2023  
Time: 7:37 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: ROSS WINGLOVITZ and  
ALEXANDER MAIN

- - - - - X

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

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CHAIRMAN EWASUTYN: The fifth item of business this evening is The Enclave. It's a DEIS scoping session. It's located on Route 300 and Gardnertown Road. It's in an R-3 Zone. Again it's being represented by Engineering & Surveying Properties, Ross Winglovitz.

MR. MAIN: Good evening, everyone. My name is Alexander Main. I'm an associate attorney at J&G Law. I'm here tonight with Ross Winglovitz and Reuben Buck of Engineering & Surveying Properties related to tonight's public scoping session for the Enclave.

So we understand that the purpose of tonight's public scoping session is to hear from the public regarding potentially significant adverse environmental impacts related to the project. Ultimately we want to hear from you, incorporate your feedback into a final scope which

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will guide us in forming our draft environmental impact statement.

So with that being said, we're not here to answer questions about those significant environmental impacts, or potential impacts, but we do want to hear from you. That's ultimately going to help us draft the appropriate statement.

So with that being said, I'm going to pass the presenter role off to Ross and his team to provide a scoping outline.

MR. WINGLOVITZ: Do you want me to present the project, John?

CHAIRMAN EWASUTYN: Please.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties.

The project that's the subject of tonight's scoping hearing is a 48-acre parcel located on Route 300, which is on the bottom of this drawing, Gardnertown Road, which is

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on the left side of the drawing.

This project was part of an application many years ago. It was a 112-lot subdivision, I believe, that included properties to the north. It was subject to the same process.

What is proposed here is different than what was proposed then. The applicant, Diversified Properties, is proposing 246 apartments. They're going to be in 18 different buildings ranging in size from 12 units to 18 units per building. There's a total of 164 two-bedrooms and 82 one-bedrooms.

People always ask. There will be a clubhouse, pool, pickleball courts and an outdoor active recreation area.

The main access to the site will be from Route 300. There will be an area for school bus pick-up, drop-off. Access will come down. So this is the Driscoll property right

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now. It will come down. To give you an idea, Gardnertown Farms is here. It's just north of the site, on the opposite side of the road. It will be a little bit south of that. The road will come down the hill, cross the creek, there will be a bridge crossing of the creek, up and into the site.

There are kind of three loops that have been developed for access, to provide emergency access around the site and good routing for traffic. You'll enter the site opposite the clubhouse. There's an emergency access to Circle Lane here. The applicant actually has ownership of the property that touches Circle Lane, and that will be emergency access only. All traffic would come out to Route 300.

There will be a left-turn lane improvement that's projected to be required by the DOT as part of that

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access point.

Parking on the site. There's a combination of service parking spaces and garages with spaces in front. This is very similar to the Meadow Ridge project that they operate up on Meadow Hill Road. If you go up there, you can see. They have that project and another project in the Town that they've completed. So garages in front, two-story buildings.

I think there's -- depending on the shape of the unit, there is a total of 18 units in some of the larger buildings and 12 units in the smaller buildings.

Water service for the site will be provided via connection to Route 300. A water line will be brought in, looped through the site, and then there will be an interconnection out to Circle Lane at the existing hydrant at the end of the road.

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Excuse me. Circle Drive.

Sewer for the project. There are several options the Board has asked us to explore. The applicant is proposing right now to collect the sewer and to connect to a proposed future sewer that would be on 300 as one of the options. Another option would be to collect the sewer and pump it out Gardnertown Road, down to 300 and to connect into the existing sewer that's just north of the daycare facility down there.

Stormwater. The site is in a flat area at the top of the property. There will be several stormwater ponds. Water will run towards the creek. It will be treated in these series of ponds before it's discharged. New York State DEC requirements must be met regarding the quality and quantity of the stormwater.

One thing. There's been a

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significant setback that's been provided along the rear of the property where the trees will be maintained. I think the required setback is 50. It's been doubled to about 100 feet from Kroll Acres' property line to the back of the buildings.

The subject of tonight's hearing is this document. If you saw it, it was online, it's a scoping document. This is a 17-page outline of what the applicant must study as far as potential environmental impacts. I'm going to go over it briefly and then turn it over to John for further direction.

