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

MOUNTAIN VIEW SUBDIVISION  
(2008-04)

West side of Mountain View Road  
Section 14; Block 1; Lot 142  
AR Zone

----- X

PUBLIC HEARING  
NINE-LOT SUBDIVISION

Date: July 3, 2008  
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  
JOSEPH E. PROFACI

ALSO PRESENT: DINA HAINES  
MICHAEL H. DONNELLY, ESQ.  
BRYANT COCKS  
PATRICK HINES  
KAREN ARENT  
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: ANDREW FEATHERSTON

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

MS. HAINES: Good evening, ladies and gentlemen. I'd like to welcome you to the Town of Newburgh Planning Board meeting of July 3, 2008. At this time we'll call the meeting to order with a roll call vote.

MR. GALLI: Present.

MR. BROWNE: Present.

MR. PROFACI: Here.

CHAIRMAN EWASUTYN: Present.

MS. HAINES: The Planning Board has experts that will provide input and advice to the Planning Board in reaching various SEQRA determinations. I ask that they introduce themselves at this time.

MR. DONNELLY: Michael Donnelly, Planning Board Attorney.

MS. CONERO: Michelle Conero, Stenographer.

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

MR. COCKS: Bryant Cocks, Garling Associates, Planning Consultants.

MS. ARENT: Karen Arent, Landscape Architectural Consultant.

MR. WERSTED: Ken Wersted, Creighton,  
Manning Engineering, Traffic Consultant.

MS. HAINES: Thank you.

At this time I'll turn the meeting over  
to Joe Profaci.

(Pledge of Allegiance.)

MR. PROFACI: If you could please turn  
off your cell phones, pagers. Thank you.

MS. HAINES: The first item of business  
we have tonight is Mountain View Subdivision.  
It's a public hearing for a nine-lot subdivision,  
it's located on the west side of Mountain View  
Road and it's being represented by Andrew  
Featherston.

I'll ask Cliff Browne to read the  
notice of hearing.

MR. BROWNE: "Notice of hearing, Town  
of Newburgh Planning Board. Please take notice  
that the Planning Board of the Town of Newburgh,  
Orange County, New York will hold a public  
hearing pursuant to Section 276 of the Town Law  
on the application of Mountain View Subdivision  
for a nine-lot subdivision on premises west side  
of Mountain View Road, north of intersection with

Route 300 in the Town of Newburgh, designated on Town tax map as Section 14; Block 1; Lot 142. Said hearing will be held on the 3rd day of July at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7:00 p.m. at which time all interested persons will be given an opportunity to be heard. By order of the Town of Newburgh Planning Board. John P. Ewasutyn, Chairman, Planning Board Town of Newburgh. Dated June 6, 2008."

MR. GALLI: The notice of hearing was published in The Sentinel on June 24, 2008, in The Mid-Hudson Times on June 25, 2008. The applicant's representative sent out thirty-seven registered letters, thirty-three were returned. All the publications and mailings are in order.

CHAIRMAN EWASUTYN: At this time I would like to introduce to the public Michael Donnelly, the Planning Board Attorney. Michael will explain where we are in the review process and the meaning of a public hearing.

MR. DONNELLY: Good evening. There's one public hearing on this evening, it is this project, it is a subdivision. Under State law

the Planning Board must hold a public hearing before it takes action on a subdivision approval. The State law provides that that hearing is to be provided not when the application is first made but after certain determinations are first made under the State Environmental Quality Review Act. The purpose of the hearing is for you, the members of the public, to bring to the attention of the Planning Board any issues that you think the Board should consider as it reviews this application. In the progress or the order of events, the applicant will make a presentation and after that is concluded the Chairman will call upon those of you who wish to address the Board. When called upon we would ask you to please step forward and give us your name, and if you would please your address so we have some idea where you live in relation to the project. If you would spell your name for our Stenographer that would be helpful to make sure we get it down correctly in the transcript. You should address your comments to the Planning Board. If you have questions the Chairman can direct them to either the applicant's representative or to one of the

technical consultants for the Town.

CHAIRMAN EWASUTYN: Thank you. Your presentation.

MR. FEATHERSTON: Thank you, Mr. Chairman. My name is Andrew Featherston, I'm a civil engineer with Maser Consulting. We prepared the plan of the project.

The project is located, as was stated, off Mountain View Road, north of Route 300 and on the east side of the Thruway. The Thruway runs right here. The site is approximately 24 acres located in the AR zoning district which permits single-family residential lots on a 40,000 square foot lot.

We're proposing nine single-family residential lots with individual wells and septic. The site is mostly wooded areas with some open fields in the center. There's 9.3 acres of Federal wetlands on the site. That's indicated by the cross-hatched area. It extends up also into a roadside drainage ditch that runs along the existing common driveway that serves two lots on the north side of the property.

We have had the Army Corp on site. We

submitted for a jurisdictional determination and have received that. Our next step is to submit for pre-construction notification and permit for the disturbance on the site. We have yet to do that but we will copy the Board when we get that done.

The roadway that we're proposing is 900 feet long. It ends in a cul-de-sac. Eight of the lots will access -- will take their access from that private road. Lot number 1 here will access directly off of Mountain View Road. The reason for that configuration is when we did the septic testing the best soils were in the rear of the lot and that precluded taking a driveway off of our new private road.

We're going to draw up maintenance and access agreements for review by the Board. Lot number 1 will not need to be a party to that access and maintenance easement because they're going to take their access off of the Town road, Mountain View Road.

In with those access and maintenance agreements there will also be maintenance agreements to deal with the stormwater basins.

There's two stormwater basins to provide the required mitigation required by the Town and the State.

We responded to some comments we received from the Thruway to add some six-foot high chain-link fencing along the common boundary. One of the things that the applicant was requesting was -- the Town standard that we typically use is the ranch style wooden fence with the black vinyl fabric on it for protection or fencing around the stormwater ponds. The applicant has requested that we use black vinyl chain-link fencing for longevity. He believes that it will stand up better and require less maintenance.

