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

LONGVIEW FARM
(2006-39)
Barbara Drive
Section 20; Block 1; Lots 1 & 3.36
AR Zone
----- X
SUBDIVISION EXTENSION REQUEST

Date: June 5, 2025
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD
ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: THOMAS DePUY

----- X
MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. We'd like to
4 welcome you to the Town of Newburgh
5 Planning Board meeting of the 5th of June
6 2025. This evening we have eleven agenda
7 items, there are no public hearings and
8 one item of Board business later on.
9 That's to authorize the Planning Board
10 Chairperson to sign a document that is
11 necessary. It pertains to a subdivision
12 called Patton Ridge. Although it's not
13 listed, we will be entertaining that
14 under Board business. Thank you all for
15 coming this evening.

16 We'll call the meeting to order now
17 with a roll call vote.

18 MR. DOMINICK: Present.

19 MS. DeLUCA: Present.

20 MR. MENNERICH: Present.

21 CHAIRMAN EWASUTYN: Present.

22 MS. CARVER: Present.

23 MR. WARD: Present.

24 MR. CORDISCO: Dominic Cordisco,
25 Planning Board Attorney.

2 MS. CONERO: Michelle Conero,
3 Stenographer.

4 MR. HINES: Pat Hines with MHE
5 Engineers.

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

8 CHAIRMAN EWASUTYN: We'll have John
9 Ward lead the meeting at this point.

10 MR. WARD: Please stand for the
11 Pledge.

12 (Pledge of Allegiance.)

13 MR. WARD: Please turn off your
14 phones or on vibrate.

15 CHAIRMAN EWASUTYN: Our first item
16 of business is Longview Farm, project
17 number 06-39. It's a subdivision
18 extension request. It's located on
19 Barbara Drive in an AR Zone. It's being
20 represented by Tom DePuy.

21 MR. DePUY: I'm in front of the
22 Board requesting another extension.
23 Hopefully this is the last one. I'm down
24 to just a few comments with the Health
25 Department. I need to get a well tested,

2 which we're going to start the testing
3 next week. Once I get them done, that
4 should allow me to finalize the drawings
5 and have them submitted for signature and
6 stuff.

7 CHAIRMAN EWASUTYN: Any questions
8 or comments from anyone?

9 MR. MENNERICH: No.

10 CHAIRMAN EWASUTYN: Would someone
11 move for a motion to extend the
12 subdivision approval from June 5th
13 through December 4th for Longview Farm,
14 project number 06-39.

15 MR. DOMINICK: So moved.

16 MR. WARD: Second.

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

21 MR. WARD: Aye.

22 MS. CARVER: Aye.

23 CHAIRMAN EWASUTYN: Aye.

24 MR. MENNERICH: Aye.

25 MS. DeLUCA: Aye.

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Longview Farm 5

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Thank you.

MR. DePUY: Thank you very much.

(Time noted: 7:03 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 17th day of June 2025.



MICHELLE CONERO

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

JEFFREY & DOREEN LABER & LANDS OF TARBEN, INC.
(2025-12)

10 Tarben Way
Section 6; Block 1; Lot 24
Section 127; Block 1; Lot 5
AR Zone

----- X

LOT LINE CHANGE

Date: June 5, 2025
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

CHAIRMAN EWASUTYN: Our second item is Lands of Tarben, Inc., project number 24-25. It's a lot line change. It's located on Tarben Way in an AR Zone. It's being represented by Patti Brooks of Control Point Associates.

Ms. Brooks.

MS. BROOKS: Good evening. This is a lot line revision to convey a 50-foot parcel of land that previously was an easement to the rear parcel. The total acreage will be 5.61 acres. It will allow the rear parcel to own road frontage which is required in accordance with Section 280-A to get a building permit.

CHAIRMAN EWASUTYN: Pat Hines with MH&E.

MR. HINES: There's not much more to describe. The adjoiners' notices were sent out.

The zoning bulk table for lot 5 has been documented on the plans.

This is a Type 2 action. There's

no public hearing required.

You'd be in a position to issue final approval, unless the Board has any other comments.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board Attorney.

MR. CORDISCO: I concur. There are no special conditions associated with this particular application.

CHAIRMAN EWASUTYN: Would someone make a motion to approve the lot line change for Lands of Tarben, project number 24-5.

MS. CARVER: So moved.

MS. DeLUCA: Second.

MR. DOMINICK: John, excuse me. Jim had comments.

CHAIRMAN EWASUTYN: I'm sorry.

MS. BROOKS: I think I want to clarify. There are actually two actions. There was an active subdivision, which I believe is 24-25, before the Planning Board for the subdivision of the rear lot. That subdivision had to be put on

hold because one of the major comments was that the lot did not own road frontage in accordance with Section 280-A. We're before the Board this evening to obtain a lot line revision. Once Tarben, Inc. owns the parcel in fee, they will be able to come back to the Planning Board with that subdivision, and at that point in time they will be addressing all the previous comments, if that clarifies it.

MR. CAMPBELL: We're working on 25-12.

MR. HINES: Yes.

MS. BROOKS: Yes.

MR. HINES: The original agenda that was put out had both of them on there.

MR. CAMPBELL: I have no comments regarding that application.

CHAIRMAN EWASUTYN: Thank you. So we had discussion. We have a motion. Who was making the motion?

MS. CARVER: To approve it?

2 CHAIRMAN EWASUTYN: The lot line
3 change.

4 MS. DeLUCA: So moved.

5 CHAIRMAN EWASUTYN: You made the
6 motion?

7 MR. DOMINICK: It was Lisa and
8 Stephanie.

9 CHAIRMAN EWASUTYN: I didn't hear
10 that. We had discussion so it
11 interrupted the conversation when
12 Mr. Dominick pointed something out to
13 me.

