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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 Charlile Circle
Section 66; Block 3; Lot 18
R-3 Zone

----- X

PUBLIC HEARING
TWO-LOT SUBDIVISION

Date: August 3, 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

APPLICANT'S REPRESENTATIVE: PEDRO MONTES

----- X

MICHELLE L. CONERO
Post Office Box 816
Dover Plains, New York 12522
(845) 541-4163

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. The Town of Newburgh Planning Board would like to welcome you to their meeting of the 3rd of August 2023. We have listed four agenda items, but the last item on the agenda, Newburgh Shoppes Phase III, wished to be put on the agenda for the meeting in September. This evening we'll just have three items on the agenda and one Board business item.

We'll start the meeting by having a roll call vote.

MR. GALLI: Present.

MS. DeLUCA: Present.

MR. DOMINICK: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. WARD: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board Attorney.

MR. HINES: Pat Hines with MHE

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Engineering.

MS. CONERO: Michelle Conero,
Stenographer.

CHAIRMAN EWASUTYN: At this
time we'll turn the meeting over to
John Ward.

MR. WARD: Please stand to say
the Pledge.

(Pledge of Allegiance.)

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

CHAIRMAN EWASUTYN: The first
item on the agenda is a public
hearing on a two-lot subdivision.
It's known as the Grados Subdivision.
It's located on Charlile Circle in an
R-3 Zone. It's being represented by
Ramsey Land Surveying.

Mr. Mennerich will read the
notice of hearing.

MR. MENNERICH: "Notice of
hearing, Town of Newburgh Planning
Board. Please take notice that the

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Planning Board of the Town of
Newburgh, Orange County, New York
will hold a public hearing pursuant
to Section 276 of the New York State
Town Law on the application of Grados
Subdivision, two-lot subdivision,
project number 2023-07. The project
proposes a two-lot residential
subdivision. The lot is an existing
.822 acre parcel of property. Both
lots are proposed to be .41 plus or
minus acres. The lots will be served
by connection to the Town of Newburgh
municipal water and sewer systems.
The project site is located in the
Town's R-3 Zoning District. The
project site is known on the Town of
Newburgh tax maps as Section 66;
Block 3; Lot 18. A public hearing
will be held on the 3rd day of August
2023 at the Town Hall Meeting Room,
1496 Route 300, Newburgh, New York at
7 p.m. or as soon thereafter as can
be heard, at which time all interested

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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 6 July 2023."

CHAIRMAN EWASUTYN: The way the public hearing works is the applicant will give a presentation of the proposed subdivision. When he's finished with his presentation, if you have any questions or comments, please raise your hand and give your name and your address. We have a stenographer that's keeping the record.

MR. MONTES: I'm Pedro Montes from Ramsey Land Surveying.

Like the person mentioned, it's a two-lot subdivision proposed.

For the first residential, the driveway is on the northwest side, further away from the intersection. For the second lot, it's in this direction, having sufficient sight

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distance from any traffic coming from the intersection or from the traffic light -- the nearest traffic light, which is 445 feet.

The subdivision met all the requirements of the zoning district.

We're open for any questions from the public.

CHAIRMAN EWASUTYN: Can you give your name and your address?

MR. BAYNES: Harold Baynes, 2 Charlile Circle.

Is the driveway -- can you just point, is that Charlile Circle right there?

MR. MONTES: This is Charlile Circle here.

MR. BAYNES: You know my house is right across the street with the wall?

MR. MONTES: The first intersection? The first house south of the intersection?

MR. BAYNES: Weren't you guys

2 over there at some point?

3 MR. MONTES: Yes, sir.

4 MR. BAYNES: Do you see the
5 house right on the opposite side
6 where you're proposing?

7 MR. MONTES: Go ahead.

8 MR. BAYNES: On Charlile where
9 I'm at. Is that driveway coming out
10 onto Charlile Circle?

11 MR. MONTES: The driveway is
12 coming out, yes, on Charlile Circle.

13 MR. BAYNES: Where is the
14 driveway coming out on the other unit?

15 MR. MONTES: The other driveway --

16 MR. BAYNES: There's two units
17 there. Right?

18 MR. MONTES: There's two units.
19 One is here and one is on Meadow. We
20 don't have two driveways coming to
21 one street. We have them just divided.

22 MR. BAYNES: I want to say
23 something but it's real silly.

24 MR. MONTES: Go ahead.

25 MR. BAYNES: I had like a

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basketball hoop right there that's
been there for twenty years.

MR. GRADOS: I've seen it. No
worries. I was thinking of putting a
new one. I have little kids.

MR. BAYNES: All the kids in
the neighborhood come over there to
play.

MR. GRADOS: I have little
kids. I also met the neighbor next
door.

MR. BAYNES: We're going to be
buddies.

MR. GRADOS: Yup. That's for
sure. The neighbor, Mr. Rafael, told
me the same thing.

MR. BAYNES: What size buildings
are you proposing?

MR. GRADOS: So for this --

MR. BAYNES: Like a ranch?

MR. GRADOS: It's going to be a
bilevel.

MR. BAYNES: A bilevel?

MR. GRADOS: I'm going to have

2 basically two floors. I'm going to
3 have my rooms upstairs for my kids.

4 MR. BAYNES: One-car or two-car
5 garage?

6 MR. GRADOS: Two-car garage.

7 MR. BAYNES: Nothing real big?

8 MR. GRADOS: It's not going to
9 be too crazy big.

10 MR. BAYNES: I don't want you
11 guys to blow me out of the water.

12 MR. GRADOS: No, sir. I'll be
13 living closer to Charlile Circle.
14 The other one is going to be for my
15 little brother.