We sent plans and had some dialogue with the highway department. Right now I have a verbal that he doesn't have any issue with the location of the driveways but I have not received anything in writing from him yet. We're still seeking that.

That's it, Mr. Chairman.

CHAIRMAN EWASUTYN: Okay. At this point we would like to open the meeting to the



public. As Mike Donnelly had said, if you would raise your hand and give your name and your address.

Sir.

MR. CRAWFORD: Alan Crawford, C-R-A-W-F-O-R-D, 23 Mountain View Avenue. You keep referring to Mountain View Road. It's Mountain View Avenue. Am I correct?

MR. FEATHERSTON: Everything I had was Mountain View Road. We'll check it.

MR. CRAWFORD: That's what the street sign says for fifty years.

MS. CRAWFORD: It's Mountain View Avenue. It's been for fifty years Mountain View Avenue, or more than fifty years it's been Mountain View Avenue.

CHAIRMAN EWASUTYN: Okay.

MR. FEATHERSTON: We'll check it.  
Thank you.

MS. CRAWFORD: I have a question. My name is Catherine Crawford. That's C-R-A-W-F-O-R-D. Now, my property joins the south end of the subdivision. That's it right there. You said there was going to be individual

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wells and individual septic systems.

MR. FEATHERSTON: That's right.

MS. CRAWFORD: They're not going to  
hook into Town water?

MR. FEATHERSTON: No.

MS. CRAWFORD: And how is that land --  
how is the lay of the land going towards me?

MR. FEATHERSTON: There is a center  
channel that the runoff runs right down towards  
your property. That's the way the existing  
land --

MS. CRAWFORD: It's all going to run  
off towards me?

MR. FEATHERSTON: That's the way it  
goes today. Yes. There will be no change.

MS. CRAWFORD: So I'm going to have the  
runoff from nine septic tanks?

MR. FEATHERSTON: The septic tanks are  
located underground, there's no runoff.

Mr. Chairman, I don't know if you want  
me to address it directly.

CHAIRMAN EWASUTYN: You can speak. You  
can respond.

MS. CRAWFORD: They have leaching

fields and things. Nothing is going to run off?

MR. FEATHERSTON: The procedure is after the public hearing, if the Planning Board decides to grant preliminary approval, the next step for us is to go to the Orange County Health Department where they have to grant approval.

MS. CRAWFORD: How about the borderline stonewall fences?

MR. FEATHERSTON: Well a lot of the stonewalls that run and traverse throughout the site we've tried to preserve as best as possible. The planner for the Planning Board has actually suggested that and we tried to incorporate that as best we could. Many of the walls are going to remain.

MS. CRAWFORD: Well the one wall is actually the boundary line.

MR. FEATHERSTON: There's no proposal to disturb that. Not at all. That runs between your property and this property right here. Yeah, there's no proposal to change that.

MS. CRAWFORD: And also on the west side.

MR. FEATHERSTON: There's walls that

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MOUNTAIN VIEW SUBDIVISION

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zig zag and follow this particular triangular piece here.

MS. CRAWFORD: They will not be disturbed?

MR. FEATHERSTON: Many of the walls aren't disturbed. We actually show on the plans that are available for public review exactly which walls are to be disturbed. That's really just for the grading, the homes, the septic fields. Where there's an improvement to service one of these lots the walls are to be relocated or removed.

MS. CRAWFORD: Where can we get a copy of that?

MR. FEATHERSTON: It's available at the Town Hall.

MR. HINES: The walls that are along the boundary of the property are not proposed to be disturbed in any case. There are modifications to interior property stonewalls for driveways.

MS. CRAWFORD: I'm just concerned about the boundary wall.

MR. HINES: Your last name is Crawford?

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MS. CRAWFORD: I'm Catherine Crawford.

MR. HINES: I'm just looking where your lot is.

MS. CRAWFORD: Thank you.

MR. TRAVIS: My name is Robert Travis, 24 Travis Lane. I'm right adjacent to that property.

There's drainage that goes down through there already and if it's disturbed it's going to block us all out. That's one thing.

You're talking about wells. We're already having problems with the water level dropping on our wells with the eight houses that are back in Travis Lane and in the area. Some of us had to go deeper on the wells. I don't know if wells are going to be a solution in that area.

CHAIRMAN EWASUTYN: Do you want to take drainage first?

MR. FEATHERSTON: Drainage. There is an existing ditch on the south side of the existing driveway. We located that. That's actually one of the Federal wetlands. We're proposing to maintain that, relocate it slightly because the required cross section of the

roadway, the private road, is wider than what's there presently, what's required for us to replace. So we're going to slightly move that ditch but maintain it. It's going to stay there as an earthen ditch, a grass ditch. Stormwater runoff from the paved roadway is going to enter two stormwater basins, otherwise it's all going to be maintained.

As for the wells, no well testing has been done to date. If it's required -- it could be required by the Orange County Health Department.

MR. TRAVIS: Okay.

MR. HINES: The Health Department will require testing of at least one well, possibly two, prior to issuing approval.

MR. TRAVIS: Okay. One other question. The road that's going in, that's going to be an improved road --

MR. FEATHERSTON: Yes.

MR. TRAVIS: -- with drainage on the sides?

MR. FEATHERSTON: Pavement, catch basins, piping and grass swales. Yes.

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MR. TRAVIS: Okay.

CHAIRMAN EWASUTYN: Sir.

MS. CRAWFORD: I have another question.

CHAIRMAN EWASUTYN: Catherine, the gentleman in the back hasn't had the opportunity to speak.

MS. CRAWFORD: Oh, I'm sorry.

MR. COLANDREA: My name is Mark Colandrea, I live at 29 Travis Lane.

