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

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In the Matter of

TAFT COMPANY & SLEEPY HOLLOW VENTURE, LLC
(2011-11)

Gardnertown Road & Wenmar Drive
Section 75; Block 1; Lot 24.22
Section 73; Block 2; Lot 80
R-3 Zone

----- X

TWO-LOT SUBDIVISION

Date: August 18, 2011
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: DARREN DOCE

----- X

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

1
2 MR. PROFACI: Good evening, ladies and
3 gentlemen. Welcome to the Town of Newburgh
4 Planning Board meeting of August 18, 2011.

5 At this time I'll call the meeting to
6 order with a roll call starting with Ken
7 Mennerich.

8 MR. MENNERICH: Present.

9 CHAIRMAN EWASUTYN: Present.

10 MR. PROFACI: Here.

11 MR. FOGARTY: Here.

12 MR. WARD: Present.

13 MR. PROFACI: The Planning Board has
14 professional experts that provide reviews and
15 input on the business before us, including SEQRA
16 determinations as well as code and planning
17 details. I ask them to introduce themselves.

18 MR. DONNELLY: Michael Donnelly,
19 Planning Board Attorney.

20 MS. CONERO: Michelle Conero,
21 Stenographer.

22 MR. CANFIELD: Jerry Canfield, Town of
23 Newburgh Code Compliance Supervisor.

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

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MR. COCKS: Bryant Cocks, Planning Consultant.

MS. ARENT: Karen Arent, Landscape Architectural Consultant.

MR. PROFACI: Thank you. At this time I'll turn the meeting over to John Ward.

MR. WARD: Please stand to say the Pledge of Allegiance.

(Pledge of Allegiance.)

MR. PROFACI: The first item on this evening's agenda is Taft Company and Sleepy Hollow Venture, LLC, project number 2011-11. It's a two-lot subdivision located on Gardnertown Road and Wenmar Drive, Section 75; Block 1; Lot 24 and Section 73; Block 2; Lot 80, located in the R-3 zone. It's being represented by Darren Doce.

MR. DOCE: Thank you. At the last meeting I was just waiting for the Health approval. I have since received that. I believe we're ready to proceed.

CHAIRMAN EWASUTYN: Bryant Cocks, Planning Consultant?

MR. COCKS: I have no further comments.

1
2 All the lots meet zoning and subdivision
3 regulations. The only outstanding issue would be
4 the Town of Newburgh Highway Department approval,
5 which can be a condition of final approval.

6 MR. DOCE: I tried to get in touch with
7 Darrell. He's away until next week, so I have to
8 wait until then.

9 CHAIRMAN EWASUTYN: Pat Hines, Drainage
10 Consultant?

11 MR. HINES: All of our previous
12 comments have been addressed.

13 CHAIRMAN EWASUTYN: Jerry Canfield,
14 Code Compliance?

15 MR. CANFIELD: I have nothing
16 outstanding.

17 CHAIRMAN EWASUTYN: Questions from the
18 Board Members?

19 MR. MENNERICH: Nothing.

20 MR. PROFACI: Nothing.

21 MR. FOGARTY: I have no questions.

22 MR. WARD: Nothing.

23 CHAIRMAN EWASUTYN: Mike Donnelly,
24 Planning Board Attorney, would you give us
25 conditions of approval for a final resolution?

1
2 MR. DONNELLY: It's final subdivision.
3 The first condition is a sign off by the highway
4 superintendent on the curb cut. We'll reference
5 the second condition, the City of Newburgh flow
6 acceptance letter. Thirdly, you will have to
7 finalize your out-of-district user agreement with
8 the Town Board and pay the necessary fee. I know
9 you've gotten that in concept but the agreement
10 needs to be finalized.

11 MR. DOCE: Yeah. I spoke to Jim
12 Osborne. He's going to send me the agreement. I
13 just have to give him the address of the owner
14 and stuff.

15 MR. DONNELLY: Fine. We'll need a
16 common driveway easement and maintenance
17 agreement and water and sewer line easements
18 shown on the plans. Finally, there will be a
19 parkland fee for the new lot in the amount of
20 \$2,000.

21 CHAIRMAN EWASUTYN: Any questions or
22 comments as far as the resolution presented to
23 us?

24 (No response.)

25 CHAIRMAN EWASUTYN: I'll move for a

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TAFT COMPANY & SLEEPY HOLLOW VENTURE

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motion then that we grant conditional final approval for the two-lot subdivision of Taft Company and Sleepy Hollow Ventures.

MR. WARD: So moved.

MR. FOGARTY: Second.

CHAIRMAN EWASUTYN: We have a motion by John Ward. We have a second by Tom Fogarty. Any discussion of the motion?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a roll call vote starting with Ken Mennerich.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

MR. DOCE: Thank you.

(Time noted: 7:03 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.

DATED: September 14, 2011

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

----- X

In the Matter of

NYC DEP DELAWARE AQUEDUCT REPAIR
(2011-15)

Roundout-West Branch Tunnel
Section 8; Block 1; Lot 15.2
B/AR Zone

----- X

CONCEPTUAL SITE PLAN

Date: August 18, 2011
Time: 7:04 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: CHRISTOPHER VILLARI

----- X

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

1
2 MR. PROFACI: The next item on
3 tonight's agenda is the New York City DEP
4 Delaware Aqueduct Repair. It's project number
5 2011-15, conceptual site plan, Roundout-West
6 Branch Tunnel, Section 8; Block 1; Lot 15.2,
7 located in the zone B/AR and being represented by
8 the New York City DEP.

9 MR. VILLARI: Thank you very much.
10 Thank you for having us this evening, Chairman
11 and Members of the Board. My name is Christopher
12 Villari, I work for New York City's Department of
13 Environmental Protection in their
14 intergovernmental affairs unit. With me I have
15 Ted Dowey from engineering design and
16 construction; Phil Simmons from our permit
17 resources division; Dan Michaud from the bureau
18 of water supply who will ultimately be the
19 operating bureau for this project once it's
20 completed; and Jennifer Farmwald from our bureau
21 of environmental planning and assessment who is
22 overseeing the environmental impact statement.