14 We have a motion by Lisa Carver
15 and a second by Stephanie DeLuca.
16 Can I have a roll call vote starting
17 with John Ward.

18 MR. WARD: Aye.

19 MS. CARVER: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. MENNERICH: Aye.

22 MS. DeLUCA: Aye.

23 MR. DOMINICK: Aye.

24 CHAIRMAN EWASUTYN: Thank you.

25 We're correcting it to be project

2 number 25-12. Is that what you brought
3 up, Jim?

4 MR. CAMPBELL: That's the lot line
5 change.

6 MR. HINES: That is what's listed
7 on the agenda. Originally they were both
8 listed.

9 CHAIRMAN EWASUTYN: Our third item
10 is Jeffrey and Dorene Laber and Lands of
11 Tarben, Inc. It's a lot line change --

12 MR. HINES: That's actually the one
13 we did.

14 CHAIRMAN EWASUTYN: So that will be
15 25-24 or is it still 25-12?

16 MR. HINES: The one we just did is
17 25-12.

18 CHAIRMAN EWASUTYN: This one is?

19 MR. HINES: The Lands of Tarben,
20 number 2, didn't need to be on here
21 because it was subject to the lot line
22 change being completed.

23 CHAIRMAN EWASUTYN: Patti, what's
24 before us now? I'm still not following
25 this.

2 M S . B R O O K S : I t e m 2 w a s w i t h d r a w n
3 f r o m t h e a g e n d a t h i s e v e n i n g b e c a u s e
4 u n t i l t h e c o n v e y a n c e i s m a d e , w e r e a l l y
5 c a n ' t c o m e b a c k w i t h t h e s u b d i v i s i o n .

6 C H A I R M A N E W A S U T Y N : U n d e r s t o o d .

7 M S . B R O O K S : I t e m 2 i s w i t h d r a w n .
8 I t e m 3 i s w h a t w a s j u s t a p p r o v e d .

9 C H A I R M A N E W A S U T Y N : G o o d . T h a n k
10 y o u .

11 M S . B R O O K S : T h a n k y o u .

12 C H A I R M A N E W A S U T Y N : M y e r r o r .

13

14 (T i m e n o t e d : 7 : 1 0 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 17th day of June 2025.

Michelle Conero

MICHELLE CONERO

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

LAWRENCE FARMS & BIANCO LOT LINE CHANGE
(2023-12)
North of Colandrea Rd, East of Frozen Ridge Rd
Section 6; Block 1; Lots 66.21 & 66.32
AR Zone

----- X

LOT LINE EXTENSION REQUEST

Date: June 5, 2025
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: CORY ROBINSON

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The fourth item
3 of business is Lawrence Farms and Bianco
4 Lot Line Change, project number 23-12.
5 It's a lot line change extension. It's
6 located north of Colandrea Road, east
7 of Frozen Ridge Road in an AR Zone.
8 It's being represented by Colliers
9 Engineering.

10 MR. ROBINSON: Good evening. Cory
11 Robinson with Colliers Engineering.

12 We're here for just an extension of
13 the approval that was granted last year
14 in August. We're just doing a simple lot
15 line change between Lawrence Farms and
16 one of the adjoiners, the Bianco's
17 property.

18 The Biancos transferred the
19 property into an irrevocable trust at
20 some point last year. We're having
21 difficulties working with the lender on
22 that to release the property so we can go
23 through with the lot line change. The
24 attorneys are working on coordinating
25 that stuff. That's why we need some

extra time on this one.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board Attorney.

MR. CORDISCO: I understand that to be the case and would recommend that the Board grant a six-month extension. That would take them through to December 5, 2025.

MS. CARVER: 4th.

MR. CORDISCO: It includes December 4th, which would be the next meeting -- the first December meeting.

If a further extension is required, you can request it prior to the December 4th meeting.

CHAIRMAN EWASUTYN: Having heard the recommendation by Planning Board Attorney Dominic Cordisco, would someone move for that extension request and date.

MR. DOMINICK: I'll make the motion.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by

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Stephanie DeLuca. Can I have a roll call
vote starting with John Ward.

MR. WARD: Aye.

MS. CARVER: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Motion carried.

Thank you.

MR. ROBINSON: Thank you.

(Time noted: 7:14 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:

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Michelle Conero

MICHELLE CONERO

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

- - - - - X
In the Matter of

LANDS OF ROSSBACH & PATSALOS
(2025-15)

28 Dogwood Hills Road
Section 78; Block 3; Lots 4 & 20
R-1 Zone

- - - - - X

LOT LINE CHANGE

Date: June 5, 2025
Time: 7:14 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DARREN DOCE

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The fifth
3 item of business is the Lands of
4 Rossbach and Patsalos. It's an
5 initial appearance for a lot line
6 change. It's located on 28 Dogwood
7 Hills Road in an R-1 Zone. It's
8 being represented by Darren Doce.

9 MR. DOCE: We're proposing a lot
10 line change between 28 Dogwood Hills
11 Road and 128 Dogwood Lane. They
12 adjoin along the rear property line.
13 The driveway on 28 Dogwood Hills Road
14 is located on the 128 Dogwood Lane
15 parcel. They're doing the lot line
16 change so that the driveway will now
17 be located entirely on the parcel
18 known as 28 Dogwood Hills Road.

19 CHAIRMAN EWASUTYN: Jim Campbell,
20 you noted two variances. Can you speak
21 on them.

22 MR. CAMPBELL: I have one of the
23 variances on my report. It appears the
24 pool decks on parcel C, 78-3-20, are
25 contiguous from the house to the side

property line. It would need a side yard variance. The side yard should be 30 and 18.2 exists.

Also to note, I do not locate any building permits for those decks.

MR. DOCE: Oh, okay.

CHAIRMAN EWASUTYN: Pat Hines, you initiated the first notice of appearance. Can you speak on that.