I was curious about like the septic systems. Are they going to be like above-ground septic systems or --

MR. FEATHERSTON: There's actually -- I wrote that down tonight. There's nine lots. Four of them are going to be shallow fill systems. So not a fill system but shallow fill. There's five in-the-ground systems.

MR. COLANDREA: Okay. So you do have the four on an above ground?

MR. FEATHERSTON: There's four slightly above ground, yes.

MR. HINES: They're not standard fill systems. A shallow absorption trench is considered a conventional system by the Health

1 Department. It requires less than eighteen  
2 inches of fill. For a standard fill system you  
3 have to have three feet of fill. They have to  
4 have at least two foot of usable soil on the site  
5 and then they're allowed to provide a foot-  
6 and-a-half of fill over that in order to  
7 construct the septic. The septic lines have to  
8 be in the original grade of the soil and have to  
9 function there. They'll do that site testing  
10 with the Health Department witnessing it.

11 MR. COLANDREA: Okay.

12 CHAIRMAN EWASUTYN: Catherine.

13 MS. CRAWFORD: They mentioned going in  
14 that one road and having a cul-de-sac. What  
15 about that other entrance? They're not going to  
16 go in through the other entrance and come out?

17 CHAIRMAN EWASUTYN: I think what he's  
18 saying is that lot would be the only lot that  
19 would access directly onto Mountain View Avenue.

20 MR. FEATHERSTON: There's one lot right  
21 here that's going to have just a private driveway  
22 for a single house.

23 MS. CRAWFORD: I understand that.

24 MR. HINES: She means where the  
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wetlands are abutting Mountain View also.

MR. FEATHERSTON: Oh, here. That's all Federal wetlands.

MS. CRAWFORD: Federal what?

MR. FEATHERSTON: Federal wetlands.

MS. CRAWFORD: When did that happen?

MR. FEATHERSTON: When we asked them, the Corp of Engineers, to come out and determine whether it's wetlands or not.

MS. CRAWFORD: You mean they can just come in and say it's wetland and take our property?

MR. FEATHERSTON: It's required that we determine whose jurisdiction it's under because any disturbance to a wetland requires a permit.

MR. GALLI: I think what she's asking is no, they can't take your property, you just can't use that property for building.

MR. FEATHERSTON: We can't use it for access. We know that. We can not use it for access.

CHAIRMAN EWASUTYN: Further comments from the public?

(No response.)

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CHAIRMAN EWASUTYN: While the public is thinking, I'll have Dina Haines, Planning Board Secretary --

MS. CRAWFORD: I can't hear you.

CHAIRMAN EWASUTYN: I'm sorry. While you're contemplating your thoughts I'll have Dina Haines, Planning Board Secretary, read a letter that we received in response to the public mailing.

MS. HAINES: We received a letter on June 30, 2008 from Linda Baronowski. It says, "Dear Mr. Ewasutyn, unfortunately I will be unable to attend the public hearing on July 3, 2008. That does not mean that I am not interested in the proceedings concerning the proposed subdivision of Section 14, Block 1, Lot 142. Decent profit is something that is not begrudged by anyone. Unmitigated greed at the expense of others is greatly resented. The property in question serves as a buffer from the exhaust of the Thruway and the runoff from the salt, oil and other toxins created by its close proximity. Consideration must be given to the fact that this area relies on groundwater for its

1                   potable water. Without trees and plants to  
2                   absorb and diffuse these toxins we won't have  
3                   decent water. In times of greater rainfall our  
4                   underground water system will mix with the  
5                   effluent from our septic systems and in times of  
6                   drought the contaminated water from our septic  
7                   systems will seep into our well water. A  
8                   subdivision of one house to every five acres  
9                   would not tax this delicate and sensitive area,  
10                  would not attract crime caused by cluster housing  
11                  or create stress on an already overburdened  
12                  school system resulting in higher taxes. One also  
13                  has to consider that the nature of the area would  
14                  be changed and there is no way for roads and the  
15                  density of nine houses to be feasible. Please do  
16                  not create another Long Island where all the  
17                  farms and greenery are gone except for the very  
18                  wealthy. This is a semi-rural area, let's keep  
19                  it that way. Yours Truly, Linda Baronowski."  
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21                               CHAIRMAN EWASUTYN: Any additional  
22                               comments from the public?

23                               (No response.)

24                               CHAIRMAN EWASUTYN: At this point in  
25                               the meeting I'd like to turn it over to our

consultants for their review and recommendations to the Planning Board.

Pat Hines, Drainage Consultant.

MR. HINES: We have reviewed the project. Our comments, some of which have been addressed by Mr. Featherston.

A common driveway access and maintenance agreement will be required.

We had a comment regarding the two existing lots that are going to access the private road. They will have to be part of that access and maintenance agreement.

Just a statement that the Orange County Health Department will be required -- will need to approve the subsurface sanitary sewer disposal systems. They will actually go on site and test or witness a certain amount of the engineer's testing to assure that the systems are designed in accordance with their requirements.

The stormwater management facilities. There's two stormwater detention ponds that have been designed for the site. Those will need to be incorporated into the access and maintenance agreements so that each of the lots will share in

the responsibility for maintenance and the financial responsibility for that.

An Army Corp wetlands permit is required because of the amount of wetlands disturbance exceeding the permittable threshold.

The private road section has been revised in accordance with the Town's details.

We had previously commented on the stormwater management report and received their revised report addressing each of our comments. We are going to require that notes be added to the subdivision plans for lots 1, 2, 6 and 7 requiring the installation of the infiltrator systems that are incorporated into the report.

With that -- with those amendments and comments being addressed, we would recommend a preliminary approval for the project.

CHAIRMAN EWASUTYN: When you say a preliminary approval, what would happen after that?

MR. HINES: That allows the applicants to go out and seek the other outside agency permits that are required. They can continue on with the Army Corp of Engineers permitting, they

can go to the Orange County Health Department. They need that preliminary approval before the Health Department will review the potable water supply and the individual septic systems on each of the lots. So that gets them to the outside agencies that they need to obtain other approvals from.

