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

----- X
In the Matter of

ANCHORAGE-ON-HUDSON LOT #2
(2025-02)

Mariners Court
Section 121; Block 1; Lot 2
R-1 Zone

----- X

PUBLIC HEARING
AMENDED SUBDIVISION

Date: March 6, 2025
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: MARK DAY

----- X

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

2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. The Town of
4 Newburgh Planning Board would like to
5 welcome you to their meeting of the
6 6th of March 2025. This evening we
7 have five Planning Board items and we
8 have three items under Board Business.

9 At this time I'll call the
10 meeting to order with a roll call vote.

11 MR. DOMINICK: Present.

12 MS. DeLUCA: Present.

13 CHAIRMAN EWASUTYN: Present.

14 MR. BROWNE: Present.

15 MS. CARVER: Present.

16 MR. WARD: Present.

17 MR. CORDISCO: Dominic Cordisco
18 from Drake Loeb, Planning Board Attorney.

19 MS. CONERO: Michelle Conero,
20 Stenographer.

21 MR. HINES: Pat Hines with MHE
22 Engineering.

23 MR. BONET: Ivan Bonet, also with
24 Drake Loeb, the Town Attorney.

25 CHAIRMAN EWASUTYN: At this time

2 I'll turn the meeting over to Stephanie
3 DeLuca.

4 MS. DeLUCA: Please stand for the
5 Pledge.

6 (Pledge of Allegiance.)

7 MS. DeLUCA: I ask that you please
8 silence your phones. Thank you.

9 CHAIRMAN EWASUTYN: The first item
10 of business is Anchorage-on-Hudson -
11 Lot 2. It's a public hearing on an
12 amended subdivision. It's located on
13 Mariners Court in an R-1 Zone. It's
14 being represented by Day & Stokosa
15 Engineering.

16 At this time we'll turn the
17 meeting over to Lisa Carver to read
18 the notice of hearing.

19 MS. CARVER: "Notice of hearing,
20 Town of Newburgh Planning Board. Please
21 take notice that the Planning Board of
22 the Town of Newburgh, Orange County, New
23 York will hold a public hearing pursuant
24 to Section 274-A of the New York State
25 Town Law and Chapter 83 of the Town of

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Newburgh Code on the application of Anchorage-on-Hudson - Lot 2, 2025-02. The project is an amended subdivision to relocate the driveway access from Mariners Court to River Road. The project also involves an application to the Orange County Health Department for a new location for the subsurface sanitary sewer disposal system. The project will amend the previously approved Anchorage Subdivision, Filed Map 216-02. A single residential house continues to be proposed on the lot. The project is located in the Town's R-1 Zoning District. The project is designated on Town's Tax Map as Section 121; Block 1; Lot 2. A public hearing will be held on the 6th day of March 2025 at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7 p.m. or as soon thereafter, at which time all interested persons will be given an opportunity to be heard. By order of the Town of Newburgh Planning Board. John P. Ewasutyn,

2 Chairman, Planning Board Town of
3 Newburgh. Dated 7 February 2025."

4 CHAIRMAN EWASUTYN: Thank you.
5 Please.

6 MR. DAY: Good evening. Mark Day
7 with Day & Stokosa.

8 Pretty much everything you just
9 read. I don't know if anybody has any
10 questions. It's a lot. It was in the
11 Anchorage Subdivision. The driveway was
12 originally proposed off of Mariners
13 Court. Unfortunately the grade is a
14 little more difficult to get on to the
15 lot, so the applicant is asking to
16 relocate the driveway onto River Road.

17 Again, it's a single-family house.

18 The septic system has been
19 submitted to the Orange County Health
20 Department for review. We got a notice
21 that they're going to review it next
22 week. Really that's it.

23 We did reach out to the highway
24 super today. I understand he has -- I
25 don't think he made it out there as of

2 yet. We sent him a copy of the map today
3 in which he acknowledged receipt, but I'm
4 not certain if he got there today or not.

5 CHAIRMAN EWASUTYN: Comments from
6 Board Members?

7 MR. DOMINICK: Nothing further.

8 CHAIRMAN EWASUTYN: Comments from
9 the audience. This is a public hearing.
10 Please raise your hand and give your
11 name.

12 (No response.)

13 CHAIRMAN EWASUTYN: Let the record
14 show that there's no public comment.

15 Pat Hines with MH&E.

16 MR. HINES: As Mr. Day said, the
17 project needs Health Department approval
18 for the revised septic system. He just
19 identified the status of that.

20 The highway superintendent's
21 comment is outstanding.

22 We requested that the limits of
23 disturbance be added to the plans. That
24 has been added at .68 acres, less than 1
25 acre.

2 We have a comment that the bulk
3 table needs to be revised. Where it says
4 one side yard and then both side yards,
5 it's the combination of the two. That's
6 a clean-up item in the bulk table.

7 Otherwise, all of our previous
8 comments have been addressed.

9 CHAIRMAN EWASUTYN: Since there's
10 no public comment, I'll ask for a motion
11 to close the public hearing on
12 Anchorage-on-Hudson - Lot 2.

13 MR. BROWNE: So moved.

14 MS. CARVER: Second.

15 CHAIRMAN EWASUTYN: I have a motion
16 by Cliff Browne and a second by Lisa
17 Carver. Can I have a roll call vote
18 starting with Dave Dominick.

19 MR. DOMINICK: Aye.

20 MS. DeLUCA: Aye.

21 CHAIRMAN EWASUTYN: Aye.

22 MR. BROWNE: Aye.

23 MS. CARVER: Aye.

24 MR. WARD: Aye.

25 CHAIRMAN EWASUTYN: At this point

2 we'll turn to Dominic Cordisco, Planning
3 Board Attorney, to give us conditions of
4 approval.

5 MR. CORDISCO: The conditions would
6 include the amended approval from the
7 Health Department for the septic system,
8 as well as the signoff from the highway
9 superintendent for the revised driveway
10 location, as well as payment of fees.

11 In connection with the fees, there
12 is no recreation fee that's involved with
13 this because this is not creating a new
14 lot, it's amending an existing lot.

15 CHAIRMAN EWASUTYN: Any comments
16 from the Board Members as far as the
17 conditions stated by Dominic Cordisco,
18 Planning Board Attorney?

19 MR. DOMINICK: No.

20 MS. DeLUCA: No.

21 MR. BROWNE: No.

22 MS. CARVER: No.

23 MR. WARD: No.

24 CHAIRMAN EWASUTYN: Would someone
25 move for a motion then to approve

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Anchorage-on-Hudson - Lot 2?

MR. DOMINICK: I'll make the motion.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by Stephanie DeLuca. Can I have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Thank you.

MR. DAY: Thank you very much.

(Time noted: 7:04 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of March 2025.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

AUTO PARK PLACE - EV CHARGERS
(2024-28)

200 Auto Park Place
Section 97; Block 2; Lot 11.21
IB Zone

----- X

AMENDED SITE PLAN

Date: March 6, 2025
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: BILL POVALL

----- X

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

2 CHAIRMAN EWASUTYN: The second item
3 on today's agenda is Auto Park Place.
4 It's for EV chargers. It's an amended
5 site plan located at 200 Auto Park Place
6 in an IB Zone. It's being represented by
7 Povall Engineering, is it?