16 MR. BAYNES: So you're really
17 -- okay.

18 MR. GRADOS: It's just going to
19 be all family owned. It's just going
20 to be --

21 MR. BAYNES: Where are you from?

22 MR. GRADOS: I was born and
23 raised in the City of Newburgh. I'm
24 Currently living on Amber Drive. I'm
25 military as well. I'm also on the

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job, police, Highland Falls.

MR. BAYNES: It's nice to see somebody finally doing something with the property.

MR. GRADOS: Yes, sir. Trying to put this -- build a dream home for my wife and kids.

MR. BAYNES: Welcome to the neighborhood.

MR. GRADOS: Thank you, sir.

MS. BAYNES: As long as you cut that trim so we can see around the corner where the traffic is coming from.

MR. GRADOS: I'm going to make sure it's empty.

MR. BAYNES: Is that going to be from Charlile Circle all the way down to 32, --

MR. GRADOS: Yes, sir.

MR. BAYNES: -- the driveway?

MR. GRADOS: Down Meadow Avenue. There's debris and bushes. That's all going to be cut down.

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MR. BAYNES: Beautiful.

MR. HINES: It doesn't go all the way down to 32. Matrix owns the property.

MR. BAYNES: That's right.

MR. DOMINICK: That's 52.

MS. BAYNES: What is Matrix? Anybody know?

MR. BAYNES: Is it Amazon or something like that?

MR. HINES: It's been in the newspaper. It's going to be a Tesla warehouse.

MS. BAYNES: I didn't know.

MR. WARD: Matrix owns the warehouse.

MR. HINES: Matrix is the owner of the building and Tesla is the tenant.

MR. BAYNES: I heard Walgreens.

MR. HINES: Walgreens was going to be in the front, but they're not.

MR. BAYNES: All three buildings are going to be Tesla?

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MR. HINES: Two.

MR. BAYNES: There's one in the back.

MS. BAYNES: There's one very long building with the trucks. Interesting.

CHAIRMAN EWASUTYN: How do you think the buildings look in general?

MR. BAYNES: Beautiful.

MS. BAYNES: I think they're obtrusive. They don't belong there.

CHAIRMAN EWASUTYN: You're not on the same basketball team.

MS. BAYNES: No. They removed all the foliage and the animals started coming into the neighborhoods. It looks -- I think it's obtrusive.

MR. BAYNES: What are you guys going to do about the traffic? It's going to take you an hour to get to 84.

CHAIRMAN EWASUTYN: There was a traffic study that looked at traffic issues. To the best possible means, they were shown and they were

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mitigated. Does that answer your question?

MS. BAYNES: It's gigantic.

CHAIRMAN EWASUTYN: The gentleman in the back.

MR. FETTER: Bill Fetter, Rockwood Drive.

I'm just curious. Is there a significance to the red type face versus black? Does it indicate anything?

MR. HINES: Just drafting technique.

MR. FETTER: I'm just wondering if it will fade over time and be legible. Thank you.

MR. BAYNES: When are you guys going to start construction?

MR. MONTES: After the approvals.

MR. BAYNES: Any idea?

CHAIRMAN EWASUTYN: I think the procedure is, once the plans are stamped, then they apply for building permits to the Building Department.

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It's my understanding that the Building Department has around twenty days to review the plans. So just, you know, in general, I think they are hoping to start on or around late September, October. Around there.

MR. GRADOS: Yes, sir.

CHAIRMAN EWASUTYN: Any additional questions or comments?

(No response.)

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: No additional.

MS. DeLUCA: No.

MR. DOMINICK: Nothing further. Great job.

MR. MENNERICH: No questions.

MR. BROWNE: Nothing more.

Thank you.

MR. WARD: Nothing.

CHAIRMAN EWASUTYN: Pat Hines with McGoey, Hauser & Edsall.

MR. HINES: They've addressed our previous comments.

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There are no securities needed for the project.

There are no public improvements.

The highway superintendent has signed off on the driveways and the culverts that are proposed, so we have no outstanding comments on this.

CHAIRMAN EWASUTYN: Dominic Cordisco?

MR. CORDISCO: No additional comments.

The conditions would be the payment of rec fees and payment of fees in general.

The Board would, otherwise, be in a position to grant approval, if it so chooses.

CHAIRMAN EWASUTYN: Can I have a motion from the Board to close the public hearing on the Grados two-lot subdivision.

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: I have a

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motion by Frank Galli. I have a second by Stephanie DeLuca. May I have a roll call vote starting with Frank.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Would someone make a motion to approve the two-lot subdivision subject to the conditions that were mentioned by Planning Board Attorney Dominic Cordisco.

MR. DOMINICK: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by John Ward. May I please have a roll call vote starting with Frank Galli.

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MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Pat, what's the procedure, so we can help them as to their next step?

MR. HINES: A written resolution of this approval will be generated. Once you get a copy of that, the only conditions are payment of any outstanding fees and the recreation fee of \$2,000 for the one additional lot. Upon receipt of those, we'll issue a sign-off letter. You can get the plans stamped and then you can go to the Building Department to get the building permits.

If you have any questions, I have Mr. Grados' e-mail, I think you have mine.

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MR. GRADOS: Yes, sir.

MR. MONTES: Thank you very
much.