CHAIRMAN EWASUTYN: Bryant Cocks, Planning Consultant.

MR. COCKS: Yes. To go along with those approvals they're going to need a permit from the Army Corp of Engineers for the --

MS. CRAWFORD: Could you speak a little louder, please?

MR. COCKS: The Town of Newburgh Highway Department will need approval of the location of the driveway of house 1 -- on lot 1 and also the access road.

Pat already mentioned the private road access and maintenance agreement.

The applicant has revised the plans to address our comments from the last meeting regarding house locations. They have twisted the lots around a little bit so that they can

1                   preserve stonewalls as was discussed before.  
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3                   They're actually using most of them as property  
4                   lines, so there will be as little disturbance of  
5                   the stonewalls as possible.

6                   The applicant has also included a six-  
7                   foot high chain-link fence as requested by the  
8                   Thruway Authority on the back property line.  
9                   That's been added to the plans.

10                  That was all of our comments.

11                  CHAIRMAN EWASUTYN: Karen Arent,  
12                  Landscape Architect.

13                  MS. ARENT: The consultant questioned  
14                  whether street trees are required on private  
15                  roads. In the past on private roads that service  
16                  this many lots we have requested street trees but  
17                  since this site is wooded I asked the consultants  
18                  to put on a note saying -- that says wherever the  
19                  trees remain in good condition there's no need to  
20                  add street trees but wherever there's grading  
21                  underneath the drip line or trees do not exist  
22                  within forty feet they need to add a street tree.  
23                  So if it's still the requirement of the Board to  
24                  put street trees, the consultants should put the  
25                  street trees on.

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The ranch style fencing, they wanted to use the PVC coated chain-link fence.

Also just to show stormwater management plantings.

That's all.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: No.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: A couple. With the comment that Mr. Travis made about the well systems that they currently have in that area, what is going to be done? How --

MR. HINES: The Health Department for major subdivisions selects one or two of the lots for one this size and requires the wells be drilled, and then there's a pump test requirement where they monitor either other wells on this site or they'll get permission from adjoining landowners to monitor the water elevations in those wells during the pump test. They'll pump them for -- I think it's a twenty-four hour pump test on residential and see if that impacts the elevation of any of the other wells that they're



1 monitoring. In addition, they'll do water  
2 quality testing on the wells on the site. That's  
3 required.  
4

5 MR. BROWNE: Who would deem it  
6 appropriate to consider an off-site well?

7 MR. HINES: The Health Department will  
8 work that protocol out with the applicant's  
9 representative. Often times it has to do with  
10 where they can gain access. They can't force a  
11 neighbor to allow them to monitor their well. If  
12 there is willing parties they will use that well.  
13 The Health Department would allow at times if you  
14 can find wells in close proximity, to do the pump  
15 test on those wells as well as utilize existing  
16 wells for monitoring. It's a give and take with  
17 the Health Department but they have the ultimate  
18 approval.

19 MR. BROWNE: For the sake of the public  
20 that's here, if any of the public would like to  
21 participate in that test would they talk to  
22 Mr. --

23 MR. HINES: They're certainly not going  
24 to do all of the wells of the public. If someone  
25 does request to monitor their well and you are

interested in having that done, certainly that data would be valuable to you if it does cause an impact.

With lots of this size I don't anticipate any impact from residential water use rates.

MR. BROWNE: With the comment it raises concern.

MR. HINES: There is a procedure with the Health Department on major subdivisions. It does have that procedure where they can do that. It's relatively new, probably the last --

MR. DONNELLY: Three years.

MR. HINES: -- three years or so that they required the actual pump testing on these smaller subdivisions. It is a major subdivision and they'll review it.

MR. BROWNE: Another comment was on the street trees. Is it going to be written down someplace where Karen is going to have --

MR. FEATHERSTON: There's actually a note that Karen had given us that we're going to put on the plan.

MR. BROWNE: Is she going to review --

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MR. FEATHERSTON: Certainly.

MR. BROWNE: -- as far as the trees to make sure what you guys are saying she agrees to?

MS. ARENT: If there's -- I suggested that the bond -- a bond be held for the number of street trees that would be needed if there are no trees left. So they would take the linear frontage -- road frontage and divide that by forty and that's how you calculate the number of street trees. Bonds would be held for that number and then I would just inspect the site and see whether or not they need that or not.

MR. BROWNE: Thank you.

MR. DONNELLY: I would suggest that we require that those things be resolved before final approval.

MR. BROWNE: Yes.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: I have nothing, John.  
Thank you.

CHAIRMAN EWASUTYN: Any additional comments from the public?

MS. CRAWFORD: Is this a diagram of the lots?

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MR. HINES: That is.

MR. FEATHERSTON: No, ma'am. Right here. I can bring it over to you if you'd like.

MS. CRAWFORD: No, that's okay.

MR. FEATHERSTON: Mr. Chairman, if you prefer I have a couple of business cards. I'd be more than happy to hand them out to any of the public if they wanted to be a part of the -- for the well testing.

CHAIRMAN EWASUTYN: Does anybody?

MS. CRAWFORD: I would like one. How do I go about getting a copy of that?

MR. FEATHERSTON: At the Town Hall.

MS. CRAWFORD: Go to the Town?

MR. HINES: The Planning Board office. It's in the small building next door.

MS. CRAWFORD: Oh, okay.

CHAIRMAN EWASUTYN: There being no further comment from the public, I'll move for a motion to close the public hearing for the nine-lot subdivision for the Mountain View Subdivision.

MR. GALLI: So moved.

MR. PROFACI: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Joe Profaci. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. PROFACI: Aye.

CHAIRMAN EWASUTYN: And myself. So carried.

Mike Donnelly, would you give us conditions for granting preliminary approval?

MR. DONNELLY: Sure. Pat Hines, Karen Arent and Bryant Cocks all have brief memos with minor adjustments that need to be made to the plans, so before final approval those issues will have to be addressed.