8 MR. POVALL: Povall.

9 We were here back in, I believe,
10 October --

11 CHAIRMAN EWASUTYN: Can you give
12 your name for the record?

13 MR. POVALL: Bill Povall, engineer
14 for the applicant.

15 We had an initial review. There
16 were minor comments.

17 The only real change to the plan is
18 we added some landscaping behind the
19 charging stations that we're proposing,
20 the three charging stations. It provides
21 screening to the neighbor.

22 Other than that, there were a lot
23 of procedural comments or questions which
24 have been resolved.

25 CHAIRMAN EWASUTYN: Dave Dominick,

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comments?

MR. DOMINICK: Nothing.

MS. DeLUCA: Nothing.

CHAIRMAN EWASUTYN: No comment.

MR. BROWNE: Nothing more.

MS. CARVER: Nothing further.

MR. WARD: No comment.

CHAIRMAN EWASUTYN: Pat Hines with
MH&E.

MR. HINES: Our first comment just
identifies the description of the project
the applicant's representative just gave.

We confirmed the adjoiners' notices
were circulated.

Thirteen small arborvitae plants
have been incorporated into the plan on
the side yard between the chargers and
the neighboring property.

The Orange County Planning referral
was completed. We received a Local
determination. There's no evidence of
significant inter-municipal or countywide
impacts and no advisory comments.

The Board would, at this point, be

2 considering whether or not to hold a
3 public hearing. I believe it's a Type 2
4 action under SEQRA at this scale.

5 CHAIRMAN EWASUTYN: I'll poll the
6 Board Members to see if they want to have
7 a public hearing. It's discretionary
8 with site plans.

9 MR. DOMINICK: I'd like to give a
10 reason, if I can. This project is
11 located in an IB Zone, a heavy corridor
12 section surrounded by businesses. There's
13 Minimal impact to anyone, I believe, in
14 that area. Minimal traffic. I don't
15 think it warrants a public hearing.

16 CHAIRMAN EWASUTYN: Thank you.
17 Stephanie DeLuca?

18 MS. DeLUCA: I agree.

19 CHAIRMAN EWASUTYN: I agree.

20 MR. BROWNE: The same. I agree.

21 MS. CARVER: I agree.

22 MR. WARD: I agree.

23 CHAIRMAN EWASUTYN: Let the record
24 show that the Planning Board waived the
25 public hearing on Auto Park Place - EV

2 Chargers.

3 At this point we'll turn to Dominic
4 Cordisco, Planning Board Attorney.

5 MR. CORDISCO: The project would be
6 in a position to be considered for
7 conditional final approval at this time.

8 As Pat had noted, it is a Type 2
9 action under SEQRA, so no further action
10 needs to be taken in connection with that.

11 I believe that the comments have
12 already been addressed that Pat had in
13 connection with the landscaping changes
14 that were requested previously.

15 The referral to Orange County
16 Planning has already occurred with the
17 Orange County Planning Department
18 responding with a Local determination.

19 As a result, the approval resolution
20 and any conditions would be fairly
21 straightforward. It would be finalizing
22 the plans, submitting it for signature
23 and payment of fees.

24 CHAIRMAN EWASUTYN: Any comments
25 from Board Members?

2 MR. DOMINICK: No.

3 MS. DeLUCA: No.

4 MR. BROWNE: No.

5 MS. CARVER: No.

6 MR. WARD: No.

7 CHAIRMAN EWASUTYN: Would someone

8 move for a motion to approve the Auto

9 Park Place - EV Chargers?

10 MR. WARD: So moved.

11 MR. DOMINICK: Second.

12 CHAIRMAN EWASUTYN: I have a motion

13 by John Ward. I have a second by Dave

14 Dominick. Can I have a roll call vote

15 starting with Dave Dominick.

16 MR. DOMINICK: Aye.

17 MS. DeLUCA: Aye.

18 CHAIRMAN EWASUTYN: Aye.

19 MR. BROWNE: Aye.

20 MS. CARVER: Aye.

21 MR. WARD: Aye.

22 MR. POVALL: Thank you.

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24 (Time noted: 7:10 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of March 2025.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

THE ENCLAVE
(2022-25)

NYS Route 300 & Gardnertown Road
Section 34; Block 1; Lots 46, 52.12 & 53.5
R-3 Zone

----- X

DEIS
246 APARTMENTS - MULTI-FAMILY SITE PLAN

Date: March 6, 2025
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

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

2 CHAIRMAN EWASUTYN: Item number 3,
3 the Enclave, project number 22-25. We
4 received the DEIS. It's for 246
5 apartments, multi-family on the site
6 plan. DEIS stands for draft
7 environmental impact statement. The
8 project is located on Route 300 and
9 Gardnertown Road. It's in an R-3 Zone.
10 Ross Winglovitz of Engineering &
11 Surveying Properties will discuss the
12 project with us.

13 MR. WINGLOVITZ: Good evening.
14 Again, Ross Winglovitz, Engineering &
15 Surveying Properties.

16 I'm here this evening with the
17 applicant, Nick Minoia with Diversified.

18 This is a project that we presented
19 to the Board probably about eighteen
20 months ago for a residential multi-family
21 project. The Board pos dec'd the
22 project. The scoping session was held.
23 The scope was adopted in December. We
24 submitted a draft environmental impact
25 statement addressing the scope. We're

2 here tonight to receive your comments
3 regarding the document so that we can
4 address them and hopefully work towards a
5 completed draft environmental impact
6 statement.

7 We did receive comments from Pat.
8 I didn't receive any other comments.

9 CHAIRMAN EWASUTYN: At this point
10 we'll get comments from Board Members.
11 Dave Dominick.

12 MR. DOMINICK: Thank you. Thank
13 you for that report. It was a very
14 detailed, comprehensive report. We
15 appreciate that.

16 A couple of cautions. In the
17 section where you talked about emergency
18 services, fire response, EMS response,
19 police response, et cetera, you also
20 mentioned, and I interpreted it as, that
21 school busing will be allowed on your
22 site to pick up school kids in front of
23 each of the buildings, or wherever the
24 designated bus stops are. Is that
25 correct?

2 MR. WINGLOVITZ: We actually have a
3 bus stop that we had set up out in front
4 of the site. I have to check that
5 language for consistency. My experience
6 here is that they would not do that.

7 MR. DOMINICK: Right.

8 MR. WINGLOVITZ: We can set that up
9 in front of the site, the bus stop and a
10 parking area just for that purpose.

11 MR. DOMINICK: Right. That's what
12 we understand, any private area they're
13 not going to drive through. If you could
14 just look at that again, I'd appreciate
15 that.

16 MR. WINGLOVITZ: Yup.

17 MR. DOMINICK: And then just a
18 couple of Pat's comments. Since I talked
19 about the EMS, I think it was comment 36,
20 the Town of Newburgh Ambulance, that
21 needs to be updated as far as they do
22 have paramedic services now. Please look
23 at that again.

24 That's all I had.

25 CHAIRMAN EWASUTYN: Stephanie?

2 MS. DeLUCA: I don't necessarily
3 have questions. I just have comments or
4 concerns. They were also addressed by
5 Pat.

6 I guess two of my biggest concerns
7 have to do with the traffic, which I
8 understand will be addressed, and the
9 impact that that will have on that route,
10 and just the environmental impact that
11 may or may not occur in the construction
12 of the buildings.