23 Firstly, I'd like to thank the Board
24 for their comments on the environmental impact
25 statement scope of work. We're in receipt of it.

1
2 And secondly, I would like to start the
3 evening, we have two things we'd like to touch
4 upon. First, in support of the design of the
5 bypass tunnel, which we'll get into in more
6 detail in a moment, we would like authorization
7 from the Planning Board to allow us to speak to
8 your Town professionals offline so that we can
9 begin getting into the details of the design
10 work.

11 Secondly, I will turn it over to Ted
12 Dowey who is our -- you're the project manager;
13 right?

14 MR. DOWEY: Design manager.

15 MR. VILLARI: Design manager on the
16 bypass tunnel who is going to go through the
17 conceptual designs. We have copies for you which
18 we'll hand out now.

19 CHAIRMAN EWASUTYN: We have two Board
20 Members who aren't here. If you could put two
21 over there.

22 MR. VILLARI: Sure. Absolutely.

23 Because it's been a little while since
24 the last time we were here, we figured it was
25 worth recapping.

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MR. HINES: Did you receive copies of our comments?

MR. VILLARI: I'm sorry?

MR. HINES: Did you receive copies of the consultants' comments?

MR. VILLARI: Most recently I received comments on, and it was under the heading of the site plan review. Yes, I did receive them from the Town Engineer and from the Town Planner. And I believe tonight Jerry might give us a hard copy of his comments.

MS. ARENT: And I will forward you mine.

MR. VILLARI: Excellent. Thank you.

Does everyone have a copy?

MR. DOWEY: What I'm passing out now, we do have a slight footprint of the update because we acquired another piece of property. This is a significant -- I shouldn't say significant but it's been suggested to me we might do a quick review of some of the site plans they're looking at.

I think the best thing to do is, in the package we have a bunch of drawings, if we could

1
2 turn to page 4 where it says phase II shaft
3 construction, it's the simplest drawing that we
4 can start with. On this phase II shaft
5 construction, this shows the site as we envision
6 it for the first major phase of construction.
7 I'll point out a few features. If you look at
8 the top left, it shows the existing Rondout-West
9 Branch tunnel. You can see the line that goes
10 from the top left to the bottom right which shows
11 where the existing tunnel traverses underneath
12 the property in the central corridor of the
13 diagram. On the top you'll notice the actual
14 shaft 5-B. That's the new shaft we will be
15 building connecting the Rondout-West Branch
16 tunnel. Going from the Rondout-West Branch
17 tunnel to the northeast through shaft 5 is the
18 new bypass tunnel.

19 MR. MENNERICH: Excuse me a second.
20 Which sheet number did you say it was?

21 MR. DOWEY: I believe it's the fourth
22 page. It's called phase II shaft construction at
23 the bottom right.

24 MR. HINES: It's the third page in the
25 packet.

1
2 MR. DOWEY: It's the next page. This
3 one right here. It just has the least number of
4 lines on it. If you look at the center of the
5 drawing, to the lower part it says Theodore
6 property. We acquired two parcels of land in
7 order to create this site, and the Theodore
8 property is one we weren't entirely sure that we
9 were going to get. It looks like we are now
10 going to be acquiring the Theodore property as
11 well. The loose piece of paper is an updated site
12 plan which will include the Theodore property.

13 The sheet you're looking at is called
14 phase II because it's for the shaft construction.
15 Prior to the shaft construction we need to make
16 the site workable for us to build the shaft, and
17 part of that is building this road. You can see
18 the road on the site here. It comes off of 9W,
19 travels to the west. We have sort of a circular
20 area as an entrance where we anticipate if we
21 have trucks that come onto the site that for some
22 reason we don't want on the site, they can turn
23 around and then exit the site. The road will
24 then travel up the hill. There's a significant
25 hill here. The shaft location is almost 200 feet

1 above the 9W elevation. The reason the road is
2 so long is because we're trying to limit the
3 grade of the road to under seven percent. In
4 order to do that we have to fill some areas, we
5 have to cut some other areas. We finally reached
6 the elevation where we're looking at
7 approximately where the loop in the top center of
8 the drawing is. We were looking for a road that
9 will service the shaft, which is the 5-B shaft in
10 the center of the drawing at the top, and it
11 loops around and then comes back out. So traffic
12 that comes up to the offices, the parking areas,
13 it has materials and supplies for us will be able
14 to come up, drop them off, loop around and come
15 back out of the site. So the site work is really
16 the first phase to create these general features.

17 Phase II is the shaft construction.

18 The shaft construction -- we're putting this out
19 in two contracts. The first contract is going to
20 be sinking a shaft in Newburgh and sinking a
21 shaft in Wappingers and the associated site
22 preparation. This shows the shaft construction.
23 We don't need quite as much room for the shaft
24 construction as we do for driving the tunnel but
25

1 we are creating a site that the tunnel contractor
2 will be able to use as soon as he arrives on the
3 site so he doesn't have any additional site work
4 to do. The shaft contractor will be placing a
5 crane up around the shaft. We'll have a crane,
6 muck bin and various support equipment. We have
7 lay down areas in that same area, and we'll have
8 engineer's offices and trailers up within the
9 upper loop. As you can see, most of the area
10 within that upper loop is not utilized, but it
11 will be cleared for the use of the tunnel
12 contractor.

13
14 If there aren't any questions, I'll
15 just move on to the next phase. The next phase
16 is the actual tunnel construction -- yes.

17 MR. FOGARTY: What is a muck bin?

18 MR. DOWEY: A muck bin is -- we call it
19 -- muck is broken rock that comes out. When
20 we're sinking the shaft, it looks like 95 percent
21 of it is going to be rock. It's all going to be
22 drill and blast, and that rock is typically -- we
23 blast it, we load it with a loader into a bucket,
24 the bucket comes up to the top and dumps it into
25 a muck bin. The muck bin is the area where we

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keep the rock, and trucks are loaded from the muck bin.

MR. FOGARTY: Have you decided where that's going to go?

MR. DOWEY: It really -- you mean where the rock is going to go?

MR. FOGARTY: Yes.