The conditions now we're talking about are the ones that need to be satisfied before final approval. We need approval from the Town of Newburgh Highway Superintendent for both the private road location and the driveway location, Army Corp of Engineers, Health Department, the

plan showing the street trees in a pattern satisfactory to the Planning Board and its consultants, and the Town Board approval of the private roadway name before final approval.

Conditions that will be built into any final approval granted will be the requirement of foundation staking in the field before any construction goes beyond the foundations, a requirement that the stonewalls be maintained except as necessary for the installation of driveways and septic systems, a private roadway easement and maintenance agreement including provision for maintenance of the drainage structures will have to be submitted and approved before the final plat is signed. We will need a landscape security and inspection fee. No stormwater or we do need one?

MR. HINES: There will be one for inspection.

MR. DONNELLY: A private road security and inspection fee and the payment of parkland fees.

CHAIRMAN EWASUTYN: Thank you. Any questions from the Board Members?

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(No response.)

CHAIRMAN EWASUTYN: I'll move for a motion to grant preliminary approval for the Mountain View Subdivision subject to the conditions that our Attorney, Mike Donnelly, has just presented in the resolution.

MR. PROFACI: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by Joe Profaci. I have a second by Frank Galli. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. PROFACI: Aye.

CHAIRMAN EWASUTYN: Myself yes.

I thank you for attending. You have Andrew Featherston's card so if you have any questions you can contact Andrew.

Catherine, thank you.

MR. FEATHERSTON: Mr. Chairman, may I ask about attending a workshop? I had a couple

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questions on the project.

CHAIRMAN EWASUTYN: I'll move for a motion to set this up for the next available work session.

MR. PROFACI: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by Joe Profaci. I have a second by Frank Galli. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. PROFACI: Aye.

CHAIRMAN EWASUTYN: Myself yes. So carried.

MR. FEATHERSTON: Do you have that date, Mr. Chairman?

MR. COCKS: The 22nd.

MR. FEATHERSTON: The 22nd. Thank you very much.

(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 Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify  
that I recorded stenographically the  
proceedings herein at the time and place  
noted in the heading hereof, and that the  
foregoing is an accurate and complete  
transcript of same to the best of my  
knowledge and belief.

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DATED: July 14, 2008

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

- - - - - X

In the Matter of

THE POLO CLUB  
(2006-09)

Route 300  
Section 39; Block 1; Lot 78.1  
R-3 Zone

- - - - - X

SITE PLAN  
FINAL ENVIRONMENTAL IMPACT STATEMENT

Date: July 3, 2008  
Time: 7:29 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  
JOSEPH E. PROFACI

ALSO PRESENT: DINA HAINES  
MICHAEL H. DONNELLY, ESQ.  
BRYANT COCKS  
PATRICK HINES  
KAREN ARENT  
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: SAM WAIZENEGGER

- - - - - X

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

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THE POLO CLUB

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MS. HAINES: The next item of business we have tonight is The Polo Club. It's the Final Environmental Impact Statement for the site plan located on Route 300, it's in an R-3 Zone and it's being represented by --

MR. WAIZENEGGER: Sam Waizenegger. Also present is David Weinberg, the applicant. We're the second team today.

We're here today for the final F.E.I.S. and to answer any questions that the Board might have as to any open items which had been previously discussed and submitted to the Board. We think there was some correspondence and letters from the Board. As the wishes of the Chairman, we'll address those if you would like.

CHAIRMAN EWASUTYN: We'll start with Pat Hines.

MR. HINES: We've reviewed the resubmitted F.E.I.S., the individual pages that addressed each of our previous comments. We once again noted that the seven stormwater management ponds have been reduced down to two. We received some supplemental information on the stormwater reports based on our comments. We feel that the

F.E.I.S. is now suitable for acceptance for the Board and to make it available for public review.

CHAIRMAN EWASUTYN: Bryant Cocks.

MR. COCKS: The applicant also met all of our comments. The main issue that we discussed was the roadway width which has been approved by Jerry Canfield and is now twenty-six feet for traffic, thirty-two feet where on-street parking is proposed.

The other main issue was the number of parking spaces. That's been revised. There are currently 134 extra spaces for 130 units and the garages and driveway spaces. So we feel like there will be enough parking on site.

Other than that, the applicant added a community mailbox which is right now in the parking lot next to the clubhouse.

Other than that we have no other comments.

CHAIRMAN EWASUTYN: Karen Arent.

MS. ARENT: The consultant addressed all our comments in the F.E.I.S. Most of the comments regarding landscaping at the clubhouse were addressed. They want to wait for

architectural plans. That makes sense.

Instead of creating the open space in the rear of the units they're creating more of a private backyard using landscaping. That might be good for the sale of their units. I made a note that Brighton Green, all the outside units sold much quicker than the inside ones. That might be good for marketing.

I asked if it's possible to move the mailbox that's in the parking lot to the side of the clubhouse or near it so that you could use those drop-off zones in front of the clubhouse to run in and get your mail and then leave rather than have to pull into a parking lot and park and get out and get it. I think it might be congested with the 130 units, everybody coming home from work and wanting to get their mail. I asked if you could look at that. If you access the mailboxes just from the front. I think they do it from the back. If you get it from just the front you actually attach it to the building.

MR. WAIZENEGGER: We've taken a look at how those are configured and what we're proposing is to have them all access from the front. Even

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THE POLO CLUB

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the postal worker accesses them from the front,  
which is one of the reasons why we worked the  
landscape out around it like we did, so, you  
know, to promote community coming in and, you  
know, congregating there.

MS. ARENT: So you prefer to leave it  
in that spot?

MR. WAIZENEGGER: That's correct. You  
know, we want the clubhouse to be, you know, its  
own focal point. We thought that, you know, as  
we get all the architectural things together,  
that it would have its own space, that the  
mailboxes would have their own space there.