MR. HINES: Adjoiners' notices have to be sent out for this lot line change. I'll work with Mr. Doce's office to prepare those and have those circulated.

Also, there is an additional variance, other than the one that Jim noted. On tax lot 78-3-4, the Patsalos property, there is an existing side yard deficiency of 21.7 feet where 30 feet is required. Each of those will need to be addressed by the ZBA prior to coming back to the Board.

CHAIRMAN EWASUTYN: Will the Board authorize Dominic Cordisco, Planning Board Attorney, to prepare a referral

2 letter to the Zoning Board of Appeals
3 noting the two side yard variances that
4 are being suggested and will be required
5 to be granted.

6 MS. CARVER: So moved.

7 MR. MENNERICH: Second.

8 CHAIRMAN EWASUTYN: I have a motion
9 by Lisa Carver. I have a second by Ken
10 Mennerich. Can I have a roll call vote
11 starting with John Ward.

12 MR. WARD: Aye.

13 MS. CARVER: Aye.

14 MR. MENNERICH: Aye.

15 CHAIRMAN EWASUTYN: Aye.

16 MS. DeLUCA: Aye.

17 MR. DOMINICK: Aye.

18 CHAIRMAN EWASUTYN: Thank you.

19 MR. DOCE: Thank you.

20

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

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

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for and within the State of New York, do
hereby certify:

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Michelle Conero

MICHELLE CONERO

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

ELEVATED DREAMS CANNABIS RETAIL DISPENSARY
(2025-13)

190 South Plank Road
Section 64; Block 2; Lot 16
R-1 Zone

----- X

AMENDED SITE PLAN
SPECIAL USE PERMIT

Date: June 5, 2025
Time: 7:17 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

----- X
MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number
3 six, Elevated Dreams Cannabis Retail
4 Dispensary, project number 25-13. It's
5 here tonight for an amended site plan and
6 special use permit. It's in an R-1 Zone.
7 It's being represented by Floyd Johnson.

8 MR. DOMINICK: I'll go check in the
9 hall.

10 (Pause in the meeting.)

11 CHAIRMAN EWASUTYN: Let the record
12 show that currently Floyd Johnson, who
13 represents Elevated Dreams Cannabis
14 Retail Dispensary for an amended site
15 plan and special use permit, is not
16 present.

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

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Michelle Conero

MICHELLE CONERO

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

- - - - - X

In the Matter of

ATHBOY ROAD
(2024-36)

Athboy Road
Section 8; Block 1; Lot 105
AR Zone

- - - - - X

FOUR-LOT SUBDIVISION

Date: June 5, 2025
Time: 7:18 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: CHRISTOPHER TERRIZZI

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number
3 seven, Athboy Road, project number
4 24-36. This is a four-lot subdivision
5 located on Athboy Road in an AR Zone.
6 It's being represented by Chris
7 Terrizzi.

8 MR. TERRIZZI: Good evening. Thank
9 you. Chris Terrizzi representing the
10 Athboy Road four-lot subdivision.

11 I was last here in December. Since
12 then we've addressed some of the comments
13 related to the Office of Parks & Rec.

14 We received correspondence from
15 DEC.

16 As far as I can tell, the only
17 remaining -- the primary remaining items
18 are the maintenance agreements which are
19 underway.

20 I'm a bit naive when it comes to
21 the County Planning requirements. Maybe
22 Pat can kind of go over that with me.

23 CHAIRMAN EWASUTYN: Pat.

24 MR. HINES: Sure. We'll jump to
25 County Planning. We circulated the

2 notice of intent for lead agency for
3 the SEQRA review. County Planning
4 was included as an interested agency.
5 They did reply back with some comments,
6 but they are not offering a decision
7 at this time. Advisory comments is
8 what they said. They were looking
9 for additional material as the
10 project further developed. We will
11 have to submit for the 239 review.
12 The first letter we got back from
13 them was strictly for the State
14 Environmental Quality Review Act.

15 The action tonight for the Board
16 would be to authorize the submission
17 to County Planning.

18 As was mentioned, Office of
19 Parks & Recreation came back, based
20 on the lead agency, with comments.
21 Mr. Terrizzi provided their office
22 with photos and line of sight drawings.
23 They issued a no adverse impact letter
24 on April 16th.

25 The DEC identified some issues

2 with potential overwintering bald
3 eagle habitat and are requesting a
4 construction window of April 1st
5 through November 30th. Those notes
6 will need to be put on the plans.

7 We did receive the stormwater
8 pollution prevention plan. That will
9 also be submitted to County Planning.

10 A tree preservation survey was
11 performed and was done in a rather
12 conservative method. Only the limits
13 of disturbance were evaluated.
14 Certainly there are large portions of
15 the site that are wooded and are not
16 disturbed. It's a 19-acre site with
17 4.5 acres of disturbance. Only
18 within the 4.5 acre limit of
19 disturbance they comply with the Tree
20 Preservation Ordinance.

21 Common driveway access and
22 maintenance agreements are required.

23 The County did comment on one of
24 the subsurface sanitary sewer disposal
25 systems. My office reviewed that and

2 found it to be in compliance based on
3 the topography that was submitted.

4 I think at this point a County
5 Planning referral would be required.
6 Once we hear back from the County,
7 we'd be in a position to schedule a
8 public hearing.

9 CHAIRMAN EWASUTYN: Comments from
10 Board Members.

11 MR. DOMINICK: No.

12 MS. DeLUCA: No.

13 MR. MENNERICH: No.

14 MS. CARVER: No.

15 MR. WARD: No.

16 CHAIRMAN EWASUTYN: Would someone
17 move for a motion then to refer Athboy
18 Road, project number 24-36, to the Orange
19 County Planning Department.

20 MR. MENNERICH: So moved.

21 MS. CARVER: Second.

22 CHAIRMAN EWASUTYN: I have a motion
23 by Ken Mennerich. I have a second by
24 Lisa Carver. Can I have a roll call vote
25 starting with John Ward.