MR. DOWEY: Typically we don't -- we leave it to the contractor and the market forces to determine where the rock goes. We generally give the rock to the contractor. If there's a market for it they benefit from it. If there's not a market for it they have to find a place for it.

MR. FOGARTY: Is it removed from the site?

MR. DOWEY: It is removed from the site. Backing up a little bit, there is a tremendous amount of material that's going to be moved around in order -- under the site preparation phase of the contract in order to create a relatively level space up here on top of the hill. We've worked hard to make it such that there's no net import or export of materials. If

1
2 we're going to be building a road, obviously
3 we're going to be bringing in a subbase and
4 asphalt and those kinds of things. Generally
5 speaking, we're going to be doing some blasting
6 and we're going to be moving some soil. We've
7 been working hard to have a balanced site with
8 respect to cut and fill while we do the site
9 preparation.

10 MR. FOGARTY: Thank you.

11 MR. MENNERICH: With the purchase of
12 the Theodore property do you envision your road
13 layout changing?

14 MR. DOWEY: No. We don't think the road
15 layout will change. We haven't really determined
16 the best use for that property but it's probably
17 not going to change the road.

18 So I guess the next phase would be the
19 tunnel excavation. That's where it says phase
20 III, tunnel excavation. As you can see, some of
21 the areas within the upper loop have changed.
22 The shaft is in the same location. The muck bin
23 has gotten bigger. The tunnel boring machine,
24 once it's installed in the bottom of the shaft
25 and starts tunneling east towards the other side

1
2 of the river, it's going to produce a lot of
3 rock. It tends to cut the rock into small
4 pieces. We're looking to have at least three
5 days of storage for muck in case we can't get the
6 muck off the site. That's why the muck bin looks
7 as big as it does.

8 The tunnel boring machine is going to
9 have -- I'm sorry. Just below the shaft you see
10 an area that's called segment stockpiling. The
11 tunnel boring machine, we envision, is going to
12 bore the tunnel and set segments behind it
13 directly. So that will protect us from large
14 water inflows. Water inflows with substantial
15 water pressure as well. We believe it's the
16 safest way to tunnel underneath the river. It's
17 going to be called a single shield tunnel boring
18 machine and it's going to be using segments.
19 That's the area where the segments will be
20 located before they're sent down the tunnel to be
21 installed behind the tunnel boring machine.

22 Just below that is a lay down area.

23 Then there are two other areas below
24 that which is -- they're a little hard to
25 describe. One of them is called the inundation

1 plug. When we build this tunnel, when we dewater
2 the tunnel -- it's been leaking up into -- the
3 tunnel has been leaking up into the Hudson. We
4 fear that we may get a lot of water out of the
5 Hudson back into the tunnel. If we get more
6 water than we can handle or that we can work with
7 when we're down in the tunnel, we're going to
8 plug the tunnel. We call them the inundation
9 plugs. The design for that is to drill a whole
10 series of holes from the surface down into the
11 tunnel, and we're going to be tunneling across --
12 I'm sorry. We're going to drill a series of
13 holes down to the tunnel, we'll pump out the
14 tunnel to see what the inflow is. If the inflow
15 is too great we'll allow the tunnel to refill,
16 then we'll drill all those holes down into the
17 tunnel and essentially place a concrete plug on
18 each side of the river in the tunnel. That will
19 isolate the inflows from the Hudson River so that
20 then we can pump out the tunnel and actually go
21 to work. So that area which you see just below
22 the lay down area, it is labeled up into the red
23 inundation construction plug area. You'll see a
24 whole series of holes on top of the tunnel line.
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That's what the inundation plug area is.

MR. FOGARTY: What is the lay down area?

MR. DOWEY: The lay down area is just for all kinds of equipment that the contractor needs to support; spare parts, extra segments, storage for whatever. Extra pieces of equipment.

Some of the smaller boxes which you see spaced around are contractor's offices. We're going to establish an electric substation on the site. We're working with CHG&E in order to bring power into the site. We're going to be building a substation in order to power the tunnel boring machine.

The workers will have a change house on the site which is typically a locker room with showers and sometimes even laundry.

Then you also see some additional engineers' offices.

An interesting part of this site is that we don't have any water at the moment. We certainly don't have any potable water. We're looking at both asking you for the potential use of water, and that will be handled by BWS talking

1
2 to the Town or bringing in water. We also,
3 during construction, have three water streams
4 that have to be dealt with. One is water that
5 would flow into the shaft or into the tunnel
6 which has to be pumped out, and that will be
7 treated. We envision, under the tunnel contract,
8 we're going to build a force main which is going
9 to take that water all the way to the Hudson
10 River to be discharged.

11 We'll also have surface water
12 stormwater which will be intercepted and also
13 treated, and the during the tunnel phase we'll be
14 sending that water down the force main.

15 We will also have sanitary water, and
16 we're looking at two systems for treating the
17 sanitary water. We're either going to store it
18 and pump it out and truck it out, or conceivably
19 we would run a small sanitary water treatment
20 plant. So we're looking into whether one of
21 those two alternatives, and we hope to decide
22 which of those routes we're going to go fairly
23 shortly.

24 If you look to the right-hand side
25 you'll also notice a concrete batch plant. We

1
2 selected to build a concrete batch plant on the
3 site. There's a fair amount of grout that is
4 associated with driving the tunnel segments, and
5 then ultimately the concrete -- the entire tunnel
6 gets a concrete lining inside of it. We believe
7 that the best plan is to just put a concrete or
8 grout plant on site to provide for the needs to
9 the shaft. The raw materials would be brought
10 in, whether sand, stone, cement, would be brought
11 in from 9W and unloaded at the concrete or the
12 batch plant and then as needed grout or concrete
13 will be batched and taken up to the shaft and
14 sent down to the tunnel for use. So this phase
15 III generally supports the tunnel excavation.