MS. ARENT: I mean that's just  
something to think about. It's your decision.

MR. WAIZENEGGER: Sure.

MR. WEINBERG: We'll take another look  
at it.

MS. ARENT: It just looks like it's  
going to be a crowded situation.

And to think about some way -- the  
biggest thing about Brighton Green is the garbage  
cans. There's always garbage cans out. I know  
you're going to make sure there's space for the

now very large garbage cans in the garage. Maybe you can look at trying a curb or put plants in the place where they might keep the garbage. Right near the garages is a common place for the garbage, where the pavement is and there's no garage door. I've seen on some of the developments you take just a Belgium block planter and put a nice plant in there. Just to look at that and try to figure out -- I know we can't definitely do it because I've seen some people leave it right by the road all week long. Just to try to think of ways to discourage that.

And then the street lights are still showing. There are still a lot of them in front of the units. If you can look at that as well.

There's also like trees only five feet or less away from the street lights. I would say keep the tree and take the light away because you're diminishing the power of the light anyway with the tree. Really look at the distribution of lights, because again at Brighton Green that's a big complaint of the residents, that there's so many lights and they shine right into the bedrooms at night. So if you're going to leave

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THE POLO CLUB

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the lights, at least put a shield on the back of them.

MR. WAIZENEGGER: That's what we're planning to do. Like putting a blank on the back side so you get as little light as possible into the units.

MS. ARENT: Look at the placement of trees. You should try to move the trees away from the lights. It really looks funny when you have a street light and a couple feet away is a tree.

MR. WEINBERG: The concern that we have there is we want to make sure that the sidewalks are lit properly. We'll take a hard look at that.

MS. ARENT: Okay. And just to change the spice bush.

It's fine to wait for architectural review before you change the plantings.

CHAIRMAN EWASUTYN: Ken Wersted, Traffic Consultant.

MR. WERSTED: We don't have any additional comments on the F.E.I.S. at this time.

Relative to the site plan we had a



couple of comments. The first was to label the grades on the profile sheets. Label the grades of the road.

MR. WAIZENEGGER: Right.

MR. WERSTED: The last one was put in stop signs at the T intersections.

And then finally we had in our written comments noted that some of the vertical curves, the K factors were less than the Town standards and we had noted that the project would require a waiver from the Town Board with the understanding that these roads be private. I conferred with Jim Osborne, the Town Engineer, that the Town standards for Town roads doesn't apply to these. So you won't need a waiver from the Town Board for the K factors. Most of the locations that have K factors less than the ASHTO recommendation involve the approaches to stop signs or the end of rows. We think that those are going to be okay. There's just one on the loop road that doesn't have any type of curve to it. It's basically just two different grades coming into a single point, and I labeled that in my written comments so if you can look at that. In talking

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THE POLO CLUB

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with Jim Osborne we think in general it's good engineering to be able to have some type of curve there.

MR. WAIZENEGGER: We'll do that.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: No additional.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: No.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: No.

CHAIRMAN EWASUTYN: I'll turn to Mike Donnelly.

MR. DONNELLY: You've heard from your consultants that the F.E.I.S. is acceptable and complete. I would recommend therefore that you issue a resolution to that effect. You then must allow a ten-day mandatory waiting period before you can take further action, but after that period is up you can move forward with issuance of your Findings and ultimately taking action on the proposal.

The applicant has given us a draft proposed Findings Statement. In the meantime,

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THE POLO CLUB

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with your direction your consultants can begin  
working on that to try to complete it.

CHAIRMAN EWASUTYN: The Board at this  
point will direct our consultants to work on the  
Findings Statement.

MR. GALLI: Yes.

MR. BROWNE: Yes.

CHAIRMAN EWASUTYN: We have an  
agreement from the Board Members that our  
consultants should move forward with their review  
of the Findings Statement.

At this point I'll move for a motion to  
accept the F.E.I.S. as complete for the site plan  
of The Polo Club.

MR. GALLI: So moved.

MR. PROFACI: Second.

CHAIRMAN EWASUTYN: I have a motion by  
Frank Galli. I have a second by Joe Profaci.  
Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

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THE POLO CLUB

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MR. PROFACI: Aye.

CHAIRMAN EWASUTYN: And myself yes. So  
carried. Thank you.

MR. WAIZENEGGER: Thank you.

MR. WEINBERG: Mr. Chairman, I'm not  
sure on the procedure. What would be the  
appropriate time to ask this Board to schedule  
something for preliminary? Is that --

MR. DONNELLY: I think we need to first  
complete the Findings, although at the same time  
as the Findings were considered, if the plans  
matched the Findings action could be taken on the  
plans. I would think that that might take a  
month or so for the consultants to do that but I  
think it should be back on the agenda before too  
long.

MR. WEINBERG: Okay. Thank you very  
much.

(Time noted: 7:39 p.m.)

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DATED: July 14, 2008

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

- - - - - X

In the Matter of;

LANDS OF GALLAGHER  
(2008-15)

End of Ashley Drive  
Section 43; Block 5; Lot 2.21  
R-3 Zone

- - - - - X

CONCEPTUAL SKETCH PLAN  
THREE-LOT SUBDIVISION

Date: July 3, 2008  
Time: 7:40 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  
JOSEPH E. PROFACI

ALSO PRESENT: DINA HAINES  
MICHAEL H. DONNELLY, ESQ.  
BRYANT COCKS  
PATRICK HINES  
KAREN ARENT  
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: ROBERT JAMES

- - - - - X

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

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LANDS OF GALLAGHER

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CHAIRMAN EWASUTYN: The last item of business we have this evening is the lands of Gallagher. Excuse me, Dina.

MS. HAINES: It's a conceptual sketch plan for a three-lot subdivision. It's located at the end of Ashley Drive and it's in an R-3 zone. It's being represented by Robert James.