(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 15th day of August 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

GARDNER RIDGE
(2002-29)

Gardnertown Road near Gidney Avenue
Section 75; Block 1; Lot 4.12
R-3 Zone

----- X

SITE PLAN
MULTI-FAMILY/SENIOR DENSITY BONUS

Date: August 3, 2023
Time: 7:13 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVES: DARREN DOCE,
PHILIP GREALY, THOMAS OLLEY &
DANIEL RICHMOND

----- X

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CHAIRMAN EWASUTYN: The second item of business is Gardner Ridge, project number 02-29. It's a site plan, a multi-family/senior density bonus site plan. It's located on Gardnertown Road near Gidney Avenue. It's in an R-3 Zone. It's being represented by Darren Doce of Doce Associates.

MR. DOCE: Good evening. Darren Doce, Doce Associates. I'm here tonight with the project attorney, Daniel Richmond; Tom Ollie, the project site engineer; and the traffic consultant, Phil Grealy.

We were last before the Board in September 2022. I'm going to turn it over now to Dan and the team. They'll address the specifics of the project.

MR. RICHMOND: Good evening, Mr. Chairman, Members of the Board. For the record, my name is Daniel Richmond. I'm a partner with the law

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firm of Zarin & Steinmetz, 81 Main Street, White Plains, New York 10601.

As Darren mentioned, as you will recall, the last time we were before your Board was in September when you referred us back to the Town Board for confirmation and moving forward on the SEQRA density bonus provisions. We have since appeared before them, twice in work session, and they issued a letter to your Board in June indicating that they were -- they confirmed that you could go forward and consider us under the senior density provisions.

We're looking forward to proceeding with your Board, including we recall that your Board issued its intent to be lead agency. We're asking that you confirm that, issue a neg dec, and we're hoping we can move forward to a public hearing.

I know it's been a couple of months since you've seen the project.

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I'm going to hand it over to Phil and Tom to explain the project further.

DR. GREALY: Philip Grealy, Colliers Engineering & Design.

So one of the major aspects of the project, as has been discussed, is the access and the improvements on Gardnertown Road. At this point we've developed pretty detailed plans. We received comments from your engineer, from your traffic engineer and some comments from the highway superintendent which we either have addressed or will address. The most recent comments were from August 1st from Ken Wersted.

I'll just give a brief synopsis of some of the comments and what we're dealing with. So on this plan here, this is Gardnertown Road in the vicinity of where the access is. This is the existing Creek Run Road, which, as you know, as you exit from

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Creek Run Road, you're looking back over your shoulder, up the hill. We're realigning that. As part of this reconstruction, we're widening into the site property to develop a left-turn lane turning into the project. That will also create a left-turn lane for people turning onto Creek Run Road. There are some signal timing modifications to help reduce queues. This will improve the sight distance significantly at the intersection.

We've run turning tracks for all vehicles, as requested.

The highway superintendent had asked us to include a guide rail, which will be a box beam guide rail, similar to what exists along this portion of Gardnertown Road.

We have an emergency access drive that will connect to Gardnertown Road. There have been several of the details that have been

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worked into the plan.

As part of the widening, this whole section of roadway, once it's widened, will be overlaid with a top course and then re-striped. This is basically the striping plan that designates the lanes. It will be stop sign controlled.

In term of the comments from Creighton, Manning, they had some suggestions on the detour plan, because there will be a temporary detour when this final connection is made here and this roadway is abandoned. That should be about a two-week period, because most of the other construction will be done while the roadway is open and operating. It's really only in the area where the final tie-in would occur, and we're estimating about a two-week period to finish that off and reopen the road. When that is closed, traffic would be detoured getting to

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and from the neighborhood. We've developed a detour plan. Ken provided some comments on that. It's pretty straightforward. It's some additional signing to address those items.

In terms of the emergency access, that will be gated, but we've been asked to make sure that the gate is far enough off the road so emergency vehicles can pull in when they're opening the gate, so they're not out on the roadway.

Significant sight distance improvements are being made along the frontage area here. In most cases, we're increasing the sight distance well over 200 feet from what it exists as today. This plan shows that area. The initial input from the highway superintendent was that he wanted to make sure that this area is kept clear. This area here is all being cleared so that you have a

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clear line of sight looking up the hill. Also, anyone coming down the hill will be able to see now all the way down to almost the bridge culvert in that area.

Right now we're showing in here some geotextile and rip-rap. He wanted an area that he wouldn't have to maintain, because over time the trees and everything grow in that area. I know Pat had raised some concerns about that, about the amount of rip-rap. We'll address that. We'll meet with the highway superintendent again to see if there's some other method so we can soften some of that look.

In this area here, this is all being regraded. Again, he had proposed some geotextile and possibly some rip-rap in there. Looking at it again, I think we can eliminate a lot of that. We will fine tune that as part of our design.

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Again, along this section here there will be some box beam guide rails that will have to be installed.

The highway superintendent had given us some other comments. He basically wanted it shown on the plan what the actual sight distances were that were existing and what they are in the future. We had already done that in a submission, but we'll add that to the plan.

What other items did Ken have? He had some items on the internal layout, wanting some super elevation on one of the internal roads, and also to look at one of the internal intersections for traffic control. I think all of those items are pretty straightforward. We'll make those revisions.

We are planning to meet with the highway superintendent so that we can nail down these final details on that treatment.

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Other than that, we'd be happy to answer any questions about traffic or any of the improvements.

CHAIRMAN EWASUTYN: Frank Galli?

MR. GALLI: Phil, when you say you're going to close the road down for two weeks, you're going to close Creek Run down for two weeks?