The document has a summary where all the information will be summarized or more easily found. There will be a description of the project, the design. We talk about the units, the utilities, the phasing, the operation and



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maintenance of the facility and the permits and approvals that will be required. In detail there will be environmental impacts -- potential impacts that will be studied.

There's a series of those that the Board has identified that must be studied by the applicant as part of the project. One is potential impacts to geology, soils and slopes, surface water potential impacts.

There's a stream on the site, some small wetland areas. Those need to be identified. They have been delineated. We'll need to look at the potential impacts to those. Flooding.

So again, stormwater. We'll have to look at the water that's produced by the new impervious area, make sure that's controlled appropriately.

There's also a floodplain associated with the stream. We need

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to analyze this crossing to ensure that it doesn't create any flooding problems. Those potential impacts will be analyzed.

Potential impacts to any endangered plants and animals that may be on site, aesthetic impacts. So what is it going to look like from neighboring properties, what's the architecture going to look like, what colors are we using.

Traffic and transportation is another section. There will be several intersections that will be studied along 300 regarding the potential impacts from this project on those intersections, as well as our proposed intersection of the access drive to 300.

There are several community plans, so there's zoning, comprehensive plans, county comprehensive plans. All these need to be looked at as they relate to

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this project, and to see if there are recommendations regarding this property and how it may affect this property.

Utilities. Again we talked about water and sewer. We'll have to analyze exactly where we're going to provide it, the ability to provide, the capacity of the system and so forth.

Community service such as police, fire and ambulance will need to be studied.

Last but not least, there will be some alternatives that will need to be studied regarding the project, layout and sewer for the site. That will all be put together in a document that will be provided to this Board, and then there will be a hearing on the detailed information once that's provided.

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

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Dominic Cordisco, Planning Board Attorney, to speak with us. I think this was before us on the 16th of March. Dominic will discuss the timeframes as it relates to this item.

MR. CORDISCO: So the Board had received a draft scope at the March 16th meeting. That was the applicant's version of the draft scope. The Board then made certain revisions to that scope, and that's the version that's before you tonight for a public hearing.

The scope really is the outline of the environmental studies that have to be performed in order for the Board to consider the various different environmental impacts associated with this project. The studies have not yet been done. They will be done, and there will be further opportunity for the public to review those and also to comment on

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them. There will be a second public hearing regarding this project.

The purpose right now is that the Board has a draft scope in front of it. The state law requires that this Board has to finalize that process within sixty days. We are well within that timeframe at this point with having a public hearing tonight. I would expect that the Board would like public comment regarding aspects of this project that could or should be studied while it considers the overall application moving forward.

CHAIRMAN EWASUTYN: Okay. At this point, questions or comments from the public. We ask that you raise your hand, give your name and your address. For consideration of everyone in the audience, if you have a question and then we would like to move on to someone else in the audience. We'll give everyone the

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time.

The gentleman here.

MR. LYNCH: Hi. My name is James Lynch, I live at 1532 Route 300, on the corner of Toms Lane.

I can see my house on that map. I don't want to see that green next to it.

Nothing for nothing. I moved up to Newburgh thirty years ago to see woods. You're going to do a study to see if maybe there's some wildlife in that green area. There's wildlife in that green area. I can see it from my door. I can see it from my house.

My big concern is the sewer. They talked about Gardnertown. They can go down Gardnertown. I'm not going to try to throw any other area under the bus. If you try to put sewer down 300, I'll be going to a state meeting to ask about widening the road, which means my property is

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moved.

I can't see this happening.  
It's a fantastic idea. Bring it back to Montvale, New Jersey and give it to them and they may like it.

I have people on the opposite side of the road who moved up from the Bronx to get away from what's going to be right in back of them. They are ticked. Okay. From 2020 until 2023 we had a good influx of people in the Town of Newburgh. I see homes being built left and right all along 300. They're renovated. They're rented. I have nothing against people having to rent or wanting to rent. I don't rent. My school taxes are going to go up. I guarantee you. Okay. Our schools are overcrowded as it is.

Newburgh isn't going to be a crossroads of the northeast, it's going to be the traffic jam of the northeast.

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We've got a warehouse down the block with almost 90 bays in it. I've got a casino that's open most of the day. I've never been there. I don't gamble, I don't know.