2 MR. WARD: Aye.

3 MS. CARVER: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. MENNERICH: Aye.

6 MS. DeLUCA: Aye.

7 MR. DOMINICK: Aye.

8 MR. TERRIZZI: Thank you.

9 Pat, your office takes care of the
10 referral?

11 MR. HINES: Yes.

12

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

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

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

9

10

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

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

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Michelle Conero

MICHELLE CONERO

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

GERACI SUBDIVISION
(2025-03)

272 Frozen Ridge Road
Section 6; Block 1; Lot 86.2
AR Zone

----- X

FOUR-LOT SUBDIVISION

Date: June 5, 2025
Time: 7:23 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: CARMEN MESSINA

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number
3 eight is the Geraci Subdivision,
4 project number 25-03. It's a four-
5 lot subdivision located on Frozen
6 Ridge Road in an AR Zone. It's being
7 represented by Messina Associates.

8 MR. MESSINA: As the Chairman
9 stated, this is a four-lot subdivision on
10 Frozen Ridge Road.

11 Lot number 1 has an existing house.
12 The side line and the front yard,
13 we went to the ZBA to get the variance
14 for those two. We did get that.

15 All of the lots are going to be
16 accessing Frozen Ridge Road. We had
17 planned initially to have lot number 3
18 access to Fireman's Lane Extension, but
19 that was not possible, so we have created
20 a right-of-way over lot number 4, the
21 residual lot, to Frozen Ridge Road.

22 CHAIRMAN EWASUTYN: Comments from
23 Board Members. Dave Dominick.

24 MR. DOMINICK: Nothing further.

25 MS. DeLUCA: Nothing.

2 MR. MENNERICH: No questions.

3 CHAIRMAN EWASUTYN: No comment.

4 MS. CARVER: No.

5 MR. WARD: No comment.

6 CHAIRMAN EWASUTYN: Jim Campbell,
7 Code Compliance.

8 MR. CAMPBELL: All of my previous
9 comments have been addressed.

10 CHAIRMAN EWASUTYN: Pat Hines with
11 MH&E.

12 MR. HINES: We have some technical
13 clean-up comments.

14 The existing septic system serving
15 lot 1 should be depicted. If not known,
16 it should be as reputed by the owner to
17 make sure that it remains on the lot
18 that's proposed.

19 Well locations for lots 2 and 3
20 need to be depicted with the appropriate
21 separations.

22 We're requesting a note be added to
23 the bulk table identifying the variances
24 that Mr. Messina just identified as being
25 granted.

2 There will need to be a driveway
3 access maintenance agreement in favor of
4 lot 3 across lot 4.

5 You need to dimension the septic
6 systems to be 10 feet off all property
7 lines.

8 As far as the tree preservation
9 goes, the only trees on the site are
10 former orchard trees that are in very
11 poor shape. They are exempt from the
12 Tree Preservation Ordinance as was
13 identified in the Overlook Farms project
14 in coordination with the Town's arborist,
15 for lack of a better word, Mr. Prescutti
16 who is an arborist and assisted with that
17 ordinance for the Town.

18 We are looking for grading plans to
19 confirm the limits of disturbance.
20 Currently the limits of disturbance are
21 about .87 acres. We want to confirm
22 that. Mr. Messina can confirm the limits
23 of disturbance moving forward.

24 The project contains Federal
25 wetlands. The project site is not

2 located in the urban area mapping based
3 on the 2020 urban area mapping from the
4 census. DEC jurisdiction doesn't extend
5 to those.

6 We have a couple of comments on the
7 septic systems and the notes.

8 This does require a public hearing.
9 If the Board so desired, it could be
10 scheduled at this time.

11 CHAIRMAN EWASUTYN: Dominic Cordisco,
12 Planning Board Attorney.

13 MR. CORDISCO: I concur that the
14 public hearing is required. The Board's
15 past practice has been to complete the
16 environmental review prior to scheduling
17 public hearings for subdivisions. If you
18 would like to continue with that practice,
19 you would certainly be in a position
20 to consider a negative declaration
21 tonight, or you could defer that action
22 until after the public hearing.

23 CHAIRMAN EWASUTYN: May I have a
24 motion to declare a negative declaration
25 for the Geraci Subdivision and schedule

2 it for a public hearing on the 25th of
3 June.

4 MR. WARD: So moved.

5 MR. DOMINICK: Second.

6 CHAIRMAN EWASUTYN: I have a motion
7 by John Ward. I have a second by Dave
8 Dominick. Can I have a roll call vote
9 starting with John Ward.

10 MR. WARD: Aye.

11 MS. CARVER: Aye.

12 CHAIRMAN EWASUTYN: Aye.

13 MR. MENNERICH: Aye.

14 MS. DeLUCA: Aye.

15 MR. DOMINICK: Aye.

16 CHAIRMAN EWASUTYN: You'll work
17 with Pat Hines on the notice of hearing.

18 MR. HINES: I'll work with you on
19 the notice of hearing. We'll prepare the
20 notice and provide you with the mailing
21 list. Similar to the adjoiners' notices,
22 that same process is followed, you do the
23 mailings, we'll put it in the newspaper
24 and provide that.

25 Just for you and the Board to

2 remember, that date is not our normal
3 Thursday night meeting. Because of the
4 Nineteenth holiday this month, the Board
5 moved the meeting that would have fallen
6 on that day to the 25th, which is a
7 Wednesday.

8 MR. MESSINA: I wanted to say I
9 will get in touch with you and answer
10 these.

11 MR. HINES: Yes. In the meantime.

12 MR. MESSINA: Okay.

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14 (Time noted: 7:28 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 17th day of June 2025.