13 CHAIRMAN EWASUTYN: I don't have
14 anything to add to Pat Hines' comments.

15 I'll just mention something as far
16 as the site plan later on. Remember, you
17 will need a variance to have a pick-up
18 area in the front. We've had that happen
19 before with a project on Gardnertown
20 Road. They were proposing the same
21 thing. You're not permitted -- Jim
22 Campbell isn't here -- to have that type
23 of object in the front yard.

24 MR. WINGLOVITZ: We're behind the
25 setback with the structure.

2 CHAIRMAN EWASUTYN: It's something
3 to do with the --

4 MR. HINES: It's an accessory
5 structure in front of the primary
6 building.

7 MR. WINGLOVITZ: Even though it's
8 not in the front yard, it's still in
9 front of the building.

10 MR. HINES: Correct.

11 CHAIRMAN EWASUTYN: It's needed,
12 but it's not --

13 MR. WINGLOVITZ: Yup. Yup.

14 MR. BROWNE: I don't have anything
15 more than what Pat has.

16 I do have a strong concern also
17 that he has in there about the possible
18 blasting and what's going on with that.
19 That needs to be addressed thoroughly, as
20 Pat mentioned in here. As you probably
21 recall, for the other sites we had
22 blasting protocols set in place. At that
23 point we didn't know what was actually
24 going to happen. We still put those
25 protocols in place. I'm concerned. In

2 case we get to that point, I think there
3 has to be some more work to demonstrate
4 if there will be or will not be, et cetera.

5 CHAIRMAN EWASUTYN: Lisa Carver?

6 MS. CARVER: Pat addressed a lot.
7 There's nothing more than what he has,
8 except I have a question.

9 This is just curiosity. How do you
10 calculate the number of children, school
11 children, based on the number of people?
12 I'm just curious.

13 MR. WINGLOVITZ: It's based on the
14 type of units that are proposed. There
15 are demographic multipliers. Most of it
16 is accepted by Western Suffolk BOCES is
17 who does a lot of the work. Rutgers also
18 has a couple of documents that have been
19 printed. Based on their studies of
20 different units and how many children
21 they produce, one bedroom is so many,
22 two bedrooms, single family, it's a
23 different formula. There are a whole
24 bunch of use categories. Based on that
25 is how we project it. It's the same

2 number the school district uses for the
3 most part.

4 MS. CARVER: Thank you.

5 CHAIRMAN EWASUTYN: John Ward?

6 MR. WARD: Pat covered a lot.

7 The one was the dates with lead
8 agency and the positive dec. They're
9 separate days in one area and then in
10 another area, under 2.1, it says we're
11 lead agency plus the positive all in one
12 day. Different dates.

13 MR. WINGLOVITZ: You guys get a lot
14 done in a short amount of time. We're
15 trying to give you more credit.

16 MR. WARD: Under the species of
17 special concern, NYCRR Part 182, because
18 it covers some salamanders, special
19 salamanders. You have a Red Shoulder
20 Hawk that's in there. I think it needs
21 to be updated. You did it back in 2022.
22 When the time comes, everything changes.
23 At the same time, the pond and all,
24 that's where the salamanders and things
25 like that will be.

2 CHAIRMAN EWASUTYN: I think John is
3 talking about the vernal pools.

4 MR. WINGLOVITZ: The isolated
5 wetlands we call them.

6 CHAIRMAN EWASUTYN: Nick, now that
7 you're here, would you like to talk about
8 your project? Some Board Members are
9 new. I know we had the opportunity many
10 years ago to listen to you. For the
11 record, for the stenographer, would you
12 give your name, please.

13 MR. MINOIA: Nick Minoia. I'm the
14 principal managing member of Diversified
15 Properties.

16 For those of you that know and
17 those of you that may not know, we own
18 two projects already in the Town of
19 Newburgh. We have Meadow Hill and we
20 also have Summit Lane. We have a lot of
21 experience dating back -- I hate to date
22 myself, but it's probably been close to
23 ten years now, plus or minus, that we
24 started the construction of the companion
25 project in New Windsor. In Newburgh we

2 had 370 apartments between the two
3 projects. One is 186 and one is 185. We
4 do have a lot of experience with the type
5 of tenancy and the management of these
6 types of properties.

7 It's an interesting question about
8 the schools. Rutgers is probably one of
9 the foremost authorities on generation of
10 school children. It's always an issue.
11 We're finding actually in reality that
12 the numbers we see are actually less than
13 what Rutgers presents based on the
14 occupancy. It's the kind of opposite
15 ends of the spectrum. You're getting
16 people without children moving into
17 apartments because either they don't want
18 to or can't afford a house or there's
19 none available. At the other end you get
20 empty nesters, the children are up and
21 grown and out of the house or they didn't
22 have children. They're not generating a
23 lot of school-aged children, which is
24 good for the school districts. There was
25 a great fear that multi-family would

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generate all of these school children.
In reality the new apartments really
don't. The product type is a sense of
community that attracts both ends of that
spectrum.

We think this is a fabulous site
for what we do and the type of
communities that we build and operate.

We do our own construction, for
those of you that don't know. We do our
own leasing, we do our own property
management. It's not just we build it
and we disappear. We build it, we own
it, manage it, lease it, police it so to
speak. We take a lot of pride in
ownership. If you drive through the
community or you know people that live at
one of our communities, we've had
municipal employees that live in the
communities, we take great pride in it
and we're very happy and proud to be here
as a member of your community.

CHAIRMAN EWASUTYN: Nick, for the
record, the Planning Board Members did

2 view your site off of 207. Again, can
3 you give the name of the site?

4 MR. MINOIA: We've got the Summit
5 Terrace in New Windsor, we've got the
6 Summit Landing in Newburgh -- Town of
7 Newburgh and our Meadow Hill development.
8 We have 270 units in New Windsor.
9 Between the three projects we have --
10 whatever that math is -- 600 apartments
11 here in the local market. I guess we're
12 probably the largest or one of the
13 largest owners of new multi-family in the
14 market. We are certainly, either by
15 design or by experience, one of the local
16 experts on it.

17 CHAIRMAN EWASUTYN: Thank you.

18 MR. MINOIA: Thank you, John.

19 CHAIRMAN EWASUTYN: I'll turn to
20 Pat Hines with MH&E.

21 MR. HINES: I'm going to suggest
22 that I hit the high points of my comment
23 letter. It's fairly long. I do have
24 just a narrative in the beginning, giving
25 the history of the project and where we

2 are today.

3 I have comments regarding the
4 proposed sanitary sewer connection which
5 I described as coming from the proposed
6 pump station, going up Gardnertown Road
7 with a forced main and back down to Union
8 Avenue. We're looking for additional
9 detail regarding the permitting, the fact
10 that it's outside the sewer district and
11 other information.

12 We have multiple comments on the
13 geology section. Currently I think only
14 fourteen deep test pits were done
15 utilizing a conventional backhoe,
16 excavating equipment.

17 There was a section in the scoping
18 document that required an analysis of
19 bedrock. Blasting methods, protocols and
20 techniques have been -- it's stated if
21 blasting is required, we will address
22 that. That was in the scope. There's no
23 identification of the competency of the
24 bedrock, whether it can be ripped with
25 mechanical equipment, hydraulic equipment

2 or blasting will be required. This
3 project is up against an adjoining
4 residential neighborhood and blasting
5 impacts need to be addressed.