DR. GREALY: Yes. Gardnertown, this work will be done maintaining traffic flow. We developed what we call a maintenance protection and traffic plan. While this work is being done, the road will remain open.

MR. GALLI: It will remain open.

DR. GREALY: The only closure that has to take place is when we make this final connection from the new road to the existing road that remains. So we have about a 150-foot section that will be built. This will remain open. There will be about a two-week period that this will have to be closed down. Any

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traffic that uses this would be rerouted to Taft to get to the neighborhood. Again, Ken had provided some comments on that detour plan. Similarly, anyone that would be coming up this way would have to divert, Taft up to Gardnertown and through. Gardnertown will remain open. It's really just the closure of Creek Run Road.

MR. GALLI: That's all I had, John.

CHAIRMAN EWASUTYN: Stephanie DeLuca?

MS. DeLUCA: I have two questions. One question is about the incline. Is that going to -- can you explain that? Is that going to be increased, decreased?

DR. GREALY: What will happen is -- right now, as you come on Creek Run Road, you're basically trying to come in at a flat grade here, but you're looking back, back over your

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shoulder. Now we'll come in more perpendicular to the roadway. Creek Run Road at its end -- this is a profile of the proposed roadway. There's some fill in this area. We're going to bring it up. There will be a level area where it intersects with Gardnertown Road. Our access road also has a level area before it goes into the site. Along Gardnertown Road, the grade is not changing. We're keeping that grade. We're making some drainage improvements, pavement improvements, putting in a turn lane so that when you're coming down the hill on Gardnertown, anyone turning into the project will be able to move into a separate left-turn lane so that the through traffic can move unimpeded.

MS. DeLUCA: You mentioned something, too, about stop signs. Can you explain that?

DR. GREALY: Gardnertown Road,

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as it is today, will be given free flow. Right now, Creek Run Road, as you come out, you're stopping and looking over your shoulder. This approach will be stop controlled as it is today, just relocated to here. Exiting from our site will also be stop controlled.

MS. DeLUCA: Okay. You had mentioned something, too, about the queueing with the traffic light down at the bottom.

DR. GREALY: The traffic signal at Gidney Avenue here. So we're actually extending the two-lane width. Right now, once the queue gets here, people that turn onto Creek Run Road, that actually backs up past that intersection today. We're providing additional stacking by moving the intersection up. Now people coming from Gidney, wanting to turn onto Creek Run Road, will proceed further to the west, pull

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into their own lane here and turn left onto that road. So we're increasing the stacking. Then there's some signal timing adjustments to make it more efficient also.

MS. DeLUCA: Okay. Thank you.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: A couple things.

First, Phil, you mentioned that the sight line will go from the top of the hill east, all the way to the intersection?

DR. GREALY: Correct.

MR. DOMINICK: That's a pretty significant improvement.

DR. GREALY: You'll basically be able to see -- because of the curve here, your direction would be kind of looking just to the north of the intersection, but this will be clear throughout the whole area. Today it's limited. If you're here, you're at the top of the hill, you

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can't see somebody.

MR. DOMINICK: The entrance to the site, that's still a little high of an elevation in that area. It's right about where that for sale sign is now. In that vicinity.

DR. GREALY: There will be some grading going into the access road. Again, that's part of the sight lines. In this area is where we're widening it for the slope, and then we'll be cutting it back and grading that area.

MR. DOMINICK: Okay.

DR. GREALY: These actually represent one-foot contours going into the site that we're regrading.

MR. DOMINICK: Just two additional comments on the site itself. Darren, thanks for taking my suggestion about emergency generators for the senior citizen building. I think that's a necessity, especially with the hundred-year storms

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happening every weekend. I appreciate that.

What is the total number of parking spaces to date?

MR. OLLEY: We have two for every unit, and then we have -- I have to look at the plan. We have approximately sixteen or twenty additional spaces at the community building.

MR. DOMINICK: Once we get a total number, do you think we can take twenty percent of that number and make EV charging throughout the complex?

MR. RICHMOND: I think that's something we can talk about. I don't think we have the authority today --

MR. OLLEY: We understand that. One of the things that would lend itself in that direction is that most every unit or -- not every unit. Two-thirds of the units will have garages, so it will be easy means to

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provide that in the future.

MR. DOMINICK: Thanks. Thanks, gentlemen. That's all I have.

CHAIRMAN EWASUTYN: No comment.

MR. MENNERICH: Phil, where the rock is going to go, are there any low-growing vegetation options that could be used there instead?

DR. GREALY: Yes. That's what we're going to discuss with the highway superintendent. When we first met, he said I want to make sure nothing grows in there. That's why we went to this treatment. Clearly, you know, the purpose is to make sure that you're not getting anything of significant height. We're looking at some crown vegetation that's just low growing and that could be maintained, if anything does start to grow in there, without any significant effort by the Highway Department.

MR. MENNERICH: Thanks.

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DR. GREALY: We're picking up a lot of the runoff that runs off there today as part of this system.

MR. BROWNE: There's a lot of detail. Thank you. I'm good at this point.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: No comment right now.

CHAIRMAN EWASUTYN: Okay. We'll start with Pat Hines from McGoey, Hauser & Edsall.

MR. HINES: Sure. The first comment is the Tree Preservation Code. Obviously this project has been around long before the Tree Preservation Code. Compliance with that will be have to be documented. We did have a conversation yesterday regarding that and compliance with that.

The highway superintendent did submit comments. We're looking for you to coordinate with him, as you mentioned.

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I believe this should get re-referred back to County Planning due to the changes in the site and the access. That's an action the Board can take this evening.

