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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD  
----- X  
In the Matter of

RIDGEVIEW SUBDIVISION  
(2015-34)  
3 Ridgeview Drive  
Section 98; Block 1; Lot 14.3  
R-3 Zone  
----- X

PUBLIC HEARING  
TWO-LOT SUBDIVISION

Date: June 2, 2016  
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  
KENNETH MENNERICH  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ANDREW WILLINGHAM

----- X  
MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018

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CHAIRMAN EWASUTYN: Good evening.  
I'd like to welcome you to the Town of  
Newburgh Planning Board meeting of the 2nd of  
June.

At this time I'll call for a roll  
call starting with Frank Galli.

MR. GALLI: Present.

MR. MENNERICH: Present

CHAIRMAN EWASUTYN: Present.

MR. WARD: Present.

CHAIRMAN EWASUTYN: With us this  
evening we have consultants who represent us.  
I'd ask that they introduce themselves at this  
time.

MR. DONNELLY: Michael Donnelly,  
Planning Board Attorney.

MS. CONERO: Michelle Conero,  
Stenographer.

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

CHAIRMAN EWASUTYN: At this point I'd  
like to turn to John Ward.

MR. WARD: Please stand to say the  
Pledge.

(Pledge of Allegiance.)

MR. WARD: Please turn off your phones or on vibrate. Thank you.

CHAIRMAN EWASUTYN: The first item we have this evening is the Ridgeview Subdivision for a public hearing, 3 Ridgeview Drive in an R-3 Zone. It's being represented by Willingham Engineering.

Andy, before you make your presentation, Ken Mennerich will read the notice of hearing.

MR. MENNERICH: "Notice of hearing, Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange County, New York will hold a public hearing pursuant to Section 276 of the Town Law on the application of 3 Ridgeview Drive Subdivision, project 2015-34, for a two-lot subdivision. The subdivision is a proposed two-lot single-family residential subdivision. The site is a 0.72 plus or minus acre parcel in an R-3 Zone. The premises is located at 3 Ridgeview Drive, designated on Town tax maps as Section 98; Block 1; Lot 14.3. The public hearing will be

held on the 1st day of June 2016 at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7 p.m., at which time all interested persons will be given an opportunity to be heard. By order of the Town of Newburgh Planning Board. John P. Ewasutyn, Chairman, Planning Board Town of Newburgh. Dated 16 May 2016."

CHAIRMAN EWASUTYN: Thank you. Andrew, would you give your presentation, please.

MR. WILLINGHAM: Sure.

The existing .72 acre lot is located at 3 Ridgeview Drive. The proposal is to subdivide it into two residential lots, leaving one existing house on lot 1 and the new -- we're proposing a new house on lot 2. Each lot will be approximately .36 acres which meets all zoning requirements.

A variance was obtained for a pre-existing nonconforming front yard setback for an existing house.

Both lots will be served by public sewer and public water.

CHAIRMAN EWASUTYN: Okay. Is there

1 anyone here -- I have to do this. Is there  
2 anyone here from the public who has any questions  
3 or comments?  
4

5 (No response.)

6 CHAIRMAN EWASUTYN: Let the record show  
7 that there is no one in the audience this evening  
8 for the public hearing on the two-lot subdivision  
9 for Ridgeview.

10 At this point I'll turn to our  
11 consultant, Pat Hines.

12 MR. HINES: Our previous comments have  
13 been addressed.

14 The only outstanding issue is the City  
15 of Newburgh flow acceptance letter must be  
16 received for both the original house and the  
17 house that was originally shown connected but  
18 found to be on a septic system. That's going to  
19 be an additional connection.

20 Although the Board can grant  
21 preliminary approval tonight, you'd still have to  
22 get final approval upon the City of Newburgh flow  
23 acceptance letter. The Board can't take action  
24 as a final approval without that. It's in the  
25 agreement with the Town and the City.

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Otherwise all of our previous comments have been addressed.

The highway superintendent has looked at the driveways.

The house location was originally shifted to one side. They centered that on the proposed lot.

The appropriate notes that we requested have been added to the plans.

MR. GALLI: Did you apply?

MR. WILLINGHAM: I was assuming that that was something that the Town provided. That's my fault.

MR. HINES: The process is that you would submit a letter to Jim Osborne, the town engineer, just identifying the hydraulic loads from the structures and he'll submit that to the City of Newburgh for acceptance.

MR. WILLINGHAM: I apologize for making this go another meeting. That was my mistake.

CHAIRMAN EWASUTYN: I mean we'll discuss it now. We can put it under Board Business.

MR. HINES: It could be a Board

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Business item.

CHAIRMAN EWASUTYN: So once we receive -- by all means, you can be here. We can sort of act on it like this. If the schedule is already out but it comes in before the meeting, we'll put it under Board Business.

MR. HINES: We can treat it as a procedural matter.

MR. WILLINGHAM: I will absolutely do it on Monday.

MR. HINES: If you give me a call I can talk you through what needs to get done. I thought we discussed it at the last meeting.

MR. GALLI: We did.

MR. WILLINGHAM: Okay.