6 Additional wetland impacts. The
7 changes in the DEC wetland regulations as
8 well as some environmental issues
9 regarding certain species of animals
10 needs to be further included in the
11 document.

12 Additional floodplain information
13 should be provided.

14 The scope did request the sizing
15 and information of the proposed culvert
16 to cross the Quassaick Creek be
17 identified, and that has been, in the
18 document, identified as being deferred to
19 the future. That needs to be addressed
20 in conjunction with the Quassaick Creek
21 impacts and the floodplain impacts
22 associated with that floodplain corridor
23 you're crossing.

24 The vernal pools which were just
25 mentioned. They are referred to as

2 that in regard to this project should be
3 included.

4 We have some comments on the tree
5 mitigation.

6 We have a comment on ownership of
7 the water mains. I believe the Town has
8 a policy where this water main is going
9 to connect through your site. Typically
10 when they connect through the site like
11 that, the Town is probably going to want
12 ownership of those. That discussion
13 should be had further. There won't be a
14 meter at your site access. It's going to
15 go through and become part of the Town's
16 water system. That should be further
17 addressed.

18 The construction of any offsite
19 utilities needs to be included in the
20 stormwater pollution prevention plan,
21 that being the forced main at the lineal
22 portions of the project.

23 Again, we talked about the
24 ambulance service.

25 Generally my comments regarding

2 blasting and the geo-tech report need to
3 be further addressed.

4 The model of the stormwater flow
5 through the crossing.

6 There is information in the e-mail
7 included in your supplement from Lisa
8 Masi, the senior wildlife biologist from
9 DEC, suggesting that the applicant
10 confirm with the U.S. Fish & Wildlife
11 Service. We did not identify that the
12 project had been run through the IPAC
13 System of the U.S. Fish & Wildlife
14 Service which should be done.

15 We're deferring traffic comments to
16 Creighton Manning Engineering. I know
17 Ken got sidetracked tonight. I'm sure
18 he's going to have additional traffic
19 comments for you.

20 That's the gist of our fifty some
21 comments, the high points.

22 Generally we would suggest to the
23 Board that the document as submitted is
24 incomplete for review at this time.

25 CHAIRMAN EWASUTYN: Ross, you had

2 something to add?

3 MR. WINGLOVITZ: No. I was just
4 looking at the comprehensive plan. The
5 last thing we've been able to find is the
6 '23 draft. We were just at the meeting
7 the other night. I know they're talking
8 about it and working on it. I don't know
9 if there's anything since then.

10 CHAIRMAN EWASUTYN: They've been
11 working on it for the last two years.

12 MR. WINGLOVITZ: Is there a
13 document that they prepared?

14 CHAIRMAN EWASUTYN: It's just about
15 ready to be put out for public comment.
16 You can speak to Mark Taylor.

17 MR. WINGLOVITZ: I will do that.

18 Wetlands we did submit right away.
19 These guys have been on top of that issue
20 since it came out. The ecological
21 analysis is done, the wetlands
22 investigation on the site. They
23 submitted that on, I think, January 6th.
24 They're one of the first ones, my
25 clients, to send it in. You guys are the

2 guinea pigs. They have ninety days to
3 review, the DEC. We're sixty something
4 in.

5 MR. HINES: The vernal pool
6 analysis should be included in there. As
7 Mr. Ward said, the species of special
8 concern. I think there's reference to
9 species of the Three Mole Salamander
10 which is a type of salamander. Those
11 should be analyzed further as well.

12 I noted that they stated in the
13 document that the vernal pools would be
14 protected. I just said is it really
15 protected or avoided. That terminology
16 should be addressed. I don't know how
17 you're protecting them. I think your
18 intent was to avoid impacts. The
19 protected seemed to me like there would
20 be an area reserved around them. That
21 should be clarified.

22 CHAIRMAN EWASUTYN: Dominic Cordisco,
23 Planning Board Attorney, can you summarize
24 the discussion?

25 MR. CORDISCO: Yes. So the Board

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has received this proposed draft environmental impact statement. The Board itself can provide any comments to the applicant. You've already heard from Pat Hines.

Ken Wersted's traffic comments. I did hear from Ken. He is completing his completeness review. He anticipates having his comments submitted to the Board and to be provided to the applicant within the next week.

With that, the action for the Board to consider would be to deem the proposed draft environmental impact statement to be incomplete at this time and request that the applicant provide a revised draft addressing the outstanding comments, and of course any additional comments that the Board Members may have as well as Ken's comments.

CHAIRMAN EWASUTYN: Do you have anything to add?

MR. WINGLOVITZ: We understand what we have to do.

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CHAIRMAN EWASUTYN: Can I have a motion from the Board for The Enclave, project 22-25, based upon the advice of our consultants and our attorney, that we move that the DEIS presented is incomplete.

MR. WARD: So moved.

MS. CARVER: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward. I have a second by Lisa Carver. Can I have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

MR. HINES: I think it's important for the Board to note that this incomplete doesn't mean -- we didn't do a technical review of the appendices and such yet. There will be a further in-depth technical review. This is a strictly check the table of contents

2 versus the scope, which we did tonight.

3 MR. CORDISCO: That's correct.

4 Substantive comments as to whether or not
5 environmental impacts have been
6 sufficiently addressed and mitigated will
7 be provided during the FEIS phase of the
8 project.

9 CHAIRMAN EWASUTYN: Thank you.

10 What does FEIS stand for?

11 MR. CORDISCO: Final environmental
12 impact statement. That will be a
13 response to all of the comments. It's
14 initially prepared by the applicant.
15 This happens after the public comment
16 period and the public hearing. It will
17 be a document that gets reviewed and then
18 accepted by the Board and will become
19 essentially the Board's responses to all
20 comments made at that point.

21 CHAIRMAN EWASUTYN: Let me
22 understand. When the Planning Board
23 states that the DEIS is complete and
24 ready for public review, there will be a
25 public hearing on this?

2 MR. CORDISCO: Yes, sir.

3 MR. WINGLOVITZ: Thank you very
4 much.

5 MR. MINOIA: Thank you, Mr. Chairman,
6 Members of the Board and the Professionals.

7 CHAIRMAN EWASUTYN: Do you have
8 something to do with that self-storage on
9 17K in Montgomery?

10 MR. MINOIA: I do.

11 CHAIRMAN EWASUTYN: That's the Cube
12 Stop?

13 MR. MINOIA: Yes. We actually just
14 finished the construction. It's now, I
15 would say, 99 percent complete. In fact,
16 our CO -- unconditional CO was issued
17 just yesterday. We're fully operational.
18 All of the independent drive-up units are
19 available for lease. Anybody looking for
20 a unit? The building is also open fully.

21 MR. WINGLOVITZ: Do you give a
22 discount to your tenants?

23 MR. MINOIA: It's a very unique
24 self-storage facility. We've done a lot
25 of them. I've never built one that looks

2 to be in that configuration.

3 MR. DOMINICK: The look of the barn
4 is incredible.

5 MR. MINOIA: It was a very tough
6 design structurally to pull it off. It
7 just so happens that I'm a barn
8 aficionado. I have a large barn on my
9 property that I restored that was built
10 in 1830. Fully restored, three stories.
11 I photograph them when I'm out and about.
12 I was a military photographer, so I'm an
13 avid photographer. When we stumbled on
14 the project and the initial design was
15 laid out by the former owner, I thought
16 this is going to be interesting. It's
17 unique in the marketplace.