These cars come past my house everyday and I've got, I don't know how many people here for this. I've got my side road, Toms Lane, people here and my wife. I can't get out of my driveway, so much so that I go to the side road to try to get out. I can't get out of the side road. You can't get out of any side road between Maisie's Deli, which is 32/300, and Gardnertown Road. The two lights, you can't get out. It's going to be a catastrophe. I apologize, but that's what I'm here for.

I've been here for 31 years or so. I'd like to spend maybe another 25 without looking at this. I look out my front door, I don't care what



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color the architect wants to paint the building. That's not going to make it aesthetically correct. The trees are going to make it aesthetically correct. The bear that's up there is going to make it aesthetically correct. The birds are going to make it aesthetically correct. The things that other people may not like, I like that. That's why I came up here.

CHAIRMAN EWASUTYN: Ma'am.

MS. LEVINSTEIN: My name is Sheila Levinstein. I own 1569 Route 300.

That access road on the bottom, is that where my house is, right across from the horse farm?

MR. WINGLOVITZ: This is where Charlie Driscoll's house is and this is the Gardnertown Farm entry drive.

MS. LEVINSTEIN: I can't read it. I'm not that versed in reading it. I just want to know where that

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access road is coming out onto 300.  
You're not taking any property away  
from anybody; right?

CHAIRMAN EWASUTYN: Ross, I  
think it's better for the politeness  
of the audience if you stand. The  
back of your head is --

MR. WINGLOVITZ: So ma'am, this  
is the Driscoll residence. This is  
all property owned or controlled by  
the applicant at this time. It's not  
-- none of your property is being  
taken for any of this.

MS. LEVINSTEIN: Okay.

MR. BROWN: Where they're  
putting that road --

CHAIRMAN EWASUTYN: Excuse me.  
Excuse me. Again, we have to have  
some decorum to this meeting. Your  
name and address, please?

MR. BROWN: Jim Brown, 503  
Circle Lane.

CHAIRMAN EWASUTYN: Sometimes  
you may have to speak louder because

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there's a stenographer taking minutes, if you can.

MR. BROWN: Jim Brown, I live at 503 Circle Lane.

Where the road comes in there, when you say that's going to be an emergency access, how is that going to go in with the homes that are there?

MR. WINGLOVITZ: There's property at the end of Circle Lane that is either owned by the Town or owned by the project sponsor.

MR. BROWN: But how -- it's just going to go in and they're going to access -- in other words --

MR. WINGLOVITZ: The access would be from here. This would be some kind of pavers or emergency access.

MR. HINES: It will be gated. That emergency access road will have a gate for only emergency services to use, should there be an issue with

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accessing off of Route 300. It will be gated.

MR. BROWN: Thank you.

CHAIRMAN EWASUTYN: Additional questions or comments from the public? The gentleman here.

MR. CORBETT: John Corbett, 9 Gargoyle Lane and 300.

When is the last time you got a traffic study on this road to see what the traffic is like? I can't get out of my driveway at certain hours of the day to go left, and certain hours of the days I can't go right, and certain hours of the day you can't go left or right. You're putting your life in your hands. You pull out and you have somebody right on the back bumper of your car.

CHAIRMAN EWASUTYN: Do you want to go through the potential impact items? Traffic, I think, was noted.

MR. WINGLOVITZ: As I noted, there would be a traffic study that

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is required as part of this. The traffic study is going to require us to analyze the traffic on 300 in front of the site at the site entrance. It includes a lot of existing projects that have been approved or they may not be built yet, so we'll include their traffic. It's going to study New York State Route 300, New York State Route 52, 300 and Gardnertown Road, 300 and Plattekill Turnpike, Gardnertown Road and Plattekill Turnpike, 300 and Gardnertown Fundamental Magnet School, 300 and Debra Place, 300 and the site access, 300 and Jeanne Drive and 300 and New York State Route 32. A total of nine intersections.

MR. CORBETT: How long will this study be going on for? Is it ten minutes or is it going to be over a period of time, a month or two months?

MR. WINGLOVITZ: It's a period

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of time. They take a peak period of time. They want to get the counts before school ends. It will be done -- the traffic counts will be done before the end of June.

MR. CORBETT: Will it be a 24-hour count or will somebody be sitting there with a pad and pencil writing down what --

MR. WINGLOVITZ: They're done with counters and they're done during the peak time periods.