I'm interested to hear. The lead agency recirculation, do you know when that was done? I probably did it.

MR. RICHMOND: I think we have it that you circulated lead agency in 2016.

MR. HINES: This is a different plan then. We talked at work session and suggested this be recirculated again based on the change. It's a thirty-day. Again, it has to go to County. I don't think it costs you anything. It's kind of a belt and suspenders thing that we'll redo with the revised plan to the agencies.

MR. RICHMOND: Is that something the Board would take care of?

MR. HINES: Yes. The Board

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would authorize that tonight, declare their -- declare to recirculate that. My office would do the recirculation.

It needs Health Department approval for the water main with hydrants. I believe you went through that process before, but now the water mains are coming in in a different direction.

We talked about the hundred-year floodplain and trying to move some of the stormwater improvements that are proposed in there out of there.

Updated water and sewer notes.

I have technical comments on water, sewer and drainage that we don't need to rehash here.

The rip-rap slope stabilization, I wanted to call that to the Board's attention. We had the opportunity to discuss that. There will be some changes to that. It was a visual impact concern of mine to have rip-

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rap up both sides of the road there.
I think that can be addressed in this
process.

MR. OLLEY: We did have a chance
to take a look at that. Phil and I
are exploring soil and vegetation
rather than rip-rap stabilization
along those slopes.

MR. HINES: That's what we have.
I think those two actions could be
taken tonight, the recirculation of
lead agency and sending it to County
Planning.

CHAIRMAN EWASUTYN: Dominic
Cordisco, Planning Board Attorney.

MR. CORDISCO: In addition to
that, I just want to note for the
Board's and public's purposes, this
project had previously -- in a
different iteration, had previously
received conditional final approval
and then had stepped back down to
preliminary approval when they were
running out of time for restrictions

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on the number of extensions that the project could receive for conditional final. Subsequent to that, the preliminary approval was allowed to lapse. It's still being processed by the Board as part of the original proposal, albeit in this altered form at this time.

The last time that this project was before this Board was in August of 2022. At that time it was referred to the Town Board so that the Town Board could authorize the Planning Board to continue its review. Because this project requires a density bonus which is granted by the Town Board, it's a two-step process. The first step is for the Town Board to indicate to the Planning Board that the Board may continue to review the project, but then also the Town Board then must, at the conclusion of the process and before conditional final approval

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would ever be granted, also has to grant the density bonus that would be required. The Town Board indicated by letter dated June 2, 2023 that they're authorizing the Planning Board to continue your review at this time. It is subject, however, to two conditions. One being the provision of the emergency access. The second would be that the project will require an outside user agreement for sewer service to the project.

I concur with Mr. Hines' recommendations to refer this project again to the County Planning Department given the current proposal, and also recirculating for lead agency. Even with the 2016 circulation based on the prior plan, the Board would be well served to have input from any other agency in connection with this current proposal, and it seems ready to do so at this time.

CHAIRMAN EWASUTYN: Can I have

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a motion from the Board to circulate
to the Orange County Planning
Department --

MR. GALLI: So moved.

CHAIRMAN EWASUTYN: -- excuse
me. There are two parts -- and
recirculate as far as declaring our
intent for lead agency.

MR. GALLI: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a
motion by Frank Galli. I have a
second by Ken Mennerich. 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.

MR. RICHMOND: Thank you very
much, Mr. Chairman and Members of the
Board.

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(Time noted: 7:33 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 15th day of August 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

NEWBURGH CHICKEN, LLC
(2023-17)

197 South Plank Road
Section 60; Block 3; Lot 6.1
B Zone

----- X

SITE PLAN

Date: August 3, 2023
Time: 7:33 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

APPLICANT'S REPRESENTATIVE: NICHOLAS WARD-WILLIS

----- X

MICHELLE L. CONERO
Post Office Box 816
Dover Plains, New York 12522
(845) 541-4163

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CHAIRMAN EWASUTYN: The third and final agenda item this evening is Newburgh Chicken, LLC. It's an initial appearance for a site plan. It's located on South Plank Road in a B Zone. It's being represented by Keane & Beane.

MR. WARD-WILLIS: Good evening, Mr. Chairman and Members of the Board. Nicholas Ward-Willis with Keane & Beane on behalf of the applicant, Newburgh Chicken.

This is a proposal for the redevelopment of the property that's currently occupied by the Dairy Queen at 197 South Plank Road. The proposal is to swap out one fast food use for another fast food use, and that's Popeyes Chicken.

The property is located in the B Zone where it is a nonconforming use. It is approximately 0.97 acres. We are proposing to construct a 2,537 square foot fast food restaurant.

2 The existing Dairy Queen is similar
3 in size. It's a couple hundred
4 square feet larger.

5 We'll be providing 23 parking
6 spaces and a stacking lane for 12
7 cars.

8 There are 24 seats inside the
9 building.

10 We are making associated site
11 improvements with the driveway
12 entrances, landscaping and lighting.

13 Significantly, we'll be
14 reorienting the building. We're
15 proposing to demolish the existing
16 building, reorienting it as you can
17 see on the site plan that I'll go
18 through in a moment.

19 We do require a variance from
20 the Zoning Board and a special
21 permit. We need area variances. We
22 need a special permit to continue the
23 one nonconforming use to another
24 nonconforming use, so the ZBA needs
25 to make that determination.

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We also need to have a discussion with the ZBA and their attorney as to how they view the demolition of the existing building and constructing a new one. I saw your consultant's comment that it requires a use variance. We don't agree with that but recognize we would have that discussion with the Zoning Board and their attorney as to how that would apply.

