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

----- X

In the Matter of

NEXTEL CO-LOCATION

Special Use Permit

----- X

BOARD BUSINESS

Date: September 15, 2011
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
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DOUGLAS WARDEN

----- X

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

MICHELLE L. CONERO - (845)895-3018

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GOLDEN VISTA

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MR. BROWNE: Welcome to the Town of
Newburgh Planning Board meeting of September 15,
2011.

At this time I'll call the meeting to
order with a roll call starting with Frank.

MR. GALLI: Present.

MR. BROWNE: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. PROFACI: Here.

MR. FOGARTY: Here.

MR. WARD: Present.

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

MR. DONNELLY: Michael Donnelly,
Planning Board Attorney.

MS. CONERO: Michelle Conero,
Stenographer.

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

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GOLDEN VISTA

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MR. COCKS: Bryant Cocks, Planning
Consultant.

MS. ARENT: Karen Arent, Landscape
Architectural Consultant.

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

MR. BROWNE: Thank you. At this time I
will turn the meeting over to Joe Profaci.

MR. PROFACI: Please rise for a salute
to the flag.

(Pledge of Allegiance.)

MR. PROFACI: Please turn any
electronic devices you have off. Thank you.

CHAIRMAN EWASUTYN: Before Cliff Browne
introduces the first item on the agenda, I'd like
the Board Members to look at Board Business. We
have the third item down as being the Nextel
co-location. The attorney for the applicant,
Doug Warden, is here and he would like to come
forward and address the Board at this time. As
an exception we're going to make this adjustment
to the format of the meeting.

MR. WARDEN: Good evening. My name is
Doug Warden, I'm an attorney with the law firm of

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GOLDEN VISTA

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Snyder & Snyder. I'm here on behalf of Nextel.

This is an existing facility on an existing tower. It's been there for many years. We're here for renewal of the special permit. It's been renewed once before. We submitted the same materials we submitted at the last recertification.

I have a statement that we are in compliance with all relevant radiofrequency emission requirements from the FCC. Also, a structural analysis indicating that the facility is structurally sound and there will be no modifications.

CHAIRMAN EWASUTYN: The reason why you've come forward at this time in the meeting is?

MR. WARDEN: As opposed to at the end of the meeting. I had approached, I hope not inappropriately, the Chairman. I was informed by my physician I have the flu and I was hoping that I might save the distraction of some of the EMTs coming to the meeting. So I do thank you for this dispensation.

CHAIRMAN EWASUTYN: Bryant, would you

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GOLDEN VISTA

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report to us? You have Jerry Canfield's review in front of you.

MR. COCKS: I do have an e-mail from Jerry Canfield saying it meets all requirements and he had no issue with the recertification.

CHAIRMAN EWASUTYN: If the Board will allow, we'll do it under Board Business. I'll move for a motion to grant the recertification of the special use permit for the Nextel tower located on Valley View Drive.

MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: Thank you. I have a motion by Frank Galli. I have a second by John Ward. 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. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

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GOLDEN VISTA

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CHAIRMAN EWASUTYN: And myself. So
carried. Please don't shake my hand.

MR. WARDEN: Thank you, Mr. Chairman.

(Time noted: 7:04 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: October 18, 2011

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

----- X

In the Matter of

GOLDEN VISTA
(1999-33)

Meadow Hill Road
Section 60; Block 1; Lot 9
R-3 Zone

----- X

AMENDED SITE PLAN

Date: September 15, 2011
Time: 7:04 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
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: STANLEY SCHUTZMAN

----- X

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MR. BROWNE: The first item we have on our agenda is the Golden Vista project, project number 1999-33. This is a site plan being represented by Stan Schutzman.

MR. SCHUTZMAN: Stanley Schutzman. Good evening, Mr. Chairman, Members of the Board. I appeared before the Board two weeks ago for the first time seeking an application to revise the Planning Board's resolution of conditional final site plan approval which was issued on July 21st of 2011. The applicant is still working out some of the details with respect to the senior housing component. I believe that we can resolve them in the next week or two. Respectfully I'm asking if I can postpone the Planning Board's consideration of this matter until the next available meeting.

CHAIRMAN EWASUTYN: Okay. At this point the agenda has been completed for the 6th of October. That makes our next meeting --

MR. COCKS: The 20th.

CHAIRMAN EWASUTYN: -- the 20th. Would the 20th --

MR. SCHUTZMAN: That would be fine.

CHAIRMAN EWASUTYN: I'll move for a

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motion from the Board to set the 20th of October as an agenda item for Golden Visita, amended site plan.

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 Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. Thank you.

MR. SCHUTZMAN: Thank you very much.

(Time noted: 7:05 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: October 18, 2011
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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X

In the Matter of

34 NORTH PLANK ROAD
(2011-08)

North Plank Road
Section 80; Block 7; Lot 25
B Zone

----- X

AMENDED SITE PLAN

Date: September 15, 2011
Time: 7:05 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
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ANTHONY COPPOLA

----- X

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MR. BROWNE: The next item we have is 34 North Plank Road, project number 2011-08. It's an amended site plan being represented by Mario Salpeppi. You're not him.

MR. COPPOLA: AJ Coppola, Project Architect. Thank you, Mr. Chairman.