MR. CORBETT: Only the peak hours they're done?

MR. WINGLOVITZ: Only the peak hours.

MR. CORBETT: What do they consider peak hours?

MR. WINGLOVITZ: That's a good question. That's up to the traffic consultants. Our traffic consultant will converse with the Town's traffic consultant, they'll determine what the peak hours are based on counts

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already done by the DOT. They kind of know what the distribution of traffic is. They'll agree on what those peak hours will be, and that's what will be studied.

MR. CORBETT: How many accidents have we had in these areas where they're going to do the traffic studies? I know for a fact you put a light up here in front of Gardnertown Road and 300 and they still have a lot of accidents there, with a traffic light.

MR. WINGLOVITZ: Part of the study will have an accident analysis as required by the Planning Board.

MR. CORBETT: Right.

MR. NEGRI: My name is Salvatore Negri, I live on Upper Avenue in Newburgh.

As Mr. Lynch mentioned, the traffic is horrendous as it is now.

As far as wildlife, that's going to diminish. Where are all the

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animals going to go? Don't get me wrong, I'm not a tree hugger. Still, I love the wildlife.

I moved up, as well, 30 some odd years ago. The traffic on 300 now is horrendous because of the casino. All well and good. Fine. That's great for the area, taxes and stuff like that. I believe in the long run it's going to hurt us all.

We moved up here and moved out of the city to move up, to retire, to enjoy, you know, upstate. I feel this project is -- it's not really proven yet.

As this gentleman said, you know, how long are you going to monitor the traffic and all that stuff?

I feel it's just going to bring a lot more problems than benefit. That's my feeling of it.

Gardnertown Road and 300 with the traffic light and stuff like



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that, coming off that curve, coming down, tractor trailers have been going off the road for years, years. Again, still I believe it's going to pose a lot more problems traffic wise, accidents.

I'm just against it. Thank you for your time.

CHAIRMAN EWASUTYN: The lady in the back.

MS. SUPPIPAT: My name is Donna Suppipat. I also live --

CHAIRMAN EWASUTYN: Speak a little louder.

MS. SUPPIPAT: My name is Donna Suppipat. I live right up here on Route 300.

I'm also very concerned about traffic. It's really dangerous pulling out of our drive onto Route 300. There's already so much traffic. I'm fundamentally opposed to this.

Thank you.

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MS. ACOSTA: I'm Sue Acosta, I  
live at 1160 --

CHAIRMAN EWASUTYN: Slow down.  
There's a stenographer.

MS. ACOSTA: I'm Sue Acosta,  
1160 Union Avenue.

I'm just looking at the list of  
problems that was brought up at the  
last meeting. Lack of existing sewer  
service, Federal wetlands, traffic  
impacts, 100-year floodplains, tree  
preservation, disturbance of greater  
than 10 acres. Forget the fact the  
school is already full. I don't know  
if anybody knows that. The schools  
are full.

I'm sitting here feeling like  
I'm in the twilight zone that this is  
even being considered. I know people  
who live on Gardnertown Road and I  
know there's a lot of erosion going  
on. I think there's some kind of  
integrity because something is being  
damaged towards the back by that

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pond. I think the family that sold that farmhouse behind that one on Gardnertown Avenue, I don't know the name. It's not on the map.

It just blows my mind and I'm so against it. I just don't see anything positive about it. It breaks my heart.

I am a tree hugger.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board Attorney, would like the opportunity to speak to the audience.

MR. CORDISCO: I appreciate that, ma'am. I also understand that's your opinion as to, you know, what makes sense or doesn't make sense. You also have to understand and appreciate that the Planning Board's role is to review applications that are made by applicants. The Planning Board doesn't have the ability to have a knee-jerk reaction and say, you know,

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this isn't something that we're going to entertain. They have to review and be impartial in reviewing all applications until all the facts are in before the Board. They're actually compelled to do so.

MS. ACOSTA: I understand that. Thank you. I didn't mean to insult anybody.

CHAIRMAN EWASUTYN: Any additional comments?

(No response.)

CHAIRMAN EWASUTYN: Okay. There being no comments, can Ross Winglovitz and Dominic Cordisco summarize the meeting this evening?