MR. JAMES: The project is -- again it's a three-lot subdivision at the northerly terminus of Ashley Drive. We're in the R-3 Zone. The size of the property is about five acres. There's an existing house on one lot. That lot is proposed to be three acres roughly. The other two lots are in the area of 35,000 square feet. The zoning there is R-3. Again, it's 15,000 square feet with public water. Sewage will be individual septic systems for the two proposed lots, vacant lots. The existing house has an existing septic system thereon.

CHAIRMAN EWASUTYN: Thank you.

Comments from our consultants. Bryant Cocks.

MR. COCKS: We reviewed this project for compliance with zoning. They meet all the

required setbacks and will not require any variances.

There's just a couple comments on the two new lots. The garages on each of the houses look really big, like almost the size of the house itself, so we were just wondering if that was really going to be the layout of the houses.

MR. JAMES: It's just a generic.

MR. COCKS: That's what we figured.

The highway department is going to need to approve both driveway locations on Ashley Drive.

Just in the bulk table, the maximum lot building coverage is listed as 15 -- it's listed as 20 percent but it's actually 15 percent, and the lot surface coverage is listed as 40 percent when it's actually 30 percent. This doesn't affect the lots at all, it's just mislabeled in there.

We're asking for all wells and septic on adjoining lots to be shown on the plans to make sure separation distances are met for the new wells.

There's a twenty-foot easement over lot



3 that's going to need to be reviewed by Mike  
Donnelly.

Those are all of my comments at this  
time.

CHAIRMAN EWASUTYN: You talked about  
the survey.

MR. COCKS: Oh, yes. I'm sorry. It  
looks like you guys used the survey from Bill  
Hildreth.

MR. JAMES: Yes.

MR. COCKS: We need the actual survey  
with his stamp and signature on it.

MR. JAMES: Very well.

MR. COCKS: I'm sorry.

CHAIRMAN EWASUTYN: Pat Hines, Drainage  
Consultant.

MR. HINES: The highway  
superintendent's comments regarding the  
cul-de-sac, there's an existing substandard  
cul-de-sac there now. You're adding additional  
driveways. We'll need Daryl Benedict to weigh in  
on that.

We're looking for a drainage analysis.  
This project doesn't meet the threshold that

would normally require it but there are some improvements that have been done in support of the previous subdivision on this site. I believe we need to take a look at the capacity of those to make sure that there are no down gradient issues with drainage due to the slopes towards Old Post Road.

Grading for the swales that are depicted on the two proposed lots must be depicted in places that are going perpendicular to the contours, so they need to be graded in to show that they are going to function.

A note added to the plans stating that subsurface sewage disposal areas and foundations will be staked because of the proximity to the minimum setbacks that are required.

We're also looking for any of the improvements on the previous subdivision. The two lots that were subdivided off in 2005, any existing or the proposed improvements from those should be shown.

Any septic systems within the appendix 75-A separation distances should be shown on adjoining lots.

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LANDS OF GALLAGHER

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That's the extent of our comments. I believe that the lots are acceptable for concept approval at this time and the engineering details can be worked out.

CHAIRMAN EWASUTYN: Thank you.  
Comments from Board Members. Frank Galli?

MR. GALLI: No additional.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: Conceptual is good.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: Nothing more, John.

CHAIRMAN EWASUTYN: Karen Arent, do you have anything you would like to add to this?

MS. ARENT: No.

CHAIRMAN EWASUTYN: Ken Wersted?

MR. WERSTED: No.

CHAIRMAN EWASUTYN: I'll move for a motion from the Board to grant conceptual approval for the lands of Gallagher for the three-lot subdivision.

MR. PROFACI: So moved.

CHAIRMAN EWASUTYN: I have a motion by Joe Profaci.

MR. BROWNE: Second.

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LANDS OF GALLAGHER

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CHAIRMAN EWASUTYN: A second by Cliff  
Browne. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. PROFACI: Aye.

CHAIRMAN EWASUTYN: Myself. So  
carried.

(Time noted: 7:45 p.m.)

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

I, Michelle Conero, a Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify  
that I recorded stenographically the  
proceedings herein at the time and place  
noted in the heading hereof, and that the  
foregoing is an accurate and complete  
transcript of same to the best of my  
knowledge and belief.

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DATED: July 14, 2008

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

- - - - - X  
In the Matter of

LANDS OF TARSIO  
(2004-77)

Final Approval

- - - - - X

BOARD BUSINESS

Date: July 3, 2008  
Time: 7:45 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  
JOSEPH E. PROFACI

ALSO PRESENT: DINA HAINES  
MICHAEL H. DONNELLY, ESQ.  
BRYANT COCKS  
PATRICK HINES  
KAREN ARENT  
KENNETH WERSTED

- - - - - X

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

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LANDS OF TARSIO

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CHAIRMAN EWASUTYN: We have two items  
of business. Dina.

MS. HAINES: The first one is lands of  
Tarsio. We received a fax from Ken Lytle  
yesterday and it's -- it's a letter from the  
Health Department. They gave approval for this  
on May 20, 2008 and lands of Tarsio is looking  
for final approval.

CHAIRMAN EWASUTYN: Do you remember at  
the last meeting he submitted something that said  
it was the approval when in fact it was --

MR. HINES: Yes.

CHAIRMAN EWASUTYN: I think now that we  
have the Department of Health --

MR. HINES: That was the only  
outstanding issue that I'm aware of. The Town  
has approved the drainage district, the road  
names. Subject to providing the bonding for the  
public improvements, I think the Health  
Department letter was the only outstanding issue.  
We had that letter that was strangely worded. It  
certainly wasn't an approval by any means. If  
it's an approval that has been received, that was  
the only outstanding item.

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LANDS OF TARSIO

56

CHAIRMAN EWASUTYN: Mike Donnelly, the  
action before us this evening?

MR. DONNELLY: We granted preliminary  
approval on October 19, 2006. I guess then it's  
ready for final approval.