We were here for this project, 34 North Plank Road, last March. To refresh everybody's memory, this is an existing structure on the corner of Route 32/North Plank Road and Windy Lane. This building has a long history to it. Twenty years ago, in 1990, the owner and the applicant at that time went to the Zoning Board, received a zoning variance to change the house at that time into an office. That applicant never followed up with the building permit or Planning Board approval, so it was never recorded as an office use as far as the building department was concerned. Since that period of time it has been used as an office, most recently by my client, Jean Currier who is here today. Jean purchased the building approximately eight years ago and has used it as a real estate office since that time. This year when the building was up for

1 sale, I think the title search or search of the
2 records showed that it was not an office and it
3 was indeed still a single-family house. So
4 starting in March with the Planning Board we were
5 then referred to the Zoning Board. We spent two
6 meetings at the Zoning Board, in May and in July,
7 and in July we received the three variances that
8 we needed, which were all area variances for four
9 yards and one variance for the lot width. So we
10 received those variances. Some of the things
11 I'll talk about in a minute were the results of
12 comments of the Zoning Board.
13

14 Now we're back here. The site plan that
15 we've used now is basically the newly generated
16 site plan. The last time we were here we had just
17 used the site plan from twenty years ago. So now
18 we've updated it and shown some site
19 improvements. Basically this is an entire
20 existing site with the large parking lot in the
21 front. There's nine spaces in the front lot.

22 The lot fronts Route 32, that's where
23 the front door is. At the front door we need to
24 make this, of course, handicap accessible. We
25 have to install a small ramp for that. That's

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shown in the drawings.

One of the comments at the Zoning Board was the fact that we had these two existing parking spaces on Windy Lane which were into the street. I'm sorry, into the right-of-way. And so we basically have taken those spaces and moved them about seven or eight feet so that they're now closer to the building, but now the entire parking space would be within the lot line. So those two spaces are no longer -- would no longer be straddling the lot line. That work is shown.

And then there's some pavement in the rear. This was originally a garage in the rear. It's part of the office now. There's a pavement area that's back there that's kind of chewed up, so we're showing that to be resurfaced.

The building is serviced by municipal water and it's serviced by the existing sanitary septic system. We did also include a letter from our mechanical engineer regarding the sewage flow, stating that that sewage flow as an office would be less than the sewage flow as it existed as a house. That's basically it.

So there's really -- there's an

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34 NORTH PLANK ROAD

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existing sign in the front. We would use that sign. I'm going to show the size of that sign so we can calculate the conformance with that as far as the sign ordinance goes. I'll show that.

There's not much we're showing new in terms of landscaping. It's a fully developed site in terms of the trees, especially the trees down Windy Lane are quite large. There are some beds in the front. There are some beds in front of the parking lot, too.

We are showing some new lighting for the parking lot. I know Bryant had a comment about that. We can talk about that. That's basically it.

CHAIRMAN EWASUTYN: I'll turn to the Board Members for their comments. Frank Galli?

MR. GALLI: No additional.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I don't have anything.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I have no questions.

CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: I have no comments.

MR. FOGARTY: I have no questions.

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CHAIRMAN EWASUTYN: John Ward?

MR. WARD: No comments.

CHAIRMAN EWASUTYN: We'll turn to Pat Hines, Drainage Consultant.

MR. HINES: The site is consistent with the Town's policy requiring curbing. Curbing has been shown on the plans.

There's no topography on the plans but I trust that Mario's office -- AJ's office has taken that into account, where they placed the curbs. That was our only comment.

MR. COPPOLA: Okay.

CHAIRMAN EWASUTYN: Bryant Cocks, Planning Consultant?

MR. COCKS: Mr. Coppola addressed the comments of the signage on site.

The Planning Board will require two waivers, one for the design guideline requirement of keeping the parking in the side or rear yard. Due to site constraints, since this is a corner lot, that's not able to happen. Also the waiver of the topography requirement for the site plan.

Orange County Planning Department issued a local determination on April 15, 2011.

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34 NORTH PLANK ROAD

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CHAIRMAN EWASUTYN: And there's no need for a SEQRA determination on this, is there?

MR. COCKS: No. It's a type II.

CHAIRMAN EWASUTYN: Having heard the recommendations from our Planning Consultant, Bryant Cocks, I'll move that the Board grant a waiver from the design guidelines for not having -- showing the existing parking in the front yard and also from the site plan requirements that topography be shown, that the Board also grant a waiver on that.

MR. MENNERICH: So moved.

MR. FOGARTY: Second.

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

MR. BROWNE: Yes, John. I think we need to make sure the motion refers back to Bryant's comments.

CHAIRMAN EWASUTYN: Okay. Let that be stated in the motion.

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

MR. GALLI: Aye.

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34 NORTH PLANK ROAD

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MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So
carried.

I'll move for a motion to grant site
plan approval for the 34 North Plank Road amended
site plan approval.

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. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

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34 NORTH PLANK ROAD

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CHAIRMAN EWASUTYN: And myself yes. So
carried.

Thank you.

MR. COPPOLA: Thank you very much.

MR. DONNELLY: We're reserving ARB
then?

CHAIRMAN EWASUTYN: I would say it's
existing.

MR. COPPOLA: We're not changing
anything.

MR. DONNELLY: We'll approve it as is.

MR. COPPOLA: Is that it?

CHAIRMAN EWASUTYN: Thank you, Mike.

MR. COPPOLA: Thank you.