16 Phase IV is really for the tunnel
17 lining. Things don't change a whole lot as far
18 as the site goes. We do anticipate that we will
19 have to place a steel interliner in the tunnel
20 for certain portions of the tunnel. It was done
21 in the original tunnel which was drilled and
22 blasted. We had a lot of water coming in so they
23 actually went inside of it, lined it with steel
24 and then placed the concrete lining inside of
25 that. We anticipate having to do that again. So

1 we'll have both the manufacturing those
2 interliners, bringing them onto the site. We
3 need a place to stockpile them. Ultimately we
4 will install them into the tunnel. We anticipate
5 the contractor having excavated the tunnel would
6 take the steel interliners, take them to the
7 furthest point in the tunnel and start installing
8 them, working our way back this way. We don't
9 have the geologic borings yet and so we don't
10 know exactly how many feet of interliner we're
11 going to use. We're planning for the max, so
12 we're on the order of 6,000 feet. We think it
13 will be substantially less than that.

14
15 The last phase is really the most
16 critical one. It's just the tunnel connection.
17 Once we've built the entire tunnel, built the
18 shaft on each end, built the facilities in those
19 shafts, we're going to have a shaft cap on it so
20 that we can close the shafts fairly quickly when
21 we're done building this whole thing, then it
22 comes time to make the connection. Once the
23 hydrology is right, once we have the reservoirs
24 full, and once they get permission for us to
25 actually go ahead and make the connection, we're

1 going to have a period of, at the moment we think
2 from six to fifteen months, where we will
3 actually be drilling and blasting. We're going
4 to leave 150 feet of rock until this last moment,
5 and we will drill and blast the 150 feet of rock
6 at both ends of the tunnel, excavate that out.
7 We have to install a bulk head so that the water
8 goes through the bypass. We're going to be
9 abandoning the section of tunnel that leaks and
10 we're going to build a junction chamber. There
11 are stresses associated with the water changing
12 direction. Having built the bulk head, the
13 junction chamber and lining the tunneling, then
14 we get everything out, put the shaft cap back on
15 and ideally put the thing back in service.
16 That's the last phase, and that's shown under
17 phase V, tunnel connection.
18

19 So we understand that there's a lot of
20 phases to this project. We are giving you all
21 the site plans up front so you know what we're
22 getting into right at the beginning. We
23 understand there's going to be sort of a phased
24 approach, walking through the various site plans
25 and getting comments from the Town to see what

1
2 concerns you have. We're looking forward to, you
3 know, meeting with you as you see fit and
4 starting to meet with the Town professionals next
5 Tuesday to start the process of looking at the
6 details of the site plans.

7 If anybody has any questions, I'll be
8 glad to answer.

9 CHAIRMAN EWASUTYN: Do you have a
10 question?

11 MS. ARENT: One of the questions would
12 be like we were discussing, what is going to be
13 permanent on the site, what's not going to be
14 permanent. We'd like to see some kind of plan
15 that shows the end details.

16 MR. DOWEY: Sure. We can do that.

17 MS. ARENT: It was hard to figure out.
18 That concrete batching facility, will that stay
19 or will that disappear?

20 MR. DOWEY: Right. The answer is --
21 we'll show you a drawing, but really nothing
22 stays. We're going to leave the road that goes up
23 to the shaft but the shaft is going to be
24 entirely underground. We're finding that the top
25 of rock is pretty high. So even if it's not

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entirely underground, it's going to be under a mound of dirt. So really everything you see here, outside of the road and a little over the shaft cap, is going to be removed. So essentially everything will be underground.

MR. MENNERICH: Including the substation?

MR. DOWEY: The substation will come out. We won't be leaving permanent power. The substation is just for the purposes of fueling the construction needs.

MS. ARENT: Do you have timing on this? Is it hard to determine?

MR. DOWEY: Yes, we do. We can get you a set of drawings which shows the timing.

MS. ARENT: That would be great.

MR. DOWEY: We're looking at two different contracts. The first contract is for the shaft. We're looking at awarding that contract and getting the contractor underway in the winter of 2013, and that contract will run a little over two years. With the completion of this shaft in particular, we want to get the tunnel boring machine started. It's looking like

1
2 that contract would run until say 2019. And then
3 we would be making the final connection somewhere
4 in the order of 2020. We can get you a schedule.

5 MS. ARENT: And the Town is also very
6 concerned about visual impacts of all of this,
7 especially from Route 9W. For example, the
8 stormwater management basins, wherever they are
9 visible from public roadways we ask that it be
10 designed so they're aesthetically pleasing and
11 landscaped.

12 MR. DOWEY: Okay. We'll take note of
13 that. As we propose the individual site plans we
14 can weigh your individual comments.

15 MS. ARENT: Great. Thanks.

16 CHAIRMAN EWASUTYN: Bryant Cocks,
17 Planning Consultant?

18 MR. COCKS: I think the main issue that
19 we're going to talk about regarding zoning is
20 what is the actual use of this project, and what
21 we're going to classify it as, and how we can
22 review what it's classified as under zoning with
23 regard to bulk requirements. There's no real
24 definition that fits this, obviously, in our
25 zoning code. I think we're going to try to make

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2 this a public utility structure and go from
3 there. With the public utility there's no bulk
4 requirements except for lot coverage and building
5 height. So I think we're going to try to do
6 that. That's something that can be discussed at
7 the work session and try to hash out what this
8 actually is and what we're going to classify it
9 as. I think that was the main issue regarding
10 the zoning of the project.

11 MR. DONNELLY: To echo that, obviously
12 we don't have a tunnel repair use. The two
13 closest uses are municipal uses and public
14 utility. Neither fits perfectly definitionally.
15 The public utility use is, in concept, closer
16 than the municipal one. It is also permitted in
17 both zones that your property spans.
18 Significantly, it doesn't have any setback
19 requirements which is helpful in terms of not
20 needing to involve the Zoning Board, and that has
21 coverage requirements that, I think with the size
22 of the site, are not going to be troublesome to
23 you. I talked about it with Bryant; with Jerry;
24 with Mark Taylor, the Town Attorney, and that
25 seems to be the direction we're leading.

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MR. DOWEY: That sounds good to us.
We'll be glad to answer any further questions to help you make that decision.

CHAIRMAN EWASUTYN: Jerry Canfield, Code Compliance, would you like to chime in also?

MR. CANFIELD: I agree with Bryant and Mark's comments regarding it and classifying this. As Mike did state, I did have a conversation with our attorney for the Town, Mark Taylor's office, and we're all in agreement that this can be classified as a public utility.