MR. CORDISCO: If there are no additional comments, then the Board would be in a position to close the scoping session.

I would suggest to the applicant that they consider making any further revisions to the scope for the Board to consider, and the

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Board's consultants certainly will advise. The Board itself may have additional comments or suggestions regarding finalization of the scope.

My suggestion would be that that be placed on an agenda for the May meeting for consideration of a final scope, which will be the first step in the environmental process which consists of multiple steps ahead of it.

MR. GALLI: Dominic, do they have a period where they can write in?

MR. CORDISCO: It's up to the Board. It's not required by law. If the Board so chooses, you could establish that there's an additional period to write in any comments or concerns for a period of time, but you should set a specific date for that. Typically it's ten days following the scoping session or a public hearing.

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MR. HINES: I believe the notice did state that there was going to be written comments. I think it was five days in the notice, but I'm sure it could be amended.

MR. GALLI: Just so the public is aware.

CHAIRMAN EWASUTYN: So right now the notice is written, or was written, for five days. Would the Board accept five days as the period for the written comment?

MR. GALLI: John, how long has that notice been out, roughly?

CHAIRMAN EWASUTYN: Pat?

MR. HINES: The notice has probably been out for three weeks. It was delivered to all properties within 500 feet, it was published in the Town's official newspaper, and it was also published in the DEC's Environmental Notice Bulletin as required by the regulations.

MR. GALLI: It's been out there

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awhile. I'm okay with the five days.

MR. CORDISCO: April 3rd it looks like it went out.

CHAIRMAN EWASUTYN: I'll poll the Board Members. Stephanie, are you okay with the five days for written comments?

MS. DeLUCA: Yes. Yes.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: Yes.

MR. MENNERICH: John, what meeting in May would this be scheduled for?

CHAIRMAN EWASUTYN: Let's take one thing at a time.

MR. MENNERICH: If there's time, I don't see any problem with going ten days.

CHAIRMAN EWASUTYN: Okay. So far we have three people in favor of five days, one person opposed and one wants it to be ten days.

I'll continue with the Members. Cliff Browne?

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MR. BROWNE: I would recommend ten days.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Ten days.

CHAIRMAN EWASUTYN: Okay. I guess I have the majority vote.

To answer your question, there are two meetings in May. There's a meeting on the 4th of May and there's a meeting on the 18th of May. If we close and we allow written comments for ten days, my understanding is the weekends don't count as to the timeframe, or do they?

MR. CORDISCO: The weekends do count.

CHAIRMAN EWASUTYN: If we have it for ten days, then what's the final date?

MR. HINES: It would be the 30th. I would assume May 1st would be the next business day.

MR. CORDISCO: Correct. They should be received by May 1st.



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CHAIRMAN EWASUTYN: Let the record show that the Planning Board is extending written comments to the 1st of May.

My question to Dominic Cordisco, can we act on this for the first meeting in June or should we act on this the meeting of the 18th of May?

MR. CORDISCO: My recommendation would be the 18th of May. As I said, the Board acknowledged receipt of the initial scope at the March 16th meeting. The May 18th meeting gets you really close to the sixty-day timeframe that SEQRA requires in this instance.

MR. WINGLOVITZ: That would be fine with us.

CHAIRMAN EWASUTYN: Excuse me?

MR. WINGLOVITZ: May 18th would be fine with us as far as timing.

CHAIRMAN EWASUTYN: Okay.  
Would someone move for a motion to

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extend the written comment period to  
the 1st of May and to set this for a  
meeting on the 18th of May?

MR. GALLI: So moved.

MS. DeLUCA: Second.

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

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. GALLI: Aye.

CHAIRMAN EWASUTYN: Okay.

Thank you all.

MR. WINGLOVITZ: Thank you.

(Time noted: 8:07 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 2023.

*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

ANCHORAGE-ON-THE-HUDSON - LOT #3  
(2023-06)

Mariners Court  
Section 121; Block 1; Lot 3  
R-1 Zone

- - - - - X

INITIAL APPEARANCE - AMENDED SUBDIVISION

Date: April 20, 2023  
Time: 8:07 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: ROSS WINGLOVITZ

- - - - - X

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

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CHAIRMAN EWASUTYN: The last item of business this evening is Anchorage-On-The-Hudson. It's lot 3. It's an initial appearance for an amended subdivision. It's located on Mariners Court in an R-1 Zone. It's being represented by Engineering & Surveying Properties.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties, here regarding lot 3 of the Anchorage Subdivision.