(Time noted: 7:11 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: October 18, 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: September 15, 2011
Time: 7:12 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
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: CHRISTOPHER VILLARI

----- X

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

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2 MR. BROWNE: Our next item of
3 business is New York City Department of
4 Environmental Protection, Delaware Aqueduct
5 Repair, project number 2011-15. It's a
6 conceptual site plan. I would ask whoever the
7 lead person is to introduce themselves and the
8 rest.

9 MR. VILLARI: Thank you very much,
10 Members of the Board, for including us on your
11 agenda this evening. For the benefit of the
12 Stenographer and Members of the Board, I've typed
13 up a roll call list. My name is Chris Villari,
14 I'm the Outreach Lead, Water for the Future.

15 MR. SIMMONS: Phil Simmons, Senior
16 Program Manager, Permit Resources Division.

17 MR. CANALE: James Canale, also of the
18 DEP, Design and Construction.

19 MR. TRELSTAD: I'm Graham Trelstad, I'm
20 with the AKRF. We're planning and environmental.

21 MS. FARMWALD: I'm Jennifer Farmwald,
22 I'm with DEP, Environmental Planning and
23 Analysis.

24 MR. WOODEN: Mike Wooden, Principal
25 Engineer, Arcadis, design consultants for New

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York City.

MR. RUSSO: Anthony Russo with AKRF,
Planning Consultant on the job.

MR. MICHAUD: Dan Michaud with DEP,
Bureau of Water Supply.

MR. PAGE: Mark Page, Managing
Director, Bureau of Planning and Analysis.

MR. VILLARI: There's a couple things
I'd like to touch on. One, we have completed and
issued a final scope of work for the
Environmental Impact Statement which I believe
the Members hopefully have received. The next
step will be in late November when we issue the
Draft Environmental Impact Statement. Following
the issuance of the Draft we will hold a public
hearing, which will probably be in this forum
here. Not here, at the Planning Board, but
probably in this building.

The other thing we'd like to do is
thank you very much for allowing us to meet in
late August with your consultants. We did get to
hear a lot of the comments from the consultants,
and we're currently incorporating them into the
site plan.

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What we would like to do is ask if we could continue to meet, on the fourth Tuesday of the month, with your consultants.

The other thing we'd like to cover -- and I'd also like to take this opportunity to thank you very much for investigating into the code and determining that our project will be zoned as a public utility.

The other major item that we'd like to cover this evening is where we are at this point with our traffic study and potential impacts. So for that we would like to set up a projector system. I will let Anthony Russo take it from there.

MR. SIMMONS: Should we point the screen this way?

CHAIRMAN EWASUTYN: Which ever way you think it works. If everyone needs to see, maybe it's best if we set it in the middle and project it this way and show that way.

MR. RUSSO: Thanks for moving, everybody.

Tonight we're going to discuss and present our traffic study area, where we did

1 counts, what type of counts we did, and that
2 information feeds into the traffic analysis.
3 We're also going to talk about traffic volumes on
4 Route 9W and our existing conditions capacity
5 analysis. Intersections are graded on a letter
6 scale of A through F. A represents free flow
7 conditions, very good traffic conditions. F
8 represents the worst, where the intersection is
9 operating at a capacity with long cues and
10 delays. Level of service E is normally what you
11 find in rush hour, in busy areas where there is
12 some congestion and some constraints on the
13 intersection. We're also going to talk about
14 trip generation. We're going to present worker
15 and truck projections over the course of the
16 project for the various phases of construction.
17 We're going to talk about potential improvement
18 measures, not specific ones because we haven't
19 gotten to our impact analysis yet but the toolbox
20 of measures that could be implemented, if
21 necessary, to improve operations and safety at
22 intersections with the project in place. The
23 scope of our study is a detailed comprehensive
24 traffic study.
25

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2 All the intersections in the previous
3 slide were measured, pictures were taken,
4 pavement markings were noted, and we're using
5 that where necessary to do any kind of turning
6 radius analysis for the trucks that have to come
7 in and out of the site. The capacity analysis
8 focuses on the weekday a.m. and p.m. peak hours.
9 In this case we took -- for a conservative
10 analysis we took the peak of the construction
11 activity and the peak of the traffic network,
12 because they were close, and analyzed them as
13 one. Normally the construction is a little
14 earlier in the a.m., a little earlier in the
15 p.m., but this time it was close enough to the
16 commuter peak hours so we decided to overlap them
17 to do a more conservative analysis. We provided
18 turning counts at thirteen intersections in the
19 study area. We went out on a typical weekday from
20 6:00 in the morning until 9:30 in the morning and
21 then from 2:00 in the afternoon all the way up to
22 8:00. We even did Saturday, in case that was
23 necessary, and we counted cars as they made turns
24 through the intersections, the intersection
25 information we need in order to run the capacity

1 analysis so we can grade intersections on that
2 letter scale, A through F. We did twenty-four
3 hour traffic counts at three locations for nine
4 days, which is the tubes on the road which I'm
5 sure you've run over many times. It counts cars
6 for twenty-four hours a day for over a week. We
7 did vehicle classification counts so we
8 understand the number of trucks and buses that go
9 through the intersection. We will be doing an
10 analysis of future conditions, both with and
11 without the project, so we can assess potential
12 impacts of the construction project. We did a
13 review of public transit ridership in this area.
14 For this project we assume all the workers will
15 be coming by auto. We are communicating with the
16 Newburgh School District so we understand their
17 bus operations in the area and how our
18 construction project will dovetail with that, and
19 a review of the accident history, both on the
20 roadways and the intersections in the study area.
21 So that's the scope of the traffic study.