We made an initial application to this Board because we understand we need the letter of referral. We gave you a concept plan. We recognize that sort of the gatekeeper issue is the continuation of the nonconforming use and the construction of the new building. We believe that this presents an opportunity to construct a new building to address and reduce some of the non-conformities that are existing on the site, pulling the building back further

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from the road, widening the entrance and exit aisles. Importantly, it's an opportunity to address the traffic congestion at the intersection of 52 and 300 by adding a turning lane as you head eastbound. We recognize that can only occur if this project proceeds. There aren't too many other uses where it would make an economical benefit to buy the property, redevelop it and put in a turning lane for a fast food use. Fast food uses are permitted by as-of-right in the adjacent IB District which this property adjoins. We had submitted an application to the Town Board petitioning for a zone change, but that has not been entertained. We understand they're going through the comprehensive planning process and that would take, as you can imagine, as you know, several months or longer. We view an opportunity to redevelop this property now, and

2 there are many benefits to it.

3 I'm here to answer any
4 questions you may have.

5 I did note the comment from Mr.
6 Hines, that we provided a zoning
7 table in our plans for the IB
8 District. That was associated with
9 our rezoning petition. I do have a
10 revised plan -- I apologize, it's on
11 8.5 by 17 -- with the B District
12 zoning table that I can provide the
13 Board tonight if you'd like.

14 I can just briefly walk you
15 through the site plan. I presume
16 some of your eyes are as bad as mine,
17 so I did provide a blowup of the
18 zoning table. When you have it, I'll
19 just spend a couple more minutes
20 walking through and explaining the
21 conceptual site plan.

22 The site plan before you
23 depicts the proposed Popeyes building.
24 It says perpendicular to the layout.
25 I don't have an existing site plan to

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show the comparable conditions, but I presume everyone is familiar with the Dairy Queen that is closer to the intersection of South Plank Road and Union Avenue. We're pushing the building back. We're orienting it so that it's parallel to Union Avenue, where the existing Dairy Queen is closer to and parallel to South Plank Road.

We're providing 23 parking spaces. You'll also see our stacking lane is quite large and moved in from the site as opposed to where it is with the existing Dairy Queen. We've taken advantage of the lot to allow for increased traffic circulation.

The potential for a turning lane, in discussions with DOT, would be on South Plank Road. I also recognize we need to have discussions with them about the turning movements into and out of the site, as well as the access drive. So this is just

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our conceptual site plan.

If you turn to the second page, there's a blowup of the zoning table. There are a number of opportunities here where the existing non-conformities can be minimized, reduced and, in some cases, brought into conformity. For example, the minimum front yard setback on South Plank Road for a fast food restaurant in the B Zone, it's actually 60 feet, not 50 feet. Existing right now is 13.9 feet. In the front yard on South Plank Road, we would be moving the building back to 88.6 feet and be conforming, so not only reducing the nonconformity of the existing building, but actually being conforming. On Union Avenue, again the front yard setback is 60 feet. It's currently 25.3. While we won't be meeting the 60 because of the lot size, we would be decreasing that nonconformity from 26 feet to 32 feet. Likewise with

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respect to the minimum side yard setback, where 30 feet is required, existing is 6.6 feet. Our building would be 58.2 feet and be conforming. Likewise with the maximum building coverage. It's currently 6.4 percent. We would be reducing that to 6 percent. Because we are providing more driveway surface, we do increase the lot surface coverage.

There are some other variances we need, including not providing a loading zone. I can explain, when we get to the site plan, why we are not going to have one. The Dairy Queen doesn't have one.

As we view this, it does have some hurdles with respect to the zoning code and the nonconforming aspect of approval of the ZBA. I submit, from a planning perspective, it's an opportunity to take one fast food use, swap it out for another, add some improvements both onsite

2 and, significantly, at that
3 intersection some offsite
4 improvements as well.

5 What I'm hoping to do tonight
6 is entertain questions the Board may
7 have and perhaps go into some more
8 details. Also, perhaps we be
9 referred to the ZBA so we can
10 resolve that threshold issue first.
11 They're doing an uncoordinated
12 review, they can make whatever
13 determination and decisions they deem
14 appropriate. If favorable to the
15 application, we would then come back
16 to your Board and work with you in
17 more detail on the site plan from a
18 traffic standpoint. We would submit
19 a full traffic report, bring DOT into
20 the discussions, talk about the
21 layout and architecture and details,
22 more traditional site plan details.

23 CHAIRMAN EWASUTYN: Thank you.

24 Frank Galli?

25 MR. GALLI: I think the initial

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step is to get him over to the Zoning Board before we see any of this stuff. It's nice to look at. Until Zoning actually tells him what he needs to do and where he needs to be at. A proxy to represent him. I think that's the next step. We can look at this all day long. If Zoning says this, that and the other thing, we're just wasting our time and wasting his time.

CHAIRMAN EWASUTYN: Okay.
Stephanie DeLuca?

MS. DeLUCA: I agree with Frank.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: I agree with Frank. You keep mentioning you're improving the intersection. Can you elaborate on that? I don't see an improvement here. I see more of a hazard, especially with your north entrance going in and out. That should be a right in and right out on

2 52 only.

3 MR. WARD-WILLIS: So this is a
4 concept plan only. It doesn't show
5 where we would be widening South
6 Plank Road to create that turning
7 lane. You would have one through, a
8 left and a right. I agree, the
9 entrance onto South Plank Road does
10 need further refinement. That's
11 something we would be looking at in
12 consultation with both DOT, who owns
13 the road, as well as the Board's
14 traffic consultant.