CHAIRMAN EWASUTYN: All right. So at this point, any questions or comments from Board Members? Frank Galli?

MR. GALLI: No additional.

MR. MENNERICH: No questions.

MR. WARD: No.

CHAIRMAN EWASUTYN: I'll move for a motion to close the public hearing on the two-lot subdivision for Ridgeview.

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RIDGEVIEW SUBDIVISION

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MR. GALLI: So moved.

MR. MENNERICH: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion carried.

So then we'll work with you.

MR. WILLINGHAM: Okay. Thank you. I appreciate it.

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



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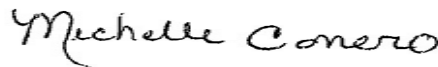
C E R T I F I C A T I O N

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of June 2016.



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MICHELLE CONERO

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RIDGEVIEW SUBDIVISION

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

- - - - - X  
In the Matter of

MEADOW HILL EXPANSION, LLC  
(2016-07)

Meadow Hill Road  
Section 60; Block 1; Lots 9.1 & 9.2  
R-3 Zone

- - - - - X

AMENDED SITE PLAN

Date: June 2, 2016  
Time: 7:06 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
KENNETH MENNERICH  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JOHN CAPPELLO

- - - - - X

MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018

CHAIRMAN EWASUTYN: The next item on the agenda this evening is Meadow Hill Expansion. It's located in an R-3 Zone. It's being represented by --

MR. CAPPELLO: John Cappello. Good evening, everyone. John Cappello with Jacobowitz & Gubits. I'm here with Umberto Baldinucci and John Sarchino, the project engineers, and Mike Long on behalf of the applicant.

We were here last month to present the plan. As you'll recall, we were adding 28 new units, 21 of which will be -- 24 units, 21 of them will be market rate and 3 will be proposed senior, and an additional 2 acre parcel.

At the last meeting the two major issues that were raised were the number of parking spaces, because we just met the parking regulations, and the drainage swale between the property and adjoining property owners. We have revised the plan -- Umberto is here if you have any specific questions -- to include 18 additional parking spaces in the area near the senior building.

The 21-unit building will be devoted to

1 the seniors, which comprise senior units for the  
2 entire development. Also in the area that was --  
3 is it still temporary or is that permanent?  
4

5 MR. BALDINUCCI: These are the  
6 additional apartments here.

7 MR. CAPPELLO: There will be a total of  
8 18 additional parking spaces per the plan we have  
9 before us.

10 We revised slightly the drainage  
11 calculations to pull the detention area away from  
12 -- what did we do exactly with the drainage?

13 MR. BALDINUCCI: I can go into the  
14 details.

15 MR. CAPPELLO: Why don't you do it.

16 MR. BALDINUCCI: Good evening,  
17 Chairman, Members of the Board. As Mr. Cappello  
18 was indicating, we revised our plans to provide  
19 an additional 18 spaces. The 18 spaces are  
20 located throughout the site. We have 11 spaces  
21 at the end of buildings 11 and 10. We also added  
22 some additional parking spaces near the senior  
23 building. We have an additional 5 spaces between  
24 buildings -- adjacent to building 1 and building  
25 2.



1  
2 MR. SARCHINO: It's a full grown shrub  
3 and it likes hydric soils, generally speaking.  
4 It gets to be about three or four feet high and  
5 it's a very good plant.

6 CHAIRMAN EWASUTYN: Deciduous?

7 MR. SARCHINO: Deciduous, mm'hm'.

8 CHAIRMAN EWASUTYN: Thank you.

9 Pat Hines?

10 MR. HINES: I know the applicant has  
11 our comments. The City of Newburgh flow  
12 acceptance letter will need to be updated to  
13 accommodate the increased hydraulic loading based  
14 on the number of units.

15 Our second comment notes there are 18  
16 additional parking spaces. A note has been added  
17 to the plans requiring that the garage spaces be  
18 used for garage spaces and not storage.

19 The grading on the southeast portion of  
20 the site was revised to move it closer to the  
21 limits of disturbance, thereby reducing the  
22 limits of disturbance somewhat.

23 The Health Department approval will  
24 need to be amended for the modifications to the  
25 potable water system.

Town Board approval for the additional senior units on the site will be required.

The recreational note deferment has been removed as that has lapsed.

We've completed the review of the stormwater pollution prevention plan modifications. We concur with that and it is acceptable. That plan as modified will become the stormwater pollution prevention plan. There's no need to modify any of the existing permits. It's just going to be upon approval with the stormwater pollution prevention plan for the site. I know Mark Taylor and John have been discussing that.

We'll talk with Mark Taylor and Jerry Canfield regarding the need to increase the stormwater and landscaping bonds. There are substantial stormwater and landscaping bonds posted for the site already. It already seems like the exercise may not be worth increasing for that amount. It's not my decision. It will be either the Town Board or Mark Taylor's decision.

The lot consolidation plan, that's going to be required to be filed. I don't know

1  
2 if you have any thoughts.

3 MR. CAPPELLO: Yes. On this one,  
4 because it's all -- the construction is started.  
5 It's all going to be constructed and made one  
6 apartment. We can do that lot consolidation, you  
7 know, prior to signing of the maps.