22 This slide, the colors show the roadway
23 jurisdictions in the area here. You have I-84,
24 9W, and then you have Old Post Road here and
25

1 here's the project site. The routes to and from
2 the project site will mainly be on the State
3 roadways. It will be on I-84 and up 9W to and
4 from the project site.
5

6 This intersection here shows close-up
7 of the project site. Old Post, River Road over
8 here, and this is the entrance to the project
9 site off of 9W. This shows a more detailed study
10 area. We had a similar study on the east side of
11 the Hudson. These circles here show all the
12 locations where we did our turning movement
13 counts down at the interchange with I-84 all the
14 way up 9W and over in this area at Old Post Road.
15 We also did it up in this area in the event it
16 was needed. As it turns out, it may not be. We
17 collected the data because all of our traffic
18 will be coming in off 9W.

19 This shows the two-way traffic volumes
20 combined, both north and south on 9W. That's the
21 ATR counts that we did. It's near Old Post Road.
22 In the morning you have 7:15 to 8:15 commuter
23 volume. The two-way volume is nearly 1,600
24 vehicles per hour. In the p.m., 4:30 to 5:30,
25 about 1,700 vehicles per hour on 9W.

1
2 This is the preliminary results of the
3 existing conditions analysis. Again getting back
4 to that letter scale, most intersections operate
5 at level of service E or better, which is
6 generally considered acceptable operating
7 conditions, acceptable to lay humans, but there
8 are exceptions. The signalized intersections, for
9 instance down at 9W and the ramps and Plank Road,
10 there you experience operating conditions that
11 are worse than level of service D where you have
12 congestion and delay. Also at Fostertown Road
13 and 9W you experience conditions that are worse
14 and some movements and some congestion. Basically
15 it's at the interchange and Fostertown Road.
16 That's the locations that have traffic lights
17 where we have some congestion and delays and
18 conditions that are worse than D. For the
19 unsignalized intersections, three locations,
20 Lattintown Road, Old Post Road, Morris Drive,
21 Cortland Drive, where they intersect 9W where
22 cars are trying to make a left turn out,
23 primarily that's the movement where you get
24 delayed, and we have worse than level of service
25 E conditions on the approaches to these

1 intersections where they hit 9W. If I said 9D
2 before, I'm sorry. I'm back and forth between the
3 two. Again, it's not uncommon to experience these
4 type of level of service conditions on minor
5 roadways and unsignalized intersections on a busy
6 State roadway. So you have about four locations
7 for the signalized and three for the unsignalized
8 where we have congestion points and the level of
9 service is worse than D.
10

11 Jamie from the DEP is going to take you
12 through the next two slides where he presented
13 truck and worker projections over the course of
14 the project.

15 MR. CANALE: Again, James Canale from
16 DEP. This slide represents the truck trips
17 associated with the construction period from 2013
18 to 2021 which is on the access, the bottom line
19 of the graph. It's a little busy. On top it's a
20 brief statement on what the actual work is
21 expected to be. For example, on the top left we
22 start with the site prep. As you might expect,
23 excavation of the shaft, generally speaking,
24 mobilization of the tunnel boring machine, the
25 tunnelling, the lining of the new tunnel and

1
2 essentially the connection phase which comes at
3 the end. The graph itself, this line represents
4 the average number of trucks. The blue diamonds
5 are the peak trucks that could occur during that
6 period. Again, you'll notice that the truck
7 trips peak during the tunnel excavation process
8 where we're pulling muck, crushed rock out of the
9 ground to be disposed of off site. We may make
10 as much as, you know, thirty to fifty feet a day
11 of maybe a twenty-five foot diameter excavation.
12 So it will be pulling quite a bit of material out
13 of the ground. That's the peak truck generation.
14 Other notable areas are during the connection
15 period there will be a period where we're mining
16 that last bit of the tunnel to connect the old
17 tunnel to the new tunnel. Again we'll be
18 removing material from the site. I guess that's
19 the general narrative on the truck trips.
20 Certainly if there's -- this is probably the
21 biggest area.

22 MR. FOGARTY: Is that the number of
23 trucks per hour?

24 MR. CANALE: Trucks per day. This peak
25 hour is trucks per day.

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MR. RUSSO: Trips.

MR. CANALE: Trips per day. It peaks at about 100 per average, about 150 for max during that period.

MR. BROWNE: You're talking shift?

MR. CANALE: It's a twenty-four hour day. Different areas of the work have different shifts. We're probably going to be at one maybe long shift early on in the job, certainly the first few months. When we get into the shaft work it would go to two shifts, especially once we get to some depth. We're down say 100 feet or so, we'd look to go to say two shifts for that. And then tunnelling is, by its nature, three shift work. There's really no stopping by the nature of how you produce. For the connection phase the tunnel will be out of service. Our tunnel -- normally this work up until 2020, our existing tunnel will be running at full whatever -- typical operation, which is, you know, nearly full flow. It's that connection period at the end where we'll be running three shifts because our tunnel will be out of service and empty. So naturally we want to do that as quickly as

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possible.