18 MR. DOMINICK: It definitely adds
19 character.

20 MR. MINOIA: It has character. It
21 doesn't look like every other self-
22 storage box.

23 MR. WARD: Nice job.

24 MR. DOMINICK: Very nice.

25 MR. MINOIA: Thank you very much.

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I appreciate that. I look forward to our next meeting.

(Time noted: 7:32 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of March 2025.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

SAFE HAVEN SELF-STORAGE - PHASE II
(2022-04)

14 Crossroads Court
Section 95; Block 1; Lot 74
IB Zone

----- X

AMENDED SITE PLAN

Date: March 6, 2025
Time: 7:32 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

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

2 CHAIRMAN EWASUTYN: The fourth item
3 of business this evening is Safe Haven
4 Self-Storage - Phase II. It's an amended
5 site plan located on 14 Crossroads Court
6 in an IB Zone. It's being represented by
7 Ross Winglovitz again with Engineering &
8 Surveying Properties.

9 MR. WINGLOVITZ: Good evening.
10 Ross Winglovitz, Engineering & Surveying
11 Properties. I'm here on behalf of --
12 Bernard Mittelman is the contact for this
13 project. This is the former Orange
14 County Choppers building.

15 We were here a few years ago
16 regarding a two-phase approval. One is
17 converting the Orange County Chopper
18 building into indoor self-storage, air
19 conditioned self-storage, and then also a
20 second phase which was outdoor storage.
21 We have a fence around the parking areas,
22 removing islands, relocating light poles,
23 so forth.

24 The applicant no longer wants to
25 remove the islands. They want to leave

2 it in its current configuration and only
3 install the fence. None of the paving
4 would be disturbed. None of that would
5 change. It's only the addition of the
6 fence to secure the outdoor storage area.

7 The additional thing is some EV
8 charging stations and a U-Haul rental
9 facility. They find that they have a lot
10 of people who are tenants looking for
11 that service, so they wanted to provide
12 it.

13 Pat talked about whether or not the
14 use was permitted. We were thinking
15 under the special use permit, there is a
16 special use permit for rental, vehicle
17 rental in the IB Zone, use 13 under
18 special uses. That's where we were
19 headed with that. Hopefully not for a
20 variance. It's specifically permitted as
21 a special use, special use 13.

22 The other item is signage.
23 Basically there are Orange County Chopper
24 signs on the glass facade at the end of
25 the building and it would be called the

2 front of the building. They want to
3 replace those with new signage for Safe
4 Haven Self-Storage. For each location
5 we've calculated the area that's
6 permissible under the code. We believe
7 we conform with that. The other thing is
8 there's an existing freestanding sign
9 there now that was for the Choppers. It
10 would just replace the glass with a
11 plastic for that sign to be Safe Haven
12 Self-Storage.

13 MR. HINES: I'm not seeing that.

14 MR. WINGLOVITZ: In the IB, special
15 permit use. You've got to read through
16 it. It goes car wash, rental, vehicle
17 rental.

18 MR. HINES: I don't have any
19 special uses in the IB Zone. I have uses
20 subject to site plan review. 13 is
21 business parks in accordance with.

22 MR. CORDISCO: That's what I'm
23 seeing as well.

24 MR. HINES: I know it's allowed in
25 the self-storage overlay zone which is

2 along the Route 9W corridor. This is not
3 in that zone.

4 MR. WINGLOVITZ: It's number 9.
5 I'm sorry. Motor vehicle service
6 stations and public garages, car rental
7 agencies. Uses subject to site plan
8 review.

9 MR. HINES: I don't have a number
10 9.

11 MR. CORDISCO: It's on the second
12 page, but mine says warehouses.

13 MR. HINES: Mine says warehouses as
14 well.

15 MR. WINGLOVITZ: You know why. You
16 hit the IB link on here and it gives you
17 the I Zone.

18 MR. HINES: You had me going for a
19 little while.

20 MR. DOMINICK: You almost got it,
21 Ross.

22 MR. HINES: You sounded pretty
23 convincing.

24 MR. WINGLOVITZ: The link on the
25 E-Code puts you into the I Zone. Okay.

2 That could be a problem. I will confirm
3 with my client whether they want to
4 continue to propose it.

5 MR. HINES: Would you like that
6 referral? It may be appropriate.

7 MR. CORDISCO: What I would suggest
8 is, rather than coming back for another
9 meeting, the Board could make that
10 referral now and I would only do the
11 referral letter if confirmed by you that
12 the applicant wants to go forward with
13 that aspect of the project.

14 MR. WINGLOVITZ: Okay.

15 CHAIRMAN EWASUTYN: Is the Board in
16 agreement with what Dominic Cordisco just
17 suggested?

18 MR. DOMINICK: Yes.

19 MS. DeLUCA: Yes.

20 CHAIRMAN EWASUTYN: Yes.

21 MR. BROWNE: Yes.

22 MS. CARVER: Yes.

23 MR. WARD: Yes.

24 MR. DOMINICK: John, would Ross
25 need a referral for the signage, swapping

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that sign out?

CHAIRMAN EWASUTYN: We're talking about a different subject as far as the storage for U-Hauls.

MR. DOMINICK: I know that. Would he also need a variance for that piece as well?

CHAIRMAN EWASUTYN: I don't know about signage.

MR. HINES: I defer signage reviews typically to Mr. Campbell who is not here tonight.

MR. WINGLOVITZ: I'll pick up on Dave's suggestion and include it. I'll talk to Jim. If Jim thinks we need it, we won't have to take an agenda spot to come back and get it.

CHAIRMAN EWASUTYN: Good comment. Just general comments from Board Members. Dave Dominick?

MR. DOMINICK: Do you have an onsite caretaker? Is anybody living --

MR. WINGLOVITZ: No.

MR. DOMINICK: -- in that motor

2 home in the back, that trailer?

3 MR. WINGLOVITZ: Not that I'm aware
4 of.

5 MR. DOMINICK: It looks inhabited.

6 MR. WINGLOVITZ: In the back? I
7 will ask.

8 MR. DOMINICK: That was my only
9 question.

10 CHAIRMAN EWASUTYN: Stephanie DeLuca?

11 MS. DeLUCA: I may have missed a
12 certain part of the fencing in the back
13 where the outdoor trailers and boats are.
14 How tall is that fence going to be?

15 MR. WINGLOVITZ: Six foot high.

16 MS. DeLUCA: Okay. Thank you.

17 CHAIRMAN EWASUTYN: No comment.

18 Cliff Browne?

19 MR. BROWNE: No comment.

20 MS. CARVER: How many EV chargers
21 will there be?

22 CHAIRMAN EWASUTYN: Six, I think.

23 MR. WINGLOVITZ: We have six
24 chargers.

25 MS. CARVER: Thank you. I was

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curious.

MR. WARD: No comment.

CHAIRMAN EWASUTYN: Pat Hines with
MH&E.

MR. HINES: Again, this is here
before you for ARB for the signage. I
think we're going to have to get some
input from Mr. Campbell.

We have to circulate adjoiners'
notices.

Just to note for the Board that the
boat and camper parking area continues to
be proposed.

We just discussed the U-Haul rental
in this zone.