15 MR. DOMINICK: Okay.

16 MR. WARD-WILLIS: I recognize
17 the issue. I'm not sure how we're
18 going to address that.

19 MR. DOMINICK: Thank you.

20 MR. MENNERICH: Have you
21 already talked to DOT on this?

22 MR. WARD-WILLIS: Our traffic
23 consultant, Dynamic Engineering, had
24 initial conversations and requested
25 traffic data. That not being, what I

2 would say, a substantive conversation
3 that I can provide you with any
4 input.

5 CHAIRMAN EWASUTYN: Cliff Browne?

6 MR. BROWNE: Basically I see
7 the major thing is the traffic in and
8 out. Right now that's a hazard, a
9 real hazard at that corner. Dairy
10 Queen has been there for a good many
11 years. Back in the day when that was
12 built, there was very little traffic
13 compared to today. Very, very
14 little.

15 CHAIRMAN EWASUTYN: John Ward?

16 MR. WARD: Right now Dairy
17 Queen has the one way in. You have
18 it down as two way. It's bad enough
19 with the one way, for one.

20 For two, I'm asking you to
21 continue the sidewalk on Route 52 and
22 up Union Avenue/300. Crosswalks
23 across the driveways. Thank you.

24 MR. WARD-WILLIS: Understood.
25 Thank you.

2 CHAIRMAN EWASUTYN: Pat Hines,
3 your interpretation of the code?

4 MR. HINES: So I think the
5 applicant's representative touched on
6 it. I think you do need that
7 interpretation as to the use, and
8 then some area variances as well.
9 Certainly that will go to the ZBA. I
10 think it would be helpful for the ZBA
11 to have that existing conditions plan
12 to compare.

13 I do want to caution you, when
14 you go to the ZBA, they're going to
15 approve a plan. It needs to be the
16 plan that you're going to present
17 back to this Board. So the concept
18 needs to be more refined before you
19 get to the ZBA. They approve an
20 actual plan. Any changes to that
21 actual plan, you'd be back before
22 them again. You need to develop some
23 more details when you go there.

24 MR. WARD-WILLIS: Okay.

25 MR. HINES: You touched on my

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comments of whether or not you need an area variance or it's that section of the code that says you can be grandfathered. I'll let you work that out with the ZBA.

The 60 foot setbacks should be revised on your plan for the state highways. It will be important to get the proper variance, if you get it.

I know you have the rest of my comments.

There's a need for adjoiners' notices that I'll work with your office on. You'll have to do that for this Board and the ZBA. I'll process those for this Board.

MR. WARD-WILLIS: Okay. So that gets done twice?

MR. HINES: Each Board has to do it under our code.

MR. WARD-WILLIS: Understood.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board Attorney?

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MR. CORDISCO: The next step that the Board could take tonight would be the referral to the Zoning Board of Appeals. We've had a lengthy discussion already on that. I won't belabor the point. Typically the Board would authorize me to prepare a letter referral. I would encapsulate this discussion, if the Board so chooses. You may also want to consider conditioning that referral on the receipt of a proxy. Also, a recommendation that an existing conditions plan be included as part of the Zoning Board referral.

CHAIRMAN EWASUTYN: I don't think we received a proxy on this application.

MR. WARD-WILLIS: I'll make sure you have one. I apologize it was not.

CHAIRMAN EWASUTYN: I noticed that at the beginning, but I figured we'd discuss it this evening.

2 Dominic, just for the record,
3 because normally when Pat Hines
4 discusses the area variances that are
5 needed, you kind of bullet them in
6 the conversation like we're having
7 this evening. Since this is even
8 more technical in nature, can you
9 bullet what you'll be writing about
10 as far as that referral?

11 MR. CORDISCO: Yes. I don't
12 have the bullets now, but if Mr.
13 Hines would like to reiterate them,
14 I'll make sure that we include that
15 in the letter.

16 MR. HINES: This is a bit of a
17 unique situation because the use is
18 not permitted in the zone. There's
19 really not an underlying bulk table
20 for that use, so it's difficult to
21 elaborate on each of them. I think
22 the ZBA is going to have to opine on
23 what bulk tables will be imposed, if
24 they do approve this use. There are
25 several other defined variances that

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we know of. It's often difficult to compare a use that's not permitted in the zone in a bulk table that doesn't have those defined bulk tables. I don't know if I said that clearly enough.

MR. CORDISCO: I will endeavor to --

CHAIRMAN EWASUTYN: Can I have a motion to have Dominic Cordisco prepare a referral to the Zoning Board of Appeals subject to the outline that he will be given from Pat Hines with McGoey, Hauser & Edsall.

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 please have a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

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MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Subject to that referral, we first need a proxy to be part of the submittal.

MR. WARD-WILLIS: Understood, Mr. Chairman. We'll provide that promptly.

CHAIRMAN EWASUTYN: Thank you.

MR. WARD-WILLIS: Thank you for the Board's consideration tonight.

(Time noted: 7:50 p.m.)

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I, MICHELLE CONERO, a Notary Public
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hereby certify:

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of August 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

NEWBURGH SHOPPES PHASE III
(2023-16)

1217 & 1219 Route 300
Section 96; Block 1; Lots 6.2 & 11.1
IB Zone

- - - - - X

SITE PLAN

Date: August 3, 2023
Time: 7:50 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

- - - - - X

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CHAIRMAN EWASUTYN: Newburgh Shoppes Phase III, the applicant's representative requested that the Board set this for the meeting of September.