Just before I take any other questions on that, the worker projection is -- it more or less matches the truck trips. Generally speaking, there's more activity, more workers for the tunnel boring machine work than there is for the site prep. There's quite a few workers for the connection period. It generally will match -- the peaks and valleys will tend to match with the truck trips basically for the same reasons. I guess that brings us to more traffic.

MR. RUSSO: Thank you.

MR. DONNELLY: Do you have a slide that shows the effect of -- shows truck trips on top of the existing in terms of level of service?

MR. RUSSO: That's coming. Meetings to come. Somewhat related now in terms of the routing of the project generated traffic to the site of the trucks or autos, since down here is -- I keep pressing the wrong button -- 84 and 9W. We have 80 percent of the traffic that is going to be coming to the site traveling from the south, getting on 84 and coming north to the project site; and then when they leave, doing the

1
2 opposite, going southbound on 9W and getting back
3 on 84. So the focus of the project assignment is
4 to the south with about ten percent assumed to be
5 coming from north of the site. On a more bigger
6 scale, the color shows on this slide the various
7 routing. Again, it's really I-84 coming up to
8 the site with about ten percent coming from the
9 north. Kind of a repeat of what I just said.

10 The next thing is potential
11 improvements. We haven't gotten to the point
12 where we can say specifically that's necessary,
13 with the exception really of this one, the new
14 project site driveway on New York State 9W which
15 will be the entrance to the shaft site. That
16 location is envisioned to have a traffic signal,
17 to have turn lanes in and out of the project
18 site. In other words, you're going to take the
19 traffic that is related to the project off the 9W
20 through lanes and have its own way in and out of
21 the site, controlled by a new traffic signal.
22 This will be something that will have to be
23 reviewed and approved by New York State DOT. The
24 potential measures are broken up into two
25 categories, one is operational measures, one is

1 travel demand measures, the operational measures
2 and what physical things that you see if you're
3 driving on the street network, like I just said,
4 the traffic signal, a new driveway. Will it be
5 possible maybe at other locations, maybe the ones
6 that were identified earlier where there were
7 operating conditions worse than level of service
8 D is a potential for a timing, or maybe done at
9 the ramps where you take green time from one
10 movement and give it to another, and where you
11 give it to will be where the construction traffic
12 will be traveling to and from the site. That's a
13 potential measure. The measures on the traffic
14 signals and the implementation of work zone
15 traffic control plans, which used to be called
16 MPT plans, maintenance and protection of traffic,
17 where you have flagmen, signage out there where
18 necessary to provide for safe routing of truck
19 traffic to and from the project site. Variable
20 message signs are usually part of the traffic
21 control plans, our traffic management side, to
22 make certain that any exceptional deliveries,
23 which are large trucks, that the Town and the
24 police are aware of it, they know about any work
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2 zone traffic control plan that may be necessary
3 and everybody is on the same page and prepared.
4 Scheduling of trucks, once again, for any special
5 exceptional deliveries, so again the Town is
6 aware of whether that would occur. Accommodation
7 for cueing and truck deliveries on site to make
8 sure anything that happens does not impact Route
9 9W, whether it be parking and getting in and out
10 of the site. We're going to have cueing on our
11 site, not on your roadway. Review again with
12 police about any work zone traffic control plans
13 so if they have any input, we know early on and
14 make sure we're all on the same page. These are
15 some of the measures that could be implemented.

16 I thank you, and now we open it to
17 questions.

18 MR. GALLI: Just on the site driveway
19 entrance, are they going to put additional turn
20 lanes in and stuff?

21 MR. RUSSO: Yes. It's contemplated in
22 the conceptual site design now.

23 MR. GALLI: By widening the road or
24 repositioning the lines?

25 MR. RUSSO: Anything that will be done

1
2 will be done on our project site in order to make
3 room for it. That's something that is subject to
4 a meeting with DOT.

5 MR. BROWNE: Have you found potential
6 sites to take the material off to yet?

7 MR. RUSSO: Anybody from DEP can come
8 in. Where the muck goes when this leaves the
9 site, that's up to the contractor. When it
10 leaves the site it can go in different places.
11 We're not certain where it's going to go. That's
12 up to the contractor.

13 MR. MENNERICH: The size of the trucks
14 that are going to be hauling the materials, are
15 they oversized trucks or are they --

16 MR. RUSSO: On this side we're still
17 assessing what the truck fleet will look like for
18 these deliveries. It's anticipated that most of
19 them -- the majority would be your standard dump
20 truck, concrete truck. In some cases there might
21 be a need for a larger truck. We're still
22 looking into that. That gets back to what I said
23 earlier about making the Town aware of that and
24 implementing any measures that might be necessary
25 to make sure turns and clearance can be made.

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Most of them are going to be your typical trucks.

MR. MENNERICH: Are you considering tandem trucks?

MR. RUSSO: Again, we're still looking into what's necessary size wise for these trucks. I repeat, it's more your garden variety for the most part.

CHAIRMAN EWASUTYN: In your final scope on permitting, I don't have it in front of me, you speak about getting permits or approvals from a highway agency in reference to your trucks. Can you expand upon that?

MR. RUSSO: I don't have the exact wording in front of me but --

CHAIRMAN EWASUTYN: I've never read about that.

MR. RUSSO: -- any approvals for work -- if it's for an oversized truck, overweight or large, that would require approval from whatever agency governed the roadway, if indeed that's necessary.