Eventually it will need a County
Planning referral. It's within 500 feet
of a State highway and County owned
property as well, the transfer station.
It probably could be sent at this time.

I know it will have to go to the
ZBA for the variance as well.

The Board could do the County
referral at this time.

2 CHAIRMAN EWASUTYN: Dominic
3 Cordisco, Planning Board Attorney.

4 MR. CORDISCO: I concur. As I
5 suggested, the Board should also
6 authorize me to prepare the referral
7 letter to the ZBA for the variances
8 needed for the U-Haul as well as
9 potential variances that might be needed
10 for signage. I would not actually send
11 that letter until Mr. Winglovitz indicates
12 that that is something that they want
13 to proceed with. That will also provide
14 him with an opportunity to speak to
15 Mr. Campbell regarding the signage as
16 well so that could be tightened up.

17 MR. HINES: I think it's a Type 2
18 action under Section 18 of the Code
19 without physical changes to the site.
20 There would not be a lead agency
21 circulation if that's the case.

22 MR. CORDISCO: That's correct.

23 CHAIRMAN EWASUTYN: Having heard
24 from Dominic Cordisco, one more time, the
25 Board is in agreement to have Dominic

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Cordisco prepare a referral letter to the ZBA subject to the use of U-Hauls and also for the signage as suggested by Pat Hines with MH&E. The Board will also move for Pat Hines to circulate to the Orange County Planning Department. Is everyone in agreement? Dave Dominick?

MR. DOMINICK: Yes.

MS. DeLUCA: Yes.

CHAIRMAN EWASUTYN: Yes.

MR. BROWNE: Yes.

MS. CARVER: Yes.

MR. WARD: Yes.

MR. WINGLOVITZ: Thank you.

(Time noted: 7:40 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of March 2025.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

NEWBURGH ELITE STORAGE
(2024-12)

7 Paffendorf Drive
Section 34; Block 2; Lot 34
IB Zone

----- X

SITE PLAN

Date: March 6, 2025
Time: 7:40 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVES: JOHN QUEENAN
CHARLES BAZYDLO

----- X

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

2 CHAIRMAN EWASUTYN: The fifth item
3 of Board business this evening is
4 Newburgh Elite Self-Storage, project
5 number 24-12. It's a site plan located
6 on Paffendorf Drive in the IB Zone. It's
7 being represented by Lanc & Tully.

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

12 We're back before you with Newburgh
13 Elite Storage. When we were last before
14 you we had the public hearing which was
15 closed. Out of the public hearing, the
16 most significant comment was traffic and
17 traffic circulation through the site. We
18 did our homework on that. It really
19 mainly deals with the property to the
20 rear.

21 What we found out is Jeanne Drive
22 -- the public right-of-way for Jeanne
23 Drive ends about 200 feet from our
24 neighbor. There's also a common
25 driveway. There are two flag lots that

2 cut this lot off from obtaining access to
3 Jeanne Drive. Apparently he's always
4 used this property to do that, to access
5 his property. There was a filed map that
6 essentially created, it looks like a
7 common driveway access easement for two
8 additional lots off of Jeanne but not
9 including the property to our rear, to
10 our neighbor.

11 As part of this application, we're
12 proposing that he continues to use the
13 access as he always has for probably the
14 last, according to the neighbor, fifteen
15 to twenty years. We'll continue to
16 provide access with a formalized
17 easement. That is part of the site plan.

18 Any additional construction traffic
19 or vehicles that are using the site
20 currently, once the site is built, those
21 will no longer use the site and traffic
22 in the area will drop. It will basically
23 be back to a self-storage use. That's
24 what we found out.

25 We did make some other changes. We

2 worked with Karen Arent's office and we
3 finalized the landscaping. She provided
4 a memo that she was satisfied with the
5 plan as it was designed. We added some
6 stonewalls in the front and some more
7 screening along the adjacent neighbor's
8 property, as well as addressing some of
9 Pat's comments.

10 I think we're at the point where
11 we're hoping that the Board may entertain
12 seeking approval.

13 CHAIRMAN EWASUTYN: Thank you.

14 Comments from Dave Dominick?

15 MR. DOMINICK: Nothing further.

16 CHAIRMAN EWASUTYN: Stephanie DeLuca?

17 MS. DeLUCA: I think I was interested
18 in seeing what -- you're so close to the
19 park area. I believe there was some sort
20 of landscaping done on that side. Am
21 I wrong?

22 MR. QUEENAN: Down here there's a
23 stormwater management area. It is
24 landscaped. Essentially there's a
25 retaining wall here, then the grade

2 drops, the stormwater management area and
3 then off of that.

4 MS. DeLUCA: Thank you.

5 CHAIRMAN EWASUTYN: Stephanie
6 DeLuca would like to read a comment from
7 Creighton Manning, Ken Wersted.

8 MS. DeLUCA: Okay.

9 CHAIRMAN EWASUTYN: You have a
10 point about it.

11 MS. DeLUCA: It says, "We have
12 received the site plan last revised
13 February 10, 2025. Based on our review,
14 the submission and comments received from
15 the public hearing of February 6th, we
16 offer the following comments. There
17 doesn't appear to be any significant road
18 restrictions that would preclude Elite
19 Storage vehicles from accessing this site
20 using the west end of Paffendorf Drive,
21 but there may be a sight distance
22 restriction for vehicles exiting looking
23 right, east, along Route 32, particularly
24 for moving trucks, trailers, et cetera.
25 The east end of Paffendorf Drive offers

2 better sight lines and fewer residential
3 neighbors. The applicant should consider
4 directing customers to use the east end
5 of Paffendorf Drive to access the site
6 and sign the exit of the site driveway
7 with a Route 32 arrow sign." If you have
8 any further questions, please contact
9 him.

10 MR. QUEENAN: I think that's an
11 accurate comment. The applicant has no
12 objection to adding that sign.

13 I would also offer a no left-turn
14 sign along Route 32. Essentially no one
15 will go left back through the neighborhood.
16 They'll come out Paffendorf here and it
17 hooks right to 32. I think that would
18 probably direct, if not all, most of the
19 traffic leaving the facility.

20 MS. DeLUCA: Okay.

21 CHAIRMAN EWASUTYN: No comment.

22 MR. BROWNE: I appreciate the
23 effort that went into doing the traffic,
24 looking at that. We appreciate the
25 effort. Thank you.

2 MS. CARVER: No other comment.

3 MR. WARD: I think that would be
4 great with the signs.

5 MR. QUEENAN: We'll certainly add
6 them.

7 CHAIRMAN EWASUTYN: Pat Hines with
8 MH&E.

9 MR. HINES: Our first comment just
10 addresses the public hearing comments
11 that were on February 25th, noting that
12 the applicant was to provide information
13 regarding the Jeanne -- the potential
14 access to Jeanne Drive through the now or
15 former Anvil property. They have
16 responded to that request. I don't know
17 that the Planning Board Attorney has the
18 actual easement. There's reference to an
19 existing easement, but there are no
20 rights provided for access. I think some
21 additional information may be required.

22 The access easement to the
23 adjoining property, the Anvil property,
24 continues to be outstanding. That
25 easement would have to be completed.