Some of the comments that you received from Bryant as well as mine, which I'll give you a hard copy, or to Chris, are centered around that same confusion, what to classify this as. As it is now, we are satisfied that it is a utility. So there will be no zoning issues that we see.

MR. DOWEY: We appreciate that.

CHAIRMAN EWASUTYN: Pat Hines, Drainage Consultant?

MR. HINES: We have some conceptual comments that just as the plans develop can be addressed, things like two-foot contouring intervals. We will be reviewing the stormwater

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2 pollution prevention plan as the Town will have
3 to issue an MS-4 municipal authorization.

4 One of the comments I did want to bring
5 out early on, and we ran into this with projects
6 that generate fill, not similar projects but
7 projects that generated materials to be trucked
8 off site is the disposal site, if it's located in
9 the Town of Newburgh, will also have to have a
10 clearing and grading permit associated with that.
11 I don't know where your material is going to end
12 up. If it's in Town there's that process also.
13 I'm sure we can work that out as you move along.
14 Otherwise our comments are conceptual in nature
15 and I think they can be developed as the plans
16 are developed.

17 CHAIRMAN EWASUTYN: Okay. John Ward,
18 Planning Board Member?

19 MR. WARD: I was concerned about the
20 noise and lighting impact for over the years. If
21 there's say a house two miles away, with the
22 noise, how much noise is it going to be?

23 MR. DOWEY: I think the best way to
24 answer that is we have noise studies which are
25 going to be in the EIS. I believe we also have

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2 lighting studies. We will be submitting lighting
3 plans, if you would like, as far as the site
4 lighting on the actual construction site. So as
5 we go through this process hopefully we can
6 answer those questions.

7 MR. WARD: Very good. Thank you.

8 CHAIRMAN EWASUTYN: Tom?

9 MR. FOGARTY: Jerry, didn't you mention
10 there's going to have to be a name to the road or
11 something like that? Whatever roads go in there
12 they have to have --

13 MR. WARD: For 911.

14 MR. CANFIELD: Yeah. We'll need a name
15 for the road. That goes along with Pat's
16 comments about the road and the construction
17 thereof. Part of the requirements will be to name
18 the road also.

19 MR. DOWEY: Okay.

20 MR. FOGARTY: The only other thing I
21 had, which was already answered, is the noise.
22 This is a project that's going to be going
23 twenty-four hours a day I would assume.

24 MR. DOWEY: The majority of the work
25 will be twenty-four hours a day.

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MR. FOGARTY: So the noise and the lighting, what impacts that's going to have. Obviously we're interested in that.

Karen, I can't remember the point you made but it was one of the other points. I can't remember right off the top of my head.

Right now that's pretty much all I have.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: I don't have anything right now.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I guess one of my concerns is what the site is going to look like when you're all done and how Karen has mentioned landscaping for stormwater detention areas and stuff like that. How you're going to leave the site, you know. Will the stormwater basins be filled in and the landscaping can just stay there? The large open area up on top, will that be seeded? You know, how will the site be maintained, if, you know, it is --

MR. DOWEY: Okay. Absolutely. It all needs to be addressed. We don't have a site

1 restoration plan at the moment. Part of it -- I
2 know we have the County DPW also concerned.
3 They're looking for things that are essentially
4 low maintenance. We'll be addressing that. So
5 we'll have a drawing addressing that.
6

7 MR. MENNERICH: Okay.

8 MR. FOGARTY: I know this is going to
9 generate an awful lot of jobs. I don't know who
10 the contractor is going to be. I don't think it
11 would be anybody from the Town of Newburgh.
12 There's not too many contractors that could deal
13 with a project this size. I would hope it does
14 generate some jobs for the residents in the Town
15 of Newburgh.

16 CHAIRMAN EWASUTYN: Mike Donnelly?

17 MR. DONNELLY: Nothing.

18 CHAIRMAN EWASUTYN: Is there someone
19 else that's part of your group that would like to
20 speak tonight?

21 MR. VILLARI: No. I think that's it.
22 All we'd like to do is now just ask for the
23 opportunity to meet offline with the Town
24 Consultants to begin tackling some of these more
25 specific issues.

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2 CHAIRMAN EWASUTYN: Can you elaborate
3 what you mean by talking with them offline so we
4 -- there are two motions that the Board would
5 have to make tonight. Number one is to set this
6 up for a consultants' work session, which I
7 believe is on the 23rd of this month which is
8 Tuesday. I think the time is at 1:30. The
9 second motion, and I know you did Fax me or
10 e-mail me this one other time, speaking offline.
11 I'm not familiar with what you're --

12 MR. VILLARI: I'm referring to the
13 monthly meeting I believe on the fourth Tuesday
14 of every month as is normally scheduled by the
15 Planning Board.

16 CHAIRMAN EWASUTYN: So you want to meet
17 with them on a regular basis?

18 MR. VILLARI: We feel that because of
19 the complexity of the project, that we should at
20 least have a placeholder on a frequent basis.

21 CHAIRMAN EWASUTYN: Okay. With the
22 understanding -- I think I had discussed this
23 with you when the topic came up in one other
24 case, I believe it was The Marketplace. The
25 Board may have a difference of opinion on that

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2 now. We agreed to this kind of regularity but
3 with the understanding that after the second
4 meeting, that you would then return to the
5 Planning Board so the Planning Board would be
6 part of the process.

7 MR. VILLARI: Absolutely. Our
8 intention is to keep the Planning Board in lock
9 step with us as we continue with the design. We
10 want to -- you know, we want to communicate with
11 the Board and make sure we have the right level
12 of communication. We understand you are very
13 efficient with your site plan approval process,
14 so we don't want to oversaturate your time and
15 just come back -- obviously every two. We're
16 more than happy to come every two. If more
17 frequent -- we were hoping maybe the Town
18 Consultants would be sort of our barometer to
19 tell us, you know, should it be every two, should
20 it be every one, we're starting to get into more
21 detail, we see it's warranted and necessary. We
22 hope between meeting with the Consultants and
23 with the Board we'll be able to figure out a good
24 rhythm.

25 CHAIRMAN EWASUTYN: Sounds reasonable.

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Comments from the Board Members?