CHAIRMAN EWASUTYN: New York State Department of -- actually, New York State Department of Health. I guess you're right, that

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would be major generating permits, special hauling permits and highway work permits.

MR. RUSSO: If that would be necessary we would have to get their approval.

CHAIRMAN EWASUTYN: That would be the Department of Health?

UNIDENTIFIED SPEAKER: That's a typo.

CHAIRMAN EWASUTYN: The other one which might have been a slight typo, I'm sorry for digressing, you have under regulatory agencies --

MR. WOODEN: Which page is that?

CHAIRMAN EWASUTYN: That's page 17. Also on page 19 you talk about major permit approvals. You list the City of Newburgh but you don't list the Town of Newburgh. Page 19.

MR. RUSSO: I can assure you, whatever we need going forward for permits --

UNIDENTIFIED SPEAKER: That's a typo also.

CHAIRMAN EWASUTYN: Because you were talking about truck traffic. Now you've answered my questions.

MR. RUSSO: Thank you.

MR. FOGARTY: When you estimate the

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2 number of trucks that are going to be generated
3 with this project, how do you come to those
4 numbers? What's the process that you use to come
5 to those estimates?

6 MR. MICHAUD: It's somewhat of a bottom
7 assessment where you look at the activities that
8 are going on during any given time on the site,
9 recognizing that this will be a very complex site
10 of activity during a given phase. You look at --
11 say during the tunnel boring phase you know that
12 a certain amount of material is going to be
13 removed from the excavation as you advance. You
14 can equate that to a certain number of dump
15 trucks that are going to leave the site to take
16 the material, earth work, that you're doing
17 around the site. It's sort of an added approach
18 by looking at the building blocks of what's going
19 on on the site, making a best guess at how long
20 those things take, how much overlap there might
21 be. That's why we present both average and peaks
22 in some of those activities. That's the general
23 approach.

24 MR. FOGARTY: Is there any similar
25 project that you could draw some figures from?

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2 MR. MICHAUD: Yes and no. We're
3 certainly looking at -- fundamentally everything
4 is driven by the rate at which we can advance the
5 shaft excavation and the tunnel excavation. All
6 of those numbers are based on experience from
7 similar projects, recognizing the rock in any
8 part of the world is different and unique and
9 that's going to affect those results. At its core
10 all those numbers are grounded and the experience
11 from similar projects, recognizing, you know,
12 obviously no two sites of projects are exactly
13 alike. They give you a sound basis for the
14 assumptions we're making.

15 MR. FOGARTY: One other question that's
16 different than traffic. Who is in charge of the
17 overall safety of this project from the site to
18 the traffic? Is the Town involved in that at all
19 or do you have your own safety group that handles
20 that?

21 MR. CANALE: The Department in
22 particular, my bureau, is in charge of the
23 safety, especially on the site. Any safety
24 issues that come up with all the work. We have a
25 very extensive safety department. Health and

1
2 safety plans are extensive. And our personnel.
3 There's always going to be safety professionals
4 on every site that we work on.

5 MR. FOGARTY: Do you work with the Town
6 in case there's an emergency where you have to
7 draw upon --

8 MR. CANALE: We can coordinate with the
9 Town. What comes to mind is firefighting and the
10 Town's ability, or lack thereof, to get say down
11 to the bottom of a 900 foot deep shaft. We tend
12 to do this in a number of upstate communities.
13 At the beginning of the job we coordinate what
14 emergency services are required from the town.
15 Usually it's something on the order of an
16 ambulance would be waiting at the top, God forbid
17 something unpleasant happens. All these things
18 are coordinated. Like I said, we have an
19 extensive health and safety --

20 UNIDENTIFIED SPEAKER: In previous
21 meetings Jerry Canfield raised that question as
22 part of the EIS and separate plan to present to
23 the Board. It will be in the specs of the
24 contract put together and presented to him, our
25 safety plans for the project.

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MR. BROWNE: The trucks coming and going from the site. Is it the assumption from the traffic study point of view that all of the traffic -- traffic is going to be up and down 9W to 84, 84 to wherever the destination is to dump and --

MR. RUSSO: Our first cut analysis, yes. Ninety percent of traffic is assigned on 9W to and from I-84.

MR. BROWNE: And then wherever it's going to go?

MR. RUSSO: Wherever it's going to go from there.

MR. BROWNE: You kind of know where we're going. I wasn't too concerned once they got on 84, but the local traffic going north.

MR. RUSSO: We have some going north, the majority south, taking advantage of the location of the site and having the interstate just south.

MR. BROWNE: Thank you.

MR. WARD: And have you been talking to the Town just in case there's a major accident with water flooding out and everything, a

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catastrophic type thing? If there was a problem, you broke through and came out the tunnel or whatever.

MR. CANALE: Any time we're going to be anywhere near the tunnel -- our new tunnel won't have any pressure to get up and onto the surface.

MR. WARD: I mean the transition.

MR. CANALE: When we connect, the old tunnel will have no water in it. Every other time we're going to maintain what we're calling a safe distance from the existing tunnel, something on the order of 150 feet away depending on the rock. So we don't anticipate -- obviously we don't anticipate ever achieving that. Right now we're boring on our site. We have blow-out preventers if we did find strong artesian pressure, so that kind of thing wouldn't happen. We don't really intend to get to a point where -- there's a valve to protect the surface from any substantial water flow.