This is a subdivision that was kind of approved in the '90s. I think the map was amended in 2002.

Some of the homes have been built. Several of the lots are still vacant. The applicant we had been working with for over a year with different building layouts, trying to get access from Mariners Court.

The problem being the septic that is approved and the location is down from access from Mariners Court.

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The problem becomes access from Mariners Court is very steep as far as a lot of grading. It highly disturbs the septic field area.

What we've proposed is the access from River Road. We have good sight distance. We'll be reaching out to the highway superintendent regarding the location of the access. I think Mike Mahar, the applicant's representative, he's already reached out to them. Access would be from River Road, driveway in, side entry, a three-car garage.

In order to get this to work, there will be several retaining walls. We've done it as two walls so that we can landscape it so it will be more attractive, the septic field area and then the remainder of the lot just above Mariners Court road.

Because of the reconfiguration, the size of the septic being changed and location from the approved

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subdivision plan, we're here to seek your amended subdivision approval and to go to the Department of Health when it's appropriate.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: No additional.

CHAIRMAN EWASUTYN: Stephanie DeLuca?

MS. DeLUCA: None.

MR. DOMINICK: No.

MR. MENNERICH: None.

MR. BROWNE: No.

MR. WARD: No.

CHAIRMAN EWASUTYN: Jim Campbell?

MR. CAMPBELL: No comment.

CHAIRMAN EWASUTYN: Pat Hines, where are we in the process?

MR. HINES: So this is an initial appearance for the amended subdivision.

As stated, the original driveways were all proposed to come off of Mariners Court. That was the

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result of some public comment,  
extensive public comment during the  
initial subdivision public hearings.

We have entertained other  
amended subdivisions on this parcel,  
including the adjoining lot. On the  
original subdivision, the adjoining  
lot was before us several years ago  
for the identical application. It  
seems people want to take advantage  
of having their rear yard having the  
Hudson River view and the front yard  
facing River Road.

The project did receive Orange  
County Health Department approval as  
a major subdivision when it was  
originally approved.

The amended septic system --  
there's an additional berm depicted  
in this, so the septic system has  
been modified. That will need Orange  
County Health Department approval.

The highway superintendent's  
comments on the driveway access will



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be needed.

There are extensive retaining walls proposed, and there are notes on the original subdivision map granting blanket easements across the lots because, as Ross mentioned, in order to access the site from Mariners there were proposed retaining walls and grading plans that crossed the lot lines. Those blanket easements exist until the certificate of occupancy on the lot is issued, I believe the language is.

We do want to look at any potential impacts to the grading on the adjoining lot, should they want to access off of Mariners Court, if there was grading that crossed this lot required for that. We can ask Ross to show the approved grading for the access to the lot to the north. That lot there.

MR. WINGLOVITZ: I didn't understand. Now I understand.

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MR. HINES: The development of that lot may depend on grading of this lot, or we may see them asking to come off of River Road. I just want to make sure that isn't impacted.

Adjoiners' notices will be required to be sent out.

The amended subdivision will require a public hearing.

I would suggest that the applicant approach the Health Department at this point and that the adjoiners' notices be sent out. The Health Department probably has a two-month lead time on anything right now. That's where we're at.

CHAIRMAN EWASUTYN: Would someone make a motion to circulate to the Orange County Department of Health and also circulate to the Orange County Planning Department?

Are we also sending out adjoiners' notices with this?

MR. HINES: I don't think this

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needs to go to County Planning.  
There's no 239 threshold exceeded.

CHAIRMAN EWASUTYN: Just the  
Orange County Health Department.

MR. HINES: What I will do is I  
will write a letter on behalf of the  
Planning Board and get it to Ross so  
there's a cover letter requesting the  
Health Department review.

CHAIRMAN EWASUTYN: Would  
someone move for that motion?

MR. WARD: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: I have a  
motion by John Ward. I have a second  
by Cliff Browne. Can I have a roll  
call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 27th day of April 2023.

*Michelle Conero*

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MICHELLE CONERO