MICHELLE CONERO

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

FUCHECK SUBDIVISION
(2021-31)

26 Tarben Way
Section 6; Block 1; Lots 11 & 12
AR Zone

----- X

FOUR-LOT SUBDIVISION

Date: June 5, 2025
Time: 7:28 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: RAHUL VERMA

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number
3 9 is the Fuchek Subdivision. It's a
4 four-lot subdivision located on
5 Tarben Lane in an AR Zone. It's
6 being represented by Verma Engineering
7 & Consulting.

8 MR. VERMA: Good evening. My name
9 is Rahul Verma. First I want to thank
10 you for having working air conditioning
11 in this room tonight.

12 I am in receipt of the comments
13 here from MHE on the 29th. I believe
14 we've moved through a lot of the
15 technical comments. I don't know if
16 these need to be read into the record. I
17 only have questions on a few of these.

18 CHAIRMAN EWASUTYN: Why don't you
19 speak of the questions that you have.

20 MR. VERMA: Okay. Very good.

21 Regarding the private road access
22 and maintenance agreements, I understand
23 those are required for approval. It's
24 comment number two, those need to include
25 provisions for maintenance of the

2 stormwater facility. The applicant, I
3 understand they need an attorney to
4 prepare that and amend the existing one.
5 They'll provide that to Mr. Cordisco's
6 office. Is that correct?

7 MR. HINES: Yes. That's often a
8 condition of approval. This is kind of a
9 check box to make sure --

10 MR. VERMA: Understood.

11 MR. HINES: -- you keep track of
12 those things.

13 MR. VERMA: I guess related to that
14 private road, we had submitted to you
15 back on April 6th the letters from the
16 adjacent landowners on agreeing to the
17 improvements. I forget the exact
18 phrasing. I followed up with you on
19 the 2nd. Here we are on the 5th.
20 Was that acceptable, not acceptable?

21 MR. CORDISCO: Yes, it is.

22 MR. VERMA: That item is closed.
23 Thank you very much.

24 The security for the private road,
25 how is that security amount determined?

2 MR. HINES: You'll do a cost
3 estimate, submit it to my office and
4 then the Town Board actually sets
5 that security.

6 MR. VERMA: Thank you.

7 The private road name approval, the
8 applicant submitted that to the town
9 clerk I believe on the 28th. As that
10 comes back around, I guess we will route
11 it to you, John? I'm not a hundred
12 percent clear on that process.

13 MR. HINES: I think the normal
14 process is those names go to the Building
15 Department, Jim's office, to see that
16 they don't conflict with any other 911
17 addresses. The town clerk will then
18 schedule that for a Town Board meeting.
19 The Town Board will select the names.
20 Usually it's your first selection unless
21 it sounds like or looks like or can be
22 mistaken for another road in Town.

23 MR. VERMA: Dawn, do you remember
24 who you submitted that to?

25 MR. HINES: If you submitted it to

2 the town clerk, it's probably in process.

3 MS. FUCHECK: So they'll bring it
4 to the Town Board to get us on that
5 agenda?

6 MR. HINES: Yes.

7 MR. VERMA: Number five is a minor
8 issue.

9 Number seven, I understand the
10 public hearing.

11 I guess looking at the technical
12 comments, numbers 5, 8 and 9 seem like
13 minor technical issues and some plan
14 clarifications.

15 I'd like to clarify. Do you need
16 another submittal and another meeting to
17 address those comments or can that simply
18 be a submittal to your office, Pat?

19 MR. HINES: Everything goes to the
20 Planning Board. I think the Board is in
21 a position now to consider a public
22 hearing. Those plans can be updated
23 during that process.

24 MR. VERMA: Excellent. The
25 maintenance and access agreements, is

2 approval of that required before a public
3 hearing?

4 MR. HINES: No. Again, that's
5 often a condition of approval. You don't
6 want to go through all that and not have
7 approval. Once you get your conditional
8 approval, that will be required to check
9 the box and get the plan stamped.

10 MR. VERMA: Very good. Thank you.
11 That's all I have.

12 CHAIRMAN EWASUTYN: Comments from
13 Board Members. Dave Dominick.

14 MR. DOMINICK: Nothing.

15 MS. DeLUCA: Nothing.

16 MR. MENNERICH: Nothing.

17 MS. CARVER: Nothing.

18 MR. WARD: No.

19 CHAIRMAN EWASUTYN: Can I have a
20 motion to declare a negative declaration
21 on the Fucheck Subdivision, project
22 number 21-31, and to set a public hearing
23 on the 25th of June.

24 MR. WARD: So moved.

25 MR. MENNERICH: Second.

2 CHAIRMAN EWASUTYN: I have a motion
3 by John Ward. I have a second by Ken
4 Mennerich. Can I have a roll call vote
5 starting with John Ward.

6 MR. WARD: Aye.

7 MS. CARVER: Aye.

8 CHAIRMAN EWASUTYN: Aye.

9 MR. MENNERICH: Aye.

10 MS. DeLUCA: Aye.

11 MR. DOMINICK: Aye.

12 CHAIRMAN EWASUTYN: Thank you.

13 MR. VERMA: Very good. Thank you.
14 That's on the 25th, I believe you
15 said?

16 MS. CARVER: June 25th.

17 MR. DOMINICK: Wednesday.

18 MR. HINES: It's a tighter deadline
19 because there are three weeks between
20 that. I will send you the notice and the
21 mailings, I'll put it in the paper.

22 MR. VERMA: As soon as I get that
23 list from you, they'll get on that and
24 get those out.

25 (Time noted: 7:35 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 17th day of June 2025.