2 Security for stormwater and
3 landscaping as well as inspection fees
4 for each.

5 Our stormwater comments that were
6 in my office's December 19th letter have
7 yet to be addressed.

8 A stormwater facilities maintenance
9 agreement would be required.

10 The Tree Preservation Ordinance,
11 the location, diameter and species of all
12 significant trees should be added. The
13 protected trees also need to be added to
14 the plan. The ordinance requires
15 identification of the protected trees
16 but doesn't reference anything further
17 on them.

18 Again, at the public hearing numerous
19 comments were received regarding traffic
20 and the use of Paffendorf Drive which
21 was just discussed with the applicant.

22 I don't know if the Board would
23 -- just thinking out loud, Ken's
24 comment, a definitive right in/right
25 out only driveway could be provided

2 at that entrance rather than just
3 have signage that says no left turn.
4 A more definitive no left-turn sign
5 with the right in/right out. Coming
6 in that direction, it wouldn't be
7 right in/right out. It would be a
8 left in/right out. That driveway
9 could be crafted to require that.
10 I'm just putting it out there for the
11 Board. I know you haven't considered
12 it. I'm just reading Ken's comment
13 over.

14 CHAIRMAN EWASUTYN: John Queenan,
15 your opinion on that?

16 MR. QUEENAN: It can certainly be
17 added. We have the room to widen the
18 driveway. It would be your typical
19 mountable small island to get you heading
20 that way.

21 CHAIRMAN EWASUTYN: Is the Board
22 satisfied with that?

23 MR. DOMINICK: Yes.

24 MS. DeLUCA: Yes.

25 CHAIRMAN EWASUTYN: Yes.

2 MR. BROWNE: Yes.

3 MS. CARVER: Yes.

4 MR. WARD: Yes.

5 MR. QUEENAN: So we would have full
6 access in and then just a right out.

7 MR. DOMINICK: You're talking about
8 a pork chop?

9 MR. QUEENAN: Correct, but you
10 could still make a left in. Instead of
11 having --

12 MR. HINES: You have to make a left
13 in.

14 MR. QUEENAN: That's certainly
15 doable.

16 CHAIRMAN EWASUTYN: Pat, any
17 additional comments?

18 MR. HINES: There is a need for an
19 Army Corp wetlands permit, either a pre-
20 construction notice or an actual permit.
21 There is roughly a half acre of wetland
22 mitigation proposed under there that
23 needs Army Corp as well as a DEC water
24 quality certification prior to getting
25 that Army Corp permit. It's not an

2 individual permit, it's a pre-
3 construction notification, but a DEC
4 permit is also required. Both the Army
5 Corp and DEC approvals would also have to
6 be completed.

7 MR. QUEENAN: Just for your
8 knowledge, the Army Corp's 45-day window
9 has passed. We're currently working with
10 the State. One of the last items they
11 were asking for was the negative
12 declaration, which we did receive. It's
13 just pending their final approval, I
14 would assume.

15 CHAIRMAN EWASUTYN: Any additional
16 comments from Board Members?

17 (No response.)

18 CHAIRMAN EWASUTYN: Dominic
19 Cordisco, Planning Board Attorney.

20 MR. CORDISCO: Yes. As just has
21 been noted, the Board had previously
22 adopted the negative declaration for this
23 project. You also held the required
24 public hearing. At this point the Board
25 could consider conditional final

1
2 approval.

3 The conditions would include
4 addressing all outstanding engineering
5 comments, those made tonight as well as
6 prior comments relating to stormwater, as
7 well as addressing the traffic mitigation
8 measures that have been discussed tonight
9 regarding the signage and reconfiguration
10 of the driveway.

11 As far as the driveway is concerned,
12 I would also note that, as Pat had
13 mentioned, Mr. Queenan's cover letter
14 describes what they found in connection
15 with rights or access or potential access,
16 or lack thereof rather, out to Jeanne
17 Drive. We actually didn't receive the
18 documents that you were basing your
19 opinion on in connection with that.
20 As a condition of any approval, we would
21 ask that those be provided so that we
22 can confirm that the site does not
23 have legal access to Jeanne Drive at
24 that location. However, if it is
25 concluded that they do have access to

2 Jeanne Drive, the application would
3 have to come back to the Board for
4 further consideration at that time,
5 just so that we're all clear about
6 that.

7 The other conditions would include
8 security for landscaping and security
9 for stormwater, payment of fees, a
10 stormwater facility maintenance agreement
11 and the typical conditions associated
12 with a project of this nature.

13 CHAIRMAN EWASUTYN: Any questions
14 or comments from Planning Board Members?

15 MR. DOMINICK: No.

16 MS. DeLUCA: No.

17 CHAIRMAN EWASUTYN: No.

18 MR. BROWNE: No.

19 MS. CARVER: No.

20 MR. WARD: No.

21 CHAIRMAN EWASUTYN: Having heard
22 the conditions of approval for Newburgh
23 Elite Self-Storage, project number 24-12,
24 presented by Planning Board Attorney
25 Dominic Cordisco, would someone move for

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the approval.

MR. DOMINICK: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: I have a motion
by Dave Dominick. I have a second by
Stephanie DeLuca. Can I have a roll call
vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Thank you.

MR. QUEENAN: Thank you.

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of March 2025.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

LANDS OF ZAZON
(2004-29)

Request for a Six-Month Extension of
Conditional Final Approval
from March 6, 2025 until September 6, 2025

----- X

BOARD BUSINESS

Date: March 6, 2025
Time: 7:52 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

----- X

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

2 CHAIRMAN EWASUTYN: We have three
3 items under Board Business, the first one
4 being the Lands of Zazon requesting a
5 six-month extension.

6 Lisa Carver will read that into the
7 minutes.

8 MS. CARVER: It's dated February 24,
9 2025. "Re: Lands of Zazon, reference
10 number 04-29. P&P number 23153.01.
11 Dear Mr. Ewasutyn, please let this
12 letter serve as our request for a
13 six-month extension, two ninety-day
14 extensions, of conditional final approval
15 for the above-referenced project. The
16 project received conditional final
17 approval on April 15, 2021 and received
18 an extension at the October 7, 2021
19 Planning Board meeting. Our office
20 requested an additional extension on
21 March 21, 2022 and received an extension
22 at the April 7, 2022 Planning Board
23 meeting. We also requested an additional
24 extension on September 14, 2022 and
25 received an extension at the October 6,

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2023 Planning Board meeting. Our office requested an additional extension on March 9, 2023 and received an extension on April 6, 2023. Another extension was requested on September 13, 2023 with an extension being granted on September 27, 2023. Our office requested an additional six-month extension in a letter dated February 14, 2024 with the extension being granted at the March 7, 2024 Planning Board meeting. Our office requested an additional six-month extension in a letter dated October 13, 2024 with the extension being granted in September of 2024. Our office has provided the Planning Board engineer with plans and documents for his final review. We will coordinate submission of maps and mylars for signature once the plans have been approved by your consultant. Thank you for your attention to this matter. Should you have any questions or

2 require anything further, please do
3 not hesitate to contact this office.
4 Very truly yours, Pietrzak & Pfau,
5 PLLC, Vincent Pietrzak, PE, PLS,
6 LEDD, AP."

7 CHAIRMAN EWASUTYN: Pat, for the
8 record, Zazon is moving along through the
9 process?

10 MR. HINES: It is. They've had
11 numerous securities and various legal
12 documents that were being filed,
13 stormwater maintenance and such. We have
14 been hearing from Pietrzak & Pfau's
15 office on this.