MR. WARD: And I see your volume is basically 2015 to 16. When you're sleeving, what would cause the volume on that?

MR. CANALE: We're going to be

1 delivering a lot of concrete. When we excavate
2 the tunnel the tunnel boring machine, I believe
3 sometime in 2015 when everybody sees it delivered
4 to the site, it's an impressive machine. It will
5 be on the record of 20 feet in diameter, maybe
6 150 feet long with all the trailing gear. It
7 excavates this 20-foot diameter hole and as it's
8 going it's putting up precast concrete liners.
9 As the machine -- the machine pushes off these
10 liners to get across the river. But then these
11 liners really work in compression, meaning from
12 the outside water trying to come in. When our
13 tunnel is put in service it's going to be a
14 complete reversal of forces, and all this
15 pressure on the inside now we have to keep from
16 going out. The precast liner is really great for
17 that. We have to put a secondary liner in which
18 would be something on the order of a foot, foot-
19 and-a-half thick concrete liner so that the final
20 waterway diameter will be about 14 feet. During
21 this period, after the tunnel is excavated which
22 also includes the initial liner, there will be a
23 period where we're doing a steel liner because we
24 have really bad geology, which is why we're doing
25

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2 this project in the first place. The old tunnel
3 has problems with geology and then this concrete
4 liner will be the final waterway resisting the
5 outward pressure. There's still quite a bit of
6 water coming in to do that.

7 MR. WARD: You were saying about
8 getting rid of all the muck and everything else,
9 the outside contractor. We'd like to know where
10 the outside contractor is going to be putting the
11 material and be safe with it no matter where we
12 put it.

13 MR. CANALE: It tends to -- we often
14 like to reuse our material. On a job across the
15 river a couple years ago we were taking material
16 out and taking it to Ferry Point in the city
17 because that's where fill was needed. It's
18 basically going to be pretty good fill for
19 landfill purposes. So it's kind of
20 opportunistic. Where ever fill may be needed.
21 We tend to make the muck the contractor's
22 property once it's excavated. So he has to deal
23 with it. He can sell it and, you know, make some
24 money or have to pay to dispose of it depending
25 on the opportunities at the time, which we're not

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2 going to have a really good idea about what that
3 might be in say 2015. We don't really have like a
4 property in mind that we would just say okay,
5 this is where it's going to go and just make a
6 big landfill at this point to know where it's
7 going. That's why we're assuming it's going to
8 go to 84 and from 84 it can get to wherever the
9 market forces drive it without substantial impact
10 compared to what it would be on 9W.

11 MR. WARD: As long as we're aware where
12 it's going. That's what I'm trying to say.

13 MR. FOGARTY: It's not going to stay on
14 the 27 acre site?

15 MR. CANALE: Yeah. It's got to go.

16 MR. WERSTED: I think to John's point,
17 it's certainly unknown at this point where that
18 material will go, and probably the worst-case
19 scenario would be assuming everything is headed
20 down to 84 and then going to wherever it's going
21 to versus the contractor gets the job and finds a
22 site that is north, and now all the material is
23 coming out, and instead of 90 percent heading
24 south, 90 percent is heading north to wherever.
25 I think if that were the case, the Board would

1
2 want to look at that and revisit that. Obviously
3 it's not known at this point.

4 MR. RUSSO: When you break up the
5 traffic between workers and trucks, the majority
6 of traffic is workers. The trucks are actually
7 not a large number. I mean for the traffic study
8 we're probably going to assume the max number
9 that the site can handle in an hour would be
10 twelve trucks. In theory it might be on the
11 order of one to five truck trips in an hour.
12 It's not large truck traffic. Even if we assume,
13 you know, they went north, it wouldn't change
14 much -- add much more traffic or change level of
15 service anywhere because we're not talking about
16 a component of the construction traffic to begin
17 with.

18 MR. WERSTED: Did you anticipate
19 particular times during the day where it might be
20 heavier than other times? For example, if we
21 were looking at an asphalt plant, the morning
22 hours might be the busiest because that's when
23 they can get their trucks out to the site and do
24 the paving and what not, whereas the mid
25 afternoon the work is starting to wind down so

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those truck trips just aren't being generated. Being that it's somewhat a twenty-four hour cycle or day, will there be peaks in the truck traffic or will it be pretty steady throughout the day?

MR. RUSSO: Again, we're going to take the highest possible peak. It could only process so many trucks, the site, and accommodate them on site and make sure they're cued on site. We're going to take that mass, like I said before, and put it on peak hours, the highest for conservative. Outside of that, for the most part there could be spikes here or there. That's the reason they have the diamond in the truck graphic. It's fairly consistent. It's not as much as the maximum theoretical but --

MR. BROWNE: Do you have a concept of how many workers will be coming in?

MR. RUSSO: It's in the magnitude of about 100. In that area. We'll have more specific numbers at the next meeting.

MR. MENNERICH: What time of the year were your traffic counts and surveys done?

MR. RUSSO: The traffic counts were done in December with school in session, and all

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count information is identified in the traffic study. The counts are put in the appendix for everyone to see, both the process data.

Any other questions?

MR. FOGARTY: I'll just ask one question that has nothing to do with this.

MR. RUSSO: It gets me off the hook.