Michelle Conero

MICHELLE CONERO

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

- - - - - X
In the Matter of

JEHOVAH'S WITNESSES KINGDOM HALL
(2025-16)

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

- - - - - X

PARKING EXPANSION

Date: June 5, 2025
Time: 7:35 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JOHN MONTAGNE

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number 10
3 is the Jehovah's Witnesses Kingdom Hall,
4 project number 25-16. It's an initial
5 appearance for a parking expansion. It's
6 located on 33 Old Little Britain Road in
7 an R-3 Zone. It's being represented by
8 Greenman-Pedersen.

9 MR. MONTAGNE: Good evening,
10 everyone. I'm John Montagne with
11 Greenman-Pedersen. We are back again.
12 We had this project reviewed and approved
13 a few years back. The project has been
14 built.

15 Since the time that it's been
16 built, we had an increase in the number
17 of vehicles, not attendees but vehicles,
18 to our site. What's driving that is
19 the fact that we have found that we
20 have younger, smaller families from a
21 larger area coming here. We have more
22 individuals driving as opposed to
23 families as we had anticipated. Based
24 on that and to be proactive, we are
25 proposing to expand the existing

74-lot parking by another 40 spaces,
and that will get our ratio to,
instead of one space per three seats,
it will be one space per two seats.

In order to do that, we're just
going to come off of the existing
parking and basically mirror it.

It will impact about an acre of
the site, an area to expand the
stormwater practice and an area to
expand the parking.

Stormwater will be managed
through the existing system for water
quality. The existing bio-retention
system is sized large enough to handle
the water quality volume. Extended
detention, though, will have to be
expanded. Mr. Hines will get a copy.
I have completed the stormwater
management report. We're ready to
submit that to the Town at this time.
We'll submit that. I can either mail
it to you. I did bring a hard copy
in case you'd allow me to not mail

2 that. I can give it to Mr. Hines and
3 do an official submission to you at
4 your pleasure.

5 As I said, the site will impact
6 about an acre of the existing lot.

7 We have done a tree survey
8 evaluation and an update on that.
9 We will exceed the threshold of fifty
10 percent for both significant and
11 specimen trees. We've done a
12 calculation on that that I will share
13 in our next submission just to confirm
14 how many inches of impact we will
15 have. We won't be in a position
16 where we can plant new trees, so
17 we'll be looking to do a mitigation
18 with a mitigation fee on that.

19 Just lastly real quick,
20 stormwater. Again, everything will
21 drain to a series of catch basins and
22 piping that will go to the existing
23 control structure that's on the site.

24 There will be four new trees and
25 two islands.

2 There will be three new light
3 poles that will match the light poles
4 there now, all dark-sky compliant.

5 Just very quickly, I just want
6 to show, we did update and will do a
7 more formalized, but this was the
8 original tree survey that was done
9 with all of the trees on the site so
10 we're consistent. The area that you
11 see divided by this red line and this
12 red line are the expansion areas.
13 The trees within those we've identified.
14 We do have the calculation for that
15 which we will -- I'm assuming we'll
16 submit it through you, Chairman, and
17 then that will get disseminated to
18 Mr. Hines' office.

19 CHAIRMAN EWASUTYN: You can send it
20 directly to Pat Hines.

21 MR. MONTAGNE: I'll send that
22 directly to you, Pat, so you can review
23 it.

24 We would ask, once we've
25 established inches of material, that

2 somebody work with us to help make sure
3 that we've identified the right fees for
4 that.

5 That's the presentation for this
6 evening.

7 CHAIRMAN EWASUTYN: Jim Campbell,
8 Code Compliance, any comments?

9 MR. CAMPBELL: I have no comments
10 on this application.

11 CHAIRMAN EWASUTYN: Pat Hines with
12 MH&E.

13 MR. HINES: The applicant's
14 representative touched on all of our
15 comments.

16 We did note the tree preservation
17 survey. It was discussed at work
18 session, you didn't take two bites at the
19 apple, you included the original trees
20 removed as well as for this, so the
21 calculations bring you over. The Board
22 appreciated that at work session.

23 We're waiting for that SWPPP, which
24 we may have tonight.

25 The project does have to go to

2 County Planning because of the proximity
3 to the State highway and the City of
4 Newburgh owned land. We submitted it
5 last time, so we'll resubmit it again.
6 We would need the SWPPP for that.

7 MR. MONTAGNE: I'll give you a copy
8 of that this evening.

9 CHAIRMAN EWASUTYN: You can send me
10 a disk. That's just good for the file.

11 MR. HINES: I'll need it
12 electronically for the County as well.

13 MR. MONTAGNE: Not a problem. I
14 didn't want to have to mail it.

15 CHAIRMAN EWASUTYN: Dave Dominick,
16 Planning Board Member.

17 MR. DOMINICK: Nothing further.
18 It's always good when you have to expand
19 the church parking lot.

20 MS. DeLUCA: Nothing further.

21 MR. MENNERICH: No questions.

22 CHAIRMAN EWASUTYN: No comment.

23 MS. CARVER: Nothing.

24 MR. WARD: More cars means more
25 traffic going out. How do you plan on

1 that?
2

3 MR. MONTAGNE: The impact of this
4 is actually already being felt. The
5 number of cars coming into the facility
6 right now are exceeding what the parking
7 lot can handle. We don't anticipate any
8 change to the traffic patterns than what
9 is already there now. There really
10 hasn't been any impact. Again, we are
11 off hours. We're not on peak hours. We
12 are weeknight evenings and Saturdays and
13 Sundays.

14 MR. WARD: Thank you.

15 CHAIRMAN EWASUTYN: So the action
16 before us this evening, Pat?

17 MR. HINES: Submission to County
18 Planning would be --

19 CHAIRMAN EWASUTYN: Okay. And
20 sending out the adjoiners' notices?

21 MR. HINES: And adjoiners' notices.

22 CHAIRMAN EWASUTYN: Would someone
23 make a motion to approve sending the
24 Jehovah's Witnesses Kingdom Hall, project
25 number 25-16, to the Orange County

2 Planning Department.

3 MS. CARVER: So moved.

4 MR. MENNERICH: Second.

5 CHAIRMAN EWASUTYN: I have a motion
6 by Lisa Carver. I have a second by Ken
7 Mennerich. Can I have a roll call vote
8 starting with John Ward.