MR. MENNERICH: John, in the past cases we've had sort of a summary of what was accomplished at these work session meetings. Do we want that to continue?

CHAIRMAN EWASUTYN: Yes.

MR. VILLARI: Would you like us to provide it or would your team provide it?

MR. HINES: Bryant does it.

MR. MENNERICH: Bryant has done it in the past.

MR. VILLARI: Sure thing.

MR. HINES: One of the important things at the work session is we kind of deal with technical things. Any policy decisions go to the Board. We don't make decisions at those work sessions. It's important to keep the Board in line with that, and that's the way we usually work the work sessions. We'll do technical issues. Policy and procedure, that's their job.

MR. VILLARI: Sure thing. Like I said, we just want to remain efficient.

CHAIRMAN EWASUTYN: We'll start with a motion that will set this for the consultants'

1
2 work session this coming Tuesday, the 23rd, at
3 1:30 in the afternoon. We'll also empower the
4 Consultants to have the discretion as to whether
5 a second Consultant meeting will be required.
6 And, if so, then they can move forward with it.
7 We'll also empower Bryant Cocks to keep us
8 informed with a written summary of each meeting.
9 How is that?

10 MR. WARD: So moved.

11 CHAIRMAN EWASUTYN: A motion by John
12 Ward.

13 MR. PROFACI: Second.

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

16 (No response.)

17 CHAIRMAN EWASUTYN: I'll move for a
18 roll call vote starting with Ken Mennerich.

19 MR. MENNERICH: Aye.

20 MR. PROFACI: Aye.

21 MR. FOGARTY: Aye.

22 MR. WARD: Aye.

23 CHAIRMAN EWASUTYN: Myself. So
24 carried.

25 I hope you don't mind.

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MR. VILLARI: We're very happy to include you.

(Time noted: 7:35 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.

DATED: September 14, 2011

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

----- X
In the Matter of

O'BRIEN LANE III
(2011-16)

O'Brien Lane off Pressler Road
Section 6; Block 1; Lot 9.24
AR Zone

----- X

CONCEPTUAL TWO-LOT SUBDIVISION

Date: August 18, 2011
Time: 7:36 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JAMES RAAB

----- X

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

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MR. PROFACI: The next item on tonight's agenda is O'Brien Lane III, project 2011-16, a conceptual two-lot subdivision. It's on O'Brien Lane off Pressler Road, Section 6; Block 1; Lot 9.24, located in the AR Zone, represented by Charles Brown.

CHAIRMAN EWASUTYN: Before we start the application; Bryant, would you make it a point of e-mailing Jim Osborne and Mark Taylor of the up and coming meeting with the DEP and inviting them if they have the time to sit in?

Jim.

MR. RAAB: For the record, I'm Jim Raab. I'm subbing for Charlie tonight. He's at a funeral.

What it is is basically there was a six-lot subdivision approved back in 2007. Last year Mr. O'Brien subdivided off one more lot and residual acres that he's using for timber harvesting. This piece of property is not owned by O'Brien, it's owned by the developer that bought lots 3 and 5 -- 3, 4 and 5. He subdivided lot 4 into two lots which will make lot 9.

We got the comments from the

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Consultants. We really have no problem in relocating the wells. It was an issue -- you normally can get away with the swale that Charlie had proposed by the driveway here, but we're willing to switch. We're not -- it would be easier just to switch the wells over to the other side of the property and shift the septic around to make it work on that side. Charlie did it for more about access and being able to drill the wells a little easier. Two different counties. We don't want to have to deal with the county about something as minor as this. We'll take care of that.

We also understand about the MS-4. We kind of believed that was going to be the case anyway.

Again, what I want to make clear is that the two lots below are O'Brien's. We have no problem putting them all together. That has been sent in for completion because the detention pond and these two lots, although not quite stabilized -- lot 3 isn't what I feel is a stabilized lot. Lot 5 is. The detention pond is fully covered. We've gotten a bond released by

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the Town, so that stuff is completed. We've also been keeping an eye on it because it's such a steep road, we've had some erosion issues on lot number 3, and we're trying to deal with that right now. Most of it really has to do with getting the seed to take, you know, over the next couple months. If we can get some relief from the rain.

We know we have to bond the retaining walls. There's one, a six-foot one on lot 9, and we'll be working with one along the driveway on lot 4.

That's pretty much it.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: As Mr. Raab just addressed, we had a question on the separation distances for the septics. If they were going to remain, they would need Health Department approval. If they can be redesigned to meet the requirements, that's fine.

The discussion regarding stormwater coverage for the DEC and the Town permits has to do with the project being part of a larger development scheme. It's the entire project.

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The DEC doesn't care who owns the individual lots. It's obviously part of the original project and a continuation of that project, both these lots and the ones we saw a month or two ago. All those will need to be covered under a stormwater SPDES permit. If they already are, that needs to be updated to include these additional impacts.

A common driveway access and maintenance agreement will be required for the shared driveway.

This project -- similar to the one that Mr. Raab's office represented earlier that the retaining walls were removed, this project has retaining walls as part of the development of the lots, and they're required to develop the lots as shown. It's been the Town's policy that improvements on residential lots that are required to support the construction on those lots either be constructed or bonded prior to approval. I don't know if you can relook at the grading plan to eliminate those walls. If those walls are needed to construct the lot, then they need to be bonded so they'll be constructed.

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O'BRIEN LANE

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MR. RAAB: Understood. In this case I think we're going to have to leave them. I'll leave it up to Charlie to make that decision.

MR. HINES: That's our comments.

CHAIRMAN EWASUTYN: Bryant Cocks, Planning Consultant?

MR. COCKS: Could you just explain the access easement on the bottom on the left side of the project over there?

MR. RAAB: Right here there's going to be a common driveway up to where they fork.

MR. COCKS: I meant in the back, the west side of the lot that's highlighted yellow that goes across.

MR. RAAB: This down here?

MR. COCKS: Yes.