Can I have a motion from the Board to set Newburgh Shoppes Phase III for the meeting in September.

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 Frank.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Thank you.

(Time noted: 7:51 p.m.)

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

----- X

In the Matter of

TREE PRESERVATION AMENDED LOCAL LAW

----- X

BOARD BUSINESS

Date: August 3, 2023
Time: 7:51 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

----- X

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CHAIRMAN EWASUTYN: We have a Board business item that Pat Hines can discuss with us. There is a revision to the code for tree preservation. The original local law was amended. Pat will speak on that now.

MR. HINES: We had reviewed the proposed changes to the Tree Preservation Ordinance. A letter was forwarded to the Town Board with your comments, which were all favorable.

The Board did adopt the revisions to the law. The main changes to it are that they are now allowing sample plots of a half acre in size for each 5 acres. Those sample plots are used to expand or interpolate the trees on the entire site.

They increased the diameter of each of the trees that are to be recorded. Any tree over 24 inches must be depicted on the plans. They

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increased the diameter from 14 inches to 20 inches of the specimen trees, I believe it is.

I think it gives the applicant -- it will result in a tree analysis. It gives the applicants some ability to streamline the analysis. We've had some applicants counting upwards of thousands of trees on their sites. They've been waiting for this change rather than measuring a thousand plus trees on the sites.

That's been adopted and is now in effect. The applicants will now be complying with that.

CHAIRMAN EWASUTYN: Any questions?

MR. GALLI: No.

MS. DeLUCA: No.

MR. DOMINICK: No.

MR. MENNERICH: No.

MR. BROWNE: No.

MR. WARD: No.

(Time noted: 7:54 p.m.)

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

----- X
In the Matter of

TED'S CYCLES
Jeanne Drive

Field change to install a generator

----- X

BOARD BUSINESS

Date: August 3, 2023
Time: 7:54 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

----- X

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2 CHAIRMAN EWASUTYN: Okay. We
3 have two discussion items that we
4 were asked to discuss from the
5 Building Department.

6 The first one is -- Pat, which
7 one do you want to take first?

8 MR. HINES: We did the Jeanne
9 Drive one at the work session. We
10 received a comment from the Building
11 Department. There is a building on
12 Jeanne Drive which has recently
13 changed ownership. That new owner
14 wants to place an emergency standby
15 generator at the site. It will be
16 pad mounted on the side of the
17 building. I don't know exactly
18 where. That is in the IB Zone. It's
19 basically going to be sitting on a
20 concrete pad alongside the building.

21 The Building Department wanted
22 to know if the Planning Board needed
23 to or wanted to review and approve
24 that as an amended site plan or if
25 you would defer that to the Building

2 Department to issue those permits.

3 You would be kind of setting
4 that up as the procedure moving
5 forward, that the Building Department
6 will approve standby generators.

7 We discussed it at work
8 session. It seemed the Board would
9 be willing to defer that to the
10 Building Department for the use.

11 CHAIRMAN EWASUTYN: I think the
12 e-mail came from Ted's Cycles. They
13 were requesting a decision on that.

14 Is the Board in favor of this
15 being a field change?

16 MR. GALLI: A field change.
17 Yes.

18 MS. DeLUCA: Yes.

19 MR. DOMINICK: Yes.

20 MR. MENNERICH: Yes.

21 CHAIRMAN EWASUTYN: Yes.

22 MR. BROWNE: Yes.

23 MR. WARD: Yes.

24 CHAIRMAN EWASUTYN: Let the
25 record show that the Planning Board

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approved the field change for the
Ted's Cycles building on Jeanne Drive
to install a generator, providing
that the generators are placed in the
front yard of the subject property.

(Time noted: 7:56 p.m.)

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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
(Project 2022-04)

14 Crossroads Court

Proposed widening of the ADA ramps

----- X

BOARD BUSINESS

Date: August 3, 2023
Time: 7:54 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

----- X

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CHAIRMAN EWASUTYN: And the last item, Pat?

MR. HINES: We received a referral, actually from the Building Department again. The former Orange County Choppers building, which is now proposed to be a self-storage facility, has provided plans to the Building Department that identifies a proposed widening of the ADA ramps that are parallel to the building in the front.

There's a set of stairs. On either side of those stairs are two ramps that go along the whole front of the building. They need to change the grade of those slightly to comply with the ADA requirements. They want to make them wider. I think they are about four feet wide. They want to make them six feet wide, on the plans that we reviewed at work session, both for ADA compliance and for the self-storage use. They want to have

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the ability to use those ramps to move larger product. The applicant wishes to make them wider.

We discussed at work session those changes. I believe the Board was going to talk about whether or not that could be approved as a field change as well.

CHAIRMAN EWASUTYN: Frank Galli?

MR. GALLI: It's fine as a field change.

CHAIRMAN EWASUTYN: Stephanie?

MS. DeLUCA: Good.

MR. DOMINICK: I agree.

MR. MENNERICH: Yes.

CHAIRMAN EWASUTYN: Yes.

MR. BROWNE: Yes.

MR. WARD: I agree.

CHAIRMAN EWASUTYN: Okay. Let the record show that the change to, we'll call it the walkway leading into Orange County Choppers, the Planning Board approved the widening of that.

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Any other questions or
comments?

(No response.)

CHAIRMAN EWASUTYN: A motion to
close the Planning Board meeting of
the 3rd of August.

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
Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

(Time noted: 7:58 p.m.)

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