9 MR. WARD: Aye.

10 MS. CARVER: Aye.

11 CHAIRMAN EWASUTYN: Aye.

12 MR. MENNERICH: Aye.

13 MS. DeLUCA: Aye.

14 MR. DOMINICK: Aye.

15 MR. MONTAGNE: Thank you very much.

16

17 (Time noted: 7:42 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 17th day of June 2025.

Michelle Conero

MICHELLE CONERO

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

- - - - - X
In the Matter of

MKJC REALTY, LLC
(2025-17)

New York State Route 32
Section 35; Block 3; Lot 3.22
B Zone

- - - - - X

AMENDED SITE PLAN

Date: June 5, 2025
Time: 7:40 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JOHN QUEENAN
CHARLES BAZYDLO

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The last item
3 on the agenda this evening is MKJC
4 Realty, project number 25-17. It's an
5 initial appearance for an amended site
6 plan. It's located on New York State
7 Route 32. It's in a B Zone. It's being
8 represented by Lanc & Tully.

9 MR. QUEENAN: Good evening,
10 everyone. John Queenan with Lanc &
11 Tully, engineer for the applicant. Also
12 with me tonight is Charlie Bazydlo, the
13 applicant's counsel.

14 The project you're familiar with
15 and was recently approved as a 10,000
16 square foot office/retail use on Route
17 32, about 1,000 feet, I'll say, southeast
18 of the intersection with Route 300.
19 There's an existing storage plaza in the
20 back.

21 We're before you tonight with a
22 proposal for an amended site plan which
23 would reduce the size of the building
24 from the original 10,000 square feet to
25 7,450 square feet. In turn, the

2 applicant has the potential for a Dunkin
3 Donuts at this location.

4 The site plan has been amended to
5 reduce the building, add a Dunkin Donuts
6 and add the drive-through lanes. That's
7 the reason for the reduction in the
8 square footage.

9 Dunkin would be moving from the 300
10 intersection to this location which will
11 better serve them. This location has
12 drive-through capabilities.

13 Generally the plan is exactly the
14 same, the one-way entrance in off of the
15 driveway, the one-way circulation around
16 continues, and then over here where the
17 building used to come out, that's the
18 reduction area that takes place over
19 here. There's a double drive-through
20 lane, one for the regular drive-through
21 orders and an order board, one now for
22 mobile pick-up. It's a new, I guess,
23 business model. That's picking up quite
24 a lot of customers. They'll come to the
25 mobile order, you can come straight

2 through, a standard drive-through. It
3 combines to one lane on the back. The
4 pick-up window is in this corner, then
5 back out the way the original site plan
6 was intended.

7 We did some shifting of the parking
8 up front. We reduced the number of
9 spaces up front and we were able to
10 relocate those in the back. We're still
11 proposing the 50 parking spaces that were
12 originally proposed with the original
13 application.

14 Everything else generally stays the
15 same. The stormwater design stays the
16 same, grading, landscaping.

17 The septic field, that was one of
18 Pat's comments. Combined with the
19 reduction of the building and Dunkin
20 being less of a sit down, there's really
21 no change to the operation.

22 We're basically back before you
23 with this amended plan.

24 CHAIRMAN EWASUTYN: Dave Dominick,
25 comments.

2 MR. DOMINICK: Nothing further.

3 MS. DeLUCA: Nothing further.

4 MR. MENNERICH: No questions.

5 CHAIRMAN EWASUTYN: No comments.

6 Lisa.

7 MS. CARVER: So they're closing the
8 Route 300 Dunkin Donuts?

9 MR. QUEENAN: That's the plan.

10 MS. CARVER: So it's retail space,
11 the other part of the building. Right?

12 MR. QUEENAN: Well, the applicant
13 potentially -- he didn't sign the lease
14 yet. There will be a 4,000 square foot
15 office, an investment firm that will be
16 moving in. The Dunkin would be 1,800
17 square foot. They would be the 4,000
18 office. There's another 1,650 unleased
19 at this point, which could be office or
20 retail.

21 MS. CARVER: Thank you.

22 MR. QUEENAN: I did the parking
23 calculations based on the worst
24 generator, which would be retail.

25 MS. CARVER: Thank you.

2 MR. WARD: Is it still a two story?

3 MR. QUEENAN: No. This is a one-
4 story building.

5 MR. WARD: That's why I'm asking.

6 MR. HINES: It has the high roof on
7 the architectural.

8 MR. WARD: We emphasize no storage.

9 MR. QUEENAN: This is now one
10 story.

11 MR. WARD: Thank you.

12 CHAIRMAN EWASUTYN: Jim Campbell,
13 Code Compliance.

14 MR. CAMPBELL: I have a couple of
15 comments, which I believe he handed you
16 the second page there. Section
17 185-42-A(3) states parking shall be
18 adequate for the type of facility
19 proposed with three additional short-term
20 spaces. I think you may need three
21 additional spaces.

22 Any proposed signs, menu boards
23 should be submitted for sizing and then
24 also for ARB.

25 MR. QUEENAN: I'll squeeze out

2 three spaces or we'll change the retail
3 to a permanent office and then I don't
4 have to reduce the parking. One way or
5 another we'll work that out.

6 MR. CAMPBELL: That's all I've got.

7 CHAIRMAN EWASUTYN: Pat Hines.

8 MR. HINES: Our first comment just
9 identifies the change to the site.

10 I don't know if the grading was
11 revised. The grading plan is obviously
12 going to need to change somewhat with the
13 drive-through lanes and such. We'll need
14 a revised complete set of plans.