8 The other one there was a little bit of  
9 -- one was under construction and --

10 MR. HINES: I just wanted to let the  
11 Board know that.

12 There's existing structures to be  
13 removed. They're not shown on any of the plans.  
14 We're just suggesting that a note be provided on  
15 the plans. A demolition permit is required and  
16 must be secured prior to removing those. Jerry  
17 Canfield's office has a procedure for building  
18 demolition, including asbestos and led testing  
19 and such.

20 Just to confirm that the new structures  
21 will match the previous architectural review.  
22 Just to be on the record. I'm pretty sure they  
23 are. We need you to tell the Board that.

24 The Board should discuss a SEQRA action  
25 and also schedule a public hearing.



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That's all we have.

CHAIRMAN EWASUTYN: Mike and John, do you want to talk about the SEQRA issue?

MR. DONNELLY: Mark Taylor did communicate by e-mail with John. The Town will need to update the increased senior density bonus.

This action was subject to SEQRA review before. My recommendation would be, and Pat mentioned earlier, he does not see any new significant adverse environmental impacts from this change, that we issue what we call a SEQRA consistency determination. The Town Board will need to know that you've done that before they take action on the density bonus. In essence, that says that this falls within the earlier SEQRA review and there are no new significant adverse impacts.

MR. HINES: Ken Wersted reviewed the traffic counts as well. He had comments on signage but felt the change in traffic was de minimus.

CHAIRMAN EWASUTYN: Comments from the Board on the SEQRA consistency determination?

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MR. GALLI: No.

MR. MENNERICH: No.

MR. WARD: No.

CHAIRMAN EWASUTYN: Then I'll make a two-part motion. One, that we approve a SEQRA consistency determination and that we set the 7th of July for a public hearing.

MR. MENNERICH: So moved.

MR. WARD: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

I guess that covers everything.

MR. CAPPELLO: The only question I had is does the Board need to -- I did provide the Town Attorney a revised agreement on the units for the seniors. In looking at the code, it talked about a referral from the Planning Board. I don't know if you need to --

MR. DONNELLY: We've done that in the past. In my letter I report the SEQRA consistency determination. We'll refer it for their consideration.

MR. CAPPELLO: Thank you.

(Time noted: 7:15 p.m.)

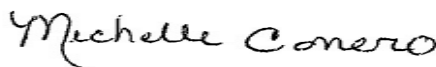
C E R T I F I C A T I O N

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 20th day of June 2016.



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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

CVS PHARMACY/STORE  
(2015-23)

Field Change

- - - - - X

BOARD BUSINESS

Date: June 2, 2016  
Time: 7:15 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
KENNETH MENNERICH  
JOHN A. WARD

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

- - - - - X

MICHELLE L. CONERO  
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CVS PHARMACY/STORE

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CHAIRMAN EWASUTYN: We have one item of Board Business tonight.

Pat Hines wants to discuss with us a field change for CVS and the wall that's running contiguous with Route 52.

MR. HINES: I showed the Board at work session the renderings that were submitted for the CVS approval and then the new set of renderings that were provided. The designers of the wall have recommended that the wall be stepped in several locations. There is a stepping down of the wall from the Dairy Queen side of the site, the south end of the site, towards the north end of the site. It adds a design feature to it.

The colors are substantially the same as in the renderings. They'll have the various tones of gray and then that red or orange color that was originally approved.

We felt it was going to be a field change, but that would be a call for the Board. We presented it at the work session

1  
2 and I think the Board could approve that as a  
3 field change.

4 The attorney for the project is  
5 looking for an indication from the Board that  
6 it is acceptable.

7 CHAIRMAN EWASUTYN: John Ward, your  
8 opinion?

9 MR. WARD: I'm happy with it.

10 CHAIRMAN EWASUTYN: Ken Mennerich?

11 MR. MENNERICH: The change is fine.

12 MR. GALLI: Good.

13 CHAIRMAN EWASUTYN: Let the record show  
14 that the Board Members considered the minor field  
15 change to the wall and approved that.

16 MR. HINES: The modified renderings are  
17 dated 17 March 2016.

18 CHAIRMAN EWASUTYN: The Board  
19 authorizes Pat Hines to send a letter to the  
20 attorney of the decision that was made tonight by  
21 the Planning Board for a field change.

22 MR. HINES: We'll remind him of that  
23 escrow issue as well.

24 CHAIRMAN EWASUTYN: Thank you.

25 I'll move for a motion to close the

1 CVS PHARMACY/STORE 23

2 Planning Board meeting of June 2nd.

3 MR. WARD: So moved.

4 MR. GALLI: Second.

5 CHAIRMAN EWASUTYN: I have a motion by

6 John Ward and a second by Frank Galli. I'll ask

7 for a roll call vote.

8 MR. GALLI: Aye.

9 MR. MENNERICH: Aye.

10 MR. WARD: Aye.

11 CHAIRMAN EWASUTYN: Aye.

12

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

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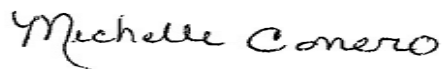
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