MR. HINES: They came in with final  
approval but there was the Health Department  
letter that said this is not an approval at this  
time.

MR. DONNELLY: Right. So we held off  
on that. Let me just see if I have the  
resolution available. When we were here at that  
meeting one of the requirements was that Pat  
Hines give us a letter satisfying -- I think  
these were carryovers. If Pat has signed off.  
We had one for Karen, I can remove that.

MS. ARENT: They still have to provide  
the landscaping.

MR. HINES: The bonds.

MS. ARENT: The plantings. I have to  
look it over.

CHAIRMAN EWASUTYN: Along that road.

MS. ARENT: And the screen plantings.

MR. DONNELLY: There was a requirement



1                   that -- we were going to carry a condition that  
2                   says that the approval is subject to the  
3                   conditions in the resolution of the Town Board  
4                   granting the road length waiver. We had a  
5                   foundation staking requirement.  
6

7                   Street trees have been shown now,  
8                   Karen?

9                   MS. ARENT: Yes.

10                  MR. DONNELLY: So I'll remove that  
11                  condition. The Health Department has given their  
12                  approval. Drainage district, that was done.

13                  MR. HINES: Yes.

14                  MR. DONNELLY: Ten-lot ARB, we'll need  
15                  the usual condition in regard to that. Landscape  
16                  security and an inspection fee, stormwater, water  
17                  main extension and Town road and parkland fees.  
18                  Those would be the conditions.

19                  CHAIRMAN EWASUTYN: Okay. Having heard  
20                  from Mike Donnelly, our Planning Board Attorney,  
21                  for conditions for final approval for the lands  
22                  of Tarsio, I'll make a motion to approve that.

23                  MR. GALLI: So moved.

24                  MR. PROFACI: Second.

25                  CHAIRMAN EWASUTYN: I have a motion by

1 LANDS OF TARSIO 58

2 Frank Galli. I have a second by Joe Profaci.

3 Any discussion of the motion?

4 (No response.)

5 CHAIRMAN EWASUTYN: I'll move for a

6 roll call vote starting with Frank Galli.

7 MR. GALLI: Aye.

8 MR. BROWNE: Aye.

9 MR. PROFACI: Aye.

10 CHAIRMAN EWASUTYN: Myself yes. So

11 carried.

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13 (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 Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify  
that I recorded stenographically the  
proceedings herein at the time and place  
noted in the heading hereof, and that the  
foregoing is an accurate and complete  
transcript of same to the best of my  
knowledge and belief.

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DATED: July 14, 2008

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

- - - - - X  
In the Matter of

TOWN OF NEWBURGH LIGHTING GUIDELINES

Discussion of Karen Arent's Memorandum  
dated 6/25/08

- - - - - X

BOARD BUSINESS

Date: July 3, 2008  
Time: 7:49 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  
JOSEPH E. PROFACI

ALSO PRESENT: DINA HAINES  
MICHAEL H. DONNELLY, ESQ.  
BRYANT COCKS  
PATRICK HINES  
KAREN ARENT  
KENNETH WERSTED

- - - - - X

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

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BOARD BUSINESS

61

CHAIRMAN EWASUTYN: Karen, do you want to briefly discuss the Board's position or thoughts on the Town of Newburgh lighting guidelines as it is worked into different site plans? A brief summary.

MS. ARENT: The lighting guidelines really -- the choice of lighting and height is really dependent on the individual project, so we're going to look at the wording of the guidelines to see that it's -- it should be considered individually but to consider a low-scale pedestrian lighting wherever appropriate.

CHAIRMAN EWASUTYN: Comments from Board Members?

MR. GALLI: No.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: No.

CHAIRMAN EWASUTYN: Joe?

MR. PROFACI: Nothing.

CHAIRMAN EWASUTYN: Okay. And we had a request from Greg Shaw in reference to the Patty Cake site plan. You'll speak to Mr. Shaw in reference to the --

MS. ARENT: He was really concerned

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BOARD BUSINESS

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with future projects. He was willing to make the  
lights at Patty Cake sixteen as requested.

CHAIRMAN EWASUTYN: Then I think maybe  
you should also let him know that as far as our  
decision is pretty much an individual site-by-  
site analysis.

MS. ARENT: I'll let him know.

CHAIRMAN EWASUTYN: All right.

(Time noted: 7:52 p.m.)

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

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the State of New York, do hereby certify  
that I recorded stenographically the  
proceedings herein at the time and place  
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foregoing is an accurate and complete  
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knowledge and belief.

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DATED: July 14, 2008

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

- - - - - X  
In the Matter of

COMPARISON OF NEW APPLICATIONS

June 2007 - June 2008

- - - - - X

BOARD BUSINESS

Date: July 3, 2008  
Time: 7:52 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  
JOSEPH E. PROFACI

ALSO PRESENT: DINA HAINES  
MICHAEL H. DONNELLY, ESQ.  
BRYANT COCKS  
PATRICK HINES  
KAREN ARENT  
KENNETH WERSTED

- - - - - X

MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
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CHAIRMAN EWASUTYN: Dina Haines, do  
you want to report to us on the comparison?

MS. HAINES: Between June of last year  
and June of this year they each had one new  
application. Last year it actually made less  
money than this year but this year is still about  
only half as many as last year total.

CHAIRMAN EWASUTYN: Thank you. Any  
additional comments from anyone?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a  
motion to close the Planning Board work session  
of the 3rd -- Planning Board meeting of the 3rd  
of July.

MR. GALLI: So moved.

MR. PROFACI: Second.

CHAIRMAN EWASUTYN: I have a motion by  
Frank Galli. I have a second by Joe Profaci.  
I'll move for a roll call vote starting with  
Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. PROFACI: Aye.

CHAIRMAN EWASUTYN: And myself.

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BOARD BUSINESS

66

Have a happy July Fourth.

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

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

I, Michelle Conero, a Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify  
that I recorded stenographically the  
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DATED: July 14, 2008