MR. RAAB: That's Mike O'Brien's reservation. It has really no bearing other than the fact that he thought he was going to need it for the timber harvesting. He elected to use the access road that goes back to lot number 8. So this really has no use whatsoever. We contacted him about it and he said he wants to leave it in place. That's still under discussion but it's

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O'BRIEN LANE

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really of no use to Mr. O'Brien at this time. Originally he was going to access from this lot here. He owns this lot here, too. That's why it goes from here, like that. Okay.

MR. DONNELLY: Is it an easement or a fee parcel?

MR. RAAB: It was an easement. It was a reservation because he thought he might sell off -- if he sold off the rest of the property, how is he going to get back to the back acreage. That was during the first six-lot subdivision. We did contact him when we were designing these lots and he said well he'd like to keep it right now although he really has no use for it. There's no reservation about whether we can -- what we can put on it as long as we don't block it. You can't put any structures on it. I don't think there will be any problem putting a well on it. We'll make sure that Mike has a copy of whatever the legal document is that covers it so that we've got that all covered.

CHAIRMAN EWASUTYN: Anything else?

MR. COCKS: Along with that, the common driveway maintenance agreement will be needed.

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O'BRIEN LANE

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And then also the new lot will need to be part of the original private road agreement.

The retaining wall details we need.

This will need to go to Orange County Planning because it's within 500 feet of an active agricultural operation.

No variances will be necessary. It meets all zoning and subdivision requirements.

That's all I have.

CHAIRMAN EWASUTYN: Jerry Canfield, Code Compliance?

MR. CANFIELD: I didn't submit any technical comments but I do have a question, Jim. You mentioned the timber harvest. Is that still happening or -- there is still an active timber harvest going on there?

MR. RAAB: Mm'hm'. He only does it on the weekends. That's the -- the guy that Mike gave the contract to only does it on the weekends. I think that's why it's taking so long.

CHAIRMAN EWASUTYN: It's you who is doing it?

MR. DONNELLY: Michael O'Brien.

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O'BRIEN LANE

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MR. RAAB: The person Mike O'Brien hired only does it on weekends. He uses this lot right here -- part of this lot for part of his staging area and the rest of it is down at the bottom, to the right of the detention area.

MR. CANFIELD: He uses that access road we were talking about before?

MR. RAAB: He uses the access road. It comes down here like this.

MR. HINES: Not the easement.

MR. CANFIELD: Okay. I don't know that he has a permit for the timber harvest, but that's an unrelated matter to this.

MR. RAAB: It's posted right at the bottom of the driveway. It's the DEC permit.

MR. CANFIELD: Not a Town permit, though?

MR. RAAB: It's not a Town. I don't know whether he did or not. All I know is he got the permit from the DEC.

MR. CANFIELD: He didn't. I'm sure of that.

MR. RAAB: I hope he did. I see it posted on the tree. I have to take it --

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O'BRIEN LANE

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MR. CANFIELD: Thank you.

MR. RAAB: -- at face value.

CHAIRMAN EWASUTYN: Comments from Board Members. John Ward?

MR. WARD: No comments.

CHAIRMAN EWASUTYN: Tom Fogarty?

MR. FOGARTY: I have no comment.

MR. PROFACI: No comments.

MR. MENNERICH: Jim, I think Bryant covered it in his comments about the as-builts being filed with the town engineer.

MR. RAAB: I revised that. In fact, I was just going to ask John if he wanted me to supply the narrative. Bryant asked for it to be revised.

CHAIRMAN EWASUTYN: I did get a copy and I put it in the file. I think that's adequate.

MR. RAAB: That's adequate. Okay. I revised that. That was my typo. I put a 1 in front of the 9.

CHAIRMAN EWASUTYN: Jim, who is the new owner of the property? It's not O'Brien?

MR. RAAB: Fox Crest Lane Homes.

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O'BRIEN LANE

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CHAIRMAN EWASUTYN: All right. Then I'll move for a motion to grant conceptual approval for the two-lot subdivision of O'Brien and for Jim Raab to work with Bryant Cocks to supply the necessary map and other information and circulate it to the Orange County Planning Department.

MR. WARD: So moved.

MR. MENNERICH: Second

CHAIRMAN EWASUTYN: I have a motion by John Ward. I have a second by Ken Mennerich. Any discussion of the motion?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a roll call vote starting with Ken Mennerich.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. Thank you.

(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.

DATED: September 14, 2011

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

----- X
In the Matter of

HICKORY HILL SUBDIVISION
(2011-17)

Hickory Hill Road
Section 47; Block 1; Lot 64.22
R-1 Zone

----- X

CONCEPTUAL SIX-LOT SUBDIVISION

Date: August 18, 2011
Time: 7:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: DAVID DENDY

----- X

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

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2 MR. PROFACI: The last item on
3 tonight's agenda is Hickory Hill Subdivision,
4 item 2011-17, Hickory Hill Road, Section 47;
5 Block 1; Lot 64.22, located in the R-1 Zone.
6 It's a conceptual six-lot subdivision being
7 represented by --

8 MR. DENDY: Dave Dendy from Fine &
9 Associates.

10 Good evening. This is a 15.4 acre
11 parcel that actually fronts Hickory Hill on this
12 end and also this side. It basically encompasses
13 the back section here. There's a very large
14 Federal wetland that is on the site presently at
15 the moment.

16 Lot 1 is going to access directly off
17 of Hickory Hill as is shown here, and the other
18 five lots would access a private drive.

19 We have received all your Consultants'
20 comments, from Pat Hines and also the Planner.

21 There is a particular issue, which
22 we'll talk about tonight, on the lot area
23 coverage, and also any discussion from the Board
24 on any other comments they might have tonight.

25 Here is more of the site development.

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Here is lot 1, which is a single lot with a sanitary system, well and septic and so forth, all the way throughout.

There is, like I said, a large portion of the wetlands on lot 3 and also lot 4, and there are some steep slopes in the back.

So what we're looking for tonight is basically the Board to comment, if they have any comments, about the layout, any planning comments also from the Consultants, and also the Attorney tonight.

CHAIRMAN EWASUTYN: Dave, I think we'll start with Bryant Cocks' review of the project and the new local law. Do you want Bryant to speak about that first?

MR. DENDY: If you wouldn't mind. We tried to look at it as well.