15 We'll have to send it to County
16 Planning as the amended site plan because
17 it's on the State highway.

18 You addressed the design flows for
19 the Dunkin, but we'd like to see that
20 calculation to support the sanitary sewer
21 sizing.

22 I don't know if the Board wanted
23 Ken Wersted to take a look at the
24 entrance and the traffic. I don't know
25 how much Ken would be able to speak to

2 the generation for the drive-through
3 window versus the rest of the site.

4 We talked about at work session
5 that there's no need to recirculate lead
6 agency as this is a reduced size
7 building.

8 I think the only action we can take
9 tonight would be a referral to County
10 Planning once we get a complete revised
11 set.

12 CHAIRMAN EWASUTYN: So we're going
13 to refer to the Orange County Planning
14 Department once we get a revised set of
15 plans?

16 MR. HINES: That's what I'm
17 suggesting. I don't think there's a lot
18 of revisions, but County is going to ask
19 for the set.

20 CHAIRMAN EWASUTYN: I'll make a
21 suggestion, just for the record, that we
22 have Ken Wersted, the Traffic Consultant,
23 look at the change of use as it may or
24 may not affect Route 32. Is the Board in
25 favor of that?

2 MS. DeLUCA: Yes.

3 MR. DOMINICK: Yes.

4 MR. MENNERICH: Yes.

5 CHAIRMAN EWASUTYN: Yes.

6 MS. CARVER: Yes.

7 MR. WARD: Yes.

8 CHAIRMAN EWASUTYN: Would someone
9 make a motion to refer MKJC Realty, the
10 amended site plan, to the Orange County
11 Planning Department and to have Ken
12 Wersted review the potential, if any,
13 impacts with the new design on Route 32.

14 MR. CORDISCO: Mr. Chairman, would
15 that referral be subject to the
16 submission of the revised plans?

17 CHAIRMAN EWASUTYN: I think I said
18 that earlier. Thanks for reminding me.
19 Yes, please, Dominic.

20 That being said, did someone make a
21 motion? I'm sorry. We had discussion.

22 MR. DOMINICK: So moved.

23 MS. DeLUCA: Second.

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

2 Stephanie DeLuca. Can I have a roll call
3 vote starting with John Ward.

4 MR. WARD: Aye.

5 MS. CARVER: Aye.

6 CHAIRMAN EWASUTYN: Aye.

7 MR. MENNERICH: Aye.

8 MS. DeLUCA: Aye.

9 MR. DOMINICK: Aye.

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11 (Time noted: 7:48 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 17th day of June 2025.



MICHELLE CONERO

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

PATTON RIDGE
(2012-18)

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

- - - - - X

BOARD BUSINESS

Date: June 5, 2025
Time: 7:48 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The only other
3 business; Dominic, would you speak to us
4 as far as the signing of some documents
5 for Patton Ridge.

6 MR. CORDISCO: Patton Ridge, a
7 previously approved project, it is
8 currently being sold by the owner. There
9 has been extensive back and forth between
10 various different attorneys that are
11 working on the project in consultation
12 with Mark Taylor, myself and Pat Hines.

13 The situation is that the closing
14 is contingent on the site plans being
15 signed by the Planning Board Chair.
16 However, as of this time not all of the
17 conditions have been satisfied. The
18 performance security is outstanding and
19 fees that need to be paid. It is the
20 intention that the performance security
21 and the payment of fees are actually
22 going to be posted at the closing and
23 paid for by the buyer. As a result,
24 there's a proposed escrow agreement where
25 the site plan would be signed and held in

2 escrow as agreed to by all parties and
3 only be released once all the conditions
4 of the approval have been satisfied.

5 Mark Taylor has signed off on this
6 approach. It has been done in the past,
7 so there is precedent for this. It's
8 been a little bit awkward to get to this
9 point, to say the least, as it's taken a
10 number of months to negotiate that.
11 Nonetheless, there is a draft of an
12 escrow agreement which hasn't been put
13 into final form yet.

14 My recommendation is that the Board
15 authorize the Chair to sign this escrow
16 agreement, which as far as the Town is
17 concerned, governs the holding of the
18 signed site plan which cannot be used for
19 any purpose, including any filing with
20 the County until such time that the Town
21 also confirms that all the conditions of
22 the approval have been satisfied.

23 CHAIRMAN EWASUTYN: Any questions
24 from Planning Board Members?

25 MR. DOMINICK: No.

2 MS. DeLUCA: No.

3 MR. MENNERICH: No.

4 MS. CARVER: No.

5 MR. WARD: No.

6 CHAIRMAN EWASUTYN: Would someone
7 move for a motion to authorize the
8 Planning Board Chairman to sign the legal
9 papers associated with the Patton Ridge
10 subdivision.

11 MR. WARD: So moved.

12 MS. CARVER: Second.

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

17 MR. WARD: Aye.

18 MS. CARVER: Aye.

19 CHAIRMAN EWASUTYN: Aye.

20 MR. MENNERICH: Aye.

21 MS. DeLUCA: Aye.

22 MR. DOMINICK: Aye.

23 CHAIRMAN EWASUTYN: Motion carried.

24 This is unusually early for us.

25 Would someone move for a motion to close

2 the Planning Board meeting of June 5,
3 2025.

4 MS. DeLUCA: So moved.

5 MR. MENNERICH: Second.

6 CHAIRMAN EWASUTYN: I have a motion
7 by Stephanie DeLuca. I have a second by
8 Ken Mennerich. Can I have a roll call
9 vote starting with John Ward.

10 MR. WARD: Aye.

11 MS. CARVER: Aye.

12 CHAIRMAN EWASUTYN: Aye.

13 MR. MENNERICH: Aye.

14 MS. DeLUCA: Aye.

15 MR. DOMINICK: Aye.

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17 (Time noted: 7:52 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 17th day of June 2025.



MICHELLE CONERO