MR. FOGARTY: When I look at this project, you take a look at the scope of the thing and \$2,000,000. I remember when the governor of New Jersey, the first thing he did was put the kibosh on one big tunnel project. Is this money guaranteed, this \$2,000,000? Is there a possibility you could get halfway into this project and some governor or mayor or whoever could pull the rug out from underneath you?

MR. TRELSTAD: Part of the reason it was started in 2013 is it is during the current mayor's term. Once we've started really spending that money, it makes it harder to stop because this is probably the most critical project for DEP since it affects fifty percent of New York's water supply to the City.

MR. VILLARI: That concludes the

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2 presentation. The only matter of business left
3 for the Board is we'd like to ask to continue to
4 meet with the consultants on the fourth Tuesday
5 of the month, which this month is the 27th. So
6 with your kind permission, we'd like to schedule
7 that.

8 CHAIRMAN EWASUTYN: Do you also want to
9 continue with your monthly presentation to the
10 Board? That being the case; if it's yes, that
11 meeting then we're talking about would be the
12 meeting of the 20th of October. Do you see a
13 need to come back on the 20th of October?

14 MR. TRELSTAD: I would say yes. We'd
15 probably want to present the impact analyses from
16 the traffic study and to respond, bring back the
17 results that we've put together from the comments
18 we've received from your consultants.

19 CHAIRMAN EWASUTYN: All right. I'll
20 move for a motion that we set the 27th of
21 September for the Delaware Aqueduct project for a
22 consultants' work session, and we also schedule
23 it for a Planning Board agenda item for the 20th
24 of October.

25 MR. MENNERICH: So moved.

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MR. FOGARTY: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself.

(Time noted: 7:50 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: October 18, 2011

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

----- X
In the Matter of

MAGYAR/BUDGET TRUCK RENTAL
(2011-04)

5465 Route 9W
Section 9; Block 1; Lot 3
B Zone

----- X

SITE PLAN

Date: September 15, 2011
Time: 7:50 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: 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

MR. BROWNE: Our next item of

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business is Magyar/Budget Truck Rental, project number 2011-04, site plan.

CHAIRMAN EWASUTYN: The representative, Frank Valdina, sent a letter to us directly after the agenda was set to say this time he would like to be moved to the meeting of the 6th of October because he was addressing the outstanding items as far as drainage and landscaping. At this point it's not an agenda item for discussion.

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

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

----- X
In the Matter of

DISCUSSION OF LOCAL LAWS 7 AND 8 OF 2011
Zoning District Designation of Two Parcels

----- X

BOARD BUSINESS

Date: September 15, 2011
Time: 7:51 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
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KAREN ARENT
KENNETH WERSTED

----- X

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

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2 MR. BROWNE: Our first item of Board
3 Business is a discussion. Mike Donnelly
4 and Bryant Cocks will discuss Local Laws 7 and
5 8 of 2011 including comments from the Planning
6 Board Members. This local law changes the
7 zoning district designation of two parcels.

8 CHAIRMAN EWASUTYN: I think at this
9 point we'll move for a motion for Bryant Cocks to
10 send a written letter to Mark Taylor and the Town
11 Board in reference to our comments and
12 suggestions, if any, for this proposed local law,
13 and have that delivered to the Town via e-mail no
14 later than the 19th of this month which is when
15 it's an agenda item.

16 MR. PROFACI: So moved.

17 CHAIRMAN EWASUTYN: I have motion by
18 Joe Profaci. I have a second by --

19 MR. FOGARTY: Second.

20 CHAIRMAN EWASUTYN: A second by Tom
21 Fogarty. I'll ask for a roll call vote starting
22 with Frank Galli.

23 MR. GALLI: Aye.

24 MR. BROWNE: Aye.

25 MR. MENNERICH: Aye.

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MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself.

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

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

----- X
In the Matter of

THE MARKETPLACE AT NEWBURGH
(2005-54)

Request for Placement on the 9/27/11 Consultants'
Work Session Agenda

----- X

BOARD BUSINESS

Date: September 15, 2011
Time: 7:53 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
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

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

----- X

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MR. BROWNE: The next item is The Marketplace at Newburgh, project number 2004-54. The applicant is requesting to be placed on the September 27, 2011 consultants' work session agenda.

CHAIRMAN EWASUTYN: Along with that action we'll also move to permit the applicant's consultants to discuss with the Planning Board Consultants any matters in preparation for the work session before the actual work session day of the 27th.

MR. PROFACI: So moved.

MR. GALLI: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself.

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

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

----- X
In the Matter of

DISCUSSION OF LOCAL LAW TO AMEND THE ZONING LAW

----- X

BOARD BUSINESS

Date: September 15, 2011
Time: 7:54 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
KENNETH MENNERICH
JOSEPH E. PROFACI
THOMAS P. FOGARTY
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
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MR. BROWNE: The next item was already taken care of during the regular session.

The last item is a discussion. Mike Donnelly and Bryant Cocks will discuss the new local law regarding amending the zoning law.

CHAIRMAN EWASUTYN: We'll refer to Bryant Cocks to prepare a written comment letter to the Town Board to be e-mailed no later than the 19th of October.

MR. COCKS: September.

CHAIRMAN EWASUTYN: September. Excuse me.

MR. PROFACI: So moved.

MR. FOGARTY: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Myself.

I'll move for a motion to close the
Planning Board meeting of September 15th.

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 ask for a roll call vote starting with Frank
Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself.

(Time noted: 8:00 p.m.)

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