MR. COCKS: The local law from 2010 is regarding the residential lot areas. In the R-1 zone, for each lot there will have to be a 10,000 square foot buildable area box which would exclude wetlands and slopes over 15 percent.

MR. DENDY: Just for clarity Bryant, it would have to be in the area of the setback?

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2 MR. COCKS: Yes. Within the area of
3 the setback, and it has to be clear of all
4 wetlands and steep slopes. I know there's a lot
5 of steep slopes in the back area, and lots 3 and
6 4 have a lot of wetlands.

7 MR. DENDY: We did look at it a little
8 bit before tonight's meeting. There are a few
9 issues and we can rework the plan and resubmit.
10 We'll take a look at that to see if we can move
11 those lots or readjust them.

12 MR. COCKS: These current plans do not
13 conform to the zoning code. I don't think the
14 Planning Board would be able to conceptually
15 approve the plans.

16 MR. DENDY: We understand. I think
17 tonight we're looking for any other comments.

18 CHAIRMAN EWASUTYN: Pat Hines, Drainage
19 Consultant?

20 MR. HINES: The project plans are going
21 to changed based on Bryant's comments. Basically
22 the future submissions will have to address
23 stormwater management and compliance with the DEC
24 and Town regulations. Right now there's no
25 provision shown for that.

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2 If a private road remains as you
3 redesign the site, the private road needs to be
4 owned by each of the lots, or each of the lots
5 have to own a piece of the private road rather
6 than you have it broken out now as a one-acre
7 parcel. That's not the way the Town does it. In
8 the Town of Newburgh each parcel owns a piece of
9 the road.

10 MR. DENDY: Okay.

11 CHAIRMAN EWASUTYN: Jerry Canfield?

12 MR. CANFIELD: I have nothing at this
13 time.

14 CHAIRMAN EWASUTYN: Comments from Board
15 measures. John Ward?

16 MR. WARD: No comments.

17 CHAIRMAN EWASUTYN: Tom Fogarty?

18 MR. FOGARTY: I don't have any comments
19 at this time. I'll wait for the new plan.

20 CHAIRMAN EWASUTYN: Joe Profaci?

21 MR. PROFACI: Not until we have a plan
22 we can review.

23 MR. MENNERICH: No questions at this
24 time.

25 CHAIRMAN EWASUTYN: Okay, Dave. If you

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would revise your plans. It would be easier for our office if we have one person from your office who is the point person --

MR. DENDY: Sure. We can do that.

CHAIRMAN EWASUTYN: -- for contacting in the office for resubmissions and distributions.

MR. DENDY: Okay.

CHAIRMAN EWASUTYN: Let me know who that person is so that way we have an understanding.

MR. DENDY: Okay. Not a problem. Thank you.

CHAIRMAN EWASUTYN: Do any of you Members remember Dave from his earlier years? He was with Paul Cuomo many years ago.

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

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

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7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.
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23 DATED: September 14, 2011
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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X
In the Matter of

TRINITY SQUARE
(2006-53)

Request for an Extension of Preliminary
Site Plan Approval

----- X

BOARD BUSINESS

Date: August 18, 2011
Time: 7:50 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

----- X

MICHELLE L. CONERO
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TRINITY SQUARE

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MR. PROFACI: We have a few items of Board business. First is Trinity Square, it's project 2006-53. The applicant is requesting an extension of preliminary site plan approval which will run from September 16, 2011 to March 16, 2011. It must be 2012.

CHAIRMAN EWASUTYN: I'll move for the motion to grant that approval.

MR. MENNERICH: So moved.

MR. FOGARTY: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Tom Fogarty. I'll move for a roll call vote starting with John Ward.

MR. WARD: Aye.

MR. FOGARTY: Aye.

MR. PROFACI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

(Time noted: 7:51 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.

DATED: September 14, 2011

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

----- X
In the Matter of

RESUBDIVISION OF LOT 2 OF PALMERONE & TAYLOR'S WAY
(2010-14)

Request for an Extension of Preliminary
Subdivision Approval

----- X

BOARD BUSINESS

Date: August 18, 2011
Time: 7:51 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

----- X

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MR. PROFACI: The second item is a resubdivision of lot 2 of Palmerone and Taylor's Way, project 2010-14. The applicant is requesting an extension of preliminary subdivision approval which will run from September 7, 2011 to March 7, 2012.

CHAIRMAN EWASUTYN: I'll move for that motion to grant that approval.

MR. PROFACI: So moved.

MR. MENNERICH: Second.

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

(No response.)

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

MR. WARD: Aye.

MR. FOGARTY: Aye.

MR. PROFACI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Myself yes. So carried.

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

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

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DATED: September 12, 2011

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OF NEW YORK : COUNTY OF ORANGE

TOWN OF NEWBURGH PLANNING BOARD

- - - - - X

In the Matter of

GREEN INFRASTRUCTURE PRACTICES

Presentation by Karen Arent

- - - - - X

BOARD BUSINESS

Date: August 18, 2011
Time: 7:52 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

- - - - - X

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10 Westview Drive
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MR. PROFACI: The last item on Board

1
2 Business is green infrastructure practices, a
3 Power Point presentation by Karen Arent on
4 September 1, 2011. Karen will share her
5 experience relating to the uses, benefits,
6 installation and financing of different types of
7 green infrastructure projects within Orange
8 County, including rain gardens, permeable pavers,
9 vegetated swales and tree planting projects.

10 CHAIRMAN EWASUTYN: I'll move to
11 approve that this evening.

12 MR. WARD: So moved.

13 MR. MENNERICH: Second.

14 CHAIRMAN EWASUTYN: I'll move for a
15 motion to close the Planning Board meeting of
16 August 18th.

17 MR. FOGARTY: So moved.

18 MR. PROFACI: Second.

19 CHAIRMAN EWASUTYN: I have a motion by
20 Tom Fogarty and a second by Joe Profaci.

21 MR. MENNERICH: Aye.

22 MR. PROFACI: Aye.

23 MR. FOGARTY: Aye.

24 MR. WARD: Aye.

25 CHAIRMAN EWASUTYN: And myself.

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(Time noted: 7:53 p.m.)

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

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DATED: September 14, 2011