16 CHAIRMAN EWASUTYN: So the date
17 that we're going to act on this evening?

18 MR. CORDISCO: It should be six
19 months, if I may, running from tonight's
20 meeting.

21 CHAIRMAN EWASUTYN: The closing
22 date six months further on is what date?

23 MR. HINES: September 6th I believe.

24 CHAIRMAN EWASUTYN: Would someone
25 move for a motion then for the Lands of

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Zazon to grant the six-month extension to
September 6th?

MR. WARD: So moved.

MS. CARVER: Second.

CHAIRMAN EWASUTYN: I have a motion
by John Ward. I have a second by Lisa
Carver. Can I have a roll call vote
starting with Dave Dominic.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

(Time noted: 7:55 p.m.)

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

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

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

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
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IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of March 2025.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

OVERLOOK FARMS - ROUTE 9W
(2019-23)

Request for a Six-Month Extension
Site Plan Clearing Permit
from March 6, 2025 until September 6, 2025

----- X

BOARD BUSINESS

Date: March 6, 2025
Time: 7:55 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

----- X

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

2 CHAIRMAN EWASUTYN: Next is
3 Overlook Farms, Route 9W, requesting a
4 six-month extension for the site plan
5 clearing and grading.

6 Can you kind of summarize that
7 notice that you have in front of you,
8 Lisa?

9 MS. CARVER: Do you want me to read
10 it? It's dated February 21, 2025. "Re
11 request for extension of clearing permit
12 approval resolution - Overlook Farms,
13 Route 9W, Newburgh, New York, project
14 2019-23. Dear Chairman Ewasutyn, we
15 represent Farrell Communities at Overlook
16 Farms, LLC, a/k/a Overlook Farms, LLC,
17 the owner of the above-referenced
18 property. I write this letter with
19 respect to the Town of Newburgh's
20 Planning Board resolution of approval for
21 a clearing permit for Overlook Farms,
22 project 2019-23, filed March 9, 2023, a
23 copy of which is attached for ease of
24 reference. I write to request an
25 extension of the expiration date thereof.

2 I note that both the owner and the
3 Planning Board have made a significant
4 investment in this project and that there
5 should be no negative impact or
6 consequences in granting the request
7 approval extension. With the work not
8 completed and with the expiration period
9 upon us, my client is requesting that the
10 approval be extended for the maximum
11 permissible period. Thanking you and the
12 Planning Board Members in advance for
13 your due consideration and approval of
14 this extension request. I am sincerely
15 yours, Stanley A. Schutzman."

16 CHAIRMAN EWASUTYN: Dominic Cordisco,
17 it would be extended to what date?

18 MR. CORDISCO: That would be
19 September 6th as well.

20 CHAIRMAN EWASUTYN: Having heard
21 the request, would someone move for a
22 motion to grant the six-month extension
23 for Overlook Farms for the site plan
24 clearing and grading to the date of the
25 6th of September 2025?

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MS. DeLUCA: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Stephanie DeLuca. I have a second by John Ward. Can I have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

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

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

----- X

In the Matter of

PATTON RIDGE
(2012-18)

Escrow Agreement

----- X

BOARD BUSINESS

Date: March 6, 2025
Time: 7:55 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
IVAN BONET, ESQ.
PATRICK HINES

----- X

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

2 CHAIRMAN EWASUTYN: We're going to
3 have Dominic Cordisco introduce, which
4 isn't under Board Business but he
5 suggested the Planning Board should be
6 familiar with what he's going to discuss
7 now.

8 MR. CORDISCO: This is in connection
9 with the Patton Ridge project which is a
10 subdivision that was previously approved
11 by the Board. The current owner of that
12 property and that project is under contract
13 to sell to a new buyer. Both the seller's
14 consultants and attorneys and the buyer's
15 attorneys have been working with the Town
16 to make sure that the conditions of the
17 approval are satisfied, but there is
18 a little bit of complexity because the
19 seller, as I understand it, is under
20 the obligation of delivering to the
21 buyer a signed subdivision plat, and
22 yet it is the buyer's responsibility
23 to pay for the bonding associated
24 with the project, and also to pay
25 outstanding fees.

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Normally the Board would not -- the Town, rather, would not release a signed subdivision plat to anyone without having posted bonds or paying the fees.

What Mark Taylor has suggested in this circumstance, and he's asking you to actually concur with his recommendation, is that there could be an escrow agreement that gets signed by both the seller, the buyer and the Town where the subdivision plat would be signed and would be then held in escrow until such time that the Town receives the bonding and the fees. It's a bit atypical, but it's certainly legal to do it this way.

You have the situation where the seller is obviously not interested in building the project as it currently exists, but you have a buyer that is willing to build it and also pay the fees. All of those things have to

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come together, actually, at the closing. This is something that would be handled at the Town attorney level, with our concurrence obviously.

It was being added to tonight's agenda because Mr. Taylor was looking for your concurrence that this approach would be okay, which he finds it is okay as well.

CHAIRMAN EWASUTYN: Your recommendation to the Planning Board?

MR. CORDISCO: I would recommend that you concur and allow the subdivision plat to be released in escrow, only to be recorded with the County Clerk's office once all fees have been paid, all bonds have been posted and Mr. Hines and Mr. Taylor have signed off on all the conditions having been met.

CHAIRMAN EWASUTYN: Comments from Board Members?

MR. DOMINICK: Nothing further.

CHAIRMAN EWASUTYN: Can you give us verbiage for approving the proposal

2 presented by Mark Taylor, Town Attorney,
3 for holding monies in escrow?

4 My only question is, and I don't
5 know if I'm thinking clearly, there's how
6 many days when a subdivision map is
7 signed that it needs to be filed in the
8 County?

9 MR. CORDISCO: 62 days. 62 days
10 from the date of the chairman's signature
11 on the plat, otherwise it has to be
12 resigned.

13 CHAIRMAN EWASUTYN: Thank you.

14 Would someone move for a motion to
15 have Dominic Cordisco present a letter to
16 Mark Taylor saying that the Planning
17 Board is in agreement with the proposed
18 escrow agreement for Patton Ridge?

19 MR. BROWNE: So moved.

20 MS. CARVER: Second.

21 CHAIRMAN EWASUTYN: I have a motion
22 by Cliff Browne. I have a second by Lisa
23 Carver. Can I have a roll call vote
24 starting with Dave Dominick.

25 MR. DOMINICK: Aye.

2 MS. DeLUCA: Aye.

3 CHAIRMAN EWASUTYN: Aye.

4 MR. BROWNE: Aye.

5 MS. CARVER: Aye.

6 MR. WARD: Aye.

7 CHAIRMAN EWASUTYN: Okay. Would
8 someone make for a motion to close the
9 Planning Board meeting of the 6th of
10 March 2025?

11 MS. DeLUCA: So moved.

12 CHAIRMAN EWASUTYN: Do I have a
13 second?

14 MS. CARVER: Second.

15 CHAIRMAN EWASUTYN: Second by Lisa
16 Carver. Can I have a roll call vote
17 starting with Dave Dominick.

18 MR. DOMINICK: Aye.

19 MS. DeLUCA: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. BROWNE: Aye.

22 MS. CARVER: Aye.

23 MR. WARD: Aye.

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25 (Time noted: 8:02 p.m.)

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